



**CITY OF NEWPORT
SPECIAL PLANNING COMMISSION WORKSHOP MEETING
NEWPORT CITY HALL
FEBRUARY 24, 2016 – 5:30 P.M.**

Chairperson:	Anthony Mahmood	City Administrator:	Deb Hill
Vice-Chair:	Kevin Haley	Asst. to the City Admin:	Renee Eisenbeisz
Commissioner:	Matt Prestegaard	Planner:	Sherri Buss
Commissioner:	Marvin Taylor	Council Liaison:	Tom Ingemann
Commissioner:	David Tweeten		

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSS INTERIM USE PERMIT REQUEST FROM KIM BROWN, 1675 KOLFF STREET**
- 4. ADJOURNMENT**



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Memorandum

To:	Newport Planning Commission	Reference:	Kim Brown request for Interim Use Permit for Horses
Copies To:	Deb Hill, City Administrator Renee Eisenbeisz, Assistant to the Administrator Kim Brown, applicant	Project No.:	16022.001
From:	Sherri Buss, RLA AICP, City Planner	Routing:	
Date:	February 16, 2016		

The Planning Commission will hold a workshop on February 24 to continue discussion of Kim Brown's request for an Interim Use Permit (IUP) to exceed the number of horses permitted on her property based on the acreage standard in the City's animal ordinance. The Commission requested additional information to address issues and concerns that were identified at the Planning Commission public hearing on the request, held on February 11.

The Planner provided maps, information about the site, current manure management, well information, and questions to Wendy Griffin of the Washington Conservation District. Wendy works with landowners in Washington County to develop manure management plans. She is also a horse owner. The comments that she provided are the following:

- On average, each horse creates 35 pounds of manure per day.
- The available pasture area at 1675 Kolff is very small for the number of horses proposed. Horse activity and dragging the pasture to remove manure will damage the vegetation in the pasture, and make it difficult to maintain vegetative cover. The dragging activity in this small area will kill the vegetation, and make it very difficult to re-establish it. With the number of horses proposed and dragging to remove manure, the pasture could become denuded. The situation would then be similar to a feed lot.
- Based on the topography, the runoff from rain events and snow melt will move from the barn and off the pasture toward the south—likely toward the neighbor's driveway. Runoff will be higher if there is little or no vegetation in the pasture.
- The trees between the applicants parcel and neighbors' parcel do not provide an adequate filter for runoff with manure.
- Foals create less manure, but they will impact the vegetation in the pasture by running and by trying to graze.
- Manure needs to be removed from the barn at least daily to protect the health and welfare of the animals
- If neighbors are experiencing flies, the manure is not being removed from the property often enough.
- The property owner should own the dumpster and have the contract for removal—should not count on landscaping companies to manage the manure.

Recommendations for conditions for manure management to try to preserve the vegetation in the pasture, prevent runoff onto neighboring property, and address related issues such as flies:

- The manure in the pasture and in the barn shall be picked up and removed at least daily. (No dragging in pasture.)
- The manure from the pasture and barn shall be placed directly into a dumpster.
- The dumpster shall be covered.
- The property owner shall obtain the dumpster and establish the contract for manure removal.
- The dumpster shall be removed and emptied at least once per month and manure hauled off-site. If city inspections find that this is not adequate to manage the manure and prevent negative impacts, the city shall require that the dumpster be emptied more frequently.
- The property owner shall maintain documents that show that manure has been removed, and provide the documents to the City's inspector.
- The applicant shall maintain vegetative cover in the pasture, minimum three (3) tall grass or equivalent.
- The University of Minnesota Equine Specialist recommendations regarding a six-month trial period, monthly inspections, and review of adherence to the conditions and impacts on adjacent properties at the end of six months should be followed.
- The City's Building Inspector should complete the required inspections, document conditions (including photographs), document manure removal was completed as required, and report to the City regarding compliance with the IUP conditions and any impacts on neighboring properties.

I have updated the staff report and proposed conditions for the IUP based on the comments and recommendations from the WCD staff.

We will continue the discussion of this application on February 24 at the workshop meeting. The Commission cannot take action at a workshop meeting, but may recommend approval or denial of the application at the regular meeting on March 10.





444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Memorandum

To:	Newport Planning Commission	Reference:	Kim L. Brown Interim Use Permit Request
Copies To:	Deb Hill, City Administrator Renee Eisenbeisz, Assistant to the City Administrator Kim L. Brown, Applicant	Project No.:	16020.001
From:	Sherri Buss, RLA AICP, Planner	Routing:	
Date:	February 17, 2016		

SUBJECT: Kim L. Brown Interim Use Permit (IUP) request to exceed the number of horses permitted on an 8.76-acre parcel by ordinance

MEETING DATE: February 24, 2016 (Workshop meeting)

LOCATION: 1675 Kolff Street

APPLICANT: Kim L. Brown
P.O. Box 25407
Woodbury, MN 55125

ZONING: Residential Estate (RE) and Bluffland Overlay District

60-DAY PERIOD: March 14, 2016

ITEMS REVIEWED: Application, as-built survey of property, aerial photo

BRIEF DESCRIPTION OF THE REQUEST

The applicant is requesting an Interim Use Permit to exceed the number of horses that are allowed on her property by City ordinance. The parcel is 8.76 acres in size. The city's ordinance 2016-1 requires at least one acre per farm animal unit. Horses are classified as 1.0 animal unit, and therefore 8 horses would be allowed. The applicant is requesting that she be permitted to house up to of 16 horses on the property. The ordinance requires that property owners obtain an Interim Use Permit in order to exceed the number of horses that the ordinance allows based on the acreage standards.

This memo includes updates to the evaluation of the request and to the proposed conditions based on information provided by Wendy Griffin of the Washington Conservation District.

The letter that the applicant submitted with the application states that she raises and sells American Saddlebred mares. She states that 10 horses will be in the barn only. Six horses would use the pasture. The horses are fed hay and grain and do not rely on grazing for food.

The applicant obtained a Conditional Use Permit and Variance to construct a 60x156' pole building to serve as a barn, hay storage, and office space in 2013. The attached as-built survey shows the location of the building, which houses the horses. It is 73.8 feet from the northern property line, and received a variance from the required 100-foot setback in the Zoning Ordinance to be placed in that location.

The primary reason for the standard that limits properties to one animal unit per acre is to manage the manure generated by the animals so that it does not impact surface and ground water, and so that odors and flies generated by the waste and animal noise do not impact neighbors. The applicant states that manure is stored on the property and periodically removed and sold to plant nurseries in the area. The pasture is graded two or three times per week, and the barn is cleaned four times each day. The stored manure is loaded every three months into dumpsters and removed from the property.

Other jurisdictions in Washington County have similar or higher standards for livestock. Washington County's ordinance, which applies in all Townships in the County, requires that property owners have 2 acres of grazable land per horse, and that owners obtain a CUP or IUP to have animals at higher densities.

EVALUATION OF THE INTERIM USE PERMIT (CUP) REQUEST

The applicant must meet the criteria included in Ordinance 2016-1 and in the Zoning Ordinance to obtain an IUP to exceed the number of horses allowed on the property based on the acreage standard. This staff report analyzes the request based on the criteria. The Planner also contacted the University of Minnesota Extension Service, Washington County Conservation District and South Washington Watershed District to request recommendations for conditions related to manure management to protect surface waters.

Ordinance 2016-1 Criteria

Ordinance 2016-1 includes the following criteria for farm animal permits:

- *The barn, stable, housing or hive shall be located at least 150 feet from the nearest property line of adjacent property owners, and must be built according to the zoning code.*

Analysis: The applicant was granted a variance in 2013 to locate the barn 73.8 feet from the northern property boundary. The rationale for granting the variance considered that the property to the north of 1675 Kolff is a city-owned property that is 75 feet wide, and will remain in City ownership. The 73.8 setback on the Brown parcel plus the 75-foot wide city parcel separates the barn from adjacent residential property boundaries by



about 149 feet. The variance previously granted by the City for the barn allows the current request to meet the setback requirement.

The applicant obtained a building permit for the barn, and it was constructed to meet code requirements.

- *The barn, stable, housing or hive shall be considered accessory structures.*

Analysis: The barn is considered an accessory structure. It meets the Zoning Code requirements for number, height, size, setbacks, and area in the RE District.

- *All farm animals shall be kept confined by a sturdy wood or metal fence for pasture. The fence shall not be located nearer than 50 feet from any building used for human habitation. Barbed wire fences shall not be permitted.*

The applicant indicated that the pasture is currently fenced with electrical fencing. The Planner has included a condition that the property shall meet the fencing requirement, as follows: The applicant shall construct and maintain a sturdy wood or metal fence around the pasture. The fence shall not be located nearer than 50 feet to any building used for human habitation. The fence shall not be constructed of barbed wire. **The applicant currently uses an electric fence, and has requested that the City permit this fence as an equivalent to a wood or metal fence.**

General Criteria for Granting an IUP

Section 1310.13 of the Zoning Ordinance indicates that the city may grant an IUP, and process the IUP in the same manner as a Conditional Use Permit. The conditions for granting a CUP, which also apply to the IUP, are listed and analyzed for this application below.

The Zoning Ordinance requires that the City establish a specific date or event that terminates the Interim Use on the property, and that the IUP shall terminate within three years of the date of approval.

The Planner has included a condition to establish the following date for termination of the IUP: The Interim Use Permit (IUP) shall terminate when a change in ownership of the parcel occurs, or three years from the date of approval of the interim use, whichever occurs first.

The city may attach additional conditions to an IUP so that the use will not have adverse effects on the public health, safety and welfare, and that it will not impose additional costs on the public. Compliance with the conditions will be reviewed at least annually within the period of the IUP, and the City Council may order the inspection and revocation of the permit through the process provided in the zoning ordinance.

The other applicable Zoning Ordinance criteria for granting the IUP include the following, and are analyzed below:

- The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical



interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.

- The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.
- The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.
- The potential impacts on sensitive environmental features, including lakes, surface and underground water supply and quality, wetlands, slopes, floodplains and soils.

Evaluation of the General Criteria for IUP's

- *The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.*

The potential impacts that may be generated by the additional animals on the parcel need to be managed so that the noise, odors, and nuisances do not impact adjacent properties. The City of Newport has adopted a minimum 1-acre per animal unit requirement in its ordinance, and has not adopted setback requirements from adjacent uses. For comparison, Washington County has established acreage requirements and setbacks for livestock based on the need to manage manure, odors and other impacts, as follows:

- **A minimum of 2 grazable acres shall be provided for each animal unit. (Horses are 1.0 animal units.) Grazable acres shall be defined as open, non-treed acreage currently providing enough pasture or agricultural crops capable of supporting summer grazing at the density stated. Keeping of livestock in greater density than allowed shall require a conditional use permit. To obtain such permit, the applicant must demonstrate that facilities are present and appropriate practices are being employed to preclude surface and ground water contamination, excessive manure accumulation, odor, noise and other nuisances.**
- **All domestic farm animal structures, feedlots and manure storage sites shall be setback as follows:**
 - **100 feet from any property line**
 - **50 feet from any existing well or residential structure on the same parcel.**
 - **200 feet from any existing well or residential structure on an adjacent or nearby parcels**
 - **200 feet from any seasonal or year-round surface water**

The Planner consulted with Washington Conservation District staff and with University of Minnesota Extension staff (Equine Extension Specialist) that are experts in manure and water quality management regarding conditions to manage the animal waste. Their comments on the Brown property and recommended conditions for the IUP are included below:



Washington Conservation District (WCD) Staff Comments and Recommendations

The Planner provided maps, information about the site, current manure management, well information, comments from the U of M Equine Specialist (next section) and several questions resulting from the Planning Commission discussion on February 11 to Wendy Griffin of the Washington Conservation District. Wendy is the WCD's specialist who works with landowners in Washington County to evaluate properties that are seeking permits to have more animals than permitted in the county ordinance based on acreage, and develop the manure management plans that are required for the permits. She is also a horse owner. The comments that she provided are the following:

- On average, each horse creates on average 35 pounds of manure per day.
- The available pasture area at 1675 Kolff is very small for the number of horses proposed. The vegetation in the pasture is critical for controlling erosion and runoff from the pasture. Horse activity and dragging the pasture to remove manure will damage the vegetation in the pasture, and make it difficult to maintain vegetative cover. The dragging activity in this small area will kill the vegetation, and make it very difficult to re-establish it. With the number of horses proposed and dragging to remove manure, the pasture could become denuded. The situation would then be similar to a feed lot. The manure should not be dragged, but should be removed from the pasture daily and placed in a dumpster.
- Based on the topography on the property (map attached), the water will flow from the barn and the pasture toward the south during rain events or snow melt—likely toward the neighbor's driveway. Runoff will be higher and more polluted if there is little or no vegetation in the pasture.
- The trees between the applicants parcel and neighbors' parcel do not provide an adequate filter for runoff with manure.
- Foals create less manure, but they will impact the vegetation in the pasture by running on it and by trying to graze.
- Manure needs to be removed from the barn at least daily to protect the health and welfare of the animals
- If neighbors are experiencing flies, the manure is not being removed from the property often enough.
- The property owner should own the dumpster and have the contract for removal—should not count on landscaping companies to manage the manure.
- The U of M Equine Specialist recommendations are excellent, and should be followed.

The Planner included the WCD recommendations in the proposed conditions for the IUP.



University of Minnesota Extension Equine Specialist Comments and Recommendations

The U of M Extension Equine Specialist, Krishona Martinson, stated that horses do not require a large pasture area, and she stated that the key issue for permitting the requested number of horses is manure management. She noted that doubling the number of animals above the number permitted has the potential to impact neighbors with odors and flies. She stated that if the manure is being managed as the applicant stated in the application, that neighbors should not experience odors or flies from the manure on the property.

She recommended that the IUP include conditions related to manure storage, frequency of removal, a six-month trial period, and monthly inspections by City staff to determine if the manure is being managed as stated. She recommended that the applicant be required to document the frequency of manure hauling off the site. The WCD staff also recommended that manure be stored in a dumpster and removed regularly from the property.

Based on the discussions with these experts, the Planner has proposed conditions related to manure management, a trial period for the IUP, and requirements for City inspections.

- *The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.*

The property is screened from adjacent parcels by existing vegetation. The Planning Commission should listen to public comments at the hearing on February 11, review the aerial photo and site, and determine if it has additional recommendations regarding minimizing or avoiding potential impacts to the neighborhood. If the Commission determines that the existing or proposed conditions on the property have negative impacts on neighboring properties, it may recommend denial of the request.

- *The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.*

The proposed use will not impact governmental facilities and services **if the landowner is required to pay the costs of additional inspections required in the conditions for the IUP.**

- *The potential impacts on sensitive environmental features, including lakes, surface and underground water supply and quality, wetlands, slopes, floodplains and soils.*

The Planner has proposed conditions for manure management to avoid impacts to surface and ground waters. The Planner has proposed an additional condition to protect the slopes on the property:

- a. The applicant shall maintain a dense, vegetated cover within the pasture and on the slopes on the property to prevent erosion and control stormwater runoff.



The findings support granting the Interim Use Permit 1) on a six-month trial basis with conditions for continuance, and 2) if the applicant indicates that she will comply with the conditions.

The Planning Commission may also recommend denial of this application based on findings for denial. Such findings may include:

- **Applicant is not willing to comply with the conditions.**
- **The proposed use has potential to have adverse effects on the public health, safety and welfare, and will impose additional costs on the public due to the proposed number of horses on the site, small pasture area, topography in the area, and the proximity of the home and well on the adjacent parcel to the pasture and horse facilities.**

FINDINGS--IUP

The Planner finds the following related to the Zoning Code criteria for granting a CUP:

1. The proposed use requires an IUP based on Ordinance 2016-1.
2. The City will include conditions to require that the proposed use will not create noise, glare, odor, dust or nuisances that could affect public health or welfare.
3. The conditions require that animal wastes **and other nuisances** be managed to avoid all potential impacts to ground and surface waters, other resources, and adjacent properties.
4. Existing infrastructure and City services are adequate to serve the proposed use of the property. **The applicant shall pay the cost of additional City inspections of the proposed use.**
5. The approval of the IUP would include a **six-month trial period**, inspections by the City, and City review of compliance with the IUP with the applicant. The IUP may be granted for up to three years, and after that time, the property shall return to uses allowed by the ordinance.

ACTION REQUESTED FOR THE IUP REQUEST

The Planning Commission can recommend any of the following for this application:

1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request

PLANNING STAFF RECOMMENDATIONS

The Planner recommends that the Planning Commission listen to comments from neighbors about the impacts of the existing animals on the property on adjacent properties, and concerns about the potential doubling of the number of animals allowed by the ordinance. The Planner recommends that the Commission approve the IUP only if the applicant can demonstrate that the existing animals and proposed increase in animal population do not and will not impact adjacent parcels, and that she will comply with the proposed conditions. The Planner recommends the following conditions for approval of the request for up to sixteen horses on the parcel at 1675 Kolff Street:

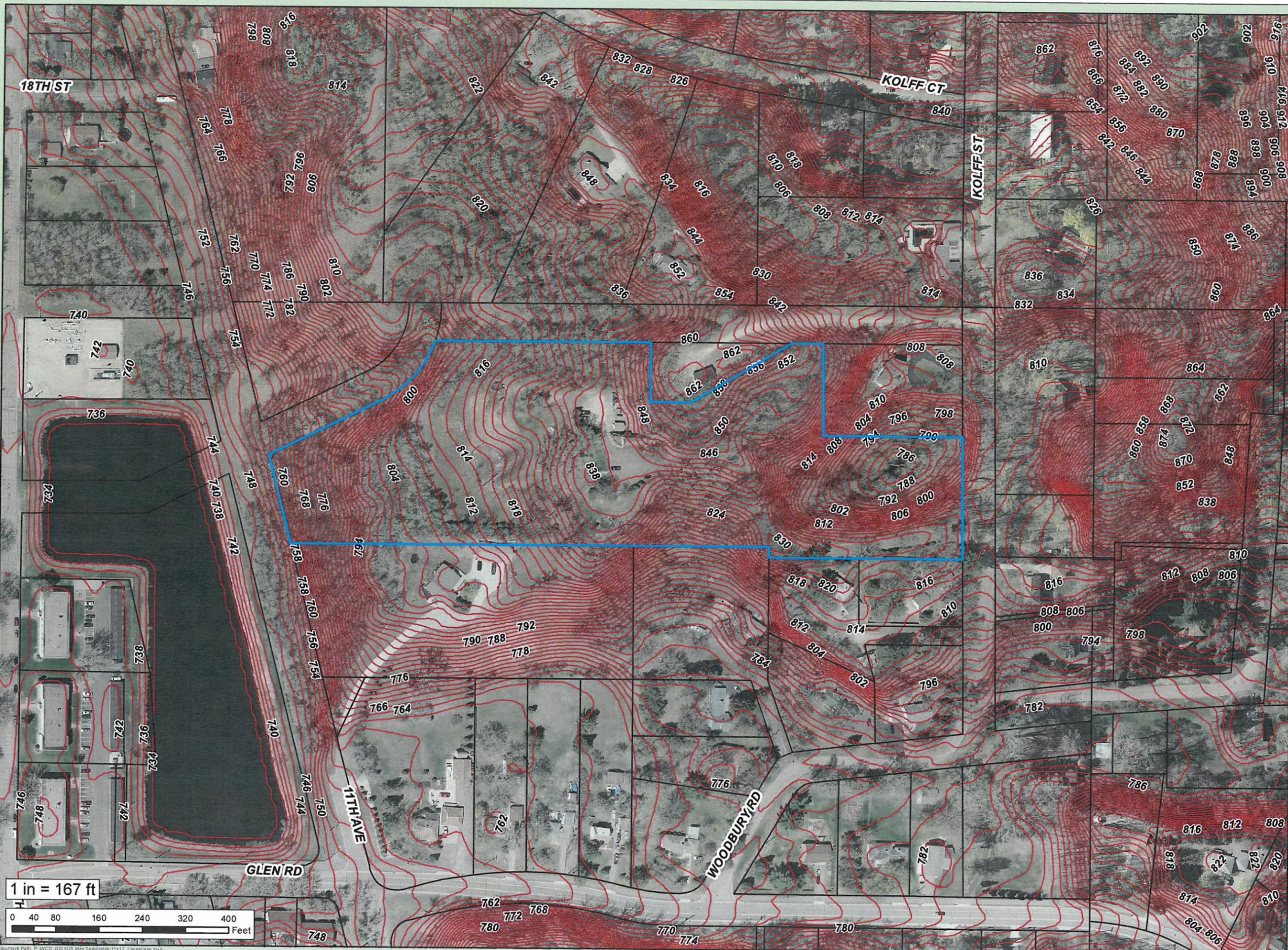


1. The applicant shall be permitted to house and care for a maximum of sixteen (16) horses on the parcel at 1675 Kolff Street.
2. The applicant shall house and care for up to ten (10) horses within the existing barn structure on the parcel. No more than six (6) horses may regularly use the pasture area.
3. The applicant shall construct and maintain a sturdy wood or metal fence around the pasture. The fence shall not be located nearer than fifty (50) feet to any building used for human habitation. The fence shall not be constructed of barbed wire.
4. The animals on the property shall not create noise, odors, or other nuisances that impact adjacent properties. The animals shall be contained within the pasture and barn.
5. **The applicant shall remove the manure from the pasture and the barn at least daily. The applicant shall place the manure from the pasture and barn directly into a dumpster. The dumpster shall be covered, and shall be setback at least 100 feet from all adjacent property boundaries and at least 200 feet from residential buildings and wells on adjacent and nearby parcels.**
6. **The applicant shall obtain the dumpster and shall establish the contract for manure removal with a licensed waste hauler.**
7. **The dumpster shall be removed and emptied at least once per month, and the manure shall be taken off-site. If City inspections find that this is not adequate to manage the manure and prevent negative impacts to adjacent properties and natural resources, the City shall require that the dumpster be emptied more frequently.**
8. The applicant shall document the manure removals from the property, and have the documentation available at the time of City inspections.
9. The applicant shall maintain a dense, vegetated cover within the pasture (minimum 3 [three] inch grass height) and on the slopes on the property to prevent erosion and control stormwater runoff.
10. The City shall inspect the property at least monthly during the first six-month trial period after the IUP is approved to **document the conditions on the site** and determine that the applicant is complying with conditions of the IUP and that the use does not have negative impacts on surrounding properties.
11. City may review the IUP at the end of six months with the applicant if the conditions are not met or if adjacent properties experience negative impacts to require compliance with the conditions.
12. The City may review the compliance with the IUP conditions at least annually after the first six months of operation.

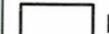


13. The applicant shall establish an escrow account at the City to reimburse the City for the cost of inspections during the trial period and three-year IUP.
14. The IUP shall terminate at the end of the six month trial period if City inspections find that the applicant is not complying with the conditions of this IUP or if negative impacts are identified to adjacent properties, or when a change in ownership of the parcel occurs, or three (3) years from the date of initial approval of the Interim Use.
15. The applicant shall pay all fees and escrows related to this application.





KEY TO FEATURES

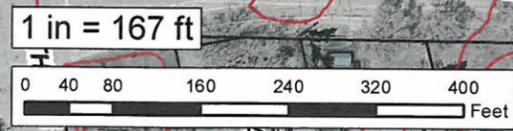
-  Parcels
-  2 ft Contours (LiDAR)

651-292-4582



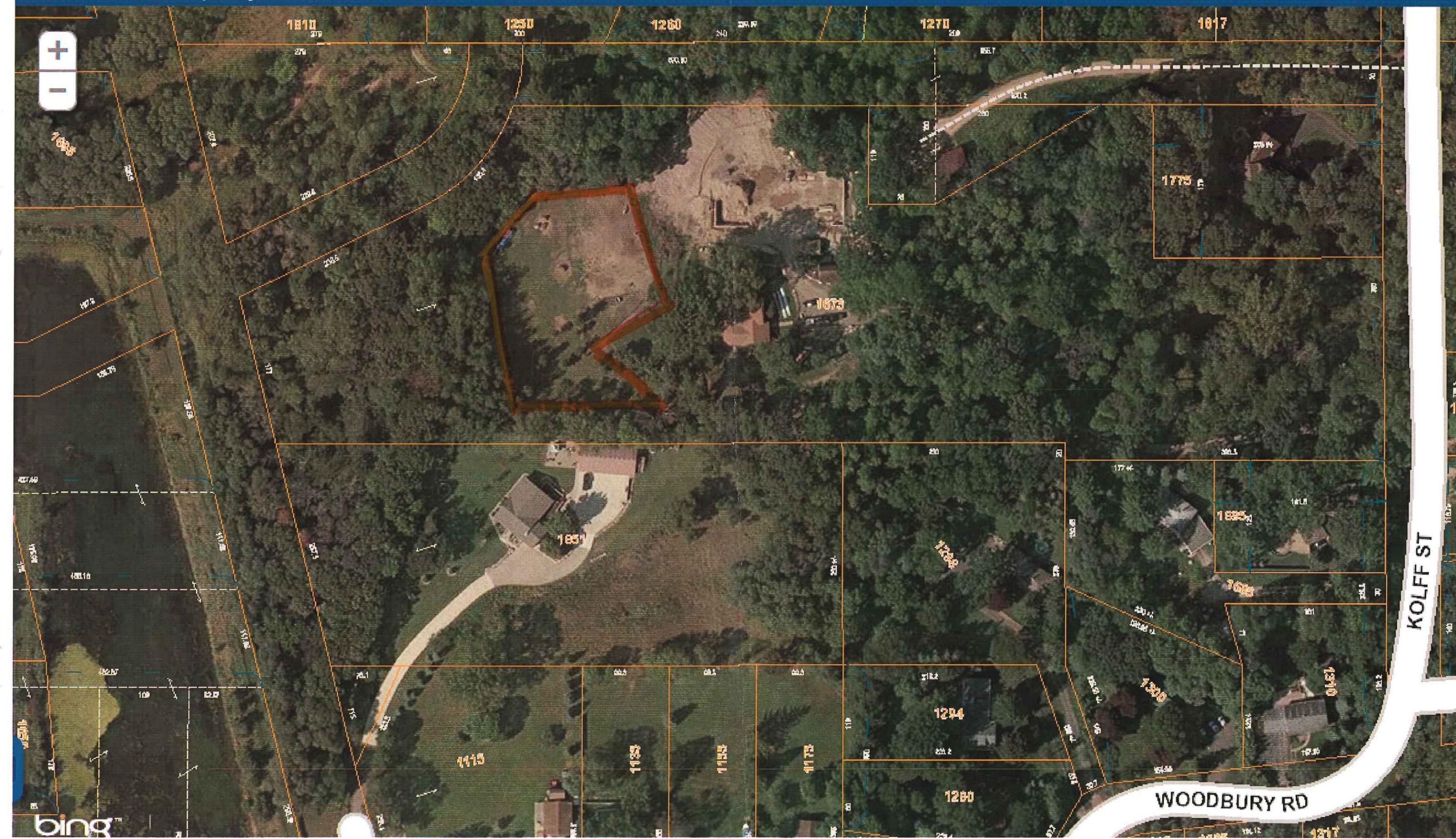
Brown
 1675 Kolff Rd
 Newport
 PIN: 3602822120002

2013 Aerial Photo



Document Path: P:\VCD_GIS\GIS Map Templates\11x17_Landscape.mxd

Property Viewer



City of NEWPORT Planning Request Application

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Application Date: 01/14/14 Public Hearing Date _____

Applicant Information

Name: Kim L Brown Telephone: 651-730-9803
Mailing Address: P.O. Box 25407 Telephone: 651-238-0866
City/State/Zip: Woodbury MN 55125

Property Owner Information

Name: Kim L Brown Telephone: 651-730-9803
Mailing Address: P.O. Box 25407 Telephone: 651-238-0866
City/State/Zip: Woodbury MN 55125

Project Information

Location of Property: 1675 Kolff Rd. Newport MN 55055
Legal Description of Property (Must match description on the Deed) and P.I.D. #: Block D Newport Villas Block D Being that part of block D - Newport Villas except the north 170 feet of the east 256.24 feet and except: that part of block D of Newport Villas

Zoning District: _____ Flood Plain: AE 0.2% Annual Chance Flood Hazard

- Comprehensive Plan Amendment \$500 or Actual Cost plus \$50 for Additional Staff Hours (10 Hr Min)
- Rezoning \$500 plus Escrow
- Zoning Amendment \$500
- Variance \$300 plus Escrow
- Conditional Use Permit
 - Residential \$300 plus Escrow
 - Commercial \$450 plus Escrow
- Subdivision Approval
 - Minor Subdivision \$300 plus Escrow and Parkland Dedication Fee
 - Major Subdivision \$500 plus Escrow, \$50 per Lot, \$200 for Final Plat, and 10% of land value or fee for Parkland Dedication Fee
- Other: Interim Use Permit
- Applicable Zoning Code Chapter: _____
- Review by Engineer Cost: _____
- Total Cost: _____

Escrow Fees

The City of Newport requires that any developer or every person, company, or corporation that is seeking a planning request must first submit detailed plans to the City. The person submitting the planning request must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. All unused escrow fees will be returned to the applicant upon completion of the request. Additionally, if actual costs are above the paid escrow, the applicant will be required to pay the additional amount. The fees are as follows:

Planning Request	Escrow Fee
Rezoning	\$500
Street/Alley Vacation	\$1,000
Residential Variance	\$500
Commercial Variance	\$1,000
Residential Conditional Use/Interim Use Permit	\$750
Commercial Conditional Use/Interim Use Permit	\$1,000
Preliminary Plat Under 10 Acres	\$3,500
Preliminary Plat Over 10 Acres	\$6,500
Residential Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
8 Units or Less	\$2,000
9 to 40 Units	\$3,200
41 Units or More	\$4,500
Commercial Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
0 to 5,000 Square Foot Building	\$2,000
5,001 to 10,000 Square Foot Building	\$3,000
10,001 to 50,000 Square Foot Building	\$3,750
50,000 Plus Square Foot Building	\$4,500

Typical escrow costs include reviewing the application to ensure that State Statutes and the City Codes are followed, preparing the staff report, findings, and recommended conditions for both the Planning Commission and City Council, and communicating with the applicant as needed to complete the staff report. The average fee is \$100 per hour for the Planner and \$70 per hour for the Engineer.

Present Use of Property: Residential horse property.

State Reason for Planning Request: To increase number of horses on premises. The horses do not graze, they eat hay. Most of the horses are housed in the barn and do not go outside. Local landscape companies come and pick up manure by the truckload.

ALL MATERIALS/DOCUMENTATION, INCLUDING A SITE-PLAN, MUST BE SUBMITTED WITH APPLICATION THAT IS APPLICABLE TO PLANNING REQUEST.

I HEREBY APPLY FOR CONSIDERATION OF THE ABOVE DESCRIBED REQUEST AND DECLARE THAT THE INFORMATION AND MATERIALS SUBMITTED WITH THE APPLICATION ARE COMPLETE AND ACCURATE. I UNDERSTAND THAT APPLICANTS ARE REQUIRED TO REIMBURSE THE CITY FOR ALL OUT-OF-POCKET COSTS INCURRED FOR PROCESSING, REVIEWING, AND HEARING THE APPLICATION. THESE COSTS SHALL INCLUDE, BUT ARE NOT LIMITED TO: PUBLICATION AND MAILING OF NOTICES, REVIEW BY THE CITY'S ENGINEERING, PLANNING AND OTHER CONSULTANTS; LEGALS COSTS, AND RECORDING FEES. AN ESCROW DEPOSIT TO COVER THESE COSTS WILL BE COLLECTED BY THE CITY AT THE TIME OF APPLICATION. ANY BALANCE REMAINING AFTER REVIEW IS COMPLETE WILL BE REFUNDED TO THE APPLICANT. NO INTEREST IS PAID ON ESCROW DEPOSITS

SIGNATURE OF APPLICANT: Ken L Brown

SIGNATURE OF OWNER (IF APPLICABLE): _____

For Office Use

Fee: \$ 1,050 Date Paid: 01/14/16 Receipt #: _____

Publication of Notice Date: _____

Public Hearing Date: February 11, 2016

P.C. Resolution #: _____

Council Action Date: _____

Council Resolution #: _____



Interim Use Permit Application Checklist

Interim Use Permits are covered under Section 1310.14 of the Zoning Code. Please provide the following information with your application for an Interim Use Permit.

GENERAL REQUIREMENTS:

INCLUDED IN SUBMITTAL

- | | | | | |
|--|-------------------------------------|-----|--------------------------|----|
| 1. Application Form, including the name, address, contact information and signatures of all parcel owners and applicant | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 2. Fees | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 3. Escrow | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 4. Complete legal description and PID number of all parcels included in the request. The legal descriptions must be copied directly from the deed and provided in a word document. | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 5. A full description of the request—proposed use of the site, activities proposed, hours of operation, etc. (either on the application form or in a letter), including a proposed date or event for termination of the IUP (up to 3 years from the date of approval). | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 6. A map, aerial photo or plan showing the parcel in question and all property within five hundred (500) feet of the parcel boundaries | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 7. Site Plan <ul style="list-style-type: none"> • One (1) 11"x17" hard copy and/or one (1) electronic copy. The City may require a larger size plan if needed to adequately review the request. | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |

Plan Sheet Requirements:

- Title block
- Name, address, phone number for owner, developer, surveyor, engineer
- Date of preparation and revision dates
- North Arrow
- Graphic scale not less than 1:100

SITE PLAN REQUIREMENTS - EXISTING AND PROPOSED:

INCLUDED IN SUBMITTAL

- | | | | | |
|--|--------------------------|-----|--------------------------|----|
| 1. Property lines and dimensions | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 2. Area in acres and square feet | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 3. Existing and proposed building and parking locations and dimensions | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 4. Existing and proposed setbacks | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 5. Buildable area and the existing and proposed area of the parcel(s) covered by impervious surfaces | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 6. Existing and proposed driveways | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 7. Stormwater analysis and proposed best management practices, if required by the City Engineer | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |

- | | | |
|---|------------------------------|-----------------------------|
| 8. Septic system and well (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 9. Vegetation and landscaping (if applicable to the request) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 10. Wetland delineation (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 11. Topographic contours at 2-foot intervals, bluff line (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 12. Waterbodies, Ordinary High Water Level and 100 year flood elevation (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 13. Other proposed improvements and additional information relevant to the request | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
-

Google Maps 1675 Kolff St



Imagery ©2016 Google, Map data ©2016 Google 100 ft

1675 Kolff St
Newport, MN 55055

At this location

KLB Inc Insurance & Risk Management
Insurance Agency · Kolff St

Newport City Council-Planning Commission

1-14-16-Meeting notes:

Kim L Brown, Owner personal use and sales only.

Additional horses on property located at 1675 Kolff St. Newport MN

Ordinance increase of horses on property.

Currently the amount of horses allowed on my premise is 9 I would like to see if you will increase this to 16 total. I raise and sell American Saddlebred show horse and Thoroughbred Race horses. I have three Thoroughbred mares in foal to be delivered in April of 2016 and I also have 2 other horses that I want to purchase as 4-year-old American Saddlebred show horse to be trained and shown to be sold. There would most time not be 16 horses here.

There will be 10 horses in the barn only and not outside unless going to a horseshow. They are worked in the indoor area only. There would be no more than 6 horses in the Pasture and are fed High quality hay and grain on a daily basis and there is no grazing land needed. The pasture is graded two time per week. The barn is cleaned 4 times daily.

The manure is being sold to various nursery's around the area for an Amount of \$300 per dumpster. Training will be done in the barn on the property. I am will to pay an additional \$ 1000 per year on top of the \$25.00 permit fee for the original 6.

Please let me know if you have any further questions.

Kim L Brown, Owner

PO Box 25407 Woodbury MN 55125

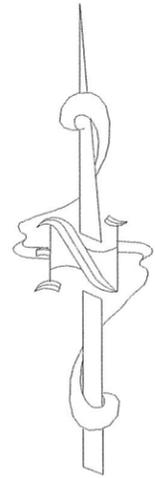
Email: kim@klbins.com

P-651-730-9803, C-651-238-0866

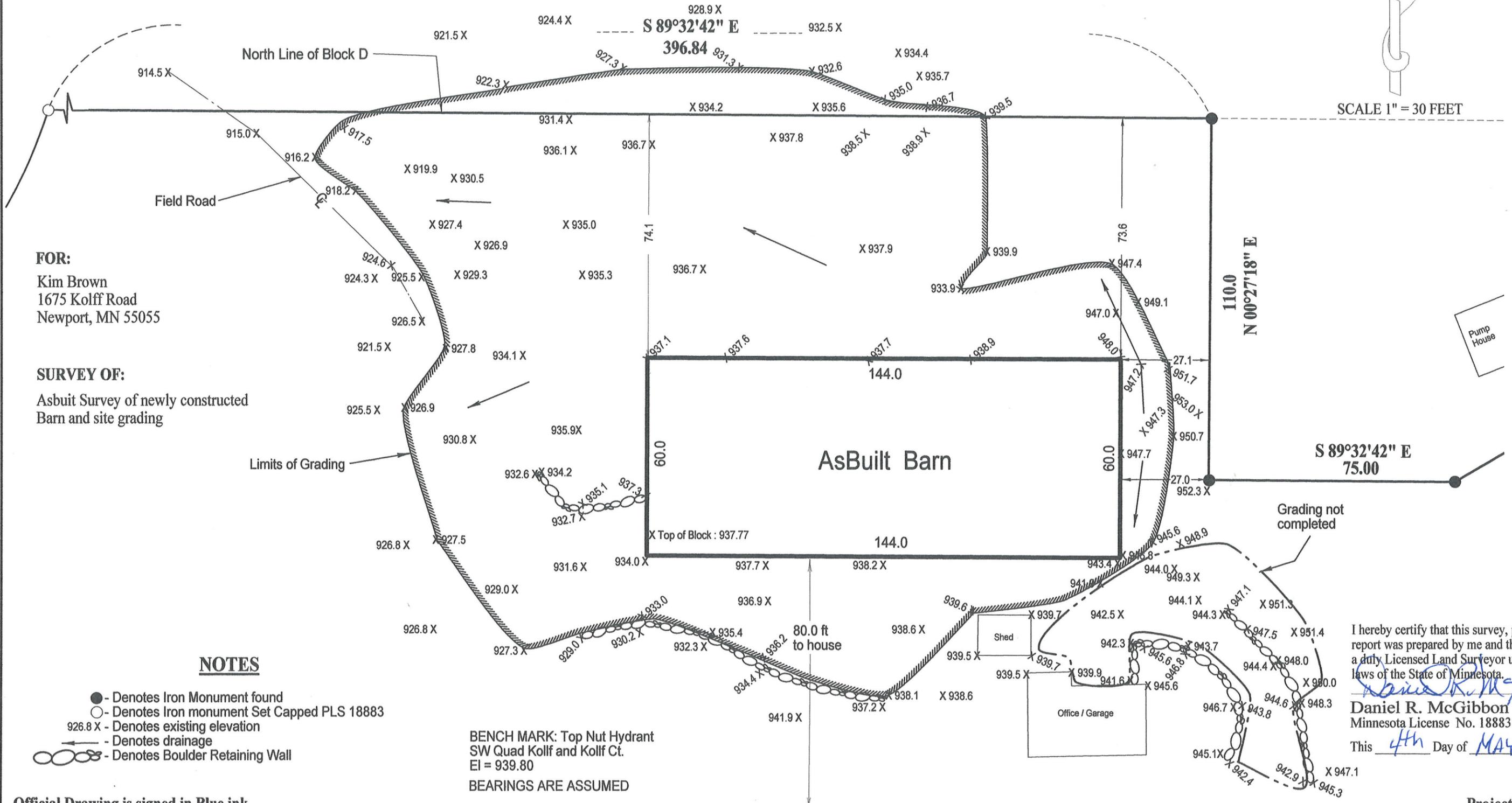
McGibbon Land Surveying

2214 Tower Ct.
Woodbury, MN 55125
(651) 442-9823

AsBuilt Survey



SCALE 1" = 30 FEET



FOR:
Kim Brown
1675 Kolff Road
Newport, MN 55055

SURVEY OF:
Asbuilt Survey of newly constructed
Barn and site grading

NOTES

- - Denotes Iron Monument found
- - Denotes Iron monument Set Capped PLS 18883
- 926.8 X - Denotes existing elevation
- - Denotes drainage
- ⊖ - Denotes Boulder Retaining Wall

BENCH MARK: Top Nut Hydrant
SW Quad Kolff and Kolff Ct.
EI = 939.80
BEARINGS ARE ASSUMED

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

Daniel R. McGibbon
Daniel R. McGibbon P.L.S.
Minnesota License No. 18883

This 4th Day of MAY, 2015

Official Drawing is signed in Blue ink

Project No 15

