

SUMMARY MINUTES  
GEM COUNTY ZONING COMMISSION  
GEM COUNTY COURTHOUSE  
NOVEMBER 8, 2021

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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, Debra Jones and Justin Vickery.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Planning Director – Jennifer Kharl, 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.**

**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. And noted that item #1 was rescheduled for the December 13<sup>th</sup> meeting.
- 4. APPROVAL OF MINUTES of OCTOBER 12, 2021**  
Commissioner **JONES** approved the minutes as written.  
Commissioner **VICKERY** seconded the motion.  
**Vote:** Unanimous.

**PUBLIC HEARING – ACTION ITEMS**

**ACTION ITEM # 1**

**REZONE #RZ-21-011 – STEVE AND ZENDI MEHARRY-  
A-2 (5 ACRE MINIMUM) TO R-2 (1 ACRE MINIMUM)-485 SOUTH SLOPE ROAD.  
RESCHEDULED FOR THE DECEMBER 13<sup>TH</sup> MEETING.**

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**ACTION ITEM #2**

**JOHN AND MICHELLE DOLLAR – STORAGE UNITS AT 1749 WEST HIGHWAY 52.  
SPECIAL USE PERMIT #SUP-21-008**

**Director Kharrl-** This property already has existing storage units already permitted. There is a new owner that would like to expand that use. They are in a mixed use zone and this definitely fits. Staff has nine required findings for the commissioners to make a decision. Staff is recommending approval.

**Applicant:**

**Michelle Dollar-** 3575 Wills Road. They are looking at adding two storage buildings 48x200, 10x220, and a 20x120 to the already existing building.

**Chairman:** Dan Eichelberger opened up public comments there was no additional testimony, closed public comments at 6:13 pm.

**Commission Discussion**

Discussed and had concerns Idaho Transportation Department letter of concerns will make changes per State Highway Department. They would require an approval of Idaho Transportation for the Special use permit. Last Chance Ditch concerns, these are all in the requirements. Required finding and Staff Analysis were read. Amend or add a ninth condition require 100 feet from edge of road to gate.

Commissioner **Vickery** made a motion to approve Special Use Permit #SUP-21-008 With one additional condition #9 be that the security gate be at least 100 feet from the road. Commissioner **Jones** seconded the motion.  
**Vote:** Unanimous.

**ACTION ITEM #3**

**REZONE #RZ-21-012-WALKER BUILDING, LLC- A-2 (5 ACRE MINIMUM) TO R-2 (1 ACRE MINIMUM)- EAST IDAHO BOULEVARD.**

**Director Kharrl-** The legal access is off Idaho Boulevard as a recorded easement, the future plans are to come off Lower Bluff Road. A rezone has five (5) required findings and this is a recommendation to the Board of County Commissioners who will hold a public hearing, staff has recommended a development agreement to go along with this rezone. To see the big picture of what the plans are along with a water quality/quantity study.

**Applicant:**

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**Jay Walker-** 849 E. State Street, STE 104/103 Eagle, ID, Walker Building LLC 7750 Westridge Lane Emmett, ID. He presented a slide show as he was talking to the commissioners. He thanked Jennifer and staff for all that they did for preparing for this rezone. This along with the parcel to the East and to the West completes access to Lower Bluff Road. That removes some of the concerns through their property through a substandard easement. This meets the zoning plans. He read through the required findings. They will be giving a developments agreement with project plan and water quality/quantity study.

**Favor:**

**Bob Pelcher-** 643 S. Aries Star, Id  
Our intent is to come off East Idaho Boulevard. They are not using Scenic Dr.

**Neutral:** none

**Opposed:** none

**Chairman: Eichelberger** closed public comments at 6:45 pm.

**Road and Bridge Director- Neal Capps-** He went over his letter that was submitted. Gem County Road and Bridge recommends the following conditions be added to the development agreement if approved; Applicant shall provide a development plan, for all three properties, no access shall be granted to Scenic Dr., for all three properties.

**Chairman: Eichelberger** read through the required findings and staff analysis.

**Commission Discussion**

Discussed and had concerns it looks to be that there is no opposition, there are concerns about access, concerns about doing it right on both parts of the developer and the County. He read the recommendations.

**Director Kharri:** Include the items that staff has recommended or any other items that the zoning commission has concerns with that development agreement. Development agreement is the only way to condition a rezone and that's a contractual agreement between the County and developer.

**Chairman: Eichelberger** made a motion to recommend approval REZONE #RZ-21-012 to the County Commissioners for approval of this rezone that includes Development Agreement, includes water quality/quantity study, project plan and a letter of concern from Road and Bridge Department dated November 1, 2021.

Commissioner **Vickery** seconded the motion.

**Vote:** Unanimous.

**REGULAR MEETING**

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1. **ITEMS FROM THE PUBLIC:** none
2. **ITEMS FROM THE PLANNING DIRECTOR/ADMINISTRATOR:** Director **Kharri**- Update on Hummingbird Ranch Special Use Permit, the County Commissioners did uphold Planning and Zoning decision. There are three applications for December.
3. **ITEMS FROM/OR QUESTIONS FOR THE DEPUTY PROSECUTING ATTORNEY:** **Tahja Jensen**- Gave some updates on some appeal applications and the comprehensive plan update process.
4. **ITEMS FROM THE ZONING COMMISSION:** none
5. **UPCOMING MEETINGS:**
  - a) **Next upcoming meeting is:** November 8, 2021
6. **ADJOURN:** Commissioner **Vickery** made a motion to adjourn. Commissioner **Jones** seconded the motion.  
**Vote:** Unanimous.

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Chairman Eichelberger

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