

SUMMARY MINUTES  
GEM COUNTY PLANNING AND ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
November 13, 2023



Page #1

**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, Justin Vickery.

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

**6:02 P.M.**

**REGULAR MEETING**

1. **CALL TO ORDER:** Chairman **Jones** opened the public meeting at 6:02 PM., held in the Commissioner Chambers and via Zoom.
2. **ROLL CALL:** Dan Eichelberger- present, Debra Jones- present, Justin Vickery-present.
3. **REVIEW AGENDA:** Commission reviewed the agenda as written.
4. **APPROVAL OF MINUTES-Minutes were not available.**

**PUBLIC HEARING – ACTION ITEMS**

**ACTION ITEM # 1**

**A REZONE REQUEST BY TERRY REKOW TO REZONE 18.86+/- FROM A1 PRIME AGRICULTURE(40 ACRE MINIMUM) TO A2 RURAL TRANSITIONAL AGRICULTURE (5 ACRE MINIMUM) AT 970 W BLACK CANYON HIGHWAY**

**Director Kharri-**The applicant, Carter Yocham, on property owned by Whiskey Business, LLC, of which Carter Yocham is a member, is requesting a rezone of property located at 970 West Black Canyon. The application states the reason for the request is to have the ability to create 5- acre parcels. The property proposed to be rezoned is 18.86 acres.

**Applicant:**

SUMMARY MINUTES  
GEM COUNTY PLANNING AND ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
November 13, 2023

Page #2

**Carter Yocham**-2487 Blackstone Street, Eagle, ID. He would like to rezone this property. He is a new owner. He would like to make it into 5 acre parcels. His future plans are to build one more house on the property.

**Favor:** None

**Neutral:**

**Cindy McBride**-3274 UA Ave, Emmett, ID. She has concerns with the other two homes on the property, what will they do with them and also wants to make sure it can't go below 5 acres.

**Charles Howell**-845 W. Black Canyon Hwy- He has concerns with the ditch that runs on the property between his and how that is going to be addressed.

**Opposed:** None

**Applicant Rebuttal**

**Carter Yocham**-2487 Blackstone Street, Eagle, ID. They will not be building for a least another four years. The houses that are there now are not going to be torn down, they have them rented. They rent out the property to have crops worked. The ditch will be addressed. He has not talked with the ditch company as of yet.

Chairman **Jones** asking **Director Neal Capps** to speak.

**Neal Capps** Director Road and Bridge in his packet they are looking at access on Black Canyon Highway they will only allow one more access for one additional driveway.

**Chairman Jones** closed public comments at 6:18pm

**Commission Discussion**

Chairman **Jones** read through the five required findings. Commissioners had no concerns.

Commissioner **Vickery** made a motion to recommend approval.

Commissioner **Eichelberger** seconded the motion.

**Vote:** Unanimous

**ACTION ITEM #2**

SUMMARY MINUTES  
GEM COUNTY PLANNING AND ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
November 13, 2023

Page #3

**A PRELIMINARY SUBDIVISION PLAT (SPRING GRAZING) APPLICATION BY CLIFF OHLER TO REQUEST APPROVAL OF 12 BUILDABLE LOTS ON APPROXIMATELY 73+/- ACRES. LOCATED ON NORTH HIGHWAY 52**

**Director Kharri-** The applicant, Cliff and Summer Ohler, on property they own, has applied for a Standard Subdivision to construct a single-family residential development on approximately 73 acres. The PP application proposes 12 building lots. The average building lot size is 6.08 acres. Individual wells and septic systems are proposed for each lot. One new private road is proposed through the development and an existing shared driveway will be upgraded to a private road.

**Applicant:**

**Jesse Christensen-**5700 E. Franklin, Nampa, ID. They have been working on this project for a while now. They have been in touch with Keller Engineering. They will get in touch with the School District and talk with them about the turn around. ITD comments, they have a traffic impact study and was submitted. They have two approaches submitted.

**Summer Ohler-**200 Old Hwy 55, Horseshoe Bend, ID. This is just west of the Boise Gem County Line. **Jesse Christensen** comment that an approach permit from ITD was done two years ago, they will have to check with ITD to make sure that it is still in effect.

**Favor:**

**Nicole Cundiff-**11900 North Hwy 52, Horseshoe Bend, ID. They are in support of the subdivision.

**Neutral:** None

**Opposed:** None

Chairman **Jones** closed public hearing at 6:37pm

**Commission Discussion**

Chairman **Jones** read through stated that nine required findings. Commissioner **Eichelberger** had a concern about water rights. **Cliff Ohler** the water comes from the Payette River, they have the water rights. They have a pump that irrigates the land. Chairman **Jones** read through the proposed conditions of approval.

Commissioner **Vickery** made a motion to recommend approval with the addition to the condition of approval #2 letter from the Emmett School District and the ITD letter and noting staff notes



SUMMARY MINUTES  
GEM COUNTY PLANNING AND ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
November 13, 2023

Page #4

standards point number 9 that have not been met at this time that they need to be met at board approval.

Commissioner **Eichelberger** seconded the motion

**Vote:** Unanimous

**REGULAR MEETING**

1. **ITEMS FROM THE PUBLIC:** none
2. **FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** The Ordinance Update, the Steering Committee is meeting Thursday November 16<sup>th</sup>. A joint work session is scheduled December 11<sup>th</sup> for the Gem County Board of Commissioners and Planning and Zoning commission to review the proposed ordinance amendments.
3. **ITEMS FROM THE PLANNING AND ZONING COMMISSION:** Commissioner Eichelberger would like to have clearer guidelines on storage units.
4. **ITEMS FROM /OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:** none
5. **UPCOMING MEETINGS:** December 11, 2023 at 6:00pm
6. **ADJOURN:** Commissioner **Eichelberger** made a motion to adjourn  
Commissioner **Vickery** seconded the motion.  
**Vote:** Unanimous.

Chairman Jones

A handwritten signature in black ink, appearing to read "C. Jones", with a long horizontal flourish extending to the right.