

ZONING AND PLANNING MEETING
Public Hearing
January 12, 2009
7:00 P.M.

Roll call: Merritt, Olson, and Cowell

Absent: Beiser and DeMars

Also in attendance: Amber Kniefel and Malcolm Hall

Public hearing called to order by Pat Merritt at 7:00 p.m.

Public Hearing scheduled for the citizens of Medford to voice their concerns and ask questions regarding the rezone of the property located at Block 3, Lot 2, Jones Second Addition. This is a request to rezone the property from R-1 (Residential) to R-2 (Multiple Family).

Amber Kniefel presented a Certificate of Survey received from Malcolm Hall's attorney. Section 4.25 and 4.26 of the City Code outlines the requirements for residential and multi-family zones. A few items for the Zoning Board to consider would be to change the ordinance for the R-1 section to include the zero set back requirement for duplexes, the issue of spot zoning throughout the City, and whether or not it betters the neighborhood to have owners of the property vs. renters.

Malcolm Hall explained that originally, when he purchased the property, he was informed that the property was zoned multi-family. He then designed and built a twin home on the property. One side of the home has been lived in by the same person since it was built; the other side has had renters in and out. Mr. Hall would like to sell each half to different owners. He feels this would benefit the neighborhood by having people live there and own it rather than have renters in and out.

Mr. Cowell would rather change the zoning of this property rather than change the ordinance to allow duplexes to be sold and split off separately.

Mr. Merritt is concerned with spot zoning.

Amber Kniefel received calls concerning the rezone. The property owners were concerned that the building would be taken down and an apartment building would be built in its place if it were zoned R-2. Another concern was if there was ever a fire that took the building down; having the option to build an apartment building. Kniefel explained that apartments are a permitted use in an R-2; however there are other regulations that would also need to be followed.

Motion by Cowell, seconded by Olson to recommend to the City Council to approve the rezone request made by Malcolm Hall to rezone the property to R-2 (Multi-Family). Carried unanimously.

Motion by Olson, seconded by Cowell to adjourn the public hearing at 7:15 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
January 12, 2009
7:15 P.M.

Roll call: Merritt, Olson, and Cowell

Absent: DeMars and Beiser

Also in attendance: Amber Kniefel

Meeting called to order by Pat Merritt at 7:15 p.m.

Minutes from the December 15, 2008 public hearing were read.

Motion by Cowell, seconded by Olson to accept the public hearing minutes as read. Carried unanimously.

Minutes for the December 15, 2008 regular meeting were read.

Motion by Olson, seconded by Cowell to accept the regular meeting minutes as read. Carried unanimously.

Zoning Board needs to elect a chair and vice chair.

Motion by Cowell, seconded by Olson to nominate Pat Merritt for chairperson for the 2009 year. Carried unanimously.

Motion by Olson, seconded by Merritt to nominate Ivan Cowell for vice-chairperson for the 2009 year. Carried unanimously.

Merritt explained to the Zoning Board that all meetings need to last at least 30 minutes for the board members to be paid.

Mayor Thomas has requested of the Zoning Board to put together a fee schedule for violations to the code. Amber Kniefel will compile a list of all the violations for the next zoning meeting.

Mayor Thomas also requested of the Zoning Board to revisit the conditional use permits. Kniefel explained that the active conditional use permits have been completed; she just needs to have each property owner proof read their permit before having them recorded with Steele County.

Zoning Board addressed the inactive conditional use permits. The inactive permits include Pamela Sander, Curt and Cathy Rapp, Andrew and Jessica Miller, and Ann Schmidt.

Motion by Olson, seconded by Cowell to recommend to the City Council to dissolve all inactive conditional use permits. Carried unanimously.

Merritt told the board that the minutes will either be mailed or e-mailed to the board members before the next meeting.

Next regular meeting will be February 11, 2009 due to a holiday on the regular Zoning Board meeting date.

Motion by Olson, seconded by Cowell to adjourn the meeting at 7:54 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
February 4, 2009
7:00 P.M.

Roll call: Merritt, Beiser, DeMars, and Cowell

Absent: Olson

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:00 p.m.

Minutes from the January 12, 2009 public hearing were read.

Motion by DeMars, seconded by Beiser to accept the public hearing minutes as read. Carried unanimously.

Minutes for the January 12, 2009 regular meeting were read.

Motion by Beiser, seconded by Cowell to accept the regular meeting minutes as read. Carried unanimously.

Chairperson Merritt made note that all active and inactive conditional use permits have been taken care of by the Zoning Board and the City Council.

The City Council denied the rezone request of Malcolm Hall to rezone his property from R-1 to R-2. The Council asked the Zoning Board to come up with a way to fix the Land Use. The Council was concerned with spot zoning.

The Zoning Board was not comfortable with changing with the ordinance. There is current spot zoning for R-2 and the Malcolm Hall situation is pre-existing. The City will also need to address the zoning classification for Scenic Heights.

Motion by DeMars, seconded by Beiser to recommend to the City Council to ask the City Attorney to research appropriate verbiage for the Land Use in an R-1 district. Carried Unanimously.

Amber Kniefel will continue to work with the City Attorney on the fine schedule for violations of the Land Use.

Next regular meeting will be March 16, 2009.

Motion by DeMars, seconded by Cowell to adjourn the meeting at 7:33 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
March 17, 2009
7:00 P.M.

Roll call: Merritt, Beiser, DeMars, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:00 p.m.

Minutes from the February 4, 2009 regular meeting were read.

Motion by Beiser, seconded by Olson to accept the regular minutes as read. Carried unanimously.

The City Attorney was not able to get a revised sample of the R-1 and R-2 Ordinances to the Zoning Board. This will be discussed at the next council meeting.

The Zoning Board read a memo from the City Attorney concerning the implementation of administrative penalties for the City Ordinances. Discussion on how many days to be given for a warning notice to comply with an ordinance. DeMars would like to see a 25 day warning period. Merritt, Olson, Cowell, Beiser agree on 15 days.

The Board also agrees that if a property owner chooses to proceed to court to contest a violation, the property owner would need to pay half of the court costs.

Discussion of the fine schedule.

Motion by Beiser, seconded by Olson to recommend to the City Council a \$100 fine for the interference with city water and metering systems. Carried unanimously.

Motion by DeMars, seconded by Beiser to recommend to the City Council for all other violations to be:

1. 1st Notice – write a letter stating the violation and giving 15 days to correct the violation to avoid a \$50 fine.
2. 2nd Notice – after 15 days, the violation is not corrected, send the 2nd notice stating they received a \$50 fine and give 30 days to correct the violation to avoid a \$100 fine.

3. 3rd Notice – after 30 days, the violation is not corrected, send the 3rd notice stating they received a \$100 fine and give another 30 days to correct the violation to avoid a \$200 fine and court prosecution.
4. 4th Notice – after that 30 days, send another letter stating a \$200 fine and the violation will be handled with court prosecution.

Discussion of Wind Energy Conversion Systems. Merritt received an ordinance from Fergus Falls concerning Wind Energy Conversion Systems. The Zoning Board will take more time to review this ordinance and discuss at the next meeting.

Discussion of installing a sign at the entrance of Riverview Drive. There have been issues of people driving down into the cul-de-sac and not being able to maneuver their vehicles around.

Motion by DeMars, seconded by Beiser to recommend to the City Council to have city staff install a sign at the entrance of Riverview Drive stating that it is a dead end or not a through street. Carried unanimously.

Discussion on the township annexation agreements with the city. Zoning Board agrees with the southern border that was drawn on the map.

Motion by Beiser, seconded by DeMars to recommend to the City Council to add an annexation agreement with Deerfield Township and to extend at least to the Lazy-U Trailer Court. In addition, to expand to the north into Walcott Township. Carried unanimously.

Amber Kniefel discussed a question that was brought into City Hall. The owner of the old creamery building was inquiring about moving in a manufactured home onto the property and living in it until he finishes renovating the old creamery building. The Zoning Board would like some time to research what is stated in the ordinances.

Next regular meeting will be April 20, 2009 at 7:00 p.m.

Motion by Cowell, seconded by Olson to adjourn the meeting at 8:12 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Public Hearing
April 20, 2009
7:00 P.M.

Roll call: Merritt, Beiser, DeMars, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel, Lyle Tuttle, Vern Owens, and Shannon Jones

Public Hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the variance request at the property located at 204 4th Ave SW.

Amber Kniefel gave an overview of the variance request to build a deck. Shannon Jones is asking for a variance to the front set back requirement of 5 feet and a second variance to the rear set back requirement of 8 feet 5 inches. Kniefel read comments from Sylvia Lee pertaining to the variance request. Ms. Lee is not opposed to the request as long as the deck extends only to the North and no further East than the East wall of the house. Also, that the deck does not obstruct the easement on the North end of Shannon Jones' property.

Shannon Jones added that the deck will not extend any further to the East or West than the house currently is located.

Statements from the public. Vern Owens in no way opposes the granting of the variances.

Pat Merritt concluded the public hearing.

Motion by DeMars, seconded by Olson to recommend to the City Council to grant both variance requests for a deck on the property located at 204 4th Ave SW. Carried unanimously.

Motion by Beiser, seconded by DeMars to adjourn the public hearing at 7:08 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
April 20, 2009
7:09 P.M.

Roll call: Merritt, Beiser, DeMars, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel and Lyle Tuttle

Regular meeting called to order by Pat Merritt at 7:09 p.m.

Minutes from the March 23, 2009 regular meeting were read.

Motion by Beiser, seconded by Cowell to accept the regular minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

New Business

Lyle Tuttle came to the Zoning Meeting to request signage along 3rd Ave SE and Forest Lane. Increasing numbers of drivers are using Tuttle's private driveway as a short cut to the cul-de-sac on Forest Lane. Tuttle is worried that someone will get hurt because the foot traffic has also increased.

Motion by DeMars, seconded by Cowell to recommend to the City Council to place two dead end signs along the private driveway and on 3rd Ave SE. Carried unanimously.

DeMars added that he would like to see a walking path up through there.

Old Business

Discussion on wind generators. Zoning Board talked about the property size. They would like the ordinance to read that the property size must be large enough that if the wind generator fell down, it would land entirely on the owner's property. The Fall Zone would need to read that the area must be more than the total height of the turbine.

Beiser added that the City could restrict the size in residential zones.

Discussion on the noise and shadows the turbines would make.

Motion by Olson, seconded by Beiser to recommend to the City Council to have the City Attorney draft a Wind Energy Conversion System ordinance based on the Fergus Falls Ordinance and Zoning Board comments. Carried unanimously.

Discussion on the verbiage of the ordinance the City Attorney drafted for R-1 and R-2 districts.

Motion by Cowell, seconded by Olson to recommend to the City Council to adopt the changes to the ordinance as drafted by the City Attorney. Carried unanimously.

Discussion on light industrial districts. Cowell asked about the property located at 106 E Central Ave. and the new signage that was installed. Kniefel stated that the City Hall is working on it.

There possibly may be a meeting called on May 6, 2009 for a public hearing.

Next regular meeting will be May 18, 2009 at 7:00 p.m.

Motion by Olson, seconded by Beiser to adjourn the meeting at 7:58 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Public Hearing
May 18, 2009
7:00 P.M.

Roll call: Merritt, DeMars, Olson, and Cowell

Absent: Beiser

Also in attendance: Amber Kniefel and Jason Underdahl

Public Hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the variance request at the property located at 105 Sunrise Drive. Property owner is Jason and Missy Underdahl.

Amber Kniefel gave an overview of the variance request to build a garage. The unique shape of the lot causes the front half of the garage to be 15 feet from the east property line, but the back half of the garage to be 7 feet from the property line. A 10 foot side setback is required. Jason Underdahl needs a 3 foot variance from the east property line.

Jason Underdahl did not add any comments.

There were no statements from the public.

Pat Merritt concluded the public hearing.

Zoning Board answered the four questions that need to be analyzed when a variance is requested.

1. Is the property owner asking to use the property in a particular reasonable manner?

-Zoning Board consensus was, Yes.

2. Is the plight of the landowner due to circumstances unique to the property?

-Zoning Board consensus was, Yes.

3. Would granting the variance alter the essential character of the neighborhood?

-Zoning Board consensus was, No.

4. Pursuant to the Zoning Ordinance, would granting the variance have a material effect upon the health or safety of persons residing or working in the neighborhood?

-Zoning Board consensus, was, No.

Motion by DeMars, seconded by Cowell to recommend to the City Council to grant the variance request of 3 feet to the east property line for a garage. Carried unanimously.

Motion by Olson, seconded by DeMars to adjourn the public hearing at 7:05 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
May 18, 2009
7:06 P.M.

Roll call: Merritt, DeMars, Olson, and Cowell

Absent: Beiser

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:06 p.m.

Minutes from the April public hearing were read.

Motion by Cowell, seconded by DeMars to accept the public hearing minutes as read. Carried unanimously.

Minutes from the April regular meeting were read.

Motion by Olson, seconded by DeMars to accept the April regular meeting minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

Old Business

Cowell asked about the sign to be installed on Riverview Drive. Kniefel informed the Zoning Board that there are about 5 signs that the public works staff are working on getting installed.

New Business

Kniefel is putting a "Notice to Residents" article in the Kent paper. Merritt requested it to be put in the CAST also. The City Administrator needs to approve the article before being sent out.

Discussion on three main properties in town that have been the focus of many complaints due to junk and unsightly debris everywhere. Kniefel explained that the Administrative Fine Ordinance goes up for a second reading at the May 20, 2009 regular council meeting. If approved, the ordinance will then be published and then the letters can go out.

There will be a public hearing starting the next zoning board meeting on June 15, 2009.

Next regular meeting will be June 15, 2009 at 7:00 p.m.

Motion by Cowell, seconded by Olson to adjourn the meeting at 7:34 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING

Public Hearing

June 15, 2009

7:00 P.M.

Roll call: Merritt, DeMars, Beiser, and Cowell

Absent: Olson

Also in attendance: Amber Kniefel and Chris Sierakowski

Public Hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the conditional use permit request and lot split request at the property located at Block 3, Lot 2, Jones Second Addition. Property owner is Malcolm Hall.

Amber Kniefel gave an overview of the history involved with this conditional use permit request and the lot split request. Mr. Hall first started this process in December 2008. He began with a rezone request that he needed in order to do the lot split due to City Code regulations. The council denied the rezone request. The City then went into the changing of the verbiage of the R-1/R-2 districts requiring the property to get a conditional use permit in order to split the lot.

Malcolm Hall was not present at the public hearing.

There were no statements from the public.

Pat Merritt concluded the public hearing.

Zoning Board answered the questions that need to be analyzed when a conditional use permit is requested.

Consensus of the Zoning Board is that this request will not create an excessive burden on existing parks, schools, streets, or other public facilities. The use is sufficiently compatible with the land. The structure will not have an appearance that will have an adverse effect upon adjacent properties. The use is consistent with the purposes of the ordinances. The use is not in conflict with the Comprehensive Plan. The use will not cause a traffic hazard or congestion.

The Zoning Board had a discussion on the question involving the use being reasonably related to the overall needs of the City and to the existing land use. There were questions concerning the issuance of a conditional use permit. Kniefel explained the new verbiage and the requirement the attorney wrote in about splitting the lot and the need for a conditional use permit.

Motion by Cowell, seconded by DeMars to recommend to the City Council to grant the conditional use permit for the property located at Block 3, Lot 2, Jones Second Addition. Yes: 3, Nay: 1. Carried.

The reason for the nay is that the process is not consistent with all properties in town.

Discussion of the lot split request.

Motion by Cowell, seconded by Beiser to recommend to the City Council to approve the lot split request. Carried.

Motion by Beiser, seconded by DeMars to adjourn the public hearing at 7:20 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
June 15, 2009
7:20 P.M.

Roll call: Merritt, DeMars, Beiser, and Cowell

Absent: Olson

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:20 p.m.

Motion by Beiser, seconded by Cowell to approve the agenda. Carried

Minutes from the May public hearing and regular meeting were read.

Motion by Cowell, seconded by Beiser to accept the public hearing and regular meeting minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

Old Business

Mark Rahrck, City Attorney, will be getting the Zoning Board a draft copy of the Energy Conversion System Ordinance for the next Zoning Board meeting.

New Business

Discussion on the regulations for tarp structures. Kniefel said she would call the building inspector and ask them how to handle these structures.

Kniefel informed the board that there will be a section added to the sign ordinance to regulate city celebration signs.

The board discussed the changing of the code to regulate the number of readings needed for changes to ordinances.

Motion by Beiser, seconded by Cowell to recommend to the City Council not to change the code and leave the two reading requirement in there. Carried

Next regular meeting will be July 20, 2009 at 7:00 p.m.

Motion by Beiser, seconded by DeMars to adjourn the meeting at 7:50 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
July 20, 2009
7:00 P.M.

Roll call: Merritt, DeMars, Beiser, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:00 p.m.

Motion by Cowell, seconded by Beiser to approve the agenda. Carried

Minutes from the June public hearing and regular meeting were read.

Motion by Olson, seconded by Cowell to accept the public hearing minutes as read. Carried unanimously.

Motion by Cowell, seconded by Beiser to accept the regular meeting minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting. Kniefel updated the Zoning Board on the discussion with the Steele County Building Inspector involving tarp structures.

No concerns from the public.

Old Business

Mark Rahrck, City Attorney, will be getting the Zoning Board a draft copy of the Energy Conversion System Ordinance for the next Zoning Board meeting.

New Business

None.

Additional concerns from zoning board members.

Merritt has a concern with Chapter 4, Section 4.03, Subd. 1 of the City of Medford Code. He is concerned with the sentence that states, "A conforming portion of a structure may be expanded

provided that the expansion is in conformity with the provisions of this Land Use Ordinance.” This means that if a building is too close to a property line, not in conformance with the ordinance, a property owner can add on to the building so long as the addition is in conformance to the ordinance.

Zoning Board discussion: DeMars agrees with being able to add on to a non-compliant structure as long as the new addition is in conformance; Olson says that we should not allow an addition to a non-conforming structure; Cowell agrees with the way the ordinance is written and we should allow new additions; Beiser agrees with the ordinance

Consensus of the Zoning Board is to leave the ordinance the way it is written.

Olson asked about the process of enforcing the ordinances. Kniefel explained that Bill Goldy, the City Administrator, will be handling most of the Land Use enforcement.

Cowell asked if the signs have been placed at Riverview Drive. Kniefel said she thought they had been installed.

Next regular meeting will be August 17, 2009 at 7:00 p.m.

Motion by Beiser, seconded by Cowell to adjourn the meeting at 7:25 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Public Hearing
August 12, 2009
6:00 P.M.

Roll call: Merritt, DeMars, Beiser, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel, Don and Sandy Dagne, Darren and Melanie Hagen

Public hearing called to order by Pat Merritt at 6:00 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the rezone request at the property located at 106 E Central Ave. The property owners are Darren and Melanie Hagen.

Staff Presentation – Amber Kniefel stated that the rezone request of the property is from I-1 to C-2.

Applicant’s Presentation – None.

Statements from the Public – None.

The Zoning Board concluded the public hearing.

Zoning Board discussion. – Olson asked the Hagen’s about the future and the possibility of needing the property zoned back to industrial. The Hagen’s stated that they know there are no guarantees, but the council gave them optimism that if they found a buyer/leaser for the building and the need was for the property to be industrial again, the council would not impede on that request.

Motion by DeMars, seconded by Cowell to recommend to the City Council to approve the rezone request from I-1 to C-2 of the property located at 106 E Central Ave. Carried

Merritt stated that the Zoning Board is only a recommendation board and the council has the final vote on this request. Merritt also advised the Hagen’s that the council may have given the wrong impression that rezoning the property back to industrial is a guarantee. There are no guarantees.

Hagen understands there are no guarantees.

Motion by Cowell, seconded by Beiser to adjourn the meeting at 6:10 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
August 17, 2009
7:00 P.M.

Roll call: Merritt, DeMars, Beiser, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:00 p.m.

Motion by Cowell, seconded by Olson to approve the agenda. Carried

Minutes from the July regular meeting were read.

Motion by Cowell, seconded by Beiser to accept the minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

No concerns from the public.

Beiser asked if the council approved the rezone request given by the Hagen’s. Merritt answered that, yes, the council approved the request.

Old Business

Mark Rahrick, City Attorney, will be getting the Zoning Board a draft copy of the Energy Conversion System Ordinance for the next Zoning Board meeting.

New Business

Discussion on the verbiage of the code referring to the calculation of square footage for buildings. The code states “square feet of total floor area”. After a lengthy discussion on how to calculate square footage, the Zoning Board has determined a change is needed.

Motion by DeMars, seconded by Beiser to recommend to the City Council to change the verbiage in the entire code where it relates to floor area to “nor exceed 1,000 square feet of exterior foundation dimension.” Carried unanimously.

Additional concerns from zoning board members.

Merritt informed the Zoning Board that when they notice a violation to the Code, they are to make a list to give to the City Administrator stating the address and the violation.

Next regular meeting will be September 21, 2009 at 7:00 p.m.

Motion by Olson, seconded by Beiser to adjourn the meeting at 7:24 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING

Public Hearing

September 21, 2009

7:00 P.M.

Roll call: Merritt, DeMars, Beiser, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel, Sue Haugen, Gene Luedtke, Carol Caron, Paul Wencl, Randy Sobrack, and Deb Tenold

Public hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the property located at Outlot A, Wencl Old School Addition. The property owner is Paul Wencl.

Staff Presentation – Carol Caron, City Engineer, presented the preliminary and final plat for the property. The plat outlines three main areas. The area the City is purchasing, three residential lots and an open lot referred to as Outlot A. The three platted residential lots will all be facing west towards the future 3rd Street.

Merritt asked a question about the location of curb and gutter along the new 3rd Street and Central. Zoning Board would like the council to discuss curb and gutter and address the issue in the Phase 2 Developer's Agreement.

Applicant's Presentation – None.

Statements from the Public – None.

The Zoning Board concluded the public hearing.

Zoning Board discussion. – No further discussion

Motion by Beiser, seconded by Olson to recommend to the City Council to approve the preliminary and final plat for Phase 2 of Wencil Old School Addition. Carried

Motion by Cowell, seconded by Beiser to adjourn the public hearing at 7:17 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
September 21, 2009
7:18 P.M.

Roll call: Merritt, DeMars, Beiser, Olson, and Cowell

Absent: None

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:18 p.m.

Motion by Cowell, seconded by Olson to approve the agenda. Carried

Minutes from the August public hearing and regular meeting were read.

Motion by Beiser, seconded by Cowell to accept the public hearing minutes as read. Carried unanimously.

Motion by Olson, seconded by Cowell to accept the regular meeting minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

No concerns from the public.

Old Business

Code Enforcement – Merritt addressed the board concerning code enforcement. He explained that Bill Goldy has a process to enforce the code street by street and ensure every property owner is treated fairly. No lists are needed from the zoning board.

Wind Energy Conversion Systems – Discussion of the proposed ordinance. Areas of discussion were:

-Pg. 2 – the definition of fall zone

-Pg. 5 – “person of suitable expertise or experience”

-Pg. 6 – need a definition for institutional properties

-Pg. 7 – paragraph addressing complaint resolution – the city should also be involved

Motion by Beiser, seconded by Cowell to recommend to the city council to adopt the Wind Energy Conversion Systems ordinance pending further information on the above listed topics. Carried

Amendment to the R-1 and R-2 Sections of the Code. Kniefel explained the amendment to change the term “floor area” to “exterior foundation dimension”.

Motion by Olson, seconded by Beiser to recommend to the city council to accept the changes to the R-1 and R-2 sections of the code as presented. Carried

New Business

Sign Ordinance Section 4.84 – Discussion of the amendments presented.

DeMars is concerned with amendment number 3 that states “Each sign shall require a separate application and permit.”

Consensus of the zoning board is to leave this verbiage in the proposed ordinance.

Motion by Cowell, seconded by Olson to recommend to the city council to adopt the amendments to the sign ordinance section 4.84 of the Medford City Code as presented. Carried.

Amendment to the Subdivision and Platting Ordinance – the subdivision and platting ordinance has the incorrect minimum lot size listed. Kniefel presented information to change the minimum lot size to 75 X 120.

Motion by Beiser, seconded by Cowell to recommend to the city council to adopt the amendment to the subdivision and platting ordinance section 4.50. Carried.

Additional concerns from zoning board members.

Merritt spoke to the board about 4 wheelers in town. He spoke with a deputy and was told that 4 wheelers are not allowed on public streets.

The zoning board would like to recommend to the city council to have city hall staff put a notice in the CAST involving regulations of 4 wheelers. Carried.

Next regular meeting will be October 19, 2009 at 7:00 p.m.

Motion by Olson, seconded by Cowell to adjourn the meeting at 8:05 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
October 19, 2009
7:00 P.M.

Roll call: Merritt, DeMars, and Cowell

Absent: Beiser and Olson

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:03 p.m.

Motion by Cowell, seconded by DeMars to approve the agenda. Carried

Minutes from the September public hearing and regular meeting were read.

Motion by Cowell, seconded by DeMars to accept the public hearing minutes as read. Carried unanimously.

Motion by DeMars seconded by Cowell to accept the regular meeting minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

No concerns from the public.

Old Business

Wind Energy Conversion Systems – Zoning Board did not get an updated draft from the City Attorney. Will discuss at next month’s meeting.

Cowell and Merritt had a concern with the curb and gutter at the 3rd Street project. During the public hearing for the approval of the plats, the zoning board wanted to make sure that the south corner lot had curb and gutter along Central Ave running east. Kniefel spoke with Carol Caron and she said the curb and gutter requirement was added to the developer’s agreement for the second phase of the Wencil Old School Addition.

New Business

The Zoning Board felt the “Notice to Residents” postcard was an excellent communication tool.

Additional concerns from zoning board members.

None.

Next regular meeting will be November 16, 2009 at 7:00 p.m.

Motion by Cowell, seconded by DeMars to adjourn the meeting at 7:20 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
November 16, 2009
7:00 P.M.

Roll call: Merritt, Cowell, and Olson

Absent: Beiser and DeMars

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:02 p.m.

Motion by Cowell, seconded by Olson to approve the agenda as amended. Carried

Minutes from the October regular meeting were read.

Motion by Cowell, seconded by Olson to accept the regular meeting minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

No concerns from the public.

Wayne Maas spoke with the Zoning Board about acquiring a special use permit to move a house into city limits. It would be located on the lot that Wayne Maas split last year facing 3rd St SW. Merritt asked why Maas does not build new. Maas responded, that in these economic times, to make the house more affordable to a first time home buyer, moving this house in, makes the most sense.

Motion by Cowell, seconded Olson to recommend to the city council to grant a special use moving permit subject to all the requirements of the ordinance. Carried.

Old Business

Wind Energy Conversion Systems – Merritt gave an overview of the changes made by the attorney.

Motion by Olson, seconded by Cowell to recommend to the city council to approve and adopt the Wind Energy Systems Ordinance. Carried.

New Business

Liquor License Amendment – Kniefel presented a possible option to change the liquor license ordinance. The current ordinance states that an establishment holding a liquor license must be at least 300 feet from any church or school. City Hall was informed of a possible idea by a business owner to establish a restaurant on Main Street. This establishment would be interested in a full liquor license. The number of feet between the possible restaurant and the church is not enough according to the ordinance.

Motion by Olson, seconded by Cowell to recommend to the city council to review the ordinance and research a possible change to the 300 feet requirement. Yes: Olson and Cowell Nay: Merritt. Carried.

Additional concerns from zoning board members.

None.

Next regular meeting will be December 14, 2009 at 7:00 p.m.

Motion by Cowell, seconded by Olson to adjourn the meeting at 7:46 p.m. Carried.

ZONING AND PLANNING MEETING
Public Hearing
December 14, 2009
7:00 P.M.

Roll call: Merritt, Cowell, Beiser, DeMars, and Olson

Absent: None.

Also in attendance: Amber Kniefel

Public hearing called to order by Pat Merritt at 7:02 p.m.

The Planning and Zoning Board of the City of Medford is holding a public hearing for an amendment to the City Code incorporating a Wind Energy Conversion System Ordinance. The public hearing gives the citizens of Medford the opportunity to voice their concerns and/or ask questions regarding the City Code amendment.

No citizens were in attendance.

The Planning and Zoning Board discussed the ordinance and the changes that were reviewed at the last zoning meeting.

Motion by Beiser, seconded by Olson to recommend to the City Council to approve and adopt the Wind Energy Conversion System ordinance along with the changes to the Land Use as needed. Carried

Motion by Cowell, seconded by Olson to adjourn the public hearing at 7:15 PM. Carried

ZONING AND PLANNING MEETING
Regular Meeting
December 14, 2009
7:15 P.M.

Roll call: Merritt, Cowell, Beiser, DeMars, and Olson

Absent: None.

Also in attendance: Amber Kniefel and Jeff Karow

Regular meeting called to order by Pat Merritt at 7:15 p.m.

Motion by Cowell, seconded by Beiser to approve the agenda as presented. Carried

Minutes from the November regular meeting were read.

Motion by Beiser, seconded by Olson to accept the regular meeting minutes as read. Carried unanimously.

Merritt updated the Zoning Board on the decisions made at the last council meeting.

No concerns from the public.

Old Business

Liquor License Code Amendment. The City Council asked the Zoning Board to revisit the discussion on the 300 foot requirement separating a liquor license for any church or school. Merritt gathered written statements from the three churches in town regarding their opinion on the minimum of 300 feet between a liquor license and a church and/or school.

Trinity Lutheran Church agrees with the 300 foot requirement and does not want the distance to be decreased.

Christ the King Catholic Church does not object to granting a liquor license closer than 300 feet to a church.

Medford United Church of Christ asked that the City be cautious and thorough when granting a liquor license while thinking about economic growth.

Motion by Beiser, seconded by Cowell to recommend to the City Council to add verbiage to the current liquor license ordinances to read that the measurement goes from property line to property line. Carried unanimously.

Kniefel presented maps showing approximate measurements between churches and a variety of establishments around town.

DeMars stated his concerns about leaving the ordinance at 300 feet. He feels if it is left the same, the City is diminishing chances for growth along Main Street.

Motion by Olson, seconded by Cowell to recommend to the City Council to amend the ordinance from 300 feet to 250 feet measured property line to property line. Yes: Cowell, Olson, DeMars
Nay: Merritt and Beiser Motion Carried.

Discussion on the 300 foot requirement in regards to schools. Merritt stated that he and the Mayor would like to see a 700 foot distance between a liquor license and the school property line.

Cowell asked what would happen if an establishment with a liquor license was built outside city limits. Then further in the future, the establishment petitioned to be annexed. What would happen with the liquor license if the footage requirement was not being met?

Zoning Board is asking for more information before making a recommendation in regards to the school property.

Discussion on adding any other establishments that would need to be separated from an establishment that holds a liquor license.

Zoning Board consensus was to not add any other establishments, just keep the requirement for churches and schools.

Jeff Karow asked the Zoning Board if an application for a full liquor license would require a public hearing before an answer would be given. City attorney would need to answer this.

Additional concerns from zoning board members.

None.

Next regular meeting will be January 11, 2009 at 7:00 p.m.

Motion by Olson, seconded by Beiser to adjourn the meeting at 7:46 p.m. Carried.