



Planning & Zoning Commission
30 North Main Street
Paris, Idaho 83261
Phone: 435-946-2198

PLANNING & ZONING MEETING
December 16, 2020
Paris Courthouse Commissioner's Room
PARIS, ID.

ATTENDANCE: CHAIRMAN ALBERT JOHNSON
KRISTY CRANE -VICE CHAIRMAN
SEAN BARTSCHI
KAY BECK
DEVIN BOEHME
ROB SMITH-----Excused
PATRICK REESE
MITCH POULSEN, ADMINISTRATOR --Joining by ZOOM
WAYNE DAVIDSON, SECRETARY

Chairman Johnson welcomes everyone at 7:06 and asks Kristy Crane to lead the pledge of allegiance

Any amendments to the minutes? Alan Arthur- Spencer Bailey withdrew their variance request.

- **Motion to approve the minutes** with the amendment made by Kristy Crane, seconded by Kay Beck, all in favor.
- **Motion to go into hearing for Kyle Lessley conditional use permit** is made by Devin Boehme, seconded by Patrick Reese, all in favor.

Mitch gives rules for the hearing. The hearing will run as normal as possible with the zoom meeting. There are people in the audience and on the zoom call. We will open the floor to the audience first then the people on zoom for comments to try and keep some order. People on Zoom will have to be patient and speak one at a time.

Kyle Lessley discusses the conditional use permit he would like for storage units. They will be 4 buildings used for boat and RV storage enclosed on all sides. There will be paved driveways and an electric gate. The property will be fenced. Shows a drawing of the four buildings there are two sizes of buildings. No questions from the board. Mitch says property is in the Montpelier Impact zone. He spoke with the city they think it's a good fit for the city. Suggested Kyle talk to the state highway department about access off of the highway. Kyle said he has done so, and they are fine with his plans. All the notifications were mailed in time.

Page 2 – Dec 16, 2020 BL Planning and Zoning Meeting

- **Motion to go out of hearing** is made by Kay Beck, seconded by Sean Bartschi, all in favor
- **Motion to approve the conditional use permit for Kyle Lessley** is made by Sean Bartschi, seconded by Devin Boehme, all in favor.
- **Motion to go into hearing for the Lon Tueller rezone** is made by Devin Boehme, seconded by Kristy Crane, all in favor.

Paul Bytheway on Zoom explains he has bought the land from Lon Tueller and wants to build a home there. He wants to rezone from AG to Rural Community.

Mitch spoke with Greg Skinner from the Road and Bridge he says the road is wide enough. Everything is submitted and it all agrees with the ordinance. Paul will rezone all five acres.

- **Motion to go out of hearing** is made by Sean Bartschi, seconded by Devin Boehme, all in favor.

Devin asked how come they already have a building permit and have poured concrete? Wayne Davidson, the building inspector explains that Lon Tueller and Paul Bytheway pulled the building permit jointly and the house is to be built on the property as it is now, one large piece. They did this to get started before winter started. Now they want to rezone 5 acres which includes the area with the new construction started.

- **Motion to approve the Lon Tueller rezone to Rural Community** is made by Patrick Reese, seconded by Kristy Crane, all in favor
- **Motion to approve the lot split spitting off the five acres for Lon Tueller** is made by Devin Boehme, seconded by Patrick Reese, all in favor.

Brett Crowther lot split has Devin Skinner explaining there are 20 acres he wants to split into 2 lots one 7-8 acres and one 12-13 acres. He wants to use the easement they built in the new subdivision Patriot Lane, to access these new lots. The perk test has been done on one lot already. In the original subdivision there are 8 lots already. But this piece isn't a part of the original subdivision. Devin says the road they built in the subdivision could be a public road if the county took it over meaning he thinks it is built to county standards. Right now it's private. Mitch says the fees for the lot split have not been paid. Mitch explains we have different standards for different sizes of roads in subdivisions. Mitch doesn't think they built the road to any standard. Right now, it's a private drive, when adding two more lots it will have more traffic. Mitch suggests a good turnaround at the end of the road. It's zoned rural community. Kristy reminds Devin of the ordinance saying he can't get around the subdivision ordinance by creating multiple lot splits. Devin says the 20 acres has its own parcel number therefore he thinks it is different. He thinks it completely different since it is done separately. The board says this is exactly why the ordinance was written, to prevent subdivisions from being created without proper infrastructure. The board's job is to recommend to the commissioners with the proper

Page 3 – Dec 16, 2020 BL Planning and Zoning Meeting

requirements. It now looks like a de-facto subdivision. There were many from Dingle who testified at the previous hearing to create this subdivision, that they were concerned about sewer and water. Devin said he had to create the subdivision this way since the board didn't allow him to use cemetery road as part of the original plan.

- **Motion to deny the Brett Crowther lot split** is made by Sean Bartschi based on the Bear Lake County Land Use Ordinance Section C, NO. 1 page 16, also with concerns about high water table as expressed by Dingle residents in earlier meetings, seconded by Kristy Crane, all in favor.

JC Price lot split. At 4090 N Loop Rd, Geneva, JC has divided his land some time ago without going through the planning and zoning, and it was flagged as an illegal lot split. They didn't know it was needed to go through the P & Z. He would like to have that illegal lot split taken off. He has applied for a family lot split since it was owned by his father.

- **Motion to approve the JC Price lot split** is made by Sean Bartschi, seconded by Devin Boehme, all in favor.
- **Motion to go into hearing for the Kevin Kuhni conditional use permit** for a bed and breakfast is made by Kay Beck seconded by Patrick Reese, all in favor.

Kevin says he wants to build a primary residence with an additional 5 rooms to use as a bed and breakfast on the property. There is a total of 40 acres there. It will be a year-round business. This property is located North of North Beach Road near ST Charles. Kevin wants to access it from a county road called Second Lane. The board mentions that this road isn't plowed in the winter. Kevin says he might plow it himself. The board asks if he will build whether it's a B&B or not. He replies yes he will. The board asks can a septic system work there. The reply is, it will all hinge on the septic system working? The board says they usually don't grant a conditional use permit unless the health department has passed off the septic system already. Mitch reports he has had some letters of people having opinions. Without reading them he mentions they were generally opposed to anyone building there where there has been farming for many years. It's inside St Charles impact area they allow 6 bedroom or less for B & B in the impact. One letter from the road and bridge said that Pole Line Rd won't handle the additional traffic but didn't mention the 2nd lane rd it is determined that this project would be about 1 mile from the lake. Mitch explains the 1.5 mile requirement for sewer isn't for single houses. There is some concern from the board about the apparent wet land all around this area.

From the audience on zoom Vern Hemmert has adjacent property wondering on feedback from the board and has heard his questions answered from the board already.


- **Motion to go out of hearing** is made by Kristy Crane, seconded by Sean Bartschi, all in favor.
- **Motion to table the Kevin Kuhni conditional use for Bed & Breakfast** until they have the sewer accounted for, an access road plan, and a wet land delineation, made by Devin Boehme, seconded by Patrick Reese, all in favor.

Page 4 – Dec 16, 2020 BL Planning and Zoning Meeting


Old Business, We hand out a copy of the bylaws the board has been working on for their review. The corrections have been made.

- **Motion to accept the bylaws as amended on Sept 19, 2019** is made by Sean Bartschi, seconded by Patrick Reese all in favor.
- **Motion to approve the minutes from November** is made by Devin Boehme, seconded by Kristy Crane, all in favor.
- **Motion to adjourn** is made by Sean Bartschi, seconded by Kay Beck, all in favor at 8:47pm

APPROVAL OF MINUTES:



Albert Johnson, Chairman



Date