

SUMMARY MINUTES
GEM COUNTY ZONING COMMISSION
GEM COUNTY COURTHOUSE
November 14, 2022

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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 Stacy Heimlich.

MEMBERS ABSENT: Debra Jones

OTHERS PRESENT: Planning Director – Jennifer Kharri, Associate Planner – Michelle Barron (Moderator), Development Services Coordinator – Stephanie Crays, Deputy Prosecuting Attorney- Tahja Jensen.

6:02 P.M.

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, Stacy Heimlich– present.
3. **REVIEW AGENDA:** Commission reviewed the agenda as written.
4. **APPROVAL OF MINUTES of October 3, 2022**
Commissioner **Vickery** approved the minutes as written.
Commissioner **Heimlich** seconded the motion.
Vote: Unanimous.

PUBLIC HEARING – ACTION ITEMS

ACTION ITEM # 1

REZONE #RZ 22-011 – REQUEST BY SHAWN NICKEL-SLN PLANNING – A1 (40 ACRE MINIMUM) TO A2 (5 ACRE MINIMUM LOT SIZE) –PROPERTY OWNED BY CRESTON & RENEE THORNTON LOCATED ON OLD DAM ROAD.

Director Kharri-The applicant, Shawn Nickel, property owned by Creston and Renee Thornton, is requesting a rezone of property on Old Dam Road. The application proposes a change from

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A-1 (40-Acre minimum) to A-2 (5-acre minimum lot size). The application states the reason for the request is to create a subdivision. The property proposed to be rezoned is 85.54 acres.

Applicant:

Shawn Nickel-P.O. Box 1595 Eagle, ID. They are asking for a rezone. They are asking for A-2 zoning five acre lot size rezone. The property has no water rights. They have spoken to Road and Bridge and the railroad and irrigation. The future intent is to come back with thirteen five acre lots.

Favor: None

Neutral: None

Opposed:

Steve Holmberg-3832 N. Plaza Road, Emmett, ID. They have concerns about the Old Dam Road and its conditions. The road is almost washed out. There is too much traffic on Plaza Road as it is and this will only make it worst.

Korth Elliott-3700 N. Plaza Road, Emmett, ID. The concern is about wells being drilled. Also the concerns with traffic on Black Canyon Road. Black Canyon Canal Company will not allow gates.

Applicant Rebuttal

Shawn Nickel-P.O. Box 1595 Eagle, ID. When they go through their preliminary plat process they will have to do some improvements, they just haven't gotten that far yet. They will only be drilling for thirteen lots. Each property drills their own well.

Chairman **Eichelberger** closed public hearing 6:18pm

Commission Discussion

Chairman **Eichelberger** read through the five required findings. They have a letter with no concerns from Road and Bridge at this time. Commissioner **Vickery** has no concerns. Commissioner **Heimlich** has no concerns.

Commissioner **Vickery** moved that they recommend for approval for rezone with conditions of a quality and quantity water study.

Commissioner **Heimlich** second the motion.

Vote: Unanimous.

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ACTION ITEM #2

REZONE #RZ 22-010 – REQUEST BY COLTON & MICHELLE ETHINGTON – A1 (40 ACRE MINIMUM) TO A2 (5 ACRE MINIMUM LOT SIZE) –PROPERTY OWNED BY COLTON MICHELLE ETHINGTON LOCATED AT 1812 W. BLACK CANYON HWY.

Director Kharri-The applicant, Colton and Michelle Ethington, is requesting a rezone of their property located at 1812 W. Black Canyon Highway. They propose a change from A-1 (40 acre minimum lot size) to A-2 (5 acre minimum lot size). The application states the reason for the request is to apply for a minor subdivision to create 3 lots. The property proposed to be rezoned is 17.15 acres in size.

Applicant:

Colton Ethington-1812 W. Black Canyon, Emmett, ID. They would like to rezone this for two more lots. It's not a prime spot to farm, it's very difficult.

Favor:

Anthony Hefen-1051 Melrose Dr. Emmett, ID. He is in favor of this rezone. He agrees that it is difficult to farm.

Neutral: None

Opposed: None

Chairman **Eichelberger** closed public hearing 6:36pm

Commission Discussion

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

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

Vote: Unanimous.

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ACTION ITEM #3

REZONE #RZ 22-009 – REQUEST BY GW BUILDING LLC – A2 (5 ACRE MINIMUM) TO R2 (1 ACRE MINIMUM LOT SIZE) –PROPERTY OWNED BY VERITAS HOLDINGS LLC LOCATED ON W. IDAHO BLVD.

Director Kharri-The applicant, GW Building, LLC, on property owned by Veritas Holding, LLC, is requesting a rezone of their parcel from A-2 (5 acre minimum lot size) to R-2 (1 acre minimum lot size). The application states the reason for the request is to apply for a minor subdivision to create 4 parcels. The property proposed to be rezoned consists of approximately 4.95 acres.

Applicant:

Grant Webb-3405 Elk Horn Lane, Emmett, ID. They have met with Fire, Irrigation, Road and Bridge. They are asking for four lots. They know water is a big concern.

Favor: None

Neutral: None

Opposed: None

Chairman **Eichelberger**_closed public hearing 6:44pm

Commission Discussion

Chairman **Eichelberger** read through the five required findings. Proposed to have a ground water study done with the other rezones.

Commissioner **Vickery** moved to recommend approval with a water study tied to development agreement.

Commissioner **Heimlich** seconded motion.

Vote: Unanimous.

ACTION ITEM #4

REZONE #RZ 22-012 – REQUEST BY EDGEMONT ESTATES LLC – A2 (5 ACRE MINIMUM) TO R2 (1 ACRE MINIMUM LOT SIZE) –PROPERTY OWNED BY KYLE STRATTON LOCATED ON EDGEMONT ROAD

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Director Kharri-The applicant, Edgemont Estates, LLC, on property they own, is requesting a rezone of their parcel from A-2(5 acre minimum lot size) to R-2(1 acre minimum lot size). The application states the reason for the request is to apply for a minor subdivision to create 4 parcels.

Applicant:

Amy Rosa-Sawtooth Land Surveying 2030 S. Washington, Emmett, ID. They want to rezone to an R-2 from an A-2. They are trying to create more affordable housing in Emmett.

Favor: None

Neutral: None

Opposed: None

Chairman Eichelberger closed public hearing 6:55pm

Commission Discussion

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

Commissioner **Vickery** moved that they recommend for approval requiring a water study tied to a development agreement.

Commissioner **Heimlich** seconded the motion.

Vote: Unanimous.

REGULAR MEETING

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

2. **ELECTIONS OF OFFICERS:** Commissioner **Heimlich** nominated Commissioner **Eichelberger** as Chairman and Commissioner **Jones** a Vice Chairman, Commissioner **Vickery** seconded the motion.

Vote: Unanimous.

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3. **ITEMS FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** Director Kharl-
Making plans for a public hearing for the Comprehensive Plan. No P&Z meeting in
December. There will be two meetings in January the regular one on January 9th, and the
other one for the Comprehensive Plan, date to be determined. *1/10/23*
4. **ITEMS FROM THE ZONING COMMISSION:** none
5. **ITEMS FROM/OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:**
Tahja Jensen- Working on training.
6. **UPCOMING MEETINGS:** January 9, 2023 at 6:00pm

ADJOURN:

Commissioner **Eichelberger** made a motion to adjourn.
Chairman **Vickery** seconded the motion.
Vote: Unanimous.

Chairman Eichelberger

Don Eichelberger ✓