

MINTUES
PAYETTE PLANNING & ZONING
Public Hearing & Regular Meeting
January 22, 2015

6:01 PM – Regular Meeting

ROLL CALL: Jim Franklin, Randy Choate, Gary Youngberg and Jody Henderson
Members Absent: Tom Ladley, Cassandra McElravy and Kevin Hanigan
Staff Present: Mary Cordova, City Coordinator; Tiffany Howell, P & Z Administrator

I. APPROVAL OF MINUTES

A. 12-15-2014 Regular Meeting Minutes

A motion was made by Youngberg and seconded by Franklin to approve the regular meeting minutes 12-15-2014.

After a unanimous voice vote by the Commission, the motion CARRIED.

II. COMMUNICATIONS

None heard.

III. PUBLIC HEARINGS

A. An application by Judy Kindall for a Conditional Use Permit to build a 40'x60' storage building at 390 3rd Avenue North, Blks 14 & 15, Tioga Addn. The property is zoned Industrial.

Levi King –

Mr. King stated that they had the lot surveyed and new pins put in. They want to build a pole building with cement flooring for the bee equipment. Mr. King stated that they currently have a building on the property that they are going to tear down. Commissioner Franklin asked if there are stipulations on the size would that be ok. Mr. King stated that would be ok. Commissioner Franklin asked what the maximum peak height would be. Mr. King stated that it would be a max of 24'. Commissioner asked if there will be an plumbing. Mr. King stated no.

Public Hearing Closed at 6:08pm.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

A. Judy Kindall – CUP – 390 3rd Avenue North

A motion was made by Franklin and seconded by Henderson to approve the CUP for Judy Kindall at 390 3rd Avenue North with the following stipulations:

structure shall be used exclusively now and in the future, as a storage building; structure shall not exceed 2,400 square feet; structure shall not be used at any time for any residential purpose; structure shall not exceed 24' in height; structure must be in compliance with all applicable setbacks; lot line must be complete prior to issuing a building permit; and all federal, state or local rules or regulations must be met.

A motion was made by Franklin and seconded by Henderson to approve the regular meeting minutes 12-15-2014.

After a unanimous voice vote by the Commission, the motion CARRIED.

B. Nonconforming Use -

Cordova informed the Commission that our code allows nonconforming uses until the use no longer exists. Commissioner Franklin asked if this code is currently in place. Cordova replied yes, and this is very common among cities. Cordova stated that the Council has sent this to the Planning & Zoning Commission for their input and for any proposed changes. Cordova pointed out that on page 15, we cannot discontinue the use of a nonconforming use, but the owner is not allowed change it or expand the nonconforming use, it has to be exactly the same way. Commissioner Youngberg asked if a property owner could get a CUP or variance. Cordova stated no. Cordova continued that the owner of a nonconforming use is allowed to cosmetically improve the use, and on page 14, in the first section it says that if a nonconforming use is damaged by an act of god you cannot exceed 60% of the value of the construction, unless it conforms with the current zoning laws. Cordova stated that you can do "normal" wear and tear, for example painting a property, or replacing carpet. In front of you is a chart as to what other cities do. The council also wanted you opinion to see if there is anything else you wanted changed.

This item was postponed to the next meeting in order for the Commission to read through the ordinance.

VII. PUBLIC COMMENT

None heard.

VIII. ADJOURNMENT

A motion was made by Henderson and seconded by Franklin to adjourn the meeting at 6:33 p.m.

After a unanimous voice vote by the Commission, the motion CARRIED.

Recording Secretary
Tiffany Howell