

ZONING PUBLIC HEARING MINUTES October 12, 2022 – 6:00PM
PUBIC HEARING - LN-146-00198-00 11561 E JIM JOHNSON RD

Call to Order: Meeting called to order at the Auditorium by Zoning Chair Bruce Carey at 6:00pm.

Present: Chair Bruce Carey and Commissioners, Travis Nolan, Jim Smith, John Woodbury & Jim Borgeson were present. Also Present was Zoning Administrator Jay Gallagher, Village treasurer Katy Hursh and Village Administrator/Clerk Daisha Nolan. Applicants Misty and Chad Hildreth also present.

Notice of Hearing: A class 2 hearing notice was published in the Superior Telegram on September 23, 2022 and September 30, 2022, as well as notices published on the village website, post office, Auditorium, and Midland Marketplace. All neighboring parcels within 300ft were also notified by letter.

Presentation:

1. Discussion

- a. **Applicants - Chad and Misty Hildreth:** Applicant Misty Hildreth presented the request to have their 40 acre parcel rezoned from Residential-2 to Agricultural-1. There is the desire to use the land for horses and hobby farm animals, an acre of wildflowers has been grown, and to hopefully establish a campground that will create a retreat area for visitors of the area.
- b. **Neighboring Property Owners:**
 - i. **Perry Flemmen:** P. Flemmen expressed concern of property values being negatively affected by a campground, that the land had not been approved for Agricultural in the past, and that he has been a long standing resident that enjoyed the quiet of a dead end street. P. Flemmen also commented on ordinances working mostly when voluntary compliance was exercised and that the applicants had not done so according to website reservations and reviews place online for an already existing campground.
 - ii. **Tim Callaway:** Callaway expressed concern for wanting a peaceful quiet spot to retire to in the future and that a campground would disrupt that. Callaway was not in favor of the change.
 - iii. **Susan Flemmen:** S. Flemmen expressed support of a hobby farm being allowed under conditional use permit in the current R-2 zone, but was not in favor of the rezone to agriculture or the installation of a campground.
 - iv. **Jane Pangrac:** J. Pangrac expressed concern for what the next wonders of the land would utilize it for if it were zoned agricultural, but supported the use of the land as R-2 with a conditional use for a hobby farm.
 - v. **Carles Pangrac:** C. Pangrac agreed with J. Pangrac's comments.
 - vi. **Dana Livingston-Matherly:** Livingston-Matherly discussed the potential for owners down the line to have different intentions than applicants have and that when they purchased their land they had specifically sought out residentially zoned areas.
 - vii. **Bob Anderson:** Anderson pointed out that a rezone would require an amendment to the 2009 comprehensive plan and that rezoning the area would fall under spot zoning, which is to be avoided.
- c. **General Public:** No further comments from the public were made.
- d. **Applicant Rebut:** No further comment was made by the applicants.

A motion was made by Borgeson to move to closed session under Section 1985(1)(a) Considering the above hearing, seconded by Smith. MCU 6:25pm

Adjournment: The commission adjourned from closed session, with no formal motions or vote made, at 6:58pm

A formal decision will be delivered to the public during the open session of the next regularly scheduled zoning meeting on October 26, 2022 at 6:30pm through a roll call vote.

Respectfully submitted,

Daisha Nolan

Daisha Nolan, Village Clerk