

CITY OF RUSHFORD VILLAGE (CRV)
PLANNING/ZONING COMMISSION MEETING MINUTES FROM TUESDAY, January 21, 2025

The Tuesday, January 21, 2025 Planning and Zoning meeting was called to order at 5:35 pm by Planning and Zoning Administrator Jon Pettit in the CRV Office.

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

Citizens/Others Present: Trey & Renee Ritter, Dennis Overland-Mayor and Mary Miner-Clerk

• **Trey & Renee Ritter:**

- Ritter's are considering the purchase of the Britt property in South Rushford and wanted to know what their options for the property would be
- They are looking at remodeling the house and adding an attached garage and potentially would like to put up a shed behind the house. Johnson stated if the garage is not attached to the house it cannot be placed in front of the house. They are also considering putting a shop on the back part of the property
- Ritter's questioned what the Bellock's could do with their property to the south of them. It is a non-conforming lot. They have access to the buildings already there. They can upgrade those buildings up to 50% of their value as long as they do not change the footprint of the buildings. They cannot be torn down and replaced. There is not enough frontage for a house to be placed on this property.
- Another option would be split the property, sell the existing house with enough land to add a garage if wanted (minimum lot size would be 12,000 square feet) and they would build a new house on the back portion on the property
- Their concerns are what the setbacks would be and if there would be access on the south side of the house to the back of the property off Main Street. Side and back setbacks are 10 feet
- It appears there would be enough room for a driveway/road to the back of the property. Overland stated years ago there was a road to the back of the property and a trailer house was back there. If they were to split the property and there was not enough room for a driveway/road they should make sure there is an easement in place granting them access to the back part of the property
- If they were to need water and sewer connections to the back part of the property they would have to pay all the connection fees and bring the water (\$3,023.00 plus meter) and sewer (\$6,888.00) lines to the mains located near Main Street
- Once the property is split it would be considered a subdivision which would require a public hearing. As long as there is only one house the access would be considered a driveway not a public road maintained by the city
- There is not a covenant in South Rushford so the shed and house would not have to match but there are sidewall height regulations they would have to follow
- Ritter's have concerns about trees hanging over the property line on the north side of the property which could create a problem for adding a garage. It was suggested they talk to that property owner to figure out what can be done
- Pettit suggested they purchase the property as one piece then split it if that is what they decide they want to do making sure they have the room needed for a driveway to the back of the property

Agenda Approved as presented

Motion by Kopperud, 2nd by Petersen. Carried.

Minutes from the November 19, 2024 Planning and Zoning Commission Meeting approved as presented

Motion by Kopperud, 2nd by Petersen. Carried.

NEW PERMITS:

#1698-Les Ladewig-Subdivision-Denied, Incomplete Permit Application

#1699-Robert Sammann-Fence-Village Rd

#1700-Fred & Dianne Engelhart-Enclosing both ends of building-State Highway 16

PERMIT STATUS / PROJECTS IN PROCESS / INQUIRIES: Pettit reported

- **Ladewig Subdivision:**
 - Nothing new to report. Ladewig was going to contact Derek from Bolton & Menk to discuss what needs to be done
- **CRV Subdivision Ordinance #11:**
 - Pettit suggested the Board review the ordinance as it pertains to a subdivision having to come out onto a hard surface road. He feels this requirement really restricts the areas that would work for subdivisions
 - Johnson stated he thought this was changed when Fillmore County put that requirement into their subdivision ordinance. CRV had to be at least as restrictive as Fillmore County
 - Overland did not remember that it came from the County but came about because CRV was not requiring a hard surface road at the time and people wanted it so it had to be decided who was responsible for the construction of the hard surface road
 - Pettit stated he did not think Fillmore County would have an issue with CRV changing this in our ordinance because we are a city not a township and we have our own zoning board
 - Kopperud stated CRV needs to find out if we are required to follow the Fillmore County ordinance for a hard surface road
 - Pettit stated the sites he thinks would work well for a subdivision will not hurt agriculture. Pettit gave the example of the Darrel Highum property, if that area would be developed it would not hurt taking that land out of production because it is a sandy soil. The Ferden property is in the water and sewer district so that could be taken out of agricultural and changed to residential but at this time Ferden has no interest in developing or selling
 - Johnson stated the thing that destroys agriculture are solar fields. He is not opposed to green energy but questions if solar panels are the right thing to do.
 - Overland stated he would rather see an ordinance change instead of variances
 - Miner will contact O’Koren to see what can be done. Whatever is decided it would be the same rules for everyone

OTHER ISSUES/CONCERNS:

- **Review 2024 Planning and Zoning Rates Sheet & Permit Application:**
 - 2024 Rate Sheet and Permit Application were reviewed
 - Board did not feel changes needed to be made to either document

Motion made to keep the 2025 Zoning Rates and Permit Application the same as it was in 2024

Motion by Johnson, 2nd by Petersen. Carried.

- **Review 2024 Permits Issued and Expenses:**
 - 2024 Zoning Permits and Expenses were reviewed
 - The total amount received from zoning permits was \$3,420.84. This included 52 residential, 1 new home, 10 farm, 4 business, 1 public hearing and 1 fine. Of the 69 total permits written 35 were no charge permits
 - Total Expenses amounted to \$7,156.69. This included salaries \$4,534.89, legal fees \$2,343.00, mileage \$38.86, Advertising/publishing \$64.94, Office supplies (cardboard permits) \$83.00 and recording fees \$92.00
 - There were a lot of items that required a legal opinion in 2024
 - Planning and Zoning Board members stated this is a service provided for the CRV residents and do not feel it has to make money

Motion made to approve permits issued and expenses as presented

Motion by Johnson, 2nd by Petersen. Carried.

- **Confirm: (1 yr Term: Commission Members Glen Kopperud and Hamilton Petersen (1/1/25-12/31/25)
(2 yr Term: Commission Members Gordon Johnson and Jesse McNamer (1/1/25-12/31/26)
Regular Zoning Mtgs: 3rd Tuesday before 2nd Council Meeting, 5:30 PM, Rushford Village Hall-Office.
Next Meeting Tuesday, February 18, 2025:**

- McNamer was unable to attend the meeting but through text said he would continue his term

Motion made to approve the Planning and Zoning Board terms, meeting day and time as presented

Motion by Petersen, 2nd by Kopperud/Opposed Johnson. Carried.

OTHER UPDATES/ MEETINGS:

- January 22, 2025-Wednesday-Fillmore County Water & Radon Testing at CRV Hall 3:00-6:00 pm

Next Zoning Board Meeting: February 18, 2025, 5:30 pm at CRV Office

Next Council Meetings: January 21 and February 4, 2025 at 7:00 pm at CRV Office

Motion to Adjourn made by Johnson 2nd by Kopperud at 6:45 pm

Recorder: Mary Miner