

**TOWN OF ATHENS
ISANTI COUNTY, MINNESOTA**

ORDINANCE NO. 2023- 4

**AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM
ON THE ACCEPTANCE OF APPLICATIONS FOR, OR
THE ISSUANCE OF ANY TOWN PERMITS FOR INTERIUM USES, LAND SPLITS,
OR CHANGES TO PLATTED SUBDIVISIONS AND SMALL ACREAGE
RESIDENTIAL TYPE NEIGHBORHOODS.**

WHEREAS, the Town of Athens hereby adopts this ordinance to allow the Town adequate time to study and consider appropriate land use controls regulating uses on land in the Agriculture/Residential District specifically in platted subdivisions and smaller acreage residential neighborhoods; and

WHEREAS, the Town of Athens is presently conducting a study for the purpose of considering amendment of its official controls regarding appropriate uses in zoning districts; and

WHEREAS, such study is needed so the Town can review its official controls, including its zoning regulations, to identify the potential issues and impacts of interim use permits, land splits or parcel combinations in platted subdivisions and small acreage residential areas located in agricultural/residential districts, and to clarify said regulations relating to these areas to keep them residential in character; and

WHEREAS, the Athens Board Supervisors have directed the Planning Commission to conduct research and review the zoning ordinance as its relates to residential subdivisions in the agricultural/rural district; and

WHEREAS, there is a need for an interim ordinance to be adopted for the purpose of protecting the planning process and the health, safety, and welfare of the citizens of the Town of Athens until such a study has been completed.

NOW, THEREFORE, the Town Board of Supervisors of the Town of Athens, Minnesota ordains:

1. Pursuant to Minn. Stat. § 462.355, *et seq.*, the Town hereby adopts and approves the order for interim ordinance temporarily prohibiting the Town from accepting any application, or issuing any Town permit, for interim uses or land changes, or any related

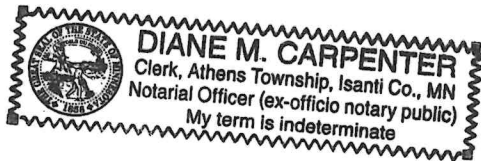
or similar activity, as a use within the Agricultural/Residential District of the Town of Athens.

2. This ordinance shall take effect and be in full force from and after its passage and publication. It shall remain in effect until the adoption of the official controls contemplated herein or May 1, 2024, whichever occurs first, after which occurrence this ordinance shall lapse, unless properly extended pursuant to state law.
3. In cases of hardship, any person aggrieved by the requirements of this Ordinance may apply to the Town Board for a waiver of the provisions of this interim ordinance. A waiver may be granted where the Town Board finds substantial hardship caused by the restrictions of this ordinance and finds the waiver will not unduly affect the integrity of the planning process or the purposes for which the interim ordinance is enacted.

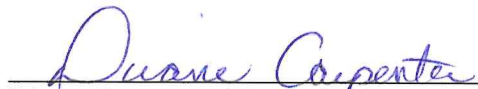
Enacted by the Board of Supervisors of the Town of Athens this 1st day of May 2023.

TOWN OF ATHENS


David Henderson, Chairperson
Town Board of Supervisors



Attest:


Diane Carpenter, Town Clerk

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Micael Jungbauer Zoning Administrator, Town of Athens