

PLANNING COMMISSION MINUTES
December 11, 2001

Present: Newly Elected Mayor Joe Johnson, Al Hess, Rodney Nordfors, Mark Green, Lois Williams, City Council Representative Gordon Thomas, City Attorney Rusty Mahan, City Engineer Paul Rowland, Planning Director Blaine Gehring, Recording Secretary Connie Feil.

Absent : Chairman Paul Summers, Vice-Chairman Dick Dresher.

Acting Chairman Al Hess welcomed all those present. Gordon Thomas made a motion to approve the minutes for October 16, 2001 with one word addition. Lois Williams seconded the motion and voting was unanimous.

Subdivisions

1. Consider vacating the play area from the Val Vista Subdivision Block 6

Rusty Mahan explained that the City Council has already approved this, but the Davis County Recorder is asking that the area be formally vacated from the subdivision by ordinance. The vacation procedure under state law requires a recommendation from the Planning Commission.

In 1951 Davis County approved Val Vista Subdivision at approximately 2900 South Davis Blvd. At the time it must have seemed like a good idea to have a “play area” in the inner portion of Block 6, accessed by two 10-foot pathways to the south and west. However, the concept was never fulfilled and the area was never used for play. It has become a neglected weed patch for fifty years, and provided a dumping ground for grass clippings. During the summer it is a fire hazard. No one wants to take responsibility for the upkeep of the area. In the years since 1951 the area was annexed by Bountiful City.

It is proposed that the play area be divided among the adjacent property owners in the manner indicated on the plat. Mr. Mahan has met with the owners of the area and they are willing to accept title and expand their back yards to take over and care for the ground. Mr. Mahan has prepared a “Val Vista Play Area Agreement.” The owners have signed the individual agreements. The basic idea is that the City and County will convey title at no cost to the adjacent owners, and they will accept ownership and thereafter care for the ground. This will eliminate a hazard and a nuisance at no cost to the City.

Staff recommends that the Planning Commission send to the City Council to vacate Lot 26 from the Val Vista Subdivision and divided among the property owners.

Mark Green made a motion to recommend to the City Council to vacate Lot 26 from the Val Vista Subdivision Block 6. Rod Nordfors seconded the motion and voting was unanimous.

2. Consider final subdivision approval for Sterling Plaza Office Complex at 1350 N. Main.

Mark Green excused himself from this item. Paul Rowland explained that Sterling Brimley received site plan approval for his new office development in December of last year and preliminary condo approval earlier this year. The condos consist of twelve separate units, eight units in one building and four units in the other.

Mr. Brimley has now prepared a final condo plat which complies with the conditions placed on the preliminary approval by the Planning Commission. Mr. Brimley has met the conditions and is desirous of getting this plat recorded as soon as possible in order to sell some of the units before the end of the year.

Staff recommends the Planning Commission recommend final condominium plat approval for Sterling Plaza with the following conditions:

1. Provide a current title report as required by ordinance.
2. Payment of the fees as outlined on the attached fee letter.

Lois Williams made a motion for final condominium approval for Sterling Plaza Office Complex at 1350 N. Main subject to the conditions outlined by Staff. Gordon Thomas seconded the motion and voting was unanimous.

Miscellaneous

1. Consider amending the Zoning Ordinance to address fencing adjacent to secondary driveways on corner lots.

Blaine Gehring explained that a home owner came into the office desiring some information regarding fencing around their back yard. Their lot is a corner lot with a driveway accessing the front of the house. They also have a secondary parking pad for RV parking and parking of a truck used in their business. Mr. Gehring told them that where there is a driveway that the fence would need to be held back 20 feet from the sidewalk. This posed some problems as it would take out a considerable part of their back yard area. The city has several of these type of driveways, many have existed for some time and do not have this setback and do not pose a problem. Such driveways are not used on a daily or even a frequent basis so they do not pose the problems a primary driveway does with traffic entering the street. This amendment would allow a corner property owner to have a secondary driveway/garage area and not have to meet the 20-foot requirement for site distance.

The following is recommended as an amendment to the fencing requirements for such driveways:

Amend Section 14-17-104 C.2. as follows:

2. Where a driveway accesses a the primary garage or ~~other~~ parking area on a lot from the street side yard, the maximum fence height shall be two (2) feet for solid, opaque fencing

or four (4) feet for nonsolid, open fencing to a minimum twenty (20) foot setback.
Driveways which access a secondary, limited use garage or parking area on a lot from the street side yard may be exempted from this requirement provided: (a) said driveway access is separate from and not on the same street frontage as the primary driveway, and (b) the fencing will not constitute a hazard to traffic on the street, traffic entering or exiting the driveway onto the street, or to pedestrians.

Mark Green made a motion to amend the fencing ordinance per recommendations by Staff.
Gordon Thomas seconded the motion and voting was unanimous.

Meeting adjourned at 6:25 p.m.