

**Custer County Commissioners
Public Hearing Minutes
Fred Hill Rezone
August 31, 2022**

Call to Order at 6:00 p.m.

Roll Call

Present: Commissioner Wayne Butts, Commissioner Randy Corgatelli, Commissioner Steve Smith, Clerk Lura Baker, Planning & Zoning Administrator Jessica Clemenhagen. In the audience Fred Hill, Brandon Jones, Mike Newmyer, and Brett Plummer.

Public Hearing Called to Order at 6:00 p.m. (Recorded)

Commissioner Chairman Wayne Butts called the public hearing for a zoning change from Residential to Commercial on Fred & Sue Hill's property. He reviewed the process and the rules of testimony for those attending.

Applicant Testimony: Fred Hill stated the reason he is requesting his property to be rezoned is that his shop building is located on the 5.8 acres that should be zoned commercial. He operates his septic and portable toilet business from this site, as well as doing excavation work. This area was previously used for a trailer park as well as a sawmill site. When the zoning was established it became residential, but the use has remained commercial. I work throughout Custer County and have a staff of six employees. I would like to keep the trailer park spaces available to provide work force housing opportunity for my employees. Currently it is extremely difficult to locate a place to live if you are new to the Challis area. The existing septic system is adequate for three trailer hookups at this time. I would like to install a system large enough for 8 trailer hookups in the near future, to assist with the local workforce housing shortage. The Sheriff's Office is having a real problem trying to locate a place for their new deputies to live, and I plan to work with the Sheriff's Office and help out.

Planning & Zoning Administrator Testimony: Jessica Clemenhagen parcel #RP14N19E288490 is located at Sawmill Place, and I show a record of 6.11 acres. The Public Hearing Notice was posted in the Challis Messenger on May 9, 2022. Notices were mailed to all property owners that live within 300 feet of the property boundary. The property was physically posted on May 30, 2022. Notices were posted on the Custer County Courthouse doors and uploaded to the Custer County Planning & Zoning web page. Notices were also given to Challis City Hall, North Custer Fire Department, Custer County Sheriff Office, Eastern Idaho Public Health Dept., and Salmon River Electric. The application was received on February 10, 2022 and found to be complete. The parcel is currently zoned residential and exists within the Challis area of city impact, as it sits next to the Challis city limits. There are currently vacant trailers and multiple structures on the parcel. The parcel has a well and is being used for a commercial business. The owners wish to continue using the parcel for their commercial business. The proposed rezone request seems to be compliant with Custer County zoning ordinance 2007-09, no letters or comments were received by the Custer County Planning and Zoning Department. On June 22,

2022 the Planning and Zoning Commission held a Public Hearing, deliberated and made a decision to give the Custer County Board of Commissioners their recommendation of rezoning this property from residential to commercial.

Chairman Butts inquired about why the commercial use of this parcel was missed in 2007 and listed it as residential. Being a life long Challis resident Chairman Butts can verify that the Crane Sawmill was on this site for many years. Perhaps it was just an oversight?

Jessica responded that the long time commercial use of this parcel is a well known fact. There are quite a few parcels where their commercial use is grandfathered in, such as May Family Ranch. The ordinance states that they can continue the use as it, but when a parcel is sold and/or the use changes, then they must request a rezone hearing.

Chairman Butts inquired about when the property line was moved to where it is now located?

Fred Hill responded that the current property line is the same as when he purchased the property three years ago. The only change made, was to separate the lot that Hazel Crane kept.

Commissioner Corgatelli has also lived here many years, and stated the property was always used as a sawmill.

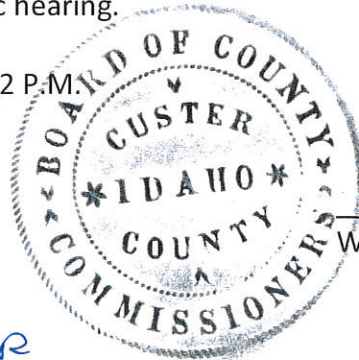
Jessica clarified that the property that was split off for Hazel Cranes residence will remain zoned as residential, and only the parcel owned by Fred Hill will change to commercial zoning.

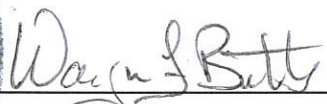
There was no Neutral testimony or Opposition testimony. Chairman Wayne Butts then concluded the public hearing at 6:10 PM.

Deliberation was held between Commissioner Corgatelli, Commissioner Smith and Chairman Butts.

Commissioner Smith felt the information given cemented his agreement with the Planning & Zoning Commissions decision. Commissioner Corgatelli then moved to affirm and hold with the Planning and Zoning Commissions decision that this parcel owned by Fred & Sue Hill be rezoned from residential to commercial. Commissioner Smith seconded the motion. Roll call vote; Butts/Aye, Smith/Aye and Corgatelli/Aye. Motion passed. The deliberation was closed at for the Fred Hill rezone public hearing.

Hearing Adjourned at 6:12 P.M.




Wayne F. Butts, Chairman



Attest: Lura H. Baker, Clerk