

River Heights City

RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

Wednesday, June 7, 2017

Notice is hereby given that the River Heights City Planning Commission will hold their regular meeting beginning at 7:00 p.m. in the River Heights City Office Building at 520 S 500 E.

- 7:00 p.m. Adoption of Prior Minutes
- 7:05 p.m. Public Hearing to Discuss a Conditional Use Request from Katie Harris for a Home Business at 585 E 400 S
- 7:25 p.m. Public Hearing for a Rezone Request from Mitcheal Cooksey for Property Located at 550 East 800 South from Agricultural to R-1-8
- 7:40 p.m. Public Hearing for Code Changes Regarding Side Yard Setbacks
- 7:50 p.m. Discuss Off-Highway Vehicle Ordinance
- 8:10 p.m. Adjourn

Posted this 1st day of June 2017



Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

River Heights City Planning Commission
Minutes of the Meeting
June 7, 2017

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5 Present: Commission members: Mark Malmstrom, Chairman
6 Danny Petersen
7 Lance Pitcher
8 Cindy Schaub
9
10 Recorder Sheila Lind
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12 Excused Commissioner Jake Zollinger
13 Councilmember Blake Wright
14
15 Others Present: Mitcheal, Simon and Truman Cooksey, Bill Hanover,
16 Marjie Smith, Andrew Cobabe, Rob Gines
17
18

19 Motions made during the Meeting
20

21 Motion #1

22 Commissioner Schaub moved to “approve the minutes of the May 17, 2017 Commission
23 Meeting with corrections.” Commissioner Pitcher seconded the motion, which carried with
24 Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger was absent.
25

26 Motion #2

27 Commissioner Schaub moved to “approve the Conditional Use Permit request by Katie
28 Harris to have a nail/lash salon in her home at 585 E 400 S, with the following conditions: 1)
29 Hours of operation stay within 9:00 am – 5:00 pm, Mon- Friday, and 2) Customer parking will be
30 in her driveway or on the street.” Commissioner Pitcher seconded the motion, which carried
31 with Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger was
32 absent.
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34 Motion #3

35 Commissioner Schaub moved to “pass to the Council, Mitcheal Cooksey’s request to
36 rezone property 02-092-0040 from agricultural to R-1-8.” Commissioner Pitcher seconded the
37 motion, which carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one
38 opposed. Zollinger was absent.
39

40 Motion #4

41 Commissioner Schaub moved to “recommend the City Council add the following
42 verbiage to section 1-12-2 of the city’s code: *****Properties with residential homes built prior
43 to 1940 in the R-1-8 zone are exempt from the 10-foot minimum sideyard (interior lot) setback
44 with the following conditions: Additions or remodels made to said homes may extend the same

45 non-conforming line of such an existing home, but in no case, shall any addition or remodel
46 (including structural overhang and cantilevers) be closer to the adjacent property line than five
47 (5) feet, i.e., a five (5) foot setback shall be maintained in all cases. The eaves shall not extend
48 beyond 16" of existing roof line or eave." Commissioner Petersen seconded the motion, which
49 carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger was
50 absent.

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Proceedings of the Meeting

54 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie
55 Council Chambers on June 7, 2017.

56 Adoption of Prior Minutes: Minutes for the May 17, 2017 Planning Commission Meeting
57 were reviewed.

58 **Commissioner Schaub moved to "approve the minutes of the May 17, 2017**
59 **Commission Meeting with corrections."** Commissioner Pitcher seconded the motion, which
60 carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger
61 was absent.

62 Public Hearing to Discuss a Conditional Use Request from Katie Harris for a Home
63 Business at 585 E 400 S: Commissioner Malmstrom stated Ms. Harris had a scheduling conflict
64 so she couldn't attend the meeting. If needed, she can be contacted by phone with questions.
65 He read her application request to have a nail/lash salon in her home. Recorder Lind informed
66 she had a similar business starting in 2009, at another address in River Heights, and there were
67 no problems with it.

68 Commissioner Schaub asked if there were concern about her customers parking next to
69 the park. The Commissioners didn't think this would be a problem since there would be more
70 cars going to the park than from her business.

71 **Commissioner Schaub moved to "approve the Conditional Use Permit request by Katie**
72 **Harris to have a nail/lash salon in her home at 585 E 400 S, with the following conditions: 1)**
73 **Hours of operation stay within 9:00 am – 5:00 pm, Mon- Friday, and 2) Customer parking will**
74 **be in her driveway or on the street."** Commissioner Pitcher seconded the motion, which
75 carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger
76 was absent.

77 Public Hearing for a Rezone Request from Mitcheal Cooksey for Property Located at 550
78 East 800 South from Agricultural to R-1-8: Mr. Cooksey explained he plans to build a home on
79 the property at some point in the future, which is the reason for his rezone request.

80 Commissioner Malmstrom felt this was a reasonable request since the surrounding
81 residential areas were zoned R-1-8. Commissioner Pitcher asked if there were groundwater
82 problems in the area. Mr. Cooksey has heard there is a high water table. Mr. Malmstrom said
83 he is familiar with the area and verified this to be true.

84 **Commissioner Schaub moved to "pass to the Council, Mitcheal Cooksey's request to**
85 **rezone property 02-092-0040 from agricultural to R-1-8."** Commissioner Pitcher seconded the
86 motion, which carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one
87 opposed. Zollinger was absent.

88 Public Hearing for Code Changes Regarding Side Yard Setbacks: Commissioner
89 Malmstrom explained the Hanover's situation with wanting to add on to their home that is
90 already too close to the setback.

91 Commissioner Schaub read a verbiage suggestion she and Councilmember Wright came
92 up with. Minor changes were discussed. Commissioner Petersen discussed construction and
93 recommended the eaves into the sideyard can't be any more than 16."

94 **Commissioner Schaub moved to "recommend the City Council add the following**
95 **verbiage to section 1-12-2: *****Properties with residential homes built prior to 1940 in the**
96 **R-1-8 zone are exempt from the 10-foot minimum sideyard (interior lot) setback with the**
97 **following condition. Additions or remodels made to said homes may extend the same non-**
98 **conforming line of such an existing home, but in no case, shall any addition or remodel**
99 **(including structural overhang and cantilevers) be closer to the adjacent property line than**
100 **five (5) feet, i.e., a five (5) foot setback shall be maintained in all cases. The eaves shall not**
101 **extend beyond 16" of existing roof line or eave."** Commissioner Petersen seconded the
102 motion, which carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one
103 opposed. Zollinger was absent.

104 Discuss Off-Highway Vehicle Ordinance: Commissioner Malmstrom reminded that the
105 legislature recently changed the law. The sheriff recently contacted the city about off-highway
106 vehicles on the roads. Commissioner Pitcher had read through the state ordinance and
107 compared it with the city's ordinance. He noted a few things the state code has that the city
108 doesn't, such as; the state issues registration stickers on vehicles that fit the description for
109 road use.

110 Rob Gines explained he was on the Council when the city's OHV ordinance was drafted.
111 He explained how it came to be and discussed the difference between street legal vehicles
112 versus 4 wheelers. The state is saying they want the licensed stickers in a certain place.

113 Commissioner Petersen recommended going with what the state has. Commissioner
114 Pitcher asked if the city should address agricultural situations. Mr. Petersen said the only farm
115 in River Heights is Zollingers. He still agreed to conform with the state law.

116 Commissioner Pitcher said the state also addresses snowmobiles; they would be
117 allowed if there was a lot of snow on the roads.

118 Commissioner Pitcher recommended replacing the city's OHV ordinance with the
119 state's.

120 Commissioner Petersen suggested adding a sentence to the city code that says the city
121 follows state code. This topic will come up again when there are other code changes.

122 The meeting adjourned at 7: 50 p.m.

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129 _____
Mark Malmstrom, Chairman

Sheila Lind, Recorder

River Heights City Conditional Use Application

For office use	
Date Received	_____
Receipt #	_____
Hearing Date	<u>June 7</u>
Approved	_____ Denied _____

Please fill out all applicable information.

1. APPLICANT

Name: Katie Harris

Mailing Address: 585 E. 400 S. River Heights, ut 84321

Phone #: ⁴³⁵ 760-3936 Fax #: NA e-mail: Katieharris1218@yahoo.com

Please check one of the following: owner buyer renter agent other

2. PROJECT INFORMATION

Name: Nail lash salon / Bliss LLC / Katie Harris

Address/Location: 585 E. 400 S. River Heights, ut 84321

Property Tax ID: _____ Existing zone: Residential

What is the current use of the property? Home

How many employees will be working at this location including applicant, immediate family members, and non-family members? one

How many vehicles will be coming and going daily, weekly, or monthly? 40 / mo.

I agree to abide by the River Heights City Parking Ordinance (10-13). Initial KH

I agree to abide by the River Heights City Sign Ordinance (10-14). Initial KH

Description of Request: I want to be able to do nails and eyelash extensions out of my home. I have a current Cosmetology license.

My hours of operation will be Mon through Fri from 9-5 variable. (no more than 3 days a week)

Clients can park in my driveway or on the street parking @ Ryans place park.

I will only have one client at a time.

PH: June 7

RIVER HEIGHTS CITY

520 South 500 East * 435-752-2646

Application for Project Review

Type of Application

Subdivision Minor Subdivision Flag Lot Rezone Boundary Adjustment Commercial Development

Mitchael A. Cooksey Jr. 435-757-5600 mitchael.cooksey@gmail.com
Applicant Phone Number email address

30 Raymond Ct, Logan, UT 84321
Mailing Address, City, State, Zip

Mr Same As Applicant 02-092-0040
Property Owner of Record Phone Number

Same
Mailing Address, City, State, Zip

Project Name

Property Address County Parcel ID Number

Size of Lot Size of Building Number of Dwellings/Units/Lots

Describe the proposed project
R1-8 => Rezone from Agricultural to R1-8 for the purpose of a building lot

We certify we are the developer and record owner of this property and we consent to the submittal of application.

Developer Date

[Signature] 17 May 17
Property Owner Date

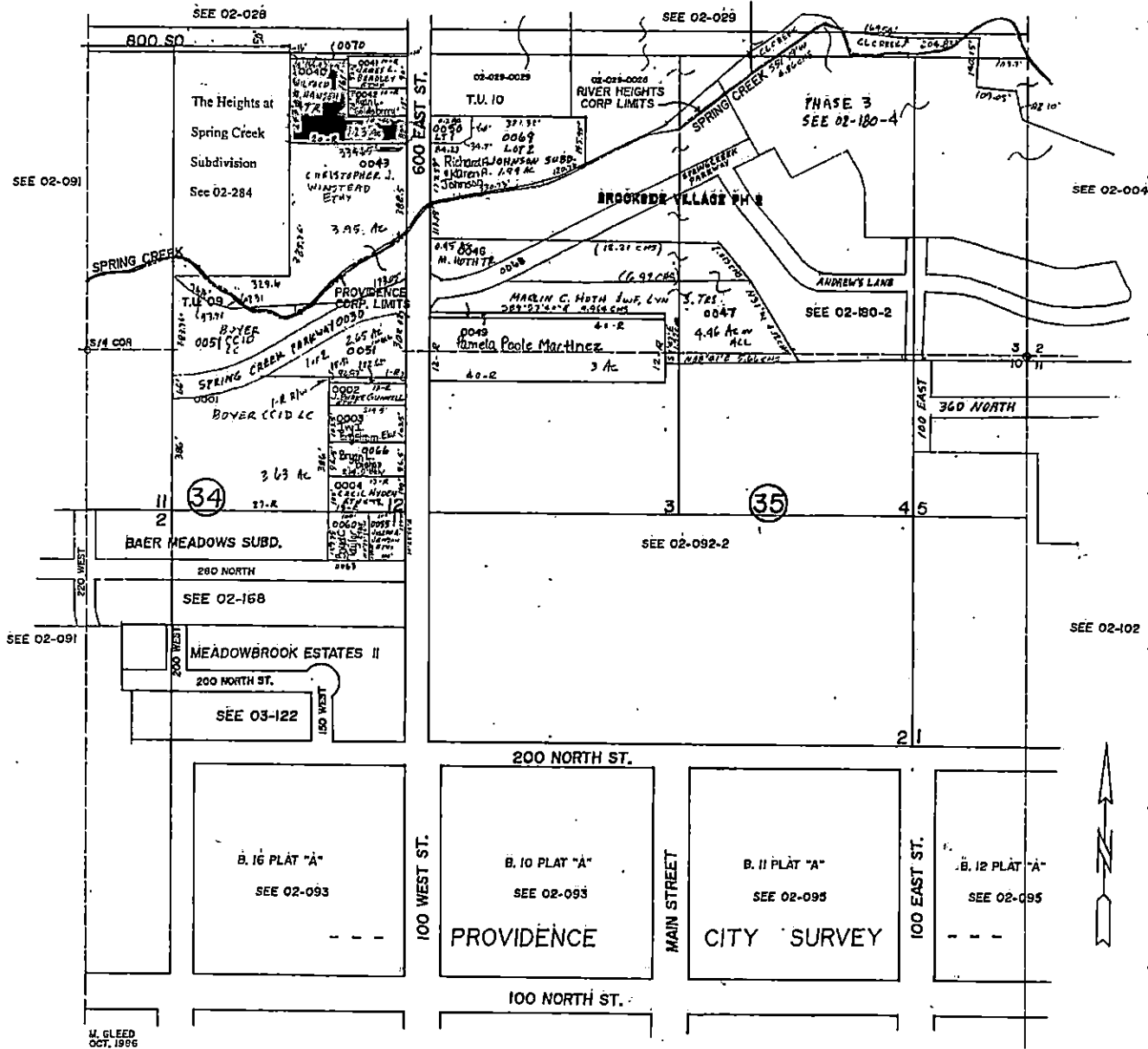
Section 3,10 Township 11 North Range 1 East

Scale 1 Inch = 200 Feet

T.U. 09,10,28

02-092

Pt. BLKS. 34, 35 Plat "A" Providence Farm Survey



M. GLEED
OCT. 1986

Proposed Changes to the River Heights City Code 10-12-2
 June 7, 2017

<u>Residential Uses</u>	<u>A</u>	<u>R-1-8</u>	<u>R-1-10</u>	<u>R-1-12</u>	<u>PUD</u>
Lot Size					
Minimum lot size	5 acres	8,000 sq.ft.	10,000 sq.ft	12,000 sq.ft.	*
Minimum lot width (measured at setback time)	200 feet	80 feet***	80 feet	95 feet	*
Lot Setbacks					
Principal Uses (in feet):					
Front Yard	50	25	25	30	*
Side Yard (interior lot)	20	10 *****	10	12	*
Side Yard (on street)	30	25	25	30	*
Rear Yard	30	20	25	30	*

***** The minimum sideyard (interior lot) setback for residential homes built prior to 1940 in the R-1-8 zone are exempt from the 10 foot setback. Any remodels/additions are considered an extension of the existing structure and must be kept within the horizontal line of the existing structure. In no case shall the setback be less than 5 feet.

Proposed Code Change Language for 10-12-2

*****Properties with residential homes built prior to 1940 in the R-1-8 zone are exempt from the 10-foot minimum sideyard (interior lot) setback with the following condition. Additions or remodels made to said homes may extend the same non-conforming line of such an existing home, but in no case, shall any addition or remodel (including ~~roof or structural overhang~~) be closer to the adjacent property line than five (5) feet, i.e., a five (5) foot setback shall be maintained in all cases. The eaves shall not extend beyond 16' or existing roofline or eave.

and cantilevers