

ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
JUNE 3, 2010

The meeting was called to order at 7:00 p.m. by Chairperson Nagel.

Members Present: Grabitske, Haggenmiller, Chairperson Nagel, Councilmember Reetz

Members Absent: Kreft, Mielke, Pinske

Also Present: PZ Adm. Smith-Strack, Mike & Julie Scharping, Brett Scharping

Motion by Reetz, seconded by Haggenmiller, and passed by unanimous vote to approve the agenda as presented.

Motion by Haggenmiller, seconded by Reetz, and passed by unanimous vote to approve the minutes from the April 15th and May 6th meetings as presented.

Chairman Nagel recessed the regular meeting to hold a public hearing.

Ordinance 250: Residential General Building & Yard Standards:

Chairman Nagel called to order the public hearing regarding proposed Ordinance No. 250-An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance by Adding Section 13, Subdivision 8 Relating to General Building and Yard Standards Within the City. Smith-Strack explained that language pertaining to the exterior building materials and aesthetic quality of principal structures in residential districts needs to be added to the Zoning Ordinance. She reviewed the various parts of the proposed ordinance.

Chairman Nagel adjourned the public hearing and reconvened the regular meeting.

Reetz introduced the following resolution and moved for its adoption:

RESOLUTION NO. 3-2010

**A RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE ORDINANCE 250,
AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE
BY ADDING SECTION 13, SUBDIVISION 8 RELATING TO GENERAL BUILDING AND YARD
STANDARDS WITHIN THE CITY**

WHEREAS, the City of Arlington placed Ordinance 169 into effect several years ago; and

WHEREAS, the Arlington Planning Commission finds a need to update portions of Ordinance 169 relating to dwelling units in residential zones; and

WHEREAS, the City of Arlington initiated an amendment to Ordinance 169, the Arlington Zoning Ordinance to provide for building design and exterior material standards for dwelling units in residential zones; and

WHEREAS, the Arlington Planning Commission has reviewed and studied the issue and developed text to be included in Ordinance 250; and

WHEREAS, a public hearing was properly noticed and held on June 3, 2010 by the City of Arlington Planning Commission; and

WHEREAS, the proposed ordinance is itemized in Exhibit A which is attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Arlington Planning Commission recommends the City Council approve Ordinance 250, a copy of which is attached as Exhibit A.

The motion for the adoption of the foregoing resolution was duly seconded by Haggenmiller and upon poll being taken thereon the following voted in favor thereof: Grabitske, Haggenmiller, Nagel, Councilmember Reetz; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Kreft, Mielke, Pinske.

Adopted by the Planning & Zoning Committee of the City of Arlington this 3rd day of June, 2010.

Signed: /s/ Lowell Nagel
Chairperson Lowell Nagel

Attested: /s/ Cynthia Smith-Strack
Planning & Zoning Administrator

EXHIBIT A

ORDINANCE 250

AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY ADDING SECTION 13, SUBDIVISION 8 RELATING TO GENERAL BUILDING AND YARD STANDARDS WITHIN THE CITY

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 13 OF ORDINANCE 169 SHALL BE AMENDED TO INCLUDE SUBD. 8 AS FOLLOWS:

SECTION 13 GENERAL STANDARDS.

SUBDIVISION 8. GENERAL BUILDING AND YARD STANDARDS.

A. The purpose of this Subdivision is to protect and preserve property values and the City's tax base, to provide for the general welfare of the City, and to establish reasonable standards for functional and aesthetic aspects of buildings and structures.

B. All single family attached and detached residential dwelling units constructed or moved into the City shall meet the following design standards.

1. Dwelling units shall be compatible with other dwelling units in the existing locale in terms of structure size, structure massing, structure bulk, and quality of architectural materials.

2. The exterior walls of shall be similar in appearance to normal wood, vinyl or metal lap siding, cement board, or masonry residential construction. Exterior surfaces made of sheet or corrugated aluminum or unfinished metal such as tin are prohibited.

3. Each dwelling unit shall have at least a 4:12 roof pitch and shall be covered with shingles, tiles, or a concealed-fastener metal roof, unless a Conditional Use Permit as provided in Section 13, Subd. 8, (B)(5) and Section 15, as may be amended, of this Ordinance is issued.

4. The total square footage of an attached garage(s) shall not exceed sixty percent (60%) of the foundation size (alternately, main floor area) of the dwelling unit to which it is attached, unless a Conditional Use Permit as provided in Section 13, Subd. 8 (B)(5) and Section 15, as may be amended, of this Ordinance is issued.

5. CUP Requirements.

a. The purpose of this Subsection is to provide the Planning Commission and City Council with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare and public safety.

b. In making the determination whether or not a conditional use permit is to be allowed, the City shall consider the requirements of Section 15 of the Zoning Ordinance and may consider the nature of the adjoining land or buildings, the effect upon traffic into and from the premises, or on any adjoining streets, and all other or further factors as the City shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.

c. In recommending or approving a conditional use permit when required for an accessory structure, the Planning Commission and the Council may impose conditions which are considered necessary to meet the standards of the Zoning Ordinance as set forth in Section 15 of the Zoning Ordinance. In addition, the City may impose additional conditions to protect the best interests of the surrounding area or the City as a whole. Violation of any such condition is a violation of this Section and Ordinance. Additional conditions imposed may include but are not limited to the following:

- i. Require the use of trim, wainscoting and lighting or other additional architectural detail to soften the impact of the bulk and height of the proposed structure(s).**
- ii. Require the structure be designed and placed on a lot so as to reasonably maintain structural orientation and structural setting so as to blend in with the surrounding locale.**
- iii. Require the visibility of the accessory structure be minimized as viewed from adjacent lots and rights of way through the use of topography, increased setbacks, increased lot size, fencing, existing or proposed vegetative landscaping and the like.**
- iv. Require garage door openings are placed so as to reduce their visibility from adjacent lots and rights-of-way**
- v. Require general compatibility with adjacent and other property in the district.**

d. Prior to approving the CUP the City shall consider the action in relation to the specific policies and provisions of Section 15 of the Zoning Ordinance.

II. EFFECTIVE DATE. This Ordinance is effective upon its adoption and publication as prescribed by law.

Adopted by the City of Arlington on the ___ day of _____, 2010.

James R. Kreft, Mayor

Attest: _____
Matthew Jaunich, City Administrator

Discussion was held on Neisen’s CUP and there non-compliance therewith. It was noted that 5 trees had been planted, but the dumpsters hadn’t been emptied in quite some time again. No action was taken.

Mike Scharping (and wife Julie and son Brett) presented a proposal to expand his business which is located along Hwy 5. It was noted that the property fronts on West Chandler Street, but has a 5th Avenue address, which it does not have direct access to. Smith-Strack explained that there are issues with the setbacks as currently written within the Zoning Ordinance for the B-1 Service District and how many businesses are affected. She reviewed the setbacks for said district, along with what surrounding communities have. It was suggested to change the setbacks to a 30’ front, 10’ side with buffer if common with residence, and 20’ rear with buffer if common with residence. Scharping commented that he would like to move his sign also. He expressed some concerns about drainage issues. He would like to run a tile line to the ditch along Hwy 5. Smith-Strack stated the MnDOT would have to approve the tile line. Scharping stated that he would like to get started on the project as soon as is possible.

Motion by Haggenmiller, seconded by Grabitske, and passed by unanimous vote to hold a public hearing on July 1st with the purpose being to amend the B-1 Service District setbacks.

The May Building Permit Report was not ready in time for the meeting.

Smith-Strack gave a brief update on the Dieball fence. She stated that Dieball’s had sent the County Attorney a letter asking for assistance in the matter. The County Attorney responded that they do not have jurisdiction and forwarded the letter to the City Attorney. Dieball’s have also met with Mayor Kreft a couple

of times. Smith-Strack stated that the Dieball's are disputing the difference between curb line and property line, which are not the same thing; the property needs to be surveyed.

Nagel expressed some concern about the unsightliness of the weeds coming up between the buildings and sidewalk on Main Street. He questioned if the City can spray them so the town is presentable for the Town & Country Days Celebration.

Concern was also expressed about the following properties:

- 1) Cemstone property (condition of buildings and potential hazards because doors are left open on same);
- 2) Residential property in the area of 6th Avenue NW and West Main Street that is constructing a lean-to type structure (probably without a permit);
- 3) Scharpe property (junky yard appearance, odor from too many rabbits).

Motion by Grabitske, seconded by Haggemiller, and passed by unanimous vote to adjourn the meeting at 7:45 pm.

PZ Adm. Cynthia Smith-Strack

Chairman Lowell Nagel