

**Caribou County Planning & Zoning Commissions Meeting
Minutes of February 2, 2011**

The Caribou County Planning & Zoning Commission met in regular session on February 2, 2011, at 6:00 p.m. Those in attendance were Jon Hall, Stan Wistisen, Nick Johnson, Planning & Zoning Board Members. Also in attendance were Kerstin Parsons, Planning & Zoning Secretary, Bart Rhead, Sid Davis, Jeffery Langedyke, Mark Nicoll and Ralph Hopkins.

Jon Hall, Planning & Zoning Chairman opened the meeting.

A Public Hearing was held on the request for a Variance to Caribou County Subdivision Ordinance 4(B)(15), for the purpose of constructing a driveway less than one-fourth (1/4) mile from an existing driveway, located on Trail Canyon Road, Soda Springs, Idaho 83276, by Bart Rhead.

Jon Hall explained public hearing procedure and the floor was then opened to Mr. Rhead to present his request. Mr. Rhead stated it would be an undue hardship from an excavation point of view to construct a driveway at least one-fourth (1/4) mile from an existing driveway. Mr. Rhead made the argument that there are many driveways within the one-fourth (1/4) mile rule. Mr. Rhead stated where he would like to build the driveway would be the only access road and feasible place to enter this section of property on the south side. Mr. Rhead also stated that the further down the canyon he has to go, it would be much more difficult to keep the seven (7%) percent grade.

The Board reviewed the letters submitted by Sid Davis, Craig Reagor, Jeffery Langedyke and Kim Spencer.

The Board then requested Sid Davis, Jeffery Langedyke and Bart Rhead point out where their driveways are on a map. Kerstin Parsons then read the letters submitted.

Mr. Rhead further stated he wants to build a fence on this property and therefore, needed this driveway in order to do so. He stated that there is access on the north side of this property, however, to reach this section of property, one has to drive through three (3) switchbacks. Mr. Rhead again stated that the one-fourth (1/4) mile rule is loosely enforce throughout the County. Jon Hall stated this Ordinance has only been in effect since 2007.

The floor was then opened for opposing arguments.

Jeffery Langedyke stated he believed Trail Canyon to be the gateway to Southeast Idaho's playground and does not want to have an eye sore, referring to a big hole that is currently on Bart Rheads property. Mr. Langedyke indicated he has had problems with Mr. Rhead in the past, that required the Sheriff to be involved. Mr. Langedyke further indicated that Mr. Rhead's motive to obtain a variance, is to sell this 5.3 acres section, thus still leaving Mr. Rhead without access to this property on the south side.

Sid Davis stated that Craig Reagor had to follow this Ordinance, when Mr. Reagor requested a variance for the same Ordinance in question. Mr. Davis further stated there is a blind corner where Mr. Rhead would like to construct a driveway.

Mr. Rhead was then given the opportunity to rebut. Mr. Rhead stated he would like to build a nice fence and slope the sides of the driveway. Mr. Rhead further stated he would follow the recommendations by Kim Spencer, saying he would keep the driveway flat with the County road until the driveway was past the county right-of-way, then he would begin his seven (7%) percent grade, that Ralph Hopkins requires.

The hearing was then closed and the Board began their deliberations.

The Board referred to Zoning Ordinance, Chapter Fourteen, sections one and two (14.1 and 14.2), relying heavily on that a variance shall not be granted on the grounds of convenience or profit. The Board feels this request for a variance is for convenience.

The Board further discussed if this would cause an undue hardship on Mr. Rhead, if this variance was not granted, however, there is already access to this property on the north side, then again, this request is for convenience, and not necessity.

Nick Johnson made the motion that this request for a variance should be denied. Stan Wistisen seconded the motion. All were in favor to deny this request. This decision will be submitted to the Caribou County Commissioners for a final review and decision.

Mark Nicoll requested the Planning and Zoning Board approve an amended plat for the Caribou Mountain Ranches Subdivision and informed the Board of an update on the Grouse Creek Subdivision.

Mr. Nicoll stated they have reduced the number of lots from twenty-five (25) to eighteen (18) for the Caribou Mountain Ranches Subdivision. Mr. Nicoll stated five (5) of the lots required a special waste-water plant, and thus decided to do away with those five (lots) from the subdivision. Mr. Nicoll further stated the Health Department has approved this subdivision, since doing away with the said five (5) lots.

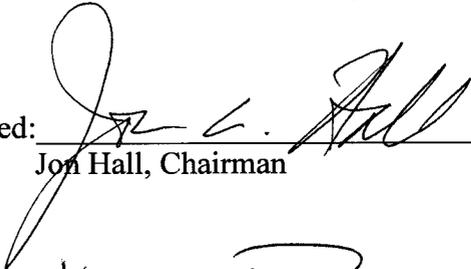
Mr. Nicoll then presented an amended plat for the Grouse Creek Subdivision. Mr. Nicoll stated they added four (4) additional lots and are currently working with the Health Department to approve those lots. Jon Hall made a motion to approve this amended plat, since the outer boundary remained un-moved. Stan Wistisen seconded the motion. All were in favor.

Ralph Hopkins submitted some changes that needed to be made to the Zoning Ordinances, Chapters three (3), twelve (12) and twenty-two (22). Mr. Hopkins stated the proposed changes have been given to the Caribou County Prosecutor for review.

Other Business: Information was given to the Board regarding Wind Generation Facilities. The Board requested this matter be set on next month's agenda.

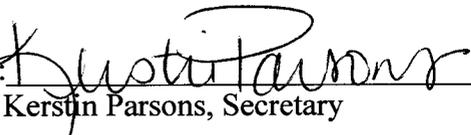
Meeting was adjourned at 7:30 p.m. The Caribou County Planning & Zoning Commission will meet on March 2, 2011, at 6:00 p.m. for a regular meeting.

Signed: _____

A handwritten signature in black ink, appearing to read "Jon C. Hall", written over a horizontal line.

Jon Hall, Chairman

Attested: _____

A handwritten signature in black ink, appearing to read "Kerstin Parsons", written over a horizontal line.

Kerstin Parsons, Secretary