

**ELMORE COUNTY  
PLANNING AND ZONING COMMISSION**

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**MINUTES**

**Wednesday June 16, 2021 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, Mitch Smith, and Sue Fish. Also, present were Attorney of Record Ralph Blount and staff members Director Mitra Mehta-Cooper, Diana Clark, and Kacey Ramsauer.

**ACTION ITEMS**

Accept testimony and consider an application from YESCO on behalf of Fat City Fireworks, for a Conditional Use Permit to install a 40-foot Electronic Reader Board in Elmore County, Idaho; the property is zoned Light Industrial. Case Number: CUP-2021-03. The site is located at 1775 Simco Road, west of the 1-84 Simco Road Exit.

Todd Taylor is the applicant representing Fat City Fireworks. He stated that the application is for an electronic reader board on this site. He stated that there is a note in the staff report stating that there would be a static change on the board once every 24 hours and they are asking for some leniency on that and the reason being that this board can do several messages throughout the day. He stated that there will not be any flashing or strobe lights. He stated that they would like to request 2 static changes per hour.

Clark gave staff report and background.

There was no one signed up to testify in support, neutral or opposed.

There was no further testimony.

Osborn closed this public hearing.

**Commission Action:**

Duerig moved to approve with the following conditions:

1. Conditional Use Permit 2021-03 be approved for YESCO for Fat City Fireworks, to install an Illuminated Billboard 40' in height in the Light Industrial Zone on Parcel RP01S04E151900.
2. Proposed use shall comply with all requirements of Title 7 Chapter 2 ("Zoning") and Chapter 9 ("Conditional Use Permit") of the Elmore County Zoning and Development Ordinance 2018-03.

3. The Applicant shall obtain any applicable permits for any structures and/or other permissible projects on the property to include any required state permits and a sign building permit.
4. Applicant shall submit an Administrative Approval Variance Application for the one (1') foot height difference on the billboard face within thirty (30) days of approval of the Conditional Use Permit.
5. Applicant shall ensure all property taxes are kept current.
6. Failure to comply with any of the above conditions of approval may result in the revocation of the Conditional Use Permit.
7. The 40' illuminated billboard shall only have a static display with no more than 2 changes per hour.

Smith seconded.

Motion carried unanimously.

Accept testimony and consider an application from Kevin Bentley, for a Conditional Use Permit to subdivide a 20-acre parcel into four 5-acre parcels in Elmore County, Idaho; the property is zoned Agriculture. Case Number: CUP-2021-04. The site is located Township 1 South Range 5 East in section 29, adjacent to Red Baron Estates Subdivision.

Chairperson Osborn stated for the record that she is aware of this project through the scope of her employment, and she gave the applicant the opportunity to ask her to recuse herself if he feels she cannot be unbiased.

Bentley stated that he is fine to proceed with Osborn as part of the quorum.

Kevin Bentley is the applicant. He stated that is asking for approval though a Conditional Use Permit to subdivide a 20-acre parcel into four 5-acres parcels adjacent to Red Baron Estates Subdivision. He discussed some of the proposed conditions that he has some concerns with or needed clarification on regarding the proposed conditions for time limits to fill the fire suppression water tank, language on working with Fish and Game and road surfaces.

Clark gave staff report and background.

There was no one signed up to testify in support or in opposition.

Bob Ruth signed up to testify in neutral. He is the Chief of the Oasis Fire Department. He stated that they had asked the developer of the Red Baron Estates Subdivision to put in fire protection of some kind many years ago. He stated that they secured a 12,000-gallon water tank and placed in the area that now belongs to the applicant. He stated at that time there was no way to fill it with water. He stated that Bentley stated that he will supply the water for this tank and keep it filled once he gets his well-drilled. He stated that it will give the fire department good water storage in that northwest area of their district which is very helpful to them.

Jolene Hobdey signed in as neutral but did not wish to testify.

Osborn asked Ken Casper to come to the podium as he was the original developer of Red Baron Estates Subdivision, and he can answer questions about the road surfaces in the area. Casper stated that the road surfaces coming into the subdivision are decomposed asphalt. He stated that Aeronca and Bonanza roads are both paved as well and the runway and part of Cessna Road.

There was no further testimony.

Osborn closed this public hearing.

Duerig moved to approve with the following conditions:

1. Conditional Use Permit 2021-04 be approved for Kevin Bentley, to subdivide the 20-acre parcel into four 5-acre parcels in the Agriculture Zone.
2. Proposed use shall comply with all requirements of Title 7 Chapter 2 ("Zoning") and Chapter 9 ("Conditional Use Permit") of the Elmore County Zoning and Development Ordinance 2018-03.
3. The Applicant shall submit for review and approval a preliminary and final plat for the 4-lot subdivision to include recording the final plat and CC&R's within 30 days of the County Treasurer signing the final plat per Zoning Ordinance §10-1-3(H).
4. The Applicant shall obtain any applicable permits for any structures and/or other permissible projects on the property.
5. The Applicant shall work with the Mountain Home Highway District to identify an acceptable road standard between S. Cessna Ave. and Cowboy Lane before submitting a preliminary plat.
6. Applicant shall work with the Oasis Fire District to identify an acceptable timeframe to fill the fire suppressant tank located on Applicant's property and to determine the size and location of an approved fire turnaround.
7. Applicant shall proceed in working with Idaho Department of Fish and Game to address concerns of the Federally protected Slickspot Peppergrass that has been historically found in the area.
8. Septic permit approvals shall be obtained from Central District Health for any buildable lots.
9. Applicant shall ensure all property taxes are kept current.
10. Failure to comply with the above conditions may result in the revocation of the Conditional Use Permit.

Smith seconded.

Motion carried unanimously.

Accept testimony and consider an application from Cassandra Tindall, for a Conditional Use Permit to subdivide a 10-acre parcel into two 5-acre parcels in Elmore County, Idaho; the property is zoned Agriculture. Case Number: CUP-2021-05.

Chairperson Osborn stated for the record that she is aware of this project through the scope of her employment, and she gave the applicant the opportunity to ask her to recuse herself if he feels she cannot be unbiased.

Cassandra Tindall is the applicant. She stated that he is fine to proceed with Osborn as part of the quorum. She stated that this application is to divide her mother's 10 acres of land into two 5-acre parcels so she can build a home on one of the parcels so she can care for her mother as she ages.

Clark gave staff report and background.

There was no one signed up to testify in support, neutral or opposed to the application.

There was no further testimony.

Osborn close the public hearing.

#### **Commission Action:**

Smith moved to approve with the following conditions:

1. Conditional Use Permit 2021-05 be approved for Cassandra Barrington, to subdivide the 10-acre parcel into two 5-acre parcels in the Agriculture Zone.
2. Proposed use shall comply with all requirements of Title 7 Chapter 2 ("Zoning") and Chapter 9 ("Conditional Use Permit") of the Elmore County Zoning and Development Ordinance 2018-03.
3. The Applicant shall submit for review and approval a preliminary and final plat for the 2-lot subdivision.
4. The Applicant shall obtain any applicable permits for any structures and/or other permittable projects on the property.
5. The Applicant shall comply with all applicable fire codes, to include constructing an approved driveway and fire turnaround.
6. Applicant shall obtain a septic permit approval from Central District Health prior to applying for a building permit.
7. Applicant shall ensure all property taxes are kept current.

Duerig seconded.

Motion carried unanimously.

Accept testimony and consider an application from Nathan Gurwell, for a Variance to the size of a proposed accessory dwelling in Elmore County, Idaho; the property is zoned Agriculture. Case Number: VAR-2021-01. The site is Lot 30 Block 1 of the Fruitland Subdivision.

Bridgette Gurwell is the applicant. She stated that they are requesting a 124 square foot variance to the size requirements for an accessory dwelling unit they are building for her elderly father-in-law who is disabled so he can live with them to help in his care as well as a live-in care giver. She stated to make the home ADA compliant they need to increase the size a bit.

Clark gave staff report and background.

Phillip Mills signed up in support but did not wish to testify.

Bridgette Gurwell signed up in support and has testified as the applicant.

No one signed in to testify in neutral.

No one signed in to testify as opposed.

There was no further testimony.

Osborn closed this public hearing.

**Commission Action:**

Duerig moved to approve with the following conditions:

1. A Variance to increase the ADU size from 900 sq. ft. to 1024 sq. ft. attached to the primary dwellings garage be granted to Nathan Gurwell on Parcel RP00060010030A.
2. Applicant shall improve the private road Roundup leading to property to meet current fire and county code and requirements, to include an approved fire turnaround.
3. Applicant shall apply for appropriate permits for all permissible projects on the property.
4. Applicant shall obtain septic approval(s) from Central District Health.
5. Applicant shall adhere to current ordinance standards for setbacks with any future development on said property or obtain approval for necessary variations.
6. Proposed use shall comply with all requirements of Zoning Ordinance § 7-3-13 ("Variances").
7. Applicant shall keep all property taxes current.

Smith seconded.

Motion carried unanimously.

FCO and Minutes

FCO for Case Number: CUP-2021-02 for Craig Reisch

Duerig moved to approve with one correction.

Fish seconded.

Motion carried unanimously.

Minutes from May 19, 2021

Duerig moved to approve.

Smith seconded.

Motion carried unanimously.

INFORMATION ITEMS

Upcoming P & Z Schedule

The next public hearing is scheduled for July 21, 2021.

MEETING ADJOURNED AT 8:30 pm.



Patti Osborn, Chairperson

Date:



Attest: Mitra Mehta-Cooper, Director

07/21/21

Date: