

**MINUTES OF THE HUNTSVILLE TOWN
PLANNING COMMISSION MEETING**

MEETING DATE: July 26th, 2018
PLACE: Huntsville Town Hall, 7309 E. 200 S.
TIME: 7:00 P.M.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Rex Harris	Planning Commissioner	Present
Sandy Hunter	Planning Commissioner	On Phone
Blake Bingham	Planning Commissioner	Present
Liz Poulter	Planning Commissioner	Excused
Jeff Larsen	Planning Commissioner	Present
Bill White	Town Council Liaison	Excused
Beckki Endicott	Recorder	Present

Citizens: Cleanne Peterson, Ron Gault

1 – Roll call: Chairman Allen called the meeting to order.

2 – Approval of the Minutes from May 24th, 2018: **Blake made a motion to approve the Planning Commission Meeting Minutes from May 24th, 2018.** Rex seconded the motion. All votes aye. Jeff Larsen not present yet. PC Meeting Minutes are approved.

3 – Discussion and/or action on Land Use Permit for Kent & Cleanne Peterson Addition – Parcel #240120019: **(See Attachment #1)** Cleanne brought a copy of the plans. The site plan and building plan was adjusted previously to meet the setbacks. Doug confirmed the plans would not require any moving of the septic. The PC confirmed the height was within the ordinance allowance. Chairman Allen asked Cleanne to come back to the Planning Commission if any changes were made. **Rex made a motion to approve the Land Use Permit for Kent & Cleanne Peterson addition.** Motion was seconded by Blake Bingham. All votes aye. Motion is approved. The Land Use Permit was signed by Doug Allen.

VOTES: APPROVED	
AYES:	Commissioner Doug Allen Commissioner Sandy Hunter Commissioner Blake Bingham Commissioner Rex Harris
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Liz Poulter Commissioner Jeff Larsen

4 – Discussion and/or action on bond agreement for residents wanting to live in a home while building a new home on the same property. Several months ago, Mike Engstrom proposed a bond agreement be made as an incentive to tearing an old home down on completion of the new home if the residents wanted to live in the old home while the new one was being constructed. Doug Allen wanted to know what the cost of tearing a home down with a foundation would be. Blake stated he would like to see a bid for a structure since the size of the homes are varied. Ron Gault stated it cost them about \$16,000 for a 3,000 sq ft home with a foundation. Rex and Sandy both felt this was a good idea. Beckki reminded the Commission that a bond would probably not be possible because the banks didn't want to bond for that amount. The Town would have to put the cost of tearing down the house would be in an escrow account. Sandy stated she liked this idea but liked the idea of having the bid amounts from their contractor. The home owners should get their own bid and then the Town could hold the money.

Doug suggested there be a timeline for obtaining the money. Sandy suggested this should be part of the Land Use permit process. Blake recommended the PC draft an ordinance to present to the Town Council. Rex stated the State of Utah has a database they use for tearing down home. He suggested the Town could use this to estimate the cost of tearing down a home. Sandy thinks the home owner needs to get the bid from contractors. Rex stated he thought the only difficult part of getting a bid in advance was that it takes a lot of time to construct and complete a home and prices could change. Rex will go ahead and draft an ordinance for the PC to review at the next meeting. **Blake made a motion to table this item and review a draft ordinance at the next Planning Commission Meeting. Rex seconded the motion. All votes aye. Vote included Jeff Larsen. Motion passes.**

5 – Discussion and/or action on Proposed Revisions to 15.25.1: Parcel Consolidation and Boundary Line Adjustment. Blake drafted some additional language to go with 15.25.1.12. He added a section 15.25.1.13 and 15.25.1.14. **(See Attachment #2)** Doug commented Huntsville doesn't have anything in the ordinance regarding parcel consolidation. Rex asked Blake if he had seen any kind of ordinance that required a homeowner to consolidate lots if there was a structure that was built on a parcel line. Blake argued the structure would not meet the setbacks. Rex gave an example of land owner having two lots and wanting to build in the middle of the two lots....is there anything requiring the land owner to consolidate those lots. Blake states the ordinance wouldn't allow the building because the setbacks wouldn't allow it. Rex stated he was concerned if the owners owned both lots then they wouldn't recognize setbacks. Ron stated there have been people who have consolidated lots because it lowers the taxes and then the owners want to subdivide later.

Doug asked Sandy if there had been any changes at the Weber County Recorder's office regarding the communication with the Town on lot changes. Sandy stated she gave this problem to Bill Morris and he met with the Recorder's office and they stated they would get back with him and never did. Bill Morris told Sandy there would have to be a request from the Town every three months or so to see the lot changes. Doug pointed out lot consolidations could be done without the Planning Commission even knowing it because the County Recorder's Office doesn't require anything from the Town. Doug stated the way the PC would know about any changes was whether they were building on a lot because the land owner would need a building permit.

Sandy agreed this ordinance was needed and would add some language to the ordinance that states after a consolidation has been done a subdivision could not be done without approval from the Planning Commission.

Rex suggested they might want to suggest in the ordinance the situation about consolidation with two lots in two different zones. Blake agreed he could add language that stated the consolidation had to be on parcels in the same zones.

Blake made a motion to take the draft to revise it to incorporate the suggestions from the Planning Commission and bring it back to the PC in August for additional review. Rex seconded the motion. All votes aye.

6 – Discussion and/or action on Additional Use Language needed in Title 15: Sandy expressed that a referral to the use table under each section of the ordinances might be helpful to those who are using it. They would be able to consolidate information and maybe delete just the little individual lines that are already covered in the use table. Sandy thinks all the information should be in the use table and then refer to the use table in each section. Blake stated the only problem with Sandy's suggestion is that sometimes there is added information on conditional use in the individual line. For example, the Bed and Breakfast use has now been added to. Rex stated he would like to see a hyperlink incorporated in the table for those conditional uses that points to a section for additional information. Sandy volunteered to work on the format although it will take some time. **Blake motioned to table this until a future meeting.** Jeff seconded the motion. All vote aye.

7 – Review of Title 15.6.10: Coverage Requirements: Sandy stated she would like to put some verbiage and definitions to this Title. She will put something together and put it on the agenda at a future time. Rex suggested the PC look at it from an engineering perspective as well. Doug stated with septic tank land requirements the coverage is self-regulating.

8 – Review of Title 15.17.3 A & B: Non-Complying Buildings, Non-Conforming Uses, and Parcels: Additions and Enlargements: Blake drafted some amendments to the non-complying structure. **(See Attachment #3)** He states there are many homes in Huntsville that are non-complying structures. He states his neighbors have non-complying structures. When he told neighbors they could not have an addition to their home, they were alarmed. He summarized he would like to see the additions that are added to a non-complying structure comply with the ordinance. The non-complying structure that is added to would not have to be brought into compliance. In essence, the house would be grandfathered. The new addition would have to be compliant. Sandy commented she likes to keep the General Plan in mind when thinking about these kinds of changes. She stated if you have a conforming lot, maybe an addition that complied with the setbacks and height would be in line with the General Plan and the feeling of openness that is spoken about in the General Plan. If the addition was on a non-conforming lot, then there might a be a different. Doug stated we needed to remember to think about the impact on the neighbors.

Blake stated in Huntsville the rights of way are very large, 99 feet. He suggested that if we wanted to protect the neighbors and really enforce the side set-backs, that seems reasonable.

However, with the large rights of way, the front and back set-backs seem less impactful. Ron stated he has copies of ordinances back to 1980's and the 30-foot set back was in place at that time. Sandy asked Rex if he would be uncomfortable with the conforming addition on a non-conforming lot. Rex stated that would be a different situation. Doug concurred. Blake would like to make sure this is on the agenda for the August meeting as a discussion and/or action.

9 – Review of Title 15.6.2.A: Use Regulations in a Residential Zone: Single Family Dwellings:
Blake stated he couldn't find any ordinances that addresses attaching two structures together. Blake wasn't sure that the Planning Commission wanted to have this much control over structures. He believes this was maybe a matter of taste. The only control that makes sense to him is one water meter, one utility meter per lot. Blake recommended that they let any additional language go on this issue. Blake asked if there was a desire on the Planning Commission to even address this issue. Doug believed there needed to be more definition regarding single family dwelling. Discussion on what constitutes a single-family dwelling. Ron read the current definition. Doug asked this be put on the next meeting agenda.

10 – Citizen Comments: There were none.

Rex made a motion to adjourn the meeting. Blake seconded the motion. All votes aye.
Meeting is adjourned at 8:38 p.m.



Beckki Endicott, Recorder



LAND USE PERMIT

Huntsville Town Building Inspection
7309 E. 200 S.
P.O. Box 267, Huntsville, UT 84317
(801) 745-3420

Tax ID # 240120019

Address of Structure 274 South 7200 East

Name & Address of Owner/Owners Kenton + Cleanne Peterson

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 7-26-18

Set Backs Approved: Yes No

Any special stipulations and conditions of the Site Plan Review: _____

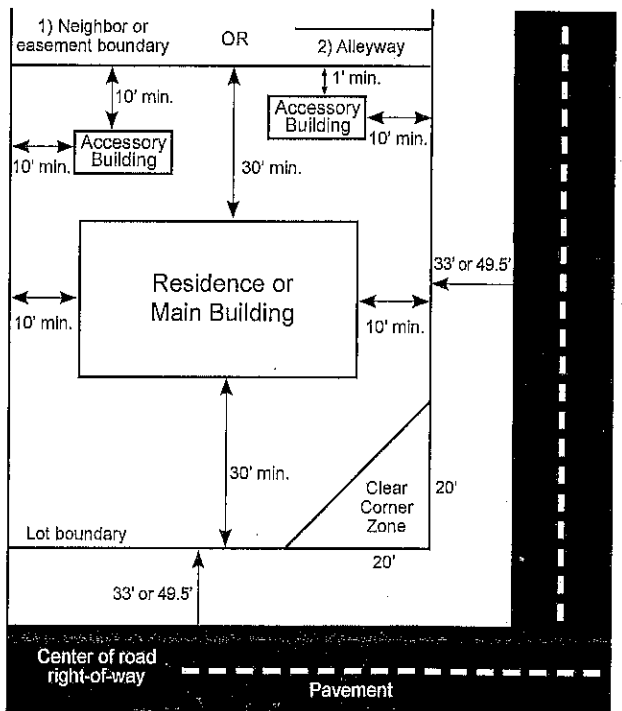
Huntsville Planning Commission Chairman

Property Owner Signature

"By signing this form, the applicant agrees that they understand that the Huntsville Town R-1 zone, which their lot is zoned, only allows for one single family dwelling on the lot. The applicant also agrees that they understand that if any changes to their site plan are made after the Land Use Permit is issued, that those changes must be approved by the Planning Commission."

- Minimum lot size = 0.75 acre (32,670 sq. ft.)
- Minimum width = 130 feet (120 feet if bounded by an alleyway)

Huntsville Town Residential Zone Setbacks



PART OF NW 1/4, SEC. 18, T.6N., R.2E., S.L.B. & M.

HUNTSVILLE SURVEY

LOTS 2 TO 8, BLOCK 1 PLAT C & BLOCK 11, PLAT A

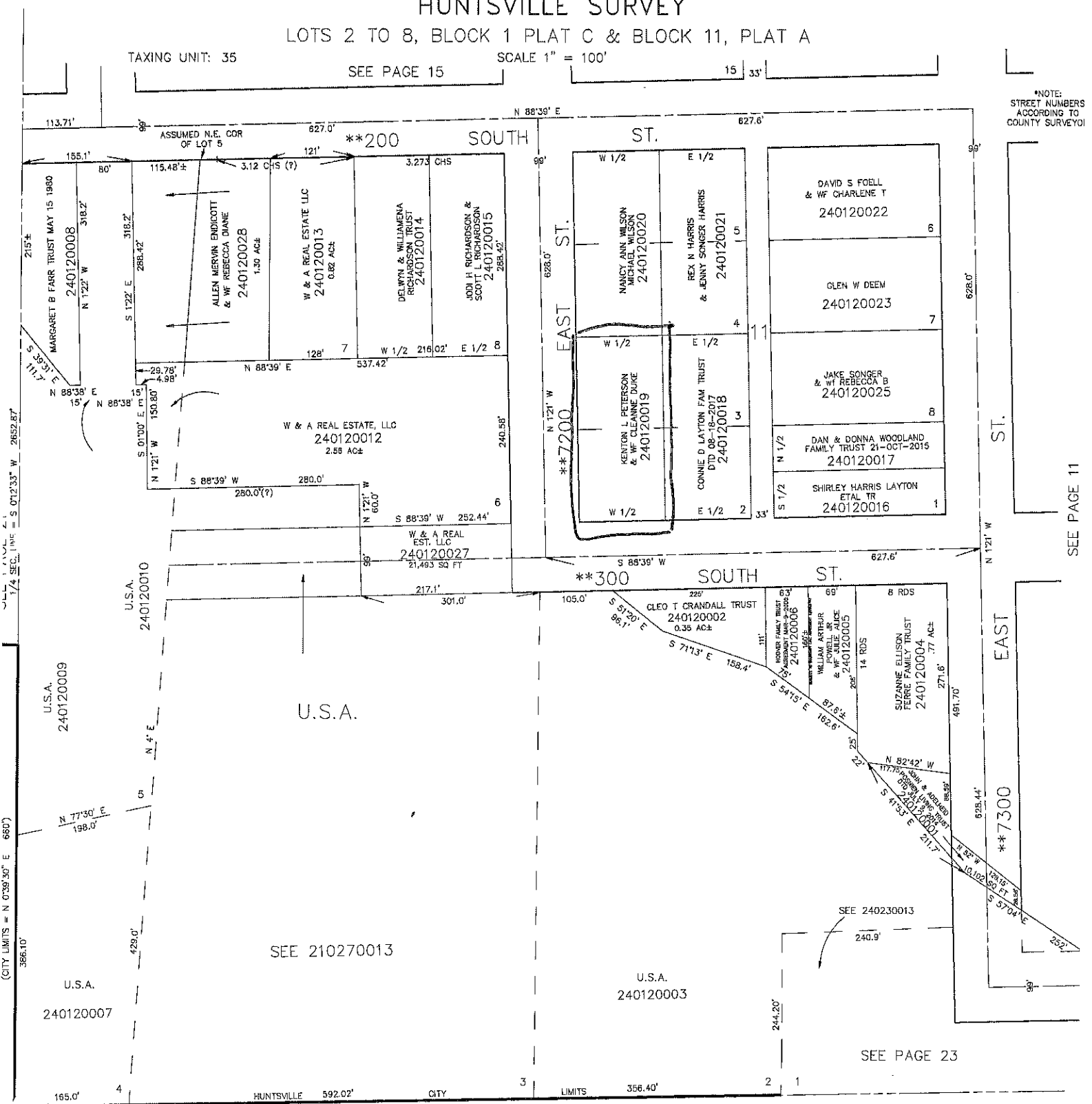
TAXING UNIT: 35

SCALE 1" = 100'

SEE PAGE 15

15 33'

*NOTE:
STREET NUMBERS
ACCORDING TO
COUNTY SURVEY



SEE PAGE 11

SEE PAGE 23

SEE 210270013

SEE 240230013

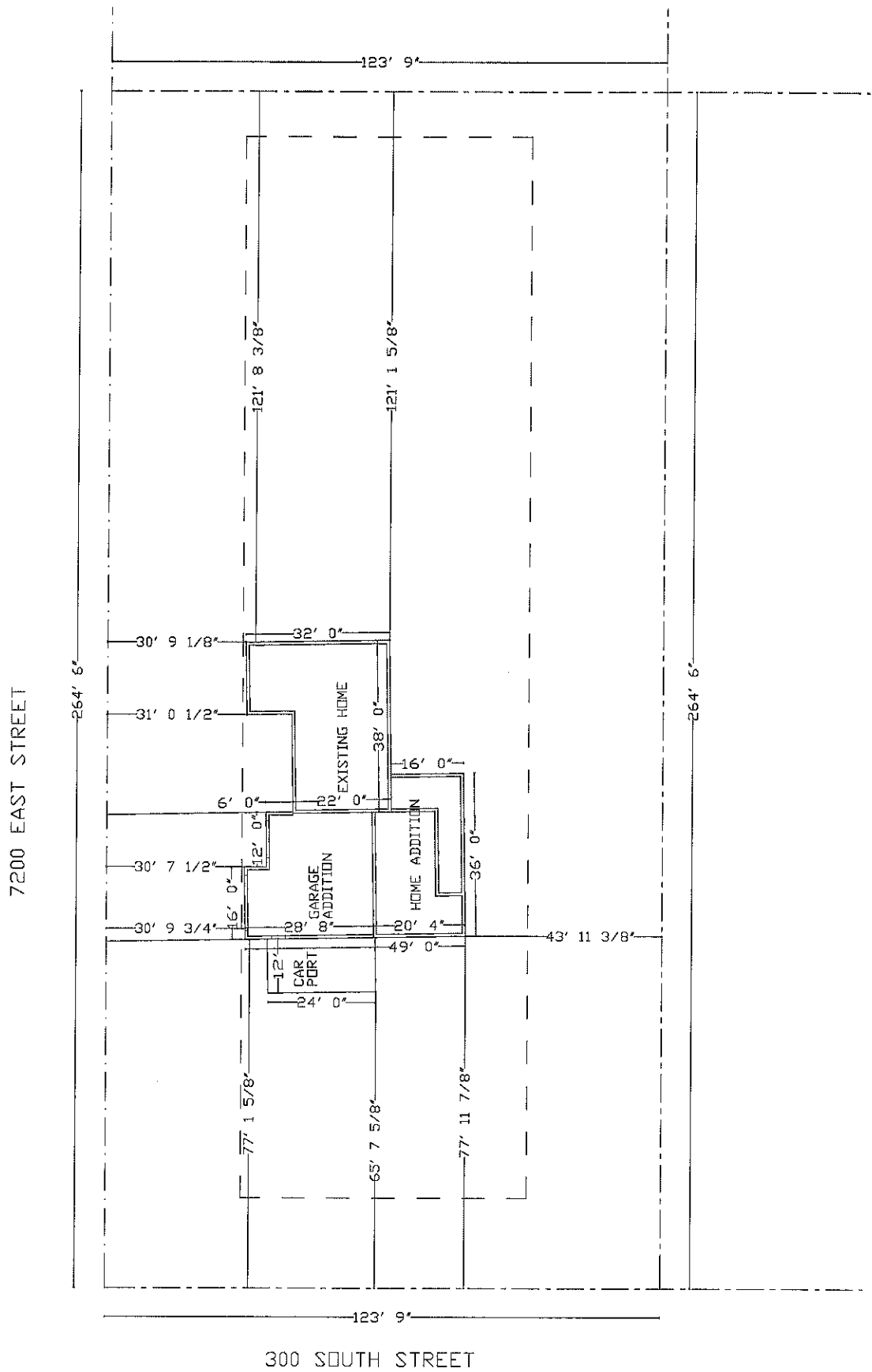
-W. 1/4 COR OF SEC. 18

SEE BOOK 21, PAGE 27

*SEE STREET CHANGE E#2195484

L.D.F. 4-92

Peterson Site Plan



15.25.1.12 Vacating or Changing a Subdivision Plat

Any petition to vacate or change a subdivision plat will be reviewed by the Huntsville Town Council at a public hearing. Notice of said meeting will be emailed to 1) "affected entities if multi-unit residential, commercial or industrial subdivision, 2) a) to the record owner of each parcel within specified parameters of that property, or b) posted, on the property to give notice to passers-by and published in a local newspaper for four (4) consecutive weeks.

15.25.1.13 Parcel Consolidation

Upon favorable recommendation of the Huntsville Town Planning Commission and approval of the Huntsville Town Council, contiguous parcels (or lots) may be combined to form one parcel (or lot) unless a subdivision amendment is required under Title 15.25.1.12. Such parcels (or lots) will be considered consolidated, and shall meet all requirements concerning parcel consolidation. Once two (2) or more contiguous parcels (or lots) have been consolidated, they may not be divided without meeting all applicable zoning requirements.

- A. Petition: Petitions for a parcel consolidation may be approved and executed upon the recordation of an appropriate deed if:
1. The parcel consolidation does not involve a recorded subdivision plat.
 2. The proposed parcel consolidation does not result in the creation of a parcel (or lot) of size or shape that does not conform to all Town zoning regulations and site development standards. If the proposed change is to a legally existing nonconforming lot, the change may not perpetuate nonconformity.
 3. The proposed parcel consolidation does not result in changing a conforming structure into a nonconforming structure as a result of setbacks, proximity to other structures, use, landscaping, or any other site land use requirement.
 4. The petition for parcel consolidation must include signatures from representatives of each parcel affected by the boundary line adjustment.
- B. Application: Application materials for the parcel consolidation shall include the following:
1. Completed Parcel Consolidation application signed by all affected property owners;
 2. Legal description of the whole piece of property to be consolidated;
 3. Copies of deeds reflecting the new property boundaries; and
 4. One (1) eleven by seventeen (11 x 17) drawing to scale of the existing parcels (or lots) and one (1) eleven by seventeen (11 x 17) drawing to scale of the proposed consolidated parcel (or lot). All drawings shall show all structures on the property, fence lines, easements, driveways, and streets, and include a measurement scale and north arrow.
- C. Recordation: Parcel consolidation shall be accomplished by recording an appropriate deed with the County Recorder's Office. The new legal description shall not create a remnant parcel or violate existing zoning ordinances.
- D. General: If necessary, the Planning Commission may require the following additional information:
1. A plat (drawn to scale) prepared in ink by a licensed land surveyor or engineer of a to a scale not smaller than one hundred (100) feet to the inch and shall be of such size as is acceptable for filing in the Office of the County Recorder. The plat shall:
 - a. Be accompanied by one reduced eleven inch by seventeen inch (11" x 17") copy of the full size drawing(s).
 - b. Be presented to the Town Clerk at least thirty (30) days prior to a regular meeting of the Planning Commission to review the plat and prepare for its consideration at a regular meeting held for such purpose.

15.25.1.14 Boundary Line Adjustment

Upon favorable recommendation of the Huntsville Town Planning Commission and approval of the Huntsville Town Council, any adjoining property owners may submit an application, proposed map, and proposed legal descriptions for a boundary line adjustment unless a subdivision amendment is required under Title 15.25.1.12.

- A. Petition: Petitions for a boundary line adjustment may be approved and executed upon the recordation of an appropriate deed if:
1. The change in boundary lines does not result in the creation of a new lot or parcel.
 2. The change in boundary does not involve a recorded subdivision plat.
 3. The proposed change to a lot does not result in the creation of a parcel of size or shape that does not conform to all Town zoning regulations and site development standards. If the proposed change is to a legally existing nonconforming lot, the change may not perpetuate the nonconformity.
 4. The proposed change to a parcel (or lot) does not result in changing a conforming structure into a nonconforming structure as a result of setbacks, proximity to other structures, use, landscaping, or any other land use requirement.
 5. The petition to change the boundaries must include signatures from representatives of each parcel affected by the boundary line adjustment.
- B. Application: Application materials for the lot line adjustment shall include the following:
1. Completed application signed by all affected property owners;
 2. Legal descriptions of each parcel involved in the lot line adjustment;
 3. Copies of deeds reflecting the new property boundaries; and
 4. One (1) eleven by seventeen (11 x 17) drawing to scale of the existing plat and one (1) eleven by seventeen (11 x 17) drawing to scale of the proposed plat. All plats shall show all structures on the property, fence lines, easements, driveways, and streets, and include a measurement scale.
- C. Recordation: Boundary line adjustment shall be accomplished by recording appropriate deeds with the County Recorder's Office. The new legal descriptions shall not create a remnant parcel or violate existing zoning ordinances.
- D. General: If necessary, the Huntsville Town Planning Commission may require the following additional information:
1. A plat (drawn to scale) prepared in ink by a licensed land surveyor or engineer of a to a scale not smaller than one hundred (100) feet to the inch and shall be of such size as is acceptable for filing in the Office of the County Recorder. The plat shall:
 - a. Be accompanied by one reduced eleven inch by seventeen inch (11" x 17") copy of the full size drawing(s).
 - b. Be presented to the Town Clerk at least thirty (30) days prior to a regular meeting of the Planning Commission to review the plat and prepare for its consideration at a regular meeting held for such purpose.

15.17.3 Additions and Enlargements

- A. A building or structure nonconforming as to use shall not be added to or enlarged in any manner, unless the building or structure is brought into conformance with the use regulations of the zone in which it is located.
- B. A non-complying building or structure shall not be added to or enlarged in any manner, unless:
1. Such additions or enlargements conform to all of the regulations of the zone in which the non-complying building or structure is located; and
 2. A Conditional Use Permit is approved by the Huntsville Town Council after review and recommendation by the Huntsville Town Planning Commission.

A large, handwritten signature in black ink, written diagonally across the page. The signature is highly stylized and appears to be a cursive name, possibly "D. R. [unclear]".