

**Meeting Minutes**  
**New Prague Planning Commission**  
**Wednesday, June 25th, 2025**

**1. Call Meeting to Order**

The meeting was called to order at 6:30 p.m. by Chair Dan Meyer with the following members present: Brandon Pike, Ann Gengel and Shawn Ryan. Absent was Jason Bentson.

City Staff Present: Ken Ondich – Planning / Community Development Director.

**2. Approval of Meeting Minutes**

**A. May 28th, 2025 Regular Meeting**

A motion was made by Ryan, seconded by Gengel, to approve the May 28th, 2025 regular meeting minutes. Motion carried (4-0).

**3. Public Invited to Be Heard on Matters Not on the Agenda**

No public comments were given.

**4. NEW BUSINESS**

**A. Request for Variance #V5-2025 – Front Deck/Landing Setback Reduce Front Yard at 305 4<sup>th</sup> Street NE**

Planning / Community Development Director Ondich presented the staff report. He stated that the applicant, Matthew Egan, is seeking a variance from the 30' front setback to 12' 3" for a front deck / landing at 305 4<sup>th</sup> Street NE. The new front deck is not any closer to the road than the existing one, but it is two feet wider which is increasing the non-conformity. He noted that the home and neighboring homes were built before zoning regulations existed in the City. He noted that a variance was issued for a garage addition a few homes to the east to allow a garage addition at 19' to the same public right of way and noted that a home adjacent to the southwest is just 6' from the public right of way line. He stated that the applicant is requesting the additional width to make it easier to move into the home and to be more aesthetically pleasing. He also noted that the front deck / landing was subject to a zoning violation and hearing with the Council in late 2024 and that if the variance were approved, a building permit and inspection is still required. He stated that staff recommends approval of the variance with the findings and condition listed in the staff report.

A motion was made by Ryan, seconded by Pike to recommend approval of V5-2025 with the following findings:

- A. The requested variance is to allow a front deck/landing to be located 12' 3" is in harmony with the general purposes and intent of this Ordinance because front decks/landings as part of a single-family home are a permitted use in the RL-90 Single Family Residential Zoning District.
- B. The requested variance is consistent with the comprehensive plan because the subject property including the home and the front deck / landing are a permitted use in the RL-90 Single Family Zoning.
- C. The applicant will continue to use the property in a reasonable manner, considering that the only change will be a 2' wider front deck / landing which will be built no closer than the previously existing front deck / landing at 12' 3" from the front lot line.
- D. Unique circumstances apply to this property which do not generally apply to other properties in the vicinity because the homes in the neighborhood were constructed prior to the adoption of a zoning ordinance in the City which placed the homes closer to the front property line along 4<sup>th</sup> Street NE at less than the currently required 30' setback.
- E. The variance does not alter the essential character of the neighborhood because adjacent lots are zoned residential and all adjacent single-family homes do not meet the minimum 30' front setback requirement with one home located approximately 6' from the front property line which is much closer than the proposed front deck / landing.
- F. The variance requested is the minimum variance which would alleviate the practical difficulty because it would provide more room for navigating into and out of the home's front door while not locating closer to the front lot line than the previous front deck/landing.

And with the following condition:

- 1. A building permit must be obtained and the structure inspected to ensure compliance with building codes.

Motion carried (4-0).

#### **B. Request for Variance #V6-2025 – Drive-Thru Location Variance at 100 Alton Ave. SE**

Planning / Community Development Director Ondich presented the staff report. He stated that the LaMacchia Group submitted a building permit and variance application to construct a financial institution on behalf of Heartland Credit Union at 100 Alton Ave. SE. He stated that a variance is necessary due to the drive through having microphones/speakers located in the front yard of the site along Main Street / TH13/19 which isn't allowed by the ordinance. He stated that the property is zoned B-2 Community Commercial and that office/service establishments with drive-thru's are permitted uses but microphones and speakers must be located in the rear yard or other unobtrusive location if the rear yard is adjacent to a public street and shall not be directed towards residential areas. He stated that the subject site has frontage on two public roads and one private driveway which acts like a front yard with the south and west sides being the only areas allowed for the speaker/microphone. He stated that the applicant notes that the site design allows the parking lot to be separated from the drive-thru lanes for safety purposes, keeps the drive-thru by the teller area, stormwater is required to fit the sites northwest corner, the speakers are 96' away from the curb and they have added additional landscaping and an additional window on the north side of the building to mitigate the effects of the variance. He stated that the City granted two variances to the west for the

old McDonalds and strip mall drive throughs to be in front yards previously. He stated that staff recommends approval of the variance with the findings listed in the staff report.

A motion was made by Ryan, seconded by Gengel to recommend approval of V6-2025 with the following findings:

- A. The requested variance is in harmony with the general purposes and intent of this Ordinance because drive-thru businesses / financial institutions are a permitted use in the B-2 Community Commercial Zoning District.)
- B. The requested variance is consistent with the comprehensive plan because drive-thru businesses / financial institutions are a permitted use in the B-2 Community Commercial Zoning District.
- C. The applicant will use the property in a reasonable manner which would simply allow a microphone/speaker as part of a drive-thru to be located within the front yard of the building which is not normally allowed by the zoning ordinance.
- D. Unique circumstances apply to this property over which the property owners had no control and which do not generally apply to other properties in the vicinity because the lot abuts two public roads on the north and east sides and additionally abuts a private driveway on the south side which limits locations for a microphone/speaker in compliance with the zoning ordinance to be located outside of a front yard.
- E. The variance does not alter the essential character of the neighborhood because drive-thru businesses are a permitted use in the B-2 Community Commercial Zoning District, two drive-thru's with microphones/speakers were allowed a few blocks to the west with similar multi road frontage locations and the applicant has proposed additional landscaping between the front lot line and the drive-thru to mitigate sounds and appearance while also noting that the microphone/speaker is located a great distance from the property line.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would allow the microphone/speaker as part of the drive-thru to be located in a location on the stie which would allow the separation of the drive-thru traffic from the parking lot and additionally provide additional landscaping between the front property line and microphone/speaker than is normally required by the zoning ordinance.

Motion carried (4-0).

## **5. OLD BUSINESS**

### **A. Backyard Chickens Discussion - Continued**

Planning / Community Development Director Ondich presented the staff report. He stated that since the May 28<sup>th</sup> Planning Commission meeting, he had provided revisions to the ordinance and further completed additional research. He stated that changes to the ordinance, as directed by the Planning Commission, included removing screening requirements from adjacent properties, removing the 25' setback to the applicants own home, reduced the setback to the lot line of 6', increased the coop height to 8', provided for runs to be moveable if they can meet setback requirements and removed requirements that coops must match the house. He also noted that area fees range from no fee up to \$60 annually in Belle Plaine. He stated that Lonsdale's ordinance is \$25 biannually to match their dog license fee. He stated that chicken

feces cannot be placed in the trash or at the organics site or compost site and that the County recommended that it be given away as fertilizer for gardens. He stated that neighbors cannot be required to sign off on if a property owner wants chickens and finally noted that LeSueur County rural residential lots are not allowed to have chickens and even agricultural lots must have a minimum of 1.5 acres of suitable land.

General discussion of the Planning Commission was held regarding having backyard chickens is not a cost savings measure, the relatively low number of residents that want backyard chickens, whether or not to require an annual or biannual fee, how animal welfare is important as well as the ability to protect neighbors. They also discussed whether city staff could look into administrative citations for ordinance violations.

Planning / Community Development Director Ondich stated that he could look into the process of adopting an ordinance to allow administrative citations and provide some information at the next meeting.

The Planning Commission suggested making the fee annual for chickens as a catch to have coops and runs removed from a property if chickens are no longer kept at a property and also suggested adding a requirement for “durable materials” and insulation for coops.

A motion to table the discussion was made by Ryan, seconded by Pike. Motion carried (4-0).

## **6. Miscellaneous**

### **A. Monthly Business Update**

Planning/Community Development Director Ondich presented the monthly business update as information.

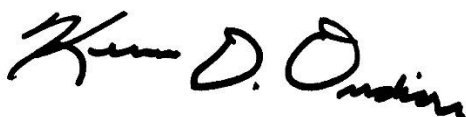
### **B. Uniform Development Code Update**

Planning / Community Development Director Ondich presented the update from Bolton & Menk regarding the status of the project. He also indicated that the July Planning Commission meeting is on July 30<sup>th</sup>, not July 23<sup>rd</sup>.

## **7. Adjournment**

A motion was made by Pike, seconded by Pike, to adjourn the meeting at 7:58 pm. Motion carried (4-0).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin D. Ondich". The signature is fluid and cursive, with the first name "Kevin" and last name "Ondich" clearly legible, and a middle initial "D." in between.

Kenneth D. Ondich  
Planning / Community Development Director