

MINUTES
BOX ELDER COUNTY PLANNING COMMISSION
AUGUST 19, 1999
BOX ELDER COUNTY COURTHOUSE
BRIGHAM CITY, UTAH

Attendance:

Richard Kimber	Chairman
Jon Thompson	Vice-Chairman
Stan Reese	Member
Theron Eberhard	Member
Jim Marwedel	County Planner
Royal Norman	Member
David Tea	Member
Malinda Hansen	Planning Secretary

Absent:

Deanne Halling	Excused
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The meeting was called to order at 7:10 p.m. Jon Thompson moved to approve the Minutes of July 1st, public hearing in their entirety, Stan Reese seconded the motion, the motion passed unanimously. Jon Thompson moved to approve the Minutes of the July 15, 1999 meeting, David Tea seconded the motion. The motion was passed unanimously.

I. CONSIDERATIONS FOR APPROVAL

Bayview Estates, 25 lot, South Willard, 1/4 mile East of highway 89 at about 7500 S.

Jim Marwedel mentioned that the Planning Commission had approved final design of Bayview Estates at a previous meeting but was awaiting the engineers estimate and escrow for improvements to be able to move forward with the actual signatures on mylar.

Mark stated some of the previous concerns that were raised the last time they met, were whether the estimates for improvements were complete in definition. Mark Bingham mentioned that they had recently accepted a new bid that were inclusive of all issues including the previous plumbing issues. Mark went on to state that Higley Construction purchased the property from Christensens and has asked Mark to stay on as Construction Manager for this project.

Jim Marwedel stated that the water system was approved for the contractors to be responsible for the infrastructure and then turn it over to a legal organization for maintenance of the retention pond. Mark stated that currently the water pressure is holding at 22 pounds. Removal and relocation of three power poles is also in the works. Higley will set out to achieve the majority of the improvements themselves prior to escrow with the county. They feel that they can accomplish approximately 3/4 of the improvements prior to escrow

Jon Thompson questioned whether the secondary water should be included in this bid. Mark Bingham said that this was currently included in this bid. Jon also asked if curb and gutter will be included? Mark said no, it will be burrow pit, to allow the subdivision to maintain the rural look that was already established in the county. Richard Kimber stated that it appears that the issues that were addressed were answered, he mentioned that the detention basin plans needs to be run by the County Attorney for his approval. Jon Thompson made the motion to approve the Bayview Estates 25 lot subdivision with the conditions; that the "Contractor" be responsible for the infrastructure and then turn it over to a legal organization for maintenance of the retention basin, that the detention basin plans needs to be run by the County Attorney for his approval, that no lots be sold until recorded and "Escrow" established and bond set, go before County Commissioners for approval, and get all appropriate signatures, seconded by Theron Eberhard, the motion passed unanimously.

Marriott Meadows, 12 lot, 5400 W 14400 N.

Mr. Marriott brought in an estimate for the improvements needed for "Escrow" and he also intends to do most of the improvement work himself. There has been some changes since Charles Marriott was in last. The frontage width on the lots at the end of the culdesac was increased. Jim Marwedel stated that this subdivision is still contingent on health department approval. One hole has been dug for testing and it did pass but others still need to be performed. Randy has some concerns with the lots on the end of the cul-de-sac and will most likely want to perform some tests on those lots. Stan Reese made the motion contingent upon Health Department approval and that the "Contractor" be responsible for the infrastructure and then turn it over to a legal organization for maintenance of the retention basin, to approve the subdivision, Jon Thompson seconded the motion. The motion passed unanimously.

Paul's Pond (John A. Bourne), 2 lot, 4505 W. 15600 N.

Jim Marwedel mentioned that this subdivision was caught when they applied for a building permit. Theron Eberhard moved to approve the two lot subdivision, Stan Reese seconded the motion, the motion passed unanimously.

Fairbanks Estates, Phase 2, 10 lot, 480 W. 7425 South, Willard

Ned Fairbanks presented his second phase preliminary plans for Fairbank Estates. Phase one of Fairbank Estates has been sold except for lot one . The water pressure is not an issue in Phase two of this subdivision. Jon Thompson made the motion to approve preliminary design of second phase of Fairbank Estates, David Tea seconded the motion, the motion passed unanimously. We will now move forward to the concept plan stage.

Robert Hunsaker, 2 lot, 11259 N. 4400 W.

Jim Marwedel presented another building permit where we caught an illegal subdivision. David Tea made the motion to approve this two lot subdivision, Theron Eberhard seconded the motion, the motion passed unanimously.

Cory Norman, 2 lot, 2730 N. 6800 W.

Jim Marwedel reviewed the Engineers notes for water and road access on the final mylar. David Tea made a motion contingent on Health Department approval to approve the two lot subdivision, Jon Thompson seconded the motion, the motion passed unanimously.

Clyde Nelson,

Jim Marwedel reviewed the Engineers notes on the final mylar. David Tea made a motion contingent upon the Health Department approval, to approve this subdivision, Theron Eberhard seconded the motion, the motion passed unanimously.

Richard Shaffer, 2 lot, 13830 N. 4400 W.

Jim Marwedel reviewed the Engineers notes and showed the establishment of one additional lot. Stan Reese made a motion to approve the subdivision for two lots, Theron Eberhard seconded the motion, the motion passed unanimously..

Milton Williams, 4 lot, 16551 N. 4400 W.

Jim Marwedel said that even though this is only a four lot subdivision, it will need to be considered a major subdivision due to the major road that is being proposed in this subdivision. One of the concerns by community members present is that this will be used for manufactured homes on permanent foundations, and that this in their eyes will lower the value of the properties surrounding that area, the quality of life in that area, the current up keep of the applicants properties are currently below their standards, and that this road is right next to the adjacent property owners bedroom window. It was mentioned that if one of the issues is the road being next to the bedroom window of one of Mr. Hess' homes why not put the road on the opposite side of the proposed property. Richard Kimber allowed the floor opened to the community even though this was not the normal procedure. Richard Kimber raised his concerns in regard to all the conflicting issues and stated that it all comes back to zoning and personal property rights, he suggested tabling this issue and possibly hold a public hearing. Richard Kimber asked Jim to do some research on the various concerns, right aways, roads, quality of life, attractiveness, and to more broadly advertise for the public hearing. Jon Thompson motioned to hold a public hearing to be held September 16th at 6:00 p.m. in regards to the concept and preliminary design of this subdivision, prior to approval, due to issues regarding the road, fire hydrants, water, other environmental issues that need to be studied and evaluated, the location of the road, the quality of life and people and the type of neighborhood and attractiveness of the subdivision. Stan Reese seconded the motion. The motion passed unanimously.

Wayne Firth, approx., 2 lot, 10800 W. 10000 N., Thatcher

Jon Thompson made the motion to approve this subdivision with the condition of getting the Quick Claim Deed with the county's acceptance on 10800 W., Stan Reese seconded the motion, the motion passed unanimously.

II. CONSIDERATIONS FOR OTHER ACTIONS

Mr. Marwedel stated that this Commission needs to consider requiring all subdivisions to be recorded. and change current phasing requirements. Phasing currently only allows phasing in increments of twenty five (25) lots in section 3.6.12.1. of the code, it states "Each phase shall consist of the number of lots which can be completely developed with off-site improvements within one year period, 25 lots, whichever is larger." Mr. Marwedel recommended that "larger" be changed to "smaller" feels that it should state twenty five (25) lot minimum.

Mr. Marwedel also recommended the recording of all subdivisions, he stated that many staff and public support this . If the county does require all subdivisions to be recorded we should take those exemptions in code 7.7.3 and 7.7.5 out. (Actually less verbage on a lot). These changes will not change the current distinction between minor and major. David Tea made motion to recommend to the County Commission to accept changes as described by Mr. Marwedel on phasing requirements and all subdivisions recorded Stan seconded.

Set hearing date for East Box Elder Access Plan

Set Public Hearing Date for September 16th at 6:30 p.m. This is to review the general plan for access roads in east Box Elder County.

Consider changing pavement and right of way width requirements

Stan Reese made motion to table this discussion. Jon Thompson seconded the motion. The motion passed unanimously.

Conditional Use Permit at 10195 N. 11600 W. Thatcher ~~Area~~ Proposed Zone change from CG to R-1-20 for 11600 W. Area in Thatcher

Jim Marwedel reviewed the current zoning in this area of Thatcher, stating that in 1992 the zoning was put in force. Jim mentioned that he wasn't sure if prior to 1992 that residential was allowed in commercial, but currently it requires a Conditional Use Permit. The Petersons have had a variety of trailer homes and travel trailers located there starting in the early 1980's, utilities are all there presently. It was suggested that they get approved for conditional use permit and then the county should look forward and look into re-zoning this area where residential is present in this commercial zone (refer to suggested highlighted area) Attachment "A". Jon Thompson made a motion to approve the Peterson's lot for building by conditional use for a "Room and Boarding House" according to the plans submitted, and that the process to begin immediately to re-zone the

current Commercial area to R-1-20. Stan Reese seconded the motion. The motion passed unanimously.

III. REPORTS OR ITEMS FOR DISCUSSION

Review letter to be sent to possible illegal subdividers

The letter was reviewed and approved by those in attendance

Opportunity for Audio Conference training and Utah Rural Summit

Stan Reese moved to adjourn the meeting. Seconded by David Tea. The meeting was adjourned at 10:10 p.m.

Passed and adopted in regular session this 23RD day of September 1999.



Richard D. Kimber

Box Elder County Planning Commission Chair