

## MINUTES

The Iron County Comprehensive Planning/Land and Zoning Committee met at the Courthouse on Tuesday July 15, 2014. The meeting was called to order at 3:00pm by Chairman Kichak. Proper publication was established.

Committee members present: Jim Kichak, Brad Matson, George Nasi, Vic Ouimette and John Smith. Also present was Zoning Admn Bergman and Joe Pinardi County Board Chairman.

Motion by Matson/Ouimette to approve the minutes from 6/17/14; carried 5-0.

Conditional Use Hearing – Iron County Forestry – Allow the operation of a non-metallic mine site in an F-1 (Forestry) zoned District, part of the W ½ of the SE ¼ and the E ½ of the SW ¼, Sec. 17, T46N, R1W, Town of Gurney, (site address is Falls Road). Town approval was received. Kichak inquired on the size and use of the pit. Joe Varius the Forest Administrator stated that the Forestry Department will use it for a project on Harbor Drive and then the pit will be used mostly by the Town of Gurney. The total area proposed is 55 acres. However at the time that 5-15 acres is disturbed some will be reclaimed before they continue on to the next 5 acres. A member of the public asked if the gravel ends up being good, is there protection for the area landowners that the county won't sell the pit. Varius answered that there is state protection that only allows this pit to be used for public projects. The public asked about the easement through Falls Road. Varius explained the Falls Road easement was a first option but they were able to get an easement through Rowe's property and will not be disturbing the Falls Road residents or other traffic. A member of the public asked if the Zoning Office has any protection if the use of the pit were to ever change. Bergman explained that if the use changes it needs to go back through the Conditional Use Process. Motion by Nasi/Smith to approve; carried 5-0.

Conditional Use Hearing – Douglas and Penny Hare – Allow the construction of a 45' x 30' accessory building in an RR-1 (Residential Recreation) zoned District located in part of the NW ¼ of the SE ¼ and part of the SW ¼ of the SE ¼, Sec. 28, T42N, R2E, Town of Mercer (site address is 2990N Hiawatha Road). Town Board approval was received. No public comment. Motion by Ouimette/Nasi to approve; carried 5-0.

Conditional Use Permit – George Wienold and Peggy Coburn – Allow the construction of a 27' x 40' addition to an accessory building in an RR-1 (Residential Recreation) zoned District located in part of GV Lot 6, Sec. 20, T41N, R3E, Town of Sherman (site address is 4103W Hwy 182). Town approval was not received. No public comment. Motion by Matson/Smith to table until town approval is received; carried 5-0.

Rezone Hearing – Peter and Kathryn Carlson – Rezone from an F-1 (Forestry) zoned District to an R-3 (Rural Residential) zoned District, part of the NW ¼ of the NW ¼, Sec. 21, T46N, R2E, Town of Kimball, to bring the property into zoning compliance. Site address is 13248N Park Road. Town board approval was received. Motion by Ouimette/Smith to approve; carried 5-0.

Public Hearing: Addition of Section 9.7.16 Mobile Tower Siting Regulations to the Iron County Land Use Ordinance. Bergman explained that the state recently set new regulations for cell towers and this ordinance make the county compliant with those regulations. No public comment. Matson questioned financial assurance. Bergman answered that the state mandates the need for financial assurance but the county may be able to set the amount needed. Matson also questioned if this ordinance takes away the ability for the county and town to weigh in on the permitting process of a cell tower. Bergman confirmed that this ordinance does not require a conditional use hearing process. He explained that it is because Corporation Counsel feels the county would be challenged. Motion by Ouimette/Nasi to approve; carried 5-0.

3-Lot CSM – George Wienold & Peggy Coburn – Review a 3-Lot CSM by Eugene Uttech of MSA Professional Services covering lands in part of the NE ¼ of the NE ¼ and in part of GV Lot 6, Sec. 20, T41N, R3E, Town of Sherman. Site address is 4103W Hwy 182. Bergman explained that it does meet state standards. Uttech explained that the purpose was to split it between family members. Kichak asked if it meets the mean width requirements. Bergman confirmed that it does. Motion by Matson/Smith to approve; carried 5-0.

1-Lot CSM – Dan Johnson – Review a 1-Lot CSM by Maki Land Surveying covering lands in part of the SE ¼ of the SW ¼ and part of the SW ¼ of the SW ¼, Sec. 18, T43N, R4E, Town of Mercer. Site address is just southwest of the Hwy H and Pine Forest Road intersection. Bergman explained that when you have a Highway split a lot it becomes 2 lots. Mr. Johnson is trying to split off two lots of his property to sell. In doing this he is creating out lots along the river because the area is too narrow to meet dimensional requirements. The portion currently is non-conforming and by splitting off 2 lots it is creating a more non-conforming lot. The Zoning Department's suggestion is that the remaining property should also have a CSM so that the remaining non-conforming lot becomes an out lot to the remaining property owned by Dan Johnson. Mr. Johnson explained that they are trying to split some land to sell and they are trying to give those lots river access. Bergman explained that the concern would be that the remaining land along the river would be sold separately as a non-conforming lot. Mr. Johnson found it to be a good idea to have a CSM for the remaining property and create the third out lot. Bergman recommended that the committee table until the new CSM is created. Motion by Matson/Nasi to table; carried 5-0.

1-Lot CSM – Dan Johnson – Review a 1-Lot CSM by Maki Land Surveying covering lands in the NE ¼ of the SW ¼ and part of the SE ¼ of the SW ¼, Sec. 18, T43N, R4E, Town of Mercer. Site address is 6224N Hwy H. Same situation as number 10 on the agenda. Motion by Ouimette/Smith to table; carried 5-0.

Administrator's Report – Bergman stated that there will be a new copy of the metallic mining ordinance soon.

Public Comment – None.

Approval of Bills – Smith/Matson to approve; carried 5-0.

Next Meeting – August 19, 2014 at 6:30pm in Mercer at the Town Hall.

Motion by Nasi/Ouimette to adjourn.