



Planning & Zoning Commission  
30 North Main Street  
Paris, Idaho 83261  
Phone: 435-946-2198

**PLANNING & ZONING MEETING**  
**January 19, 2022**  
**Paris Courthouse Commissioner's Room**  
**PARIS, ID.**

ATTENDANCE: CHAIRMAN ALBERT JOHNSON  
KRISTY CRANE -VICE CHAIRMAN  
SEAN BARTSCHI  
KAY BECK  
DEVIN BOEHME  
ROB SMITH  
PATRICK REESE  
MITCH POULSEN, ADMINISTRATOR  
WAYNE DAVIDSON, SECRETARY

Chairman Johnson began the meeting at 7:01 pm.  
Pledge of allegiance led by Kristy Crane

No changes to the agenda.

- **Motion to approve the agenda** is made by Kristy Crane, seconded by Sean Bartschi all in favor.
- **Motion to go into hearing for the Diane Wellisch Rezone** is made by Devin Boehme, seconded by Kay Beck, all in favor.

Diane Wellisch has 20 acres in Dingle where they also live. When they moved there, they built a house on part of the property, and always thought they would like to build a second house on a different part of the same lot. They were pleased to have "two lots" to build on. Around 2005 they built the first house and then put a foundation for a second house on the same land. Now they want to split the land that includes the foundation so someone else could use it. To do this they need to rezone the land first.

Mitch mentions that the condition of the rezone is that the road has to be 18 feet wide and maintained year-round. William Wellisch trustee on this says the county used to plow further down the road but now they don't. Now the county doesn't plow past his house. Some discussion on the county possibly plowing further, right now unlikely the county will plow further since the road is so narrow.

Mark Ipson owns adjacent property to the south. He isn't opposed to the building but says the road should be wide enough, 60 feet and the rezone should not be allowed unless the road is wide enough. If the road is legal there is no problem if it's not legal, it should not be done.  
No more comments from the audience.

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Board brings up Pictometry to look at the road. The road is narrow and has tight turns. There is at least one irrigation ditch along much of the road in question making it difficult to widen except on the opposite side only, which is the Welsch's side.

- **Motion to go out of Wellisch hearing** is made by Patrick Reese, seconded by Sean Bartschi, all in favor.

Deliberation can this be approved. Don't think so, the road is too narrow. This is in the overlay zone. Patrick reads from the book; people have the option to bring the road up to standards. The Welsch's would be willing to move their fences into their place to give room to add road surface. The road couldn't be widened to the North there are ditches and swamps there. They do need a county sized road to rezone not necessarily to get a building permit. Opinion by the board should deny it until they can get the road issue fixed. As it is now the garbage truck don't go there now, and what about fire trucks?

- **Motion to deny the request for Wellisch rezone** noting if the Welsch's can bring the road up to the needed 18-foot width drivable surface to access their property in question and if the county will accept the road for year-round maintenance, then the board could review it again, made by Kristy Crane seconded by Sean Bartschi, all in favor.

Ed Kunz family lot split, on Bern Road. Everything is in order; it all meets the requirements of the ordinance.

- **Motion to approve the Ed Kunz family lot split** is made by Sean Bartschi, seconded by Devin Boehme, all in favor.

Devin Budge presenting Moose Hollow Subdivision gives handouts to the board. Devin has some objections to some of the requirements the board required when he presented this subdivision before. He is hoping to negotiate for some leniency. Since last meeting they did 8 perk tests on the 8 lots. They want to move the HWY access to a spot further East. The highway department is happy with a better place for the road. The original property owners with houses already there will access with the new road too. Devin wants an exception to the perimeter fencing and length of roads to the cul-de-sacs. He thinks it will be hard to build a fence. The roads are over 500 feet in length. He also wants a variance on the 5-year waiting period from the first lot split. The board pointed out that if they do the lot split then there would be the 5-year waiting period. He would also like a variance for the two-access road requirement. The highway department don't want two accesses onto the HWY, but the ordinance requires two access for this size of subdivision. Devin admits they could agree to building the fence. Ordinance says the fence needs to be on three sides not the HWY side. The board suggest a second access could be a deeded easement on the plat on the south lots and not built until the neighbor decides to develop. At that point it could be completed with an access connecting to Pole Canyon Rd. Board suggests there could be a building envelope on each lot consistent with preliminary septic approval to identify where is best to build. The 5-year requirement is waved because they are doing a subdivision and will include the first lot split. The lot split wasn't used to make a subdivision, it is the other way around. An HOA is needed to maintain the subdivision fences

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and the roads. The reason we are allowing the waiver for the second access is because the highway department won't allow them two accesses to the HWY. They need to get with Mitch, Mitch will check with the engineer on the cul-de-sac and length of roads. If they correct these issues they can move forward.

Jordan Bills Subdivision Concept Plan. They have 300 plus acres North of ST Charles, they want to build a 9-lot subdivision on about 75 acres, then make 3 lot splits on some separate parcels about a half mile away from the subdivision. The 3 lots will be for three of their family to build personal homes. The 9 lots will be to sell. They would like to do this at the same time, but they are two different projects. They think the ordinance requiring two access roads is vague. Can they do a one way in and out? They have 100' easement into their property from the highway. Can they do both splits at the same time? They prefer to do it all at once. Would it be different if they came at different times for each division? The 75 acres 9 lot split is zoned Ag, it will have to be rezoned. The 3-lot split can remain AG and can't be split again without a rezone. If they change the zoning to Recreational for the 9-lot split, they can do it without being adjacent to a county road.


Old business, Mitch has some changes in the ordinance for the board to review.

The minutes from last month will be approved in the next meeting.

- **Motion to adjourn** the meeting is made by Sean Bartschi, seconded by Devin Boehme, all in favor at 10:01pm

**APPROVAL OF MINUTES:**

  
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Albert Johnson, Chairman

  
\_\_\_\_\_  
Date





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*Phone: 435-946-2198*

**TO: BEAR LAKE COUNTY PLANNING & ZONING COMMISSION**

FROM: Albert Johnson, Chairman, Bear Lake County Planning & Zoning Commission

DATE: Tuesday, January 11, 2022

RE: Bear Lake County Planning and Zoning Meeting

**The Bear Lake County Planning & Zoning Commission will hold its regular scheduled meeting on Wednesday, January 19, 2022 at 7:00 pm**  
At the Bear Lake County Courthouse 30 N. Main Paris, Idaho.

**Public Hearings:**

Diane Wellisch/ Rezone- 391 E. Center Street, Dingle

**Action Items**

1. Approval of Agenda
2. Diane Wellisch/ Rezone - 391 E. Center Street, Dingle ID
3. Diane Wellisch/ Lotsplit-391 E. Center Street, Dingle ID
4. Devin Budge/ Moose Hollow Subdivision conditions review- Parcel # 2751.02 - Sharon ID
5. Ed Kunz/ Family Lot split- T-12, R-43, Section 35- Bern ID
6. Jordan Bills/ Subdivision concept plan- Parcel #5269, #5272 & #4734
7. Work meeting
8. Old Business
9. Approval of minutes
10. Adjournment

If you need an accommodation under the Americans with Disabilities Act, contact the Bear Lake Planning & Zoning Commission at 435-946-2198. Please allow three working days for a response.