

**West Bountiful City  
Planning Commission**

**April 28, 2015**

**Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website, and sent to Clipper Publishing Company on April 24, 2015 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, April 28, 2015, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman Denis Hopkinson, Alan Malan, Laura Charchenko, Mike Cottle and Corey Sweat (Alternate). Councilmember Kelly Enquist

**MEMBERS EXCUSED:** Vice Chairman Terry Turner.

**STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell (City Recorder), and Debbie McKean (Secretary)

**VISITORS:** Sheena McFarland, James Houchins, David McFarland.

The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Hopkinson. Ben White gave a prayer.

**I. Accept Agenda.**

Chairman Denis Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented. Alan Malan seconded the motion. Voting was unanimous in favor among members present.

**Business Discussed:**

**II. Consider Conditional Use Application from Sheena McFarland to build an 8 foot tall fence between her home at 860 North 800 West and a LDS Chapel driveway.**

Included in the Commissioner packets was a memorandum dated April 24, 2015 from Ben White regarding permission to construct a fence taller than 6' at 860 N 800 West, a Conditional Use Permit application from Sheena McFarland and a site plan/photo of property.

The memorandum from Ben White included the following:

- Reference to language in Municipal Code Section 17.16.100 regarding fences taller than 6 feet.
- Desire for Ms. McFarland to build a fence for privacy reasons 8 feet tall between her property and the LDS Church parking lot like the property owner east in the Pages Circle cul-de-sac.
- Staff comments regarding the situation.

Chairman Hopkinson asked Ms. McFarland to take the stand and introduce herself. Chairman Hopkinson invited staff to introduce the application.

Ben White explained the desire that Ms. McFarland has to construct an eight foot high fence to divide her property from the LDS Church driveway. Ben White stated that in 2007 there was a request to build an 8 ft. fence at the property east of Ms. McFarland's property.

Chairman Hopkinson asked for the Commissioner's questions/comments:

Mike Cottle asked if the fence she desires to build is the same as what her neighbor has in place currently.

Alan Malan asked if she had talked to the LDS church. He would like to have the same style of fence built as an extension of the current one. Ms. McFarland is working through those details.

Chairman Hopkinson informed Ms. McFarland that Mr. Smith placed that type of fence to withstand the strong winds we get and for aesthetic looks.

Ms. McFarland intends on building a vinyl fence with metal reinforcements to withstand high wind gusts. She is currently getting bids and not yet sure if she can afford the same style of fencing that the Smith's have in place but is willing to use the same color of fence as Mr. Smith's.

**ACTION TAKEN:**

**Alan Malan moved to approve the construction of an 8 ft fence as allowed in section 17.16.100 with the following conditions: that it be the same materials, look and style type of fence that is currently in place to the east, that the 8 foot fence stops at the front of the house, and that she obtain something in writing from the LDS Church to remove the existing fence and a maintenance agreement. This approval is based on the affirmative finding of adjacent incompatible land use. Laura Charchenko seconded the motion and some discussion took place regarding the type of fence that should be built by the applicant.**

**A friendly amendment to the motion was made by Corey Sweat to change the first condition to give the property owner the option to use any material that will withstand**

**gusts of 100 miles per hour and be aesthetically the same color. In addition, the applicant must bring the options to the Planning Commission for final approval. Laura Charchenko seconded the friendly amendment.**

**Roll Call Vote was taken:**

**Corey Sweat – Aye**

**Laura Charchenko- Aye**

**Alan Malan- Aye**

**Mike Cottle- Aye**

**Denis Hopkinson - Aye**

### **III. Conditional Use permit Application for 1481 N 1050 West**

Commissioner's packet included a memorandum dated April 24, 2015 from Ben White regarding a Conditional Use application for 1481 North 1050 West from Mason Green for a detached garage to be constructed taller than 20 feet and more than one story, a Conditional Use permit application and a site plan.

The memorandum included the following:

- Desire for Mason Green to allow a detached garage to be constructed that is taller than 20 feet and more than one story high.
- Reference to Municipal Code section 17.20.060 making provisions for accessory structures to be taller than 20 feet and more than one story subject to affirmative finding and any conditions imposed by the Planning Commission with a list of noted items regarding the said property.
- List of affirmative finding in Municipal Code Section 17.60.030 in order to issue a permit.

Applicant could not be present at this meeting. Applicant asked for this item to be tabled if there were any concerns in approving this application.

Ben White showed the Commission the said property on Google Earth. Some discussion took place regarding the property and the requested structure.

Mr. White stated that unless there are considerable changes, he sees no reason why they could not approve the application this evening.

**Commissioner comments included:**

- Alan Malan does not like the upper window that looks into his neighbor's home.
- Mike Cottle was concerned with any issues the neighbor to the east may have. He feels that the neighbor should be notified regarding the construction of this building.
- Denis Hopkinson would prefer to have the applicant present.

**ACTION TAKEN:**

**Corey Sweat moved to table the approval of the application in order to have the applicant present, and to provide time to notify the neighbor to the east of the applicant's structure request. Mike Cottle seconded the motion.**

**Roll Call Vote was taken:**

**Corey Sweat – Aye**

**Laura Charchenko- Aye**

**Alan Malan- Nay**

**Mike Cottle- Aye**

**Denis Hopkinson - Aye**

**Action Item:** Denis Hopkinson will contact the neighbor to the east in regards to this structure.

**IV. Staff Report**

- Ben reported that at the next meeting there will be a Public Hearing to consider a 2 lot Subdivision on Porter Lane.
- Stringham Farms appeal will be heard at one of the next two City Council meetings.
- Holly has applied for a Conditional Use permit to build an Air Monitoring System off of 1100 West to the South of the EPA monitor. The request is for a 160 foot tall tower that will monitor the air from the ground up.
- Update on 400 North project.
- Information regarding 800 West in front of Holly.
- Update on 725 West project. It should be paved by the 15<sup>th</sup> of May.
- Denis reported that there may be a home built soon in the Alice Acres Subdivision. Corey reported that there is water building on the properties along the back of the development.

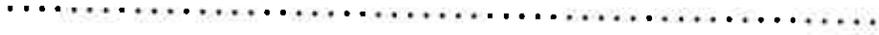
**V. Approval of Minutes for March 24, 2015****ACTION TAKEN:**

**Corey Sweat moved to approve of the minutes dated March 24, 2015 as presented. Laura Charchenko seconded the motion and voting was unanimous in favor among those members present.**

**VI. Adjournment**

**ACTION TAKEN:**

**Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:45 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.**



The foregoing was approved by the West Bountiful City Planning Commission on May 12, 2015, by unanimous vote of all members present.



Cathy Brightwell - City Recorder

