

Minutes of the Regular Meeting of the Lava planning and Zoning Commission held Tuesday, November 17, 2009, 6:30 p.m. at Lava City Hall, 115 west Elm Street, Lava Hot Springs, Idaho

Present: Dave Sanders Trish Avery Curtis Waisath  
Fred Hinz  
Nick Nelson

The meeting was called to order at 6:30 p.m.

**Minutes:** A motion was made by Rita Anderson and seconded by Curtis Waisath to approve the minutes of the regular meeting held on October 27, 2009. All voted aye, unanimous.

**Public hearing - Variance for porch, deck and steps at 89 East Elm**

**Applicants Earl and Anastasia Swanson:**

The staff report was read by Rita Anderson. (A copy of the staff report is attached) Trish report that she had just sent the bill for publication and certified mailings because the bill from the Idaho State Journal was just received a few day earlier which is why we have not received payment.

Fred Hinz questioned why the work had started before the variance was approved. Trish reported that the Swanson' were not aware when they started the work that a variance is required.

Dave Sanders read the written comments as follows:

November 12, 2009

To Whom It May Concern:

The property belonging to Earl and Anastasia Swanson at 89 East Elm St. Should have a variance. They work hard every year to make their property look nice. Steve Smith's plans were excellent and addition of beauty to our city.

Why drive some more good neighbors away. It isn't hurting anything and is a protection to their property. I vote give them a variance. The house and garage have been there for more than forty years. The street is closed on the east side of the property anyway.

Sincerely,  
Anna C. Hooper

We have no objections. It will be a great improvement.

Rob and Rita Anderson  
11.12.09

There were no guests and therefore no verbal comments from the audience were made.

### **Recommendation to City Council on Variance – Applicants : Earl & Anastasia Swanson:**

Dave Sanders stated that there is no real change to the property except an improvement.

A motion was made by Curtis Waisath and seconded by Nick Nelson to accept the application and recommend that the city council approve the variance for Earl and Anastasia Swanson. All voted aye, unanimous.

Dave Sanders closed the public hearing.

### **RV/Camp Trailers in Residential Zone:**

The City Council requested that the Planning and Zoning Commission give the matter of RV/camp trailers in residential zones more consideration. The commission discussed this issue of RV/camp trailers being used to live in on residential lots. The following are the recommendations of the Planning and Zoning Commission on this issue:

- 1- Time limit for RV/camp trailers being lived in on residential property shall be 14 days.
- 2- RV/camp trailers should only be allowed for living in residential zone and should remain prohibited on vacation rentals property.
- 3- A Conditional Use Permit will be required if the stay will be longer than a two (2) weeks period.
- 4- No commercial activity can be done nor rent collected for RV/camp trailers in the residential zone.
- 5- Only family and invited guests of the resident living in the home can live in a RV or camp trailer on the same lot as the home is located. RV/ camp trailers cannot be lived in on vacant lots.
- 6- Sewer fee will be charged if the RV/camp trailer is hooked to city services.

A motion was made by Dave Sanders and seconded by Fred Hinz to approve the items 1-6 above and recommend them to the city council. All voted aye, unanimous.

### **Permitted Accessory Structures:**

Trish reported that the current zoning ordinance does not address the use of storage containers in the residential zone. These storage containers could be considered an assessor building on a lot with a home on it. The commission may want to decide if they want to allow storage containers as a permitted use. The commission discussed requirements that would be recommended if these units were allowed.

Nick Nelson stated that these storage containers are more structurally sound than most storage sheds. Rita Anderson suggested that if the storage containers are allowed, they should be painted and made to look more attractive so that property values are not reduced.

The commission reviewed the City of Pocatello and Bannock County ordinance addressing the use of storage containers as accessory structures. Rita Anderson said that we need have a vision of what we would like the city to look like. Nick Nelson suggested that the commission members each do more research on the issue before a recommendation is given.

A motion was made by Rita Anderson and seconded by Fred Hinz to table this issue so that more research can be done. All voted aye, unanimous.

**Comprehensive Plan Report:**

Rita Anderson reported that because of scheduling problems the comprehensive plan committee has not met since her last report so she has nothing to report at this time.

**Other:**

Trish said that Fred Hinz had asked her to get some information on wind energy and vicious animals so that we can be ahead of the game if requests should come in. She gave the commission copies of the City of Pocatello and Bannock County ordinances addressing these issues.

Trish also gave the commission members a copy of the "Draft Model Zoning Ordinance" and the power point presentation which were prepared by the Association of Idaho Cities. She suggested that the commission begin reviewing and comparing our current zoning ordinance with the model zoning ordinance and work on making any changes which can be made without the comprehensive plan being complete. By doing this the commission would be ready to address the changes that the comprehensive plan recommends when it is finished and may speed up the process of reviewing the ordinance. A public hearing would be needed when all changes to the ordinance are made and ready approve the updated ordinance.

The commission agreed to begin working on the review of the zoning ordinance as time allows beginning at the January 2010 meeting.

**Schedule next meeting:**

A motion was made by Fred Hinz and seconded by Nick Nelson to hold the next meeting on December 15, 2009 at 6:30 p.m. All voted aye, unanimous.

**Adjournment:**

A motion was made by Rita Anderson and seconded by Nick Nelson to adjourn. All voted aye, unanimous.

The meeting adjourned at 7:10 p.m.

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Trish Avery – secretary

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Dave Sanders – Chair

Approved December 15, 2009