



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, Jan 9, 2023
RE: Bear Lake County Planning and Zoning Meeting
Amended: 1/17/2023: remove Kirk Barker/ Apartment Development Proposal from agenda

The Bear Lake County Planning & Zoning Commission will hold the regularly scheduled meeting on Wednesday, January 18, 2023 at 7:00 pm
At the Bear Lake County Courthouse 30 N. Main Paris, Idaho.

Public Hearings:

Jacob Skinner/ Rezone-1000 Lower Bern Rd.

Jacob Skinner/ Preliminary Plat-1000 Lower Bern Rd.

John Reed/ Bald Mountain Estates- 3rd N. along Three-mile Lane to Red Canyon Road, Bennington

Action Items

1. Approval of Agenda
2. Jacob Skinner/ Rezone-1000 Lower Bern Rd
3. Jacob Skinner/ Preliminary Plat-1000 Lower Bern Rd.
4. John Reed/ Bald Mountain Estates- 3rd N. along Three-mile Lane to Red Canyon Road, Bennington
5. Jody Smith/ lot split-parcel #02531.00, 3071 Nounan Road
6. Arlo Kunz/ lot split- parcel #02933.00, 512 N Main Street Bern
7. Arlo Kunz/ lot split- parcel #02966.04, T-5903 FR. NENE 35-12-43
8. Eric Bomsta/ Development Proposal- 207 Canyon Vista Way
9. ~~Kirk Barker/ Apartment Development Proposal - West of North Beach Condos, St Charles~~
10. Old Business
11. Work meeting
12. Approval of minutes
13. Adjournment



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

PLANNING & ZONING MEETING
January 18, 2023
Paris Courthouse Commissioner's Room
PARIS, ID.

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

Chairman Johnson welcomes everybody at 7:00 pm.
Pledge of allegiance is led by Rob Smith.

- **Motion to approve the agenda** is made by Patrick Reese seconded by Rob Smith all in favor.

Jody Smith approaches to present his request for a lot split. He wants to split the land and give it to his daughter. Mitch indicated that it falls into the provisions of the family lot split and the application as constituted meets all the county requirements.

- **Motion to accept the Jody Smith Family lot split for parcel number 02531.00** is made by Kristy Crane, seconded Patrick Reese. All in favor.
- **Motion to go into hearing for Jacob Skinner Rezone** is made by Kristy Crane, seconded by Patrick Reese, all in favor.

Devon and Jacob Skinner have 39 acres on Bern Road they would like to divide it to several lots. It is maintained year-round, rocky mountain power will bring power, health department on board for septic. Road and bridge have some requirements for how many approaches can be and spacing between them. Devin read the rules of what is required for approaches. Albert reads a letter from R&B recommending a collector road to go to Bern Road. Devin thought he met the rules in the ordinance. The board looks up the requirement for separation of approaches, for this type of road it's 150 feet. Devin would agree to one approach for two lots.

From the audience:

Stewart Crane owns property in the area. Wants to know where the power will cross the road. Devin shows him the drawing from Pacific Corp.

Page 2- P & Z MEETING – January 18, 2023

- **Motion to go out of hearing for Jacob Skinner Rezone** is made by Kristy Crane, seconded by Patrick Reese, all in favor.
- **Motion to approve the Jacob Skinner Rezone to Rural Community** is made by Kristy Crane, seconded by Patrick Reese all in favor.
- **Motion to go into hearing for the Jacob Skinner Preliminary plat** is made by Patrick Reese, seconded by Rob Smith, all in favor.

Devin Skinner gives the same explanation as for the rezone just discussed. Expresses the new adjustment for one approach serving two lots. Garbage, septic, propane, phone, wells are all covered. Kristy says the DEQ will require a water run off plan to keep sediment from getting to river. Mitch finds letter from DEQ there isn't anything in the letter stating requirements for run off sediment. Mitch will check with DEQ and make sure they are good with it.

Discussion about fencing of a subdivision they will need to add some fencing.
From the audience: none.

- **Motion to go out of hearing for the Jacob Skinner Preliminary plat** is made by Kristy Crane, seconded by Patrick Reese, all in favor.

Deliberation. Will they need to have the approaches in place before they sell? How big will the pipe have to be? Todd Boehme, R & B Supervisor says 15 in minimum. In the book it says 12in min culvert. Mitch will talk to the engineer to see if there is anything else required. Book says the approaches are limited to 3 per mile. So, every other lot idea won't work. Devin says he sees other subdivisions that have been approved that have approaches for every lot. Like on Joes Gap Road. That is a good example. Devin says ordinance reads one access per lot. The board thinks the two lots per driveway is a good compromise.

Mitch reads the list of requirements for the motion that will need to be done for the approval.

- **Motion to approve the preliminary plat for Jacob Skinner** with the following conditions is made by Patrick Reese, seconded by Rob Smith all in favor.
 - 1) Follow up with engineer on stormwater BMP's on lot 1.
 - 2) Shared driveways on each lot. 1 driveway per two lots.
 - 3) Driveway approaches are to be constructed prior to final plat approval.
 - 4) Upgrade fence on lot 1 between the road and the river on the north side of the development.
 - 5) Building envelope on lot 1 to be 300 feet from the river.
- **Motion to open hearing for John Reed Bald Mountain Estates** is made by Kristy Crane, seconded by Patrick Reese, all in favor.

John Reed comes up to explain this is a subdivision near Bennington proper. There will be a road for utilities. Approach, this is a local street so the 150 feet will work for this one. It has AG ground to the West, they will build fencing and move fencing to help the county move snow. Engineer didn't say anything about drainage. It's very flat. Kristy, will they have all the driveways enter the interior street? Yes, they will, Mic Merritt says.

Kristy, will they widen their half of Red Canyon Road? They think they will since they want the county to plow it. It's engineered now. If they need to build-out the road they will. Would rather not have to pay for it, if they don't have to. There is a water line in there somewhere they are aware of it, and it will be marked on the final plat.

From the audience: Todd Boehme with the R & B says their engineer has been in contact, they have things agreed on for snow removal and future plowing. Red Canyon Road now is very small but to be a regular road it will need some major improvements.

- **Motion to go out of hearing for John Reed Bald Mountain Estates** by Kristy Crane seconded by Rob Smith all in favor.

Deliberation: fencing is okay,

- **Motion to accept the John Reed preliminary plat** is made by Patrick Reese, seconded by Kristy Crane, all in favor.


Arlo Kunz- lot split, he has two lot splits around Bern. It's all Rural Community zone it meets all ordinance requirements.

- **Motion to accept the Arlo Kunz lot split for parcel number 02933.00** is made by Kristy Crane, seconded Patrick Reese. All in favor.
- **Motion to accept the Arlo Kunz lot split for parcel for 02966.04** is made by Patrick Reese, seconded by Rob Smith all in favor.

Eric Bomsta Development. Eric comes up to explain. He is in Ag 40 and has 273 acres. It's owned by himself and 7 siblings, he has built there and lives there now. Intent is to decide what approach they should take. There are differences depending on how many houses they put in. They want to build for the other family members. Are thinking about a subdivision. Prefers family lot split. Would have to apply for a variance. Albert says variances are rarely granted. It has to be a hardship, something that is part of the land. They would need three variances, the number of splits, when they build, and five-year rule. They could meet the rural community rezone requirements for part of it. He thinks that might be good then lot split one off first so his brother can build sooner. Then split the other lots later. He will work with Mitch for future plans.

- **Motion to approve the minutes** from the last meeting is made by Kristy Crane, seconded by Rob Smith, all in favor.
- **Motion to adjourn** is made by Patrick Reese, seconded Rob Smith, all in favor at 8:46pm.

APPROVAL OF MINUTES:


Albert Johnson, Chairman


Date