

PLANNING AND ZONING COMMISSION MEETING NOVEMBER 11, 2009 6:30 P.M. AT THE COMMUNITY CENTER PUBLIC HEARING RUSSELL'S CHICKENS

PRESENT: Chairman Adrian Beazer, Members; Roy Hobbs, Dan Garren, Lance Ellis, and Clerk Robyn Keyes.

VISITORS: Virginia Russell, Steve Russell, Meridee Wobig, Merideth Taylor, Sharon Taylor, Council member Gubler, Mayor Andersen

PZ Chairman Beazer welcomed everyone and led the Pledge of Allegiance.

**Impact Area.** Council member Gubler said he had met with Steve Serr with Bonneville County Planning and Zoning regarding the scheduled public hearing for Ammon's increased impact area. Council member Gubler showed a map with the proposed impact changes for Ammon. Council member Gubler along with the Commission members agreed the proposed changes would not affect Iona's impact area. The Commission also agreed that the area the City of Iona was interested in increasing was north and east of the City. The Commission members would begin working on a proposal for the County.

*Council member Gubler left the meeting at 6:55 p.m..*

**Public Hearing.** A public hearing was held for Virginia and Steve Russell. The Russell's were asking for a conditional use permit for their chickens. After holding the hearing and reviewing the request, the Commission agreed the Russell's request fell under a variance instead of a conditional use permit. The Commission recommended to the Council to approve the Russell's request as a variance. See appendix A for hearing minutes.

*Mayor Andersen arrived for his review with the Commission at 7:20 p.m.*

**Mayor Review.** Mayor Andersen talked with the Commission members and thanked them for the important job they did. The Mayor told the Commission that he, along with the Council, appreciated all they did, and reminded them that the Planning and Zoning Commission acted as a checks and balance for the City. The Mayor said there was valuable training available through the Association of Idaho Cities website, and reminded the Commission members that they were held to the same ethical standards as the Council, which included open meeting laws. The Mayor reminded the Commission that Title 11 Section 15 Chapter 8 in the Code Book outlined the duties and rules for the Planning and Zoning Commission, and thanked them again for their time and efforts.

**Minutes.** The minutes were reviewed. PZ member Garren made a motion to approve the minutes. PZ member Ellis seconded the motion. All were in favor. Motion carried. Minutes approved.

PZ member Garren made a motion to adjourn. PZ member Ellis seconded the motion. Adjourned 7:45 p.m.

APPENDIX A  
PUBLIC HEARING 7:00 P.M. RUSSELL'S CHICKENS

PRESENT: Chairman Adrian Beazer, Members; Roy Hobbs, Dan Garren, Lance Ellis, and Clerk Robyn Keyes.

VISITORS: Virginia Russell, Steve Russell, Meridee Wobig, Merideth Taylor, Sharon Taylor.

Planning and Zoning Chairman Beazer welcomed everyone, and went over the procedure for the public hearing. Chairman Beazer explained that after reviewing the application, and consulting with the City Attorney, the Russell's request would fall under a variance instead of a conditional use permit. Chairman Beazer then invited the Russell's to present their case.

Mrs. Russell said she wanted her chickens to be kept on her side yard, and said the bordering side neighbor was in favor of the Russell's keeping their chickens on the side. Mrs. Russell said if she knew of any of her neighbors that were put out because of the chickens, she would not want to keep them.

The Russell's have over a ½ acre of land, but because the house is set far back on the property, there is not room for the chickens in the back

PZ member Ellis asked how far the chicken coop was from their house. Mr. Russell said approximately 35 feet.

Chairman Beazer asked if anyone that was in favor of the variance request would like to speak.

Merideth Taylor said he was in favor of the Russell's chickens.

Sharon Taylor was also in favor of the chickens.

Meridee Wobig said the Russell's kept the yard and area the chickens were in nice and clean. Mrs. Wobig said she enjoyed seeing the chickens in the yard and was in favor of the Russell's keeping the chickens on the side yard.

Clerk Keyes said Mrs. Ure could not attend the hearing but was in favor of the chickens.

Chairman Beazer asked if anyone was neutral and would like to speak, no one was.

Chairman Beazer asked if anyone was against the request and would like to speak, no one was.

Chairman Beazer closed the public portion of the hearing, and opened it up for discussion with the Commission members.

PZ member Garren asked if a problem arose in the future, could the variance be revoked.

PZ member Hobbs said a variance was usually requested for permanent structures.

Clerk Keyes agreed with PZ member Hobbs, and said that because of the permanent structure a variance would stay with the property, but this was a unique variance request that could be for the Russell's only.

PZ member Ellis agreed the chickens were removable, and that any problem with the chickens would probably fall under a public nuisance.

PZ member Hobbs made a motion to recommend to the City Council that the conditional use permit would be changed to a variance, and the Russell's would be allowed to have their chickens on their side yard.

PZ member Ellis seconded the motion.

All were in favor. Motion carried.

Public hearing closed 7:15 p.m.