

## Billings County Planning and Zoning Committee

September 2, 2010

2:00 P.M.

Members present: Joe LaDuke, Anita Kessel, Connie Kasian, Paul Krush, Cathy Cerkoney. Members absent: Jim Arthaud, John Tczap

Others present: Bob Procive; Ben Procive; John Wurzer; Debra Bell; Martha Namyniuk; Ludwig Buresh; Rodney Kadrmas; Dave Jurgens; Jay Brovold; Don Clark; Ross Peak; Bruce Chappell

Chairman LaDuke called the meeting to order. Paul Krush moved to approve the minutes of the June 15, 2010 meeting. Cathy Cerkoney seconded. All voted aye.

Billings County Rural Fire District submitted an application to add a 100 foot radio tower to the SW corner of the existing fire hall in Fryburg. Anita Kessel moved to approve the tower. Paul Krush seconded. All voted aye.

The board reviewed an application from Ben Procive to place a single wide mobile home and garage on lots 7-10, Block 3 section 9-139-100 of the Fryburg Original Townsite. They are also requesting the front setback to 25' and the side setback to 15'. Connie Kasian moved to approve the construction and setback request. Cathy Cerkoney seconded. All voted aye.

Bridger Pipeline LLC requested 15 acres in NE1/4 16-141-98 be rezoned from agricultural to industrial. They also submitted an application to construct a 48' x 98' crude oil storage tank on the 15 acres. Ludwig Buresh questioned the survey, and wondered if the 15 acres extended onto his land. Anita Kessel moved to approve the request. Paul Krush seconded. All voted aye.

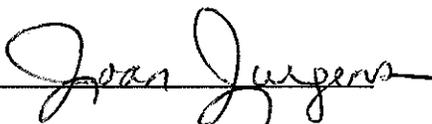
Allan and Lori Marx submitted an application to construct a garage next to their existing residence on NW1/4NW1/4 15-143-99. This application was approved when their home construction application was approved. The application for the garage was to let the zoning board know they were proceeding with the garage construction.

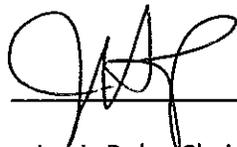
John Wurzer was present concerning the expiration of his temporary use permit that allowed him to have horses on a 2 acre tract of land zoned residential. The temporary use permit expired on May 13, 2010, and there have been additional complaints about the issue. In March 2010 Mr. Wurzer agreed to lease additional land from Rodney Kadrmas for the horses before the temporary use permit expired. Mr. Wurzer stated that he did lease an additional ½ acre for a drylot feedlot and the horses are there most of the time. He stated that they do bring them in to graze the grass around the trailer occasionally. If that is a problem they can keep the horses on the drylot, but requested to be allowed to bring them into the round pen for training.

Another issue is that there are two RV's parked on the 2 acres Mr. Wurzer purchased, and according to Billings County Zoning for Residential Districts only one may be temporarily used as a residence on the lot while a dwelling is being constructed thereon, but such excluded use shall not be continued for more than

one year. Mr. Wurzer stated that they are remodeling the mobile home and living in the R.V's during the remodel project. They expect the remodel to be done by June 2011. Cathy Cerkoney moved to approve a variance for the additional RV until June 1, 2011. Paul Krush seconded. All voted aye.

With there being no further business Paul Krush moved to adjourn at 2:30 P.M. Connie Kasian seconded. All voted aye.

  
Joan Jurgens, Secretary

  
~~Joe LaDuke, Chairman~~  
John Tozap, Vice Chairman