

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

MEETING DATE: February 1, 2018
PLACE: Huntsville Town Hall, 7309 E. 200 S.
TIME: 6:30 P.M.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Sandy Hunter	Planning Commissioner	Present
Rex Harris	Planning Commissioner	Present
Blake Bingham	Planning Commissioner	Excused
Mike Engstrom	Planning Commissioner	Present
Liz Poulter	Planning Commissioner	Present
Bill White	Town Council Member	Present
Ron Gault	Consultant	Excused
Beckki Endicott	Recorder	Present

Citizens:

Bill Wangsgard, Gail Ahlstrom, Jason Peterson, Craig Peterson

1-Chairman Doug Allen called the meeting to order. There was a full quorum present.
Chairman Doug Allen welcomed everyone.

2-Discussion and/or action on Craig Peterson's Land Use Permit:

Chairman Allen started the discussion by stating there is a Conditional Land Use Permit which was issued to Craig Peterson on October 26, 2017 for building on an existing foundation. A copy of the conditional permit is attached. Bill White reviewed the lawsuit action. There were two causes of action that the plaintiff, the Wangsgards brought. One was the access issue in determining who owns the land and the access to the land. The second was the action brought against the town stating Huntsville Town was not enforcing its nuisance ordinance. The plaintiff asked the judge to force the town to enforce the nuisance laws and make Craig Peterson clean up his property. The lawsuit is still pending but there is no action by the plaintiff. Bill White stated there is nothing for Craig to respond to at this point. There is no trial date or motions. Bill White stated it wasn't fair to Craig Peterson for Huntsville Town to wait for the Wangsgards to pursue their lawsuit while Craig waits to get his house built. Bill White stated that we have the power to act on our own because the judge has not ordered us not to. Chairman Allen asked if Craig Peterson was invited to come. Mike Engstrom responded that Craig was notified and invited to this meeting. Chairman Allen expressed some concerns about issuing a new Land Use Permit. Chairman Allen wanted to know if there was a second house and septic system on the land. Mike Engstrom confirmed this finding of a second septic system. Removal of the second septic system would need to be a part of the Land Use Permit conditions. The second septic system would have to be filled in, in order to build the new home. There are also outbuildings on the property that people have been allegedly living in. Chairman Allen expressed that he wished that Craig Peterson was here to answer these concerns.

Bill White suggested that disabling the septic system for the second building would go a long way to complying with the town ordinance and expectation with one house on one lot. Mike Engstrom made a phone call to Jason Peterson. There was additional discussion on whether there are additional people living on the property. Mike Engstrom stated he was able to contact Craig. Craig and Jason Peterson were on their way to the PC meeting. Bill White gave an update on the state of the property. Bill White stated he had inspected the property with regards to the nuisance laws. Bill stated that there is a huge improvement in the clean-up effort of Craig property. He stated they are about 75-80% of the way there. There are some piles of building materials on the property. He believes the building material was left to help with the rebuild. He also states there are several piles of junk that still need to be removed. Bill White suggested that a contingency for the Land Use Permit should state they need to finish the clean-up and suggested that would be easily done with a construction dumpster. Sandy Hunter suggested that the outbuildings not be used as a residence or a rental. This should also be a part of the permit. Also, the second septic system needs to be disabled. The PC will require photo evidence of this. The conditions were detailed on the new Land Use Permit. The conditions have to be met before the PC will sign off on an occupancy permit.

Bill White continued to update the PC on the progress of the lawsuit and felt that Huntsville Town needed to talk to our attorney about filing for a dismissal. Bill will go ahead and speak to the attorney.

Craig and Jason Peterson arrived at the meeting at 7 p.m. Mike Engstrom stated to Craig and Jason Peterson that the second septic system needed to be disabled. Jason stated the system has now been filled in and has photos to prove this. These photos will be forwarded to the PC. The second condition is that there will be no residents residing in the outbuildings. Jason confirmed that Craig and Jason have discussed this issue. Mike Engstrom congratulated Craig on the clean-up progress of his property. Mike Engstrom stated the property would have to be cleaned up 100%, this will be approved by an enforcement inspector. These conditions will have to be met in order for an occupancy permit to be signed. Craig agreed to these conditions on the Land Use Permit. Bill White stated to the Peterson's that there is a risk that the Wangsgards will file an injunction. The lawsuit is still active although the Wangsgards have not recently taken any action. Bill White commented that an injunction could happen as soon as tomorrow to stop the Town from proceeding with the Land Use Permit. **Mike Engstrom made a motion to grant Craig Peterson a Land Use Permit with the following stipulations that must be met as a condition to receive final occupancy. 1) As construction is completed, they will finalize the clean-up of the property, bringing it from 80% clean to 100% clean, this will be reviewed by our ordinance enforcement officer, Bill White. 2) None of the outbuildings will be used as any kind of residence. 3) The existing or second septic system shall be removed or disabled and photographic evidence of that will be provided to our enforcement officer.** The motion was seconded by Rex Harris. All votes ayes. The motion is approved. The Land Use Permit was signed by Chairman Doug Allen and Craig Peterson.

VOTES: APPROVED	
AYES:	Chairman Doug Allen Commissioner Sandy Hunter Commissioner Rex Harris Commissioner Mike Engstrom Commissioner Liz Poulter
NAYS:	
EXCUSED:	Commissioner Blake Bingham

3-Citizen Comments:

There were none.

4-Set date for next PC meeting:

The next PC meeting will be held on February 22, 2018.

Rex Harris motioned to adjourn. Sandy Hunter seconded the motion. All votes aye. The motion is approved. The meeting was dismissed.

Meeting adjourned at 7:08 p.m.


Beckki Endicott, Recorder



Attachments
PC Feb. 1, 2018

Conditional **LAND USE PERMIT**

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

Tax ID # 240140010

Address of Structure 680 S. 7625 E. Huntsville, UT

Name & Address of Owner/Owners Joseph Craig Peterson

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: Oct 26, 2017

Set Backs Approved: Yes No

Using the existing foundation at front. Extending the foundation at the back (west side)

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

Only approved to pour foundation. Follow on Land Use Permit required for further construction

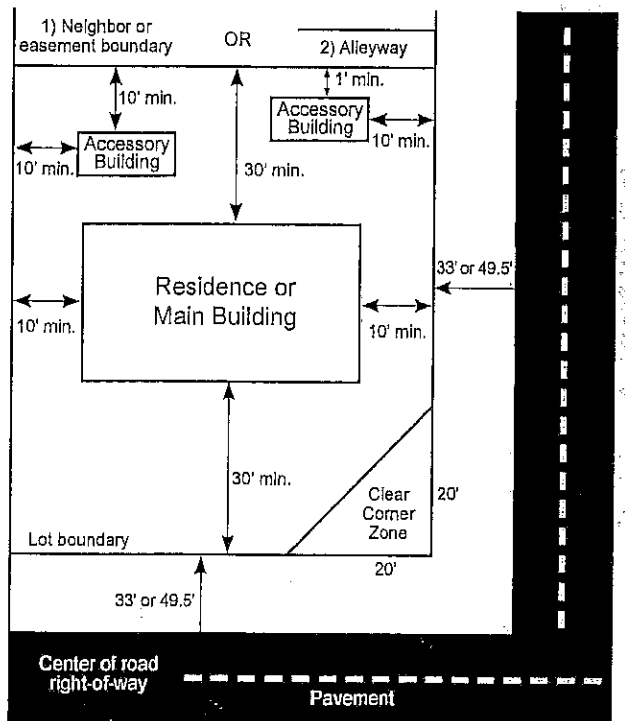
Donald L. Gault 10/26/2017
Huntsville Planning Commission Chairman

[Signature]
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





LAND USE PERMIT

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

Tax ID # 210280016

Address of Structure 680 S. 7625 E, Huntsville, UT

Name & Address of Owner/Owners Joseph Craig Peterson

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: February 1, 2018

Set Backs Approved: Yes No

Any special stipulations and conditions of the Site Plan Review: remove or disable 2nd septic system and provide photographic evidence, none of the out buildings shall be used as residences in any way; during construct finalize clean up of property to 100% cleanup which will be approved by enforcement inspector. These stipulations must be met in order to receive final occupancy permit.

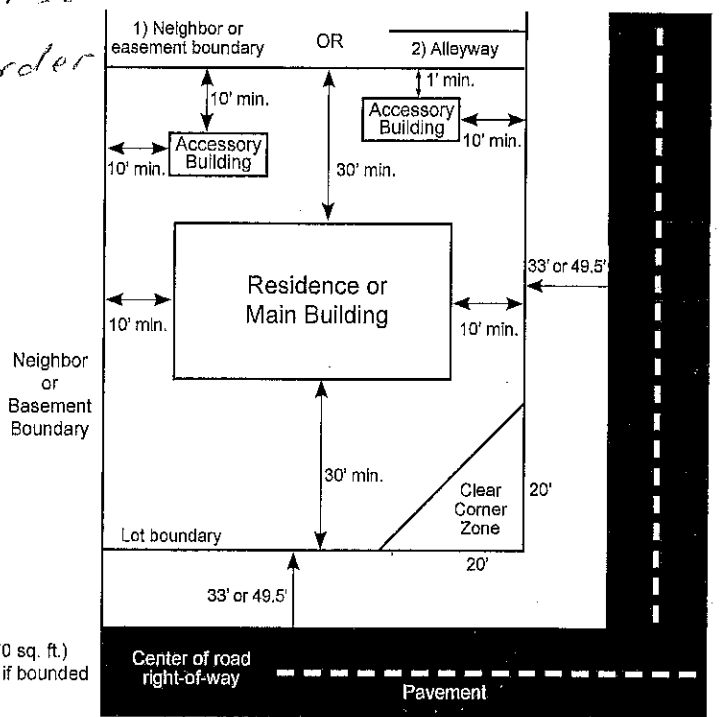
[Signature]
Huntsville Planning Commission Chairman

[Signature]
Property Owner Signature

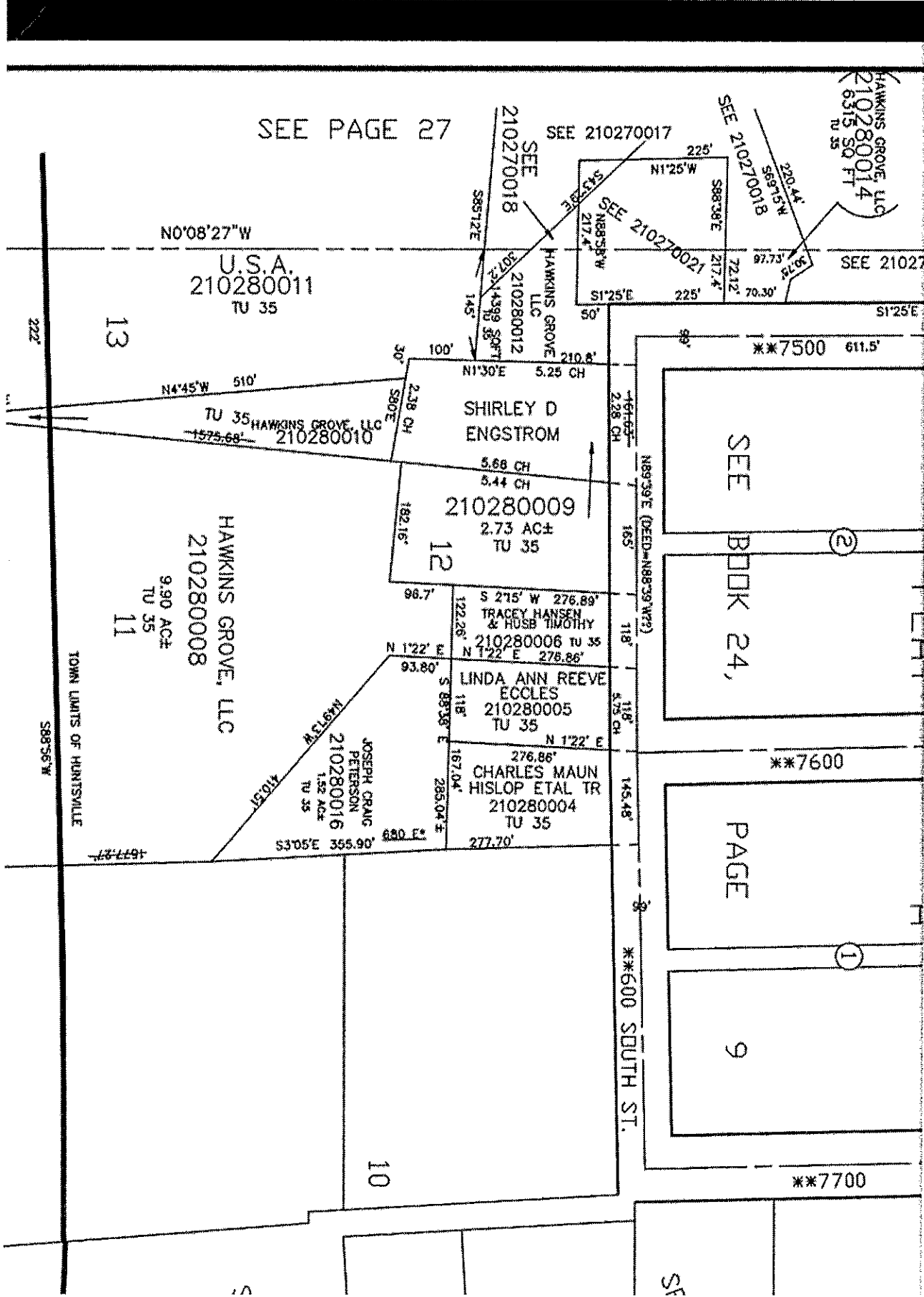
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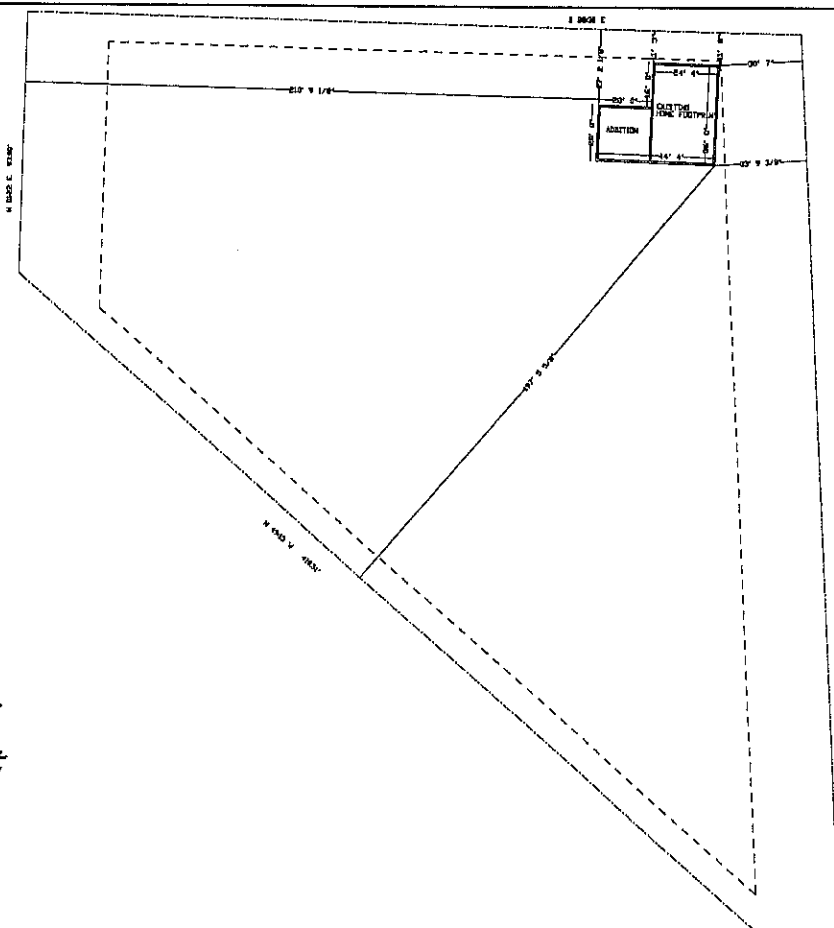
- Minimum lot size = 0.75 acre (32,670 sq. ft.)
- Minimum width = 130 feet (120 feet if bounded by an alleyway)

Huntsville Town Residential Zone Setbacks



SEE PAGE 27





Reference: **Survey**
 All South East
 Section 10
 Scale: 1" = 10'
 --- Property Line
 - - - Building Footprint

This plan is based on the survey of the above
 described property and is subject to the
 provisions of the Utah Uniform Gifts to Minors
 Act, Utah Code, Title 75B, Chapter 2, and the
 provisions of the Utah Uniform Transfers to
 Minors Act, Utah Code, Title 75B, Chapter 3.
 The plan is based on the survey of the above
 described property and is subject to the
 provisions of the Utah Uniform Gifts to Minors
 Act, Utah Code, Title 75B, Chapter 2, and the
 provisions of the Utah Uniform Transfers to
 Minors Act, Utah Code, Title 75B, Chapter 3.

Homeowner: Craig Peterson
General Contractor: Peterson Builders 801 745-3573
PETERSON RESIDENCE 660 South 7625 East Huntsville, Utah
DESCRIPTION SITE PLAN
Scale: 1/16" = 1 Foot
Creative Line L.L.C. Surveying & Home Solutions creativelineplanning.com 84314-1421 DR: 808-7541

