

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 (online), Associate Planner – Michelle Barron (Moderator), Development Services Coordinator – Stephanie Crays, Road and Bridge Director-Neal Capps, and Deputy Prosecuting Attorney – Tahja Jensen.

6:00 P.M.

REGULAR MEETING

1. **CALL TO ORDER:** Chairman **Eichelberger** opened the virtual public meeting at 6:06 PM. via Zoom, held in the Commissioner Chambers.
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 of May 9th, 2022**
Commissioner **Vickery** approved the minutes as written.
Commissioner **Jones** seconded the motion.
Vote: Unanimous.

PUBLIC HEARING – ACTION ITEMS

ACTION ITEM # 1

VARIANCE #VAR 22-001 – CODY THORNOCK REQUEST TO ALLOW REDUCED SETBACKS DUE TO RIGHT OF WAY DEDICATION ON EAST IDAHO BLVD. T06, R 01W, SECTION 5.-22-003

Director Kharri-They need to apply for a variance to the minimum, from setback requirements before they can move forward on their minor subdivision. There are four required findings for Variance, the Zoning Commission will make the final decision tonight.

SUMMARY MINUTES
GEM COUNTY ZONING COMMISSION
GEM COUNTY COURTHOUSE
June 13, 2022

Page #2

Applicant:

Cody Thornock-753 E. Idaho Blvd, Emmett, Idaho-He reviewed this with Neal Capps, from Road and Bridge Department and is okay to go.

Favor: None

Neutral: None

Opposed: None

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

Commission Discussion

Commissioner **Vickery** doesn't have any concerns. He doesn't see any potential concerns. Commissioner **Jones** after reading through the staff report doesn't see any concerns. Chairman **Eichelberger** read through the required findings. Commissioner **Jones** agreed with the findings as did Commissioner **Vickery**.

Commissioner **Vickery** move that we approval Thornock Variance with the conditions that were contained in the packet exhibit A.

Commissioner **Jones** Seconded the motion.

Vote: Unanimous

ACTION ITEM #2

REZONE #RZ 22-006 – DEVON HASS A-2(5 ACRE MINIMUM) TO R-3 (2 ACRE MINIMUM) 3850 S. MILL RD.

Director Kharri-This is a rezone A-2 to R-3. They have 5.45 acres. The property is in the priority growth area one of the Comprehensive Plan. There are five findings to go through.

Applicant:

Devon Hass- 3850 Mill Road, Emmett, Idaho – He is wanting to rezone A-2 to R-3 for his family and would hope to see this get done.

Favor: None

Neutral: None

SUMMARY MINUTES
GEM COUNTY ZONING COMMISSION
GEM COUNTY COURTHOUSE
June 13, 2022

Page #3

Opposed: None

Commission Discussion

Chairman **Eichelberger** read through the required findings. Applicant shall comply with the conditions from the Gem County Road and Bridge Department.

Commissioner **Vickery** moved to recommend approval of RZ 22-006.

Commissioner **Jones** second the motion.

Vote: Unanimous.

ACTION ITEM #3

PRELIMINARY PLAT (JMH FARMS SUBDIVISION) #PP-22-004-APPLICATION BY ANTHONY HAFEN ON PROPERTY LOCATED AT 3663 GEM AVENUE TO REQUEST APPROVAL OF 8 LOTS ON 40 ACRES.

Director Kharri-Applicant Anthony Hafen, property owned by JMH farms applied for a Preliminary Plat on 40 acres on Gem Avenue. The property is zoned A-2, Rural Transitional Agricultural, the application proposes 8 building lots. A private road is proposed through the development.

Director Neal Capps Road and Bridge-The developer was required to pay \$41,000 for improvements on Gem Avenue per the development agreement tied to the Rezone.. This will create a better road. The Road and Bridge Department is working with contractors.

Applicant:

Jeff Beagley-Sawtooth Land Surveying- Client has agreed to all stipulation of the development agreement. There was some traffic concerns those have been addressed, the \$41,000.00 has been paid. The Southwest District Health the perk test has been done. There is already a pressurized irrigation sustem in place.

Favor:

Anthony Hafen-1051 Melrose Dr., Emmett, Idaho. There were a lot of concerns that were brought up, they have done their best to address each one.

Neutral: None

SUMMARY MINUTES
GEM COUNTY ZONING COMMISSION
GEM COUNTY COURTHOUSE
June 13, 2022

Page #4

Opposed:

Brian Morrow-3737 Gem Avenue, Emmett, Idaho. Concerns he has are the weed issues, is someone going to take care of these and the landscaping? Also the road coming off Gem avenue the lights shine right into their bedroom, he has concerns with this.

Vicki Morrow-3737 Gem Avenue, Emmett, Idaho. Has concerns with the magnesium Chloride being put on the road, is it safe? Also concerns with so many lights coming into their bedroom from the traffic.

John Stowell-1530 Gem Avenue, Emmett, Idaho. Has concerns about improvements on Gem Avenue.

Pam Zimmering-3721 Gem Avenue, Emmett, Idaho. Has concerns about the Chloride also. Has concerns about the addressing, if this will affect them. They want to keep their address. They do not want to be a part of any HOA.

Chairman **Eichelberger** closed public hearing at 7:55pm.

Commission Discussion

Chairman **Eichelberger** read through the required findings. Read through conditions of approval. Commissioner **Vickery** has no concerns. The weed concern was brought up and addressed. Chairman **Eichelberger** brought up about headlight issue. Commissioner **Vickery** Stated there is no dark sky ordinance.

Commissioner **Vickery** made a motion to recommend approval of JMH Farms with one modification to the conditions of approval that the maintenance agreement include weed control as well.

Commissioner **Jones** seconded the motion.

Vote: Unanimous.

ACTION ITEM #4

SPECIAL USE PERMIT AMENDMENT SUP #12-001 – BABBY FARMS REQUEST TO CHANGE THE BUSINESS MONTHS TO BE OPEN MARCH 1ST TO NOVEMBER 30TH.

Director Kharri-This is a Special Use Permit Amendment to change the business months to be open March 1st to November 30th. The current conditions of approval are attached for your

SUMMARY MINUTES
GEM COUNTY ZONING COMMISSION
GEM COUNTY COURTHOUSE
June 13, 2022

Page #5

review. The Zoning commission can make changes as they see fit after hearing from the Applicant and Public.

Applicant:

Shyann Harris-3000 N. Lake Harbor Lane, Boise, Idaho. The school and customers have asked them to extend their months of operation. They are not changing anything else on the SUP.

Favor: None

Neutral: None

Opposed:

Anita Shore-5901 El Paso Road, Caldwell, Idaho. They have concerns about traffic and the parking. They feel it is a hazard and is unsafe. This is a rural area, the Sheriff has been there several times due to people parking on El Paso and it is not safe. They think they don't have washing stations anymore..

Applicant Rebuttal

Shyann Harris-They try to find the owners of the car to tell them they can't park on the street. They do have an over flow parking lot. They can't control the traffic and where people choose to park, they try to inform people where the parking is. They do have washing stations, outside and in bathrooms.

Closed public hearing at 7:36 pm

Commission Discussion

Commissioner **Vickery** said being open longer would help with traffic conditions, spreading out time. Commissioner **Jones** yes spreading out the length of open times would help.

Chairman **Eichelberger** made a motion to approve with the addition of some conditions of approval to the Special Use Permit, Months open March 1st through November 30th, and work with Road and Bridge Department regarding signage for parking concerns along El Paso Road. Commissioner **Vickery** second the motion.

Vote: Unanimous.

ACTION ITEM #5

**ZONING ORDINANCE AMENDMENTS TO TITLE 11 AND TITLE 12, REVISING
VARIOUS CHAPTERS AND SECTIONS TO CREATE A PLANNING AND ZONING
COMMISSION.**

Director Kharri-This is cleaning up the language from the Joint Planning Commission that was disbanded in 2021, so the duties needed to be added to the Zoning Commission by creating a Planning and Zoning Commission.

Commissioner **Jones** made a motion to recommend approval to the County Commissioners.
Commissioner **Vickery** second the motion.

Vote: Unanimous

REGULAR MEETING

1. **ITEMS FROM THE PUBLIC:** none
2. **ITEMS FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** Director Kharri-
none
3. **ITEMS FROM/ OR QUESTIONS FOR THE DEPUTY PROSECUTING
ATTORNEY:** none
4. **ITEMS FROM THE ZONING COMMISSION:** none
5. **UPCOMING MEETINGS:** July 11, 2022 at 6:00pm
6. **ADJOURN:**
Commissioner **Jones** made a motion to adjourn.
Commissioner **Vickery** seconded the motion.
Vote: Unanimous.

Chairman Eichelberger

