

FREMONT COUNTY PUBLIC HEARING
Amendment to Appendix I – Home Occupations

Date: November 18, 2010

Time: 6:00 P.M.

Location: Fremont County Annex Building

Attended by: Commissioners Paul Romrell, Skip Hurt, and Lee Miller

Also attended by: Clerk Abbie Mace, Deputy Clerk Cathy Conger, Planning and Building Interim Administrator Stephen Loosli

Commissioner Romrell called the hearing to order at 6:00 pm and welcomed the public.

Commissioner Romrell introduced those in attendance.

Commissioner Romrell stated that this is the time and place for the hearing for Amendment to Appendix I – Home Occupations per advertised. The purpose of the hearing is to receive public comment. He asked Clerk Mace if proper notice had been given and she indicated that it had.

Commissioner Romrell asked the Board of Commissioners if there were any conflicts. Commissioner Hurt indicated no, Commissioner Miller indicated no and Commissioner Romrell indicated no.

Planning & Building Interim Administrator Stephen Loosli gave an opening statement explaining the specific proposed changes for the amendment to Appendix I.

Commissioner Romrell questioned if there had been any changes made from Planning & Zoning. Mr. Loosli responded that they had changed the water requirements.

Commissioner Romrell explained that the public comments will be kept to five minutes each. Commissioner Romrell indicated that the purpose of the public hearing is to hear from the public but not to answer questions. Clerk Mace will be running a timer and will indicate to the speaker when they are down to one minute. Commissioner Romrell read through the sign in sheet for those in attendance.

PUBLIC COMMENT:

Paul Gunderson (1555 E 1500 N, Hamer, ID) Against

Mr. Gunderson began his comments with a statement regarding a group of people who wanted a section of the county to be moved into Clark County. Commissioner Romrell asked Mr. Gunderson to keep his comments to the topic at hand with the Appendix I Amendment.

He objects to the 150 square feet per person. He believes that this requirement restricts their rights and use of their own property.

Commissioner Hurt questioned if he rented his cabin to others during the summer. He stated that he did.

Commissioner Miller questioned the square footage of the home. He responded that he did not know but it has 12 bedrooms. He believes that even the 30 occupancy limit will be a problem for them.

DeDe Draper (3618 Highway 32, Ashton, ID) In Support Of

Ms. Draper encourages the county to pass the ordinance. She expressed that there is a difference between a commercial business and having a family reunion. Private property rights are on both sides of the property line. She acknowledges that enforcement can be difficult.

Ms. Draper submitted Exhibit 1- a letter from Doug Siddoway of Smart Growth Coalition dated October 29, 2010 addressed to Prosecuting Attorney Joette Lookabaugh.

Mr. Loosli explained that we are in receipt of that letter.

Pat Sturm (3750 E 1300 N, Ashton, ID) In Support Of

There are some things that are controversial however she supports what has been done. She would like to see more on enforcement for the property owners. Mr. Loosli has done a fine job preparing this.

Jan Neish (PO Box 224 Ashton, ID) In Support Of

She appreciates the clarity and effort into this.

Douglas Jackson (261 Oakleaf Lane, Salt Lake City, UT) Against

He stated that he doesn't believe certain comments are listened to. He feels that the septic requirements are too restrictive. He does feel that it has been well written.

Commissioner Romrell commented that it is an improvement from before because it has gone from 75 gallons to 40 gallons.

Commissioner Hurt questioned if he has had his tank and system sized. Mr. Jackson stated no but he believes that it is 1000 gallons.

Terry Thomas (2626 E 98th N, Idaho Falls) Against

He owns a cabin here specifically for a rental. It is advertised for 30 people and is about 2600 square feet. They are in the second year of renting it. If it does not rent, he can't make the payments. He believes that there are a number of cabins that will be affected by this. He would suggest that the existing cabins be grandfathered in. His rental as a business could survive if it was dropped down to 25 occupancy but not 15 occupancy.

Commissioner Miller questioned if he was on his own septic and Mr. Thomas responded that he was.

Commissioner Romrell questioned what size of septic he has. Mr. Thomas responded that he doesn't know but guesses about 1000 gallons.

Commissioner Hurt questioned his square footage. He stated that it is 2600 total square footage.

Bruce Beall (PO Box 331 Island Park) In Support Of

Mr. Beall has three vacation rentals and feels that it is appropriate for rentals. He could not find the application on line. Mr. Loosli will help him with the application after the meeting. Permits would be required January 1st. Time frame seems a little tight for the ones that are open in the winter.

Commissioner Hurt stated that he was probably right and that the commissioners could address this outside of the ordinance.

Mr. Beall understands how this could negatively impact the smaller cabins. He would like to see a 3 year compliance term rather than going into immediate compliance in a short amount of time.

Laurie Augustin (4146 Huckleberry Lane, Island Park, ID) In Support Of

Ms. Augustin commented on several concerns that she has with the amendments. She believes that this has been the best option so far however would like to see her concerns addressed.

Ms. Augustin submitted her written comments as Exhibit #2.

REBUTTAL:

Paul Gunderson (1555 E 1500 N, Hamer, ID)

The total number the cabin was designed for was more than 30 people. His square footage is approximately 6000. He bought it because it was that big and now the county is saying that he no longer has the right to use his cabin in the way that he intended. He believes he has the right to have it grandfathered in.

Laurie Augustin (4146 Huckleberry Lane, Island Park, ID)

She questioned if Mr. Gunderson is actively renting to the public. She does not believe that there should be a grandfather clause because it will not fix the problem that this is intended to address.

Written comments would have to have been submitted 7 days prior to the hearing at the County Clerk's Office.

The hearing was closed at 6:57 p.m. by Commissioner Romrell.

Commissioner Hurt stated that the purpose of this ordinance is to address health and safety issues. He appreciates the comments that were given.

Commissioner Miller thanked everyone for coming tonight. We have taken into consideration what people have said and feel that they have been listening to the public.

Commissioner Romrell stated that they have 60 days to make a determination, and if changes are made that are significant this ordinance will go back to another hearing.

Commissioner Romrell thanked everyone for the comments and their attendance.

There being no further business to come before the board, the hearing was adjourned.

Paul Romrell, Chairman
Fremont County Commission

Attest: _____
Abbie Mace, Clerk