

**Mayor**  
Kenneth Romney

**City Council**  
James Ahlstrom  
James Bruhn  
Debbie McKean  
Mark Preece  
Dave Tovey

## *West Bountiful City*

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**City Administrator**  
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**Chief of Police**  
Todd Hixson

**City Engineer**  
Ben White

**City Recorder / Auditor**  
Heidi Voordeckers

**City Treasurer**  
Mindi Tullis

### **PLANNING COMMISSION**

### **AGENDA**

THE PLANNING COMMISSION OF WEST BOUNTIFUL CITY WILL HOLD A REGULARLY SCHEDULED MEETING ON MARCH 12, 2013 AT 7:30 P.M. THE MEETING WILL BE HELD IN THE CITY OFFICES AT 550 NORTH 800 WEST, WEST BOUNTIFUL, UTAH.

#### **AGENDA AS FOLLOWS:**

Welcome. Prayer/Thought by invitation

1. Accept Agenda
2. Public Hearing – 2 lot subdivision at 780 West 1600 North (Onion Street Gardens)
3. Discussion of item 2 above
4. Sidewalk/Building Permit Policy and Process
5. Staff Report
6. Approval of February 12, 2013 meeting minutes
7. Adjournment

*According to the American's with Disabilities Act, individuals needing special accommodations including auxiliary communicative aids and services during the meeting should notify Cathy Brightwell at 801-292-4486 twenty-four (24) hours before the meeting.*

*I certify that this notice has been sent to the Clipper Publishing Company, and was posted on the State Public Notice website and on the City's website on **March 8, 2013**.*

**West Bountiful City  
Planning Commission**

**March 12, 2013**

**Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website, and sent to Clipper Publishing Company on March 8, 2013 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, March 12, 2013, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Vice Chairman Terry Turner, Mike Cottle, and Alan Malan.

**MEMBERS/STAFF EXCUSED:** Chairman Denis Hopkinson, Steve Schmidt, and Laura Charchenko/Alternate.

**STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell (Deputy Recorder) and Debbie McKean (Secretary).

**VISITORS:** Darin and Alisha Zesiger, Don Zesiger, and Cris Hogan.

The Planning Commission Meeting was called to order at 8:30 p.m. by Vice Chairman Terry Turner who excused Chairman Hopkinson, Commissioners Schmidt and Charchenko. Mike Cottle offered a prayer.

**I. Accept Agenda**

Vice Chairman Turner reviewed the agenda. Mike Cottle moved to accept the agenda as posted. Alan Malan seconded the motion. Voting was unanimous in favor.

**Business Discussed:**

**II. Public Hearing - 2 Lot Subdivision at 780 West 1600 North (Onion Street Gardens)**

Included in the Commissioner's packets was a plat diagram, the notice of the public hearing and a memorandum from Ben White/Cathy Brightwell dated March 5, 2012 regarding Onion Street Gardens Subdivision (Hogan) with the following attachments (Sections of City Code from Chapter 16 that pertain to Preliminary and Concept Plan and Preliminary Plat, aerial view of property for discussion, subdivision application from Cristopher Hogan for Onion Street Gardens).

**Memorandum included the following:**

- Request from Cris Hogan who owns the house at 780 West Pages Lane to subdivide the back half of the property on 800 West from the front half that faces Pages Lane.
- Application qualifies for a small lot subdivision process.
- City Engineer requests the owner dedicate the radius around the intersection corner of 800 West and Pages Lane.
- Staff suggests that Concept, Preliminary Plat and Final Plat approval be completed simultaneously.
- Subdivision contains same curb, gutter and sidewalk issues as many other small subdivisions applications.

Mr. White stated the desire Mr. Hogan has to divide his property into two pieces with a minimum of .40 acre each so that horses will be allowed. Application is straightforward with a triangle of right-of-way carved out on the corner of Pages Lane and 800 West.

**ACTION TAKEN:**

**Alan Malan moved to open the public hearing to receive public comment on a 2 lot subdivision at 780 West 1600 North (Onion Street Gardens). Mike Cottle seconded the motion and voting was unanimous in favor among those members present.**

**Public Comment:**

- Darin Zesiger at 770 West 1600 North, abutting the proposed properties. Mr. Zesiger expressed his concerns regarding the opportunity that may arise for future new neighbors to complain about his horses/animals. He also is concerned with drainage issues that may occur when building takes place on the new parcel and ground is built up, and if he will be forced to build curb, gutter and sidewalk.
- Alisha Zesiger stated that by cutting the property in half as proposed it will make the existing home have a smaller lot that will create an odd side lot and feels that it may lower the property value of her property.
- Don Zesiger is concerned with the animal situation. He was happy to hear that Mr. Hogan wants the property to remain horse property. Mr. Zesiger expressed his feelings in regards to living there for 50 years and teaching his family the principles of having a lot of property and animals to care for. He believes his property would have no value if he were not allowed to have animals.
- Cris Hogan (property owner) stated he has been neighbors to the Zesiger's for over ten years and shares the same values that he has come to know the Zesiger's have. He stated that he is trying to create property that will have animals and a garden. He understands and respects the Zesiger's concerns. Mr. Hogan would like to sell the existing house that is now being rented in the front parcel and keep the back parcel for personal use.
- Mr. Don Zesiger and Darin Zesiger both reiterated the concern of water drainage from Mr. Hogan's property and their concern that they will be able to keep animals on their property.
- Alisha Zesiger asked Mr. Hogan what his desires were to build and mentioned that they would like to purchase part of the property. Some discussion took place as they looked over the site plan.
- Mr. White noted that if they decided to buy a piece of Mr. Hogan's property there could be a lot line adjustment and he could still get 2 lots out of the remaining property.
- Mr. Cottle suggested that could be a win/win situation for both parties.

**ACTION TAKEN:**

**Alan Malan moved to close the public hearing to receive public comment on a 2 lot subdivision at 780 West 1600 North (Onion Street Gardens) at 8:55 p.m. Mike Cottle seconded the motion and voting was unanimous in favor among those members present.**

**III. Discussion of item 2 above**

**The following comments/discussion took place after the public hearing was closed:**

- Mr. White noted that should the Zesiger's and Mr. Hogan come to agreement on lot line adjustments, he sees no need to hold another public hearing and they could move forward from this evening. Small lot subdivisions have the same issues all the time regarding curb, gutter, and sidewalk.
- Alan Malan asked about how to address the drainage issue, and noted that as a corner property he feels it is a good place to start curb, gutter and sidewalk. Mr. White suggested that a Notice to Buyer be put on the recorded plat to protect Zesiger's from the water drainage issue.
- Mr. Cottle feels the two property owners need to make a decision about the possible sale of a portion of the property without the involvement of the Commission. He also feels that a corner lot is the perfect time to start the curb, gutter and sidewalk.

- Terry Turner agreed with the comments that have been made by the other two commissioners. He encouraged the parties involved to discuss the possibilities proposed this evening and move forward taking as long as they need to take.
- Mr. Malan asked Mr. White about future changes that may be made to Pages Lane and 800 West in the near future in order to decide about the sidewalk.

Mr. Don Zesiger feels there would be no advantage to the curb, gutter and sidewalk at this time.

#### **IV. Sidewalk/Building Permit Policy and Process**

Included in the Commissioner packets was a memorandum dated March 6<sup>th</sup> from Ben White regarding Sidewalk/Building Permit Policy and Process, a copy of the West Bountiful City Building Permit Application for review and a copy of WBC Building Permit Application Procedure.

Mr. White addressed the Commission regarding the discussion started a few weeks ago concerning a sidewalk policy and process. Staff is in need of direction as they try to guide the public's questions in these regards and reduce the amount of staff time needed to answer these questions. Fewer Code violations will occur during construction if builders are better informed.

Specifically requirements in the policy in paragraphs D6 and D7 need to be defined. Some discussion took place regarding what defines a main structure. Staff will work to clarify language for that.

Mr. Turner inquired about D6 being too onerous. Maybe some language needs to be added to define the size of construction that would cause the need to reconstruct damaged sidewalk. Mr. White will work on that language.

#### **V. Staff Report**

- Ben White reported that the stop lights on 1100 West and 500 South are working now.
- On March 20<sup>th</sup> UDOT will be at City Hall for a meeting regarding the rebuilding of 1-15 bridges at 500 South. Mr. White has not seen an agenda as of yet.
- Cathy Brightwell distributed information about ULGT Elected Officials Webinars: Land Use and Property Rights sign ups. A webinar class will be held on Thursday, March 21, 2012 from 7:00-8:00 p.m. <https://student.gototraining.com/r/6587141525502909696>.
- Cathy Brightwell informed the Commission that the City is migrating to a new website (iGov) on April 1 and discussed some of the work being done. The new website is more user friendly and allows for the use of pictures. She will be taking photos for the website and would like to include pictures of each Commissioner.

#### **VI. Approval of Minutes of February 12, 2013.**

##### **ACTION TAKEN:**

**Alan Malan moved to approve the minutes dated February 12, 2013 as presented. Mike Cottle seconded the motion and voting was unanimous in favor.**

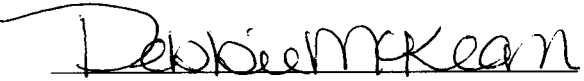
#### **VII. Adjournment**

##### **ACTION TAKEN:**

**Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Mike Cottle seconded the motion. Voting was unanimous in favor. The meeting adjourned at 9:30 p.m.**

  
TERRY TURNER VICE-CHAIRMAN

  
HEIDI VOORDECKERS/CITY RECORDER

  
DEBBIE MCKEAN /SECRETARY

