

**PLANNING COMMISSION MINUTES**  
**December 17, 1996**

Present: Chairman Elaine McKay, Vice Chairman Dick Dresher, Mark Green, Mike Holmes, Don Milligan; Sam Fowler, City Council Representative; Rusty Mahan, City Attorney; Jack Balling, City Engineer; Blaine Gehring, Planning Director; Connie Feil, Recording Secretary.

Absent: Dean Jolley, Ken Cutler and Lois Williams.

Dick Dresher made a motion to approve the minutes for December 3, 1996 as written. Mark Green seconded the motion and voting was unanimous.

1. Approval of Findings of Fact for Western PCS at 1535 E. Maple Hills Drive.

Rusty Mahan explained that these are the findings, from the Planning Commission, for the application of Western PCS for a conditional use permit to construct a telecommunications site at approximately 1535 East Maple Hills Drive. This application came before the Planning Commission on Tuesday, December 3, 1996. Mr. Mahan put together the Findings of Fact as he thought they were stated, and evident. If Western PCS appeals the permit it will go with the worthiness of the Findings of Fact.

Dick Dresher suggested that on item #5 PCS be added after Western to better identify Western PCS sites. Mark Green made a motion to approve the Findings of Fact as presented. Mike Holmes seconded the motion and voting was unanimous.

**Zoning Ordinance Amendments**

1. Amendment to R-3 Zones regarding the combining of existing single family and duplex uses with multi-family uses on the same parcel.

Blaine Gehring explained that the Staff has some concerns building four-plexes on parcels with existing homes. This has raised some questions among the Staff, Planning Commission, and City Council. Is this really a practice we want to allow? Is this desirable in our Bountiful neighborhoods? There are several lots on 200 North that people are considering building four-plexes and five-plexes behind an existing home. There are deep lots in R-3-13 and R-3-16 areas that this can happen. It has been discussed with several members of the Planning Commission, City Council, Rusty Mahan, Tom Hardy and Staff, we feel we need to prohibit this type of mixed use from occurring in these built up areas zoned R-3.

Staff feels the following amendment to Section 14-6-107 is the easiest and most straightforward way of handling this problem:

**14-6-107 LOT AREA PER DWELLING**

A. The combining of single family or duplex residential uses with multi-family residential uses on the same parcel of land shall not be permitted. Where a single family dwelling or duplex exists on a parcel of land, no additional units or residential structures may be placed on the parcel.

Mike Holmes asked if the purpose for this is to stop the four-plexes or the existing house? What is wrong with leaving it with four-plexes and a house? Mr. Gehring explained that the purpose is to stop the four-plexes with the house.

Rusty Mahan explained that if multiple family units are to be built the single family home should be torn down and build something appropriate for the entire lot.

Mark Green feels that with these situations the City is creating multiple family flag lots. With the four-plexes in the back you have a long driveway and the units are as close to the back property line as possible. The garbage cans and the parking are usually out front. If the house was taken out the parking and garbage could be around the individual units and some type of yard could be provided.

Mike Holmes asked how many areas are there in the city that can be affected by this? Mr. Gehring mentioned that most everything that is in a zoned R-3-13 or R-3-16 west of 400 East will have the potential for these units. These lots cannot be split. Most of the property in these areas are deep but not wide with an older home on it.

Rusty Mahan mentioned that the feelings of Staff are that this is an undesirable development. Housing on the same lot should be single family or multiple family, don't mix the two uses.

Sam Fowler and Mark Green agree with Mr. Mahan on this proposal. Mr. Fowler doesn't like having apartments behind a house.

Mark Green made a motion to recommend to the City Council the amendment to R-3 Zones regarding the combining of single family and duplex uses with multi-family uses on the same parcel. Dick Drescher seconded the motion and voting passed by majority vote. Don Milligan and Mike Holmes opposed the amendment.

### Site Plans

1. Consider granting approval for a residence to be built beyond 200 feet from the street at 1725 S. Stone Hollow Court, Bret Marshall, owner.

Bret Marshall, owner, was present. Mr. Marshall mentioned that when he purchased the property he was told that he was required to sign an agreement for the shared driveway. Mr. Marshall signed the agreement under the conditions that he would have some input on the construction of the driveway. He was not consulted on this matter. When he went to the lot, he

found the driveway had already been built. At this time Mr. Marshall did not know that the driveway did not meet the code needed for both homes.

Jack Balling explained that this is lot 606 of Stone Ridge Subdivision. The lot is a flag lot with a driveway to the adjoining property already in the stem. The driveway was originally intended to serve both lots. However, the owners of the home that is already built were not required to have a twenty-foot wide driveway for fire protection because they were closer than 200 feet. Mr. Marshall is proposing to put in a new driveway on the south side of the existing one. The new proposed driveway will be 318 feet from the street and will be required to have a sprinkling system in the home, a 20 foot wide fire access lane and a fire hydrant within 50 feet of the house.

Staff recommends sending this to the City Council with your favorable recommendation with the following conditions:

1. Twenty feet on each side of the fire hydrant needs to be posted “No Parking Any Time.”
2. Signs need to be posted at both sides of the entrance “No parking-Fire Department Access Road.”
3. Fire system must be paid for as follows:

a. Tap and valve	\$1,438.00
b. 240 feet of main at \$20.00/ft.	4,800.00
c. Fire hydrant	<u>1,570.00</u>
Total	\$7,808.00
4. Fire lane and utility easements must be provided to the City along the access way, water line, fire hydrant and hammerhead.
5. A continuously maintained pressure interior fire sprinkling system installed in the house.
6. Occupancy will not be allowed until all improvements are complete.
7. Building must comply with the building code and City ordinances.
8. No building construction can proceed beyond the foundation until the fire hydrant is installed.
9. The city will install the fire hydrant after the access road is graded to the finished base grade and the fire hydrant location is staked by the owner’s engineer.

Mark Green mentioned that there are some problems with the driveway. There is an existing

fire hydrant located in the middle where the new driveway will be. This fire hydrant will have to be relocated to the park strip. Mr. Balling explained that the existing driveway was intended to serve both lots. There is not sufficient access on the driveway to meet fire code. A separate driveway will have to be built putting two driveways next to one another. The elevation of the existing fire hydrant is too high and cannot serve the location of the new home. Mr. Marshall will have to pay the expense to re-locate the fire hydrant.

Mike Holmes made a motion to recommend to the City Council the approval to build beyond 200 feet from the street at 1725 S. Stone Hollow Court subject to the recommendations from Staff items 1-9 with the addition of:

10. At the expense of the owner to relocate the existing fire hydrant.

Sam Fowler seconded the motion and voting was unanimous.

Meeting adjourned at 7:30 P.M.