



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

**PLANNING & ZONING MEETING**  
**September 18, 2024**  
**Paris Courthouse Commissioner's Room**  
**PARIS, ID.**

ATTENDANCE: CHAIRMAN ALBERT JOHNSON  
KRISTY CRANE -VICE CHAIRMAN  
SEAN BARTSCHI  
DEVIN BOEHME  
TODD TRANSTRUM  
PATRICK REESE  
ERIC BOMSTA  
MITCH POULSEN, ADMINISTRATOR  
WAYNE DAVIDSON, SECRETARY

Chairman Johnson started the meeting at 7pm and asked Kristy Crane to lead in the pledge of allegiance.

- **Motion to approve the agenda** with one change, moving action items #6 and #7 to the front of the agenda is made by Kristy Crane, seconded by Devin Boehme, all in favor.

**Sheryl Bomsta lot split**

Board member Eric Bomsta will recuse himself from this discussion as he is related to the applicant.

Sheryl Bomsta lot split 700 Bear Hollow rd. She wants to split her lot. Tells how she wants it. She will get a survey. She wants to use the homestead act. Mitch says it fits that requirement. No other comments.

- **Motion to approve the Sheryl Bomsta lot split** is made by Sean Bartschi, seconded by Patrick Reese, all in favor.

**Zac Bomsta Family Lot Split**

Board member Eric Bomsta will recuse himself from this discussion as he is related to the applicant.

Zac Bomsta, 207 Canyon Vista Ranch owns part of that. Wants to split 4 lots 8-9 acers each. It's the Ag area. Family lot split is being used. Some homes have been started on nearby lots. A private road has been built already. Water and sewer will be approved. Mitch says this meets the requirement for family lot split. It's 1-4 lots. Under this subdivision there is no requirement for road length to a cul-de-sac. Wants to begin on all four lots. By ordinance if construction don't start within a year then it reverts back to Ag 40.

No other questions.

- **Motion to approve the Zac Bomsta Family Lot Split** is made by Kristy Crane, seconded by Todd Transtrum, all in favor.

#### **The Dean Sutton rezone**

- **Motion to go into Hearing for Dean Sutton rezone** to Rural Community is made by Sean Bartschi, seconded by Kristy Crane, all in favor.

Mark Parker representing Dean Sutton. They want to split off 10 acers. He came earlier but they didn't have a survey, now they do. Mill Canyon Rd will be updated within 10 days as the county is working on it now. It will be brought up to county standards.  
Comments from the audience.

Bill Stock says they first came on June 19th, now the survey is recorded, and they have a parcel number. Asks the board if they, the Suttons, got a parcel number and lot split recorded? Mitch says no not yet but the county might start requiring that. This confirms the lot splits will have the deed restrictions put on them. Eric clarifies the map. The proposed piece only touches one road.

- **Motion to go out of the Dean Sutton rezone hearing** is made by Devin Boehme, seconded by Kristy Crane, all in favor.
- **Motion to approve the Dean Sutton rezone to Rural Community** contingent upon Mill Canyon Road is brought up to county standards, is made by Patrick Reese, seconded by Eric Bomsta, all in favor.

#### **Dean Sutton Lot Split**

- **Motion approve Dean Sutton Lot Split** is made by Eric Bomsta, seconded by Devin Boehme, all in favor.

#### **Amend Chapter 7 of the Land Use Ordinance**

- **Motion to go into hearing to amend Chapter 7 of the Land Use Ordinance** is made by Devin Boehme, seconded by Sean Bartschi, all in favor.

Mitch says this is about the cell tower part of the ordinance. There were some restrictions in the ordinance that we can't restrict according to the Telecommunications Act of 1986. One of those things the county cannot restrict is the height of the tower. Which is also part of the telecommunication act. There are federal requirements that kick in at certain heights. Another part of the ordinance in a table, we have a RUL zone. We don't know what it is, so it's eliminated.

#### Comments from the audience

Kathy Izatt asked about what they are looking at. Says the ordinance printed isn't done right and the board needs to state better what it's about and what they are amending. Says we can't adopt it unless it's in the proper form, so the public can understand it. Suggests the board pause on this. Chairman Johnson clarifies with a question, and she confirms, she is representing the press and herself.

Bill Stock says this is not in an amendment format, the board "has got to" change it. It's not ready for commissioners. The board must have it written correctly. They board will need another hearing. And mention all the chapters that are affected. Says this public hearing is worthless. Mitch agrees we should be more specific and do this better.

Teri Jensen from Fish Haven asks for restrictions for the tower verbiage to be right.

- **Motion to close the hearing to amend Chapter 7 of the Land Use Ordinance is made by Eric Bomsta**, seconded by Devin Boehme, all in favor.

The board decides to move this forward and finish it.

Deliberation, what about guy wires as the towers get tall? The federal law has restrictions about wires, and height of towers.

- **Motion to table the amendments to the Chapter 7 ordinance until next meeting is made by Sean Bartschi**, seconded by Eric Bomsta, all in favor.

#### **Micheal Smith lot split.**

No one is here for that. Mitch says they are up Lake Side Drive. Its surveyed paperwork is in. It meets the requirements for a lot split.

- **Motion to approve the Michael Smith lot split** is made by Parick Reese, seconded by Eric Bomsta, all in favor.

#### **Mick Merritt lot split**

Mick Merritt Bennington, bought land in Bennington, wants to take a piece and split it. Mitch says it's on the corner of two county roads. It meets all requirements. The road frontage is good and a survey is done.

- **Motion to approve the Mick Merritt lot split** is made by Kristy Crane, seconded by Sean Bartschi, all in favor.

#### **Bear Acres Final Plat**

David Hirschi representing. It's along Lanark Rd. He thinks the final plat is done now. Worked with Mitch. They resolved the issues with the canal and ditch companies. The easement is approved by the ditch company. For laterals the property owner is responsible. The county engineer gave directions for power line and communication line. Septic locations not specified for individual lots. The county Road and Bridge Department allowed shared approaches instead of a frontage road. Two lots will share one approach.

- **Motion to approve the Bear Acres final plat** is made by Todd Transtrum, seconded by Devin Boehme, all in favor.

**Bill Stock Lot Split provisions.** Talking about page 16 in the County Subdivision Ordinance. Talking about lot splits. Bill asks, "What is the minimum underlying zone?" He claims there is no definition of an underlying zone. Says we don't have an AG 40 zone, it's not in the ordinance. There is no underlying zone specified. He says we don't have an AG 40 zone in the county. Says it refers to residential density, that's not a zone. Says there is no requirement for size of lot to split. It only has restrictions if you want to build a house. Then the residential density comes in.

- **Motion to have Bill Stock craft the wording of the ordinance** that he thinks should be there is made by Albert Johnson, seconded by Eric Bomsta all in favor.

Mitch says there is a collective understanding of how the ordinances work. From the way we use the ordinance. There are legal nonconforming lots that we recognize are older and they can still build on it.

Discussion about building permits. It's suggested that for nonresidence the building permits should be more expensive since they impact us more. Especially since most new, nonresident homes are rented short term to lots or people.

When should we have a discussion on this?

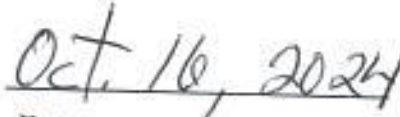
Eric wants to study which houses have rentals and tax them more.

Let's do some research and talk about it next time.

- **Motion to approve last minutes from the July meeting and the August canceled meeting**, is made by Eric Bomsta, seconded by Devin Boehme, all in favor.
- **Motion to adjourn** is made by Kristy Crane, seconded by Sean Bartschi, all in favor at 8:47pm.

**APPROVAL OF MINUTES:**

  
Albert Johnson, Chairman

  
Date



# *Bear Lake County*

Planning & Zoning Commission

30 N Main Street

Paris, Idaho 83261

Phone: 435-946-2198

TO: **BEAR LAKE COUNTY PLANNING & ZONING COMMISSION**  
FROM: Albert Johnson, Chairman, Bear Lake County Planning & Zoning Commission  
DATE: Tuesday, September 10, 2024  
RE: Bear Lake County Planning and Zoning Meeting

**The Bear Lake County Planning & Zoning Commission will hold their regularly scheduled meeting on Wednesday, September 18, 2024 at 7:00 pm At the Bear Lake County Courthouse 30 N. Main Paris, Idaho.**

### **Public Hearings:**

Dean Sutton/ Rezone- RP13S43E089000, RP13S43E170000  
Amendment to Land Use Ordinances/ Chapter 7

### **Action Items**

1. Approval of Agenda
2. Dean Sutton/ Rezone-RP13S43E089000, RP13S43E170000
3. Dean Sutton/ lot split-RP13S43E089000, RP13S43E170000
4. Amendment to Land Use Ordinances/ Chapter 7
5. Michael Smith/ lot split- Sec. 28, T-16 S, R-43 E, Boise Meridian BL County ID
6. Sheryl Bomsta / lot split-700 Bear Hollow Rd.
7. Zack Bomsta/ Family lot split-207 Canyon Vista Way
8. Mick Merritt/ lot split-Bennington Township, Sec. 9, R-44 E, Boise Meridian BL County ID
9. Baer AcreFarms/ Final Plat-Sec. 27, Township 13 S, R-43 E, Boise Meridian BL County ID
10. Bill Stock/ Lot Split provisions
11. Work meeting
12. Old Business
13. Approval of minutes
14. Adjournment