

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

**MEETING DATE:** April 25th, 2019  
**PLACE:** Huntsville Town Hall, 7309 E. 200 S.  
**TIME:** 7:00 P.M.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Sandy Hunter	Planning Commissioner	Excused
Liz Poulter	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Present
Larel Parkinson	Planning Commissioner	Present
Wendy McKay	Town Council Liaison	Excused
Beckki Endicott	Recorder	Present
Bill Morris	Town Attorney	Excused

**Citizens: Jennifer Sorenson, Dave Delight, Jessilee Anderson, Rex Harris, Ron Gault**

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

2 – Approval of the Minutes from March 28th, 2019: **Liz Poulter made a motion to approve the amended minutes for the Planning Commission Meeting for March 28th, 2019.** Seconded by Larel Parkinson. All vote aye. Minutes are approved.

3 –Approval of Minutes for Work Session regarding Title 4, April 10, 2019. **Liz Poulter made a motion to approve the minutes for the Work Session on April 10, 2019.** Larel seconded the motion. All votes aye. Minutes are approved.

4 - Discussion and/or action for Land Use Permit for addition on Scott Anderson home, parcel #241020002. **Dave Delight presenting. (See Attachment #1)** Dave brought the engineered plans to the Planning Commission. They plan on adding a sun room and a bedroom. Doug asked about the septic tank and drain field. Dave said the tank was under the deck but couldn't remember where the septic field was. He will get with Summer Day about this. There was concern about the bedroom being attached by a breezeway. Dave replied that the hallway would be acclimatized and more like a hall way. There would not be an additional kitchen. There was just a bedroom and a bathroom. The addition will be on the East of their home. Rex commented that the Andersons are the first to benefit from the recent change in the ordinance allowing a non-complying home to be added onto because the addition will meet the setbacks. Beckki let the Anderson's know that there isn't an address on the plat map for the county. Jessilie stated that they use 6914 East 100 South. Beckki stated the driveway should be the frontage and the address is not correct. Dave stated that 100 South used to be the frontage before there was a road there. Dave will have the architect the electronic copy.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Jeff Larsen
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Sandy Hunter

5 – Motion to close the regular meeting and open public hearing on Ordinance #2019-4-25; 15.25.1.13.A.4 and 15.25.1.14.A.6 regarding consolidations and Boundary Line Adjustment Regulations. There were no objections to the motion to close the regular meeting and open public hearing on the Ordinance #2019-4-25.

6 – Public Hearing on Ordinance #2019-4-25 regarding Boundary Line Adjustments and Consolidations. Chairman Allen explained the changes that were being made to Ordinance to allow for boundary line adjustments and consolidations to be done on parcels with two different zones.

**Dave Delight** asked if this ordinance had to do with the boundary line between properties.

**Rex Harris** reminded the meeting members that the old version of the ordinance wouldn't allow boundary line adjustments or parcel consolidations between parcels of different zone. This prevented the process of wholesale rezoning under the guise of a boundary line adjustment or parcel consolidation. The new adjustments would allow a parcel consolidation and boundary line adjustment to happen between parcels of differing zones but would reserve right for the Town council to require a rezone petition if they deemed it necessary.

**Ron Gault** responded he believes the process is working. He didn't have any opinions to express.

7 – Motion to close public hearing and open regular Commission Meeting. Chairman Allen asked if there were any objection to the closing of the public hearing. There were no objections.

8 – Discussion and/or action on Ordinance 2019-04-25: 15.25.1.13.A.4 and 15.25.1.14.A.6. (See Attachment #2) Jeff Larsen moved to recommend approval on Ordinance 2019-04-25 and pass this recommendation on to the Town Council. Liz Poulter seconded the motion. Chairman Allen called for a roll call vote. All votes aye.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Jeff Larsen
NAYS:	

ALTERNATE:	
EXCUSED:	Commissioner Sandy Hunter

9 – Discussion and/or action on Dave Booth Commercial Parcel. Chairman Allen said there was a concept development plan submitted with the Dave Booth property rezone. He stated that it had been over two years now since the concept development plan was approved and nothing has been done on the plan. It hasn't progressed. Beckki stated she put this on the agenda at Sandy's request. Beckki also stated that she had spoken with Myra regarding the situation. She stated she explained to Myra that the Planning Commission wanted to meet with them because nothing on the plan had really progressed. Myra explained that it had been a really hard time for them financially. They originally had a partner in this project. They have now dissolved the LLC with that partner, but they would like a new partner and are actively looking for one. Myra also stated that the plan for the property was the same plan that they have submitted with a wellness center etc.

Doug stated that the Booth's needed to know that this process would start over for them since the time has expired. Rex, Jeff and Larel all commented the time had expired on the commercial zone and stated it should revert to the residential zone. Rex stated he believed in the ordinance, it stated, the zoning would automatically revert to the residential zone if they hadn't progressed on the concept development plan. Ron Gault commented that it was February 26, 2015 that the concept development occurred.

After reviewing notes and minutes the date the concept development plan was approved was September 1, 2016. As of last September, the zoning should have expired. Larel commented that Beckki needed to inform the Booth's that they needed to start the process all over. Doug commented that the Town Council wanted the Planning Commission to take care of this issue.

Beckki pointed out that if the zoning maps had been changed to commercial, that she needed an ordinance to change that back to residential.

**Larel made a motion that the Booth property, because of the length of time, that the property revert back to the original zoning of residential.** Liz Poulter seconded the motion. Chairman Allen called for roll call vote. All votes aye. Motion passes and will pass to the Town Council for consideration.

10 – Discussion and/or action on Title 4 Land Use Permits Revisions.

Rex explained in the last work session regarding the Title 4 edits the discussion centered on the validity period of a Land Use Permit. The edits today reflect a one-year validity period. Doug commented that he would like to see someone designated in the code to sign off on the occupancy permits.

Beckki stated the edited Title 4 is not ready to go to the Town Council yet. She stated that this needed to go through to a public hearing. The hearing couldn't be done until June 29<sup>th</sup>.

Rex stated that Title 4 was confusing the different types of permits as well. The edits now clarify this confusion.

Chairman Allen made a request to look at the business licensing ordinances. He stated he would like any addition to the ordinances specify that the business has to comply with the zone and the use table for that zone. Beckki stated that CM McKay are meeting this summer to go over the business licensing and that she will pass this on to CM McKay.

11- Discussion and/or action on 15.6.2 regarding accessory buildings. Beckki summarized that the PC came up with an ordinance and made edits after a public hearing and sent it to the Town Council. The Town Council voted to send this back to the PC for more work.

Beckki stated that originally the ordinance had 1 sink, 1 toilet on the ordinance. After the public hearing, the PC amended the ordinance to just prohibit kitchens. The Town Council took the ordinance and voted for this to go back to the PC for additional study.

Doug stated that Summer Day has been here since and did a great presentation on septic tanks and accessory buildings.

Liz stated that she was listening to the minutes and wrote down that they needed another work session regarding accessory buildings. It was suggested that the Town Council Members be invited so that the PC could work to come to some agreement on the ordinance. Beckki stated she would set a work session up for May 23, 2019 prior to the next PC meeting.

Also, looking ahead, Doug, Liz and Jeff will not be in town on June 27<sup>th</sup>. Beckki suggested they could move the PC meeting to June 13<sup>th</sup>. Doug stated he would not be here on June 13<sup>th</sup>.

12 – Discussion and/or action on the addition of cargo containers and Timeshares to the use Table. Doug suggested they put this off to the next agenda.

13 – Citizen Comments. There were none.

14 – Motion to adjourn. **Larel Parkinson made the motion to adjourn the meeting.** Jeff Larson seconded the motion. All votes aye. **Meeting is adjourned at 8:10 p.m.**

  
Beckki Endicott, Recorder

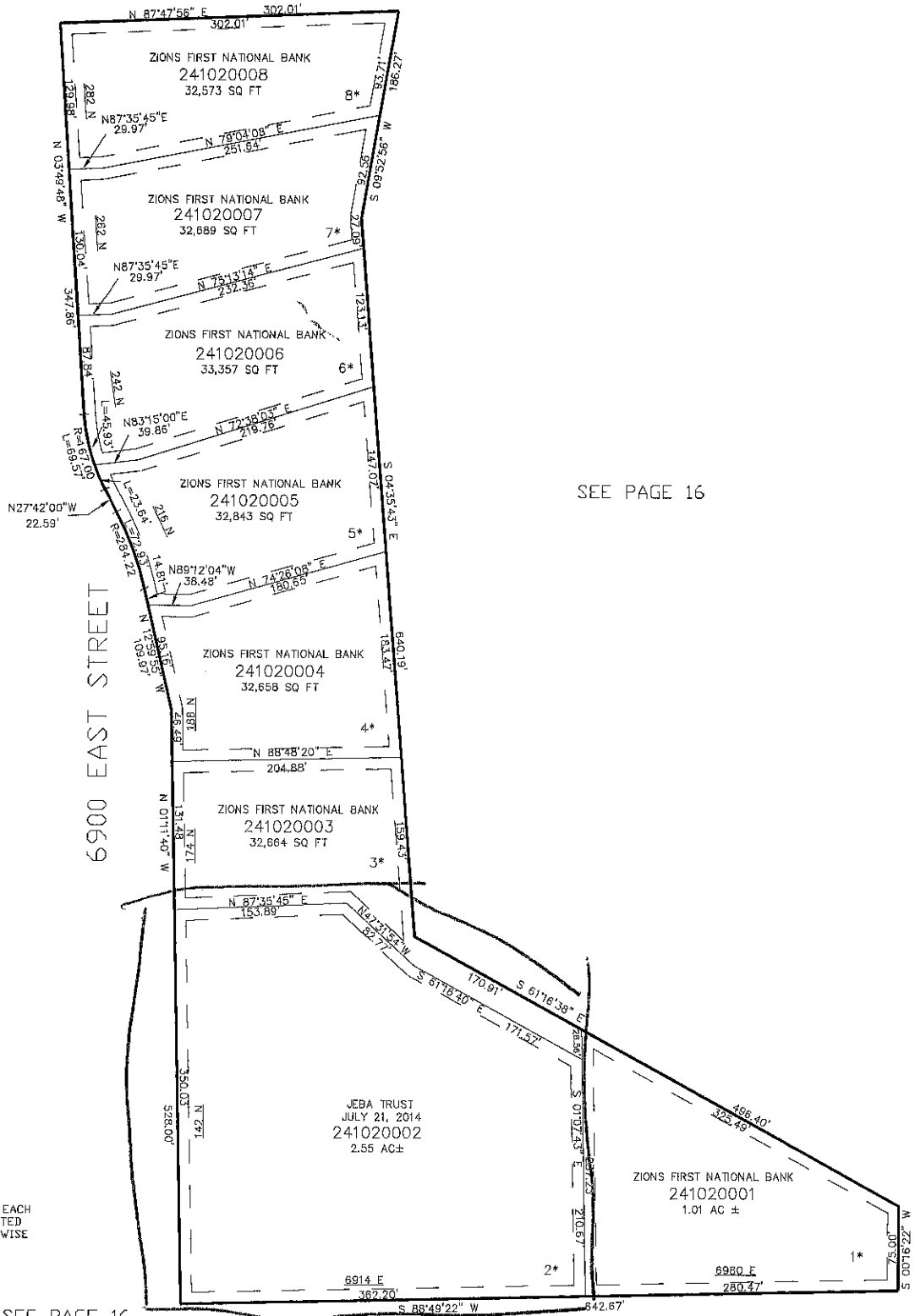
PART OF THE NE.1/4, OF SECTION 13 & THE SE.1/4, OF SECTION 12, T.6N., R.1E., S.L.B. & M.  
**LAKE SHORE ACRES SUBDIVISION**

IN WEBER COUNTY

TAXING UNIT: 35

SEE BOOK 20, PAGE 10

SCALE 1" = 80'



SEE PAGE 16

SEE PAGE 16

\*FOR COMPLETE ENG DATA AND BUILDABLE AREA SEE ORIGINAL DEDICATION PLAT IN BOOK 62, PAGE 30 OF RECORDS.

10' UTILITY & DRAINAGE EASEMENTS EACH SIDE OF PROPERTY LINES AS INDICATED BY DASHED LINES EXCEPT AS OTHERWISE SHOWN.

SEE PAGE 16

FIRST STREET (FORMERLY) 100 SOUTH/NORTH STREET



b.endicott745@gmail.com

# LAND USE PERMIT

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

Tax ID # 241020002

Address of Structure 6914 East 100 South

Name & Address of Owner/Owners Scott & Jessilie Anderson

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 4-25-2019

Set Backs Approved: Yes  No

Addition of Sun room & bedroom & bathroom

Any special stipulations and conditions of the Site Plan Review: N/A

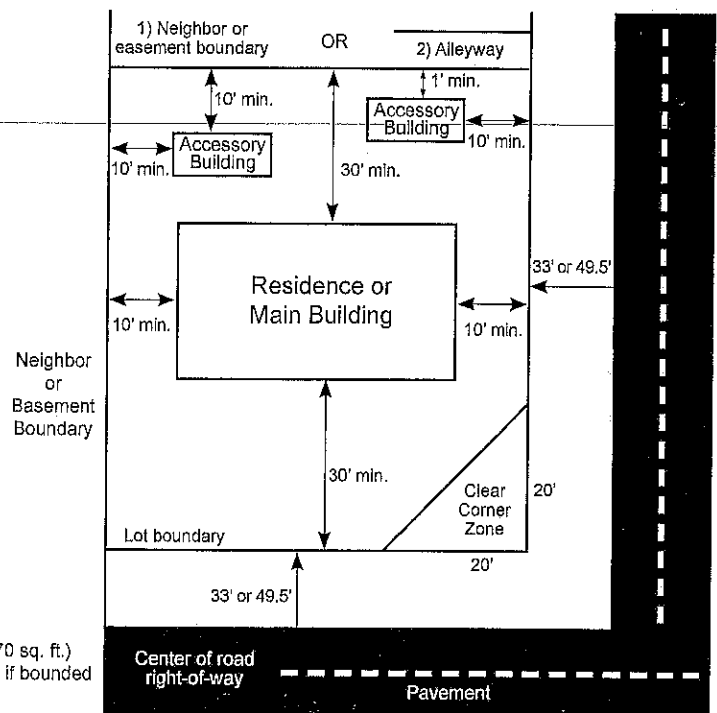
Huntsville Planning Commission Chairman

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



**HUNTSVILLE TOWN  
ORDINANCE 2019-04-25**

**PARCEL CONSOLIDATIONS AND BOUNDARY LINE ADJUSTMENT**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15.25.1 SUBDIVISIONS, GENERAL PROVISIONS: REVISING SECTIONS 13 AND 14 TO PROVIDE FLEXIBILITY TO RESIDENTS IN ADJUSTING BOUNDARY LINES OR CONSOLIDATING PARCELS OF DIFFERING ZONES.**

**RECITALS**

- A. WHEREAS**, Huntsville Town (hereafter "Town") is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;
- C. WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on April 25, 2019, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on May 2, 2019;
- D. WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on May 2, 2019 and desires to act on this Ordinance;

**ORDINANCE**

**NOW, THEREFORE**, be it ordained by the Town Council of Huntsville, Utah as follows:

**Section 1: Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Amendment.** The Huntsville Municipal Code is hereby amended to read as follows:

**15.25.1.13 Parcel Consolidation**

Upon favorable recommendation of the Huntsville Town Planning Commission and approval of the Huntsville Town Council, contiguous parcels may be combined to form one parcel unless a subdivision amendment is required under Title 15.25.1.12. Such parcels will be considered consolidated and shall meet all requirements concerning parcel consolidation. Once two (2) or more contiguous parcels 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 subject to the following conditions:
  - 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 of size or shape that does not conform to all Town zoning regulations, site development standards, and uses as approved in Appendix One, Table 15-1

(Acceptable Uses by Zone). 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 complying structure into a non-complying structure as a result of setbacks, proximity to other structures, use, landscaping, or any other site land use requirement.
4. If the subject parcels are zone differently, the Huntsville Town Council may require the applicant to proceed with a rezone petition under Title 15.16 prior to approval of a parcel consolidation petition.

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 (11x17) 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 subject to the following conditions:

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, site development standards, and uses as approved in Appendix One, Table 15-1 (Acceptable Uses by Zone). 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 does not result in changing a complying structure into a non-complying 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.
  6. If the subject parcels are zoned differently, the Huntsville Town Council may require the applicant to proceed with a rezone petition under Title 15.16 prior to approval of a boundary line adjustment petition.
- B. Application: Application materials for the boundary line adjustment shall include the following:
1. Completed application signed by all affected property owners;
  2. Legal descriptions of each parcel involved in the boundary line adjustment;
  3. Copies of deeds reflecting the new property boundaries; and
  4. One (1) eleven by seventeen (11x17) drawing to scale of the existing plat and one (1) eleven by seventeen (11x17) 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"x17") 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.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue

in full force and effect.

**Section 4:** **Effective date.** This Ordinance shall take effect immediately upon mayoral approval and posting.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM McKay				
CM Bill Wangsgard				
CM Blake Bingham				

PASSED AND ADOPTED by the Town Council on this 2<sup>nd</sup> day of May, 2019.

\_\_\_\_\_  
JIM TRUETT, Mayor

ATTEST:

\_\_\_\_\_  
BECKKI ENDICOTT, Recorder

RECORDED this 2<sup>nd</sup> day of May, 2019.