

## Billings County Zoning Meeting September 19, 2013

**Members present:** Connie Kasian, Cathy Cerkoney, Joe Kessel, John Tczap, Anita Kessel, Paul Krush, and Karen Putnam.

**Others present:** Albert Kessel, Doug Paluck, Elizabeth Ebert, Darrel Snyder, Terry Metzger, Hugh Hlebechuk, Stacey Swanson, Ed Cerkoney, Jeremy Wood, and Dennis Beamis.

The meeting was called to order by John Tczap at 1:00pm.

Anita Kessel moved to approve the minutes from the August 15, 2013 regular zoning meeting. Krush seconded. All voted aye.

Hugh Hlebechuk: Application for a conditional use permit to mine sand & rock in the NESW 9-141-100. Property is zoned agricultural and owned by Edwin & Catherine Cerkoney. Approach permit was approved by commission. Joe Kessel moved to approve the conditional use permit. Krush seconded. All voted aye.

Rick Duval, dba Westdak Homes, LLC: Application to place a modular home on Lot 11, Block 3, Frank's Creek Subdivision 22-141-99 (2733 Green River Dr). Property is zoned residential and owned by ADB Development, LLC. An amended application was filled out to change to Lot 7, Block 1 (2720 Green River Dr). The lot size is the same as original application. Sewer & water have been approved by Southwest District Health. Terry Metzger was present to answer questions. Site plans show water towards street side and sewer on back side of the lot. Anita Kessel moved to approve. Krush seconded. All voted aye.

Darrell Snyder: Application for a minor subdivision in the S1/2NE1/4 22-140-100, adjacent to 134<sup>th</sup> Ave SW. The minor subdivision will create 2 tracts approximately 5.84 acres each. Request to rezone the proposed tracts from agricultural to residential. Darrel was present and submitted the surveys to the zoning director. Discussion ensued regarding the access to the west lot. Darrel has met with road superintendent, Jeff Iverson for approval on an approach off of 134<sup>th</sup>. He marked on the survey an approach that Jeff stated would work with a private road to the back lot. Discussion ensued regarding road size and the requirement to build to county specifications. Anita Kessel moved to approve rezoning of parcel 2 & 3 to residential. Krush seconded. All voted aye.

Darrell Snyder: Application for a minor subdivision in the SW1/4 24-140-100, adjacent to 133<sup>rd</sup> Ave SW. Tract will be approximately 5 acres. Request to rezone the proposed tract from agricultural to commercial. There is Southwest water and electric running through the property. Darrel will work with road superintendent Jeff Iverson on the approach. Anita Kessel moved to approve the rezone of parcel 3 to commercial. Krush seconded. All voted aye.

Doug Paluck: Application to rezone approximately 7 acres in the NW1/4NW1/4 23-141-99, adjacent to Hwy 85. Request to rezone the proposed tract from agricultural to industrial and allow truck parking. Discussion ensued regarding concerns from last meeting. Doug Paluck was present with Attorney, Elizabeth Ebert to answer questions. Discussion ensued regarding the number of empty trucks, which will be 15-17 with 7-8 out in the morning and 7-8 out in the evening and the trucks will not be serviced at the property. Anita moved to rezone. Krush seconded. All voted aye. Discussion ensued regarding an amendment to add a variance for the lot width. The property area is large enough at 7 acres with the ordinance requiring 2 acres, but the width required in the zoning ordinance must be 1250 feet and the property has 500 feet. Cerkoney moved to approve the amended application with the variance. Kasian seconded. All voted aye.

Gerald Grosulak: Preliminary plat review of Saddle Butte Subdivision which divides approximately 83.7 acres of land in the NE1/4 34-141-99. The subdivision is located west of Hwy 85, along 29<sup>th</sup> St SW and contains 16 residential lots ranging in size from 5.0 acres to 7.3 acres. Concerns from last meeting were discussed. The preliminary plat was turned in. Jeremy Wood from Northern Plains Engineering was present to discuss the plat with the board and to get input and come back at the next meeting. The board tabled a decision until the October 17, 2013 meeting.

Joe Kessel left the meeting at 3:00pm.

Stacey Swanson reviewed zoning regulations pertaining to supplemental design standards and noxious and invasive weed control with the board and discussed a recommendation for amending the Billings County Zoning Ordinance.

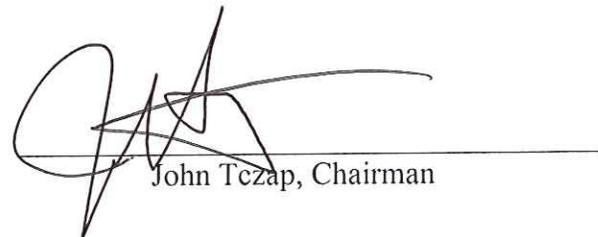
Krush left the meeting at 3:14pm.

Discussion ensued regarding potential zoning violations.

With there being no further business, Anita Kessel moved to adjourn at 3:25P.M. Putnam seconded. All voted aye.



Marcia Lamb, Secretary



John Tczap, Chairman