

**Billings County Planning and Zoning Committee**

**March 11, 2010**

**2:00 P.M.**

Members present: Joe LaDuke, Anita Kessel, John Tczap, Connie Kasian

Members absent: Jim Arthaud, Paul Krush, Cathy Cerkoney

Others present: John Wurzer; Rod Kadrmas; Michael Wald; Roger Kessel; Lynette Kessel; Kasey Malkowski; Jeff King; Rhonda King; Joe Finneman; Sue Finneman; Jerry Redmond

The meeting was called to order at 2:00 P.M. by Chairman LaDuke

Connie Kasian moved to approve the minutes of the January 14, 2010 meeting. Anita Kessel seconded. All voted aye.

The board received an application from Teresa Roberts to move a new modular home on NW1/4 28-139-102. Anita Kessel moved to approve the application. Connie Kasian seconded. All voted aye.

Terry and Diane Dwelle requested approval to build a small observatory on section 6-139-102. Connie Kasian moved to approve the request. Anita Kessel seconded. All voted aye.

Jerry and Rose Redmond presented an application for a modular home and storage shed on section 28-140-101. Anita Kessel moved to approve the application. Connie Kasian seconded. All voted aye.

Jeff and Rhonda King requested a section line variance to build a house 50 feet off the section line. Zoning resolution states that no building, trees, or other obstruction shall be placed within 75 feet of the center of the section line. The board of county commissioners stated that in the event the county would grant the variance, the section line would still remain open to public travel, and the commission would act upon the recommendation of the zoning board once they review it. Connie Kasian moved to approve the variance. Anita Kessel seconded it. All voted aye. The recommendation will be brought to the board of county commissioners at their April meeting.

Rodney Kadrmas and John Wurzer requested a variance to rezone a two acre tract in section 11-142-99 from residential to agricultural. John Wurzer is in the process of buying that tract from Rodney Kadrmas and is using it for horses, which doesn't comply with the current zoning regulations, which state that 40 acres is needed to be zoned agricultural. John Wurzer stated that he wants to put corrals on the back part of the tract for their riding horses. Alternately, they would consider leasing some acreage from Rodney Kadrmas that is already zoned agricultural and currently running cattle, but would rather build the corrals on their own property. Rodney Kadrmas stated that he would be willing to lease them the a couple acres to construct the corrals for the horses. At the moment there is nobody living on the 2 acre tract, but the Wurzers will be moving there as soon as they can get it cleaned up. John Tczap moved to approve a temporary 60 day permit to keep the horses in the two acres they are buying to allow time for

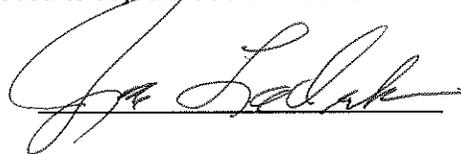
the ground to thaw and dry out so they can construct the corrals on 2 acres leased from Rodney Kadrmas.

Verizon Wireless requested a special use permit for a wireless cellular tower and the equipment on section 22-139-102. Roger Kessel appeared against the site, as it is only ½ mile from his residence and the lights would be distracting and may decrease the value of his property. Michael Wald with Verizon stated that they had done studies and found the proposed site to be best suited for the tower and offers the best coverage for the area, therefore increasing the cell phone access for 911 purposes. John Tczap moved to approve the permit. Anita Kessel seconded. All voted aye.

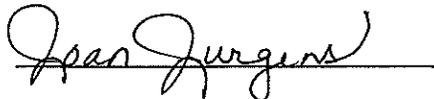
Joe and Sue Finneman presented a 74.47 acre subdivision proposal for section 28-139-102. They have signed up with Southwest Water to supply enough water for 32 homes. Chairman LaDuke requested to see an engineer's proposal for the water distribution, documentation from the health department concerning the septic system, and that the preliminary plat is redone to include the additional lots. The Finnemans also requested a variance to the setback requirements on the interior roads for 25 foot building setback on the lot front line and a 15 foot setback on the lot sides. Billings County Code requires a 40 foot front setback and a 20 foot side setback. John Tczap moved to approve the variance. Connie Kasian seconded. All voted aye. Fire suppression was discussed and the board requested that Don Heiser (Former Fire Chief) and Tim Solberg (Present Fire Chief) be invited to the next zoning meeting.

Connie Kasian left the meeting at 3:15. The board discussed the zoning laws.

With there being no further business, Anita Kessel moved to adjourn at 3:35 P.M. John Tczap seconded. All voted aye.



Joe LaDuke, Chairman



Joan Jurgens, Secretary