



Valley County Planning & Zoning Commission

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Ed Allen, Chairman
Kathy Deinhardt Hill, Vice-Chairman

Rob Garrison, Commissioner
Dusty Hibbard, Commissioner
Bryan Cooley, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: May 14, 2015
TIME: 6:00 p.m. to 8:02 p.m.
LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present -- Commissioners Bryan Cooley, Kathy Deinhardt Hill, Rob Garrison, Dusty Hibbard, and Chairman Ed Allen. Staff member present: Cynda Herrick, AICP, CFM, Planning and Zoning Administrator.

A. MINUTES: April 9, 2015

Commissioner Garrison moved to approve the minutes for April 9, 2015. Commissioner Cooley seconded the motion. Motion carried.

B. OLD BUSINESS:

- 1. C.U.P. 12-09 2 Sister Mercantile:** Debbie Roberts, business owner, would like to update the site plan for the existing business at 13844 State Highway 55 in Lake Fork. Changes include addition of small lot for access on the highway, some required ISLD signage, and parking areas. The site is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, T. 17N, R. 3E, B.M., Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report. Staff explained that she was trying to verify that what 2 Sister's are trying to do is approved as far as landscaping, parking, and new deck.

Chairman Allen has an issue with the site plan. He would like pictures and some measurements with the side of the building. The old one is so small that it cannot be read.

Commissioner Garrison commented that the only difference is really the new entrance on Highway 55. Chairman Allen said he can't read it. Chairman Allen commented that this adds to activity on Highway 55 – would like to avoid new entrance points.

Commissioner Garrison would like to see more detail – measurements of access points, etc. This is kind of vague.

Commissioner Cooley and Commissioner Hibbard agreed it was basically the same, with the inclusion of the access from Highway 55 and the property to the south.

Commissioner Hill said they cleaned it up and it looks a lot better.

Commissioner Garrison moved to table to the June meeting for more detail with measurements on a site plan. Commissioner Hibbard seconded the motion. Motion carried.

C. NEW BUSINESS:

- 1. C.U.P. 15-05 Disaster Response:** Beau Value is requesting a conditional use permit for office space, storage, and cleaning facilities. Three buildings are planned: 50 x 100 foot, two-story building for offices and warehouse facilities, a 50 x 80 foot cleaning facility, and a 40 x 194 foot storage building. 1099 LLC owns the 2.27 acres site addressed as 4 Rogers Lane, located at the northeast corner of Hwy 55 and Rogers Lane, SE ¼ Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report with letters from the following people: Amy Guardia (exhibit 1), Debi Sabatasse (exhibit 2), John Gebhards (exhibit 3), Ginger Quarton (exhibit 4), and Brok Goul (exhibit 4B).

Chairman Allen asked for the presentation from the applicant.

The applicant, Beau Value, 13009 Leland Dr., Donnelly, ID, made the following statements:

- He is the applicant and owner of Disaster Response.
- The property is 2.2 acres.
- Showed aerial of existing commercial uses starting at Elo to Pearson to Rogers and then to Lakefork.
- Talked about Kurt's Automotive, Mile High Power Sports, etc.
- Explained the use of the buildings.
- 100' setback from Highway, 30' from Rogers and 10' from north.
- Would build office first with a garage on east side. 2nd building is for content cleaning. 3rd building (16-12x24) units are for storage of cleaned items.
- 2 entrances

- Lots of trees on east and west will be left for screening. Trees on the east (45 feet) will remain.
- Colors will be tan.
- Want to provide a nice building with landscaping.
- This will help cut noise to houses on east and will block lights from shining through to residences.
- Would like to start this year with completion of 2 buildings by early 2016 and completion of 3rd building by end of 2016.
- Has worked with Central District Health to get a septic system.
- Hinson's storage is larger than his storage. Feels this proposal fits in with other uses in area.
- Have 12 employees – 6 stay at office, 6 leave for the day. Not a retail store, so traffic will be minimal.
- All on-site work will be done in the buildings so noise will not disturb neighbors.
- Submitted large rendering (exhibit 5) and a large aerial (exhibit 6).

Commissioner Garrison asked if he spoke with health department and questioned whether he had enough area for the drainfield. Beau said if there isn't enough area, will shift 2nd building to the east and decrease number of storage units.

Commissioner Hill asked about storage units and if people have access. Beau said the only way people would go there is if they want to come to the site and go back with an employee. Chairman Allen asked if things will be removed after processed. Beau said yes. Chairman Allen commented that it is not like regular storage. Beau said it is not typical and during normal business hours.

Chairman Allen asked about upstairs office space. Beau said only for Disaster Response employees.

Chairman Allen asked for proponents. There were none.

Holly Pedro, 14 Rogers Lane asked about second driveway and the amount of usage. Asked what side of the trees on the east the fence would be located. Asked what direction the effluent will flow.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents.

Debi Sabatasse, 18 Rogers Lane, asked the following:

- Mile High Marina does not have traffic on Rogers Lane.
- Asked if he would want this commercial use at his home.
- Her dog was killed and it is harder and harder to walk. It is an alternative use.

Chairman Allen asked for rebuttal.

Beau Value rebutted, as follows:

- The trees will be on the road side of the fence. The east fence will be on the west side of the trees.
- Will rely on Josh Kriz to determine size of drainfield.
- Their traffic will be limited to first 200 feet. Will not drive through Carefree Subdivision.
- The storage units will not be rented – operated by them – accessed by them. Once in a while a property owner may want to get something.
- The second driveway will not have much use; will be locked most of the time.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Hibbard talked about concerns of additional traffic – sounds like issues are with residential uses. Regarding traffic, it is right off Highway 55 – employees will not have to drive through neighborhoods to the shop. There is no reason vehicles can't pull in and out of this site. The applicant is doing this right; they are not slapping it together. There are buffers, trees, landscaping, etc. As far as the 2nd access is concerned it is either approved or not.

Commissioner Cooley drove by the sight and looked. It is difficult to see the site due to all the trees on east and west. There are a number of commercial uses in the area – one commercial use drives by the residences. There are good vegetative buffers to the east and west, distance buffer to the north, and commercial uses to the south. Thinks these buildings will look nice.

Commissioner Hill said that because there is existing commercial use is not a sound reason to put another commercial building – will lead to a Garden City strip mall. It is a good idea to have access from Rogers Lane, but this is where a lot of accidents happen. Would rather see in Lake Fork or McCall in those industrial areas. Well done, well laid out, doesn't belong there.

Commissioner Garrison's concern is that this plan could change drastically – which would require them to come back. Hesitates to approve something without a septic permit. Commissioner Hibbard stated it would have to come back if there were changes.

Chairman Allen commented that he sympathizes with the traffic issue there. Commented on the Scenic Byway Corridor Management Plan that was prepared years ago. When that failed, it put us back to individual analysis of each proposed use. Will work through drainfield area. Would like to see storage units with the back to the north and south and leave access in the center. It will be nicest looking commercial use in the area. He personally lives down Rogers Lane. Would like to ask the County Commissioners to ask Idaho Transportation Department to put a turn lane at this intersection.

COA #7: shall include approval of the septic by Central District Health.

COA: Storage units are not open to the public and can only be accessed during normal business hours.

Commissioner Hibbard thinks 2nd access should stay so anything long can pull through.

Commissioner Hibbard moved to **C.U.P. 15-05 Disaster Response with the conditions of approval 1-8 and with the additional condition.** Commissioner Garrison seconded the motion. Commissioner Hill opposed. Motion carried.

Chairman Allen stated there is a ten day appeal period.

2. V-1-15 Peterson & Fry Shared Driveway Variance: Jeffrey Peterson and Michael Fry are requesting a variance for a shared driveway to access the lots that will result once Hasbrouck Subdivision Lot 21 is split into two parts. Both portions will be legal building sites; however, the only available access is an approximately 30 foot wide driveway connecting the existing lot to Cabarton Road. The site is addressed as 1038 Cabarton Road, located in Section 5 of T.12N, R.4E, and Section 32, T.13N, R.4E, Boise Meridian, Valley County, Idaho.

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. Commissioner Garrison recused himself.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report.

Chairman Allen asked for the presentation from the applicant.

The applicant, Jeffrey Peterson, 1104 Palace Ave., Emmett, ID, made the following statements:

- Owned property since 1990, Fry's bought in 1969 from the Hasbrouck's, amended in 1973, 50' appeared – the driveway has been there for 45 years.
- Regardless of whether driveway is in current location or moved would like to share the driveway.
- He only loses the expense of building a new road.
- Opponent will gain 25 feet of road.
- Will have to cut down 25 trees and will have to move 2 power poles.

Chairman Allen asked for proponents.

Chip Bowers, Fodrea Land Group, Cascade, ID:

- He supports the application.
- Wherever they put the driveway they need to share it.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents.

Marisa Lamm, 2895 Hall Dr, Eagle, ID, made the following comments:

- Has property to the east.
- The driveway is on her property.
- Doesn't know why driveway was put where it is
- Purchased property in 1988.
- In last year the property has been used more.
- Opposes where the driveway is located and shared.
- Does not have a problem if it is shared if it is moved.
- An old problem should be made right.

Chairman Allen asked for rebuttal.

Peterson did not know what else to add. They have 30' and ask that the variance be granted.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Hibbard has no issues with this use. Would request that the driveway be on his property and that the issue is between him and his neighbor as to location.

Commissioner Cooley agrees. We are looking only at variance.

Commissioner Hill said that before they use driveway the location of driveway should be resolved.

Commissioner Cooley moved to recommend to the Board of County Commissioners approval of **V-1-15 Peterson & Fry Shared Driveway Variance with the conditions of approval as stated and that the driveway location issue be resolved.** Commissioner Hibbard seconded the motion. Motion carried.

3. **Amendment to Title 10 Subdivision Regulations:** Key words were eliminated when originally codified in Title 10, Chapter 1, Definitions (10-1-6) due to a typo when retyping the ordinance for the original amendment. The definition of Original Parcel should be amended to include the following underlined phrase: A lot in a platted subdivision or a tract of land of record at the time of the adoption of the subdivision regulations on April 29, 1970, as evidenced by a parcel number having been assigned by the Valley County assessor, or each 1/16 of a section held in one ownership.

Chairman Allen announced the item.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report.

Chairman Allen asked for proponents. There were none.

Chairman Allen asked for uncommitted. There were none.

Chairman Allen asked for opponents. There were none.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Garrison moved to recommend approval of the inclusion of the wording to the Board of County Commissioners. Commissioner Hill seconded the motion. Motion carried.

- 4. Paddy Flat Ranch, Lot 6 – Pit Privy:** Jennifer Compton and Patrick Rose are requesting approval to establish a pit privy on their property, which is used for a camping lot only.

Chairman Allen announced the item.

Chairman Allen asked for the Staff Report. Staff presented the Staff Report.

Should comply with Central District Health.

Commissioner Garrison moved to approve the use of a pit privy so long as they comply with CDHD and get 2 building permits. Commissioner Hibbard seconded the motion. Motion carried.

D. Nuisance – Eyesore – Abandoned Vehicle Ordinance

Staff explained that the Board of County Commissioners requested the Planning and Zoning Commission look at developing an ordinance for nuisances, eyesores, abandoned vehicles and/or other uses that may detract from the property value of neighbors' land.

The Commission asked that the item be put on agenda in June.

E. FACTS AND CONCLUSIONS

1. C.U.P. 15-01 Bingaman-Leeper Family Cemetery
2. C.U.P. 15-02 Lake Fork Fence Supply
3. C.U.P. 15-03 Post Drilling INC

Commissioner Garrison moved to approve the Facts and Conclusions for C.U.P. 15-01 Bingaman-Leeper Family Cemetery, C.U.P. 15-02 Lake Fork Fence Supply, C.U.P. 15-03 Post Drilling INC. Commissioner Cooley seconded the motion. Motion carried.

MEETING ADJOURNED 8:02 p.m.