

**Lincoln County Board of Commissioners
Planning & Zoning Minutes
January 22, 2018**

Present: Chairman Cresley McConnell, Rebecca Wood, Commissioner, Roy Hubert, Commissioner. Mary Davidson, Planning & Zoning Administrator, Clerk Brenda Farnworth for minutes.

Public attendees; Shawn and Susie McGinnis and Terry Ruby.

2:00pm Chairman McConnell called the meeting to order.

Minutes from past meetings reviewed.

Discussion on parcels being divided and requiring that water shares be transferred with parcels. One issue is if water is undeliverable. According to the canal company, it's up to the property owner to get the water to their property from the canal.

Commissioner Wood made a motion to approve the Minutes for October 23, 2017, with the attached list of attendees and November 20, 2017 with the list of attendees. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.

2:12pm Planning and Zoning Hearing

Chairman McConnell read the Public Hearing Rules & Regulations and the Public Hearing publication notice into the record.

Conditional Use Permit

Conditional use permit (CUP) application from McGinnis Family Farm LLC, represented by Shawn McGinnis at 201 E. 620 N., Shoshone, Idaho are requesting a CUP under the Lincoln County Zoning Ordinance 2017-22-8, Chapter 4, 4.1.5 Residential Division to divide approximately 5 acres +/- from the 201.76 acre farm, located at 201 E. 620 N, Shoshone, Idaho, RP05S18E060000A zoned A40.

Shawn McGinnis, representing McGinnis Farms LLC is requesting to re-instate a dwelling on their farm. There was a dwelling up until 2012, but a fire took the building. They would like to re-establish a home on the farm at the same location.

Property address of the house will be 201 E. 620 N. There is already a lane into the requested property. They wish to do residential divide of +/-5 acres for the purpose of a loan on a new dwelling. The site for the house is the same as the previous house.

They have a letter from the canal company with requested information. The letter states that Shawn McGinnis is a stockholder in Big Wood Canal Company with 149 shares. Irrigation water is accessible to all of his acreage.

Commissioner Wood asked if any water shares will be transferred with the property.

Mr. McGinnis reported that they will transfer 1 water share with the 5 acres for irrigation of the yard. Much of the 5 acres is rock.

Mary commented that they have not received any comments from those who were given notice of the pending CUP.

Susie McGinnis, wife, stated her support of this CUP.

Chairman McConnell called for testimony against. There was none.

Chairman McConnell made a motion to forego the recent decisions. Commissioner Hubert seconded. Discussion, Commissioner Wood feels it will be an asset to the community, adding a new house. Vote unanimous in favor, motion carries.

Chairman McConnell called for a motion on the CUP for the McGinnis Family Farm LLC. Conditions from the County are that it needs to be +/-5 acres with 1 share of water.

Commissioner Hubert made a motion to grant the CUP permit for the McGinnis Farm LLC application with the provisions of the water to go with it. Commissioner Wood seconded. Discussion, conditions are it must be +/- 5 acres after a survey is completed and transfer of at least 1 water share.

Mary Davidson gave the McGinnis' instruction of what will happen going forward. Shawn McGinnis requested a written decision so he knew what the steps were to follow. He can move forward with a survey of the land to be divided.

Terry Ruby, Tri-County weed superintendent commented that this is a very good move, since it will put someone on the property.

2:53pm Other Business

Discussion on Mid-Way Business Park. They thought that the parcel was divided into 4, but they did not apply for a sub-division ordinance at the time, so technically it doesn't exist. Right now it is just bare ground.

Discussion on the new sub-division ordinance and how it affects this parcel. They are zoned commercial and they want to divide into 4 lots. They need approval to divide under the new ordinance, but do not have to comply with sub-division rules. Need to review the ordinance to see if it applies only to residential and not commercial.

The survey is good and ITD has approved the one entrance with a cul-de-sac in the center.

Other Business

Building permit discussion on two residents on a parcel unless approved by planning and zoning. There is a property in north Shoshone that wants to build an entertainment floor in a barn, but it will have a bathroom and bedroom, but not planned to use as a rental. Discussion on how the ordinance applies. Need to review the CCR.

Property address is 802 N. 250 W. and the owners are John and Kathleen Moody.

3:13pm Chairman McConnell adjourned to meeting.

Respectfully,
Brenda Farnworth, Clerk

Cresley McConnell, Chairman

Attest:

Brenda Farnworth, Clerk