

CITY OF GRACE
PLANNING & ZONING COMMISSION
VARIANCE HEARING AND REGULAR MEETING
HELD ON JULY 14, 2016

PRESENT: Chairman Randy Nelson
Commission Members: Don McLain, Sadie Sant, Angelyn Smith, David Pristupa
Zoning Clerk: Loy Raye Phillips

OTHERS PRESENT: Jeremiah Sweet, Adecca Sweet, Jackie Barthlome, Michelle Rasmussen

Chairman Nelson called the Variance hearing to order at 7:00 p.m. Welcoming those in attendance.

Invocation: Commission Member Pristupa
Pledge of Allegiance: Clerk Phillips

Chairman Nelson asked the Commission Members if they had read the previous meeting minutes and if they had any corrections. Motion to approve the minutes of the regular meeting held on June 22, 2016 was made by Commission Member Pristupa. Motion was seconded by Commission Member McLain. Motion passed unanimously.

Report from City Council: Chairman Nelson stated that he had nothing to report from the City Council meeting.

The purpose of this hearing is for Variance Permit # 2016-1.

Chairman Nelson asked everyone to state their name: Chairman Randy Nelson, Don McLain, Sadie Sant, Jeremiah Sweet, Adecca Sweet, Jackie Barthlome, Angelyn Smith, Dave Pristupa, Loy Raye Phillips.

Jeremiah and Adecca Sweet, are requesting approval of a Variance permit # 2016-2 to build a shed on the east side of their property two feet (2') which is three feet (3') closer than allowed by ordinance and four feet (4') on the south property line which is one foot (1') closer than allowed by ordinance. The address of the property is 376 N. 2nd E.

Chairman Nelson turned the time to Mr. Sweet to comment about the shed and why the Variance is needed. Mr. Sweet stated that the shed would be one foot off the Kap's property line. When the Gas Company marked the gas line they found that it would be two feet (2') over on the gas line. The shed will have to go a foot out from Kap's fence. It is ten feet off the corner of the fence where the gas line runs off the corner of the house. Instead of the four feet (4') it will have to be two feet (2'). It would need to be one foot (1'). Discussion was had on how the Kaps felt about this. The snow is going to come off on Kap's fence. Discussion was had on Kap's building their fence three feet (3') inside of their property line. Mrs. Sweet stated that the slope of the property was the reason the fence was inside the property line three feet (3') and it was okay with the Kaps for the Sweets to put their building on the property. Discussion was had on Mr. and Mrs. Sweet doing the installation of the shed and the type of shed being built. Mr. Sweet stated it is a prebuilt shed with a wood floor which will bolt to rail road ties as an anchor and the height of the shed at eight feet (8') high.

Chairman Nelson asked if there were any more questions. Commission Member McLain asked for clarification on the Kaps fence being three feet (3') in on their property and Mr. and Mrs. Sweet want to put the shed one foot (1') on the Kap's property. What would happen if Kap's decide to sell their property would this cause a conflict in the sale of their property? Mrs. Sweet stated that after three years that becomes your property line. Discussion by the Commission is that there is a question of how this would work. Discussion was had on this not being an issue as the shed is not permanent. It is temporary and can be moved.

Chairman Nelson asked for the letters received from the property owners within three hundred feet (300') that have been returned to the Planning & Zoning Commission:

Tod & Raquel Kapp Supports Applicant

Comments: We are writing this letter to show our approval and appreciation for Jeremiah and Adecca Sweet in their wanting to put up a shed. They have a beautiful home and yard and just want to continue with that. We are grateful for good neighbors who care about their property and what it looks like.

Gary Etchison Supports Applicant

Comment: It is their property let them do as they please!

Kathie Sweet Supports Applicant

Nancy Lofthouse Supports Applicant

Jesus' Mejia Neutral

Rosario Rodriguez Neutral

Kevin & Lori Fredrickson Supports Applicant

Kayleen Burton Supports Applicant

Comments: It is their property so why should I care.

Steven Rigby Neutral

La Rae Mallory Supports Applicant

David Yount Supports Applicant

Sylvia Lakey Letter returned to sender.

There were eight (8) who Supports Applicant and three (3) who were Neutral and Zero (0) against.

Chairman Nelson closed the Variance hearing and moved on to the regular Planning & Zoning Commission meeting.

Chairman Nelson asked the Commission Members if there was enough information for a vote to send Setting Permit #2016-18 to the City Council with Variance Permit # 2016-1 for the City Councils approval.

Commission Member Smith made the motion to approve Variance Permit # 2016-1 for Jeremiah and Adecca Sweet a shed, sending it on to the City Council. Motion was seconded by Commission Member Sant. Motion to approve Variance Permit #2016-1 passed unanimously.

Other Business:

The Planning & Zoning Commission needs to set a hearing date for Scott & Michelle Rasmussen a Variance Permit for a garage and fence. Discussion was had on the height of the garage being thirty feet (30') in height to match the height of the home. The Planning & Zoning Commission set Thursday August 4, 2016 at 7:00 p.m. for the Variance hearing.

The regular meeting scheduled for July 27, 2016 is on fair week which is a conflict with members of the Planning & Zoning Commission so the meeting has been canceled. The Commission is holding extra meetings to accommodate Citizens who are requesting Variances.

Comprehensive Plan:

Chairman Nelson reminded the Planning & Zoning Commission that Susan Lorenz from Southeast Idaho Council of Governments will be here on Wednesday August 24, 2016 at 7:00 p.m. to do the Comprehensive Plan. This will be the only item on the agenda at this meeting. Ms. Lorenz needs the full meeting. A suggestion was made that the Planning & Zoning Commission meet at 6:00 p.m. Discussion was had on those who work not being able to attend until the regular time of 7:00 p.m.

Zoning Business:

Discussion was had on needing a list of names for people who could serve on the Planning & Zoning Commission. Discussion was held on someone from the Agricultural area, but it does not necessarily need to be from the Agriculture area, it would be nice to cover a spectrum of all areas in the City.

Chairman Nelson stated there is a Planning & Zoning Commission meeting scheduled for Tuesday September 20, 2016 at 7:00 p.m. he has asked Jim McNall from ICRMP to come and present training for the Planning & Zoning Commission. Mr. McNall will help the new members of the Commission learn how to conduct Amendment, Variance, Conditional Use Permit hearings and regular meetings. Mr. McNall will go over the correct way to hold these types of hearings and meetings. Mr. McNall knows all the legal ins and outs of the law and can help the Commission work more efficiently.

Discussion was had on presenting a name to the City Council so that the new Commission Member could be on board by September 20, 2016 for the training. The Commission will need a full quorum at this meeting. Discussion was held on Chairman Nelson's term of office being up in November which is a three year (3) term and Commission Member Smith's term being up in July which is a four year (4) term. Commission Member Smith stated that she has agreed to stay on as a Planning & Zoning Commission Member for the next four years (4).

Discussion was had on if the Commission still needed a motion to call the meetings to order and a motion to adjourn meetings. Discussion was held on no motion being needed to adjourn at the City Council meetings. The Planning & Zoning Commission will keep adjourning meetings until we are told otherwise.

Discussion was had on Variances being needed for most all building being done anymore. Discussion was had on the push to get something done right now. This Commission will try to accommodate Citizens to help them accomplish what is needed. Discussion was had on placing buildings and fences on someone else's property without following the proper procedure to build on others property. It is best to stay on your own property. Discussion was had on pins or survey markers making things easier to stay within the guide lines when you add fences, buildings, etc.

Discussion was had on who checks on the 35% of area allowed to be covered in R 1 Residential with the home, sheds, garage, etc. and who makes sure they are in compliance.

Motion to adjourn the meeting was made by Commission Member Pristupa. Motion was seconded by Commission Member McLain. Motion passed unanimously.

Announcement: Variance hearing #2016-2 for Scott & Michelle Rasmussen Thursday, August 4, 2016 at 7:00 p.m.

Meeting adjourned at 7:45 p.m

ZONING CLERK

APPROVED _____
CHAIRMAN

DATE _____