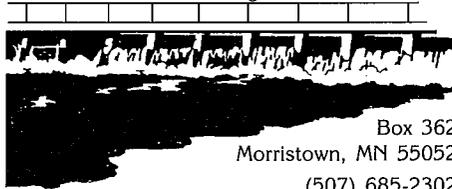


City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

Best Little Town By A "Dam Site"



Box 362
Morristown, MN 55052
(507) 685-2302

ZONING BOARD MINUTES Regular Meeting January 21, 2010

The Morristown Zoning Board meeting was called to order on Thursday, October 22, 2009 at 7:25 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jack Schwichtenberg, Mike O'Rourke, Jim Lonergan, Mark Morris, John Byers Also present was Becky Kuball, City Clerk.

Absent: Jack Blackmer

Motion was made by Schwichtenberg, seconded by O'Rourke and carried unanimously to approve the minutes of the November 19, 2009 as printed with one correction to add John Byers to absent.

Report on City Council Action Taken at Last Meeting:

Council approved new board members to be Mark Morris and Jack Blackmer
Council approved new board qualifications.

Requests to be Heard: None

Public Hearings: None

Unfinished Business:

Wenker permit was paid for, permit issued.

Driveways in town that need to have a hard surface were discussed. Questioning what can be done about getting these homeowners to comply with the ordinances.

Motion by O'Rourke seconded by Morris and motion carries to have the attorney attend the next Zoning board meeting.

Discussion about a zoning board member attend the City council meetings, to either give a report, or at least be there to answer any question that the council might have. It was decided that they would take turns going to the meetings.

New Business:

There was much discussion about zoning ordinances. What ordinances that board members are looking at changing. It was decided that the board members will make a list of ordinances that they each feel need to be changed or looked at, and then run them by the attorney and see what his thoughts are and if he thinks anything needs to be change.

Zoning Administrator's report:

Closing permits on Culhane's and Sammon's

Law enforcement approached Byers and asked what the ordinance says about living in a bus. Someone is living in a bus near the river. Byers said he would go and talk to the person that is living in a bus in town and let him know that it is against city policy to live in the bus or any camper. Byers informed the person living in the bus and told him that he would need to vacate the bus. Byers will let law enforcement know that he has spoken with the gentleman and that he had 10 days to vacate.

Tents in town, Byers talked with 2 homeowners in town about the tent buildings, and one told him he was unaware of the policy and that he will move it as soon as the snow melts and he can get to it. The other owner would like to keep his up. Byers told him he would need to come to a meeting and talk with the board about this.

Next Zoning meeting will be on February 25, 2010 meeting date moved due to the play rehearsal is on the meeting night, and several of the board members are in the play.

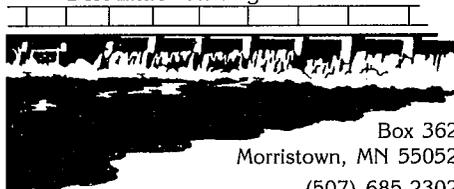
Motioned by O'Rourke, seconded by Schwichtenberg and carried unanimously to adjourn at 9:30 p.m.


Becky Kuball
City Clerk

City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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ZONING BOARD MINUTES Regular Meeting February 25, 2010

The Morristown Zoning Board meeting was called to order on Thursday, February 25, 2010 at 7:04 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jack Schwichtenberg, Jack Blackmer Mike O'Rourke, Jim Lonergan, Mark Morris, John Byers Also present was Becky Kuball, City Clerk, Mark Rahrack City Attorney, Larry Hagre.

Motion was made by Schwichtenberg, seconded by O'Rourke and carried unanimously to approve the minutes of the January 21, 2010 as printed.

Report on City Council Action Taken at Last Meeting:

Bus seems to be taken care of, appears that it is no longer a living quarter.

Requests to be Heard: None

Public Hearings: None

Unfinished Business:

Larry Hagre addressed the Zoning board on his Carport. Hagre wants to know what the definition of a carport or temporary structure is and why they are not allowed in town. He had a petition from all of his neighbors stating that they had no problem with it being in his yard, to cover his RV. He would like to keep it year round. Byers stated that a temporary structure does not have footings under it. Rahrack said that what he has seen in other cities is that it doesn't meet building codes. Inspectors go over what is considered safety issues and you can't alter state building codes.

Morris stated that we need to be fair across the board. We cannot let one person have a temporary structure and not another.

There was talk about temporary restriction and maintenance.

Motion by O'Rourke seconded by Blackmer and motion carries to table it until a later date for further discussion.

New Business:

Culhane's questioned there address. It is 401 Fountain Street. Kuball will notify them of the address.

Ordinances were looked at the Zoning board would like to see administrative fines put in place, so that if people are doing things without getting a permit then the city can fine them for not getting the permit before beginning construction.

Rahrick stated the city needs to adopt the state building code, which will help with a lot of the issues that the city is seeing.

If a property owner in town is required to hard service city property (easement) while installing a required drive or is the city to finish the easement. Rahrick stated that it is the property owner's responsibility to pave to the road.

Inoperable vehicles Rahrick stated that a letter can be sent out that the police will need to set up a time and see if the vehicles are operable or not.

The use of solar collectors was discussed, whether or not the city allows these.
Land definitions with meets and bounds, needs to be redefined.
Tailor park violations were discussed.
No dividing property without subdivisions.
Splits with meets and bounds description cannot be done without plating it out first.

Question over why or if some of the ordinances are redundant
Lot size is not defined, does the Zoning board want to impose limits.

Homeowner inspections were discussed along with trespass order and whether or not it was legal to do.

Board is going to have a special meeting to look closely at what ordinances the city has and then present them to the attorney and have him do the legal wording on the ordinances.

Motion by Morris seconded by Blackmer and carried unanimously to have a special Zoning Board meeting concerning ordinances changes on March 11, 2010 at 7 pm.

Zoning Administrator's report:

Closing permits on Nick Martin and Mike O'Rourke.

Motioned by O'Rourke, seconded by Morris and carried unanimously to adjourn at 10:35 p.m.

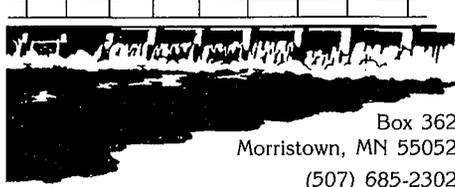


Becky Kuball
City Clerk

City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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ZONING BOARD MINUTES Special Meeting March 11, 2010

The Morristown Zoning Board meeting was called to order on Thursday, March 11, 2010 at 7:04 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present Zoning Board Members, Jack Schwichtenberg, Jack Blackmer Mike O'Rourke, Jim Lonergan, Mark Morris, John Byers Also present was Becky Kuball, City Clerk

Unfinished Business:

O'Rourke talked with rice county building inspector Kevin Murphy, about hiring a building inspector. Murphy is willing to come to the next Zoning meeting and discuss this with the board. Murphy would be interested in the position. He would explain the 94 fee schedule and requirements.

It was decided to invite Murphy to the next Zoning meeting on March 18, 2010.

Board discussed adopting the state building code for the city. Lots of questions about what it entails to adopt the code. The board is concerned with the cost of permits once the State Building Code is adopted.

Kuball will email attorney and see how we write an administrative fine ordinance. What would be the cost of failure to get a permit before construction, what are the costs of not following zoning ordinances?

Discussion about the cost of a zoning permit fine, board is looking at the fine is \$100 or the cost of the permit whichever is greater.

Legal definition of siding and roofing what is acceptable and access driveways were discussed 152.216

Violation of Administrative fine

Any zoning code ordinance violation other than zoning permit violation the fine will be \$100. All unpaid administrative fines will be assessed to taxes if not paid within 30 days. 14 days to become compliant with violation, the zoning board at their discretion has the right to extend the date on compliance as they deem fit.

City easements need to clean up driveways and access driveways Make them uniform by definition on what a driveway is. 152.216 and 152.205.

Motion by Blackmer seconded by O'Rourke and carried unanimously to recommend to the city council to reword ordinance 91.04 to state that no farm animals are allowed in the city limits in any zoning district.

March 11, 2010

Page 2

Motion by Blackmer seconded by Schwichtenberg and carried unanimously to change a zoning permit fine and bring to the council to approve to read:

Zoning permit fine is a \$100 or the cost of the permit whichever is greater. And any zoning code ordinance violation other than zoning permit violation the fine will be \$100. All unpaid administrative fines will be assessed to taxes if not paid within 30 days. Owner has 14 days to become compliant with violation, the zoning board at their discretion has the right to extend the date on compliance as they deem fit.

Principle building is a house. Question was brought up about whether or not you can put a storage shed for personal use on a 5 acre parcel within the city limits without having a principle building on it first. It was decided that the ordinance reads it has to have a principle building on it first before anything else can be built.

Motion by O'Rourke and seconded by Schwichtenberg and carried unanimously to adjourn at 9:45 pm.

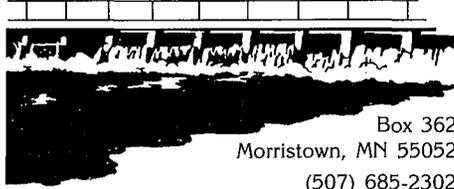
A handwritten signature in black ink, appearing to read "Becky Kuball", written in a cursive style.

Becky Kuball
City Clerk

City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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ZONING BOARD MINUTES Special Meeting March 11, 2010 Amended

The Morristown Zoning Board meeting was called to order on Thursday, March 11, 2010 at 7:04 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jack Schwichtenberg, Jack Blackmer Mike O'Rourke, Jim Lonergan, Mark Morris, John Byers Also present was Becky Kuball, City Clerk

Unfinished Business:

O'Rourke talked with rice county building inspector Kevin Murphy, about hiring a building inspector. Murphy is willing to come to the next Zoning meeting and discuss this with the board. Murphy would be interested in the position. He would explain the 94 fee schedule and requirements.

It was decided to invite Murphy to the next Zoning meeting on March 18, 2010.

Board discussed adopting the state building code for the city. Lots of questions about what it entails to adopt the code. The board is concerned with the cost of permits once the State Building Code is adopted.

Kuball will email attorney and see how we write an administrative fine ordinance. What would be the cost of failure to get a permit before construction, what are the costs of not following zoning ordinances?

Discussion about the cost of a zoning permit fine, board is looking at the fine is \$100 or the cost of the permit whichever is greater.

Legal definition of siding and roofing what is acceptable and access driveways were discussed 152.216

Violation of Administrative fine

Any zoning code ordinance violation other than zoning permit violation the fine will be \$100. All unpaid administrative fines will be assessed to taxes if not paid within 30 days. 14 days to become compliant with violation, the zoning board at their discretion has the right to extend the date on compliance as they deem fit.

City easements need to clean up driveways and access driveways Make them uniform by definition on what a driveway is. 152.216 and 152.205.

Motion by Blackmer seconded by O'Rourke and carried unanimously to recommend to the city council to reword ordinance 91.04 to state that no farm animals are allowed in the city limits in any zoning district.

Zoning Board Minutes
March 11, 2010
Page 2

Motion by Blackmer seconded by Schwichtenberg and carried unanimously to charge a zoning permit fine and bring to the council to approve to read:

Zoning permit fine is a \$100 or the cost of the permit whichever is greater. And any zoning code ordinance violation other than zoning permit violation the fine will be \$100. All unpaid administrative fines will be assessed to taxes if not paid within 30 days. Owner has 14 days to become compliant with violation, the zoning board at their discretion has the right to extend the date on compliance as they deem fit.

Principle building is a house. Question was brought up about whether or not you can put a storage shed for personal use on a 5 acre parcel within the city limits without having a principle building on it first. It was decided that the ordinance reads it has to have a principle building on it first before anything else can be built.

Motion by O'Rourke and seconded by Schwichtenberg and carried unanimously to adjourn at 9:45 pm.

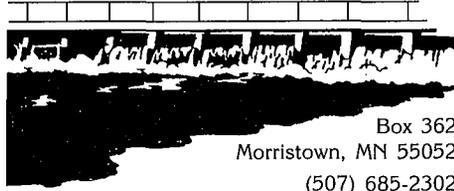


Becky Kuball
City Clerk

City of Morristown

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ZONING BOARD MINUTES Regular Meeting March 18, 2010

The Morristown Zoning Board meeting was called to order on Thursday, March 18, 2010 at 7:00 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jack Schwichtenberg, Jack Blackmer Mike O'Rourke, Jim Lonergan, Mark Morris, John Byers Also present was Becky Kuball, City Clerk, Kevin Murphy and Larry Hagre.

Motion was made by Schwichtenberg, seconded by O'Rourke and carried unanimously to approve the minutes of the February 25, 2010 as printed.

Motion was made by Blackmer seconded by Schwichtenberg and motion carries to approve the March 11, 2010 meeting with one correction.

Report on City Council Action Taken at Last Meeting:

Council is having a hearing to adopt changes to ordinances and Administrative fines.

Requests to be Heard:

Larry Hagre addressed the board on his carport he commented that it has been there for three years and no one has complained about it. Blackmer questioned what other buildings he has on his property and Hagre said he had two other buildings. Blackmer said this would be third structure, and only two are allowed. The board gave him some ideas on how to fix this; he could attach his garage to his house, or add onto his shed. Hagre questioned if he could get a variance or conditional use permit to allow this structure. The board said that they are not going to push this issue right now, as they are working on changing some of the ordinances.

Blackmer would like a better definition of an accessory building what it is made of, is it 4 sided and made of a solid material.

Public Hearings: None

Unfinished Business:

Kevin Murphy from Rice County came and addressed the board on the implementation of the State Building Code. Murphy explained how the building code works and how you go ahead and implement it. One concern was if there was ever a disaster in town, FEMA will not help out, if we don't have the State Building Code adopted.

Murphy suggested that the city implement a fee for zoning permits if they decide to go with the State Building Code, and then if the city went with Rice County as their inspector, then the actual building permit would come from Rice County. Rice County would set up a contract with Morristown, and the fees that are taken in on the building permits a portion would stay with Rice County and a portion would return to the City of Morristown.

Public health nuisance would be covered under this also and the health board would come in and check out these issues.

Zoning Board questioned Mobile home trailers and if they had to conform to the state building code.

Murphy said they did and that there should be inspections on them when they are sold, or moved.

Murphy stated this is a big step for a city to adopt the State Building Code and to weigh all the pro's and con's before jumping in, because once you adopt it you can't go back.

O'Rourke questioned the process and time. Murphy said that the City attorney's would get together with the County attorney, make an agreement, then it would go to the County board for approval and it could take 2-3 months or longer to get it all taken care of.

Motion by Blackmer seconded by Schwichtenberg and motion carried to table the State Building Code until the next meeting, so everyone has time to look and think about adopting the Code.

Blackmer would like Kuball to ask the attorney if we can make roof and siding, a zoning permit.

Board would like a letter sent to Moline about zoning permit expiring in May and needs to be completed.

New Business:

Zoning Administrator's report:

Nothing at this time.

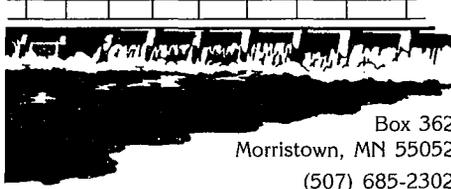
Motioned by Blackmer, seconded by Morris and carried unanimously to adjourn at 9:17 p.m.


Becky Kuball
City Clerk

City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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Morristown, MN 55052
(507) 685-2302

ZONING BOARD MINUTES Regular Meeting April 15, 2010

The Morristown Zoning Board meeting was called to order on Thursday, April 15, 2010 at 7:04 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jack Schwichtenberg, Jack Blackmer Mike O'Rourke, Jim Lonergan, Mark Morris, John Byers Also present was Becky Kuball, City Clerk, and Dan Morris

Motion was made by Blackmer, seconded by Schwichtenberg and carried unanimously to approve the minutes of the April 18, 2010 as printed.

Report on City Council Action Taken at Last Meeting:

Council told citizens that were concerned with the proposed animal ordinance to come to the zoning meeting and see if there could be a compromise.

Requests to be Heard: None

Public Hearings: None

Unfinished Business:

There was a discussion on carports and what the definition of one is. Kuball will have attorney define what is considered a carport and what material it is made of, and what is considered an accessory building. Blackmer stated that they need to be defined in our ordinances.

Animal ordinance will be sent back to the city council to make a decision. No concerned citizens came to the meeting to discuss. Dan Morris defined one animal unit as 1000 pounds. So someone could have 1 steer or 1 horse, or 4 pigs or 25 Turkeys or 167 broiler chickens or 250 laying hens. Questioned if that is really what the city wants within the city limits.

There was discussion about adding a permit fee to window, siding and doors. There are a couple of homes in town that have been started, but not finished and then have gone back to the bank and are left undone.

Motion by Blackmer seconded by O'Rourke motion carries to add a \$25 permit fee to Siding, Window and roofing. Ordinance will be sent to council for a hearing and approval.

Mark Morris said he talked to Rice county about feed lots, it is a state issue and the county is suppose to regulate, but does not like to come into cities.

Motion by Schwichtenberg seconded by O'Rourke motion carries to recommend to the city council to put a moratorium on all farm animals in the city limits and any new livestock buildings.

State building code was discussed and didn't like the large building permit fees. So it was decided to table any decisions on it until the fall.

Lisa Karsten had a permit for a fence that they want to put up at the Methodist church, also wondering if the fee for the permit could be waived.

Motion by Schwichtenberg seconded by Blackmer motion carries to approve the permit for the fence and waive permit fee for the church.

New Business:

Zoning Administrator's report:

Bailey Deck-closed out

Willing Shed-closed out

Valentyn Garage-closed out

Motioned by Schwichtenberg seconded by Blackmer and carried unanimously to adjourn at 8:40 p.m.

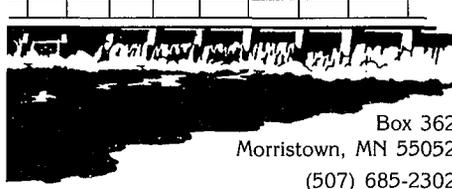


Becky Kuball
City Clerk

City of Morristown

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ZONING BOARD MINUTES Regular Meeting May 20, 2010

The Morristown Zoning Board meeting was called to order on Thursday, May 20, 2010 at 7:00 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jack Schwichtenberg, Jack Blackmer, Mike O'Rourke, Jim Lonergan, Mark Morris, Also present was Becky Kuball, City Clerk, Verdis Flatten, Mike Angelo, Darrel Hopman and Charlie Moline.

Absent: John Byers

Motion was made by Blackmer, seconded by Morris and carried unanimously to approve the minutes of the April 15, 2010 as printed.

Report on City Council Action Taken at Last Meeting:

Council wants Zoning to look at the nuisance ordinance 92.21 they feel that it covers the unfinished siding, roofs and windows, before we add a permit fee to these projects. Council would like to see what we can address the issues in town that fall under here.

Requests to be Heard: Charlie Moline asked if there would be a problem to renew his permit for one more year. Blackmer questioned if this was the 1st extension. Moline stated this would be the 2nd extension. Morris asked what had been done so far. Moline stated that he had finished the roof and the second story addition. Moline is hoping to have the siding on by the end of the summer.

Motion by O'Rourke seconded by Blackmer and motion carries to extend the permit for 6 months with a cost of \$75 for renewal to the permit.

Darrel Hopman stated that the recommendation by the city council was that we the land owners needed to sit down and discuss the new ordinance that was passed that does not allow farm animals within the city limits. Landowners thought that they would get a written invitation to sit down with the zoning board and city council members in a group discussion. At one of the last city council meetings a city council member tried to make a motion to rescind the ordinance, but was told that, that could not be done. The landowners would have to start from square one and start over with trying to change the ordinance. Hopman presented a 4 page document for an ordinance change Hopman read the proposed ordinance change. Hopman would like a day to meet and discuss this starting point and the action that has already been taken. Find out if this is the way it should be or perhaps there is a situation that we could come to an agreement and modify the situation as it now exists. Hopman was under the impression that there would be a meeting other than at the Zoning meeting to sit down with 5 or 6 people and look this over in an informal meeting. Morris questioned where Hopman had gotten the ordinance, he stated that he got it from several different ordinances and picked through them. Zoning board will set up a meeting and let Hopman know when that would be.

Morristown Zoning Board Minutes

May 20, 2010

Page 2

Carport definition: Kuball got several definitions for the board.

Motion by Blackmer seconded by Schwichtenberg motion carries to recommend to the council the definition for a carport as "carports and or structures when added to the principal building shall comply with the setback requirements for the principal structure and when freestanding shall comply with the setbacks and size requirements for accessory buildings. Carports and or structures must be constructed of materials to match the principal building and may not be constructed of temporary materials such as canvas and /or plastic, ect."

Public Hearings:

Unfinished Business:

Zoning ordinances: Morris stated that everyone should look at the proposed ordinance from Hopman before the next meeting. Some questions that came up were who will be in charge of keeping track of animals? Who polices them and makes sure that the manure is being hauled away, and where is it going to be hauled? Who will enforce the ordinances? O'Rourke stated that if the city has to hire someone to come in and do that it is going to cost the city a lot of money. Morris stated we also need to look at future growth of the city. Flaten questioned how well parents control children when they are exploring and safety of children in town if farm animals are allowed, what happens if the child get hurt or bit? Who is responsible, kids will be kids and they are curious. What happens if the animals get out in town, who will take care of it? Morris stated if you look on line at farm animals in town, there is very little on line about it, because they don't allow them within the city limits. Morris asked "would we have to set a whole new ordinance on the care of farm animals in town?"

A non formal committee meeting will be set up on June 10, 2010 at 7 pm in the council chambers between the landowners, zoning members and city council. Kuball will contact Hopman and let him know of the date and he can get the landowners together, and Kuball will contact the city council and see who can attend. Morris and Blackmer will attend from the zoning board.

Structure definition: Attorney defined a "structure" is anything constructed or erected with a fixed location on the property. Blackmer wants a better definition for the ordinance book. There is nothing in there that states what kind of material it can be constructed of. 152.005 are definitions and we need to modify and add this to the definitions. Zoning wants to add carports to definitions.

Blackmer will look and see where we could add the ordinance dealing with carports and structures. Definition for a carport as "carports and or structures when added to the principal building shall comply with the setback requirements for the principal structure and when freestanding shall comply with the setbacks and size requirements for accessory buildings. Carports and or structures must be constructed of materials to match the principal building and may not be constructed of temporary materials such as canvas and /or plastic, ect."

Motion by Blackmer seconded by O'Rourke motion carries to rescind the motion to send "carports and or structures when added to the principal building shall comply with the setback requirements for the principal structure and when freestanding shall comply with the setbacks and size requirements for accessory buildings. Carports and or structures must be constructed of materials to match the principal building and may not be constructed of temporary materials such as canvas and /or plastic, ect." to the city council and table it until the next meeting.

O'Rourke questioned what the city council decided on the zoning permit for windows, siding and roofs. Kuball stated they would like them to relook at the recommendation. See what you can do to enforce the issues that we already have in town. The council feels it falls under a nuisance order and could be addressed there, instead of implementing a new ordinance. Administrative fines can be enforced to deal with the issues in town that we have already. Zoning feels the city needs to enforce these issues around town. The ordinance states that the city can appoint someone to enforce these things. It is the police department responsibility to administer the fines.

New Business:

Zoning Permits: O'Rourke questions if we should add a material list to the permit so that there is no confusion as to what the material is that is going to be used.

Motion by Lonergan seconded by Schwichtenberg motion carries to approve all permits for Geisler Permit, Beer Permit, Gauthier as presented.

Zoning Administrator's report: None

Motioned by Blackmer seconded by O'Rourke and carried unanimously to adjourn at 8:50 p.m.

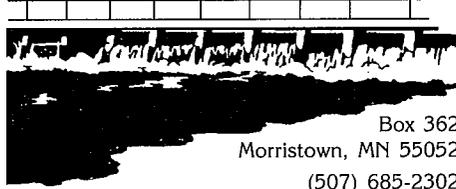


Becky Kuball
City Clerk

City of Morristown

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ZONING BOARD MINUTES Regular Meeting June 24, 2010

The Morristown Zoning Board meeting was called to order on Thursday, June 24, 2010 at 7:12 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, Mike O'Rourke, Mark Morris, John Byers Also present was Becky Kuball, City Clerk, and Darrel Hopman

Absent: Jack Schwichtenberg and Jack Blackmer

Motion was made by O'Rourke, seconded by Morris and carried unanimously to approve the minutes of the May 20, 2010 as printed.

Report on City Council Action Taken at Last Meeting:

Council is relooking at the Siding, Window, Roof permit fee.

Requests to be Heard: None

Carports: Blackmer is still looking into it- tabled until next meeting.

Structures: Blackmer is still looking into it- tabled until next meeting.

Farm animal ordinance 91.04:

Hopman gave an overview of what was discussed at the open public meeting on whether or not the animal ordinance should be changed to allow farm animals in town. Hopman stated "the meeting was run very well" The Ag district were the minority. Hopman said that after the meeting he gave it some thought and agreed that farm animals don't belong in the residential areas of town, and a limited number of farm animal on Ag ground. Hopman said that it was stated that there was never a complaint about farm animals in all the years that they had animals on their property. The board said they would relook at the new proposed ordinance. Hopman would like a couple of ponies and 4 or 5 chickens.

Morris stated that some of the comments made at the open discussion were:

What if I want a rabbit for a 4-H project?

Manure where does it go?

Manure is being dumped at the compost site already, and that shouldn't be happening.

Do we need an ordinance on cleaning out manure and where it goes?

Smell

Comment that not everyone will take care of their animals

Comment on quickness of ordinance being passed.

We are a small town, not a big city.

List of small cities that allow small animals

City council member not comfortable with residential, but may be able to look at Ag.

Fences
Kids

Who polices the farm animals and farms?

Hopman thought that the zoning administrator would inspect.

Hopman thought about the comments about those responsible to take care of their animal, so took a lot of it out of the ordinance that dealt with the residential areas.

Byers questioned minimum setbacks and what size buildings are going to be allowed.

Hopman questioned the use of a variance.

Byers said that a variance is only supposed to be used in a hardship situation and that they are given out to much for things that are not considered a hardship.

Public Hearings: none

Unfinished Business:

92.21 nuisance ordinance O'Rourke stated "why would we extend a permit if they don't work on it."

Morris questioned who is the inspector and questioned if police take care of this.

It was suggested that the city council is responsible for policing the nuisance. 92.24 recovery of cost if the city goes ahead and fixes some of the issues on the houses in town, the ordinance reads (a) personal liability. The owner of premises on which a nuisance has been abated by the city shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the cost has been completed the cost determined, the City Clerk/Treasurer or other official shall prepare a bill for the cost and mail it to the owner. The amount shall be immediately due and payable at the office of the City Clerk/Treasurer.

There are several properties in town that need addressing

Zoning is wondering if the City could send them out notices to enforce that they are in violation of city ordinances.

Motion by Morris seconded by O'Rourke and motion carries to bring to the council a recommendation to send out letters addressing the nuisance violations of Ordinance 92.21 to the following residences:

207 Main Street W-Siding

109 Franklin St. W-Boarded up Windows

105 1st St. NE-Siding

302 Bloomer St. W-Boarded up window

Along with unfinished driveways at:

503 3rd St. SW

306 2nd St. SW

106 Franklin St. W

It was decided to add a description of work materials list to the zoning permit.

New Business:

Zoning permit approval: It was decided to leave the approval of Utility sheds, fences and decks as it is with Byers making the approval between meetings, but all other permits need to come through the board.

Zoning permit:

Byers approved permits for Livingston-privacy fence, Ryman-utility shed, and Schmidtke-fence.

Motion my O'Rourke seconded by Morris motion carries to approve permit for Schwichtenberg garage.

O'Rourke questioned if there is anything in the ordinance book that states a structure has to fit in with a certain area. O'Rourke questioned if the covenant in Meschke addition is still in force. Habitat for Humanity has bought seven properties in the addition. O'Rourke is wondering if the city has any control over how properties are built in the addition. There is some concern from property owners in the addition that do not want houses that do not meet the standards of the addition. Morris will go and talk to Meschke and see if he has any answers on this matter or if he has any control with the covenant.

Hruska Permit: send a letter stating permit is expiring.

Zoning Administrator's report:

Byers stated that Orman Kalien did not need a permit for the repair of his garage.
Historical Society permit has expired for the school house, send a letter and let them know.

Motioned by Morris seconded by O'Rourke and carried unanimously to adjourn at 9:40 p.m.

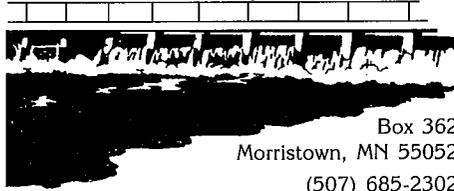


Becky Kuball
City Clerk

City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

Best Little Town By A "Dam Site"



Box 362
Morristown, MN 55052
(507) 685-2302

ZONING BOARD MINUTES Regular Meeting July 15, 2010

The Morristown Zoning Board meeting was called to order on Thursday, July 15, 2010 at 7:05 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, Mike O'Rourke, Mark Morris, Jack Schwichtenberg and Jack Blackmer Also present was Becky Kuball, City Clerk, and Darrel Hopman

Absent: John Byers

Motion was made by Blackmer, seconded by Morris and carried unanimously to approve the minutes of the June 25, 2010 as printed with one correction.

Report on City Council Action Taken at Last Meeting:

Council passed the ordinance for the Siding, Window, and Roof permit fee. Council sent out letters to homeowners who have nuisance violations.

Requests to be Heard: None

Public Hearings: none

Carports and Structures: Blackmer looked into it and said that we could add a new section and have it added as 156A. After some discussion it was tabled until the next meeting

Resolution 2010-2 need to send back to council zoning code for administrative fines was not what the zoning board recommended.

Unfinished Business:

Farm animal ordinance 91.04: Hopman suggested at the last meeting to remove animals from residential, Hopman went over new proposed ordinance allowing animals in agricultural districts. Morris questioned the number of large animals. Lonergan questioned agricultural district and that someone could be pasturing right next to someone in residential areas. Blackmer asked who is going to do the enforcement on these animal areas. Hopman stated police officers are the enforcement. Blackmer questioned sanitary conditions. Morris wondered if the county could come in and remove animals, he will check with Wade Schultz and see what the options are. Blackmer questioned A-1 expansion and if that is still an issue. Years ago you could not put up any buildings or have large numbers of animals if you were within a certain area of city limits. Morris will check on it and get back to the board with answers.

Meschke Addition: 2nd addition stands as it is. 3rd addition and 2nd Convents are exactly the same. Meschke was asked to sign off the 3rd addition it takes half of the property owners to change the Covent. On the 3rd page, the letter J was removed from the Covent. Meschke signed off as the design committee. Zoning board would like to give the attorney the Covent and see if he can tell us who is in charge of enforcing the Covent. Board questioned if a house permit application is put in, if the city has any grounds Morristown to not issue it if it doesn't follow the Covent on the addition, but it follows the city requirements under which it could be issued. Board is confused on what we can legally do.

New Business:

Mobil home brought in without time of sale inspection. Morris stated that he will go with Byers and go through the park and see what has been done since the last time Byers was through there. Then citations should be issued to the Mobil Home Park as the Mobil Home Park is suppose to get permits for anything done within the park.

Zoning permit: Spellman deck approved.

Zoning Administrator's report: None

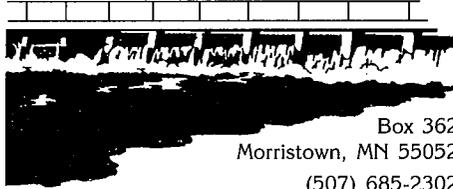
Motioned by O'Rourke seconded by Morris and carried unanimously to adjourn at 9:25 p.m.


Becky Kuball
City Clerk

City of Morristown

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ZONING BOARD MINUTES Regular Meeting August 19, 2010

The Morristown Zoning Board meeting was called to order on Thursday, July 15, 2010 at 7:05 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, Mike O'Rourke, Mark Morris, Jack Schwichtenberg, Jack Blackmer and John Byers also present was Becky Kuball, City Clerk, and Darrel Hopman

Motion was made by Blackmer, seconded by O'Rourke and carried unanimously to approve the minutes of the July 15, 2010 as printed with one correction.

Report on City Council Action Taken at Last Meeting:

Council sent out letters to homeowners who have nuisance violations, and to Hagre and Spellman who have 3 accessory structures. City Council is checking on sidewalks and the condition and whether or not they need to fix some.

Requests to be Heard: None

Public Hearings: None

Unfinished Business

Carports and Structures: There was much discussion on what the definition of a carport and structures.

Recommend to the council to add Carports 152.226 to the ordinances

(A) Carports in all districts shall comply with the following requirements.

1. Carports when constructed added to the principal building shall comply with the setback requirements for the principal structure.
2. Carports when constructed freestanding shall comply with the setbacks and size requirements for accessory buildings.
3. Carports must be constructed of materials to match the principle building and may not be constructed of temporary materials such as canvas and or plastic, etc.
4. Carports when freestanding shall be considered an accessory building and shall be considered as such in determining the allowable structures on a lot.
5. Carports shall conform to all appropriate requirements of accessory buildings defined in Residential District section of this ordinance.

Motion by Morris seconded by Blackmer motion carries to send to the city council a recommendation to add a new ordinance 152.226 defining carports as printed before us.

Zoning ordinance definition: Byers there is new steel siding out there and medal roofs do we want to look at changing what is allowed. Steel siding is lap siding now.

O'Rourke will look into the steel siding.

Lonegan is questioning if we need to add a definition of a carport to the definition list. Page 71 of the

Farm animal ordinance 91.04: Morris talked with the feed lot officer in Rice County. Morris was feeling him out on what the Rice county feed lot officer could do. His job description says he is not allowed to go into cities and enforce the ordinances. But he can be forced to go into a city if there is a violation. The feed lots have to be registered with the county. Some have slipped through the cracks and are in city limits. If you allow them in your city it is not his job to come in and police them. If it gets reports to the county for health hazard pollution control and those agencies will be coming down, but they may request that I come in and inspect them. The city its self will have to deal with the issues and have someone appointed to inspect them from the city. Protected waters ways would be an issue for the city. Dixon Creek is in there, the cannon river and if you are within 300 feet then DNR would come in and monitor and certain laws apply. His suggestion was this is probably the safest thing the city could have done. The inspector is against animals within the city limits of any sort as for what a city is for. Morris said asked what the A1 expansion area is and it is called urban reserve now. He was told that yes you can apply for a permit to have livestock, but you would not likely get one, the red tape is really hard to get through. They made it so difficult that you probably would not want to build there, were the comments from the Rice County Fee lot inspector.

Hopman comment is brief and that they have made a very good and reasonable proposal for agricultural districts and there are few. The districts would not propose a problem. Oder problems, health hazards, sanitation and nuisance, slaughtering of animals are well defined. I don't think it would take a Harvard genius to figure out if there is a problem.

Lonegan brought up some of the concerns that were brought up to the board like who will enforcing the ordinances of we change this. What about swimming pools next to the agriculture land. Blackmer stated that the enforcing would fall under the city council.

Morris requested that the zoning board state their opinion on this ordinance

Blackmer opinion I don't believe that farm animals belong within the city limits. I am supporting the ordinance change as it is right now.

Lonegan, my opinion is about the same, I believe that they don't belong within the city limits, I have has some neighbor concerns about it being changed.

Byer, not allowing farm animals is a good one. I think that is what is best for the city of Morristown for future growth. The agriculture ground is intended for future growth of the city. We cannot start changing ordinances for a few people; we need to do what is for the better of the town.

Morris, I do believe Byers is correct we need to do what is for the best for the city. I do feel that I have a good handle of what it takes to care for animals both large and small amounts. I think that it will be tough to police and be tough to be fair on people. You need to do what is for the better for the whole city as a whole and not for just a few land owners. I think it would be a backwards step for the city. I am in agreement with the new ordinance as it stands

O'Rourke, I also agree with Byers. How do we go about putting these areas back into development? For the better of the community and the growing of the community I am in favor of leaving the ordinance as is.

Morris seconded by Blackmer motion carries to report to the city council the board stands with the original ordinance as it is and is not in favor of changing ordinance 91.04 Farm animals at this time.

Violation letters: Were sent out. O'Rourke said some of the people are fixing up the things that were addressed in the letters, this is a good thing this is what we wanted done. A resident was upset that there are some homes in town that have issues that are not being addressed and why he has to fix his and others do not have to. The place on Bloomer Street has fixed there issues, but were concerned that others are not fixing there. The place that he is referring to on Franklin Street is a nuisance, chimney falling in, outside looks ruff it appears to be a health issue possibly.

O'Rourke would like to recommend to the city that this house is a nuisance and that they should look into it the address is 204 Franklin Street. Ordinance number 92.21 and 92.37 would be the ordinance that it would fall under. Morris will recommend to the city to look into this at the next meeting that has the zoning board report.

Permit Fees: Window, Roof and Siding. Byers wondering what the cost is covering is it \$25 for each or all the above for the \$25. One permit covers all of them, same property is one permit. Have them check them all. One permit covers all three.

Meschke addition: Morris stated that the attorney was at last city council meeting said that Covenant is between the home owners and has nothing to do with the city or zoning. If someone comes in and wants a zoning permit, the board can issue as long as it falls under the city requirements.

New Business:

Zoning permits: Rezac permit for roof and siding.

Moline permit goes to December.

Send out a reminder letters to let them know it is expiring. O'Rourke thought it might be a courteous call, so that they are aware it is expiring and do not get fined. Send letter to Medina to let him know permit is expiring and fines will be enforced and a new permit will be needed.

Requests to be heard, is normally for a complaints and concern and for things not on the agenda.

Blackmer, if we have a big controversial issue come up then we can use a signup sheet and limit time.

Morris as a board we would be able to know if it was a hot topic or not.

The chairman can let anyone the audience knows at any time that there is time limit on the time they are allowed to speak. The Chairman has the right to stop anyone at anytime.

Zoning Administrator's report: Byers stated at after the last meeting in July Kuball called and said that the Gopher One Call had a request to mark properties for a trailer being put in, in the Mobile Home Park. We are not being notified of things being brought in or taken out of the Park. Brakemeier did not get a moving permit; time of sale not brought in before moving in home the last one brought in was dated for a few years before that, and no demolition permit. Blackmer said we should send a letter to Brakemeier properties and request an audit of time of sales inspections. Send copies of ordinance numbers 150.03, 152.191 and 152.192. O'Rourke stated that Brakemeier was told that he could not do his own inspections. Morris according to the paperwork presented he is not a licensed contractor, because it is expired. Morris and Byers will go and do an audit of the trailer court, and then they will compare them to the last audit and fines will be assessed.

Byers would like an ID card that states that he is the Zoning Administrator, when he is going out to inspect permits that are issued. O'Rourke will make one for Byers

Permits closed on Geisler, Ryman, Gauthier, Livingston and Spellman.

Motion by Blackmer seconded by O'Rourke and carried unanimously to adjourn at 9:37 p.m.

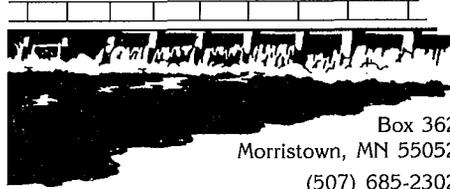


Becky Kuball
City Clerk

City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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Box 362
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ZONING BOARD MINUTES Regular Meeting September 16, 2010

The Morristown Zoning Board meeting was called to order on Thursday, September 16, 2010 at 7:10 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, Mike O'Rourke, Mark Morris, Jack Schwichtenberg, Jack Blackmer also present was Becky Kuball, City Clerk

Absent: John Byers

Motion was made by Blackmer, seconded by Schwichtenberg and carried unanimously to approve the minutes of the August 19, 2010 as printed with corrections.

Report on City Council Action Taken at Last Meeting:

Morris addressed the council and stated that the administrative fine was incorrect. Motion was made to correct the administrative fine schedule. Council will send out letter to Franklin address sighting ordinance violations. Morris relayed the Zoning Boards decision to leave the Farm animal ordinance as is. City Council is going ahead with the public hearing for the Carport ordinance.

Requests to be Heard: None

Public Hearings: None

Unfinished Business:

Zoning Ordinances: There was some discussion whether or not the zoning should allow metal roofs, O'Rourke will get more information for the next meeting.

Violation Letters: None

Expiring permits: Kuball sent out two letters to the parties with expiring permits. Questions were brought up on what is the procedure to assess citations for expiring permits. It was decided that if the project is not finished by the permit expiration then a copy of the permit will be given to the Police Chief along with the letters sent out and have him issue a citation for the expired permit. Discussion was whether or not we can offer an extension for the permit. Board wondered if we should send out another letter that states that to complete the project and new building permit is required and needs to be approved by the board and that they would be required to come to the next zoning meeting in October.

Brakemeier Properties: Brakemeier complied with request for information that was requested. It was decided to table the Riverside Mobile Home Park until the next meeting when Byers is here.

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Motion by Schwichtenberg seconded by Blackmer motion unanimously carries to refund Doyle \$25 for overpayment on permit fee.

New Business:

Motion by Blackmer seconded by O'Rourke motion unanimously carries to approve all permits presented.

Zoning Administrator's report: None

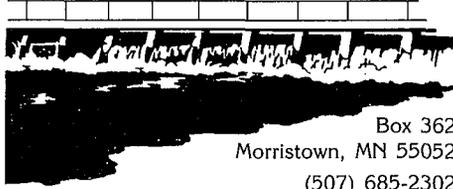
Motion by Blackmer seconded by O'Rourke and carried unanimously to adjourn at 8:40 p.m.

Becky Kuball
City Clerk

City of Morristown

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ZONING BOARD MINUTES Regular Meeting October 21, 2010

The Morristown Zoning Board meeting was called to order on Thursday, September 16, 2010 at 7:10 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, John Byers, Mark Morris, Jack Schwichtenberg, Jack Blackmer also present was Becky Kuball, City Clerk, Nick Thissen and Ramon Medina

Absent: Mike O'Rourke

Motion was made by Blackmer, seconded by Morris and carried unanimously to approve the minutes of the September 16, 2010 as printed.

Report on City Council Action Taken at Last Meeting:

The council did not approve the carport ordinance. They would like the zoning to relook at it some suggestions were to fix the definition of the carport wording.

Requests to be Heard: None

Public Hearings: None

Unfinished Business:

Expiring permits: Nick Thissen addressed the board for his permit he is looking for an extension on his building permit. Thissen is purchasing the home contract for deed. The roof is done; the windows will be in this weekend and is hoping to have the siding on before winter arrives.

Motion by Blackmer seconded by Schwichtenberg motion unanimously carries to grant a 6 month extension from October 1, 2010 for \$75 and waive the fine.

Medina questioned what he needed to do to get a roofing permit. He was instructed to come into city hall and fill out the permit and Kuball would issue him a roofing permit.

Violation Letters: None

Zoning Ordinances: Blackmer brought in a article about variance permits and the Supreme Court decision that overturned the way cities have interpreted rules for the past 20 years, which now severely limits cities' power to grant variances.

Carports: Morris went over the council decision to not approve the carport ordinance as written. Board needs to better define what they are asking for. Morris will work on a new proposed ordinance for the next meeting.

Board suggested that Hagre be invited to the next meeting to discuss his situation.

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Page 2

Brakemeier Properties: Byers ran through the mobile home park and made notes on properties. He will compare them with the ones from a previous year.

New Business: 5 new permits issues for siding, roof and windows

Zoning Administrator's report: Closing out permits for Wendel's 3 season porch, Taylor's house, and the School House Museum

School house needs a siding permit; Morris will talk to the Historical Society about getting one. Byers will have to measure structures in trailer park and will bring more information to the next meeting.

Schwichtenberg informed board that he is retiring at the end of the year. Kuball will advertise for a zoning position as of January 1, 2011

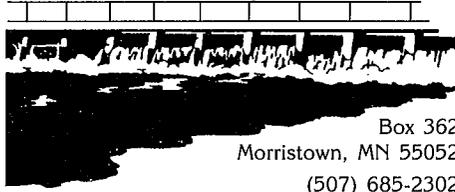
Motion by Schwichtenberg seconded by Blackmer and carried unanimously to adjourn at 8:45 p.m.

Becky Kuball
City Clerk

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ZONING BOARD MINUTES Regular Meeting November 18, 2010

The Morristown Zoning Board meeting was called to order on Thursday, September 16, 2010 at 7:10 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, John Byers, Mark Morris, Jack Schwichtenberg, Mike O'Rourke, Jack Blackmer also present was Becky Kuball, City Clerk, Charlie Moline, Larry Hagre, John Krenik and Kurt Wolf

Absent: None

Motion was made by Blackmer, seconded by Morris and carried unanimously to approve the minutes of the October 21, 2010 as printed.

Report on City Council Action Taken at Last Meeting: None

Requests to be Heard: John Krenik, addressed the board about permission to move the pop machine outside of the fire hall. Pop has been expiring because it is not used quickly enough. After some discussion and looking up the city ordinance 152.205 #5, a motion by Blackmer seconded by Schwichtenberg to allow the fire department to move the pop machine outside of the fire hall.

Charlie Moline addressed the board about an extension on his building permit. He is planning on ordering the siding next week, still have the window, siding and roof yet to finish on the permit. Work has been slow, so income has not been there to finish the project.

Motion by Blackmer seconded by Schwichtenberg to give Moline a one year extension to finish the project motion carries.

Voting Yes: Schwichtenberg, Morris, Lonergan, Blackmer

Voting No: O'Rourke

Hagre 3rd structure: There was discussion on Hagre's 3rd structure, Hagre would like to keep the 3rd structure up and continue to park his camper under it and will go to whatever lengths he has to, to keep it. Hagre asked for some suggestion as to how to keep it covered so that it is not weathered year round. Hagre question if the board would allow him to keep it up this winter and give him time to make some other arrangements and resolve the issue of the 3rd structure Hagre asked for 3-6 months to resolve it. Motion by O'Rourke seconded by Morris motion carries to allow Hagre 6 months to look into and resolve the issue.

Voting Yes: Schwichtenberg, O'Rourke, Morris

Voting No: Lonergan, Blackmer

Zoning Ordinances: Morris looked at the carport ordinance and decided that using the word Carport was not a good idea, Morris came up with a definition that states "principle or accessory building shall not be constructed of temporary material, such as canvas, tarps, plastics etc" looking at putting in chapter 11 performance standards 152.205, should be put into all districts. It was decided to table until January 2011 meeting.

Historical Society permit for school house Morris told Karsten that they needed a permit. The windows are done, and the gentlemen that volunteered all his time and materials is hoping to have them in soon. They are going to replace the siding and the bid was just accepted so hopefully that will be done soon. The 4H club is going to do a retaining wall and landscaping next spring. Karsten did come in for the permit. Karsten would like to have the city waive the permit.

Motion by Morris seconded by Blackmer motion unanimously carries to recommend to the city council to waive the fee for the permit.

Brakemeier Properties: Byers went through the mobile home park and made notes on what is there right now. Donahue went through the park before Byers came on. There are a lot of additions to the park since the last audit. Brakemeier bought in 2000, now the board needs to go through the new audit and see what has been brought in and built since the last audit and cite them with violations on things that do not have permits for. Each of the board members took a section to look at and highlight the changes, O'Rourke pages 1-5, Morris pages 6-10, Byers pages 11-15, Lonergan pages 16-20 and Blackmer pages 21-27, board will compare the changes at the next meeting in January.

New Business:

Permits: one for Ackerman's a window, roof, siding

New zoning member: Kurt Wolf was the only one that came in to apply for the new zoning position.

Motion by Blackmer seconded by Schwichtenberg motion unanimously carries to recommend to the council that they appoint Kurt Wolf as the new zoning board member to start January 2011.

Kuball stated that an attorney called to ask what was required for property splits. Timm's Trucking is looking at doing a split of some of their property. Would need a layout, lot description, what is going to be split. Would need to go through the zoning board and then brought to the council, and recorded with the county. Byers any split with property they need to maintain the 7000 sq feet which is the size of a lot, and have an approved road front.

Zoning Administrator's report: Closing out Geisler's permit. Millers have an expired permit, Byers talked with her and told her it needs to be done by the end of the month or he would be back.

Blackmer commented on the loose tin on the shed at the lumber yard, Lonnie Dahle owns it. Kuball will give him a call and see if he can take a look at it and fix the tin that is loose.

Motion by Schwichtenberg seconded by Blackmer and carried unanimously to adjourn at 9:07 p.m.



Becky Kuball
City Clerk