

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

April 19, 2022

PRESENT: P&Z Chairman: Shane Wootan
P & Z Members: Larry Batman, Arlyn Hendrix, Clayton Ward, Brad Miller
Dep. City Clerk: Jasmine Marroquin

The meeting was called to order.

Derek Dye 274 Parkview Loop, Shelley, ID presented a packet with information that was given to the P&Z Board. Attached is a copy of that packet. Derek said from the work meetings held in the past and the original meeting with the P&Z he was under the impression that the minimum setback was 70 and the maximum was 80 but it would be measured from the middle of the road. He said when it got written into ordinance it was written from the right of way. After it was written and adopted, they learned that the setback is measured from the right of way. He said they are five feet deeper than a RA zone. Derek said Arlen Hendrix provided him with a copy of his personal written notes he took for himself during the meeting which said it was from the center of the road. Derek said because of their understanding it was from the middle of the road, they wrote this into their CCRs and shared it with their contractors.

Derek said once their request for 45-65 was recommended by P&Z for approval, but at the council meeting neither he nor Heath could be present. Derek said the mayor was not present at that meeting either and he had worked with them as Developers regarding this setback. The Council called for another hearing and approved 55-65. Derek said he feels the council did not have the full picture at the meeting they denied the 45-65 and called for another hearing.

The floor opens to those who are in favor:

John Richardson suggested that they can comfortably fit three cars in the garage and six in the driveway if the setbacks were 45-65.

Derek said by reducing the setback to 45-65 would create bigger backyards and allow it to be safer for the children since they could have room to play in the backyard.

Heath Mitchell said for his wish list there would be no setbacks at all. That Developers should be able to place the house where they see fit. They have not been given any other reason why the setbacks should stay at 55-65 other than it looks best. He said through their restrictive covenants their Board must approve all floor plans, and there have been some floor plans that they don't like but if they meet all covenants, they would never deny them just because they didn't like the look of the plan. He said less government is better.

Wes Waters 655 Ruby Cir Shelley, ID said he is going to be building in the Parks Subdivision but is waiting on the setbacks. It is a safety issue for him and feels his grandkids would play in the front and not the back. He would have to place a fence all around his home, secluding him from the neighborhood.

Coby Hatton 825 Kelley Dr. Shelley, ID said he believes regulations are good as long as they protect the people. He doesn't think people should be told where they can place their home unless it's for a safety issue.

John Richardson 1194 N 1327 E Shelley, ID said his house has a larger front setback by choice because he preferred it that way. But as far as driveways go, this is one of the longest driveways he has seen. He believes people should have the choice of where to place their homes.

The floor is open to those who are neutral: None

The floor is open to those who are against: None

Clayton motion to recommend 45ft min to 65ft max front setback from the right away. Arlyn second.

Unanimous yes.

Calling for a public hearing for Kim Westergard's special use permit for an additional dwelling.

Brad motioned to call for a public hearing for Kim Westergard's special use permit for an additional dwelling. Clayton second. Unanimous yes.

Consider acceptance of URA plan amendment Shane explained what the URA plan is and where the money would go.

Clayton motioned acceptance of URA plan. Arlyn second. Unanimous yes.

Approval of the minutes for March 15, 2022

Arlyn motioned approval of the minutes as written. Clayton second. Unanimous yes.

The meeting was adjourned.

APPROVE:



ATTEST:

