

**LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF: April 6, 2023, REGULAR MEETING**

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, April 6, 2023, at 1:30 P.M.

Present: Bob Ewing, Rick Tysdal, Mike Whalen, Timm Comer, TJ Ewing, and Travis Schenk.

Absent: Kelly Fuller

Moved-Seconded (Schenk-TJ Ewing) to appoint Bob Ewing as Acting-Secretary in the absence of Kelly Fuller. Motion Carried. Roll Call Vote: Aye: 5- Tysdal, Whalen, Comer, TJ Ewing, Schenk; Nay: 1-B Ewing. Motion Carried.

Moved-Seconded (B Ewing-Schenk) to approve the Regular Meeting Minutes for March 2, 2023 meeting. Motion Carried.

Moved-Seconded (TJ Ewing-Schenk) to approve the Agenda. Motion Carried.

Conflicts: Comer-Item 16- Paradise Acres 4 Water System Revisions Discussion.

AGENDA ITEMS:

PUBLIC HEARING ~ COZ #360 OWNER/APPLICANT: Daniel & Mark Backens

LEGAL DESCRIPTION: SE ¼ NW ¼ and NE ¼ SW ¼ less and except lots H-1 and A and N ½ SE ¼ less and except Lots H-1, A, B, C & D and parcel 1 Revised, 2A & 2B of Section 32, T7N, R2E.

VICINITY LOCATION: Westview Dr. **SUMMARY:** Rezone from A-1 to A-2 to break down for family ownership **ZONING:** A-1 **ACREAGE:** 86.24 acres **PARCEL ID:** 24000-00702-322-40. Vogt presented the staff report.

Proponents: Mark Backens was present to answer questions. He did not have anything to add to Vogt's presentation.

Opponents: Harold Baker, 2220 Vista Hills Pl, had questions about how a change of zoning will affect his property.

No other comments were made, and the Chairman closed the Public Hearing.

Moved-Seconded (Schenk-Comer) motion to Approve COZ #360 per Lawrence County Zoning Ordinance Chapter 17. Motion Carried.

(CC PH Scheduled for April 25, 2023, at 9:15 am)

INFORMATIONAL MEETING ~ COZ #359 OWNER/APPLICANT: David Elsom and Margaret &

Jeremy Elsom **LEGAL DESCRIPTION:** Tract B & C of NE¼ SE ¼ of Section 17, T6N, R2E. **VICINITY**

LOCATION: Tinton Rd **SUMMARY:** Rezone from A-2 to PF to subdivide **ZONING:** A-2 to PF to create a

lot for his daughter/sister **ACREAGE:** 16.00 acres **PARCEL ID:** 20000-00602-174-40 &

200000-00602-0174-20. Dr. Elsom was present for questions.

(PZ PH Scheduled for May 4, 2023, at 1:30 pm)

INFORMATIONAL MEETING ~ COZ # 291-13 OWNER/APPLICANT: BH Properties LLC/BH

Development and Powder House Pass **LEGAL DESCRIPTION:** All of the Powderhouse Pass CID

Property-Provided in Exhibit A **VICINITY LOCATION:** Hwy 85/14A **SUMMARY:** Amendment to the

PUD Land Use Map **ZONING:** PUD **PARCEL ID:** 26455-00200-000-25. The request is to update the land

use map within the master plan to show locations of proposed commercial development in some areas.

The proposal is consistent with the 2005 original land use map. This is just providing more specific detail to locations.

(PZ PH Scheduled for May 4, 2023, at 1:30 pm)

INFORMATIONAL MEETING ~ DP # 2023-01 OWNER/APPLICANT: Lighthouse Construction/BH

Development LLC *LEGAL DESCRIPTION*: Proposed Lot 1, Blk 10 of Trailside Addition Section 18, T4N, R3E (legal shortened) *VICINITY LOCATION*: Hwy 85/14A/Rochford Rd *SUMMARY*: Allow a commercial construction office/showroom and warehouse *ZONING*: PUD *ACREAGE*: .633 acres *PARCEL ID*: 26452-00403-010-00. Jeff Boehm was present to answer questions. He stated that the showroom/office that is planned is not for retail but for product choice for residents building in the area. There will be some truck traffic for deliveries but not a truck terminal. The Board discussed PUD zoning restrictions in the ordinance.

Moved-Seconded (TJ Ewing-Whalen) motion to Recommend Approval of DP #2023-01 per Lawrence County Zoning Ordinance Ch 14. Motion Carried.
(CC PH Scheduled for April 25, 2023, at 9:30 am)

INFORMATIONAL MEETING ~ CUP #482 OWNER/APPLICANT: Casey & Heidi Keough
LEGAL DESCRIPTION: Lot 2 of the Sub of HES CRM of the Sub. of Lot A of the Sub of Lot 10 of Section 27, T3N, R5E. *VICINITY LOCATION*: Nemo Rd *SUMMARY*: to allow a Specialty Resort/Wedding Venue *ZONING*: PF *ACREAGE*: 3.09 acres *PARCEL ID*: 10000-00305-270-10. Casey Keough was present for questions.

(PZ PH Scheduled for May 4, 2023, at 1:30 pm)

INFORMATIONAL MEETING ~ CUP # 483 OWNER/APPLICANT: Curt & Danette Bauer
LEGAL DESCRIPTION: Se ¼ SE ¼ less Tract B & Ne ¼ SE ¼ less N ½ SW ¼ E ¼ SE ¼, Section 16, T3N, R3E. *VICINITY LOCATION*: Gudat Rd *SUMMARY*: Campground *ZONING*: PF *ACREAGE*: 71.00 acres *PARCEL ID*: 08000-00303-161-00. Oz Enderby was present, representing the applicants. Vogt informed the Board that Gudat road access is maintained up to the Bauer's driveway.

(PZ PH Scheduled for May 4, 2023, at 1:30 pm)

INFORMATIONAL MEETING ~ CUP # 484 OWNER/APPLICANT: GF Development LLC/North Star Construction Inc
LEGAL DESCRIPTION: S ½ SE ¼ & SE ¼ SW ¼ of Section 34, T7N, R1E and N ½ of Govt Lot 1 & part of Govt Lot 2 lying North of Homestake Rd Section 3, T6N, R1E. *VICINITY LOCATION*: Homestake Rd *SUMMARY*: Small Scale Gravel Pit *ZONING*: A-1 *ACREAGE*: 192.00 acres *PARCEL ID*: 19000-00601-031-15; 23000-00701-344-15; 23000-00701-344-10. Heath Gran was present for questions. Schenk requested an updated site plan that meets the requirements of the ordinance. Matt from North Star Construction said he would handle that and said he has talked with the Hwy Dept. about access. The applicants plan to mine 10 acres and reclaim 10 at a time.

(PZ PH Scheduled for May 4, 2023, at 1:30 pm)

PLATS:

LAYOUT PLAN ~ APPLICANT: Reliable Land Holdings LLC
LEGAL DESCRIPTION: Proposed Lots 1-6 of Crook Mt Estates 3 located in the E ½ of the SW ¼ of Section 34, T6N, R4E. *VICINITY LOCATION*: Crook Mt Road *SUMMARY*: Creating new subdivision *ZONING*: PF *PARCEL ID*: 22850-00604-340-00. There was a discussion about Crook Mtn Rd. and concerns about access. The Board discussed a requirement of proof of access permits from the U.S. Forest Service.

Moved-Seconded (TJ Ewing-Whalen) motion to continue the Layout Plan to the May 4th meeting and requested the applicant to review shared access points and maintenance options with the USFS as this is not a County controlled access. Motion Carried

Break: 5-minute 2:28 pm.

PRELIMINARY & FINAL PLAT ~ APPLICANT: William Rossow/Stanley & Donna Schlosser
LEGAL DESCRIPTION: Lot 1 and 2 of Lemmel Subdivision, located in the W ½ SW ¼ SE ¼ of Section 14, T6N, R4E. *VICINITY LOCATION*: Jackson Rd/ Whitewood *SUMMARY*: New lots *ZONING*: PF *PARCEL ID*: 22000-00604-144-30. There was a discussion of the dedication of Jackson Rd as a ROW or

a public easement. The Board would like a further discussion at the May 4th meeting.

Moved-Seconded (B Ewing- Schenk) motion to approve the Plat as Exempt. Motion Carried.

Moved-Seconded (B Ewing-Whalen) motion to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (TJ Ewing-Whalen) motion to approve the Final Plat. Motion Carried.

PRELIMINARY PLAT~ APPLICANT: Whitewood Creek Ranch LLC/Will John and Kylee Johnson
LEGAL DESCRIPTION: Lot 1 and Lot 2R of the NE ¼ of the SW ¼ of Section 11, T6N, R4E. *VICINITY LOCATION:* Whitewood Valley Rd Crackerjack Rd **SUMMARY:** Replatting an existing lot to make it bigger and keep residence out of LLC *ZONING:* PF *PARCEL ID:* 22000-00604-113-10 and 22000-00604-113-20.

Moved-Seconded (Whalen-TJ Ewing) motion to approve the Preliminary Plat. Motion Carried.

PRELIMINARY PLAT~ APPLICANT: Whitewood Creek Ranch LLC/Branden and Abby Landphere
LEGAL DESCRIPTION: Lot 1 of Stagecoach Overlook Subdivision NW ¼ of the SE ¼ of Section 10, T6N, R4E. *VICINITY LOCATION:* Whitewood Valley Rd **SUMMARY:** Creating a 10-acre to keep residence out of LLC *ZONING:* PF *PARCEL ID:* 22000-00604-104-20. The fire plan is almost complete. They just need to burn slash piles.

Moved-Seconded (B Ewing-Schenk) motion to approve the Preliminary Plat. Motion Carried.

PRELIMINARY & FINAL PLAT ~ APPLICANT: Ronald and Karen Brandt and Haven Hildebrand
LEGAL DESCRIPTION: Tracts 1AR and 2AR, a sub of Dubin Lode M.S. 1678 located in the NW ¼ of Section 17, T5N, R3E. *VICINITY LOCATION:* Morning Star/Maitland Road **SUMMARY:** Moving lot lines *ZONING:* PF *PARCEL ID:* 26680-01678-000-08 and 26680-01678-000-06.

Moved-Seconded (TJ Ewing-B Ewing) motion to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (B Ewing-Comer) motion to approve the Final Plat. Motion Carried.

FINAL PLAT ~ APPLICANT: BH Properties LLC *LEGAL DESCRIPTION:* Lot 1 Blk 10 of Trailside Addition being a sub of a portion of Tract 2E and 2F of Tract 2 of Powder House Pass located in Section 18, T4N, R3E. *VICINITY LOCATION:* Hwy 85 **SUMMARY:** Creating new lot for Commercial area *ZONING:* PUD *PARCEL ID:* 26450-00403-010-00. This plat is part of the Development Plan and Masterplan Amendment with BH Properties.

Moved-Seconded (Comer-Whalen) motion to approve the Final Plat. Motion Carried.

FINAL PLAT ~ APPLICANT: James and Renee Erickson *LEGAL DESCRIPTION:* Lot 7A, Blk 3 of Apple Springs Sub being all of Lot 7 and 8 of Apple Springs Sub, located in the Apple Springs Tract; NE ¼ NW ¼ of Section 14, T5N, R4E. *VICINITY LOCATION:* Boulder Canyon **SUMMARY:** Combining lots *ZONING:* SRD *PARCEL ID:* 18010-00300-080-00.

Moved-Seconded (Whalen-Comer) motion to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Whalen-TJ Ewing) motion to approve the Final Plat. Motion Carried.

DISCUSSION ITEM: □ ORD 23-01 Subdivision Ordinance Revisions: Vogt gave an update on the revision process and said the water and sewer section is the portion that must be discussed more at length regarding hydrants and potable water and joint wells. She suggested a joint meeting with P&Z Board and the County Commission.

□ Paradise Acres 4 Water System Revisions: Allan Schreier talked about updates and detailed plans for the water system that the DANR has approved. A preliminary plat has been approved by the P&Z Board and was continued with the County Commission. It will move forward to an upcoming Commission meeting on April 25.

□ CMV Ventures/Hannah Estates Road Concerns/Prelim Plat: Attorney John Fredrickson was present on

behalf of surveyor Randy Deibert to discuss access options and a road maintenance agreement vs. a Road District option. Vogt wants to see a note on the plat to designate driveways. The Board recommended lot rearrangement to meet the ordinance requirements.

ITEMS FROM PLANNING & ZONING BOARD MEMBERS: None.

PUBLIC COMMENT: None.

SET DATE AND TIME FOR NEXT MEETING: May 4, 2023, at 1:30 p.m

ADJOURN: 3:17 PM

APPROVED: _____ Date: _____

Rick Tysdal, CHAIRMAN

ATTEST: _____ Date: _____

Bob Ewing, ACTING-SECRETARY