

**Rockville Planning Commission
Special Meeting
Via Zoom Virtual Meeting
November 24, 2020 – 6:00 p.m.**

1. **CALL TO ORDER – ROLL CALL:** Chair Hamilton called the meeting to order at 6 p.m. Present were Ken Rybkiewicz, Linda Brinkley, and Jane Brennan. Cheryl McGovern was excused. Town Clerk, Vicki S. Bell, recorded the meeting.
2. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM:** There were no additional conflicts of interest disclosed other than those disclosed previously in the November 10, 2020 meeting.
3. **DISCUSSION AND ACTION ON AN APPLICATION FOR A FENCE GREATER THAN 6' AND A BUILDING PERMIT FOR AN ATTACHED GARAGE FOR DARON COOK LOCATED AT 20 N. DENNETT LANE IN ROCKVILLE THAT WAS POSTPONED FROM THE NOVEMBER 10 REGULAR MEETING:** Jane Brennan asked that this agenda item be amended as the application for a fence was approved at the November 10th meeting on the stipulation that he provides a foundation plan. Chair Hamilton agreed with Jane's amendment and stated that the required foundation plan was submitted and included in their packets, thereby, finalizing the approval of the fence.

Daron had nothing new to add other than the documents provided in the packets. Chair Hamilton thanked Ken for his willingness to help Daron with getting the application completed. Jane commented that she was glad to see the fire door included in the garage plan. She was concerned that the Building Inspector might have a gripe with. The foundation plan looks sufficient and looks like it has checked all the boxes. And, as stated above, he has included the foundation plan for the fence. Everything looks complete. Both Linda and Ken stated that they were good with the plans. Jane asked Daron to confirm that there will be no outside lights attached to the garage. Daron stated he was not planning on outside lights.

Chair Hamilton added for clarification purposes that the D&D Subdivision was put in place in 1986. Daron's house was constructed in 1988. The Land Use Code (LUC) was not put into place until 1990. So, while the LUC requires a 30-foot (30') setback, I don't think it is practical for the Planning Commission to require that of Daron given his circumstances. Being that he is 1) in the D&D Subdivision with a 30-foot (30') front setback and 2) has an 85-foot (85') deep lot and the garage is in compliance with the existing house that was built in 1988. I want to state on the record that the Planning Commission has recognized that this is not in compliance with our LUC but given the circumstances we don't think it is practical to require him to comply with the 30-foot (30') setback. Daron commented that otherwise we would have to tear all these houses down and put trailers in sideways. Jane stated that she agreed that there is no other way to deal with this. I think instead of the building in this case being accepted as a legal non-conforming building; I think we need to accept the CC&R's as the non-conforming use. Jane commented that she read through the CC&R's and could not find anything that conflicts with our LUC other than that rear setback. Daron commented that he had some stuff when he originally bought the house that stated it was "code" for these three houses. There are only three houses that have this property that is wider front-wise than the other. So, this was supposed to be incorporated when this Dennett Lane subdivision was incorporated. And it stated that I had a 15-foot (15') setback on the back. Jane stated it would not make sense to do anything other than this. If there was a board of adjustments, I am sure that they would agree with us. Linda stated that the Town has been aware of this since becoming a town of the ideocracies of this subdivision when it went in.

Whereas the application for a garage submitted by Daron Cook at 20 N. Dennett Lane is complete; and Whereas, the garage does not conflict with the Rockville General Plan; and Whereas, building the garage does not conflict with the Rockville Land Use Code, Chapters 7 and 17; and this garage does not change the nature of the Town, I **MOVE** we approve this application. Linda **SECONDED** the motion.

VOTE on motion:

**Ken Rybkiewicz – Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye**

The motion passed unanimously.

Clerk Bell reminded Daron that the Planning Commission has approved his permit and that now it would be submitted to the Building Inspector for his review. Once that has been completed, then his building permit will be issued.

Jane asked to go on record as this is Joyce's absolute last meeting and I want to thank you Joyce for all that you have done for the Planning Commission, for the Town Office, the Town itself, and the Town of Springdale with Z-Arts, the bridge and everything that you have done for this community. We will terribly miss you and everything that you've done; I want to say thank you. Clerk Bell stated that is from all of us. We all thank you. Ken thanked Joyce for her service. Linda stated Joyce will be missed. Joyce thanked everyone and stated that it is very bittersweet; the timing could not be any better. In the early 90's I invested with my ex former in-laws in some residential rental real estate. Since pops passed away in 2016 the siblings have been fighting about who is doing the most work. I just need to go back and manage my real estate because that is my primary income. And it has really reached a head with a pretty nasty meeting in August. It is very bittersweet. I love this community. I love this home. I love all of you. I have really enjoyed my years here, unfortunately this is a season I need to go through. Jane wished her best of luck and you deserve to be happy. Clerk Bell stated that she is leaving some big shoes to fill.

4. **ADJOURN:** Jane Brennan **MOVED** to adjourn the meeting. Linda Brinkley **SECONDED** the motion.

VOTE on motion:

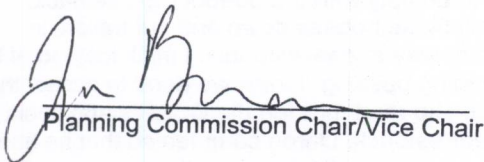
Ken Rybkiewicz – Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye

The motion passed unanimously.

The Planning Commission meeting adjourned at 6:12 p.m.

Minutes Prepared By:
Vicki S. Bell, Town Clerk

APPROVED:



Planning Commission Chair/Vice Chair



**Rockville Planning Commission
Special Meeting
November 24, 2020 6:00 p.m.
Via Zoom Electronic Meeting
43 E. Main Rockville, UT 84763**

PLEASE SIGN YOUR NAME AND PLACE OF RESIDENCE FOR THE RECORD

NAME

ADDRESS

Joe Matter