

SUMMARY MINUTES  
GEM COUNTY ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
January 9, 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, Justin Vickery and Debra Jones.

**MEMBERS ABSENT:** Stacy Heimlich

**OTHERS PRESENT:** Planning Director – Jennifer Kharrl, Development Services Coordinator and Moderator – Stephanie Crays, Road and Bridge- Director Neal Capps, Deputy Prosecuting Attorney- Tahja Jensen (online).

**6:02 P.M.**

**REGULAR MEETING**

- 1. CALL TO ORDER:** Chairman **Eichelberger** opened the virtual public meeting at 6:08 PM. via Zoom, held in the Commissioner Chambers.
- 2. ROLL CALL:** Dan Eichelberger- present, Justin Vickery – present, Debra Jones– present.
- 3. REVIEW AGENDA:** Commission reviewed the agenda as written.
- 4. APPROVAL OF MINUTES of November 14, 2022**  
Commissioner **Vickery** approved the minutes as written.  
Chairman **Eichelberger** seconded the motion.  
**Vote:** Unanimous.

**PUBLIC HEARING – ACTION ITEMS**

**ACTION ITEM # 1**

**PRELIMINARY SUBDIVISION PLAT (SILVER SAGE SUBDIVISION) APPLICATION BY SAWTOOTH LAND SURVEYING, ON PROPERTY OWNED BY GGI MADDEN LLC. TO REQUEST APPROVAL OF 7 BUILDABLE LOTS ON APPROXIMATELY 54.028 +/- ACRES, LOCATED ON KIRKPATRICK ROAD, T 07N, R 01E, SECTION 2 AND T 08N, R01E, SECTION 35, PARCEL #RP08N01E35200**

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**Director Kharri**-The applicant, Sawtooth Land Surveying, LLC, on property owned by GGI Madden, LLC. The Preliminary Plat application proposes 7 building lots. The average building lot size is 7.72 acres. Individual wells and septic systems are proposed for each lot. The applicant is also requesting two exceptions to the Subdivision Ordinance to allow a block length over 1,000 feet without a secondary access and to allow a private road length over 1,200 feet without a secondary access.

**Applicant:**

**Amy Rosa Sawtooth Land Surveying**-2030 S. Washington, Emmett, ID. Their clients are wanting to take their 54 acres and turn those into 7 lots. They know that they do not have water rights from Squaw Creek Ditch. The engineer has been working with Keller Associates on the road and irrigation. They are waiting for the Fire Chief for the approval for the length of the road.

**Favor:** None

**Neutral:**

**Wanda Gorley**- 8049 Kirkpatrick Road, Sweet, ID. They have a concern about the maintenance of Kirkpatrick road. The road is falling apart and with the increase of traffic it will only get worse.

**Ricky Link**-9925 Darnell Road, Sweet, ID. They have concerns about the road maintenance and police with these subdivisions coming in it's not up to par now with the added traffic how will Gem County keep up?

**Bruce Hamilton**-9835 Kirkpatrick Road, Sweet, ID. He doesn't have big issues. He spoke with Jim Heikes Fire District #2 fire chief, said he is not going to waive the width requirement of the road.

**Sherri Darnell**-9780 Sweet Ola Hwy, Sweet, ID. She has some knowledge with subdivisions. She mentioned that some of these developers could pave the road, as some have done in the past had.

**David Furst**-8030 Kirkpatrick Road, Sweet, ID. He had a couple of impact concerns including the internet, and electricity. He has a concern of the entryway into this place, his gate connects there and people miss the entrance and run into his gate, he would like the County to make this a safe entry to turn into.

**Opposed:**

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**Bayli Roberts**-8001 Kirkpatrick Road, Sweet, ID. They have concerns about the water usage, and the amount of wells being drilled.

**Applicant Rebuttal**

**Amy Rosa Sawtooth Land Survey**-2030 S. Washington, Emmett, ID. She will leave the road maintenance to Neal Capps Road and Bridge and the wells that is between the irrigation and Southwest District Health.

**Jim Gibson**-9067 E. Shadow View, Eagle, ID. This is his property, the irrigation water rights he is keeping for his adjacent property. As far as these properties go there is rocks and grazing land, springtime there is a little run off. They drilled a well and it was 350ft deep and put out about 30 gallons a minute.

**Neal Capps**-Director Road and Bridge. Kirkpatrick Road is on the list, but they are doing the best they can by keeping it maintained. The County Engineer is and have been looking at this road. The entrance is being looked at for this subdivision.

Chairman **Eichelberger** closed public hearing 6:42pm

**Commission Discussion**

Chairman **Eichelberger** read through the nine required findings. Read through the recommendation. Chairman **Eichelberger** brought up the approach on Kirkpatrick road.

Commissioner **Vickery** moved that they recommend for approval to the Board of County Commissioners with the conditions of approval from Staff, Road and Bridge and County engineer.

Commissioner **Jones** second the motion.

**Vote:** Unanimous.

**ACTION ITEM #2**

**PRELIMINARY SUBDIVISION PLAT (CHARTERS ESTATES SUBDIVISION) APPLICATION BY MAXIMILIAN BIRON, ON PROPERTY OWNED BY LINDA CHARTERS, TO REQUEST APPROVAL OF 9 BUILDABLE LOTS ON APPROXIMATELY 10.08 +/- ACRES, LOCATED AT 1461 JORDAN LANE, T 06N, R 01W, SECTION 04, PARCEL #RP06N01W041350**

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**Director Kharri**-The applicant, T-O Engineers, on property owned by Linda Charter, has applied for a Standard Subdivision on approximately 10 acres on Jordan Lane. The application proposes 9 buildable lots. Individual wells and septic systems are proposed for each lot. A private road is proposed through the development.

**Applicant:**

**Becky Yzaguirre**-322 N. Broadmore, Meridian, ID. She gave a power point presentation slide show, showing design of subdivision. The subdivision will be on approximately 1 acre, each lot will have its own well and septic system. The landscape will have a 10 foot landscape buffer with two trees inside the buffer, they plan to plant 78 new trees, and there will be a 6 foot vinyl fence around the perimeter.

**Favor:** None

**Neutral:**

**Lisa Jordan**-1501 Jordan Lane, Emmett, ID. They have concerns of where the fence will go, and the CCR's.

**Stacy Carr**-1445 Jordan Lane, Emmett, ID. They have concerns if the road will be paved. Also the increased traffic, the dust and debris, the noise that the traffic will bring, and wants the correct fencing done.

**Edith Minium**-2528 Waterwheel, Emmett, ID. She has concerns about the well water drying up with these houses coming in. Ditch water is another concern of hers.

**Sherri Darnell**-9780 Sweet Ola Hwy, Sweet, ID. They have concerns with the water issue also. There are concerns of where the fence is going to be put.

**Opposed:**

**Tom Simmons**-2512 Waterwheel Road, Emmett, ID. They have concerns about wells drying up. He doesn't want his pump house taken down. There is irrigation rights on Charters that need to be addressed. Concerns about the survey line and debris in the canal and the metal culvert.

**Applicant Rebuttal**

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**Becky Yzaguirre**-322 N. Broadmore Way, Meridian, ID. There will be CCR's and a Private Road agreement. There will be a fence around the entire place, they have a dust abatement plan. They can place the trees for privacy to help with concerns.

**Zane Cradic**-332 N. Broadmore, Way, Meridian, ID. They will not disrupt the irrigation flow. They will keep the debris out of the canal. They will be going through Southwest District Health for the septic. The fence will go on the surveyed line.

Chairman **Eichelberger** closed public hearing 7:52 pm

**Commission Discussion**

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

Commissioner **Jones** moved to recommend approval to the Board of County Commissioners with conditions.

Commissioner **Vickery** seconded the motion.

**Vote:** Unanimous.

**ACTION ITEM #3**

**REZONE REQUEST BY JEREMY ROETHLE TO REZONE 13.36+/- ACRES, FROM R-3 RURAL RESIDENTIAL (2 ACRE MINIMUM LOT SIZE) TO A-2 RURAL TRANSITIONAL AGRICULTURE (5 ACRE MINIMUM LOT SIZE) LOCATED AT 2659 RIVER RANCH LANE, T 07N, R 01W, SECTION 33, PARCEL #RP07N01W331826**

**Director Kharri**-The applicant, Jeremy Roethle, on property he owns, is requesting a rezone. The application proposes a change from R-3 Rural Residential (2 acre minimum lot size) to A-2, Rural Transitional Agriculture (5 acre minimum lot size). The rezone is to be eligible for to apply for a secondary dwelling and run livestock on the remaining land.

**Applicant:**

**Jermey Roethle**-2659 Little Ranch Lane, Emmett, ID. He would like to rezone for a house, barn and to run his livestock on the property.

**Favor:** None

**Neutral:** None

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**Opposed:** None

Chairman **Eichelberger** closed public hearing 8:06pm

**Commission Discussion**

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

Commissioner **Vickery** moved to recommend approval to the Board of County Commissioners.  
Commissioner **Jones** seconded motion.

**Vote:** Unanimous.

**REGULAR MEETING**

1. **ITEMS FROM THE PUBLIC:** none
2. **ITEMS FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** Director Kharrl-  
Making plans for the public hearing for the Comprehensive Plan on January 10<sup>th</sup>, 2023.
3. **ITEMS FROM THE ZONING COMMISSION:** Commissioner Eichelberger will be gone  
on the March 13 meeting asked about changing the Planning and Zoning Meeting to the week  
before or the week after.
4. **ITEMS FROM/OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:**  
**Tahja Jensen-** Went over how the meeting will go for the Comprehensive Plan meeting.
5. **UPCOMING MEETINGS:** February 13, 2023 at 6:00pm

**ADJOURN:**

Commissioner **Eichelberger** made a motion to adjourn.

Chairman **Vickery** seconded the motion.

**Vote:** Unanimous.

Chairman Eichelberger

