

Laketown Planning & Zoning Commission Meeting
Wednesday, September 30, 2020
8:00 pm

Welcome & Attendance: 8:03 pm meeting start time. Duane welcomed those present.

Members Present: Duane Robinson, *Chairperson*; Nellie Brown, Tamie Gomez, Cody Reed, Dennis Hodges, Gary Ogilvie, and Ruby Hunter, *Recording Secretary*.

Members Absent: none

Public Members: Jonathon Lee and Michael Williamson

Pledge of Allegiance: Led by Gary Ogilvie

Minutes: Members reviewed the minutes from August 26, 2020.

Tamie motioned to accept the minutes.

Dennis seconded the motion.

All in favor.

Report from City Council:

Jon Lee with Dot Bar has asked for the opportunity to put a high-speed internet tower next to Centracom's tower near the city's water tank. Jordan Gomez applied for a business license for a business that will be run from her home. There was mention that the P&Z records need to be stored in the city office. The council discussed where the records were currently being stored. Duane indicated that they are in a filing cabinet in the city office and Ruby confirmed that the minutes and agendas have been copied and placed in a binder in the office as well.

Sim Weston said with the Covid-19 boom the city needs to hurry and ask the county clerk about grants. The green space and bike path were discussed for Garden City, specifically, in regards, to the corner before Epic's RV Park & Boat Launch south of Ideal Beach Resort. It is a state right-away, so they are proposing people get off their bikes to walk them through the private property. There was a lawsuit with the property owner on the access of that right-away and the homeowner lost the lawsuit, public access has been granted. Bikers will be allowed to continue through the homeowner's property, eliminating the need for them to enter onto the highway.

Town Council will consider railroad storage containers and consult the attorney. Dallas asked about weed control at the pump house and the town office building. There is a

weed killer on the market for \$50 per bag that claims to eliminate weeds for two years. There was talk about getting a certified water master; Chantry Argyle, Bart McKinnon, and Wayne Batty were mentioned as potential candidates.

The water system in the arena is installed. The corner by Scott Johnson's home was paved and the paving company filled several potholes around town without an extra charge. The fence by the scoreboard at the city park is broken down from the horses in the adjoining pasture.

Dennis who attended city council mentioned that Gary McKee did not show up. They had a lot of questions to ask him about his future development. The development/property of Gary's near the cemetery is a concern. Town Council has developed a new checklist for new home builders, and they would like P&Z to go over it. Dennis feels there should be some adjustments made the list. Duane agreed.

Mike Williamson – Shed Rebuild:

Mike has a shed behind his house that was severely damaged from high winds recently. It needs to be repaired or replaced as soon as possible. He would like to replace the existing structure with a new metal shed, in the existing footprint. There was a lengthy discussion regarding whether or not he could use the existing footprint with the addition of a new foundation or if he would need to abide by the 10-foot set-backs. Mike is unable to use the existing foundation due the extent of the damage it suffered from the latest windstorm and its overall age. It was determined that because it is a new building with a new foundation, he will not be approved to rebuild in the same spot as the existing shed. He will be required to move the shed 10 feet off the north property line and 10 feet off the east property line. Mike made the members aware that this will cause the new shed to not be lined with up the existing granary that is still standing and it's unfortunate to lose square footage both in the shed and in his pasture due to the existing setbacks. Duane assured Mike that if he pursued a variance through the city council that it is highly likely he will be turned down and if he wants the shed built before winter it would be in Mike's best interest to move forward with the revised plan.

After much conversation, Mike sketched out the outline of the shed in relation to his overall property and the existing granary. Mike inquired if he could build a roof or lean to off the back covering the "wasted" ten-foot gap in an attempt to make it useful. Duane stated that would not be allowed under the current ordinances. The revised building will now be 30X80 feet. This measurement includes the proposed 10-foot setbacks.

Dennis made a motion to accept Mike's revised sketch plan.

Tamie seconded.

All in favor.

Jon Lee:

Jon went to the city for a business license and was told he needed to report to P&Z first. He has purchased fiber in Montpelier and from that tower he has enough band width to reach several other towers in the Bear Lake Valley. They plan on burying fiber along the east side of the lake. He and his company would like a tower next to Centracom's on the top of Last Chance. They have 20 people already signed up for their internet services. They have 120 customers in Garden City and estimate they only need 40 customers to break even. This is an opportunity to give Centracom some competition which will cause Centracom to lower their prices, which is a benefit to the local people.

Jon intends on hiring a maintenance person in each town throughout the county to take care of the citizens' needs. Jon predicts they would only need 20 feet of tower exposed. They did 40 feet of tower in Garden City but with Laketown's space there will not be a need for that much height. Their goal is to cover all of Rich County with their internet service, including eventually providing Logan Canyon with service. Jon's company is willing to pay whatever the lease amount may be, but they would prefer not to pay anything. Duane made it clear that P&Z is not at liberty to give permission for the tower to be built on the city's property. That will have to be approved by the town council. Duane made the motion for P&Z to accept Jon's tower proposal.

Cody seconded.

All in favor.

Bryan Weston Subdivision:

Bryan has asked Duane and the rest of P&Z to accept his cul-de-sac into the city. Duane mentioned this is the first cul-de-sac to meet the requirements of Laketown. Delora is currently looking into what that process might entail. Dennis feels this falls into the subdivision category and subdivisions should be responsible for their own road maintenance, much like an HOA. Duane stated that this is most likely a town council issue and he will tell Bryan to take it to city council instead. Duane did mention that Bryan has been good to do exactly what P&Z has asked of him.

Eric Wamsley's Inquiry:

Prior to this meeting, Eric called Duane to ask if he would mention to P&Z the likelihood of Eric rezoning his property to commercial. Eric mentioned the option of having a bed and breakfast. Eric is putting in an indoor arena and there was some speculation that the new arena may open up opportunities for his wife, Marie, to host events that would require participants to bring their live-in quarter horse trailers to stay in for the duration of the event(s). Dennis said to let Eric jump through the hoops and get it done.

As it is now, it is a residential property, and they are doing commercial business out there already. Cody questioned if that was permissible and it was stated that there are several individuals in Laketown currently running business' out of their homes in residential areas. Cody brought up the issue of Eric not owning his entrance. The right-away through Tom Weston's property may pose a problem. It was mentioned that nightly rentals are not something appealing to Laketown at this time and that should be considered. Laketown has spent \$25,000 to stop nightly rentals.

Around the Room:

Cody: Nothing.

Nellie: Can we look at the building permit sign off sheet next month? Tamie asked why we can't just use the county one? Duane agreed concluding that all that is needed is the info on the bottom of the form. Cody suggested it be taken back to city council with the revision.

Tamie: Tamie mentioned that we need affordable housing for employees here. It is too expensive for them to rent or buy. Duane said that the city is not interested in duplexes. McKay Willis wanted to put in one some time ago and he was turned down. Low-income housing is not a solution either as it brings other problems.

Ruby: Nothing.

Duane: Nothing

Dennis: Dennis is concerned with the potential sale of Eborn's Raspberry Patch that Gary McKee currently owns. At last month's meeting Gary suggested the prospect of selling that property in two lots. Dennis would like some clarification as to what will be allowed or not allowed. There is some confusion to the 100-foot setback requirement and if that is interpreted to mean 100 feet in front of a home or 100 feet from the road. Tamie stated that we need to know exactly what 'frontage' means in the ordinances. There is no legal road to the upper part of the property. The cemetery road is not a city road. There is also the issue of someone buying it to build one home and deciding to subdivide later, which will cause a host of new problems. The members agreed they are not in favor of a subdivision up there.

Gary: Nothing, as he excused himself earlier in the meeting.

Duane concluded the meeting by thanking the P&Z members for their contributions and their ability to work together and get along regardless of differing opinions.

Meeting adjourned at 10:11 pm.