

**CITY OF SHELLEY  
PLANNING AND ZONING MEETING  
MINUTES**

July 19, 2022

PRESENT: P&Z Chairman: Shane Wootan  
P & Z Members: Brad Miller, Kurt Edwards, Devan Dye, Arlyn Hendrix,  
Paul Voelker  
Absent: Clayton Ward and Larry Bateman  
Dep. City Clerk: Jasmine Marroquin & Lisa Ybarra

The meeting was called to order.

Welcome Paul Voelker as a new member.

Public hearing for continuation Annex & Rezone/Kent Carlson

Recommendation approval for the Carlson property – 601 W Fir St - to be annexed and rezoned as Heavy Commercial. Application only specified commercial. The city only has Heavy Commercial or Central Business.

Arlyn motioned to rescind the rezone from Commercial. Kurt seconded. Approved unanimously.

Arlyn motioned to annex & rezone Carlson property to Central Business. Brad seconded. Approved unanimously.

Public hearing for Derrick Dye on Variance/Parks Subdivision/Setback

Devan Dye recused himself from this matter.

Variance for Derek Dye for the fence to be placed the Parks Subdivision on property line rather than the setback of 15' from the right of way. Derek would like to have complete privacy for the homeowners, the example given was a piece of mind for parents when kids play in the backyard.

Derek also pointed out why take away property from the homeowners.

Derek had talked to Chief Purser and it was suggested to talk as a group about safety.

When suggested to place a 3ft fence or 6 ft fence with slats instead of the solid fence, Derek mentioned the fence with slats was his backup option but prefers complete privacy for homeowners. Shane mentioned there had to be a really good reason to approve the variance for one when others have not been permitted.

Derrick was curious about where the setback to 15' came from and if the setback comes back to the 15' which is then up to the city to maintain the gap. Would like to maybe have a discussion to where the setback came from.

Shane mentioned that there may need to be a change to the code/ordinance.

Jordan mentioned the ordinance on setback is a variance on a hardship if there are no other options.

Devan raised his hand and asked if he could give an opinion, he was told no because he had recused himself from the matter.

Derrick asked if he could then say something. He was told yes. Derrick mentioned that it was told in a conversation between two people that the wording could be taken in different ways. It was later mentioned that Leif was the one who mentioned that the wording of the ordinance could be

interpreted in different ways by different people. Derrick suggested that the ordinance's definition of hardship should be reevaluated.

Shane suggested forming a committee to look at possibly changing the ordinance. Derrick asked if his brother could be on that committee. Was told that it should not be an issue.

There is a plan to organize a committee with Shane, Devan, Kurt, & Paul with possibly Jordan, Justin, and Chief Purser, to discuss the possibility of changing the fence ordinance.

Shane motioned to table the variance for next month. Arlyn seconded. Motion approved.

Public Hearing to Annex & Rezone a parcel of land on South Milton

Chris Street from Robin Holding is representing the owner of 597 S Milton.

Would like to change from the current RA zone to an R1 zone. Would like to bring a small subdivision. The parcel is currently surrounded by single-family homes.

No Public Comment.

Favor: None

Neutral: None

Against: None

Arlyn motioned to rezone from RA to R1. Devan seconded. Approved unanimously.

Public hearing to consider amending Title Ten to clean up the ordinances to be uniform with the other code sections that have been approved in the past.

No Public Comment.

Favor: None

Neutral: None

Against: None

a-Arlyn motioned for 10-17-2 (C) (5) to add a minimum of 24x24 dimensional and 10-17-2 (D) to change the 8,000 square feet to 10,000 square feet. Kurt seconded. Approved unanimously.

b-Arlyn motioned for 10-16-4 (A) to change 8,000 square feet to 10,000 and to add the definition for RE to require a minimum of ½ acre lot. Devan seconded. Approved unanimously.

c-Brad motioned for 10-8-2 RE Lot Line/Garage /St. Side; Int Side to be 20'/35' and St. Side to be changed from 15' to 25'. Arlyn seconded. Approved unanimously.

d-Devan motioned for 10-9-2 (5) wording to change and include garage and garage side setback. Arlyn seconded. Approved unanimously.

e-Arlyn motioned for 10-16-7 (F)(2) to amend wording from no less than to no more than. Devan seconded. Approved unanimously.

Approval of the minutes for June 21, 2022

Arlyn motioned approval of the minutes as written. Devin second. Approved unanimously.

The meeting was adjourned at 9:13 p.m.

APPROVE: Kurt Edwards

ATTEST: Exner