Willard City Corporation

80 West 50 South
Box 593

Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Conditional Use Permit Review Committee of Willard City Corporation will hold a special meeting at Willard City Hall, 80 West 50 South, on Thursday, May 11, 2023. Said meeting shall start at 1:00 p.m.

Agenda is as follows:

1. **Call to order:**

2. **Business:**

   a. Review and consideration of a request from Bruce Sherrod to operate a food truck at various locations in Willard City

   b. Consideration and approval of April 27, 2023, minutes

3. **Adjourn**

CUP Review Committee Meetings: Held as needed based on applications.

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the Willard City Hall, on the State of Utah Public Meeting Notice website https://www.utah.gov/pmn/index.html, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 9th day of May, , 2023.

/s/ Michelle Drago

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODDTION DURING PUBLIC MEETINGS - In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah 84340, phone number (435) 734-9881, at least three working days prior to the meeting.

WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING

Application Date: 5-2-23

Assessor's Parcel Number

Applicant:

BRUCE SHERROD

Parcel Legal Description

Mailing Address

181 WEST HANCOCK

CIRCLE NO. OGDEN 84404

Project Address

US 89, main S. main.

N. main 750 N. N. pass 750 N

Phone Number

385-239-2636

Cell Phone

385-239-2636

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

- [x] Conditional Use Permit $25 Fee
- [ ] Lot Line Adjustment $25 Fee
- [ ] Other Fee variable, $25 Min.

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)
Complete Applicant Affidavit on back of this page.

WILLARD CITY CORPORATION
80 W 50 S
PO BOX 593
Willard UT 84340 435-734-9881

Receipt No: 1.017144 May 2, 2023

Bruce Sherrod Conditional use

Charges for Services	
Charges - PC & B of Adj	25.00
Total:	25.00
Cash	25.00
Total Applied:	25.00
Change Tendered:	.00

Duplicate Copy
05/02/2023 11:34 AM

GRANITE

Bruce Sherrod
Plant Foreman / Sales

Granite Construction Company
1000 N. Warm Springs Road
Salt Lake City, UT 84116

385.239.2636
bruce.sherrod@gcinc.com
graniteconstruction.com

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER))

I, (we) Bruce Sherrod, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at various locations in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Bruce Sherrod
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 2nd day of May 20 23

MICHELLE DRAGO
NOTARY PUBLIC • STATE of UTAH
COMMISSION NO. 716078
COMM. EXP. 02-02-2026

Michelle Drago
Notary Public

Residing in Perry, Utah
My commission expires: 2/2/25

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____
Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 ___

_____
Notary Public

Residing in _____
My commission expires: _____

WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
April 27, 2023, 2023 – 3:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website.

The following members were in attendance:

Chris Davis, City Manager
Colt Mund, City Attorney
Bryce Wheelwright, City Planner
Sid Bodily, Planning Commission Chairman
Chris Breinholt, City Engineer/Jones & Associates
Payden Vine, Public Works Director
Theron Fielding, Police Chief
Van Mund, Fire Chief
Michelle Drago Deputy City Recorder

Others in attendance: Zac Burk, Jones & Associates; Dorothy Call; Garrick Call; and Brian Gilbert.

1. CALL TO ORDER

Bryce Wheelwright, City Planner, called the meeting to order at 3:15 p.m. A roll call attendance was recorded by the secretary.

2A. REVIEW AND CONSIDEARTION OF A REQUEST FROM GARRICK CALL FOR A CONDITIONAL USE PERMIT FOR A DETACHED ACCESSORY DWELLING UNIT LOCATED AT APPROXIMATELY 1352 NORTH MAIN (PARCEL NOS. 02-039-0055 AND 02-039-0004)

Time Stamp – 1:05 04/27/2023

Bryce Wheelwright stated that the City had received an application from Garrick Call for a conditional use permit for a detached accessory dwelling unit located at approximately 1352 North Main.

Garrick Call stated that the correct address for the project was 1348 North Main.

Mr. Wheelwright stated that Dorothy and Garrick Call were proposing that the lot line between 1352 North Main (Parcel No. 02-039-0004) and 1348 North Main (Parcel No. 02-039-0055) be adjusted. 1348 North Main would be reduced in size from 11.78 aces to approximately one. The remaining 10.78 acres would be added to 1352 North Main. Garrick Call planned to build a home on the one-acre parcel next to his mother. There was a small, existing home at 1348 North Main that was used by their farm workers. Dorothy and Garrick Call wanted to keep that home as an accessory dwelling unit. Garrick's new home would be built behind the ADU. The adjusted lot would have 100 feet of frontage.

Garrick Call explained that all but one acre in Parcel 02-039-0005 would be transferred to 02-039-0004. Mr. Wheelwright said one parcel would become larger. The other parcel would become smaller.

Van Mund, Fire Chief, asked about the distance from Highway 89 to Garrick Call's proposed home. Garrick Call said his home would be 150 feet from the highway and about 200 feet from the nearest fire hydrant.

Bryce Wheelwright stated that the lot line adjustment would be considered by the Planning Commission during its May 4th Planning Commission meeting. There was further discussion about the proposed lot line adjustment. Mr. Call said that both properties had been surveyed. His engineer preparing a formal drawing, which he should have before the Planning Commission meeting.

Bryce Wheelwright stated that the ADU and the proposed home would both meet the setback requirements. Both would be set back at least 30 feet from the front property line. Both side yard setbacks would be more than 10 and 15 feet; for a total of 25 feet. Both dwellings would have more than 30 feet in the rear. Both dwellings would have sufficient parking.

Colt Mund, City Attorney, asked about the square footage of the existing home. Bryce Wheelwright said and ADU could not be larger than 1,000 square feet. The proposed ADU was 900 square feet. Mr. Mund asked if the new home would be shorter than the proposed ADU. Garrick Call said it would not. The new home would be two stories in height.

Zack Burk, Jones & Associates, stated that the new home would be approximately 180 feet from the nearest fire hydrant. A second hydrant would not be required.

Van Mund stated that if the driveway for the new home was more than 150 feet in length, the International Fire Code required a turn-around for emergency equipment. The turn-around would have to have an all-weather surface. Garrick Call said he would be happy to do whatever had to be done.

Theron Fielding, Police Chief, asked that the address for the ADU and the new home be clearly marked on the street for emergency responders. Garrick Call planned to put mailboxes on the street marked 1348A and 1348B as required by ordinance.

Garrick Call felt that the ADU would be demolished in the next five years. Their farm workers were getting older. When they were done, the old home would be torn down.

Sid Bodily, Planning Commission Chairman, felt the proposed ADU met all of the requirements he was concerned about.

Payden Vine, Public Works Director, asked if new water and sewer lines would be ran for the new home. Mr. Call said the new home would have new water, sewer, gas, and power lines. He had been in touch with Dominion Energy and Rocky Mountain Power.

Colt Mund asked if 1348 North Main would be in Garrick Call's name. Mr. Call said it would. As soon as the survey work was completed and the Planning Commission approved the lot line adjustment, the property title would be placed in his name. Mr. Mund clarified that the proposed lot line adjustment was not creating a new, residential lot. Mr. Wheelwright said a new lot was not being created.

Colt Mund stated that the ADU Ordinance allowed the assessment of impact fees for an ADU. In this case, how would the impact fees be assessed? Chris Davis felt the impact fees would be assessed on the building permit for the new dwelling.

There was a discussion about the closest sewer manhole. Payden Vine said Mr. Call would be tying on to Sewer Manhole No. 12.

Michelle Drago, Deputy City Recorder, asked how much distance would be required between the ADU and the new home. Garrick Call said the two structure would be 32 to 42 feet apart.

Chris Davis stated that his questions had been answered.

In response to a question from Colt Mund, Michelle Drago said Garrick Call was asking for approval of a conditional use permit to turn the existing home at 1348 North Main into an ADU.

Colt Mund stated that he had been reviewing the conditional use permit standards. Because this was an existing structure, not all of the factors applied. He did not have any other concerns. When the ADU was approved, the conditional use permit needed to be recorded so it could be tracked in accordance with the code.

Van Mund stated that lettering and numbering on the mailbox had to be 4 ½ to 5 inches in height and contrast with the background.

Chris Breinholt did not have any engineering issues.

Chris Davis moved to recommend that the Planning Commission approve a conditional use permit for an accessory dwelling unit at 1348 North Main subject to a turn-around for emergency access, proper addressing for the homes and mailboxes, approval of the lot line adjustment, and recording of the conditional use permit with Box Elder County. Van Mund seconded the motion. All voted "aye." The motion passed unanimously.

2B. REVIEW AND CONSIDERATION OF A REQUEST FROM BRIAN GILBERT FOR A CONDITIONAL USE PERMIT FOR A DETACHED ACCESSORY DWELLING UNIT LOCATED AT APPROXIMATELY 110 SOUTH 200 WEST (PARCEL NOS. 02-051-0008 AND 02-051-0242).

Time Stamp – 25:42 04/27/2023

Bryce Wheelwright stated that the City had received an application from Brian Gilbert for a conditional use permit for a detached accessory dwelling unit located at approximately 110 South 200 West.

Brian Gilbert stated that he wanted to build a small apartment for his father and his father's wife.

Michelle Drago asked if the proposed ADU would be part of the existing garage. Mr. Gilbert said it would not. The ADU would be a completely new structure.

Chris Davis asked if impact fees would be assessed for the new structure. Mr. Wheelwright said Mr. Gilbert's building permit would include impact fees. Mr. Davis asked if Mr. Gilbert was aware of the impact fees. Mr. Gilbert said he was.

Van Mund asked if the 21-foot setback on the south side would be used as a driveway to access the existing garage. Mr. Gilbert said it would. Chief Mund felt 10-foot clearance between the ADU and the existing home was a little close. Bryce Wheelwright stated that the Building Code required a minimum of 10 feet between the structures.

Van Mund asked about the siding materials on the existing home and the ADU. Brian Gilbert said the existing home had brick and aluminum siding. The ADU would have hardie board siding.

Zac Burk said that Brian Gilbert could tie into the sewer on 200 West or behind his property. Water was available in 200 West. Mr. Gilbert said he had planned to connect to the lines in 200 West. He didn't know there was sewer behind him. The ADU would have a basement, but he didn't plan to put sewer in the basement.

Zac Burk stated that the City's HOP Trail would run along 200 West. It might impact Mr. Gilbert's driveway and parking.

Chris Breinholt asked about the stairs that were shown on the site plan. Mr. Gilbert said the starts would be for a walk-out basement. Mr. Breinholt asked if the ADU would be shorter than the main dwelling unit. Mr. Gilbert said it wouldn't. The roof pitch would be lower than the existing house, and the total square footage was 999 square feet.

Sid Bodily did not have any comments.

Payden Vine did not have any comments.

Brian Gilbert asked how deep the sewer line behind him was. He might get better flow by running the sewer that direction. Chris Breinholt said the sewer was 11 feet deep in 200 West. The sewer behind Mr. Gilbert was eight feet deeper. Running the sewer to the back could interfere with any plans Mr. Gilbert might have to subdivide the back of his property.

Theron Fielding felt the ADU would be visible from 200 West. Brian Gilbert asked if the ADU address would 110B South 200 West. Chief Fielding said it would.

Neither Chris Davis nor Michelle Drago had any comments.

Colt Mund asked how much of the yard the ADU would occupy. Mr. Gilbert wasn't sure. Colt Mund said the ADU could not occupy more than 25% of the available yard, or space. Chris Breinholt said the lot was .93 acres, or 40,510 square feet. If the ADU was 1,000 square feet in size it would only cover 2% of the entire lot.

Chris Breinholt moved to recommend that the Planning Commission approve a conditional use permit for an accessory dwelling unit at 110 South 200 West. Chris Davis seconded the motion. All voted "aye." The motion passed unanimously.

3. ADJOURN

Bryce Wheelwright moved to adjourn at 3:52 p.m. Colt Mund seconded the motion. All voted "aye." The motion passed unanimously.

Minutes were read individually and approved on: _____

_____ _____

Bryce Wheelwright, City Planner Michelle Drago, Deputy City Recorder

dc:CUP 04-27-2023