

Planning & Zoning Meeting
Rigby City Hall
10 May 2002
7:04 PM

Members present were Steve Abbott, Wayne Clark, Karen Durst, Ross Baxter, Ryan Poole and Larry Finn.

Steve Abbott, Chairman opened the meeting at 7:04 PM.

1. **Public Hearing**--Ron Hedelius, administrator for the Pine Brook Assisted Living Center, was present with a request for a variance to add 10 more beds to his care center. He presented a sketch to show what the new addition would look like. He would be adding a wing for the additional beds, a handicap shower and two bathrooms. All property owners within 300 feet of his property were notified and he advertised twice at the Jefferson Star. They have a full staff of six people. The P & Z members discussed the fact that this would not affect the land to the south. P & Z asked Ron questions concerning his son's home at the back of the property and this is on a separate plat in the county and has it's own access. The property is just under one acre. Willard and Belva Smith live on the east side and Scott Phillips lives on the west side. There will be adequate parking for ten cars and the back door will open into the back yard that will be all fenced. What they have now are six bedrooms for ten people and they would like to add enough bedrooms so each person could have their own room. There is a gravel driveway between the facility and the fence line. In the past, two people living there had cars but at the present, no one has a car. The facility is all fenced. There is plenty of room for emergency vehicles to pull in and turn around. Ron then said he wants to upgrade the whole facility. Neighbors Jean Summers and Teresa Aeschbocker were present and asked questions about how many bedrooms were to be added and they were concerned with the parking. Ron then said that the parking spaces would be moved to the side of the facility with a circle to turn around. Steve then read the conditions for the variance and based upon the findings in which Ron can expand this facility without impacting the neighbors and complies with the new parking qualifications and complies with the State and Idaho Code (10-6-4 of the city zoning ordinance) which explains types of uses for sanitariums, home for the aged, nursing homes, children's homes, asylums and similar uses. Parking spaces required is 1 for each 2 beds. Ron said there would be as many parking spaces as the 130 feet will allow. Steve then read that no variance shall be favorably acted upon by the council unless there is a finding upon recommendation by the commission as a result of a public hearing that all of the following exist: that there is such special circumstances or conditions effecting the property that the strict impact of the provisions of this title would clearly be impractical or unreasonable. In such cases the subdivider shall first state his reasons in writing as to specific provision requirements involved. The strict compliance of direct requirements of this title would result in extraordinary hardship as distinguished

from mere inconvenience to the subdivider because of the particular physical surroundings, shape or unusual topographic or other such conditions which are not self inflicted or that those conditions would result inhibiting the achievement of the objective of this title. That the conditions upon which the request for the variance are based upon the needs of the property for which the variance is sought and are not applicable to general issue of the property. That the variance is the least deviation from this title which will mitigate the hardship. The granting of the specified variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the area in which the property is situated. That such variance will not violate the revisions of the Idaho code and that such variance will not have the effect of nullifying interests and purposes of this title and the comprehensive plan. This variance meets the requirements for the city ordinance for parking and is not an undue hardship. It is not detrimental to the neighbors and as for the safety issue on parking; the driveway is adequate and has access on both sides of the building. The P & Z will grant the variance for this addition. Ron will have to have a new building permit for the new addition. Larry Finn made a motion to grant the variance if Ron meets with all of the requirements and it was seconded by Ryan Poole. All P & Z members voted aye and it was passed unanimously and will be presented to the City Council for approval.

2. **Jerry Harris** is requesting a variance to add a carport to a rental house at 226 N Clark. He showed a sketch to P & Z and the 14 ft. carport will be on the south side of the house. There will be no obstructions in the alley and there will be no hindrances to the city for plowing. Steve explained that Jerry would have to apply for a variance at the next P & Z meeting. He will have to give written notice to all property owners with 300 feet of the proposed dwelling. Also, a publication at the request of the interested party will have to be published in the Jefferson Star and advertised twice, 15 days prior to the City P & Z meeting.
3. **City Building Permits:** Wayne Clark did a study comparing Rexburg building permits with Rigby building permits. Since Rigby doesn't have a building inspector, all they can charge is a basic permit fee against the code. Rexburg, the County and Idaho Falls issues an actual permit to be posted on the jobsite. Rexburg has a valuation schedule based on square footage that goes along with their tax schedule. Since the City of Rigby does not offer a plan or review to validate what the design is to the UBC, my recommendation is to keep our building permits. Ryan Poole compared Rigby building permits with Idaho Falls building permits on residential and commercial. On residential, they ask for the general contractor, his license number, the owner, subdivision and lot numbers, if it is new construction, addition, remodel or evaluation. They ask for the square footage of the main floor, second floor, basement, garage or shed. They ask for the property line setbacks and that is the only thing they really look for on the permit issuance, to make sure that complies with the city ordinance. They ask for type of heat and that is a survey question that the Idaho Falls electric division asks for. There are two checklist items: one is a complete application and the second

is two sets of plans have to be submitted. On their commercial, they are considerably more detailed. They want the date, the project name, the valuation, legal description of the property, the owner, a day time phone number, a night time phone number, a fax number, any mobile phones and an E-mail address. They ask for general contractor, electrical, plumbing and mechanical contractor, their license numbers with the City of Idaho Falls, and the amount of each of their contracts. Ryan then presented a table of values that Idaho Falls uses and it is taken out of UBC-97. Wayne Clark then said there is no reason to change the Rigby building permits until Rigby hires a building inspector and they need to eliminate the valuation fee from the permit. Steve Abbott will talk to Mayor Anderson about this.

4. **Holbrook Meeting** – Steve Abbott presented the Holbrook proposal and there was discussion from P & Z. Larry Finn attended the Holbrook meeting. Muir Roberts business will not be affected but Taylor’s Quick Stop will have to move. Bill Millet had been concerned about the traffic down 3900, but it should slow down traffic at that end. P & Z liked the sketch and the City will accept proposal C.
5. **New Rigby Medical Center** – Steve presented drawings for the new Rigby Medical Center and P & Z asked questions and looked at the drawing.
6. **Replace Ryan Poole** – Names that were submitted were Kent Bradley and Trent Tyler.
7. **Public Notice** - A recommendation was made to change the P & Z meetings. This will change starting in July, to meet the 2nd Thursday of every month. Darlene will type up the letter for public notice for the Jefferson Star.

Wayne Clark made a motion to adjourn and Karen Durst seconded it.

Meeting was adjourned at 8:12 PM.

