

## DALTON GARDENS P&Z SPECIAL MEETING MINUTES

Tuesday, September 16, 2025

1. **Call to Order:** The Chairman called the meeting to order at 8:00 a.m.
2. **Roll Call**  
*Present:* Chairman Mike Becker, Commissioner Melissa Cleveland & Ron Sampert  
*Absent:* Commissioner Chad Haunschuld & Caitlin O'Brien  
*Commissioner Staff Present:* City Clerk Sandy McFarland & City Planner Jill Ainsworth

3. **Approval of Short Plat Application (SP-25-1)-Kane Residence**

The Planner gave a brief overview of Short Plat application SP-25-1, noting that the parcel had been illegally subdivided, though not due to any fault of the current owners. She then presented her findings and conclusions regarding the property. The Commission reviewed the materials and posed questions to Mrs. Kane, Troy James, and their surveyor, Jason MacLeod.

Motion by Cleveland, seconded by Sampert, to approve Short Plat application SP-25-1. Based on the Findings of Fact and Conclusions of Law set forth in this document, the Planning Commission **APPROVES WITH CONDITIONS** the short plat application.

### Conditions of Approval:

- 7.01 DGCC 5-5-4(B) states: "...accessory building(s) more than seventy-five feet (75') from the front property line shall have a side yard not less than five feet (5'). The 115 square foot shed (16' x 7') located on Lot 2, Block 1 is 1' 7" from the property line and will become a non-conforming structure with the subdivision. When said building is removed it may not be replaced at that location, it shall comply with the setbacks in effect. Applicant Jelmsberg may seek a non-conforming certificate for that structure.
- 7.02 The applicant shall obtain a "will serve" letter from Dalton Water Association that indicates that they have the capacity and willingness to serve water to the unimproved lot within subdivision and outlines any system improvements that are required. Anywater system improvements, other than the setting of meters, required by the Dalton Water Association to provide water services to the lots of this subdivision shall be completed prior to submission of the final plat to the City for signature.
- 7.03 The applicant shall comply with the requirements of the Panhandle Health District and shall have the sanitary restriction lifted prior to submission of the final plat to the City for signature.
- 7.04 Lot 1, Block 1 is prohibited access to the E Prairie Avenue unimproved right of way located at the north boundary of said parcel until such time the right of way is improved to the City's Road standard and any necessary approach/access permits have been approved by the City.
- 7.05 Water service to that parcel of land adjacent to the subject site, being the west half of Tract 81, Dalton Gardens Addition to Hayden Lake Irrigated Lands runs through Lot 1, Block 1 of this plat. It is the responsibility of the Applicant in coordination with the beneficiary of the water service line to relocate the water service line prior to or during house construction and same shall

Special Planning and Zoning Regular Meeting Minutes

September 16, 2025

Page 2

---

prepare and record an easement for any portion of said water service that remains within this plat once it is recorded.

7.06 Applicants shall remove the large growth tree that is located on the right of way line, of N Mt. Carrol Street fronting Lot 1, Block 1 within 90 days of subdivision approval.

7.07 The drain field serving Lot 2, Block 1 is located on Lot 1, Block 1 within an easement shown on the plat. Upon replacement of said drain field due to failure or other reasons, the owners of Lot 2 shall construct the new drainfield on Lot 2 in the replacement drainfield area shown on the face of the plat. At that time the drainfield easement shall return to the owners of Lot 1, Block 1. Prior to recording the plat, Applicants shall amend the plat to show drainfield replacement area on Lot 2 prior to recordation.

**Result: Passed**

**AYES:** Cleveland & Sampert

**NAYS:** None

**ABSTAIN:** None

**RECUSE:** None

**4. Adjournment**

Moved by Sampert and seconded by Becker to adjourn.

**Result: Passed**

**AYES:** Cleveland & Sampert

**NAYS:** None

**ABSTAIN:** None


**RECUSE:** None

The Chairman adjourned the meeting at 8:56 a.m.

Passed this on 2 day of October.

ATTEST:

  
Sandy McFarland, City Clerk

  
~~Mike Becker, Chairman~~  
Melissa Cleveland, Commissioner.