



HOOPER CITY
PLANNING COMMISSION MEETING MINUTES
THURSDAY, SEPTEMBER 14, 2023, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

The Hooper City Planning Commission held a work meeting at 6:30pm and their regular meeting at 7pm on September 14, 2023, at the Hooper City Civic Center located at 5580 W. 4600 S, Hooper, UT 84315.

PLANNING COMMISSION MEMBERS PRESENT:

Mary Simpson – Chair
Sheldon Greener – Vice Chair
Amanda Prince
Blake Cevering
Bryce Widdison

CITY STAFF & CITY COUNCIL PRESENT:

Morghan Yeoman – City Recorder
Brandon Richards – City Attorney

COMMISSION MEMBERS EXCUSED:

AUDIENCE PRESENT:

Jesse Funk, Blake Larsen, Kamie Hubbard,
Bryce Clark, Jeremy Moore

6:30PM WORK MEETING

1. Discussion on Agenda Items

The Planning Commission held a work session where agenda items were discussed.

7:00PM REGULAR MEETING

1. Meeting Called to Order

At 7:00pm Commissioner Simpson called the meeting to order.

2. Opening Ceremony

a. Pledge of Allegiance

Commissioner Prince led in the Pledge of Allegiance.

b. Reverence

Commissioner Cevering offered reverence.

3. Consent Items

- a. Motion – Approval of Minutes dated July 13, 2023

COMMISSIONER CEVERING MOTIONED TO APPROVE THE MINUTES DATED JULY 13, 2023 WITH THE CHANGES THAT WAS DISCUSSED IN THE WORK MEETING. COMMISSIONER GREENER SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
GREENER	AYE
PRINCE	AYE
WIDDISON	AYE
CEVERING	AYE

MOTION PASSED.

- b. Motion – Approval of Minutes dated August 10, 2023

COMMISSIONER PRINCE MOTIONED TO APPROVE THE MINUTES DATED AUGUST 10, 2023 WITH THE CHANGES THAT WAS DISCUSSED IN THE WORK MEETING. COMMISSIONER CEVERING SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
GREENER	AYE
PRINCE	AYE
WIDDISON	AYE
CEVERING	AYE

MOTION PASSED.

4. Action Items

- a. Conditional Use Permit Request for Jesse Funk for a Pre-Manufactured Home totaling 1,813 sq ft located at 4222 S 5500 W

- i. Applicant and/or Staff presentation(s)

Jesse Funk located at 4222 S 5500 W explained that his parents had subdivided off one (1) acre of their property for him to build on. Confirmed that the roof height is ten (10) foot and square footage is correct. Commissioner Simpson asked if he would be using the right-of-

way to access his home, Jesse confirmed yes. Jesse explained that his home will be facing southwest, looking onto his parent's property. Commissioner Cevering asked if the frontage requirements include the easement. Jesse confirmed yes. Jesse will also pay for improvements off 5500 W. with curb, gutter, and sidewalk.

ii. Enter a public hearing to receive public input on request

No public comments.

iii. Close the public hearing and proceed with the regular meeting

Commissioner Greener asked if he will have fully formed footing/foundation. Jesse confirmed yes, they will do a three (3) foot deep footing and foundations.

**COMMISSIONER PRINCE MOTIONED TO APPROVE
THE CONDITIONAL USE PERMIT REQUEST FOR
JESSE FUNK FOR A PRE-MANUFACTURED HOME
TOTALING 1,813 SQ FT LOCATED AT 4222 S 5500 W.
COMMISSIONER WIDDISON SECONDED THE
MOTION. VOTING AS FOLLOWS:**

<u>COMMISSIONER:</u>	<u>VOTE:</u>
GREENER	AYE
PRINCE	AYE
WIDDISON	AYE
CEVERING	AYE

MOTION PASSED.

b. Conditional Use Permit Request for Bryce Clark for an oversized structure totaling 4,023 sq ft with the height of 27 ft 8 ½ in located at 4790 S 5500 W

i. Applicant and/or Staff presentation(s)

Brandon Richards, our city attorney asked Bryce Clark if the restraining order has been lifted. Bryce explained that it will be lifted after they fill the ditches with water twice to show improvements of the upgrades, then the restraining will be lifted. Bryce also explained that he is now wanting to connect his home garage to the oversized structure, making a breeze way. He explained that he still wanted to pull two (2) different permits and Nate Tolman

(building inspector) said that it would still work for him. Commissioner Simpson asked if he had submitted a permit for his home, confirmed yes but had a few hiccups in the process so he will be resubmitting with the updated changes.

Commissioner Prince asked if he has talked with Hooper Irrigation about the water share. Bryce confirmed yes that he can start construction without a water share but will need it to have a final on his home.

ii. Enter a public hearing to receive public input on request

No public comments.

iii. Close the public hearing and proceed with the regular meeting

Commissioner Prince shared her thoughts that, with nothing that has changed with the lawsuit since the last time, that things would be resolved by August 22, 2023. Stressed her concern that she has no documentation on what has been agreed upon. Brandon Richards explained that we can reference the case number in the motion, and anything is subject to it.

Bryce Clark clarified that they have been to mediation with the opposing side and have documents that things are moving forward. Explained that the old ditch got destroyed and the new ditch got put in. After filling it with some water, there was a spot where the water went over and will be making some adjustments to the ditch. Explained that they are wanting to fill it twice, then the case order will be removed. Explained that the other lawyer, Ben, will be writing up the new easement.

**COMMISSIONER GREENER MOTIONED TO APPROVE THE
CONDITIONAL USE PERMIT FOR BRYCE CLARK FOR AN
OVERSIZED STRUCTURE TOTALING 4,023 SQ FT WITH THE
HEIGHT OF 27 FT 8 ½ IN LOCATED AT 4790 S 5500 W. UNDER
THE CONDITION TO THE COMPLIANCE OF CIVIL CASE #
230902033 AND DROP OFF THE SIGNED STIPULATION TO THE
CITY. COMMISSIONER WIDDISON SECONDED THE MOTION.
VOTING AS FOLLOWS:**

**COMMISSIONER:
WIDDISON**

**VOTE:
AYE**

GREENER**AYE****PRINCE****AYE****CEVERING****AYE****MOTION PASSED.**

c. Discussion/Motion: Commercial Cell Tower Ordinance Suggestions

Brandon Richards, the city attorney, explained the timeline on why it is here in front of them. Commissioner Simpson explained that the chart we have listed in our city ordinance under 10-2C-3 Allowed Uses, Tower/Antenna Structure is a conditional use permit.

All Commissioners based their discussion off the attached document titled "Zoning Regulation Change Request". They discussed what they would like to add to the draft for the City Council to review.

Commissioner Prince would also like to look over our Ordinances and see what needs to be updated. With the new legislation being active, she would like to review them and see what needs to be done.

Commissioner Greener asked if there is any update on the Development Agreement and the expiration date. Brandon Richards explained that the state has modified that when we approve the subdivision, it is approved. Brandon explained that we can build an ordinance around the new Land Use verbiage.

5. Citizen Comment

(Resident(s) attending this meeting will be allotted 3 minutes to express a concern about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.)

Blake Larsen, located at 5733 W 5200 S has a home on 4000 S 6300 W that sits below the 4220-flood level. He was told to come to the planning commission to ask if he could do any remodels on his home and if he cannot, then what can he do? Commissioners advised him to talk with the City Engineer on what is allowed.

6. Adjournment

**AT APPROXIMATELY 8:23, COMMISSIONER PRINCE
MOTIONED TO ADJOURN THE MEETING. COMMISSIONER
GREENER SECONDED THE MOTION. VOTING AS FOLLOWS:**

<u>COMMISSIONER:</u>	<u>VOTE:</u>
WIDDISON	AYE
GREENER	AYE
PRINCE	AYE
CEVERING	AYE
MOTION PASSED.	

Date Approved: _____

Morghen Yeoman, City Recorder