

City of New Plymouth  
Planning and Zoning Commission  
7:00 pm  
25 February 2014

The New Plymouth Planning and Zoning Commission held their regular meeting at the New Plymouth City Hall on 25 February 2014 at 7:00 pm. Roll call was taken. Chairman Tegethoff was present as well as commission members King, LaCrone, Allen, and Balcer in attendance. Staff members Danielle Painter, secretary of the commission, Beau Ziemer, Public Works Superintendent, and Dwayne Holloway, City Building Inspector were also in attendance.

Guests included were Monty Jones, Joe Goss, and Mike Paulin.

**Commissioner Allen motion to approve the agenda. The motion was seconded by Commissioner LaCrone. The voting was unanimous in favor of the motion.**

**Commissioner Allen motion to approve January 27, 2014 Meeting Minutes. The motion was seconded by Commissioner LaCrone. The voting was unanimous favor of the motion.**

Metal Car Port Located at 160 SW Blvd – Commissioners started out by viewing pictures of the property that was in question. Commissioner Balcer asked what did not meet ordinance and Mrs. Painter explained it was the setbacks for that zone that did not meet the ordinance requirements. City Building Inspector Dwayne Holloway approached the commission and explained he has been through similar situations with the City of Fruitland. He explained that he sent out letters to the residence that had carports that did not meet setbacks. They could appeal the letter to City Council and pay a \$10 fee and then the council could grandfather their property in. However, if the carport was removed or needed re-built, the resident would then need to go through the proper channels and obtain a building permit. Dwayne explained he understands this is a hard situation, but when the carports have not been regulated in the past, having the resident come to City Council and appeal, they have documentation for when complaints are made. Dwayne also explained that any structure, mobile or not, over 200 square feet must obtain a building permit per the Idaho Building Code.

Mr. Jones approached the commission and discussed that the property in question was in fact his property. He understands what the issues are, but finds it frustrating that this issue is just now being discussed. Carports have never been regulated before. He explained that he is willing to do whatever he needs to do to make things right. He provided a list of several other properties that have existing carports that would not meet setback. Mr. Jones stated to enforce building permits for portable structures, it has to be communicated with the citizens of New Plymouth and worded correctly in the ordinance. Commissioner Allen brought up that when a complaint is made, it is made on just that individual and does not apply to any other person that is doing something wrong. The complaint was made on you and therefore action must be taken. Mr. Jones understood where Commissioner was coming from. He also stated that he believes an apology was in order for how his builder treated Commissioner Tegethoff. He explained that is what unfortunate that Commissioner Tegethoff didn't speak to himself directly rather than the builder. After further discussion, Commissioner Tegethoff stated that the commission needs to make a

recommendation to the City Council. Commissioner Balcer asked Dwayne if he would go around and get the addresses for all the carports to send the letter to the resident. Dwayne responded that when this process was done by the City of Fruitland, he had someone go around and get pictures and addresses of all the properties, that way the property in question could be identified by the picture that was taken.

**Commissioner Balcer motioned pending City Attorney, Bert Osborn's approval, to recommend to the City Council, sending letters out to existing residence with carports and have them appeal in front of the council and have their property grandfathered in and not have to meet the city's setbacks. Commissioner King seconded the motion. The voting was unanimous in favor of the motion.**

**Commissioner Allen motioned to adjourn the meeting, seconded by Commissioner Balcer. The voting was unanimous in favor of the motion.**

The meeting adjourned about 7:45 pm.

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Rod Tegethoff, Chairman

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Danielle Painter, Secretary