

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.

MEMBERS ABSENT: None.

OTHERS PRESENT: Planning Director – Jennifer Kharri, Associate Planner – Michelle Barron (Moderator), Road and Bridge Director- Neal Capps, and Deputy Prosecuting Attorney – Tahja Jensen.

6:00 P.M.

TESTIMONY GUIDELINES GIVEN BY CHAIRMAN EICHELBERGER.

REGULAR MEETING

1. **CALL TO ORDER:** Chairman **Eichelberger** opened the virtual public meeting at 6:05 PM. via Zoom, held in the Commissioner Chambers.
2. **ROLL CALL:** Dan Eichelberger – present, Justin Vickery– present and Debra Jones – present.
3. **REVIEW AGENDA:** Commission reviewed the agenda as written.
4. **APPROVAL OF MINUTES of September 13, 2021**
Commissioner **Vickery** approved the minutes as written.
Commissioner **Jones** seconded the motion.
Vote: Unanimous.

PUBLIC HEARING – ACTION ITEMS

ACTION ITEM # 1

REZONE #RZ-21-009 – LINDA HOALST – A-1 (40 ACRE MINIMUM) TO A-2 (5 ACRE MINIMUM) – 3770 VAN DEUSEN ROAD

Director Kharri- The applicant is asking for a rezone from an A-1 to A-2 create a one or a two five acre parcels to split off and continue to farm the rest. Staff has recommended approval.

Applicant:

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LINDA HOALST- REZONE 3770 VAN DEUSEN ROAD- Requesting a change A-1 to A-2 five acre lots. Would like to proceed and sell one or two of those lots at this point and would like to farm the upper farm. When she looked at the comprehensive plan she said it appears to fit.

Favor: None.

Neutral: None.

Opposed:

Dan Spanfelner (online) - 2662 Lower Bluff Road.- He would hate to see what is prime farm land turned into 5 acre farm land. He thinks we are doing a big mistake by doing so much of this. It worries him.

Joe Morton (online) - 5726 Silverleaf Extension.

He wants to echo the comments Dan made. But more importantly because it was on the plan doesn't make it the right thing to do. What are we going to do when the small septic systems fail and the existing neighbors well goes dry? There's been plenty of studies done. There's been nothing done to say it's not going to suck the neighbors well dry, because they want to drill a deeper well. These are some of the things you as commissioners need to make that decisions and if you do anything make the decision on the fact that you have concerns about these issues.

Chairman: Dan Eichelberger closed public hearing at 6:17 pm

Commission Discussion

The Commission discussed the 5 required findings. Only response is from Gem County Road and Bridge a letter recommended future condition on subdivisions.
Commissioners said it meets all requirements approval for all of this.

Commissioner **Vickery** the applicant makes a good point. It does fit.

Commissioner **Jones** water is always an issue, but this meets all the requirements.

Commissioner **Eichelberger** has no concerns.

Commissioner **Jones** made a motion to recommend approval of rezone #RZ-21-009 from A-1 to A-2 to the County Commissioners

Commissioner **Vickery** seconded the motion.

Vote: Unanimous.

ACTION ITEM #2

**SRM MANUFACTURING LLC FABRICATION SHOP ON STAR LANE-SPECIAL USE
PERMIT #SUP-21-007**

Director Kharrl- The use is already there in another building. Existing special use permit. The staff has recommended approval.

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Applicant:

Dave Stark-Shop at 3610 Star Lane

They are a small manufacturing business, they currently lease and they are a growing business and need more room.

Chairman: Dan Eichelberger opened up public comments there was no additional testimony, closed public comments at 6:26 pm

Commission Discussion

Discussed and had concerns egress has to be brought up to code, applicant understands they have specifics they are required to meet for the SUP, one concern operation between Monday-Thursday should this be extended to Friday? They recommended that be changed to read work hours to be Monday-Friday. Staff findings business is not changing. There is an overall staff recommendation of approval.

Commissioner **Vickery** made a motion to approve Special Use Permit #SUP-21-007

With the exception of hours of operation to extend Monday – Friday 7am to 5pm.

Commissioner **Jones** seconded the motion.

Vote: Unanimous.

ACTION ITEM #3

REZONE #RZ-21-010-CARTER AND KATIE YOCHAM – A-2 TO R-2 AT 3800 MILL ROAD

Director Kharrl- The letters that we have received one letter in favor twelve letters in opposition two petitions signed by 25 members. This is a rezone. They are making a recommendation one way or the other to the County Commissioners. Staff has recommended approval, with the option of possibly requiring developing agreement for a water study, if that's the case there is a letter from Road and Bridge that could be added to that development agreement and that would be an agreement with the property owner and the county

Applicant:

Carter and Katie Yocham-3800 Mill Road. Carter presented a slide show as he was talking to the commissioners. They would like to rezone 3- One acre Parcels behind their home. They moved out here for space from Boise, they have a micro farm. They understand and hear their neighbors. They have 2 wells on their property. They did have some concerns with neighbors with privacy. A single access point for two homes and for the homes behind them, which will make it safer. These will be single level homes

Chairman: Dan Eichelberger stated about water rights Last Chance Ditch they would have some requirements. Asked if they are aware of them, and if they were going to be the general on the development, Carter said planning to work with a specific builder. He is not qualified to be a builder.

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Favor:

Lorin Hughes (online) - 3897 Mill Road

They are in favor of this development. Carter gave a great presentation. One acre lots are very nice. There is going to be growth, choose logical.

Opposed:

Darrel Harrison (online) - 3702 Mill Road

Listening to Carter about his water producing water, most of that water he is getting is surface water. He has a well it's about 70ft, when they first moved in they lost about 10ft of well water. His biggest concern is infrastructure if they want to attract businesses they need to have road construction much better than what there is have. Mill Road is a constant traffic problem. He hopes that we can work better with infrastructure and they can get better.

Chairman: Dan Eichelberger clarified 3 minute time talk non repetitive talk.

Bennie Bray (online) - 3686 Mill Road

Irrigation water is almost zero, that's why they have separate wells out here. The less water the less pasture. That's his concern.

Marlene Pittman (online) - 3686 Mill Road

One big concern is the traffic, the speed limit is 35 mph but so much traffic they go so fast, and there are children involved. Also putting 4 houses on this acre there is a big concern of water, if they look around everything on Mill Road is rusty. So that's what can be expected.

Melanie Harrison (online) - 3702 Mill Road

Has the same concerns, but also feels it won't be harmonious with what's already here to have more houses. She did see Carter's presentation, but it is going to delete everyone's privacy for them it will be zero with three more houses, they won't have any privacy. She doesn't feel it's necessary at this point and time. She doesn't think it should be rezoned. When there is so much building going on right now.

CHRIS LARSON (online) - 601 Hobson Lane

Pretty much agree with everyone. Seeing 1 acre then it goes to 1/2 acre then down to 1/4 acre with solid houses that's his concern. What's the ramifications of that, with water, sewer and all that?

First bullet is it has to agree with the comprehensive plan that gets a rewrite he thinks starts tomorrow. So it would seem logical to wait a while on this to figure it all out. He's going to be very disharmonious if and when this starts happening.

Mia Larson (online -) 601 Hobson Lane

She also agrees with Chris about the comprehensive plan, and water concerns, harmonious, privacy and it going to residential.

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Stephanie Logan (online) - 793 Hobson Lane

She agrees with Chris and Mia. Also a concern is if Carter Yocham gets approved, how many others are going to come out?

Michelle Barron (Moderator) asking if Joe Morton wanted to speak, didn't answer, but Michelle stated that he sent a chat that he would like the same opposition that he had with the Van Deusen rezone to the Mill Road rezone.

Katie Yocham-3800 Mill Road

Wants to clarify single multi homes are going to be built. One of the things they are doing is putting in a new driveway merging on the south side creating a new driveway for all these additional homes. Privacy was brought up. They do acknowledge this and want to make it something beautiful.

Stephanie Huges-3897 Mill Road

She doesn't think that adding three more homes is a big issues for traffic concerns, and impact fees will help on the roads.

Commission Discussion

Chairman Dan Eichelberger closed public hearing at 7:14 pm. He read through the staff recommendations. Public services agencies Last Chance Ditch there is a letter of requirements from them. Idaho Transportation Dept. No objections. Gem County Assessors' no objection, Road and Bridge, standard improvement's attached. Development agreement attached. All these agencies will review. Over all staff finds meets all the requirement's, we support this application.

Commissioner **Jones** in favor of water study.

Commissioner **Vickery** in favor of water study and it seems to fit.

Chairman: Dan Eichelberger We have a current Development plan and a Comprehensive plan in place and we will use it until there is another one. There was concern to emergency response and that is all addressed in a subdivision application.

Commissioner **Jones** Made a motion to recommend to the County Commissioners to **Rezone #R2-21-010** with a water study and condition from Road and Bridge dated September 27, 2021

Commissioner **Vickery** Seconded the motion

Vote: Unanimous.

REGULAR MEETING

1. **ITEMS FROM THE PUBLIC:** none

2. **ITEMS FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** Director **Kharri**-Thank you for your participation this afternoon in our kick off. Reminder to the public about the Comprehensive Plan tomorrow night.

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Update on the Hummingbird Ranch special use permit was appealed to the County Commissioners and they heard that today and have continued it for decision next week. Also next week they will hear an appeal on the Schofield variance.

Introduced new Staff Member: Stephanie Crays, She is to start on the 25th of October.

3. ITEMS FROM/OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:

Tahja Jensen Doesn't have anything. Working getting some training.

Discussion was brought up about Comprehensive plan what can and cannot be done.

4. ITEMS FROM THE ZONING COMMISSION: none

5. UPCOMING MEETINGS:

a) **Next upcoming meeting is:** October 12, 2021 at 6:00 PM

6. ADJOURN: Commissioner **Vickery** made a motion to adjourn.

Commissioner **JONES** seconded the motion.

Vote: Unanimous.

Chairman Eichelberger