



Valley County Planning & Zoning Commission

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Ed Allen, Chairman
Kathy Deinhardt Hill, Vice-Chairman

Rob Garrison, Commissioner
Dusty Hibbard, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: June 12, 2014

TIME: 6:00 p.m. to p.m.

LOCATION: Valley County Courthouse

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

A. MINUTES: May 8, 2014

Commissioner Hill moved to approve the minutes for May 8, 2014, with modifications to ASAP requirements, "Loaded trailers will be stored between the two existing buildings that must be adjoined by Nov. 1, 2018, except when.....". Commissioner Hibbard seconded the motion. Motion carried.

B. OLD BUSINESS

1. **C.U.P. 03-14 Roseberry Recreation - Review:** This conditional use permit for special recreation events was approved in 2003 for the Long Valley Preservation Society for the Roseberry Townsite and requires a periodic review of the permit. The site is approximately 10 acres located at the intersection of East Roseberry Road and Farm to Market Road, in Sections 11, 12, 13, & 14, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Allen announced the item. Staff summarized approved uses. Staff stated she has had no complaints from the public or neighbors.

Jerry Wisdom, PO Box 61, Donnelly, stated the letter from Planning and Zoning questioned the private/commercial activities at Roseberry. Jeff Lappin said that all museums hold weddings for a fee and it is a fundraiser. They have several weddings and it brings funding to the museum and Valley County. The only increase this year is the number of weddings.

Commission discussed need to continue review. The Commission believes that no additional reviews are needed unless there are complaints from the public or concerns of other agencies.

Callie Smith, PO Box 1150, Donnelly, said she provides oversight of the Larkin building for the museum.

Commissioner Hill wanted to make sure that the fees charged are for the non-profit, but if for profit a CUP is required.

Commissioner Hibbard moved to stop requiring reviews for CUP 03-14 unless changes are made that violate the existing CUP. Commissioner Hill seconded the motion. Motion carried.

2. **C.U.P. 12-02 Ed Staub and Sons Propane:** The company is requesting permission to add two additional 30,000 gallon propane storage tanks to site. Two tanks currently exist at the site located on Lot 4 of Big Valley Estates, in the SE ¼ Sec. 27, T.17N, R.3E, Boise Meridian, Valley County, Idaho. Correspondence requests the Commission to determine if an amendment is required to the conditional use permit.

Chairman Allen announced the item. Staff stated, the question is whether or not they need a conditional use permit for 2 additional large storage tanks.

Chairman Allen said that if they don't cut down trees along highway and expose the tanks they will not need additional review.

Commissioner Hill moved to allow Ed Staub & Sons to add 2 additional storage tanks to their site so long as they maintain the current screening from Highway 55. Commissioner Hibbard seconded the motion. Motion carried.

C. NEW BUSINESS

1. **V-1-14 Schunke Setback Variance:** David Schunke is requesting a variance from building setbacks to allow him to build a shop across property boundary lines due to the topography of the area. He is the owner of both adjoining properties. The properties involved are Landmark North Subdivision, Lot 25 and RP12N04E210760. The property is addressed as 10378 Emma Loop and includes the NENE Section 20 & NWNW Section 21, T.12N, R4E, 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 and a letter from John Russell, Valley County Surveyor (exhibit 1). Staff explained options.

Chairman Allen asked for the presentation from the applicant.

The applicant, David Schunke, 1515 N. 19th, Boise, ID, made the following statements:

- Has done similar things in Boise with lot line adjustments, but understands this is rural and subdivision.
- The reason for the variance is because the cabin is in the eastern part of Round Valley on a ridge. The driveway comes around, and was scraped out. The turnaround area is what is relatively flat – from there it immediately goes up the hill. To get new gravel and product

a turn-around area is needed. Immediately on the other side he can squeeze in the shop and get it almost level. It could be moved some, with more excavation, fill etc.

- The driving force for the need for the shop is that he recently acquired timber property, which had a beetle outbreak last year and had to acquire some equipment to take care of the timber. He has had lot for 15 years.
- He is open for reasonable alternatives.

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 asked for rebuttal. There was none.

Chairman Allen closed the public hearing.

The Commission deliberated.

Chairman Allen believes the challenge is to not make future issues.

Commissioner Hibbard agrees with John Russell that it is awkward, and agrees there should be a recorded easement.

Chairman Allen would like to see that it is properly done with surveying etc., and that the subdivision lot is assessed taxes for the building. If building is taken out it would revert to setbacks as in the ordinance – this variance would only be for this structure.

Commissioner Hibbard asked if they could build completely on the 74 acres.

Commissioner Hill has an issue with a building over the property line.

Chairman Allen re-opened the public hearing and asked if the shop could be moved onto the 74 acres. Mr. Schunke said that would be more difficult than pushing it onto the subdivision lot.

Mr. Schunke said that the pad could be twisted and has to fill and would add to the cost.

The Commission requested a site plan be given to staff a week ahead of the next meeting.

Commissioner Hill moved to table V-1-14 Schunke Setback Variance so the applicant can come back with a different plan, if possible, to the July 10, public hearing at 6:00 p.m.. Commissioner Hibbard seconded the motion. Motion carried.

- 2. C.U.P. 14-02 Donnelly Idaho Realty:** Rick Carr is requesting a conditional use permit for a small real estate office at their home at 1747 West Roseberry Road. The lot is served by a private well and North Lake Recreational Sewer and Water District. The site is 0.459 acres, Lake Cascade Ranch Subdivision Lot 2 and is located in the NWNW Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

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

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

Chairman Allen asked for the presentation from the applicant.

The applicant, Richard Carr, 1747 W. Roseberry, made the following statements:

- He is the broker and his wife is also licensed.
- He is the only active license in the office.
- Not attempting to build an empire, just something they have done and started as their in-home business.
- Was notified that he couldn't put up a sign "Agent on Duty" without a conditional use permit.
- Pleased with operating from their house – they have a sunporch that is a fine place to meet with people.
- Want to formalize their ability to operate from their home.
- The Carlock's property is on south side of Casey Lane – the property is vacant and only has a power pole.
- Obvious corridor for business as time goes on.

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 asked for rebuttal. There was none.

Chairman Allen closed the public hearing.

The Commission deliberated.

Chairman Allen asked about signage and conditional use permits.

Commissioner Hill asked about what happens when we are back in a boom. Would like to see a condition that "There shall be no additional agents, beyond Richard and Sandy Carr, unless a new permit is approved. The primary use of the site will remain residential."

Commissioner Hibbard moved to approve **C.U.P. 14-02 Donnelly Idaho Realty** with the conditions of approval. Commissioner Hill seconded the motion. Motion carried.

There is a ten day appeal period.

- 3. C.U.P. 14-03 White Cloud Phase 2 First Amended Plat – Preliminary & Final Plat:**
Elkhorn LLC is requesting a conditional use permit for an amended plat. This will affected Lots 67, 68, 69, 70, 77, 78 and 79 of Phase 2, consisting of approximately 12.17 acres. This

application is to amend the plat to reflect the as-built road location of Thunderbolt Place. No infrastructure construction is needed. The site is located in Sections 24 & 25, T.18N, R.2E and Sections 19 & 30, T.18N, R.3E, Boise Meridian, Valley County, Idaho.

Chairman Allen announced the item. Chairman Hill 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 and a plat from Ralph Miller that showed the changes as requested by Sue Probst, Cartographer (exhibit 1).

Chairman Allen asked for the presentation from the applicant.

The applicant, Ralph Miller, Secesh Engineering, made the following statements:

- Changes nothing on the ground.
- Utilities are in already.
- Makes a couple lots bigger.
- Discussed Impact Area

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 asked for rebuttal. There was none.

Chairman Allen closed the public hearing.

The Commission deliberated.

Commissioner Hill moved to approve the preliminary and final plat for **C.U.P. 14-03 White Cloud Phase 2 First Amended Plat** and authorize the Chairman to sign the plat. Commissioner Hibbard seconded the motion. Motion carried.

D. Comprehensive Plan Update – will be meeting with Fire Working Group at the July meeting.

MEETING ADJOURNED