

**PLANNING & ZONING COMMITTEE
MEETING AGENDA
THURSDAY, SEPTEMBER 5, 2013 @ 7:00 P.M.
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Agenda.
4. Approve the Minutes.
 - A. August 8, 2013.
5. Public Hearings.
 - A. None.
6. Unfinished Business.
 - A. Ordinance 281: Home Occupations (Draft).
7. New Business.
 - A. Revocation and Voiding of Permits.
8. Review Building Permit Reports.
 - A. August 2013.
9. Other Business.
10. Adjourn.

**ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
SEPTEMBER 5, 2013**

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

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

Members Absent: Vrklan

Also Present: PZ Adm. Smith-Strack, City Attorney Arneson

Motion by Reetz, seconded by Pinske, 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 August 8th meeting as presented.

Smith-Strack reviewed the changes made to the draft/proposed Ordinance 281-Home Occupations. Comments from Police Chief Rovinsky and Councilmember (a Sibley County Sheriff's Deputy/Detective) Ruehling were also reviewed; both were in favor of the need for Interim Use Permits for those home occupations that handle dangerous weapons. Smith-Strack stated that Fire Chief Zaske had expressed concern about the volume of explosive materials allowed on a site. Attorney Arneson commented that the Dept. of Public Safety (State Fire Marshall) regulates explosive materials and the ATF regulates/licenses firearms. He stated that in his search of State Statutes, he could not find anything pertaining to whether cities can regulate home occupations of this type; but individuals would still have to comply with both State and Federal regulations and licensing. Arneson commented that he as City Attorney does not have a problem with the sale or repair of firearms (as home occupation), but does have a concern with allowing storage of ammunition in a residential area. Concern was also expressed about the possibility of someone making fireworks in their home. Smith-Strack questioned whether there was a clear distinction between explosive material and dangerous weapon. Attorney Arneson stated there was and gave examples. It was the consensus of the group to table moving forward with the proposed ordinance until the next meeting, to give Attorney Arneson time to obtain more information from the State Fire Marshall.

Attorney Arneson stated that the court hearing against Jeff Matz for his 'fish house' structure was held recently. He gave a summary of the hearing and stated that Cynthia provided testimony on behalf of the City, which included a very detailed timeline and pictures. The judge was taking the information presented under advisement and would be making his decision within a couple of weeks.

Smith-Strack commented that there are no current standards on file regarding permit revocation or voiding of a permit (for lapse of action, etc.). She recommended updating the ordinance to include the necessary language. It was suggested to keep it as simple as possible, possibly a statement at the beginning of the Administrative Section of the Ordinance.

The August Building Permit Report was reviewed.

Smith-Strack stated that she had talked with MnDOT about Brau's and Mr. Hanson parking their 'for sale' vehicles on the boulevard along Hwy 5. She was informed it was up to the City to enforce, however the County was going to inform both parties that they needed to move the vehicles.

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