

March 10 2008 meeting

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*2 **GEM COUNTY PLANNING AND ZONING PUBLIC HEARING***

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*6 **Date: March 10, 2008***

*7 **Time: 7:00pm -***

*8 **Place: Gem County Courthouse***

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*10 **MEMBERS PRESENT:***

*11 **Don Wilkerson, David Poole, Debbie Rouwenhorst, and Dale***

*12 **Reynolds.***

13

*14 **OTHERS PRESENT:***

*15 **Brad Hawkins-Clark - Planning Director/Administrator, Kandi***

*16 **Hall - Planner 1, and David Hargraves - Deputy Prosecuting***

*17 **Attorney.***

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*24 **This transcript is a summary of the meeting, not verbatim.***

*25 **Transcription done by Amanda Shaw.***

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PROCEEDINGS

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Gem County, City of Emmett, March 10, 2008

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6 **CONSENT AGENDA:**

7 *Item No. 1A - Vickery Estates Minor Subdivision*

8 *Item No. 1B - Elsie Estates Minor Subdivision*

9

10 **MR. DAVID POOLE:** *Our Minor Subdivision Review is the first*

11 *on our Consent Agenda. Commissioners, is there any of these*

12 *that you would like to move from the Consent Agenda?*

13 **MRS. DEBBIE ROUWENHORST:** *I would like to move both Vickery*

14 *Estates and Elsie Estates down from the Consent Agenda.*

15 **MR. DAVID POOLE:** *Is there a second on that motion?*

16 **MR. DALE REYNOLDS:** *Second.*

17 **MR. DAVID POOLE:** *Is there discussion on that motion? If*

18 *not, all those in favor signify by saying I. Opposed same sign.*

19 *Motion carries.*

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21 *(Motion carries unanimously.)*

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2 **ITEMS MOVED FROM THE CONSENT AGENDA:**

3 **Item No. 1A - Vickery Estates Minor Subdivision**

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5 **MR. DAVID POOLE:** All right. The first item is Vickery

6 Estates, under the Items Moved from the Consent Agenda.

7 Commissioners, do you have any questions that you'd like to

8 bring before the staff?

9 **MRS. DEBBIE ROUWENHORST:** I do have a question for staff

10 and this is going with the moratorium. In our packet, it said

11 that there would be the agreement between the Letha Sewer

12 District and Vickery Estates. Has that been put together yet?

13 **MR. BRAD HAWKINS-CLARK:** Maybe. This was just handed to

14 the staff desk and it's pretty short so maybe I can read it here

15 for the record. It's dated March 4th. 'Hammer and Nails agrees

16 to pay Letha Sewer District a sewer connection fee of \$7,500 per

17 connection at the time of sewer connection in the Vickery

18 Estates Subdivision in Letha in exchange for two additional

19 sewer connections, for a total of three connections.' I'll give

20 this to the Commission so you can read it but it is signed.

21 **MR. DAVID POOLE:** So there is one connection allowed and

22 we're looking at two more. You're not aware of any of this, are

23 you?

24 **MR. BRAD HAWKINS-CLARK:** I'm not aware of this agreement.

25 I have been involved with the conversations between the

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1 applicant. I have been updated off and on but I hadn't seen

2 this until right now.

3 MS. LEE RIGDON: 8411 West Idaho Boulevard. I'm President

4 of the Letha Sewer District. We have been in contact with DEQ.

5 We got a verification on our moratorium and it is still in

6 effect but with the school shutting down, that leaves -- we were

7 able to maneuver some of our permits. We have had two

8 outstanding permits that have to do with hardship. They have

9 clarified that and have changed that to regular. So that's why

10 Hammer and Nails can now get the other two permits, but only for

11 this particular project. I'm trying to get survey's to have a

12 pond study done. I'm contacting many engineers to get a decent

13 proposal presented on what it would cost for us to do this. As

14 of right now, it's going to be an impact fee that will go

15 towards anything that needs to be done towards the ponds. We

16 are able to handle the three more housing because our limitation

17 is not per house, it's by people. Our limitation is 200 people.

18 According to DEQ, with Monty Marcus, he did send us a letter

19 clarifying everything. We are able to do this for Vickery

20 Estates. So, right now, it's okay with us.

21 MR. DAVID POOLE: Thank you.

22 MR. DON WILKERSON: Chairman, I have a question. Are you

23 familiar with the plat?

24 MS. LEE RIGDON: Somewhat.

25 MR. DON WILKERSON: Okay. The lot on the north end that

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1 borders up against the railroad, you're sewer line is on the

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2 *south side of the property. They have a 40 foot easement to get*
3 *to that north lot. Is that where you're going to put that sewer*
4 *line to serve that north lot?*

5 *MS. LEE RIGDON: The sewer line is already existing on the*
6 *property. There is an outlet there. The main line is there and*
7 *it does go east to west.*

8 *MR. DON WILKERSON: My question is how you're going to get*
9 *to Lot 5.*

10 *MS. LEE RIGDON: What we take care of is the connection*
11 *right at the main line. The home owner, developer, whatever*
12 *takes care of the lines from then on.*

13 *MR. DON WILKERSON: You're not going to extend any line to*
14 *get to Lot 5.*

15 *MS. LEE RIGDON: Yes. That's up to the property owner and*
16 *the developer.*

17 *MR. DON WILKERSON: Okay. You're not worried about any*
18 *easements for that extension then.*

19 *MS. LEE RIGDON: No I'm not because all this property is*
20 *contained in the original site of the one piece of property.*

21 *MR. DON WILKERSON: Okay. Thank you very much.*

22 *MR. DAVID POOLE: Any other questions? Thank you. Further*
23 *questions for staff, Commissioners?*

24 *MR. DON WILKERSON: On the cul-de-sac, on the plat, and I*
25 *assume we're looking at the plat dated January the 8th because*

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1 *it has the one with the irrigation easement on Lot 1, on the*

March 10 2008 meeting

2 *south end, the radius of the cul-de-sac should be 50 feet*
3 *traveled, 60 feet final, per the letter from your County*
4 *Engineer. If you look at the documents, it should be 50 but I*
5 *think we're going with 50 feet travel with a 60 feet radius. My*
6 *concern is if you increase the radius of the cul-de-sac as*
7 *shown, what's it going to do with the well easement? On one*
8 *plat it shows there's a well at that location, which is the*
9 *intersection of all three lots.*

10 *MR. ROGER BENNIE: Don, there is no existing well.*

11 *MR. DON WILKERSON: Okay. What is the well easement for*
12 *then?*

13 *MR. ROGER BENNIE: There will be a well there. We'll just*
14 *have to move it over.*

15 *MR. DON WILKERSON: So that's where you're proposing your*
16 *community well?*

17 *MR. ROGER BENNIE: Yes.*

18 *MR. DAVID POOLE: We do need you to state that on record.*

19 *MR. ROGER BENNIE: Roger Bennie, Tri-County Surveying.*
20 *There is no existing well on the property. The well easement*
21 *will be moved over to fit where it belongs. That will be where*
22 *the community well will be placed.*

23 *MR. DAVID POOLE: Any other questions for Mr. Bennie while*
24 *he's here?*

25 *MRS. DEBBIE ROUWENHORST: Yes. On John Henderson's letter,*

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1 *he suggested that a property boundary line adjustment should be*
2 *done prior to this to save headaches. This was on Lot 1 and 2*

March 10 2008 meeting

3 *because of the fence line. It says Lots 2 and 3, which are*
4 *non-buildable, have been created to avoid a fence line dispute*
5 *and if it's intended to give to the property owners to the*
6 *south, then a property boundary adjustment should be done.*

7 *MR. ROGER BENNIE: You need to get the adjoining property*
8 *owners to agree, sign it, and it'll take three months to get it*
9 *through. We just want it to avoid a problem with fence lines.*

10 *MRS. DEBBIE ROUWENHORST: Okay. Thanks.*

11 *MR. DON WILKERSON: Roger, how do they plan on delivering*
12 *irrigation water to these lots?*

13 *MR. ROGER BENNIE: It comes out of the ditch here, it comes*
14 *down and across this way and actually feeds over this way.*

15 *MR. DON WILKERSON: I realize that. Is this just a feed*
16 *ditch to serve them or do these people have access to that*
17 *water?*

18 *MR. ROGER BENNIE: Yes. Through here and here, this*
19 *property has access to this water, which comes in turns to the*
20 *east and goes down and goes west.*

21 *MR. DON WILKERSON: Is Mrs. Oxley here? There was a letter*
22 *of concern from her about the property owners at this location,*
23 *not interfering with their delivery. I'm surprised she's not*
24 *here. So, being you sat back down, you see no problems with the*
25 *delivery.*

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1 *MR. ROGER BENNIE: There shouldn't be a problem. It's all*
2 *open ditch at this time, and where we need to, we'll be putting*

3 it into a pipe.

4 MR. DON WILKERSON: Have you or your client had any
5 discussion with the Oxley's?

6 MR. ROGER BENNIE: I have not and the client hasn't either.

7 MR. DON WILKERSON: Okay. Thank you.

8 MR. DAVID POOLE: Thank you, Roger. Any other questions
9 for staff, Commissioners? If not, then shall we try to make a
10 determination on this?

11 MR. DON WILKERSON: I make a motion that we make a
12 recommendation to the Board of County Commissioners to approve
13 this Minor Subdivision, Vickery Estates, with recommended
14 changes that we discussed tonight. One would be that the
15 cul-de-sac radius be increased to a total of 60 feet. It
16 appears the moratorium on the sewer has been corrected. Also,
17 we're looking at the plat map dated January of '02, which shows
18 the irrigation easement at the south end of Lot No. 1, which was
19 omitted on the plat in June of '07 and also that the required
20 facts/findings of a Minor Sub permit also be included, which is
21 Exhibit A.

22 MR. DAVID POOLE: Do we have a second to that motion?

23 MRS. DEBBIE ROUWENHORST: I second it.

24 MR. DAVID POOLE: It's been moved and seconded that we
25 recommend this to the Board of County Commissioners for

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1 approval, under those conditions. Discussion? If not, those in
2 favor signify by saying I. Opposed same sign. Motion carries.

3

4 (Motion carries unanimously.)

5

6 **ITEMS MOVED FROM CONSENT AGENDA:**

7 **Item No. 1B - Elsie Estates Minor Subdivision**

8

9 **MR. DAVID POOLE:** Let's move to the next item on the agenda
10 which is the Elsie Estates. Commissioners, any questions for
11 staff on this?

12 **MR. DON WILKERSON:** I have a question for staff. I believe
13 on page 4 of the staff report, the top of the paragraph says the
14 County road and bridge mitigate other impacts as an \$1,800 fee
15 per dwelling, for roads. Will this application, signed by the
16 applicant on 10/12 of '07 and is received with payment on 10/23,
17 how come the County Road CIP plan is not in effect rather than
18 the \$1,800 per lot? As I understand, the Board of County
19 Commissioners approved the CIP plan on 10/05 of '07.

20 **MRS. KANDI HALL:** On page 2, of the staff report, you'll
21 see, under No. 3, Application Process Facts, a Notice to Proceed
22 was issued by the Administrator on March 28th of 2007. That's
23 when we tell the applicant how much fees are going to be and
24 that is when the date starts. So that would be March 28th.
25 Then we had another application meeting in November, but the

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1 first March 28th, 2007 date would be the date.

2 **MR. DON WILKERSON:** So in the future, we look at the Notice
3 to Proceed date to determine this.

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4 *MRS. KANDI HALL: Correct.*

5 *MR. DON WILKERSON: To me, that's a little far fetched*
6 *because that's a long time out. It seems like it should be the*
7 *date they turn in their completed application.*

8 *On the plat for Elsie Lane, shouldn't there be a 60 foot*
9 *cul-de-sac at the end of that lane?*

10 *MRS. DEBBIE ROUWENHORST: Another question is the*
11 *accessibility onto Highway 52 from Lot 3 and Lot 4.*

12 *MR. BRAD HAWKINS-CLARK: Commissioner's, you are correct.*
13 *Elsie Lane is greater than 150 feet, so it needs a fire*
14 *emergency turn-around. We were told that on the north side of*
15 *Elsie Lane is the applicant's existing residence and he actually*
16 *does have the full turn-around on his property, but I think it*
17 *would probably be a good amendment to the report to just add*
18 *that to make sure that is addressed.*

19 *MRS. DEBBIE ROUWENHORST: In the report, there was a*
20 *question about the accessibility of Lot 3, where the ingress and*
21 *egress would be taken. The issue was with the letter from ITD*
22 *about the shared driveway. Has anymore come to light then what*
23 *we have in our staff report?*

24 *MRS. KANDI HALL: No. What you see in your packet is what*
25 *we have. We have not heard anything further on that.*

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1 *MRS. DEBBIE ROUWENHORST: Okay, because ITD recommended*
2 *that if it was to be out of that driveway, there would have to*
3 *be an agreement and the driveway would have to be increased in*
4 *size.*

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5 *MR. BRAD HAWKINS-CLARK: I think the report gave a couple*
6 *of options that were our recommendations. That existing parcel*
7 *does have the rights to access there. It's been there for many*
8 *years. I think it's just a matter of addressing Lot 3, since it*
9 *is currently landlocked, basically. I think that's why you saw*
10 *ITD's recommendation as a recommendation and not as a*
11 *requirement. To my knowledge, they just don't have the policy*
12 *to actually prohibit entirely -- to take that away. The*
13 *applicant would have to work with ITD to meet their policies.*
14 *In terms of the County, if the Commission wants to have Lot 3*
15 *take access off of Longview or Elsie --*

16 *MR. DAVID POOLE: It could be one of our conditions.*

17 *MR. DON WILKERSON: Let's go back to the access off of*
18 *Highway 52. There's a comment in here from John Henderson,*
19 *concerning the Martins' that live off of that. I guess there's*
20 *an existing lane there. If you look at this plat map, there's a*
21 *parcel 3. It almost looks like parcel 3 is some type of access*
22 *parcel. It said in the Department of Transportation letter that*
23 *there should be a joint access agreement of all parties*
24 *involved. I think that this applicant needs to look at that.*
25 *Maybe instead of the applicant looking at a future access*

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1 *agreement, they should look, I guess the parties name is*
2 *Martins, get with Martins and see if there could be an access*
3 *agreement to where they can have a dual driveway. Maybe Mr.*
4 *Bennie can answer that question.*

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5 *You mention in your staff report that Lot 3 should become*
6 *the flag lot instead of Lot 4. Is the applicant in agreement*
7 *with that? So that would change the configuration of Lot 3 and*
8 *4.*

9 *MR. BRAD HAWKINS-CLARK: It would. The conditions that you*
10 *have in front of you is that number IE on Exhibit B says amend*
11 *Lot 3 to have frontage on either Elsie Lane or Highway 52. I*
12 *think the applicants preference is to leave it the way it is.*

13 *MR. DON WILKERSON: It appears that there's already access*
14 *off of Highway 52.*

15 *MR. BRAD HAWKINS-CLARK: Yes. There is an existing*
16 *driveway onto 52 there. It's just that they don't have a*
17 *private road, which is what the County Code would require.*

18 *MR. ROGER BENNIE: The Martins' received an easement across*
19 *this piece of property from Brad Webb and his wife. Mr. Webb is*
20 *supposed to talk to the Martins' about getting an extra 10 feet*
21 *on his side to have the 40 feet to satisfy ITD, but that hasn't*
22 *taken place yet.*

23 *MR. DON WILKERSON: And that 40 feet will satisfy both the*
24 *Webb's and the Martin's?*

25 *MR. ROGER BENNIE: Yes.*

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15

1 *MR. DON WILKERSON: Okay. Have you made a change to the*
2 *configuration of Lot 4 to get rid of the flag off of Lot 4 onto*
3 *Lot 3? The way it's drawn, there's no access to Lot 3.*

4 *MR. ROGER BENNIE: That would be fine. It makes no*
5 *difference.*

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6 *MR. DAVID POOLE: Any other questions for Mr. Bennie? Any*
7 *questions for staff?*

8 *MRS. DEBBIE ROUWENHORST: Brad, one other thing was the*
9 *irrigation easement to Lot 1. Is there something that had been*
10 *worked out with the irrigation?*

11 *MR. DON WILKERSON: It did say in the Emmett Irrigation*
12 *letter that Mr. Webb is going to ride a pipe across the north*
13 *end of Lot 2 to get to Lot 1. So it appears to have been*
14 *addressed.*

15 *MRS. DEBBIE ROUWENHORST: Okay, but it needs to be done*
16 *prior to signing off a building permit.*

17 *MR. DON WILKERSON: And that's what it says here on the*
18 *irrigation letter.*

19 *MRS. DEBBIE ROUWENHORST: Okay.*

20 *MR. BRAD HAWKINS-CLARK: Elsie is not only a private road*
21 *easement but you see it's a utility. Generally, we've said that*
22 *utility allows irrigation. So in that 40 foot they could have*
23 *room for that.*

24 *MR. DAVID POOLE: Any other questions for staff on this?*
25 *If not, do we want to make a determination, Commissioners?*

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16

1 *MRS. DEBBIE ROUWENHORST: I make a recommendation that this*
2 *be approved, going to the Board of County Commissioners, with*
3 *the modifications that were discussed tonight with Lot 3 and Lot*
4 *4, and that we approve it with the facts and findings that were*
5 *given to us by our staff.*

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7 *MR. DON WILKERSON: I second the motion.*

8 *MR. DAVID POOLE: Okay. Discussion on the motion? If not,*

9 *all those in favor signify by saying I. Opposed same sign.*

10 *Motion carries.*

11

12 *(Motion carries unanimously.)*

13

14 *CONSENT AGENDA:*

15 *Item No. 2 - Approval of the Minutes of February 11, 2008*

16

17 *MR. DAVID POOLE: Next item on our agenda, which probably*

18 *should have been before all of this is the approval of the*

19 *minutes for February 11th. Commissioners, any omissions or*

20 *corrections to the minutes as presented?*

21 *MR. DON WILKERSON: I make a motion that we approve the*

22 *minutes as presented, without corrections.*

23 *MRS. DEBBIE ROUWENHORST: I second it.*

24 *MR. DAVID POOLE: It's been moved and seconded. All those*

25 *in favor signify by saying I. Opposed same sign. Motion*

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1 *carries. Thank you.*

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3 *(Motion carries unanimously.)*

4

5 *PUBLIC HEARING:*

6 *Item No. 1 - Variance #VAR-08-001 - Richard Millier*

7

8 **MR. DAVID POOLE:** Next item on the agenda is our Variance
9 #08-001. Brad, would you mind bringing us up to speed on that
10 please?

11 **MR. BRAD HAWKINS-CLARK:** In terms of an overview on this
12 application, this is a variance application. The applicant on
13 it is Richard Miller, whose representing the owners in this
14 application. The variance is to a very specific section of the
15 Zoning Ordinance, which you actually addressed on your last
16 meeting with Lynda Vista and the bridge going across the Black
17 Canyon Canal; it's the same code citation as that. They are
18 proposing to allow a 16 foot width instead of a 24 foot width as
19 is required for private roads. The location is on the east side
20 of El Paso Road.

21 This slide shows you -- I guess I might point out at the
22 beginning that the plat layout as shown in staff recommendation
23 should not be the subject of discussion tonight. It was
24 included in the application and it is public record. They
25 refer to it in their application but this variance does not

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1 have anything to do with this plat layout. So our
2 recommendation is not to really spend any time on the street or
3 the lot sizes or anything but, for this point, it serves just to
4 give you an orientation.

5 **MR. DAVID POOLE:** Just the road issue.

6 **MR. BRAD HAWKINS-CLARK:** Yes. Heres El Paso Road on the
7 left hand part of the screen. North is to the top and south is

8 *to the bottom.*

9 *As you come here off of El Paso, today, you can see there's*
10 *this rectangle here is on the bottom of a parcel, which is owned*
11 *by the Eells. There is a small siphon on that property, which*
12 *is the subject of their application. That tapers down to a 16*
13 *foot width on the road right through that siphon area, which is*
14 *approximately 20 to 30 feet long.*

15 *The property that is served by this access road is*
16 *comprised of several parcels that exist today. Those parcels*
17 *are not exactly outlined on this map but they are, as you can*
18 *see, to the east and to the south of this canal. There are two*
19 *canals to bear in mind when you're reviewing this application.*
20 *There's the C-Line Canal, which, I believe, is west. Then*
21 *there's another canal here, which I believe is C-Line East. The*
22 *names don't match the directions. As I understand it, the water*
23 *comes down the C-Line West and is siphoned underneath that road*
24 *and goes into the C-Line East. So, as you can see, there's*
25 *actually a point here where your having to cross both canals.*

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1 *So the property then would continue after you cross those canals*
2 *and then serve properties that are further to the south and to*
3 *the east.*

4 *MR. DON WILKERSON: So the large siphon has nothing to do*
5 *with the application tonight.*

6 *MR. BRAD HAWKINS-CLARK: That's correct. So a couple of*
7 *site photos for the Commission. This is the approach to El Paso*

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8 *Road, to the existing lane. This is taken from El Paso kind of*

9 *looking to the north and to the east.*

10 *This photo is taken going a little bit up El Paso, looking*

11 *due east, straight to the east. The siphon that we're talking*

12 *about is probably about in this location there.*

13 *This photo is also east at the first curve in the road. So*

14 *you've traveled down from El Paso and come to the first curve to*

15 *the east, which then wraps around and comes back. The only*

16 *thing I'd point out on this photo is the power lines, maybe to*

17 *help give you some orientation in terms of that being the south*

18 *boundary of the Eells property.*

19 *This is the siphon. You can see an air vent at this*

20 *location and an air vent at this location. Again, this is the*

21 *subject of the application, their inability to comply with the*

22 *private road requirement of 24 feet being at this section, which*

23 *is approximately 15 to 16 feet wide of the existing road*

24 *surface. You can see that there's probably a 3 foot rise in the*

25 *topography right there, the grade that goes up to this canal*

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1 *road. This is a canal road that serves the C-Line lateral up*

2 *here.*

3 *This would be C-Line West up here and then the C-Line East,*

4 *again, this pipe coming underneath the ground with the air vents*

5 *and then the C-Line East is right here.*

6 *MR. DAVID POOLE: What is the distance between those air*

7 *vents?*

8 *MR. BRAD HAWKINS-CLARK: I don't know the exact distance.*

9 Obviously it's greater than 16 feet.

10 MR. DAVID POOLE: At that point, with some adjustment in
11 the road, if you can get between the air vents, can we not pick
12 up the 20 or 24 feet by widening the road at that point? It
13 appears to be a possibility to get the width that's necessary
14 for a road there.

15 MR. BRAD HAWKINS-CLARK: That would be a good question for
16 the applicant to address. Basically, you're talking about the
17 distance from that point of the road up to that air vent.

18 MR. DAVID POOLE: Yes.

19 MR. DON WILKERSON: To the right of that lower air vent,
20 where it drops into the C-Line East, did you get up there and
21 look to see how far from that air vent out towards the C-Line
22 East is the end of the pipe?

23 MR. BRAD HAWKINS-CLARK: I do have a photo of that,
24 actually.

25 MR. DAVID POOLE: So there is a fair distance there as

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1 well.

2 MR. BRAD HAWKINS-CLARK: Here's the two vents and the
3 outlet coming to the C-Line East. So the distance you're asking
4 me about would be that distance right there and I didn't get out
5 and measure that.

6 MR. DON WILKERSON: And it looks like the siphon looks like
7 it may be a box culvert. You don't know what's under the road
8 but it might be a box culvert.

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9 *MR. BRAD HAWKINS-CLARK: El Paso Road is here at the end of*
10 *the power lines. The first photo we had was taken looking this*
11 *way and now the siphon is just right here to the right hand side*
12 *of the photo. If you were to come just to the south a little*
13 *bit, that's where this photo is taken from. The main reason I*
14 *included this photo was because the cover letter of the*
15 *applicant refers to a bridge that if they came in the future for*
16 *another subdivision on the property, that right now their plan*
17 *would be to extend that road straight to about this point*
18 *instead of following the curvature that you see on the ground*
19 *today. That would just continue across the C-Line East and then*
20 *going to the south. That's all the site photos I had to orient*
21 *you. The staff report goes into a little bit more detail.*
22 *Again, just to clarify, we have underlined on page 2 of 6*
23 *that neither the proposed subdivision nor the bridge it refers*
24 *to are really the subject of this application. That subject of*
25 *this application is whether or not you feel that they should be*

□

22

1 *allowed the width variance at the siphon.*
2 *In terms of zoning, this area is zoned A-3, which is 5 acre*
3 *minimum lot sizes. All of the properties that are out there do*
4 *meet the A-3 zoning minimum. The Comprehensive Plan designation*
5 *is agriculture and natural resources.*
6 *We presented some staff analysis starting on page 4 of the*
7 *staff report. As you know, you have to make four findings in*
8 *order to grant a variance. So based on the application*
9 *material, not on testimony, we've included our comments there.*

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10 *One point of clarification or additional information that*
11 *was not in there has to do with one option and what we're*
12 *talking about here is more than three quarters of a mile of*
13 *road. Anytime you have more than three houses on a road, it*
14 *goes from a Type A to private road to a Type B. In order for*
15 *these parcels that do not have houses on them, under our code,*
16 *before we can grant them a permit through our office, they have*
17 *to have accesses that complies with the code. The code says you*
18 *have to have a Type B road. That's why the Development Services*
19 *Office has not granted building permits for those. There's some*
20 *factors here that are beyond the applicants control.*

21 *One option for the Commission to consider is to put a*
22 *condition on the variance that says they would be granted this*
23 *variance only for the parcels that do not have houses on them,*
24 *restricting the number, and possibly calling it a temporary*
25 *variance so that it would go away as soon as another legal*

□

23

1 *access is provided. That is one option to consider.*
2 *The staff recommendation at the bottom does have*
3 *outstanding issues for a Type B road application. I included*
4 *that more so you could see that there are other things that*
5 *would have to happen before building permits would be issued.*
6 *They did not apply for a variance to any of these items. So if*
7 *you grant the variance, they still have to meet these items.*
8 *MR. DAVID POOLE: So the variance is only for the 16 foot*
9 *roadway.*

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10 **MR. BRAD HAWKINS-CLARK:** *That's correct. We did receive*
11 *written comments from Jan Tuma, who is a property owner. Ms.*
12 *Tuma's property is just immediately to the south on the other*
13 *side of the power poles. She had submitted a letter with eight*
14 *concerns.*

15 *We did receive a letter from Middleton Fire District noting*
16 *concerns about access for fire suppression.*

17 *The third piece of testimony was from the Black Canyon*
18 *Irrigation District stating their concerns about using that*
19 *siphon for any additional traffic or any additional*
20 *ingress/egress.*

21 **MR. DON WILKERSON:** *You mentioned that a condition could be*
22 *placed on it. The variance could be only for the parcels that*
23 *don't have building permits today or houses on them today.*

24 **MR. BRAD HAWKINS-CLARK:** *Right.*

25 **MR. DON WILKERSON:** *Does that include all the property that*

□

24

1 *they're looking at? Do you have a number today?*

2 **MR. BRAD HAWKINS-CLARK:** *I believe there's two.*

3 **MR. DON WILKERSON:** *So that would be limited to those two.*

4 **MR. BRAD HAWKINS-CLARK:** *Right.*

5 **MR. DON WILKERSON:** *Even if we grant the variance, and you*
6 *give those two permits, in order to get those two permits, they*
7 *still have to bring the road up to Type B standard.*

8 **MR. BRAD HAWKINS-CLARK:** *Correct.*

9 **MR. DAVID POOLE:** *Any other questions for Brad? If not, we*
10 *can get the applicant to step forward please.*

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11 *MR. RICHARD MILLER: My name's Richard Miller. I'm a*
12 *consultant for Cartell Business Consulting in Huston, Idaho.*
13 *We were asked, a couple years ago, to look at this entire set of*
14 *parcels and plan and design an equestrian community so that it*
15 *had a theme that was uniformed throughout the whole thing. We'd*
16 *have CC&R's to it and people could develop in there. We did*
17 *that and we started in on the initial preliminary hearings for P*
18 *and Z and this is where we came up against some of these*
19 *problems that we're looking at tonight.*
20 *Our idea is to take this through the preliminary and then*
21 *sell it to a developer who would come in and do the developing.*
22 *The first thing that would have to be done, with a new developer*
23 *coming in, is the road off of El Paso would make a slight turn*
24 *back to the south, go across the C-Line East, which is the west*
25 *canal, with a bridge. We've already got a pricing on that and*

□

25

1 *everything. That bridge is going to cost about \$275,000 to put*
2 *in, minimum. To have to put that in, right now, for the seven*
3 *land owners, that's a pretty good chunk of change for the land*
4 *owners to have to pick up. That's why we're using the small*
5 *siphon now.*
6 *When I talked with the Irrigation District, some time ago,*
7 *they said that there had been a lot of talk about taking that*
8 *small siphon out anyway. It isn't really working the way they*
9 *wanted it to. That's why they came in and put in the air vents,*
10 *I think. So if our bridge went across there, there's a good*

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11 chance that siphon wouldn't be there.

*12 To go ahead with the preliminary planning, it's my
13 understanding that we have to have a road association totally in
14 and functioning. We have to have a Type B road all the way back
15 to the end of the lane, which is about a mile.*

*16 We do have a road association filed with the County, at
17 this time. The staff's report had said that it was not signed
18 by all of the land owners and it wasn't because at the time that
19 it was formed and signed, two of the land owners that now own
20 lots back there were not land owners. That's why they have not
21 signed. That would be running with the agreement of the sale of
22 the property.*

*23 The road can meet all Type B specifications with the
24 exception of the one spot. As far as I can see, it could never
25 be widened safely without messing up what they're doing with*

□

26

*1 that siphon. That's why we proposed for the variance now, which
2 all it would allow is for the road association to be an entity.
3 We could go on developing the Type B road and the other two
4 parcels would be able to get their building permits, which now
5 they cannot get. Then, if and when the preliminary is
6 approved, we can sell to a developer and the first thing they're
7 going to have to do is put in a public road because there are
8 more parcels proposed than any private road could ever handle.
9 That would be a paved road, across the bridge, and down into the
10 proposed development plan.*

11 To complete the Type B road right now, the cost that I was

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12 *given a couple days ago was \$236,000. So we will most-likely,*
13 *if we do get successful with this variance, be back in saying*
14 *that's too much money, let us proceed but make sure nothing can*
15 *happen until this bridge and the road is put in for any further*
16 *development.*

17 *Basically, what we're asking for is that 16 foot variance*
18 *for about 30 foot and allowing the two permits for the parcels*
19 *that do not have buildings now. That will allow us to continue*
20 *on with the process, which we can't do, at this time. Thank*
21 *you.*

22 *MR. DAVID POOLE: Any questions for Mr. Miller? Do you*
23 *know the distance between those two air vents?*

24 *MR. RICHARD MILLER: I do not. My thought would be to get*
25 *the 24 foot, you'd have to move one of them.*

□

27

1 *MR. DAVID POOLE: I would have measured between those two.*
2 *If you could get your 24 feet there with a lift in the road, I*
3 *think it would resolve some of the issues. However, nobody*
4 *seems to know that distance. Any other questions for Mr.*
5 *Miller? Thank you.*

6 *MR. RICHARD MILLER: Okay.*

7 *MR. DAVID POOLE: Further public input in favor of this*
8 *variance. Public input neutral for this variance.*

9 *MS. JAN TUMA: I'm Jan Tuma and I live at 5500 El Paso.*
10 *The distance between those two air vents, at the very backs, is*
11 *20 feet. It might not even be that.*

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12 **MRS. DEBBIE ROUWENHORST:** *In your letter that you had*
13 *written to the Development Services, on Number 1, you stated*
14 *that currently the right-of-way that the people are using is on*
15 *private property. Is that their property or other property?*

16 **MS. JAN TUMA:** *It's Kevin Eell's family. They don't have*
17 *the bridge across there where the right-of-way is. The canal*
18 *just makes a bend there. The original owner owned all of that*
19 *property. When he drove down there, he just drove wherever he*
20 *wanted to go. So that is the established road that he used to*
21 *go around the canal. Then they started putting subdivisions and*
22 *things in there and everybody drove around that corner, but in*
23 *reality, they don't have a right-of-way to drive there. It's*
24 *about 160 feet from my fence over to the outside edge of the*
25 *road that they use on that corner.*

□

28

1 **MRS. DEBBIE ROUWENHORST:** *Is that where the siphon is?*

2 **MS. JAN TUMA:** *The siphon goes around the corner.*

3 **MR. DON WILKERSON:** *What you're saying is that the road*
4 *that goes off of El Paso to the east, the right-of-way for the*
5 *road is actually straight down along side the power line, not*
6 *the dog leg in it.*

7 **MS. JAN TUMA:** *Yes. That was my understanding.*

8 **MRS. DEBBIE ROUWENHORST:** *So without the right-of-way and*
9 *going straight, they're not using the correct -- they don't have*
10 *an easement to drive to get there.*

11 **MS. JAN TUMA:** *As far as I know, they do not.*

12 **The Idaho power right-of-ways, in their specs, require**

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13 *their power line to be in the middle of their easement. They're*
14 *about 1 foot off of my fence. My fence is just inside the*
15 *stakes that they set for the survey. So those power poles are*
16 *too close to my side of the fence. So I want to make sure that*
17 *whenever any of this is passed, there is allowance for them to*
18 *fix their power and if they don't like where their power poles*
19 *are, then they can just move them over in the proper spot. So*
20 *then they'll have the proper space for them to do whatever they*
21 *need to do with that power line. I just want to make sure that*
22 *everybody was aware of that and it didn't just slide through.*

23 *MR. DON WILKERSON: You mentioned something a minute ago*
24 *about, possibly, that right-of-way going straight east of El*
25 *Paso Road was surveyed because you said there was some orange*

□

29

1 *stakes or markers out there.*

2 *MS. JAN TUMA: When they set up those original plots, there*
3 *was survey stakes; yes.*

4 *MR. DON WILKERSON: Do you know how wide that right-of-way*
5 *for the road is?*

6 *MS. JAN TUMA: There wasn't a right-of-way for the road*
7 *that we're talking about because that was his private land and*
8 *he just drove through there with his pick-up.*

9 *MR. DON WILKERSON: I thought you just mentioned there was*
10 *a right-of-way because of the dog leg to get around to the*
11 *siphon.*

12 *MS. JAN TUMA: That goes right over that little canal.*

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13 *MR. DON WILKERSON: Do you know what the width of it is?*

14 *MR. DAVID POOLE: Between the stakes in there.*

15 *MS. JAN TUMA: I think they have a 40 foot but that also*

16 *takes in 10 feet of power line.*

17 *MR. DAVID POOLE: Thank you. Any further neutral comments?*

18 *MR. KEVIN EELLS: I'm Kevin Eells. As far as the curve and*

19 *everything, that is an old existing easement that they have*

20 *through there. The way that I thought it was supposed to be to*

21 *update the road is they would have to go straight down and get*

22 *rid of that curve, before any further houses was put in, we were*

23 *taken care of.*

24 *MR. DAVID POOLE: Is there a mapped easement in there now?*

25 *MR. KEVIN EELLS: The only easement that I know of, that's*

□

30

1 *in there right now, is the one they proclaim going straight*

2 *down.*

3 *MR. DAVID POOLE: Do they have a mapped easement straight*

4 *through?*

5 *MR. KEVIN EELLS: Just the one that they're proclaiming*

6 *right now.*

7 *MR. DAVID POOLE: The one that they're suggesting they are*

8 *going to use.*

9 *MR. KEVIN EELLS: Yes.*

10 *MR. DON WILKERSON: Where they are going to put the new*

11 *bridge?*

12 *MR. KEVIN EELLS: Yes. The other one is an old easement*

13 *that was grandfathered in.*

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14 **MR. DON WILKERSON:** *Where it comes in and makes a dog leg*
15 *to come back over the --*

16 **MR. KEVIN EELLS:** *That was already there when I bought the*
17 *property.*

18 **MR. DON WILKERSON:** *That was an old easement.*

19 **MR. KEVIN EELLS:** *That was already established when I*
20 *bought the property.*

21 **MR. DON WILKERSON:** *So there is an easement for that access*
22 *then.*

23 **MR. KEVIN EELLS:** *It's a 40 foot easement all along the*
24 *straight stretch going down the fence. Then it turns into a 30*
25 *foot easement going down and around that corner.*

□

31

1 **MR. DAVID POOLE:** *Any other questions? Thank you. Any*
2 *other comments that is neutral? Comments in opposition to this*
3 *variance. You have an opportunity, Mr. Miller, to rebut.*

4 **MR. RICHARD MILLER:** *Richard Miller with Cartell Agro*
5 *Business Consultants. Gem County Instrument No. 222991 speaks*
6 *of the ingress/egress easement, 40 foot wide. I have a copy*
7 *here of a bi-state survey and it's in section 15. It shows the*
8 *road surveyed, curving around to the siphon.*

9 **MR. DAVID POOLE:** *Do you have a copy of this, Brad?*

10 **MR. RICHARD MILLER:** *I think that could have been in the*
11 *original paperwork that we filed for the preliminary hearing.*

12 **MR. BRAD HAWKINS-CLARK:** *For this application we do have*
13 *Instrument 261574. What did you say was that instrument?*

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14 **MR. RICHARD MILLER:** 222991.

15 **MR. BRAD HAWKINS-CLARK:** *So that would have been quite a*
16 *bit earlier. The one that was a record of survey by Tri-County*
17 *is Instrument 261574. It also shows the 40 foot easement around*
18 *the curve.*

19 **MR. DAVID POOLE:** *Okay. Any questions for Mr. Miller?*

20 **MR. RICHARD MILLER:** *As I said before, that's been used for*
21 *years and we would not continue to use it if we were successful*
22 *with the development. It would go straight down and across that*
23 *canal.*

24 **MR. DAVID POOLE:** *But you would vacate that easement?*

25 **MR. RICHARD MILLER:** *Right. We'd have to then have a new*

□

32

1 *easement from the land owner to go straight through, which is*
2 *one of the applicants. So I don't think that would be a*
3 *problem.*

4 **MR. DON WILKERSON:** *It mentioned that you'd still have to*
5 *bring the road up to Type B qualifications. From what I see on*
6 *the photos, that's going to take a lot of gravel and everything*
7 *to bring up a base and that.*

8 **MR. RICHARD MILLER:** *About \$230,000 to \$250,000, which may*
9 *be totally out of rhyme and reason. So we may be asking you for*
10 *another variance to get -- because as I understand it, we can go*
11 *no further with trying to get this development to progress until*
12 *that is done.*

13 **MR. DON WILKERSON:** *You can't even get the two building*
14 *permits.*

15 MR. RICHARD MILLER: Right.

16 MR. BRAD HAWKINS-CLARK: I thought that I heard you say
17 that before. The issue at hand, and this is what I had called
18 you about a couple of weeks ago, I'm hearing you think that
19 there's a relationship between the granting of this variance and
20 filing a preliminary plat application for another subdivision;
21 there really is not. If you were to file a preliminary plat
22 application for a subdivision --

23 MR. RICHARD MILLER: Which we've done. We've had the
24 meetings with all the people but we ran up to this point of not
25 being able to continue without a Type B road. It was my thought

□

33

1 process of why put all that money out and still not be able to
2 get past this 16 foot variance need and then come to the
3 Commission and they say no way. So this was the process that we
4 decided we needed to go. If we can get a variance here, then we
5 can go ahead and start looking at putting in a Type B road and
6 doing what we need to there.

7 MR. BRAD HAWKINS-CLARK: I think that would be true if you
8 were only doing 10 lots or less, but if you're going to file for
9 more, as you stated earlier, that would be a public road. A
10 public road has no relationship to this Type B standard.

11 MR. RICHARD MILLER: Exactly. That becomes a right-of-way,
12 not an easement. We're in the process of talking through that
13 right now. I realize we've got a lot of steps to go through but
14 I didn't want to get boxed in here, spending a lot of money and

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15 *not being able to go any further.*

16 *MR. DAVID POOLE: Any other questions for Mr. Miller?*

17 *MR. RICHARD MILLER: Thank you very much.*

18 *MR. DAVID POOLE: We'll bring this before the Board and*
19 *close the pubic hearing portion of this. Commissioners, anybody*
20 *have ex parte communication or site visits? Does somebody want*
21 *to start the process here?*

22 *MRS. DEBBIE ROUWENHORST: Going with the letter from the*
23 *rural fire district, and there's two letters. One letter is*
24 *dated August 16th, 2007 and their concern about the section of*
25 *the road being down to 16 feet. Then there's a letter dated*

□

34

1 *February 15th where it was noted that there are six residents*
2 *currently using the lane. In their original plan review only*
3 *three residents were noted as access. So the Fire Department*
4 *has an issue with already having more residences on this lane*
5 *then they were notified of originally.*

6 *Also, with the Irrigation District, it was not to be used*
7 *for excessive ingress and egress for this siphon that they have*
8 *put in. Those are two concerns that I see we need to address.*

9 *MR. DON WILKERSON: I kind of echo Debbie's comments. One*
10 *comment I want to add is not only are they concerned about the*
11 *access but also the condition of the road. I know if we look at*
12 *this and they want to have their additional building permits,*
13 *they have to build it up but the road looks like it's in pretty*
14 *bad shape.*

15 *I would probably look at denying this application because*

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16 *of the Black Canyon Irrigation letter. They have a system to*
17 *maintain and to keep it where it's not disruption to both their*
18 *users and the other public that live there. Thank you.*

19 *MR. DAVID POOLE: Further comment?*

20 *MR. DAVID HARGRAVES: I have a comment. I think it would*
21 *be helpful to identify -- I don't think that letter identifies*
22 *what would cause the disruption. I think it would be good to*
23 *discuss that. They suggest that some disruption is possible.*

24 *MR. DON WILKERSON: It says that if these vents were*
25 *disrupted, it would cause major problems in deliveries to our*

□

35

1 *patrons.*

2 *MR. DAVID HARGRAVES: So how would the 16 foot variance*
3 *cause a disruption?*

4 *MR. DON WILKERSON: If they damage the air vents -- say a*
5 *large vehicle goes through there and they damage the air vents,*
6 *it could cause a problem in the irrigation system. They may*
7 *have to shut it down.*

8 *MR. DAVID HARGRAVES: But that would be true whether the*
9 *variance was granted or not; correct?*

10 *MR. DON WILKERSON: That's possibly right. There's nobody*
11 *down there policing what vehicles go down that. I don't know*
12 *how they control the water into that siphon.*

13 *MR. DAVID HARGRAVES: Okay. I thought it would be good to*
14 *have some discussion on that because they make a claim that the*
15 *vents could be disrupted but they really don't identify how*

16 those could be disrupted.

17 MRS. DEBBIE ROUWENHORST: If two more building permits are
18 granted then you have more of the opportunity, more traffic
19 flow, and that would be an issue. My biggest issue is the
20 Middleton Fire District and their letter as far as access. They
21 had to go in with a 4-wheel drive pick-up to make access at
22 certain times. So the road would have to be up to standard at
23 the same time a variance would even be put in. You'd have to
24 have one to have the other.

25 MR. DAVID POOLE: Type B road would have to be put in, even

□

1 with the 16 foot.

2 MRS. DEBBIE ROUWENHORST: Yes.

3 MR. DAVID POOLE: There would be no variance to go away
4 from the Type B road simply because it needs to be upgraded.

5 MRS. DEBBIE ROUWENHORST: Right.

6 MR. DAVID POOLE: Other comments, Commissioners? Okay. Do
7 you want to try and make a determination on this, Commissioners?

8 MR. DAVID HARGRAVES: The standards for granting this have
9 to be met. So it would be helpful to have your discussion
10 centered around those four findings that you have to make in
11 order to grant it. Staff has done a nice job on giving a good
12 starting point for that.

13 MR. DON WILKERSON: Even though the Irrigation District
14 does have a concern about the siphons, the siphons are not on
15 Black Canyon Irrigation District right-of-way or easement. So
16 when you read Brads required findings, maybe this is putting

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17 *something on the property owners that shouldn't be there because*
18 *it's not irrigation property ground. In other words, maybe*
19 *irrigation can't dictate one way or the other because it's not*
20 *on their ground.*

21 *MR. DAVID POOLE: But, as per our ordinance, we still have*
22 *the road width, Type B --*

23 *MR. DON WILKERSON: But if you look at the four conditions*
24 *that are required for a variance, there's nothing here that says*
25 *harm to other property. I'd just like to have Brad expound on*

□

37

1 *this comment, that Commission must find that there are special*
2 *conditions and circumstances for this private road that are not*
3 *applicable to other lands. So are you saying this is a unique*
4 *situation or it's not a unique situation?*

5 *MR. BRAD HAWKINS-CLARK: I think the siphon itself is*
6 *probably considered a unique situation. We haven't done a full*
7 *survey of the whole County in terms of where these canals cross*
8 *and intersect. It's certainly rare.*

9 *One thought is just to talk about each finding specifically*
10 *and go down the line.*

11 *MR. DON WILKERSON: This is not a condition brought on by*
12 *the applicant.*

13 *MR. BRAD HAWKINS-CLARK: Right.*

14 *MR. DON WILKERSON: In B, it says what would require the*
15 *applicant to pursue two other options for development.*

16 *Reconstruct the siphon to allow for a 24 foot. Would the canal*

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17 *company allow that? I like item B, alternative access.*

18 *MR. DAVID POOLE: I feel that since the road is going to*
19 *have to be brought up to a Type B surface, that probably the 16*
20 *foot could be widened, at that point, and probably could acquire*
21 *a 20 foot space between them. We should probably try to get as*
22 *much as we can.*

23 *MR. DON WILKERSON: Widen it as much as they can.*

24 *MR. DAVID POOLE: But they're going to have to do something*
25 *with service because you got a dip in the road. You need to put*

□

38

1 *some base down and give the opportunity to widen the road*
2 *somehow. I think that going along that line of thinking, plus*
3 *making it a temporary access until the other access can be there*
4 *for future land development, I think we make it temporary.*

5 *We were discussing that there's going to be two additional*
6 *building permits. I think if we just limit it to that and go*
7 *ahead and just let those two parcels of land be constructed, as*
8 *long as we get the B road and as wide as we can through that*
9 *section, making it a temporary easement so that it can be*
10 *vacated in the event that we do cross over the canal with the 40*
11 *foot straight easement for future process, I think that would*
12 *make more sense.*

13 *MR. DON WILKERSON: Another thing we could consider as a*
14 *condition is while they're using this road, until they get*
15 *further in their plans , that they put signs up*
16 *on each side of that siphon that shows caution or one way*
17 *traffic. I tend to agree that we approve it with conditions.*

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18 *MR. DAVID POOLE: I feel the same way, Don. Do you want to*
19 *put that in the form of a motion?*

20 *MR. DON WILKERSON: I make the motion that we approve*
21 *Variance #08-001 per the required findings of the staff, Item A*
22 *through D, with the following conditions: Before any additional*
23 *building permits are issued, the existing roadway will be*
24 *brought up to Type B standards. The existing roadway, within*
25 *this 20 to 30 foot are strip needs to be widened as much as*

□

39

1 *safely possible between the two air vents. If he can gain*
2 *another 3 feet or 4 feet, that may help it out. Also, I'm going*
3 *to say, a one way traffic sign be put up on each side of the*
4 *siphon, like 100 feet each side of the siphon, to warn public of*
5 *what's there.*

6 *MR. DAVID POOLE: Do we have a second?*

7 *MRS. DEBBIE ROUWENHORST: I'll second it.*

8 *MR. DAVID POOLE: Is there discussion on the motion?*

9 *MR. BRAD HAWKINS-CLARK: On the second condition, widen as*
10 *much as possible, if it is deemed not possible by Black Canyon*
11 *Irrigation District, is that acceptable to the Commission?*

12 *MR. DAVID POOLE: Then 16 feet is what it has to be.*

13 *MR. DON WILKERSON: My question is if it's not Black Canyon*
14 *Irrigation District's right-of-way, can they make that decision?*
15 *If you look at your picture of the air vent, it's on the right*
16 *hand side, you're driving right up against it. So possibly they*
17 *can get closer to the other siphon and widen that road 3 to 4*

18 feet.

19 MR. DAVID POOLE: They may have to do some fill in order to
20 do that but they have a problem where the dip is anyway.

21 MR. DAVID HARGRAVES: It might be helpful to identify who
22 you want to make that determination.

23 MR. DAVID POOLE: I suggest we have staff make that
24 determination or do you want the Road Department to do that?

25 MR. DAVID HARGRAVES: I don't know who would be best to

□

40

1 make that determination; maybe an engineer. Brad, what do you
2 think?

3 MR. BRAD HAWKINS-CLARK: I don't think the Road Department
4 is going to get involved since it's a private road.

5 MR. DAVID POOLE: Well whose going to do the inspection on
6 the road?

7 MR. BRAD HAWKINS-CLARK: On a private road we don't inspect
8 the base. We require that it be constructed to Idaho's
9 Standards for Public Works Construction, which is stated to us
10 by an engineer.

11 MR. DAVID POOLE: So how do you classify this Type B as up
12 to code or acceptable? Do you have a compliance officer that
13 does that?

14 MR. BRAD HAWKINS-CLARK: No. We have the Fire Department
15 confirm any turn around's. Our office confirms width and
16 signage but determining if the base meets public works
17 construction is a statement that is provided to the County by an
18 engineer that says yes this meets it.

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19 *MR. DAVID POOLE: Under those circumstances, since width is*
20 *one of the things you commented on, then we I think we should*
21 *allow your office to make that decision between those two air*
22 *vents.*

23 *MR. DON WILKERSON: I would say that Black Canyon may have*
24 *jurisdiction because it's a T off of the main canal. So I think*
25 *it should be between the applicant and Black Canyon Irrigation*

□

41

1 *District.*

2 *MR. DAVID HARGRAVES: So we probably need to get a*
3 *statement from Black Canyon.*

4 *MR. DAVID POOLE: If it's their right-of-way, I think they*
5 *should be able to do that. Any further discussion on the*
6 *motion? Do we want to amend that fact that Black Canyon has*
7 *to --*

8 *MR. DON WILKERSON: Amend the motion on the first item.*
9 *Widen road as safely possible with concurrence between the a*
10 *applicant and Black Canyon Irrigation District.*

11 *MR. DAVID POOLE: All those in favor of the motion signify*
12 *by saying I. Opposed same sign. Motion carries. Thank you*
13 *very much.*

14

15 *(Motion carries unanimously.)*

16

17 *PUBLIC HEARING:*

18 *Item No. 2 - Variance #VAR-08-002 - Chamber of Commerce*

19

20 *MR. DAVID POOLE: Next item on our agenda is Variance*
21 *#08-002, Chamber of Commerce.*

22 *MRS. KANDI HALL: This staff report is for a variance for a*
23 *new sign; a welcome to Gem County sign. The width of the sign*
24 *is 16 feet across. That would be 3 feet at the top of the*
25 *pillars with an extra 10 feet of new sign.*

□

42

1 *MR. DAVID POOLE: So we're talking from the outside edge of*
2 *the rock pile to the outside edge of the rock pile.*

3 *MRS. KANDI HALL: Correct. It will replace the sign that*
4 *is currently there; the DARE sign and the Kenny Keene sign.*
5 *Currently, those signs are 4 X 8 and the new sign is going to be*
6 *5 X 8 across. The applicant is proposing to remove the current*
7 *sign and replace it with 2 posts constructed of river rock,*
8 *measuring 4 foot at the base, narrowing to 3 foot at the top,*
9 *and approximately 10 feet in height.*

10 *The sign attached to the pillars should be constructed of*
11 *5 X 8, maintenance free, material base with iron lettering*
12 *attached to the base. Attached to the top of the 5 X 8 base*
13 *will be an iron rendering of the buttes. The proposed sign will*
14 *not be taller than the existing sign but, in fact, will be*
15 *wider.*

16 *The applicant does have a letter regarding the 90 feet that*
17 *they needed. All the letters that we've received from everybody*
18 *is everybody's wanting this. It's going to be a big positive*
19 *thing for Gem County.*

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20 *ITD has just issued a letter to us tonight that I can go*
21 *ahead and hand out to you. They do not need to have the permit*
22 *-- it says it will not need to be reissued.*

23 *MR. DAVID POOLE: So if this variance is granted, they can*
24 *just go ahead.*

25 *MRS. KANDI HALL: Absolutely. Basically, it's saying*

□

43

1 *everything is going to be okay.*

2 *I have photos here. That is the current signage that's up*
3 *there. This is the proposed sign. That is a view from the*
4 *west, from the sign location.*

5 *MR. DAVID POOLE: Are there any questions for Kandi? If*
6 *not, would the applicant like to step forward?*

7 *MS. PAM GARRISON: Good evening. My name is Pam Garrison.*
8 *I live at 2545 South Substation Road. Wisti Rosenthal is the*
9 *Executive Director of the Chamber and she couldn't be with us*
10 *tonight. In her absence, she asked that I make this*
11 *presentation for the Chamber.*

12 *I'm going to give you a little history as to why the*
13 *Chamber is involved in this project. Approximately 4 or 5 years*
14 *ago, the Gem County Board of Commissioners turned the*
15 *responsibility of the existing sign, out on Highway 16, to the*
16 *Chamber. Since that time, there's been much discussion as to*
17 *whether or not we should move ahead and replace that sign with a*
18 *more visually appealing sign to the many visitors that come into*
19 *our community as well as the thousands of commuters.*

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20 *So, about a year ago, the Chamber Board of Directors made*
21 *the decision to move ahead with the project and by that I mean*
22 *the Directors, which I am one, I'm also a member of the Sign*
23 *Committee. I'm sorry I forgot to tell you that. The Chamber*
24 *Director's main focus would be that this would be a community*
25 *project. The construction of the sign would be done by*

□

44

1 *donations from the community volunteers of labor and materials.*
2 *The Chamber's role would be to coordinate the volunteer efforts.*
3 *From that decision, a sign committee was organized. Most of the*
4 *members of the committee are Chamber members.*
5 *What we've accomplished to date is we've contacted the*
6 *property owner. Wisti Rosenthal did most of the contacting.*
7 *Following many telephone conversations with the property owner*
8 *to address the concerns of both parties, a memorandum of*
9 *understanding, which you have in your packet, was drafted. It*
10 *was signed by Wisti Rosenthal, the Chamber Director, and Senator*
11 *Brad Little, the property owner.*
12 *Some members of the committee have met with Brad*
13 *Hawkins-Clark to discuss this project. We've contacted ITD and*
14 *Gina Thornton, the Chairman of our committee, has made the*
15 *contact with the State Department. We requested a letter based*
16 *on information received in the staff report and an e-mail that*
17 *we received from Brad with Commissioner Wilkerson's concerns.*
18 *We asked ITD to provide us a letter, which they have done. What*
19 *they told us, verbally, months ago and why we moved forward with*
20 *the project was just what they're telling you in their letter.*

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21 *If we keep the sign in the current location and just replace it,*
22 *the permit will be transferable and they saw a concept of the*
23 *sign and it meets their sign requirements. We were also told*
24 *verbally, and in the letter, that the current site location*
25 *would meet any current project plans that they have for Highway*

□

45

1 16.

2 *Now, having said that, we were concerned with some of the*
3 *language that's in the letter. Gina Thornton called her contact*
4 *at ITD and did receive a telephone call back. We were hoping to*
5 *clarify that language. What do they mean by current project*
6 *plans? What we learned was that on their current project plan,*
7 *they're only planning on constructing passing lanes. To be*
8 *honest with you, we don't know if it's in the section where that*
9 *sign will be but we do know it's in section 32 somewhere. We're*
10 *still not clear on that. Gina was told that the construction of*
11 *those passing lanes is going to depend on funding. Quite*
12 *honestly, ITD is concentrating their funding on Interstate 84.*
13 *They have projects in Caldwell and Nampa that are taking*
14 *priority over this little Highway 16 project. So when will*
15 *those passing lanes be constructed or Highway 16 be widened? No*
16 *one really knows.*

17 *So what the Committee and the volunteers that we've talked*
18 *to want you to know is that when Highway 16 is widened, whenever*
19 *that is, if the sign happens to be in the setback area and the*
20 *sign has to go, that's okay. In the meantime, we're going to*

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21 *have a beautiful sign that really makes a statement of our*
22 *community. We would hope that when the sign has to go that the*
23 *people that are involved in the Chamber, at that time, will be*
24 *motivated to build the sign in another location. So we're okay*
25 *with it.*

□

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1 *Another thing that the committee has accomplished is we*
2 *finalized our sign design. You should have that in your packet.*
3 *We've also contacted volunteers. We have contacted*
4 *contractors to build the sign. We have an artist who will do*
5 *the metal lettering for us, provide the iron for the lettering,*
6 *and will do the rendering of the butte. We talked to an auto*
7 *body painter who is going to donate our rust resistant paint and*
8 *paint the letters. We have three masons on board. We have*
9 *contact for a fourth mason, who we are going to approach in the*
10 *near future, who have volunteered to lay the rock. We have*
11 *river rock donations. We have equipment and an equipment*
12 *operator who has volunteered to pick up the rock and deliver the*
13 *rock at the site. We've talked to many local businesses about*
14 *donating materials for the project. We have volunteers to tote*
15 *and haul to the people that know what they're doing. We have*
16 *met with a local, retired engineer and asked him to review our*
17 *plans. He said that it looks structurally fine. He gave us*
18 *some really great idea's of how to connect the sign to the*
19 *pillars.*
20 *The Committee has presented and submitted a grant to RC&D.*
21 *We were seeking some project seed money from RC&D. I'm pleased*

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22 *to tell you that we have been awarded \$500. So we are no longer*
23 *working with a zero budget.*

24 *Members have reported the project to members of the Chamber*
25 *at Midday Mingles to let them know about this project. We've*

□

47

1 *also updated and reported on the project to members of GEDA (Gem*
2 *Economic Development Association) and Shadow Butte Development*
3 *Corporation asking for their support for the project.*

4 *The last thing we have accomplished, to date, is we have*
5 *prepared and submitted the variance application to Development*
6 *Services. We're waiting for your decision before we proceed*
7 *with any other planning efforts.*

8 *You need to know that all the labor and materials will be*
9 *donated. Everyone we've talked to is very excited about this*
10 *project. We haven't talked to any business or individual and*
11 *asked for help and been turned down yet.*

12 *Brad Hawkins-Clark forwarded an e-mail that he had received*
13 *from Commissioner Wilkerson regarding concerns about the cows*
14 *rubbing up against the sign. This has been a concern and an item*
15 *of discussion of the Committee's for a long time. The consensus*
16 *of the Commission is the current wooden sign has been up there*
17 *for years. I honestly can't remember when it was placed but*
18 *there doesn't appear to be any visible damage to that sign by*
19 *the cows.*

20 *We met with Stew Churchwell, who is a Chamber member. He*
21 *has volunteered to be a member of the Sign Committee. He is the*

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22 *owner of Native and Zurich Plants. We discussed the possibility*
23 *of cleaning out the area around the sign. We only have a 90*
24 *foot square pad that we have access to. The idea would be to*
25 *plant plants/shrubs that are native to the area, that will not*

□

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1 *harm the cows, but the cows do not like. That might deter them*
2 *from coming near the sign. We've also discussed the possibility*
3 *of elevating the sign by building a berm, 3 or 4 foot, and then*
4 *landscaping the berm.*

5 *In order to do any of those options, we have to have*
6 *Senator Little's approval. I don't know whether this Commission*
7 *would approve elevating this sign or not. I don't know if ITD*
8 *would approve it either because we haven't approached them yet.*
9 *This is just one of the options.*

10 *If this Commission would make that as a requirement, we*
11 *would certainly move forward to do that. Obviously, that would*
12 *be more costly. We would need to go out into the community and*
13 *ask for donations of the fill dirt, which we determined that to*
14 *be about 10 yards of fill dirt. We would need someone to donate*
15 *the fill dirt, equipment to move the fill dirt out, and the berm*
16 *would need to be compacted before we could construct permanent*
17 *foundation. Then we would need donations of the landscaping*
18 *rock and the plants.*

19 *Our last option that we've discussed is the fencing, which*
20 *is our least favorite option. Once again, we only have the 90*
21 *square foot access on this property. The fence would have to be*
22 *constructed at the base of the foundation and all the way around*

23 *it. The consensus of the Committee is we don't want anything to*
24 *deter from the beauty of the sign. We feel a fence might do*
25 *that.*

□

1 *MR. DAVID POOLE: You might just put a cable from each side*
2 *and put a cattle rub bag on it.*

3 *MS. PAM GARRISON: We hadn't discussed the rub bag but we*
4 *had discussed the cable.*

5 *We know we're constructing this sign in a grazing area. We*
6 *know the cows are going to be in there from time to time. We*
7 *don't believe the cows are going to be there 365 days a year.*

8 *We feel that we are constructing this sign in such a manner*
9 *that if the cows were to rub on it, they wouldn't do any*
10 *substantial damage.*

11 *The Committee feels the sign needs to be larger than the*
12 *required 32 square feet. Everyone that we've talked to about*
13 *this project says please make the sign large enough to read as*
14 *you're going down the freeway at 65 miles an hour.*

15 *The sign will be constructed of primarily, maintenance free*
16 *material. As Kandi said, the pillars are going to be 10 foot*
17 *tall, 4 foot at the base, on a permanent foundation, narrowing*
18 *up to 3 foot at the top. The signage will be 5 X 8. The*
19 *existing sign is two 4 X 8 signs, which is not in compliance*
20 *with the Gem County Ordinance. We're asking for a variance to*
21 *allow a 40 square foot sign. It will be constructed on OSB*
22 *board or plywood and covered with a maintenance free material.*

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23 *Each letter will be 18 inches high and 12 inches wide. It will*
24 *simply say 'Welcome to Gem County'. As far as the back side,*
25 *we haven't determined what that will say yet. The letters will*

□

50

1 *be the same height and width. If you were to look at this, the*
2 *letters will be extended a little bit, giving you a 3-D effect.*
3 *The metal rendering of the butte will be attached to the*
4 *top of the sign. The Committee believes that this will be*
5 *creating a very unique and beautiful sign that will really make*
6 *a positive statement as you enter our County.*

7 *We want to remind you that this is not an advertising sign.*
8 *It's not for profit. It's going to be constructed by*
9 *volunteers, which means it may take a little bit longer to*
10 *build.*

11 *If you had an opportunity to read the memorandum of*
12 *understanding, you notice that we have a small window for*
13 *construction. We've agreed that we will not access the property*
14 *until the road is dry. We can not construct during the fire*
15 *season, which runs from June 15th through June 20th. We're*
16 *hoping, with your approval, we can get started on this as soon*
17 *as the weather permits.*

18 *You can tell by the overwhelming contributions of labor and*
19 *materials from local business and citizens that this is truly a*
20 *community driven effort. We are really excited about this.*
21 *This is truly an example of community citizens taking an*
22 *opportunity to make the community in which they live a better*
23 *place to live. The community considers this project an interest*

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24 *corridor beautification project, which was highly recommended in*
25 *the 2002 Community Profile, as well as the newly adopted Gem*

□

51

1 *County Comprehensive Plan. We thank you for your consideration*
2 *of our application. We would be happy to answer any questions*
3 *that we can for you.*

4 *MR. DON WILKERSON: I commend you for your effort and*
5 *everything else. What concerns me is your comment that if you*
6 *build it today and it has to be moved 3 years from now, to me,*
7 *that's a waste of both your volunteer's money, your*
8 *contributor's money, and your labor. I'm looking at a record of*
9 *survey that was given to staff by John Henderson. It shows the*
10 *Ada County/Gem County line and it looks like the right-of-way is*
11 *going to move several feet to the east when they widen that*
12 *road.*

13 *MS. PAM GARRISON: We tried to get clarification from ITD.*
14 *The only information that we could get back from them is the*
15 *only current plans that they have, which is for the passing*
16 *lanes and they couldn't tell us when they were going to do that.*

17 *MR. DON WILKERSON: I understand that. I would suggest*
18 *that somebody goes over and sits on the desk at the Idaho*
19 *Transportation Department in Boise and see what their record of*
20 *survey is. I don't know if you're restricted on how far back*
21 *you can move it. I know in your letter, you hate to see it go*
22 *too far back for the people to see it. I think that you can*
23 *come closer by looking at some other drawings that are readable,*

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24 *talk to them person to person, and place this at a point where*

25 *you don't have to move it when they widen the road. This letter*

□

52

1 *doesn't really say anything.*

2 *MS. PAM GARRISON: That's why we were asking for*

3 *clarification.*

4 *MR. DON WILKERSON: If you place it back there 60 feet, you*

5 *might not have to move it. To me, that's a waste of energy and*

6 *dollars if you have to move it 4 or 5 years from now.*

7 *MR. DAVID POOLE: Did you not say you had a retired*

8 *engineer that was willing to help?*

9 *MS. PAM GARRISON: He reviewed our plan. We haven't*

10 *approached him about doing anything further for it.*

11 *MR. DAVID POOLE: One of the things you might be able to do*

12 *with that is these can be built in such a manner where they can*

13 *be picked up and moved.*

14 *MS. PAM GARRISON: On a permanent foundation?*

15 *MR. DAVID POOLE: They're pouring the concrete but they can*

16 *be bolted to your foundation. You could make a metal frame work*

17 *and you can use the same rock surface around this that is used*

18 *on homes. That way you can just pick it up and move it over if*

19 *you have to. They don't have to weigh 10 tons a piece.*

20 *MS. PAM GARRISON: That's why the Committee had this*

21 *discussion. Do we wait another 5 years? Do we wait another 3*

22 *years? That was our concern. When we approached the*

23 *volunteers, we said there may be the possibility that we have to*

24 *move it. If we move it, it's been made perfectly clear to us*

25 *that we need to go through the permitting process through ITD.*

□

53

1 *With your permission, Mr. Chairman, may I call Gina Thornton up*
2 *here?*

3 *MR. DAVID POOLE: Certainly.*

4 *MS. PAM GARRISON: She's actually had contact with her*
5 *representative at ITD.*

6 *MR. DON WILKERSON: Can I make one other comment before*
7 *that? In my dealings with right-of-way, if that is placed on*
8 *private property, which it looks like it will be, and say the*
9 *Idaho Department of Transportation comes in and wants to obtain*
10 *that additional right-of-way to build a new road that's going to*
11 *be in the new right-of-way, I think that under current*
12 *guidelines, Idaho Department of Transportation has to pay to*
13 *have that moved.*

14 *MS. PAM GARRISON: Well, that's very interesting because*
15 *with the number of phone calls that Gina's made to them and the*
16 *letter that they sent to us, they know exactly where we're*
17 *siting the sign. So if they thought they were going to have to*
18 *pay for the move of it, I can't believe they would have approved*
19 *our sign.*

20 *If you'll remember when you read the memorandum of*
21 *understanding, one of the things the Chamber has agreed is if*
22 *Little Enterprise needs the sign to go, it's going to go.*

23 *MS. GINA THORNTON: Gina Thornton, 3580 Gem Avenue. I have*
24 *made lots of phone calls to ITD. Trying to get something*

25 permanent from them is really difficult because all they really

□

54

1 say is it depends on the funding. They told me that right now
2 the only thing that is planned is the passing lanes. So where
3 that sign is now, it will be fine. In the next breath was they
4 may not even have the funding for the passing lanes because
5 they're concentrating on so many other things. She said that
6 talking with all the people involved in their department, they
7 could tell us that they wouldn't think we would have to worry
8 about anything for 5 years. They will never give us a hard
9 commitment because it's all dependent on funding.

10 The only other issue was if we left it where it was at, we
11 do not have to go through the permit process again. They said
12 it was a lengthy process. When the time comes that it ever does
13 have to be moved, they will work with us.

14 MR. DAVID POOLE: As Don said, I think that because it's on
15 private property they would be paying for part of the expense or
16 all of the expense.

17 MR. DAVID HARGRAVES: I have a question for the applicant.
18 As I understand it, the only thing you're asking for a variance
19 on is the size of the board; 4 X 8 versus a 5 X 8.

20 MS. PAM GARRISON: Correct. 40 square foot versus the
21 allowed 32 square foot.

22 MR. DAVID HARGRAVES: I don't think the Ordinance makes a
23 distinction between a public community type signs versus for
24 profit signs. The Commissioners are going to have to look at
25 each one of those findings and decide what's unique about this

□

1 site that would justify making that different. Would the same
2 standard apply to signs all along Highway 16? What makes this
3 special in order to grant this variance? What if somebody else
4 came in and applied for a variance on the same type of thing?
5 Does that mean the Commissioners have to grant it even if it's
6 for profit? Look at your findings and I'd like to hear your
7 arguments about what makes this unique and what creates such a
8 hardship that this should be granted for this particular sign.

9 MS. PAM GARRISON: We are asking to simply replace a sign
10 that is currently there. We're not asking to build a completely
11 different welcoming sign.

12 MR. DAVID HARGRAVES: On that point, was there a permit for
13 that as well?

14 MS. PAM GARRISON: I would hope so but I can't answer that.

15 MS. GINA THORNTON: What makes this sign different is that
16 it is a welcome sign into the community versus some other
17 non-profit organization. I think of that as totally separate.

18 MR. DAVID HARGRAVES: I think you mentioned that it would
19 be easier to see the letters at 65 miles an hour, which is not
20 common to other parts of Gem County.

21 MRS. KANDI HALL: My question would be regarding
22 reflection. You're using metal and your painting it. I'm not
23 sure how much the sun will hit that. Have you looked into the
24 type of reflection coming off of that and hitting that highway?
25 Is there a potential for that?

□

1 **MR. CHUCK ROLLAND:** *Chuck Rolland, 1040 East Park. I'm*
2 *President of the Chamber. The sign doesn't have anything that*
3 *would reflect back and cause a problem for cars.*

4 *We've been approached by the people of the community*
5 *because we have great ideas coming out of our Planning and*
6 *Zoning, County and City. We've been approached about having*
7 *something up on the highway that welcomes people to Gem County.*
8 *We sat down and planned for a year and a half and involved*
9 *everybody in the Community. The unique portion of it is it does*
10 *the mountains and our County. It does a rustic thing that we*
11 *have going on. We believe it is very inviting to the people who*
12 *come into the County.*

13 **MRS. KANDI HALL:** *And that's not a question, but if there's*
14 *a reflection of any sort from that metal --*

15 **MR. CHUCK ROLLAND:** *It's painted rod iron and rock.*
16 *Absolutely not.*

17 **MS. GINA THORNTON:** *The paint that would be on the letters*
18 *would probably not be a high gloss.*

19 **MS. PAM GARRISON:** *The paint is simply to prohibit rusting.*

20 **MR. DAVID POOLE:** *Any further public input in favor of*
21 *this? Neutral? Opposed? We'll close the public portion of*
22 *this and bring it before the Board.*

23 **MRS. DEBBIE ROUWENHORST:** *I'm going with David's comment of*
24 *how is this special. I see it as a community sign. It is not*
25 *advertising. Any other variance for a sign that would come up*

□

1 in front of us would not be a community sign for every single
2 member of our community. We do need to beautify and welcome
3 people into our community. I think it looks awesome. As far as
4 the cattle rubbing, if they go under the sign, if you did a
5 cable from one side to another, they would never be able to walk
6 under the sign to rub the board; just a crisscross underneath
7 your sign.

8 MR. DON WILKERSON: No comment.

9 MR. DAVID POOLE: We're not hearing much from you tonight.

10 MR. DALE REYNOLDS: I think it's a great idea.

11 MR. DAVID POOLE: So do I. I think it's a situation where
12 the uniqueness is the fact that: A, it is on the highway; B, it
13 is a community. Since it is for the community, I think that in
14 itself probably makes it more unique than a for profit business
15 sign. So I think it's a good thing. Anybody want to put this
16 in the form of a motion.

17 MRS. DEBBIE ROUWENHORST: I would like to make a
18 recommendation that we approve the Variance #08-002 and approve
19 the sign that the Chamber of Commerce has given us in the detail
20 that they have shown us.

21 MR. DALE REYNOLDS: Second.

22 MR. DAVID POOLE: No discussion, I assume. All those in
23 favor signify by saying I. Opposed same sign. Motion carries.

24

25 (Motion carries unanimously.)

□

March 10 2008 meeting

1

2 **REGULAR MEETING:**

3 *Item No. 1 - Items from the Public*

4

5 **MR. DAVID POOLE:** *Now our regular meeting. Items from the*

6 *public. There's no items from the public.*

7

8 **REGULAR MEETING:**

9 *Item No. 2 - Items from the Planning Director/Administrator*

10

11 **MR. DAVID POOLE:** *Items from the Planning*

12 *Director/Administrator.*

13 **MR. BRAD HAWKINS-CLARK:** *I have three quick things. Shadow*

14 *Butte Industrial Park. The County has closed sales with eleven*

15 *or twelve lot owners. One of the activities that's tied to the*

16 *purchase of those lots is they have to have a building up in 2*

17 *years. One of the concerns that the Architectural Control*

18 *Committee of the park had, which I shared, was the M-1 Zone,*

19 *Light Industrial Zone, is fairly restrictive. It requires*

20 *special use permits for things, etcetera. So the concern was*

21 *this is supposed to be an economic development project. If*

22 *somebody comes in and wants to do a special use and we say, by*

23 *the way, it's going to take you 2 months before you can get a*

24 *building permit.*

25 *The idea that I tossed out was to do an overlay for the*

□

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1 park. It would basically be kind of a zoning district that's
2 applicable just to that park. It would, basically, give the
3 park more uses than the Zoning Ordinance for the M-1 District
4 allows. I just want to let you know that we're going to bring
5 that to you as a public hearing. So that's one thing.

6 Second thing was Dewey Road. I think most of you have seen
7 the study for the Dewey Road extension from the Highway. The
8 Parametrix Engineering that did that has been retained to look
9 at an extension of Dewey Road that would go north of 52. Right
10 now, where 52 and Dewey Road intersect, somewhere having a
11 northerly extension of Dewey or some other name. The Board of
12 County Commissioners, through some other grant money, was able
13 to hire Parametrix to look at that. If you get questions from
14 the community, I think there will be a little bit more public
15 announcement soon. That will involve mostly property owners
16 that are kind of on the bench. The potential for this is to
17 connect Black Canyon Highway to Dewey so that it would be a
18 continual extension, helping the congestion that downtown is
19 experiencing, regional movement of traffic across that western
20 portion of Gem County. This is not a construction project.

21 The Board of County Commissioners did approve Lynda Vista
22 per your recommendation; Bryce Walker's project. They did go
23 with your recommendation with no changes.

24 The last thing is the Comprehensive Plan. We have seven
25 chapters that have not been updated yet. We are moving ahead

□

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*1 full steam on trying to get those done. Quite a bit of work has
2 been done on education, transportation, natural resources,
3 parks, and open space. We're just trying to work with those
4 last documents. We'll probably have a joint workshop with the
5 City. That's all I had.*

6

7 REGULAR MEETING:

8 Item No. 3 - Items from the Deputy Prosecuting Attorney

9

10 (There were no Items from the Deputy Prosecuting Attorney.)

11

12 REGULAR MEETING: Item No. 4 - Items from the Planning and

13 Zoning Commission

14

15 (There were no items from the Commission.)

16

17 REGULAR MEETING:

18 Item No. 5 - Adjourn

19

20 MRS. DEBBIE ROUWENHORST: I make the motion that we

21 adjourn.

22 MR. DALE REYNOLDS: Second.

23 MR. DAVID POOLE: Motion carries.

24

25 (Motion carries unanimously.)