

CITY OF RUSHFORD VILLAGE (CRV)
PLANNING/ZONING COMMISSION MEETING MINUTES FROM TUESDAY, December 16, 2025

The Tuesday, December 16, 2025 Planning and Zoning meeting was called to order at 5:36 pm by Planning and Zoning Administrator Jon Pettit in the CRV Office.

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

Absent: Glen Kopperud

Agenda Approved as presented

Motion by Petersen, 2nd by Johnson. Carried.

Minutes from the November 18, 2025 Planning and Zoning Commission Meeting approved as presented

Motion by Petersen, 2nd by Johnson. Carried.

Citizens/Others Present: Judy Graham, Mary Miner-Clerk, Dennis Overland-Mayor

NEW PERMITS:

#1730A-Ben Mohs-Play House- Oak View Loop

#1750-Michael Eidenschink-28'x36' Enclosed Shed-Benson Lane

PERMIT STATUS / PROJECTS IN PROCESS / INQUIRIES: Nothing new to present

OTHER ISSUES/CONCERNS:

- **Jayme Longmire-CEDA:** Not present, did not have anything new to report
- **Subdivision Road Requirements:**
 - Pettit stated according to surveys and past discussions housing is needed but the CRV Subdivision Ordinance is restricting subdivision development with the hard surface road requirement. The hard surface road requirement came from Fillmore County Ordinances and it was the understanding that CRV had to adopt the Fillmore County Ordinance and be at least as strict as Fillmore County but now there is a question if CRV has to follow Fillmore County Ordinances or can CRV have their own
 - Pettit reported he called Cristal Adkins, Fillmore County Zoning, regarding subdivision road requirements. Adkins told Pettit CRV is unique because we are a city and can govern ourselves. Townships cannot govern themselves, they are governed by Fillmore County zoning. Fillmore County added the subdivision road requirements to stop Townships from putting subdivisions out in the rural areas and they were not being filled which was causing problems, Fillmore County wants Township subdivisions to connect to a city
 - Overland asked if the law says there is a rule that says CRV cannot be less restrictive than the State or Fillmore County how CRV can be less restrictive now. Pettit stated we are the same as the County. Overland asked when CRV can supersede the County, Pettit stated CRV can do it on any of them. Overland stated he did not think that was correct, CRV had to be as strict or stricter than the County and State. Pettit stated he had always been told CRV had to be as strict or stricter than the County and State and that is why he called Adkins. Overland asked if that was per laws or ordinances, Pettit stated it was zoning. Overland said CRV cannot be less restrictive than the State, Petersen stated if the County has it on the books as a law then CRV would have to be as restrictive as the County. Johnson stated it could be because we are a city and do our own zoning. McNamer asked if CRV can circumvent the County because we have our own ordinances. Overland asked when can CRV circumvent, Pettit stated when it is convenient for CRV. Pettit likes the fact people think we have to be as restrictive or more restrictive than the County, it's a comfortable position for zoning but we can't defend it and what happens if CRV does something against the Fillmore County ordinance. Adkins told Pettit CRV and Fillmore County each have their own zoning ordinances so we do not have to follow the Fillmore County Ordinances. Townships adopt the Fillmore County ordinances and have to go through Fillmore County Zoning for permits.
 - Septic systems inspections are done through Fillmore County. Johnson stated he thought sewer and septic could have been under the CRV ordinances if CRV had someone qualified to do the inspections. Overland did not think CRV had a choice and septic systems had to be done by Fillmore County just like the water has to be done by the State because of all the EPA regulations related to both
 - McNamer asked if CRV could just amend our road rules, Pettit stated Attorney O'Koren would be consulted and he would give a legal opinion before anything is done. Pettit feels O'Koren would find we could do it but to throw out the County's would be stupid. McNamer asked if we could have the best of both worlds, Overland and Pettit stated we would have to figure out how to do that
 - Overland stated CRV didn't used to say blacktop roads but changed the road requirements to say blacktop roads after CRV got burned by a couple of developers

- Johnson stated unless a road meets CRV width requirements CRV does not have to accept the road. It does not have to be a hard surface road until they want to turn it over to CRV for maintenance. Overland stated then we are right back to where we started, Johnson questioned if that was the worse thing in the world?
- McNamer asked what the benefits of requiring a hard surface road are. Dust control, water runoff and easier to maintain are the main reasons. Overland stated what happened to CRV is the developer said they were going to blacktop it and don't. Johnson stated what happens is the developer sells the lot for a little less and then the people buying the lots decide to get the road blacktopped so they come to CRV stating they want to blacktop their road and have it put on their taxes for a certain number of years which means CRV ends up paying the cost up front and then get reimbursed each year through the special assessments to those lots. This is not a good thing for CRV.
- McNamer asked what the advantages of having it be a hard surface road. The road is done and we can take it over and it is easier to maintain, the people living there don't have the issues with gravel. Johnson stated a negative is the cost for the developer makes it almost impossible to make it happen if there is not a lot of extra cash available
- McNamer asked if the road issue is going to squelch putting subdivisions in and it seems like it is a pain for CRV to have to maintain the subdivision blacktop roads, Miner stated maintaining blacktop is much easier than maintaining gravel. McNamer questioned what does CRV want? Johnson stated if it is gravel CRV does not accept it, it's their road and they maintain it. McNamer questioned if that would be better, Overland stated that's the way it is now. Johnson stated CRV does not have to accept the road but it has to be a certain standard before it's even considered
- McNamer asked if an amendment was made to the hard surface rules to help people hang on to what they want to develop and not prevent them from doing it because it is a money problem couldn't the burden of the road that supplies these subdivisions onto the contractor and the contractor would be responsible to let the person buying the lot know the cost they will be responsible for the road and it is not a CRV problem. Overland stated that is what CRV used to do and it was nothing but a fight after the fact, either they forgot what was told to them by the contractor or the contractor never told them they are responsible for the road.
- McNamer asked if there could be a rule that says when a subdivision is established and approved the contractor has to put a sign up stating the road servicing this subdivision is to be serviced and maintained by that subdivision. This would be a way for people buying a house in that subdivision to know who is responsible for the road maintenance of that subdivision. Johnson stated it has not been done before and he does not think people will read it.
- Johnson would like the Attorney to review and have an opinion of getting out of the hard surface road. Johnson stated not only for the Ladewig property road which is ideal because it does not affect anyone but those living in that subdivision but the next one may not be as unique so maybe it should be a case-by-case basis. Overland stated that makes it tough but there it could say something about it not being a through road or it only affects the subdivision
- Pettit that would be a variance which could be a solution but you have to have three reasons to grant a variance and financial difficulty cannot be a reason for granting a variance which would probably be the main reason a variance would be applied for relating to roads
- Johnson stated no one else but those living in the Ladewig subdivision would be affected because the hard surface road stops at the subdivision. Overland stated in the future the road could potentially connect to the other side, Pettit stated it would depend on how Ladewig designs the road, if it is a cul-de-sac loop it would be done
- Johnson stated Kopperud suggested working together with Rushford but in the past meetings between CRV and Rushford did not go well. Overland stated there might be an opportunity now. Johnson feels it would require a committee from both sides that are looking out for the best interest of both parties
- Pettit stated the cost of putting in a hard surface road at a cost of approximately \$100,000.00 is probably the main reason the Ladewig subdivision has not moved forward but if he has 8-9 lots going in \$100,000.00 isn't big money per lot but Ladewig does not have it in his pocket right now. Johnson stated according to the subdivision ordinance a lot cannot be sold until after the plat is approved, finalized and recorded, Overland stated he could get a statement of understanding. Johnson stated according to the CRV subdivision a lot cannot be sold until everything is recorded. McNamer asked if he could go for a variance but financial cannot be a reason for granting a variance. Johnson stated the big thing is to be decisive in what is proposed and he would propose to eliminate the hard surface road for the Ladewig subdivision because it does not affect anyone but those living in the subdivision, it would be a hard surface road that goes to them but the subdivision road itself would not be a hard surface. Pettit stated before CRV would take over any subdivision road it would have meet the road requirements and be hard surface but Ladewig could build the road to meet CRV requirements and start selling lots, he would not need to put in a hard surface road until he wanted to turn it over to CRV to maintain so he can go ahead with his project and the cost of the road could be incorporated into each lot. Overland stated the hard surface road does not need to be put in right away to get the project going, he could sell some lots to help pay for the road, there is not timeline when the hard surface road has to be put in other than it has to be hard surface for CRV to take over the maintenance of the road. McNamer stated there is really nothing impeding him from going for it and wonders if Ladewig understands about the road construction. It is usually recommended a road remain gravel for 2-3 years before it is blacktopped during which time the developer would be responsible for all maintenance

- Johnson stated it might be a good idea to look at allowing smaller lots to make it more beneficial for the developer and more affordable for those purchasing them. Johnson stated 2.5 acres is not required to be able to get two sites for the septic system and if CRV does not need to follow the County Ordinance should CRV look at reducing the lot sizes. Overland stated if community wells are used that might help reduce the lot sizes. Overland stated a lot of those looking to build in CRV want the larger lots. Johnson stated they could buy a couple of lots if they wanted more space. McNamer stated smaller lots would make them more affordable and they would sell quicker.
- Pettit stated everything will need to go to O’Koren to review and he feels throwing out the whole ordinance would be not be bright. Johnson stated he does not feel everything should be thrown out but there could be some amendments made. Overland stated right now the hard surface road does not need to be put in right away, Johnson stated as long as O’Koren would read that and say the same thing then the hard surface road can wait. McNamer stated the only issue would be the people living there calling about the gravel road. Johnson stated Ladewig would have to let the people buying the lots know up front he is adding x number of dollars per lot to pay for the hard surface road and road maintenance until the road becomes hard surface. Johnson stated a road should wait 2-3 years before it is blacktopped anyway so maybe it is too quick on wanting to make an amendment for this
- Pettit stated the other part of the road requirements that does not help CRV is the requirement a subdivision must come off onto a hard surface road. Adkins told Pettit CRV can do whatever they want with this too. There are areas within CRV that could be possible subdivision locations but this requirement makes putting in a subdivision too costly
- Pettit stated he liked Miner’s idea that we could maybe get something going with the Rushford now if a whole new group of people from each city get together and talk. Pettit stated people that will do it have too much history so it should be a whole new group of people from each city that does not already have a history of past issues and want to do what’s best for each city. Johnson stated the other side of that with Rushford would be the sewer on the north end. His understanding is after the school was built there is not enough capacity in the sewer line to bring more sewer into the city. The water would require a lift pump which would be too costly.
- Johnson would like to see Pettit and Miner get together with O’Koren to determine if CRV has to follow Fillmore County zoning and to see what options CRV might have for anyone that might want to do some building
- Johnson stated the other area that would be available for city water and sewer is the Ferden property in South Rushford and he does not believe Ferden would be willing to sell at this time. Overland asked if he might be willing to sell part of it, Johnson did not know. Graham said she spoke with him about a year ago and he had no intentions to sell at that time. Graham suggested maybe Ferden did not want to sell because he would be taxed so much, maybe there would be a way for him to sell a little at a time so he would not be taxed so heavily
- Pettit stated Eric Vitse bought land from Kenny Bakkum along State Highway 43. This would also be a good location for a subdivision
- Graham stated subdivisions or multiple housing is needed to keep the CRV taxes in line

OTHER UPDATES/ MEETINGS:

Next Zoning Board Meeting: January 20, 2026 @ 5:30 pm at CRV Office

Next Council Meetings: December 16, 2025 Regular & January 20, 2026 Annual Council Meeting @ 7:00 pm at CRV Hall Office

Motion to Adjourn made by Johnson 2nd by McNamer at 6:32 pm

Recorder: Mary Miner