

LINCOLN COUNTY MINUTES

P&Z Work Session

July 16, 2018

Rebecca Wood, Chairman; Roy Hubert, Commissioner; Terry Zech, Commissioner; Sarah Thomas, Clerk for Minutes.

In attendance: Mary Davidson, P&Z Coordinator; Johnny Urrutia, public; Devan and Kris Hubert, public; Rick Ellis, public; Larry Kerner, public; Linda Jones, County Assessor; Dave Zortman, public

2:00pm- Chairman Wood opens the P&Z Work Session

Minutes reviewed.

Commissioner Hubert made a motion to accept the P&Z minutes for June 18th, 2018. Commissioner Zech seconded. Vote unanimous in favor; motion carries.

2:02pm- Public Meeting

Chairman Wood reviewed the regulations and rules in conducting a public meeting.

Mary Davidson- Conditional Use Permit for Hubert's; divide of 5 acres of parcel. The commissioners were provided with a copy of the parcel. 152 + acres want to divide the northeast section. There is a home currently on property. This is an Ag 40 division. Previous split was made before 2008 and so it meets the ordinance.

Devan Hubert presented his argument. Would like to be able to make this division so that they can finance improvement on the homes. They will be keeping six water shares with it.

Chairman Wood asked for testimony in favor of division. Kris Hubert reiterated the "why" of the division.

Chairman Wood asked for testimony against the division. No comments.

The division meets all requirements.

Commissioner Zech made a motion to approve the conditional use permit for Devan and Kris Hubert division of RP# 06S19E19720AA at the address 843 E 330 S Dietrich, Idaho. Chairman Wood seconded. Commissioner Hubert recused himself from the vote because of the family relation. Vote unanimous in favor, motion carries.

Conditional Use Permit for Johnny Urrutia- Mary Davidson- Conditional use permit variance request for Johnny Urrutia. In 2013, Mr. Urrutia asked for a division on his Ag 40 property. The division was approved for a 5 and 15 division. There was an issue about how the division cut the property, so he divided it into an 8 and 12 instead. This is outside of the ordinance. This variance request is in order to finance the property. Mary presented the draft of what it would look like.

Chairman Wood asked Mr. Urrutia to give testimony to his argument. Mr. Urrutia explained his situation. Strictly, for financing in order to get all of the houses, septic and well on one side of the divide.

Chairman Wood asked for any testimony in favor of the divide.

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Mary explained that it falls into the ordinance as a variance of extenuating circumstance, not as a lot line division

If approved this parcel would not be able to be divided again by the buyers.

Chairman Wood asked for any testimony against the division. No comments.

Commissioner Hubert made a motion to approve the variance request of Johnny Urrutia division of RP 05S16E046599A & RP#05S16E046501A. Commissioner Zech seconded. Vote unanimous in favor; motion carries.

3 String Cattle of Idaho LLC will be moved to the August meeting

Further discussion on P&Z issues.

2:36pm- Chairman Wood adjourned the P&Z work session for a small recess.

3:00pm Chairman Wood re-convened the P&Z work session

3:00pm- Dave Zortman's Request- Mary Davidson

Mary Davidson reviewed the Class C Permit Qualification draft that she and Dave constructed with the commissioners.

Further discussion.

Mary has contacted the State; the State inspectors will still honor the county's contract as long as the county has an ordinance in place for the provisions. If it has any plumbing or septic they would still be required to have a state permit.

Chairman Wood felt that because the county needs to support small businesses and the contract removes the responsibility from the county, she supports Dave's proposal as long as they are a detached non-residence buildings.

Commissioner Zech expressed concern about whether there would be issues with resale later on.

Commissioner Hubert would like Mary to reach out to Jerry Mason, the State inspector. He had spoken with him and his concerned that the 2012 Code book that the county accepted, states that we must use stamped lumber. He would like Jerry Mason to review the draft and make sure he agrees that the drafted contract will protect the county.

Mary explained that the county ordinance does allow for this.

Mary will speak with Jerry Mason. She also recommended having a public hearing on the drafted contract if Jerry Mason agrees.

Mary asked to discuss another issue concerning Dave. Several years ago, Dave's business was grandfathered in as an Ag business instead of a Commercial because of the nature of his business. In the past, Mary has issued permits to him as Ag with exception of his barn and home, which she issued as commercial because of the nature of what it was used for. Dave now wants to build a 3 sided carport for his fire engine and a 3 sided shed for his lumber. Mary would like the commissioners input on whether these permits should be issued as an Ag permit or a commercial permit.

Discussion on whether Dave's business should be rezoned into commercial.

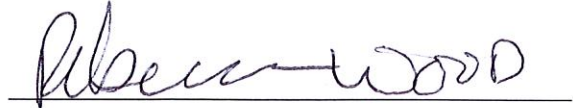
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The commissioners agree that the permits should be issued as an Ag permit, and keep the zoning as is.
Further discussion.

3:35 pm-Chairmen Wood adjourned the P&Z Work Session.

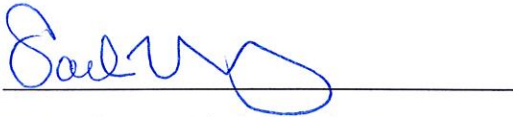
Respectfully,

Sarah Thomas, Clerk for Minutes

A handwritten signature in blue ink that reads "Rebecca Wood". The signature is written in a cursive style and is positioned above a horizontal line.

Rebecca Wood, Chairman

Attest:

A handwritten signature in blue ink that reads "Sarah Thomas". The signature is written in a cursive style and is positioned above a horizontal line.

Sarah Thomas, Clerk for Minutes