

1 **ELK RIDGE PLANNING COMMISSION MEETING**

2 **January 14, 2010**

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5 **TIME AND PLACE OF PLANNING COMMISSION MEETING**

6 A regular meeting of the Elk Ridge Planning Commission was held on Thursday, January 14, 2010, at 7:00 p.m. at 80 East Park Drive,
7 Elk Ridge, Utah.

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9 **ROLL CALL**

10 *Commissioners:* Jason Bullard, Paul Squires, Kevin Hansbrow, Kelly Liddiard, Dayna Hughes
11 *Absent:* John Houck
12 *Others:* Shawn Eliot, *City Planner*
13 Marissa Bassir, *Planning Commission Coordinator*
14 Sean Royslance, *City Council*. Ken Lutes, *mayor*, Bob Allen, *MAG*, Tyson Stevens, Fred Gowers, Nelson Abbott
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16 **OPENING ITEMS**

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18 **OPENING**

19 Dayna Hughes, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.
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21 **APPROVAL OF AGENDA**

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23 There were not any changes made to the agenda.

24 **PUBLIC HEARING AND ACTION**

25 **OAK HILL ESTATE PLAT E PROPOSED ZONE CHANGE**

26 Dayna Hughes, chair, opened the public hearing at 7:09 pm.

27 Shawn Eliot explained the proposed zone change is located on Hillside Drive just east of Mahogany Way. The lot was subdivided a
28 little over two years ago by RL Yergensen. When it was subdivided, the zone was not considered. The lot is divided down the middle
29 between two zones, HR-1 zone and R-1-15,000 zone. The R-1-15,000 zone allows 1/3 acre lots and there aren't as many restrictions
30 towards grading – cuts and fills. The HR-1 zone only allows 1-acre lots and there are more limitations on cuts and fills. The indicated
31 lot is 1 ½ acres. If it was on flat ground and in the R-1-15,000 zone, there could probably be close to three lots, but it isn't on flat
32 ground. Mr. Eliot showed the lot on Google earth where the commission could see the actual size and grade of the lot. There has been a
33 driveway created on the lot where it leads to a flat ground for a building. The applicant is proposing to change the entire lot to the R-1-
34 15,000 zone. In the future, the applicant is looking to subdivide into, at least, two lots. The downside of changing the zone is that there
35 isn't the protection of the HR-1 zone, as far as cuts and fills. The characteristics of the lot have already been dug up on the lower part of
36 the lot.

37 Mr. Fred Gowers, applicant, provided a background of the lot. The lot was established in the subdivision created in 2006 and the
38 applicant also purchased the lot from Mr. Yergensen in 2006. The building pad was already graded at the time. He explained that the
39 lot was previously zoned as the CE-1 zone. In 2008, the HR-1 zone was created and the CE-1 zone on the lot was then changed to the
40 HR-1 zone. The applicant had, originally, planned on building one single-family home on the lot, but times have changed and he would
41 like to subdivide to make two lots to recover some costs. Mr. Gowers claims the CE-1 zone was originally, covering a small portion of
42 the back corner of his lot and then the HR-1 zone was created and the boundaries were changed to where it went right in the middle of
43 his lot.

44 Shawn Eliot indicated that he didn't think the boundaries changed, but would do some research of old zone maps.

45 Tyson Stevens asked if the zone's acreage requirement had changed.

46 Shawn Eliot indicated the CE-1 zone was written for 1-acre lots.

47 Tyson Stevens said there seems to be a contradiction if there is a one-acre requirement for the zone and there is a 1 ½ acre lot that was
48 created.

49 Mr. Gowers indicated there are only 3 areas on the lot where a home could be built because of the hillside terrain and requirements. He
50 also indicated there isn't a need to disturb the native vegetation.

51 Dayna Hughes closed the public hearing at 7:21 pm.

52 Kelly Liddiard questioned the slope on the backside of the lot and where the house would be located with the large rock wall that Mr.
53 Yergensen built.

54 Mr. Gowers answered that there couldn't be a home built on the backside of the lot.

55 Kelly Liddiard then countered that Mr. Gowers indicated that he would build two homes and asked where the second home would be
56 located if the first home was built on the already created building pad.

57 Mr. Gowers showed on the map where a home could be built.

58 Shawn Eliot then asked Mr. Gowers where the driveway would be located to get to lot 1B.

59 Mr. Gowers said he had been working on a preliminary plat and he showed one of the ideas he had. The upper lot could have a circular
60 driveway on 100-foot tongue of that lot going west or the driveway could be brought from the northeast corner across the face and
61 across another face with a similar circular driveway.

62 Kevin Hansbrow asked if there was a maximum length on a driveway.

63 Shawn Eliot indicated there has to be a fire hydrant within 250 feet. There can't be more than 500 feet from the road to the back of the
64 house. He thinks Mr. Gowers would be within it.

65 Jason Bullard confirmed that the lot was 1 1/2 acres. If he changed the zoning, he asked how many lots he could technically fit.

66 Shawn Eliot answered that under the code, he could fit three. However, with the slopes, it physically won't work.

67 Jason Bullard asked if the zone was changed, if that relaxes that part of it – that he could go and chop it up and make another lot?

68 Shawn Eliot indicated that there has to be a 100-foot frontage for each lot on a city street. His lot is too deep and he wouldn't be able to
69 get all those frontages. There isn't any way he could get three lots, unless there were flag lots, which the city doesn't allow.

70 Mr. Gowers indicated that there could be more lots if the hill was eliminated.

71 Kelly Liddiard was concerned about the slopes of the lot and whether he was going to cut through the slopes to build another lot.

72 Mr. Gowers said the slopes are too steep and it is impractical to try to build anything there.

73 Kelly Liddiard asked if there are such steep slopes, then why they would take it out of the hillside zone.

74 Mr. Gowers indicated that the steep slopes of that hill are not within the HR-1 zone.

75 Jason Bullard questioned the driveway situation because putting in a circular drive – technically, there would be two lot owners using
76 the same drive, which it would be like a flag lot.

77 Kevin Hansbrow questioned the grade of the driveway. There would be a lot of cutting to get the maximum grade of 12%.

78 Mr. Gowers indicated that either of those driveways could be done between 6-8% grades.

79 Kelly Liddiard said the other option is to build one home on the Hillside Drive side and leave the rest.

80 Mr. Gowers indicated that the way he is going is to subdivide into two lots. He hasn't quite decided what he will be doing for the lot
81 yet.

82 Dayna Hughes pointed out that the discussion of the subdivision shouldn't even be brought up at this point because a subdivision would
83 have to go through the planning commission later.

84 Shawn Eliot explained the only reason it was brought up is because it has to be decided to relax the rules and regulations with the HR-1
85 zone not knowing what is going to be built. Yet, most of the lot has already been dug up.

86 Paul Squires explained that when Mr. Gowers purchased the lot, he asked if Mr. Yergensen had sold under the pretenses that it was
87 already re-vegetated. Because that property is not in compliance yet.

88 Mr. Gowers said that Mr. Yergensen had told him that he had re-seeded the areas that had been graded. He didn't say it was re-
89 vegetated, he said it was re-seeded.

90 Paul Squires said Mr. Yergensen had told the commission that he would re-vegetate it and it was discovered to not be done at this point.

91 Further discussion took place about the devastation of the hill and the vegetation.

92 **JASON BULLARD MOTIONED AND KEVIN HANSBROW TO DENY THE REQUEST TO CHANGE THE ZONE FROM**
93 **HR-1 ZONE TO R-1-15,000. VOTE: YES – ALL, NO – NONE, ABSENT – JOHN HOUCK**

94 Jason Bullard explained he denied the request because the planning commission cannot guarantee, if the zone is changed, what will
95 happen to that hill and how many lots will be allowed. It cannot be guaranteed of how much the hill will be destroyed to make those lots
96 work.

97 Kevin Hansbrow further explained that to get a driveway to work for lot 1B, it would create further scarring of the hillside, which has
98 already been dug up.

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100 GENERAL PLAN REVIEW

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102 Previously, the general plan was sent home with the commissioners and they came back with their corrections and suggestions. Minor
103 changes were made to the document, such as grammar, spelling, and errors.

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105 It was discussed that there would be an open house to the public on February 11, 2009 and the Public Hearing will be held on
106 February 25, 2009.

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109 CITY COUNCIL UPDATE

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111 Sean Roylance said at the past Tuesday meeting, there was an audit presentation. In Sean's opinion, he thought it was good news that the
112 city's budget is going according to plan. A year ago there was a significant withdrawal from savings to balance the budget. This year,
113 the budget is on pace so that won't have to happen. The mayor is spear-heading many cost-saving things where the city will, potentially,
114 have \$100k or more surplus this year to put back into savings, even with a limited income compared to years past. Sean asked if the
115 planning commission would like to change the meeting schedule to once a month and the planning commission agreed. It will be the 2nd
116 Thursday of each month, except for February, there will be two meetings scheduled. The other topic of discussion was the number of
117 planning commissioners. It was discussed to do five commissioners with an alternate commissioner. The quorum was also discussed to
118 drop it to three. It was voted upon by the commission to leave it the way it is.

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120 Shawn Eliot also said that he presented the new website to the city council and it should be ready within a few weeks. Also, he said he
121 presented the PUD and had the council take it home to review.

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124 REVIEW AND APPROVE MINUTES OF 12/10/09 COMMISSION MEETING

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126 Members of the planning commission suggested some corrections and the changes were implemented.

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128 **DAYNA HUGHES MOTIONED AND PAUL SQUIRES SECONDED TO APPROVE THE PLANNING COMMISSION**
129 **MINUTES OF DECEMBER 10, 2009 AS AMENDED. VOTE: YES – ALL (5), NO – NONE, ABSENT (1) JOHN HOUCK**

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132 OTHER BUSINESS

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134 **ADJOURNMENT** – Chair, Dayna Hughes, adjourned the meeting at 9:12 p.m.

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Planning Commission Coordinator