

City of Driggs
PLANNING AND ZONING COMMISSION MEETING
MINUTES
MEETING HELD AT CITY HALL
May 9, 2012
6:30pm

MEMBERS PRESENT: Rick Bladwin (Conducting), Jen Calder, and Chris Valiante.

OTHERS PRESENT: Planning and Zoning Administrator Doug Self and Deputy Planning and Zoning Administrator Kreslyn Schuehler and other community members.

1) Approval of Minutes

The Commission reviewed the minutes from April 11, 2012.

Commissioner Jen Calder made a motion to approve the minutes from April 11, 2012. Commissioner Chris Valiante seconded the motion. The motion passed with all in favor.

2) Public Hearing 6:40PM – Conditional Use Permit for Exception for the number of Llamas and Fencing on Property

Paul Forester, applicant, spoke to the Commission. He stated he understood people were not in favor of the conditional use permit and he did not want to bring this use to the neighborhood if it was not cohesive to the area. He explained his intent and stated he had plans to purchase the lot behind the subject property, increasing the total area to a little over ½ acre.

Mr. Forester stated he would like 4 llamas on ½ acre of land and would be open to any fencing that would be more appealing to the neighbors. He requested the fencing be positioned closer to the property line and not at the current setback requirements, assuming he had fencing that the animals could not stick their heads through. He wanted to build something esthetically pleasing and stated that llamas were neat and their waste would be contained and cleaned regularly.

Doug Self presented his staff report. He stated that the Commission would need to find that the use could adequately meet the conditions necessary to assure protection and compatibility with the surrounding properties, uses, and neighborhood. He stated the current ordinance allowed for 1 llama per 10,000 square feet with a minimum lot area of 21,780 square feet. It would allow for doubling of that density with a conditional use permit.

Mr. Self stated the property would allow for a maximum of 4 llamas if the second parcel was purchased by Mr. Forester, with the 15-foot setback still being obtained. All neighbors would be 100 feet or more from the containment area, except for the Monroe House, which would be approximately 30 feet. Mr. Self felt the Commission should consider this issue when discussing the permit.

Mr. Self suggested the Commission ask the applicant if there were other alternatives and demonstrate his need for the llamas to be on this property.

Mr. Self stated, in his research, he found that llamas were relatively quiet, except when upset or fighting. He also found they do not tear up the ground as much as horses. He concluded by stating if he were a neighbor he would be neutral on the issue, but stated if the current neighbors were in opposition, the use would not seem compatible.

Mr. Self read Commissioner Delwyn Jensen's comments in his absence.

Commissioner Rick Baldwin opened the Public Hearing at 6:55pm. Jim Sadauckas spoke in favor of the application. He stated he was "pro-llama" and that the animals do not smell. He was sure Mr. Forester would make the lot esthetically pleasing given the detail and progress he had made on the inside of his home. He felt that Mr. Forester would move forward with whatever the neighborhood wanted.

Courtney Colman spoke in favor. She stated that Mr. Forester had made improvements to the property and felt his general intentions were to be an active part of the community, being respectful of the neighbors. She believed he would follow through with the commitments he would make to keep the llamas.

Kelly Sadauckas spoke in favor stating that the llamas were once about 40 feet from her bedroom last summer and she never heard them, indicating they were quiet animals.

Stacy Bodis spoke in a neutral position. She was concerned with enforcement if conditions were not met. She felt the upkeep of the outside property had deteriorated since the previous owners and did not want to see that continue.

Mark Griese spoke in a neutral position. He clarified that the applicant would be able to have two llamas if he purchased the second lot. He further stated that he felt that llamas would be the "least abnoxious" compared to dogs or horses.

Tom Grimm spoke in a neutral position. Mr. Grimm stated he had no problem with the animals, but was concerned with the clean-up and the containment. He hoped that the appearance of the outside property would be worked on and understood that when moving, "you have to start somewhere."

Tom Walsh also spoke in a neutral position. He was concerned with the request to extend the setbacks and didn't think that should be ignored. If the city was trying to increase density, reducing setbacks was a big concern. Mr. Walsh was also concerned about the resale of his lot if the llamas were adjacent.

Darla Sewell spoke in opposition. She felt this use would decrease her property value and wondered why the applicant needed to have the llamas on his property. Mr. Forester stated that he did not need them on his property, but wanted them there to be able to take care of them. Ms. Sewell continued to state that there were animals around town years ago, but through the years and the change in the zoning laws, the numbers are down. She did not feel that farm animals should be allowed in the R1 zoning, but in the agricultural areas instead.

Gisela Kunz spoke in opposition. She stated she moved to town to “get away from barn animals” and would put their property up for sale if this condition was approved.

Mr. Forester responded to the public comments. He stated he would be happy to leave the fence at the current setback and would like to create as little impact as possible. He volunteered to have inspections of his property to ensure clean-up was being done. He further stated that he did not want to cause a hassle in the neighborhood and would withdraw the application if need be. He concluded by stating that the exterior property would be “in good shape if you give me time.”

Commissioner Baldwin questioned where the llamas were being kept at this point. Mr. Forester stated they were being boarded at K9-5.

Mr. Self explained to the public the reasoning behind the different square footage requirements for each type of animal and stated that the applicant could have two llamas without a conditional use permit, if he obtained the second lot. He explained the enforcement procedures relating to this ordinance.

Stacy Bodis stated after hearing comments, she would rather have 4 llamas on the property than see a duplex.

Mr. Forester stated he did not feel the use would have an impact on the property values and the llamas would not be a hard impact on the neighbors.

Commissioner Baldwin closed the Public Hearing at 7:26pm.

Commissioner Calder stated she felt if she were a neighbor that she would not have a problem with the llamas, but was concerned with the comments from the neighbors. Commissioner Valiante agreed stating the Commission could “not just tally the votes” to determine what was best for the neighborhood.

Commissioner Baldwin felt there were a “number of gray areas” in regards to the fence, the use of the property and the questionable location for further development on the second lot. Because of the land locked situation on the second lot, Commissioner Baldwin felt there was potential for this to be a reasonable use. He was concerned that the setbacks would encourage an “inaccessible alley” that would not be maintained if neighbors put up a fence as well. He was also concerned that the large animals could aggravate neighborhood dogs.

Commissioner Baldwin felt the vocal opposition was mostly perception and it was not known that the llamas would decrease property value. He concluded by stating if the applicant could appease the neighbors, he would be in favor of it.

Commissioner Valiante suggested the applicant try to convince the neighbors or wait to request such a use in the future. Mr. Forester stated he did not want to cause issues and would withdrawal the application.

Commissioner Chris Valiante made a motion to deny the conditional use permit as submitted by Paul Forester. Commissioner Jen Calder seconded the motion. The motion passed with all in favor.

Commissioner Chris Valiante made a motion to adjourn. Commissioner Jen Calder seconded the motion. The motion passed with all in favor and the meeting was adjourned at 7:36m.