

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,  
TUESDAY, MARCH 12, 2013 – 6:33 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: Dale Borgmann, Jerry Bechtold, Duane Willenbring – Liaison.

Absent were: none

Jerry Tippelt arrived at 6:40 pm

Staff members present were: Zoning Administrator Rena Weber & Administrative Assistant Mandy Lais.

Others present: Brian Lindbloom, Don Simon.

**APPROVAL OF AGENDA/AMENDMENTS – *Motion by Member Tippelt, second by Member Borgmann to approve the agenda with amendments. Motion carried unanimously.***

**APPROVAL OF MINUTES 2/12/13 – *Motion by Member Tippelt, second by Member Borgmann, to approve the minutes of 2/12/13 as presented. Motion carried unanimously.***

**NEW BUSINESS**

**Brian Lindbloom – Amending the Outdoor Storage in R-1**

**Subdivision 3: OUTSIDE STORAGE, SCREENING AND LANDSCAPING**

1. Residential Uses. All outside storage of materials and equipment for residential uses (excluding functional agricultural equipment actively used in a farming operation on a property within the A-40 district) shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following:
  - a. Clothes line pole and wire.
  - b. Parking of licensed and operable vehicles in compliance with this Title (Off street parking).
  - c. Any combination of four or fewer licensed and operable recreational vehicles (RV's, boats, snowmobiles on a trailer, etc.) and/or seasonal automobiles may be parked or stored on property outside a home, provided:
    - i. They are not stored within the front yard, except if parked on an approved driveway.
    - ii. If stored within the side or rear yard they are at least five feet from the property line and landscaped/screened so as to be less visible from adjacent properties. If stored on a corner lot said storage must not interfere with motorist's views from intersecting streets.
    - iii. Storage and/or parking of commercial vehicles and/or equipment, or any combination thereof, greater than 22 feet in length and ten feet in height and/or having a gross vehicle weight rating of more than 15,000 pounds is prohibited.
    - iv. Standards of the City's Abandoned Car Ordinance are met.
  - d. Construction and landscaping material currently being used on the premises for a period not to exceed 6 months of any given project start date.

Zoning Administrator Rena Weber stated wanting to be fair to both parties. When we act on things it is based on a complaint. There are many places this ordinance is not enforced.

Mr. Lindbloom stated he was visited by the police 3 times for a noise complaint, which he wasn't violating any noise ordinance. They noted there were too many machines on the property. He stated that he reduced the number of vehicles to where it needs to be and he is still getting noise complaints, which he wasn't violating at all. He was asked to put a fence or screen. He stated that there are 50 homes in Rockville that are not following the rules, and feels if he has to follow the rules, everyone else should abide by the rules and they should be enforced for others as well. He stated the burden is on him and not on everyone else. He stated he feels he is being singled out.

Chair Honer asked that since you reduced the number of vehicles on your property, has there been any other complaints?

Mr. Lindbloom stated that there was another noise complaint, which had nothing to do with the number of vehicles. He stated he lets the snowmobile rev up and that is what the noise complaint is about. He stated he has used the snowmobile maybe 5 times, not the 75 times and revving the engine for 30 minutes that the neighbor told the sheriff.

Zoning Administrator Rena Weber stated she would like to keep this situation positive, so she requested Mr. Lindbloom come talk to the planning commission first to try and get it resolved here.

Toni Honer stated we want an ordinance to fit the whole city, then if need be grant a variance.

Mr. Lindbloom does not have a problem with the ordinance itself, however he feels singled out. He feels that if he has to comply, then so should everyone else. He stated the cost is going to vary for a fence.

Zoning Administrator Rena Weber stated if the issue is basically the noise, would a fence help with the noise?

Chair Honer stated no, you will still hear the noise.

Liaison Willenbring stated there is room to build a third stall garage on the property, but that should be an individual's decision not the city.

Member Borgmann stated if it is a noise complaint then a garage will just magnify the sound.

Chair Honer stated that the planning commission looks at these situations, when there is a complaint. It is difficult to police when we have a city this size. It sounds like a noise complaint, so fence won't block noise.

Liaison Willenbring stated if he is under compliance with the number of vehicles, then the other person will either accept it or they have the right to move.

Member Honer said the issue is addressed but unfair to address it if it is just a noise complaint.

Member Borgmann stated there is nothing to pursue.

Chair Honer stated as far as a revision of the ordinance, that is not going to happen.

Mr. Lindbloom stated that the sheriff visited him 3 times in the last 2 months and he has lived at his location 13 years and has not been visited once before that.

Don Simon stated that noise during the day is unavoidable, and we all have to adjust to it.

Mr. Lindbloom stated that his intent wasn't to disturb anyone, but there is no different than a snow blower or lawn mower, it all makes noise. He stated he lets it run for 5 minutes then he leaves. And it is stock, so it is not modified to be excessively loud. He asked if he is going to be made to put up a fence?

Chair Honer stated she has no intention of making Mr. Lindbloom put up a fence.

Liaison Willenbring suggested planning commission, for zoning administrators sake, to compose a letter and send it to the other party. Stating what was heard at the planning commission meeting.

Member Tippelt asked why the attorney was not pursuing this?

Zoning Administrator Rena Weber stated that the attorney said there was nothing to pursue, that Mr. Lindbloom was not doing anything outside of the ordinance.

***Motion by Member Tippelt, second by Member Borgmann to have Zoning Administrator Rena Weber to compose a letter to each member of the situation, stating what was discussed during the Planning Commission meeting 3/12/13. Motion carried unanimously.***

## **Election of New Planning Commission Member (Chair and Acting Chair)**

**ELECTION: - (Appointment of Officers)-**

***Motion by Member Tippelt, second by Member Bechtold, to appoint Member Toni Honer as Chair.***

**AYES: Members Borgmann, Tippelt, Bechtold.**

**ABSTAIN: Member Honer**

**Motion passed on a 3 to 0 vote.**

***Motion by Member Tippelt, second by Member Bechtold, to appoint Member Dale Borgmann as Acting Chair.***

**AYES: Tippelt, Bechtold, Honer.**

**ABSTAIN: Borgmann**

**Motion passed on a 3 to 0 vote.**

## **DISCUSS THE VACANCY:**

Statement was made that we need to find someone who wants to be on the Planning Commission. It is important to invite someone who is qualified.

## **PLANNING COMMISSION MEMBER/STAFF REPORT –**

Zoning Administrator Rena Weber stated that Mike Nistler will have his septic checked in June.

The feed lot hearing is coming up but they are not changing the 700 feet.

An update from the last Council Meeting, Scott Palmer from Grand Lake had talked about the resurrecting the environmental preservation ordinance and it got all the way to the approval process and got stopped because we didn't do an environmental study, which was a big expense.

***ADJOURNMENT – Motion by Member Bechtold, second by Member Tippelt, to adjourn the meeting at 7:24 PM. Motion carried unanimously.***

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**MANDY LAIS**  
**ADMINISTRATIVE ASST**

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**TONI HONER**  
**CHAIR**