

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,
TUESDAY, JANUARY 12, 2010 – 6:30 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Toni Honer. Roll call was taken and the following members were found to be present: Chair Toni Honer, Dale Borgmann, and Steve Dietman, Jerry Bechtold, Jerry Tippelt & Liaison Duane Willenbring.

Staff members present were: Billing Clerk/Administrative Assistant Judy Neu.

Others present: Councilor Jerry Schmitt.

ISSUE OATH OF OFFICE-Judy issued the Oath of Office to Toni Honer, Dale Borgmann and Jerry Bechtold.

ELECTION-(Appointment of Officers)-Motion by Member Borgmann, second by Member Dietman to appoint Toni Honer as Chair.

AYES: Borgmann, Bechtold, Dietman, Tippelt

ABSTAINING: Honer

Motion passed on a 4 to 0 vote.

Motion by Member Dietman second by Member Tippelt to appoint Dale Borgmann as Acting Chair.

AYES: Honer, Bechtold, Dietman, Tippelt

ABSTAINING: Borgmann

Motion passed on a 4 to 0 vote.

APPROVAL OF AGENDA/AMENDMENTS – Motion by Member Borgmann, second by Member Dietman, to approve the agenda. Motion carried unanimously.

APPROVAL OF MINUTES 12/08/09 – Motion by Member Bechtold, second by Member Dietman, to approve the minutes of 12/08/09 as presented. Motion carried unanimously.

NEW BUSINESS

DISCUSS THE CONDITION ON THE CONDITIONAL/INTERIM USE PERMIT –JUDITH & VINCENT IKEOGU: Chair Honer stated that the Ordinance No. 2009-62 An Ordinance Amending Sections 17, 18, & 19 Residential Districts to include provision for Interim Use Permits allowing Farm Animals with conditions was approved.

The Council made a few changes to the Ordinance:

- ◆ allowed on lots that are ~~3-acres~~ **5 acres**
- ◆ Any building where farm animals are kept shall be setback a distance of ~~50-feet~~ **100 feet** from the property line or road easement.

Member Tippelt questioned that the ordinance states that you need 5 acres or more. This applicant is over the 5 acres, why would they have to still come in under an Interim Use permit if we have the ordinance in place.

Chair Honer explained the ordinance would allow the applicant to operate under an Interim Use permit.

Member Tippelt asked Council Member Willenbring for clarification regarding his statement at the 12/16/09 council meeting. *“Member Willenbring asked to clarify that the Shoreland Overlay would not allow any animals. He has heartburn regarding using a double set of standards. He will back the 5 acres, but feels we are infringing of private property rights.”*

Council Member Willenbring explained that in the Shoreland Overlay there is no animal that is allowed within 1000 feet of any body of water and 300 feet from any river, streams and feels that we are infringing on peoples property rights by saying that. His theory is that any land that is protected in the Shoreland Overlay District we are disallowing animals.

Chair Honer explained that it would be any "new applicant" within the Shoreland Overlay District that would not be allowed under the standards. The existing are "grandfather in" and are allowed.

Member Dietman questioned how many animal units are they allowed.

Chair Honer explained that it will depend on the size of the animal and how many acres. The ordinance does state "that the maximum density of .50 animals per acre".

Chair Honer read over the conditions as were put on the lot:

1. Annual review by the ~~Zoning Administrator~~ Planning Commission Members.
2. Any purchase agreement on the property-allowing 3 months to find housing for the horse(s).
3. Adequate fencing and grazing area-minimum 2 ½ acres per large animal unit.
4. Interim Use Permit is non-transferable.
5. Minnesota Code-General standards

Motion by Member Bechtold, second by Member Borgmann, to recommend approval with the conditions. Motion carried unanimously.

PLANNING COMMISSION MEMBER/STAFF REPORT:

Chair Honer would like to schedule a Joint Meeting with the City Council.

BUSINESS FOR NEXT MEETING:

ADJOURNMENT – Motion by Member Borgmann, second by Member Dietman, to adjourn the meeting at 7:33 p.m. Motion carried unanimously.

**JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST**

**TONI HONER
CHAIR**