

McHenry County Zoning Commission

May 28, 2020

7:00 PM

The meeting was called to order by Matt Zelinski. Other members present were Mike Morey, Darrell Haman, Roger Myers, Tom Krumwiede, Nancy Mueller, Larry Haman and Becki Freund. Others in attendance were JoAnn Edwards and Ricci Rosencrans.

A motion was made by Darrell and seconded by Tom to approve the April 23rd, 2020 minutes. Motion carried unanimously.

The public hearing was held for the B&J Excavating application for a CUP to mine gravel in the SW ¼ of Section 26-155-77. All additional requirements were submitted. A motion was made by Darrell and seconded by Roger to recommend the CUP be approved. Motion carried unanimously.

The public hearing was held regarding the CUP application from Aggregate Construction to expand the Feist pit (SE ¼ SE ¼ of Sec 14 and S ½ of Sec 13-153-80) and Swedlund pit (SW ¼ SE ¼ of Sec 14-153-80). The application did not include a permit from the health department or information regarding weed control. It was noted the location of the expansion could be in a wellhead protection area. Philip Duchsherer requested it be documented he will not allow his property to be used for egress or ingress. A motion was made by Tom and seconded by Darrell to deny the application, pending proper documentation. Motion carried unanimously.

The public hearing was held for the CUP and variance application from Asgard Resources to conditional use and variance application to set up a sand plant in the SW ¼ NW ¼ of Section 27-156-77. The CUP will encompass the following property: All of sections 33 and 34; S ½, SW ¼ NW ¼ of Sec 27; SE ¼ NE ¼, SE ¼, E ½ SW ¼, SW ¼ NW ¼ of Sec 28 all in 156-77. The variance permit is requested to mine sand across the section line between sections 27/28 (South ¾ mile), 33/34, 28/33, and 27/34 in 156-77. Jared Young represented Asgard. It was mentioned a DOT Material Source Certificate was not included in the application. Mr. Young stated NDDOT informed them this permit was not needed since the material is not being used for NDDOT purposes. Updated water permits, air quality permits and written permission from NDDOT to install a turning lane was not presented. A motion was made by Darrell and seconded by Nancy to deny the application until all permits are received. Motion carried unanimously.

The public hearing was held for the variance application from David Schmitt to plant a shelterbelt within the setback from the section line in SE ¼ SE ¼ of Sec 27 and NE ¼ NE ¼ of Sec 34-154-76. A motion was made by Larry and seconded by Roger to recommend the variance be approved. Motion carried unanimously.

Larry left the meeting.

The board reviewed the following applications:

Dan Eggleston – shop/house
Jory Hager – grain bins
Russell Hansen – garage
Allen Lovro – deck
Glen Mayer – storage building
Ryan Klein – shop
Ashley Bauer – deck
Peter Haman – grain bin

A motion was made by Roger and seconded by Nancy to approve the permits. Motion carried unanimously.

Becki proposed a day meeting for the purpose of updating the zoning ordinances. She will send out possible dates and ask for feedback.

Becki presented the commissioners request to have the zoning board consider lessening the requirements of needing permits for decks and smaller out-buildings.

The board had a discussion regarding townships who choose do to their own zoning and what control the county has.

At 8:50 PM, a motion was made by Tom and seconded by Darrell to adjourn. Motion carried unanimously.

ATTEST:

Darlene Carpenter, Auditor