



## Yellowstone County Zoning Commission Minutes for the Meeting of Monday, March 14, 2011

**The County Zoning Commission met on Monday, March 14, 2011 in the Large Conference Room on the 4<sup>th</sup> floor of the Parmly Library, 510 North Broadway.**

**Oscar Heinrich, Chairman**, called the meeting to order at 4:00 p.m.

Commissioners and Staff		01/11/10	02/08/10	03/08/10	04/12/10	05/10/10	06/14/10	07/12/10	08/09/10	03/14/11				
Oscar Heinrich	Chairman	1	Canceled	1	Canceled	Canceled	Canceled	1	1	1				
Jerome Musselman	Vice-Chairman	1		1				1	1	-				
Al Littler	Commissioner	1		1				1	1					
Joan Hurdle	Commissioner	1		1				1	1					
Dennis Cook	Commissioner	1		1				1	1					
Nicole Cromwell	Planner II/ Zoning Coordinator	1		1				1	1					
Wyeth Friday	Planner II	-		-				-	-					
Juliet Spalding	Planner II	-		-				-	-					
Lora Mattox	Planner II	-		-				-	-					
Tamara Deines	Planning Clerk	1		1				1	1					

Chairman Heinrich introduced the County Zoning Commission members and staff in attendance:  
 Nicole Cromwell, Planner II/Zoning Coordinator  
 Tammy Deines, Planning Clerk

**Announcements:**

- ❖ There is one opening for Yellowstone County Board of Adjustment seat.
- ❖ The next meeting, if necessary, will be held on Monday, April 11, 2011.
- ❖ The members of the Yellowstone County Zoning Commission express their sympathies for the family with the loss of former Commissioner Jerome Musselman and their gratitude for his service on this Commission.

**Disclosure of Conflict of Interest:**

There was no one on the Commission wishing to disclose any conflict to interest.

### **Disclosure of Outside Communication**

There was no one on the Commission wishing to disclose any outside communication. Commissioner Cook stated that he lives in this neighborhood but is not in the notification area.

### **Minutes of August 9, 2010**

Chairman Heinrich called for the approval of the August 9, 2010 meeting minutes.

There were no other comments or corrections.

### **Motion**

With a unanimous voice vote the minutes of August 9, 2010 were approved as submitted.

### **Public Hearings:**

Chairman Heinrich reviewed the rules for the procedure by which the public hearings will be conducted. He said the applications heard at this meeting would be forwarded to the Board of County Commissioners on Tuesday, March 22, 2011, in the Board of County Commissioners Board Room 403A in the Yellowstone County Courthouse.

**Item #1: County Zone Change #626 – 1817 Dover Road** – A zone change request from Agriculture-Open Space (A-1) to Agriculture Suburban (A-S) on Tract 2 C/S 925 a 24+/- acre parcel of land. Tax ID: D04918; Larry Kaufman, owner and Doug Strand, P.E., Treasure State Engineering, PLLC, agent.

### **REQUEST**

The applicant is requesting a zone change from Agricultural-Open (A-1) to Agricultural-Suburban (A-S) zoning on a 24-acre parcel of land described as Tract 2, Certificate of Survey 925, within the Southwest ¼ of Section 1, T1N, R26E. The property is located on the north side of Dover Road near the intersection with Bitterroot Drive. The Planning staff is forwarding a recommendation of approval for this zone change application.

Ms. Cromwell opened with a PowerPoint presentation.

### **Discussion**

Chairman Heinrich called for discussion. In response to a question by Joan Hurdle, Doug Strand stated the nearest water is less than a half mile away but at this point they are planning on individual wells for these properties with proposed 1-acre lots. Dennis Cook noted there are .5 acre lots to the north of this property. Nicole Cromwell commented the lot sizes may depend on DEQ approval. Al Littler asked about the location of the nearest fire hydrant and Doug Strand said the nearest hydrant is located near Redwing Circle. Joan Hurdle inquired about the significance of this property being located well outside the limits of annexation. Nicole Cromwell explained should this property be annexed, a more dense zoning may be proposed in order to accommodate the higher density needed to efficiently use City services. Dennis Cook pointed out the Bitterroot Heights Subdivision, Whitetail Subdivision and Quarter Horse Acres are within the City. Nicole Cromwell commented this may have to do with the geography of the area. She pointed out development around 5-mile Creek would demand a higher level of infrastructure dollars. Joan Hurdle said the City is currently focusing on infill development.

**Proponents:**

At 4:09 p.m. Chairman Heinrich called for proponents of County Zone Change #626.

**Doug Strand, 6308 Golden West Terrace P.E. Treasure State Engineering, Billings, Montana,**

Mr. Strand stated he is working with the applicant, Larry Kaufman, who is unable to attend today's meeting. He stated they have dug test pits and monitoring wells on this property and are waiting until the zoning is determined to complete the engineering. He explained the applicant is hoping to sell lots to contractor Sheldon Wolf next year and the proposal is for construction of stick built 3-4 bedroom homes. Dennis Cook asked if there are any water table concerns. Mr. Strand said they have three 3 monitoring wells to capture the peak high water table and if it too high for septic systems; they will have to reconsider the project.

**Opponents:**

Chairman Heinrich called for opponents of County Zone Change #626. There was none. Chairman Heinrich called for a motion.

**Motion:**

**Commissioner Cook made a motion, it was seconded by Commissioner Al Littler to forward a recommendation of approval of County Zone Change #626 as presented by staff to the Board of County Commissioners.**

**Discussion**

Chairman Heinrich called for discussion on the motion. There was none.

**Motion carried, 3-1 with Joan Hurdle opposing.**

**Other Business:**

**Election of Officers**

Chairman Heinrich called for election of officers for the 2011 term of the Yellowstone County Zoning Commission.

**Motion**

**A motion was made by Oscar Heinrich and seconded by Dennis Cook to elect Al Littler to serve as Vice Chairman of the Yellowstone County Zoning Commission for the 2011 term.**

**Motion carried unanimously, 4-0.**

**Motion**

**A motion was made by Oscar Heinrich and seconded by Al Littler to elect Dennis Cook to serve as Chairman of the Yellowstone County Zoning Commission for the 2011 term.**

**Motion carried unanimously, 4-0.**

**Public Comment**

Chairman Heinrich opened the public comment portion of the meeting and asked if anyone wished to speak. There was none. Chairman Heinrich closed the public comment period.

**Adjournment:**

The meeting was adjourned at 4:30 p.m.

**Approved by a motion on Monday, March 14, 2011**

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**Oscar Heinrich, Chairman**

**ATTEST:**

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**Tamara L. Deines, Planning Clerk**