

Fountain Green Planning Commission Meeting  
Fountain Green City Hall  
November 10, 2022

7:37 p.m.

## OFFICIAL MINUTES

Attendance: Bryan Allred, Joseph Papenfuss, Stuart Krukiewicz, Alyson Strait, Riley Hansen, Clint Hansen, Tyler Smith

Excuse: Aimee Goble, Jerime Ivory

Citizens in Attendance: Gene Jacobson

- Bryan calls the meeting to order and asks Heather to read the minutes for the October 13, 2022 regular meeting. Clint suggests that the wording should be changed to stress that Bryan (Planning Commission Chair) told the City Council several times that the "Report" was not a "Recommendation" from the Planning Commission. After agreeing on the wording, Clint motions to approve the minutes as amended. Tyler seconds the motion and all vote in favor with Riley recusing himself because he was not in attendance at the meeting.
- Clark Walker comes with an application for a permit to put up a metal CO Building carport on his 0.76-acre corner lot at 316 South State, serial #17906, in the Business Commercial Zone – not in the Federal Emergency Management Agency Special Flood Hazard Area (FEMA SFHA). There is an irrigation line on his west property line. The carport will measure 12'x16' (192 sq.ft.) and he has brought pictures of when it was assembled on another property before he acquired it. It is ~10' in height (much less than the 21' maximum). The setbacks will be 14' on the front/north towards an existing garage (exceeding the 12' fire safety minimum), 14' on the rear/south towards an existing granary (exceeding the 12' fire safety minimum), and Clint helps guesstimate the setbacks for the east side as ~20' towards the existing house (exceeding the 12' fire safety minimum), and west side as ~16' towards an existing shop (exceeding the 12' fire safety minimum). Bryan explains that the Planning Commission is not authorized to approve his application because it is in the BC Zone, but they can give a favorable recommendation to the City Council. The City Council will meet next Thursday to consider his application – Mr. Walker is not happy to have to wait another week, but it is necessary.
- Carly Jakins comes with an application for a permit to remodel and build an addition with utilities onto their existing home at 186 South 500 West, serial #17974, a corner lot in the Residential Agriculture Zone – not in the Federal Emergency Management Agency Special Flood Hazard Area (FEMA SFHA). There is an irrigation line on the north property line and a previous owner of the property had installed a PVC line with a faucet ~20' to the east of the proposed house addition. The addition will measure 18'x24' (432 sq.ft.) with a connecting room to the existing house of 8'x11'6" (92 sq.ft.). There will not be a basement and the eave height will be 9' 1 1/8" (much less than the 21' maximum). There will also be a roofed patio on the west side of the addition measuring 10'x18' (180 sq.ft.). The setbacks will be not applicable on the south/front where it will attach to the existing house, ~78' on the north/rear towards the existing detached garage (greatly exceeding the 12' fire safety minimum), 44' on the east side (exceeding the 25' minimum towards 500 West), and 35' on the west side (greatly exceeding the 12' minimum). The Fire Chief (Todd Robinson) and the Acting Water Master (Greg Johnson) have signed the plans and application; no fees for sewer or water are required. Mrs. Jakins asks if it is OK for them to also tear down and replace an existing shed on the west side of the existing house with a smaller shed (as noted on the

- Heather passes out copies of the revised Permit Processing Checklist and all agree that they would like it printed on colored cardstock.
- Alyson reports that Amy Morgan, the Animal Control Officer, is willing to also serve as the Ordinance Enforcement/Compliance Officer. She will need a prioritized list of violations from the Planning Commission Secretary and the attorney-approved Notice of Violation from Michelle. We will need to track response time to the Notice of Violation from when served to when the violator comes to the Planning Commission.
- Riley reminds the Commission that we will need to be more careful in checking the Transportation Plan when considering future subdivisions of any size. He points out that the Dawn Allred/Steve Oliver subdivision should have had 600 West and 500 South running through it. David Lund's Adobe Fields subdivision has 600 South running through it and that is the south City limit. Riley also points out that the Mike Oliver/Rhett Larson subdivision was processed as a minor subdivision when it should have been considered a major subdivision because of the Transportation Plan requirement of 500 South.
- Riley reports that he was curious about the setbacks for Clark Walker's carport since his lot is currently fairly well packed. He checked Google Earth measurements after Mr. Walker left and is concerned that he may not actually have the necessary room between the existing granary and garage for the carport. Bryan will have Curt check the setbacks with that in mind. There will need to be at least 40' between the existing buildings. The Commission members agree that we need to TRUST, BUT VERIFY plot plans and setbacks.
- Clint motions to adjourn the meeting. Stuart seconds the motion and all vote in favor. The meeting adjourns at 10:40 pm.

application). The Commission agrees, but cautions her that if they decide to add onto the shed in the future they will need a permit. Joseph motions to approve the permit for the Jakins to build the house addition and rebuild the shed as described above. Stuart seconds the motion and all vote in favor. The Jakins will need to submit their City permit and addition plans to the County.

- Christy (Isaac) Collard was on the Agenda to discuss the use of a home they own in Fountain Green as a Bed & Breakfast/Short Term Rental through Air B&B, but she did not come.

- The Commission next discusses the proposed Chapter 10 Subdivision Ordinance changes. It was noted that pagination would be very helpful. A footnote will need to be added to reflect the amended sections and the Table of Contents will need to be updated. Minor corrections/changes were suggested for page 2 (change "town" to "city"), section 10.4 (change "any size" to "less than 2.25 acres"), section 10.2 A (change "City Council Public Meeting" to "City Council Decision" with appropriate wording), section 10.4 (move C. ... "approval from the Public Health Department..." to F. 1. e. and add F. 1. i. "Signature blocks..."). Also add G. 1. a. to section 10.4: "Signatures by mayor and Planning Commission Chair shall not be made until all conditions have been met." In section 10.5, delete all of subsection G and all references to an "agricultural land subdivision" throughout the section. In section 10.6, move B. 1. 6. ... "approval from the Public Health Department..." to E. 1. e. and add E. 1. i. "Signature blocks...", change "300 feet" to "600 feet" in subsection F. Delete subsection I. 1. "City Council Public Hearing....". In subsection K. add: "and a second plat as required by the County Recorder" to the end of the introductory statement. The City would need to call the County to find out what their requirements are. To subsection K. 15. add K. 17. and the new K. 17. will be for "Signature blocks for signatures upon final approval for" a. "Planning Commission acceptance", b. "City Council approval as to form", and c. "County Recorder's certificate". Delete subsection L. 1. "Signature blocks...." as it was moved to K. 17. Revise subsection P. to assure that the Mayor and Planning Commission Chair shall sign when proof of fee payments and all conditions are met. Incorporate "Failure to Record", "Adoption of Final Subdivision Plat", "Improvements", "Public Improvements Assurance", and "Inspections" as subsections S., T., U., V., and W. respectively. Also change X. "Owners Duty to Record Plat" to "Recording of Plat" which will be done by the City. Also, change wording such that it now reads: "An applicant's failure to provide a certified and approved final plat...". Alyson would like the revisions made tonight to be retyped and made available to the City Council before the next City Council meeting this coming Thursday.

- Mr. Jacobson recommends that a paved street frontage should be required for even a simple subdivision. He tells the Commission that one well serves seven homes and is a private well. If the well serves eight or more homes, it is considered a public well. A Developer is required to provide the water for the homes that he is putting in. Street development in the City's Buffer Zone (or if it will impact the City's traffic) must meet the City's requirements for alignment and quality of asphalt. He recommends Ephraim City's Annexation Policy/Plan as a model for Fountain Green to work from. Joseph will also find the old Annexation Policy/Plan that was rejected in the 1990s. Mr. Jacobson strongly suggests that the City reconsider its policy on allowing septic systems if a home is greater than 300' away from an existing sewer line or if they would have to pump up to a line. He urges the Commission to research sewer lift stations and sewer hook up requirements. Tyler notes that he put in a lift station in his basement.