

MEMBERS PRESENT

Todd Hildebrand, Chairman
Bob Jordan, Vice Chair
Miles Williams, Member
Kurt Siebenaler, Member

MEMBERS ABSENT

Marc Matlick, Member

STAFF MEMBERS PRESENT

Megan Nelms, Planner and Zoning Administrator
Clark Melinkovich, Staff Engineer & County Recorder

The meeting was brought to order by Chairman Hildebrand at 7:00 p.m.

Approval of Minutes

Chairman Hildebrand called for a motion for the approval of the minutes from the November 21, 2019 County Planning Commission meeting. Kurt Siebenaler motioned; Bob Jordan seconded. All voted aye. Motion carried.

**Case No. 20.01 COZ – Piper Acres Subdivision, Zoning Request
Tom Civin/Tony MacDonald, KLJ Engineering**

Chairman Hildebrand introduced the case and asked staff to present. Megan Nelms presented the case, and recommended approval of the zoning request.

Chairman Hildebrand asked if there were any public comments received for the case? Megan stated that surrounding property owners were provided notice of this virtual meeting and that all comments were due by 3 p.m. today, however, she received no written comments or phone inquiries.

The chairman asked if any of the Commissioners had questions or comments on the case? Commissioner Williams asked what types of uses are allowed in the R-S District? Megan stated that the Residential Suburban District is the County's most restrictive residential district in terms of use. It also does not allow HUD mobile/manufactured homes. Only stick-built homes or factory modular built to the International Residential Code (IRC) are allowed.

Commissioner Jordan inquired about the preliminary plat design and the pipeline easements running across the property, as well as the many drainage easements. He stated that he felt with the 3-acre lot sizes, there may be many lots where putting a home and septic may be a challenge. Megan responded that at final plat, if there are lots that appear to be encumbered by large easements or topographical challenges, staff will require that a site plan showing placement of a home, shop, septic, leach field and replacement leach field be submitted. Commissioner Jordan asked what would happen if an acceptable site

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plan couldn't be provided. Megan stated that the developer would then be required to re-configure the lots to provide adequate development area. Engineer Melinkovich also stated that at plat review, if a lot doesn't have at least 1-acre of ground that is less than 10% slope and that is out of any easements that restrict development, then a site plan is required. Approval of the plat is contingent on approval of that site plan. He said there are a couple lots on the preliminary plat that may need a site plan because of topographical issues. Megan then asked Mr. Civin to comment as well, but she recalls previous discussions with Mr. Civin and his engineer on the potential for some over-lot grading in the subdivision for some of the lots that have topographical challenges, prior to final approval.

Mr. Civin stated that, yes, that is part of that package, that they must give purchasers buildable sites on the lots. Regarding the pipeline easements, he stated that most are abandoned and are showing on the plat because the easements are still recognized by title. He stated he has been working to find the companies who have gone out of business now, to sign documents to officially vacate the easements, however it has been difficult. He stated that the wells have all been plugged and abandoned and for all intents and purposes, they are just lines on the plat. With the preliminary plat, the drainage currently shown is the natural drainage and topography, and as they move into the final plat phases, the contouring and on-site detention that needs to be done will be completed as part of the engineering process.

Commissioner Jordan pointed out that, although unlikely because they were used for methane, someone could always come along and reactivate the pipelines. Mr. Civin agreed and said that strange things can always happen, however, he has consulted with his attorneys and feels confident that all of the easements have been extinguished by operation of law because the companies with rights to the easements have gone out of business and they do not automatically pass on to any new purchaser, but that the easements stay with the land unless they have been specifically deeded to new owners. For all practical purposes, Mr. Civin feels confident that the old pipelines will not affect the development or subsequent lot owners.

Chairman Hildebrand asked if there were any other questions. There were none. With that, Chairman Hildebrand asked for a motion. Commissioner Siebenaler moved to approve case number 20.01 COZ, Piper Acres subdivision zoning request. Commissioner Jordan seconded.

Voting was as follows:

Bob Jordan	Yes
Todd Hildebrand	Yes
Kurt Siebenaler	Yes
Miles Williams	Yes

Motion Carried	4/0.
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Adjournment

There being no further business to come before the Board, Chairman Hildebrand adjourned the meeting at 7:41 p.m.

Chairman Hildebrand, Planning Commission Chairman
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NOTE: Campbell County Planning Commission meeting minutes contain a summary of discussions and are not intended to be verbatim.