

Planning & Zoning Meeting
August 14th, 2018

This regular meeting of the City of Jerome Planning & Zoning Commission was called to order at 7:00 p.m. Present were Chairman Rod Mink, Commissioner Randy King, Commissioner Dave Holley, Commissioner Carl McEntarffer, Commissioner Bill Allred and Commissioner Janey Miller. Commissioner Sheryl Gibbons was excused. Also present were Human Resource Manager Ida Clark, City Planner Esmeralda Chavez, Legal Counsel Brian Williams, and Secretary Katie Elliott.

PUBLIC HEARING to hear a request from Glenda Kestle for a renewal on her Special Use Permit for a daycare center, a childcare facility for thirteen (13) or more children, on that parcel described as Tax 6 Lot 7 & Tax 5 Lot 8 Block 2 Jerome Township SW 18-8-17, more commonly known as 810 North Buchanan, Jerome, Idaho.

Staff Report: Ms. Clark stated Ms. Kestle received a special use permit for a daycare center, childcare facility for thirteen (13) or more children in August of 2016. The application noted Ms. Kestle has operated a daycare out of her residence for over 19 years. The daycare operates the workweek and is closed on the weekend. Normal hours of operation are 7:30 am to 5:30 pm. Street parking is used for drop-off and pick-up with minimal increase in traffic. Ms. Kestle would like to request a renewal on her special use permit.

Ms. Clark stated the property in question, 810 N Buchanan in Jerome, is currently zoned Residential 2 (R-2). The proposed use, a daycare center, requires a Special Use Permit from the Planning and Zoning Commission.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in compliance with the Comprehensive Plan as defined in the following sections: Chapter 7, Section 3 which addresses Business Retention and Expansion. This section states, "The city should develop an atmosphere to retain, expand, and create business development."; and Chapter 7, Section 9, Object 1 which states, "Provide an environment that encourages expansion of existing business and the attraction of new jobs to the community."

If approved, Ms. Clark recommended the following conditions: Receive any and all required building department and/or fire department permits, inspections and occupancy permits; Comply with all City, State, and Federal requirements; and Special use permit shall be allowed for up to five years, renewable upon expiration. Upon inquiry from Chairman Mink, Ms. Clark stated the previous conditions were: Receive any and all required building department and/or fire department permits, inspections and occupancy permits; Comply with all City, State, and Federal requirements; and Special use permit shall be allowed for up to two years, renewable upon expiration.

Applicant Testimony: Glenda Kestle, 810 North Buchanan, testified, she also received the letter from the neighbor. She stated she has been in business for over 21 years. She has been working with her daughter for the last two years. She stated they have two separate classrooms for the children. She stated the hours have remained the same as before. She stated there have been no complaints from her neighbors and they have been very supportive. She said they are located on the corner and she has plenty of parking for her customers. Ms. Kestle stated all of her inspections are current and she does not plan of making any changes. Upon inquiry from Commissioner King, Ms. Kestle stated they have 23 children enrolled but at any given time, they have anywhere from 12-14 children. Upon inquiry from Commissioner Holley, Ms. Kestle stated the Fire Department allows 20 kids at one time but the State of Idaho is different and they are on a point system depending on the age of the child. She stated according the State they each are allowed 12 points at one time.

Testimony in Favor: Ms. Clark read the following letter....

To: City of Jerome Planning and Zoning and City Planner Esmeralda Chaves.

From: Richard G and Colleen AB Speaker.

In Reference to:

Special Use Permit for Glenda Kestle Day Care Center.

We live next door to Glenda's daycare. We live at 814 N Buchanan St here and Jerome and we believe that we could not ask for a better neighbor than Glenda and Keisha the kids are well taken care of and monitored at all times. We hear the kids playing and having a good time but they never get loud and all the kids seem to be very well behaved. We would like to say that Glenda should be granted her Special Use Permit and support her in her endeavors.

Richard G Speaker Colleen AB Speaker

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:09 p.m.

CONSIDER a request from Glenda Kestle for a renewal on her Special Use Permit for a daycare center, a childcare facility for thirteen (13) or more children, on that parcel described as Tax 6 Lot 7 & Tax 5 Lot 8 Block 2 Jerome Township SW 18-8-17, more commonly known as 810 North Buchanan, Jerome, Idaho.

Commissioner Holley inquired from council about the limit of children they can have. Mr. Williams stated city code allows thirteen and more so the commission does not have to give a max number of children but they can mirror State Code if the commission decides. Ms. Chavez stated the city code stated they can have thirteen or more and that it is up to the State and Fire

Department to regulate the max number. She continued that the city has three levels of daycares and this daycare center, allows the most kids. Chairman Mink stated day cares helps keep the country rolling.

Commissioner McEntarffer made a motion to approve a request from Glenda Kestle for a renewal on her Special Use Permit for a daycare center, a childcare facility for thirteen (13) or more children, on that parcel described as Tax 6 Lot 7 & Tax 5 Lot 8 Block 2 Jerome Township SW 18-8-17, more commonly known as 810 North Buchanan, Jerome, Idaho with the following conditions: Receive any and all required building department and/or fire department permits, inspections and occupancy permits; Comply with all City, State, and Federal requirements; and Special use permit shall be allowed indefinitely if there were no complaints.

Second to the motion by Commissioner King and carried.

Discussion was held on the time frame for the renewal of the Special Use permit.

Commissioner McEntarffer amended his motion to have the Special use permit expire after five (5) years.

Second to the motion by Commissioner King and carried.

Unanimous “ayes”

PUBLIC HEARING to hear a request from Steven Makos for a renewal on his Special Use Permit for an ATV and Motorcycle Service and Repair shop, on that parcel described as Tax 1A Lot 1 Block 116 Jerome Township NE 24-8-16, more commonly known as 401 South Lincoln, Jerome, Idaho.

Staff Report: Ms. Clark stated Mr. Makos received a special use permit for an ATV and motorcycle service and repair shop in August 2016. The application noted Mr. Makos performs work on the ATV's and motorcycles inside the building, therefore, not creating a disturbance to neighboring uses. The type of work performed does not cause excessive production of traffic, noise, smoke, fumes, or odors. He was required to complete and submit a Discharge Approval Application for Wastewater which he has completed and there were no comments. Mr. Makos would like to request a renewal of the special use permit.

Ms. Clark stated the property in question, 401 S Lincoln in Jerome, is currently zoned Central Business District (CBD).

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in compliance with the Comprehensive Plan as defined in the following sections: Chapter 7, Section which addresses Business Retention and Expansion. This section states, “The city should develop an atmosphere to retain, expand, and create business development.”; Chapter 7, Policy

7 which states, "Provide support for public/private partnership in economic development efforts to retain and expand job opportunities in the community."; and Chapter 7, Policy 8 which states, "Continue to provide an atmosphere for successful business development."

If approved, Ms. Clark recommended the following conditions: Receive any and all required building department and/or fire department permits and inspections; All repairs shall be done indoors; All equipment and/or material stored outdoors shall be screened from public view with a fence; Special use permit shall be allowed for up to three (3) years, renewable upon expiration; and Comply with all City, State, and Federal requirements.

Commissioner Allred inquired about noise ordinance. Ms. Chavez stated initially the commission was concerned about having parts and junk outside the building from the previous occupants and that is why they had the condition to have everything fenced and work done inside. She continued to state if you went down the road, you would not know the building had that type of business due to Mr. Makos having everything hid from view. She continued to state there have been no complaints received by staff.

Testimony in Favor: Steve Makos, 824 E 100 S, testified, he is here for both the renewal and also for a Design Review to paint the building to match a new fence he will be installing. Upon inquiry from Chairman Mink, he stated he is getting busier and that is why he wants the fence so he can move some stuff outside. Upon inquiry from Commissioner King, Mr. Makos stated his hours of business are Tuesdays thru Saturday from 10:00 a.m. to 5:00 p.m. Closed on Sundays and Mondays.

Testimony in Neutral: none

Testimony in Opposition: none

There being no further testimony, Chairman Mink closed the public hearing at 7:20 p.m.

CONSIDER a request from Steven Makos for a renewal on his Special Use Permit for an ATV and Motorcycle Service and Repair shop, on that parcel described as Tax 1A Lot 1 Block 116 Jerome Township NE 24-8-16, more commonly known as 401 South Lincoln, Jerome, Idaho.

Commissioner Holley inquired about the conditions regarding the fence. Discussion was held. Mr. Williams stated they could have new recommendations, or keep the old conditions. He stated it is up to the commission. Ms. Chavez stated they may get as specific as saying a site obscuring fence. Ms. Clark re-read the recommended conditions. Commissioner King stated he was in favor since there were no complaints. Commissioner McEntarffer stated the building looks great and is now a very clean corner.

Commissioner King made a motion to approve a request from Steven Makos for a renewal on his Special Use Permit for an ATV and Motorcycle Service and Repair shop, on that parcel described as Tax 1A Lot 1 Block 116 Jerome Township NE 24-8-16, more commonly known as

401 South Lincoln, Jerome, Idaho with the following conditions: Receive any and all required building department and/or fire department permits and inspections; All repairs shall be done indoors; All equipment and/or material stored outdoors shall be screened from public view with a sight obscuring fence; Special use permit shall be allowed for up to three (3) years, renewable upon expiration; and Comply with all City, State, and Federal requirements.

Second to the motion by Commissioner McEntarffer and carried.

Unanimous “ayes”

CONSIDER a Design Review from Steven Makos, 401 South Lincoln, Jerome, Idaho.

Staff Report: Ms. Clark stated the property is located at 401 S Lincoln Ave in Jerome; it is an existing building. The applicant is proposing to change the façade. The business is located in the Central Business District (CBD). The application proposes a façade facelift which will provide a color update to the entire building. The façade will remain the same material, with newly added paint in the color of Cornerstone and an accent color of white. The application states this is an exterior paint update only.

Regarding Guideline #24 Wall Colors, Ms. Clark stated the building’s façade will remain as is. It will be painted Cornerstone and the accent color will be white. The colors were selected to enhance curb appeal and set it apart from its neighbors. The colors represent warm earth tones and the painting will be done in a professional manner and workmanship.

Mr. Makos stated he wanted the color because the fence he wants comes in that color so he would not have to paint the fence. He stated it will not be along the sidewalk. He continued the fence will be next to the building on the southern elevation half way and will separate the parking and the back storage area. Mr. Makos pointed where the fence would be on the map to the commission. Upon inquiry from Chairman Mink, Mr. Makos stated the fence will be six (6’) feet. Commissioner King stated it will look better than what it did in the past.

Commissioner King made a motion to approve a Design Review from Steven Makos, 401 South Lincoln, Jerome, Idaho as presented.

Second to the motion by Commissioner Miller and carried.

Unanimous “ayes”

CONSENT AGENDA:

Those items contained in the consent agenda are as follows:

- 1- Approve the minutes for the July 10, 2018 regular meeting.
- 2- Approve the minutes for the August 2, 2018 special meeting.

- 3- Consider/Approve Findings and Facts for Lorraine Underwood for a Special Use Permit allowing six (6) chickens on that parcel described as Lot 13, block 9 Magic Meadows Sub #2, SE 7-8-17, more commonly known as 532 18th Avenue East, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF LORRAINE UNDERWOOD FOR A SPECIAL USE PERMIT ALLOWING SIX (6) CHICKENS ON THAT PARCEL DESCRIBED AS LOT 13, BLOCK 9 MAGIC MEADOWS SUB #2, SE 7-8-17, MORE COMMONLY KNOWN AS 532 18TH AVENUE EAST, JEROME, IDAHO

A public hearing on the application of Lorraine Underwood concerning that parcel commonly known as 532 18th Avenue East, Jerome, Idaho, for a special use permit was held, pursuant to notice, commencing at 7:10 p.m. on Tuesday, July 10, 2018 at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: Ida Clark, Human Resource Director, gave a report on Ms. Underwood's application. Ms. Clark stated the property in question, 532 18th Avenue East, in Jerome, is currently zoned Residential 1 (R-1). The proposed use, the possession of chicken or poultry, requires a Special Use Permit.

Ms. Clark stated Title 16 has no bearing on this request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request is in compliance with the Comprehensive Plan.

As pertains to Title 8 of the JMC, the ordinance addressing nuisances, Ms. Clark reminded the commission chicken manure is considered a public nuisance.

Regarding the General Standards for Special Uses, Ms. Clark stated the Planning and Zoning Code allows up to six chickens in the R-1 zone with an approved special use permit. The request appears to be harmonious with the objectives of the Comprehensive Plan and Title 17 of the Jerome Municipal Code. The application notes the chickens will be kept in an enclosed coop in the back yard. Additionally, it is noted the coop blends in with the fenced backyard. There will not be any modifications to the front of the residence, ensuring that the use will not change the essential character of the area. There is no indication that the proposed chickens would be hazardous or disturbing to neighboring uses. There is no indication that additional services will be needed. It does not appear the chickens will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The chickens will not be detrimental to persons, property or the general welfare by creating excessive traffic, smoke, fumes or glare. There are no changes proposed to the vehicular approaches to the property. It does not appear that the chickens will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

If approved, Ms. Clark recommended the following conditions: Chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare; Any chicken coop or accessory structure associated with the chickens shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code; and Special use permit shall be allowed for up to two years, renewable upon expiration.

Applicant Testimony: Lorraine Underwood, 532 18th Ave E, testified she already had the chickens and wanted to make things right. She stated she has not had any complaints. She stated they are her pets and her husband built a coop in the garage to make sure they do not get wet. She stated she brought a letter that her neighbor mailed to her. Ms. Underwood read the following letter:

*Valerie Perttula
533 19th Avenue E
Jerome, Idaho 83338*

July 2, 2018

*Jerome City Mayor David M. Davis Fax: (208) 324-8204
Jerome City Council Members: Chris Barber, Jason Peterson, Oop Johnson & Robert Culver*

Dear Mayor and City Council Members:

I am writing to express my full support for the pending special use permit of Lorraine Underwood which is set on the next Council meeting agenda. I will be unavailable to attend this meeting and am therefore submitting my written support on her behalf.

I am a long-time resident of this city, having lived at my residence for 18 years. I am a neighbor and reside directly behind the Underwood's who have lived at their residence longer than I have. The Underwood's take the utmost care of their chickens just as they do with all their family pets.

I urge you to unanimously approve the special use permit of the Underwood's to allow them to continue to house their chickens at their residence in the City of Jerome.

*Sincerely, Valerie Perttula
cc: Lorraine Underwood 532 18th Avenue E, Jerome, Idaho 83338*

Upon inquiry from Chairman Mink, Ms. Underwood stated she cleans the coop weekly and twice a week when they are in the garage in the winter. She stated the chickens

squawk when she is playing with them but she does not have any roosters. She said she puts bark and shake down to help keep the area clean. Upon inquiry from Chairman Mink, Ms. Underwood explained the coop and what it was made out of. She stated there are no odors as she does not like the smell either and stated anyone is more than welcome to stop by at any time to check. She stated she has lived in the home for over 25 years and loves her neighbors.

Testimony in Favor: None

Testimony in Neutral: None

Testimony in Opposition: Robert Ellis, 1495 Rainier Dr. testified his daughter and family live at 708 17th Ave East, which he owns, and has concerns for chickens that are on the backside of the property. He stated his daughter has complained of chickens constantly being in the back yard and they have called animal control. Mr. Ellis stated he drove from Eisenhower Street to Jackson Street and stated he looked for cars parked in the yard, occupant yard care efforts, and excessive vehicles parked at homes, with six (6) or more cars. He stated he found three (3) vehicles parked on the yard, 12 houses that showed no evidence of yard care, and four (4) houses with excessive vehicles. He stated this is not an agricultural area and chickens should not be in the area. Mr. Ellis stated he does not have a problem with the applicant, but with code.

Commissioner Holley inquired if he knew the neighbors that have the chickens. Mr. Ellis stated he did not know the names but that they were behind his property at 708 17th Ave E. Ms. Clark stated staff will address and look into the complaint. Commissioner Holley explained to Mr. Ellis that there is a process for special use permits. Once the Special Use permit expires, the applicant has to come back to the Commission to renew it. He also explained that if there are any issues with a Special Use permit, he needs to bring the complaints to staff so the complaints can be documented.

Rebuttal Testimony: Lorraine Underwood, stated she understands the concerns. She stated there are some people in the neighborhood that let their chickens out. She stated she loves her pets and they will not ever be released into the neighborhood. She stated she has nothing to hide and the chickens will not be a problem.

There being no further testimony, Chairman Mink closed the public hearing at 7:19 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Ms. Underwood's testimony, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. Lot 13, Block 9 Magic Meadows Sub #2, SE 7-8-17, more commonly known as 532 18th Avenue East, Jerome, Idaho is zoned Residential 1 (R-1), which requires a special use permit.
- B. Title 16 of the JMC has no bearing on this application.
- C. The application for a special use permit complies with the City of Jerome Comprehensive Plan, Section 3.1.1., and inasmuch as it is compatible with the existing and potential land uses.
- D. No roosters are requested or considered as part of the instant application.

II. Conclusions

- A. A special use permit is required for the applicant to be able to allow for up to six (6) laying hens on the subject property, which property is located in R-1 zone.
- B. A special use permit promoting this use is consistent with the City of Jerome Comprehensive Plan, Section 3.1.1.
- C. The Commission approves the application of Lorraine Underwood for a special use permit allowing six (6) laying chickens on that property located at 532 18th Avenue East, Jerome, Idaho 83338, for a period of two (2) years, and subject to the following provisions:
 - (1) the chickens will not create odors, noise, nor be detrimental to persons, property or the general welfare;
 - (2) there shall be no modifications made to the front of the property for the accommodations of the chickens;
 - (3) the chickens shall be kept in an enclosed chicken coop or accessory structure which shall be maintained in a clean and sanitary condition;
 - (4) any coop or accessory structure associated with the chickens shall be placed in accordance with the accessory structure setback requirements set forth in the Jerome Municipal Code.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 14th day of August, 2018, in support of the decision of the Planning and Zoning Commission on the 10th day of July, 2018 to approve the application as specified herein is hereby made final this 14th day of August, 2018.

ROD MINK,
Chairman Jerome City P&Z Commission

- 4- Consider/Approve Findings and Facts for Alfred Kingsland for a Special Use Permit allowing a home occupation consisting of security and fire system sales, installation, service and remote monitoring, on that parcel described as Lot 10, Block 4,

Woodland Park NE 18-8-17, more commonly known as 811 15th Avenue East, Jerome, Idaho.

FINDINGS AND CONCLUSIONS ON APPLICATION OF ALFRED KINGSLAND FOR A SPECIAL USE PERMIT ALLOWING A HOME OCCUPATION CONSISTING OF SECURITY AND FIRE SYSTEMS SALES, INSTALLATION, SERVICE AND REMOTE MONITORING, ON THAT PARCEL DESCRIBED AS LOT 10, BLOCK 4 WOODLAND PARK NE 18-8-17, MORE COMMONLY KNOWN AS 811 15TH AVENUE EAST, JEROME, IDAHO

A public hearing on the application of Alfred Kingsland concerning the use of real property described herein within the City of Jerome, Idaho, for a special use permit was held, pursuant to notice, commencing at 7:30 p.m. on Tuesday, July 10th, 2018, at City Council Chambers, 100 East Avenue A, Jerome, Idaho.

Staff Report: Ida Clark, Human Resource Director, gave a report on Mr. Kingsland's application. Ms. Clark states the property in question, 811 15th Avenue East, Jerome, Idaho is zoned Residential 1 (R1). The proposed use, a home occupation, requires a Special Use Permit from the Planning and Zoning Commission. In this case, Ms. Clark stated, Mr. Kingsland is proposing to have a security and fire systems sales, installation, service and remote monitoring business out of his home, which constitutes a home occupation. She defined home occupation as "any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which use does not change the character thereof or does not adversely affect the uses permitted in the zone of which it is a part". She stated, "no signs shall be permitted in the R1 and R-2 zones except for one realty sign..."

Ms. Clark stated Title 16 has no bearing on this special use permit request.

As pertains to the City of Jerome's Comprehensive Land Use Plan, Ms. Clark stated the request IS in accordance with Chapter 7 "Economic Development", page 7-5, which addresses the need and objective for business retention and expansion. The request IS in accordance with Chapter

7 "Economic Development", Objective 1, which states that the City will plan to "provide an environment that encourages expansion of existing businesses and the attraction of new jobs to the community." The request IS in accordance with Chapter 7, "Economic Development", Policy 8, which is to "continue to provide an atmosphere for successful business development"

Regarding the General Standards for Special Uses, Ms. Clark stated the Jerome Municipal Code allows a home occupation in the R1 zone with an approved special use permit. The request appears to be harmonious with the objectives of Title 17 of the Jerome Municipal Code and the

Comprehensive Plan. The application does not indicate there will be any exterior modifications to the property, which will ensure that the appearance and character of the area is not impacted. The application states the proposed home occupation will not be hazardous or disturbing to the existing or future neighboring uses. There will be a couple of vehicles coming in throughout the day, one of them parking on the driveway and the other on the street. The application notes the residence will be served by existing utilities. The application states the proposed home occupation will not create any additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The application states the proposed use will not be detrimental to any persons, property or the general welfare as they will not create any glare, odor, fumes or vibrations. There are no proposed changes to the exterior of the building, parking or vehicular approaches to the site. The application states there will not be any significant increase in traffic due to the proposed home occupation. There is no indication that the proposed home occupation will result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Regarding the home occupation, Ms. Clark stated the application notes Mr. Kingsland will be monitoring the security systems. The property is primarily used as a residence, with the home occupation being a secondary use. The applicant understands he is only able to use 400 square feet of the floor area. The application notes there will not be any exterior modifications to the residence, including signage or other visible evidence of the conduct of the home occupation. As mentioned previously, additional traffic will not be generated by the proposed home occupation, other than a couple of vehicles throughout the day. The application states there will not be any involvement of equipment that creates noise, vibration, glare, fumes, odor or electrical interference. There will not be any storage of materials or supplies outdoors. All materials associated with the home occupation will be kept indoors. The applicant acknowledges there will not be any signage or structures relating to the home occupation present on premises.

If approved, Ms. Clark recommended the following conditions: Comply with all City, State and Federal requirements; and Special use permit shall be allowed for up to two years, renewable upon expiration.

Applicant Testimony: Alfred Kingsland, 811 15th Avenue East, testified he did not know that there was any conflict with his neighbors. He stated he previously had his home occupation in his home for 10 years and has only been back for one (1) year. Besides himself, he stated there is one technician that comes in the morning and he also has an office lady that comes in from 8:00 a.m. to 4:00 p.m. for three days a week. He stated there are no signs besides the yard sign that comes with the service that he sells. He stated there is no work going on in the shop besides getting parts off the shelves and putting them into the van. He stated he has tried to be very observant with his neighbors and has tried to make sure any complaints are fixed immediately. He stated he went and got signatures from the neighbors for the application. He stated they did not have any problem with him having a business. He stated they are hoping the

business will be out of the house by next spring. He stated he moved the business back into the house due to him needing to be closer to his wife but the people that will be running the company are wanting to move the business to another location.

Commissioner Holley inquired if there were any customers that came to the house. Mr. Kingsland stated they very seldom give out the address or have any meetings at the house. He stated he had to have an audit by the state where they were inspected at the house but that is not often. He stated a third party monitors the alarms. Upon inquiry from Commissioner Holley, Mr. Kingsland stated all business will be held during business hours unless it is an emergency. Upon inquiry from Chairman Mink, Mr. Kingsland stated there is very little pipe, as most of the equipment is wireless now, so they have minimal wiring and conduit. He stated everything is stored inside, out of sight. He stated most of the supplies are the minimal amount of batteries. He stated they recycle the old batteries. Mr. Kingsland stated they are just an alarm system and not a suppression system. He stated the batteries are 12 volt 7 amp. Mr. Kingsland explained the truck that comes daily, goes home with the tech. He stated he does have one van that he keeps at his home. Upon inquiry from Commissioner Holley, Mr. Kingsland stated the batteries and supplies are kept in the RV garage. He stated nothing can be seen from the street. Mr. Kingsland stated there is one van that is parked on the street. Commissioner Allred inquired how many vehicles are associated with the home occupation. Mr. Kingsland explained he has packages delivered a couple times a week and they are taken around the back. He stated he has one employee that comes three days a week, one vehicle his tech drives, that comes sporadically during the day, five (5) days a week and his vehicle that he keeps seven (7) days a week. He stated there are no pallet deliveries just small packages. Mr. Kingsland stated the van that is parked on the street is an unmarked van.

Testimony in Favor: None

Testimony in Neutral: None

Testimony in Opposition: None

There being no further testimony, Chairman Mink closed the public hearing at 7:43 p.m.

The Jerome City Planning and Zoning Commission having heard the testimony presented, and having reviewed the application, Ms. Clark's report, and the other documents and material in the file, and having heard the testimony given verbally at the hearing enters its findings and conclusions as follows:

I. Findings

- A. The property described in the heading herein is in the City of Jerome and is currently zoned Residential 1 (R-1).

- B. The proposed use, home occupation, requires a special use permit to operate in R-1.
- C. JMC 17.60.030 provides the standards for special use permits.
- D. The proposed use is harmonious with the general objectives of the comprehensive plan in that allowing a home occupation such as this one promotes economic development and growth.
- E. The proposed use is harmonious and appropriate in appearance with the existing and intended character of the general vicinity in that according to his description of the business he will not make any changes to the exterior of his residence. Further, the neighborhood will not be disturbed by this home occupation.
- F. The proposed use will not be hazardous or disturbing to existing or future neighboring uses. The home occupation will not result in increased traffic, odors, or fumes. Thus, the Commission believes the home occupation will not be disturbing to existing or future neighboring uses at this time. Should the business increase significantly, then the Commission would have to revisit this particular issue.
- G. No additional public facilities will be necessary for the proposed use. The uncontroverted testimony at hearing was that Mr. Kingsland is conducting this business as a sole proprietorship and he does not anticipate any increased traffic or other need for public facilities or services.
- H. The proposed use will not be detrimental to the economic welfare of the community and will not involve activities materials, equipment or conditions that will create excessive traffic, noise, smoke, fumes, glare or odors. On the contrary, for the reasons already stated herein, the business will promote the economic welfare of the community and will have no adverse impact by the involvement of materials, equipment or conditions that will create excessive traffic, noise, smote, fumes, glare or odors.
- I. The vehicle approaches to the property will not create an interference with traffic on surrounding public thoroughfares. There are no changes anticipated in this regard.
- J. The proposed use will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance. The Commission is not aware of any natural scenic or historical features of major importance that will be remotely impacted by the proposed use.

II. Conclusions

- A. A special use permit is required for the applicant to be able to use the above described property for a home occupation in the R-1 zone for the City of Jerome.
- B. A special use permit promoting a home occupation is consistent with the City of Jerome Comprehensive Plan.

- C. The Commission approves the application of Alfred Kingsland for a home occupation located at the above described real property subject to the following conditions:
1. The applicant shall obtain any and all required building department and/or fire department permits, inspections and occupancy permits prior to using the property for a home occupation; and
 2. The applicant shall at all times comply with all City, State and Federal requirements.
 3. The permit is valid for two (2) years, expiring July 10, 2020, upon which time the applicant must apply for a renewal if he intends to continue business in this location.

These findings and conclusions, having been adopted by the Jerome City Planning and Zoning Commission on the 14th day of August, 2018, in support of the decision of the Planning and Zoning Commission on the 10th day of July, 2018 to approve the application as specified herein is hereby made final this 14th day of August, 2018.

ROD MINK,
Chairman Jerome City P&Z Commission

Commissioner King made a motion to approve a motion to approve the consent agenda as presented.

Second to the motion by Commissioner Holley and carried.

Unanimous "ayes"

CITIZEN CORRESPONDENCE

None

DISCUSSION PERIOD & STAFF REPORTS

Commissioner McEntarffer reminded the commission about Joe Mama's Car show for this weekend. Commissioner Holley stated the Oasis on East Main is changing out the pricing sign and wanted to know if they had provided paperwork. Ms. Chavez stated she had not received any paperwork and she would look into that. Ms. Clark stated there could be up to five (5) Special Use renewals for the September 11th meeting.

There being no further discussion, Chairman Mink closed this regular meeting at 7:37 p.m.

Rod Mink, Chairman

Katie Elliott, Secretary