

1 Fremont County Planning  
2 & Zoning Meeting Minutes  
3 April 24, 2023  
4 County South Bridge Street Meeting Room

5  
6 The Fremont County Planning & Zoning Commission met in a scheduled meeting on  
7 April 24, 2023. They met in the County South Annex Building. **Members in Attendance were:**  
8 **Tiffany Marez, Reeca Marotz, Jim Jorgensen, Loy Schroeder, Mike Lawson, and Dennis**  
9 **Forbush.**

10  
11 **Members not present, Cathy Koon.**

12  
13 **Staff and others present:** Tom Cluff (Admin.); Karen Daw, (Sec.); Greg Newkirk (GIS).  
14

**Call to Order, Welcome, and conflicts in agenda, ex-parte communications**

15  
16 Mrs. Schroeder welcomed the commission and audience. Mrs. Schroeder asked if proper notice  
17 had been given for this meeting. (It was given). Mrs. Schroeder asked if there were any  
18 conflicts of interest. Mrs. Marez stated she did with Mr. Draper. Mrs. Schroeder stated Mrs.  
19 Marez would set in the back when the Draper's items came up. She asked if any of the  
20 commission has any ex-parte with any of the properties we are discussing tonight. (There were  
21 none). Mrs. Schroeder appointed Mr. Jorgensen Sargent at Arms for tonight's meeting.  
22

**Approval of minutes:  
2.1-January 23, 2023—Action Item.**

23  
24 Mrs. Schroeder stated we have the approval of the minutes.  
25

26 **Mr. Forbush made a motion to approve the Minutes for January 23, 2023.**

27  
28 **Mr. Lawson seconded.**

29  
30 **Motion approved unanimously.**  
31  
32

**3. Public Hearings:  
3.1-Draper Land Holdings LLC-27 Lot Subdivision (#22-050)-Action Item.**

33  
34  
35 3.1- Draper Land Holdings LLC-27 Lot Subdivision (#22-050).  
36

37 Mr. Cluff stated this is an application for a 27-lot subdivision, on approximately 65 acres in  
38 Wilford. There is an administrator report there with an area map in it. He referred to the map.  
39

40 This is in the original Wilford townsite. It was divided into lots and blocks and had streets in it.  
41 Most of the streets never got built and over time were vacated. He showed the streets that are  
42 there now on the map. The current owner, who purchased that property, wants to divide it. It is  
43 zoned Rural Living, that allows for residential subdivisions. This application is for preliminary  
44 plat approval. That means we are looking at the plat to determine if it meets our Code and if we  
45 are ok, saying you can go forward. Once he gets preliminary plat approval he will do final  
46 engineering on the road design. This particular applicant likes to build the roads before final plat  
47 approval so he doesn't have to bond. He doesn't have to do that, but that is how he has done his  
48 subdivisions in the past. Mr. Cluff showed the property location the wall map, The Silverado  
49 Estates, is subdivided by the same developer. The two subdivisions will be connected eventually.  
50 The property is zoned Rural Living, which allows maximum density of 40 units per 100 acres.  
51 On this size of property that would allow 27 lots. There was a sketch plan presented a year ago,  
52 P&Z discussed it with the applicant, giving him the go ahead, it didn't have any major concerns  
53 at that time. He is going to build those roads and put the power in prior to getting final plat  
54 approval or he will bond. Once those improvements are complete or bonded for, he will come  
55 and seek final plat approval. You'll look at that plat and see if there are any concerns or  
56 conditions that you impose today or like to see addressed. So, our recommendation is that you  
57 approve this plat. You give them preliminary plat approval, you attach a condition that the open  
58 space set asides be shown, they weren't there for the drawing you have, but he did them in  
59 Silverado Estates which will be in basically the same building envelopes. This is a straight  
60 forward subdivision, there is not wildlife issues, wetlands, or anything like that.

61  
62 Mr. Jorgensen stated so for the open space, he's just not going to not develop some of these lots.

63  
64 Mr. Cluff stated no, so what people have typically done is they put a building on the lot. Thus  
65 saying, you can build here and the remainder of the lot is open space.

66  
67 Mrs. Schroeder asked, will he be required to put that easement in. Is that a primary access or a  
68 secondary access where you are talking about going through.

69  
70 Mr. Cluff showed her on the map and explained where the roads will go.

71  
72 Discussion about what the roads will be in the subdivision.

73  
74 Mr. Cluff asked if there were any questions for him.

75  
76 Mr. Cluff stated the applicant will speak next and then open it to the public.

77  
78 Mrs. Schroeder asked if we give them 3 or 5 minutes.

79  
80 Mr. Jorgensen stated we give the speaker needs 5 minutes.

81  
82 Mr. Cluff stated there was a court case where the judge stated 3 minutes is in violation of their  
83 constitutional rights.

84  
85 Mrs. Schroeder asked if the five minutes started when they give their name and address.

86  
87 Mr. Cluff stated that it does. He also stated if you want to give them more time you can. If you  
88 want to limit time from getting away from you, then you shouldn't limit them to less than 5  
89 minutes.

90  
91 Mrs. Schroeder stated Mr. Cluff has given the report of this hearing. She asked if proper notice  
92 was given for this hearing. (It had been given). She asked if all of the commission have  
93 reviewed the plat and things to be familiar with this.

94  
95 Danny Draper, 465 N 2700 E, St. Anthony, ID 83445. He stated it is nice to see the new  
96 members. As stated we wanted to make sure we want to comply with the current zoning. We  
97 are not asking for a rezone. It is zoned rural living and we are within the zoning requirements  
98 with the 27 lots. Some history as well with Silverado Estates, the adjoining subdivision to the  
99 west of this property. The lots are about the same size as the lots in the Silverado Estates, about  
100 2 acres, there are slightly larger and some smaller. We wanted to keep them consistent within  
101 the subdivision as well as Silverado Estates. The covenants will be the same as we have been  
102 putting them in for Silverado Estates. He likes the Rural Living zone, it is the perfect fit between  
103 the city limits reaching out and when you are out in the larger agricultural areas. We didn't have  
104 any need or desire to change the zone on this one, we really liked that. He stated there are  
105 similar questions that typically come up, he addressed some of those. Irrigation water rights; we  
106 did receive water irrigation rights when we purchased this piece of property. We will allocate  
107 water, there are several different options. We will provide water rights for each, whether it is  
108 irrigation or ditch water access. He likes to provide water rights to any piece that is over an acre  
109 so they can beautify the location. As per Idaho Code, you can only water a ½ acre with the well  
110 water and so we will provide access to the water for their pastures. It is not required by the  
111 County to pave the roads, but for this particular development we will get the roads, the roads will  
112 be built out of gravel first and then we will pave those roads to minimize the pot holes and dust.  
113 He stated it is not part of the decision making, but well water rights come up. He has talked to  
114 the local Department of Water Resources about the well water. We have gone over the aquafer  
115 and the Snake River aquafer and how it works. He gave statistics of how much water a typical  
116 family and household uses per day. He also gave the amount of water that pivots use per trip  
117 around. The Department of Water Resources allows for 13,000 gallons of water per day out of  
118 any well that is drilled. They haven't changed that in quite a while and haven't restricted any  
119 drilling for wells. The wells that have been drilled in Silverado Estates haven't had any  
120 problems. They anticipate with this project there won't be any issues for permits for drilling the  
121 wells. He stated again this doesn't determine on the zoning, but for your information, we will  
122 have the covenants, rules, and restrictions that have been implemented into Silverado Estates,  
123 carry into Wilford Estates. Those of which are; stick built only 2400 sq. ft living space,  
124 restriction on animals, no flooding, use of irrigation availability. It is exciting to see how many  
125 folks want to move to this area. Silverado Estates is going well.

126  
127 Mrs. Schroeder asked what the depth of wells in the Silverado Estates are.

128  
129 Mr. Draper stated about 200-240 ft.

130

131 Mrs. Schroeder stated the rules for the public hearing. She asked if anyone was signed up to  
132 speak.

133  
134 Mr. Cluff took the signup sheets to her.

135  
136 Mrs. Schroeder went over the rules for a public hearing.

137  
138 Gene Clements, 2397 N Wilford Rd., St. Anthony, Idaho 83445. He has a couple of concerns;  
139 one, the way this subdivision is laid out, 21 of the 27 home owners will be driving past his place  
140 probably. He gave examples of how many cars could possibly pass his home each day. The  
141 main concern he has is the access that is between his house and the estates. He doesn't know  
142 how or what, but that road was vacated in the Wilford townsite, he thinks it is how that got back  
143 to the owner, Fred Baring. When Mr. Clements bought the place, his understanding was when  
144 that road got bigger, the County would take it over and maintain it. There have been 6 people  
145 that have purchased property and have built there. The County shut down the building permits  
146 because the previous owner wasn't following the guidelines for subdivisions, which was about  
147 15-18 years ago. Then that was sold to Mr. Draper. The N Wilford road is owned by Mr. Draper  
148 now, his concerns is about the road and what that is going to mean to him now. Who is going to  
149 own the road, take care of the snow, and what the liability is now. If he has the 99-foot road, 50  
150 feet of it would tie in with the easements he has for this development. That means that 23 feet on  
151 either side of the road, that he still owns, would be added to the 12 feet that is already there for  
152 the easement, for the barrow pit, for utilities, and stuff. So, that is 37.5 feet of potential barrow  
153 pit. He is a little concerned about that. Then he is concerns about approaches, he has a big long  
154 level driveway where semi's come in, and what if they put power or internet in. He has talked to  
155 Mr. Draper and understands that it will be internet one side and power on the other side. Also,  
156 the setbacks, what specs do they go by. There isn't anything he can do about the 27 homes, it  
157 does change the whole perception of where he is living. He is concerned about noxious weeds  
158 growing, and how they can become an issue. He has mowed to take care of them in the past.

159  
160 Mrs. Schroeder asked where he lives.

161  
162 Mr. Clements showed her on the map.

163  
164 Mr. Jorgensen asked who maintains the N Wilford road now?

165  
166 Mr. Clements stated no one. He told what parts of the road he takes care of. He stated snow is a  
167 problem, especially this year with the amount we have had.

168  
169 Mr. Draper stated he is aware this will make changes and the traffic flow going through there  
170 will be different. As a developer that is why he wants to pave the roads to cut down the dust.  
171 This isn't required by ordinance but it is just a preference by us. Most of the traffic will go out  
172 the N Wilford Road, depending where they are going. As far as the owner ship of that particular  
173 land, he doesn't like that either. He has looked at that with the title company, he talked to his  
174 attorney, and talked with the surveyors about what to do with the 99 feet. When he was looking  
175 to buy the property, one of the big discussions with the County was, how in the world did that  
176 happen? He is going to make that right and correct that problem. He is going to make sure that

177 the Clements and Cutlers have the right approach. One of the proposals with the south Wilford  
178 road and the north Wilford road, those pieces of property would not stay in his name. They  
179 would be transferred, if it stays at 99ft by 600 ft, it will be its own parcel, it will have it's own  
180 real property number, then it will be deeded to the HOA. Who ever is the president of the HOA  
181 would be responsible for it as well. He doesn't want to own a little piece of property there and  
182 the liability of it. The other option is that we need a fifty-foot easement for the roads with a 24-  
183 foot road, just for snow removal. The utilities will come from Silverado Estates up through. He  
184 has, since we spoke earlier, talked with Blackfoot Communication and they will bring it up that  
185 way as well. We will put a utility box in there just for future necessities if there is ever a need.  
186 Through north Wilford road there will be a 50 ft road easement plus the 10 ft easement if they  
187 need to bring have other things brought in there they would have that option. It would be nice if  
188 the County would take over the roads but he knows it isn't going to happen in the near future.  
189 With Silverado Estates part of the HOA, the major portion of the HOA and the fees is the road  
190 maintenance. That is why we want to pave the roads, if you have gravel you have more  
191 maintenance. The snow removal and road maintenance will be done through the HOA, they  
192 could hire a snow company to come and maintain the roads. They could opt to do that them  
193 selves and everybody take a section of the road, as is similar to what is occurring now with those  
194 homes at the moment. His preference is that they hire it out. Once 70 % of the lots are sold he is  
195 not longer in charge of the HOA, then is up to them as home owners. That is how we have it  
196 written in the covenants. The other option that is available there; because we don't need the 99  
197 ft., is a quick claim deed back. It will be 19.5 ft., that could be deeded back to the conjoining  
198 home owners so they would have a little more grass or whatever they want to put in there. That  
199 would be a continued discussion with the neighbors, he would not retain any ownership there. It  
200 would be up to the HOA for this.

201  
202 Mrs. Schroeder asked if there were any questions.

203  
204 Mr. Forbush stated there isn't probably any other way to have another access to help with the  
205 traffic.

206  
207 Mr. Draper stated there is no other economical way to have another access on 300 N.

208  
209 Discussion about the canal on 300 N, and how expensive the bridge was to put in for Silverado  
210 Estates.

211  
212 Mr. Draper stated that all the roads are part of the Wilford townsite from years ago. For the  
213 density we are just trying to keep the zoning as is.

214  
215 Mr. Forbush asked if that is pasture now.

216  
217 Mr. Draper stated it is nothing right now. There is alfalfa in there, but it isn't much. The best  
218 way to take care of the ground is just develop it. A lot of the roads are built up gravel right now.

219  
220 Mr. Forbush asked if his other lots are being taken care of. He feels that taking care of bigger  
221 lots, because of the weeds, is difficult and with the water that you have is good.

222

223 Mr. Draper stated that they have worked with the County Weed to control the weeds there killing  
224 of the leafy spurge and thistles. They will probably plow it up this summer and kill everything  
225 and maybe not plant but put grass seed in there, but won't do that until he gets the excavation  
226 done so it isn't a waste of money and time. In Silverado estates we've planted pasture grass in  
227 the lots that haven't sold. We have rules in covenants to keep the weeds down. They try to have  
228 as many safe guards in there as possible. It is one of the stricter subdivisions out there in the area  
229 and we did that on purpose.

230

231 Mr. Forbush stated he wants to have a clean Fremont County.

232

233 Mr. Draper stated they have covenants about extra vehicles etc.

234

235 Mrs. Schroeder asked on the road that goes by the home, is that going to be paved.

236

237 Mr. Draper stated that they built the roads to county specs, in case the buses have to come in  
238 there eventually. If the county does take it over, down the road, it would be to specs.

239

240 Mrs. Schroeder stated will the water be supplied to the individual lots.

241

242 Mr. Draper stated buried mainline is too expensive, above ground mainline is a potential. In the  
243 corner between the two properties there is a pond that was used for farm irrigation. We could,  
244 the pump is strong enough to pump both places, but we could add another pump. We could have  
245 ditches and have individual pumps in those ditches. We will have to see how feasible it will be.

246

247 Mr. Cluff stated they have the water as a condition now, but if you want that worked out before  
248 you approve it.

249

250 Mrs. Schroeder asked where the water delivery hasn't been determined yet should we make that  
251 a condition?

252

253 Mr. Cluff stated it is already a condition under state stature. If you want to see something on the  
254 final plat, then you have to say how you want it done before they bring a final plat.

255

256 Mrs. Schroeder stated we should make the condition about the delivery of water be available  
257 before the final plat.

258

259 Mr. Forbush stated he really thinks if it is sitting right there they will use the pump, if not it could  
260 turn into weeds. If the pump is sitting there,  
261 it will be improved.

262

263 Mrs. Schroeder stated we will include that in our motion to pass this. Is that condition on there  
264 that the water is determined to be delivered to those individual lots? Also, she doesn't know if  
265 we can require this, maybe Mr. Cluff can tell us, but we can't recommend how that water is  
266 delivered.

267

268 Mr. Cluff stated not really.

269  
270 Mr. Forbush stated we don't know which is the best way.

271  
272 Mrs. Schroeder stated as long as it is available to be used, that is the most important thing.

273  
274 **Mr. Forbush made a motion to make a condition to show the way water is delivered to each**  
275 **lot; also, the Open Space set aside to be shown prior to the Final Plat.**

276  
277 **Mrs. Marotz Seconded.**

278  
279 **Motion passed unanimously.**

280  
281  
282 **Mr. Forbush made a motion to approve the Preliminary Plat, Draper Land Holdings LLC -**  
283 **(#22-050) with conditions of the water and open space.**

284  
285 **Mr. Jorgensen seconded.**

286  
287 **Motion passed unanimously.**

288  
289  
290

**4. Sketch Plans:**

**4.1-Mark Pike-Campground (#23-013)-Action Item.**

**4.2-Generic Investments II LLC-Class II Application for Storage Units-  
Action Item.**

291  
292 4.1- Mark Pike-Campground (#23-013).

293  
294 Mr. Cluff stated what we do for a sketch plan and to discuss with the applicant the is concerns  
295 you may have and how they will deal with them before they get to the public hearing. So, at the  
296 public hearing you will have enough information to make an informed decision. He showed the  
297 property location on the map. Mr. Cluff stated that there will be an interchange on and bring a  
298 connection to 700 N. The applicant is talking about putting an RV park on it. We will have him  
299 come up and you can ask him question about it. This is not a public hearing and the public can't  
300 come up tonight and ask questions, this is for you to ask questions. They are going to put a camp  
301 ground in that area.

302  
303 Discussion about the location.

304  
305 Mark Pike, 2248 E 300 N, St. Anthony, Idaho, 83445. They recognize an opportunity and need,  
306 there is not enough RV spots around. Everyone has told them from Island Park down to  
307 Pocatello that there is a need of more RV campgrounds. It is in a good location from the Sand  
308 Dunes, Yellowstone Park, and Jackson. They want to make something that is good for the  
309 community. They want to do this in phases as they need.

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Mr. Forbush asked how many acres are there?

Mr. Pike stated there is 20 acres. He made sure the commission had a copy of the plan.

Mr. Forbush asked if the 20 acres will take care of everything he has drawn out on the sketch plan.

Mr. Pike stated everything on the plat is drawn to scale. But you'll notice the development part right now is the first ½ right now. The last 10 acres will be left in ag right now.

Mrs. Schroeder asked from the drawing, what they are doing and what they are proposing.

Mr. Pike explained the map drawing to her.

Mr. Pike stated our intentions are to do it in phases but everything for the foreseeable future is tried to be included into this plot. Kind of a worst-case scenario if people were worried about density.

Mr. Forbush asked if they would supply water and sewage to this.

Mr. Pike stated they have done percolation tests for sewer in the area and talked to Fall River about power. We have talked to Denning's, since they are predominant well drillers in the area, about what it would take to have a well that could supply water for an RV park that size.

Mr. Lawson stated it sounds like a pretty good size well.

Mr. Pike stated it's not bad, what Denning's suggested for us is a 5-horse pump with a 6-inch casing. Everything the state and different areas have rules already in place for power usage, well usage, septic, in these kinds of situations. We have taken their suggestions and double it, he doesn't want to deal with too small of services on any of it.

Mr. Forbush asked if they would have several sewage areas.

Mr. Pike stated when they started into it, that is what they thought it was going to be. It ends up being more environmentally friendly, they are going to do an enhanced system that is one system. There will be a dump station and garbage receptacle at the exit of the RV site.

Mr. Forbush stated if it goes big will you just have one or will you have to add another.

Mr. Pike stated we will have a second one. In talking to District Health, they can do up to 19 individual spots on a septic if we were to do full hookups. At this time, we don't see this as a destination park, it's more of an on-the-way to other places. There are some destination parks where people are going. Not that someone couldn't stay, there are places for them to go here. It is for them to stay a few nights and then take off to other areas. He was told to just show you the worst-case scenario sort of a deal. The truth of it is, for the first while we will just have dump



356 stations so people can just take off, we don't plan on people being long-term. But we wanted  
357 septic for them, not just a dry camp.

358  
359 Mrs. Schroeder asked about the dump station, where it is located. If you have your dump station  
360 there would you have a problem with getting snow build up in the winter on it.

361  
362 Mr. Pike stated not in that particular spot, we have been doing work up in Chester. That is why  
363 we placed those cabins where we did to use them as a natural snow block and noise block from  
364 the highway.

365  
366 Mrs. Schroeder stated, one big well for that.

367  
368 Mr. Pike stated yes, they said one big well would be sufficient for that and some.

369  
370 Mrs. Schroeder asked if they would do a second well on the second phase?

371  
372 Mr. Pike stated it depends what the zoning allows. We are trying to do everything to keep it  
373 within the zoning that is now.

374  
375 Mr. Forbush asked what is happening with the ground now.

376  
377 Mr. Pike stated it is pasture now and we have water rights. We plan on having some cows there  
378 for now and watering it.

379  
380 Mrs. Schroeder stated it does have two accesses on it now.

381  
382 Mr. Pike stated it does have two. There is an entrance and exit there. Even with the new road  
383 there is sufficient access there.

384  
385 Mr. Forbush stated that improving the property, it looks to him like it should be pretty clean.  
386 You'll have to have a mower to keep it clean.

387  
388 Mrs. Schroeder asked if there were water rights now.

389  
390 Mr. Pike stated they did. It is propionate to what they have there. It is adequate to maintain  
391 what we have there.

392  
393 Mr. Forbush asked that on a dry year you'll still have water?

394  
395 Mr. Pike stated yes, we will.

396  
397 Mrs. Schroeder stated will all be well fed?

398  
399 Mr. Pike stated the pasture will be irrigated from water rights and the well will be adequate for  
400 those RV areas.

401

402 Mr. Jorgensen asked about landscaping, like how would you irrigate your landscaping.  
403

404 Mr. Pike stated on any of his places he would rather use irrigation. Rather than having to use the  
405 wells, we would have options to water here. There is the ordinance on watering a ½ acre from  
406 the well. Right now, it is just flood irrigated, we would change to a pressurized irrigated system  
407 and water by an irrigation system.  
408

409 Mr. Jorgensen stated where they see trees would that be landscaped. By the cabins and lots are it  
410 looks like gravel.

411  
412 Mr. Pike explained he was given a copy of the Fremont County Development Code and we just  
413 tried to follow it. They are thinking about a concrete pad eventually, but for now it will be a  
414 gravel pad. He explained the sketch plan what they would be doing.  
415

416 Mrs. Schroeder asked if it would be gravel around everything?  
417

418 Mr. Pike explained to her where the gravel would be around the cabins and how they would try  
419 to have a lot of grass around the cabins also. He pointed out an area with a lot of gravel for those  
420 RVs that need extra space for turning around. They have tried to beef up everything. They will  
421 have 50-amp service to each lot. The septic is the big kicker, but we have that under control.  
422

423 Mrs. Marez asked if there was lava rock and if is there going to be a problem with the septic.  
424

425 Mr. Pike stated because of the lava we have we'll be doing an enhanced system which just  
426 aerates the sewage before it goes into the area which is adequate. District Seven and the guys  
427 we've talked to about the septic, they say lava is great filter for water, but it just needs that first  
428 step before it goes into the system.  
429

430 Mrs. Schroeder stated, it just pumps it around before it goes down.  
431

432 Mr. Pike stated it is like a mini sewer system in a way.  
433

434 Mrs. Schroeder asked if all the cabins will be prebuilt?  
435

436 Mr. Pike stated we are both builders, myself and Shelby Tucket will build the cabins. We have  
437 built from Island Park to Jackson and farther.  
438

439 Mr. Lawson stated he thinks this is a pretty aggressive park.  
440

441 Mr. Pike stated they will build this in sections. He was told by the County to get the  
442 commission's approval for all of their hopes and dreams and be smart about moving forward  
443 with it.  
444

445 Mr. Lawson stated that is what they need to do.  
446

447 Mrs. Schroeder stated, so you're not going to put the cabins, the four lines of RV spots, you'll do  
448 like ½ of it at a time.

449  
450 Mr. Pike stated they are going to do what they can and be reasonable doing it. We will do what  
451 we can.

452  
453 Mrs. Schroeder asked if we need a motion.

454  
455 Mr. Cluff stated, not unless you have specific requirements you want to see.

456  
457 Mrs. Schroeder stated most things were pretty well addressed.

458  
459 Mr. Cluff stated the question for you to discuss is, is there anything that you anticipate before  
460 next time, that you make sure he does.

461  
462 Mrs. Schroeder stated, Mr. Pike, you said the perc tests were done, what were the finding on  
463 them?

464  
465 Mr. Pike stated they found the worst hole was 2 feet deep and found some holes 6-8 feet deep, so  
466 they would be adequate. What they said is, they will require additional perc tests before the  
467 official system gets approved. That is what let us know we would have to have the enhanced  
468 systems because of the shallowness of the soil.

469  
470 Mrs. Schroeder asked, if you do the enhanced systems, do you have to do the second perc tests?

471  
472 Mr. Pike explained because the perc test was general over the entire 20 acres so they would have  
473 a feel of what we are dealing with. When he turns it into District 7, he can say this is where we  
474 prefer the system to go. Because of the holes that were dug, it is a good guess where it can go,  
475 but they will double check it to make sure it will fit in that area appropriately. We figured it  
476 wouldn't be worth the effort if we couldn't dig the hole anywhere.

477  
478 Mrs. Schroeder stated she would consider that one of the conditions be that the second perc test  
479 be performed and passed before we look at it again, is that correct?

480  
481 Mr. Cluff stated they will do what the Health Department is requiring.

482  
483 Mrs. Schroeder asked, do we put that on as a condition?

484  
485 Mr. Cluff stated no, they have to do their septic design. They will be talking to the Health  
486 Department and doing that test. You can be assured that it going to happen and not have to make  
487 it a requirement.

488  
489 Mrs. Schroeder stated, so on the sketch plan, we still vote on it, is that correct or we don't.

490

491 Mr. Cluff stated you can tell them what you are concerned about, and vote on that requirement.  
492 You can vote on whatever you want to vote on. You can just give them instruction on what you  
493 want to see before it comes to the hearing.

494  
495 Mrs. Schroeder asked if there are any problems with traffic at all?

496  
497 Mr. Pike stated the reason we chose this location was we knew with the changes that were  
498 coming up with Hwy #20. He owns property on 300 N that would be a great RV Park, but if it  
499 gets shut off it would land lock him in that area. With the day to day happenings, he came in and  
500 asked the County what he needed for access.

501  
502 Mr. Forbush asked about HWY #20

503  
504 Discussion about the new interchange and access.

505  
506 Mr. Pike stated they are not banking on the future, but the interchange would give them good  
507 access.

508  
509 Mr. Pike asked a question about Mr. Draper's subdivision, you brought up how he was going to  
510 provide water to the lots, he doesn't have to provide water to the lots. If he was to be quiet  
511 would he have been of.

512  
513 Mr. Newkirk explained it to him, he has to show a plan. Mr. Draper will be showing a plan of  
514 what is going to be done.

515  
516 Discussion about lot that are bigger and taking care of weeds.

517  
518 Mrs. Schroeder introduced the next sketch plan.

519  
520 4.2- Generic Investments II LLC-Class II Application for Storage Units.

521  
522 Mr. Cluff showed the location of the property on the wall map. It is 2.6 acres and wants t

523  
524 John Levitts, P. O. 57, Island Park, Idaho, 83429. The genesis for this project, is that he was  
525 looking for storage. He thought this might be a good business. The property was supposed to be  
526 his primary residence, but something came up and he is going to build it as an investment. So,  
527 he is going to put enclosed storage units.

528  
529 Mrs. Schroeder stated are they all going to be enclosed.

530  
531 Mr. Levitts stated that is his intent.

532  
533 Mr. Forbush asked where the red road was on the map.

534  
535 Mr. Cluff showed what the property location is.

536

537 Mrs. Marez stated there is already storage units out there now, where are yours from them.  
538  
539 Mr. Levitts stated they are a ½ mile down the road to the west.  
540  
541 Mr. Cluff showed them on the map.  
542  
543 Mr. Lawson stated is there a house on there now.  
544  
545 Mr. Levitts stated there is a house on it.  
546  
547 Mr. Lawson asked what is behind it, is there a gravel pit?  
548  
549 Mr. Levitts stated it use to be stables. Since that aerial photograph it has been scraped clean.  
550  
551 Mr. Lawson stated so you'll use the whole area up for storage units, you not going to leave the  
552 house, are the storage units south of that.  
553  
554 Mr. Levitts asked to zoom in on that. He showed where he intended to do storage units.  
555  
556 Mrs. Schroeder asked if it will have fencing.  
557  
558 Mr. Levitts stated if it is required, he would be happy to do so.  
559  
560 Mrs. Schroeder asked if the house will be left there, so someone can actually stay there?  
561  
562 Mr. Levitts stated he would like to leave the house there.  
563  
564 Mrs. Schroeder asked if there is a 6- or 8-foot fence that is required to be there.  
565  
566 Mr. Cluff stated he would check.  
567  
568 Mrs. Schroeder stated, not necessarily gated just fenced.  
569  
570 Mr. Levitts stated, yes, open access, he thinks it is a pretty safe neighborhood.  
571  
572 Mrs. Marotz asked what the zoning is on the property.  
573  
574 Mr. Cluff stated it is Rural Conservation.  
575  
576 Mr. Jorgensen asked what does that mean, does he have to apply for variance to do this?  
577  
578 Mr. Cluff stated he believed we allow these with a CUP.  
579  
580 Mrs. Schroeder stated will the open space requirements will be required just like on a regular  
581 Rural Conservation or not.  
582

583 Mr. Cluff stated that is only in a subdivision when you are creating a lot.  
584  
585 Mr. Lawson stated he doesn't have any problem with it.  
586  
587 Mrs. Schroeder asked about lighting. She asked if there were homes at that triangular piece  
588 below yours.  
589  
590 Mr. Levitts stated those were residences.  
591  
592 Mrs. Schroeder asked if he was going to have lights  
593  
594 Mr. Levitts asked what does the Code require?  
595  
596 Mr. Newkirk stated they have to have lights. It gets pretty technical, they have to be night sky  
597 friendly, not perfect lights.  
598  
599 Mr. Levitts stated as code requires, of course not to be offensive.  
600  
601 Mrs. Marez asked if he would have privacy fence between the.....  
602  
603 Mr. Levitt stated as code requires. On the backside of the storage unit, you could claim that is  
604 not offensive, that is part of the building.  
605  
606 Mr. Jorgensen stated, this is one that we are not voting on.  
607  
608 Mrs. Schroeder stated she thinks it would be good to know what the requirements for fencing  
609 and lights are per say. Also, if the back of the building count as privacy, or if needs use a privacy  
610 fence and what the height is required for it.  
611  
612 Mr. Forbush stated especially for the neighbors.  
613  
614 Mr. Cluff stated they will find out and follow the code. The kinds of things you would attach is  
615 for example if there is a gravel pit application you might need to say if the haul road is adequate  
616 or see if there needs a study for building up the road for the traffic. He gave more examples. He  
617 stated that 20 or 30 storage units won't impact the road. In your design the lighting shouldn't be  
618 bothering the homes there.  
619  
620 Mr. Lawson stated we don't need to get into that right now. You can have a storage unit in the  
621 middle of town with houses all around it and there's no problem. This one should be alright.  
622  
623 Mr. Forbush stated as you are sitting there planning ahead, we want it taken care of for the  
624 future.  
625  
626 Mr. Lawson stated there are rules.  
627

628 Mr. Cluff stated the code has requirements for having a CUP for storage units. If you see there  
629 might be an issue in the future you might make sure that would be addressed for the future. He  
630 stated if there is something you are seeing there would be an impact from, then we need to take  
631 care of it.

632  
633 Mrs. Schroeder stated is that she is concerned for the homes below it that they are protected by  
634 the fencing and lighting that would be around the storage units.

635  
636 Mr. Cluff stated he will check the code when he turns in his application and see how it will affect  
637 those houses. When he is comfortable, when he has met the requirements, we will come to you  
638 for the public hearing. He is aware of what you are looking for.

639  
640

**5. Plats:**

**5.1-Short Plat-Reed & Laura Ellis-Rocken Horse Div. #1-(#23-003)-  
Action Item.**

**5.2-Short Plat-Danny Draper-Harames Parcel Amended Plat (3<sup>rd</sup>) – (#23-  
012) - Action Item.**

**5.3-Short Plat-Thistle Family Farms – Thistle Family Farms Div. #1 –  
(#23-011) – Action Item.**

641

642 Short break 7:28 pm-7:41 pm

643

644 5.1- Short Plat-Reed & Laura Ellis-Rocken Horse Div. #1 (#23-003).

645

646 Mr. Newkirk showed the location on the wall map. The applicant wants to carve out a 1-acre  
647 piece for a lot on the northeast corner. It is a 2-lot short-plat. On these, for those of you that are  
648 new

649

650 Mrs. Schroeder asked where the water will come from and if they will drill a well.

651

652 Mr. Newkirk stated that they will drill a well.

653

654 Mr. Lawson stated will they make a place for family members.

655

656 Mr. Newkirk stated this is a child that wants to come back home.

657

658 5.2- Short Plat- Danny Draper-Harames Parcel Amended Plat (3<sup>rd</sup>)- (#23-012).

659

660 Mr. Newkirk showed the location on the map. He will have storage units on it. There is a canal  
661 on the north part of the parcel, he wants to amend the Harames parcel and create and addition 2  
662 lots. It is still under 6 lots and no public hearing is needed for that.

663

664 Mrs. Schroeder asked if we will run into any water problems with that canal?

665

666 Mr. Newkirk explained it to her that the canal is a recharge canal. He doesn't know if anyone  
667 can take water out of it. It goes out into the dessert.

668

669 5.3- Short Plat- Thistle Family Farms- Thistle Family Farms Div. #1- (#23-011).

670

671 Mr. Newkirk stated this is lot 2 of the old Cox subdivision, someone created a 5-acre parcel and  
672 explained what else is there, the remaining parcel has been sold. They came before you with a  
673 public hearing wanting to create a 6-lot out of that one lot, which would make 7 and require a  
674 public hearing. It will cost a lot to make the road and underground electric. So, they are  
675 planning to make a two-lot subdivision there. One of the family members wants to start  
676 construction and they need something under 5-acres that the bank will finance. So, they are  
677 proposing a 2-lot subdivision for now. If they don't come back within this year with a plan on  
678 how they plan to do this project, they will have to reapply. They will design it such that they  
679 have provided the easement and road design.

680

**6. Other Business: None**

681

**Mrs. Marez made a motion for adjournment.**

682

683

**Mrs. Marotz Seconded.**

684

685

**Motions Passed Unanimously.**

686

687

**Dismiss: Meeting ended at 7:47.**

688

689

690