

EAST BETHEL PLANNING COMMISSION MEETING

August 31, 2010

The East Bethel Planning Commission met on August 31, 2010 at 7:02 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Eldon Holmes Lori Pierson Lorraine Bonin
Glenn Terry Heidi Moegerle Tim Landborg

MEMBERS ABSENT: Julie Moline

ALSO PRESENT: Stephanie Hanson, City Planner

Adopt Agenda The August 31, 2010 meeting was called to order by Chairperson Holmes at 7:00 PM.

Holmes made a motion to adopt the August 31, 2010 agenda. Pierson seconded; all in favor, motion carries.

Interim Use Permit -

A request by owners/applicants, Mary J. Ciagne and Jamal M. Bawazir, to obtain an Interim Use Permit for Domestic Farm Animals (2 horses). The location being 20936 East Bethel Blvd. NE, East Bethel, MN 55011, PIN 15 33 23 14 0002. The Zoning Classification is Rural Residential (RR) District

Background Information:

Property Owner/Applicants:

Mary Ciagne & Jamal Bawazir
1260 Bayard Avenue
St. Paul, MN 55116

Property Location:

20936 East Bethel Blvd
PIN 15-33-23-14-0002
East Bethel, MN

Requested Action:

Consider granting an Interim Use Permit (IUP) for Mary Ciagne and Jamal Bawazir for two (2) horses in the RR – Rural Residential District.

The applicants are requesting an IUP for the purpose of keeping two (2) horses on the 4.5 acre parcel they own in East Bethel.

East Bethel City Code Section 10, Article V. Farm Animals, requires that no animals that are regulated by the code can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three (3) acres (130,680 square feet). The 4.5 acre parcel is not located within a platted subdivision.

City Code has a limit on the number of animals per parcel. Two (2) horses require 2 grazeable acres. The property contains approximately 3 acres of fenced grazeable lands. There is shelter provided for the animals.

City staff has conducted a site inspection. The property meets the requirements set forth in City Code for the keeping of farm animals.

A couple of years ago, the City granted an IUP for chickens.

City Staff is requesting the Planning Commission recommend approval to the City Council of an IUP for the keeping of two (2) horses for Ms. Caigne and Mr. Bawazir, located at 20936 East Bethel Blvd, East Bethel, PIN 15-33-23-14-0002 with the following conditions:

An Interim Use Permit Agreement must be signed and executed by the applicants and the City.

1. Applicants must comply with City Code Section 10. Article V. Farm Animals.
2. Permit shall expire when:
 - a. The property is sold, or
 - b. Non-compliance of IUP conditions
3. Property owner shall have thirty (30) days to remove approved domestic farm animals upon expiration of the IUP.
4. Property will be inspected and evaluated annually by city staff.
5. Conditions of the IUP must be met no later than October 1, 2010. IUP will not be issued until all conditions are met. Failure to meet conditions will result in the null and void of the IUP.

Public hearing opened at 7:04 and closed immediately thereafter as there was not any public in attendance for the meeting.

Pierson said the horses are for the property renters. Hanson said the owner is the applicant so the renters can have horses on the property.

Terry motioned to recommend approval to the City Council of an IUP for the keeping of two (2) horses for Ms. Caigne and Mr. Bawazir, located at 20936 East Bethel Blvd, East Bethel, PIN 15-33-23-14-0002 with the following conditions:

An Interim Use Permit Agreement must be signed and executed by the applicants and the City.

- 1. Applicants must comply with City Code Section 10. Article V. Farm Animals.**
- 2. Permit shall expire when:**
 - a. The property is sold, or**
 - b. Non-compliance of IUP conditions**
- 3. Property owner shall have thirty (30) days to remove approved domestic farm animals upon expiration of the IUP.**
- 4. Property will be inspected and evaluated annually by city staff.**

Conditions of the IUP must be met no later than October 1, 2010. IUP will not be issued until all conditions are met. Failure to meet conditions will result in the null and void of the IUP. Landborg seconded; all in favor, motion carries.

Approve June 22,
2010 Planning
Commission Meeting
Minutes

Pierson motioned to approve the June 22, 2010 minutes. Moegerle seconded; all in favor, motion carries.

Other

Moegerle stated the approval for the City to go forward with the TH 65 sewer and water is progressing. With that in mind, the City ordinances are not big City ordinances. This became apparent when Purple Reign was ticketed for serving a minor. She did a little investigation of other cities/counties ordinances and was concerned the City does not have any ethics guidelines.

Hanson recommended the Commission could make a recommendation to Council to take a look at ethics guidelines.

Moegerle motioned to recommend to the City Council that they investigate implementing an ethics and due process ordinance. Motion failed due to lack of a second.

Moegerle said she had sample ordinances from Hennepin County and the City of Minneapolis. Bonin said the City should be looking at cities the same size as East Bethel, not the size of Minneapolis. There must be a City a little bit more our size that would be more appropriate to look at. Moegerle said this is just an example and that this is just a starting point. Bonin doesn't think that would be a good starting point.

Moegerle stated a lot of time there are non-compete clauses for employees. Landborg said that would be covered in employment contracts. Moegerle said that there should be a policy that addresses those sort of issues. Holmes said this would be just a recommendation to Council.

Landborg said that was brought up, it was looked at before, and he is just explaining how it was dealt with before. The City did look at it once before. Terry said he thinks there should be a more precise definition on what you think is lacking. Landborg suggested bringing the topic back for discussion by the Commission and think about what we would do differently with the existing ordinance.

Adjourn

Pierson made a motion to adjourn the meeting at 7:38 PM. Bonin seconded; all in favor, motion carries.

Submitted by:
Jill Teetzel
Recording Secretary