

**PLANNING & ZONING COMMITTEE  
MEETING AGENDA  
THURSDAY, JUNE 20, 2013 @ 7:00 P.M.  
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Agenda.
4. Approve the Minutes.
  - A. May 2, 2013.
5. Public Hearings.
  - A. Variance – Joey Winter: Placement of Accessory Structure on Concrete Slab
6. Unfinished Business.
  - A. None.
7. New Business.
  - A. Home Occupations.
8. Review Building Permit Reports.
  - A. April & May 2013.
9. Other Business.
10. Adjourn.

**ARLINGTON PLANNING & ZONING BOARD  
MEETING MINUTES  
JUNE 20, 2013**

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

Members Present: Grabitske, Chairperson L.Nagel, R.Nagel, Pinske, Vrklan, Councilmember Curt Reetz  
Members Absent: Battcher

Also Present: PZ Adm. Cynthia Smith-Strack, Joey & Julie Winter

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

Motion by Grabitske, seconded by R.Nagel, and passed by unanimous vote to approve the minutes from the May 2<sup>nd</sup> meeting as presented.

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

**Variance – Joey & Juliana Winter, 405 Circle Lane:**

Chairperson Nagel called to order the public hearing regarding the variance request from Joey & Juliana Winter, 405 Circle Lane, to allow for the placement of a detached accessory building on a gravel base rather than the required permanent foundation. Smith-Strack explained that the applicant was proposing the removal of an existing (smaller) accessory structure and replacing it with a larger one, but doesn't want to do the cement slab as the footings will cause damage to the roots of two mature pine trees and also because an electric service line runs underneath the structure. She stated that no written or verbal comments had been received. Smith-Strack stated that the proposed structure was in compliance with the ordinance as far as construction materials, roof pitch and setbacks; the only issue was the gravel base. L.Nagel expressed concern about the power line under the structure. Winter stated that the new structure would be on skids, but fully enclosed so that nothing could get underneath and surrounded by gravel.

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

Vrklan introduced the following resolution and moved for its adoption:

**RESOLUTION NO. 4-2013**

**A RESOLUTION APPROVING A VARIANCE ALLOWING A DETACHED ACCESSORY STRUCTURE TO BE CONSTRUCTED ON GRAVEL RATHER THAN THE REQUIRED PERMANENT FOUNDATION AT 405 CIRCLE LANE IN THE CITY OF ARLINGTON**

**WHEREAS**, Joey & Juliana Winter (Applicant) has submitted a request for a variance allowing a detached accessory structure to be constructed on gravel rather than a permanent foundation at 405 Circle Lane in the City of Arlington (PID #31.0720.090); and legally described as Lot 6 and 2, Block 1, Matz-Trocke 1st Addition to the Village of Arlington, City of Arlington; and,

**WHEREAS**, the variance request is to allow a detached accessory building over 120 square feet to be placed on a gravel base rather than the required permanent foundation; and,

**WHEREAS**, notice of a public hearing to accept input on the variance request was published in the official newspaper on June 6, 2013 and sent to property owners within 350 feet of the property; and

**WHEREAS**, the Planning and Zoning Commission conducted a public hearing on the variance request on June 20, 2013; and

**WHEREAS**, the Planning and Zoning Commission has reviewed the variance request and has made the following findings:

1. The proposed is reasonable because the project will save two existing trees by not having to dig into the ground where the roots are. This location will also keep the detached accessory structure in the rear of the house and not out in the open where it can be viewed from the street and neighboring properties. As a result, the new detached accessory structure shall positively affect the subject parcel's value.

2. Practical difficulties exist with the subject parcel based on the existing layout of the properties rear yard. The other possible locations already have a sand box/swing set and garden in those locations.
3. The variance request is consistent with the Comprehensive Plan.

**WHEREAS**, the Planning and Zoning Commission approved a resolution recommending the City Council approve the variance request.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ARLINGTON THAT:** The Commission hereby recommends the City Council approve of a variance allowing a detached accessory structure to be located on gravel rather than a permanent foundation at 405 Circle Lane subject to the following:

1. The garage shall meet all the required setbacks within the zoning ordinance.
2. The maximum building coverage requirement shall not be exceeded with the approval of the variance.
3. The garage shall not exceed the maximum height requirement and have a minimum roof pitch requirement of 4:12.
4. If the detached accessory structure is placed in a public or private utility easement it is the sole responsibility of the property owner to remedy the situation at no cost to the City.
5. The variance does not excuse the property owner from obtaining required building permits or complying with building code requirements.
6. This variance is in effect for the property at 405 Circle Lane and assigned to the current and/or any future owner of the property.
7. The variance will expire in one year if the intended construction is not commenced.
8. If approved, a resolution executed by the City Council related to the variance request shall be recorded at the Sibley County Recorder's Office.

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

Adopted by the Planning & Zoning Committee of the City of Arlington this 20<sup>th</sup> day of June, 2013.

Signed: /s/ Lowell Nagel  
Chairperson Lowell Nagel

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

Smith-Strack presented information she had gathered pertaining to home occupations. She stated that she is unaware of any issues currently, but it would be good to have something in place. Considerable discussion was held. It was agreed that there would have to be variables as there are so many different types of businesses. Considerable discussion was held and some suggestions made for sample language. Smith-Strack will draft language and present it at the next meeting.

The April and May Building Permit Reports were reviewed.

Smith-Strack provided an update on the Matz accessory structure. She stated that it did go to pre-trial on June 6<sup>th</sup> and will go to trial on August 26<sup>th</sup>, as the structure was not moved by the deadline.

Smith-Strack commented that she plans to review parts of the Subdivision Ordinance, more specifically boundary lines/lot splits, at the next meeting.

Smith-Strack commented that she sent out a couple of letters to residents regarding non-compliance issues.

Brief discussion was held on the planting on trees and distances from property lines.

Motion by Pinske, seconded by Grabitske, and passed by unanimous vote to adjourn the meeting at 7:35 pm.

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PZ Adm. Cynthia Smith-Strack

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Chairperson Lowell Nagel