

**MINTUES**  
**PAYETTE PLANNING & ZONING**  
**Public Hearing & Regular Meeting**  
**March 26, 2015**

**6:02 PM – Regular Meeting**

ROLL CALL: Jim Franklin, Randy Choate, Gary Youngberg and Jody Henderson  
Members Absent: Kevin Hanigan  
Staff Present: Tiffany Howell, P & Z Administrator; Bobbie Black, Deputy City Clerk

I. APPROVAL OF MINUTES

A. 02-26-2015 Regular Meeting Minutes

A motion was made by Franklin and seconded by Hanigan to approve the regular meeting minutes 01-22-2015.

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

II. COMMUNICATIONS

Cassandra McElravy has resigned from the P&Z Commission

III. PUBLIC HEARINGS

A. An application by Brandy Taylor for a Variance to the street frontage requirements 1839 1<sup>st</sup> Ave So., W 37.5' Vacated 19<sup>th</sup> St, Blk 1 Payette Heights. The property is zoned A-Residential.

Brandy Taylor – 1835 1<sup>st</sup> Ave So; Payette, Idaho 83661

Ms. Taylor stated that her property has two homes and she is being taxed on two homes, but she cannot sell two homes. She would like this to be approved so she can sell the property and it will raise the property values of the homes on the block. Commissioner Choate stated that it would appear that the lot line is on both properties. Ms. Taylor stated that she would like to make this two properties and the second property would be 60'. Commissioner Franklin asked if she had a survey done. Ms. Taylor stated no, she was told this is the first step, and then she would need to do a lot line adjustment. We really just want to make sure that we have the 8' clearance on both sides which we would if the variance was approved.

James Taylor – 1835 1<sup>st</sup> Ave So; Payette, Idaho 83661

Commissioner Choate stated that he read somewhere that you have 75' for one property and you need more street frontage for the. Mr. Taylor states that he is flexible with the line as he has a large yard between the two properties. Commissioner Franklin asked if the properties have separate water and sewer lines. Mr. Taylor stated yes, they both have separate lines, they just built them on the same lot when they originally built them. Commissioner Youngberg asked what the shortage would be. Mr. Taylor stated he is short 7.5' to make the total street frontage. Commissioner Choate asked if he would be able to meet the 8' setback. Mr. Taylor stated yes, there is 20' to

one house and 12' to the other. Commissioner Choate asked if there is 8' between 1839 and 1905 1<sup>st</sup> Avenue South. Mr. Taylor stated yes. Commissioner Youngberg asked when the newest house was built. It was stated that it was built in 1946.

Public Hearing Closed at 6:14pm.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

A. Brandy Taylor – Variance – 1839 1<sup>st</sup> Ave So

A motion was made by Franklin and seconded by Henderson to send a favorable recommendation to City Council provided that they keep both lots as close to compliance as possible, a lot line adjustment is completed and all state, local and federal laws are in compliance.

After a unanimous voice vote by the Commission with

B. Railroad Boxcars/Motor Vehicles Cargo Containers

Commissioner Youngberg recued himself.

Commissioner Franklin stated that he feels there should be a line between commercial/industrial versus residential. I have since changed my mind. I think they should be allowed in industrial and allowed in commercial but need to be painted. Commissioner Choate stated that he would like to see a business requirement stipulation on it. Commissioner Franklin stated that he would like to see these be removable. Bobbie Black stated that keep in mind that they are not taxed. Commissioner Franklin stated that you can always tax it at a later point. Commissioner Franklin stated that I can your point on it and I can also see that there should be a stipulation on the number of square feet. Commissioner Henderson stated that she does not want to see these in the front yard setback area. Commissioner Henderson stated that she would like to see this moved to the council. Commissioner Franklin stated that he would like to industrial use indefinite. I just don't see the issue with industrial use; I would be opposed to 10 years. Commercial use I would like to see that. Bobbie Black stated that she would like to see these go through the conditional use process regardless of the zoning. Commissioner Franklin stated that he just really doesn't see the problem with allowing it in industrial.

A motion was made by Franklin and seconded by Henderson to send a recommendation to City Council as follows: Industrial use is allowed for a maximum of 10 years with conditional use permit, commercial zone to have a maximum time of 5 years with a conditional use permit, it must comply with landscaping and cannot be placed in front of the building, has to be painted to match existing structure. Both those zones are not to exceed 20% of the existing building size and residential is to only allow the 90 day construction purposes.

After a unanimous voice vote by the Commission with Commissioner Youngberg recusing himself from the vote, the motion CARRIED.

C. Gary Youngberg – CUP – 1720 7<sup>th</sup> Ave No

A motion was made by Franklin and seconded by Henderson to defer Mr. Youngberg's request to the next meeting.

Youngberg abstained from the voting.

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

D. Non-Conforming Use

Commissioner Henderson stated that she has been thinking about this and to her it makes sense to have the restoration moved up to 75%. Commissioner Franklin asked if we are restoring a non-conforming use. Commissioner Henderson stated that if you had a fire wouldn't you want this rebuilt. Commissioner Franklin stated this is for non-conforming use property. You don't want someone to re-invest a bunch of money into something that is not allowed. Commissioner Choate stated that there was a house on Center Avenue that was too big for the lot and that was classified as a non-conforming use. Bobbie Black stated that her house is zoned commercial, so if my house burns, I am one of these people. I have a residence in a commercial zone. Commissioner Franklin stated that if the house was to burn you would be able to sell your commercial lot for more money than a residential lot. Bobbie Black stated that 300' on both sides of HWY 95 is zoned commercial. Bobbie Black stated that if something happened to her home, she would have no problem coming in and asking to rebuild. Bobbie Black stated that you have to remember our current code is 60% for residential zones.

No action was taken on this item.

VII. PUBLIC COMMENT

None heard.

VIII. ADJOURNMENT

A motion was made by Franklin and seconded by Henderson to adjourn the meeting at 7:04 p.m.

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

Recording Secretary  
Tiffany Howell