

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

**MEETING DATE:** July 25, 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	Present
Liz Poulter	Planning Commissioner	Excused
Jeff Larsen	Planning Commissioner	Present
Larel Parkinson	Planning Commissioner	Present
Allen Endicott	Planning Commissioner	Present
Wendy McKay	Town Council Liaison	Excused
Beckki Endicott	Recorder	Present
Bill Morris	Town Attorney	Excused

**Citizens: Jennifer Sorenson, Brian Heath, Sonja Shupe, Paul Shupe, Ron Gault, Jeff Holt, Rex Harris**

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

2 – Approval of Minutes for Planning Commission Meeting May 23, 2019. **Larel Parkinson motioned to approve the minutes for PC Meeting May 23, 2019.** Seconded by Sandy Hunter. All votes aye. Minutes are approved.

3 – Approval of Minutes for Planning Commission Meeting June 28, 2019. **Jeff Larsen made the motion to approve the minutes for PC Meeting June 28, 2019.** Seconded by Allen Endicott. All votes aye. Minutes are approved.

4 – Discussion and/or action on Land Use Permit for Sonja Hartman Shupe shed, parcel #24-016-001, 6984 East 200 South. **(See Attachment #1)** The shed has already been installed along 7000 East. This street is considered their side yard. The shed sits 45 feet back from 7000 East. The address is along 200 South. This is a corner lot. The shed is 13.2 feet wide by 36 feet long. Rex recommended a Land Use Permit, although a building permit is not needed. **Sandy made a motion to approve the land use permit for the Shupe shed.** Jeff Larsen seconded the motion. All votes aye. Motion passed. Chairman Allen signed the Land Use Permit.

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

5 – Discussion and/or action on Jeff & Jenna Holt Parcel Consolidation Application. (See **Attachment #2**) Jeff Holt explained they had a line dispute with the former Mau/Naumu home. There was a tax sale and the Holt’s were able to buy the barn on the property. The Holt’s offered the bank a land swap. The Holt’s acquired a little piece and the Holt’s gave the bank the north strip of property. The bank recorded these properties backwards. He now has two parcels of land that he would like to consolidate into one piece for tax and trust purposes. **Jeff Larsen made a motion to recommend to the Town Council that they approve the consolidation application from the Holt’s for parcel #20-147-0003 and #20-147-0004.** Larel seconded the motion. All votes aye. Motion passes.

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

6 – Discussion and/or action on Land Use Permit for Dan Davis home, parcel #240140035, 7436 E 100 South. (See **Attachment #3**) Bryan Heath presented the site plan for the Dan Davis home. Rex reviewed the site plan. The set backs are appropriate. The height and elevation are appropriate. Sandy motioned to approve the Land Use Permit for the Dan Davis home, parcel #240140035. Jeff Larsen seconded the motion. All votes aye. Motion passes.

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

7 – Discussion and/or action on One Horse Subdivision for Jennifer Sorenson, parcel #240140042. (See Attachment #4) Rex explained these are preliminary plans for a subdivision. The role of the planning commission is to make a recommendation to the Town Council regarding the status of the preliminary plan. If they recommend approval on the preliminary plan, that will send them on to final engineering. When the final plans are approved, then they will have 18 months to build it. Then there will be the road transfer and the final plat.

Rex explained there were a few changes that Rex requested. The right of way needed to be a 66 foot right of ways. Frontage on a cul-de-sac should be 130 feet at the 30-foot set back. This is a three-lot subdivision. All the lots are greater than .75 acres.

Sandy wanted to know about the wetlands on this lot. Jennifer explained that sensitive lands are located north of the parcel. That land was too wet to build.

Larel suggested the strip of land on the east side of the cul-de-sac be eliminated in the final engineering. It is a bit awkward for the maintenance of the Town. Rex confirmed they would do that in final engineering.

Beckki asked about requirements for a public hearing with regards to the subdivision. Sandy commented there is not a requirement for a public hearing in our code. Beckki recommended they make a motion for the preliminary plans to go to the Town Council, but that she will check the state law requirements with regards to public noticing. Beckki also gave Jennifer Sorenson the application for a subdivision.

**Sandy motioned to recommend approval on the preliminary subdivision plans for the One-Horse Subdivision for Jennifer Sorenson on parcel # 240140042.** Larel Parkinson seconded the motion. All votes aye. Motion passes.

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

8 – Discussion and or action on public hearing for Title 4 edits. The Planning Commission reviewed the process for updating Title 4. Doug stated our Town Attorney wanted the PC to be careful about the terms building authority or building inspector. Beckki asked the Planning Commission if this Title 4 was ready for public hearing. Sandy wanted to know if the wording was now where they wanted it. She also wanted to know if the PC could put this into Title 15 instead of Title 4. Beckki stated that they could do that if they wanted; however, she recommended they make the edits to the code that they wanted and then reorganize this by resolution when all the edits are done.

Sandy brought it to Beckki's attention that all the edits are not readable. Rex forwarded the latest version of the edits to Beckki. She will distribute to the PC and get the code ready for public hearing. **(See Attachment #5)**

Doug also wanted to bring up that Huntsville Town really needs a fee schedule for Rex's services. He would like to pass this on to the Town Council for the reimbursement of some of the expenses.

9 – Discussion on appeals authority ordinance edits. Beckki explained she didn't think the PC would get this far into the agenda, so no one is here to present the edits. She explained the Appeals Committee has met twice in the last six months after about six years of hiatus. She explained the Appeals Committee wanted some clarification and changes to the Appeals Committee section of the code. Beckki went through the changes they would like to make **(See Attachment #6)**. Beckki will invite Bruce Ahlstrom to come and present the changes at a public hearing. They can also produce a fact sheet that can be posted prior to the public hearing. She will notice the public hearing for the August 22 meeting.

10 - Discussion and/or action on corner lots. Doug stated he has wanted to talk about corner lots for a long time. It seems to him that most of the lots lately that want land use permits are corner lots. The issue is where you access a home is not necessarily what the address is. This also affects whether a front or side set back is used.

Sandy stated it didn't matter to her whether someone accessed the front or the side of the house. Allen agreed that access does not matter. Larel made a point that emergency vehicles look for the driveway associated with the address. Beckki gave many examples of addresses that have disappeared from the plat map because of boundary line adjustments, consolidations and subdivisions.

15.6.4.E in the Huntsville Code states, "Primary vehicular access to the lot shall be from the frontage. Primary vehicular access is defined as the access used to access the residence the majority of the time." Sandy suggested the code be modified to read, "Primary vehicular access to the lot shall be from the frontage, *unless lot is on corner of two public streets if so vehicular access can be from either street.*

Rex asked that if they modify the code, does that mean that the garage access can be 10 feet off the property line? Sandy replied that she didn't think that would be right. She replied that maybe we need to make it 30 feet for frontage and 30 feet for the garage entrance. This is what they required the Scott Roberts family to follow.

Larel suggested for a corner lot where the house was facing one direction, and the garage would face another direction, then the 30-foot setback should apply to the garage or access. Sandy stated that a solution would be difficult because that would make it difficult on the front of the house because it would only be 10 feet from the property line. Allen suggested the front door should be 30 feet and the garage should be 20 feet. Larel asked Allen what determined the front door. Allen stated it would be the front door. Larel stated he thought it should be the access. Allen stated that he thought this would be different if it was the corner.

Allen will take the 15.6.4.E and write up the changes. He will bring them for public comment at the next meeting.

11 – Public Comment.

Rex needed some time to update the Planning Commission on a few upcoming situations he has encountered. He stated Kerry Wangsgard approached him about bringing a new trailer to his property. He would like to remove the old trailer from his property. Rex told him trailers were not allowed on a residential property per the Use Table. Kerry Wangsgard believes the use of his trailer is grandfathered and would apply to any trailer he had on the property. Kerry stated he has been given consent over the years from mayors and others. There have been several trailers over the years. Rex stated the current trailer is grandfathered. If he removes the trailer, then the new trailer would not be grandfathered. Rex has advised Kerry that he needs to go through the process. Kerry has expressed to Rex that he needs a variance to the ordinance. Rex states his opinion is that he needs an interpretation of the ordinance.

As far as the right of way access in the ally way, Kerry Wangsgard believes the trees on the Arroyo's side of the right of way are preventing him from accessing his property. Rex states he has looked at the ally way and it looks wide enough. Sandy stated she has seen bailors go through that property. Rex's recommendation to the Town is that they remain silent on this issue. The right of way or farm access is on private property, not the Town's. It needs to be worked out between the homeowners shared access. He does believe the Town Council needs to discuss this issue. The Town allows homeowners to landscape and plant on their property if they maintain the landscaping.

Beckki stated she was doing research on landscaping on Town property in our ordinances. She stated the Tree Committee provides permission for the landscaping. There are guidelines in that ordinance.

Sandy responded the Tree Committee does give the residents general advise in Title 8.3. Sandy states they are allowed to remove trees for safety if the tree is on Town Property. Sandy reminded Rex that these trees are on a private access and not a public access.

Sandy motioned to adjourn the meeting. Allen seconded the motion. Chairman Allen seeing that no one opposed to the motion, closed the meeting.

**Meeting is adjourned at 9:16 p.m.**

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Beckki Endicott, Recorder