

**CITY OF RUSHFORD VILLAGE (CRV)**  
**PLANNING/ZONING COMMISSION MEETING MINUTES FROM TUESDAY, June 20, 2023**

The Tuesday, May 20, 2023 Planning and Zoning meeting was called to order at 5:33 pm by Planning and Zoning Administrator Jon Pettit in the CRV Office.

**Members Present:** Jon Pettit, Hamilton Petersen, Glen Kopperud and Gordon Johnson

Absent: Jesse McNamer

**Citizens/Others Present:** None

**Agenda Approved** as presented

**Motion** by Kopperud 2<sup>nd</sup> by Petersen. Carried.

**Minutes** from the May 16, 2023 Planning-Zoning Commission Meeting approved as presented

**Motion** by Kopperud 2<sup>nd</sup> by Petersen. Carried.

**NEW PERMITS:**

- #1587-Mark Miller-Re-Roof House-Nordic Court
- #1588-Michael Zirbes-Re-Roof Barn-Airport Rd
- #1589-Darrel Highum-Re-Roof-State Highway 30
- #1590-Frank Limas-Re-Roof-Hillview Dr
- #1591-Joe Busse-Re-Roof-Nordic Court
- #1592-Kristen & Steven Burdey-Back Yard Fence-Whitmore St
- #1593-Bob Stoltman-8'x16' Deck Addition-Oak View Loop
- #1594-Kelsey Gilbertson-Remove & Replace Chicken Coop-Whitmore St

**PERMIT STATUS / PROJECTS IN PROCESS / INQUIRIES:**

•**#1592-Kristen & Steven Burdey-Back Yard Fence-Whitmore St:**

- Johnson inquired about type and placement of fence
- Pettit stated he spoke with Burdey and explained where the fence could go. If there is not a mutual agreement between neighbors to put the fence on the property line then the person putting up the fence needs to leave enough room from the property line to maintain both sides of the fence. Pettit suggested to Burdey to place the fence 3 feet from his property line allow room for him to maintain both sides of the fence. If the
- Pettit believes the fence will be a wood panel fence, if so CRV ordinance states the finished side of the fence has to face the neighbor's property
- Pettit explained to Burdey it is important he maintain both sides of the fence, if he does not maintain the backside of the fence and the neighbor mows up to the fence there could be property line issues in the future when either property is sold because it could be assumed the property line is the fence.

•**Highum Pit Conditional Use Permit:**

- Per Joe O'Koren, CRV Attorney, the conditional use permit is done once the reclamation is complete and CRV has received written notice from the permit holder the conditional use permit is no longer being observed
- Reclamation is to be completed according to the terms of the conditional use permit. The pond is allowed to stay but any excess material must be removed
- August 6, 2023 is the date given to Pettit as the end date of the conditional use permit
- Development cannot take place near the pit until all reclamation conditions have been met and CRV has received written notice from the permit holder the conditional use permit is no longer being observed

•**Ukkestad Parcel Split Proposal:**

- CRV received an email from Andy Luttreich with questions on setbacks and boundaries and a proposed map of the parcel split on behalf of Carl Ukkestad inquiring about splitting a 10 acre parcel off of the property at 30153 Sherwood Street, Rachel Ukkestad property
- Existing parcel 1, Rachel Ukkestad property, has a 2 rod (33') wide access easement from the northwest corner of the property to the south end of Sherwood Street. This same access would be used for the new 10 acre parcel.
- To reach the remaining unbuildable property south of the 10 acre parcel the east side would have the same 33' easement to existing parcel 1 then near the north line of existing parcel 1 the 33' easement would go west and then south alongside the east side of the 10 acre parcel
- All proposed parcel lines would be 10' away from any existing structures
- This property has been split in the past
- All 3 properties would use the same driveway that enters onto Sherwood St
- Once a parcel split permit application is received it will be reviewed by Planning and Zoning and then forwarded to the CRV Council. Because this is a parcel split permit application a public hearing date and time will be set by the Council
- It was suggested CRV ordinances pertaining to parcel splits be reviewed

#### **OTHER ISSUES/CONCERNS:**

##### **•Rushford Airport:**

- Kopperud asked if there is any new information regarding the Rushford Airport
- Pettit explained he had spoke with and Miner has emailed Cristal Adkins, Fillmore County Zoning Administrator, to try to find out who should be taking care of permits for the Rushford Airport.
- Pettit was given a name of the person to contact who deals with the Fillmore County Airport permits but they were not able give him an answer to who should be administering permits for the Rushford Airport. Miner has not received any answers from Adkins
- It is believed CRV should be writing these permits since CRV does its own zoning but official word from Fillmore County has not been received. Rushford feels they should be permitting through Fillmore County but they have not followed the permitting procedures as stated in the ordinance with Fillmore County
- Miner will continue to try to get an answer from Adkins

##### **•Rebecca Charles-CEDA Updates/Reports:** Materials were available for review

##### **•July Meeting Date:**

- Because July 4<sup>th</sup> falls on the first Tuesday of the month the Council cannot meet that night and will have one July meeting on July 11<sup>th</sup>, the July 18<sup>th</sup> meeting will not be held

**Motion** made to move the Planning and Zoning meeting from July 18<sup>th</sup> to July 11<sup>th</sup> at 5:30 pm

**Motion** by Petersen 2<sup>nd</sup> by Johnson. Carried.

##### **•Fillmore County Cannabinoid/THC Ordinance:**

- Fillmore County passed a Cannabinoid/THC ordinance effective July 1, 2023 that covers the entire Fillmore County area
- Anyone selling low dose Cannabinoid and THC products must have a license to sell within the County since that is legal for the current statute
- Cities can adopt and enforce their own ordinance which can be stricter than Fillmore County or a City can allow Fillmore County to enforce it for them
- Johnson and Petersen suggested CRV allow Fillmore County to enforce this ordinance for CRV

#### **OTHER UPDATES/ MEETING:**

**Next Zoning Board Meeting:** July 11, 2023, 5:30 pm at CRV Office

**Next Council Meetings:** July 11 and August 1, 2023 at 7:00 pm at CRV Office

**Motion to Adjourn** made by Johnson, 2<sup>nd</sup> by Petersen at 6:29 pm

**Recorder:** Mary Miner