



Yellowstone County Zoning Commission Minutes for the Meeting of Monday, May 18, 2015

The County Zoning Commission met on Monday, May 18, 2015 in the Miller Building 1st floor conference room located at 2825 3rd Avenue North.

At 4:00 p.m., Chairman Cook opened the meeting and introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator; Dave Green, Planner I, and Tammy Deines, Planning Clerk

Commissioners and Staff		01/12/2015	02/09/2015	03/09/2015	04/13/2015	05/18/2015	06/10/2015	07/13/2015	08/10/2015	09/14/2015	10/13/2015	11/09/2015	12/14/2015	
Dennis Cook	Chairman	1	-	1	-	1								
Al Littler	Vice Chairman	1	-	1	-	1								
Terri Welborn	Commissioner	1	-	1	-	1								
Ole Shafer/Vacant	Commissioner	1	-	1	-	-								

Attending: Cheryl Morgan; Trina White; Seth Dolar; Janet Dolar

Announcements: • The next County Zoning Commission meeting on Monday, June 10, 2015.

Public Comment

Chairman Cook asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public can be heard on any subject that is not on the agenda; the Yellowstone County Zoning Commission will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion.

Disclosure of Conflict of Interest: There was no disclosures of conflict of interest.

Disclosure of Outside Communication: There was no one on the Commission wishing to disclose any outside communication.

Approval of the March 9, 2015 Meeting Minutes: Chairman Cook called for approval of the March 9, 2015 meeting minutes.

Motion

Al Littler made a motion and Teri Welborn seconded the motion to approve the March 9, 2015 meeting minutes. The motion carried with a unanimous voice vote.



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Public Hearings:

Chairman Cook 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, May 26, 2015, in the Board of County Commissioners Board Room 403A in the Yellowstone County Courthouse.

Item #1: : Zone Change #659 – 1800 43rd St West - A zone change from Agriculture-Open Space (A-1) to Agriculture Suburban (AS) on Tract 7B of C/S 2085, a 9.2 acre parcel of land. A pre-application neighborhood meeting was held on March 15, 2015 at the subject property. Tax ID: D04723G.

REQUEST

The applicant is requesting a zone change from Agriculture Open Space (A-1) to Agriculture Suburban (A-S) on Tract 7B of C/S 2085, a 9.2 acre parcel of land. The property is generally located at 1800 43rd Street West. The applicant conducted a pre-application neighborhood meeting on March 15, 2015 at the subject property. Tax ID D04723G. The Planning staff is forwarding a recommendation of approval based on the 11 criteria for zone changes.

RECOMMENDATION

Approval of Zone Change #659 and adoption of the 11 criteria for this zone change

Discussion

Chairman Cook called for discussion. Al Littler asked if there is an easement dedicated for a road on the east boundary and Dave Green stated there is an easement on 43rd Street West. Al Littler commented that 43rd Street West will be built in the future.

Public Hearing

At 4:14 p.m., Chairman Cook opened the public hearing and asked if there was anyone wishing to speak in favor of County Zone Change #659.

Cheryl Morgan, 1800 43rd Street West, Billings, Montana

Ms. Morgan stated she has obtained information from the surrounding neighbors and most are in favor of the zone change. She explained that she and her husband have maintained the roadway.

Trina White, 1145 Delphinium, Billings, Montana

Ms. White stated this zone change request is appropriate for this area.

Opposition

Chairman Cook asked if there was anyone wishing to speak in opposition of County Zone Change #659. There was none.



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Chairman Cook closed the public hearing and entertained a motion.

Motion

Commissioner Littler made a motion and it Commissioner Welborn seconded the motion to forward a recommendation of approval of Zone Change #659 as presented by staff.

Chairman Cook called for discussion on the motion.

Discussion

Terri Welborn voiced concern with the condition of 43rd Street West and asked how the lots will be served. She said there may be an issue with additional homes and auto traffic. David Green said further divisions of the parcel would require review as a County Subsequent Minor Subdivision, which follows a major review process. He said this review process may require the property owner to build the road. Teri Welborn said this may be a safety issue. Al Littler said he has some of the same concerns but Mr. Green pointed out these issues will be dealt with through the subdivision process.

The motion carried with a unanimous voice vote, 3-0.

Item #2: : Zone Change #660 – 6132 Grand Avenue – A zone change from Agriculture-Open Space (A-1) to Agriculture Suburban (AS) on Tract 3 of C/S 1941, a 20.009 acre parcel of land. A pre-application neighborhood meeting was held on March 13, 2015 at the subject property. Tax ID: D00381.

RECOMMENDATION

Planning staff is forwarding a recommendation of approval of Zone Change #660 based on the 11 criteria for zone changes.

Planner Dave Green stated a pre-application neighborhood meeting was held for this parcel on January 26, 2015 at Elder Grove School. The property will be subdivided into .5 acre to 1 acre lots and provide separation distances as required by DEQ. The applicant is proposing to do this subdivision in phases and hope to get approval for the water rights needed for wells.

Discussion

Chairman Cook called for discussion. He pointed out that City services are located nearby. Nicole Cromwell noted the Limits of Annexation line and explained the annexation process.

At 4:28 p.m., Chairman Cook opened the public hearing and asked if there was anyone wishing to speak in favor of County Zone Change #660.



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Eugene Jurovich, 6132 Grand, Billings, Montana

Mr. Jurovich said several years ago his brothers applied for a zone change. He said no one attended the pre-application meeting for this request to voice concerns.

Opposition

Chairman Cook asked if there was anyone wishing to speak in opposition of County Zone Change #660. There was none. Chairman Cook closed the public hearing and entertained a motion...

Motion

Commissioner Welborn made a motion and it Commissioner Littler seconded the motion to forward a recommendation of approval of Zone Change #657 as presented by staff.

Discussion

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

The motion carried with a unanimous voice vote, 3-0.

7. OTHER BUSINESS-

--Zoning Coordinator Nicole Cromwell stated she received confirmation from the County Attorney's office that it is acceptable for Commissioners to participate in meetings via conference call.

Adjournment: The meeting adjourned at 4:32 p.m.

ATTEST: Approved by a motion on Monday, June 8, 2015

Dennis Cook, Chairman, Yellowstone County Zoning Commission

Tamara L. Deines, Planning Clerk