

Fountain Green Planning Commission Meeting
Fountain Green City Hall
December 12, 2019 7:40 p.m.

Attendance: Bryan Allred, Larry Woodcox, Joseph Papenfuss, Kyle Rowley, Riley Hansen, Scott Evans

Excuse: Tom Hansen

Citizens in attendance: Ken Brown

While waiting for a quorum, Bryan signs the letter written by Riley to notify the Court that Doug Lowe has completed his service hours by helping the Planning Commission revise its Quick Reference for Building Permits. He actually gave more than the 10 hours required and did an excellent job. Bryan passes around a map of the main irrigation lines within the City prepared by Greg Johnson (Irrigation Company President) and Michael Hansen (Water Master). Kyle offers to enhance the City streets on the map and make copies of the map for the members of the Planning Commission. Bryan calls the meeting to order and asks Heather to read the minutes from the November 14, 2019 meeting. Joseph was not in attendance last month and adds that any changes to the Ordinances must be added to the Land Use Ordinances book. He also informs the Commission that the City does not need to pay impact fees to itself. Riley notes that it was Bryan that reported that the Merediths are planning to build a swimming pool next year – not himself. Scott motions to approve the minutes as corrected. Riley seconds the motion and all vote in favor.

- Joseph Papenfuss presents the necessary paperwork to request a permit to erect a temporary, 12'x20' tent garage on his property at 776 West 100 North, serial #18170, on 1.62 acres. He would like to store building materials in it to protect them from the winter weather. He plans to use it for this purpose only for about 6 months. It will be anchored and has the necessary setbacks from the existing barn, house under construction, and the irrigation lines. The Commission discusses whether or not these types of sheds need a permit or not as there are quite a few within the City that do not have permits. They decide to consider it at further length later, but no permit is required at this time. If the County red-tags Mr. Papenfuss, the Commission will issue a permit next month.

- Homer Workman comes to discuss whether his 0.34-acre lot (serial #18168x1) within Fountain Green City limits is a buildable lot. The lot is not in the FEMA Flood Plain. He has obtained more information from the County: the lot was originally created in 1988 as a 0.45-acre lot with 100' frontage on 100 North and 190'-198' depth. In 2012, Fountain Green City won a lawsuit that left the lot with only 0.34 acre. The Commission discusses whether the Planning Commission or the City Council should decide this issue – Larry answers that the Planning Commission should decide and the City Council should abide by their decision. Bryan would like Mr. Workman to find out why the City took the property and also if the City has any paperwork from when they made a deal with the Jacobsons to allow them to keep 4 buildable lots (even if the lots do not meet the 0.455-acre minimum requirement) in the block that the City took street rights-of-way from for 100 North. The Jacobson deal would set precedent. The Commission advises Mr. Workman to check with Michelle (City Recorder) and Roger (City Superintendent) for this information.

- Riley asks if greenhouses are required to have a permit? This leads to a discussion of tent sheds and metal-frame carports. There are quite a few around the City, but most do not have a

permit and the Commission needs to decide if they should be required to have a permit. It may be a good idea if only to ensure that they are properly anchored and have the required setbacks.

- Riley passes out copies of the "Fountain Green Planning Commission CITIZEN'S GUIDE TO THE BUILDING PERMIT PROCESS" that he, Tom, and Kyle have been revising with Doug Lowe. They have added a section "When Do I Need a Building Permit?" and when a permit is not required. The Guide also includes a checklist. It clarifies that the Fire Chief and Irrigation Master must sign and stamp plans for buildings that will have utilities (with or without human habitation). The section on Auxiliary Buildings has been condensed to general requirements for all auxiliary buildings and subsections listing specific requirements for buildings with and without animals. The section on fencing has been clarified to explain intersection line-of-sight safety and separated fencing from hedges and trees. They have added sanitized examples of a plat map, plot plan, and the various application forms. Riley has found a few typos and asks for any other suggestions from members of the Commission. The Commission reviews the Building Permit Guide and recommends that it be placed on the Agenda for approval next month. They agree that Mr. Lowe and the three members of the Planning Commission working with him have done a good job.

- The Commission next discusses "attachments" between buildings (example: 2"x4"s to create a "breezeway"). Bryan feels that an attachment should be substantial or include a firewall. Riley suggests that we might require that it share a roof or load-bearing wall. Bryan will invite the Fire Chief to the next Planning Commission meeting to join in this discussion and hopefully come to some decisions. This would also be a good time to address the issue of fire "lanes" – some people have said that the term "lane" is confusing and should be changed. The Commission discusses whether they can change the name (to fire break or fire hose access) or if the State uses fire "lane" exclusively. It is suggested that fire lane be added to Chapter 2 – Definitions. Evidently, each City has different requirements for fire lanes depending on which zone the buildings are in, if the City has a Fire Department, and if it is a volunteer or professional Fire Department, etc.

- Bryan would like to have a letter drafted to explain the events that happened in regards to the building of the new City Public Safety Building. He is concerned that in a few years, it may be forgotten how everything happened and the parts that the City Council and Planning Commission played. Heather suggests that the minutes of those particular meetings offer a good overview, but admits that they can be difficult to find – especially after several years. It is suggested that they could be added directly to the Land Use Ordinances at Chapter 3.1.F. as an Appendix or Insert with explanatory comments. The Commission feels like this is a good idea. They are concerned that the City Council will forget that it needs to complete the Ordinance changes within 6 months. (Ken Brown leaves at 9:20 pm).

- Bryan reports that Jeff Walker still wants to build the new Lamb Day Bowery at the City Park. Larry reports that the new City Council will not approve it. A temporary tent has been suggested, but the Lamb Day Committee wants a permanent structure. Bryan points out that the old boweries are in need of repair as their pipe is rusting out. He would also like to see a veterans' memorial either at the new City Public Safety Building or on the lot with the secondary well. That would also be a nice place for another picnic area and playground. Joseph suggests that there should be a hedge along the fence where the well is. These issues may require a Public Hearing or Survey.

- Larry reports that he thinks that the letter of violation has been approved by the City Attorney and will soon be sent out to the people on the list.

- Scott motions to adjourn the meeting. Kyle seconds the motion and all vote in favor. The meeting adjourns at 9:30 pm.

Heather