Jefferson County
Planning and Zoning Public Hearing
February 4, 2021 6:00 PM

Planning and Zoning Commission Present: Michael Clark, Corey Beebe, Ryan Ashcraft, Heath Lewis, Lane Steel, and Adam Hall.

Staff Present: Mark Taylor – Prosecuting Attorney
Jenny Kerr – Planner
Erik Stout – Assistant Planner
Tyson Schwartz – Code Compliance Coordinator
Samantha Farr – Administrative Assistant

6:00:59 PM Commissioner Clark opened the meeting. Beebe led the Pledge of Allegiance. The staff was introduced.

6:02:33 PM Commissioner Lewis moved to approve the minutes from the January 7, 2021 Planning and Zoning meeting. Commissioner Steel seconded. Beebe, Ashcraft, Lewis, Clark, and Steel in favor. Adam Hall abstained as he was not in attendance.

6:03:48 PM Commissioner Ashcraft moved to approve the written decisions for Preliminary & Final Plat for Park Place, Variance for Stephen and Diana Grover, and a Plat Amendment for County Line Commercial Park from the January 7th, 2019 meeting. Commissioner Lewis seconded. All in favor. Beebe, Ashcraft, Lewis, Clark, and Steel in favor. Adam Hall abstained as he was not in attendance.

No ex parte communications disclosed.

6:04:21 PM Commissioner Clark read the proceedings of the public hearing.

6:07:35 PM Public Hearing No.1 Plat Amendment/ Larry Hallam/ Cedar Grove First Amended Plat/ Located approximately at 4492 E 220 N, Rigby, Jefferson County, Idaho/ to divide 0.672 acres of lot 6 in Cedar Grove and sell it to the owner to the southeast.

6:08:05 PM The Staff report was read by Planner Jenny Kerr. Read in letters from Central Fire and Army Corps of Engineers.

Presenting: Darin Nord (203 N 4500 E, Rigby, ID) – What I’m trying to do is buy a little piece that’s a little over a half acre. Nord indicated his property and the piece he intended to purchase on the map. This piece we’re trying to divide it off across on the north end there, and I would get this half acre piece which joins
on the west side of my property. The Hallam’s have agreed to sell it to me. We need to rezone it. The
surveyor is going to get it re-platted for us. All he’s got left to is to stake it and print off the new plat map.
And then we could get it recorded. I’ve got surveys done already.

6:12:54 PM  Lewis – It looks like you’re already using it now, is that correct? Nord – Yes. Lewis – And
there are no issues or complaints? Nord – No. I’m not going to build on it. I just need some more room to
put some equipment. We’re going to put a row of trees in. Nord indicated where the trees would go.
We’re putting it in on both sides of me. So they don’t have to see our equipment

6:13:54 PM  Beebe – What kind of equipment will you have? Nord – I’ve got an excavation company,
I’ve been there for years. Nord said he had loaders, scrapers, dozers, etc. Beebe – It sounds like you’ve
already got it. Nord – Yes, I’m just expanding.

6:14:17 PM  Ashcraft – You said you need to rezone it, was that a mistake, you’re not here to rezone
it? Nord – No. Let me take that back. I’m not going to rezone it. I’m getting it out of the subdivision, out
of Cedar Grove 1. It’s really a simple deal.

6:15:10 PM  Public Testimony Portion Opened:

6:15:16 PM  In favor: Larry Hallam (4492 E 220 N, Rigby, ID) – We have discussed this with Mr. Nord
and we are in favor of it. We’re not currently using it. It would make it easier with his working conditions.

Neutral: None

Speaking in Opposition: None

6:16:14 PM  Nord – I’ve got signatures from the subdivision owners. Entered this list of signatures into
the record as Exhibit A.

Discussion of the Board:

6:16:59 PM  Lewis – So in the past few months, we’ve done a few of these amended plats for similar
situations.

6:17:13 PM  Ashcraft – Looking at Subdivision Ordinance 110-63 to me I don’t see anything that it
doesn’t meet. I don’t see any conflicts with Chapter 8 of the Comprehensive Plan, it seems to follow to
policies and goals. I don’t see any problem with it.


6:18:35 PM  Ashcraft – Both are smaller than 5. Clark – Yes, they’re both nonconforming. It’s not going
to change the nonconforming.

6:19:00 PM  Hall – My question was about when we sent out notification to the owners, but that is on
there. My only concern is the neighbor on the side, but it sounds like he was notified and they have a
signature from him. That was my concern. And if it’s not changing that it’s not conforming. Is Mr. Nord’s
property, is it also R5? Kerr – Yes. Hall – That wouldn’t change, it would still stay R5? Kerr – No, he’s a
nonconforming lot, but it would still stay R5. Hall – I feel like it’s pretty cut and dry.
Beebe – I agree with Ryan Looking over the goals of the Comp Plan. It looks in accordance.
Beebe moves to recommend approval as it is in accordance with the Comprehensive Plan and the Subdivision Ordinance.

Hall – Was there talk of when the trees would be put in? Clark – No, but I’m not sure that’s necessarily pertinent to it.

Beebe – The 2020 Subdivision Ordinance 110-63 3 (a) Plat amendment and Comprehensive Plan 8-1 through 8-7 are satisfied. This is not in conflict with those goals. No concern via letters from Central Fire District and Army Corps of Engineers.

Clark – I would also point out that in the Cedar Grove 1, the average lot size is less than 2 acres per. It is zoned R5, this is a case where previous actions zoned it R1 when the subdivision was platted and that has since changed to R5. In this case we have nonconforming parcels, we’re not creating any new parcels. We’re basically shifting the nonconformance via a property line.

Ashcraft – Add to that, the Subdivision Ordinance 110-68 Lot Parcels Splits. It meets these requirements: (6) is description of proposed use, which he gave in his testimony; (7) says documentation of permission of owner. They have the signatures of the property owners. It does meet that section also.

Steel seconds. All in favor. Motion carries.

Lewis moves to adjourn the hearing. Hall seconds. All in favor. Motion carries.

Date of Document completion: March 4, 2021

Kevin Hathaway
Jefferson County
Planning and Zoning Administrator

Warren Albertson
Jefferson County
Planning and Zoning Chairman of the Board