

CITY OF RUSHFORD VILLAGE (CRV)
PLANNING/ZONING COMMISSION MEETING MINUTES FROM TUESDAY, May 21, 2024

The Tuesday, May 21, 2024 Planning and Zoning meeting was called to order at 5:30 pm by Planning and Zoning Administrator Jon Pettit in the CRV Office.

Members Present: Jon Pettit, Hamilton Petersen, Gordon Johnson Absent: Glen Kopperud and Jesse McNamer

Citizens/Others Present: Branden & Ashley Johnson, Mike Ebner-Council Member, Mary Miner-Clerk

Agenda Approved as presented

Motion by Petersen, 2nd by Johnson. Carried.

Minutes from the April 16, 2024 Planning-Zoning Commission Meeting approved as presented

Motion by Petersen, 2nd by Johnson. Carried.

NEW PERMITS:

- #1653-Branden Johnson-40'x60' Shed w concrete floor-Village Rd-Denied-Variance Applied For
- #1654-Jon Hatleli-6' Vinyl Privacy Fence-State Highway 43 S
- #1655-Donny Hegland-Re-Shingle-Tower Ridge Rd
- #1656-Jerome Kopperud-Re-Install Patio Pavers & New Edging at Shed-State Highway 43 S
- #1657-LeRoy & Phyllis Nielsen-Replacing Garage Siding & Garage Door
- #1658-Corey Guyer- Dwelling-Village Rd
- #1659-Ruth Loomis-Garage/Carport-Meadow Ave
- #1660-Ruth Loomis-Chicken Coop-County Road 25 N
- #1661-Featherstone Farm-2 Additions Onto Existing Warehouse Buildings-City Park Rd

PERMIT STATUS / PROJECTS IN PROCESS / INQUIRIES: None reported

- **Ladewig Subdivision:**

- Les Ladewig did not attend due to weather concerns. He will be on the June agenda
- Two development plans were provided for the Board to review. One plan was for 2.5 plus acres and the other plan for 1 acre lots with community septic and party well. The community septic and party well would not be taken care of by CRV. The road would be turned over to CRV once it is completed and CRV would maintain it
- CRV Engineer will have to look at the plans and suggest what should be allowed. Variances will probably need to be granted
- It appears the natural gas line has been accounted for in the development plans but Ebner and Johnson remember there was something funky about that gas line that should maybe looked at a little closer
- According to Les Jr., Les Sr. put up the barricade which will be taken down to allow access to the subdivision. Les Jr. spoke with Rushford about street access and was told they do not have a problem with having the access join their street
- Pettit feels the plans that have been submitted are good and hopes it will move forward allowing the CRV Engineer to look at the plans to get things going with the development
- It is the understanding of the Board if Fillmore County permits shared septic systems the lot sizes could be less than 2.5 acres

- **Branden Johnson Shed Permit/Variance Applications:**

- B. Johnson had a shed variance public hearing scheduled for May 21, 2024 at 6:45 pm which was canceled. The canceled hearing was for placing a structure in front of the house
- When B. Johnson provided a drawing of the proposed shed it showed a garage door height of seventeen feet, sidewalls would be eighteen feet. Twelve foot or less sidewalls are allowed in residential areas
- B. Johnson is now asking for two variances for the shed, first to put it in front of his house and second to allow eighteen-foot sidewalls. Proposal is both variances would be heard during one public hearing
- B. Johnson had given his reasons for wanting to place the shed in front of his house during the April 16th meeting, those reasons have not changed, floodplain in backyard & blocking neighbors view, shared well lines, electrical, septic site

- B. Johnson stated the reasons he would like eighteen-foot sidewalls are he would like to have a two-post car lift on the south side of the shed for hobby, the north side of the shed would have a mezzanine put in at about 12 feet to allow for vehicles below with storage space above. Johnson stated the shed will have a modern, unique design that will add character to the area
- Gordon Johnson stated he did not see an issue as long as the same procedure applies to all-application made, public hearing, if no one contests it at the public hearing he could easily support that
- Petersen questioned when the sidewall provision was added to the ordinance. Pettit stated the sidewall provision has always been there, the building in front of the house was the one that was added when there was an issue on Rush Creek Roe Rd
- G Johnson stated because it is not going to affect the neighbors and they are fine with it he did not see a problem. G Johnson stated variances are like hen teeth, you don't find them very often but as long as there is a justifiable reason
- Ebner stated he feels the Council will question the need for 18-foot sidewalls
- G Johnson stated the Eide storage shed across the road has sidewalls greater than twelve feet and that would be the argument that could be taken to the Council. Pettit explained the Eide shed is not part of the subdivision which would have different rules
- B. Johnson will need to submit another application to the Planning and Zoning Board
- G. Johnson stated he would have to go back and remember why the 12-foot sidewall stipulation is in the ordinance but he would not have a problem supporting 18-foot sidewalls in this case
- Pettit stated it makes a difference with the layout of the subdivision and where the building is located
- The Board made it clear they want to make sure everything is done correctly to protect B. Johnson down the road when neighbors could change and the new neighbors question why this shed was allowed. There will be answers to the reasons why it was allowed. The public hearing gives anyone with an issue with the proposed building to come and make their thoughts be known. Ebner stated another plus is the tree cover in the area of the proposed shed will help, it will not be standing out in the middle of no place

OTHER ISSUES/CONCERNS:

- **Rebecca Charles-CEDA Updates/Reports:**
 - Monthly report was available for review
- **Steve & Lisa Anderson Farm-Airport Road:**
 - Pettit was contacted by Clay Anderson about purchasing land from his parents Steve & Lisa Anderson
 - Clay does not want to purchase the whole farm, he wants to purchase approximately $\frac{3}{4}$ of an acre where the existing house now stands. They would like to tear down the existing house and build a new one on the same site
 - Clay would need to make sure there is access to the house or farm as there is only one driveway that serves that property, this may require an easement
 - Johnson questioned if anything less than 2.5 acres can be split off from another piece of property. Petersen stated it is his understanding there is a 2.5 acre minimum. The only time a smaller parcel may be allowed is if it is already a parcel of record and two septic sites can be located within that parcel
 - CRV ordinance requires 2.5 acres, one reason is to make sure there is enough room for two septic system sites
 - Pettit will provide Anderson with this information
- **Michael Onstad Property-State Highway 16 (old Farmers Elevator property behind gas plant):**
 - Pettit was contacted by Onstad and realtor Jeff Brogle. They wanted to know what would be permitted for this property
 - Pettit told them the property is zoned commercial, if someone was looking to build a home on the property it would need to be rezoned residential
 - No matter what the property use would be they would need to meet all setback requirements
 - They would need to make sure they are able to get access to the property, access requirements could be different depending on what it is zoned for
 - The property owner will have to provide Pettit with a plan for what they plan to do with the property before he can bring it to the Board for discussion

OTHER UPDATES/ MEETING:

Next Zoning Board Meeting: June 18, 2024, 5:30 pm at CRV Office

Next Council Meetings: May 21 (Branden Johnson Public Hearing 6:45 pm-canceled) and June 4, 2024 at 7:00 pm at CRV Office

Motion to Adjourn made by Johnson 2nd by Petersen at 6:33 pm

Recorder: Mary Miner