

ELMORE COUNTY PLANNING AND ZONING COMMISSION
War Memorial (American Legion Hall), 515 East 2nd South Street, Mountain Home, ID
83647

Wednesday, February 18, 2015 at 7:00pm

Agenda

PLEASE SILENCE CELL PHONES

CALL TO ORDER

ESTABLISH QUORUM

- | | |
|---|---|
| <input type="checkbox"/> Chairperson Patti Osborn | <input type="checkbox"/> Vice-Chairperson K.C. Duerig |
| <input type="checkbox"/> Betty Van Gheluwe | <input type="checkbox"/> Sue Fish |
| <input type="checkbox"/> Ed Oppedyk | <input type="checkbox"/> Shane Zenner |
| <input type="checkbox"/> Jeff Blanksma | |
|
 | |
| <input type="checkbox"/> Attorney of Record Phil Miller | |

PLEDGE OF ALLEGIANCE

PUBLIC MEETING

- Ordinance Work Session

ITEMS FROM THE PUBLIC

FCO and MINUTES

- Case Number: CUP-2015-02 Jane Junge (Mickey and Minnie's Playhouse).
- Minutes from 01-21-15

INFORMATION ITEMS

- Upcoming P & Z Schedule.

MEETING ADJOURNED

**BEFORE THE PLANNING AND ZONING COMMISSION
OF ELMORE COUNTY**

IN RE: CUP-2015-02

**Amend Conditional Use Permit)
CUP-2004-05 Childcare Facility)
In a Agriculture Zone in the)
Mountain Home Area of Impact)**

**FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER**

Applicant)

**Jane Junge (Mickey and Minnie's Playhouse)
194 SW Fly By Ave
Mountain Home, ID 83647**

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 21st day of January, 2015, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit to amend an existing Conditional Use Permit CUP-2004-05 for a Childcare Facility. Property is located in Lot 7, Block 3, Airport Subdivision, B.M., and is zoned Agriculture and in the Mountain Home Area of City Impact. The Commission heard from the applicant in support of the application. The Commission received written testimony and information in regards to the application. Upon conclusion of the public hearing, the Commission duly considered all that was presented to them. Based upon all this information, the Planning and Zoning Commission now makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The applicant has applied to amend an existing Conditional Use Permit CUP-2004-05 for a Childcare Facility in Lot 7, Block 3, Airport Subdivision, B.M.
2. Notice of public hearing has been given to agencies and property owners on December 29, 2014, publicized in Mountain Home Newspaper on December 31, 2014, and posted on the property on January 13, 2015.
3. Neighborhood meeting was held on December 6, 2014.
4. The property is located within the Agriculture Zone and Mountain Home Area of City Impact.
5. The surrounding land uses are residential and commercial.
6. The proposed use will, in fact, constitute an allowed conditional use in that zone, as determined by the Land Use Matrix and Zoning District

regulations Chapter 8, Table 6-8-11 (C) and 6-8-66 of the Elmore County Zoning and Development Ordinance.

7. The proposed use will be in accordance with goals and objectives of the Comprehensive Plan, Land Use Objective #11 – Encourage and support land use proposals that are consistent with the community design of all communities and districts within the County and with all the applicable provisions of the Zoning and Development Ordinance.
8. The proposed use will comply with all applicable County Ordinances.
9. The proposed use will be served adequately by existing essential public facilities and services such as highways, streets, schools, police and fire protection, drainage structures, refuse disposal, water and sewer or the person responsible for the establishment of the proposed conditional use shall adequately provide any such services. SW Fly By Ave is a paved road and maintained by Mountain Home Highway District.
10. The proposed use will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public streets. No new approaches are anticipated, any new approaches will be approved through Mountain Home Highway District.
11. The proposed use will be designed, constructed, operated and maintained to be harmonious with the existing or the intended character of the general vicinity and such use will not change the essential character of the same area.
12. The proposed use will not be hazardous or disturbing to existing or future neighboring uses. Neighbors within 1,000 feet were notified.
13. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. No data was provided that the proposed use would create excessive additional requirements at public costs.
14. The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of the environment, or excessive production of traffic, noise, smoke, fumes, glare, or odors.
15. The proposed use will not result in destruction, loss or damage of a natural or scenic feature of major importance. The area is not designated as having a natural or scenic feature of major importance.

Based on the foregoing **FINDINGS OF FACT**, the Elmore County Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The requirements of Idaho Code Section §67-6509 have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code.

3. The applicant has met the requirements of the Zoning and Development Ordinance Chapter 27 for a Conditional Use Permit as shown above in the findings of fact.

Based on the forgoing **CONCLUSIONS OF LAW**, the Elmore County Planning and Zoning Commission hereby enters the following:

ORDER

The application to amend an existing Conditional Use Permit CUP-2004-05 for a Childcare Facility located in Lot 7, Block 3, Airport Subdivision, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. There will adequate parking and turn around.
2. All signage will comply with zoning and building regulations.
3. Facility will be and remain state licensed and will have all other required permits from regulatory agencies.
4. Area shall have a secured fencing for safety purposes.
5. Maximum number of children shall be set by state agency not to exceed 18.
6. Comply with Ordinance section 6-8-66.

COMMISSION VOTE:

CHAIRPERSON PATTI OSBORN	VOTED AYE
VICE CHAIRPERSON K.C. DUERIG	VOTED AYE
SUSAN FISH	VOTED AYE
BETTY VAN GHELUWE	VOTED AYE
SHANE ZENNER	ABSENT
ED OPPEDYK	VOTED AYE
JEFF BLANKSMA	VOTED AYE

Patti Osborn, Chairperson

ATTEST:

Alan Christy, Director

DATED this _____ day of _____ 2015.

*Note A decision made by the Elmore County Planning and Zoning Commission may be appealed to the Board of Elmore County Commissioners provided the appeal is submitted in writing to said Board within ten (10) calendar days of Commission action. Questions concerning appeals or deadlines should be asked of the Elmore County Land Use and Building Department.

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES
Wednesday, January 21 at 7:00 pm

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairperson K.C. Duerig, Jeff Blanksma, Betty Van Gheluwe, Sue Fish, and Ed Oppedyk. Also present were Attorney of Record Phillip Miller, Director Alan Christy and staff members Beth Bresnahan and Kacey Ramsauer.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Jane Junge (Mickey and Minnie's Playhouse) to amend a Conditional Use Permit CUP-2004-05 for a group child care facility in a Agriculture (Ag) Zone in the Area of City Impact. Case Number: CUP-2015-02. The site is located at Lot 7, Block 3, Airport Subdivision, B.M. A common means of locating the property is from Airbase Road travel south to SW Fly By Ave., turn left on to SW Fly By Ave. The property is located on the left hand side of the road at 194 SW Fly By Ave.

Bresnahan gave staff report and background.

Jane Junge is the applicant. She stated that she had nothing to add but would stand for any questions.

Van Gheluwe asked if this amendment is to add more children.

Junge stated that they are not adding anymore children, they are just wanting to change the wording on the CUP for state licensing.

There were no further questions.

No one from the public signed up to testify.

Osborn closed this public hearing.

Commission action:

Van Gheluwe moved to approve as presented by staff.

Duerig seconded.

Motion carried unanimously.

FCO and Minutes

FCO for Case Number: CUP-2015-01 Mountain Highway District Gravel Pit.

Duerig moved to approve.

Blanksma seconded.

Motion carried unanimously.

Minutes from 12-17-2014.

Oppedyk moved to approve.

Van Gheluwe seconded.

Motion carried unanimously.

Upcoming P & Z Schedule

Christy stated that there was nothing scheduled for the February 4th meeting and would recommend a motion to cancel that meeting and they will meet again on February 18th.

Duerig moved to cancel the February 4, 2015 meeting.

Oppedyk seconded.

Motion carried unanimously.

Christy stated that staff is getting started on cleaning up the zoning and development ordinance. He asked the commission in what form they would like to receive the information.

Commission consensus was email and disk.

Christy stated that the comprehensive plan was adopted by the board by resolution and he wanted to thank the commission for their work on this. He stated that staff had copies for everyone.

Christy updated the commission on active appeals from the planning and zoning commission that are before the board of county commissioners.

MEETING ADJOURNED

Patti Osborn, Chairperson

Date:

Attest: _____
Alan Christy, Director

Date: