

# 28 January 2016 Minutes

## KAYSVILLE CITY PLANNING COMMISSION

January 28, 2016

Members Attending: Chairperson Matthew Anderson, Gary Bullock, Stroh DeCaire, Lorene Kamalu, Betty Parker, Joshua Sundloff, Thomas Wood

Staff Present: City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Brent Ray, Anna Ray, Roger Jacketta

### OPENING

The Planning Commission meeting was held on Thursday, January 28, 2016 at 7:00 p.m. in the Municipal Center.

Vice-Chairperson Matthew Anderson opened the meeting by welcoming those present.

### ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

Andy Thompson explained that with the recent election of Jake Garn to City Council, a new Chairperson and Vice-Chairperson would need to be appointed.

Matthew Anderson opened the floor for nominations for Planning Commission Chairperson and Vice-Chairperson.

Gary Bullock nominated Matthew Anderson as Chairperson. Stroh DeCaire seconded the nomination. No other nominations were made. Matthew Anderson was approved as Planning Commission Chairperson by unanimous vote.

Gary Bullock nominated Betty Parker for Vice-Chairperson. Stroh DeCaire seconded the nomination. No other nominations were made. Betty Parker was approved as Planning Commission Vice-Chairperson by unanimous vote.

Matthew Anderson took over as Chair for the remainder of the meeting.

The minutes of the December 3, 2015 meeting were presented for approval.

Stroh DeCaire made a motion to approve the minutes of the December 3, 2015 meeting. Josh Sundloff seconded the motion and it passed unanimously.

### CONDITIONAL USE PERMIT FOR A TWO-FAMILY DWELLING AT 84 SOUTH FLINT STREET – BRENT RAY

Lyle Gibson explained that the home located at 84 South Flint Street was originally built as a two-family dwelling in 1973, with two separate driveways, two separate front doors, and resembling a two-family dwelling from the street. However, about ten years ago the owner decided to use the entire structure as a single unit and portions of the adjoining walls between the two units were removed and doors installed. Because of this change in use, the previously existing multi-family use was discontinued. Mr. Ray is now required to obtain a conditional use permit to restore the multi-family use on the property again. Two-family dwellings are permitted in the R-1 zoning districts as long as there are not more than two duplexes within 500 feet of any other duplex. Staff has verified that there is only one other duplex within the 500 foot requirement, and therefore this request complies. Mr. Ray has been working with the Building Department to determine the needed modifications to convert the structure to a two-family dwelling. Staff is recommending approval with the condition that Mr. Ray complete the building permit process to convert the home to a two-family dwelling. Staff has received one complaint from the owner to the south, Hyrum Bates, who has expressed concern about having another duplex adjacent to his property when he already has one to the south. Mr. Bates stated that he is afraid of how this will affect his property value and how many additional cars this duplex might bring to the property.

Gary Bullock commented that Mr. Bates would like to see more landscaping on the property, and also suggested that another carport or garage be built as well. Mr. Bullock said that while he can understand Mr. Bates's concern about having a duplex on both sides of his home, changing the use of the property won't change the appearance of the property as it was built as a duplex and the outside appearance hasn't changed. Mr. Bullock asked if the applicant plans to live on site.

Brent Ray said that he will live nearby to help maintain the property, but will not be living in the duplex. Mr. Ray said that he anticipates that one of the units will be used by one of his children, and the other side will be rented out.

Josh Sundloff said that because this was built as a duplex, it doesn't seem that adding landscaping or a carport would help to mitigate any potential detrimental impacts this multi-family use may have.

Thomas Wood asked if Mr. Bates had anything to base his concerns about property values on, such as a recent appraisal on his property.

Gary Bullock said that in the e-mail that was sent to the Planning Commission from Mr. Bates, he'd mentioned that he was not opposed to the request for a duplex, but stated that he would like to see that the property be cleaned up.

Stroh DeCaire made a motion to grant a conditional use permit for a two-family dwelling at 84 South Flint Street for Brent Ray with the condition that Mr. Ray complete the building permit process for a conversion from a single-family to a two-family dwelling. Lorene Kamalu seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR AN ACCESSORY BUILDING LARGER THAN 3,000 SQUARE FEET IN AREA AT 887 SOUTH FRANCIS CIRCLE – MONIQUE JACKETTA

Lyle Gibson explained that the Jacketta's property, located at 887 South Francis Circle, is 1.13 acres in size and the applicant is requesting to build an accessory building on the northeast end of their property. Kaysville City Ordinance 17-9-4 allows for accessory buildings larger than three-thousand square feet in area with specific provisions. The Jacketta's property is currently located in the A-1 zone, which has a maximum building height of thirty feet. The proposed structure is 3,328 square feet in size, and approximately twenty-seven feet in height. The current proposal shows the building set back at least twenty feet from the property line. The Building Department will verify the final setback and building height as part of the permitting process. Since applying for this conditional use permit, an error was discovered regarding property ownership and boundary lines. Those will need to be resolved before a building permit is approved. Staff has not received any comments or concerns about this application.

Stroh DeCaire asked what the anticipated use for the building is.

Roger Jacketta responded that they plan to use it for storage.

Josh Sundloff asked about height limitations and setback requirements for accessory buildings, and if this building meets those requirements.

Lyle Gibson responded that it depends on where the building will be set from the property line. The Building Official will ultimately verify its compliance before giving building approval. As it has currently been presented to Staff, the building seems to meet city requirements.

Lorene Kamalu asked how the neighbors were notified of this application.

Lyle Gibson responded that a public notice was posted on the property, as required.

Betty Parker made a motion to grant a conditional use permit for an accessory building larger than 3,000 square feet in area at 887 South Francis Circle for Monique Jacketta with the condition that the applicant complete the building permit process to verify compliance with building height and setback requirements. Stroh DeCaire seconded the motion and it passed unanimously.

## CALL TO THE PUBLIC

Nothing was brought under this item.

## REPORTS

Council Member Larry Page stated that he has been assigned to be the City Council representative for the Planning Commission and looks forward to working with the Commission members.

## CALENDAR

The next regularly scheduled meeting will be held on Thursday, February 11, 2016 at 7:00 p.m.

## ADJOURNMENT

Stroh DeCaire made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 7:30 p.m.