



LINWOOD TOWNSHIP

ANOKA COUNTY
22817 Typo Creek Drive N.E.
Stacy, Minnesota 55079
(651) 462-2812 • Fax (651) 462-0500
E-Mail: info@linwoodtownship.org
Website: <http://linwoodtownship.org>

Planning and Zoning Commission Minutes March 19, 2024

Meeting called to order at 7:00 pm by Joe Dolphy

Pledge to the Flag was recited.

Roll Call

Commission members present: Joe Dolphy, Jim Garrison, Lloyd Horton, Nancy Matson, Rory Paggen, Tom Pilla, Tom Searing

Commission members absent: none

Town Board members present: Carol Searing

Staff & Consultants present: Emily Herold – MSA, Pam Matti – Deputy Clerk

Residents present: Tom Murphy, Ken Kohel, Brian Milne, Christine Wilson, Todd Wilson, Michelle Brown, Carrie & Andy Luedtke, Dan Lillemo, Andy Dahlstrom, John Genser, Rubin Brown, Dustin, Susan Bautch, Brian Langlois, Sandy Lathrop, Ben Garbacz, Jonn Olson

Approval of Agenda

Motion by Nancy Matson, seconded by Tom Searing, to approve the agenda. All ayes, motion carried.

Approval of PZ minutes from February 20, 2024

Motion by Tom Searing, seconded by Nancy Matson, to approve the minutes. All ayes, motion carried.

Motion by Nancy Matson, seconded by Tom Searing, to recess the regular PZ meeting to go into a Public Hearing. All ayes, motion carried.

Recessed at 7:02 pm to **Public Hearing for Code of Ordinance Amendments – Separate minutes prepared.**

Reconvene meeting at 7:23 pm

Discuss and Act on the Code of Ordinance Amendments

No further discussion.

Motion by Tom Pilla, seconded by Nancy Matson, to recommend to the Town Board adoption of the ordinance amendments as written. All ayes, motion carried.

Motion by Nancy Matson, seconded by Tom Searing, to recess the regular PZ meeting to go into a Public Hearing. All ayes, motion carried.

Recessed at 7:24 pm to **Public Hearing to Consider Rezoning 7100 Fawn Lake Drive NE – Separate minutes prepared.**

Reconvene meeting at 7:30 pm

Discuss and Act on the proposed rezoning of 7100 Fawn Lake Dr NE

Staff Recommendation

Staff is recommending that Linwood Township:

- Adopt the staff report into the record;
- Accept the application, testimony, exhibits, and other evidence presented into the record; and
- Recommend that the Planning Commission recommend approval of the Change of Zone Map Amendment at 7100 Fawn Lake Dr from B to R-1 with the following conditions:
 - o The administrative subdivision must be approved by Township staff and properly filed with Anoka County.
 - o The approved change of zone is applied to the residential parcel's new PID number.

Findings of Fact as read by Emily H.

1. The Comprehensive Plan does not directly address the applicant's situation, but it does appear that the proposal would maintain the existing rural-residential character of the Township, which is supported by the Comprehensive Plan.
2. The parcel is located in the B district and would be changed to the R-1 district. The purpose of R-1 is to provide a district intended to preserve a residential atmosphere in the existing residential areas of the town which are currently developing or are almost fully developed. The existing use of this portion of the property is residential and the proposed use with the zoning change would be residential.
3. The parcel would abut other R-1 parcels to the north and east.

4. The parcel meets minimum dimensional and frontage requirements for the R-1 district, including minimum lot size (2.5 acres), minimum lot width (150 feet), and minimum frontage (150 feet).
5. The conditions for which the change of zone is based are unique to the applicant's parcel and situation.
6. The proposed change of zone does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted. The proposed change appears harmonious with the established residential uses in the vicinity.
7. The change of zone is not anticipated to impede the normal and orderly development and improvement of surrounding property for uses predominant to the area.
8. The proposed use appears to meet all development standards of Linwood Township and does not appear incompatible with adjacent land uses.
9. It has been demonstrated that the granting of the change of zone will keep with the spirit and intent of the Zoning Ordinance and is consistent with the Comprehensive Plan.

Motion by Tom Pilla, seconded by Nancy Matson, to recommend to the Town Board approval of the rezoning request as written. All ayes, motion carried.

OLD BUSINESS

None

NEW BUSINESS

Linwood's Ordinance on non-domestic animals (chickens, roosters & other non-domestic animals)

Lloyd H. spoke about what currently exists in Linwood's Ordinance. Lloyd has researched our surrounding communities and noted what their ordinances state. Due to the number of resident complaints being received, P&Z is hoping to find some middle ground. As noted, roosters are required, if you wish to have chicks. Otherwise, roosters are not needed for egg laying.

Lloyd H. provided a draft proposal:

Sec. 30-703. - Non-domestic animals only permitted in certain districts.

Non-domestic animals other than deer, raccoons, chickens, and ducks cannot be kept or housed in the R-1 Single-Family Residential District; deer, raccoons, chickens, and ducks may be kept and housed in the R-1 Single-Family Residential District. Any non-domestic animal can be kept or housed in the other districts established by the town Code on lots or separate parcels of record of more than nine acres that are not part of a subdivision plat; such animals may be kept or housed in the other districts on lots or separate parcels of record of nine acres or less only if specifically authorized by the grant of an interim use permit for such purpose. Exotic animals cannot be kept or housed in any district.

(1) Exceptions for Chickens/Ducks in R-1 Single-Family Residential Districts:

a. The number of chickens/ducks per parcel shall be limited as follows:

1. Per each full half acre 3 chickens/ducks up to 30 chickens/ducks for 5 acres or more.
2. No person shall keep a rooster or a peacock on a parcel less than 1.5 acres.

- b. Chickens/Ducks shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes, and apartments.
- c. Chickens/Ducks shall not be kept inside the principal structure.
- d. Chickens/Ducks shall be provided with a coop and attached exercise pen (maximum of 1).
 - 1. The coop and pen shall be fully enclosed and constructed of durable weather resistant materials.
 - 2. The coop shall be a minimum of 2 sq. ft. in area per chicken/duck but less than 150 sq. ft. in area.
 - 3. The floor area of the attached pen shall be a minimum of 5 sq. ft. in area per chicken/duck.
 - 4. The coop and pen is not considered an accessory structure except the location of the coop and pen shall meet all setback requirements required of accessory structures.
 - 5. The coop and pen shall be in rear and side yards only.
- e. All food stored for chickens/ducks shall be kept in rodent-proof containers stored inside the coop or other building.
- f. The coop and pen shall be kept reasonably clean from filth, garbage and any substances which attract rodents/predators.
- g. All manure/waste shall be properly disposed of on a regular basis that prevents odors or unsanitary conditions impacting neighboring properties.

Tom P. commented that he can agree. And, liked everything on the proposal, except for allowing a rooster on a 1.5-acre lot. Lloyd stated he is open to increasing the lot size to 2.5 or 5 acres. Joe D. commented that he would like to make a couple additions to this proposal, such as no slaughtering of chickens/ducks except for personal use. And no selling of eggs.

Motion by Tom Pilla, seconded by Tom Searing, to table the chicken/rooster ordinance discussion until the next meeting, in order to give further thought to the issue and consider other additions to the proposed draft. All ayes, motion carried.

STAFF AND ZONING ADMINISTRATOR REPORTS AND COMMENTS

Emily H. reported the following:

- 1) 22718 E Martin Lake Dr NE variance application for a septic – MSA is working with the resident on this situation.
- 2) Pre-Application Meeting – Hornsby St NE- for a single-family home with mound septic system. Concerns were laid out with owners. Their original location is not going to work for many reasons. There will probably be another pre-application meeting, with a new site location, in the future.
- 3) Administrative Subdivision on 7100 Fawn Lake Dr NE – will need to update survey, waiting for DNR comments to come back. Still in process.

Motion by Tom Pilla, seconded by Jim Garrison, to adjourn. All ayes, motion carried.

Meeting adjourned at 8:45 pm.

Respectfully submitted by Pam Matti, Deputy Clerk

Minutes Approved: April 16, 2024

Chairman: _____
Joe Dolphy