

Minutes of a Planning Commission meeting held October 14, 1986, at City Hall at 7:00 P.M.

Present were Chairman Lynnette Neff, commission members Ione Anderson, Kevin Steadman, David Smith and Wade Garner. Also present was Ray Rowley with minutes recorded by Ramona Rosenlund. Sherman Jones entered the meeting at 7:50 P. M.

Meeting was called to order by Mrs. Neff and prayer was offered by Mrs. Anderson.

Ray Rowley annexation request: Mr. Rowley showed a revised map of the property he wants to annex into the city. He explained that everyone was under the impression that the entire triangle belonging to Gaylen Peterson and which is next to Mr. Rowleys property, was annexed into the city a number of years ago. However, it was found that the eastern tip of this triangle was still in the county, and so Mr. Rowleys piece would not be contiguous if left as he originally planned to annex. Mr. Rowley had his property re-surveyed, moving the line of that which he wants annexed 10 feet west of the city limits along the Peterson triangle, thus making his property come 10 feet into the city boundry, and so contiguous. Mr. Rowley said his property which he wishes to annex is .488 acres and is to be zoned Residential (RA-2). He said the road and 10 feet of property to the north of his property belongs to Gaylen Peterson and was included in the Peterson annexation.

Mrs. Neff read the requirements from the annexation ordinance and reminded Mr. Rowley he would need to deed 1 share of Summit Creek water to the city for the annexation. Mr. Rowley said he would turn that to the City Council at their meeting next week. Mrs. Neff explained to Mr. Rowley that they just make recommendations to the city council and if the Commission approves his application for annexation, it is the council who makes the final decision and attaches any stipulations they may feel necessary. Mr. Rowley said he understood this.

There was a discussion of where Mr. Rowley would obtain water for the home he wants to build on the property he wants annexed. He said there is a 8" line ending near Craig Evans house, which is on the corner just west of his property and on 400 East Street, and also there is a smaller line that goes along 400 East to 400 North and then east to Ercanbracks. He also said there is a line going through their property to their packing shed but there is already a home hooked with the shed so another residence would not be allowed to hook into that line. He said he will probably have to pay to have the line put in from where it ends near Craig Evans house. Mrs. Neff said this is something the City Council will have to work out when he meets with them.

Mr. Smith made a motion that the Planning Commission accept the annexation as proposed. Mr. Steadman seconded the motion which passed.

Mr. Rowley left the meeting at 7:40 P. M.

Minutes: Minutes of a meeting held on May 22, 1986, and which somehow had not been signed, were approved. Also the minutes of the previous meeting held on September 30, 1986, were approved.

Zoning Ordinance update: Everyone was given a copy of the proposed update of the zoning ordinance. It was thought that Sections 1 through 10 were alright

as written. There was a discussion of the Board of Adjustment section of the ordinance. There is a situation in town where a person has a commercial business in a residential zone and the city council has asked that the Planning Commission look at the possibility of adding some conditional uses that would allow this type of thing under certain circumstances.

Mr. Jones entered the meeting at 8:50 P. M. and joined the discussion of the conditional uses which might be added to the ordinance in order for this business to continue in operation.

Mr. Steadman asked Mr. Jones what he would recommend they put in the ordinance and he said maybe stipulations or limitations such as the length of time the business could operate and that the city council could make the stipulations. Mrs. Neff said if they put something like that under special uses the city might be open up to having rock products type businesses in a residential zone. Mr. Jones said maybe this would happen but he felt it would be a good thing if there were some way Mr. Elsberry could continue his auto repair shop, which he cannot do under the present ordinance.

Mrs. Neff asked if they should wait for two weeks until the next meeting and in the meantime check with some other cities to see if they have anything like this and can give us some ideas. She said she felt they should do things to benefit the majority of the people in town, not just one person. Mr. Jones said maybe the wording of additional use conditions could put a lid on it so it can't get out of hand.

Mr. Smith said he felt they should at least try to figure some wording now, at least tentatively, to see if they could come up with something. Mrs. Neff said then to look at a time element such as allowing this to operate from year to year. Perhaps put in that the business could not be added to or the structure changed. Mr. Smith suggested that the Board of Adjustment might review them to see that they were adhering to the requirements. Mrs. Neff asked if they could say they must own the residence but can rent it out to someone else? Mr. Smith said if the buildings were sold no one else could run a business there.

Mr. Smith then said that the storage units that Terry Hallett wanted to put in a while back was the exact same situation and if this had been allowed at that time, Mr. Hallett would have the option of renewing his business from year to year as long as he did not sell the building or enlarge it, and he felt that the suggested changes would not work. Mr. Garner said it seemed the deeper they go into it, the more problems they seem to find.

Mr. Steadman suggested that maybe the Commission should ask Mr. Elsberry to remedy the problem on his own behalf and see if he will do something as we can't do anything. Maybe he should appear at the Planning Commission meeting and see if something can be worked out. Perhaps a letter could be sent telling him this and asking him to come to the next planning meeting. Mr. Smith said it looks to him like the Commission needs to change the ordinance or Mr. Elsberry needs to change his situation.

Mrs. Rosenlund was asked to write to Mr. Elsberry and to put this item on the agenda for the next meeting.

Rowley annexation - further discussion: Mr. Jones pointed out that the road which belongs to Gaylen Peterson and runs in front of the Rowley property needs to be deeded to the city and if there is 10 feet of property between Rowleys and

the road, this needs to be sold to Mr. Rowley so he will front on a dedicated city street or he can't get a building permit.

Mrs. Neff said the City Council must stipulate this to Mr. Rowley before they allow the annexation. Mrs. Neff made a motion that in addition to the motion already passed in this meeting, the annexation be recommended for approval if the roadway is deeded to the city and the 10 foot strip is purchased by Mr. Rowley so the property to be annexed would front on a dedicated city street. Mr. Garner seconded this motion which passed.

Mr. Jones felt that perhaps Mr. Rowley did not understand the problem with the roadway and so called his home to discuss this with him but he was not there. He left word for Mr. Rowley to return his call which he did but not until after this meeting adjourned.

Mrs. Neff made a motion that this meeting be adjourned. Mr. Garner seconded the motion which passed.

Adjourned at 9:00 P. M.

Sumitta Huff
Chairman

10-28-86
Date approved

Ramona Rosenbloom
Secretary