

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 5/9/2019.

The meeting was held in the Grantsville City Council Chambers at 429 East Main Street in Grantsville, Utah. Those present were Commission Chairman Jaime Topham and Commission Member Gary Pinkham. Absent were Commission Member Jacob Linares, Commission Member Erik Stromberg, Commission Member Robbie Palmer, Commission Alternate Shane Watson, City Council Liaison Neil Critchlow, and Attorney Coombs. Also present were Zoning Administrator Kristy Clark, Shay Stark with Aqua Engineering, Fire Marshal Brad Clayton, Stephen Burgess, Van Anderson, Tom and Cathie Dansie, Nicole Lint, Thomas F.L. Koester, Mike Warner, Mark E. Anderson, Scott Yermish, Dev Brown, Dixie Brown, Rob Brown, Amelia and Chance Rowley, Shaun Johnson, John DeHaan, and Greg DeHaan.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

- a. Proposed Minor Subdivision** for Dev & Dixie Brown located at 151 East Durfee Street dividing 1.62 acres of land from one (1) lot into three (3) lots in the RM-7 and R-1-8 zone.

Chairman Jaime Topham opened the public hearing at 7:01 p.m. and called for comments.

Jaime read into the record a letter from Sandra Bitner that said: You have asked for my opinion. I have wonderful neighbors but I would very much not like to see any of this neighborhood changed to add more subdivisions. Thank you for asking my opinion.

Jaime also read into the record a letter from Martin and Suzanne Anderson, Ty and Kathy Anderson, Nicole Lint, and Chadwick Elting:

Grantsville City Planning Commission
Grantsville, Utah 84029
May 9, 2019

RE: Minor Subdivision Application, Dev and Dixie Brown

Dear Planning Commission:

This letter is to express concern and opposition to the proposed minor subdivision application submitted by Dev and Dixie Brown. As neighbors, we feel this proposed action of dividing one lot into three is not consistent or compatible with the surrounding homes or neighborhood. For example, the only home in the immediate area not situated on Durfee street frontage and behind another dwelling sits on a 7-acre parcel. Stacking three lots on this

parcel is not congruent with the surrounding homes, neighborhood, and housing layout. Accordingly, we ask that the application be carefully vetted to determine if all road, traffic, sewer, utility, water needs, lane size, setback requirements, and fire truck access considerations are met. Also be aware that an issue regarding an existing electric utility pole may affect sufficient lane access to comply with lane width and setback requirements to facilitate the additional requested lots. In conclusion, we are requesting that the application ultimately be denied.

Thank you for your consideration and service,
Martin and Suzanne Anderson
Ty and Kathy Anderson
Nicole Lint and Chadwick Elting
Copy: Jeff Hutchins

With no further comments offered, Chairman Jaime Topham closed the public hearing at 7:03 p.m.

b. Proposed Final Plat Amendment for Robert Brown on the Cal Brown Minor Subdivision at approximately 287 East North Street in the split zone RM-7 and A-10.

Chairman Jaime Topham opened the public hearing at 7:03 p.m. and called for comments.

Thomas Koester asked the Commission: How many acres does this consist of? Jaime asked Kristy if she remembered how many acres that piece was. Kristy asked Mr. Brown how many acres it was and Mr. Brown stated that it is 9.5 acres. Mr. Koester asked: So what do they want to do with this exactly? Do they want to split this up? Kristy Clark asked the Commission if she could address this and the Chair said yes. Kristy stated to Mr. Koester that Mr. Brown was already approved last year for the Minor Subdivision and that this was an amendment to that approval. Kristy showed Mr. Koester the two plats, the approved minor subdivision, and the plat that Mr. Brown would like to amend to. Mr. Koester stated that this is just south of his street. Kristy confirmed.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:07 p.m.

c. Proposed Rezone of 1.06 acres of land located at 328 East Main Street for Dave Webster to go from an RM-7 zone to a RM-15 zone.

Chairman Jaime Topham opened the public hearing at 7:07 p.m. and called for comments.

Cathie Dansie stated to the Commission: They were supposed to add a playground and maintain the back of that property, but they have not done that. I don't know what they are doing or what way the apartments are going to face because right now they all face into her backyard. I would propose that they build an 8-foot block fence so that she has a little bit more privacy than what she has now if they are going to add more units. I also have animal rights on my property and I have a fear that when there are more units back there that there are going to be complaints about the smell and the sounds. We already have had problems with the kids throwing things at the animals and I don't want to lose my animal rights. I've also had problems with the people that live there. I have had my life threatened and I am really opposed to this. If you are going to give him the right to this, then you should give me the same right. You guys told me that I couldn't put another house on my property when I wanted to. Jaime asked Mrs. Dansie what her address was. Mrs. Dansie stated: 332 East Main, which is right next door to the apartments. I own approximately the same amount of land that they do, maybe a little bit more. I had once offered to sell to the guy who owned it before and he didn't want to buy it. So I am truly opposed to this.

Mike Warner stated to the Commission: I live at 341 East Legacy Lane and I have property at 324 East Main where we share the common property line. As a neighboring property owner I have concerns about this property even as it sits today. It has a detrimental effect on all the surrounding properties. Every summer the south half that should've been landscaped as a play area for the kids as Cathie said grows weeds that are 3 feet tall. And we make several calls to the ordinance enforcement and last year the weeds were never cut down. This property was fully built out when they added the 7th unit. They tried to add another duplex but they didn't have enough property. With the current zoning that's why there's 3 duplexes and a single unit. So now if you rezone this property it's like giving them a reward. The current owner wasn't the owner back then but it's like rewarding somebody for not finishing and doing something with the open area that was supposed to be landscaped and set aside for a play area. Cathie just talked and currently she has two bulls in her backyard, which were obtained with a conditional use permit when there was no development around it. And with my development on Legacy Lane, everyone that built adjacent to her property knew before they built that animals could come right up to their back fence. So as Cathie stated, if this is rezoned and allowed, I know what happens when you have apartment buildings with a 7 to 8-foot strip behind them. Things get thrown over the fence and the animals will get chased and poked at. So changing the zone will have a detrimental effect on the current use of the property. It's my opinion that this application for a zone change should be recommended for a denial. If you want to know how much the current property owner cares about the City take a look at the property as it sits today. If he cared he would maintain it. Thank you!

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:13 p.m.

d. Proposed Rezone of 93.64 acres of land at approximately 1100 North SR138 for Mark Newman and Scott Yermish with Newman Construction to go from an A-10 zone to a MG-EX zone.

Chairman Jaime Topham opened the public hearing at 7:13 p.m. and called for comments.

Stephen Burgess stated to the commission: I live one mile past Walmart. I live right next to this property. I am opposed to rezoning this to a mining zone. I would like to know how many gravel pits are okay within City limits? We already have two right behind my house and one right below my house and then they are proposing one to the south of my house, which means I will be completely surrounded by gravel pits. It seems to me we have enough. I don't want to live downwind of a gravel pit because they are dusty. I don't believe that they will be able to get enough water to keep the dust down. And it's just ugly; it doesn't benefit the community to have a gravel pit that close to town. I wish that there were more people here to talk to. Jaime stated: We do make our minutes available to everyone so your voice will be heard. Mr. Burgess stated: I know you do, but they won't get the passion that I have that I am strongly against this thing. I don't know if it really matters or not, but I am strongly against this. As far as I am concerned it does not do the City any good to put in another gravel pit in the City limits. How many would be enough? Would 3 or 4 more be okay? Could we just make the whole City a gravel pit and then put houses amongst them? I don't care what else you rezone it to, almost anything but a gravel pit. Thank you!

Van Anderson stated to the commission: I have only one concern. Can you tell me where they are going to get the water? Is it going to come from the City or are they going to drill a well? Jaime stated: Right now the only thing that is before us is a rezone. That would be a question for when they actually develop the property into a gravel pit. Mr. Anderson asked: So that hasn't been addressed yet? Will that be addressed before you make a decision? Jaime answered: Yes. Anytime they bring a development they have to bring the water available before it even comes to us. Mr. Anderson stated: They need to know that if they drill there they aren't going to get good water on that property. The water would be brackish. I just don't know if they are aware of that. That was my only concern.

Shaun Johnson stated to the commission: Right now we control the land to the south and the southwest of this proposal. My only comment is that if this rezoning is granted, us as land owners of the MU property to the south of this, we would request most likely the same rezoning with that expectation being set that as this gets rezoned, we see that expectation is now set for other people. To the

gentleman's comment earlier, we would rather not do that rezoning. We are currently zoned for residential and commercial use and we fully intend to use it for that. However, given that our current gravel pit that is up there is 99% BLM controlled materials, it would only make financial sense to go through the rezoning on our 200 acres to do the same thing. My only comment is that with this rezoning, if it takes place and if the City is setting a precedence to go to the most difficult rezoning that there is, we expect the same result on ours. That is all I have.

With no further comments offered, Chairman Jaime Topham closed the public hearing at 7:19 p.m.

- e. Proposed General Plan Amendment Application** for Andy Lewis at approximately 948 South Quirk for 63.34 acres to go from a "Rural Residential -1" designation to a "Low Density Residential" designation.

Chairman Jaime Topham opened the public hearing at 7:19 p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:19 p.m.

- f. Proposed Rezone** for Andy Lewis at approximately 948 South Quirk for 63.34 acres to go from an RR-1 zone to a R-1-21 zone.

Chairman Jaime Topham opened the public hearing at 7:19 p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:19 p.m.

Chairman Jaime Topham stated to the public: We do not have a quorum tonight so we will not be able to address any of the agenda items as far as what we are supposed to consider. And we will not be taking public comment on any of these items at our next meeting when we reconvene, so this is your opportunity to speak on any of these items a-f. Seeing no one else coming forward, I am closing the public hearing portion of the meeting.

Jaime made the motion to reschedule our Planning and Zoning meeting to May 23, 2019 at 7:00 pm. We will consider the items left on our agenda 1-12. Gary seconded the motion. All voted in favor and the motion carried.

Adjourn. Jaime made the motion adjourn the meeting at 7:21 pm. Gary seconded the motion. All voted in favor and the motion carried.

Kristy Clark
Zoning Administrator