

**CITY OF HANOVER
PLANNING COMMISSION MEETING
SEPTEMBER 22, 2014 – OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance

Chair Kolasa called the September 22, 2014 Planning Commission Meeting to order at 7:00 p.m. Members present were Chair Stan Kolasa, Jim Schendel and Michelle Armstrong. Members Dawn Spraugel and Reid Rabon were absent. Also present were City Council Liaison Doug Hammerseng, Administrative Assistant Brian Hagen, and City Planner Cindy Nash. Guests present included Scott Stumpfl, Jim Diorio, Jim Zajicek, Ken Warpula, and other residents of Hanover.

Approval of Agenda

MOTION by Schendel to approve agenda as presented, and seconded by Armstrong. **Motion carried unanimously.**

Approval of Minutes from August 25, 2014 Regular Meeting

MOTION by Schendel to approve the August 25, 2014 minutes as presented, and seconded by Kolasa. **Kolasa and Schendel voting in favor, Armstrong abstained because she was not present at the August 25, 2014 meeting.**

Citizen's Forum

None

Public Hearing

10111 Jasmine Ave NE – CUP Request for Accessory Structure in Side Yard

Chair Kolasa closed the regular meeting and opened the Public Hearing at 7:02 p.m. Nash explained the request to construct an accessory structure in the side yard. Staff recommends approval of the request with conditions explained in the City Planner's memo included in the packet. Schendel asked if the side wall height of the addition will match the existing side wall height. Hagen was unsure, but could look into the building plans when submitted.

There were neighbors of the property present. They did not have concern about the placement of the accessory structure; however, they did notice heavy machinery equipment on the property and questioned what the use of the property would be. The Planning Commission agreed that they did not want this structure to be used for a business purpose. Nash explained that home businesses are regulated by a different section of the Zoning Ordinances , but we could request more information from the applicant. Nash also stated that a condition of the CUP could note that a business cannot operate out of the structure.

Chair Kolasa closed the public hearing at 7:22 p.m.

MOTION by Schendel to table the decision for further information from the applicant, seconded by Armstrong. **Motion carried unanimously.**

Chicken Ordinance

Chair Kolasa closed the regular meeting and opened the Public Hearing at 7:25 p.m. Nash stated that the City Council reviewed the recommendation for denial of the proposed chicken ordinance. The City Council did not feel they had sufficient reason to deny the ordinance amendment and requested the Planning Commission to revisit the ordinance amendment again. A second Public Hearing was advertised in hopes to gain addition public comment.

Nash outlined changes to the proposed ordinance which would make the permitting process much stricter. The changes include a three year Interim Use Permit where 100% of neighbors within 100 feet of the property would need to sign an agreement stating they are fine with chickens near them.

Scott Stumpfl expressed opposition to the ordinance change. He is concerned that the chickens may get free and area pets may endanger the chickens leaving the pet owners liable. He also is concerned about wild varmints entering the City more than they already do in search of an easy food source. Stumpfl also feared that property owners would not all maintain the chicken coops to an acceptable standard.

Jim Diorio shared similar views as Stumpfl. Diorio added that he does not think an ordinance should be changed in order to allow someone who was out of compliance to continue to do what they were not previously allowed to do. Diorio also feels that Hanover Hills specifically is a neighborhood that people move to for large lots, not to have hobby farms, he does not feel 2.5 acres in general is large enough for chickens.

Hammerseng noted that it is the role of the Planning Commission and the City Council to make decision on items which is best for the whole City. There was a question asked about other properties in Hanover Hills which have chickens and are they allowed. Hagen explained that farm animals are allowed in the RA District with a minimum of 3.5 productive acres. Armstrong is for the ordinance amendment because other cities do allow them on smaller residential lots. She also feels that the chicken ordinance is similar to the recently approved bee keeping ordinance.

Chair Kolasa closed the Public Hearing at 7:59 p.m.

Armstrong asked if the intent was to change the ordinance to allow chickens on 2.5 acres. Hagen stated the intent was to have the Planning Commission review the ordinance and if a change was beneficial to Hanover as a whole, not just one neighborhood.

MOTION by Schendel to recommend denial of the chicken ordinance, seconded by Kolasa. **Kolasa and Schendel voted in favor of recommending to Council denial of the chicken ordinance, Armstrong voted against the recommendation to Council.**

Unfinished Business

Amendment to Zoning Ordinance Sec. 10.67 Signs

Nash reviewed the changes to the section suggested at the previous meeting. Outlined the major changes which include sign permit requirements, type of signs allowed, location requirements, and number of signs allowed per lot.

MOTION by Schendel to recommend approval of the sign ordinance amendment, seconded by Kolasa. **Kolasa and Schendel voted in favor of the recommendation, Armstrong abstained because she felt she was not fully educated on the amendment.**

New Business

None

Reports

Armstrong asked if residents who own pets which bite someone are obligated to share vet records. Nash and Hagen explained that someone who is bit should contact the sheriff. Armstrong questioned if an ordinance could be passed requiring vet records be provided in that type of situation. Nash explained it would be part of the City Code, which is only considered by Council. Armstrong was also provided an update on the Lupine Brewing business and the Greenhouse project.

Adjourn

MOTION by Armstrong to adjourn at 8:24 p.m., and seconded by Schendel. **Motion carried unanimously.**

ATTEST:

Brian Hagen, Administrative Assistant