

HUNTSVILLE TOWN PLANNING COMMISSION

DATE: AUGUST 31, 2017
PLACE: Huntsville Town Hall, 7309 E. 200 S.
TIME: 7:00 P.M.

NAME	TITLE	STATUS
Ron Gault	Planning Commission Chair	Present
Brent Ahlstrom	Planning Commissioner	Present
Preston Cox	Planning Commissioner	Present
Rex Harris	Planning Commissioner	Present
Sandy Hunter	Planning Commissioner	Present
Karen Klein	Planning Commissioner	Present
Mike Engstrom	Town Council Member	Present
Gail Ahlstrom	Clerk/Recorder	Present

Citizens: Larel Parkinson Dawson Hedges Michelle Christie
Carson Young Britain Sorensen Nicole Sorensen
Richard Sorensen (Via Phone)

1-Ron Gault called the meeting to order and welcomed everyone; there is a full quorum present.

2-Request for Land Use Permit for Richard Sorensen for old granary: (See Attachment # 1) (7390 E. 200 S.) Britain is here representing his father Richard Sorensen, who is listening to the meeting via phone. Britain mentioned that his dad has updated his plans to include the old granary. They plan to place the granary where it sat for years. The granary was moved from the property about 15 years ago. Richard would like to keep historic value of his property and was happy to bring the granary back to its rightful place. The granary is actually smaller than building they proposed in their earlier plan. The intended use would be for storage of wedding supplies. Brit stated that the Questar building is loud and ugly; the granary will also serve as a buffer. The granary will be 18' from property line. They would like to add an 8' shed roof or porch onto it. The two other cottages will be kept for nightly rentals. The cottages are 10' from the property line. Rex asked what changed from the original site plan. Richard mentioned that behind the grass area to the west there is a concrete pad, they had planned a 60'X40' building, which building is now out of the plans, the granary is in its place.

Richard stated that the granary was included with their original presentation but hadn't been moved to the property yet. There was discussion as to where the west property line was. Ron stated that the approved Conditional Use Permit allowed for four units. Rex asked if there were two rooms inside the store plus the two outdoor. The Land Use Permit requested tonight is for the granary. Ron looked through the Sorensen's Stipulated Agreement which was approved to include a maximum of four overnight rental units between both parcels.

Ron motioned that the PC has reviewed the drawings from the Sorensen's and find it to be in compliance with the ordinances and the Stipulated Settlement Agreement. Ron proposed to grant the Land use Permit. Brent seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom Commissioner Rex Harris
NAYS:	

3-Request for Land Use Permit for Tommie Christie: (200 S. 7340 E.) (See Attachment #2)

Ron mentioned that this will be a tear down and re-build on the old Farley property. Mike Engstrom and Ron Gault met with the Christie's and they rearranged their plans in order to meet setback requirements. The existing home was actually closer to the street; they have pushed it further back. They plan to leave the garage alone; it will not be attached to the new home. Rex mentioned that there is an ordinance that requires access to the home from the frontage. Rex re-stated that vehicle access needs to be from the frontage. Preston asked if there garage is the existing garage, what does that mean. Rex remarked that the PC needs to decide what is grandfathered and what is not. Rex said if the home was existing and not torn down then the use would be grandfathered. Carson Young replied that the garage is in the same place, access to the home has been from the alleyway for years.

Preston read from the Ordinance, Title 15.6.4.B: Frontage Regulations: B. "Primary vehicular access to a lot shall be from the frontage. Primary vehicular access is defined as the access used to access the residence the majority of the time. Primary vehicular access to a lot must be submitted on the site plan." Sandy said the Town has problems with people using the alleys as their driveways and the alleys belong to the town. Michelle replied that she understands this but the garage has been there for years. It is a separate structure from the house; they are not changing anything about the garage. The home was built in 1920. Rex mentioned there are similar issues on lots, and the PC made the decision that when the opportunity came up to bring a property into conformity they would. Michelle mentioned that there is commercial parking along the entire frontage. This home is not in a neighborhood, it's in the commercial zone.

Preston asked if it made a difference if the property is residential or commercial. Preston thought the Christies have two things going for them, 1-the garage is existing, 2-it in such close proximity to the commercial zone. Rex asked if this may be a potential for a variance. Preston thought this seemed more logical. Rex did not disagree. There is public parking in front of their home. Rex remarked that the Christie's would have means through the variance process; they may meet the variance criterion. Carson re-stated that the public is using the Christie's frontage for parking that is the frontage to their house. They are accessing the garage from the alley but walking to the house. Rex enforced that the ordinance states vehicular access from the frontage. This is a unique situation.

Ron agreed that this is an existing usage, plus there is commercial parking along the front, this isn't happening anywhere else. Ron thought the PC should recommend this matter to the Appeals Authority.

Karen commented that the Christie's could park in the front parking areas and access their home from the front. This is not vehicular access. The garage is not the issue, it's the primary access. Putting in a driveway along the frontage will mess up the commercial parking and ruin their yard. What Preston is suggesting is that the request for a Land Use Permit doesn't technically doesn't meet the ordinances, but a variance request would likely be granted if they can prove they meet all variance criterions. There are no other issues with their Land Use Permit request.

Ron motioned that the Christie's house plan is in compliance with the ordinances except for Title 15.6.4.D: Vehicular access from the lot frontage, but because of the special circumstances attached to this property the PC feels it qualifies for a variance and suggest they meet with the Appeals Authority and apply for a variance. Rex seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom Commissioner Rex Harris
NAYS:	

4-Discussion and/or action on Parkinson's Major Subdivision plans: (200 N. 6700 E.) (See Attachment #3) Larel presented his final subdivision plan. His surveyor wanted to wait to do the Mylar until approval by the PC first. The location of each perk test will also need to be added to the plat. Larel provided Will Serve letters from the Secondary Water, Power, Weber/Morgan Health, and Fuel Companies.

Rex asked if both parties agreed to the terms in the secondary water letter. Larel replied that he did. The terms are that an 8" line will be connected to the main line on 100 S. and run along 6800 E. to 200 N. A 6" line will loop through the subdivision and re-connect with the main line. Larel said the letter should say that the line goes down 6700 E. which makes more sense. Rex recommended that Larel has them amend the letter to include the correct connection spots. Drains will be installed for the end of the irrigation season. Larel mentioned there were a lot of concerns expressed about the secondary water system. He spoke with Lewis Johnson, and he thought the drains should help everyone in this section of town.

Lot 1 is .75 acres and is where Larel's current home sits. Lot 2 is large with 3.66 acres, Lot 3 is .91 acres, Lot 4 has .75, and Lot 5 has .75 acres. The cul-de-sac meets the required dimensions.

Sandy asked about 6700 E. it is a platted street that has never been developed. **Rex motioned that the Parkinson Subdivision plat as submitted, appears to meet all requirements for signature of the Mylar except for the perk test locations. Ron amended the motion to say the PC has reviewed the Parkinson's Subdivision plat and found it in compliance with the ordinances, minus the perk test locations.**

Larel remarked that the Health Department only did one perk test; they also did four soil evaluation. Gail commented that Larel's surveyor will need to email the plat map to the County Surveyors. They will do a red line review that costs \$450. Once the review is done, the Mylar is printed. Ron said the ordinances require elevations and road engineering. The PC is approving the layout tonight, the plat shows the required area for each lot and the road design meets the ordinances. Tonight the PC is saying the subdivision plat looks to be in compliance and Larel can move ahead with engineering of the subdivision. Larel has 18 months to get this done.

Ron stated that the PC has reviewed the Parkinson Subdivision layout and find it is in compliance with the ordinances; Ron motioned to accept this layout. Brent seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom Commissioner Rex Harris
NAYS:	

5-Review of letter to be mailed to County about non-buildable lots: (See Attachment #4)

The PC reviewed a draft letter that was prepared to record with the County in regards to four lots that were subdivided in 2009, by Kerry Wangsgard. There is no evidence to show the subdivision was done legally. One of the lots is for sale right now and the PC wants to make sure the County is aware of this matter in order to advise potential buyers.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom Commissioner Rex Harris
NAYS:	

6-Request for Lot Line Adjustment for Preston Cox: (455 N. 6800 E.) (See Attachment #5)

Preston said he would like to do a lot line adjustment between him and his dad's property. It would move the boundary 5', to include the trees. The proposed line is not straight; it jogs to the east 71' back from the front of the property. This allows Preston to keep the required 130' frontage and after the reduction they still meet the area requirements with .93 acres.

Ron motioned that the PC has reviewed the request for a Lot Line Adjustment between the John Cox and Preston Cox properties and find it acceptable. Sandy Seconded. Preston recused himself from the vote.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom Commissioner Rex Harris
RECUSED:	Commissioner Preston Cox
NAYS	

7-Review of zoning map: (See Attachment #6)

Ron said this is the zoning map the county has for the Town. There have been a couple of changes to this map since the General Plan was last adopted. This zoning map shows the Christie’s home as being zoned C-1. The county is taxing this property as R-1. The American Legion property is zoned as AV3. Gail mentioned this map was updated in July, 2016. Kerry Wangsgard’s property is zoned CV-2 and is in the County. Ron mentioned he has received four phone calls from a man who wanted to purchase the property south of Kerry Wangsgard’s. He wanted to annex the property into the town and build storage sheds. Ron repeatedly told the man that the property would need to be annexed under the current zoning AV-3 and that the town recently declined annexing the Wangsgard property because we don’t want storage sheds. The Johnson and Carter properties are zoned AV-3 too. Rex said there is also the Shore Line zone (S-1); the Davis property subdivision was looked at with the PC thinking the property was zoned residential and it is AV-3 as well. Rex asked how this is defined. The S-1 crosses property boundaries. All other zones follow the property lines, but S-1 could be in the middle of a property.

Rex’s worry is that part of the Davis subdivision is in the AV-3 zone and they were planning ¾ acre lots for their subdivision. The town could be looking at property that could have two zones on a lot. Ron said S-1 is a 5 acre minimum, AV-3 requires a 3 acre minimum.

The PC reviewed different properties located in the Town’s C-1 zone. Ron said the town dictates its zoning; the county puts the zones on their maps as directed by the town. Gail remarked that the zoning map reflects the information she has heard during PC meetings over the years, that properties facing 200 S. were all commercial. Sandy commented that the Town Park is not in a park zone.

8-Review of Title 15.13:

This item was tabled.

9-Citizen Comments:

Dawson commented that at the public hearing last month the public expressed a variety of concerns about the Parkinson Subdivision. He is wondering at which point of the process the concerns get address. Is there ever a discussion after, or is the hearing just a formality?

Ron stated that the PC listens to the comments and compares them to the ordinances to see if what is being proposed complies. Rex said normally on a public hearing all complaints should be quantified, and give formal responses to them. Rex said he will listen to the recording and make note of each complaint and draft a response that can be reviewed in the next PC meeting.

Doug Allen remarked that he was at the mentioned public hearing and 50% of the concerns were about the irrigation water.

10-Approval of PC minutes for meeting held August 10, 2017.

Ron motioned to approve the PC minutes for meeting held August 10, 2017 as prepared. Sandy seconded. All votes aye. Motion passed.

Sandy made a motion to close the meeting. Brent seconded. All votes aye. Motion passed.

Meeting adjourned at 9:05 p.m.

Gail Ahlstrom, Clerk/Recorder