

## **NOTICE OF PUBLIC HEARING**

**THE GEM COUNTY BOARD OF COMMISSIONERS WILL HOLD A PUBLIC HEARING ON TUESDAY, JULY 12TH, 2022, AT 10:00 A.M. AT THE GEM COUNTY COURTHOUSE, 415 EAST MAIN STREET, EMMETT, IDAHO IN ADDITION TO A ZOOM MEETING/CALL TO HEAR THE FOLLOWING REQUEST:**

**A Preliminary Subdivision Plat (Meyer Subdivision) application by Sawtooth Land Surveying to request approval of 7 buildable lots on approximately 40.03 +/- acres, owned by Richard Meyer located off of Substation Road, T 06N, R01W, Section 5, Parcel #RP06N01W051900. The Gem County Zoning Commission has recommended approval of this subdivision.**

**THE APPLICATION AND LEGAL DESCRIPTION IS AVAILABLE FOR REVIEW BY CONTACTING THE DEVELOPMENT SERVICES DEPARTMENT VIA EMAIL ([SCRAYS@CO.GEM.ID.US](mailto:SCRAYS@CO.GEM.ID.US)) OR PHONE 208-365-5144.**

**WRITTEN CORRESPONDENCE IS HIGHLY RECOMMENDED AND MUST BE SUBMITTED TO THE DEVELOPMENT SERVICES OFFICE (109 SO. MCKINLEY AVE., EMMETT, ID.) NO LATER THAN 12:00 P.M. JULY 5TH, 2022. WE HAVE A MAIL SLOT IN OUR DOOR FOR CONVENIENCE. WRITTEN CORRESPONDENCE WILL BE GIVEN TO THE COUNTY COMMISSIONERS FOR CONSIDERATION AND IS ENCOURAGED TO SHARE YOUR COMMENTS AND CONCERNS.**

**THE MEETING LINK AND CODE FOR CALLING IN WILL BE LISTED ON THE DEVELOPMENT SERVICES PAGE AT [WWW.GEMCOUNTY.ORG](http://WWW.GEMCOUNTY.ORG) FOR ANYONE WISHING TO ATTEND THIS MEETING VIRTUALLY. IF YOU DO NOT HAVE ACCESS TO THE WEB PAGE, YOU MAY CALL THE DEVELOPMENT SERVICES OFFICE AT 208-365-5144 PRIOR TO THE MEETING TO GET A MEETING LINK OR CALL IN CODE.**

**PUBLISH JUNE 22**

**Jennifer Kharri  
Planning Director**



# MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 South McKinley, Emmett, Idaho 83617 www.co.gem.id.us phone: (208) 365-5144 fax: (208) 365-2499

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> APPEAL                            | <input type="checkbox"/> REZONE                              | <input type="checkbox"/> SUBDIVISION, MODIFICATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT                  | <input type="checkbox"/> VACATION                  |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT  | <input checked="" type="checkbox"/> SUBDIVISION, PRELIMINARY | <input type="checkbox"/> VARIANCE                  |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT, FINAL   | <input type="checkbox"/> SUBDIVISION, FINAL                  | <input type="checkbox"/> ZONING TEXT AMENDMENT     |
| <input type="checkbox"/> PLANNED COMMUNITY                 | <input type="checkbox"/> SUBDIVISION, MINOR                  |  |
|  | <input type="checkbox"/> SUBDIVISION, COMBINED               |  |

PROJECT NAME: Meyer Subdivision

## SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: L1/L2 Section: 5 Township: 6N Range: 14W Total Acres: 40.03

Subdivision Name (if applicable):                     

Site Address: No 517ms Sub Station Rd Lot:              Block:             

Tax Parcel Number(s): RPO6N01W05T900 City:                     

Current Zoning: A2 Current Land Use:                     

## PROPERTY OWNER:

Name: Richard F. Meyer

## APPLICANT:

Name: Sawtooth Land Surveying

Address: 1220 Garrity Blvd

Address: 2030 S. Washington Ave

City: Nampa State: ID Zip: 83687

City: Emmett State: ID Zip: 83617

Telephone: 530-277-1421 Fax:                     

Telephone: 208-398-8604 Fax:                     

Email: amy@sawtoothls.com

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

Signature: (Owner)

Date

Signature: (Applicant)

Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPLICABLE CHECKLIST (S).

## OFFICE USE ONLY

File No.: PP22001

Received By: NMB

Date: 10/15/21

Fee: 125.00

Receipt No: 1227



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105  
2030 S. Washington Ave., Emmett, ID 83617

June 9, 2021

Development Services

RE: Meyer Subdivision

To whom it may concern,

On behalf of Richard Meyer, we are pleased to submit this Letter of Intent and attached application and supporting documents for the proposed Meyer Subdivision.

Meyer Subdivision comprises of approximately 40.03 acres. The property is located off N. Substation Road and Waterwheel Road. Details on the existing property comprising the project is as follows:

<u>Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
No Situs N. Substation Road	RP06N01W051900	40.03

This property is within Gem County and is currently zoned A2. The attached preliminary plat offers 7 lots, ranging from 5.001 to 7.924 acres.

The subject property lies within the Last Chance Irrigation District service area.

Meyer Subdivision will not create excessive additional requirements at public expense. Additional services will be supported by property taxes and/or fees paid directly to service providers.

Due to the length of the road, a request has been made to Gem County Fire Protection District #1 to wave the restriction.

There is no know health, safety or environmental issues that currently exist or that will exist as a result of this development.

All lots will have their own wells and septic systems.

Please contact us should you have any questions or if we can be of any assistance with your processing of these applications.

Sincerely,

Kevin Borah  
Sawtooth Land Surveying, LLC





**GEM COUNTY**  
**Zoning Commission**  
**Recommendation to Board of County Commissioners**

*(This recommendation is to be used in conjunction with the Staff Report  
for the same application.)*

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**Application/Project Name:** Meyer Subdivision Preliminary Plat – File #PP-22-001

**Applicant Name:** Sawtooth Land Surveying

**Date of Written Recommendation:** June 22, 2022

**Date of Zoning Commission Public Hearing(s):** May 9, 2022

**Date of Board Public Hearing:** July 12, 2022, 10:00 AM

**Summary of Public Oral Testimony:**

- In Favor: Amy Rosa (Sawtooth Land Surveying)
- Opposed: Laina Smalley, Karen Luther
- Neutral: None

**Recommendation:** Approval. (Unanimous)

**Reason(s) and Findings for Recommendation:**

See the attached recommendation. For further analysis see the Staff Report.

**Commission Changes to Staff Recommendation:** None.

**Outstanding Issues for Board of County Commissioner Meeting:** None.





**GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT**  
109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617  
**OFFICE OF THE ADMINISTRATOR**  
**PLANNING & ZONING**

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**BEFORE THE ZONING COMMISSION**

**GEM COUNTY, IDAHO**

<b>In Re: PRELIMINARY PLAT Application</b>	)	
<b>for MEYER SUBDIVISION</b>	)	
<b>For SAWTOOTH LAND SURVEYING</b>	)	<b>SUMMARY OF RECOMMENDATION</b>

**I.**

**SUMMARY OF RECOMMENDATION**

The applicant, Sawtooth Land Surveying, LLC, on property owned by Richard F. Meyer, have applied for a Standard Subdivision Permit (Preliminary Plat – “PP” – see **Exhibit C** of this Summary) application to construct a residential subdivision on approximately 40.00 acres of land located on North Substation Road. The applicant proposes to create 7 single-family building Lots. The property is zoned A-2, Rural Transitional Agriculture. A private road is proposed through the development. The subject property lies within the Area of City Impact designation on the Joint Comprehensive Plan Future Land Use Map.

The Gem County Zoning Commission (Commission) conducted a public hearing on the application on May 9, 2022, at 6:00 pm and voted unanimously to recommend approval of the preliminary plat, with conditions, to the Board of County Commissioners. (See the detailed Conditions of Approval in **Exhibit B** of this Summary.) There was oral public testimony presented at the hearing in

favor and in opposition of the application in addition to one letter of concern that was submitted in writing.

The final vote to recommend approval of the Standard Subdivision Permit (Preliminary Plat) application was Unanimous:

Commissioner Jones	<u>Yea</u>
Commissioner Vickery	<u>Yea</u>
Chairman Eichelberger	<u>Yea</u>

Pursuant to section 12-3-8-6 of the Gem County Code, to recommend approval of a Preliminary Plat Application to the Board, the Commission finds adequate evidence of each of the Required Findings for approval of a Standard Subdivision Application, a copy of which is incorporated herein as **Exhibit A**.

**Attached Exhibits**

- Exhibit A – Required Findings
- Exhibit B – Proposed Conditions of Approval
- Exhibit C – Proposed Preliminary Plat

## EXHIBIT A

### REQUIRED FINDINGS FOR STANDARD SUBDIVISION PERMIT Meyer Subdivision (File #PP-22-001)

ECC 10-2-3.H (City of Emmett Subdivision Ordinance) states the following objectives of Title 10 must be considered when approving a subdivision application. (The City findings are used/referenced by the County because this application lies within the Emmett Area of City Impact and Gem County Code 12-1-3 requires Gem County to use Emmett's subdivision ordinance in this area.) There are five (5) required findings. Each of these is listed below with Commission comments and analysis shown in *italics* below each one. Each finding must be found to be either in favor or not in favor of the application.

**1. The conformance of the subdivision with the comprehensive development plan.**

*The Future Land Use Map of the Gem Community Joint Comprehensive Plan designates this property as "Area of City Impact."*

*The Area of City Impact description of the Comprehensive Plan states that "any new development within the Emmett Area of City Impact will be subject to the requirements set forth by the adopted agreement between the County of Gem and City of Emmett. That agreement is being followed in the review and evaluation of this application. The City of Emmett was notified for this application."*

**2. The availability of public services to accommodate the proposed development.**

*The following public service agencies submitted written comment in response to this application: Gem County Treasurer, Last Chance Ditch Co, Keller Associates, Gem County Road and Bridge, Emmett School District, Farmers Co-op Ditch, and Gem County Fire District #1. Review of their comments indicates that these service agencies are in support of the application and do not have any concerns with providing service to the new lots. The Southwest District Health Department did not submit a written comment to this application, however there was email correspondence in 2020 regarding the requirement to file a Subdivision Engineering Report (SER).*

*No public water or sewer facility will serve the subdivision unless and until it is annexed to Emmett City.*

*No utility or public agency has indicated that they cannot serve the subdivision.*

**3. The continuity of the proposed development with the capital improvement plan.**

*The City of Emmett has not adopted a capital improvement plan as of the date of the application submittal. However, the Area of City Impact agreement references cash contributions to Gem County in lieu of construction of public street improvements (see Section 2.B.4 of agreement). The County's Development Impact Fee Ordinance was adopted in 2021 and establishes impact fees for new residential dwellings.*

**4. The public financial capability of supporting services for the proposed development.**

*At this time, the only public services that appear necessary to serve this subdivision are public roads and emergency services (fire, law enforcement). The anticipated increase of seven residences may cause a financial burden on these public services. The Development Impact Fee*

Meyer Subdivision (PP-22-001)

Exhibit A – Required Findings

Page 1 of 2



*requirements are intended to off-set these impacts. The utilities to serve the subdivision are private, so there is no public financial outlay. Emergency services are available to serve the seven lot subdivision.*

- 5. The other health, safety or environmental problems that may be brought to the commission's attention.**

*The Zoning Commission is not aware of any known environmental problems.*

## **EXHIBIT B**

### **ZONING COMMISSION RECOMMENDED CONDITIONS OF APPROVAL MEYER SUBDIVISION (#PP-22-001)**

#### **General Conditions**

1. The Preliminary Plat for "Meyer Subdivision" by Sawtooth Land Surveying, Fritz Brownell, PLS, is approved with conditions, as noted below.
2. The applicant shall comply with the conditions/comments of the following impact agencies:
  - a. Gem County Treasurer (2/11/22) (*this condition does not technically apply until Final Plat*)
  - b. Keller Associates (County Engineer (3/1/22)
  - c. Gem County Road and Bridge (2/23/22)
  - d. Emmett School District (2/15/22)
  - e. Farmers Co-operative Irrigation District (12/9/20) submitted for the previous minor sub
  - f. Last Chance Ditch Company (12/10/20) submitted for the previous minor sub
3. The Final Plat application shall be filed in accordance with the timeframes and format as required in Chapter 3 and 4 of the Subdivision Ordinance for Gem County.

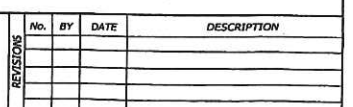
#### **Subdivision Improvement & Mitigation Conditions**

4. Per GCC 12-6-1.C, the applicant must install utilities and underground service connections that shall be provided to each platted lot. Utilities can be either overhead or underground outside of the subdivision boundary but must be underground within the subdivision. Appropriate easements will need to be in place on the plat. It is the applicant's responsibility to ensure that future lot owners will bear no additional charge to obtain phone or power service for their lot.
5. Prior to the Board signature of the Final Plat, the subdivider shall prepare a new Quitclaim Deed for Lots 1 - 7, Block 1 of Meyer Subdivision. Copies of the new deed shall be provided to the Development Services Department for recordation with the plat.
6. Property lies within Emmett Area of City Impact and must follow Emmett Subdivision Ordinance standards and/or terms.
7. Property is subject to requirements of the Last Chance Ditch for water delivery. A Water User's Association will need to be created. Applicant must ensure irrigation water supply is made available to all lots and appropriate easements are in place to accomplish this.
8. Prior to submittal of construction drawings, applicant shall meet with and submit a written statement from Southwest District Health Department indicating compliance with all SER requirements.
9. It appears there may be some encroachments within the 40' private road easement. The encroachments, or the easement, shall be moved in order for the easement to not be encumbered.

#### **Private Road Application**

10. The proposed Private Road name of "Meyer Lane" is approved by the Street Naming Committee and shall be shown on the plat.
11. Applicant shall comply with all Gem County Fire District #1 requirements for emergency turnarounds on the private road. Submit a letter of approval from Gem County Fire District #1 prior to the Board signature of the Mylar.
12. Applicant shall purchase and install a blue private road sign and a stop sign at the intersection of Waterwheel/Substation Road and the private road per the requirements from the Road and Bridge Department.
13. Per GCC 12-6-1.F.4.d, the developer shall construct the private road as a subdivision improvement. The road shall be upgraded to 20' wide and obtain a final inspection prior to the Board signature of the Mylar.
14. Submit a signed and ready-to-record Maintenance Agreement for the private road to the Development Services Department prior to the Board signature of the Mylar.







**GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT**

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

OFFICE OF THE ADMINISTRATOR  
PLANNING & ZONING

PHONE: (208) 365-5144

WEB PAGE: GEMCOUNTY.ORG

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**STAFF REPORT**

**DESCRIPTION:** STANDARD SUBDIVISION PERMIT FOR MEYER SUBDIVISION

**FILE NUMBERS:** PP-22-001

**ZONING COMMISSION HEARING DATE:** MARCH 14, 2022

**APPLICANT:** SAWTOOTH LAND SURVEYING  
2030 S WASHINGTON AVENUE  
EMMETT, ID 83617

**PROPERTY OWNER:** RICHARD F. MEYER

**SITE LOCATION:** NORTH SUBSTATION ROAD NORTH OF THE WATERWHEEL  
ROAD/SUBSTATION ROAD INTERSECTION

**STAFF PLANNER:** JENNIFER KHARRL

**1. APPLICATION SUMMARY & OVERVIEW**

The applicant, Sawtooth Land Surveying, on property owned by Richard F. Meyer, has applied for a Standard Subdivision Permit application (referred to as "Preliminary Plat" (PP) herein) to construct a single-family residential development on approximately 40.03 acres off of North Substation Road. There are no structures on site. The property is zoned A-2, Rural Transitional Agricultural.

The PP application proposes 7 building lots. The average building lot size is 5.71 acres. Individual wells and septic systems are proposed for each lot. A proposed private road (Meyer Lane) will serve the Lots.

The site is designated Area of City Impact on the Joint Comprehensive Plan Future Land Use Map. Any subdivision in the Impact Area must follow the City of Emmett's Subdivision Ordinance (per the Area of City Impact Agreement between Gem County and City of Emmett). Gem County remains the jurisdiction with final approval authority, including signatures on the Final Plat. The main difference here is the requirement to construct curb, gutter, sidewalk and stormwater improvements to be prepared for future annexation into the city limits. The subject property received a waiver from Emmett City Council for those improvements. The property is not eligible to request annexation into the City of Emmett because the existing city limits are not contiguous.

The applicant and property owner previously applied for a 4-Lot minor subdivision on the same property in 2020. The property owner withdrew the application with the intention of applying for a standard subdivision. There were 6 letters of concern submitted for the Minor Subdivision, and only one of those submitted a letter for this application.

#### Application Review Process

Standard subdivisions require one public hearing before the Commission and one public hearing before the Board. The Board is the final, decision-making body. The Commission must make a recommendation to the Board within 45 days after the public hearing.

#### Staff Recommendation

Staff finds the majority of the Comprehensive Plan policies and required findings support the approval of the PP application under the proposed conditions. (See further analysis in Sections 4 - 6 below.) If the Commission feels all requirements have been adequately addressed at the hearing, a recommendation can be sent to the Board.

## **2. APPLICATION & PROPERTY FACTS**

### **A. Site Address/Location:**

The property is located on North Substation just north of the Substation Road/Waterwheel Road intersection. The property doesn't have any frontage on Substation Road and is accessed by a shared driveway today that currently serves three residences. The property is located in Section 5 of Township 6N, Range 1W.

### **B. Current Owner(s): Richard F. Meyer**

### **C. Applicant(s): Sawtooth Land Surveying**

### **D. Present Zoning: A-2, Rural Transitional Agricultural (5-acre min. lot size)**

### **E. Present Comprehensive Plan Designation: Area of City Impact**

### **F. Property Size: Approx. 40.03 acres**

## **3. APPLICATION PROCESS FACTS**

### **A. Pre-Application Conference:**

In accordance with Gem County Code 12-3-2, a pre-application conference was held on the PP application at the Development Services Department on April 8, 2021. A Notice to Proceed was issued on April 12, 2021.

### **B. Application Submittal:**

The Preliminary Subdivision application for this item was received by the Development Services Department on October 15, 2021 and deemed complete on January 28, 2022.

### **C. Notice of Public Hearing:**

Notice of Public Hearing on the application for the Gem County Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-15-5 on February 23, 2022. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on February 11, 2022. The physical property was posted for the public hearing on February 16, 2022. Requests for all impact agencies' reviews were mailed on February 11, 2022.



D. Relevant Ordinances and Required Actions:

The Standard Subdivision Permit application review process is outlined in Gem County Code 12-3-8. Standard subdivisions require a public hearing before the Zoning Commission and the Board of County Commissioners ("Board"). The Administrator makes a recommendation to the Commission; the Commission reviews and makes a recommendation to the Board, and the Board is the final, decision-making body (after holding a second public hearing of their own). A final written decision for approval, approval with conditions or denial must be issued by the Board within 30 days of the close of their public hearing (GCC 12-3-8-5).

E. History of Previous County Actions on Property: Same applicant and property owner applied for a 4-Lot Minor Subdivision in 2020. The property owner withdrew the application with the intention of filing a standard subdivision instead.

F. Companion Applications: Private Road.

**4. LAND USE**

A. Existing Land Use(s): Agriculture

B. Description of Character of Surrounding Area: Agriculture (both active and abandoned) and rural residential.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Area of City Impact	A-2, Rural Transitional Agriculture	Farmer's Co-op Canal and Payette River
South of site	Area of City Impact	A-2, Rural Transitional Agriculture	Idaho Northern and Pacific Railroad and City of Emmett
East of site	Area of City Impact	A-2, Rural Transitional Agriculture	Agriculture/Pasture/ Single Family Residential
West of site	Area of City Impact	A-2, Rural Transitional Agriculture	Agriculture/Pasture/ Farmer's Co-op Canal and Payette River

D. Existing Site Characteristics: Site is relatively flat and bordered by Farmers Co-operative ditch to the north.

E. Physical Constraints and Opportunities:

1. Wastewater & Domestic Water: The applicant intends to provide individual wells and septic systems within the development.
2. Topography: Flat
3. Vegetation: Pasture land.
4. Floodplain: No portion of the property lies within a designated FEMA floodplain.
5. Canals/Ditches/Irrigation/Creeks: The property lies within the boundaries of the Last Chance Irrigation Company jurisdiction. The Farmer's Co-op Canal lies along the northern boundary of the property.

6. Hazards: Staff is not aware of any existing or potential hazards on the property. The applicant should disclose any known hazards on the property at the public hearing.

F. Streets and/or Access Information: All Lots will have access via a proposed private road.

**5. COMPREHENSIVE PLAN POLICIES & GOALS** [Staff comments and analysis are shown in *italics*.]

The Comprehensive Plan **Future Land Use Map** identifies the subject property as Area of City Impact.

The Comprehensive Plan defines the “Area of City Impact” category (in **Chapter 12,**) as follows:

“Area of City Impact is expected to be the most urbanized area of Gem County. Build out residential densities are expected to be higher in the Area of City Impact than the other two planning areas. Until municipal services are extended to out-lying parcels in the Area of City Impact, properties are encouraged to remain at lower densities. This will allow for a more efficient and cost-effective network of sewer and water lines to be constructed upon future annexations. . . The purpose of this policy is to keep properties as low density until city services are extended to properties within this area. . .”

*This property is located in A-2 zone and within the Area of City Impact designation of the Future Land Use Map. The property contains 40.03 acres and the seven proposed lots will meet the minimum zoning requirement.*

**Supporting Policies/Goals**

The Comprehensive Plan includes the following policies that generally support this application:

- Housing, 3.1.3 and Land Use, 12.2.3 – Encourage compatible infill development, which will complement existing neighborhoods.
- Natural Resources, 6.10 – Manage storm water generation and disposal consistent with best-available technology to prevent degradation of water quality and natural resources.  
*The developer will be required to contain all stormwater run-off on site.*
- Natural Resources, 6.11 – Prevent contamination of groundwater from sewage and wastewater through appropriate planning, treatment and through regulations.  
*SWDH has required on-site water monitoring prior the Subdivision Engineering Report to ensure the proposed septic systems will meet the required regulations.*
- Public Facilities, 9.4.1- All proposed commercial, industrial and residential (subdivision) development plans should be reviewed by fire and police protection personnel.
- Transportation, 10.1.4 – Encourage a clustering of access points along arterial and section line roads where applicable.  
*The plat has a single point of access to Substation Road via an existing shared driveway that will become a private road (Meyer Lane).*
- Land Use, 12.2.1 – Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all prices ranges for present and future residents.

**6. ZONING ORDINANCE** [Staff comments and analysis are shown in *italics*.]

- A. Gem County Code (GCC) 11-4-2.A. lists the purpose of the A-2, Rural Transitional Agriculture, zone as follows: “Lands lying within those unincorporated portions of Gem County that are likely to undergo a more intensive urban development. The regulations governing this zone are designed to protect agricultural pursuits and provide guidelines for conversion to suburban development. The minimum lot size is 5 acres.”

*The property is found to comply with the intent and purpose of the A-2 zone to allow single-family uses on 5-acre lots.*

**Attached Exhibits**

- Exhibit A – Required Findings
- Exhibit B – Proposed Conditions of Approval
- Exhibit C – Proposed Preliminary Plat
- Exhibit D – City of Emmett Waiver



## EXHIBIT A

### REQUIRED FINDINGS FOR STANDARD SUBDIVISION PERMIT Meyer Subdivision (File #PP-22-001)

ECC 10-2-3.H (City of Emmett Subdivision Ordinance) states the following objectives of Title 10 must be considered when approving a subdivision application. (The City findings are used/referenced by the County because this application lies within the Emmett Area of City Impact and Gem County Code 12-1-3 requires Gem County to use Emmett's subdivision ordinance in this area.) There are five (5) required findings. Each of these is listed below with Staff comments and analysis shown in *italics* below each one. Each finding must be found to be either in favor or not in favor of the application.

**1. The conformance of the subdivision with the comprehensive development plan.**

*The Future Land Use Map of the Gem Community Joint Comprehensive Plan designates this property as "Area of City Impact."*

*The Area of City Impact description of the Comprehensive Plan states that "any new development within the Emmett Area of City Impact will be subject to the requirements set forth by the adopted agreement between the County of Gem and City of Emmett. That agreement is being followed in the review and evaluation of this application. The City of Emmett was notified for this application."*

**2. The availability of public services to accommodate the proposed development.**

*The following public service agencies submitted written comment in response to this application: Gem County Treasurer, Last Chance Ditch Co, Keller Associates, Gem County Road and Bridge, Emmett School District, Farmers Co-op Ditch, and Gem County Fire District #1. Review of their comments indicates that these service agencies are in support of the application and do not have any concerns with providing service to the new lots. The Southwest District Health Department did not submit a written comment to this application, however there was email correspondence in 2020 regarding the requirement to file a Subdivision Engineering Report (SER).*

*No public water or sewer facility will serve the subdivision unless and until it is annexed to Emmett City.*

*No utility or public agency has indicated that they cannot serve the subdivision.*

**3. The continuity of the proposed development with the capital improvement plan.**

*The City of Emmett has not adopted a capital improvement plan as of the date of the application submittal. However, the Area of City Impact agreement references cash contributions to Gem County in lieu of construction of public street improvements (see Section 2.B.4 of agreement). The County's Development Impact Fee Ordinance was adopted in 2021 and establishes impact fees for new residential dwellings.*

**4. The public financial capability of supporting services for the proposed development.**

*At this time, the only public services that appear necessary to serve this subdivision are public roads and emergency services (fire, law enforcement). The anticipated increase of seven residences may cause a financial burden on these public services. The Development Impact Fee*

*requirements are intended to off-set these impacts. The utilities to serve the subdivision are private, so there is no public financial outlay. Emergency services are available to serve the seven lot subdivision.*

- 5. The other health, safety or environmental problems that may be brought to the commission's attention.**

*Staff is not aware of any known environmental problems.*

to subject)

message

m More <timothymore1971@gmail.com>  
cc: copyplus120@gmail.com

Fri, Mar 4, 2022 at 10:30 A

March 4, 2021

Gem County Development Services Office  
109 South McKinley Ave.  
Emmett, Idaho 83617

MAR 5 2022

Sc

To Whom It May Concern

I Laurie Staake More, I am writing this letter in response to the letter I received regarding the proposed Richard Meyer subdivision that is being constructed adjacent to our property at 780 Riverside St. in Emmett Idaho.

Last year I received the first notice, addressing this issue, that requested my feedback of which I strongly recommended the construction of a 10 foot chain-link fence around the entire perimeter of the subdivision. This would prevent: trespassers, hunters, possible drowning victims in the canal, loose pets and/ or livestock from finding their way to our property.

The fence that was erected last fall has proven to fall short of what is needed to ensure the implementation of these above goals. The wire has been smashed down in the middle in several places where a child could simply step over it to cross down onto the steep terrain and into the canal. We have pictures of some of these areas. This is not an adequate fence and is totally unacceptable to me. A 6 foot chain-link fence should rectify the above mentioned problems. We have witnessed people trespassing and or hunting on our land and have continued to see tracks of people coming through the fence and down the bank of the canal and up onto our property. Also hunters have been seen numerous times shooting towards our property along the canal and coming over. There has been numerous occasions of deliberate disrespect shown to me when I have asked people to please stay on their own land and off of mine. I have always tried to be kind to my neighbors and have shown respect for what is their's. But, it is clear to me that certain individuals do not share the same values. Therefore it is paramount that we insist on a strong sturdy childproof fence that cannot be manipulated, climbed over or under around the entire perimeter. We simply want to maintain the peace and the privacy that I rightly obtained when I bought this property 20 years ago. Surely the individuals involved in the building of their new homes appreciate that we don't bother them. We don't trespass on their land, hunt on their land, and we keep our children and our animals safely within our own borders. A 6 foot chain-link fence will ensure that this is accomplished. To maintain our safety and privacy, all violators, trespassers, and/or hunters will be cited and prosecuted to the full extent of the law.

Sincerely,

Laurie Staake More  
Timothy More

## EXHIBIT B

### STAFF RECOMMENDED CONDITIONS OF APPROVAL MEYER SUBDIVISION (#PP-22-001)

#### General Conditions

1. The Preliminary Plat for "Meyer Subdivision" by Sawtooth Land Surveying, Fritz Brownell, PLS, is approved with conditions, as noted below.
2. The applicant shall comply with the conditions/comments of the following impact agencies:
  - a. Gem County Treasurer (2/11/22) (*this condition does not technically apply until Final Plat*)
  - b. Keller Associates (County Engineer (3/1/22)
  - c. Gem County Road and Bridge (2/23/22)
  - d. Emmett School District (2/15/22)
  - e. Farmers Co-operative Irrigation District (12/9/20) submitted for the previous minor sub
  - f. Last Chance Ditch Company (12/10/20) submitted for the previous minor sub
3. The Final Plat application shall be filed in accordance with the timeframes and format as required in Chapter 3 and 4 of the Subdivision Ordinance for Gem County.

#### Subdivision Improvement & Mitigation Conditions

4. Per GCC 12-6-1.C, the applicant must install utilities and underground service connections that shall be provided to each platted lot. Utilities can be either overhead or underground outside of the subdivision boundary but must be underground within the subdivision. Appropriate easements will need to be in place on the plat. It is the applicant's responsibility to ensure that future lot owners will bear no additional charge to obtain phone or power service for their lot.
5. Prior to the Board signature of the Final Plat, the subdivider shall prepare a new Quitclaim Deed for Lots 1 - 7, Block 1 of Meyer Subdivision. Copies of the new deed shall be provided to the Development Services Department for recordation with the plat.
6. Property lies within Emmett Area of City Impact and must follow Emmett Subdivision Ordinance standards and/or terms.
7. Property is subject to requirements of the Last Chance Ditch for water delivery. A Water User's Association will need to be created. Applicant must ensure irrigation water supply is made available to all lots and appropriate easements are in place to accomplish this.
8. Prior to submittal of construction drawings, applicant shall meet with and submit a written statement from Southwest District Health Department indicating compliance with all SER requirements.
9. It appears there may be some encroachments within the 40' private road easement. The encroachments, or the easement, shall be moved in order for the easement to not be encumbered.

#### Private Road Application



10. The proposed Private Road name of "Meyer Lane" is approved by the Street Naming Committee and shall be shown on the plat.
11. Applicant shall comply with all Gem County Fire District #1 requirements for emergency turnarounds on the private road. Submit a letter of approval from Gem County Fire District #1 prior to the Board signature of the Mylar.
12. Applicant shall purchase and install a blue private road sign and a stop sign at the intersection of Waterwheel/Substation Road and the private road per the requirements from the Road and Bridge Department.
13. Per GCC 12-6-1.F.4.d, the developer shall construct the private road as a subdivision improvement. The road shall be upgraded to 20' wide and obtain a final inspection prior to the Board signature of the Mylar.
14. Submit a signed and ready-to-record Maintenance Agreement for the private road to the Development Services Department prior to the Board signature of the Mylar.

OFFICE OF  
Megan Keene  
TREASURER  
THE GOVERNOR  
PUBLIC ADMINISTRATION

CONFIDENTIAL



100 S. MAIN STREET  
ROOM 200  
SALMON, IDAHO 83420  
(208) 365-3272

February 11, 2022

Gem County Development Services Department  
Attn: Michelle Barron, Associate Planner  
109 S. McKinley Avenue  
Emmett, ID 83617

RE: Meyer Standard Subdivision  
Loc: Substation Road and Waterwheel Road  
PIN: RP06N01W051900

Dear Michelle,

After reviewing the application for the Meyer Standard Subdivision, the following are my comments regarding the subject parcel:

Parcel RP06N01W051900 has 2021 taxes paid in full. This parcel or sub parcel(s) will have 2022 taxes due at a future date.

Any split/combined/property boundary adjustment/minor sub parcels must have all taxes paid in full.

*\*\*Please note--Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2022, in order to show up in the 2023 Assessment Roll and 2022 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2022.*

If you have any questions, please feel free to contact the Treasurer's office.

Sincerely,

A handwritten signature in cursive script that reads "Megan Keene".  
Megan Keene  
Gem County Treasurer



March 1, 2022

Jennifer Kharri  
Gem County  
Planning & Zoning Coordinator  
109 S McKinley  
Emmett, Idaho 83617

**Re: Meyer Subdivision Preliminary Plat Application**

Dear Jennifer:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Meyer Subdivision dated January 2022. We reviewed this package to check conformance with the County Subdivision Ordinance. We have the following comments in order for the applicant to satisfy the County's requirements:

1. Plat must be signed.
2. Cul-de-sac radius must be 52-foot ROW radius.
3. Provide fire department waiver for the roadway length. If the fire department does not approve, please update roadway length to comply with the code.
4. Provide note on plat describing water and sewer/septic facilities that will serve these lots.
5. Provide roadway typical section.
6. Provide data table showing number of lots, amount of open space, density in lots per acre, and average lot size.
7. Show proposed site drainage patterns and disposal method.

Please note, the following items listed will be required on construction drawing prior to construction drawing approval:

8. Easements for public sewer / water facilities will be required where placed outside of public right of way.
9. Propose a short-term plan that will protect the roadside swales from disturbance as a result of home construction on individual lots. How will the swales be protected / repaired?
10. Prior to final plat approval, provide a long-term plan for protection and maintenance of roadside swales (i.e. planting of trees, filling / regrading swale, and damage as result of roadside parking).
11. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.

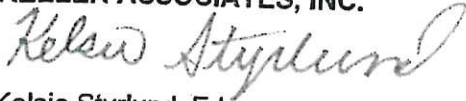
12. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
13. Plat shall comply with requirements of the local highway district.
14. Plat shall comply with irrigation district requirements.
15. Plat shall comply with Southwest District Health requirements.

We recommend that the **conditions 1 through 7 listed above be addressed prior to approval of the Preliminary Plat**. Any variance or waivers to the Gem County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Preliminary Plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.**



Kelsie Styrlund, E.I.  
Reviewing Engineer

cc: File



Gem County  
Road & Bridge Dept.  
402 N. Hayes Ave.  
Emmett, ID 83617



Neal Capps, Director  
Phone: 208-365-3305  
Fax: 208-365-2530  
Email: gcrb@co.gem.id.us

February 23, 2022

Jennifer Kharri, Administrator  
Development Services  
109 S. McKinley  
Emmett, ID 83617

RE: Meyer Subdivision (Standard Sub)

Dear Jennifer,

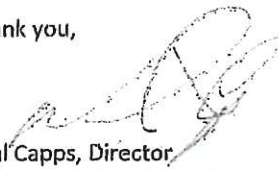
Gem County Road & Bridge (GCRB) has reviewed the application for Meyer Subdivision, a proposed seven lot subdivision located on the corner of North Substation Road and Waterwheel Road. The proposed subdivision shows the ingress/egress is at the said intersecting corner of listed roadways. The proposed 7 lot subdivision would be a total of 39 +/- acres. GCRB is concerned with the increased traffic the proposed subdivision will generate, and the safety concern with the approach located on the corner of Substation Road and Waterwheel Road. This intersecting corner has had multiple recorded vehicle slide offs and the most recent accident, vehicle versus school bus.

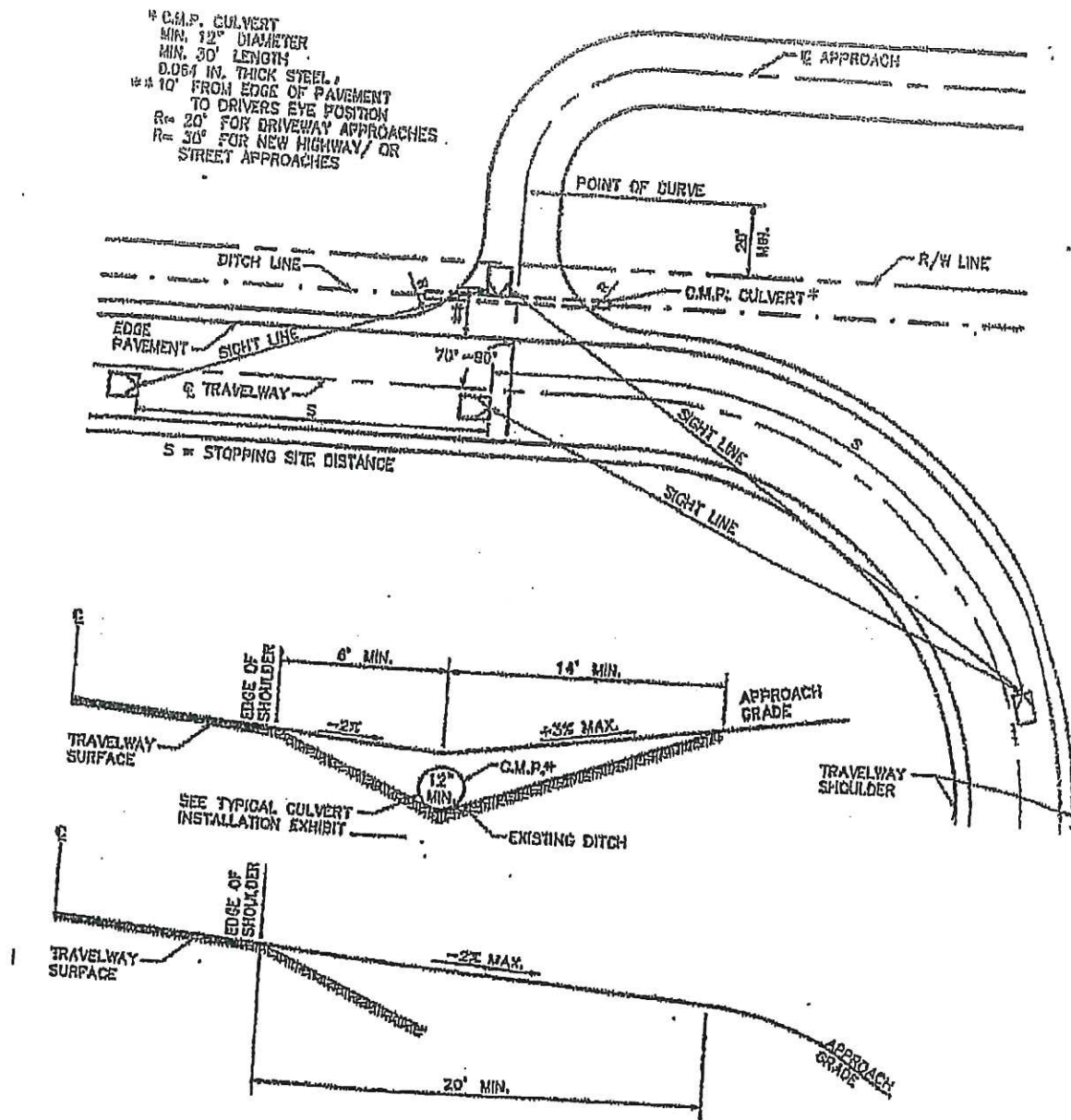
GCRB recommends the following conditions added to the subdivision if approved;

1. Applicant shall hire a Traffic Engineer with the State of Idaho to conduct a traffic study, recording the turning movements and traffic volumes, at the corner of North Substation Road and Waterwheel Road.
2. Applicant shall apply for an approach permit with Gem County Road & Bridge.
3. Approach shall be constructed to Gem County approach standards, at a 2% fall away from the existing roadway, with 12 inches of pit run and 4 inches of road mix. See (Att: Diagram)
4. Applicant shall provide GCRB with compaction test results for all road materials, subbase, pit run, road mix and asphalt. The compaction tests shall be a minimum of 92%.
5. Applicant shall pave the approach to the proposed subdivision.
6. Applicant shall hire an experienced paving contractor licensed in the State of Idaho.
7. Applicant or contractor, shall provide commercial asphalt mix design to GCRB for approval, prior to paving approach.
8. Applicant shall saw cut the edge of the existing pavement and apply tack oil on said roadway, prior to paving approach.
9. Paved approach shall be a minimum of 20 feet in width and a minimum of 30 feet in length. The asphalt shall be a depth of 3 inches after compaction. The compaction test shall be a minimum of 92%.
10. Approach shall meet Gem County approach standards upon completion.
11. Applicant shall obtain Gem County Fire District 1 permit, for a private road or lane.

If you have any questions, please contact me at 208-365-3305.

Thank you,

  
Neal Capps, Director  
Gem County Road & Bridge



# STANDARD APPROACH POLICY N.T.S.

12 inches pit Run  
4 inches Rd. base

FIGURE V, H

# INDEPENDENT SCHOOL DISTRICT OF EMMETT #221

---

Craig Woods, Superintendent

February 15, 2022

Jennifer Kharl  
Development Services Coordinator  
Gem County Development Services Office  
109 S McKinley Ave  
Emmett, ID 83617

RE: Meyer Subdivision

Jennifer Kharl Gem County Development Services:

The Emmett Independent School District 221 wish to offer comments regarding an application made by Sawtooth Land Surveying on behalf of Richard Meyer—The Meyer Subdivision, and the impact it may have on the Emmett School District.

The proposed development will present a challenge for the Emmett School District with additional students and bus stop concerns. The District transportation department would prefer that a small, lighted bus stop easement be established at the entrance of the development. This area would be used for neighborhood students to wait safely for school transportation.

Thank you again for listening to our concerns regarding this proposed subdivision.

Sincerely,



Craig Woods

---

**Emmett Ensures Educational Excellence**

119 N Wardwell Ave, Emmett, ID 83617 Phone (208) 365-6301 Fax (208) 365-2961 [www.emmettschools.org](http://www.emmettschools.org)



Michelle Barron

---

**From:** Sarah Arjona <Sarah.Arjona@itd.idaho.gov>  
**Sent:** Tuesday, February 15, 2022 10:48 AM  
**To:** Michelle Barron  
**Subject:** Proposed Standard Subdivision in Gem County - Meyer

Good morning,

ITD has received application of Meyer Subdivision for review. ITD does not anticipate any significant traffic impact to the State Highway system from the development of seven lots and has no objections to the proposed development.

Thank you,

*Sarah Arjona  
Development Services Coordinator  
ITD District 3  
(208) 334-8338*

---

**From:** Michelle Barron <MBarron@co.gem.id.us>  
**Sent:** Tuesday, February 15, 2022 10:28 AM  
**To:** Dan Weed <daniel.weed@sparklight.biz>; Digline GIS (WebMaps@digline.com) <WebMaps@digline.com>; Sarah Arjona <Sarah.Arjona@itd.idaho.gov>; Shane Gertsch (shane.gertsch@centurylink.com) <shane.gertsch@centurylink.com>; Sparklight (Tiana.Patterson@sparklight.biz) <Tiana.Patterson@sparklight.biz>; Kiester, Mitch (Mitch.Kiester@phd3.idaho.gov) <Mitch.Kiester@phd3.idaho.gov>; Stephen.Fitzner@phd3.idaho.gov  
**Subject:** [EXTERNAL] Proposed Standard Subdivision in Gem County - Meyer

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---

Here is a Preliminary Plat for a 7 lot subdivision in Gem County.

*Michelle Barron  
Associate Planner  
Gem County Development Services  
208-365-5144*

GEM COUNTY CONFIDENTIALITY DISCLAIMER: This message (including any attachments) may be privileged, confidential and/or protected from disclosure under applicable law. It is intended only for the use of the individual or entity above-named. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient please notify the sender by reply email and immediately delete this email.



Farmers Co-operative Irrigation Company  
102 N. Main  
Payette, ID 83661  
(208) 642-9424

December 9, 2020

Gem County Planning & Zoning  
Michelle Barron  
109 S. McKinley  
Emmett, ID 83617

RE: Meyer Minor Subdivision -- RP06N01W051900, Emmett

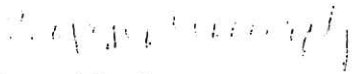
Dear Ms. Barron,

The Farmers Co-operative Irrigation Manager, Norm Collinsworth inspected the property off Substation Rd., Emmett, for the proposed Meyer Minor Subdivision. Following his inspection, it was determined that no less than a 25 foot clearance from top of slope of canal for the right of way for operation and maintenance of the canal. A chain link fence, no less than 6 feet in height, will be required on their property adjacent to the canal. The fence will protect both the public and the canal system.

Attached is our Right of Way Policy for your review. According to our Deed, the right of way in this area is 75 feet from center of canal. If you have any question, please contact me at 208-642-9424.

Thank you for allowing our input on this matter.

Sincerely,

  
Peggy Murphy  
Sec. / Treas.

F&N Maintenance Company

**Right of Way Policy**

WHEREAS, **Farmers Co-operative Irrigation Company** is claiming a 50 foot right of way from the center line of the canal on each side or Idaho Code #42-1102, which ever is applicable.

WHEREAS, having such a right of way, no permanent structures such as buildings, trees, etc. shall be allowed on the 100 foot right of way. A Power line crossing the canal shall not be less than 35 feet in height.

WHEREAS, temporary uses may be allowed only to within 25 feet from the top of the slope on the right of way.

Therefore, temporary uses may be allowed beyond 25 feet on the right of way with a permissive use agreement issued within the sole discretion of the Farmers Co-op any with each request for permissive use being reviewed as separate or an individual request, by the Board of Directors of said Corporation. Any permissive use may be revoked at any time at the sole discretion of said Board of Directors of Farmers Co-op. No permissive license shall ever advance or ripen to prescriptive or adverse easement. Any permissive use issued shall be at the sole expense of the permissive user, who shall also be solely responsible for any activities and shall indemnify and hold the Farmers Co-op free and harmless from any claim whatsoever arising out of use of the permissive permit.

Amended & Approved: May 5, 2005

Amended & Approved: October 4, 2007

LAST CHANCE DITCH COMPANY

PO BOX 428 / 118 N Commercial Ave

Emmett ID 83617

President: Paul Derig  
Treasurer: Karen Fraley  
Secretary: Holly Hoff  
Director: Valerie Padgett  
Director: Blake Hasbrouck

Phone: (208) 365-1902  
Fax: (208) 365-1903  
Email: lastchanceditch@gmail.com

December 10, 2020

GEM COUNTY DEVELOPMENT SERVICES  
ATTN: MICHELLE BARON, DEVELOPMENT SERVICES COORDINATOR  
109 S MCKINLEY AVE  
EMMETT ID 83617

Re: Meyer Minor Subdivision/RP06N01W051900 – MIN-20-015

To Whom It May Concern:

Upon review of the proposed application, Last Chance Ditch has no objections to the application but will require the following conditions be met:

- Engineer-generated plans for a pressurized irrigation system detailing system specification, capacities, etc. The system shall ensure adequate water delivery to all parcels.
- The drain from the properties to the south need to be piped through the road.
- The crossing on the Last Chance Canal needs to be addressed.
- The establishment of a water user's association.
- No structures, trees/vegetation, or other interferences within 20' of any irrigation drains and water delivery laterals to allow for ditch right of way for management and maintenance matters.
- Plans must be submitted to the Board of Directors for approval **prior** to the implementation of the system.

Additional questions should be directed to me at 208-890-7331 or via email to lastchanceditch@gmail.com.

Respectfully,

Doyle Fackler,  
Ditch Manager

# Gem County Fire Protection District #1

Chief: Rick Welch  
Office: (208)365-2012  
Cell: (208)859-4775  
Email: [rwelch@gemfireems.org](mailto:rwelch@gemfireems.org)



Commissioners  
Earl Defur  
Ralph Gurney  
Jason McIntosh

Phone: (208)365-2012

Address: 115 W. 3rd St. Emmett, Idaho 83617

Email: [info@gemfireems.org](mailto:info@gemfireems.org)

June 9, 2021

Gem County Development Services

Gem County Fire District 1 will except the length of Meyers Subdivision private lane with only one means of ingress and egress and a turn a round at the end of their lane.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Welch".

Rick Welch

Fire Chief



# Gem County Fire Protection District #1

Chief: Rick Welch  
Office: (208)365-2012  
Cell: (208)859-4775  
Email: [rwelch@gemfireems.org](mailto:rwelch@gemfireems.org)



Commissioners  
Earl Defur  
Ralph Gurney  
Jason McIntosh

Phone: (208)365-2012

Address: 115 W. 3rd St. Emmett, Idaho 83617

Email: [info@gemfireems.org](mailto:info@gemfireems.org)

October 7, 2021

Gem County Planning & Zoning

Gem County Fire District 1 will accept the new Bridge that crosses the irrigation ditch to the Meyers Subdivision. We did receive from Strux Engineering structural calculations and detail on the bridge rebuild. It does meet all our requirements.

Sincerely

A handwritten signature in black ink, appearing to read "Rick Welch".

Rick Welch

Fire Chief



## CITY OF EMMETT

Building & Public Works

Department

601 E. 3rd Street

Building & Public Works  
Department

Brian Sullivan:

[bsullivan@cityofemmett.org](mailto:bsullivan@cityofemmett.org)

Clint Seamons

[cseamons@cityofemmett.org](mailto:cseamons@cityofemmett.org)

Ph: (208) 365-9569

Attention Mayor and City Council,

The acting agent for Meyer Minor Subdivision, Kevin Borah, is requesting a waiver to Emmett Subdivision Ordinance 10-4-2, curb, gutter, sidewalks, and storm drainage facilities for a 4-lot subdivision.

The 40' easement access to this property is at the intersection of Waterwheel and N. Substation on the north side approximately 1 mile from city limits, and is a portion of Government Lots 1 and 2, located in Section 5, T. 6 N, R. 1 W., B.M., Gem County, Idaho.

The property lies within the current Emmett Area of City Impact. Emmett City Ordinance O2007-15 allows these improvements to be waived if approved by Emmett City Council prior to any application being submitted to Gem County.

City of Emmett Staff is in favor of waiving the requirements for the installation of curb, gutter, sidewalk, storm drainage and pavement widening. Gem County has an adopted Capital Improvement Plan associated with building permits for the roadways in Gem County. This plan will still be in effect per building lot as outlined in the plan.

After City Council reviewed the application and heard staff comments on March 9, 2021, the application was approved for a waiver to the installation of curb, gutter, sidewalk, and storm drainage facilities.

Brian Sullivan

A handwritten signature in black ink, appearing to read "Brian Sullivan", is written over the printed name.

City of Emmett

Building Official

Zoning Administrator

## CERTIFICATE OF MAILING

I hereby certify that on the 22<sup>nd</sup> day of June 2022, I served a true and correct copy of the foregoing upon:

### PROPERTY OWNER LIST WITHIN 300 FEET

Meyer

Substation Road and Waterwheel Road

T06N, R01W, Section 5

City of Emmett  
501 East Main Street  
Emmett, ID 83617

David Johnson  
6021 Castle Drive  
Boise, ID 83703

Etta Wright  
1490 Fernlee Circle  
Emmett, ID 83617

Warren Warner  
579 S Aspen Lakes Way  
Star, ID 83669

Ellen Goslin  
1480 Fernlee Circle  
Emmett, ID 83617

Mack Dunlap  
1123 Lincoln Avenue  
Emmett, ID 83617

Edwardo Ayala  
1470 Fernlee Circle  
Emmett, ID 83617

Mike D & Karen H Luther Revocable  
Living Trust  
1525 North Substation Road  
Emmett, ID 83617

Sharp Property LLC  
7150 W Potomac Dr  
Boise, ID 83704

Brandee-Hailee Bishop  
1837 North Substation Road  
Emmett, ID 83617

Christine Holbrook  
1460 Frenlee Street  
Emmett, ID 83617

David Smalley  
1849 Substation Road  
Emmett, ID 83617

Bill Davidson  
1440 Fernlee Street  
Emmett, ID 83617

Lindsey Olsen  
1855 North Substation Road  
Emmett, ID 83617

Howard Gore  
1430 Fernlee Street  
Emmett, ID 83617

Laurie Staake  
PO Box 1025  
Emmett, ID 83617

Robert Towery  
1400 Fernlee Street  
Emmett, ID 83617

Houtz Investments II LLC  
2652 East Locust Street  
Emmett, ID 83617

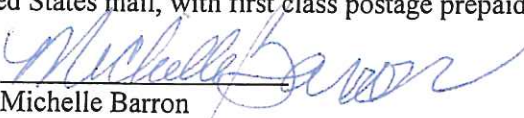
Emmett Healthcare Holdings LLC  
PO Box 128109  
Nashville, TN 37212

Edward Leeman  
2002 Waterwheel Road  
Emmett, ID 83617

Hayes-Womac Lateral Ditch Company LTD  
PO Box 428  
Emmett, ID 83617

Christine M Farrin Living Trust  
1875 North Substation Road  
Emmett, ID 83617

By depositing a copy thereof in the United States mail, with first class postage prepaid.

  
Michelle Barron  
Associate Planner





water whelld.



SUMMARY MINUTES  
GEM COUNTY ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
May 9, 2022

Page #3

Commissioner **Vickery** condition one should be rephrased to not require revisiting the permit, but should allow it. Condition three no more than nineteen dogs, maybe ask to lower the amount of dogs, condition four ask the applicant, sound proof structure. They could add a condition.

Chairman **Eichelberger** good fences make good neighbors. A structure will help the noise.

**Rob Cook** they would look at steps to be taken. They could build a structure that could help diminish the noise, they would need to be given some time to build this. If a dog passes they don't plan to replace dog. They would need a least 90 days to do the structure. They are asking that if a complaint is given that they be notified.

Commissioner **Vickery** move that they keep in place SUP #21-001 with the alterations conditions 1. Remove 2<sup>nd</sup> half. 3. No more than 19 dogs and to not be replaced. 4. No bark collars. 6. Construct a sound proof building within 4 months.

Commissioner **Jones** Seconded the motion.

**Vote:** Unanimous

**ACTION ITEM #2**

**(RESCHEDULED) PRELIMINARY PLAT (MEYER SUBDIVISION) #PP-22-001-APPLICATION BY SAWTOOTH LAND SURVEYING ON PROPERTY OWNED BY RICHARD MEYER TO REQUEST APPROVAL OF 7 BUILDABLE LOTS ON 40.03 ACRES LOCATED OFF OF SUBSTATION ROAD.**

**Director Kharri-** This is a seven lot subdivision five acre lots, to be served by a private road that the applicant will have to construct. This property is within the city impact and within one mile of the city. The applicant asked for a waiver from the City of Emmett Ordinance for curb, gutter and sidewalks, it was granted. Five findings for this subdivision

**Director Neal Capps Road and Bridge-** They are requiring a traffic impact study (TIS), they are requiring a paved approach.

**Applicant:**

**Amy Rosa-** Sawtooth Land Surveying- This is a seven lot subdivision. They have been working with Last Chance Ditch they should have the conditions met, they are waiting for the engineer to sign off. They had the bridge brought up to fire code this has been approved. They did what Farmers Co-operative irrigation wanted.

SUMMARY MINUTES  
GEM COUNTY ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
May 9, 2022

Page #4

**Favor:** None

**Neutral:**

**Robert Towery-** 1400 Fernlee St. Emmett, Idaho. They wanted to know what two lots are not going to the family.

**Opposed:**

**Laina Smalley-** (online) - 1849 North. Substation Road, Emmett, Idaho. Their main concern is corner of Substation and Waterwheel. Their fence has been taken out several times. They were asking about a yellow blinking light to have at this corner going North on Substation.

**Karen Luther-** (online) - 1525 North Substation Road, Emmett, Idaho. Their concern is the traffic.

**Commission Discussion**

Chairman **Eichelberger** read through the required findings. Applicant shall comply with the conditions from the Gem County Road and Bridge Department. Applicant shall comply with the considerations from the City of Emmett. Chairman **Eichelberger** read through the conditions of approval. Chairman **Eichelberger** has concerns about traffic flow.

Commissioner **Vickery** made a motion to approve #PP-22-001 with conditions as read.

Commissioner **Jones** second the motion.

**Vote:** Unanimous.

**ACTION ITEM #3**

**PRELIMINARY PLAT (STEVENS RANCHETTES SUBDIVISION) #PP-22-003-  
APPLICATION BY STEVENS WELL DRILLING ON PROPERTY OWNED BY  
KRISTEN JUMPER AND JUDY YOUNGBERG TO REQUEST APPROVAL OF 32  
BUILDABLE LOTS ON 40.018 ACRES LOCATED OFF OF WEST IDAHO BLVD.**

**Director Kharri-** This application is proposing thirty two lots, one acre each, with two public roads. There are nine required findings, eight letters of concerns submitted, letters from Road and Bridge and Emmett School District. There are ten proposed conditions of approval that can be revised. The nine required findings, the last finding staff didn't find it was met the since County Code disfavors cul-de-sacs staff is asking for a different road design.