

## LATAH COUNTY ZONING COMMISSION MEETING MINUTES

**Date:** 10/26/05

**Place:** Latah County Courthouse, Room 2B

**Members Present:** Carl Mickelsen, Wayne Sprouse, Jim Hagedorn , Don Ball, Duane Priest

**Members Absent:**

**Staff Present:** Michele Fuson, Nikkie Agidius, Amanda Hess, Chris Nicholson

**Meeting Opened by:** Chairman Carl Mickelsen

**Time:** 19:00

**Adoption of Minutes for:** 10/05/05

**Motion:** Don Ball moved to adopt the minutes as written. Jim Hagedorn seconded the motion.

**Action:** Approved                      **Vote:** Yes 4                      No                      Abstain

**Adoption of Findings of Fact and Conclusions of Law for:**

1) Rezone #699 - A request by James Lucas for a rezone from AG/Forest and Multi Family Residential (RM) to RR-3 on 19.56 acres.

**Motion:** Wayne Sprouse moved to recommend approval by the board. Seconded by Jim Hagedorn.

**Action:** Approved                      **Vote:** Yes 4                      No                      Abstain

2) Rezone #698 - A request by Charles Goetz to rezone 10 acres of a 53.97 acre parcel from AG/Forest to RR-5.

**Motion:** Wayne Sprouse moved to recommend approval by the board. Seconded by Jim Hagedorn.

**Action:** Approved                      **Vote:** Yes 4                      No                      Abstain

**Public Hearing for:** CUP #696 - A request by New Cingular Wireless for a 125' telecommunications tower on 80 acres owned by Geo Land LLC in the AG/Forest zone.

**Opened Public Hearing:** 19:05 - Staff report

**Open to Public Comment:** 19:14 - Steve Burke, an independent contractor, discussed the application as the representative for New Cingular Wireless. Chairman Mickelsen had concerns that other towers may exist for co-location. Mr. Burke reassured the commission that

he had researched other possibilities. Chairman Mickelsen also commented on the application making reference to the economic benefit for the surrounding area and local businesses, but applicant used out of State surveyor's. There was written concern from John Kern regarding the access road. There was no testimony in favor or in opposition to the request.

**Closed to Public Comment:** 19:32

**Motion:** Wayne Sprouse moved to approve the request with conditions. Seconded by Don Ball.

**Conditions:**

- Compliance with Latah County Zoning Ordinance 11.05.08.
- Compliance with all federal, state and local ordinances.
- Compliance with all the plans and applications as submitted.
- The applicant must hold and maintain legal access to the site.
- Applicant shall provide a \$25,000 performance bond per 11.05.09.

**Action: Approved**

**Vote: Yes 4**

**No**

**Abstain**

**Public Hearing for:** CUP #697 - A request by New Cingular Wireless for a 150' telecommunications tower on 113.51 acres owned by Dale Slagle in the AG/Forest zone.

**Opened Public Hearing:** 19:40 - Staff report

**Open to Public Comment:** 19:43 - Steve Burke, an independent contractor, discussed the application as the representative for New Cingular Wireless. He commented on AT&T sites that had previously been approved and not built. He also commented on the tower would provide a health and safety benefit to the surrounding area. Chairman Mickelsen again commented on the application making reference to the economic benefit for the surrounding area and local businesses, but applicant used out of State surveyor's. There was no testimony in favor of application. Angela Marcussen spoke in opposition. She was angry about the nuisance of cell towers and mentioned that people were using cell phones at the rest area all the time and that the tower was not necessary. Ted Kelchner commented on exhibit 1F and does not agree that the tower will be 1000' from the nearest residence. The commission felt that additional maps were needed to clarify cell tower coverage.

**Closed to Public Comment:**

**Motion:** Wayne Sprouse moved to continue testimony on 11/2/05 per 11.05.05 A1. Seconded by Jim Hagedorn.

**Action: Approved**

**Vote: Yes 4**

**No**

**Abstain**

**Public Hearing for:** CUP #680 - A request by Steven Heick to construct a mini-warehouse facility with 10 buildings on an 80.17 acre parcel zoned AG/Forest.

**Opened Public Hearing:** 20:51 - Continued from April 6, 2005

**Open to Public Comment:** Applicant discussed expanding original request from 6 buildings to 10. He has received access to Highway 95 from Idaho Transportation Dept. A landscaping plan was also included with expansion. There was no testimony in favor or opposition.

**Closed to Public Comment:** 20:56

**Motion:** Don Ball moved to approve the request. Seconded by Wayne Sprouse.

**Conditions:**

- Applicant shall follow all applicable Local, State, and Federal laws, rules, and ordinances.
- Applicant must be in substantial compliance with the landscaping plan as submitted. --
- Plants must be maintained at planted height 1 year from commencement of commercial operation.

**Action: Approved**

**Vote: Yes 3**

**No**

**Abstain 1**

**Public Hearing for:** CUP #518A - A request by Wayne Harris to construct two additional mini-warehouses on a 3.58 acre parcel zoned AG/Forest.

**Opened Public Hearing:** 21:04 - Staff report

**Open to Public Comment:** 21:08 - Wayne Harris discussed application. He is currently storing boats and RV's which are not in compliance with the original CUP #518. There was no testimony in favor or opposition.

**Closed to Public Comment:** 21:19

**Motion:** Wayne Sprouse moved to approved the request. Seconded by Jim Hagedorn

**Conditions:**

- Applicant shall follow all applicable Local, State, and Federal laws, rules, and ordinances.
- Applicant shall comply with all of the conditions of CUP #518.
- Applicant shall be in substantial compliance with the plans as submitted.
- Applicant must receive Idaho Transportation Dept. approval for expanded use.

**Action: Approved**

**Vote: Yes 4**

**No**

**Abstain**

**Other Business:** None

**Meeting Adjourned at:** 21:20

**Respectfully Submitted on 12/19/05:**



Secretary