

**City of Taylorsville
 Planning Commission Meeting
 Minutes
 July 12, 2011
 Pre-meeting – 6:00 p.m. - Regular Session – 7:00 p.m.
 2600 West Taylorsville Blvd – Council Chambers**

Planning Commission

Dale Kehl, Chair
 Kristie Overson
 Anna Barbieri
 Ernest Burgess
 Ted Jensen
 Steven Faurischou
 Dan Fazzini, Jr. (Alternate)
Excused: Garl Fink

Community Development Staff

Mark McGrath - Director
 Michael Meldrum – Principal Planner
 Dan Udall – City Planner
 Jean Gallegos – Admin Asst/Recorder

PUBLIC: Fred Cox, Christine Matiasovic, Sunny Clark, David Platt, Gordan Milar, Deborah Tilley.

WELCOME: **Commissioner Kehl** welcomed those present, explained the process to be followed this evening and opened the meeting at 7:00 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 or if there were any changes deemed appropriate by the Planning Commission. **Commissioner Kehl** asked for a motion regarding the Consent Agenda or any changes thereto. [19:01:54](#)

CONSENT AGENDA

Agenda/File #	Application	Applicants	Action
1.	Review/approval of Minutes for meetings held on 02/22/11 and 04/12/11.		Approved as presented.

MOTION: **Commissioner Faurischou** – I move for approval of the Consent Agenda consisting of Item #1, the Minutes for February 22 and April 12, 2011 as presented.

SECOND: **Commissioner Burgess**

Commissioner Kehl restated the motion to approve the Consent Agenda as presented.

<u>VOTE</u>					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
<u>Faurischou</u>	<u>AYE</u>	<u>Burgess</u>	<u>AYE</u>	<u>Kehl</u>	<u>Chair</u>
<u>Overson</u>	<u>AYE</u>	<u>Barbieri</u>	<u>AYE</u>	<u>Fink</u>	<u>AYE</u>
<u>Jensen</u>	<u>AYE</u>	<u>Fazzini</u>	<u>Alt</u>		
<u>Motion passes 6 to 0.</u>					

CONDITIONAL USES

2. 22C11 – Maria Montoya – 3278 West Blueridge Drive – Conditional Animal Hobby Permit for Three Chickens. (Michael Meldrum/Principal Planner) [19:03:34](#)

- 2.1 **Mr. Meldrum** presented this item. The applicant is requesting approval for an Animal Hobby Permit for backyard chickens for the maximum number of chickens for a lot size 0.14 acres, which would be three. The property is located in an R-1-6 zoning district. The applicant is proposing a standard coop. The coop is in compliance with size and location requirements as proposed. The yard is fenced with a 6' high wooden fence that is in good condition.
- 2.2 **Findings of Fact:**
 - 2.2.1 The use is a conditional use in the R-1-6 zoning district.
 - 2.2.2 The yard has wood fencing at six feet in height.
 - 2.2.3 The application is a result of the relatively new ordinance that allows the keeping of backyard chickens.
 - 2.2.4 The applicant's lot is 0.14 acres, which allows up to three chickens.
- 2.3 **Staff Recommendation:** Staff recommends approval with the following conditions:
 - 2.3.1 Comply with the requirements of all reviewing agencies.
 - 2.3.2 The coop and enclosure must meet the requirements of Section 8.12.140.
 - 2.3.3 No roosters are allowed.
 - 2.3.4 Compliance with all requirements of Section 8.12.140 of the Taylorsville Code of Ordinances regarding backyard chickens is mandatory.
 - 2.3.5 West Valley Animal Services will conduct an on-site inspection.
 - 2.3.6 The Animal Hobby Permit is subject to review upon substantiated and unresolved complaint.
 - 2.3.7 **[Added by Motion] Any code enforcement violations will be cleared up before issuing this permit.**
- 2.4 **APPLICANT ADDRESS:** The applicant was not present. (Mr. Meldrum said he had spoken with them and they had no problems with staff's recommendation.

- 2.5 **SPEAKING IN FAVOR OR OPPOSITION:** None.
- 2.6 **DISCUSSION:** None.
- 2.7 **MOTION: Commissioner Overson** - This is a straight forward application and I move for approval of File #22C11 based on the Findings of Fact and Staff Recommendations 1 through 6. [19:07:57](#)
SECOND: Commissioner Burgess, [19:09:14](#)
Commissioner Kehl - Comments regarding possible code violations will be handled by Staff through the Code Enforcement Department.
Commissioner Overson - I will amend the motion to include #7 that any code enforcement violations are cleared up before issuing this permit. **Commissioner Burgess** concurred with this change as Second.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Burgess	AYE	Kehl	Chair
Overson	AYE	Barbieri	AYE	Fink	Absent
Jensen	AYE	Fazzini	AYE		
Motion passes 6 to 0.					

3. 23C11 Jaroslav Matiasovic – 3912 West Ridgecrest Drive – Conditional Animal Hobby Permit for Four Chickens. (Michael Meldrum/Principal Planner) [19:10:45](#)

- 3.1 **Mr. Meldrum** presented this item. The applicant is requesting approval for an Animal Hobby Permit for backyard chickens for the maximum number of chickens for a lot size 0.18 acres, which would be four. The property is in an R-1-8 zoning district and is surrounding by lots in the same zoning district. The applicant is proposing a standard coop. The coop is in compliance with size and location requirements as proposed. The yard is fenced with a mix of a 6 foot high wood fence and slatted chain link that are in good condition.
- 3.2 **Findings of Fact:**
 3.2.1 The use is a conditional use in the R-1-8 zoning district.
 3.2.2 The yard has a mix of wood and slatted chain link fencing at six feet in height.
 3.2.3 The application is a result of the relatively new ordinance that allows the keeping of backyard chickens.
 3.2.4 The applicant's lot is 0.18 acres and allows up to four chickens.
- 3.3 **Staff recommends approval with the following conditions:**
 3.3.1 Comply with the requirements of all reviewing agencies.
 3.3.2 The coop and enclosure must meet the requirements of Section 8.12.140.
 3.3.3 No roosters are allowed.
 3.3.4 Compliance with all requirements of Section 8.12.140 of the Taylorsville Code of Ordinances regarding backyard chickens is mandatory.
 3.3.5 West Valley animal Services will conduct an on-site inspection.
 3.3.6 The Animal Hobby Permit is subject to review upon substantiated and unresolved complaint.
- 3.4 **APPLICANT ADDRESS: Christine Matiasovic** said they had no problems with the staff conditions. **Commissioner Overson** asked how many eggs that many chickens would produce. **Mrs. Matiasovic** said that it would probably be one per hen per day. [19:12:49](#)

- 3.4 **SPEAKING:** None.
- 3.5 **MOTION: Commissioner Barbieri** - I move for approval of File #23C11 with Staff recommendations 1 - 6. **SECOND: 19:16:57 Commissioner Fazzini**

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Burgess	AYE	Kehl	Chair
Overson	AYE	Barbieri	AYE	Fink	Absent
Jensen	AYE	Fazzini	AYE		
Motion passes 6 to 0.					

SUBDIVISIONS

4. 4S11 Sunny Clark – 2551 West 6200 South – Two-Lot Subdivision (Michael Meldrum/Principal Planner) [19:17:39](#)

- 4.1 **Mr. Meldrum** presented this item. The applicant is seeking approval to create a simple subdivision. The plan will take an existing lot and split it to result in two lots. The western lot will be Lot #1 and be addressed 2551 West 6200 South.

The eastern lot will be Lot #2 and will be addressed 2539 West 6200 South. The resulting plat will show Lot #1 with 0.45 acres and Lot #2 with 0.33 acres. The intent of this application is to take an existing lot and subdivide it into two lots. The existing lot is 0.79 acres. The applicant will retain Lot #1 as her personal lot and sell Lot #2. Staff has spoken with the applicant about the possibilities of acquiring the lot at 2533 West 6200 South, formerly owned by Gold Medallion Homes. She is interested in doing so but as of the application date, had not secured nor been able to make purchase arrangement with the bank that currently owns the property. Property is in an R-1-7 zoning district. The proposed two-lot simple subdivision is compliant with all bulk lot standards (size, frontage, etc.). Lot addresses will be reviewed by the City Engineer and verified with Salt Lake County.

- 4.2 **Findings of Fact:**
 - 4.2.1 The application will subdivide one existing lot into two lots.
 - 4.2.2 The subject lot is the westernmost of the two existing lots.
 - 4.2.3 Both lots comply with all ordinance requirements.
- 4.3 **Staff recommends approval with the following conditions:**
 - 4.3.1 That the proposed subdivision creating two lots is compatible with the requirements of Title 12 of the Subdivision Ordinance.
 - 4.3.2 No adverse impact is anticipated on any adjacent properties.
 - 4.3.3 Receive approval from and remain compliant with all applicable reviewing agencies.
 - 4.3.4 **[Added by Motion] Staff to make the final plat review. 19:22:48**
- 4.4 **APPLICANT ADDRESS: Sunny Clark** was present and said that she was agreeable with everything contained in the Staff Report and would comply.
- 4.5 **DISCUSSION: Commissioner Overson** asked if her plan was to divide this property and put two homes on each lot. **Mr. Meldrum** said that it would only be one home on each lot. **Mrs. Clark** said that at this point in time she only planned to construct one home on one of the lots. **Commissioner Barbieri** wanted to know about the feasibility of eliminating backing out onto the road. **Mrs. Clark** said that this would not be a problem because she has two exits. **Mr. Meldrum** expanded on that saying that the property that has the abandoned home on it is currently boarded up. The access that the City Attorney discussed with Mrs. Clark was so that the City would be able to access that property and demolish the home. The City intends to demolish that home within a short period of time to remove the attractive nuisance element of having a purported drug haven, transient camp, etc., and eliminate the safety issue there. The City plans to put a lien on the property such that when the property does sell, the new owner would then reimburse the City for the cost of demolishing the home and clearing the property. **Commissioner Kehl** advised that he was concerned that 6200 South is a very busy street and wanted to know if she could work with Staff and change the exit so that there is a turn around to eliminate backing out onto the street. **Mrs. Clark** advised that right now she owns both lots and will be able to comply with that request. [19:28:14](#)

At this point, **Commissioner Kehl** opened the public hearing on this matter.

- 4.6 **SPEAKING: David Platt. Mr. Platt** lives east of the home in question and is very excited to have that abandoned home torn down. He said that he is very grateful for this proposal, however, was a little concerned about the potential it brings for an increase in traffic on 6200 South.
- 4.7 **DISCUSSION: Commissioner Overson** wanted clarification that approving this as presented does not encumber the owners from the other piece of property from getting in and out later when sold. She felt there needed to be an access agreement in place. **Mr. Meldrum** said that both accesses fall on one lot. The lot to the east will not have direct access without tearing down the brick wall. **Commissioner Kehl** asked if there was an access agreement in place and **Mr. Meldrum** said as far as he knew there was not. **Commissioner Faurchou** asked if the block wall would be coming down as part of the demolition and who was responsible for weed control. **Mr. Meldrum** said that the City Attorney is doing all the leg work with regard to the demolition and that the bank is responsible for the removal of weeds and debris. **Commissioner Kehl** said that he had no problem with allowing Staff to do the final review with the caveat that if there are any problems encountered, it would be brought back to the Commission. [19:37:04](#)
- 4.8 **MOTION: 19:39:03 Commissioner Faurchou – I move for approval of File #4S11 based on the recommendations in the Staff Report. SECOND: Commissioner Barbieri**
Mr. Meldrum asked if that included adding #4 that Staff conducts the final review and **Commissioner Faurchou** advised that it did. **Commissioner Barbieri** concurred with that addition.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurchou	AYE	Burgess	AYE	Kehl	Chair
Overson	AYE	Barbieri	AYE	Fink	Absent
Jensen	AYE	Fazzini	AYE		
Motion passes 6 to 0.					

SUBDIVISION AND DEEP LOT

5. 5S11 – **Gordan Milar – 4591 South 1175 West** – Two-Lot Subdivision.
6. 1D11 - **Gordan Milar – 4591 South 1175 West** -- Deep Lot
(Dan Udall/City Planner). [19:41:14](#)

5.1 **Mr. Udall**, with the Commission's permission, presented Items #5 and #6 simultaneously.

5.1.1 (Item #5). The applicant is requesting a two-lot simple subdivision with one lot proposed to be 11,245 square feet and the other 11,200 square feet. There is a single-family home on the west side of the property. The entire property is .52 acre and is zoned A-1. [19:41:57](#)

- The A-1 zone allows single-family residential lots to be a minimum of 10,000 square feet. The proposed subdivision meets City codes. Currently there is a curb, gutter and sidewalk along 1175 West which front on Lot #1. The applicant is proposing a 20' wide drive along the south side of Lot #1 for vehicle access to Lot #2. The private road extends 106' and terminates into a driveway which will serve Lot #2 (the deep lot). A vehicle access easement agreement will need to be provided on the subdivision plat to grant vehicle access for both properties. The drive or apron has already been installed to access this private road. The Fire Authority has required that the turning radius on the drive apron (accessing the private road) should be 28'. The applicant will need to change the existing radii on 1175 West.
- The driveway apron that has access to Lot #1 has also been installed along 1175 West. This driveway will be north of the private road. Emergency vehicles will not access this typical single-family home drive so 28' radii are not required along 1175 West.
- Residential land uses surround the site, except for a commercial day care business which is located to the north. There is an existing chain link fence between the commercial day care and the subject property. The zoning ordinance states that solid fencing is required between commercial parking lots and residential uses. Section 13.44.070 states: "The sides and rear of any off street parking area for more than five (5) vehicles which adjoins or faces an institutional use or residential building situated in any R or agricultural A district shall be effectively screened by a masonry wall or solid visual barrier fence unless otherwise provided for more specifically by the requirements of the zoning district in which such parking area is located. Such wall or fence shall be a minimum of six feet in height and shall be maintained in good condition without any advertising thereon." The Planning Commission needs to decide what kind of fencing will be required in regards to this situation. Originally the Planning Commission did not require a solid fence between the commercial day care and the existing single-family home. There is a chain link fence with slats on the east side and a block wall along the south side.
- There will be a 5' wide landscape area between the private road and the southern property line. This area is proposed to be landscaped; however, nothing has been proposed by the applicant. The Planning Commission may desire the applicant to provide some shrubbery along the 5' wide landscaped area so this area remains attractive.
- The private road is proposed to offset the existing private road that has access to the condominium complex across the street by 5'. The City Engineer has stated that he is okay with this proposal or offset. The offset will not be significant enough to cause any traffic safety issues. Only one lot has access to this private drive.
- The red brick single family home on the property is over 50 years old and is planned to be razed and be replaced with a new single family home. The exterior of the existing home does not seem to be in good condition.
- There is a 5' area between the south property line and the private road that will not contain asphalt or concrete and Staff is suggesting that the Planning Commission may desire to require landscaping along that area.

5.1.2 **Findings of Fact** (Item #5)

- 5.1.2.1 The applicant is proposing a two-lot simple subdivision.
- 5.1.2.2 That a 20' wide private drive extends along Lot #1 and is off-set 5' from the driveway that is located directly across the street accessing a condominium project.

5.1.3 **Staff recommends approval with the following conditions for Item #5:**

- 5.1.3.1 Receive approval from and remain compliant with all applicable reviewing agencies.
- 5.1.3.2 That the subdivision receives final plat approval from City Staff.
- 5.1.3.3 That the subdivision is recorded by plat and that the plat complies with City Ordinance 12.16.010.
- 5.1.3.4 That the project receives storm drain approval from the City Engineering Department and pays the appropriate drainage fees.
- 5.1.3.5 That any subdivision amendments proposed after the initial recordation are reviewed and approved by the Planning Commission. The amendment must then be recorded.
- 5.1.3.6 That a 28' radius is provided on the southern drive apron along 1175 West to provide access for emergency vehicles.
- 5.1.3.7 That a vehicle access easement agreement is provided on the subdivision plat for access to Lot #2.

5.2 **Item #6 -The deep lot is located at 4591 South 1175 West.** The applicant desires to build a two-story single-family home on a deep lot that has vehicle access from a 20' wide private road. The minimum building setbacks are the following in the A-1 zone: Front 25', side yards 8' and rear yards 15'. The applicant is proposing the following building setbacks: Front 25'3", south side 15', north side 39' and rear yard 20'. According to the deep lot policies approved by the Planning Commission, a single-family home site plan and elevation is required to be submitted and reviewed by the Planning Commission for an existing residential lot less than a half acre that is located adjacent to a private road. The Planning Commission reviews the building site plan and the building elevations to reduce any negative impacts that may be associated with a deep lot.

5.2.1 **Findings of Fact for Item #6:**

- 5.2.1.1 That the parcel is a buildable lot.
- 5.2.1.2 That the building setbacks meet the City of Taylorsville zoning Ordinance.
- 5.2.1.3 That the applicant has submitted a deep lot application.
- 5.2.1.4 The architecture of the home seems to be compatible to the neighborhood.

5.2.2 **Staff recommends approval with the following condition for Item #6:** Receive approval from and remain compliant with all applicable reviewing agencies.

5.3 **DISCUSSION: Commissioner Kehl** asked if all the setbacks on the plat conform with the City ordinance and **Mr. Udall** advised that they do.

5.4 **APPLICANT ADDRESS: Gordan Milar, 19:48:30 Commissioner Kehl** asked Mr. Milar if he had had a chance to read the Staff reports for his application and he replied that he had. **Mr. Milar** went to the displayed map and was off microphone but made reference to where the tot lot for the day care is located. He also pointed out where the two handicap stalls are located. He said that on the back lot, all along that side will be recreational vehicle parking. **Mr. Milar** returned to the microphone and said that there is a cinderblock wall in place now. That the owners of these properties and also the Tilley Time Child Care, plan to have their two children move into the new homes and will landscape the whole thing at the same time. There is also an existing home that will be taken down to make room for these two homes. He said he would be happy to answer any questions the Commissioners may have.

- **Commissioner Kehl** wanted to clarify if Tim and Deborah Tilley were the owners and Mr. Milar was the applicant who would be building the homes. **Mr. Milar** advised that was correct.
- **Commissioner Fazzini** asked how long the Tilley family had owned the site. **Mr. Milar** replied they have owned the property since buying the ground and developing the Tilley Time Child Care. **Commissioner Fazzini** agreed that the Tilley Time property looks great but where the old house is located does not.
- **Commissioner Barbieri** said that she understood that between the residential and commercial uses, a solid wall is required and wondered if the owners had plans to establish such a fence. **Mr. Milar** said that he was not certain because the parking that is being discussed and the separation is just where the driveway will be located.
- **Deborah Tilley** said that it only involves two handicap parking stalls. They had no idea that a wall would even be considered because they like it being open. The weeds are difficult to manage on the property in question and the new homes would take care of that problem. The new lots will be owned by her children.
- **Commissioner Fazzini** commented that the Commission makes decisions for which there is an assumption that the current owners won't stay the current owners of all the properties at some point in the future, so that is part of the thought process in looking at fencing, etc. All decisions made must consider what might happen in the future.
- **Commissioner Overson** asked Mr. Meldrum about the ditch and if he were aware of any water issues that needed to be considered. **Mr. Meldrum** mentioned that Dan Udall wrote the report and he was not aware of any problems. **Mr. Udall** asked Mrs. Tilley if the ditch were on the day care side and she replied that it runs the whole length alongside the trailer park, however, was entirely covered and there was never any water in it. **Commissioner Kehl** wanted to clarify that the irrigation ditch they are referring to is covered over on both properties so there is no open canal and it is entirely a piped ditch, to which **Mrs. Tilley** asserted that was correct.
- **Commissioner Overson** suggested that due to the age of the home to be demolished, it may be nice to contact the Taylorsville Historical Society to see if they are interested in anything that may still be in the home before it is torn down and **Mrs. Tilley** was amenable to that.

5.5 **SPEAKING:** None.

5.6 **DISCUSSION: Commissioners Kehl** and **Overson** expressed that they saw no problem with the fence because it is all involved with the Tilley family. **20:04:26 Commissioner Burgess** added that this will be a great improvement to that corner. However, he said that on the southeast corner, there is an opening behind the fence and wanted to know if there were plans to secure that. **Commissioner Kehl** asked Mr. Milar to come forward to answer that question. **Mr. Milar** said that when the property was previously subdivided there was a sliver of ground that come down to a fine point which will be incorporated into this property. Right now it doesn't show that. The other property behind there does not belong to the Tilley's. There is a cinderblock wall that outlines their property on the south and on the east and they are staying within

that boundary. The open area behind there belongs to someone else. **Commissioner Kehl** wanted to know if that meant that somebody else owns just the strip or if the strip should be allocated to the adjacent lot. **Mr. Milar** said that the strip right now belongs to two different legal descriptions on the property which will be incorporated into the one property. It goes from zero about 15' back from the south property all the way up to the corner of the property. That will be incorporated all into one legal description. **Commissioner Kehl** stated that meant they own it but with two descriptions which are eventually going to be combined into one. **Mr. Milar** said that was correct. **Commissioner Burgess** said that his main concern was for the children's safety. [20:08:49](#)

- 5.7 **MOTION: Commissioner Barbieri - Based on the Findings of Fact, I recommend approval of File #5S11 with seven conditions as found in the staff report.**
SECOND: Commissioner Overson.
Commissioner Kehl restated the motion to approve File #5S11 with staff recommendations.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Burgess	AYE	Kehl	Chair
Overson	AYE	Barbieri	AYE	Fink	Absent
Jensen	AYE	Fazzini	AYE		
Motion passes 6 to 0.					

- 6.1 **MOTION: Commissioner Burgess - I recommend approval of File #1D11 based on the Findings of Fact and including the one condition in the Staff report.**
SECOND: Commissioner Faurschou
Commissioner Kehl restated the motion to approve File #1D11 with staff recommendations.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Burgess	AYE	Kehl	Chair
Overson	AYE	Barbieri	NAY	Fink	Absent
Jensen	AYE	Fazzini	AYE		
Motion passes 6 to 0					

DISCUSSION ITEM

7. Discussion Regarding Economic Development. (Mark McGrath/Community Development Director)
[20:19:38](#)

7.1 **Mr. McGrath** presented this item by providing a Power Point orientation of three specific areas within the City (two shopping centers at Redwood Road and 4199 South and one at 4800 South Redwood Road). He explained the perceived problems with each of them, most of which were financial and Commissioners made several comments, with the main idea being that they are anxious to see something start to happen. **Mr. McGrath** concluded his presentation by saying that he would be including this type briefing on a continuing basis to the Commission, so that they know what is going on.

CITY COUNCIL MEETING DISCUSSION: Recent City Council meetings were discussed during the pre-meeting portion of tonight's meeting.

OTHER BUSINESS: Staff asked Commissioners if they wanted to cancel the July 26th meeting to keep with the tradition of canceling the meeting which falls in the same week as July 24th celebrations.

MOTION: Commissioner Fazzini – I move to cancel the Commission meeting scheduled for July 26th.

SECOND: Commissioner Barbieri.

All Commissioners voted in favor of this motion. Appropriate notifications will be made by Staff.

ADJOURNMENT: By motion of **Commissioner Fazzini**, the meeting was adjourned at 10:03 p.m.

Respectfully submitted by:

 Jean Gallegos, Admin Assistant/Recorder for the
 Planning Commission

Minutes were approved in meeting held on Nov 15, 2011.