

February 15, 2023 meeting minutes



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

Wednesday, February 15, 2023, at 7:00pm

MINUTES

CALL TO ORDER

Chairperson Patti Osborn called the meeting to order. Other members of the Elmore County Planning and Zoning Commission present were Vice Chairman K.C. Duerig, Jeff Blanksma, Sue Fish, Ed Oppedyk and Mitch Smith. Also, present were Director Mitra Mehta-Cooper, Attorney of Record Ralph Blount, County Engineer Angie Michaels and staff members Kacey Ramsauer, Joel Cruz-Haber and Tonya Boyd.

PUBLIC HEARING ITEMS

1. Proposal: To subdivide 27.42 acres into five, 5-acre residential lots to develop Trails End Subdivision No. 2 on Agriculture (Ag) zoned land. Case Numbers: CUP-2022-06, P-Plat-2022-02, and VAR-2022-05. The site is on Township 4 South, Range 6 East, Section 24. The parcel # is RP002290010040. The site is located 9 miles North of Anderson Dam, in Featherville. A common way of locating the property is to go North on Highway 20, then go North on Highway 61 for 30 miles. Then turn right onto E. Pine Creek Rd and stay on for 1 mile, then turn left on Abbot Gulch Rd and stay on for a quarter mile, and the property will take access on N Wilderness Lane to the left.

SPEAKER: Bob Unger, address: 901 N. 29th Street, Boise, ID 83702, representing the developer. Was in agreeance with Staff's recommendations. Has done all requests including FEMA, BLM, Forrest Service, and Floodplain. Has included conditions in CC&R's for future owners. Still looking for a legal way to donate funds to an agency that will maintain the roads. One condition designated in CC&R's is that hillsides cannot be developed by future owners.

Ralph Blount: Mentioned the 100 year flood plain does not guarantee it WON'T flood.

Bob Unger: We will make note of that in the CC&R's.

Ralph Blount: Contributions to a local fire department to help out with fires.

Bob Unger: Will do.

Sue Fish: What about help with maintaining the roads?

Bob Unger: Property owner is in agreeance to do something and there will be a fee for road maintenance in the CC&R's for this.

Patty Osborn: You have read #17 in the conditions; do you agree to this?

Bob Unger: Right, yes.

Patty Osborn: Do you understand the process... You, Staff, then the public, then your rebuttal?

Bob Unger: Yes.

Joel Cruz-Haber, Elmore County Staff: Gave statement of proposal and work done. Stated lots 1, 2, & 3 are not allowed subdividing. Lot 4 is currently being divided. Road is low volume according to the Forrest Service and in CC&R's certain lots will require future owners to install culverts for drainage. A wave of requests required a site visit which resulted in a review from a 3rd party engineer and as a result the applicant revised their plans. The plans were then submitted to

various agencies. No agency took ownership of the roads and more research was done, resulting in the determination that the roads fall into the Mountain Home Highway District jurisdiction. Staff then determined a VAR was needed so that roads could be built to county standards. A discovery was made that work was being done without permitting and another site visit took place. The applicant corrected the issue and again became compliant with proposal/requirements of LOMAR & county. Mountain Home Ranger Dist. Letter sent in response to proposal stated a permit was needed for road maintenance, so fire standards are met.

Ralf Blount: Is there an active irrigation ditch near?

Angie Michaels: One does exist.

Ralf Blount: Mentioned to be wary of the "Injury to ditch" law in Idaho.

In Neutral Testimony:

Doug Brown – 4206 N. Jetta Ln. – lives across from the development. Concerned about the road name staying as Jetta. Also concerned about maintenance of entire road not just near the 5 acres due to HIGH traffic of campers that camp at end of lane.

Karen Collins – 445 Wendell Street, Wendell – owns property in Abbott Gulch. Also concerned about the traffic on the road and maintenance. Has gotten bids for grading. Wants to make sure road is maintained because they(current property owners) have been paying out of pocket to maintain the road. Security cameras have logged up to 80 vehicles in one day.

Bob Unger rebuttal: Not sure of how to create agreement for road maintenance. Will look into discussing campers with the Forrest Service to see if anything can be done in regards to the use by campers. Irrigation does carry water in the summer and future owners in areas near ditch will have requirements in the CC&R's. It has been made CLEAR to the property owner that they cannot develop yet. There will be a condition for fire sprinklers in the CC&R's.

Sue Fish: Why are separate garages not allowed as stated in the CC&R's?

Bob Unger: Garages are allowed; however, boats and other toys need to be behind fences.

Chair closed the discussion and called for motion:

- | | | | |
|-------------------|---------------------|-----------------------|-------------------|
| A. CUP-2022-06 | Motion: K.C. Duerig | Second: Ed Oppedyk | Pass: Unanimously |
| B. P-Plat-2022-02 | Motion: K.C. Duerig | Second: Ed Oppedyk | Pass: Unanimously |
| C. VAR-2022-05 | Motion: K.C. Duerig | Second: Jeff Blanksma | Pass: Unanimously |

CONSENT ITEMS

2. FCO – VAR-2023-01 - Motion: K.C. Duerig Second: Ed Oppedyk Pass: Unanimously
3. Minutes-January 18th, 2023- Motion: K.C. Duerig Second: Mitch Smith Pass: Unanimously

ITEMS FROM THE PUBLIC: For information purposes only on items not placed on the agenda.

Carl Vaugh – P.O. Box 1384, Mountain Home, ID 83647 – Zoning issue – questioned why a specific area is zoned as commercial. His client cannot put a home there due to zoning. Cannot find how it became commercial in the first place.

Ralf Blount – we will do research with the staff as to why and get back to you.

INFORMATIONAL ITEMS

4. Upcoming P&Z Meeting Date – March 15, 2023
 - a. Mitra – working on code & zoning updates
 - b. Joel – will have one CUP

5. Tipanuk Update
 - a. Joel – stated the DEQ did a site inspection, and we are still awaiting results. CUP 2022-17 is still in progress.

6. Department Head Memo
 - a. Mitra gave an update on roads. Encouraged the BoCC to work with Highway Districts to help tax payers.

MEETING ADJOURN



Patti Osborn, Chairperson

04/19/23

Date:



Attest:
Mitra Mehta-Cooper, Director

04/19/23

Date: