

SUMMARY MINUTES  
GEM COUNTY ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
June 12, 2023

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**NOTE: AN AUDIO RECORDING OF THE FULL PROCEEDINGS IS AVAILABLE THROUGH THE DEVELOPMENT SERVICES DEPARTMENT. THE EXHIBITS LISTED HEREIN CAN BE FOUND IN THE RESPECTIVE FILES AT DEVELOPMENT SERVICES DEPARTMENT.**

**MEMBERS PRESENT:** Dan Eichelberger, Debra Jones and Justin Vickery, Stacy Heimlich.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Planning Director – Jennifer Kharrl (online), Associate Planner – Olivia Mocnik (Moderator), Development Services Coordinator – Stephanie Crays, Road and Bridge Director-Neal Capps.

**6:00 P.M.**

### **REGULAR MEETING**

1. **CALL TO ORDER:** Chairman **Eichelberger** opened the virtual public meeting at 6:00 PM. via Zoom, held in the Commissioner Chambers.
2. **ROLL CALL:** Dan Eichelberger- present, Debra Jones – present, Justin Vickery– present, Stacey Heimlich-present.
3. **REVIEW AGENDA:** Commission reviewed the agenda as written.
4. **APPROVAL OF MINUTES of April 10, May 8, 2023**  
Commissioner **Vickery** approved the **April 10, 2023** minutes as written.  
Commissioner **Jones** seconded the motion.  
**Vote:** Unanimous.  
The May 8, minutes were not available.

### **PUBLIC HEARING – ACTION ITEMS**

#### **ACTION ITEM # 1**

**A REZONE REQUEST BY RYAN STINSON TO REZONE 8.835+/- ACRES FROM A2 RURAL TRANSITIONAL AGRICULTURE (5 ACRE MINIMUM) TO R3 RURAL RESIDENTIAL (2 ACRE MINIMUM) AT 859 SOUTH SLOPE ROAD.**

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**Director Kharri**-The applicant, Ryan Stinson proposes a change from A-2, Rural Transitional Agriculture (5-acre minimum lot size), to R-3, Rural Residential (2-acre minimum lot size). The application states the reason for the request is to have the option to create more lots.

**Applicant:**

**Ryan Stinson**- 14000 N. Rainy Place, Boise, ID. The main reason they are rezoning is to have family or friends close by, if they were to build. He is also concerned about water and will do whatever studies need to be done. He says he will do whatever to be a good neighbor.

**Favor:** None

**Neutral:** None

**Opposed:**

**John Tobias**-4031 Farmstead Lane, Emmett, ID. His concern is the water and how it's going to drain. He doesn't like splits, and the road condition.

**Debbie Tobias**-1001 Hermosa Street, Emmett, ID. Her concern does not want the growth, concerns about the water. These are 5 acre lots and should stay that way.

**Laura Williams**-4021 Farmstead, Emmett, ID. She has concerns about the wells and septic system. She thought this would be country living forever, no houses on less than 5 acres and now it's going to less acreage.

**Rick Rorder**-983 W. South Slope, Emmett, ID. One acre lot is just way too small to keep dogs, chickens, and such. This should be 5 acres. He lives on a 1 acre and would like a five acre and it should be left 5 acre.

**Applicant Rebuttal**

**Ryan Stinson**-14000 N. Rainy Place, Boise, ID. He will work with the neighbors and do what needs to be done. He loves this piece of property and that is why he bought it.

Chairman **Eichelberger** closed public hearing 6:10pm

**Commission Discussion**

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Chairman **Eichlberger** read through the five required findings. He talked about the water studies and also the impact fee. They talked about letter from Road and Bridge. Commissioner **Vickery** finding number four brought up if the water study supports it, it supports it. Commissioner **Jones** brought up just being a good neighbor and visiting and letting them know about what is going on is a good idea. **Neal Capps**, Road and Bridge director said they will strike number 2 of their letter.

Commissioner **Vickery** moved that they recommend for approval requiring development agreement for a water study and omission of number 2 of the letter from Road and Bridge. Commissioner **Jones** seconded the motion.

**Vote:** 2 to 1

**ACTION ITEM #2**

**A REZONE REQUEST BY DUSTY AND ANNIE WARREN TO REZONE 10.166+/- ACRES FROM A1 PRIME AGRICULTURE (40 ACRE MINIMUM) TO A2 RURAL TRANSITIONAL AGRICULTURE (5 ACRE MINIMUM) AT 3260 VAN DEUSEN ROAD.**

**Director Kharri**-The application proposes a change from A-1 to A-2. They have 10.166 acres. The application states the reason for the request is to build another home for themselves, which will require a minor subdivision to create another parcel.

**Applicant:**

**Dusty Warren**-3260 Van Deusen Road, Emmett, ID. They farm this land, but finding out the house they live in is too small for them they have 6 kids. They would like to build a bigger house and rezone this to two 5 acre parcels. Our intent is to retain ownership of both parcels.

**Favor:** None

**Neutral:** None

**Opposed:**

**Colleen Ohran**-3250 Van Deusen Road, Emmett, ID. He is using an easement that they own. They need permission to use for this other property, and they are not going to give permission to use the easement for that property.

**Mike Ohran**-3250 Van Deusen Road, Emmett, ID. He has same concern.

**Applicant Rebuttel:**

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He will have to check out an easement to get to property. He will check other avenues. He explained the water and land use, the irrigation is gated pipe.

**Commission Discussion**

Chairman **Eichelberger** read through the five required findings.

Commissioner **Vickery** moved to recommend approval as it stands.

Commissioner **Jones** second the motion.

**Vote:** Unanimous.

**REGULAR MEETING**

1. **ITEMS FROM THE PUBLIC:** none
2. **BOMAN SUP 22-010 RV STORAGE CONDITIONS OF APPROVAL RECONSIDERATION.** The Commission made a motion to deny the reconsideration for the fencing.
3. **ITEMS FROM THE PLANNING DIRECTOR/ADMINISTRATOR: Director Kharrl-**  
The Comprehensive Plan officially went in to effect on June 6, 2023 was approved.
4. **ITEMS FROM/ OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:** none
5. **ITEMS FROM THE ZONING COMMISSION:** The Commission discussed having a Sargent of Arms at their meetings.
6. **UPCOMING MEETINGS:** July 10, 2023 at 6:00pm
7. **ADJOURN:**  
Commissioner **Vickery** made a motion to adjourn.  
Commissioner **Jones** seconded the motion.  
**Vote:** Unanimous.

Chairman Eichelberger

