



REGULAR MEETING OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION
January 21, 2010
Garden Valley School Flex Room
1053 Banks Lowman Road
Garden Valley, Idaho

ORIGINAL

Commissioners Present: Vice Chairman John Cottingham, Commissioner Clint Evans, Commissioner Jack Kane, Commissioner Rosemary P. Arding and Commissioner Lois K. Murphy. Absent: Chairman Jon Bart

Staff Present: Planning & Zoning Administrator Patti Burke, Deputy Administrative Assistant Mindy Dorau, Code Enforcement Officer Dirk TenEyck and Boise County Engineer Trevor Howard, Forsgren Associates Inc.

Roll Call was taken; five of the six members were present. Vice Chairman J Cottingham declared a quorum was present and called the meeting to order at 6:34 p.m.

Review and Approval of the November 19, 2009 Regular Meeting Minutes

Commissioner C Evans made a motion to approve the minutes of the November 19, 2009 regular meeting, as written; seconded by Commissioner J Kane. All ayes, motion carried.

Lightning Creek – Partial Plat Amendment to Lots 47 & 48 Application

Vice Chairman J Cottingham declared the public hearing convened for the Lightning Creek Partial Plat Amendment to Lots 47 & 48 Application and requested the staff report be presented.

Planning & Zoning Administrator Burke presented a power point presentation for record: the subject property is located west of the intersection of Lightning Creek Road and the Middle Fork Road, Section 14 T10N, R04E. The applicant is Dale Bentley and Dane May, represented by Doug Bergey, ALS Land Surveying, is requesting approval of a partial plat amendment of Lightning Creek Subdivision Lots 47 & 48. If the Commission recommends approval to the Board of County Commissioners the staff recommends the following conditions for Lightning Creek – Partial Plat Amendment to Lots 47 & 48 application: 1. Per CDHD this Partial Plat Amendment is not to be platted as a new subdivision or any name changes made. Lot 48b is listed as unbuildable on the plat and in the notes, this lot must remain unbuildable. 2. The final plat shall contain all required face notes per BCSO #2006-02 and Idaho Code. 3. Applicant shall comply with all local, state, and federal requirements and permits. 4. County Treasurer and Assessor certification and all taxes paid prior to signing of the Final Plat. 5. Applicant shall comply with all of the recommendations in the County Engineer (Forsgren Associates Inc) letter dated December 28, 2009, prior to signing the final plat.

Representative for the applicant, Doug Bergey, ALS Land Surveying, appeared before the Commission and gave public testimony regarding the Lightning Creek Partial Plat Amendment to Lots 47 & 48 Application.

Public Testimony was received from: Mike Landauer, who is an opponent on the application.

Representative for the applicant, Doug Bergey, ALS Land Surveying, was given the opportunity to give further comments regarding the public testimony. Mr. Bergey had no further comments.

Vice Chairman J Cottingham declared the public hearing closed. After Commission deliberation, Vice Chairman J Cottingham entertained a motion regarding action on Lightning Creek Partial Plat Amendment to Lots 47 & 48 Application. Commissioner Evans made a motion to recommend to the Board of County Commissioners approval of the Lightning Creek Partial Plat Amendment to Lots 47 & 48 Application with the following conditions: 1. Per CDHD this Partial Plat Amendment is not to be platted as a new subdivision or

any name changes made. Lot 48b is listed as unbuildable on the plat and in the notes, this lot must remain unbuildable. 2. The final plat shall contain all required face notes per BCSO #2006-02 and Idaho Code. 3. Applicant shall comply with all local, state, and federal requirements and permits. 4. County Treasurer and Assessor certification and all taxes paid prior to signing of the Final Plat. 5. Applicant shall comply with all of the recommendations in the County Engineer (Forsgren Associates Inc) letter dated December 28, 2009, prior to signing the final plat: seconded by Commissioner L. K. Murphy.

Roll Call vote: Vice Chairman J Cottingham - yes, Commissioner Evans - yes, Commissioner Kane - yes, Commissioner Ardinger - yes, Commissioner Murphy - yes. All ayes; Motion carried.

General Discussion:

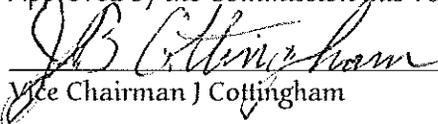
Planning and Zoning Procedures Update: P&Z Administrator Burke presented to the Commission a memo and copy of the new Building Permit Application forms. She reviewed with the Commission the process of obtaining a building permit in Boise County.

Vice Chairman Cottingham expressed his concern that the Board of County Commissioners had made an amendment to the Zoning & Development Ordinance, on the sign waiver, without any input from the Commission. The Commission stated they understood that the Board of County Commissioners had the authority to do so.

Vice Chairman Cottingham recognized Georgianna Goetsch who spoke to the Commission regarding the Idaho X-Sports tubing hill CUP and the issues she has with the noise, lights and hours of operation. After hearing her comments the Commission stated that it was unfortunate that the hours of operation were not included as one of the conditions of approval for the CUP; however, that application has a great number of details to review and hours of operation had been overlooked.

Having no further business, Vice Chairman J Cottingham adjourned the meeting at 7:30 p.m.

Approved by the Commission this 18th day of February 18, 2010.



Vice Chairman J Cottingham

Attest:



Mindy Dorau, Deputy Administrative Assistant