

ARLINGTON PLANNING & ZONING BOARD  
MEETING MINUTES  
OCTOBER 7, 2010

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

Members Present: Grabitske, Vice Chairperson, Kreft, Mielke, Pinske, Councilmember Reetz  
Members Absent: Nagel, Haggemiller  
Also Present: PZ Adm. Smith-Strack

Motion by Grabitske, seconded by Pinske, and passed by unanimous vote to approve the agenda as presented.

Motion by Mielke, seconded by Reetz, and passed by unanimous vote to approve the minutes from the September 9<sup>th</sup> meeting as presented.

Vice Chairperson Kreft recessed the regular meeting to hold a public hearing.

**Ordinance 255: Official Zoning Map:**

Vice Chairperson Kreft called to order the public hearing regarding proposed Ordinance 255 – An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Repealing and Replacing the Official Zoning Map Under Section 4, Subdivision 1. Smith-Strack explained that she and the City Engineer worked together on revising/updating the official zoning map. She gave an overview of the changes made. It was noted that no verbal or written comment had been received on the proposed map.

Vice Chairperson Kreft adjourned the public hearing and reconvened the regular meeting.

Reetz introduced the following resolution and moved for its adoption:

**RESOLUTION NO. 6-2010**

**A RESOLUTION APPROVING ORDINANCE 255, AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY REPEALING AND REPLACING THE OFFICIAL ZONING MAP UNDER SECTION 4, SUBDIVISION 1**

WHEREAS, the City of 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 the Official Zoning Map to attain consistency with previous zoning amendments, annexations, and the Arlington Comprehensive Plan; and

WHEREAS, the City of Arlington initiated a amendment Ordinance 169, the Arlington Zoning Ordinance to provide for consistency with previous actions; and

WHEREAS, the Arlington Planning Commission has reviewed and studied the issue and developed a new Official Zoning Map as attached to Ordinance 255; and

WHEREAS, a public hearing was properly noticed and held on October 7, 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 255, a copy of which is attached as Exhibit A.

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

Adopted by the Planning & Zoning Committee of the City of Arlington this 7<sup>th</sup> day of October, 2010.

Signed: /s/ Arden Kreft  
Vice Chairperson Arden Kreft

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

**EXHIBIT A**

**ORDINANCE 255**

**AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY REPEALING AND REPLACING THE OFFICIAL ZONING MAP UNDER SECTION 4, SUBDIVISION 1**

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 4, SUBDIVISION 1 OF ORDINANCE 169, THE OFFICIAL ZONING MAP SHALL BE REPEALED AND REPLACED WITH THE ATTACHED MAP. (see attached)
- 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

Vice Chairperson Kreft recessed the regular meeting to hold a public hearing.

**Ordinance 256: Pets in Residential Zoning Districts:**

Vice Chairperson Kreft called to order the public hearing regarding proposed Ordinance 256 – An Ordinance Amending Section 5, Subdivision 2(6)(C) and Section 6, Subdivision 2(5)(C) of Ordinance 169 the Arlington Zoning Ordinance Relating to the Keeping of Pets as Accessory Uses in Residential Districts. Smith-Strack explained that the language (related to number of pets allowed) in these 2 sections is contradictory to language a separate animal control ordinance; and for that reason is being removed.

Vice Chairperson Kreft adjourned the public hearing and reconvened the regular meeting.

Mielke introduced the following resolution and moved for its adoption:

**RESOLUTION NO. 7-2010**

**A RESOLUTION APPROVING ORDINANCE 256, AN ORDINANCE AMENDING SECTION 5, SUBDIVISION 2(6)(C) AND SECTION 6, SUBDIVISION 2(5)(C) OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE RELATING TO THE KEEPING OF PETS AS ACCESSORY USES IN RESIDENTIAL DISTRICTS**

WHEREAS, the Arlington Planning Commission finds a need to update portions of Ordinance 169 relating to the keeping of pets as accessory uses in residential zones to attain consistency with City of Arlington Ordinance 206 regarding the keeping of pets within the City of Arlington; and

WHEREAS, the City of Arlington initiated a amendment Ordinance 169, the Arlington Zoning Ordinance to provide for consistency with previous actions; and

WHEREAS, the Arlington Planning Commission has reviewed and studied the issue and developed Ordinance 256, entitled "An Ordinance Amending Section 5, Subdivision 2(6)(C) and Section 6, Subdivision 2(5)(C) of Ordinance No. 169, the Zoning Ordinance Relating to the Keeping of Pets as Accessory Uses in Residential Districts"; and

WHEREAS, a public hearing was properly noticed and held on October 7, 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 256, a copy of which is attached as Exhibit A.

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

Adopted by the Planning & Zoning Committee of the City of Arlington this 7<sup>th</sup> day of October, 2010.

Signed: /s/ Arden Kreft  
Vice Chairperson Arden Kreft

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

**EXHIBIT A**

**ORDINANCE 256**

**AN ORDINANCE AMENDING SECTION 5, SUBDIVISION 2(6)(C) AND SECTION 6, SUBDIVISION 2(5)(C) OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE RELATING TO THE KEEPING OF PETS AS ACCESSORY USES IN RESIDENTIAL DISTRICTS**

**I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS:**

**A. SECTION 5, SUBDIVISION 2(6)(C) OF ORDINANCE NO. 169 THE ZONING ORDINANCE SHALL BE AMENDED AS FOLLOWS:**

C. Maintenance of dogs or cats or other household pets not to exceed two (2) full grown animals of each type. A full grown animal is defined as an animal of breeding age. **Reserved.**

**B. SECTION 6, SUBDIVISION 2(5)(C) OF ORDINANCE NO. 169 THE ZONING ORDINANCE SHALL BE AMENDED AS FOLLOWS:**

C. Maintenance of dogs or cats or other household pets not to exceed two (2) full grown animals of each type. A full grown animal is defined as an animal of breeding age. **Reserved.**

**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 the temporary access (handicap) ramp located on the property on West Adams Street. Smith-Strack gave a brief history on the property/ramp. She stated that she had mailed a letter to the property owner that the 6-month extension period was due to expire on Nov. 6<sup>th</sup> and at the time of the meeting had not received a response. Reetz questioned if the ramp was still needed. Smith-Strack stated that she did not know, but in the letter she sent she had asked that specific information be provided to the

City. Mielke expressed concern about continuing to grant extensions versus requiring that a more permanent structure be placed. Pinske commented that the current structure was an eye sore.

Motion by Mielke, seconded by Pinske, and passed by unanimous vote to require that plans for a permanent structure be submitted to the City by November 1<sup>st</sup>, 2010. Smith-Strack will place this on the agenda for the November meeting.

Kreft commented on the unsightliness of the Robeck property on West Main Street (Block 19). Smith-Strack commented that City Staff is currently working on revising the nuisance ordinance, but will follow up on this with the Police Chief.

Kreft questioned the After Burner property. Smith-Strack stated that she and Adm. Jaunich are working on this one.

Kreft questioned where things were with the Neisen property on Hwy 5. Smith-Strack stated that a citation was issued on September 30<sup>th</sup> and a court date has been set for mid-November.

The September Building Permit Report was reviewed.

Motion by Grabitske, seconded by Pinske, and passed by unanimous vote to adjourn the meeting.

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PZ Adm. Cynthia Smith-Strack

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Vice Chairperson Arden Kreft