

11 August 2016 Minutes

KAYSVILLE CITY PLANNING COMMISSION

August 11, 2016

Members Attending: Chairperson Matthew Anderson, Stroh DeCaire, Betty Parker, Joshua Sundloff

Excused: Gary Bullock, Lorene Kamalu, Thomas Wood

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

Others Present: Andreana Butler, Brayden Seymour, Sandra DeCaire, Michael Page, Angela Page

OPENING

The Planning Commission meeting was held on Thursday, August 11, 2016 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the June 23, 2016, July 14, 2016 and July 28, 2016 meetings were presented for approval.

Stroh DeCaire made a motion to approve the minutes of the June 23, 2016, July 14, 2016 and July 28, 2016 meetings. Betty Parker seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, PRESCHOOL AT 1620 SOUTH 150 WEST – ANDREANA BUTLER

Lyle Gibson explained that Ms. Butler would like to run a preschool from her home at 1620 South 150 West and is requesting a conditional use permit for a major home occupation “B”. She plans to have up to nine children in each class, and classes would be held for a few hours, three times a week. It is likely that her students will carpool, and there is plenty of space in the driveway for parents to drop off and pick up their children. The property is located near the end of a private street cul-de-sac which is narrower than a typical street, but Staff doesn’t anticipate any problems with traffic flow.

Andreana Butler stated that she has been part of a neighborhood preschool group where parents take turns holding preschool classed in each of their homes during the week, but it was suggested

from her neighbors that she start her own preschool instead. While participating in the neighborhood preschool parents would carpool their kids, and she anticipates that they will continue to do the same. There will probably only be four cars that would come to her home and they would drop off and pick up their kids at designated times. There is a walkway up to her home where parents would drop off the kids, and there is enough room for cars to turn around in the cul-de-sac. They haven't had any problems with traffic because of the few cars that have been coming to her home.

Josh Sundloff asked when classes would be held.

Andreana Butler responded that she currently anticipates holding classes in the morning and afternoon on Tuesdays and Thursdays, with an afternoon class on Wednesday. There would be a forty-five minute break between the morning and afternoon classes. Ms. Butler said that she has spoken with her neighbors about her business plans and has received no concerns about it.

Betty Parker made a motion to grant a conditional use permit for a major home occupation "B", preschool at 1620 South 150 West for Andreana Butler with the condition that the number of students per class be limited to twelve. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 2090 WEST JAKES LANE – MICHAEL & ANGELA PAGE

Lyle Gibson explained that the Page family recently bought a home at 2090 West Jakes Lane and would like to keep farm animals on the property. Their property is approximately 0.52 acres and the applicants would like to be able to keep horses, chickens and sheep on the property. Generally there will always be a horse and some chickens on the property, and the Page's would like some flexibility in how many animals of each type are on the property at a time. Their children are involved in the 4-H program and they would have sheep on the property for a few months during the year. There are no animals on the property as of yet, but the Page's intend to build a coop for the chickens and a shelter for the other animals. The area where the animals will be located will be enclosed completely. Staff has reviewed the Farm Animal ordinance with the Page's and they understand that they will need to remain within the permitted number of animals based on their property size and whatever combination of animals that may be on the property. Before tonight's meeting, Staff received a couple of complaints from nearby property owners expressing concern with the amount of animals allowed on the property, and potential problems with unwanted noises and smells as a result of the property not being maintained properly.

Matthew Anderson added that the Planning Commission had also received the two referenced complaints as well as an email just before the meeting from another nearby resident expressing similar concerns.

Stroh DeCaire commented that the overall sentiment from all complainants were similar in that there is concern about potential problems created by the animals. There are already city ordinances in place that help to regulate those types of issues to help protect the neighbors.

Matthew Anderson said that if the animals become a nuisance and the city receives complaints about them, the Page's conditional use permit could come back to the Planning Commission for review and possible revocation.

Josh Sundloff said that it can be hard for the city to continually ensure that these types of conditional uses remain in compliance. The City doesn't have the manpower, and therefore relies on the neighbors to notify the city if there is a problem so it can be addressed.

Michael Page said that he appreciates the feedback he has heard tonight and hopes there can be open communication between him and the neighbors. Mr. Page said that he is familiar with the responsibilities that come with keeping animals, and would be willing to address any questions or concerns that there may be. They haven't prepared their ground for the animals and therefore probably won't be ready to put any animals on the property until the spring.

Josh Sundloff commented that this area is zoned R-1-20, which allows for farm animals by conditional use approval. There seems to be somewhat of a misunderstanding with the neighbors of whether this type of use should be allowed. However, the Planning Commission is somewhat bound by Utah Code to approve conditional use permit requests if any detrimental impacts could be mitigated by reasonable conditions.

Stroh DeCaire made a motion to grant a conditional use permit for farm animals at 2090 West Jakes Lane for Michael and Angela Page with the following conditions:

1. Appropriate housing and enclosures be installed prior to obtaining said animals, and that any animal housing be located at least fifty feet from all buildings on adjacent lots predominantly used or occupied by humans.
2. Meeting of the requirements of Ordinance 17-24 "Farm Animals".

Josh Sundloff seconded the motion and it passed unanimously.

REVIEW OF A CONDITIONAL USE PERMIT FOR A MODEL HOME AT 53 NORTH FLINT STREET – BRIGHTON HOMES

Lyle Gibson explained that in July 2015 Brighton Homes received conditional use approval for a model home at 53 North Flint Street in the Homestead at Hales Farm Subdivision. Approval was conditional upon the conditional use permit being reviewed in one year if the model home was still in use. Brighton Homes is still selling properties within the subdivision and using the model home, therefore they are looking for a time extension of their conditional use for an additional six months. Staff has not had any complaints or issues with this model home.

Josh Sundloff made a motion to grant a time extension for a conditional use permit for a model home at 53 North Flint Street for Brighton Homes for a period of six months or until it is no longer in use, whichever is less. Stroh DeCaire seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Brayden Seymour stated that he'd recently approached the City Council about problems with semi-trailers parking on Main Street in front of the Willow Pines Residential Community which has made it hard for the residents to safely pull out onto Main Street. It's become a safety hazard and concern for the residents.

Stroh DeCaire commented that it becomes even more hazardous as Main Street is a high traffic area with cars traveling at faster speeds.

Lyle Gibson said the Police Department typically enforces these types of issues and they will be notified of the concerns. Mr. Gibson also suggested that Mr. Seymour contact the Police Department if it becomes a problem in the future.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, August 25, 2016 at 7:00 p.m.

ADJOURNMENT

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