

City of East Bethel
Planning Commission Agenda

7:00 PM

Tuesday, May 28, 2013



Agenda

	<u>Item</u>
7:00 PM	1.0 Call to Order
7:02 PM	2.0 Adopt Agenda
7:03 PM	3.0 Interim Use Permit (IUP) for Thomas Van Elsberg for a home occupation for buying and trading of firearms located at 4991 201st Ave. NE, East Bethel, MN.
7:15 PM	4.0 Interim Use Permit (IUP) for Heather Hime for a home-based dog training and play care center located at 4349 Viking Blvd. NE, East Bethel, MN.
7:30 PM	5.0 Variance request by Matthew Saarloos to allow for minimal setbacks from front and side yards for a detached garage located at 18429 Lakeview Pt. Dr. NE, East Bethel, MN
8:00 PM	6.0 143 Maple: Discussion only re: septic system location
8:15 PM	7.0 18649 Highway 65 – George’s Boat Repair: Discussion only re: boat shelters/greenhouses
8:30 PM	8.0 Approve April 22, 2013 Planning Commission Meeting Minutes
8:45 PM	9.0 Other Business
9:00 PM	10.0 Adjournment



City of East Bethel Planning Commission Agenda Information

Date:

May 28, 2013

Agenda Item Number:

Item 3.0

Agenda Item:

Public Hearing – Interim Use Permit (IUP) for Home Occupation in the RR-Rural Residential District

Requested Action:

Consider Approval for an IUP for a Home Occupation for Sale and Trading of Firearms

Background Information:

Property Owner/Applicant
Thomas VanElsberg
4991 201st Ave. NE
East Bethel, MN 55092
Dellwood Acres, Lot 6, Block 1
PIN 24-33-23-14-0008

The property owner/applicant is requesting an IUP for a home occupation that would allow the buying and trading of firearms. Obtaining a permit for a Home Occupation – IUP is a necessary step in order for Mr. VanElsberg to obtain a Federal Firearm License from the ATF. In Mr. VanElsberg’s case, the home will be used as an office only and no retail sales of any firearms will take place on the premises. His business model is that he will buy, sell and trade firearms at trade shows and on the Internet. He will have a limited supply of firearms at his residence, but will utilize drop shipments from manufacturers and wholesalers directly to the buyers. Mr. VanElsberg will not have any employees, and no signage associated with the business will be displayed at the home.

Home occupations are a permitted use in the RR- Rural Residential District as long as the Applicant can meet the requirements of the City Code and can comply with the conditions of the IUP. The proposed home occupation will meet requirements of the ordinance so long as the IUP conditions are met. In the event the conditions are not being met, the IUP would be revoked.

Attachments:

1. Letter from Mr. VanElsberg explaining his business
2. Application
3. Site Map
4. Section 19 – Home Occupations

Fiscal Impact:

Not Applicable

Recommendations:

Staff requests Planning Commission recommend approval to City Council for an IUP for a home occupation for the buying and trading of firearms, located at 4991 201st Ave. NE, Dellwood Acres, Lot 6, Block 1, PIN 24-33-23-14-0008 with the following conditions:

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. A home occupation shall occupy no more than fifty (50) percent of the floor area of the structure. This shall include offices of professionals, home beauty shops, and other such occupations that by custom are an accessory use.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Home will not be used as a point of retail on site sales.
3. No signs associated with the business will be displayed at or on the premises.
4. Violation of conditions and City Codes shall result in the revocation of the IUP.
5. All conditions must be met no later than June 31, 2013. An IUP Agreement shall be signed and executed no later than June 31, 2013. Failure to execute the IUP Agreement will result in the null and void of the IUP.

City Council Action

Motion by: _____ Second by: _____

Vote Yes: _____ Vote No: _____

No Action Required: _____

Thomas A VanElsberg
4991 201st Ave NE
East Bethel, MN 55092
612-670-5271
tvanelberg@live.com

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

To whom it may concern:

This letter is a formal request for a Home Occupation Permit so that I may use my residence located at 4991 201st Ave NE East Bethel, MN 55092. Lot 6 Block 1 Dellwood Acres to start and operate a new business. The home would be used as an office only, with myself as the only employee and will easily conform to the requirements of Home Occupations listed in the City of East Bethel ordinances.

My business plan is to buy, sell and trade firearms and related items. I plan to do this mostly at trade shows and on the internet away from the home. I plan to have a limited inventory at home and will be utilizing drop shipments directly from manufactures and wholesalers to a location other than my residence. My home will not be used as a point of retail sales nor will any signage associated with the business be displayed at or on the premises.

Obtaining a permit for a Home Occupation is a necessary step in the process of starting my business. The federal government will require that I obtain a Federal Firearms License from the ATF. The ATF will require that the FFL business location complies with all local zoning requirements before issuing a license and this is why I need obtain a Permit to legally operate a business from my home prior to submitting my FFL application.

If further information is needed, please let me know.

Respectfully,

Tom VanElsberg



LAND USE APPLICATION

OFFICE USE ONLY	
Date Rec'd	<u>3/8/13</u>
By	<u>gjb</u>
Fee \$	<u>150 app fee</u> <u># 300 escrow</u>
	<u>✓ 8492</u>

Check appropriate box: VARIANCE CUP IUP FINAL PLAT

BUSINESS CONCEPT PLAN PRELIMINARY PLAN SITE PLAN REVIEW OTHER _____

Application shall include the following items and be submitted thirty (30) days prior to scheduled meeting date.

Application is hereby made for Home Occupation permit (provide narrative below describing proposed use).

Application to operate a business from my home that would fully comply with the requirements of Home Occupations for City of East Bethel.

LOCATION: PID 243323140008 Legal: Lot 6 Block 1 Subdivision Dellwood Acres

PROPERTY ADDRESS: 4991 201st Ave NE PRESENT ZONING: RR

PROPERTY OWNER

CONTACT NAME Tom VanElsberg

PHONE 763-413-5143

ADDRESS 4991 201st Ave NE

FAX cell 612 670 5271

CITY/STATE/ZIP East Bethel Mn 55092

E-MAIL tvanelberg@live.com

APPLICANT

CONTACT NAME Tom VanElsberg

PHONE 763-413-5143

ADDRESS 4991 201st Ave NE

FAX _____

CITY/STATE/ZIP East Bethel MN 55092

E-MAIL tvanelberg@live.com

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

Tom VanElsberg
Property Owner's Signature

Tom VanElsberg
Printed Name

Date

OFFICE USE ONLY - DO NOT COMPLETE			
	Received	Approved/Denied	Notes
Community Dvlp.	<u>3/8/13</u>	_____	
Planning Commission	<u>4/23/13</u>	_____	
City Council	<u>5/1/13</u>	_____	
<u>5/6/13</u> 60 Day _____ 120 Day			

Attachment #2

Thomas A VanElsberg
4991 201st Ave NE
East Bethel, MN 55092
612-670-5271

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

To whom it may concern:

This letter is a formal request for a Home Occupation Permit so that I may use my residence located at 4991 201st Ave NE East Bethel, MN 55092. Lot 6 Block 1 Dellwood Acres to start and operate a new business. The home would basically be used as an office only, with myself as the only employee and will easily conform to the requirements of Home Occupations listed in the City of East Bethel ordinances.

My business plan is to buy, sell and trade firearms and related items. I plan to do this mostly at trade shows and on the internet away from the home. I plan to have a limited inventory at home and will be utilizing drop shipments directly from manufactures and wholesalers as much as possible. My home will not be used as a point of retail sales nor will any signage associated with the business be displayed at or on the premises.

Obtaining a permit for a Home Occupation is a nessessary step in the process of starting my business. The federal government will require that I obtain a Federal Firearms License from the ATF. The ATF will require that the FFL business location complies with all local zoning requirements before issuing a license and this is why I need obtain a Permit to legally operate a business from my home prior to submitting the FFL application.

If further information is needed, please let me know.

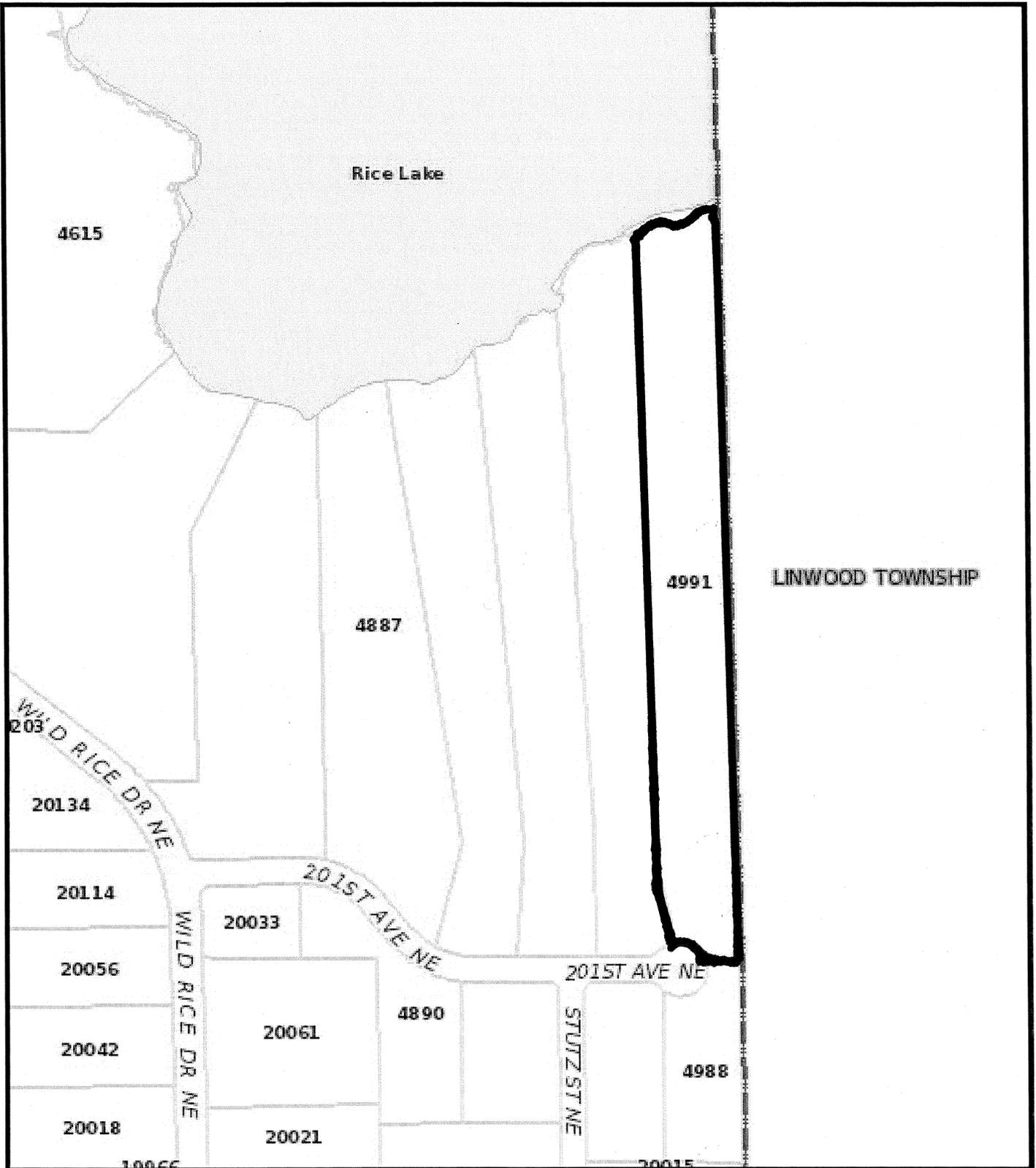
Respectfully,



Tom VanElsberg

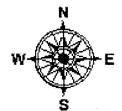


Map



Attachment #1

Disclaimer: Maps and documents made available to the public by the City of East Bethel are not legally recorded maps or surveys and are not intended to be used as such. The maps and documents are created as part of the Geographic Information System (GIS) that compiles records, information, and data from various city, county, state and federal resources.
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19. Home occupations.

1. No more than three persons, at least one of whom shall reside within the principal dwelling, shall be employed by the home occupation.
2. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
3. Any sign associated with the home occupation shall be in compliance with the East Bethel Sign Ordinance.
4. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
5. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
6. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
7. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation. Parking needs generated by the home occupation shall be provided on-site.
8. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure.
9. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
10. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
11. The area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.



City of East Bethel Planning Commission Agenda Information

Date:

May 23, 2013

Agenda Item Number:

Item 4.0

Agenda Item:

Public Hearing: Interim Use Permit for Lucky Paws, a Home-based Dog Training and Play Care Center

Requested Action:

Consider Granting an Interim Use Permit (IUP) for Heather Hime for a Home Occupation in the RR – Rural Residential District.

Background Information:

Property Owner/Applicant:

Heather Hime
4349 Viking Blvd NE
East Bethel, MN 55092

Property Location:

4349 Viking Blvd. NE
PIN 25-33-23-32-0009

The applicant, Heather Hime, is requesting an IUP to operate a home-based business named “Lucky Paws.” The business will provide dog training and a dog play care center. There are several types of programs offered through her business including playgroup services, daytime boot camp training services, and one-on-one training services. The hours of operation for those programs are Monday – Friday, 8 am – 4 pm.

In addition to the three programs offered above, there is also a boot camp program where dogs stay overnight in the residence at 4349 Viking Blvd NE and go home on weekends. The maximum number of dogs in this type of program is three (3). Programs offered include a 4-week program and a 2-week program.

Ms. Hime’s business plan is attached and includes details outlining all of the programs that she offers as well as the facilities, fencing, flooring, cleaning, waste disposal, and other requirements. Her Business Plan is included as Attachment #1.

Attachments:

1. Business Plan
2. Land Use Application
3. Site Survey
4. Location Map
5. Section 19 – Home Occupation
6. Section 10-54 and 10-55 – Kennel License

Fiscal Impact:

Not Applicable

Recommendation(s):

Home occupations are a permitted use in the RR - Rural Residential District as long as Ms. Hime can meet the requirements of the City Code and complies with the conditions of the IUP. The proposed home occupation will meet requirements of the ordinance so long as the IUP conditions are met. In the event the conditions are not being met, the IUP would be revoked.

Fiscal Impact:

Not Applicable

Recommendations:

Staff requests Planning Commission recommend approval to City Council for an IUP for a home occupation known as Lucky Paws, located at 4349 Viking Blvd. NE, PIN 25 33 23 32 0009, with the following conditions:

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.

2. In addition, Ms. Hime shall be required to obtain a private kennel license and meet all of the requirements of Sections 10-54 and 10-55 as set forth:

Sec. 10-54. - Kennel license.

The maximum number of dogs allowed without a kennel license is two. The maximum number of dogs allowed with a private kennel license is to be determined by the number of acres:

- a. Five acres or more but less than ten acres: six dogs.
- b. No private kennel licenses shall be issued on parcels of 2½ acres or less. No commercial kennel licenses shall be issued in zoning districts other than commercial and industrial districts. The city shall not approve variances to allow private kennel licenses on parcels of less than 2½ acres, and shall not approve variances or other zoning devices to allow commercial kennel licenses in zones other than commercial and industrial districts.
- c. No person shall maintain a private or commercial kennel in the city without securing a license from the city council. The fee for the license shall be as established by resolution of the city council.
- d. Prior to issuance of a private kennel license from the city council, a hearing before the planning and zoning commission must be held. Notice must be given to all affected property owners within one-quarter mile of the outside dimensions of the parcel where the kennel is contemplated. The planning and zoning commission will make a recommendation to the city council on the request.
- e. Prior to issuance of a commercial kennel license from the city council, a hearing before the planning and zoning commission requesting an interim use permit must be held. Notice must be given to all affected property owners within 500 feet of the outside dimensions of the parcel where the kennel is contemplated, and published in the city's official newspaper at least ten days before the public hearing. The planning and zoning commission will make a recommendation to the city council on the request.
- f. Private kennel licenses do not confer any property rights upon the licensee, and the issuance of said licenses does not assume that future licenses will be granted. Licensees will need to independently assess whether any improvements made in relation to city requirements will be amortized during the initial time period of the license. Licenses will be issued for a set number of dogs, which shall not be exceeded. Licensees who wish to add a dog need to reapply for a private kennel license. Licensees who relocate to another area of the city need to reapply for a private kennel license. Licenses are not assignable to other parties.
- g. The initial term for a private kennel license shall be one year; subsequent licenses, if so granted, will be for a term of up to three years.
- h. Licensees authorize city staff to perform periodic, random inspections of the kennel for the purpose of determining compliance with the conditions of their license.
- i. No party, person, corporation, or other entity will be allowed more than one private kennel license.

- j. Kennel licenses in effect on residential property at the time of adoption of the ordinance from which this article is derived that do not meet the requirements of this article are considered legal, nonconforming licenses and can continue to keep up to the number of dogs authorized by the kennel license at the time of adoption of the ordinance from which this article is derived. Adding more dogs to an existing license would require meeting the requirements of subsection (f) of this section.

Sec. 10-55. - Conditions for issuance of a private kennel license.

The following conditions are mandatory for the issuance of a private kennel license:

- a) Housing enclosures shall be located as not to create a nuisance and shall not encroach upon any setback area.
 - b) Dogs shall be confined to their own property by a provable means.
 - c) Housing and shelter must be provided which will keep animals comfortable and protected from the elements.
 - d) Accumulations of feces shall be located at least 200 feet from any well.
 - e) All accumulations of feces shall be removed at such periods as will ensure that no leaching or objectionable odors exist, and the premises shall not be allowed to become unsightly.
 - f) All dogs shall have access to indoor housing from the hours of 10:00 p.m. to 6:00 a.m.
 - g) The city council reserves the right to issue additional conditions on a case-by-case basis in order to maintain the public repose.
 - h) Kennels shall be considered an accessory structure for setback purposes.
3. All conditions must be met no later than June 30, 2013. An IUP Agreement shall be signed and executed no later than June 30, 2013. Failure to execute the IUP Agreement will result in the null and void of the IUP.

City Council Action

Motion by: _____ Second by: _____

Vote Yes: _____ Vote No: _____

No Action Required: _____

Lucky Paws LLC

4349 Viking Blvd NE

East Bethel, MN 55092

612-388-9656

www.LuckyPawsMN.com



Lucky Paws

Dog Training & Play Care Center

612-388-9656

heather@luckypawsmn.com

www.luckypawsmn.com

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Executive Summary

Lucky Paws will be offering a variety of dog services including socialization playgroups and different types of training.

Socialization Playgroups - Our playgroup is designed with the dogs physical and behavioral well being in mind. We provide the dogs with up to 4 hours of group play during which they will also participate in training activities and doggie games such as bacon bubble bonanza, ice cube craze, puzzle toy play and more. Playgroups will include a maximum of 15 dogs with constant supervision by Heather Hime or staff trained in animal behavior and body language.

Daytime Boot Camp Training Programs – These programs are similar to a board & train program you would send your dog away to, but you don't have to send them away. We come to the families homes and train their dogs both in their home and neighborhood as well as at our facility. These programs are designed for busy families that are in need of a dog with good manners but may not have the time or expertise to achieve that.

Boot Camp Programs – Similar to Daytime Boot Camp Training, except the dog stays Monday-Thursday in my home as a part of our family, returning home for the weekend and returning for training the following Monday for 2-4 weeks. The maximum amount of dogs in this program at any time is three or less.

Private Training – In-home or in facility one on one training for everything from basic obedience to complex behavioral issues on an as needed basis.

Business History & Owner Bio

Lucky Paws LLC has been in business since January 2011. It has been owner run, offering Daytime Boot Camp, Private Training, Group Classes and Off Leash Playgroups.

Prior to launching her business, owner, Heather Hime managed Pampered Pooch Playground, a dog daycare & boarding facility in St. Louis Park for two years that cared for 80+ dogs each day. She has offered group classes and private training for that facility since 2008 and still offers classes there today along with two other locations, Ruff Love Dogs in NE Minneapolis and Lake Harriet Vet in South Minneapolis.

Heather is a Certified Dog Trainer through Animal Behavior College, which is an internationally recognized school that is approved by the Bureau for Private Postsecondary and Vocational Education. She is also a Full Member of the Association of Pet Dog Trainers (APDT) and has taken the Dogtec Business Code of Ethics Pledge.

Heather continues her education through seminars, training groups, and reading every training book she can get her hands on. She is also active in agility, dock jumping and the sport of frisbee or "Disc" with her dog Ryder, a Miniature Australian Shepherd. Heather believes that positive reinforcement training methods are the best way to create a solid and trusting relationship with your dog, but also understands that dogs need rules and boundaries in order to be a balanced and happy companion.

Company Principals

It is very important to us that we provide a physically and behaviorally healthy play and training environment for our clients dogs. We strive for behavioral wellness both in our facility and in our clients homes. We use positive reinforcement training strategies to teach good behaviors and to manage behavior in a group play environment. We want all our clients to be living happily with their dogs, not just dealing with their dogs issues.

Business Description and Vision

The purpose of this business is to provide families with dogs great services for training and exercising their dogs.

Company Vision & Goals: This is a small business with intentions of staying small with great customer service being a priority.

We will begin running business as follows:

Socialization Playgroups – This is a group of up to 15 dogs that will be on premises Monday-Friday only between the hours of 8am-4pm. Lucky Paws will pick up dogs from their homes and bring them to our facility, eliminating traffic to our facility.

Boot Camp Programs – These dogs will be trained between the hours of 8am-4pm, Monday-Friday at our facility. Any dogs staying for our Boot Camp Program Monday-Thursday will be in our home as one of our dogs after business hours. We will have a maximum of three Boot Camp dogs staying at any time.

Description of Services

Socialization Playgroup Services - Our specialized program provides pick up and drop off for all dogs from their homes which eliminates traffic to our facility. Dogs receive up to 4 hours of group play at our facility. This provides owners with a well exercised dog, without having to do anything themselves. All dogs are taught basic commands and expected to behave politely at daycare including not jumping up, sitting when asked, coming when called, waiting at gates and doorways and more. This will transfer over to a more well behaved dog at home. We also offer special play activities such as bacon bubble bonanza, ice cube craze, puzzle toy play, and more.

Daytime Boot Camp Training Programs - This is similar to a board & train program, but you don't have to send your dog away. We pick up your dog and do training either in your home & neighborhood, or at our facility. We provide 4 week programs for basic training and socialization, 2 week accelerated training programs, as well as customized programs for continued training and behavioral issues.

Boot Camp Programs – Same as Daytime Boot Camp Training, but dogs stay overnight Monday-Thursday in our home as one of our own dogs & go home for weekends. We have a maximum of 3 dogs in this program at any time. We provide 4 week programs, 2 week accelerated programs, as well as customized programs for continued training and behavioral issues.

Private Training - One on one private lessons provided in client homes or at our facility. This type of training can be used for a more specific approach to basic obedience, or for solving more complicated training or behavioral issues.

Organization and Management

Lucky Paws is a Single Member Limited Liability Company owned solely by Heather Hime. She plans to run this business alone initially, with the potential of hiring one employee as the business takes off.

Facilities

Training and Playgroups will take place in the pole building on the property (photo attached) with an attached privacy fenced area.

Fencing : 6' privacy fencing with a runner along the top to keep any climbers in (photo attached). Any gates will have locks in place.

Flooring: Concrete Floors will either be sealed and painted or epoxy coated for maximum cleanliness.

Cleaning Procedures: Lucky Paws has done extensive research on cleaning products and have found that Wysiwash most suits our needs. This cleaning agent is safe for pets, septic, sewer, and even grass and plants with no rinsing necessary. It is a chlorine based cleaning product using hypochlorous acid to kill viruses, pathogens, bacteria and fungi. It is EPA registered and USDA approved.

Waste Disposal: All waste will be picked up and discarded immediately. Lucky Paws will follow any rules designated by the city, county or state for waste removal.

Health Requirements of Dogs in our care: All dogs in our care must be up to date on their Distemper/Parvo and Rabies vaccinations. They are also required to receive yearly fecal examinations and be in observably good health.

Temperament Testing: Lucky Paws requires that all dogs interested in attending our playgroups be social with other dogs and people, share toys, and go through a thorough temperament test and answer a behavioral questionnaire.

Insurance: Lucky Paws LLC is currently insured by Mourer-Foster, Inc and has already discussed what will needed to be added to the insurance policy to run the business. The pole building is currently insured under the home owners insurance policy through State Farm.

Definition of the Market

The Industry: The market for dog care has changed a lot in the last 10 years. Dogs are now members of the family and owners expect higher quality care and expect dogs to be more well behaved as our world becomes more dog friendly.

Target market: Middle to upper class individuals and families who are quite busy, and have disposable income & are looking for high quality care & training for their dogs.

Marketing and Sales Strategy

Market: Lucky Paws customers are Middle to Upper class people who see their dogs as part of the family. These people will likely have more money than they do time (except group class participants) and are looking for an easy way to turn their excitable puppy in to the perfect companion.

Marketing Strategies:

Veterinarians – Lucky Paws intends to create relationships with local vets that will be mutually beneficial. We have created behavioral wellness packets with branded handouts that offer useful information on a variety of dog related topics that vets can give to their clients when asked for behavioral advice or when someone comes in with a new dog or puppy. If needed I can also provide staff training on dog behavior and handling techniques to make their jobs easier. Give these vet offices my marketing materials including business cards, flyers and pamphlets.

Groomers – Create relationships with local groomers that will be mutually beneficial. I will send them my clients and in return they can send me dogs who need behavioral help to make their grooming appointments easier. Give groomers my marketing materials including business cards, flyers and pamphlets.

Dog Walkers & Pet Sitters – Create a mutually beneficial relationship with dog walkers and pet sitters in the area. Some clients may not be a good fit for our daycare environment or can't afford it, in which case a dog walker is the next best thing. Many clients will also want recommendations for boarding/pet sitting since this is a service we do not offer. Some of their clients may also be in need of some training to walk nicely on a leash or other behavioral issues that can make their job easier. Give these businesses my marketing materials including business cards, flyers and pamphlets.

Pet Stores – Send my clients to local pet stores for required training supplies and ask that they display my marketing materials. Ask if they have any coupons they would like me to offer my clients as well. I can also offer short clinics at the pet stores on dog training & behavior. If allowed, give these stores my marketing materials including business cards, flyers and pamphlets.

Press Release – Put out a press release when first opening and for any events we hold to notify the public.

Appendices

This section should include as attachments:

- Company brochure
- Photos of facilities/potential facilities
- IUP
- Land Use Application
- Land Survey
- Purchase Agreement
- Certificate of Taxes Paid
- Video of playgroup
- Reference Links

Example of Fencing



Photo Courtesy of purrfectfencing.com

Google Maps interface showing a satellite view of a residential area. The address bar displays "4349 Viking Boulevard NE, East Bethel, MN 55092". The map shows a road labeled "Viking Blvd NE" and surrounding properties. The interface includes search bars, navigation controls, and a taskbar at the bottom showing various application icons and the system clock at 9:17 AM on 3/29/2013.

Pole Building Exterior

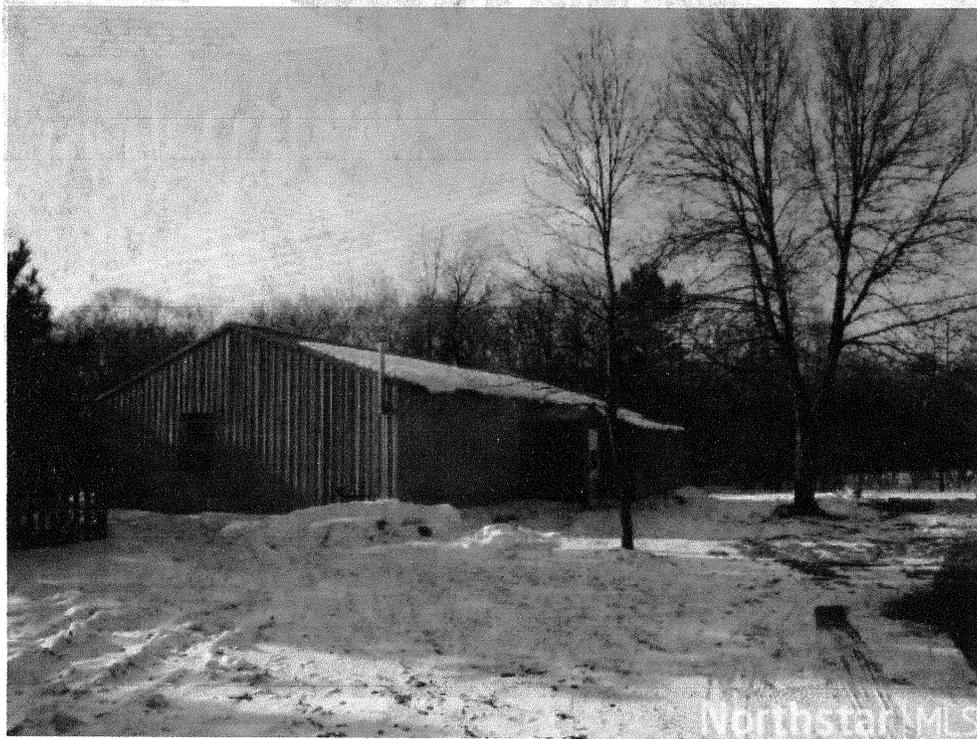


Photo Courtesy of NorthstarMLS

Pole Building Interior (remodel to come)



Photo Courtesy of NorthstarMLS

Links

www.luckypawsmn.com
www.pamperedpoochplayground.com
www.rufflovenortheast.com
www.lakeharrietvet.com
www.wysiwash.com
www.apdt.com
www.animalbehaviorcollege.com
www.dogtec.com
www.mourerfoster.com



LAND USE APPLICATION

OFFICE USE ONLY
 Date Rec'd 5/1/13
 By PSB
 Fee \$ 300 escrow
150 app fee
ck#1018 and 1019

- Check appropriate box: VARIANCE CUP IUP FINAL PLAT
- BUSINESS CONCEPT PLAN PRELIMINARY PLAN SITE PLAN REVIEW OTHER _____

Application shall include the following items and be submitted thirty (30) days prior to scheduled meeting date.

Application is hereby made for IUP (provide narrative below describing proposed use).

Home Occupation

LOCATION: PID 253 32332 0009 Legal: Lot _____ Block _____ Subdivision _____

PROPERTY ADDRESS: 4349 Viking Blvd NE PRESENT ZONING: Rural Residential

PROPERTY OWNER

CONTACT NAME Heather Hime PHONE 612-388-9656

ADDRESS 2710 Polk St. NE FAX _____

CITY/STATE/ZIP Minneapolis MN 55418 E-MAIL heatherhime@hotmail.com

APPLICANT

CONTACT NAME SAME PHONE _____

ADDRESS _____ FAX _____

CITY/STATE/ZIP _____ E-MAIL _____

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

Heather Hime
 Property Owner's Signature

Heather Hime
 Printed Name

5-1-13
 Date

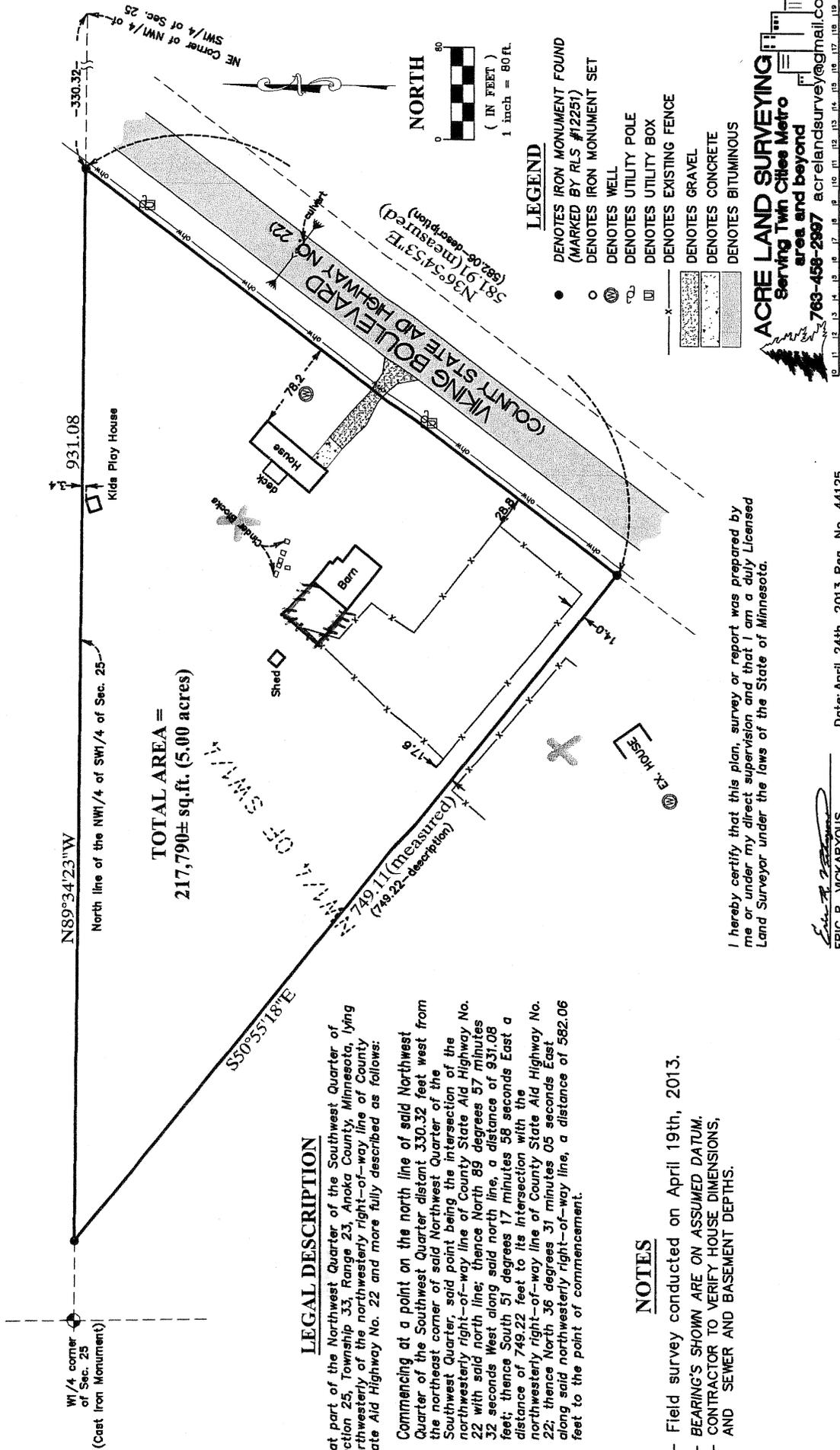
OFFICE USE ONLY - DO NOT COMPLETE			
	Received	Approved/Denied	Notes
Community Dvlp.	<u>5/1/13</u>	_____	
Planning Commission	<u>5/28/13</u>	_____	
City Council	_____	_____	
_____ 60 Day _____ 120 Day			

Attachment #2

CERTIFICATE OF SURVEY

PROPERTY ADDRESS: 4349 Viking Blvd. NE, East Bethel, MN

~for~ Heather Hime



TOTAL AREA =
217,790± sq. ft. (5.00 acres)

LEGAL DESCRIPTION

That part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 33, Range 23, Anoka County, Minnesota, lying northwesterly of the northwesterly right-of-way line of County State Aid Highway No. 22 and more fully described as follows:

Commencing at a point on the north line of said Northwest Quarter of the Southwest Quarter distant 330.32 feet west from the northeast corner of said Northwest Quarter of the Southwest Quarter, said point being the intersection of the northwesterly right-of-way line of County State Aid Highway No. 22 with said north line; thence North 89 degrees 57 minutes 32 seconds West along said north line, a distance of 931.08 feet; thence South 51 degrees 17 minutes 58 seconds East a distance of 749.22 feet to its intersection with the northwesterly right-of-way line of County State Aid Highway No. 22; thence North 36 degrees 31 minutes 05 seconds East along said northwesterly right-of-way line, a distance of 582.06 feet to the point of commencement.

NOTES

- Field survey conducted on April 19th, 2013.
- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

ERIC R. VICKARTOUS
Date: April 24th, 2013, Reg. No. 44125

CA\Land Projects 2008\13169-cent-East Bethel\dwg\13169bs-east bethel.dwg 4/24/2013 7:46:44 AM CDT

JOB #13169bs

ACRE LAND SURVEYING
Serving Twin Cities Metro area and beyond
763-458-2897 acrelandsurvey@gmail.com

X - Surveyor estimated location of septic systems. No obvious mound.
f - Planned location of fence for business.

19. Home occupations.

1. No more than three persons, at least one of whom shall reside within the principal dwelling, shall be employed by the home occupation.
2. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
3. Any sign associated with the home occupation shall be in compliance with the East Bethel Sign Ordinance.
4. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
5. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
6. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
7. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation. Parking needs generated by the home occupation shall be provided on-site.
8. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure.
9. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
10. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
11. The area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.

- CODE OF ORDINANCES

Chapter 10 - ANIMALS

ARTICLE II. - DOGS

DIVISION 2. - KENNELS

DIVISION 2. - KENNELS

Sec. 10-54. - Kennel license.

- (a) The maximum number of dogs allowed without a kennel license is two. The maximum number of dogs allowed with a private kennel license is to be determined by the number of acres:
 - (1) Greater than 2.5 acres but less than three acres: three dogs.
 - (2) Three acres or more but less than five acres: four dogs.
 - (3) Five acres or more but less than ten acres: six dogs.
 - (4) Ten acres or more: maximum ten dogs.
- (b) No private kennel licenses shall be issued on parcels of 2½ acres or less. No commercial kennel licenses shall be issued in zoning districts other than commercial and industrial districts. The city shall not approve variances to allow private kennel licenses on parcels of less than 2½ acres, and shall not approve variances or other zoning devices to allow commercial kennel licenses in zones other than commercial and industrial districts.
- (c) No person shall maintain a private or commercial kennel in the city without securing a license therefor from the city council. The fee for the license shall be as established by resolution of the city council.
- (d) Prior to issuance of a private kennel license from the city council, a hearing before the planning and zoning commission must be held. Notice must be given to all affected property owners within one-quarter mile of the outside dimensions of the parcel where the kennel is contemplated. The planning and zoning commission will make a recommendation to the city council on the request.
- (e) Prior to issuance of a commercial kennel license from the city council, a hearing before the planning and zoning commission requesting an interim use permit must be held. Notice must be given to all affected property owners within 500 feet of the outside dimensions of the parcel where the kennel is contemplated, and published in the city's official newspaper at least ten days before the public hearing. The planning and zoning commission will make a recommendation to the city council on the request.
- (f) Private kennel licenses do not confer any property rights upon the licensee, and the issuance of said licenses does not assume that future licenses will be granted. Licensees will need to independently assess whether any improvements made in relation to city requirements will be amortized during the initial time period of the license. Licenses will be issued for a set number of dogs, which shall not be exceeded. Licensees who wish to add a dog need to reapply for a private kennel license. Licensees who relocate to another area of the city need to reapply for a private kennel license. Licenses are not assignable to other parties.
- (g) The initial term for a private kennel license shall be one year; subsequent licenses, if so granted, will be for a term of up to three years.
- (h) Licensees authorize city staff to perform periodic, random inspections of the kennel for the purpose of determining compliance with the conditions of their license.
- (i) No party, person, corporation, or other entity will be allowed more than one private kennel license.
- (j) Kennel licenses in effect on residential property at the time of adoption of the ordinance from which this article is derived that do not meet the requirements of this article are considered legal, nonconforming licenses and can continue to keep up to the number of dogs authorized by the kennel

- CODE OF ORDINANCES

Chapter 10 - ANIMALS

ARTICLE II. - DOGS

DIVISION 2. - KENNELS

license at the time of adoption of the ordinance from which this article is derived. Adding more dogs to an existing license would require meeting the requirements of subsection (f) of this section.

(Ord. No. 101a, § 3, 3-6-2002; Ord. No. 101b, § 3, 3-6-2002; Ord. No. 201, § 3, 12-7-2005; Ord. No. 101D, § 3, 5-16-2007)

Sec. 10-55. - Conditions for issuance of a private kennel license.

The following conditions are mandatory for the issuance of a private kennel license:

- (1) Housing enclosures shall be located as not to create a nuisance and shall not encroach upon any setback area.
- (2) Dogs shall be confined to their own property by a provable means.
- (3) Housing and shelter must be provided which will keep animals comfortable and protected from the elements.
- (4) Accumulations of feces shall be located at least 200 feet from any well.
- (5) All accumulations of feces shall be removed at such periods as will ensure that no leaching or objectionable odors exist, and the premises shall not be allowed to become unsightly.
- (6) All dogs shall have access to indoor housing from the hours of 10:00 p.m. to 6:00 a.m.
- (7) The city council reserves the right to issue additional conditions on a case-by-case basis in order to maintain the public repose.
- (8) Kennels shall be considered an accessory structure for setback purposes.

(Ord. No. 101a, § 4, 3-6-2002; Ord. No. 101b, § 4, 3-6-2002; Ord. No. 101D, § 4, 5-16-2007)

Sec. 10-56. - Conditions for issuance of a commercial kennel license.

The following conditions are mandatory for the issuance of a commercial kennel license:

- (1) Outdoor animal exercise shall be conducted within the confines of the property, and limited to leashed animals under the direct supervision of their owners or commercial kennel staff.
- (2) Indoor housing facilities must be structurally sound with ample heat, light, soundproofing and ventilation. The applicant must submit a soundproofing inspection certifying that the structure will keep the sound of the dogs undetectable from a distance of ten feet.
- (3) Dogs kept outside must have continual access so animals can get in and out of shelter and protect them from the elements.
- (4) If dogs are confined by chains, such chains must be attached so as not to become entangled with chains of other dogs.
- (5) Individual animal enclosures must be of a size to allow each dog to turn around fully, stand, sit and lie in a comfortable condition.
- (6) The temperature of indoor housing facilities shall not be less than 50 degrees Fahrenheit for dogs not accustomed to lower temperatures.
- (7) Disposal facilities are provided to minimize virus infestation, odors and disease hazards.



City of East Bethel Planning Commission Agenda Information

Date:

May 28, 2013

Agenda Item Number:

5.0

Agenda Item:

Public Hearing - Variance Request to Allow a Minimal Setback from the front and side yard setback in order to build a garage and comply with setback from septic drainfield

Requested Action:

Consider Approval of a Variance to Allow Minimal Setback from the front and side yard setbacks.

Background Information:

Property Owner/Applicant:

Matthew Saarloos
18429 Lakeview Point Dr. NE
East Bethel, MN 55092

Property Location:

18429 Lakeview Point Dr. NE
PIN 35-33-23-32-0022
Zoning: R-1 Single Family Residential

Mr. Saarloos is requesting a variance from both the front and side yard setbacks in order to build a 24' x 28' foot detached garage. Mr. Saarloos currently has an existing dilapidated structure that is unsafe; he will be demolishing that garage and putting a new garage in its place. The new garage will be on a floating slab. The proposed garage would be set back an additional 2 feet from the front yard setback and 5 feet from the side yard setback. The old garage was located 3 feet off of the front yard property line and 3 feet off of the side yard property line. So the proposed setbacks for the new garage are 5 feet from the front yard setback and 8 feet off of the side yard setback. Staff has worked with Mr. Saarloos and this is the only place that he can locate a garage on his property and have a driveway where he can pull into the garage. On the east side of his property there is a dedicated permanent easement for a road and he is not able to locate his garage on that side of the property and comply with the appropriate setbacks and still have room to put in the type of driveway that is necessary to turn in to his garage. His drainfield is located in the middle of his lot and staff felt that it was very important that he comply with the setback of 10 feet from the drainfield, he therefore has no choice as to where he can locate the new garage. As proposed, this is the best and only site.

It should be noted that many of the garages in this area sit close to the boulevard. Attached are pictures that show the location of Mr. Saarloos' garage and several garages in the neighborhood.

The property is zoned Single Family residential and is in the Shoreland Overlay District; normal setbacks are:

	Detached accessory structure	
(a)	Front yard	Must meet required setback of principal structure and cannot be located between the principal structure and the street
(b)	Side street	25 feet and cannot be located between the principal structure and the street
(c)	Side yard	10 feet
(d)	Rear yard	10 feet

There are three variances that are required:

1. Front yard variance – Must meet required setback of principal structure – 25 ft. The variance request is for 20 feet.
2. Front yard setback of principal structure – Garage would be located between the principal structure and the street. This is somewhat debatable as you could make the determination that his front yard is the lake side.
3. Side yard variance – the variance request is for 2 feet.

Variance Findings of Fact:

1. The property owner proposes to construct a 24’ x 28’ detached garage which will replace an existing dilapidated structure.
2. The proposed location of the new garage is set back further from the front and side property lines than the existing structure.
3. The proposed location of the new garage will be in line and in some cases set back further than neighboring detached garages.
4. Due to the location of Mr. Saarloos drainfield and septic tank, the garage needs to be set back 10 feet from the drainfield.
5. Due to the setback requirement and the narrowness of Mr. Saarloos property, the proposed location of the new garage is the only place to locate a detached garage and have a driveway that provides an adequate turning radius to get into the garage.
6. The new garage will not alter the essential character of the neighborhood
7. The strict enforcement of the zoning ordinance would cause undue hardship because of circumstances unique to the individual property under consideration.

Attachments:

1. Pictures
2. Variance Application
3. Site Plan
- 3a . Certificate of Survey
4. Location Map
5. Appendix A, Zoning, Section 57.8.C

Fiscal Impact:

None

Staff Recommendations:

City Staff requests Planning Commission recommend variances approval, based on the findings of fact, to City Council for the following variances:

1. Front yard variance – Must meet required setback of principal structure – 25 ft. The variance request is for 20 feet.
2. Front yard setback of principal structure – Garage would be located between the principal structure and the street.
3. Side yard variance – the variance request is for 2 feet.

City Council Action

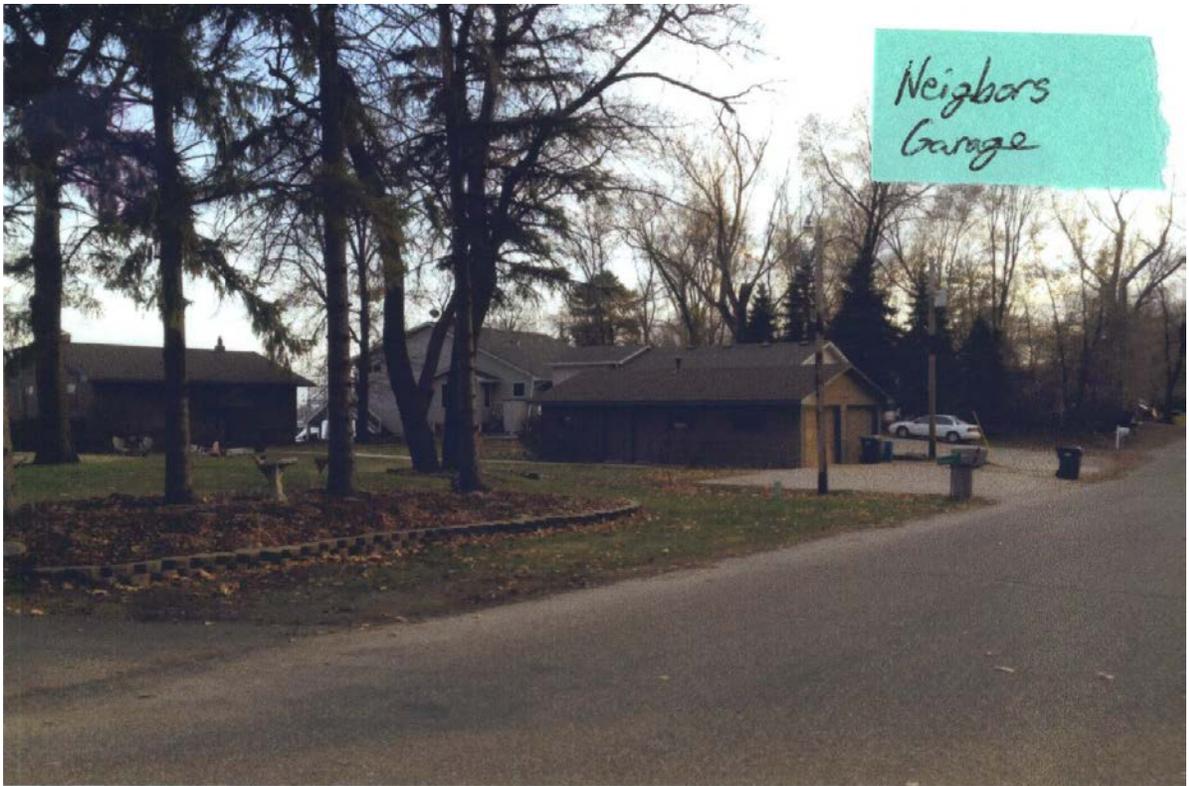
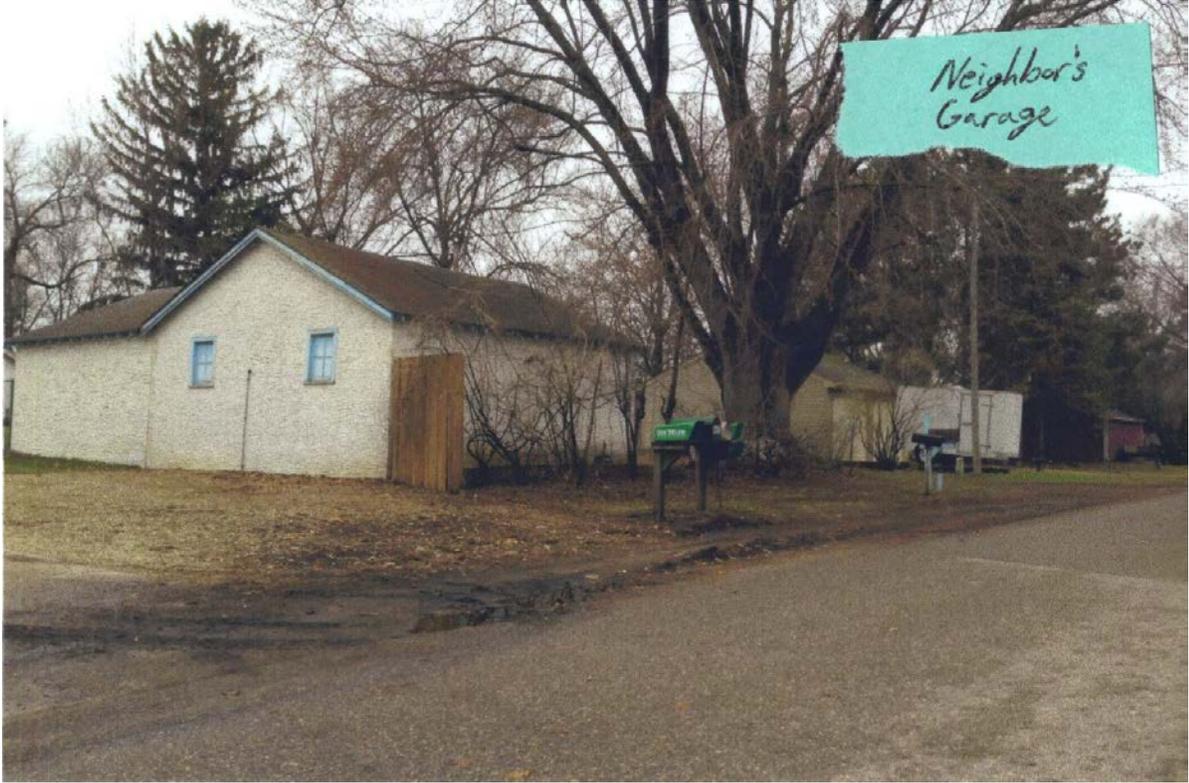
Motion by: _____ Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____









Neighbor's
Garage



Existing
Garage
with
Neighbors
Garages



Deadlines - May 3 rec'd materials
 May 28 - P+Z
 June 19 - City Council

OFFICE USE ONLY	
Date Rec'd	5/1/13
By	JSB
Fee \$	300 app 500 escrow

LAND USE APPLICATION

Check appropriate box: VARIANCE CUP IUP FINAL PLAT

BUSINESS CONCEPT PLAN PRELIMINARY PLAN SITE PLAN REVIEW OTHER _____

Application shall include the following items and be submitted thirty (30) days prior to scheduled meeting date.

Application is hereby made for Matt Saarloos (provide narrative below describing proposed use).

Due to the placement of the Drainage Field. I need a variance of 18' from the Boulevard, Based on a 24' garage.

LOCATION: PID 35-33-23-32-0022 Legal: Lot 1 Block 3 Subdivision Lake View Point

PROPERTY ADDRESS: 18429 Lakeview Point Dr. NE East Bethel PRESENT ZONING: R-1

PROPERTY OWNER

CONTACT NAME Matt Saarloos PHONE 612-232-9081
 ADDRESS 18429 Lakeview Point Dr. NE FAX -
 CITY/STATE/ZIP East Bethel MN 55092 E-MAIL ga.plus@hotmail.com

APPLICANT

CONTACT NAME Matt Saarloos PHONE 612-232-9081
 ADDRESS 18429 Lakeview Point Dr. NE FAX -
 CITY/STATE/ZIP East Bethel MN 55092 E-MAIL ga.plus@hotmail.com

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

Matt Saarloos Property Owner's Signature Matt Saarloos Printed Name 4/30/13 Date

Attachment #2

OFFICE USE ONLY - DO NOT COMPLETE

	Received	Approved/Denied	Notes
Community Dvlp.	<u>5/13/13</u>	_____	
Planning Commission	<u>5/28/13</u>	_____	
City Council	<u>6/9/13</u>	_____	
_____ 60 Day _____ 120 Day			

I, Matt Saarloos, am asking for a variance of 18' from the boulevard, based on a 24' garage. The reason I can't set the garage 30' from the boulevard is because the drain field is too close to the road. My lot is 50' by 300' and this is the only location that I am able to place it.

On the proposed plan the garage has a 3' set back from the drain field. I recently had Lashinski Septic Services come out and survey the septic and drain field. After talking with them they said the garage could be 1' from the field, but to be safe we should place it 3' away. Along with the application there is a letter from them stating this.

The existing garage is 4' from the boulevard and in line with the next five garages on my street. All are large garages right on the boulevard. Also the existing garage has a substantial lean and needs to be torn down. The garage is extremely ugly and that is how all of the neighbors see my yard. I want to fix this problem by building a new one, which will make for a more beautiful neighborhood.

I feel a garage is an important part of a Minnesotan home. Placing cars in a garage instead of on the lawn is an easy way to improve the appearance. I care about the appearance of my property and the city I live in.

Sincerely,

Matt Saarloos

A handwritten signature in black ink, appearing to read "Matt Saarloos", written in a cursive style.

Lashinski Services, Incorporated

M.P.C.A. Certificate # 65

1326 161st Ave. Andover, MN 55304

Office: (763) 434-3915

Fax: (763) 434-7152

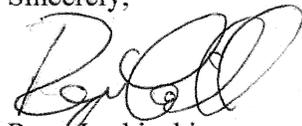
April 27, 2013

Matt Saarloos
18429 Lakeview Point Drive
East Bethel MN 55092
612-232-9081

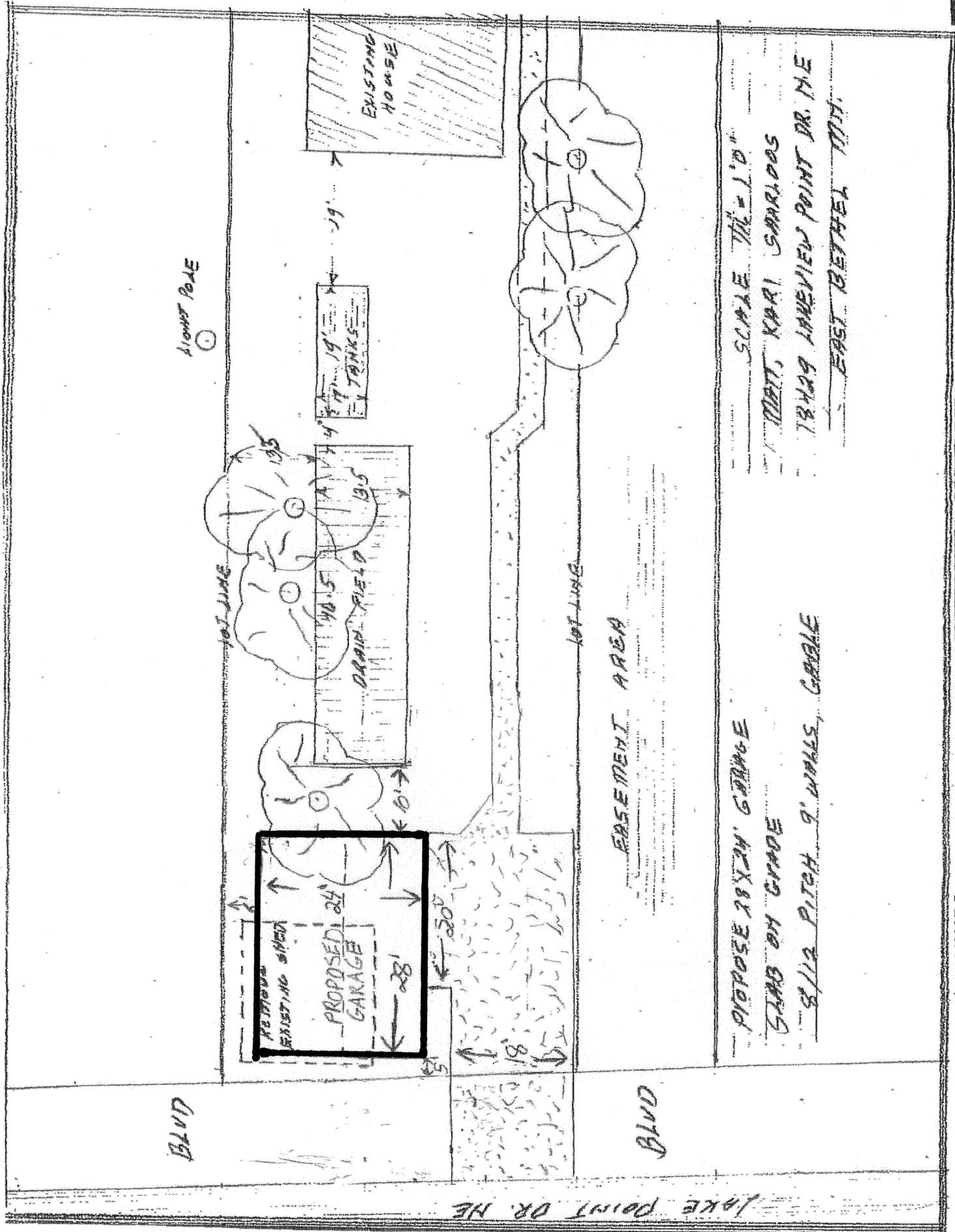
Last week, I was at your property to look at and mark the location of your septic system in regards to the proposed construction of a detached garage. I would have no problem with the garage being installed up to three feet from the drainfield. Doing so would cause no problems with performance of the septic system or environmental/safety concerns.

If you have any questions, I can be reached at 612-919-3704.

Sincerely,



Ryan Lashinski



SCAPE TRAIL - 1'0"
 MATT, KARI SARRLOS
 18429 LAKEVIEW POINT DR. NE
 EAST BETHEL, MT.

PROPOSE 28'X24' GARAGE
 GRAB ON GRADE
 8 1/2 PITCH 9' WALLS, GABLE

<i>Controlled Access Lot Frontage Requirements</i>	
<i>Ratio of Lake Size to Shore Length (acres/miles)</i>	<i>Required Increase in Frontage (per- cent)</i>
Less than 100	25
100—200	20
201—300	15
301—400	10
Greater than 400	5

- 3) They shall be jointly owned by all purchasers of lots in the subdivision or by all purchasers of nonriparian lots in the subdivision who are provided riparian access rights on the access lot.
- 4) Covenants or other equally effective legal instruments shall be developed that specify which lot owners have authority to use the access lot and what activities are allowed. The activities may include watercraft launching, loading, storage, beaching, mooring, or docking. They must also include other outdoor recreational activities that do not significantly conflict with general public use of the public water or the enjoyment of normal property rights by adjacent property owners. The covenants must limit the total number of vehicles allowed to be parked and the total number of watercraft allowed to be continuously moored, docked, or stored over water, and must require centralization of all common facilities and activities in the most suitable locations on the lot to minimize topographic and vegetation alterations. They must also require all parking areas, storage buildings, and other facilities to be screened by vegetation or topography as much as practical from view from the public water assuming summer leaf-on conditions.



C. *Placement, design, and height of structures.*

- [1] *Reserved.*
- 2) *Placement of structures on lots.* When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered with an approved variance to conform to the adjoining setbacks

from the ordinary high water level provided the proposed building site is not located in a shore impact zone or in a bluff impact zone. Structures shall be located as follows.

- a) Structure and on-site sewage system setbacks from ordinary high water level:

<i>Classes of Public Waters</i>	<i>Setbacks Structures</i>		<i>Sewage Treatment System</i>
	<i>Sewered</i>	<i>Unsewered</i>	
Lakes			
Natural Environment	150 ft.	150 ft.	50 ft.
Recreational Dvlp	75 ft.	100 ft.	75 ft.
General Dvlp	50 ft.	75 ft.	50 ft.
Creeks and Streams	100 ft.	100 ft.	75 ft.

- b) Additional structure setbacks. The following additional structure setbacks apply regardless of the classification of the water body:

<i>Setback from</i>	<i>Setback</i>
Top of bluff	30 ft.
Unplatted cemetery	50 ft.
Right-of-way line of federal, state, or county highway	50 ft.
Right-of-way line of town road, public street, or other roads or streets not classified	25 ft.

OHW
904.75

- c) Bluff impact zones. Structures and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.

3) *Design criteria for structures.*

- a) *High water elevations.* Structures must be placed in accordance with any floodplain regulations applicable to the site. Where these controls do not exist, the elevation to which the lowest floor, including basement, is placed or flood-proofed is at a level at least three feet above the highest known water level of the lake, creek, or stream fronted by the property.

Water-oriented accessory structures may have the lowest floor placed lower than the elevation determined in this item if the structure is constructed of flood-resistant materials to that elevation, electrical and mechanical equipment is placed above that elevation, and if long-duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.

- b) *Accessory structures.* Each lot may have one accessory structure. Said structure shall meet the normal structure setback in item c) of this subpart and comply with the following provisions:
- (1) The structure or facility must be treated or screened so as to be minimally visible from public waters and adjacent shorelands. Treatment techniques include, but are not limited to, use of vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions;
 - (2) The structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities.
- c) *Stairways, lifts, and landings.* Stairways and lifts shall be used for achieving access up and down bluffs and steep slopes to shore areas. Stairways and lifts shall meet the following design requirements:
- (1) Stairways and lifts shall not exceed four feet in width on residential lots. Wider stairways may be used for commercial properties and public recreational properties.
 - (2) Landings for stairways and lifts on residential lots shall not exceed 32 square feet in area. Landings larger than 32 square feet may be used for commercial properties and public recreational properties.
 - (3) Canopies or roofs are not allowed on stairways, lifts, or landings.
 - (4) Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion by following the Minnesota Pollution Control Agency's (MPCA) best management practices.
 - (5) Stairways, lifts, and landings shall be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water, assuming summer leaf-on conditions whenever practical.
 - (6) Facilities such as ramps, lifts, or mobility paths for physically handicapped persons shall be allowed for achieving access to shore areas provided that the dimensional and performance standards of subitems 1 through 5 are complied with in addition to the requirements of Minnesota Regulations, chapter 1340.
 - (7) Significant historic sites. No structure shall be placed on a significant historic site in a manner that affects the values of the site unless adequate information about the site has been removed and documented in a public repository. Any alteration to or use of an historic site shall be subject to applicable historic preservation regulations.
 - (8) Steep slopes. The zoning administrator shall evaluate possible soil erosion impacts and development visibility from public waters before



City of East Bethel Planning Commission Agenda Information

Date:

May 28, 2013

Agenda Item Number:

Item 6.0

Agenda Item:

143 Maple Road – discussion regarding variance for septic drainfield

Requested Action:

Discussion with Property Representative from Wells Fargo indicating your opinion on variance for septic system.

Background Information:

We have been in discussions with Kari Achenbach of Edina Realty. Ms. Achenbach is the seller’s representative (Wells Fargo) for a foreclosed property located at 143 Maple Road. This property currently does not have a compliant septic system; in working with a septic designer, they are proposing to locate the new septic system and drainfield in the front yard. There are several issues regarding this property.

1. As proposed, the drainfield would come right up to the front property line and there would be no setback from the boulevard which is 12 feet wide from the blacktop to where the property line starts. Normal setback requirements for a drainfield are 10 feet from the property line.
2. As proposed, the tanks would be located 3 feet from the drainfield. There is concern about the area needed to excavate for the tanks and disturbing the soil that is part of the drainfield.
3. This is considered an “other” septic system construction as it will be removing soil and bringing new soil in.
4. There is no place on the lot for a second drainfield location.
5. If the drainfield will be right on the property line, what happens if it freezes over and or leaches into the city boulevard?
6. The situation behind the house is no better. There is currently a well back there and they would have to relocate the well and redo the plumbing inside the house in order to hook up to a new septic system. They would not be able to meet the setbacks in the back yard either.

Nick Schmitz, Building Official, and Colleen Winter, Community Development Director, went out to the site and took some measurements and pictures.

Fiscal Impact:

Unknown at this time

Attachments:

- 1. Kari Achenbach (Wells Fargo Representative) Letter
- 2. Certificate of Survey
- 3. Site Map
- 4. Septic Design

Recommendation(s):

This is a very tough situation and as city staff we cannot recommend that a variance be approved for this property. We realize this may make the property unsellable as is, but there are simply too many problems to overcome, and we do not believe the city should put themselves in a position of culpability. At this point this is a discussion item only, but staff is respectfully requesting that the Planning Commission give Ms. Achenbach their opinion so that she is able to bring that back to Wells Fargo and identify next steps for this property.

Planning Commission Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

005/01/2013

To the City of East Bethel

RE: 143 Maple Road, East Bethel

I am the listing agent for this property. It is a bank owned home that my client Wells Fargo owns now since the previous owner defaulted. The house was under contract with a buyer from the Coon Lake community. The house has been repaired by the bank and the buyer has intentions of making more improvements. With the point of sale requirements and the challenge that is occurring with the small lot size of the house, the seller is asking for a variance to be able to install a new septic system designed by Mark Tradewell. He has completed numerous challenging designs in Coon Lake. Without a new septic, this property becomes unsalable. Without the variance, I would imagine the seller will have to tear down the house and try to sell the unusable lot which affects the seller, the buyer and the Coon Lake community. The seller is asking for the city to consider their variance request. Thank you for your time.

Sincerely,

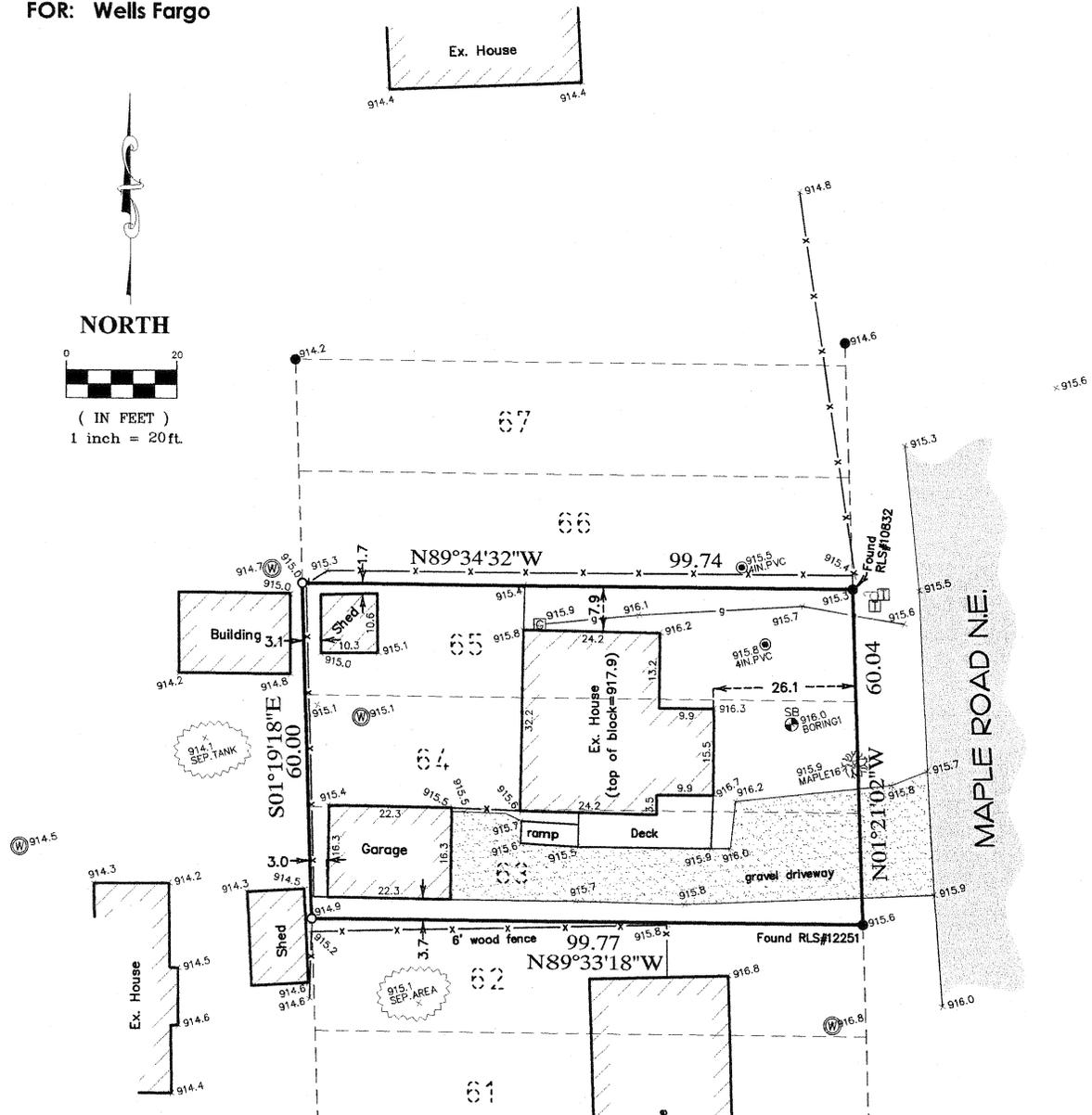
Kari Achenbach
Representative for Wells Fargo
555 West Broadway Suites 5
Forest Lake, MN 55025
651-341-4398

Attachment #1

CERTIFICATE OF SURVEY

PROPERTY ADDRESS: #143 Maple Road, East Bethel, MN

FOR: Wells Fargo



LEGEND

- DENOTES IRON MONUMENT FOUND
- x— DENOTES EXISTING FENCE
- x1011.2 DENOTES EXISTING ELEVATION.
- DENOTES BITUMINOUS
- DENOTES GRAVEL
- DENOTES IRON MONUMENT SET
- ⊙ DENOTES WELL
- ⊕ DENOTES UTILITY POLE
- ⊞ DENOTES CABLE BOX
- ⊠ DENOTES TELEPHONE BOX

EXISTING PROPERTY DESCRIPTION

Lots 63, 64 and 65 all in Block 33, COON LAKE BEACH 2ND MAP, Anoka County, Minnesota.

NOTES

- Bearing's & elevations shown are on assumed datum.
- Field survey conducted on April 9th, 2013'.
- This survey was prepared without the benefit of titlework. Easement, appurtenances and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorneys title opinion.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Eric R. Vickaryous
ERIC R. VICKARYOUS

Date: April 10th, 2013 Reg. No. 44125

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JOB #13175

Attachment #2

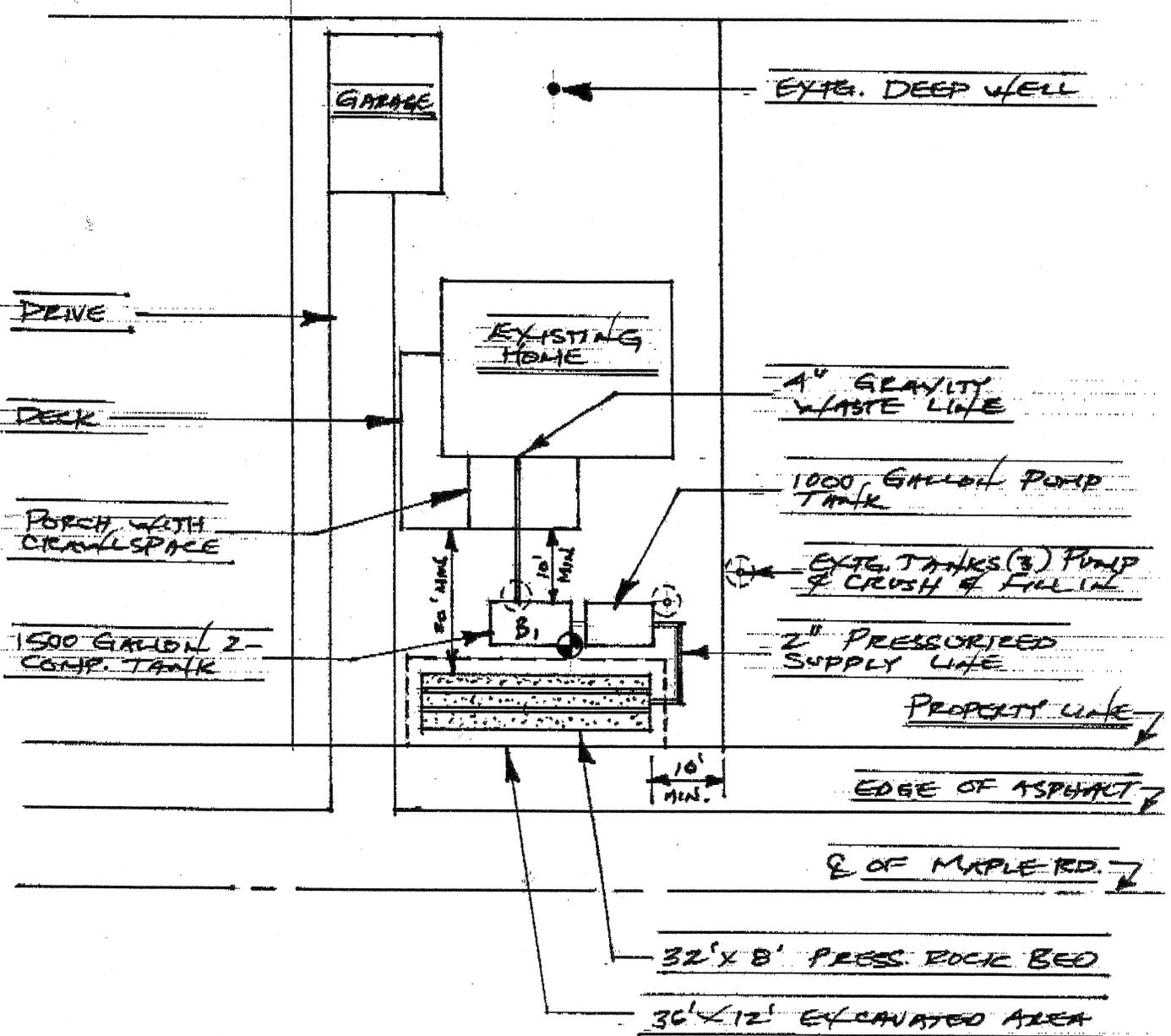
SITE PLAN

SCALE - 1" = 20'

Blacktop
to Property Line
12 feet

House to
Jan - 38.5

10ft. Variance to put right on
Property line



Attachment #4

Job #13006

Name- Wells Fargo Bank

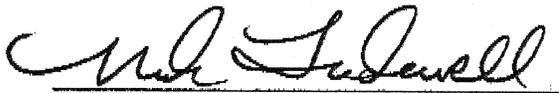
An "Other" or experimental Septic system requires a monitoring and mitigation plan.

Monitoring: The septic tanks will be pumped yearly for the first three years and every 3 years thereafter. At the time of pumping the pumper will evaluate the system to determine if it is failing (discharging to the surface) and submit a written statement to the homeowner with the invoice. The property owner will be responsible for submitting the information to the city.

Mitigation: If the system fails there are two options: 1. Use the alternate site if one is available on the site or; 2. Remove the existing system and reconstruct on same site.

Based on the foregoing, the property/ homeowner accepts responsibility for the operation of the sewer system and will or cannot hold the designer, city or installer liable for problems that may affect the performance of the soil treatment system.

In addition, the property/ homeowner agrees to the monitoring plan and will disclose information concerning "other" or experimental construction at the time of property transfer.



Mark Tradewell
MPCA #307

01/11/13

Date

Property/ Homeowner

Date

TRADEWELL SOIL TESTING**18330 Dahlia Street NW****Cedar, MN 55011****(763) 753-6222****Contractor/Owner: Wells Fargo Bank****Address/Lot/Block: 143 Maple Road****City: East Bethel County: Anoka**

This on-site sewage treatment system is designed for a 2 bedroom, Type 1 home in accordance with the Minnesota Pollution Control Agency Chapter 7080 and local ordinance. This system is considered an "other" system because it is going in the area of the existing system.

This system is considered an "other" system because it is going in an area that will need soil corrections in order to place the new system there. In the designing of this septic system every effort has been made to comply with correct 7080 code standards, including water table separation and drainfield sizing.

NOTE: All "other" systems are required to install a water meter and/or event counter to record water usage.

A seasonally high water table or saturated soil layer (mottled soil) was located at 70" at boring #1. A pressurized bed system will be needed on this site. The bottom of the rock must be located at least 3' above the seasonally high water table or saturated soil.

Carefully remove existing tanks and fill soils to a depth of about 36" below the existing grade at boring #1. At this point you should encounter the original fine sand. The bottom of the excavated area should be level. The area to be removed should be 36' long X 12' wide. The excavated area should then be filled with washed sand even with the existing grade at boring #1. Rock bed should be centered on oversized excavated area. Washed sand needed to fill excavated area is about 50 cubic yards. This amount could vary depending on amount of fill removed. Finished grade in area of system will be even with existing grade at boring #1.

Tanks: Install new 1500 gallon 2- compartment septic tank and 1000 gallon pump tank. The pumping chamber is needed to lift effluent to the treatment area.

Drainfield: 32' long by 8' wide pressurized bed with 2-2" laterals with 1/4" perforations @ 3' O. C.. 250 square feet of drainfield total using 9" of rock below pipe. 10 cubic yards or 14 tons of clean rock.

TRADEWELL SOIL TESTING

18330 Dahlia Street NW

Cedar, MN 55011

(763) 753-6222

Wells Fargo Bank

Page 2

Use 2" supply line to drainfield from pump tank. The supply line pipe must have back drainage to the pumping chamber.

Pump system: 4 doses per day at 80 gallons per dose including drainback. Recommend 1/3 horse pump. Pump must be designed to deliver at least 17 GPM with at least 13' of total head. Use site and sound alarm on pump tank.

Be sure the rock and sand fill materials are clean. The entire disturbed area shall be capped with 6" of loamy soil to prevent erosion. Seed or sod immediately upon completion.

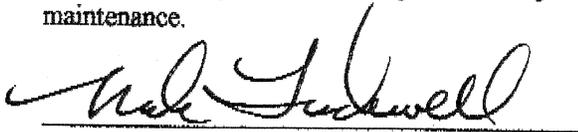
The power supply and switches must be located outside the manhole and pumping chamber in a weather proof enclosure. A warning device must be installed with a light and sound device, this is in case of a pump failure.

All neighboring wells are located greater than 50' away from the proposed treatment area.

Keep all heavy equipment off of the proposed treatment area before and after construction. The treatment area should be marked off before construction. This design is not valid and the system will need to be relocated if failure to protect the areas proposed for On-Site Sewage Treatment occurs.

With proper installation and maintenance, this system should have no problem in treating septic effluent effectively.

Nothing other than gray water, human waste and toilet tissue should be disposed of into the septic tanks. Garbage disposals are not recommended. Smaller amounts of laundry soaps, dish soaps, cleaning agents, etc. are better for the system. Antibacterial soaps and chlorine agents may kill the bacteria needed to treat septic effluent properly. Additives are not recommended, they may cause harmful damage to your system. Recommend to pump and clean your tanks by a certified pumper every 12 months to insure proper maintenance.



Mark Tradewell
MPCA #307

Date January 11, 2013

Wells Fargo Bank

Page 3

General Notes

- Pressurized bed system (similar to mound rock bed)
- Use 2" pressurized supply line
- Total pump out volume, 80 gallons per dose including drainback up to 4 times daily max.
- Recommend 1/3 horse pump
- Use site and sound alarm on pump tank.
- Bottom of rock bed in washed sand to be 36" above mottled soil minimum.

****This design is not valid without monitoring and mitigation plan signed by the owner.**

****This design will need a variance or an okay by the inspector to go closer to front property line than 10' setback. System will meet sideyard and building setbacks.**

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: January 11th, 2013

Name: Wells Fargo Bank

Address: 143 Maple Road, East Bethel, MN

SOIL BORING TEST REPORT

Boring #1			
0"- 28" (Fill) Fine Sand & Loamy Fine Sand			
28"- 34" Topsoil Loamy Fine Sand 10YR 3/2			
34"- 56" Fine Sand 10YR 4/4 5/4			
56"- 77" Fine Sand 10YR 4/6 With Loamy Bands 7.5YR 4/4			
Faint Mottles @ 70" Dry Hole			

**See attached "other" septic design and layout.



Mark Tradewell
MPCA #307

MOUND DESIGN WORK SHEET (For Flows up to 1200 gpd)

A. Average Design FLOW

Estimated 300 gpd (see figure A-1)
 or measured _____ x 1.5 (safety factor) = _____ gpd

number of bedrooms	Class I	Class II	Class III	Class IV
2	300	225	180	60%
3	450	300	218	of the
4	600	375	256	values
5	750	450	294	in the
6	900	525	332	Class I,
7	1050	600	370	II, or III
8	1200	675	408	columns.

B. SEPTIC TANK Capacity

1500 gallons (see figure C-1) 2 COMP.
1000 GALLON PUMP TANK

Number of Bedrooms	Minimum Liquid Capacity	Liquid capacity with garbage disposal	Liquid capacity with disposal & lift inside
2 or less	750	1125	1500
3 or 4	1000	1500	2000
5 or 6	1500	2250	3000
7, 8 or 9	2000	3000	4000

C. SOILS (refer to site evaluation)

- Depth to restricting layer = 5.8 feet
- Depth of percolation tests = NA feet
- Texture Fine Sand
 Percolation rate 10-5 mpi
- Soil loading rate 1.0 gpd/sqft (see figure D-33)
- Percent land slope 0 %

D. ROCK LAYER DIMENSIONS

- Multiply average design flow (A) by 0.83 to obtain required rock layer area.
300 gpd x 0.83 sqft/gpd = 250 sqft
- Determine rock layer width = 0.83 sqft/gpd x linear Loading Rate (LLR)
 0.83 sqft/gpd x 12 gpd/sqft = 10 ft
- Length of rock layer = area ÷ width =
250 sqft (D1) ÷ 10 ft (D2) = 25 ft USE 8' WIDE
(32' x 8')

< 120 MPI	≤ 12
≥ 120 MPI	≤ 6

E. ROCK VOLUME

- Multiply rock area (D1) by rock depth of 1 ft to get cubic feet of rock
250 sqft x 1 ft = 250 cuft
- Divide cuft by 27 cuft/cuyd to get cubic yards
250 cuft ÷ 27 cuyd/cuft = 10 cuyd
- Multiply cubic yards by 1.4 to get weight of rock in tons
10 cuyd x 1.4 ton/cuyd = 14 tons

F. SEWAGE ABSORPTION WIDTH

Absorption width equals absorption ratio (See Figure D-33) times rock layer width (D2)

1.0 x 8 ft = 8 ft

Percolation Rate in Minutes per Inch (MPI)	Soil Texture	Loading Rate Gallons per day per square foot	Absorption Ratio
Faster than 5	Coarse Sand Medium Sand Loamy Sand Fine Sand	1.20	1.00
6 to 15	Sandy Loam	0.79	1.50
16 to 30	Loam	0.60	2.00
31 to 45	Silt Loam	0.50	2.40
46 to 60	Silt Sandy Clay Loam Silty Clay Loam	0.45	2.67
61 to 120	Clay Loam Silty Clay Sandy Clay	0.24	5.00
Slower than 120*	Clay		

*System designed for these soils must be other of performance

PRESSURE DISTRIBUTION SYSTEM

- Select number of perforated laterals 2
- Select perforation spacing = 3 ft
- Since perforations should not be placed closer than 1 foot to the edge of the rock layer (see diagram), subtract 2 feet from the rock layer length.

$$\frac{32}{\text{Rock layer length}} - 2 \text{ ft} = 30 \text{ ft}$$

- Determine the number of spaces between perforations. Divide the length (3) by perforation spacing (2) and round down to nearest whole number.

$$\text{Perforation spacing} = \frac{30}{\text{ft}} \div 3 \text{ ft} = 10 \text{ spaces}$$

- Number of perforations is equal to one plus the number of perforation spaces(4). Check figure E-4 to assure the number of perforations per lateral guarantees <10% discharge variation.

$$10 \text{ spaces} + 1 = 11 \text{ perforations/lateral}$$

- A. Total number of perforations = perforations per lateral (5) times number of laterals (1)

$$11 \text{ perfs/lat} \times 2 \text{ lat} = 22 \text{ perforations}$$

- B. Calculate the square footage per perforation. Should be 6-10 sqft/perf. Does not apply to at-grades.

$$\text{Rock bed area} = \text{rock width (ft)} \times \text{rock length (ft)}$$

$$32 \text{ ft} \times 8 \text{ ft} = 256 \text{ sqft}$$

$$\text{Square foot per perforation} = \frac{\text{Rock bed area}}{\text{number of perfs (6)}}$$

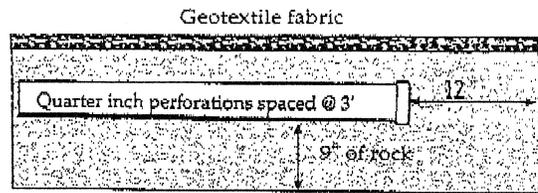
$$\frac{256 \text{ sqft}}{22 \text{ perfs}} = 11.6 \text{ sqft/perf}$$

- Determine required flow rate by multiplying the total number of perforations (6A) by flow per perforation (see figure E-6)

$$22 \text{ perfs} \times .74 \text{ gpm/perfs} = 17 \text{ gpm}$$

- If laterals are connected to header pipe as shown on upper example, to select minimum required lateral diameter; enter figure E-4 with perforation spacing (2) and number of perforations per lateral (5) Select minimum diameter for perforated lateral = 2 inches.

- If perforated lateral system is attached to manifold pipe near the center, lower diagram, perforated lateral length (3) and number of perforations per lateral (5) will be approximately one half of that in step 8. Using these values, select minimum diameter for perforated lateral = _____ inches.



Perf Sizing 3/16" - 1/4"
Perf Spacing 1.5' - 5'

E-4: Maximum allowable number of 1/4-inch perforations per lateral to guarantee <10% discharge variation

perforation spacing (feet)	1 inch	1.25 inch	1.5 inch	2.0 inch
2.5	8	14	18	28
3.0	8	13	17	26
3.3	7	12	16	25
4.0	7	11	15	23
5.0	6	10	14	22

E-6: Perforation Discharge in gpm

head (feet)	perforation diameter (inches)			
	1/8	3/16	7/32	1/4
1.0 ^a	0.18	0.42	0.56	0.74
2.0 ^b	0.26	0.59	0.80	1.04
5.0	0.41	0.94	1.26	1.65

^a Use 1.0 foot for single-family homes.
^b Use 2.0 feet for anything else.

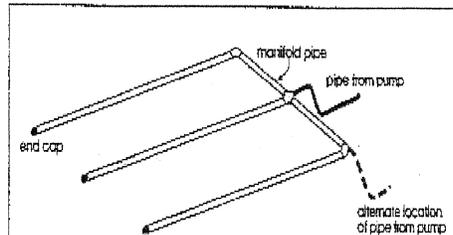


Figure E-1: Manifold Located at End of System

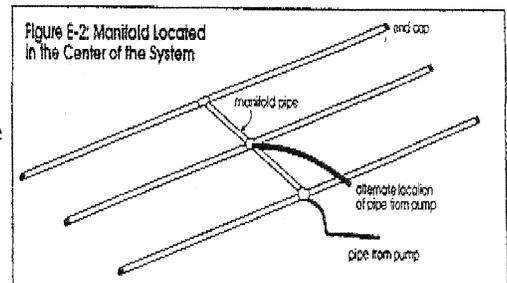


Figure E-2: Manifold Located in the Center of the System

I hereby certify that I have completed this work in accordance with applicable ordinances, rules and laws.

Mark L. Jewell (signature) # 307 (license #) 01/11/13 (date)

PUMP SELECTION PROCEDURE

1. Determine pump capacity:

A. Gravity distribution

1. Minimum required discharge is 10 gpm
2. Maximum suggested discharge is 45 gpm. For other establishments at least 10% greater than the water supply rate, but no faster than the rate at which effluent will flow out of the distribution device.

B. Pressure distribution

See pressure distribution work sheet

From A or B Selected pump capacity: 17 gpm

2. Determine pump head requirements:

A. Elevation difference between pump and point of discharge?

7 feet

B. Special head requirement? (See Figure at right - Special Head Requirements)

5 feet

C. Calculate Friction loss

1. Select pipe diameter 2 in

2. Enter Figure E-9 with gpm (1A or B) and pipe diameter (C1).

Read friction loss in feet per 100 feet from Figure E-9

Friction Loss = .73 ft/100ft of pipe

3. Determine total pipe length from pump discharge to soil treatment discharge point. Estimate by adding 25 percent to pipe length for fitting loss. Total pipe length times 1.25 = equivalent pipe length

20 feet x 1.25 = 25 feet

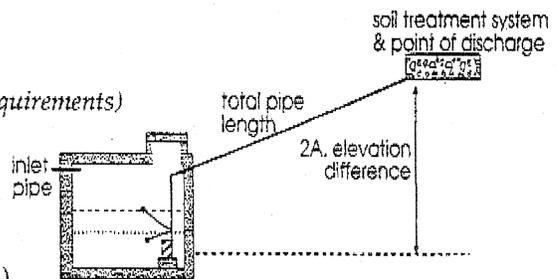
4. Calculate total friction loss by multiplying friction loss (C2) in ft/100 ft by the equivalent pipe length (C3) and divide by 100.

= .73 ft/100ft x 25 ÷ 100 = 1 ft

D. Total head required is the sum of elevation difference (A), special head requirements (B), and total friction loss (C4)

7 ft + 5 ft + 1 ft =

Total head: 13 feet



Special Head Requirements	
Gravity Distribution	0 ft
Pressure Distribution	5 ft

E-9: Friction Loss in Plastic Pipe Per 100 feet			
flow rate gpm	nominal pipe diameter		
	1.5"	2"	3"
20	2.47	<u>0.73</u>	0.11
25	3.73	1.11	0.16
30	5.23	1.55	0.23
35	6.96	2.06	0.30
40	8.91	2.64	0.39
45	11.07	3.28	0.48
50	13.46	3.99	0.58
55		4.76	0.70
60		5.60	0.82
65		6.48	0.95
70		7.44	1.09

3. Pump selection

A pump must be selected to deliver at least 17 gpm (1A or B) with at least 13 feet of total head (2D)

1/2 H.R.

I hereby certify that I have completed this work in accordance with applicable ordinances, rules and laws.

Mike Fudnell (signature) # 307 (license #) 01/11/13 (date)









City of East Bethel Planning Commission Agenda Information

Date:

May 28, 2013

Agenda Item Number:

Item 7.0

Agenda Item:

George Cossette – George’s Boat Repair, 18649 Hwy. 65 NE

Requested Action:

Interpretation request regarding greenhouse type enclosures for storing of boats

Background Information:

Property Owner/Applicant:

George Cossette
1615 2nd Avenue NE
Anoka MN 55303

Property Location:

George’s Boat Sales and Repair
18649 Hwy 65 NE
East Bethel, MN 55011

Staff had a conversation with Mr. Cossette last winter regarding his desire to put up half tunnel/greenhouses to store his boats in. At that time a letter was written stating that such structures are not listed as permitted or conditional use permits in the B-3 Zoning District and do not meet city code.

Mr. Cossette has requested to appear before the Planning Commission to state his case for enclosing his boats for storage utilizing a half tunnel/greenhouse storage system.

Attachments:

1. Staff Letter dated Dec. 14, 2012
2. Letter from Mr. Cossette and supporting documentation
3. Location Map
4. B3 Zoning

Fiscal Impact:

Not Applicable

Recommendation(s):

Please refer to original letter dated Dec. 14, 2012. This is a discussion item only. Mr. Cossette is requesting an interpretation by the Planning Commission regarding his request and next steps in the process.

Planning Commission Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



December 14, 2012

George Cossette
18649 Highway 65 NE
East Bethel, MN 55011

Dear George:

I have had the opportunity to review your request to put up two (2) 30 x 120 half tunnel structures on your property located at 18649 Highway 65 NE for purposes of storing boats, RVs, and other equipment.

Based on the City of East Bethel Zoning Code, this request is not listed as a permitted or conditional use in the B-3 Zoning District, or in any other portions of our ordinance. It is also prohibited per Section 6:

6. Agriculture-related buildings greater than 3,000 square feet.

A. The structure shall not be used for commercial or industrial activities.

I would be happy to work with you to come up with an alternative storage solution that will meet city code. Please feel free to call me and we can set up an appointment. Thank you for your time, and have a Merry Christmas.

Sincerely,

A handwritten signature in black ink, appearing to read "Colleen J Winter", written over a horizontal line.

Colleen J Winter
Community Development Director

05/07/2013

Colleen,

Please find enclosed my information for enclosing my boats for storage. The green houses would be behind my privacy fence and really duplicate the individual boats that are present now.

Thanks,

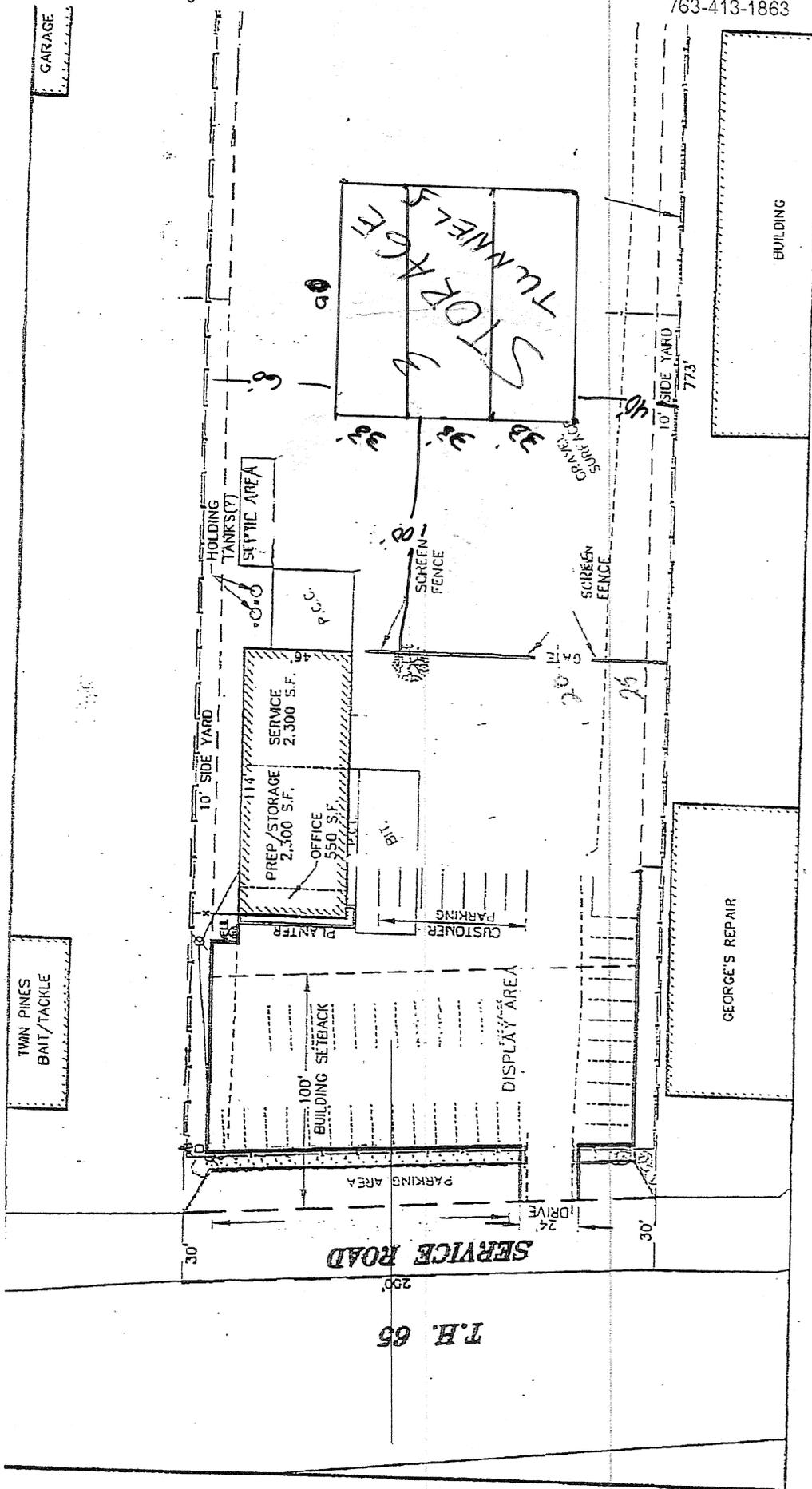


George Cossette

George's Repair Center

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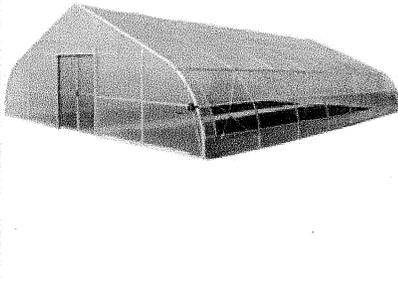
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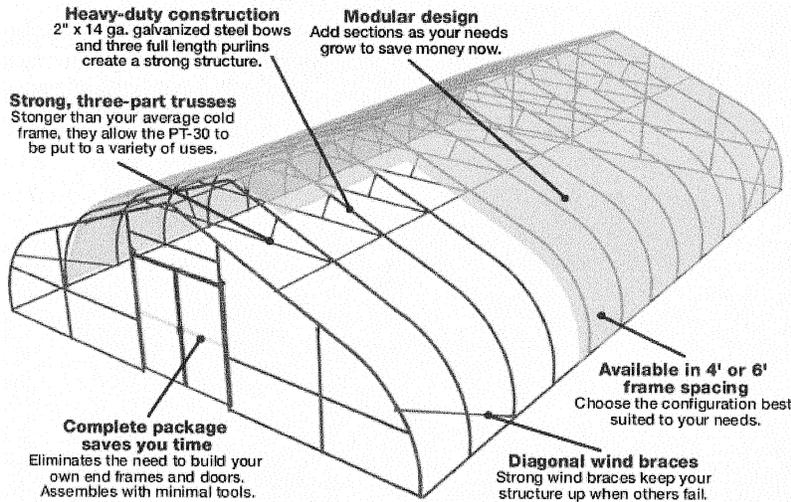
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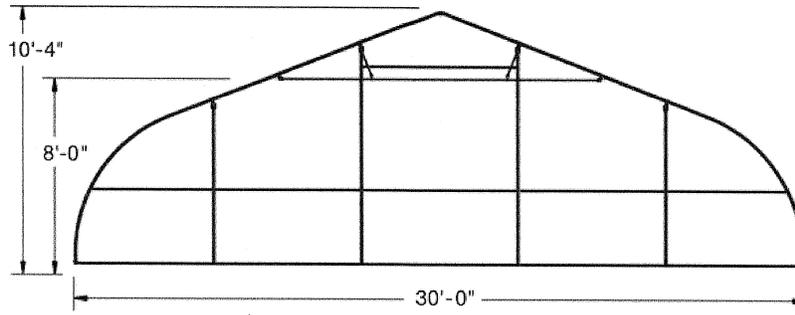
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Description The Gothic Tech is an innovative greenhouse that is cost effective enough to be used as a seasonal cold frame but also heavy-duty enough to be used as an inexpensive, year-round growing structure. Our complete package includes heavy-duty trusses, end frames, doors and poly covering. The complete package assembles quickly with minimal tools and eliminates the time and materials needed to build your own end frames and doors.

Standard Features



Specifications



Package Information Complete package price includes: three-piece bows, diagonal wind braces, ground stakes, assembly hardware, (3) purlin runs and set up manual, Three-part truss on every intermediate frame section, Roll-form end frame (packages), roll-form side rails, Wiggle Wire™ poly fastening system, single layer clear poly roof and ends, double swinging end doors (one end).

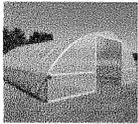
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Tools

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- End Wall Kits (<http://growerssolution.com/page/GS/PROD/hobby/endwallkitHS>)
- Roll Up Greenhouse Sides (<http://growerssolution.com/page/GS/PROD/hobby/RollUp>)

- Zipper Doors (<http://growerssolution.com/page/GS/PROD/hobby/ZipUp>)
- Please contact us at (866) 928-3390 for you climate control needs (heaters, fans, thermostats, etc.)

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Additional Sites:

Growers Learning Center

Peat-Pots.com

HotKaps.com

MyShadeCloth.com

WallOWater.net

TnFarmSupply.com

M-F: 7:30-4:30pm (CST)

(It is 9:22 at our office.)

Contact Info:

Grower's Solution, LLC

1211A Boyd Farris Rd.

Cooke

931.5

775.6

[Email]

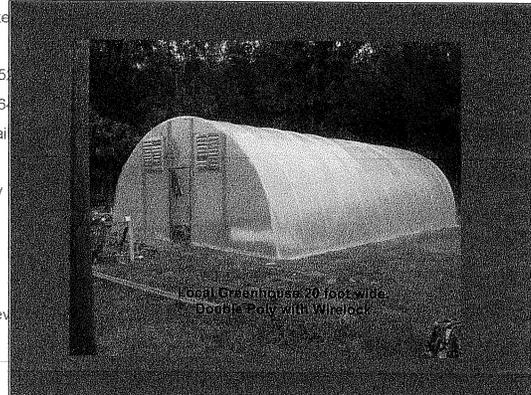
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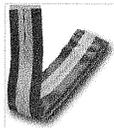
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Drive

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Greenhouse Adhesive Zipper Door - Zip Up



End Wall Kits for High Sidewall and Super Duty Greenhouses



Roll-Up Greenhouse Door

Customers Also Bought



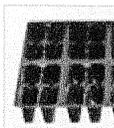
End Wall Kits for High Sidewall and Super Duty Greenhouses



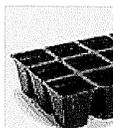
1020 Greenhouse Trays (With Holes)



Individual Web Flats Small Quantities



1204 Inserts



1801 Deep Insert



1 Gallon Black Full Pot

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Select One: 16 ft x 16 ft - \$1078.00 Quantity: 

Add To Cart



The Grower's Solution 7.5' Sidewall Greenhouse Kits are one of the hottest items in the do-it-yourself gardening marketplace today! For years, the Grower's Solution residential, hobby, and light commercial greenhouse kits have been pleasing customers across the nation. Our greenhouses are praised by customers as being one of the most economical and easy-to-assemble, quality greenhouse kits available. Our galvanized industrial-steel tubing makes it one of the strongest frames on the market. You can install this 7.5' Sidewall Greenhouse Package in less than a weekend. This brand new, commercial grade greenhouse package is 12' to 13' tall, depending on how far you drive it into the ground.

Looking for a greenhouse to grow larger plants and with more head room to maximize square footage? Then the High Sidewall Greenhouse is the ideal choice! It comes in a variety of lengths to give our customers the flexibility they want to meet their growing needs. All high sidewall greenhouse packages have 7'6" sidewalls with bows spaced on 4 ft centers. High sidewall greenhouse frames maximize the area relative to the growing space, making the environment more uniform and stable. The sidewall houses allow the customer the ability to install tables and benches on the interior walls of the house.

Kit includes the following:

- Bows (Hoops) - 1 3/8" Galvanized Steel Tubing (16 Gauge)
Greenhouse bows are installed on 4' centers (every 4')
- 10'6" Ground Stakes to drive approximately 24" to 36" into the ground
1 5/8" Galvanized Steel Tubing (16 Gauge)
- Center Purlin that runs the length of the greenhouse and connects the bows
- 4 Year Warranty 6 mil Clear, UV-treated Poly Greenhouse Film
(3 pieces to cover the house including endwalls)
- Wire Lock for attaching plastic film to the frame
- Wind Bracing is included on greenhouses 40' and longer or by request only on shorter greenhouses
- Hardware
- [Step-by-Step Instructions \(http://growerssolution.com/learning/BasicHighSidewallGreenhouseInstallation.pdf\)](http://growerssolution.com/learning/BasicHighSidewallGreenhouseInstallation.pdf)
- Free Customer Support Number
- Door and 2X4s for base and ends are NOT INCLUDED in kit
Endwalls can be constructed from lumber purchased locally or
[purchased separately \(http://growerssolution.com/page/GS/PROD/hobby/endwallkitHS\)](http://growerssolution.com/page/GS/PROD/hobby/endwallkitHS)

We want you to be satisfied!

Technical Specifications

- 16' wide
- 12' - 13' center height
- 7'6" sidewalls
- Length: Buyer's choice
- Structure Material: Rolled Galvanized 1 3/8" industrial tubing (16 gauge)
- Cover Material: 4 Year Warranty 6 mil Clear, UV-treated Poly Greenhouse Film

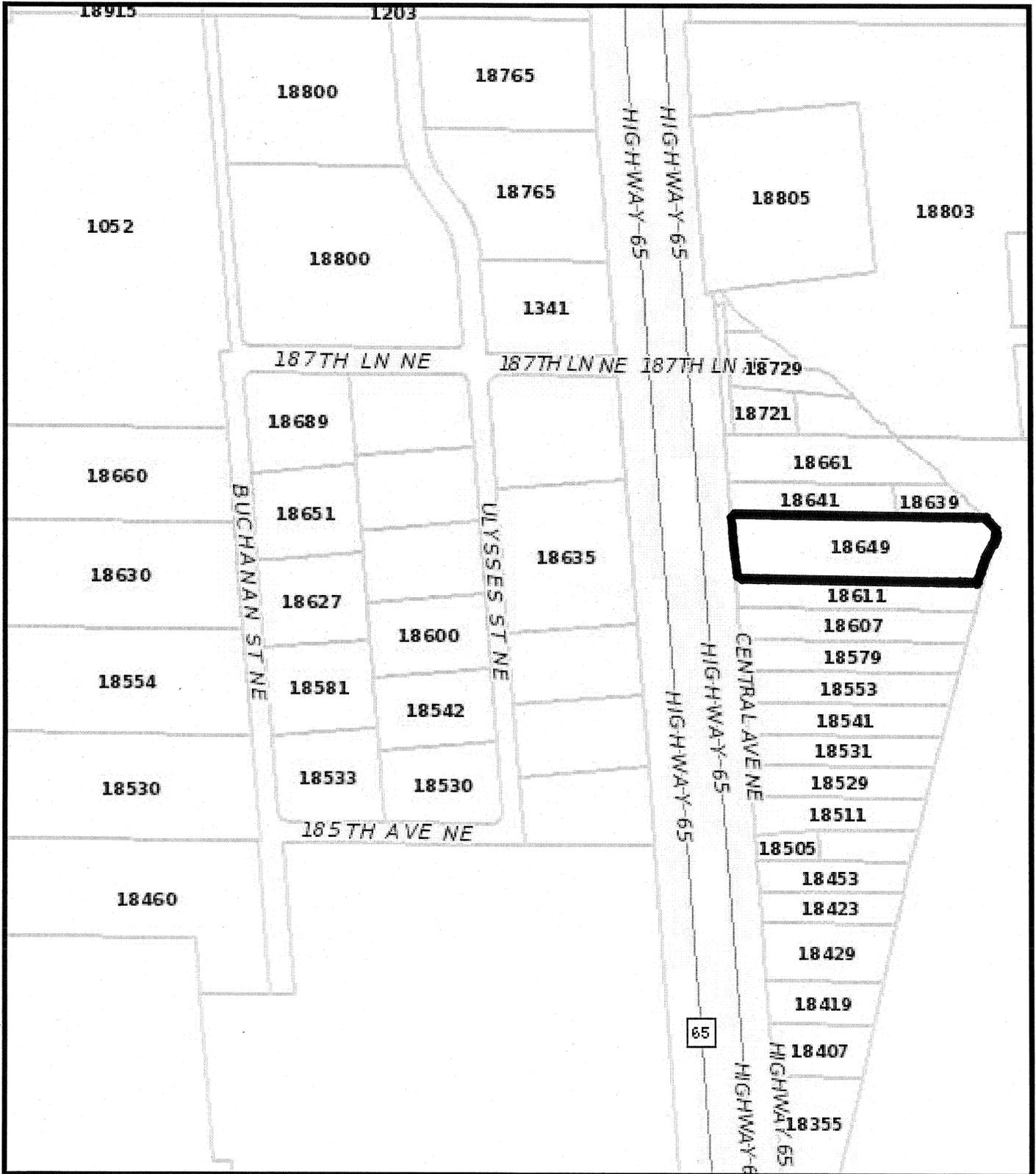
Additional Information

- **Important Shipping Information:** We ship our greenhouses via motor freight. Freight charges vary depending upon your location. Please contact us if you have any questions regarding shipping or to receive a freight quote to your location. (931) 528-3390

Additional Accessories for Your Greenhouse

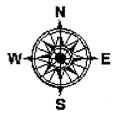


Map



Attachment #3

Disclaimer: Maps and documents made available to the public by the City of East Bethel are not legally recorded maps or surveys and are not intended to be used as such. The maps and documents are created as part of the Geographic Information System (GIS) that compiles records, information, and data from various city, county, state and federal resources.
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- CODE OF ORDINANCES
APPENDIX A - ZONING

SECTION 47. - HIGHWAY COMMERCIAL (B-3) DISTRICT

SECTION 47. - HIGHWAY COMMERCIAL (B-3) DISTRICT

1. - Purpose.

The highway commercial (B-3) district is intended to provide for commercial areas serving the highway traveling public.

2. - Permitted uses.

- A. Motor vehicle service station with minor or major repairs.
- B. Club or lodge.
- C. Day care facility, licensed.
- D. Funeral home.
- E. Garden supply stores and nursery yards.
- F. Health/recreation facility.
- G. Hotel/motel.
- H. Medical uses.
- I. Office.
- J. Plant nursery, commercial and wholesale.
- K. Restaurant—Fast food and full service.
- L. Retail/office/multi-tenant structure.
- M. Retail sales and services.
- N. School, specialty.
- O. Tavern or bar.
- P. Whole office and showroom.
- Q. Veterinary services.
- R. Recreation—Public.
- S. Financial service.
- T. Essential services, government.

3. - Accessory uses.

- A. Trash enclosure service structure.
- B. Other uses customarily associated with but subordinate to a permitted use as determined by the city.
- C. Radio and television receiving antennas including single satellite dish TVROs, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 17 [16]. Telecommunication[s] Facilities.

- CODE OF ORDINANCES
APPENDIX A - ZONING

SECTION 47. - HIGHWAY COMMERCIAL (B-3) DISTRICT

4. - Conditional uses.

- A. Essential services—Utility substations.
- B. Retail sale and services—Boat sales.
- C. Residential care facility—Serving seven or more persons.
- D. Self service storage.
- E. Hospital services.
- F. School.
- G. Place of worship.
- H. Recreation—Commercial.
- I. Construction sales and services.
- J. Agricultural sales and services.
- K. Nursing home.
- L. Research facility.
- M. Crematorium.
- N. Other uses similar to those permitted in this section as determined by the planning commission and city council.
- O. Exterior storage associated with permitted and conditional uses.

5. - Interim uses.

- A. Grading activities that move more than 1,000 cubic yards of material per acre.
- B. Drive-thru services.
- C. Communication towers.
- D. Motor vehicle and/or motorcycle internet distribution sales; limited to no more than a two-year permit.
- E. Other uses similar to those permitted in this section as determined by the city council.

6. - Certificate of compliance.

Temporary/seasonal sales as permitted in Section 01. General Provisions of Administration.

7. - Development regulations.

A. *Minimum lot requirements:*

1)	Lot area:	
	a) With sewer and water	23,000 square feet

- CODE OF ORDINANCES
APPENDIX A - ZONING

SECTION 47. - HIGHWAY COMMERCIAL (B-3) DISTRICT

	b)	Without sewer and water	10 acres
2)		Lot width	100 feet (with or without sewer)

B. *Setbacks:*

1)		Front yard:	40 feet
	a)	City right-of-way	40 feet
	b)	State/county right-of-way	100 feet
2)		Side yard:	10 feet
	a)	City ROW	40 feet
	b)	State/county ROW	100 feet
3)		Rear yard	25 feet (or 60 feet when abutting a residential district)

C. *Maximum height:* Measured to the eave, maximum height of three stories or 30 feet, whichever is less.

D. *Maximum lot coverage:* 80 percent.

(Ord. No. 19, Second Series, 5-5-2010; Ord. No. 28, Second Series, 12-1-2010; Ord. No. 36, Second Series, 4-4-2012)

EAST BETHEL PLANNING COMMISSION MEETING

April 22, 2013

The East Bethel Planning Commission met on April 22, 2013 at 7:00 P.M. for their regular meeting at City Hall.

MEMBERS PRESENT: Tanner Balfany Eldon Holmes Lou Cornicelli
Brian Mundle, Jr. Glenn Terry Lorraine Bonin

MEMBERS ABSENT: Randy Plaisance

ALSO PRESENT: Colleen Winter, Community Development Director
Tom Ronning, City Council Member

Call to Order & Adopt Agenda

Balfany motioned to adopt the April 22, 2013 agenda, with the amendment of the addition of the public forum. Mundle seconded; all in favor, motion carries unanimously.

Public Forum

Opened at 7:02 p.m.

Robert Banks, 930 207th Ave NE – Regarding the IUP, will talk at that point.

Paul Erickson – Regarding IUP, will talk at that point.

Kevin – Here to listen to the meeting.

Closed at 7:03 p.m.

Interim Use Permit (IUP) for Creative Threads, a home- based embroidery and fabric cutting business located at 912 207th

Ave. NE, East Bethel,
MN

Public Hearing: Interim Use Permit for Creative Threads, a home-based embroidery and fabric cutting business

Requested Action:

Consider Granting an Interim Use Permit (IUP) for Cathryn Erickson for a Home Occupation in the R1 – Single Family Residential District.

Background Information:

Property Owner/Applicant:

Cathryn Erickson
912 207th Ave. NE
PIN 18-33-23-44-0027
East Bethel, MN 55011
Hidden Haven Country Club Estates
Lot 3 Blk 5

Property Location:

912 207th Ave. NE

The applicant, Cathryn Erickson, is requesting an IUP to operate a home-based business named “Creative Threads.” The business does contract embroidery on hat and garments, and also does fabric cutting for embroidery companies.

Business is conducted primarily by email and UPS so parking needs generated from the home occupation are small and shall be provided on-site, in the designated driveway.

Attachments:

1. Location Map
2. Application
3. City Code Appendix A, Section 10.19, Home Occupation

Recommendation(s):

Home occupations are a permitted use in the R1- Single Family Residential District as long as Ms. Erickson can meet the requirements of the City Code and complies with the conditions of the IUP. The proposed home occupation will meet requirements of the ordinance so long as the conditions of the IUP are met. In the event the conditions are not being met, the IUP would be revoked.

Fiscal Impact:

Not Applicable

Recommendations:

Staff requests Planning Commission recommend approval to City Council for an IUP for a home occupation known as Creative Threads, located at 912 207th Street NE, Hidden Haven Country Club Estates, Lot 3 Blk 5, PIN 34-33-23-32-0015, with the following conditions:

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. The area set aside for the home occupation in the principal structure

- shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.
- j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Violation of conditions and City Codes shall result in the revocation of the IUP.
 3. All conditions must be met no later than May 31, 2013. An IUP Agreement shall be signed and executed no later than May 31, 2013. Failure to execute the IUP Agreement will result in the null and void of the IUP.

Public hearing was opened at 7:05 p.m.

Robert Banks, 930 207th Ave. NE – He has the house east of the Erickson's. This is an R-1 residential neighborhood, he understands they are permitted. If they were to maintain it as a home-based business he wouldn't be here. They added a commercial-grade cutting machine that needs to be vented through the roof. The use of the machine has disrupted his household due to the noise. He likes to have the windows open, and it has caused sleepless nights. His family has put a hold on patio and screen porch, because the machine is loud and is humming. Yes there are other noises, such as Hidden Haven, Golf Course. But the lawn equipment doesn't bother him as they are far enough away from it and you expect such noises when you move into such neighborhoods. We didn't expect this kind of noise. They are not far enough away. We are in direct line of the vent and the noise is not short lived. The noise can last for five minutes, or five hours, it can run at anytime. We came here for quiet living, and we have industrial noise that we hear. It is a true annoyance. He has conveyed it to the Erickson's. He understands that noise can affect people on different levels. He knows that his children, wife, and friends have commented on it, so it is not just him. It is not a natural noise. If they want to sew, and embroider and fabric cutting that's fine. The vented industrial commercial machine is what he has a problem with. He has discussed it with the Erickson's. Their perception of business hours is different than his. He texted the neighbors when it was operating late into the hours. They don't perceive it the same way. To Mr. Erickson's credit, he had put an extension on the pipe. We have talked to the City about the problem and he will contact the Sheriff, but doesn't want to go down that route. He has on occasion, where there is a trampoline on his property. He had to yell to the kids, because it is difficult to hear. He is not here to take away from their business, if this was just embroidery and fabric cutting, but unfortunately the industrial machine is a nuisance. He has difficulty with this machine.

Terry asked if the sound is from the vent or from the walls. Banks said it is a cutting machine that causes so much heat, that it needs to be vented. Terry asked if the noise is vibrating. Banks said it is not vibrating, because the vent, it is a

just a loud machine. Holmes said it keeps you up at night. Banks said he has heard it well into one a.m.

Public hearing was closed at 7:12 p.m.

Rick and Cathy Erickson – Mr. Banks has complained to us, starting last fall. Erickson did change the direction of the vent. The Banks thanked him for changing it. He didn't know until recently that it was an issue again. He thought it was taken care of. It is not their practice to operate late into the morning. It doesn't happen very often. If anyone has ever owned a small business, you take a job that you have to do. If he knew it was bothering Mr. Banks as much as it is, he would have made a change. We went to a training this past week, and there is a new scrubber thing that would eliminate the sound. If Mr. Banks didn't hear that, it would be fine. It is a home type of a machine. It looks like a small chest freezer. Inside there is very little noise. It is the blower that is very loud. It is like standing next to a leaf blower. Yeah, you can hear it outside, depending on where you are located.

Mundle said concerning the noise, would you be ok with the scrubber that reduces the noise to a reasonable level? Can you limit the work hours until 6 p.m? Erickson said we have tried to limit the work until those hours. Banks said he would you be happy with that. Holmes asked if this machine is necessary to have? Erickson said it is about a 1/3 of our business, it is computerizing, embroidery contract. We don't have a showroom and very few customers come to our house. One-third of our business is fabric lettering, names and letters, and such. Holmes said it is sort of two businesses in one. Erickson said no, it is three. Holmes asked if this is causing a problem? Erickson said we thought we had the problem fixed last fall. That was three years after we installed the machine. We didn't understand that was causing an issue for the Banks family. We thought our correction worked. Holmes said is there any inkling on moving to a commercial place. Erickson said we did look for a commercial building – we have to look and regroup for SBA. We thought we would be in a position to move out at this point, but we aren't quite there. We were going to regroup and move out. We still would love to buy that building by Fat Boys, but we have to make the numbers work. The business, like any small business, you like to see it flourish, there is a point where it has to move out of the home. We are not always running the machines.

Balfany said there is a possible a solution for the noise. How soon could you have it corrected? It could be within a week, weather permitting. Cornicelli asked if anyone from the City listened to the noise? Winter said the City could go out and listen.

Holmes asked how long have you had the business at home? Erickson said for 7 years. Holmes said this is the first time you applied for the IUP. Erickson said we found out from someone that we had to have it. Holmes asked if you've seen the copy of the home occupation standards J and K that state no structural alterations. You can't make a change in the roof. A vent pipe is a structural alteration. Holmes said you already have it through the roof. Winter said people vent different things through the roof. She doesn't think it is a structural

alteration. Mundle said he doesn't think it would be. Terry said if that is a structural alteration, we should change the code. That should be changing the physical structure. Holmes said where in your house do you have this? Erickson said in the attached garage. It looks like another garage. There are no signs. Holmes said how many years do you think it will be before you move into a building. Cornicelli thinks the conditions are reasonable.

Mundle recommended approval to City Council for an IUP for a home occupation known as Creative Threads, located at 912 207th Street NE, Hidden Haven Country Club Estates, Lot 3 Blk 5, PIN 34-33-23-32-0015, with the following conditions:

1. **Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:**
 - a. **No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.**
 - b. **No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.**
 - c. **Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).**
 - d. **The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.**
 - e. **A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.**
 - f. **The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.**
 - g. **There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.**
 - h. **Parking needs generated by the home occupation shall be provided on-site.**
 - i. **The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.**
 - j. **No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.**
 - k. **There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.**
2. **Violation of conditions and City Codes shall result in the revocation of the IUP.**

3. Further conditions work with City to address noise coming from the vent

All conditions must be met no later than May 31, 2013. An IUP Agreement shall be signed and executed no later than May 31, 2013. Failure to execute the IUP Agreement will result in the null and void of the IUP. Balfany seconded, all in favor, motion carries. (This goes before City Council on May 1, 2013.)

Conditional Use Permit (CUP) request by Paul Partyka, PVC Auto, for the use of the former Lampert Lumber site at 1542 221st Ave. NE, East Bethel, MN for truck and trailer parking and storing auto parts indoors

Conditional Use Permit (CUP) Request by Paul Partyka, PVS Auto, for use of the former Lampert Lumber site at 1542 221st Ave. NE, East Bethel for truck and trailer parking and storing auto parts indoors.

Requested Action:

Make recommendation to City Council for a Conditional Use Permit (CUP) Request by Paul Partyka, PVS Auto, for use of the former Lampert Lumber site at 1542 221st Ave. NE, East Bethel, MN; PID 08-33-23-12-0005.

Background Information:

At the regularly held Planning Commission meeting on September 25, 2012, Paul Partyka, owner of PVS Auto LLC and Harlan Meyer of Bentley Realty appeared before the Planning Commission to discuss their interest in purchasing the former Lampert Lumber site. At that time they were interested in purchasing the property for speculative purposes but wanted to be able to use the existing buildings for interior storage for new and used auto parts. **A copy of a letter dated September 12, 2012 is included in your packet describing their intended use.** The Planning Commission discussed their proposal and forwarded a recommendation to City Council. On December 5, 2012, the following motion was made and approved by the City Council:

Voss made a motion that based on the use that has been presented by PVS Auto, the City Council recognizes it is consistent with the B-2 zoning, understanding that the primary use is office use with storage within the buildings at 1542 221st Avenue NE. Anything else will have to come back to Council for review, Moegerle seconded. DeRoche, "I will not approve any outside storage." All in favor, motion carries.

Since that time their business plan has changed and based on discussions with City Staff it was determined that they would need to go through the process of obtaining a Conditional Use Permit. Their intent is to have an office there daily and sell new and used auto parts. All auto parts would be stored in existing buildings and would not be stored outside. This by itself is fine and a legal permitted use in the B-2 (Central Business) District as determined by Planning Commission and City Council action noted above. However, in addition to having the auto parts business, PVS Auto LLC also owns a transportation company (VIP Transfer) and that business has grown substantially to where they now have a need to park their empty trucks and trailers overnight. They currently do not have any room at their facility in Blaine, MN. They have a fleet of 9 trucks and that would be the maximum trucks parked at 1542 221st Ave. NE.

Please find attached a survey, along with a map that shows the location of the truck and semi-trailer parking. The site is currently zoned B-2, Central Business District and the following are permitted Conditional Uses in the District:

They would be storing 9 semi trailers on the the site. There should be a copy of a letter dated September 12. It states what his intention is with the property. The buildings are in good shape, one or two need to be demolished.

SECTION 46. - CENTRAL BUSINESS (B-2) DISTRICT

1. Purpose. The central business (B-2) district is intended to provide for the general retail shopping of persons living in East Bethel and surrounding trade area. The applicable development regulations within the B-2 district encourage high density commercial development with or without drive-thru services.

4. Conditional uses.

- A. Essential services—Utility substation.
- B. Place of worship.
- C. Schools.
- D. Drive-thru services.
- E. Licensed residential facility—Serving seven or more persons.
- F. Daycare facility—Licensed.
- G. Exterior storage associated with retail sales and services.**
- H. Hotel/motel.
- I. Funeral home.
- J. Crematorium.
- K. Veterinary services.
- L. Bed and breakfast inn.
- M. Nursing home.
- N. Recreation, commercial.
- O. Other uses similar to those permitted in this section as determined by the city council.**

The Conditional Use Permit is for the storage of operational trucks and semi-trailers that are used for VIP Transfer, a part of PVS Auto LLC.

Aerial photo shows where the truck parking would be. Anoka County Highway Department has received the information. They will also be reviewing it. At this time, Planning Commission recommends approval of the Conditional Use Permit for PVS Auto LLC/Paul Partyka to park operational trucks and semi-trailers at 1542 221st Ave. NE, PID No. 08-33-23-12-0005. Subject to the following conditions:

1. Parking shall be limited to 9 operational trucks and semi-trailers that are part of VIP Transfer - PVS Auto, LLC

2. All parking/exterior storage shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.
3. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than five (5) feet in height and shall preclude vision through the barrier. All screening shall meet the regulations in [Section 23](#). Screening Requirements [Regulations].
4. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.

Keep in mind that the one part of the business was ruled a permitted use. That was approved by Council last year. Mundle said is overnight parking considered exterior storage? Bonin said it is overnight storage. Winter said they are parking there overnight and no more than nine vehicles. Bonin said it is overnight parking.

Partyka said we are going to have overnight parking, maybe two or three trucks. During the week there will be no trucks. He only has seven trucks and sometimes they come home for a couple days. Sometimes they have a meeting or appointment; there will not be more than nine trucks and trailers parked there. He doesn't think there will be nine during the week. Currently he has seven trucks and only one is parked now. Nine is for maximum capacity.

Cornicelli said is 221st Avenue built to sustain that truck traffic? But we do have Anoka County looking at the permit. Winter stated that Anoka County has received a copy for their review and comment. Holmes asked if all the trucks are 40 footer. Partyka said the trailer is 53 foot. Holmes asked which building are you planning on tearing down. Partyka said there is only one building that will have to go. It is not worth fixing and it is just a little shed. Winter said there is a map in there that will show the building they are planning on tearing down. Partyka said you can remodel, but it will be cost more than to repair. They just need new siding sheets, and they need to be cleaned up and painted. Holmes asked if he plans on building more buildings. Partyka said no he has plenty, he will just remodel some. Mundle asked if we are clear on the fact that it is just overnight. Winter stated a Conditional Use permit is the best way to handle this situation. Holmes said he stated if they are home for over the weekend. Bonin said they are not parked there indefinitely. Balfany said they would be behind the buildings. Holmes asked if he would be repairing the fencing. Partyka said he would be repairing the fencing. Balfany asked what hours the trucks will leave. Partyka said they will be leaving in the morning, and come back by 10 pm. There will only be one or two trucks coming in. Not a lot of traffic.

Terry asked why has the business plan shifted, what has happened in the few months. Partyka said when we first came in we had same thing, but we only had a couple of trucks. Our used parts business was a little weak, so we decided we could park the truck. We need a piece of paper that means the City let us park it. We don't want to get in trouble. Holmes said your business is strictly storage or are you going to have retail. Partyka said some people told us we have to have an office. People are going to come, we have a dealer license then, some people are

going to come and get parts. Winter said the auto parts would all be inside. The office will be open from 6 a.m. – 5 p.m. Bonin said if someone comes to Blaine, and you don't have it in Blaine, they would come here. Partyka said he could bring it to this location for them. Balfany said the reason you are here tonight is for the trucking business. Partyka said he has three brothers and we are partners. Holmes said the B2 district is retail. Partyka said we would not be doing repairs at this site; we do our repairs at the Blaine facility.

Aerial photo shows where the truck parking would be. Anoka County Highway Department has received the information. They will also be reviewing it.

Balfany motioned to recommend approval of the Conditional Use Permit for PVS Auto LLC/Paul Partyka to park operational trucks and semi-trailers at 1542 221st Ave. NE, PID No. 08-33-23-12-0005. Subject to the following conditions:

- 1. Parking shall be limited to 9 operational trucks and semi-trailers that are part of VIP Transfer - PVS Auto, LLC**
- 2. All parking/exterior storage shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.**
- 3. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than five (5) feet in height and shall preclude vision through the barrier. All screening shall meet the regulations in [Section 23](#). Screening Requirements [Regulations].**
- 4. All equipment and materials within the storage area shall be arranged in a neat and orderly manner**

Cornicelli seconded; all in favor, motion carries unanimously.

Discussion Regarding MIDS

Continue Review MIDS project that was discussed at a Special Planning Commission Work Session on March 19, 2013. Jay Michels of Emmons and Oliver was the presenter.

Background Information:

Utilizing the Community Assistance Package, we will be going over three specific issues:

What do we want to recommend be a part of a MIDS program?

1. Storm Sewer Plan: do we want a separate ordinance or include in one document?
2. Subdivision ordinance: do we want to include MIDS as part of this?

Design Standards

Nitty gritty on how we will administer it.

Inspections and recording keeping – The applicant is responsible for inspection and record keeping during and after construction for all privately owned

stormwater treatment practices on the site.

Community Inspections – The community shall conduct inspections on a regular basis to ensure that both stormwater and erosion and sediment control measures are properly installed and maintained prior to construction, during construction, and at the completion of the project. Mandatory inspections are required as follows:

1. Before any land disturbing activity begins;
2. At the time of footing inspections;
3. At the completion of the project; and
4. Prior to the release of financial securities.

Fees – A charge of whatever the city determines will be assessed to the applicant for any inspections under this section by the community.

Stop Work Orders

1. Construction Stop Work Order
2. Perimeter Breach
3. Actions to Ensure Compliance

Long Term Inspection and Maintenance of Stormwater Facilities

Private Stormwater Facilities

- Maintenance Plan Required
- Facility Access
- Removal of Settled Materials
- Inspections – All stormwater facilities within the community shall be inspected by the community during construction, during the first year of operation, and at least once every five years thereafter.

Public Stormwater Facilities

- Acceptance of Publicly Owned Facilities
- Inventory of Stormwater Facilities
- Maintenance – The community shall perform maintenance of publicly owned stormwater facilities in accordance with their comprehensive stormwater management plan and other regulatory requirements.

Permit Review Process

- Pre-Application Meeting

The community shall facilitate a pre-application meeting with the applicant, community, staff, and staff of partner agencies (MPCA, SWCD, WD, WMO, etc). The meeting shall be mandatory prior to submission of a permit application. The purposes of the meeting are: to understand the general parameters of the proposed project; and to convey the requirements of meeting the provisions of this ordinance.

- Application Completeness Review

The community shall make a determination regarding the completeness of the

permit application within ten (10) days of the receipt of the application and notify the applicant in writing if the application is not complete including the reasons the application was deemed incomplete.

- **Application Review**

The applicant shall not commence any construction activity subject to this ordinance until a permit has been authorized by the community.

- **Permit Authorization**

If the community determines that the application meets the requirements of this ordinance, the community may issue approval authorizing the project or activity.

- **Permit Denial**

If the community determines the application doesn't meet the requirements of this ordinance this application must be denied.

- **Plan Information Requirements.**

The minimum information requirements of the application shall be consistent with the most recent version of the NPDES/SDS Construction Stormwater General Permit requirements.

We want the permit/process to be ongoing to be a living, breathing document. As much as we pour into a plan, sometimes we see a project that was planned for in the spring, put it in in the fall, and that changes timelines and vegetations. Whenever we see a problem, we want the plan modified. Inspections and weather can have a big part of it. They would all be reasons to modify.

Financial Securities

- **Amount**

Michels said we had a project on Hwy 36 and County Road 5 before the Target and Cub Foods was there. The contractor was pulling his equipment off and we hadn't seen him for weeks. So we have an entire site sitting wide open. How do we pay for it?

Many communities will set a number for securities, such as \$3,000 to each acre disturbed or on a per house basis. It is left to the City to determine the amount. That doesn't mean we can't set an amount.

Mundle said would this be escrowed. Michels replied yes. Mundle said would that be the total amount of the project. Because you said a certain amount per acre. If you want the contractor to put up the amount before the project, he has to have twice the amount for the project.

Our goal is to release this as soon as possible. The financial security can be used by the City. The first \$5,000 is in cash, and the community will hold that. The remaining could be a letter of credit; negotiable bonds, cash and many developers will use a disbursing agreement. That letter of credit is being released, that can be tied into the financing agreements. These are all forms of security that are common.

Holmes asked if it is a state inspection, how could the City withhold that? Michels said it is a local inspection. Holmes said electrical is a state inspection. Mundle said some cities are doing their own. Winter said this is the ordinance related to storm water management and surface water management. This is part of the developer's agreement. In a case of a subdivision, if there would be utilities, they would be agreements with the other companies. She can't think of any developments that would be State. Holmes said electrical. Winter again stated this is related to storm and surface water management not electrical. She would have to check on who does the inspection for other items, such as electrical that may be part of a development.

- Actions against the financial security
- Abandonment

Failure to Implement the SWPPP or ESP Plan – The developer ceases land disturbing activities and/or filling and abandons the work site prior to completion of the grading plan

Failure to Perform – The developer fails to conform to the grading plan and/or the SWPPP as approved by the Community.

Failure to Reimburse the Community – The techniques utilized under the SWPPP fail within one year of installation.

- Proportional Reduction of the Financial Security

The developer fails to reimburse the community for corrective action taken.

- Returning the Financial Security
- Emergency Action

Enforcement Actions

- Notification of Failure to Permit

The community shall notify the permit holder of the failure of the permit's measures.

- Initial Contact
- Erosion Off-Site
- Erosion into Streets, Wetlands or Water Bodies
- Failure to do Corrective Work
- Enforcement
- Misdemeanor
- Right of Entry and Inspection

That brings us to the questions.

Terry said so we will be developing a police state over storm water. Michels said it is rare that it happens, but it is one of the enforcement actions. Terry didn't realize it was that serious. Michels said it doesn't happen very often, but you want to be protected. Cornicelli is it typically industrial or residential. Michels can't make a blanket comment on that. The one time that we did take enforcement action with the police on the site, it was a townhouse development in Savage. So we came in and took the action. It has to go through the judicial process.

Ronning said this thing looks really good, but there seems to be a void. Do we have anything this is for containing the run off, 99%; does anyone have data where we have run off problems in East Bethel? Ronning said you put the cost off onto the contractor and the buyer. Mundle stated when you take a backhoe and dig into the property, when you redevelop the property, the water ecological system changes. It use to flow one-way or the other, if elevations aren't set correctly they will run into a certain place. If you dig up a whole site, like they did in Club West, they had to come up with a new plan. Their plan was to bottle it all up in one area. That has changed over time. Now you want to contain all the water on your lot. You don't want it to run off on a lot. It has to follow a drainage plan. Ronning asked do we know how much of it there is here? Cornicelli said we are talking as the City grows. We are talking about new. Ronning said are we talking in a decade or century. Cornicelli said the future. Mundle said as soon as Blaine fills up there would be movement of people coming out here. Ronning said Blaine is sized for 80,000 now, and they only have 50,000 people.

If you think back on our first presentation, the water is generally going back down into the ground. When you change that with asphalt, rooftops and development that changes the run off. We also have to manage erosion and sediment control. Cornicelli said we went through that at our first meeting.

Ronning asked what percent of East Bethel is wetland. Cornicelli said about 50%, but that isn't the point, we are looking at the future. Ronning said this is just food for thought, and it is your job. You should make it as good as possible. Balfany said we are looking ahead to make sure we are doing it responsibly. Ronning said the potential for runoff that water in this area isn't going to go more than a quarter of a mile. Mundle said if you put a concrete slab on the hillside, that water will go and be run off. What do we do with that water when that concrete slab comes in? If and when it would come, how would we handle the run off from the concrete slab? It might not go more than a half-mile, on a dirt hillside it will take longer. Ronning said there is more run off on the roads and streets than on all the home properties. How effective would it be here? Balfany said Coon Lake there are drain ditches that run into the lake. But all the snow/rain that hits my roof and then there are 50 some other houses that run to those spots. That water never had the original opportunity to seep into the ground. Similar matter, corner of Hwy 65 and County Road 22 if there is a huge parking lot, if it is already a wet area, we have now raised the water in the swamp land

area. It could do a number of things. Projects like this will help maintain that. Does that give you a better perspective? Ronning asked what is the return for the cost. Ronning is suggesting when you put forth someone is going to think how much does it cost. If I am buying \$10 for an ice cream cone how much ice cream will be get.

Cornicelli said how many impaired waters are there in the State. We have 6000, and there are 12,000 lakes. We have to build strategies that are more contemporary. They may cost a little more upfront. The break even wasn't too far off. Ronning said if you were doing a cause and effect study what contributes. Terry said we are assuming impaired. An agency has declared them impaired. Cornicelli said there is more science to that. Michels said it is impaired at a certain place, not a whole river. Your 6,000 is a bit inaccurate. The Sunrise River is impaired, that is where 2/3 of your water ends up.

Bonin said where the water is going, you have to consider the fact that if you are changing things, that instead of going to the water supply, that is the real issue, from keeping the water from where it is suppose to go.

Terry said he is for a lot of ideas. He is concerned about the strong-arming and being guilty of a misdemeanor because the property floods. Some of the language concerns him. Michels said that is about a 1 in a million shot. You try to work through them with the other enforcement. A police presence can change the permittee compliance. You can take whatever parts of this that you want. Hopefully it will never happen in East Bethel. Balfany said if you don't create it, then someone would take advantage of your system. Holmes said the developers know what is going to happen. Most communities already have it, and it isn't a new idea to them.

Leon Mager said we did modeling and sediments, and came up with solutions, we put in 3 rain gardens \$20,000 came from grant money and \$30,000 was the total project. \$40,000 for Coon Lake this year and next year. Along the roads you can put in rain gardens. You can have pre-catch basins. That work will happen around Coon Lake.

Terry said if this is a serious problem for the City, why not divert Park Dedication fees to this and implement some of the solutions. It might be more effective. Winter said in other communities they have storm sewer dedication fees. It is something that be brought up. Cornicelli said we are looking at future development. Terry said if this is serious problem we should try to fix it.

Ronning said he is a tree hugger, and you have a lot of care and concern. You only have one strike. It has to make sense to make those that will answer to the rest of the residents. It sounds like a great thing.

Michels said the next step for discussion, where do we go with this in this pilot community. Our other pilot is the Chisago group. They decided to move to a common meeting of the council and get their feed back and go back to the planning commission for ordinance language. Rather than have it with a horizontal landscape, in a word document. That would be the guidance, so he

can work with Winter. Do we take it into that Word form? Should the Council be brought up to speed? We decided on a Saturday morning breakfast meeting on May 4 for Chisago City. He is open to any suggestions. Balfany said the City Council should probably be brought up to speed. Winter stated the City Council needs to get involved as soon as possible. Cornicelli buy in is important. Ronning said education is needed.

Winter said the challenge is trying to schedule a meeting. The other challenge is to take advantage of their group we need to do it relatively soon. Winter would like to go to the May 4th meeting as see how it is received by the other Councils. Ronning bring it to the Council. Ronning is still green. Can we get a meeting with people? Open invitation, some of the people would go for it, but there is skepticism on it. Michels said we could do a separate meeting. We would do something separate for East Bethel. Ronning said he was thinking to hear from people outside the City we aren't just talking to ourselves. Balfany said you could reach out to the Council of Chisago. Winter said we need to get the meeting scheduled. Cornicelli likes evening meetings better. Michels said he could do 2.5 hours in the schedule. He knows where he can cut it and where he can hit. You have helped him know where to get to the point. We will get something set up.

Balfany said do we want to put more energy and effort into it. Homes said we have to do it. Everyone agreed.

Winter said she will put together a staff report for May 1st and will propose a couple dates to the City Council.

Electronic Version of Planning Commission Packets

Winter explained that the Council is receiving their packets electronically. She is suggesting Planning Commission go that route. If we could deliver everything online versus paper copies. The EDA has also gone this way. Cornicelli said he doesn't have a personal laptop and the wireless is spotty. Bonin doesn't have any connections like that at all. If you want it electronically, Winter can send it that way. The others she will send a hard copy. Terry said you could remove the last page. Holmes said the green sheets you can remove. Mundle said on the electronic copy you can make notes. Holmes said we are in a different game where we have to figure out distance. A paper copy is a necessity. He is just talking about what we actually do.

Approve March 26, 2013 Planning Commission Meeting Minutes

Terry page 25, third to last sentence on the bottom change adversarial to adverse consequences.

Mundle same page first paragraph, fourth sentence in, But some of the equipment was in his home, some of the equipment was at his home.

On the same paragraph further down, Mundle said some of his vehicles stored should be changed to park on his residential property.

Bonin said she had a comment to make, but she sees a lot of supposed sentences that are clauses, that don't make sense.

That goes back to our discussion on verbatim, that you're working so fast to make sense of things some times. Winter said that seems to be beyond our choice. Cornicelli said it would save on paper.

Holmes motioned to approve the March 26, 2013 minutes with said changes. Terry seconded, all in favor, motion carries unanimously.

Other Business/City
Council Report

Holmes said one item that we should look at when we are redoing our ordinances just happened to hit him when he was driving along. This LED billboard, he thought we put a foot-candle limit on billboards with the new LED lights. Cornicelli said yes they are bright. Holmes said they distract you on 35W this distracts them. Terry said non-information signs we had something on there. Holmes said he doesn't remember where foot-candles are discussed. It is something we should look at and limit. It is totally different than what it use to be. Winter said we are getting a new community sign that will be up very soon. Holmes said is it an LED sign. Winter said yes.

Ronning said there is intended update on the forcemain. Castle Tower and Whispering Aspen Update. The City and Met Council entered into a joint project. Our pipe will be used to sanitary water to the MCES. Their pipe will move treatment plant effluent. They rebid February 12th. The lowest big was the recommended to the Met Council board. Our share will be \$1 million dollars. A lot of money. It will be 3200 linear feet. They have received bids and they will be opened May 9 and completion is in December. This is where they intend to go he is not sure why we do it. It looks like there are three crossings.

Some of what we have talked about is trying to help people ease into this. We have come up with a utility infrastructure loan program. The basic HRA will loan the EDA \$281,400 in seed money. The City repays the EDA. There will be an interest charge of 4%. A lot of us have heard if they are forced into this they will walk out. He is curious how many people are leasing than those that loan. Loan would be for five years. No penalty for early payment. Business would be required to apply for the loan. Application fee would pay for staff time. Also discourage those that are serious. The owner of record is the one that has to make application. At the point they do there is lien on the property. Instead of lost money it does into the tax base.

There are two basic priorities they have identified. One is the sewer water access charge, it is considered to be the SAC/WAC charges times 4 ERUS. The second is miscellaneous fees. The City will loan up to \$5,000.

They are encouraged to work with financial institutions. Some of them might not be interested in looking at it because it isn't a big enough amount. Five years for repayment. No penalty for early payment.

We are sharing a building official with Oak Grove and Bethel. They went through the cost for that. Balfany said it is a profitable program. Ronning said we have an extra inspector. Mundle said we have a building official and a building inspector. Ronning said the bottom line is still the bottom line. Balfany said we are still bringing in extra money, isn't that the bottom line. Ronning said the fee revenue is on pace to collect \$94,000. On the surface it looks like a positive deal.

Mandatory connections ordinance, not all of us were enthused about it. His own thought was, people might have known this coming. No eminent application. This is for the existing business. With the economy it hasn't been that great. North Suburban Lawn, John Deere dealer, said if they had mandatory hook up they wouldn't be in business. Terry said that existing businesses were told they would have a mandatory hook up. Balfany said isn't that what the loan program. Ronning said there are a lot of things that have been said about this thing. Balfany said what thing. Ronning said what is the most it can cost us if we don't hook up. Most of us won't hook up. They are general obligation bonds and they are guaranteed by us.

We have been to a League of Minnesota Cities session in February and one of the things that you can't raise the taxes more than the value it adds to the property. If it is for infrastructure it doesn't apply. The schedule for cash flow. We are negative \$935,556. There are federal tax credits that soften it up. There is supposed to be a rebate on the interest. Balfany asked for the summary. We don't need all the information. Ronning said we would go backwards each year. Balfany said you are talking if no one hooks up.

Ronning said that is too much good news for one night.

Adjournment

Holmes made a motion to adjourn the meeting at 9:15 p.m. Cornicelli seconded; all in favor, motion carries.

Submitted by:

Jill Anderson
Recording Secretary