

Fountain Green Planning Commission Meeting
Fountain Green City Hall
November 11, 2021 7:30 p.m.

Attendance: Joseph Papenfuss, Bryan Allred, Riley Hansen, Aimee Goble, Stuart Krukiewicz, Jerime Ivory, Shelith Jacobson

Citizens in attendance: Homer Workman

Bryan calls the meeting to order and asks Heather to read the minutes for the October 14, 2021 meeting. Riley points out that the current Sensitive Lands Zone allows childcare, but should require a conditional use permit as the other residential zones do. Joseph motions to approve the minutes as corrected. Aimee seconds the motion and all vote in favor.

- Dawn Allred and her daughter (Annalisa) and Michael Oliver and his wife (Shaleana) come to request a lot split of a 2.25-acre agricultural property at ~400 South 400 West. The property is in the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA), but has previously received a Letter of Map Amendment (LOMA). Mrs. Allred would like to split 0.75 acre on the northern part of the property and 1.5 acre on the southern part. Apparently, 400 West (State Highway 117) claims road right-of-way – reducing the 1.5 acre piece to ~1 acre. Both proposed lots are in the Residential Agriculture (RA) Zone and are currently vacant. The $\frac{3}{4}$ -acre lot on the north would have 162' frontage on 400 South where culinary water and sewer are available. It would have 202' depth along 400 West, making it a corner lot meeting the 0.455-acre, 90' frontage, and 100' depth minimums for a building lot. The 1-acre lot on the south would have 175' frontage on 400 West and 162' depth at the north end narrowing to 80' depth on the south end. Culinary water would have to be extended from 400 South, but the property is too far down hill from the sewer line on 400 South to be able to hook up to it. A septic system would have to be built. Joseph directs the discussion to Chapter 10, page 5 where it requires a Conditional Use Permit for a previously agricultural lot split. This would require Planning Commission recommendation to and approval by the City Council and Mayor, followed by acceptance at the County. Bryan directs Heather to write a letter of recommendation and approval from the Planning Commission and City Council/Mayor to be tendered to the County Recorder. Riley points out that Chapter 10.3c requires a perc. test for a minor subdivision and the Commission agrees that this would be a good idea since the property was in the FEMA SFHA. Bryan fills out the Conditional Use Permit with the following conditions: 1) Perc test for a septic system on the south lot – the north lot is OK, 2) the southern lot cannot be split further, and 3) the Planning Commission approves measuring by metes & bounds. Jerime motions to recommend approval of the lot split for Dawn Allred as described above. Riley seconds the motion and all vote in favor. Jerime motions to recommend approval of the Conditional Use Permit as described above to the City Council and Mayor. Stuart seconds the motion and all vote in favor. Bryan directs Heather to get Mrs. Allred on the Agenda for the City Council meeting next week and write the letter of recommendation for the County.

- Deon Evans comes for a permit to build a shop on his 1.05-acre corner lot at 385 North 500 West, serial #18110, in the RA Zone (not in the FEMA SFHA). The shop would measure 40'x40' (1600 sq.ft.) and would not have utilities. The eave height would be ~18' (less than the 21' maximum). The setbacks will be 100' on the front/east towards the existing house (much greater than the 12' fire safety minimum), 10' on the rear/west (greater than the 2' minimum behind the midpoint of the property), 19' on the north side towards an existing lean-to (greater

than the 12' fire safety minimum), and 141' on the south side (much greater than the 2' minimum behind the midpoint of the property). Stuart motions to approve the permit for Mr. Evans to build a shop as described above. Jerime seconds the motion and all vote in favor. In sorting the papers that the Commission keeps for its files, it is discovered that the building plans submitted are for a steel carport – not for the pole building that Mr. Evans is hiring Jeremy Walker to build for him! Joseph suggests that Bryan hold Mr. Evans' permit until he submits the proper building plans and Stuart and Jerime check them. Mr. Evans agrees.

- Kyle Johansen comes representing Curtis Blackham/Gentry Homes to discuss lot splits for a Major Subdivision. He is not on the Agenda because Michelle thought they just had questions. The subdivision would be between 200 and 300 North from 600 West to the City boundary to the west. Each of the 19 lots would have at least 90' frontage, 100' depth, and 0.455 acre. Culinary water and sewer are both available on both 200 and 300 North. The property is in the RA Zone and is not in the FEMA SFHA. Riley and Joseph read requirements from Chapters 10 and 11: impact fees payable and utility stubbing before permitting for building, noticing to neighboring properties within 300' 14 days before preliminary review by the Planning Commission, Bonds, noticing 10 days before a Public Hearing, working with the City Council, etc. Mr. Johansen is advised to work with Roger to plan sewer and water hook ups and Heather to arrange noticing. They can get on the next Planning Commission Agenda to begin the process.

- Riley and Joseph have brought suggested questions for a new citywide survey. Joseph strongly believes that some information should be presented before asking citizens to answer questions. Riley thinks that asking questions does not obligate the City to provide what the citizens want. Joseph is concerned that the City does not have enough water to serve many more new homes in the City. Riley stresses that the City needs to address the water shortage situation by maximizing the current system. Joseph volunteers to prepare a report on the water situation to present at the Work Meeting this coming Saturday. Shelith points out that the City is planning to have a professional survey done, but we could submit our suggestions for questions.

- Shelith reports that UDOT told the City that they can divert the main road around the City, but the City would need to do the engineering and finding the property. Joseph points out that the State is responsible for increasing the traffic through the City and should be responsible for solving the problem.

- The Commission next looks at the definition for a "residential facility for the elderly" and its development standards in Chapters 9 and 7. They agree that it needs rewording to specify its non-business status, but decide to do it at the same time that they add regulations for private swimming pools in the City – probably in January.

- Bryan hands out copies of an official Notice of Violation for review by the Planning Commission members before the City sends them to Heidi Shakespeare and Wendell Jacobson. They are not to be shared with the Public and will probably be turned in to the Mayor at the Work Meeting on Saturday.

- Shelith has questions about who exactly is responsible for serving notice of violation to offenders. Riley reads the procedure from Chapter 3.14, but it doesn't specify who is responsible for serving the notices. The Commission feels that the City policeman should be the one to serve notices. This is another item to discuss at the Work Meeting with the City Council and Mayor.

- Jerime motions to adjourn the meeting. Stuart seconds the motion and all vote in favor. The meeting adjourns at 10:00 pm.

Heather