

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF CARIBOU COUNTY, IDAHO HELD THURSDAY, AUGUST 6TH, 2020.

ROLL CALL SHOWED THE FOLLOWING PRESENT:

Reagan Phillips – Chairman
Scott Hayden – Vice Chairman
Glayd Christensen
Nolan Koller
JoAnna Ashley, P&Z Administrator

ABSENT: Wendy Pelayo

ALSO PRESENT: Thomas (TJ) Sumner
Angie Mendenhall
Mike Fowler
James Ackerman

7:00 PM Chairman Phillips called the meeting to order. Glayd Christensen moved to approve the minutes from the July 9th, 2020 meeting, seconded by Scott Hayden. All in favor, minutes approved.

7:05 PM Chairman Phillips opened the public hearing to give consideration to the application of Thomas Sumner, who is requesting approval of a variance of sixty-feet (60') to the one-hundred-foot (100') setback requirement for Agricultural Buildings in the Agricultural Zone. The variance would allow a thirty-foot by fifty-foot (30'x50') pole barn with an attached ten-foot by fifty-foot (10'x50') lean-to to be built forty-feet (40') from the right-of-way edge of the road and located on a parcel of land located at 631 Bench View Dr, Grace, ID, 83241. Planning & Zoning Administrator JoAnna Ashley read the notice of public hearing and then presented her staff report (see attached). Mrs. Ashley concluded, recommending that the Commission move to recommend that the Commissioners approve the variance as drafted. Thomas Sumner stated that he had recently purchased the property and due to the irrigation ditch and established field he really was restricted in the placement of the barn. He noted that the visual presented in the application regarding the location of the barn was poor in quality and wanted to clarify that the barn was going to be placed as far west away from the road as possible and abut the ditch located there. He stated he currently does not have anywhere to store his crop after harvest. He pointed out as well that the hay field is quite uneven and rolling, as a result it would be quite expensive to have to level it off to place the barn there as well. There was no other comment from the public. Chairman Phillips said that Ross Harris called him on the phone the night before, on August 5th, to express his opposition to the variance. He felt that there was plenty of farm land available to Mr. Sumner that the building could be located elsewhere and that the proposed location would ultimately crowd the road with corrals. Glayd Christensen asked why Ross Harris was concerned with the matter as he did not have land directly around the property. Chairman Phillips said Harris' had land south of the property on Niter Bench Rd.

The Commission members deliberated upon the application and reviewed the larger layout of Mr. Sumner's property. After a brief discussion it was determined by a majority of the Commission that Mr. Sumner was indeed restricted in regards to the placement of the structure and alternative locations would radically require him either eliminating part of his field and or moving the established ditch. Additionally, the characteristics surrounding the site, such as the large lava rock outcropping directly north of the proposed location, further inhibited his ability to place it elsewhere. Chairman Phillips asked if the proposed semi-access in the application had been approved by the Road & Bridge Supervisor. Secretary Ashley stated that when she had visited the site, the driveway was already established as well as the one for the house. Glayd Christensen moved to recommend that the variance be approved as written. Seconded by Scott Hayden. Voting showed:

Aye: Glayd Christensen
Scott Hayden
Nolan Koller

Nay: Regan Phillips

Majority in favor, motion passed.

7:20 PM Chairman Phillips opened the public hearing to give consideration to the application of Angie Mendenhall who is requesting approval of a variance of thirty-feet (30') to the one-hundred-foot (100') setback requirement for Agricultural Buildings in the Agricultural Zone. The variance would allow a twenty-four-foot by forty-foot (24'x40') coverall building for equipment storage to be built seventy-feet (70') from the right-of-way edge of the road and located on a parcel of land located at 391 Highway 34, Grace, ID, 83241. P&Z Admin Ashley read the notice of public hearing and then provided the over view of the staff report (see attached). Her conclusion was that based on her findings, as documented in the staff report, she recommended the Commission recommend the Commissioners approve the application. Angie Mendenhall of 391 Highway 34, Grace, ID stated that they are in need of another storage facility to keep their tractors and equipment out of the weather. The location on the property is realistically the only area to place the structure as there is already established ingress and egress access, additionally the site has significant elevation changes to both the east and the west of the proposed location making alternative placement impossible. There was no other public comment. The Commission deliberated briefly on the proposal. Scott Hayden made a motion to recommend the approval of the variance for Mrs. Mendenhall as drafted, seconded by Glayd Christensen. All in favor, motion approved.

Chairman Phillips opened the discussion regarding Michael Fowler's request for a 2,000 square foot personal shop on his property located at 1309 South Prairie Cir, Soda Springs, Idaho. P&Z Admin Ashley presented the request for Mr. Fowler. She said that the shop will be part of a larger structure that will also have a dwelling unit built on the one end. Mrs. Ashley said that there was one comment received from Marcus and LaNette Anthony, who own lot 68 directly east of Mr. Fowler's lot and they are in opposition of the proposal as they feel the shop would diminish their views of the surrounding area. She said she had let them know the corrected height of the structure was 24' instead of 36' feet in the notice, but they did not have any additional comment. Mr. Fowler said that he intends to build the shop and house over the next couple years and has spoken with Building Inspector Blake Poulsen who approved of his plan. Scott Hayden moved to approve the shop as stated seconded by, Glayd Christensen. All in favor, motion approved.

Nolan Koller said he would like to discuss the setbacks as he wanted to know why it was 100' feet for agricultural buildings if they're always approving the variance requests. There was a great deal of discussion among the Commission members regarding setbacks, the following is a summary of the talking points:

- P&Z Admin Ashley recommended potentially adopting a site plan approach to the setbacks. Where there would be a minimum setback standard (i.e. forty-feet) and a maximum setback (i.e. one-hundred-feet) and pending the plan of the building and access needs (i.e. semis, farm equipment, vehicles, etc.) the setback could be adjusted accordingly.
- Chairman Phillips was concerned that usage changes overtime and change in ownership could cause the building to be used for different uses than originally intended and the setbacks may not be adequate for the changes.
- The side-yard setbacks were discussed at length. There was an inconclusive result of this discussion. Some felt that in the agriculture there is plenty of room for buildings to be located away from the property line. Others felt like that large side-yard setback could cause issues with established farm equipment such as pivots.
- The topic of the site-triangle was brought up. P&Z Admin Ashley recommended they consider changing it to fifty-feet (50') from the right-of-way point instead of forty-feet (40') as is presently in

the code. She said that as she has had to conduct site visits and measure setbacks it has raised concerns that the smaller site-triangle regulation is inadequate to avoid traffic issues. Chairman Phillips asked how vegetation is handled. P&Z Admin said that there is a restriction that vegetation cannot be any taller than three-feet (3') tall in the site triangle.

The Commission concluded that they would like more information and look at reviewing this again at a future meeting.

8:25 PM Scott Hayden moved to adjourn the meeting, seconded by Nolan Koller. All in favor, meeting adjourned.