

**MINTUES
PAYETTE PLANNING & ZONING
Public Hearing & Regular Meeting
August 28, 2014**

6:00 PM – Regular Meeting

ROLL CALL: Kevin Hanigan, Tom Ladley, Jody Henderson, Cassandra McElravy, Gary Youngberg

Members Absent: Jim Franklin and Randy Choate were absent

Staff Present: Mary Cordova & Tiffany Howell, P & Z Administrator

I. APPROVAL OF MINUTES

A. 07-24-2014 Regular Meeting Minutes

A motion was made by McElravy and seconded by Youngberg to approve the regular meeting minutes 07-28-2014 as written.

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

II. COMMUNICATIONS

None heard.

III. PUBLIC HEARINGS

- A. An application by the City of Payette to annex approximately 20 acres, North of 7th Ave N. East of canal and West of Sunset Rim Subdivision. The proposed zoning will be B-Residential:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T 9 N, R 5 W, B.M., Payette County, Idaho, lying Southerly of the upper bank of the Lower Payette Ditch Company Canal.

AND

A portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T 9 N, R 5 W, B.M., Payette County, Idaho, more particularly described as follows:

Beginning at a point 660 feet S of the NW corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence E and parallel to the N side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ 594 feet;

thence S and parallel to the W side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ 645 feet, more or less, to the S side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence W along the S side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ 594 feet, more or less, to the SW corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence N along the W side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Point of Beginning.

Ken Johnson – 1962 7th Avenue North; Payette, Idaho

Mr. Johnson stated that he has a problem with being annexed; also I don't have enough grade to hook up to sewer services. I am sitting way to low to be able to hook into city services. Also, the property in front of my house I have an easement to drive and do not have an easement to dig on the property. I would like you to consider not annexing me. Councilor Youngberg asked if he access the property through his front neighbor. Mr.

Johnson stated yes. Mr. Johnson stated that the sewer issue was one of his concerns when they put the sewer services in when he worked for the city for 24 years. Mr. Johnson also stated that he cannot receive city water either, or trash as he is too far back.

Barbara Little – 1950 7th Avenue North; Payette, Idaho

Ms. Little stated that many years ago she split her property and when they were hooking up the city services originally she asked for two services and the water department only shows one service. Ms. Little stated that her problem is tying into the city services with water and sewer. Ms. Little asked if she has to pay to hook up now? Councilor Hanigan asked if she has two houses. Ms. Little stated no. It is all one property. Councilor McElravy asked if Ms. Little uses her property for animals. Ms. Little stated yes, she has donkeys.

Mike Mercer – 1896 7th Avenue North; Payette, Idaho –

Mr. Mercer stated that he had 5 different items that were to be completed per a contract with the city before he was to be annexed. The items were not completed, so he wants to know if he has to be annexed. The items were to be water issue, water line to be fixed, grade to be fixed, driveway to be widened, and they broke off my sewer clean out and have yet to fix any of these items. Commissioner Hanigan asked how long ago they widened 7th Avenue North. Mr. Mercer stated 4 or 5 years ago.

B. Proposed Gas & Oil Ordinance

Cordova stated that this is the final version of the proposed ordinance. Cordova stated that since it is going into our zoning ordinance that is why we are holding a public hearing.

- C. An application by James Newman for a Conditional Use Permit to construct a 1,540 sq ft shop with a roof height of 22' at 521 North 10th St, Lots 15 & 16, Blk 2, Park Addition. The property is zoned B-Residential.

James Newman – 521 North 10th Street; Payette, Idaho –

Mr. Newman stated that he would like to build a wood working shop and boat storage on the alley side of his property. Mr. Newman stated that he has met all the setbacks for his property. Commissioner McElravy asked why the building would be so high. Mr. Newman stated that to put a camper in. Currently in that neighborhood there are at least 7 structures that exceed that height requirement. Mr. Newman stated that fire suppression will not be an issue as this is on the alley and the fire hydrant is on the corner. Commissioner Hanigan asked if there will be electricity and water/sewer. Mr. Newman stated that he would like to have a shower so he can clean up before he walks through his house, I would also have a walk in cooler, a fish cleaning station and boat storage. Commissioner Hanigan asked if he would have an issue exposing his property pins. Mr. Newman stated that he was able to expose one and everything matches up.

- D. An application by Prescott Wilkie for a Conditional Use Permit to construct a 24' x 52' garage with a roof height of 14' at 130 No 20th St, Lot 17, Blk 2, Less the No 10' Thereof, and Lot 18, Decker's 2nd Subdivision. The property is zoned A-Residential

Prescott Wilkie – 130 North 20th Street; Payette, Idaho –

Mr. Wilkie stated that he is building a hobby workshop on his property. I have completed all the criteria. Mr. Wilkie stated that he will only have electricity and it will be a two car garage.

Commissioner Hanigan asked if he will be removing the current structure. Mr. Wilkie stated that it will not be attached, maybe a breezeway, but it will replace the old shop he is tearing down.

Public Hearing Closed at 6:22pm.

V. OLD BUSINESS
None heard.

VI. NEW BUSINESS

A. City of Payette – Annexation Application

Cordova stated that Mr. Johnson property will be hard to get the slope to go to the property for sewer and water, as well as Ms. Little. Cordova stated that when we did the 7th Avenue North right of way negotiation we purchased property from all these owners and they signed an agreement saying they will be annexed within two years. These agreements were signed in 2009 and in 2011. She approached the city council about annexation and they decided to wait. We then approached the City Council again in 2014, they said it was time to annex. Commissioner Youngberg asked how the city would handle a property like Mr. Johnson's and Ms. Little regarding flow issues. Cordova stated that there are properties in town that the homeowners had to pay to get the flow to the street. Mr. Johnson's property is a little different as he does not have an easement to dig on the neighbors property, he can only drive on the property.

Commissioner Youngberg stated that he has been annexed against his will; he owns property on 7th Avenue North as well. The thing that was explained to was I was using city services without paying for them, I didn't like it then, but I understand it now. Commissioner McElravy stated that the property is small and I have a concern with them being able to have animals. Cordova stated that they are B-Residential and are allowed to have certain animals and can always get a conditional use permit. Commissioner McElravy stated that she does feel that Mr. Johnson's and Ms. Little's properties should not be annexed.

Ladley moved and Youngberg seconded a motion to send a favorable recommendation to the City Council to annex the proposed property with the following items needing to be address: Mr. Mercers 5 issues, Mr. Johnson's issues for water and sewer need to be addressed and Ms. Little's issues for water and sewer being addressed by city administration or the City Council being addressed.

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

B. Gas & Oil Ordinance

Ladley moved and McElravy seconded a motion to send a favorable recommendation for the Gas and Oil Ordinance.

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

C. James Newman – CUP – 521 No 10th St

McElravy moved and Henderson seconded a motion to grant a CUP to James Newman at 521 No 10th St with the following stipulations: Structure shall be used exclusively now, and in the future, as a garage shed, incidental and accessory to the primary single family building on the lot, structure shall not exceed 1,540 square feet, nor exceed 22 feet in height, structure must be 4' from the house (primary structure), structure shall not be used at any time for any residential purpose and all State, Local, and Federal regulations shall be met.

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

D. Prescott Wilkie – CUP – 130 No 20th St

Youngberg moved and Ladley seconded a motion to grant a CUP to Prescott Wilkie at 130 North 20th Street with the following stipulations: Structure shall be used exclusively now, and in the future, as a garage shed, incidental and accessory to the primary single family building on the lot, structure shall not exceed 1,248 square feet, nor exceed 14 feet in height, structure must be 4' from the house (primary structure), structure shall not be used at any time for any residential purpose, all State, Local, and Federal regulations shall be met, and no business is to be conducted out of the garage, since this is in an A-Residential Zone

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

VII. PUBLIC COMMENT

None heard.

VIII. ADJOURNMENT

A motion was made by Youngberg and seconded by Hanigan to adjourn the meeting at 6:12 p.m.

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

Recording Secretary
Tiffany Howell