

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES

Wednesday, September 20, 2017 at 7:00 pm

Chairperson Patti Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairman K.C. Duerig, Ed Oppedyk and Sue Fish. Also present were Director Beth Bresnahan and staff member Kacey Ramsauer.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Edgar Hernandez, LLC for a Conditional Use Permit for a auto repair, service shop/car dealer yard in the Agriculture Zone. Case Number: CUP-2017-02. The site is located in Section 34, Township 3 South, Range 6 East, B.M. A common way of locating the property is from the intersection of Highway 51 and Air Base Rd, turn on Highway 51 for approximately 1 miles and the property is on the right side of Highway 51 at the intersection of Highway 51 and Smith.

Bresnahan gave staff report and background.

Edgar Hernandez is the applicant. He stated that he currently has a towing business and an auto repair shop on this property and he would like expand his business to better serve his customers. He stated that he wants to build a bigger shop and have better access for his trucks to move around which is why he purchased this piece of property to begin with.

Osborn asked if he planned on screening the property.

Hernandez stated that he has plans on having a car dealership on site as well and that wouldn't be good for that business. He stated that there is a storage yard on the property and that area will be screened.

Smith asked where to approach to the business will come from.

Hernandez stated that there will be approaches off Smith Road and Highway 51. He stated that he met with the Idaho Department of Transportation (ITD) and they told him that he needed to get approval for the conditional use before applying for access of Highway 51.

Bonnie Phillips signed up in support. She stated that she thinks this will be a good use of this property. She stated that she believes that applicant will follow all requirements from the county.

Sharon Ackley signed up in support but did not wish to testify.

Lori Ackley signed up in support but did not wish to testify.

Michael Vines signed up in support but did not wish to testify.

Chris Alzola signed up as neutral. She stated that the applicant already answered her question regarding the impound areas screening.

There was nobody signed up as opposed.

There was no further testimony.

Osborn closed the public hearing.

Commission action:

Duerig stated that he sees an issue with the size of the property. He stated that the property is only 263 feet deep and 600 feet wide and the ordinance requires at least 100 feet from the property line for an impound yard. He stated that he suggests the applicant apply for a variance.

Smith asked if this were going to be called an impound yard.

Osborn stated that there are multiple things going on with this application. She stated that they need to see if the ordinance gives any flexibility on percentage of use.

Smith stated that in the application the applicant calls this a tow yard.

Commission members and staff looked over the definitions in the ordinance.

Osborn re-opened the public hearing so the commission members could ask the applicant some questions.

Hernandez stated that impound is when they are called by the sheriff or the city police and asked to tow a car after an arrest and he puts the car in his storage yard at his house until the tow is paid for. He stated that usually takes 2-3 days but if there is insurance issues with the vehicle or lawsuits then it can be a little longer in the storage yard. He stated that his plan was not to build a junkyard on the property. He stated that his intentions are to keep the area clean and presentable.

Oppedyk stated that he is concerned about how long the cars are going to be on site.

Hernandez stated that it's up to 30 days then they dispose of the cars for the sheriff or police. He stated that otherwise the regular tows will be stored in the storage area until they can be sold or disposed of.

Duerig stated that a towing or impound yard is not allowed in the Ag zone. He stated that if he can do away with that on this particular site then that is something that can be approved.

There were no further questions.

Osborn closed the public hearing.

Commission action:

Bresnahan stated that if this is classified as a storage yard then it is an allowed use with a conditional use permit. She stated they have to determine what they are going to classify this as.

Duerig stated that this really is straight storage any way you look at it.

Osborn moved to approve with the additional requirements provided in the supplemental staff report from ITD and referring to this as a storage yard.

Fish seconded.

Motion carried unanimously.

Michael Eisenman for a Conditional Use Permit for a billboard in the Highway/Interstate Commercial Zone. Case Number: CUP-2017-03. The site is located in Section 15, Township 1 South, Range 4 East, B.M. A common way of locating the property is from the Interstate 84, travel west from Mountain Home, exit Simco Road and travel south for approximately ¼ mile and property is on the right side of the road.

Bresnahan gave staff report and background.

Mike Eisenman is the applicant. He stated that he wishes to put a freeway billboard on his commercial property to advertise a business. He stated that he has met with ITD and will follow all of their requirements. He stated that they are looking at an 80 foot sign.

No one signed up to testify in support, neutral or opposed to this project.

There were no further questions.

Osborn closed the public hearing.

Commission action:

Duerig moved to approve with conditions presented in the staff report.

Oppedyk seconded.

Motions carried unanimously.

NEW BUSINESS

Review Development Agreement for Cat Creek Energy, LLC.

Bresnahan stated the reason that the commission is reviewing this development agreement is because the ordinance requires it. She stated that after discussing this with the county attorney she recommends that since the planning and zoning commission did not approve these projects this be deferred to the board of county commissioners who approved the projects.

Duerig moved to approve the recommendation from staff to defer the development agreement to the board of county commissioners.

Oppedyk seconded.

Motion carries unanimously.

MINUTES

Minutes from August 16, 2017

Duerig moved to approve as presented.

Oppedyk seconded,

Motion carried with Fish and Smith abstaining as they were not present for this meeting.

INFORMATION ITEMS

Upcoming P & Z Schedule

Bresnahan stated that the next meeting is scheduled for October 18, 2017. She stated that they will be discussing the ordinance and there have been many changes made. She handed out some information and for the commission to look over and discuss at the next meeting.

MEETING ADJOURNED at 8:17 p.m.

Approved

Approved



11-1-17

Patti Osborn, Chairperson

Date:



11-1-17

Attest:

Beth Bresnahan, Director

Date: