

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES

Wednesday, May 20, 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, Al Soltzak, Rusty Trail, Betty Van Gheluwe, Sue Fish, and KC Duerig. Also present were Attorney of Record Phil Miller, and staff members, Brent Butler, Beth Westerwelle, and Kacey Hultenius.

PUBLIC HEARINGS

Juniper Station Properties LLC for a Variance for a parcel of less than one acre and a Conditional Use Permit for a 4-Lot Letter of Information in a Commercial (Com) Zone. Site is located in Township 1 South, Range 4 East, Section 15, Northeast ¼ of the Northeast ¼ quarter, B.M.

Westerwelle gave staff report and background.

Mike Eisenman is the applicant. He stated that this is basically just a cell tower on a 1 acre piece of land and that they basically just want to clean it up.

No one signed up to testify.

Nettleton closed this public hearing.

Commission Action:

Soltzak moved to deny the variance based on the fact that it would create a non conforming lot that is less than one acre in a zone that requires one acre or more. The approval of this Variance would give the applicant a privilege that is denied other land use applicants.

Trail seconded.

Motion carried unanimously.

Nettleton asked the applicant if he wished to continue with the LOI application as the Variance was denied.

Eisenman stated that he wished to continue with the LOI application.

Nettleton postponed this public hearing until June 17th 2009.

Juniper Station LLC for a Conditional Use Permit for a 4-Lot Letter of Information in a Light Industrial (M1) Zone. Site is located in Township 1 South, Range 4 East, Section 15, Southeast ¼ of the Northeast ¼, B.M.

No one signed up to testify.

Nettleton closed this public hearing.

Soltzak moved to recommend approval of this application to the Board of County Commissioners based on the fact that it meets the standards for a Conditional Use Permit.

Trail seconded.

Motion carried unanimously.

Cynthia Terriberry and Gerald Kencke for a Conditional Use Permit for 4-Lot Letter of Information in an Agriculture B (Ag B) Zone. Site is located in the Township 5 South, Range 8 East, Section 35, Northwest quarter, B.M.

Westerwelle gave staff report and background.

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Cindy Terriberry is the applicant. She stated that she was informed by the Glens Ferry Highway District (GFHD) that West Flock Road was a public road and that Terriberry would have to put in a 170 foot wide cult de sac as stated in the Elmore County Ordinance. The GFHD then informed them that they would not have to do this if they made the road private. Terriberry stated that she went to the neighbors to the north of the property who border the road who agreed to a private road and was approved by the GFHD as private. She stated that the road is built to Highway District standards because it was their road prior to making it private. Sobtzak asked the applicant what Parcel A is since it is not a part of the original lot. She stated that Parcel A and Parcels B, C, and D are 2 separate original lots.

No one signed up to testify.

There was not further testimony.

Nettleton closed this public hearing.

Commission Action:

Sobtzak moved to recommend approval of this application to the Board of County Commissioners based on the fact that it meets the standards for a Conditional Use Permit as evidenced by the local property owners' agreement to acquire and maintain West Flock Road.

Duerig seconded.

Motion carried unanimously.

Hammett Community Church for a Variance from the Zoning Schedule of Bulk and Coverage

Controls for a rear setback. Site is located at 9223 Church Street in Hammett, Idaho.

Westerwelle gave staff report and background.

No one signed up to testify.

Nettleton closed this public hearing.

Commission Action:

Sobtzak moved to approve this application based on the fact that the size of this lot is smaller than other lots as it was platted prior to current setback standards. The applicant is required to come back before the Planning and Zoning Board for a review of the building progress in 5 years.

Trail seconded.

Motion carried unanimously.

New Business

FCO's and Minutes

FCO for Mike Miller

Duerig moved to approve with correction reflecting the absence of a Commission Member Trail.

Trail seconded.

Motion carried unanimously.

Minutes from 4-15-2009

Trail moved to approve

VanGheluwe seconded.

Motion carried unanimously.

Approved

Approved

MEETING ADJOURNED

Nick Nettleton, Chairperson

Date:

Attest: _____

Brent A. Butler, Administrator

Date: