

**City of Taylorsville
Planning Commission Meeting Minutes
February 28, 2023
Regular Session – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

Don Quigley – Chair
Cindy Wilkey – Vice Chair
Marc McElreath (Excused)
David Wright
Don Russell (Remote)
Lynette Wendel (Excused)
Gordon Willardson
David Young (Alternate)

Community Development Staff

Jim Spung – Senior Planner
Terryne Bergeson – Planner 1
Jean Gallegos – Admin Assistant/Recorder

CITIZENS/GUESTS PRESENT: Vince Park, Cynthia Halliday, George Halliday, Rita Offutt, Shelly Dean, Ruth McGriar, Jim McGowan, Celeste Ramirez, Esther Halliday, Lee Nielsen, Isaac Halliday.

BRIEFING SESSION – 6:00 P.M.



1. The Briefing Session was conducted by Mr. Jim Spung. He reviewed the Agenda content; Ms. Bergeson went over her items and together they answered the Commissioner's questions and concerns.

On a separate issue, Commissioners asked for an update on the issue regarding the possible revocation of a hotel in Taylorsville's business license. **Mr. Spung** informed them that all parties had reached an agreement to postpone the hearing to allow the owners time to make changes to make it better. Therefore, the hearing scheduled for February 8th has been cancelled. Should that not come to fruition, a new hearing will be scheduled. 

Break at 06:50 p.m.
Back at 07:00 p.m.



Commissioner Quigley opened the meeting with the Planning Commission statement and welcomed those in attendance.

GENERAL MEETING – 7:00 P.M.

Consent Agenda

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| 2. Approval of Minutes for December 13, 2022. |
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MOTION: Commissioner Wilkey - I move for approval of the Minutes for December 13, 2022, as presented.

SECOND: Commissioner Russell

VOTE: All Commissioners present voted in favor. Motion passes unanimously.

Zoning Map Amendment

3. 6Z22/DCA-000281-202223 – Public Hearing and Recommendation to the City Council for a Zoning Map Amendment for Property Located at Approximately 4896-4898 South 1250 West, Taylorsville, Utah, from Single-Family Residential R-1-10 to Two-Family Residential R-2-10, Property at 4892-4894 South 1250 West and 1274 West Marinwood Ave, from R-2-10 to R-2-10; and a Zoning Map Amendment for the Property Located at 4902 South 1250 West from R-1-20 to R-2-8. (Terryne Bergeson/Planner I)

3.1 This item was presented by Ms. Terryne Bergeson.  She gave her presentation for both Items 3 and 4, at the same time because they pertain to the same site.

3.1.1 File #6Z22 - These parcels are owned by George and Lelia Halliday Inter Vivos Trust. On behalf of the Trust, George Halliday has submitted a Zoning Map Amendment application to have properties at 1274 W. Marinwood Ave., 4902 S 1250 West, 4892-3894 S 1250 West and the property located at approximately 4986-3898 S 1250 West rezoned to designations that more closely align with existing conditions. These lots were created under Salt Lake County's jurisdiction under a prior zoning code, which has since been amended, resulting in the creation of legal nonconforming conditions, which means a lot that does not meet the minimum lot area and/or dimensional standards in the zoning district in which it is located but complied with the standards at the time the lot was created.

3.1.2 The following applies:

3.1.2.1 Properties are legal-nonconforming. Do not meet minimum square footages for current R-1-10 and R-1-20 zones. The duplex is not an approved land use for R-1-10 and R-1-20 zones.

3.1.2.2 Properties must be in compliance for Preliminary Plat consideration.

3.1.2.3 R-2 zoning is requested for existing conditions only; will result in no new buildable lots with Residential Two-Family designation.

3.1.2.4 Proposed Lot #103 in the Preliminary Subdivision Plat application will retain R-1-10 designation with no plans for development at this time.

3.1.2.5 Public Notice Responses: One caller requested additional information but was not opposed to it when they received the requested information. A second resident brought in a petition from a similar application (File #3Z13) and a letter applicable to File #6Z22. They cited historical character and structure and was opposed to a zone change that would allow duplexes. 

3.1.3 (File 14S22). Current property lines intersect with north existing structure. Creation of Halliday Estates Subdivision is intended to create more uniform property lines. This will divide the north parcel at 4896-4898 South 1250 West into one small parcel, proposed as R-2-10, with new lot created to retain the R-1-10 zoning, with new address of 1278 South Marinwood Avenue. There is no development planned at this time for Lot #103.

3.2 **FINDINGS OF FACT** (FILE 6Z22): (Rezone Request)

3.2.1 This application was initiated by George Halliday.

3.2.2 This application is requesting a Zoning Map amendment to rezone a portion of the property located at 4896-4898 S 1250 West from R-1-10 to R-2-10, the property at 4892-4894 S 1250 West from R-1-20 to R-2-10, the property at 4902 S 1250 West from R-1-20 to R-2-8, the property at 11274 W Marinwood Avenue from R-1-20 to R-2-10.

3.2.3 The subject properties are within the "Low Density Residential" designation on the City's General Plan Proposed Land Use Map.

3.2.4 The proposed zoning Map amendment is consistent with the adopted General Plan.

- 3.2.5 The subject properties do not comply with the minimum lot area requirements and permitted land uses of the R-1-10 and r-1-20 zoning district.
 - 3.2.6 The R-2-10 and R-2-8 zoning district standards more closely align with the built condition of the existing properties.
 - 3.2.7 Applicant has submitted a Preliminary Subdivision Plat application that includes property in Parcels 21111510180000 and 21111510120000.
 - 3.2.8 The proposed zoning change would bring properties into compliance with underlying zoning standards.
 - 3.2.9 Compliance with the requirements of the Taylorsville Land Development code is a requirement for the approval of a preliminary subdivision plat.
 - 3.2.10 Staff recommends the Planning Commission forward a positive recommendation to the City Council for the proposed zone change.
 - 3.2.11 The City Council is the decision-making authority for a Zoning Map Amendment Request and may adopt or reject the amendment as it deems appropriate pursuant to Section 13.05.030 and other applicable sections of the Taylorsville Land Development Code.
- 3.3 **FINDINGS OF FACT:** (File 14S22) (Subdivision)
- 3.3.1 This application was initiated by George Halliday, Trustee for George Vance Halliday and Leila Halliday Inter Vivos Trust, owners of properties located at approximately 4892-4894 S and 4896-4898 S 1250 West.
 - 3.3.2 The subject properties at the time of the Staff Report are zoned r-1-10 and r-1-20.
 - 3.3.3 The applicant has submitted a separate Zoning Map Amendment application (File #6Z22) requesting zoning designation changes that more closely align with lot areas proposed in this preliminary plat as well as existing structures.
 - 3.3.4 The preliminary plat includes land on two parcels with a total area of 1.99 acres.
 - 3.3.5 The proposed amendment will divide Parcel 21111510180000 by adjusting and extending a rear yard line from the property to the south, 4892-4894 S 1250 West, and extending the property line northward to the boundary line of the subdivision.
 - 3.3.6 The division will result in three parcels with a total area of 1.99 acres.
 - 3.3.7 A development application has not been filed for the area identified as Lot #103.
 - 3.3.8 the proposed plat amendment complies with Taylorsville subdivision and zoning standards.
 - 3.3.9 The Taylorsville Planning Commission is the decision-making body related to subdivision amendment requests.
- 3.4 **CONDITIONS OF APPROVAL:** (File 14S22) – Subdivision.
- 3.4.1 Approval of File #14S22SUB-000280-2022 does not take effect until City Council grants approval of the zoning Map Amendment, File #6Z22 – DCA-000281-2022.
 - 3.4.2 Any outstanding City, County, or Referral Agency comments be addressed prior to recording the final plat.
 - 3.4.3 That the Director has the authority to conduct a final review.
- 3.5 **RECOMMENDATION:** Staff recommends the Planning Commission sends a positive recommendation to the City Council to amend the Zoning Map for a portion of the property at 4896-4898 S 1250 West from R-1-10 to R-2-10, the properties at 4892-4894 S 1250 West and 1274 W Marinwood Avenue from R-1-20 to R-2-10 and the property at 4902 S 1250 West from R-1-20 to R-2-8, based on the findings as outlined in the Staff Report. Staff also recommends the Planning Commission approves the preliminary subdivision plat to create Halliday Estates Subdivision, a 3-lot residential subdivision including 1.99 acres of land located at approximately 4898; 4896; 4894; and 4892 south 1250 West in Taylorsville, Utah.
- 3.6 **APPLICANT ADDRESS:** George Halliday  1356 Woodhaven Circle. Mr. Halliday said this is a piece of property that was owned by his parents. They built the two red duplexes on the property. His family

inherited this when his parents passed away in 2006. A problem exists in that there was no recording of proper boundary lines, which he had attempted to straighten out in 2013 and because they were not sure of the proper procedure under which that could be done, decided to change it back to an R-1-10 property, which under the County was A-1 and allowed duplexes. They thought when that was done, since it was all owned by the Halliday Trust now, that they had changed all the zoning to R-1-10. That didn't happen. One duplex got changed back to an R-1-10 and the others remained R-1-20. The R-1-20 was changed by the City and were non-conforming lots. That has left them with part of it being R-1-10 and part R-2-20. When they met with the Planning Commission, the City Engineer recommended taking care of all four of the duplexes and bringing them all into compliance. Everyone seemed to understand that through no fault of his, the lots are no longer zoned properly. That is the reason now for bringing the property lines where they should be; leaving the bigger piece (Lot #103) as an R-1-10 and bringing the duplexes into compliance to match what they should be. He appreciated all the time everyone has put in to make this happen, especially the presentation given by City Staff tonight.  That he is just trying to straighten out the property lines and bring the zoning into compliance. **Commissioner Wright** commented that the owner would be cleaning up these areas. They would not be able to be changed unless there was another re-zone. The R-2-10 would keep the duplexes current unless they were rebuilt to a higher use or as a duplex. For the R-1-10 portion he guessed the general question would be what the plan was going forward. **Mr. Halliday** said that there are plans to build homes. His plan is to personally buy that particular lot from the Halliday Trust and keep it in the family. **Mr. Halliday** continued on to say that the smaller lot, was a much larger lot when the property line went to the center of Marinwood Avenue. That is the reason it is the "1250 West" address and happens to be a 60' wide road is because of the church there.  **Commissioner Wilkey** asked about Lots #101 and 102 and if they were changing the back line there to bring it more forward. **Mr. Halliday** said it will shorten up those lots a little, but they will still be left with a little over 12,000 square feet each. That is to hopefully get enough property on Lot #103 for decent size lots there. There has not been any engineering done yet but will be zoned the R-1-10 and leaving it with 66,000 square feet, which would be four 10,000 square foot lots there comfortably. 

3.7 **SPEAKING: Commissioner Quigley** opened the public hearing and asked if there was anyone wishing to speak in favor or opposition to this proposal to please come forward at this time. 

3.7.1 **Mr. Vince Park** was very concerned about this whole piece of property being expanded into a bigger duplex rental business and wanted the zoning to stay R-1 to prevent that. **Commissioner Quigley** advised him that anything on the larger piece can only be single family dwellings and cannot be duplexes. **Mr. Park** said he did not understand why there were two applications being heard on the same property tonight and **Commissioner Quigley** explained one was for a zone change and the other was creating a subdivision on the same property. That there would be no more duplexes allowed. **Mr. Park** furnished each Commissioner a copy of his prepared statement.



3.8 Because there were no others wishing to speak, **Commissioner Quigley** closed the public hearing and opened the meeting up for discussion or a motion by the Planning Commission.

3.9 **Commissioner Quigley** closed the public hearing and opened the meeting for discussion amongst the Commissioners.  **Commissioner Wright** said he tried to look at this from the public person's aspect and said with no zone change, the Halliday Trust could leave those duplexes as is until they fall down. Or they could wait and let nature take its' course on the building and when ready they could come back in and for that small area could develop one or two homes at the R-1-20 level. Or with this approach, they could take that vacant field and develop some more homes. He added that he likes open spaces that are well designed and planned. He had no concern about this changing the character of the neighborhood but rather felt this would provide a means of increasing the value of the neighborhood, therefore, he felt this

proposal was a good approach. There being no further comments on this item, **Commissioner Quigley** asked for a motion for Item 6Z22.

- 3.11 **MOTION:**  **Commissioner Wright** – I move that we forward a positive recommendation to the City Council for File #6Z22/DCA-000281-2022 to amend the Zoning Map for a portion of the property at 4896-4898 South 1250 West from R-1-10 to R-2-10, the properties at 4892-2894 South 1250 West and 1274 West Marinwood Avenue from R-1-20 to R-2-10, and the property at 4902 South 1250 West from R-1-20 to R-2-8 (Parcel IDs: 21111510180000; 21111510120000; 21111510100000 and 21111510130000) based on the Findings as outlined in the Staff Report. 
SECOND: **Commissioner Young**
VOTE: **Commissioner Young** – AYE, **Commissioner Wilkey** – AYE, **Commissioner Wright** – AYE, **Commissioner Willardson** - AYE, **Commissioner Quigley** - AYE, **Commissioner Russell** – AYE.

- 3.12 **DISCUSSION:** **Commissioner Quigley** clarified that this is a two-step process. First there had to be a zoning change which was just concluded. The second now is to approve the Subdivision. They are one and the same topic so the Staff did their presentation for both items together. He addressed Mr. Park saying that items in the memo he submitted to the Commission pertain more to the second part, which is the subdivision. **Commissioner Quigley** then gave the Commissioners a few minutes to allow all of them time to fully read Mr. Park's memo.

- 3.12.1 **Commissioner Quigley** said that the memo refers to a July 2013 petition that was signed by several neighbors about a blank R-2 for more properties than this. He informed Mr. Park that the Commission has already discussed that tonight and received a point of clarification from Staff that tonight's hearing is only on the properties being looked at specifically. There will be no other changes. Therefore, the petition from 2013 does not apply to this hearing discussion tonight. There will be a public hearing regarding the subdivision now. He just wanted to make sure Mr. Park knows the Commission is aware of the petition from 2013 but that it is not applicable to the recommendation being made tonight. 

- 3.12.2 **Commissioner Wright** added that anyone who had experienced something like this coming forward would be understandably apprehensive about the possibility of there being more multi-family units being included in that area, however, that is not what is happening here. There is not going to be additional multi-family housing. There would only be single family housing allowed.

Subdivision

4. 14S22 – SUB-000280-2022 – Public Hearing and Consideration for a Preliminary Subdivision Plat to Create a 3-Lot Residential Subdivision Including 1.99 Acres of Land Located at Approximately 4898; 4896; 4894; and 4892 South 1250 West in Taylorsville, Utah. (Terryne Bergeson/Planner I)

- 4.1 This item was presented by Terryne Bergeson along with Item 3.
- 4.1.1 **Mr. Halliday** was asked by **Commissioner Quigley** if he had anything else to add and he replied he did not.
- 4.1.2 Therefore, **Commissioner Quigley** opened the public hearing and asked if there was any further input regarding this proposal. At this time, Staff displayed the proposed subdivision map.
- 4.1.3 **Commissioner Quigley** asked that it be noted that all Commissioners have had a chance to look over the document that was presented to them by **Mr. Park** and that it has been included into the

consideration discussion. No one came forward with further comment and **Commissioner Quigley** closed the public hearing and opened the meeting for discussion or a motion by the Planning Commission.

- 4.1.4 **Commissioner Wilkey** asked if the zone only pertains to Lot #103 being R-1-10 what were Mr. Halliday's plans for the number of houses added to that subdivision. That the neighbors have made it clear they do not want high density housing there. **Mr. Halliday** advised that back in 2013 the original proposal was an attempt with an R-2-10 to try to get all the duplexes zoned back so that they would be able to be properly zoned. The neighbors opposed that proposal. **Mr. Halliday** said it was never their intent to put duplexes on that property. It was an attempt to get the existing buildings back in the correct zoning and the neighbor to the north had had some plans with the property he bought and said he was going to go for the R-2-10, which **Mr. Halliday** felt would also apply to his property. He knew if it was an R-2-10 he could still build single family homes. It was opposed and he went with an R-1-10, which **Mr. Halliday** felt would also work for him. That lot is close to 70,000 square feet and he is looking to build about four homes thereon, which would be 10,000 square foot lots. So, they would need about 40,000 square feet for four lots and none of that has been designed yet but their hope is that with the 65,000 to 70,000 square feet that is there they could have those four lots they would like to have. That lot is zoned R-1-10 and is proper and with this change the zoning on the existing duplex lots will also be proper.  **Mr. Spung** added the zoning on the large lot isn't going to change and any future development for that lot would come back to the Planning Commission for a hearing. 

- 4.2 **MOTION: Commissioner Young – I move that we approve File #14S22/SUB-000280-2022 based on the Findings and Conditions of approval as stated in the Staff Report.**
SECOND: Commissioner Willardson
VOTE: Commissioner Willardson – AYE, Commissioner Wright – AYE, Commissioner Russell – AYE, Commissioner Wilkey - AYE, Commissioner Young - AYE, Commissioner Quigley – AYE. Motion passes.

Zoning Text Amendment

5. 1223/DCA-000310-2023 - Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Taylorsville Municipal Code Section 13.20.030, Related to Minimum Lot width and Lot Area Affecting the Two-Family Residential R-2-8 and R-2-10 Zoning Districts. (Jim Spung/AICP/Senior Planner)

- 5.1 This item was presented by Jim Spung. 
- 5.1.1 This is a request to amend the laws that govern the R-2-8 and R-2-10 Zoning Districts.  The purpose is to amend the minimum lot area and lot width requirements in the R-2-8 and R-2-10 zoning districts to remove barriers that prohibit the conversion of some existing duplex structures to twin homes. Definition of a Dwelling, Duplex is a building designed or arranged to be occupied by two (2) families living independently, the structure having only two (2) dwelling units in one ownership. This definition does not include a detached single-family dwelling with an approved accessory dwelling unit (LDC Section 13.36.050). The definition of Twin Home is a residential structure composed of two (2) dwellings set side by side and sharing a common wall and separation wall. Each dwelling is constructed on its own building lot and is sold separately from the adjoining attached dwellings. (LDC Section 13.36.210).
- 5.1.2 **Mr. Spung** added that 16 of the original 30 lots in the Heatherglenn Subdivision have already been converted. This change, if implemented, will apply City-wide and not just this subdivision.

- 5.1.3 Proposed changes to 13.20.030 (R-1 and R-2 Districts; Lot Size and Frontage Requirements) as revised include:

In Notes:

1. "Single family lots must have at least 8,000 square feet and 75 feet of width. Each side of twin home lots must have at least ~~"5,000 4,000"~~ square feet and ~~"40 30"~~ feet of width.
2. Single-family lots must have at least 8,000 square feet and 70 feet of width. Each side of twin home lots must have at least ~~"4,000 3,000"~~ square feet and ~~"37.5 30"~~ feet of width."

5.2 **FINDINGS:**

- 5.2.1 This application was initiated by Michael Williams, property owner of 4719 South Cathay Circle in Taylorsville.
- 5.2.2 Mr. William's property is Lot 27 of the Xanadu Subdivision Plat, which was recorded in the Salt Lake County Recorder's Office in 1982.
- 5.2.3 Mr. Williams is requesting a text amendment to Taylorsville Municipal Code Section 13.20.030, related to minimum lot width and lot area for the Residential R-2-8 and R-2-10 Zoning Districts.
- 5.2.4 The proposed text amendment, as articulated in Exhibit A, will reduce the minimum lot area and lot width for properties in the R-2-8 and r-2-10 Zoning Districts.
- 5.2.5 The proposed text amendments are intended to remove barriers that currently exist that prohibit the conversion of existing duplex structures in the R-2-8 and R-2-10 Zoning Districts to twin homes, through the subdivision process.
- 5.2.6 The City Council is the final decision-making authority for a text amendment to the Taylorsville Municipal code.

- 5.3 **APPLICANT ADDRESS:** Michael Williams – 4719 Cathay Circle. Mr. Williams said he wants to live in one side and have a renter living on the other side and needs this amendment to do that. That he would be glad to answer any questions. 

- 5.4 **Commissioner Quigley** opened the public hearing and inasmuch as no one came forward to speak either in favor or opposition, closed the public hearing and opened the meeting to discussion or a motion by the Planning Commission. **Commissioner Wright** asked if there had been any on-line comments and **Mr. Spung** advised there had been none.

5.5 **DISCUSSION:**

- 5.5.1 **Commissioner Wilkey** said she would be supportive of this request on an exception basis but expressed the concern that in changing the rule for R-2-8 and R-2-10 permanently going forward, it makes it more condensed and changes the standard. In talking about reduction from 4,000 to 3,000 square foot, it makes it a 25% reduction in forward requirements, and she did not feel Taylorsville compares to other cities brown stone homes and that would be too tight for our City.  For that reason, she could not support this requested change.
- 5.5.2 **Commissioner Wright** advised **Commissioner Willardson** had expressed that he wondered if this change only applies to existing circumstances, which is not the case and applies to any duplexes within the City built or proposed. **Mr. Spung** clarified that it applies only to those properties within that zoning designation. **Commissioner Wright** addressed Commissioner Wilkey's concern in this regard and wondered where the dividing line would be between what would or would not be appropriate. He emphasized that he does appreciate her concern in this because it addresses quality of life issues. **Commissioner Wright** asked Commissioner Wilkey what to her would be appropriate then. **Commissioner Wilkey** answered she would prefer staying at the standard in place today because in looking at those streets where this project would be it is very tight. When

she drove that particular street to look at this site, she counted numerous cars and navigation down there was very difficult. She reiterated that she still cannot support this request.

5.5.3 **Commissioner Quigley**  added that he appreciated where Commissioner Wilkey was coming from but  said that it is always a challenge when talking about “doing it for one but not for everyone else”. The City is obligated to ensure what is done for one *is* done for everyone. He fully supported her stance regarding street parking being very lacking. The problem is most problems are created by more than one situation, an example being one family may have four teenagers with cars. His thoughts on the lot narrowing, is if it is narrowed, less cars can park in front of the lot because the driveway cannot be blocked. The driveway size will stay the same so even if the lot size narrows, there would be fewer on-street parking available. Secondly in a twin-home situation there is no need for such a wide lot because there aren’t side yards between the adjoining twin homes. So, on a typical single-family unit there might be an 8’ side yard on each side of the structure while with a twin home that requirement doesn’t exist, so a twin home lot by nature could be more narrow than a standard single family lot. Based on those two points alone he did not see a disadvantage in granting this request and would support it. 

5.6 **MOTION:**  **Commissioner Wright** – I move that we send a positive recommendation to the City Council for File #1223/DCA-000310-2023 to amend the Taylorsville Municipal Code Section 13.20.030, related to minimum lot width and lot area for the Residential R-2-8 and R-2-10 Zoning Districts, as specified in Exhibit A, as it’s been amended in this presentation, based on the Findings outlined in the Staff Report.
SECOND: **Commissioner Young**
VOTE: **Commissioner Young** – AYE, **Commissioner Wilkey** – NAY, **Commissioner Wright** – AYE, **Commissioner Willardson** – AYE, **Commissioner Russell** – AYE, **Commissioner Quigley** – AYE. Motion passes 5 to 1.

Other Matters

6. Planning Commission Review and Consideration of a Request for an 8-Foot Rear Yard Fence at 4586 South Driftwood Avenue in Accordance With Taylorsville Municipal Code, Section 13.28.030 (Terryne Bergeson/Planner I)

6.1 This item was presented by **Ms. Terryne Bergeson**.  Before Ms. Bergeson began, **Commissioner Quigley** said he would like to address the Commission to recuse himself from voting on this item because he was the realtor on the original sale of this home and felt it may present a conflict of interest on his part. **Ms. Bergeson** said that the applicant has hired a contractor to do the fence in phases. The zone is currently R-1-8 and under the General Plan it is Low Density Residential. That the far rear fence will be installed first. She advised that Chapter 13.28 of the Taylorsville Land Development Code, Chapter 13.28, gives the Planning Commission power to grant an exception for this increase in fence height. 

6.2 FINDINGS:

- 6.2.1 Ms. Ramirez initiated a building permit application to construct a fence up to 8’ in height in the rear and side yard of her property on February 3, 2023.
- 6.2.2 The rear yard is defined in the Taylorsville Land Development Code as, “A yard extending across the full width of the lot between the most rear main building and the rear lot line.”

- 6.2.3 The side yard is defined as, “an open, unoccupied space on the same lot with the building and between the sideline of the building and the side lot line, and extending from the front yard to the rear yard; or the shortest distance across said space from the main building to the side lot line.”
- 6.2.4 Taylorsville Land Development code requires residential rear and side yard fences not exceed 6 feet in height “*unless otherwise allowed herein*”.
- 6.2.5 Planning Staff is presenting the request for increased height from 6 feet up to 8 feet to the Planning Commission for review pursuant to the standards outlined in Section 13.28.030 of the Taylorsville Land Development code.
- 6.2.6 The Taylorsville Planning Commission is the decision-making body related to requests for residential fence height variations.
- 6.3 **CONDITIONS OF APPROVAL:**
That the height variation of up to 8 feet applies only to fencing installed in the rear and side yard, as defined in the Taylorsville Land Development Code.
- 6.4 **APPLICANT ADDRESS:** Celeste Ramirez advised they need a taller fence for safety and privacy because they have a swimming pool installed. Commissioner Quigley asked her if there was a possibility to settle for a 7' high fence, to which she agreed there was.
- 6.5 **SPEAKING:**

Shelly Dean wanted to go on record in support of this request in order to keep a secure, safe and private environment for those using Ms. Ramirez’s backyard.
- 6.6 **DISCUSSION:**  Commissioner Wright said the only place he would have a question is if there was an obvious natural view that was being blocked off, but he did not see that being the case at all.  Commissioner Young said there were comments made by adjacent neighbors that certain fences be taken down or retained or where the property line is at. He asked Staff if that were not a civil matter. Mr. Spung said that was correct. He advised the applicant to coordinate with the neighbors. The applicant can build the fence on the property line but it would seem to be obviously good courtesy to coordinate actions with affected neighbors first. Commissioner Quigley commented that then the existing fence did not have to come down, that she could put hers up in front of it. Commissioner Young said that the decision tonight was just to approve an increase in height then.
- 6.7 **MOTION:** Commissioner Wilkey I move that we approve File #6C23/RBLD-304224-2023, request for an 8-foot rear yard fence at 4586 South Driftwood Avenue in accordance with Taylorsville Municipal Code, Section 13.28.030.
SECOND: Commissioner Wright
VOTE: Commissioner Willardson – AYE, Commissioner Wright – AYE, Commissioner Russell – AYE, Commissioner Wilkey - AYE, Commissioner Young - AYE, Commissioner Quigley – ABSTAINED (Having previously recused himself from voting). Motion passes.

7. Planning Commission Review of the Taylorsville Land Development Code Update Project – Chapter 24.03: Use Regulations. (Jim Spung/AICP/Senior Planner)

This item was presented by Jim Spung.  He gave guidance and a tutorial on how to review the Taylorsville Land Development Code draft and more easily conduct the necessary review thereof. He went over ways to easily scroll through and use the tables for optimal information. He explained that during the next work session the review will concentrate on the chapter for "Use Regulations" in depth.  Mr. Spung told the Commissioners how appreciative he and staff were for their assistance with this task of rewriting the Land Development Code.

CITY COUNCIL MEETING DISCUSSION: Commissioner Wilkey gave the reports on both the February 2, 2023 and February 15, 2023 City Council meetings. .

ADJOURNMENT: By motion of Commissioner Wright the meeting was adjourned at 8:40 p.m.

These Minutes were prepared and presented by:

Jean Gallegos

Jean Gallegos, Admin Assistant/Recorder for the
City of Taylorsville Planning Commission

Approved in meeting held on April 25, 2023.