

The regular meeting of the Fruitland Planning and Zoning Commission was held at Fruitland City Hall on Monday, October 5, 2015 at 7:00 p.m. Commissioners Helen Dickinson, Tracy Leonard, Terry Heitz, Doug Deardorff, Barry Carlman, Carrie Grant and Suzanne Percy were present.

Guests included Lori Tillett, Kaysonn Chin, Jerry Neisinger, Danny Little and Rick Watkins.

Commissioner Deardorff made the motion to approve the September 8, 2015 meeting minutes. Commissioner Percy seconded the motion. Motion carried.

Public Hearings:

The first hearing was opened at 7:01 p.m. Rick Watkins explained public hearing procedures and asked the commissioners to declare any conflicts. No conflicts were declared.

Jerry Neisinger – Variance of rear yard setback at 202 N Kansas Avenue: Jerry Neisinger testified there is a slab of concrete located on the east side of his property where he would like to erect a metal carport. Mr. Neisinger requested a variance to allow him to build six inches from the rear property line and it was his understanding any structure without a foundation would be considered temporary.

Commissioner Deardorff asked if there was an easement for the power pole at the rear of the property and if it should be accessible at all times. Mr. Neisinger testified there was access through the properties to the east and to the north. Mr. Neisinger testified the carport would be bolted down.

Commissioner Dickinson asked if the concrete slab was to the property line and Mr. Neisinger testified he plans to pour an additional six inches to extend it to the property line in order to maximize the use of the property.

Rick Watkins clarified the variance is being requested for the rear yard setback.

Commissioner Carlman asked what the definition of temporary is and Mr. Neisinger testified the ability to be moved explaining the carport would be permanent until it needed to be moved.

Commissioner Percy asked why a narrative statement was not included with the application and how the proposal meets the standards for a variance. Commissioner Percy read the standards required for a variance. Mr. Neisinger testified he was unaware of the narrative requirement.

Kaysonn Chin (110 N. Kansas Avenue) testified he is a neighbor and felt the proposal does not interfere with the look of the neighborhood. Mr. Chin testified he is in favor of the proposal.

Commissioner Deardorff asked if Mr. Neisinger had visited with neighbors. Mr. Neisinger testified there were no concerns and he would be assisting the neighbor to the east in removing trees that were encroaching in the power lines.

Rick Watkins explained the argument for a temporary structure has no basis, as a variance grants permission to build a permanent structure.

With no further testimony, the hearing was closed at 7:15 p.m.

West Valley Preschool – Conditional use permit to allow a preschool at 100 E. 1st Street: Lori Tillett (2614 Winesap Avenue) testified she would like to operate a preschool at the West Valley Church at 100 E. 1st Street. Ms. Tillett testified Diane Hawkins previously had a preschool at the location for sixteen years. Ms. Tillett testified classes would be held on Tuesday, Wednesday and Thursday, 8 a.m. to 12:30 p.m.

Commissioner Carlman asked the number of children and Ms. Tillett testified there are eight in one class and seven in another and would like to raise the numbers to fifteen to twenty. Commissioner Dickinson asked the ages of the children and Ms. Tillett testified three to five.

Jerry Neisinger (202 N Kansas Avenue) testified he has known Lori for many years and she has a passion for children and teaching them. Mr. Neisinger testified he was in favor of the proposal.

With no further testimony, the hearing was closed at 7:19 p.m.

Regular Meeting:

West Valley Preschool – Conditional use permit to allow a preschool at 100 E. 1st Street: Commissioner Deardorff made the motion to approve a conditional use permit to allow a preschool at 100 E. 1st Street. Commissioner Grant seconded the motion. Motion carried.

Jerry Neisinger – Variance of rear yard setback at 202 N Kansas Avenue: The commission discussed utility easements and the standards required for granting a variance. Commissioner Deardorff made the motion to continue the hearing to the next scheduled meeting. Commissioner Heitz seconded the motion. Motion carried.

The meeting adjourned at 7:31 p.m.

Barry Carlman, Chairman

ATTEST:

Beth Earles, Secretary