

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES

Wednesday, January 7, 2009 at 7:00 pm

Chairperson Nettleton called the meeting to order, and established a quorum. Members of the Elmore County Planning and Zoning Commission present were Chairperson Nick Nettleton, Patti Osborn, Al Sobtzak, Debbie Lord and KC Duerig. Also present were Attorney of Record Phil Miller, and staff members, Bonnie Sharp, Kacey Hultenius, Beth Westerwelle and Code Enforcement Officer Noe Garza.

OLD BUSINESS

Tony and Nelle Pineda for a Conditional Use Permit for a Wrecking Yard/Junk Yard in a Heavy Manufacturing (M2) Zone. Site is located in Township 1 South, Range 4 East, Section 27, B.M.

Monica Pineda is speaking for the applicant. She stated that they are asking to withdraw their application due to financial reasons and the fact that all of the cars currently on the property are grandfathered and there is no need for a CUP.

Noe Garza is the Code Enforcement Officer for Elmore County. He stated that after speaking with the applicant it was determined that they are grandfathered and had no intention of adding anymore vehicles and a CUP is not necessary. Pineda stated that they are requesting a return of the fees paid for the CUP.

Sharp informed them to put their request for an application fee refund in writing and it would be forwarded on to the County Commissioners for consideration.

Nettleton closed this public hearing.

Commission Action:

Nettleton stated that no action will need to be taken since they are requesting to withdraw their application.

PUBLIC HEARINGS

Peter and Barbara Livers for a Conditional Use Permit for a 4-Lot Letter of Information Subdivision in an Agricultural B (Ag B) Zone. Site is located in Township 1 North, Range 9 East, Section 13, Parcel 19 Anderson Ranch Bluff Survey, B.M.

Westerwelle gave staff report and background.

Nettleton wanted to state for the record that Commission Member Sobtzak had joined the proceedings.

Peter Livers is the applicant. He stated that wants to split the property for his children.

No one signed up to testify in this matter.

There was no further testimony.

Nettleton closed this public hearing.

Commission Action:

Osborn moved to approve with the additional condition that a legal fence be maintained between these lands and open range.

Duerig seconded.

Motion carried unanimously.

Robert and Ruth Steele to show cause as to why their Conditional Use Permit for a 5-Lot Subdivision in an Agriculture B Zone should not be revoked. Site is located in W 825 Ft of the Southwest Quarter of Section 15, Township 4 South, Range 6 East, B.M.

Ruth Steele is the applicant. She stated that she had gone out of town to live in New Jersey for 18 months and the gentleman that was to take care of this in her absence was diagnosed with West Nile Virus and became extremely ill. She is now asking to be given some consideration for an extension to take care of the final plat. She stated that they are asking for another 4-6 months.

No one had signed up to testify in this matter.

There was no further testimony.

Nettleton closed this public hearing.

Commission Action:

Sobtzak moved to give a 6 month extension from today to file the final plat or the CUP will be revoked.

Lord seconded.

Motion carried unanimously.

Greg Knudson to show cause as to why his Conditional Use Permit for a 12-Lot Subdivision in an Agriculture B Zone should not be revoked. Site is located in Sections 15, 20, 21 and 22, Township 2 North, Range 7 East, B.M.

Greg Knudson is the applicant and Calvin Ireland has come to speak with him regarding this application. Ireland stated that Knudson has done considerable work on this subdivision. He stated that the paperwork has not been completed and they need time to get that finished. Ireland stated that the road was built to highway district standards for the time that the CUP was granted.

Commission Action:

Duerig moved to give a 6 month extension from today to get paperwork and plats finalized or the CUP will be revoked.

Sobtzak seconded.

Motion carried unanimously.

New Business

FCO's and Minutes

Minutes from 12-17-2008

Lord moved to approve with corrections.

Duerig seconded.

Motion carried unanimously.

FCO for Bideganeta

Osborn moved to approve.

Sobtzak seconded.

Motion carried unanimously.

FCO for Whittekind /Gabbard

Duerig moved to approve with corrections.

Lord seconded.

Motion carried unanimously

FCO for Boise Highland Development (Sterling Sage Subdivision) revoke Conditional Use Permit

Osborn moved to approve

Sobtzak seconded.

Motion carried unanimously.

FCO Hans Nederend (Aurora Subdivision)Revoke Conditional Use Permit

Osborn moved to approve

Sobtzak seconded.

Motion carried unanimously.

FCO Intermountain Development (Mallard Creek Subdivision)Revoke Conditional Use Permit

Osborn moved to approve

Sobtzak seconded.

Approved

Approved

Motion carried unanimously.

FCO Ken Gearhart (Sky Ridge Subdivision) Revoke Conditional Use Permit

Osborn moved to approve

Sobtzak seconded.

Motion carried unanimously.

INFORMATION ITEMS

Sharp informed the Commission members that there are no items scheduled to come before the P&Z Commission on January 21, 2009.

Sharp informed the Commission members that the public hearing for the Proposed Zoning Ordinance with the County Commissioners is scheduled for January 26, 2009 at 6:00 pm in the Commissioners room at the Courthouse.

ITEMS FROM THE PUBLIC

MEETING ADJOURNED

Nick Nettleton, Chairperson

Date:

Attest: _____

Bonnie Sharp, Administrator

Date: _____