

**WHAT: MEETING MINUTES**

**WHEN: July 19, 2018**

**TIME: 4:00 P.M.**

**WHERE: District Courtroom Judicial Building**

**BOARD MEMBERS PRESENT: Berkley Orton, Wayne Schenk, Lloyd Smith, Randy Gillette, Richard Schafer, Felicia Poteet**

Berkeley: Call to order and have a roll call

Each P/Z member introduces themselves.

Berkeley: Next item on the agenda is approval of minutes.

Randy: I make a motion to approve the minutes

Lloyd: Second that motion

**WG FARMS SPECIAL USE**

Berkeley: The 1<sup>st</sup> Item action on the agenda is the WG Farms special use.

Brett: it is existing. There are currently 6 Manufactured homes, 1500 N 450 E. Compliance to adjust. They would remove 2 old manufactured homes and replace one. They are used as labor houses, would be moved closer to the road with the existing manufactured homes that would be kept in place.

Berkeley: Explains process of hearings. Calls up applicant of such special use.

Richard: My name is Richard Garner and I am the authorized agent of WG Farms. The purpose is to remove 2 old trailers. 4 of the 5 are used as summer labor homes, and one is used year-round from an employee. We talked to the neighbors, the closest are the Jentzch-Kearl Farms, they verbally told us they are ok with this.

Berkeley: Is a new drain and septic recommended?

Brett: Scott Arnell is ok with what they have, we have received letters from Fire Dept and Hwy Dist. and they are all ok with this change.

Richard: The current septic's feed off all the manufactured homes, Scott is fine with keeping the same septic since it is appropriate size for the homes.

Wayne: Does it need to be rehabbed?

Brett: We haven't seen the application for the new home. Explained the standards are from 1976 and above, State would require rehab if manufactured home is from before. And when application is done then at that moment we would see if rehab is required or if it meets standards.

Berkeley: Is there anyone who would like to testify that is in favor... neutral... against?

Wayne: I make a motion to close for deliberation

Randy: 2<sup>nd</sup> that motion

Lance: This does not have to go to the commissioners.

Lloyd: I see no reason to go further.

Berkeley: reviewing points of evaluation. All fits points, and neighbors are ok with this change.

Wayne: makes a motion to approve

Dick: 2<sup>nd</sup> that motion

### **KIMBERLY ACRES SUBDIVISION AND SPECIAL USE**

Berkeley: The next item of action on the agenda is Kimberly Acres Special use and subdivision

Brett: This application was applied by Michael Teague. It is in an ag medium zone, which calls for no more than 10 lots, this application is only for 5. One has an existing home which is planned to be removed and replaced with a new one. Is along 500 S in Heyburn, there are currently 2 other subdivisions near which are fairly new.

Paul Aston: introduces himself. As Mr. Stephens said, there are over 5 acres which was previously the Rangel property. Everything has been cleaned up to subdivide and make mid-level homes. In the past the property has been used for pasture or nothing. Agricultural medium zone, just out about ½ mile from Ag low zone. This is 5 acres that have not been used as normal agricultural land. It would be accessed by the county road. Limit to 3 access, 4 lots will share 2 accesses. And the one with the current home on it would have its own. We discussed with MID water and decided Sand point wells are the best, there will be one well for each lot to reclaim high sub. Shallow well to irrigate and case well to use. Septic on rear of home and wells in front. Restrictive covenants call for 1400 sq. ft minimum, and rock/stucco, no less than 2 car garages.

Paul hands over letter to Brett of copy of just approved Bureau of Reclamation. In the process of being signed and recorded. 25-foot easement for maintenance and use of ditch.

Paul: Mentions the letter of concern, Rausch. Asking for 10-foot setback. They have no problem with that, will include 10' setback which is more restrictive. And as for the fence, it is Rausch property and being left as that. All we can say is that his property, we are using what the surveyor said, can't make claim to that. Driveways will be adjoint 30 ft, fire code requires 20-foot so this is bigger. There is seasonal high sub, a basement is questionable but do-able. Applications have all been sent out to MID, SCHD, Hwy Dept, and Fire Dept.

Brett: And SCHD has dug test holes which have been approved.

Lloyd: High nitrate area?

Paul: used to be, the area around ½ mile from this has been tested and it is much lower than it used to be.

Berkeley: Is anyone here in favor... neutral...

Frank: My name is Frank Hunt and reside on 484 S 500 W, I just have questions. This will be serviced by United Electric. I farmed around there, was a subby pond. With sprinklers now, that might help. How far where the test holes dug and when were they dug? Can they have poultry, west side easement? Private

ditch, not much of a ditch anymore. With 2 main lines, will they be recorded as easements? Are these lots just being sold off or with the understanding to building? I would hate to see someone come and park their trailer.

Ray: Ray Rausch, borders on south. Issue- Mr. Alt is neighbor and sent concerned letter. Due to medical reasons could not attend. Letter just being submitted.

Brett hands over to Berkeley and he reads aloud.

Ray: The issue is also; fence line is about 6 ft and 3 ft on the other side encroached on my property. Another issue was in relation to the setback, and 10-ft is good. My 3<sup>rd</sup> issue is the easement for the main lines. If someone were to take trees down, be aware main lines can be damaged, will need fixed. And there are 4 neighboring farm lands that would be affected.

Lloyd: need maintenance agreement.

Paul: wants to make statement.

Berkeley makes sure Ray is done expressing his concerns

Paul: 25' easement, we can do NOTHING THERE. WE CANNOT REMOVE ANYTHING, MID can but we cannot. We can do nothing. Them mainlines are safe. There was test holes dug, 6 ft deep and sub was not all the way up- no sub. 3 test holes were done between the 5 lots. For Mr. Hunts sale concern, the restrictive covenants prohibit Manufactured homes or temporary RV's. Mr. Teague will build and sell with Mr. Watterson. New owners mean most likely will have new fences, would be put in good spot and not encroach on neighboring property.

Felicia: motion to close for deliberation

Lloyd: Second motion

Berkeley: We can recommend this to go to the commissioners?

Brett: Combined with final and special use to go to the commissioners.

Berkeley: its in a good location

Dick: plus, its too small to be farmed.

Wayne: we have to do 2 different motions

Berkeley: Does anyone have any comments?

Wayne: No, concerns of all neighbors have been addressed

Berkeley: Grant special use permit

Dick: Move to approve Kimberly Acres special use

Felicia- 2<sup>nd</sup>

Berkeley: And we make a second motion for the subdivision to go to the commissioners.

Randy: I make a motion

Wayne: 2<sup>nd</sup> motion

The next meeting is programmed for August 16<sup>th</sup> at 4pm