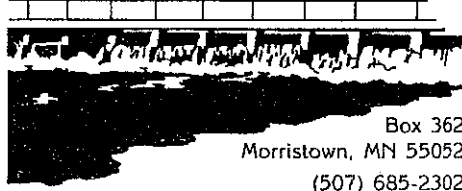


City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

Best Little Town By A "Dam Site"



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MORRISTOWN ZONING BOARD MEETING MINUTES

Regular Meeting 7 p.m.

Thursday, May 18, 2017

The regular meeting of the Morristown Zoning Board was called to order, by Chairman James Lonergan, on Thursday, May 18, 2017 at 7:00 p.m., in the Council Chambers at City Hall, 402 S. Division Street.

Members Present: James Lonergan, Jack Blackmer, Steve Felix, Mark Morris
and Mike O'Rourke

Member Absent: Zoning Administrator John Byers

Also Present: Chuck Larsen, Monty Melchert, Kris Strobel, Kim Halvorson and
City Clerk Sheri Gregor

1. Additions/Corrections to Agenda:

Mike O'Rourke added item B. Contractor Fine to 6. New Business. A motion was made by Mark Morris, second by Jack Blackmer, and carried unanimously to accept the agenda with the one addition under new business.

2. Additions/Corrections to Minutes:

A motion was made by Jack Blackmer, seconded by Steve Felix, and carried unanimously to approve the April 20, 2017 minutes as presented.

3. Report on City Council Action Taken at Last Meeting:

The Council approved Ordinance 2017-3: An Ordinance Amending Section 152.121 of the Morristown City Code (Mini-Storage Facilities in Hwy/Commercial District)

The Council approved to Rezone Meyers 7.09 Acres from Agricultural to Highway Commercial, under the condition an administrative survey is recorded.

The Council requested a letter be sent to inform a resident on the time frame in which a lived in camper could be on their property in the city limits.

4. Requests to be Heard:

*Chuck Larsen, representing the American Legion Post 149, informed the Board of his error, in not applying for the Conditional Use Permit/Public Hearing and applying for and purchasing the zoning (building) permit, prior to construction of the outdoor shelter. Chuck asks the Board to waive or discount the CUP fee for the military/veteran service club.

4. Requests to be Heard: (cont.)

Motion: To waive the permit fee, and reduce the CUP fee to the expenses the City has in the procedure, such as mailing of notifications within 350 feet and the paper advertisement; waiving the Clerk and Zoning Administrator's time. Motion introduced by Mike O'Rourke. Motion not seconded; motion failed.

A motion was made by Mike O'Rourke, seconded by Jack Blackmer, and carried unanimously to waive the permit cost for the American Legion.

A motion was made by Mike O'Rourke, seconded by Mark Morris, to only charge the Legion the actual cost of the mailing of notices and newspaper hearing publishing. In favor were Jim Lonergan and Steve Felix. Opposed by Jack Blackmer. Motion carried.

Motion: To waive both the \$100 administrative fine, for building without a permit, and the \$250 Conditional Use Permit fine. Motion introduced by Mark Morris.

Motion not seconded; motion failed.

A motion was made by Jack Blackmer, seconded by Mike O'Rourke, to waive the conditional use fine, but impose the \$100 fine for lack of permit. In favor was Jim Lonergan. Opposed by Mark Morris and Steve Felix. Motion carried.

Therefore, in regards to the American Legion Post 149 construction of the outdoor shelter, the Zoning Board's recommendation to the City Council is to waive the (\$60) zoning permit fee; waive the \$250 CUP fee, only charging the actual cost for the public hearing notification mailings (paper and stamps) and newspaper publishing; and fine the \$100 administrative fee, for not applying/purchasing a permit before construction.

*Monty Melchert, owner of Archie's Bar, presented a revised drawing for an 8' fence, deck/landing and door for his zoning permit and conditional use permit applications, in the B-2 Business District (Note: Ordinance §152.210 minimum 7' fence). A motion was made by Mike O'Rourke, seconded by Mark Morris, and carried unanimously to recommend to the City Council to carry out the Archie's Bar's conditional use permit.

5. Unfinished Business:

C. A motion was made by Jack Blackmer, seconded by Mark Morris, and carried unanimously to give the owners of 105 1st St NE a 14 day extension to add and submit the setback dimensions on their building drawing and pay the \$228 zoning permit fee; and approving the zoning permit, once the Zoning Administrator approves the setbacks.

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Note: The Clerk will look into if a permit was applied for and approved when the block retaining wall was erected at 26 E. Franklin St.

5. Unfinished Business: (cont.)

- A. Ordinance 2010-4 Section §10.98 will also be presented to violators of the Morristown City Codes, stating the administrative procedure and fines once notified; and no actions and/or resolutions are taken by the violator.
- B. The new ordinance created addressing produce stands, by the Zoning Board and Attorney Mark Rahrck, was critiqued. A motion was made by Jack Blackmer, seconded by Steve Felix, and carried unanimously for Sheri Gregor to make the ordinance changes, then recommend this new ordinance to the City Council.
- D. Letters were sent in regards to violations of Ordinance §152.226 Non-Conforming Building Materials. One property owner plans to replace the structure with a utility shed. The Board request John Byers speak with him if the structure is still there. Mark Morris will speak with another proprietor, allowing his tarped kennel; as long as it isn't used for storage. A motion was made by Jack Blackmer, seconded by Mark Morris, and carried unanimously to issue a second letter, attaching a copy of the administrative procedure and fine ordinance §10.98 and resolution adopting fines, to 306 W. Main St., alerting the owners they have 14 days the remove the structure in violation or a fine will be imposed, first month being \$100.00.
- E. The \$100 administrative fine was paid by the property owner of 307 S. Division St., for not obtaining a zoning permit, after receiving violation notices. A demolition application was then acquired but not returned. The Board request John Byers to contact the owner to alert him that if a permit isn't issued soon, the next administrative fine will be doubled.
- F. The camper trailer owners at 302 1st St N.E. were notified of the time restriction, in accordance to Ordinance §152.206 Travel Trailers, Recreation or Camping Vehicles, and Cabin Violations. The owners have respected the City Code and the camper has been removed.
- G. Critique Specifications and Applications is tabled.
- H. Create new ordinances, on the subject of commercial and residential solar energy development is tabled.
- I. Continuing to redefining ordinances tabled.

6. New Business:

- A. A motion was made by Mark Morris, seconded by Steve Felix, and carried unanimously to send a certified letter, to the property owner of 208 W. Franklin St., containing the two ordinances stating multi structure violations, no permits were obtain, allowing 14 days from date of receiving letter to correct the violations

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- A. (cont.) and contact John Byers, Zoning Administrator.
- B. A discussion was held on should contractors be fined, if they begin work at a property without proof that a zoning permit has been purchased or they obtain the zoning permit. Ultimately it is the property owners responsibility, but in the future this issue may be revisited.

7. Zoning Administrator's Report

Old Issues – 9870 Morristown Blvd obtained two demolition permits (barn and old house) with a June 30th deadline.

*Joe Kidder needs a zoning (building) permit for his structure before he can construct a driveway entrance. Joe also request an address for the 7.09 acres. Once Joe becomes the official owner, he can then request an extension, for the demoltion deadline of June 30th.

*An encroachment agreement will be submitted to the City Council for approval of property abutting public right-of-way at 206 1st St. N.E. on Bloomer St.

Permits Issued:

1. Meschke Const. - Greg Sharfe/Mary Denzer - 206 E. Main St. - Lot 1, Block 14 - Morristown Orig Town - Roof
2. Kip Boese - 103 E. Franklin St. - Lot 9, Block 6 - Morristown Orig Town – Windows

Permits Approved:

1. Lake Country Community Bank - 111 N. Division St. - Lot 1, Block 24 - Adams & Allens - Fence (decorative backdrop form planting shrubs in North lot)


Permits Closed:

1. Andrew Gainor - 302 1st St. N.E. - Lot 3, Block 3 - Morristown OrigTown - Fence
2. Steve Golombeski-203 4 St. S.E -Lot 2, Block 3- Tramel Addition - Egress Window
3. Arnold Schmidtke – 204 W Sidney St. – Lot 1, Block 4 – Meschke South Haven – Window and Siding
4. Brandon Bright - 42 Charlotte St - MHC Lot 42 – Windows/Siding/Roof

*A motion was made by Mike O'Rourke, seconded by Jack Blackmer, and carried unanimously to accept the zoning administrator's report.

*A motion was made by Mike O'Rourke, seconded by Jack Blackmer, and carried unanimously to adjourn. Adjournment was at 9:20 p.m.

* The next regular Zoning Board meeting will be held at 7:00 p.m., on Thursday, June 15, 2017.


Sheri Gregor, City Clerk/Treasurer