

**City of Heyburn Planning & Zoning Meeting & Public Hearing**  
**Tuesday, May 21, 2024**  
**4:00 P.M.**

**Welcome, Declaration of a Quorum:**

Planning & Zoning Chairperson Heather Petersen welcomed everyone to the meeting at 4:00 p.m. A quorum was confirmed, those present with the Chairperson were Amy Despain, Bryan Jensen, Cindy Povlsen, and Rose Schmitt. Employees present were Tony Morley, Paul Ross, Jerome Fagaldefeg, and Debra Encinas.

**Discuss / Consider Approval of the Minutes of the April 16, 2024, Planning & Zoning Meeting & Public Hearing – ACTION ITEM**

Motion by Rose Schmitt to approve the minutes of the April 16, 2024, Planning & Zoning Meeting & Public Hearing as presented. Second by Amy Despain. Vote: All in favor, none opposed.

**Public Hearing – Annexation and Zoning pursuant to Idaho Code 50-222 and 67-6511 of the property belonging to Moyle Holdings, LLC, located at 2536 21<sup>st</sup> Street, Heyburn, ID. This property is currently zoned by Minidoka County as Agricultural Low, and the City proposes the zoning be Commercial General after annexation.**

Paul Ross City Attorney presented. Mr. Ross explained that this is the tannery property on 21<sup>st</sup> street next to 600 West Road. Mr. Ross said they have been on city services for over the time frame permitted and that City Council had indicated previously that all properties that were on city services should be annexed and brought into city limits. Mr. Ross stated that this is a Category B Annexation so there are some additional findings and stuff that we have to go through. This is both for annexation and zoning because it is a Category B, where normally it's just the zoning. The commission also has to find that the annexation is appropriate and make that recommendation.

Chairperson Heather Petersen opened the public hearing.

Those speaking in favor of Annexation and Zoning for Moyle Holdings, LLC were: None.

Those speaking who are neutral to Annexation and Zoning for Moyle Holdings, LLC were: None.

Those speaking who are against Annexation and Zoning for Moyle Holdings, LLC were: None.

Hearing no further comments, Chairperson Heather Petersen closed the public hearing.

**Discuss / Consider recommending to City Council Annexation and Zoning pursuant to Idaho Code 50-222 and 67-6511 of the property belonging to Moyle Holdings, LLC, located at 2536 21<sup>st</sup> Street, Heyburn, ID. This property is currently zoned by Minidoka County as Agricultural Low, and the City proposes the zoning be Commercial General after annexation – ACTION ITEM**

The Planning and Zoning Commission found that the land to be annexed meets the applicable requirements of this section and does not fall within the exceptions and the annexation is consistent with public purposes as outlined in the annexation plan and the annexation is reasonably necessary for the orderly development of the city.

After discussion, motion by Amy Despain to recommend to City Council Annexation and Zoning as Commercial General pursuant to Idaho Code 50-222 and 67-6511 of the property belonging to Moyle Holdings, LLC. Second by Rose Schmitt. Vote: All in favor, none opposed.

**Public Hearing – Application for Variance submitted by Douglas Family Properties, LLC requesting to allow an RV Park on 1.75 Acres on their properties located at 451 18<sup>th</sup> Street and 1750 Highway 30, Heyburn, ID. Heyburn’s Zoning Ordinance requires a minimum of 2 acres to establish an RV Park. These properties are located in a Commercial General Zone.**

Wylee Douglas, owner of Douglas Family, LLC presented. Mr. Douglas explained that they purchased the Lazy Y Mobile Home Park located at 451 18<sup>th</sup> Street to clean up the appearance and presentation of their property located at 1750 Highway 30. After purchasing the property, they became interested in RV spots for their students. Mr. Douglas stated that it was impossible to get an RV spot in Minidoka or Cassia Counties during the summer and fall for the 12 weeks that their students are here for classes. Mr. Douglas said they would like to build 4 RV spots on the north end of the property, as well as a restroom and laundry facility in an existing structure on the property. The rest of the property will be an extension to the Prime Line Academy business.

Tony Morley City Administrator explained that the Variance and Special Use Application for Douglas Family Properties are traveling together, one is no good without the other. Mr. Morley asked the Planning & Zoning Commission to consider both.

Mr. Douglas said that the 4 RV spots will be for their students only, this will help their students have affordable housing. Mr. Douglas said these are full-time students, they don’t work. Mr. Douglas said they have no interest in anyone else living in these RV’s, they are solely for their students. Mr. Douglas said they will only be adding gravel to the property, no cement or grass or any other landscaping to avoid costs. Mr. Douglas has been trying to reach the trailer park owner behind his property to see about adding a privacy fence and maybe sharing costs with the other owner.

Mr. Morley stated that this is strictly limited to 4 RV spots only.

Mr. Douglas said Project Mutual Telephone does not have any facilities on their property, he called for a line locate for them and there weren’t any, they have some abandoned facilities but are in the process of putting fiber in along highway 30. Mr. Douglas said the City of Heyburn has a right-of-way through the middle of the property, the city easement is not recorded.

Chairperson Heather Petersen opened the public hearing.

Those speaking in favor of the Application for Variance submitted by Douglas Family Properties, LLC were: None.

Those speaking who are neutral to the Application for Variance submitted by Douglas Family Properties, LLC were: None.

Those speaking who are against the Application for Variance submitted by Douglas Family Properties, LLC were: None.

Hearing no further comments, Chairperson Heather Petersen closed the public hearing.

**Discuss / Consider Application for Variance submitted by Douglas Family Properties, LLC requesting to allow an RV Park on 1.75 Acres on their properties located at 451 18<sup>th</sup> Street and 1750 Highway 30, Heyburn, ID. Heyburn's Zoning Ordinance requires a minimum of 2 acres to establish an RV Park. These properties are located in a Commercial General Zone – ACTION ITEM**

After discussion, motion by Bryan Jensen to approve the Application for Variance submitted by Douglas Family Properties, LLC requesting to allow an RV Park on 1.75 Acres on their properties located at 451 18<sup>th</sup> Street and 1750 Highway 30, Heyburn, ID with the ongoing Special Use Permit that will be discussed. Second by Amy Despain. Vote: All in favor, none opposed.

**Public Hearing – Application for Special Use Permit submitted by Douglas Family Properties, LLC requesting to allow 4 RV Spots that will be for Prime Line Academy Students on their properties located at 451 18<sup>th</sup> Street and 1750 Highway 30, Heyburn, ID. These properties are located in a Commercial General Zone.**

Mr. Ross presented.

Mr. Douglas said there will be one security light on the restroom/laundry building just to meet the electrical code.

Chairperson Heather Petersen opened the public hearing.

Those speaking in favor of the Application for Special Use Permit submitted by Douglas Family Properties, LLC were: None.

Those speaking who are neutral to the Application for Special Use Permit submitted by Douglas Family Properties, LLC were: None.

Those speaking who are against the Application for Special Use Permit submitted by Douglas Family Properties, LLC were: None.

Hearing no further comments, Chairperson Heather Petersen closed the public hearing.

**Discuss / Consider Application for Special Use Permit submitted by Douglas Family Properties, LLC requesting to allow 4 RV Spots that will be for Prime Line Academy Students on their properties located at 451 18<sup>th</sup> Street and 1750 Highway 30, Heyburn, ID. These properties are located in a Commercial General Zone - ACTION ITEM**

After discussion, Mr. Ross read the conditions required for the Special Use Permit:

- Only for students, not for public use
- Only 4 RV spots
- Required fencing/privacy
- Non-transferrable
- 3 and a half-month max (12-week course)
- Comply with all building codes and fire codes
- Execute any easements if necessary to preserve city water and sewer

- Comply with dark sky
- Road base discussion (part of fire code already being discussed)
- Special Use Permit and Variance are linked (both are in existence together they are not mutually Exclusive)

Motion by Amy Despain to approve the Application for Special Use Permit submitted by Douglas Family Properties, LLC requesting to allow 4 RV Spots that will be for Prime Line Academy Students on their properties located at 451 18<sup>th</sup> Street and 1750 Highway 30, Heyburn, ID with the conditions that were just discussed and outlined. Second by Rose Schmitt. Vote: All in favor, none opposed.

**Discuss / Consider recommending to City Council the Application for Blue River Estates Phase III Final Plat submitted by Roy and Bret Belnap for their property located at PART OF BLK 219 HEYBURN TOWNSITE & VACATED LINCOLN BLVD LESS BLUE RIVER ESTATES PHASE 1 22-10-23 and LESS BLUE RIVER ESTATES PHASE II 22-10-23. This property is currently zoned Residential Low – ACTION ITEM**

After discussion, motion by Amy Despain to recommend to City Council the Application for Blue River Estates Phase III Final Plat submitted by Roy and Bret Belnap for their property located at PART OF BLK 219 HEYBURN TOWNSITE & VACATED LINCOLN BLVD LESS BLUE RIVER ESTATES PHASE 1 22-10-23 and LESS BLUE RIVER ESTATES PHASE II 22-10-23. Second by Rose Schmitt. Vote: All in favor, none opposed.

**Training:**

No training due to lapse of time.

**Motion to Adjourn – ACTION ITEM**

Motion to adjourn the meeting by Bryan Jensen. Second by Cindy Povlsen. Vote: All in favor, none opposed.

The meeting adjourned at 5:24 p.m.

Heather Petersen  
Chairperson

Debra Encinas  
Planning & Zoning Clerk