

**City of Taylorsville
Planning Commission Meeting
Minutes
Tuesday – January 12, 2010 – 7:00 P.M.
2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

Scott Bolton, Chair
Ted Jensen
Garl Fink
Kristie Overson
Steven Fauschou
Ernest Burgess
Dan Fazzini, Jr. (Alternate)
Excused: Nathan Murray

Community Development Staff

Mark McGrath – Director – Community Development
Dan Udall – City Planner
Jean Gallegos – Admin Asst/Recorder
Excused: Michael Meldrum – Principal Planner

PUBLIC: Mel Hatch, Ignacio Cambray, Dale Bennett, Manuel Romero, Douglas Arnesen, Stacie Hinn, Steve Redford, Priscilla Stimpson, Delore C. Shade, Roy Roit, Alles Poulson, Kim Tran, Kim Dymock, Karline Dymock, Matthew Tibbitts.

19:09:27

WELCOME: **Commissioner Bolton** assumed duties as Chair and welcomed those present, explained the process to be followed this evening and opened the meeting at 7:05 p.m. He outlined the items on the Consent Agenda and asked if there were anyone in the audience wishing to speak to any of them. One person in the audience wanted to know more about Item #2, the subdivision amendment, therefore, Commissioner Bolton asked for a motion regarding the Consent Agenda.

CONSENT AGENDA

Agenda/File #	Application	Applicants	Action
1. Review/approval of Minutes for December 8, 2009			Approved as presented.
2. 9S09	Subdivision Amendment	Melvon Hatch 5932 South Jordan Canal Road	Removed from Consent Agenda.

MOTION: **Commissioner Overson** - I will make a motion to move Item #2 from the Consent Agenda to the regular business meeting and approve the Minutes for December 8, 2009.

SECOND:

Commissioner Bolton restated the motion to move Item #2 from the Consent Agenda to the regular business meeting and to approve the Minutes for December 8, 2009 as presented.

<u>VOTE</u>					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Fauschou	AYE	Bolton	AYE	Overson	AYE
Jensen	AYE	Fink	AYE	Burgess	AYE
Fazzini	AYE				
Motion passes unanimously.					

SUBDIVISION

2. 9S09	<u>Melvon Hatch – 5932 South Jordan Canal Road</u> – Subdivision Amendment. (Dan Udall/City Planner)
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2.1 **Mr. Udall** presented this item. The applicant desires to amend an existing 3-lot subdivision by removing a hammer head on the property. In 2004, the Taylorsville Planning Commission approved the residential subdivision from two lots to three lots. The approved three lot subdivision included a lot with a private road turn around, a lot located on the north side and a lot located on the northeast side. The subdivision plat was later recorded as a final plat. The applicant has stated that he desires to have additional space to construct a single-family home. He wants to remove the required turn around which is shown on the final subdivision plat (the turn around has not been installed). The subdivision consists of the following lot sizes: .5 acre, .72 acre and .5 acre. Lot #3 is currently vacant and is one of the .5 acre lots. The other two lots within the subdivision have been developed with single-family homes.

Findings of Fact:

1. The proposed turn around removal will meet all City Codes.
2. That the lots in the subdivision meet all City Codes.
3. The Unified Fire Authority does not oppose the request.

Staff Recommendation: Staff recommends approval with the following conditions:

1. Receive approval from and remain compliant with all applicable reviewing agencies.
2. That the subdivision is recorded by plat and that the plat complies with City Ordinance 12.16.010.

- 3. That any subdivision amendments proposed after the initial recordation are reviewed and approved by the Planning Commission. The amendment must then be recorded.
- 2.2 **APPLICANT ADDRESS:** Mr. Melvon Hatch was present but did not speak.
- 2.3 **SPEAKING:** None.
- 2.4. **MOTION:** [Commissioner Jensen - Based on the Findings or Fact and discussion heard this evening, I move for approval of File 9S09 with the three staff recommendations. 19:14:57](#)
SECOND: [Commissioner Fink](#)
[Commissioner Bolton](#) restated the motion to approve.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Bolton	AYE	Overson	AYE
Jensen	AYE	Fink	AYE	Burgess	AYE
Fazzini	AYE				
Motion passes unanimously.					

CONDITIONAL USES

3. 50C09 **City of Taylorsville – 6310 South Redwood Road** – Conditional Use Permit Amendment. (Mark McGrath for Michael Meldrum/Principal Planner) [19:15:49](#)

3.1 **Mr. McGrath** presented this item. This conditional use permit amendment was first presented to the Planning Commission on December 8, 2009. At that meeting, the Planning Commission voted to require that 10 trees be planted in the parkstrip area along Redwood Road. Based on the street frontage, the standard requirement would be 13 trees. Part of the motion included additional direction that trees were not to be planted in the clear vision by the drive approach. Since that meeting, the City of Taylorsville appealed the decision to be the City Council. After consideration, the City Council determined that the item would be remanded to the Planning Commission for additional consideration. The issue is twofold: What is the appropriate number of trees and where the trees should be located. Staff received a letter from JUB Engineers which outlines their recommendations for proper placement of trees in that parkstrip. The City Engineer is in attendance this evening to answer any questions.

Findings of Fact:

- 1. The application was remanded from the City Council to the Planning Commission.
- 2. The City of Taylorsville filed an appeal of the Planning Commission decision from December 8, 2009.
- 3. The City Engineer will be in attendance at the Planning Commission meeting to answer questions and to discuss safety issues.

Staff Recommendation: Staff recommends approval of File #50C09 with the following conditions:

- 1. Comply with the recommendations of the City Engineer.
- 2. Comply with the recommendations of the consulting engineer (JUB).
- 3. All trees must be at least 2 inches in caliper.
- 4. Irrigation water must be provided to maintain all trees.

Mr. McGrath reviewed JUB's analysis, which was that six trees be planted in the park strip and located at least 2.5 feet from the back of curb and spaced not closer than 30 feet apart. The trees will need to be maintained and pruned with the lowest branches being high enough to allow drivers to see the oncoming traffic. Staff recommends following that recommendation.

3.2 **SPEAKING:** **John Taylor, City Engineer**, was present to answer questions. **Commissioner Overson** asked him if he had seen the letter from JUB and if so, was he in agreement with the content? **Mr. Taylor** said that he had read the letter and while it was a different approach than his, he would support it. **Commissioner Jensen** wanted to be sure how many trees were involved and **Mr. Taylor** said that the recommendation was for six trees total to be planted, 30 feet apart, which would alleviate safety concerns. [19:19:05](#)

3.3 **APPLICANT ADDRESS:** Mr. Gary Penrose, the property owner, was not present.

3.4 **MOTION:** [Commissioner Overson - 19:21:05 This is a good compromise and good ending to this problem. There is good documentation from JUB and comments from Mr. Taylor. I move that for approval of File #50C09 based on information contained in the staff report, by the letter received from JUB Engineers and oral testimony from the City Engineer, with staff conditions 1 through 4.](#)
SECOND: [Commissioner Jensen - I will second that and would like to add the number of trees as being six in Condition #3 so there is no doubt about the actual number of trees. Commissioner Overson – I will include the wording, “based on the drawing in our staff report by JUB Engineers, for six trees”.](#)
[Commissioner Bolton](#) restated the motion for approval of planting six trees within the parkstrip. [19:23:06](#)

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Bolton	AYE	Overson	AYE
Jensen	AYE	Fink	AYE	Burgess	AYE
Fazzini	AYE	Motion passes unanimously.			

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| 4. 51C09 Ignacio Cambray – 4731 South 3600 West – Church – (Mark McGrath for Michael Meldrum/Principal Planner)
19:26:04 |
|---|

4.1 **Mr. McGrath** presented Item #4 (51C09 and #5 (8S09) simultaneously. The applicant is requesting approval for a conditional use permit to convert an existing house to a church. The request does not involve a zone change amendment. The land use is listed as a conditional use in the R-M zoning district and is considered a quasi-public use as defined in Section 13.04.430 of the Zoning Ordinance. The property, as currently configured, contains 0.667 acres and is located at 4731 South 3600 West. The applicant is also requesting approval for a two-lot subdivision plat. The subject property is located at 4731 South 3600 West and contains 1.25 acres. Lot #1 is proposed to have 0.667 acres and Lot #2 is proposed to have 0.584 acres. Both lots exceed the minimum lot size for the R-M zoning district, which requires a minimum lot size of 5,000 square feet.

Findings of Fact for File #51C09 (Conditional Use Permit for a Church):

1. More than 50% of the property is landscaped.
2. The proposed church has two ramps for ADA access.
3. A change in use is requested on the property.
4. Work was done on the property without a building permit.
5. Work as done on the property after a stop work order was posted.
6. Parking lot lighting is shown on the site plan drawing.
7. The request is a conditional use in the R-M zoning district.
8. The request does not change the current General Plan Land Use on the property.
9. The existing driveway along the south property line will be removed and the area will be landscaped.
10. Thirty-one regular parking stalls and two handicap accessible stalls are proposed for the project. A minimum of 12 parking stalls are required.
11. The drive approach is currently configured to avoid an irrigation box.

Staff recommends approval of File 51C09 with the following conditions:

1. Comply with the requirements of all reviewing agencies.
2. Obtain a building permit for construction/remodel as required by the City's Building Official.
3. The conditional use permit is subject to review upon substantiated and unresolved complaint.
4. The drive approach must be reconfigured to enter 3600 West at a perpendicular angle.
5. The irrigation box must be relocated to facilitate the required reconfiguration of the drive approach.
6. Demonstrate that the drive approach for the condominium project located on the west side of 3600 West is aligned with the proposed drive approach for this project.
7. Use light shields and angle the lights downward to avoid light spillage onto adjacent properties.
8. Reconfigure the parking lot to avoid conflict with the two handicap accessible stalls on the east side of the parking lot and to comply with the turn-around requirement for emergency vehicles.
9. Provide a letter certifying that all work done prior to obtaining a building permit meets or exceeds Uniform Building Code requirements. This letter must be provided by a licensed engineer or architect and be submitted to the City's Building Official.
10. Provide a detail landscape plan with the Final Conditional Use Permit application.
11. Staff is authorized to conduct the Final Conditional Use Permit review.

Findings of Fact for File 8S09 (Two-Lot Subdivision):

1. The proposed lots are compliant with the minimum lot size for the R-M zoning district as established by Section 13.16.040 of the Zoning Ordinance.
2. The proposed north lot line allows the building to comply with the required side yard setback established by Section 13.16.070 of the Zoning Ordinance.
3. Curb, gutter and sidewalk are already present along the two street frontages of the proposed subdivision.
4. A metes and bounds subdivision was recorded previously with the Salt Lake County Recorder's Office.

Staff recommends approval of File 8S09 with the following conditions:

1. Comply with the requirements of all reviewing agencies.
2. Comply with the requirements of Section 13.16 of the Zoning Ordinance pertaining to lot standards in the R-M zoning district.
3. Staff is authorized to conduct the final subdivision plat review.

4.2 **APPLICANT ADDRESS: Dale Bennett, Benchmark Engineering and Ignacio Cambray (property owner).** **Mr. Bennett** said that currently there are two parcels and because the adjustment was major, City Staff suggested taking this route. The reason why the approach was slightly turned was to avoid the existing structure there. **Commissioner Overson** felt that there was a substantial amount of parking being planned, some of which could be incorporated into outdoor amenities for people who go to the church. She felt it was appropriate to include fencing around this site, especially between Lots 1 and 2. That a professional landscape plan was needed. She wondered if there were any changes being planned to the outside of the structure and was informed by **Mr. Cambray** that there would not be, however, that there would be remodeling inside. **Commissioner Overson** advised that the Fire Department still needs to approve this plan. [19:31:16](#) She commented that if they straighten out the drive approach, the irrigation box would need to be moved as this is still an active ditch. There are mature trees on the site, which she hoped could be saved. **Mr. Cambray** said some of them would have to be removed because the roots are pulling out the concrete, however, that he would plant replacement trees. **Mr. Bennett** added that the concrete driveway shown along the edge of the property will be removed and replaced with landscaping. The parking lot is 750' long, which he felt would accommodate any concerns of the Fire Department. He had read the staff report and did not see any conditions that could not be met. **Commissioner Bolton** asked if they proposed to install signage and **Mr. Cambray** said that would probably happen in the future. **Commissioner**

Fazzini said that there did not seem to be a dumpster location shown and Mr. Cambray said that they would use individual cans to be placed out on the street for garbage pick-up. [19:41:27](#)

4.3 **SPEAKING:**

1. **Priscilla Stimpson. Ms. Stimpson** lives directly south of this building, which was built as a residence and not a church. [19:42:35](#) She feels like she has lost her privacy over the past year. She added that the occupants are currently using the garage, which faces her dining room, for events. That every Sunday they have a banquet in that area. The wrap around deck on the building overlooks her yard. She expressed concern about them doing work on the structure without first obtaining a building permit as required. Also that they hold garage sales on this site every Saturday. There is an older motor home that is parked right up against the fence. There is also a taco cart parked on the property. Her main concern is the devaluation of her property in case she ever wants to sell it. She says that thus far they have shown no respect for the law and probably have no intent to do so in the future.
2. **Douglas Arneson** - Read from his prepared statement in which states he is opposed to granting approval for this conditional use and subdivision. He expressed concerns about the public notice process regarding this application and felt he should have received the notice more than four days before the hearing. He did not feel there was adequate parking being proposed for this use and was concerned about the overall lack of safety precautions on the site and in remodeling the building. (The complete statement is on file in Community Development) [19:47:56](#)
3. **Delore Shade. Mrs. Shade** wanted to know how long it would be before they are done with their remodeling and to put in the new driveway. She is concerned that she will lose access to the rear of her property in order to move her motor home in and out of there. That they have already broken her sprinklers. She said that the trees presently on the site are of the trash type and should be removed but she is concerned where they would put in the new trees. She is also very concerned about the looks and lack of maintenance on the property. She would like a requirement made of the applicant to erect a cinder brick wall. She wanted to know how long all of this will take and **Commissioner Bolton** advised that it would take a few months for them to complete the approval process, including obtaining and compliance with a building permit. [19:55:58](#)
4. **Stacey Hinn and her father (Not further identified). Ms. Hinn** owns the duplex directly across from the property and was against approval of this use. She and her father's main concern is the increase in traffic, which is already very congested. They also were concerned with the amount of parking and said that as the church becomes more functional, they will probably increase the size of their congregation. They wanted to go on record as being in opposition to this conditional use permit and subdivision. [19:56:36](#)
5. **Ray Ross** (West Valley City) [19:59:51](#) **Mr. Ross** said that he had spoken with many of the neighbors in the last couple of days and most of them said that they realized that the City cannot turn down a request for a church in any zoning in Taylorsville. He wondered about the size of the congregation and if approval has been received from the Fire Department for this use in this structure. He wanted to make sure that the proper permits were obtained by the applicant and that proper procedures are followed. He also suggested that hard surface parking be a requirement.

4.4 **DISCUSSION:**

- **Commissioner Bolton** closed the public hearing at this point and opened up discussion by the Commissioners. [20:05:15](#) **Commissioner Fazzini** wanted to know what the setbacks were for a church and **Mr. McGrath** advised that they are same as for a residence.
- **Commissioner Fazzini** then asked what the occupancy requirements were for this use and **Mr. McGrath** said that had not been determined yet. **Commissioner Overson** remembered that in the staff report there is a reference to there being 40 seats in the chapel area.
- **Commissioner Bolton** expressed concern that there was no colored landscape plan available. **Mr. Bennett** said that there will be a lot of landscaping and at final, that plan will be available.
- **Commissioner Faurchou** commented that one of staff's recommendations is that the work must meet the uniform building code requirement. **Mr. McGrath** advised him that the building permit is not tied to the conditional use permit, however, that the building department has placed two stop work orders on the property thus far. The only allowable work is to fix the roof to prevent damage to the structure.
- **Commissioner Bolton** commented that the recommended motion includes such issues as fencing requirements and a landscape plan. **Mr. Bennett** felt there was a sufficient amount of landscaping provided. **Commissioner Overson** wanted to know if that meant just grass and trees. **Commissioner Bolton** advised that the Commission needs to see actual landscape and lighting plans.
- **Commissioner Faurchou** said that one staff condition was that the applicant must obtain a building permit for construction/remodel as required by the City's Building Official. **Mr. McGrath** said that the land use has not yet been approved, however the building permit is being processed. The Building Official was concerned that there was work done prior to getting a permit that any work done under those conditions must meet code. **Mr. McGrath** went on to say that the Commission should not tie the conditional use approval to the building permit. **Commissioner Overson** wanted to know if the Commission could say that any work that has been done on this home must meet or exceed what should be done and **Mr. McGrath** said that would be entirely correct. That the City has already placed two stop work orders on the property and is only allowing work to proceed on the roof.
- **Commissioner Bolton** added that a few months ago the Commission approved a taco cart, which is ultimately tied to this property and wanted to know how the church use would affect that business or even if a business can be run out a church? **Mr. McGrath** said that to the best of his knowledge the taco cart is entirely separate and not tied to this property. He suggested asking the applicant about that when he addresses the Commission.
- **Mr. Cambray** answered by saying that the taco cart is separate and is not parked on this site.
 - **Mr. McGrath** said that the landscaping percentage issue was brought up earlier and he clarified that the R-M zone that this property is located in is actually a multi-family zone. This is a zone that was intended

for multi-family housing, so the setbacks and landscaping standards are more geared towards that type of building as opposed to what is being proposed by this applicant. The landscaping standard in the R-M zone is 15% and the illustration provided by the applicant the percentage greatly exceeds the 15% and is probably closer to being 50% of the site. The structure does meet all setbacks of the R-M zone, in fact that is why the new property line was angled in order to insure that it did meet the setbacks of the zone.
[20:19:40](#)

4.5 **MOTION: Commissioner Jensen** - Based on the Findings of Fact and discussions heard this evening, I move for approval of File #51C09 with the following staff conditions:

1. Comply with the requirements of all reviewing agencies, including the Health Department.
2. Obtain a building permit for construction/remodel as required by the City's Building Official.
3. The conditional use permit is subject to review upon substantiated and unresolved complaint.
4. The drive approach must be reconfigured to enter 3600 West at a perpendicular angle.
5. The irrigation box must be relocated to facilitate the required reconfiguration of the drive approach and with approval from the irrigation company.
6. Demonstrate that the drive approach for the condominium project located on the west side of 3600 West is aligned with the proposed drive approach for this project.
7. Use light shields and angle the lights downward to avoid light spillage onto adjacent properties and relocate the parking lot lighting to the north of the property.
8. Reconfigure the parking lot to avoid conflict with the two handicap accessible stalls on the east side of the parking lot and to comply with the turn-around requirement for emergency vehicles.
9. Provide a letter certifying that all work done prior to obtaining a building permit meets or exceeds Uniform Building Code requirements. This letter must be provided by a licensed engineer or architect and be submitted to the City's Building Official.
10. Provide a detail landscape plan with the Final Conditional Use Permit application.
11. [Changed by Motion] Staff is authorized to conduct The Final Conditional Use Permit review will be conducted by the Planning Commission rather than Staff.
12. [Added by Motion] That perimeter fencing must be maintained in good condition due to the existence of the pool and a possible hazard there. [Appended by Motion] That the exterior fence is to be a 6' high sight obscuring fence installed around the entire periphery with the exception of the 3600 West frontage.
13. [Added by Motion] That the handicap parking stalls be moved in closer proximity to the building and install a sidewalk to the building.
14. [Added by Motion] That a final signage package be submitted with the request for Final Conditional Use Review.

SECOND: Commissioner Fazzini

DISCUSSION: Commissioner Fink – I think we need a designated trash pick up area. **Commissioner Fazzini** - The applicant responded that they were going to use residential bins to be rolled out to the curb. [20:23:18](#) **Commissioner Bolton** - I would like a little more clarification on Item #12 in reference to the exterior fence. There are many types of fencing along there and the motion just said maintained in good condition. I think we need some kind of consistency, i.e., a visual barrier between the uses. A good 6' high chain link fence would probably suffice – some kind of visual barrier provided between the different uses of the property. **Commissioner Jensen** - Give me some words and I will take it. **Mr. McGrath** - Are you looking for consistent fencing all the way around? Right now it is a hodgepodge of fencing types. **Commissioner Bolton** - Most times when we do conditional use permits, they interact with a residential neighborhood by providing a barrier fence, a solid 6' high fence. I don't want to say it must be all block. We are asking for a new piece of fencing to be installed between the two lots to separate them. That has to be of one type and as we move around the corner in a clockwise direction there is chain link and various wood fencing in varying states of upkeep. I would just recommend that as we move this project forward that there is a solid fence. I don't want to say it has to be vinyl or block, just a 6' high solid fence. **Commissioner Fink** - That would include a chain link fence with slats. **Commissioner Jensen** - What is good wording to use? A 6' high solid visual barrier? **Mr. McGrath** - A sight obscuring fence will be installed around the entire periphery with the exception of the 3600 West frontage. **Commissioner Jensen** - I agree with that. **Commissioner Bolton** - Document and show it on the final conditional use permit that will be coming back to the Commission. **Commissioner Overson** - Commissioner Jensen, can you just clarify your thoughts on Item #7 with regard to relocating the lights to the north side of the property. Does that mean that there should be no lighting on the south side? **Commissioner Jensen** - Right now they are putting a tree there to buffer the existing homes, so it would be more efficiently located on the north side. **Commissioner Overson** - So there is no lighting in the parking lot, except for those two. **Commissioner Fazzini** - Mr. Chair, I personally have a problem with putting both lights on the north side for a couple of reasons - first of all both will be pointing towards the residential. Secondly it would provide blind spots on the south side because there is no lighting pointing towards the north. **Commissioner Bolton** - The tree and light post next to each other would conflict. The intent of that condition is to address the conflict between the two items. **Commissioner Fink** - but if they were to swap the lights on the opposite corners, then they would be most efficient. **Mr. McGrath** - We will have conversations with the applicant about those issues and deliver you a cleaner package at the final review. [20:28:13](#)

4.6 **Commissioner Bolton** restated the motion to approve with the following conditions and modifications thereto: 1. Comply with the requirements of all reviewing agencies, including the Health Department. 2. Obtain a building permit for construction/remodel as required by the City's Building Official. 3. The conditional use permit is subject to review upon substantiated and unresolved complaint. 4. The drive approach must be reconfigured to enter 3600 West at a perpendicular angle. 5. The irrigation box must be relocated to facilitate the required reconfiguration of the drive approach and with approval from the irrigation company. 6. Demonstrate that the drive approach for the condominium project located on the west side of 3600 West is aligned with the proposed drive approach for this project. 7. Use light shields and angle the lights downward to avoid light spillage onto adjacent properties and relocate the parking lot lighting to the north side of the property. 8. Reconfigure the parking lot to avoid conflict with the two handicap accessible stalls on the east side of the parking lot and to comply with the turn-around requirement for emergency vehicles. 9. Provide a letter certifying that all work done prior to obtaining a building permit meets or exceeds Uniform Building Code requirements. This letter must be provided by a licensed engineer or architect and be submitted to the City's Building Official. 10. Provide a detail landscape plan with the Final Conditional Use Permit application. 11. The Final Conditional

Use Permit review will be conducted by the Planning Commission. 12. That perimeter fencing must be maintained in good condition and must be a solid barrier at least 6' high, surrounding the property in appropriate locations. 13. That the handicap parking stalls be moved in closer proximity to the building and install a sidewalk to the building for pedestrian access. 14. That a final signage package be submitted with the request for Final Conditional Use Application review. [20:31:56](#)

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Bolton	NAY	Overson	AYE
Jensen	AYE	Fink	AYE	Burgess	AYE
Fazzini	AYE				
Motion passes 6 to 1.					
<p>DISCUSSION: Commissioner Bolton explained his reason for voting NAY was he felt the package was incomplete and did not provide sufficient detail to make an accurate recommendation on this application. Commissioner Overson commented that she appreciated the neighbors coming out to speak this evening and felt that the applicant had listened to their concerns and offered them his cooperation in doing this the right way.</p>					

SUBDIVISION

5.8S09 **Ignacio Cambray – 4731 South 3600 West** – Two-Lot Subdivision (Michael Meldrum/Principal Planner)

5.1 **Mr. McGrath** presented this item. The applicant is requesting approval for a two-lot subdivision plat. The subject property is located at 4731 South 3600 West and contains 1.25 acres. Lot 1 is proposed to have 0.667 acres and Lot 2 is proposed to have 0.584 acres. Both lots exceed the minimum lot size for the R-M zoning district, which requires a minimum lot size of 5,000 square feet. The property presently has three buildings. There is a home that has been used as an office in the past that is located on the property that accesses 4700 South. This property also has a dilapidated swimming pool and a storage building. The property is identified on the proposed plat as Lot 2. The property identified as Lot 1 contains a home that the applicant proposes to convert to a church. At some time, a metes and bounds subdivision was recorded with the Salt Lake County Recorder's Office. The applicant is proposing a simple subdivision to eliminate the property line established by the metes and bounds development and to create a new lot line on what is labeled as Lot 1 on the proposed subdivision. The new lot line extends along an angle so that the property is compliant with Section 13.16.070 of the Zoning Ordinance. This ordinance requires that the side yard setback for a property abutting another parcel in the C, M, or R-M zones is 10'. In all other cases, the side yard setback is 20'. The proposed lot line allows this setback to be met.

Findings of Fact:

1. The proposed lots are compliant with the minimum lot size for the R-M zoning district as established by Section 13.16.040 of the Zoning Ordinance.
2. The proposed north lot line allows the building to comply with the required side yard setback established by Section 13.16.070 of the Zoning Ordinance.
3. Curb, gutter and sidewalk are already present along the two street frontages of the proposed subdivision.
4. A metes and bounds subdivision was recorded previously with the Salt Lake County Recorder's Office.

Staff Recommendation: Staff recommends approval with the following conditions and findings:

1. Comply with the requirements of all reviewing agencies.
2. Comply with the requirements of Section 13.16 of the Zoning Ordinance pertaining to lot standards in the R-M zoning district.
3. Staff is authorized to conduct the Final Subdivision Plat review.

DISCUSSION:

5.2 **APPLICANT ADDRESS:** Mr. Cambray was present but did not speak.

5.3 **SPEAKING:** None.

5.4 **MOTION:** [Commissioner Overson 20:31:40](#) - I move for approval of File #8S09 for a two lot subdivision with the three conditions listed in the staff report and based on input received from the public this evening.

SECOND: [Commissioner Fink](#)

[Commissioner Bolton](#) restated the motion to approve File #8S09, two lot subdivision, with conditions 1 through 3 in the staff report.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Bolton	AYE	Overson	AYE
Jensen	AYE	Fink	AYE	Burgess	AYE
Fazzini	AYE				
Motion passes unanimously.					

6. 11Z09 City of Taylorsville - Recommendation to the City Council for a Text Change to the Planning Commission By-Laws. (Mark McGrath/Director of Community Development) [20:34:31](#)

6.1 **Mr. McGrath** asked for continuance of this item; until the next meeting in two weeks, Jan 26, 2010.

MOTION Commissioner Fazzini - I so move that this item be tabled for two weeks.

SECOND: Commissioner Overson

Commissioner Bolton restated the motion to table this application for two weeks.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Bolton	AYE	Overson	AYE
Jensen	AYE	Fink	AYE	Burgess	AYE
Fazzini	AYE				
Motion passes unanimously.					

CITY COUNCIL MEETING DISCUSSION: Discussion of the previous City Council meeting was presented by **Commissioner Fink** in the pre-meeting.

OTHER BUSINESS: Discussion on possible cancellation of March 23, 2010 work session meeting. **Mr. McGrath** said that he would like to bring this request back in two weeks for an official motion.

ADJOURNMENT: By motion of **Commissioner Fazzini** the meeting was adjourned at 8:36 p.m. [20:36:49](#)

Respectfully submitted by:

Jean Gallegos, Admin Assistant/Recorder for the
Planning Commission

Approved in meeting held on February 9, 2010.