

SUMMARY MINUTES
GEM COUNTY PLANNING AND ZONING COMMISSION
GEM COUNTY COURTHOUSE
September 11, 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 (online), Debra Jones, Justin Vickery, Stacy Heimlich.

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

6:05 P.M.

REGULAR MEETING

1. **CALL TO ORDER:** Vice Chairman **Jones** opened the public meeting at 6:05 PM., held in the Commissioner Chambers and via Zoom.
2. **ROLL CALL:** Dan Eichelberger- present (online), Debra Jones- present, Justin Vickery- present, and Stacy Heimlich- present.
3. **REVIEW AGENDA:** Commission reviewed the agenda as written.
4. **APPROVAL OF MINUTES of July 10, August 14, 2023**

PUBLIC HEARING – ACTION ITEMS

ACTION ITEM # 1

A VARIANCE REQUEST ON PROPERTY OWNED BY DANIEL AND LORI STAPLES, TO ALLOW A REDUCED FRONT SETBACK FOR THE WOOD SHED TO REMAIN AFTER THE REQUIRED RIGHT-OF-WAY DEDICATION FOR AN UPCOMING SUBDIVISION LOCATED AT 1713 SUNSET DRIVE.

Director Kharri-The property owner, Daniel and Lori Staples, applied for a Variance to the minimum front building setback in the R-2 zone for an existing wood shed. While the existing wood shed is grandfathered in with the setback today, the same applicant has a proposed

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application for a Standard Subdivision on this property, which is causing he reduced front setback due to right-of-way dedication.

Applicant:

Daniel Staples-1713 Sunset Drive, Emmett, ID. He moved into this place in 1993. He heats the place 100% with wood heat, he built the wood shed twenty nine years ago, and there was no permitting back then. He is putting in a subdivision and needs a variance. He spoke with the irrigation and they have a plan to move forward with the irrigation pipe along Sunset Drive. If they ever widen Sunset Drive. he will have to move the building.

Favor: None

Neutral: None

Opposed: None

Vice Chairman Jones closed public comments 6:23pm

Commission Discussion

Commissioner **Vickery** has no concerns with the Variance, same with Commissioner **Eichelberger**.

Commissioner **Jones** read through the proposed conditions of approval.

Commissioner **Vickery** made a motion to approve the Variance with conditions outlined by staff. Commissioner **Heimlich** seconded the motion.

Vote: Unanimous

ACTION ITEM #2

A SPECIAL USE PERMIT REQUEST BY THEODORE TRUE FOR STORAGE UNIT FACILITY INCLUDING RV STORAGE AT 1855 W. SALES YARD ROAD.

Director Kharri- The applicant, is requesting approval of a Special Use Permit to allow a mix of uses, including storage units, RV storage and an RV Park on his property. The Special Use Permit is proposed at 1855 Sales Yard Road and is located in the A-2, Rural Transitional Agriculture zone (5-acre minimum). The subject property consists of approximately 5 acres.

Applicant:

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Theodore True-4721 E. Victory Road, Nampa, ID. This farm is where he grew up, this place is important to him. This meeting is where he thought he was to learn what was allowed or not allowed. As far as water table, he thinks it's good. He is in need of direction on what he can and can't do.

Favor: None

Neutral: None

Opposed:

Marijane Schafer-1860 W. Sales Yard Road, Emmett, ID. They live across the street from this property. There is not a sewer or well out there. She says that it would take away from the country look. They don't need lights on all night and traffic coming and going. She wants to feel safe and wouldn't if there are several trailers across the way.

Valerie Padgett-2001 W. Sales Yard Road, Emmett, ID. They is on their second well, water is a concern. She is concerned about the 20 RV storage, two houses, and laundry room. Concerns are also the length of time that they can stay and will the staying time rally be fourteen days. Concerns about the plans that come in very low.

Michell Schneider-2323 Airport Road, Emmett, ID. She has lived here almost her whole life. She is very concerned about the water, with the rock pit and all. She has three main concerns, number one is the airport, number two is the burden of extra wells and septic, number three her concern of not attracting the right kind of people, she doesn't understand why people would come here to camp there's nothing really there.

Norm Johnson-2423 W. Sales Yard Road, Emmett, ID. His concern is the traffic and agrees with all the others who have talked.

Lewis Board-1860 W. Sales Yard Road. Emmett, ID. He has the same concerns as everyone else. He has concerns about lighting, and what kind of people this will attract. He also has concerns with homeless coming and using showers and laundry mat.

Tammy Malone-3320 Kings Lane, Emmett, ID. They love the rural area. Her concerns are what's going to come next if this is allowed.

Scott Malone-3320 Kings Lane, Emmett, ID. He has concerns that people would come and live there for long periods of time, and agrees with all the others who spoke.

Applicant Rebuttal

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Ted True- Not sure he wants an RV Park it either now listening to all of the people. The two houses, you can have a primary and a second home like beside or behind but smaller. He is just here at this meeting trying to find out what he can and cannot do. He wants to live here some day on this property.

Vice Chairman **Jones** closed public hearing 7:08pm

Commission Discussion

Commissioner **Vickery** was asking if there was a letter from Southwest District Health. Commissioner **Eichelberger** has concerns of the letters that were sent in from Fish and Game. The chain link fence does become an eye sore, taller than 6 feet. There is a lot that would have to happen on this Special Use Permit quite a bit of items that need to be looked at. The City of Emmett has concerns and would like to have this postponed at this time for more input before approval or disapproval. **Mr. True** agrees that he needs to rethink this permit and do more research and he is fine to table this permit. **Director Jennifer Kharri** the applicant after getting direction from the commission will turn in a revised application and we will get it in on the next available meeting. **Neal Capps-** Director Road and Bridge they would like trip generation numbers from an engineer, and what the numbers would be from the campsite.

Commissioner **Vickery** made a motion to postpone the application for up to six months to revise the application specifically for the reasons of looking for a more uniform application that indicates either a storage facility or campground with a landscape plan. The applicant shall reach out for letters of support from each of these entities, Southwest District Health, Idaho Fish and Game, City of Emmett, Road and Bridge Department related to trip generation numbers.

Commissioner **Eichelberger** seconded the motion.

Vote: 2 to 1

ACTION ITEM #3

PRELIMINARY SUBDIVISION PLAT (MOREHOUSE ESTATES) APPLICATION BY COTNER DEVELOPMENT COMPANY, LLC TO REQUEST APPROVAL OF 8 BUILDABLE LOTS ON APPROXIMATELY 40.0 +/- ACRES, LOCATED ON HIGHWAY 52 AND MOREHOUSE ROAD.

Director Kharri-The applicant, Cotner Development Company, LLC, on property owned by Teakwood Investments. LLC, has applied for a Standard Subdivision Permit application to construct a single-family residential development on approximately 40.00 acres at the Northwest corner of Highway 52 and Morehouse Road. The property is currently bare. The Preliminary

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Plat application proposes 8 building lots. Individual wells and septic systems are proposed for each lot. One new private road is proposed through the development.

Applicant:

Lance Warnick-1619 N. Linder Road #110, Kuna, ID. This is a Standard Subdivision Permit. There will be a new private road and approved fire permit from Fire district #1. They went through the staff report and they are addressing the findings. They will meet with irrigation as development gets closer. Each lot has its own septic and well. Asked if Condition #7 could say prior to county approval. The northside of the property is in the floodplain, four lots will be affected. The average wells are 65 feet deep.

Favor:

Neutral:

Amanda Samarin-6848 W. Hwy 52 Emmett, ID. Has anyone thought of cluster developments? The fence line does not meet up with what the survey says. Will they move it or leave it?

Glen Grim-1253 Morehouse Road, Emmett, ID. He has concerns about his fence, water, wells, and water pipe.

Opposed:

Annette Smith-6900 W. Hwy 52, Emmett, ID. She has concerns with the well water, none of the issues have been addressed. This property has not been irrigated in years. She has concerns of the lot sizes and how it was surveyed. Has concerns about septic's on all lots.

Kenneth Cooper-1212 Morehouse Road, Emmett, ID. Looking at the lot #4, water is a huge concern surface and subsurface. He is concerned of his lot getting flooded with surface us drainage.

Applicant Rebuttal:

Lance Warnick-1619 N. Linder Road #110 Kuna, ID. There seems to be some confusion on lot #4 it does not extend over across the street into Morehouse. Some of the fence lines do not meet up right that is the surveyor's work. Delivery of water will be by code. Southwest District Health requires a statement of water availability, this is part of the preparation for a subdivision.

Vice Chairman **Jones** closed public comments 8:06pm

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Commission Discussion

Vice Chairman **Jones** read through the required findings for a Standard Subdivision. Commissioner **Vickery** read through the recommended approval by staff. Commissioner **Eichelberger** brought up boundaries and how will that be addressed. **Lance Warnick** said he would have to get input from the surveyor.

Commissioner **Eichelberger** made a motion that they recommend to the Board approval with a recommendation to identify potential property line conflict and proposal for resolution in addition to condition #7 to changing it prior to county approval.

Commissioner **Vickery** seconded the motion.

Vote: Unanimous

REGULAR MEETING

1. **ITEMS FROM THE PUBLIC:** none
2. **FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** none
3. **ITEMS FROM THE PLANNING AND ZONING COMMISSION:** none
4. **ITEMS FROM /OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:** none
5. **UPCOMING MEETINGS:** October 10, 2023 at 6:00pm

ADJOURN: Commissioner **Heimlich** made a motion to adjourn
Commissioner **Vickery** seconded the motion.
Vote: Unanimous.

Chairman Eichelberger

Dan Eichelberger