

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD SEPTEMBER 8, 2022 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Chairman Terry Mann

PRESENT: Chairman Terry Mann and Commissioners Brian Carver, Blake Foster, Paul Willardson, and Alternate Member Dixie Schwartz.

EXCUSED: Commissioner Angi Bair

CALL TO ORDER: There being five members present and five members representing a quorum, Chairman Terry Mann called the meeting to order.

OTHERS PRESENT: Zoning Administrator Matt Holmes and six citizens. Secretary Bethany Sproul recorded the minutes.

PLEDGE OF ALLEGIANCE: Commissioner Blake Foster led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Commissioner Dixie Schwartz

APPROVAL OF MINUTES:

The minutes of a regular meeting held on August 11, 2022 were approved as written.

ACTION **Commissioner Paul Willardson made a motion to approve the minutes of August 11, 2022 as written. Commissioner Blake Foster seconded the motion and Commissioners Carver, Foster, Mann, Schwartz, and Willardson voted aye.**

AGENDA APPROVAL:

A copy of the notice and agenda for this meeting was EMAILED to The Herald Journal, posted on the Utah Public Notice Website and Hyrum City's website, distributed to each member of the Planning Commission, and posted at the City Offices more than forty-eight hours before meeting time.

ACTION **Commissioner Blake Foster made a motion to approve the agenda for September 8, 2022 as written. Commissioner Dixie Schwartz seconded the motion and Commissioners Carver, Foster, Mann, Schwartz, and Willardson voted aye.**

6. SCHEDULED DELEGATIONS

- A. Eric & Sara Anderson - To request an exception to setback requirements of placing accessory structures ten feet behind the house located at 64 North 500 West.
- B. Pat Stewart - To request an exception to setback requirements of placing accessory structures ten feet behind the house located at 526 South 655 East.
- C. John Gifford - To request approval of a two-lot mini subdivision located at approximately 273 South 300 East.
- D. Josh Greer, Bear River Health Department - To request Concept Plan approval of a two-lot subdivision for two commercial lots located at 750 East 730 North.

7. ADJOURNMENT

SCHEDULED DELEGATIONS:

ERIC AND SARA ANDERSON - TO REQUEST AN EXCEPTION TO SETBACK REQUIREMENTS OF PLACING ACCESSORY STRUCTURES TEN FEET BEHIND THE HOUSE LOCATED AT 64 NORTH 500 WEST.

Sara Anderson stated that their home is on a very steep hill with a thirty-foot rise. There is very little flat space to build a chicken coop and a shed and ask that they would be able to put these structures on the sides of the house. The chicken coop would meet the requirement of being twenty-five feet from the neighbor's lot. The shed size would be small enough that it would not need a permit.

Commissioner Brian Carver arrived at 6:33 P.M.

Chairman Terry Mann asked about where the hill starts.

Sara Anderson stated that right next to the house is flat, but immediately after it starts to rise. From the shed to the patio there is a twenty-foot rise.

Commissioner Dixie Schwartz said that the chicken coop would have to be moved.

Sara Anderson stated that they were seeking approval to keep the chicken coop on the side. The coop meets every setback requirement except for it being on the side of the house. It is kept twenty-five feet away from the neighbor's lot, which is how she interpreted the code regarding the rules on the placement of chicken coops.

Chairman Terry Mann asked Zoning Administrator Matt Holmes if that was correct.

Zoning Administrator Matt Holmes said yes, that was the correct

interpretation.

Chairman Terry Mann asked if the fence was in front of the chicken coop and the shed.

Sara Anderson confirmed that both structures would be behind the fence.

Commissioner Paul Willardson asked what type of fence they would be installing.

Sara Anderson said that it would be a six-foot vinyl privacy fence. They plan on putting a double gate on the side where the coop would be in case they ever wanted to put a concrete pad there. On the other side of the house there would be a single door gate.

Commissioner Paul Willardson asked Zoning Administrator Matt Holmes if a variance would need to be put in place.

Zoning Administrator Matt Holmes said it would only need to be an exception as they were accessory structures. As stated in the code, they would need to be ten feet behind the house.

Sara Anderson mentioned that putting the shed ten feet behind the house would place it on the rock wall.

Commissioner Paul Willardson stated that they would be making two exceptions. Paul also mentioned that he liked the idea of the fence. He asked if there were any issues with the one-foot setback for the shed.

Sara Anderson said they would make sure that setback would be there.

Commissioner Paul Willardson asked if South Cache Middle School was behind them.

Sara Anderson said that was correct.

Commissioner Dixie Schwartz asked for a clarification of one of the provided pictures.

Sara Anderson said it was the placement of the fence. Chairman Terry Mann asked if the pergolas have already been put in.

Sara Anderson answered that they are in the process of getting placed.

Chairman Terry Mann stated that there is not much space to put the structures anywhere else.

Commissioner Paul Willardson asked how much space was between the home addition and the shed.

Sara Anderson stated that it was between eight to ten feet. She added that the shed will be twelve feet wide.

Commissioner Paul Willardson stated that there may be issues with accessing the backyard with the coop being right behind the fence.

Sara Anderson said that there was no foundation for the chicken coop, so it can be removed when necessary.

Commissioner Paul Willardson liked the flexibility of that, and that the backyard could still be accessed.

Sara Anderson assured that there were no plans to make the chicken coop a permanent structure.

Chairman Terry Mann asked Zoning Administrator Matt Holmes if they could ever allow a coop with a permanent foundation if it would block access to the backyard.

Zoning Administrator Matt Holmes said that setbacks are put in place to make sure there is access to the backyard.

Chairman Terry Mann asked if there should be something in the code that would specifically address this problem.

Zoning Administrator Matt Holmes was unsure if that would be something they needed to address in the city code as chicken coops are not usually put on a permanent foundation. He also asked if the coop was chain link.

Sara Anderson said it was.

Zoning Administrator Matt Holmes said that as long there is access that it should be fine, and if equipment was needed in the backyard, the coop would probably just have to be removed.

Commissioner Paul Willardson asked if the chicken coop needed special approval.

Zoning Administrator Matt Holmes said that since it will be on the side of the house and not behind it, the coop needs an exception. It would go for any accessory structure, with or without a foundation.

Commissioner Paul Willardson asked the status of the home addition.

Sara Anderson said that it is basically done, it is currently being painted.

Commissioner Dixie Schwartz asked if grass would be in front of the shed.

Sara Anderson said yes.

Commissioner Dixie Schwartz asked what would be in the shed.

Sara Anderson said they would use the shed for storing their lawnmower. They plan to run electricity to the shed as they have an electric lawnmower.

Commissioner Dixie Schwartz asked if there will be a permanent foundation for the shed.

Sara Anderson said it would be on a concrete pad.

ACTION

Commissioner Blake Foster made a motion to recommend approval of an exception to setback requirements of placing accessory structures ten feet behind the house located at 64 North 500 West with the following conditions: 1. Chicken coop cannot be placed on a permanent foundation for backyard access; and 2. A one-foot setback for the shed. Commissioner Dixie Schwartz seconded the motion and Commissioners Carver, Foster, Mann, Schwartz, and Willardson voted aye.

PAT STEWART - TO REQUEST AN EXCEPTION TO SETBACK REQUIREMENTS OF PLACING ACCESSORY STRUCTURES TEN FEET BEHIND THE HOUSE LOCATED AT 526 SOUTH 655 EAST.

Pat Stewart said that she is wanting to build a ten by twelve shed on the side of her home instead of behind the home. It would be close to the patio and would serve a utility use. A concrete pad has already been put in where the shed will be.

Commissioner Paul Willardson asked if it would be right against the back corner of the house.

Pat Stewart stated it was not right next to the home, but it is very close. The cement pad that the shed would be on is touching the patio.

Commissioner Brian Carver asked Zoning Administrator Matt Holmes what the setbacks are.

Zoning Administrator Matt Holmes said that the setback is thirty feet and mentioned how small Stewart's backyard was. The house

barely meets the minimum.

Commissioner Paul Willardson asked if there was a fence around the yard.

Pat Stewart said they did not have a fence, but there are plans for one to be installed in the future.

Commissioner Brian Carver stated that due to the shed's small size and placement by the back corner of the house, it would be difficult to tell that it was not placed behind the home.

ACTION

Commissioner Brian Carver made a motion to recommend approval of an exception to setback requirements of placing accessory structures ten feet behind the house located at 526 South 655 East as presented. Commissioner Blake Foster seconded the motion and Commissioners Carver, Foster, Mann, Schwartz, and Willardson voted aye.

JOHN GIFFORD - TO REQUEST APPROVAL OF A TWO-LOT MINI SUBDIVISION LOCATED AT APPROXIMATELY 273 SOUTH 300 EAST.

John Gifford requested a lot to be separated into two lots. Lot one is the original lot purchased in 2014. In 2017, the second lot was purchased with another buyer which was split between them. The property boundaries were realigned. The separation would return his house to the original boundaries. The second lot would be an approximate one-third acre.

Chairman Terry Mann asked which lot would be his.

John Gifford said it would be lot one.

Commissioner Paul Willardson asked about the note regarding trees left off the document.

Zoning Administrator Matt Holmes said the trees can wait to be planted until the home is built. It is a requirement of any subdivision. It needs to be put in there for the person who buys the lot so they know that trees need to be planted.

Chairman Terry Mann asked what the structure in the back was.

John Gifford stated that it was a barn and that it will be staying there.

Commissioner Paul Willardson asked if any utilities go into the barn.

John Gifford reported that there was electric running into it with

a separate meter that goes to the shop, but nothing else.

Commissioner Paul Willardson asked if there were any utility issues.

Zoning Administrator Matt Holmes said there were none, the other utilities are readily available in the area.

Commissioner Brian Carver asked about issues concerning the plat document.

Zoning Administrator Matt Holmes said that they were fairly minor.

John Gifford said that he was aware of them and that he would get it taken care of.

ACTION

Commissioner Paul Willardson made a motion to recommend approval of a two-lot mini subdivision located at approximately 273 South 300 East with the following conditions: 1. The minor errors on the plat document are fixed; and 2. The inclusion of trees on the plat. Commissioner Dixie Schwartz seconded the motion and Commissioners Carver, Foster, Mann, Schwartz, and Willardson voted aye.

JOSH GREER, BEAR RIVER HEALTH DEPARTMENT - TO REQUEST CONCEPT PLAN APPROVAL OF A TWO-LOT MINI SUBDIVISION FOR TWO COMMERCIAL LOTS LOCATED AT 750 EAST 730 NORTH.

Josh Greer with the Bear River Health Department had bought a lot that is on both sides of the road. The agreement is to keep the North lot, which is lot one, and give back the South lot, lot two, to the original seller, Scenic Mountain. The road that goes from 600 East into the townhomes will also be considered a public driveway.

Commissioner Paul Willardson asked about lot two's property boundary.

Zoning Administrator Matt Holmes said that the dark line is the property line and the dashed lines are utilities.

Commissioner Paul Willardson asked about which lot the 750 East Street would be part of.

Zoning Administrator Matt Holmes answered that it would be lot one. The strip would still be Hyrum City's.

Chairman Terry Mann asked who that area would be deeded back to.

Zoning Administrator Matt Holmes said it would be dedicated to Hyrum City for maintenance and public access. It will be worked out who does snowplowing in that area.

Chairman Terry Mann asked who will be owning lot two.

Josh Greer replied that Scenic Mountain will.

Chairman Terry Mann asked if Scenic Mountain was planning on putting up more townhomes.

Zoning Administrator Matt Holmes said that the lot would be a commercial lot. There was a condition that there would be no townhomes on that lot.

Josh Greer said that there had been talk for excess parking for the townhomes.

Zoning Administrator Matt Holmes said that if that was the case, they would have to come in for approval for that.

Josh Greer said that Scenic Mountain had more use for the lot than they did, so that is why the arrangement was made.

Commissioner Paul Willardson asked what Bear River Health department will be using the lot for.

Josh Greer stated that it would be used for a new satellite office for Bear River Health Department.

Zoning Administrator Matt Holmes stated that the plans for the new location had been discussed for a while, as Bear River Health Department had been looking at city property as well. This lot was what they ultimately decided on.

Commissioner Paul Willardson said that the lot would be well taken care of and have good landscaping.

Chairman Terry Mann mentioned that the plot has an interesting shape.

Zoning Administrator Matt Holmes said that the site plans would be addressed in a future meeting.

Josh Greer said that building plans will still take some time. The goal for now is to just get the lots subdivided.

ACTION**Commissioner Brian Carver made a motion to recommend**

Concept Plan approval of a two-lot subdivision for two commercial lots located at 750 East 730 North as presented. Commissioner Dixie Schwartz seconded the motion and Commissioners Carver, Foster, Mann, Schwartz, and Willardson voted aye.

ADJOURNMENT:

ACTION There being no further business before the Planning Commission, the meeting adjourned at 7:10 p.m.

Terry Mann
Chairman

ATTEST:

Bethany Sproul
Secretary

Approved: October 13, 2022
As Written