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**MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING  
CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO**

**Tuesday, August 15, 2023, at 5:30 PM**

**ESTABLISH A QUORUM**

Vice-Chairperson William Roeder noted a quorum present and called the August 15, 2023, Regular Meeting of the Planning and Zoning Commission. Attending were Planning and Zoning Commission Members, William Roeder, Travis Eikeness, Scott Harjo, and Kristopher Wallaert.

The staff members attending were Assistant Planner, Chris Curtis and the meeting was recorded by Betsy Hiddleston.

Commission Member Kristopher Wallaert arrived late.

Commission Member Cristina Drake, Public Works Director, Rich Urquidi, and Legal Counsel, Geoff Schroeder were not in attendance.

**MINUTES**

\*Action Item: July 18, 2023

Commission Member Scott Harjo made a motion to approve the minutes for July 18, 2023. Commission Member Travis Eikeness seconded the motion. All in favor. The motion passed by a unanimous vote.

**RECOGNIZING PERSONS NOT ON THE AGENDA – None**

**CONFLICT OF INTEREST DECLARATION**

\* Does any Commissioner, Commissioner's employer, or Commissioner's family member have an economic interest in any matter on the agenda? (Idaho Code 67-6506) - None

\* Have any Commissioners received communications or engaged in discussions regarding matters on this agenda outside of this meeting? – None

**PUBLIC HEARING AND ACTION**

\*A request by Gary Tuller on behalf of Harlyn Marks to Annex and Zone to R-4 (Residential 5,000 sf minimum lot) a parcel of land with a single-family home totaling approximately .191 acres. The parcel of land is located on NW Colthorp Drive between NW Garrett Avenue and NW Jerome Avenue. (RP00062000019F).

**PZ-23-58**

Assistant Planner, Chris Curtis gave the Staff Report. The request for annexation is that the applicant would like to connect to City water services. Wastewater is through the West Side Sewer District. As part of the annexation agreement the applicant would like to defer the curb, gutter, and sidewalk, until development abuts his parcel. Notification requirements have been met. The annexation does meet the intent of the Comprehensive Plan. The parcel is contiguous.

Gary Tuller came forward to speak on behalf of the applicant. The parcel owner has been without water for about a year and a half and has been hauling it in for his needs. The applicant would like to delay the curb, gutter, and sidewalk until development gets to his parcel.

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Public Hearing Opened.

Misty Pierce came forward to speak. Misty would like to know why the applicant must annex to hook up to City utilities, when the City Council has offered the Mellen Subdivision City water if their well goes down and they still stay within the County. Misty claims there is no City water on Colthorp side of the road. As there are extra territorial customers such as Mellen Subdivision who have water and those who receive sewer services that are outside of the limits of Mountain Home. Misty inquired if it may be for taxing purposes or is it to bring the West Side Sewer District into the City.

Don Gust came forward to speak. Don is not aware if there is water on that side of the road. Don was told by a neighbor to Harlan that they would offer Harlan water, but Harlan would have to put in his own pipe.

John Ligon came forward to speak. John claimed that the West Side Sewer District had not been notified. They had not received the notice on the project at all. If the applicant stays in the county, they have no problem with it. John believes that Harlan should be able to try all his options before being mandatorily annexed into the city. John claims he does not believe the applicant really wants to annex. Public Hearing Closed.

West Side Sewer is on the affidavit of mailing provided by the applicant. The address on file for West Side Sewer was sent a letter. The city does not force anyone to annex, the was a request by the applicant and does not feel he is being forced to annex. The city does have a notarized request from Mr. Marks. Mr. Marks never requested services without annexation. Mr. Marks will have to plumb the services and pay EDU fees, and a water meter. There is an 8" water line directly across from Mr. Marks parcel.

Commission Member Travis Eikeness made a motion to approve the annex and zone to R-4 located NW Colthorp Drive between NW Garrett Avenue and NW Jerome Avenue, application PZ-23-58.

Commission Member Scott Harjo seconded the motion. The vote is as follows: Commission Member Harjo; aye, Commission Member Roeder; aye, Commission Member Eikeness; aye, and Commission Member Wallaert; aye. The motion passed by a unanimous vote.

#### **NEW BUSINESS**

\* Preliminary Plat Extension (PLATEXT) – Steve Taylor.

A request to extend a currently approved Plat (PLAT) for 365 days.

**PZ-23-59**

Assistant Planner, Chris Curtis gave the staff report. The city code states that any application for an extension of a preliminary plat must be submitted thirty days prior to the expiration and the applicant has met that deadline. Plat extension request are made by Planning and Zoning. There are no changes to anything, it just gives them another three hundred and sixty-five days to submit their final plat. All applications are dependent on water availability and that is identified in the findings of fact.

Commission Member Scott Harjo made a motion to approve the preliminary plat extension for PZ-23-59. Commission Member William Roeder seconded the motion. The vote is as follows: Commission Member Eikeness; aye, Commission Member Roeder; aye, Commission Member Harjo; aye, and Commission Member Wallaert; aye. The motion passed by a unanimous vote.

#### **OLD BUSINESS**

\* None

#### **DEPARTMENT HEAD ITEMS**

\* None

#### **ITEMS REQUESTED BY COMMISSIONERS/STAFF**

\* Building Permit Report – July 2023-None


\* Code Enforcement Report – July 2023-None

#### **ADJOURN**

Chairperson Kristopher Wallaert adjourned the meeting at 5:48 p.m.

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Chair