

Fountain Green Planning Commission Meeting
Fountain Green City Hall
January 12, 2023

7:39 p.m.

OFFICIAL MINUTES

Attendance: Bryan Allred, Stuart Krukiewicz, Curt C. Lund, Tyler Smith, Alyson Strait, Mark Woods, Jerime Ivory, Aimee Goble (arrived 7:38)

Excuse: Riley Hansen

Citizens in Attendance: Joseph Papenfuss

- Bryan calls the meeting to order and welcomes the two new member alternates to the Planning Commission: Curt C. Lund and Mark Woods. Bryan then asks Heather to read the minutes for the November 10, 2022 Public Hearing. Stuart motions to approve the minutes as read. Tyler seconds the motion, but Jerime and Aimee feel like they should recuse themselves because they were not in attendance at the meeting. Joseph reminds them that Sue Player said they are allowed to vote on minutes if they were not in attendance at that meeting. Jerime and Aimee then vote to approve the minutes as read and that constitutes unanimous approval by a quorum with Curt and Mark abstaining because they were not Planning Commission members at the time of the meeting. Heather then reads the minutes for the December 8, 2022 meeting. Jerime motions to approve the minutes as read. Tyler seconds the motion and all vote in favor with Curt and Mark again abstaining because they were not Planning Commission members at the time of the meeting.
- Vaughn Jacobsen has come to request a permit to build a 12'x16' (192 sq.ft.) pre-fab. shed on his 0.52-acre corner lot at 315 South 100 West, serial #17905, in the Residential Agriculture (RA) Zone. It is not in the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA). There is an irrigation line coming into the property from the north running south at 14' off of the east property line to about ½ the depth of the property. Mr. Jacobsen has a picture of the shed from the manufacturer (but no plans) and shows that the height of the shed at the peak is 12' (much less than the 21' maximum eave height allowed). The setbacks will be 194' on the front/west (greatly exceeding the 12' fire safety minimum towards the proposed addition on the existing house), 6' on the rear/east (exceeding the 2' minimum behind the midpoint of the property), 8' on the south side (exceeding the 2' minimum behind the midpoint of the property), and 86' on the north side (greatly exceeding the 25' minimum towards 300 South). There are no buildings within 12' on the east or south of the proposed shed. The Commission recommends that Mr. Jacobsen anchor the shed to prevent it from blowing away and Tyler suggests footings at the corners. Mr. Jacobsen agrees to check with the manufacturer. His setbacks were previously measured by Curt Nielsen. Jerime motions to approve the permit for Mr. Jacobsen's shed as described above. Tyler seconds the motion and all vote in favor and agree that Mr. Nielsen will not need to measure the setbacks again.
- Mr. Jacobsen then requests a permit to build an addition onto the existing house on his 0.52-acre corner lot at 315 South 100 West, serial #17905, in the RA Zone. It is not in the FEMA SFHA. There is an irrigation line coming into the property from the north running south at 14' off of the east property line to about ½ the depth of the property. He is planning to remove the existing old garage to accommodate the house addition. The existing house has a north side setback towards 300 South of 17' and a west/front setback of 22' towards 100 West – neither meets the current minimum of 25', but the house was built before

the Planning Commission or the Land Use Ordinances were established so it is grandfathered. The main floor of the addition will measure $\sim(48' \times 18') + (12' \times 16')$ for ~ 1056 sq.ft., the second floor will measure $\sim(23' \times 16') + (36' \times 16')$ for ~ 944 sq.ft., and the garage between the addition and the existing house will measure $\sim(8' \times 24') + (15' \times 35')$ for ~ 717 sq.ft.. Mr. Jacobsen will need engineered plans because of the second story. The height at the peak will be 24' and the eave height will be $\sim 9'$ (less than the 21' maximum). There will be a wrap-around 6' covered porch on the south and tying into the existing 6' porch on the west/front. The setbacks for the house-addition will be 22' on the front/west (not meeting the 25' minimum towards 100 West, but grandfathered), $\sim 119'$ on the rear/east towards the proposed shed (greatly exceeding the 25' minimum), 17' on the north side (not meeting the 25' minimum towards 300 South, but grandfathered), and 37' on the south side (exceeding the 12' minimum). The Fire Chief (Todd Robinson) has signed the plans and application, but the Acting Water Master (Greg Johnson) did not sign either although he did check the proposed addition placement from the irrigation line. The setbacks were previously measured by Curt Nielsen. Jerime motions to approve the permit for Mr. Jacobsen to build the house addition as described above contingent upon acquiring the signature of the Water Master on the plans and application. Tyler seconds the motion and all vote in favor and agree that Mr. Nielsen will not need to measure the setbacks again. Bryan will stamp and sign the permit after Mr. Jacobsen brings it to him with the Water Master's signature.

- Alan Hamilton has come to request a permit for an addition to his existing shed without utilities which he has already built on his 0.53-acre corner lot at 86 North 500 West, serial #18051, in the RA Zone. It is not in the FEMA SFHA. There is an irrigation line on his south property line. Amy Morgan (Ordinance Enforcement Officer) helped him prepare his application packet. The plot plan submitted was difficult to orient and not as accurate as hoped for. The setbacks are not applicable on the north where it attaches to the existing shed, much greater than the 12' fire safety minimum towards the existing house to the southwest, greater than 17' to the existing shed (exceeding the 12' fire safety minimum), and 25' to the west (meeting the 25' minimum towards 500 West)? Although the Commission members are not happy with the plot plan, they agree that space between the shed and the house and 100 North are adequate. Jerime motions to approve the permit for Mr. Hamilton's shed addition. Tyler seconds the motion and all vote in favor.

- Tyler Smith reports that the County told him that he didn't need a new permit to finish his basement since it was included with his original plans for the house that he built less than 2 years ago.

- The Commission reviews the comments at the preceding Public Hearing concerning the allowance of short-term rentals in the "historic business district" in Chapter 7.3 Business Commercial Zone. Jerime motions to recommend approval of this change in the Ordinance to the City Council next week. Tyler seconds the motion and all vote in favor. Heather will get it on their Agenda.

- The Commission begins discussion of the survey questions for updating the General Plan and the Annexation Chapter being considered. Stuart likes the Annexation Policy of Mt. Pleasant City. Curt strongly urges encouraging economic development for Fountain Green City, but has no suggestions at this time. Alyson reports that the City Council advised formation of a committee to work on the survey questions and General Plan with 2 members of the City Council, 2 members of the Planning Commission, and 2 citizens of the City. Joseph volunteered as a citizen, Rod and Alyson are representing the City Council, and Jerime, Tyler, and Mark Woods are willing to represent the Planning Commission. Joseph reminds them that only 2 from the Planning Commission are allowed without it being

declared a work meeting. Alyson suggests meeting on February 9th at 6 pm and Tyler will be out of the State. He is willing to submit his suggestions and let Mark take his place. Some suggestions from the Planning Commission include: don't offer services or changes to the City which the City is unable or unwilling to provide, keep it simple and short, use questions that let the respondent give short written answers rather than questions with multiple choice answers. The Commission discusses possible choices for another citizen to serve on the committee: Lewis Rasmussen, Annette Hansen, Helen Naylor, Teresa Larsen. Alyson will contact them and find one willing and able to meet with the committee.

- Aimee leaves at 9:30 pm. Stuart has heard that Kyle Johansen is on the City Council Agenda for next week! Alyson explains that he is requesting approval of his "final subdivision plan" and Stuart reminds her that the Planning Commission has not yet given a recommendation for that. Also, the State Ombudsman has not yet offered her recommendation for the City's response.
- Heather asks for any suggestions or changes to the proposed Subdivision Application. It is suggested that if more room is needed for multiple sketch plan reviews another Subdivision Application (numbered 1a, 1b...) could be used. The Commission thinks 2 carbonless copies should be enough: one for the City, one for the Planning Commission, and one for the owner/developer. Tyler suggests that payment options should include a debit or credit card (plus a processing fee for such). Stuart suggests that the Subdivider Agreement Attestation should be signed by the "Owner/Developer", but not by an "Agent". Stuart motions to submit the Subdivision Application with suggested changes to the City Council next week for their approval or more changes. Curt seconds the motion and all vote in favor. Heather will get it on their Agenda.
- Alyson reports that Amy Morgan would like a copy of the Ordinance referred to for a violation to give to the offender along with the Notice. The Attorney has stressed that it cannot be based on a definition, but must be from an Ordinance. Amy will let the Planning Commission Secretary know when the Notice is delivered and Heather will help keep track of responses. Amy has decided that anyone with a new violation to report can call her at home between 9 am and 5 pm so that she can address it hopefully before any construction is completed. Heather presents information on a violation: Luis Mora at 186 West 100 South with an RV parked on the City street right-of-way within the 50' clear vision line of sight triangle at the intersection of 200 West and 100 South. She doesn't think anyone is occupying the RV, but it is a serious traffic violation which should be in the City Ordinances. Alyson will bring it to the attention of the City Council next week.
- Heather asks Alyson if the Attorney has returned the information needed to allow the Planning Commission to make the necessary changes to Chapter 3.15 – Remediation Process. Alyson says that the City Council is holding a Public Hearing and it is on the City Council Agenda for them to make the changes. Joseph asks if this will be under the emergency powers authority – if so, the Planning Commission will need to make the changes in the Ordinances within 6 months.
- Jerime motions to adjourn the meeting. Stuart seconds the motion and all vote in favor. The meeting adjourns at 10:15 pm.