

PLANNING COMMISSION MINUTES
March 16, 1999

Present: Chairman Dean Thurgood, Mark Green, Lois Williams, Dick Dresher, City Council Representative Barbara Holt, City Attorney Rusty Mahan, City Engineer Paul Rowland, Planning Director Blaine Gehring, Recording Secretary Connie Feil.

Absent: Vice-Chairman Al Hess and Paul Summers.

Dean Thurgood welcomed all those present and introduced all members. Mark Green made a motion to approve the minutes for March 2, 1999 as written. Dick Dresher seconded the motion and voting was unanimous.

Rusty Mahan explained that in the past when land needed to be vacated it was given to the City Council for approval. The Planning Commission would approve the new subdivision but the vacating of the previous one was done by the City Council. This process has now been changed in this last legislature. It is now required by State Law that before the City Council can consider a proposed vacation of property or amendment to a subdivision that it come before the Planning Commission for a recommendation. Both items on this agenda are vacating land out of a subdivision. Mr. Mahan mentioned that when vacating property make it in the motion to recommend or not recommend the approval to the City Council.

Subdivisions

1. Consider preliminary and final subdivision approval for Twin Hollows Subdivision Phase 2, Steve Phipps, developer.

Steve Phipps, developer and owner, was present. Paul Rowland explained that Steve Phipps has requested to vacate Lot 2 out of Twin Hollows subdivision, which he owns. Mr. Phipps would like to divide this lot into two separate lots, Twin Hollows Subdivision Phase 2. This area is zoned R-1-8 which requires 8,000 square feet for a minimum lot and 80 feet of frontage at the building set-back. Lot 202, the smaller of the two new lots, contains 9,557 square feet and lot 201 has exactly 80 feet at the 30 foot set-back. Both of these lots are legal lots.

There has been a lot of discussion on this because of the shape of the two lots. Lot 202 is an odd shaped corner lot and because of the shape it will be difficult to build on. It is a legal lot and will require a customized built home on it. Mr. Phipps is aware that there will not be any special dispensations granted to this lot.

Steve Phipps presented a drawing with the set-backs, shape and size of the buildable area for Lot 202. Ted Bean, registered land surveyor, surveyed this lot and has been working with Mr. Phipps on this project. The buildable area will allow for a 1,700 square foot home for each level. There are sidewalks and two existing drive approaches to this lot. There was a discussion on the placement of the set-backs and where the home will be placed.

Mr. Gehring recommended that, with the difficulty of this lot, a 20 foot set-back be granted to both street frontages and be recorded on the plat.

Mark Green made a motion to recommend preliminary and final approval for Twin Hollows Subdivision Phase 2 and to include a recommendation to vacate the original plat for Lot 2 of Twin Hollow Subdivision. An addition to recommend granting a 20 foot set-back on the cul-de-sac side of the property. A second to the motion was not made.

Barbara Holt made a motion to recommend preliminary and final approval for Twin Hollows Phase 2 and to include a recommendation to vacate the original plat for Lot 2 of Twin Hollow Subdivision and a recommendation to grant an exception for a 20 foot set-back on both streets fronts and have it recorded on the plat. Lois Williams seconded the motion and voting was unanimous.

2. Consider preliminary and final subdivision approval for Gunther Subdivision, Ronald & Louise Gunther, developers.

Ronald and Louise Gunther, developers, were present. Paul Rowland explained that this subdivision is located on the east side of Davis Boulevard on the corner of 3300 South containing 4 lots and being developed by Ronald and Louise Gunther.

At the time Davis County extended Davis Boulevard, they took portions of lots 38, 39 and 40 of Block 3 of Val Verda Plat A Subdivision. Ronald and Louise are the owners of the remnants of those lots and are proposing this 5 lot subdivision excluding the remaining portion of lot 38 where there home is. A home was recently built on what will now be lot 1. The other proposed lots are vacant. All of the lots face improved streets with curb, gutter and sidewalks, so this plat can be recorded without posting a Bond.

Staff recommends that preliminary and final approval be granted to the Gunther Subdivision subject to the vacation of the affected portions of lots 38, 39 and 40 of Block 3 of Val Verda Plat A Subdivision, payment of the required subdivision fees, and receipt of the title report and all required signatures for recording.

Mark Green made a motion for approval for preliminary and final approval of Gunther Subdivision subject to recommendations from Staff and recommend vacation of Lots 38, 39 and 40 of Block 3 of Val Verda Plat A Subdivision. Barbara Holt seconded the subdivision and voting was unanimous.

Rusty Mahan explained that in this past Legislature an act relating to cities and towns requiring a notice to nearby entities when a city or town or county proposes taking certain action was past.

1. Predevelopment activity means a public hearing concerning, or without a public hearing, consideration by the Planning Commission or the City Council of a proposed zoning change or a preliminary or final plat describing a multiple residential development or a commercial or industrial development.

Whenever the Planning Commission or City Council considers those types of items and it is within one mile of another city or unincorporated area it is required to give notice to the county, city or town. A copy of the agenda is to be sent to the City Council of the city or town involved. The notice is required to be send out 7 days ahead of the meeting. The surrounding entities are required to do the same. It is up to each entity to decide if they wish to attend the meeting to state an opinion. If the notice is not challenged within 30 days of the action, the notice is considered adequate.

Meeting adjourned at 7:50 P.M.