

## **PLANNING & ZONING**

### **Public Hearing**

**April 4, 2014**

**8:30 p.m.**

**John opened the Public Meeting at 8:26 p.m.**

**Council/Commission Members Present:** John Stark (Chairman), Jesse Sharp, Shannon Rasmussen, Mike Norman, Alyssa Petersen (recorder)

**Townspople Present:** Mayor Rinderknecht, Vic Little and Kyle Smith (Paradise Town Council), David and Eileen Snider, Dorothy and Samuel Peel, Reed Bytendorp, Jared Adams,

#### **Discussion on Board of Adjustments, Appeal Authority, Zoning Chapter 4:**

John explained what the new Ordinance would be replacing and how it would read. He also read the two new applications that would be accepted with the Ordinance. Shannon read what things would be required for an appeal and explained the appeal section of the Ordinance. The Commission then explained what would be required for a variance as explained in the Variance section of the Ordinance. Jesse read the 5 questions/criteria that would need to be met in order to get a variance. Paul Danielson asked if the Variance would affect someone like Travis Sparks and his situation in trying to build a garage on the west side of the home when he didn't meet the setbacks, but didn't feel he could move the garage because of how his septic system was. Travis explained that the Board would have five people who would make the decision and who would be working for the best interests of the Town. Travis felt he may meet the requirements for a variance after going over the 5 questions. The Sniders would like to see clarification on if the "days" mentioned in the Ordinance would be business or calendar. John then summarized that the Board of Adjustments role is "Can we make an exception and still meet Town goals and follow the General Plan?"

#### **Discussion on Zoning Chapter 3, 3-3 Additions, Enlargements, Moving, Nonconforming Buildings and Uses:**

John doesn't feel that there is an agreement between the Town Council and the Planning Commission on the wording for this proposed change and doesn't feel it is best discussed now. Travis would like to include this. The Public present and the Commission and Council members present went over the Commissions changes that they had presented to the Council first. Travis and Jared Adams would like to see the changes be less restrictive. John explained that the Commission was willing to eliminate the height requirement they had originally included in their changes. Travis and Jared are concerned about the percentage that it is included. It dictates what percentage of the original floorplan can be included in a "nonconforming" addition.

Lee suggested that the Commission could close a portion of the Public Hearing and discuss the changes and then re-open the hearing.

The Commission did not close the hearing and continued taking comments from the public. Kyle is still concerned about the percentage and doesn't like the wording "obstacle." He feels that an obstacle can be many different things. Travis pointed out other homes with similar issues to his that he felt should have been variances.

John's main concern is side yards and people building very close to their neighbor. He would still like a percentage included and feels that it shows that the Town still honors the 30ft setback from the property line.

Vic is willing to accept a percentage on the front yard setback, but would not like to see a limitation on side or back yards.

Vic and Travis suggested that if the Commission wants to keep a percentage, they change it to a linear foot not a square foot percentage.

John thanked the public for all their input. Travis thanked the Commission for working on this and the amount of time they put into changing the Ordinance.

Jesse made a motion to close the Public Hearing. Shannon seconded that motion, all in favor. Public Hearing closes at 9:52 p.m.