

Providence City
Administrative Land Use Authority (ALUA)
Agenda – June 10, 2020 – 2:30 PM

Providence City Office Building
164 North Gateway Drive, Providence UT 84332

**Members of the ALUA may be attending this meeting electronically.
This meeting will live stream on Providence City's YouTube Channel
Persons wishing to comment on agenda items may email their comments to
providencecityutah@gmail.com or text comments to 435-752-9441.**

Call to Order: Skarlet Bankhead, Chair

Item No. 1 Conditional Use – Accessory Building: The Providence City Administrative Land Use Authority will consider for approval a request by Dennis and Katherine Gehrke, for an accessory building located at 198 E. 200 S, Providence, UT.

Agenda posted on June 8, 2020


Diane Campbell

If you have a disability and/or need assistance while attending the Providence City Administrative Land Use Authority meeting, please call 435-752-9441 before 1:00 pm on the day of the meeting.

PROVIDENCE CITY
Land Use Authority – Staff Report
Meeting Date: June 10, 2020

Request: Applicant is requesting approval of a conditional use and zoning approval for an accessory bldg. located at 198 E 200 S Providence, UT.

Item Type: Conditional Use App	Applicant: Dennis and Katherine Gehrke	Address: 198 E. 200 S. Providence
Parcel ID #: 02-100-0021	General Plan: SFT	Zone: SFT

Background Information:

A complete application was received June 1, 2020 and contained:

1. Providence City Conditional Use Application and Residential Site Plan application.
2. Payment of \$100 fee, June 2, 2020

Rob Stapley, Providence City Public Works Director, inspected the current infrastructure June 5, 2020.

Aaron Walker, Fire Inspector, reviewed site; see letter dated June 9, 2020.

FINDINGS OF FACT:

1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with standards set for in an applicable ordinance.
2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required states, all requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE), Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before any permit shall be issued.
4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes.

CONCLUSIONS OF LAW:

1. Providence City has adopted land use ordinances that include conditional uses and provisions for conditional uses.
2. The Cache County GIS Parcel Summary indicates this parcel is in a Wildfire Hazard area.
3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.
4. Aaron Walker, Fire Inspector – Logan City Fire Department, reviewed the parcel in the interest of the fire safety provisions and regulations as adopted by the State of Utah and in accordance with the International Fire Code.
5. The request meets the requirements of the Codes listed in the Findings of Fact with the following conditions:

CONDITIONS:

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
2. The applicant will mitigate Wildfire Area by:
 - a. See letter from Aaron Walker dated June 9, 2020.
3. This conditional use is for the accessory building only as shown on the site plan date stamped June 1, 2020.
4. Payment of fees listed on the Providence City Zoning Permit.
5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.



PROVIDENCE CITY APPLICATION FOR A CONDITIONAL USE

FOR OFFICE USE ONLY

Date _____
Payment Form _____
Amount _____
Receipt # _____
Clerk _____

Please Note: City Staff will **NOT** accept the application and fee payment if they are incomplete. Incomplete applications will **NOT** be processed or scheduled for review by the City.

Initial _____ Name _____

Date 6-2-20

SUBMITTAL REQUIREMENTS

- \$100 application fee
- An 11"x17" of the property showing the location, function and characteristics of the use, including parking and percentage of space being used
- Cache County plat map of the property
- Copy of Cache County GIS Parcel Summary
<http://66.232.67.238/Websites/Parcel%20and%20Zoning%20Viewer/>
- Mitigation Strategies for applicable sensitive areas
- Mailing addresses for the owners of adjacent properties
- Property owner consent for pursuit of conditional use (if owner is different than Applicant)
- Electronic copy of structure elevations & square footage including attached garage(s), covered porches, covered decks etc.
- Electronic copy of **ALL** submittals (email or flash drive is acceptable)

Staff Check

Applicant Information (all information MUST be provided)

Name Katherine Gehrke
Address 198 East 1200 North Providence
Phone (435) 213-6075 Email klgehrke@gmail.com

Party Responsible for Payment (if different than applicant)- the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.

Name _____
Address _____
Phone _____ Email _____

Property Information

Owner of record Kathenne Gehrke
Owner address 198 E. 200 S. Providence
Owner phone (435) 213-6075 Owner email klgehrke@gmail.com
Parcel address 11 Parcel Tax I.D. 02-100-0021
Zone _____ Height 23' Initial KG
Setbacks (front yard) 230' (side yard) 12' (rear yard) 20' Initial KG

Written Statement of Request (attach additional sheets if necessary)

- Briefly explain why you are seeking a conditional use and what the intended use of the property will be if the conditional use is granted.

building a shop/garage

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances. Initial JK Name Kathenni Gurn

Approval by the city of any application submittal or paperwork does not alleviate the owners from their responsibility to understand and conform to local, state and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated. Initial JK

By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial JK

I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Signature of Applicant Kathenni Gurn Printed Name Kathenni Gurn Date 6-2-20

The following is a general summary of which body reviews each land use application in Providence City. Public hearings may be required by the Planning Commission and City Council, as shown below. This matrix does not include zoning clearance/permits for new single-home construction or for business licenses, both of which are reviewed and approved by city staff.

Application	Executive Staff	Land Use Authority	Planning Commission	Public Hearing	City Council	Public Hearing	Appeal Authority	Filing Fee ¹
Code Amendment	✓	----	✓	✓ ²	✓	----	----	\$100
Annexation	✓	----	----	----	✓	✓	----	\$150
Rezone	✓	----	✓	✓	✓	----	----	\$100
Conditional Use	✓	✓	----	----	----	----	----	\$100
Subdivision Concept Plan	✓	----	----	----	----	----	----	\$300
Preliminary Subdivision Plat	✓	----	✓	----	----	----	----	\$400
Final/Amended Subdivision Plat ³	✓	----	✓	----	✓ ⁴	----	----	\$600
Site Plan	✓	✓	----	----	----	----	----	\$50
Lot Consolidation ⁵	✓	----	✓	----	----	----	----	\$50
Exception to Title ⁶	✓	----	✓	----	✓	----	----	\$100
General Plan Amendment	✓	----	✓	✓	✓	----	----	\$100
Right-of-Way Vacation	✓	----	✓	----	✓	✓	----	\$100
Variance/ Appeal	----	----	----	----	----	----	✓	\$100

¹ Filing Fees do **not** include professional firm review fees. Those will be billed to the applicant separately.

² Public Hearing required at Planning Commission only when the proposed code amendment is related to land use.

³ Construction drawings are reviewed/approved by the City Engineer and Public Works Director.

⁴ The City Council does not review the final plat itself, but rather reviews and approves the development agreement associated with the final plat.

⁵ Lot consolidations are only required to have City approval when they are in a platted/recorded subdivision.

⁶ Developers may ask for an exception from the requirements of the Providence City Subdivision Code (Title 11) through this process. All other variance/exception requests shall be handled by the Appeal Authority.



Residential Site Plan Application

FOR OFFICE USE ONLY

Date _____
Payment Form _____
Amount _____
Receipt # _____
Clerk _____

Date: 6/1/2020

Required Submittals

Please Note: City Staff will NOT accept the application and fee payment if they are incomplete. Incomplete applications will NOT be processed or scheduled for review by the City. Application fees do not include professional firm fees, which will be billed separately. Engineered site plans may, at the City's discretion, be required. The City will contact the applicant if an engineered site plan is deemed necessary. Accessory buildings include sheds (over 200 sq ft) and all detached buildings (shop, garage, etc.)

Name DENNIS GEHRKE Initial DG

Construction Type	Application	Filing Fee	11x17 Site Plan Must Include:			Cache County Plat Map	Stormwater NOI Permit	Stormwater Pollution Prevention Plan (SWPPP)
		\$50- New Home \$25- all other	Existing & proposed buildings, dimensions, & setbacks	Existing/ proposed utilities	Dimensions of driveway cut - (35' max)			
New Home								
Acc. Building	✓		✓	STUBBED FOR FUTURE			*	*
Addition							*	*
Deck							*	*
Other								

*May not apply in all cases

Applicant Information

Name: DENNIS / KATIE GEHRKE

Mailing address: 323 W 700 S LOGAN UT 84321

Telephone: 435-213-6075

Email: DJGEHRKE@GMAIL.COM

Property Owner Information (If applicant is not the property owner, the application **must** include the property owner's information and written consent for the applicant to pursue the permit)

Name: _____

Mailing address: _____

Telephone: _____

Email: _____

Utilities (circle, if applicable):

Septic tank

STUBBED
City sewer

Water

Well

Construction Type (circle):

New home

STUBBED
Accessory building

Deck

Addition

Other

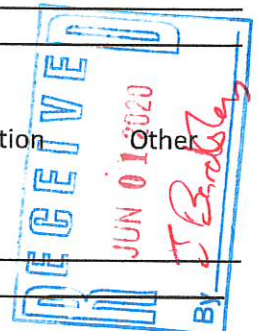
Project Information

Address: 198 E 200 S PROVIDENCE UT.

Subdivision: LOT 6 BLK 22 PLATA

Parcel Tax ID: 02-100-0021

DIST. CODE 009



Square footage for fire flow (includes all floors and all areas under the roof, including garages and covered porches):

2160 SF Initial DL
Zone _____ Height 23 FT Initial DL
Setbacks (front yard) 230 FT (side yard) 20 FT (rear yard) 12 FT Initial DL

Contractor Information

Name: _____
Mailing address: _____
Telephone: _____ Email: _____

Stormwater Notice of Intent (NOI) Information

NOI No. UTR _____ Permit issued to: _____

If this construction will occur in an approved subdivision, you may be able to use the NOI permit taken out by the development contractor or the developer. If you have to obtain your own NOI permit, please visit: <https://secure.utah.gov/account/log-in.html>. You will create a log in and then access the Storm Water Permit Issuance System. There is a \$150 NOI fee, paid directly to the state when you file your permit.

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances.

Initial DL Name DENNIS GENTILE

Approval by the city of any application submittal or paperwork does not alleviate the owners from their responsibility to understand and conform to local, state and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

Initial DL

By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial DL

All Applicants Must Read the Following Before Signing This Application

The granting of a zoning permit does not override any federal, state, or local building code or authorize any individual to violate any local law or ordinance. Approval of this permit does not constitute a representation by the City that it will be liable for any issues arising from the construction of homes and other structures in a Sensitive or Hazard Area. It is the responsibility of the property owner to comply with all relevant local, state, and federal laws and regulations, including but not limited to Providence City Code 10-5 outlined below:

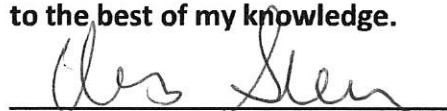
Sensitive and Hazard Areas:

1. JURISDICTIONAL WETLANDS: As Defined by the US Army Corps of Engineers
2. STEEP SLOPES: Where the rise or fall of the land is equal to or exceeds 30% over a horizontal distance of 50 feet or greater measured perpendicular to the contour lines.
3. NATURAL WATERWAYS OR OPEN WATER: Including but not limited to: rivers, creeks, or streams. Identified as those areas where surface waters flow sufficiently to produce a defined channel or bed.
4. FLOODPLAINS: See definitions in Chapter 16 Section 3 of this Title.
5. CRUCIAL WILDLIFE HABITAT AREAS: As identified by the State Division of Wildlife Resources (DWR)
6. GEOLOGICAL HAZARD AREAS: Earthquake fault lines or areas prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the US Geological Survey (USGS)

7. WILDFIRE HAZARD AREAS: Areas of the City designated as having moderate to extreme potential for wildfire hazards as identified by the City.
8. HAZARD WATER TABLE AREA: An area where potential ground water levels may occur within 12 feet of the natural grade.

By submitting this application, I affirm that I have read and understand the Title 10 Chapter 5 requirements for construction on property in the Sensitive or Hazard Area. I understand that the City is not liable for any issues which may arise because of the construction of structures in the Sensitive or Hazard Areas of the City. The property owner and their agents assume all liability for placing structures in this area of the City. I hereby certify that I am the property owner or authorized agent and I have read and examined this application and understand that the City has no liability. I accept responsibility for all soils and hazardous conditions on the site.

I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.



Signature of Applicant

DENNIS GEHRKE

Printed Name

6/1/20

Date



Public Works Infrastructure Inspection

Project Address: 198 E 200 S Providence

Contact Name: Dennis Gehrke

Phone Number: 435-213-6075

Inspection	Pass/Fail	Notes
Concrete	N/A	
Curb/Gutter	N/A	
Utilities	Pass	
☐ Conditional Use Fire Hydrants: Location Flow		
SWPPP Needed: Yes No		SWPPP Completed: Yes No N/A
NOI Needed: Yes No		NOI UTR: _____ NOI Issued To: _____
Inspection Completed by <u>[Signature]</u> Date <u>6.5.2020</u>		
Final Inspection	Pass/Fail	Notes
Concrete		
Curb/Gutter		
Utilities		
Inspection Completed by _____ Date _____		

SE⁴ SE⁴ Section 10 Township 11 North Range 1 East
Scale 1 Inch = 100'

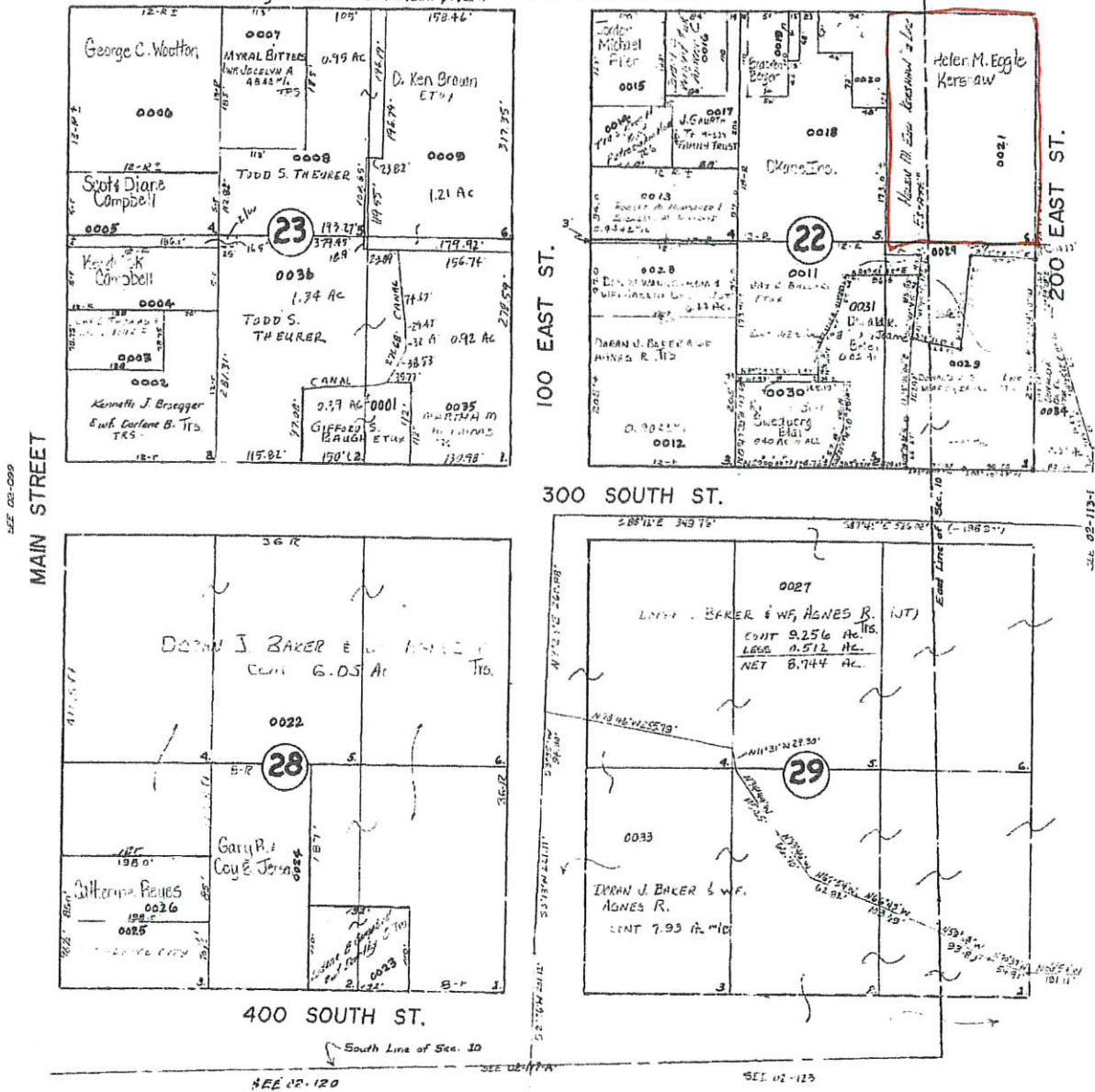
02
100

BLKS. 22, 23, 28, 29, PLAT 'A' PROVIDENCE

TAX UNIT 09

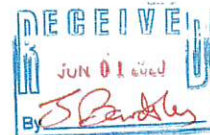
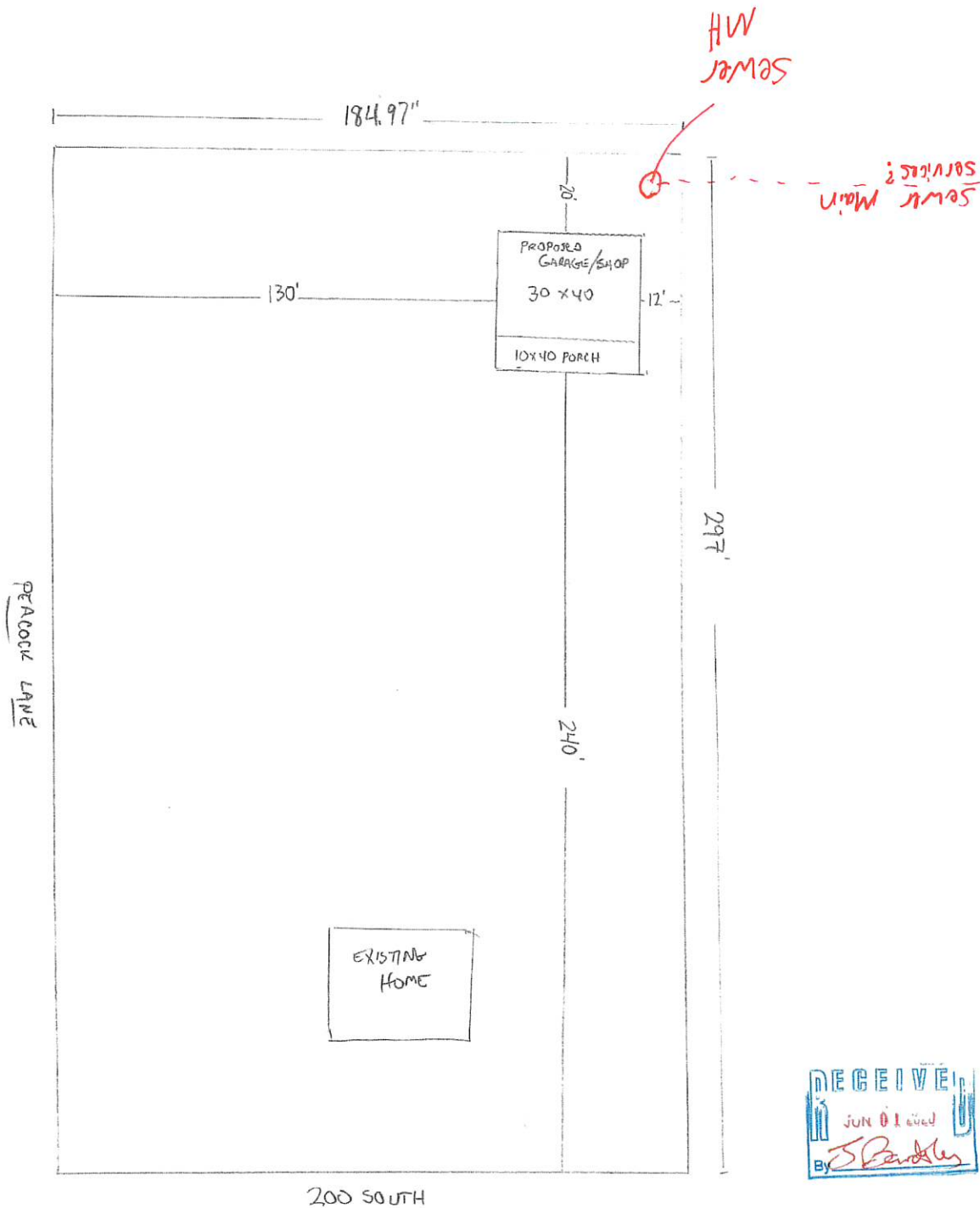
SEE 02-098

Shortage in Blk. 23-2564 EUM. & FCH. 200 SOUTH ST.



RECEIVED
JUN 01 2020
By J. B. [Signature]

- PROPOSED GARAGE SHOP @ 198 E 200S.
- 30' X 40' WITH 10' X 40' COVERED PORCH
- 20 FT SETBACK FROM SOUTH PROPERTY LINE (REAR)
- 12 FT SETBACK FROM WEST PROPERTY LINE
- ALL UTILITIES ARE @ EXISTING HOUSE
- ALL UTILITIES TO BE STUBBED @ NEW GARAGE SITE



LOT 6 BLK 22 PLAT A
DIST CODE D09
1.35 ACRES
TAX ID - 02-100-0021

GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Parcel Number: 02-100-0021

Property Address: 198 E 0200 S
PROVIDENCE

Tax Roll Acreage: 1.35

Owner Name: KATHERINE V GEHRKE

Owner Address: 198 E 200 S
PROVIDENCE, UT 84332-9746

Jurisdiction: Providence

Future Annexation Area: n/a

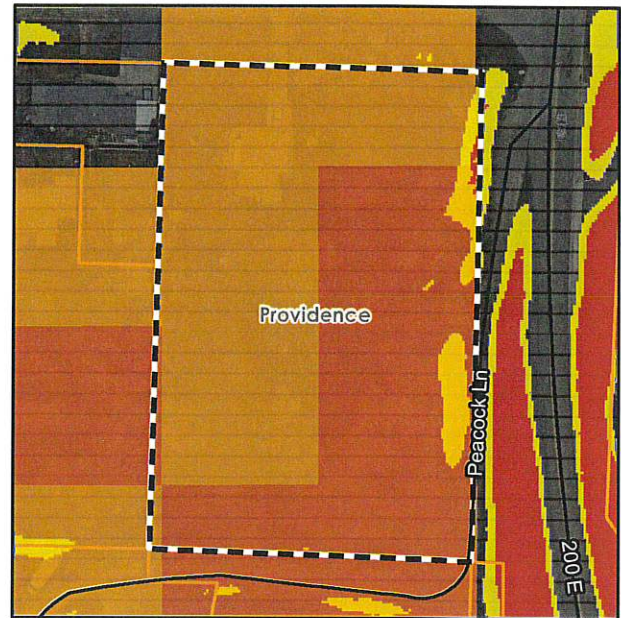
Base Zone: Contact Providence for Zoning

Overlay Zone: n/a

Initial Parcel Incorporated Area

Legality Review: Contact Providence for Applicable Regulations

Generated on 02 Jun. 2020 at 09:10 AM



Comprehensive maps can be found
at www.cachecounty.org/gis

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process. All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Canals
Source Water Protection
Zones 1 or 2

Moderate Slopes
Steep Slopes

Wildfire Hazard Areas

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

Cache County assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided herein. All datasets may contain errors. The information shown here is not intended to replace evaluation by a competent, licensed professional. In particular, the parcel boundaries are representational only and are not legal definitions of real property, nor are they intended to replace a land survey by a licensed surveyor.

