

# Valley County Planning and Zoning Commission

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**Katlin Caldwell, Chairman**  
**Ken Roberts, Vice-Chairman**

**Sasha Childs, Commissioner**  
**Scott Freeman, Commissioner**  
**Gary Swain, Commissioner**

## MINUTES

Valley County Planning and Zoning Commission  
**September 14, 2023**  
**Valley County Court House - Cascade, Idaho**  
**PUBLIC HEARING - 6:00 p.m.**

**A. OPEN:** Meeting called to order at 6:00 p.m. by Chairman Caldwell. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Katlin Caldwell	Present
PZ Commissioner – Sasha Childs:	Excused
PZ Commissioner – Scott Freeman:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Gary Swain:	Present
PZ Planner II – Lori Hunter:	Present

## **B. MINUTES:**

The Commissioners reviewed the draft minutes for August 17, 2023. Commissioner Swain asked for clarification on the motion for approving the Valley County Comprehensive Plan Amendments to Include Impact Fees. He understood approval was to only pertain to impact fees for the Fire Districts. Director Herrick stated that it was a recommendation to approve the amendments to the comprehensive plan as presented.

Commissioner Roberts moved to approve the minutes of August 17, 2023, as amended to state: “Commissioner Swain moved to recommend approval of the **Valley County Comprehensive Plan Amendments to Provide for Impact Fees for the Cascade, Donnelly, and McCall Fire Districts** to the Board of County Commissioners.” Commissioner Freeman seconded the motion. Chairman Caldwell did not vote as she was not at the August meeting. Motion passed unanimously.

## **C. OLD BUSINESS:**

- 1. C.U.P. 22-25 Paddy Summit Subdivision – Final Plat:** James Neill and Three Fifty-Nine LLC is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. This plat consists of 13 single-family residential lots. Access would be from Paddy Flat Road (public) and Loomis Ranch Road (public); road right-of-way is being dedicated to Valley County. Shared driveways are proposed. The 280-acre site is known as 581 Paddy Flat Road, parcel RP17N04E212610, Tax #4 in Sections 20, 21 and 29, T.17N R.4E, Boise Meridian, Valley County, Idaho. Action Item. Not a public hearing

Chairman Caldwell introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen. Commissioner Roberts asked about the restrictions for lighting and wood-burning devices. Director Herrick stated that the language is required on the plat as Valley County cannot enforce CCRs.

Jim Neil, the applicant, stated the questions within the staff report have been addressed. The road maintenance agreement and limitations on lighting and wood-burning devices are in the CCRs. The trail easement will be placed onto the plat prior to submittal to the Board of County Commissioners. It is a three-mile loop for a community trail which will be a nice amenity. The building areas are more restrictive than required; each lot has a 1 ½ -acre building envelope.

Condition of Approval #6 requiring approval from Donnelly Fire district still needs resolved. There will be a 10,000-gallon underground water tank with hardware to attach to a water supply. Mr. Neil will meet with Jess Ellis, Donnelly Fire Marshal, regarding the tank location. Director Herrick confirmed that Jess Ellis has been out of the office. She added that the water tank will need to be financially guaranteed; no building permits will be issued until it has been placed and approved.

Mr. Neil stated that the shared driveway maintenance agreement has been completed and included in CCRs.

Commissioner Roberts moved to approve the final plat of C.U.P. 22-25 Paddy Summit Subdivision and authorize the Chairman to sign. Commissioner Freeman seconded. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

6:18 p.m.

#### **D. NEW BUSINESS:**

- 1. V-2-23 Clover Valley Properties Sign Variance:** Clover Valley Properties LLC is requesting a variance from Valley County Code 9-7-6 to allow University of Idaho logos to be painted on grain bins visible from Highway 55. The site is parcel RP16N03E350177, addressed at 12765 Highway 55, and located in the NE ¼ Section 35, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Caldwell introduced the item and opened the public hearing. Chairman Caldwell asked if there was any exparte contact or conflict of interest. Commissioner Swain requested to recuse himself as the applicant is a fellow colleague. Director Herrick stated that if a commissioner feels they cannot make an unbiased decision, they should recuse themselves. A quorum is needed to open a meeting; a majority is not needed to hear an application. Commissioner Roberts recused himself as he is the applicant. Both Commissioner Roberts and Commissioner Swain were recused.

Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Johanna Defoort, adjacent neighbor, is in favor of the variance request. (September 14, 2023)

Staff responded to questions regarding the Scenic Byway and sign requirements. Director Herrick is the chairman of the Payette River Scenic Byway Committee. There is a Corridor Management Plan. There are stricter rules on designated Scenic Byways. The Idaho Transportation Department (ITD) does not allow off-premise signs along the designated Scenic

Byway. Valley County does not enforce ITD standards. Previously the West Central Mountains Economic Development Council - ABC Group tried to get a monument sign at the entrance to Valley County. ITD stated this would not be allowed along a Scenic Byway. Requiring ITD approval could be a condition of approval. Valley County Sign Ordinance states a maximum size of 32-sqft. Director Herrick read from Valley County Code 9-7. Valley County Code (VCC) states that any signs along Highway 55 must meet standards of the Idaho Transportation Department and Valley County.

Chairman Caldwell asked for the applicant's presentation.

Ken Roberts, 37 Levi Way, owns the property. The grain bins exist on the property. The pictures in the application are of existing grain bins along Highway 55 in the Parma area. University of Idaho is promoting a plan throughout the state to promote and encourage people in agricultural areas to go onto higher education. He does not believe that VCC 9-7-1 anticipated what is very common across rural America. Many mascots are displayed on agricultural buildings throughout the United States. The painting would be done professionally. The grain bins are about 27-ft high and approximately 40-ft in diameter. A 32-sqft sign would be smaller than desired. This request is to paint an existing agricultural building. Agricultural buildings are exempt from property taxes in Idaho Code. Mr. Roberts believes that ITD has already weighed on this issue in other areas of the state as this is a statewide project by the University of Idaho. Similar designs already exist along State Highways.

Kendra Brown, 12912 Highway 55, operates the agricultural business. She is the fourth generation to farm this land. The University of Idaho has been very important to her family and this is a way to support the University of Idaho. In general, the paint colors would be black and gold. Pictures showing logos superimposed on the existing grain bins have been made by the University of Idaho (**Exhibit 2**).

Mr. Roberts read the purpose of the VCC 9-7 Sign Standards. The standards state the intent is to maintain the rural atmosphere and allow creative license. Shiny metal buildings are not wanted. The galvanized grain bin buildings are currently shiny, the logo would cover up part of the shiny metal. Long-term maintenance would be provided by the University of Idaho. This was a competitive application. This site was selected by the University of Idaho from other applications across the state. He would support a condition of approval to require maintenance.

Chairman Caldwell asked for proponents. There were none.

Chairman Caldwell asked for undecided. There were none.

Chairman Caldwell asked for opponents. There were none.

Chairman Caldwell closed the public hearing. The Commission deliberated. Commissioner Caldwell is struggling with this decision. She is a fellow vandal alumni and supporter, but her concern is the unintended consequences if approved. Although Commissioner Freeman is not an alumnus, he understands why they want to do this. He has been present for other sign variance requests that were not approved. The variance request by Mile High was denied; the business had to get a conditional use permit so they could comply with their sponsors' requirement of company names posted on the building. A sign on the silo would need to be bigger than the maximum 32-sqft allowed by Valley County Code.

Chairman Caldwell moved to recommend denial of **V-2-23 Clover Valley Properties Sign Variance** to the Board of County Commissioners due to the fact that it is not in accordance with our ordinances, and it is not an undue hardship. Commissioner Freeman seconded. The motion passed unanimously; therefore, the Valley County Board of County Commissioners are not required to have a public hearing prior to making a decision. It will be an agenda item.

*Short break to 6:47 p.m.*

## **2. VAC 23-02 Vacation of Utility and Drainage Easement and V-3-23 Peterson Setback**

**Variance:** Kevin Petersen is requesting a vacation of the 20-foot-wide utility and drainage easement on the interior side of Kayla Way, a private road, and a variance to relax the setback from 20-ft to 14-ft at the property line along Kayla Way. The site is Whispering Pines Lot 45, addressed at 43 Kayla Way, and located in the NW ¼ Section 3, T.13N, R.4E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Caldwell introduced the item and opened the public hearing. Chairman Caldwell asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Bryce and Stacy Chandler, 96 Arlington Heights DR, are opposed (Sept. 14, 2023).
- **Exhibit 2** – Sam (last name unknown) is opposed (Sept. 14, 2023)

Director Herrick clarified that the applicant would like to build an addition that is 14-ft from the property line along Kayla Way. The lot is split by the road. The parcel layer is not correctly layer over the aerial map at this location.

Chairman Caldwell asked for the applicant's presentation.

Kevin Petersen, Twin Falls, Idaho, does plan to move to this lot permanently. The survey pins have been placed. The initial shop was built 30-ft from the pins. A 6-ft addition would put them 14-ft from the road. There are no utilities of any kind, electric, or phone along Kayla Way through this lot to the lot to the south. The lot to the north obtains utilities from along the north line of Mr. Petersen's lot. Since this lot is split by Kayla Way, there are utility easements along both sides of the road. Much area is unbuildable due to the setbacks and easements. It was not disclosed to them that Idaho Power utilities run along the north line of their lot. The piece of land between Kayla Way and Arlington Heights Road is narrow but is the best location for the home and shop due to the topography. House will be constructed at the high point of the lot to the north. This design was approved by the HOA. RVs cannot be left uncovered during the winter per CCRs. Having to build elsewhere would require much leveling. This was the best location for this storage facility on the property.

Commissioner Roberts stated that the road is owned by the subdivision; has the applicant considered a land transfer with the HOA? Mr. Petersen replied he has not. The lot drops off to the side quite a bit to the established road. He believes the constructed road is close to centered in the road right-of-way; the pins are easy to find. Mr. Petersen responded to questions from Commissioners. Since they purchased the lot, the CCRs have not changed regarding the required minimum square footage of a home. The west side of this building area slopes down on both sides towards the roads. The site is an old logging road plus additional area leveled out for the shop and a turnaround area. Due to the steepness on the west side, building a proposed 16-ft addition to the west side of the shop will require a 10-ft foundation wall. The shop was built in 2020. As the picture shows, he started on some footings that were going to be for a small lean-to in front of the man-door to the shed in order to shed snow. Since then, he decided to move forward with RV storage and stopped construction. The distances between the existing building and the existing footing were discussed. The four footings closest to the shop building are within five inches; the outer posts are 16-ft. The motor home width is about 13-ft; with slide outs extended for maintenance there would be approximately 1-ft on each side. The plan is to stay in the RV at its current location. The shop site would be for winter storage.

Chairman Caldwell asked for proponents. There were none.  
Chairman Caldwell asked for undecided. There were none.  
Chairman Caldwell asked for opponents. There were none.

Mr. Peterson had a few comments to add and responded to questions from Commissioners. He has spoken to both Idaho Power and the telephone company. The phone line is along the same path of the existing power lines. There are no utilities along Kayla Way at this location. He assumed Idaho Power made the decision to run power lines from Arlington Heights Road to service this lot plus lot to the south it would be a shorter distance.

Chairman Caldwell reopened the public hearing.

Mr. Peterson stated that a septic system was installed last week on the property. The fire was caused while installing the septic system when the electric line was hit that services the power on the property.

Chairman Caldwell asked for further testimony from the public. There was none.

Chairman Caldwell closed the public hearing. The Commission deliberated. Commissioner Swain stated the applicant has 4.6 acres and knew there were restrictions on the lot when purchased, including easements, setbacks, and difficulty of grading for building pads. Thus, Commissioner Swain has a problem with this request for a variance. The applicant has done extensive grading on this lot. He questions why the easement was originally platted and would like an answer from the developer; there may be concerns other than electrical power. Commissioner Roberts has similar concerns. The face of the plat does include the easement information; thus, it was known to the purchasers of the property. There is a significant amount of room on the other side of the building for an addition. This side could be reduced to 10 feet and still meet setbacks. Commissioner Freeman asked for clarification on the width of the easement and setback areas. Director Herrick stated there is a 20-ft utility and drainage easement and a 20-ft building setback measured from the property line to the eave. These overlap for a total of 20 feet. Commissioner Freeman concurred with Commissioner Roberts. Chairman Caldwell noted that the easement is both for utility and drainage. With the topography of the lot, the easement may be needed for drainage.

Commissioner Swain moved to recommend denial of VAC 23-02 Vacation of Utility and Drainage Easement and V-3-23 Peterson Setback Variance to the Board of County Commissioners. Commissioner Roberts seconded the motion. Motion carried unanimously.

7:22 p.m.

**3. C.U.P. 23-35 Dobson Multiple Residences:** Patricia Dobson is requesting a conditional use permit for two residences on one parcel. The homes would share a well and have individual septic systems. Access would be from a shared driveway onto Flemming Lane, a private road. The existing home is addressed at 42 Flemming LN. The 5.2-acre parcel is RP17N03E334665 located in the SENW Section 33, T.17N R.3E, Boise Meridian, Valley County, Idaho. Action Item

Chairman Caldwell introduced the item and opened the public hearing. Chairman Caldwell asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen.

Chairman Caldwell asked for the applicant's presentation.

Patricia Dobson, 42 Flemming Lane, would like to build a home behind her existing home. She

is struggling with the maintenance and upkeep of the existing home. She would like to build an additional home with an attached garage that she can live in as she gets older. She has a septic permit, has talked to Idaho Power, and has a surveyor for the easement that Idaho Power is requiring. The road ownership is in discussion with the neighbors. The new home will be stick-built. She would like to long-term rent the existing manufacture home and is willing to comply with a condition of no short-term rentals.

Chairman Caldwell asked for proponents.

Shara Saleen, an adjacent neighbor, has no problems with an additional residence. Her only concern is that the new septic system be placed away from their existing well.

Chairman Caldwell asked for undecided. There were none.

Chairman Caldwell asked for opponents. There were none.

Chairman Caldwell closed the public hearing. The Commission deliberated. Commissioner Roberts stated the parcel size is adequate for a second home. The Central District Health standards for distance from wells from septic systems will be followed. There is already an existing septic system permit. He is glad to hear that there will be no short-term rentals as stated in COA #10. Commissioner Freeman concurs.

Commissioner Swain moved to approve C.U.P. 23-35 Dobson Multiple Residences with the stated conditions. Commissioner Freeman seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

*7:35 p.m.*

**4. C.U.P. 23-36 Pratchett Auto Repair Shop:** Patrick Pratchett is requesting approval of a conditional use permit for a vehicle maintenance and repair shop. The existing building would be used for the shop; a home would be constructed at a future date. The 5-acre lot is Ben Goslin No. 2 Subdivision Lot 5, addressed at 34 Goslin Loop, and located in the SW ¼ Section 16, T.13N, R.4E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Caldwell introduced the item and opened the public hearing. Chairman Caldwell asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and displayed the site and GIS map on the projector screen.

Director Herrick recommends COA 14 be modified to add that the fence should be placed prior to any outside storage of vehicles if the conditional use permit is approved.

Commissioner Swain asked for clarifications on an area business versus a home business; does our ordinance allow a commercial venture in a residential subdivision? Director Herrick stated that Valley County has one zone multiple use. If the use is not single-family residential or agricultural, a conditional use permit is required. The purpose of a conditional use permit is to identify impacts and to mitigate those impacts. Valley County Code (VCC) Title 9 Appendix A is the compatibility rating. A home business does not require a conditional use permit.

The nearby property at 37 Goslin Loop had a conditional use permit (C.U.P. 19-19) was permitted as an area business. Neighborhood business typically takes place inside the primary structure. There was opposition to C.U.P. 19-19; it was appealed to the Board of County Commissioners and approved.

Residential business is defined in VCC Title 9 as “a business owned and operated by the occupant of a residence, located on the same lot or parcel as the residence, which retains the residential character. Restrictions will be applied to ensure that residential character is retained.” There are limitations on employees, work hours, traffic, building size, outdoor storage, and size of buildings.

This request is for an Area Business, not a residential business. Director Herrick referred to VCC Title 9 Table 3A. Area business examples are auto sales, service, storage and rental; bank or financial institution, Building materials, drive-in restaurant, furniture and/or appliance shop, shopping center, office building, mini-warehouse storage, auto wrecking yard, and salvage yard. Approval would only be for the specific use that is requested, not approval of any type of area business.

Commissioner Swain asked does this commission have a responsibility if something is designated as residential. Director Herrick stated that this site is not zoned residential. This subdivision was platted in 1978 prior to the establishment of Planning and Zoning in Valley County. It is assessed as Category 515 Residential Rural Subdivision. There was no designation that it was to be exclusively used for single-family residential. There are no CCRs.

The Compatibility Rating was discussed and staff scores. Question 2 refers to other adjacent land uses in the area. Question 3 is for land uses in the local vicinity, one to three miles. There are a mix of uses including residential, agricultural, RoadRunner Ready Mix, Knife River, OK Gravel, Steve Landers’ excavation business, Randy Freeman’s powder coating, and Alzar School. For questions 1 and 2, the proposed site is surrounded by single-family residential. For question 3, staff used an average to account for the scattered uses within the one to three mile area.

Chairman Caldwell asked for the applicant’s presentation.

Patrick Pratchett, Cascade, has looked for a suitable location in Cascade over the past five years. During 2015 – 2018, he did auto repair in a building near H&H towing; however, the building became unavailable for commercial use due to insurance, only storage. He has spoken to the owners of the two vacant buildings in Cascade that would be suitable; however, they are not interested in renting. Starting a business on this property would give him time until a Main Street location became available. He gets requests from prior customers to work on their vehicles. He sold his house in Cascade to purchase this property and has funds to build a house at this site in 2024. He has no intention to do body work or painting, just maintenance and repair. The front of the building has downward lighting. The front of the wellhouse has a downward facing light. Mr. Pratchett responded to questions from the Commissioners. Vehicles would be stored inside the building and/or inside the fenced area along the north side of the building. Four vehicles could fit inside the shop. Advertising is only word of mouth at this time. He would place a sign at the site. The fence along the front of property would be split-rail. The neighbor along the east side would prefer to not have a property boundary fence.

Chairman Caldwell asked for proponents. There were none.

Chairman Caldwell asked for undecided. There were none.

Chairman Caldwell asked for opponents. There were none.

Director Herrick referred to the picture of the shop in the staff report. It is constructed. She met Mr. Pratchett many years ago and can state that he has been looking for a business site. Mr. Pratchett added that the existing shop building’s shell is done but not inside. It did receive an electrical inspection.

Chairman Caldwell closed the public hearing. The Commission deliberated.

Commissioner Roberts stated the community does need businesses like this. However, the Commissioners must look at the proposed use and this site is in a rural single-family subdivision. The first three questions on the compatibility rating are all negative results. He obtained zero's on questions 5 and 6 and an overall score of +6. The Commission has turned down businesses proposals in subdivisions before. He is not sure the proposed use is compatible in a rural subdivision; a neighbor has testified to this fact.

Commissioner Freeman said commercial businesses are scattered throughout the entire subdivision area. Private property rights are important. He believes that many people live up here so they can buy small acreage with a home to be able to work from home. This can cut overhead costs and make it easier to make a living. He is in support.

Commissioner Swain stated that the plat for Ben Goslin No 2 states Lot 1 may be used for commercial purposes. Thus, he believes the intent of the developer was to make other lots residential only. However, as Commissioner Freeman stated, there are other commercial ventures in the subdivision. He would vote for this application if the impacts can be mitigated.

Chairman Caldwell concurred with Commissioner Freeman. This is a good application. The County allows for multiple use on an individual basis when impacts can be mitigated. The proposed conditions of approval are good, particularly limiting hours of operation and prohibiting a salvage yard at the site. She recommended modifying Condition of Approval 17 to say all vehicles must be stored inside or within the fenced area instead of limiting the number of vehicles to two. A screening fence would mitigate impacts. Although the first three compatibility rating questions may be negative, the proposed mitigation would do a great job to mitigate impacts. Auto mechanics and auto repair shop are necessary businesses needed in the County. The conditional use permit gives the capability to control the use and make sure impacts continue to be mitigated into perpetuity.

Commissioner Freeman added that his family's power coating and sandblasting business was at 8 Pine Cone.

Commissioner Swain prefers that the 6-ft fence surround the entire outside storage to reduce impacts. All vehicles should be in shop or in the fenced area. Chairman Caldwell stated the building appears to be a good-looking, well-built shop; Commissioner Swain concurred. The site plan was discussed and the proposed fenced area clarified.

Commissioner Freeman moved to approve C.U.P. 23-36 Pratchett Auto Repair Shop with the stated conditions.

**Revised COA #14:** The fence shall be placed prior to any outside storage of vehicles. A fence greater than 6-ft high requires a building permit.

**Revised COA #17:** Cannot create a salvage yard. All vehicles not belonging to the property owners must be stored inside or within the fenced area.

Commissioner Swain seconded the motion. Commissioner Swain, Commissioner Freeman, and Chairman Caldwell voted in favor; Commissioner Roberts opposed. The motion passed.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.



## **E. OTHER:**

### **1. Appeal Of PZ Administrator's Decision To Deny Building Permit For RP16N04E065407.**

Director Herrick used the GIS map to show the location of RP16N04E065407 on the projector screen. Currently, the 33-acre site has a conditional use permit and prelim plat approval for Valley Heights Subdivision with five lots. Prior to issuance of the conditional use permit, this site was a legal parcel and eligible for a building permit. The property owner has requested a building permit for one home and is wanting to place the concrete prior to winter. The Board of County Commissioners previously made a decision that speculation homes could not be built on a parcel within Tamarack Resort until the plat was recorded. Therefore, Director Herrick told the owner of RP16N04E065407 that a building permit would not be approved. The property owner has appealed that decision. The PZ Commission has approved preliminary plat, not the final plat. The plat is to be recorded by June 2024. A similar request for the South Ranch Subdivision is also likely. In addition, a building permit was not issued within Pines by the Lake Subdivision until the plat was recorded as it would have been constructed on a lot that was not a legal parcel at the time. Commissioner Roberts stated consistency is always good. Director Herrick added that the PZ Commission did approve building permits for the Sands 55 Subdivision at Lake Fork prior to plat recording. Commissioner Freeman stated that this one is different as it is an existing legal parcel. Director Herrick added that the parcel at Tamarack Resort was a remanent parcel and controversy existed.

Commissioner Roberts moved to uphold the Planning and Zoning Administrator's decision to deny the building permit for RP16N04E065407. Commission Swain seconded. Commissioner Freeman stated the owner is in the process of subdividing the property; this should be completed prior to building permit approval. Chairman Caldwell concurred. Motion passed unanimously.

### **2. C.U.P. 22-16 Camp Modern – Site Plan Modification**

Originally a 30-ft rear setback was approved for the conditional use permit. Valley County requires a 7.5-ft setback from U.S. Bureau of Reclamation land. The property to the rear of C.U.P. 22-16 is Bureau of Reclamation land leased by Clover Valley Properties. The managers of Camp Modern would like to reduce the rear setback requirement to place a small structure 20-ft from the rear property line, instead of 30-ft. Commissioner Roberts stated that he is the adjacent landowner but will participate in the discussion. Commissioner Roberts stated the property is not leased land. Clover Valley Properties has all the rights (irrigation, grazing, timber) but do not own the title for the land. Chairman Caldwell said this is different than if the property was managed by the Bureau. Director Herrick read Valley County Code 9-4-3-2 which states that minimum rear yard setbacks for those lots having a common boundary line with Bureau of Reclamation property surrounding Cascade Reservoir are seven and one-half feet (7.5-ft). However, Camp Modern is a commercial use, not residential. Director Herrick has told the applicant they had to comply with site plan. The Planning and Zoning Commission has given guidance to maintain the 30-ft rear setback. The applicant can appeal the administrative decision.

## **F. FACTS AND CONCLUSIONS – Action Items:**

- C.U.P. 23-15 Mullin Multiple Residences:
- C.U.P. 23-25 Acker Tree Service
- C.U. P. 23-33 Ritter Solar Panels

Commissioner Freeman moved to approve the Facts and Conclusions as presented and authorize the chairman to sign. Commissioner Roberts seconded the motion. Motion carried unanimously.

Chairman Caldwell adjourned the meeting at 8:30 p.m.