Bear Lake County P&Z Minutes

May 20, 2026

Meeting begins 7:05

Pledge of Allegiance

The group discussed amended changes to the agenda.

Motion by Eric second by Sean to accept amended agenda

Group discussion on open meeting violation

Motion by sean and second by Devin to self recognize open meeting violation and not to take action on the violation

Rand Robinson application for conditional use permit. Discussion of the preliminary platt and what the responsibility of planning and zoning is for that. Group continued to talk about whether or not Mr Robinson discussed the proposal with the canal company in regards to all the lots. A question arose to Mr Robinson on if he had any further information. Adrian Rand Robinson talked about the hydrology report he obtained and how he will correct any damage related to any flooding.

Motion to approve conditional use permit for Rand by Sean second by Todd

Motion to approve preliminary platt for Rand by Eric second by Devin

Motion to go into public hearing by Eric second by Sean

Paul Fitzer instructed the group on the possibility of conflict of interest. The conversation went into bordering properties in question and whether or not any P&Z members would have a conflict of interest due to using land next to the lots in question. Paul instructed the P&Z

members to ask themselves and acknowledge whether or not they can without bias evaluate the application before them

Committee members each affirmed they can evaluate the application without bias

Tiffany and Ephraim Hoge asked the committee members about what is needed. Committee outlined specifics in the Conditional Use Permit that caused concern regarding the adjacent stockyard. Conversation continued around how the stockyard and the subdivision and what would the impact be on each other. The committee went over the previous decisions of P&Z as being incompatible for this location. Hoge family asked about what specifics make these two lots incompatible. Several points were raised by Eric, Albert, and Paul to show what could be incompatible. Pictures of other stockyards were presented by the applicants, committee members addressed these pictures and raised the question of whether or not conflicts were raised due to stockyards being next to residential areas. Committee members discussed the problem of urban development on agricultural land. Other questions were raised as to what other mitigation was involved in the development near to these other stockyards. Committee brought up flood issues from Pacificorp. Applicant presented maps related to irrigation flooding. Albert read portions of a letter from Pacificorp about potential flooding issues and previous major flooding in this area as well as a specific request to the county to acknowledge the Pacificorp position on the subdivision. Discussion ensued about topography of the land in question. Albert brought up more questions of concern.

Mark Ipsen came to testify before the committee with concerns about the subdivision. Mr. Ipsen read some idaho codes and raised concerns about water rights. He raised concerns stating that water should be for in home use only for subdivision purposes.

Cooper Jensen came to testify with a request that specific requirements and statements be listed for these 6 potential homes. Mr. Jensen raised other concerns about who repairs fences after they are put in place.

Kathi Izatt came to testify on private property rights. She addressed the previous question raised from the Hoge family about what specifically needs to be done. She advised the committee to balance the property rights between the stockyard and the Hoge family. Mrs. Izatt brought up a point about speculating on potential danger would prohibit all growth.

Tiffany and Ephraim Hoge came back up to add more answers to questions brought up including plans to create a berm with trees and shrubs.

Motion to close public hearing by Sean second by Devin

Committee deliberates on Hoge subdivision. Committee members talk about next steps and responsibilities of P&Z committee. The same concerns from previous P&Z meetings were brought up. Ronnie addressed the committee advising of what the county commissioners took action on in previous meetings. Paul also addressed the committee stating that your job is to

deliberate ways to mitigate not to make the final decision like the county commissioners. Conversation around fencing requirements commenced. The question of whose responsibility is it to build and maintain a fence was discussed. Several members discussed different types of fences and could one type of fence solve multiple issues. Members discussed how CCNRs need to be tied to the deed. Sean raised a method to propose this to commissioners with conditions from this committee as well as any conditions the commissioners would add. Members then discussed that a treeline would be best to mitigate smell along the top of the berm.

Motion to approve Conditional Use Permit with conditions by Devin second by Sean

Kristi Crane joined the committee

Motion to open public hearing by Todd second by Devin

Ralph and Michelle Lewis testified to committee requesting to adjust setback from front property line to 20' instead of 30'. Committee asked Lewis couple about positioning the garage differently to accommodate the setback. A question was raised as to whether or not the home owner could reduce the size of the garage to make it fit within the setback.

Kathi Izatt asked committee to look at county ordinance to see what variance requirements are

Cooper Jensen addressed committee with hypothetical scenario illustrating a point that everyone else has to adjust their buildings to accommodate the setbacks, why shouldn't they

Michelle Lewis addressed committee to rebuttal some concerns

Motion to close public hearing by sean second by devin Motion carried

Committee deliberations. Eric reads county variance statute. Deliberations went around public interest and does the POA represent the public interest.

Motion to approve the variance by Devin second by Sean.
Motion Carried - Vote 5 to 1

Committee discussed being uncomfortable with new fire protection standards in the subdivision change standards in question. Members went over approving the standards minus section t (fire protection standards).

Motion by Eric second by Sean to approve changes to subdivision standards
Motion fails

Motion to approve subdivision changes with exception to fire protection by Kristi second by Sean Motion carried

Motion to approve minutes by Devin second by Kristi motion carried

Minutes accepted on May 20, 2024 by Albert Johnson
Date Albert Johnson, Chair