

The regular meeting of the Fruitland Planning and Zoning Commission was held at Fruitland City Hall on Monday, November 2, 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 Kip Mitchell, Jason Malchou, Richard Berreth, Jerry Neisinger, Danny Little and Rick Watkins.

Commissioner Deardorff made the motion to approve the October 5, 2015 meeting minutes. Commissioner Dickinson seconded the motion. Motion carried.

Public Hearings:

Rick Watkins explained public hearing procedures and asked the commissioners to declare any conflicts. No conflicts were declared. The first hearing opened at 7:03 p.m.

Jerry Neisinger – Variance of rear yard setback at 202 N Kansas Avenue: (Cont'd from October 5, 2015) Rick Watkins explained the hearing was continued in order for the commission to receive information regarding a ten foot easement on the east side of the property. In the meantime, Jerry Neisinger had submitted a narrative statement.

Jerry Neisinger testified he was unclear on the commission's thoughts regarding a temporary structure not being temporary. Mr. Neisinger explained he felt a temporary structure could be removed in a short time and considered a permanent structure to have footings and foundation. Mr. Neisinger explained his structure would be bolted to the cement and could be removed if necessary.

Commissioner Deardorff asked if Mr. Neisinger was aware of the ten foot easement and Mr. Neisinger stated he was and explained the easement is present in the entire subdivision and not exclusive to his property.

Commissioner Carlman explained granting a variance would allow permanent structures to be built on the easement. Mr. Neisinger questioned whether a variance could be granted with conditions. The commission expressed their desire to get a legal opinion.

Family Faith Church - Conditional use permit to allow a church at 1322 N Whitley Drive: The hearing opened at 7:16 p.m.

Kip Mitchell (310 E Ash Street, New Plymouth) testified his church is leasing the building at 1322 N Whitley Drive and is requesting a conditional use permit to allow the church. Commissioner Dickinson asked the number of members and Mr. Mitchell testified 40-50 for Sunday morning services and 20 for Thursday evening bible study.

Commissioner Deardorff asked if any parking problems were anticipated and Mr. Mitchell stated not unless the congregation grew to 100 members or more. Commissioner Deardorff asked if parking is shared with the Liberty Tax business next door. Mr. Mitchell testified the parking is shared and Liberty Tax is open on Tuesdays and Thursdays when the church is not open.

Commissioner Pearcy asked if there was a plan for site improvements. Mr. Mitchell testified they desire to remove the gravel and put in a lawn and sign in the spring.

Commissioner Deardorff asked how long the church would be at the location and Mr. Mitchell stated they would have to look elsewhere if the church outgrew the building.

The zoning secretary read testimony received from Robert Butler in support of the proposal.

With no further testimony, the hearing was closed at 7:24 p.m.

Regular Meeting:

Family Faith Church - Conditional use permit to allow a church at 1322 N Whitley Drive:
Commissioner Deardorff made the motion to approve a conditional use permit to allow Family Faith Church at 1322 N Whitley Drive with the stipulation that landscaping be done in accordance to city code and completed by August 31, 2016. Commissioner Pearcy seconded the motion. Motion carried.

Jerry Neisinger – Variance of rear yard setback at 202 N Kansas Avenue: No discussion.

The meeting adjourned at 7:30 p.m.

Barry Carlman, Chairman

ATTEST:

Beth Earles, Secretary