

SEPTEMBER 9, 1955

---

Minutes of a Recessed Meeting of the City Council of the City of Idaho Falls, held September 9<sup>th</sup>, 1955, at 7:30 P.M.

There were present: Mayor E. W. Fanning, Mayor; Councilmen Freeman, Foote, Rogers, and Petersen. Also present were a large number of property owners from various sections of the City. The Mayor stated that the purpose of this Meeting is to discuss various changes in the Zoning Ordinance. Copies of the new proposed Zoning Ordinance were distributed to each person present and the Mayor urges any property owners present to voice any objections they might have.

Eugene H. Smith, 2825 Westmorland, wanted to know whether the Ordinance would apply to property in that area. He was informed that it would apply to all property inside the City limits. He then stated that some residents are not obeying ordinance regulations as to width of side yards; that this matter had been called to the attention of the Building Inspector but no action had been taken by the City. Also, that deeds for property in that area call for twenty feet side yard and he wanted to know whether the City Ordinance or the covenants in a deed would take preference. Arthur L. Smith, City Attorney, explained the difference between provisions in a Zoning Ordinance and covenants incorporated in a deed. Mr. & Mrs. Oberlander, Carl Leyse, Robert Coyle, Herman Miller and Mr. Hughes, all residing in Hughes Imperial Addition, voiced their opinions.

Mr. George Hanson and Mr. McMurray, residing in the four hundred block of Eighth Street, requested that the zoning be not changed in their area as they do not want their property values reduced. The Mayor explained that no changes in the Ordinance were contemplated in their section of the City. It was moved by Petersen, seconded by Rogers, that Frank B. Ellsworth, who is erecting a new home at 185 N. Morningside, be issued a stop order until such time as he complies with the City Ordinance as to width of side yard. Roll call resulted as follows: Yes, Petersen, Freeman, Foote, and Rogers; No, None; Motion carried.

The following petition was read:

“To the Honorable Mayor and City Council  
City of Idaho Falls Idaho:

We, the undersigned property owners on the north side of First Street and all of Lomax Street, east of Holmes Avenue comprising the following legal descriptions in the Capital Hill Addition to the City of Idaho Falls, Idaho:

All of Block 31. All of Block 32. Lots 25 to 48 in Block 25. Lots 25 to 48,  
Block 26.

We respectfully request that all of this district comprising the above Blocks and Lots be rezoned C-1 according to the zoning laws now in effect.

If for any reason this request cannot be granted forthwith, we would like to have an open meeting with the Mayor and all of the elected City Council before a decision in this matter is rendered.

SEPTEMBER 9, 1955

---

<u>NAME</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>ADDRESS</u>
Vance Sheffer	395 1 <sup>st</sup> Street	Ruth Ashley	155 Wabash
Harold Dale	666 E. Lomax	Alva C. Harris	570 Lomax
Richard I. Clayton	375 W. 20 <sup>th</sup>	Jess Croft	140 Fanning
E. W. Wackerli	470 10 <sup>th</sup>	Earl Cook	683 1 <sup>st</sup> Street
J. W. Stoddard	689 1 <sup>st</sup> Street	Della Cook	675 1 <sup>st</sup> Street
Mary A. Parker	623 1 <sup>st</sup> Street	Mrs. Harold Young	533 1 <sup>st</sup> Street
Mary L. Butler	623 1 <sup>st</sup> Street	George Meyer	579 1 <sup>st</sup> Street
Edith Rocks	662 Lomax	H. Dale Brown	613 1 <sup>st</sup> Street
John N. Hart, Jr.	530 Lomax	Melvin Hurley	668 Lomax Street
Vincent Hargrave	528 Lomax	Mae R. Johnson	575 1 <sup>st</sup> Street
Boyd Summers	585 1 <sup>st</sup> Street	Lewis Walton	667 1 <sup>st</sup> Street
Mrs. Ken Perry	655 1 <sup>st</sup> Street	George Fowler	661 Lomax
Leorin Crook	648 Lomax		

The Mayor and City Council discussed this petition at length. It was moved by Foote, seconded by Rogers, that the petition be rejected. Roll call voting Yes, Petersen, Freeman, Foote and Rogers; No, None; Motion carried.

Reid Williams requested the City to take some action as to the property east of Holmes Avenue in the vicinity of Baldwin's Market. There was considerable discussion on the matter but no action was taken; the Council prefers to leave it in the R3 Zone. Robert Lutz also spoke on the side yard restrictions.

On motion made and seconded the public meeting was adjourned and the Mayor and City Council met to continue discussion and consideration of the proposed Ordinance.

The Clerk read the Ordinance in full and it was moved by Foote, seconded by Petersen, that the Ordinance be passed on its first reading with the following exceptions:

First: The fifteen foot side yard proposed by this Ordinance be stricken out and the twenty foot side yard in the residence park district be inserted.

Second: That the 100 foot side strip of property west of Holmes Avenue between the alley between Second and Third and Ninth Street retain its R-1 Zone. Roll call voting Yes, Freeman, Foote, Rogers and Petersen; No, None; Motion carried. It was moved and seconded that the Meeting adjourn. Roll call voting Yes, Rogers, Petersen, Freeman and Foote; No, None; Motion carried.

ATTEST: s/ S. R. Rostad  
CITY CLERK

s/ E. W. Fanning  
MAYOR

\*\*\*\*\*