

**PLANNING COMMISSION MINUTES**  
**FEBRUARY 7, 1995**

Present: Chairman Mike Holmes, Lois Williams, Dean Jolley, Mark Green, Ken Cutler, Dick Dresher, Elaine McKay; Rusty Mahan, City Attorney; Jack Balling, City Engineer; Blaine Gehring, Planning Director; Connie Feil, Recording Secretary

Absent: Barbara Holt, City Council Representative; Don Milligan

The minutes of January 3, 1995 were modified with the following added to page #7 of Dick Dresher comments, "Mr. Dresher feels that a 24 ft. driveway needs to be provided **according to ordinance standards** and should be addressed". Also the last sentence, "The 8ft. set back is minimum according to the ordinance but it is not anything greater **than adjacent set backs**". The minutes were unanimously approved as modified.

**Miscellaneous**

Adopt Findings of Fact on denial of Application for Conditional Use Permit by Brian Knowlton for 8 units at 137 West 100 North.

Rusty Mahan, City Attorney, explained to the Planning Commission that the submitted report he has written, the basis as he understands them, for the denial of the Conditional Use Permit. Mark Green made the comment that Mr. Mahan did a good job with the writing of the report.

Mark Green made a motion to adopt the Findings of Fact for the application for conditional use permit by Brian Knowlton for 8 units at 137 West 100 North as adopted by Staff; seconded by Ken Cutler.

Dick Dresher had some questions about the landscaping requirements written in #3 (a). A discussion was made and the wording needs to be corrected to read:

(a) The project fails to meet the landscaping requirements of 14-7-104 (B) because it has no landscaping buffer between the Bergman property to the **North** and the driveway going into the development from 100 **West**.

Mike Holmes moved and seconded the approval of Findings of Fact on denial of Application for Conditional Use Permit by Brian Knowlton as amended. All those in favor of the motion were Lois Williams, Dean Jolley, Mark Green and Dick Dresher. All those who abstained were Mike Holmes, Elaine McKay and Ken Cutler.

**Subdivisions**

Consider preliminary and final subdivision approval of Davis Subdivision, Plat B at 3100

South Davis Blvd., Scott Nelson and Jim Synder, owners.

Blaine Gehring explained to the Planning Commission that this subdivision is located on the southwest corner of 3100 South and Davis Boulevard. The property is part of Davis Subdivision and Val Verd Plat A Subdivision. These two lots are being vacated and three new lots are being created as Davis Subdivision Plat B. The Staff recommends Preliminary and Final Subdivision approval and sending this approval to the City Council with the recommendations from Staff with the addition of item #7; Lot #102 be granted with having a 20 ft. set back.

Ken Cutler made a motion to recommend Preliminary and Final approval for Davis Subdivision Plat B at the corner of 3100 South and Davis Boulevard with the recommendations of Staff and the addition of a 20 Ft. set back on Lot #102. The motion was seconded by Dick Dresher. Mike Holmes proposed to amend the motion to include the items of recommendation from Staff, the addition of 20ft. set back for lot #102, with the addition of vacating the two lots and the vacating of the utility easement which is the responsibility of the applicant. Ken Cutler amended the first motion and Dick Dresher seconded the motion; unanimously approved.

### **Conditional Uses**

Consider granting a Conditional Use Permit for the creation of a flag lot at 1205 S. Orchard Drive, J. Quintin Adair, owner.

Mike Holmes opened the meeting for the Public Hearing, then turned the time over to Blaine Gehring for the recommendations from the Staff. Mr. Gehring addressed the Planning Commission stating that Mr. Adair wishes to divide a large parcel of land at 1205 S. Orchard Drive into two parcels, one having an existing home. Mr. Adair would like to split the home off and create a small lot and use the flag lot to the rear to build another home. The proposal would be to use the driveway as it exist for both lots. The Staff has reviewed the porposal with Mr. Adair and would recommend to grant the conditional use permit to grant the flag lot and also grant preliminary subdivision approval subject to the conditions recommended by the Staff.

Mr. Holmes introduced Mr. Adair to the Planning Commission and invited him to address any issues on this proposal. Mr. Adair explained that all utilities (water, sewer, power, irrigation water, gas, telephone) will run up through the driveway. The driveway or access to Orchard Drive will be changed from 16 ft. to 30 ft. and all the property is fenced. A discussion was made between the Planning Commission, Staff, and Mr. Adair concerning some issues. One issue is a fire hydrant which will be put in the back of the lot then the house will not require a sprinkling system. Mr. Holmes asked if where there is a flag lot and is co-owned does it require a formal written easement between owners? Mr. Gehring feels that this issue has been covered with one of the requirements recommended by Staff to **Grant all necessary easements, as required by the City and Utility Companies.** A decision was made to have a formal easement recorded to protect all owners.

Mike Holmes closed the Public Hearing and Mark Green made a motion to grant the conditional use permit for the creation of a flag lot at 1205 S. Orchard Dr. also recommend preliminary

approval for a two lot subdivision for same lot to the City Council subject to recommendations of Staff with the item of 1A being amended to indicate that a formalized easement be recorded at time of the subdivision; seconded by Elaine McKay and was unanimously approved.

### **Site Plans**

Consider preliminary site plan approval for 6 units with an existing single-family house at 137 West 100 North, Brian Knowlton, developer.

Mike Holmes asked if Brian Knowlton was present which he was not. Mr. Gehring mentioned some concerns that the Staff has with this project. Dick Drescher came into the office to talk to Mr. Gehring with an issue that has not been addressed, that by ordinance the separation between two buildings needs to be 20ft.. Mr. Knowlton has only 12 ft. between the buildings. If Mr. Knowlton moves the building closer to the fence line that will give only 12 ft. which could cause a problem with fire fighters and too close to power line. Mr. Gehring feels that the house should be removed and replaced with a duplex. If the home remains he will need to add at least one covered parking space to meet the ordinance. Mr. Gehring feels that the plans need to go back to Mr. Knowlton for redesign. Mr. Gehring asked the Commission if they agreed with his recommendation that the Staff enforce the 20ft. separation between buildings. The response from the Planning Commission members was that the space is cramped now and the 20ft. needs to be enforced. This issue was tabled for another date.

Meeting adjourned at 7:40 p.m.