

MORRISTOWN ZONING BOARD MEETING MINUTES

Thursday, July 20, 2017 Regular Meeting 7 p.m.

Public Hearings 7:30 p.m., 8:00 p.m. and 8:30 p.m.

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

Member Absent: Steve Felix

Also Present: Loren Dahle, Monty Melchert, Kris Strobel, Joe Caldwell, Joe Kidder,
Randy Timm, Zoning Admin John Byers and City Clerk Sheri Gregor

1. Call To Order:

The regular meeting of the Morristown Zoning Board was called to order, by Chairman Jim Lonergan, on Thursday, July 20, 2017 at 7:00 p.m., in the Council Chambers at City Hall, 402 S. Division Street.

2. Additions/Corrections to Agenda:

Under New Business, B. Timm's Trucking – Storage Building. A motion was made by Mark Morris, seconded by Jack Blackmer, and carried unanimously to accept the July Agenda with the one addition under new business.

3. Additions/Corrections to Minutes:

A motion was made by Mark Morris, seconded by Jack Blackmer, and carried unanimously to approve the minutes from June 15, 2017, as presented.

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

The Zoning Board is to hold a public hearing to accept public opinion on adopting a new ordinance regarding Produce Stands. The City Council took the recommendation of the Zoning Board to not amend the ordinance to allow solar garden within the city limits, at this time. The Appendix B: Notice of Code Violation allows exemption of fine; if violation is corrected within a 14 day time frame. A special City Council meeting will be held Monday, July 24, 2017 to approve public hearing results and recommendations. The Council will evaluate the ordinances regulating the dancing, music, and alcohol at the August meeting.

5. Requests to be Heard:

Joe Caldwell inquired purchasing the lot west of his, could it be rezoned residential. The Zoning Board would absolutely consider it. His plan would be to combine the two lots and build a garage.

5. Requests to be Heard: (cont.)

A motion was made by Mark Morris, seconded by Mike O'Rourke and carried unanimously to approve Joe Kidder's drawings with his application for his zoning permit, along with the hard surfacing of his driveway from Highway 60 extending into his property for 25'.

Chairman Jim Lonergan closed the Zoning Board meeting at 7:30 p.m. and opened the first public hearing to accept public input regarding Monthy Melchert's, owner of Archie's Bar, application for a conditional use permit; to build an outdoor enclosure in the downtown commercial business district. After discussion, Chairman Jim Lonergan closed the public hearing at 7:55 p.m. and reopened the Zoning Board meeting. A motion was made by Mark Morris, seconded by Mike O'Rourke, and carried unanimously to accept the application for a zoning permit for Monty Melchert, at 106 W. Main Street, for a fence, deck and door and also the conditional use permit application to establish an outdoor enclosure, beer garden or patio as an accessory use to a bar, to sell intoxicating or 3.2 liquor. Along with the motion, we recommend to the City Council to look at a stop time of a live band/music at midnight.

Chairman Jim Lonergan closed the Zoning Board meeting at 8:00 p.m. and opened the second public hearing to accept public input regarding adopting a new ordinance regulating produce stands. After discussion, Chairman Jim Lonergan closed the public hearing at 8:10 p.m. and reopened the Zoning Board meeting. A motion was made by Jack Blackmer, seconded by Mike O'Rourke, and carried unanimously to recommend to the City Council to adopt the Produce Stand Ordinance as presented.

6. Unfinished Business:

- A. A motion was made by Jack Blackmer, seconded by Mark Morris, and carried unanimously to extend the existing demolition permit until October 15, 2017, for completion of demolishing the old barn and old house at 9870 Morristown Blvd; to Joe Kidder, new owner of the entire 19.2 acres.
- B. A motion was made by Mike O'Rourke, seconded by Jack Blackmer, and carried unanimously to give the 7.09 acres zoned Hwy Commercial the address of 9868 Morristown Blvd, of the purchased 19.2 acre of 9870 Morristown Blvd; (instead of 700 W. Franklin St.) to coincide with the use of the existing driveway, off Hwy 60.
- C. Solar energy development specifications and amending into an ordinance will possibly be considered at a later date.

7. New Business:

- A. An application and specifications of a produce stand will be created and presented at the next Zoning Board meeting.

Chairman Jim Lonergan closed the regular Zoning Board meeting and opened the third public hearing at 8:30 p.m. to accept public input regarding the American Legion Post 149's application for a conditional use permit; the conditional use for 152:145 G, the establishment of an outdoor enclosure, beer garden, or patio as an accessory use of a bar in the downtown commercial business district. After discussion, Chairman Jim Lonergan closed the public hearing at 8:38 p.m. and reopened the Zoning Board meeting. A motion was made by Mark Morris, seconded by Jack Blackmer, and carried unanimously to accept the zoning permit application and CUP application for the outside usage structure.

- B. Randy Timm, of Timm's Trucking, inquired about being permitted to install storage facilities for their black dirt and sand/salt mixture. The Board will take this request under consideration at their next meeting

8. Zoning Administrator's Report

*Jim Lonergan will contact the owner of 9850 Morristown Blvd, in regards to the Ordinance 152.226 (A/B) non-conforming materials violation letter sent.

*Appendix B: Notice of Code Violation will be sent with the first violation notice letters sent and the Board will determine if a short version should be created to officially administer the fine.

*A third Ordinance 152.226 violation letter will be sent to 306 W. Main St. with the Appendix B administrative fine notice.

*A motion was made by Mark Morris, seconded by Mike O'Rourke, and carried unanimously to accept the zoning permit for 105 1st St. N.E.

*John Byers addressed a privacy fence application, for 107 E. Main St., for the Board's input.

*John Byers reported on his pre-construction inspection for the pole barn at 406 E. Washington St.. It measured out fine.

*No progress at 105 2nd St. S.E.

*Structure taken down at 410 W. Franklin St.

*Send Ordinance 2016-7 §71.05, Ordinance §92.19 and Appendix B violations letter to 201 S. Division St.

Permits Issued:

1. David Thom – 307 S. Division St. – Sec/Twp/Rng 27/109/022 – Outbuilding Demolition (06-13-2017)
2. Brenda Monroe – 105 2nd St. S.E. – Lot 9, Block 15 – Morristown Orig. Town – House Demolition (06-16-2017)
3. Cisco Siding – BevComm – Lot 9, Block 24 – Adams & Allens Addition - Siding
4. Your Home Improvement Company – Marlon Quigggle, Jr. – 24726 Holland Avenue – Windows

Permits Approved:

1. M. Schmidtke Estate – 105 1st St. N.E. – Lot 1, Block 8 – Morristown Orig. Town – Repair, Garage & Addition
2. JK Enterprises, Inc – 9868 Morristown Blvd – 7.09 acres – Section 22/109/022 – 2 – 40' x 140' Mini-Storage Units
3. Archie's Bar – 106 N. Division St. – Lot 4, Block 8 – Morristown Orig. Town – Fence, Deck, Door
4. American Legion Post 149 – 106 W. Main St. – Lot 15, Block 24 – Adams & Allens Addition – Outdoor Shelter

Permits Closed:

None

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

9. Adjournment:

A motion was made by Jack Blackmer, seconded by Mike O'Rourke, and carried unanimously to adjourn. Adjournment was at 9:50 p.m.

The next regular Zoning Board meeting will be held at 7:00 p.m., on Thursday, August 17, 2017.

/s/ Sheri Gregor
Sheri Gregor, City Clerk/Treasurer