

MINUTES OF THE  
LAND, USE AND DEVELOPMENT MEETING  
OF THE TOWN OF CLARKSTON

July 12, 2021  
7:00 PM

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Clarkston Land, Use and Development Meeting held at the Clarkston Town Hall, 50 South Main, Clarkston, UT

Attendance: Chairman: Wayne Cooper  
Commissioners: Brent Godfrey, Mike Kelly, Richie Calderwood  
Councilmember: Dan Smith (attending for Nichole Sparks)

Deputy Clerk: Holly Jones

Public Attendance: Mike Balls, John and Kimberly Cook

1. CALL TO ORDER

Chairman W. Cooper began the meeting at 7:01 pm.

Chairman W Cooper addressed the minutes from May 10, 2021. Commissioner M. Kelly made a motion to approve the minutes from May 10<sup>th</sup> and Commissioner B. Godfrey seconded the motion. Minutes from May 10, 2021 were approved.

Chairman W Cooper addressed the minutes from June 14, 2021. Commissioner B. Godfrey made a motion to approve the minutes from June 14<sup>th</sup> and Commissioner R. Calderwood seconded the motion. Minutes from June 14, 2021 were approved.

2. NEW BUSINESS

Mike Balls – 15 S 200 W – Zoning Permit for Shed: Chairman W. Cooper recognized the Mr. Balls for an update on the placement of his shed. Mr. Balls submitted a revised map showing the new placement of the shed in question, which is now located behind his house rather than on his property line. The shed is now 30 feet off of the property line to the north and 45 feet behind his house. This is in accordance to zoning clearances. Chairman W. Cooper asked if anyone had further questions for Mr. Balls about the relocation of his shed. As there were no further questions, Commissioner M. Kelly made a motion to approve the zoning clearance permit for the relocation of Mr. Balls shed. Commissioner B. Godfrey seconded the motion. The updated plan was approved.

John Cook – Parcel # 15-030-0004 - Property Access from a City Road Inquiry: Chairman W. Cooper recognized Mr. Cook to address the commission with his inquiry. Mr. Cook is building a single-family dwelling in the county, just outside of Clarkston Town limits. He is wanting to access his property from Clarkston Town roads, at 200 North. He owns two parcels one is a small sliver and is within city limits. There is about 250 feet from the end of the improved road on 200 North through his property in the city limits, and 450 feet to where he needs the road to go to his building site within the county. Councilmember D. Smith, who is over Clarkston Town roads, went up to look at the property. He said improved road does go up past the Goodey's (Ted) house and wherever that double chip and seal ends is where Mr. Cook would have to hook into

the road. Mr. Cook would have to take the road up to the town's boundary line but also provide a turnaround for emergency and maintenance vehicles. Town Code 7-2-9 was given to Mr. Cook and the Commissioners for reference of Clarkston approved turnarounds.

### 7-2-9: NEW STREET CONSTRUCTION:

A. *Responsibility:* It is the responsibility of any person, contractor or agent desiring a new street access to obtain a permit to construct a street or roadway and said individuals will assume all expenses incurred in the project. (Ord. 18-08, 11-6-2018)

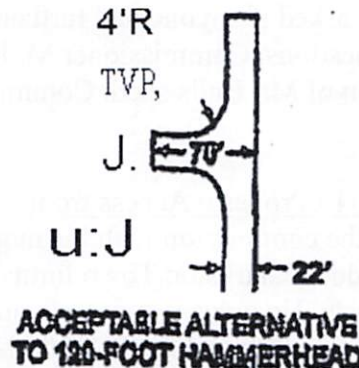
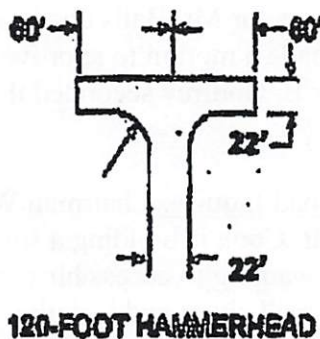
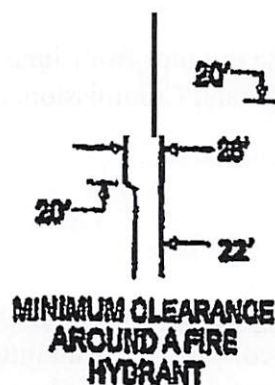
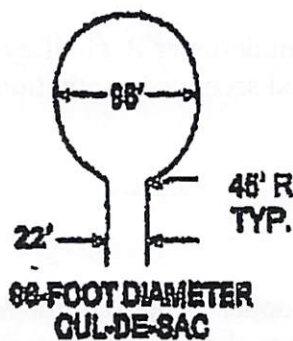
B. *Right-Of-Way:* A new street shall be placed into an existing designated road right-of-way and shall be established by an independent survey. (Ord. 16-10, 10-18-2016)

C. *Building Materials:* A roadway shall be established and is required to extend to the farthest point of the property in accordance with the following specifications: roadway must be at least twenty two feet (22') wide, vegetation grubbed off eight inches (8") deep and have eight inches (8") of pit run gravel compacted to make a drivable surface, and double chip seal or asphalt bringing the road to a Class B standard. (Ord. 18-08, 11-6-2018)

D. *Water Drainage:* Adequate ditches, culverts as needed for drainage which meets reasonable standard and specifications as established by an authorized representative of the Town.

E. *Emergency Vehicles:* Any new street must have adequate space for emergency vehicles, snow removal equipment, and garbage trucks; including turning around of such vehicles. (Ord. 16-10, 10-18-2016)

#### TURNAROUNDS REQUIRED



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TYP.

(Ord. 18-08, 11-6-2018)

*F. Inspection: It shall be unlawful for any person either as owner, agent, contractor or employee to construct a street which does not conform to specifications established by the Town Engineer or other authorized representative of the Town. (Ord. 16-10, 10-18-2016)*

If Mr. Cook were to access the property from 200 North, Commissioner R. Calderwood stated that the road would have to be within the Town's road right-of-way. He pointed out that the farm road which is currently being used to get up to Mr. Cook's property is cutting across the corner of parcel #15-031-0013, which is Alan Spencer's property. It was determined that a survey would need to be done to see exactly where Mr. Spencer's property ends and the road right-of-way is, to get the road in the right place. There was also discussion about the topography of that location, which is steep, heavily wooded, and has a stream running through it. Because of the topography issues, the full 99-foot right-of-way may be unable to be observed; however, due diligence should be done to get it over as far as possible. It was felt that at least 22 feet of road could fit in the right-of-way, although it may take some cut and fill.

Commissioner B. Godfrey asked what the county was requiring beyond the city limits. Mr. Cook stated that the county would require him to provide a 20-foot road and a turnaround up to the house for emergency vehicles. He was planning on using the hammerhead style turnaround. Commissioner B. Godfrey wondered why Clarkston would require him to put a turnaround in if the county was going to require one further up by his house. Councilmember D. Smith stated that according to Clarkston code Mr. Cook would have to provide a turnaround for Clarkston at the city boundary line. It was felt that a hammerhead would be the best option and pros and cons of various ways of situating it were discussed.

Commissioner R. Calderwood wondered if the Town's code required Mr. Cook to take the chip seal just up to 300 West or all the way to the town boundaries, which is through Mr. Cook's property. Chairman W. Cooper thought that he would have to take it to his property line according to our code. Councilmember D. Smith said that Mr. Cook wouldn't have to put in a turnaround if he improved 300 West; however, the road at 300 West is very steep and would be difficult to maintain. It was generally felt that a hammerhead turnaround further up 200 North was a better option. Commissioner R. Calderwood suggested that, whatever happens, the road right-of-ways should be maintained for future growth. The terrain within the 200 North right-of-way was again discussed and was felt to provide adequate space, with a little work, even if it could not support the full 99 feet.

As an alternate option, Mr. Cook asked about accessing his property from 300 North instead of 200 North. He would have to work with the county to see if they could change their right-of-way at 10600 to coincide with Clarkston's 300 North. As it is now, the county is requiring him to maintain that right-of-way to retain access to a trailhead for the Forest Service land above him.

Councilmember D. Smith informed Mr. Cook that he will need to get a plan together which includes a sketch and present that to the LUDM Commission to review. He also needs an engineer to survey the plot. The sketch will need to outline what he is trying to do and include where the turnaround will be located and the type of turnaround he intends to utilize. The LUDM Commission can then review that plan.

Mr. Cook stated that county zoning is pending waiting on a letter of approval from Clarkston. He wanted to know if the whole process had to be complete to obtain a letter of approval from Clarkston. He asked if he could pay a bond to Clarkston while it is still under review to obtain a letter for the county to keep

construction going. Chairman W. Cooper felt that the sketch with the completed survey needed to be done and reviewed by the Commission before any further approval could be given by Clarkston. Mr. Cook wanted to clarify that if he were to get the plan done that the Town would be willing to give him a letter for the county. The Councilmember and Commissioners were in agreement that if Mr. Cook would bring a plan, including the survey, that addressed the issues brought up tonight, they would be willing to proceed with a discussion of a bond.

After Mr. Cook had left, Commissioner R. Calderwood said that the inquiry tonight brings up the need for a road master plan. He felt Clarkston Town needs to have a road master plan in place so the Commissioners can be ready for these issues of growth that will come up. Councilmember D. Smith and Commissioner B. Godfrey felt the burden, of where the roads would be placed, should be on the property owner, as just happened tonight. The Commissioners could either approve or disapprove then. The other Commissioners felt the Town should know before a property owner comes in where the road right-of-way will be and wondered what they would base their approval or disapproval on if there wasn't something in place. Commissioner R. Calderwood brought up the land inquiry at the last meeting about a subdivision. The Commissioners were able to see that there were planned roads in front of and behind the suggested division because the right-of-ways shown on the map. Commissioner M. Kelly clarified that the Commission wanted to ask the Town for a Road Development Plan that goes along with the Annexation map. Chairman W. Cooper wanted to table the issue tonight but put a roads master plan on the agenda for next meeting.

Other Permits:

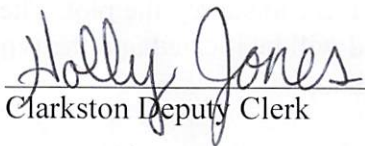
- Rod Buttar's zoning permit for a dog run at 9 S Main was approved.

3. OTHER BUSINESS

Notification Letter: It was brought to the attention of the Commissioners that the notification letter that is sent out asking citizens to stop their project and get the appropriate permit before proceeding, was too harsh. The Commission reviewed it and made changes to the verbiage. They took out the words, "We have been notified," and changed it to say, "This letter is to inform you of a violation of Clarkston Town ordinance..." Chairman W. Cooper asked for a motion to approve the changes. Commissioner B. Godfrey made a motion to approve the new wording on the violation letter. Commissioner M. Kelly seconded the motion.

4. ADJOURN

There being no further business to come before the LUDM Commission, Commissioner R. Calderwood motioned that the Clarkston Town LUDM meeting be adjourned. Commissioner B. Godfrey seconded the motion. The meeting adjourned at 8:13 p.m.

  
Clarkston Deputy Clerk

