

The regular meeting of the Fruitland Planning and Zoning Commission was held at the Fruitland City Hall on Tuesday, January 11, 2022 at 7:03 p.m. Commissioners present were Cathy Yasuda, Helen Dickinson, Jim Ashley, Terry Heitz, Tami DeCruo, Mike Smith, and Lindsey Judson. Commissioner Barry Carlman was absent.

Staff present were Danny Little and Beth Earles.

Guests present included Allan Draper via video, Stuart Grimes, John Armstrong, Linda Dernoncourt, William and Roxie Tolbert, Beverly and Gale Gehret, Heidi Garza, Holly Fugate, Kial Brotherson, Marcus Mahler, Joseph Marasa, Maria Meza, Miguel Rios Macias, Paloma Meza, Christina Hood, Danielle Anchustegui, Kelcie Main, and Christine Main.

Commissioner Dickinson made the motion to approve the December 14, 2021 meeting minutes. Commissioner Ashley seconded the motion. Motion carried.

Public Hearing

Opening the hearing at 7:04 p.m., Zoning Administrator, Danny Little, explained public hearing procedures and asked the commissioners to disclose any conflicts. No conflicts were declared.

Allan Draper - Conditional Use Permit to Allow an Air Bed and Breakfast at 2855 Cedar Drive: Allan Draper testified he grew up in Nyssa and his family remains in the area. Mr. Draper purchased the home as a part time residence and is requesting a conditional use permit to allow short term rentals. The residence has a three car garage and three parking spaces available in the driveway. Listing for the property will limit eight adults and four vehicles with no street parking. Local family members will be assisting in managing and maintaining the property.

Testimony was received in opposition from John Armstrong (2742 Spruce Drive), Holly Fugate (2725 Dogwood Avenue), Danielle Anchustegui (1304 Cottonwood Drive), Christine Main (2850 Cedar Drive), Joe Marasa (1511 Cottonwood Drive), Marcus Mahler (2833 Birch Road), and Kelcie Main (2803 Tamarack Court). Concerns were expressed for the safety of neighborhood children, parking, unknown visitors, property values, and conflict with subdivision covenants.

Written testimony in opposition was received from Joyce McCurdy, Gary Owen, Ernie and Loretta Neuberger, James and Joanne Fry, Jeffrey and Kimberly Wood.

Allan Draper expressed his feelings and values concerning children and the neighborhood are shared with those who testified. Mr. Draper testified no parties will be allowed and has taken measures to mitigate noise. Mr. Draper expressed his desire to preserve the safety and family aspects of the neighborhood.

With no further testimony, the hearing was closed at 7:46 p.m.

Decision

Allan Draper - Conditional Use Permit to Allow an Air Bed and Breakfast at 2855 Cedar Drive:

Commissioner Smith made the motion to approve a conditional use permit allowing an Air Bed and Breakfast at 2855 Cedar Drive with the stipulations that a primary contact be able to respond within thirty minutes; a maximum occupancy of eight people; Mr. Draper's personal phone number and e-mail information be provided to the President of the Homeowners Association. Commissioner Dickinson seconded the motion. Motion carried.

Impact Area Recommendation

Ryon Lee - Comprehensive Plan Change from C-2 to Residential - 6325 Hwy. 95: Commissioner Dickinson made the motion to send an unfavorable recommendation to the city council for a comprehensive plan change as presented determining that a residential zone is not appropriate due to the growth of commercial uses in the surrounding area. Commissioner Ashley seconded the motion. Motion carried.

Elect Officers

Commissioner Dickinson made the motion to nominate and elect Commissioner Barry Carlman for Chairman and Terry Heitz for Vice Chairman. Commissioner Judson seconded the motion. Motion carried.

Vice Chairman Heitz adjourned the meeting at 8:10 p.m.

Terry Heitz, Vice Chairman

ATTEST:

Beth Earles, Secretary