

Latah County Zoning Commission Meeting Minutes

Date: 12/15/2010

Location: Latah County Courthouse, Room 2B

Staff Present: Michelle Fuson, Jason Boal, Cecily Gordon

Member Present: J. Hagedorn, W. Sprouse, J. Akin, R. Parker, R. Henriksen

17:30 Meeting opened, Wayne Sprouse Chairman

Adoption of Minutes: December 1st, 2010

Jim Hagedorn: Motion to approve, Rod Parker: seconded

Action: Approve: 5, Oppose: 0, Abstain: 0

Adoption of Finding of Facts and Conclusion of Law for:

CUP 827-Ron Landeck

John Akin: Motion to approve, Jim Hagedorn: Second

Action: Approve: 5, No: 0, Abstain: 0

CUP 824- Ploughshare

Jim Hagedorn: motion to approve, John Akin: second

Action: Approve: 5, Oppose: 0, Abstain: 0

Other: Conference call January 5th, for Finds of Fact CUP 828

Public Hearing for: CUP 828 a request was made by Larry Holbrook for a conditional use permit to place a salvage yard on a 7.8-acre parcel in the Agriculture/Forest zone. The property is located at 4674 Hwy 95 North, Moscow, in Section 18, Township 40 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP40N05W180608A

Opened Public Hearing 17:35 – Staff Report

At this time the chair asked if any member of the commission has any conflicts or interest or bias. None was declared.

Open to Public Comment: 17:40 – Larry Holbrook, the applicant discussed the application. He has lived at the property for 21 years. He indicated that he has been attempting to remove items from the site over the past years. It is difficult as he works full time and transportation costs can be expensive. He stated he is not operating a junk yard, but would like to sell off stuff presently on property. Three (3) people testified neutral to this application. All three indicated that Mr. Holbrook should be allowed to remove items from property, but not bring in anymore. Several people testified in opposition of the application. Their concerns included water contamination, fire danger, highway safety, and that the applicant not be allowed to bring further items on to the property. Staff clarified that the county has previously attempted to get Mr. Holbrook to clean up the site. He has made an effort and has completed periodic clean-ups. He has also been granted one previous extension to get the site cleaned up, but has not made

enough progress. Staff stated that Mr. Holbrook has always been cooperative. During the rebuttal Mr. Holbrook's relative stated he is capable of cleaning it up. Mr. Holbrook provided rebuttal regarding burying items, insurance and what would be a sufficient time frame to get the site cleaned up.

Public Comment Closed: at 18:57

Note: Commission took a break until 19:05

Motion: J. Hagedorn: Motion to approve CUP 828 as conditioned, R. Henriksen: Second, Discussion

Conditions:

1. Substantial compliance with the application as submitted and presented.
2. Compliance at all times with all applicable federal, state and local laws, rules and regulations.
3. Obtain and maintain the required permits from the ITD and comply with all ITD requirements.
4. No additional material can be brought onto or stored on the property.
5. The hours of salvage operations shall be restricted to day light hours.
6. Submit an initial accurate inventory of items currently on the property.
7. Submit monthly reports to the Planning and Building Department containing accurate sales, salvage and removal records.
8. Removal of items along the property lines first to lessen the impact of the operation on the neighbors.
9. No signage will be permitted on the property that is related to the salvage/storage operation.
10. Allow officials from the Latah County Planning & Building Department, Latah County Prosecutor's Office, Latah County Sheriff's Office and Latah County Solid Waste Department onto the property to perform inspections for compliance, without the requirement of prior notice.
11. Notify two weeks in advance all neighbors within a one (1) mile radius of the property of any large scale compacting, large sales, or similar events that will take place on the property.
12. Remove all hazardous liquids and/or vehicles within one (1) year of the issuance of this permit.
13. Remove all inert materials within two (2) years of the issuance of this permit.
14. May retain a maximum of fifteen (15) vehicles on the property, eight (8) of which may be stored outside of a fully enclosed building.
15. CUP is granted to Larry Holbrook and is not transferable to any other person.
16. Permit expires two (2) years from the date of issuance.

Action: Approve: 5, Oppose: 0, Abstain: 0

20:15- Meeting Adjourned by Wayne Sprouse

Respectfully submitted,
Bob Henriksen, Interim Secretary