

Commissioners Minutes

September 14, 2023 – 1:33 p.m. to 1:45 p.m.

**PUBLIC HEARING – TANNER VERHOEKS, OF HAVEN IDAHO, IS REQUESTING A CONDITIONAL REZONE OF PARCELS R28963, R2891010, R2891011 AND, R28961 FROM AN “A” (AGRICULTURE) TO CR-R-1 (CONDITIONAL REZONE – R-1 RESIDENTIAL) ZONE, CASE NO. CR2022-0005**

Commissioners Brad Holton, Zach Brooks and Leslie Van Beek

Deputy PA Zach Wesley, DSD Planner III Michelle Barron, Robbie Reno, Rick Brown, Tanner Verhoeks, Justin Ruthenbeck, Kyle Bellnap, Samantha Hammond, Nathan Orchard, Isaac Josifek, Julia Ruis, Sue Marostica, Russ Mueller, Victor Marostica, Luis and Irene Chovalk, Ted Zahradnicek, Tom Zahradnicek, Jim Danes, Cynthia Atnip, Doug Stittsworth, Jeff Larsen, Bradley Smith, Kim Smith, Jo Dee Arnold, Keri Smith

Deputy Clerk Monica Reeves



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The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Tanner Verhoeks of Haven Idaho for a conditional rezone from an “A” (Agriculture) to “CR-R-1” (Conditional Rezone - R-1 Residential) zone, Case No. CR2022-0005. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planner III Michelle Barron, Robbie Reno, Rick Brown, Tanner Verhoeks, Justin Ruthenbeck, Kyle Belnap, Samantha Hammond, Nathan Orchard, Isaac Josifek, Julia Ruis, Sue Marostica, Russ Mueller, Victor Marostica, Luis and Irene Chovalk, Ted Zahradnicek, Tom Zahradnicek, Jim Danes, Cynthia Atnip, Doug Stittsworth, Jeff Larsen, Bradley Smith, Kim Smith, Jo Dee Arnold, Keri Smith, and Deputy Clerk Monica Reeves. Commissioner Holton opened the hearing by telling the applicant, Tanner Verhoeks, that he sees significant material changes in the application that the P&Z Commission did not get to decide upon so he asked him to take the application back to the P&Z Commission. Tanner Verhoeks took a few minutes to discuss it with his team, and following that conversation he asked if the case could be scheduled immediately before the P&Z Commission. Deputy PA Zach Wesley said we have to make sure the noticing requirements are met for the P&Z Commission hearing, and DSD Planner Michelle Barron said November 2<sup>nd</sup> would be the earliest it could be scheduled. Mr. Verhoeks asked what the substantial changes were that Commissioner Holton referred to and in response, Commissioner Holton said two of the egregious ones dealt with the school and the water issues that the P&Z Commission did not have opportunity to hear. Justin Ruthenbeck said they want to respect the process the Board is trying to put in place and it makes sense to go through the process and try to do it right. There has been a lot of effort that went into making today’s hearing happen so it is frustrating but if the Board thinks that is the best way to get the best decision made for the County then they are willing to go along with it. He

asked if there will be a month's long delay after the P&Z Commission process. Commissioner Holton said it would not be that long, it would be much shorter. Mr. Ruthenbeck said they have questions about procedural issues and how the plat relates to the rezone request and they will discuss it with staff to see if it makes sense to change how that goes together. He said if the Board thinks it's better to take the application back then the applicant is comfortable tabling it. Commissioner Holton said it's his personal opinion it would better for the applicant. A member of the audience raised their hand to ask a question and Commissioner Holton said he is not comfortable taking questions from the audience, but said they could talk in the room afterwards but not on the record. Commissioner Brooks clarified that the Board cannot talk in the room afterwards. Commissioner Holton concurred with Commissioner Brooks and then he made a motion that the Board not proceed with today's hearing because the applicant is volunteering to go back before the P&Z Commission with current information that they presented to the Board that the P&Z Commission did not get to consider and we are in agreement that this would be the best thing to do with this application. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The proceeding concluded at 1:45 p.m. An audio recording is on file in the Commissioners' Office.