

Fountain Green Planning Commission Meeting
Fountain Green City Hall
February 10, 2022 7:30 p.m.

Attendance: Bryan Allred, Joseph Papenfuss, Stuart Krukiewicz, Tom Hansen, Alyson Strait, Jerime Ivory, Aimee Goble, Riley Hansen, Clint Hansen (arrived at 7:31)

Bryan calls the meeting to order and asks Heather to read the minutes for the January 13, 2022 meeting. Joseph motions to approve the minutes as read. Aimee seconds the motion and all vote in favor.

- Deon Evans comes for a permit to build a shop/garage on his 1.05-acre corner lot at 385 North 500 West, serial #18110, in the Residential Agriculture (RA) Zone – not in the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA). The shop/garage will measure 40'x42' (1680 sq.ft.) with a 12'x40' (480 sq.ft.) lean-to. It is a pole building with a concrete floor. The eave height of the shop/garage will be 17'8" and 14'10" for the lean-to (both less than the 21' maximum). Neither will have utilities and the setbacks will be 102' on the front/east (much greater than the 12' fire safety minimum towards the existing house), 10' on the rear/west (greater than the 2' minimum behind the midpoint of the property), 13' on the north side (greater than the 12' fire safety minimum towards an existing shed), and 134' on the south side (much greater than the 2' minimum behind the midpoint of the property). An irrigation line runs along the south property line. Clint motions to approve the permit for Mr. Evans to build the shop/garage as described above. Stuart seconds the motion and all vote in favor. Mr. Evans will need to submit his plans and City permit to the County and have Roger check the setbacks.

- Mr. Evans is also applying for a permit to reposition his 20'x36' (720 sq.ft.) carport. He has had the structure reinforced for a larger snow load. It will not have utilities or a concrete floor, but it will be anchored. The setbacks will be 121' on the front/northeast (much greater than the 12' fire safety minimum towards the existing house), 13' on the rear/west (greater than the 2' minimum behind the midpoint of the property), 70' on the north side (much greater than the 12' fire safety minimum towards the proposed shop/garage), and 90' on the south side (much greater than the 2' minimum behind the midpoint of the property). Jerime motions to approve the permit for Mr. Evans to reposition his carport as described above. Stuart seconds the motion and all vote in favor. Mr. Evans will need to submit his plans and City permit to the County and have Roger check the setbacks.

- The Commission next considers an application from Kurt and Jody Noakes for a permit to put up a 12'x16' (192 sq.ft.) shed on their 0.53-acre corner lot at 316 South 500 West, serial #17923x5 – in the RA Zone and not in the FEMA SFHA. The shed will not have utilities and the eave height will be 8' (much less than the 21' maximum). The setbacks will be ~80' on the front/east (greater than the 25' minimum towards 500 West), 11' on the rear/west (greater than the 2' minimum behind the midpoint of the property), 54' on the northeast side (greater than the 12' fire safety minimum towards the existing house), and ~60' on the south side (much greater than the 2' minimum behind the midpoint of the property). An irrigation line runs along the south property line. Jerime motions to approve the permit for the Noakes to put up a shed as described above. Clint seconds the motion and all vote in favor. They will not need to submit their plans or City permit to the County, but they should have Roger check the setbacks.

- Tyson and Alisha Rasmussen have come to discuss the requirements for building a 6' masonry fence around their property at 435 North 100 West. He reports that his neighbor, Brad Hancock, has had it surveyed and the fence will be on the Rasmussen property. Due to the expense, the Rasmussens have decided to put in a 6' chain link fence with privacy slats rather than

the masonry fence. Tom motions to approve the building of the chain link fence as described above. Riley seconds the motion and all vote in favor. No permit is required.

- The Commission next considers an application from Dean and Annette Hansen for installation of solar panels on the roof of their existing house at 685 West 200 North, on a 0.62-acre lot, serial #18195x, in the RA Zone (not in the FEMA SFHA). Plat, aerial plot view, and building plans are included with the application. No setbacks or signatures are required. Jerime motions to approve the permit for the Hansens to have solar panels installed on the roof of their house as described above. Joseph seconds the motion and all vote in favor. "1 Solar" will submit the plans and City permit to the County.

- Kyle Johansen (with his "neighbor"/attorney, Morgan Fife) has come to discuss options for the proposed "Big Springs Estate Subdivision". The Commission refers him to the City Transportation Plan and explains that he will need to put in a thru street at 800 West and possibly also at 900 or 1000 West for safety reasons. When finished, the street will be deeded to the City – not "eminent domain". Mr. Johansen has been talking to Charles Barney and would like to be able to just patch over cuts in the existing streets (200 and 300 North) rather than repaving when the utility stubbing work is finished. The Commission explains that Mr. Barney's lots were created by an Agricultural Lot Split as opposed to the Major Subdivision Lot Splits that he is proposing. Mr. Barney's lots were sold to individuals who then built houses on them. The Commission explains that when there are a lot of cuts in the street, the snowplow and ice freezing tears up the street faster than the City can maintain them. Stuart reports that he has talked to the gas and power companies about their requirements for supplying services to a subdivision. (They had not heard about Mr. Johansen's proposed subdivision.) They require public utility easements recorded with the County and the developer must work with them to decide exactly where the easements will be. Mr. Johansen asks if he can split the proposed subdivision into 1-acre lots instead of ½-acre lots and the Commission tells him that it is up to him. He notes that if it is too complicated/expensive to develop the subdivision, he may just sell the property to a big developer in Nephi (D.R. Horton). The Commission tells him that it is up to him, but the same rules would apply to another developer as well. The Commission offers to set up a work meeting with him and the Planning Commission, City Council, Mayor, Roger (City Superintendent of Water & Sewer), Todd Robinson (Fire Chief), and Garrick Wilden (civil engineer with Jones & DeMille Engineering). Mr. Johansen will discuss this with his engineer and see if he can find a Saturday to meet with the City at a work meeting. Heather reminds him that she will need to post the meeting a week in advance.

- Heather reports that Pam and Jay Stevens are considering splitting their 1-acre lot and Bryan advises that they get on the Agenda next month.

- Bryan welcomes Alyson Strait as the new City Council Representative to the Planning Commission. He tells the Commission about the disagreement with the builders of the Noakes shed regarding the need for a permit – they said that "the State doesn't require a permit for such a small shed", Sue Player and Rod Hansen gave their "permission", etc. Alyson agrees that the City needs better enforcement of the Ordinances – violations are now officially a Class B Misdemeanor. She also reports that the City is working on hiring a part-time Ordinance Enforcement Officer from out-of-town. There is a possibility of hiring a policeman to share with Moroni. The procedure for finding and delivering notice of a violation needs to be verified. Joseph suggests that people would take permitting more seriously if there was a fee for a City permit. The Commission discusses how much would be appropriate and prefers to let the City Council decide. They suggest somewhere between \$10-\$15 for a shed and \$50-\$75 for a house. They also suggest that the City should charge for copies made or require applicants to present complete packets (with all required copies) before Heather previews them for placement on the

Agenda. Heather suggests that the office workers could call her when a packet is turned in so that she doesn't have to check every day.

- Bryan is also concerned with the number of offspring allowed in Animal Units, but they are currently limited to a minimal time. He would like to reconsider this at a later date.
- Bryan reminds the Commission that they are supposed to be working on rules for swimming pools in the RA Zone. Joseph suggests that since we have discussed this in depth, Heather should prepare a typed copy for the Commission to review and recommend for Public Hearing and City Council approval.
- The Commission next discusses "residential facilities for the elderly" – Chapter 2 Definitions says they cannot be a "business", but Chapter 7.2-2 Use Table allows them as a business with a conditional use permit as does Chapter 9.2 b. Riley will research the rules with the State Code and the Utah League of Cities & Towns.
- Jerime motions to adjourn the meeting. Clint seconds the motion and all vote in favor. The meeting adjourns at 10:12 pm.

Heather