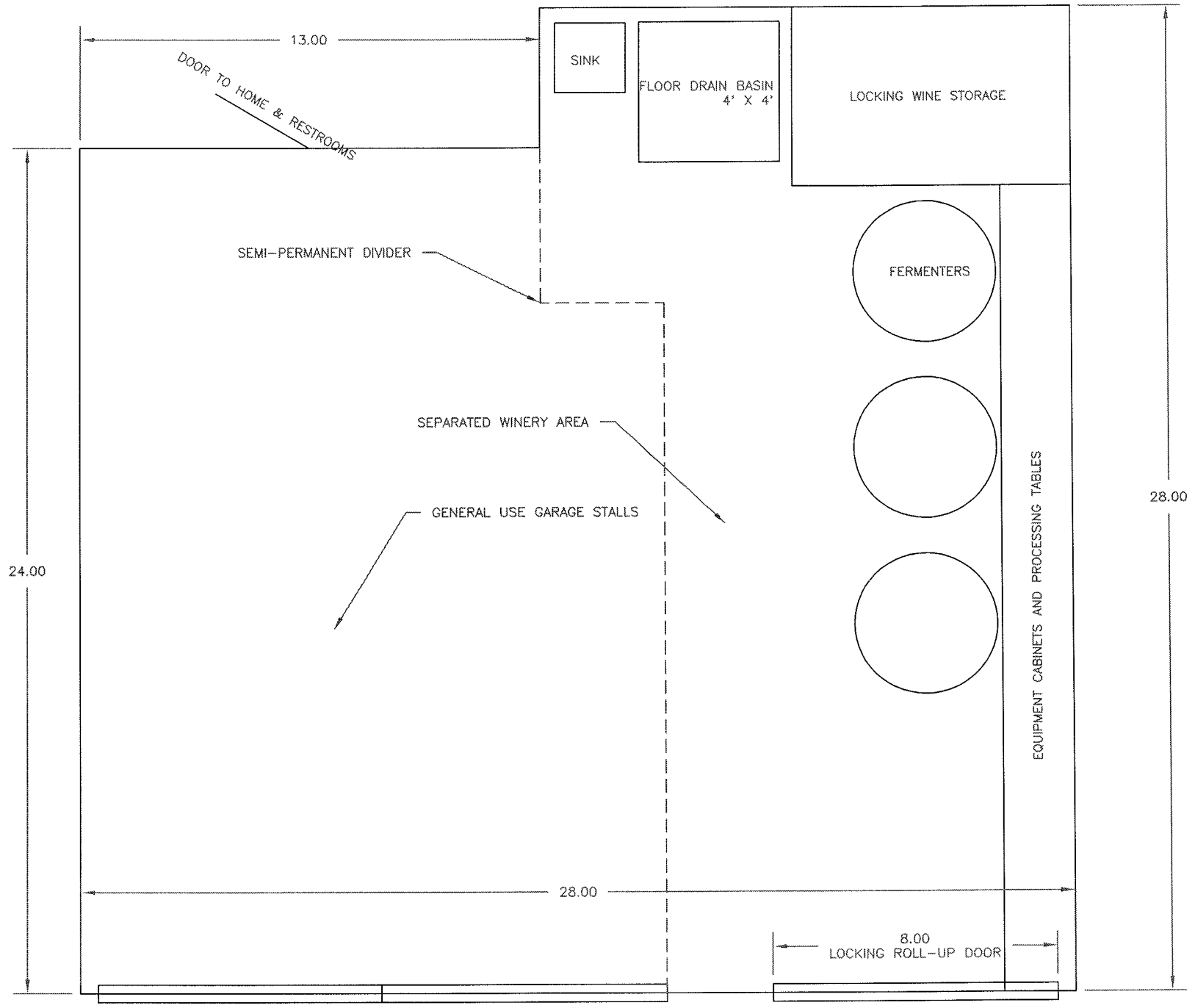


Case File No. 13-0021



Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180





24.00

13.00

DOOR TO HOME & RESTROOMS

SINK

FLOOR DRAIN BASIN
4' X 4'

LOCKING WINE STORAGE

SEMI-PERMANENT DIVIDER

FERMENTERS

SEPARATED WINERY AREA

GENERAL USE GARAGE STALLS

EQUIPMENT CABINETS AND PROCESSING TABLES

28.00

28.00

8.00
LOCKING ROLL-UP DOOR

340A.315 FARM WINERY LICENSE.

Subdivision 1. **Licenses.** The commissioner may issue a farm winery license to the owner or operator of a farm winery located within the state and producing table, sparkling, or fortified wines. Licenses may be issued and renewed for an annual fee of \$50, which is in lieu of all other license fees required by this chapter.

Subd. 2. **Sales.** A license authorizes the sale, on the farm winery premises, of table, sparkling, or fortified wines produced by that farm winery at on-sale or off-sale, in retail, or wholesale lots in total quantities not in excess of 50,000 gallons in a calendar year, glassware, wine literature and accessories, cheese and cheese spreads, other wine-related food items, and the dispensing of free samples of the wines offered for sale. Sales at on-sale and off-sale may be made on Sundays between 10:00 a.m. and 12:00 midnight. Labels for each type or brand produced must be registered with the commissioner, without fee prior to sale. A farm winery may provide samples of distilled spirits manufactured pursuant to subdivision 7, on the farm winery premises, but may sell the distilled spirits only through a licensed wholesaler. Samples of distilled spirits may not exceed 15 milliliters per variety.

Subd. 3. **Applicability.** Except as otherwise specified in this section, all provisions of this chapter govern the production, sale, possession, and consumption of table, sparkling, or fortified wines produced by a farm winery.

Subd. 4. **Minnesota products.** If Minnesota-produced or -grown grapes, grape juice, other fruit bases, or honey is not available in quantities sufficient to constitute a majority of the table, sparkling, or fortified wine produced by a farm winery, the holder of the farm winery license may file an affidavit stating this fact with the commissioner. If the commissioner, after consultation with the commissioner of agriculture, determines this to be true, the farm winery may use imported products and shall continue to be governed by the provisions of this section. The affidavit is effective for a period of one year, after which time the farm winery must use the required amount of Minnesota products as provided by subdivision 1 unless the farm winery holder files a new affidavit with the commissioner.

Subd. 5. [Repealed, 1985 c 12 s 2]

Subd. 6. **On-sale licenses allowed.** Nothing in this section or in any other section of law prevents a farm winery from obtaining a separate on-sale license and operating a business establishment that utilizes that license in conjunction with and within the physical facilities of the winery and its buildings.

Subd. 7. **Distilled spirits permitted.** Farm wineries licensed under this section are permitted to manufacture distilled spirits as defined under section 340A.101, subdivision 9, which may exceed 25 percent alcohol by volume, made from Minnesota-produced or Minnesota-grown grapes, grape juice, other fruit bases, or honey. The following conditions pertain:

(1) no farm winery or firm owning multiple farm wineries may manufacture more than 5,000 gallons of distilled spirits in a given year, and this 5,000 gallon limit is part of the 50,000 gallon limit found in subdivision 2;

(2) farm wineries must pay an additional annual fee of \$50 to the commissioner before beginning production of distilled spirits; and

(3) farm wineries may not sell or produce distilled spirits for direct sale to manufacturers licensed under section 340A.301, subdivision 6, paragraph (a).

Subd. 8. **Bulk wine.** Farm wineries licensed under this section are permitted to purchase and use bulk wine, provided that:

- (1) the quantity of bulk wine in any farm winery's annual production shall not exceed ten percent of that winery's annual production;
- (2) the bulk wine under subdivision 4 shall be counted as a portion of the 49 percent of product that need not be Minnesota-grown and may be imported from outside Minnesota; and
- (3) the bulk wine must be blended and not directly bottled.

"Bulk wine," as used in this subdivision, means fermented juice from grapes, other fruit bases, or honey.

Subd. 9. **Agricultural land.** A farm winery license must be issued for operation of a farm winery on agricultural land, operating under an agricultural classification, zone, or conditional use permit. Farm wineries with licenses issued prior to March 1, 2012, are exempt from this provision.

History: 1985 c 12 s 1; 1985 c 134 s 1; 1985 c 305 art 5 s 15; 1Sp1985 c 16 art 2 s 3 subd 1; 1987 c 152 art 1 s 1; 1992 c 513 art 3 s 56; 2006 c 210 s 4-7; 2007 c 89 s 4; 2008 c 311 s 2,3; 2009 c 120 s 3,4; 2012 c 235 s 1,2

To:
Planning Commission, City Of Blaine, MN

From:
Roggenbuck Estates, LLC
Kyle Roggenbuck – Owner/Operator
4432 St. Andrews Drive
Blaine, MN 55449

RE:
CUP To Operate In City Of Blaine As A Farm Winery

I have included a copy of the MN law requiring a CUP to operate any winery in the State of MN. This is a requirement of the MN AGE (Alcohol Enforcement) for any wine production in MN. As I intend to purchase supplies from MN growers, this would fall under the Farm Winery rules. Mr. Schafer has received an approval letter (email) from the Association President, Tom Budzynski.

This is intended as a small, invisible, hobby winery. (No signage, traffic, on-site sales, etc.) We make a couple dozen cases of various varietals and sell them to friends, family, and the (soon) occasional small liquor store. We will also make custom labels for weddings, etc.

I do appreciate your time. I also apologize for the hassle, but my hands are tied by state rules. I ask for your approval of a CUP to operate as a Farm Winery out of my home at 4432 St. Andrews Drive.

Thank You,


Kyle Roggenbuck

Derr, Lisa

From: Schafer, Bryan
Sent: Monday, March 18, 2013 10:26 AM
To: Derr, Lisa; Johnson, Lori
Subject: FW: St Andrews Winery
Please include with file.

Bryan Schafer
Community Development Director
City of Blaine
bschafer@ci.blaine.mn.us
763-785-6144

From: Tom Budzynski [mailto:tom@tjbhomes.com]
Sent: Friday, March 15, 2013 6:23 PM
To: Schafer, Bryan
Cc: kyle@roggenbuckstates.com
Subject: St Andrews Winery

Hi Bryan

We built Kyle Roggenbucks new home in our St Andrews Development. At the start of construction he told me that he had a Hobby Winery. I told him as long as there is no exterior work or signage that this is perfectly acceptable to the St Andrews Association and also to myself as the developer. Kyle and his wife are a great addition to our development and I fully encourage our City Council to approve his CUP request.

Tom Budzynski

Thomas J. Budzynski, TJB HOMES
9100 Baltimore St N.E. • Blaine, Minnesota
Office: 763-780-2944 / Cell: 763-286-6868

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