

The Meeting of the Nibley Planning Commission held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Wednesday, August 14, 2013.

The following actions were made during the meeting:

Commissioner Beus motioned to approve the business license and conditional use permit for Young Hair, applicant Katie Young, located at 397 W. 3575 S. as stated in the application. Commissioner Green seconded the motion. The motion passed unanimously 4-0; with Commissioner Beus, Commissioner Green, Commissioner Anderson, and Commissioner Lawver all in favor.

Commissioner Anderson motioned to approve the business license and conditional use permit for Blue Sky Systems, applicant Ruth Christensen; located at 3890 Hillside Dr. with a modification to the application of one client visit per week. Commissioner Bliesner seconded the motion. The motion passed unanimously 5-0; with Commissioner Anderson, Commissioner Bliesner, Commissioner Green, Commissioner Beus and Commissioner Lawver all in favor.

Commissioner Bliesner motioned to approve the business license and conditional use permit for Syna Harris Home Salon, applicant Syna Harris; located at 3173 S. 500 W. with the condition that the business be limited to one customer at a time and five clients a day. Commissioner Anderson seconded the motion. The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, Commissioner Beus, and Commissioner Lawver all in favor.

Commissioner Bliesner motioned to table application for a business license and conditional use permit for Bear River Contractors until the applicant could be present and all the pertinent data presented. Commissioner Beus seconded the motion. The motion passed 5-0; with Commissioner Bliesner, Commissioner Beus, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Planning and Zoning Commission Chair Mark Lawver called the Wednesday, August 13, 2013 Nibley City Planning Commission meeting to order at 7:05 p.m. Those in attendance included Commissioner Mark Lawver, Commissioner Kathryn Beus, Commissioner Bill Green, and Commissioner Wayne Anderson.

Approval of 7-17-13 meeting minutes and the evening's agenda

There was general consent for the evening's agenda. There was general consent for the previous meeting (July 17, 2013) minutes.

Commissioner Lawver thought they should suspend the agenda because the applicants for the third item on the agenda had another meeting they needed to attend.

Commissioner Anderson made a motion to suspend the agenda. Commissioner Beus seconded the motion. The motion passed unanimously 4-0; with Commissioner Anderson, Commissioner Beus, Commissioner Green, and Commissioner Lawver all in favor.

Conditional Use Permit/Business License

Katie Young—request a conditional use permit and business license for a home occupation (salon) located at 397 W. 3575 S. (Applicant: Katie Young)

Jeremy Young was present representing the applicant. Commissioner Lawver asked Mr. Young if they had decided on a name for the business. Commissioner Beus suggested “Young Hair”. Mr. Young said that would work. Commissioner Lawver asked about client visits and other employees. Commissioner Beus asked about parking. Mr. Young said his wife would have one client at a time and no employees. He said they had plenty of client parking in the driveway.

Commissioner Beus made a motion to approve the business license and conditional use permit for Young Hair, applicant Katie Young, located at 397 W. 3575 S. as stated in the application. Commissioner Green seconded the motion.

Commissioner Anderson asked where the business would take place. Mr. Young said it would function out of the basement.

The motion passed unanimously 4-0; with Commissioner Beus, Commissioner Green, Commissioner Anderson, and Commissioner Lawver all in favor.

Blue Sky Systems—request a conditional use permit and business license for a home occupation (retail sales) located at 3890 Hillside Dr. (Applicant: Ruth Christensen)

Ruth Christensen was present at the meeting.

Commissioner Bliesner arrived at 7:10.

Commissioner Lawver asked for a description of the business and about inventory. Ms. Christensen said this was an online/mail order business but she might have an occasional client visit to the home; and that she would only have samples in her home and everything would be done inside her home. Commissioner Anderson asked if the applicant would like change her application to include 1 client visit per week. She stated she would like that change made.

Commissioner Anderson made a motion to approve the business license and conditional use permit for Blue Sky Systems, applicant Ruth Christensen; located at 3890 Hillside Dr., with a modification to the application of one client visit per week. Commissioner Bliesner seconded the motion. The motion passed unanimously 5-0; with Commissioner Anderson, Commissioner Bliesner, Commissioner Green, Commissioner Beus and Commissioner Lawver all in favor.

Syna Harris Home Salon—request a conditional use permit and business license for a home occupation (salon) located at 3173 S. 500 W. (Applicant: Syna Harris)

Ms. Syna Harris was present at the meeting. Commissioner Anderson asked where the salon would be located in the house. Ms. Syna said they would be converting their garage. Commissioner Anderson asked about client visits. Ms. Syna described that she intended to have one at a time with one occasionally waiting. Ms. Syna asked about a sign for her business. The Commissioners researched the sign requirements in city ordinance and advised Ms. Syna. Commissioner Bliesner was concerned about having more than one client there at a time because she was in a residential zone. He suggested she queue the clients so that she would only have one at a time. He said they did not want to adversely impact the neighborhood.

Commissioner Bliesner made a motion to approve the business license and conditional use permit for Syna Harris Home Salon, applicant Syna Harris located at 3173 S. 500 W. with the condition that the business be limited to one customer at a time and five clients a day. Commissioner Anderson seconded the motion.

Commissioner Bliesner described the conditions of the motion to the applicant.

The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, Commissioner Beus, and Commissioner Lawver all in favor.

Discussion with Corey Jensen regarding necessity of a business license for CJ Electrical

Corey Jensen was present at the meeting. Commissioner Anderson asked if Mr. Jensen had a conditional use permit. Mr. Jensen said he did not. Commissioner Anderson said he was operating illegally in a residential area. Mr. Jensen discussed the history of his residence and communications with city staff. He said was told he wouldn't need a conditional use permit because he was not working from his home but was only keeping his business vehicles at his residence and not doing any work there. Commissioner Anderson said this was not a permitted use in a residential zone. He thought they could find a place to classify his business on Nibley's land-use chart but none of those businesses were permitted in a residential zone so they wouldn't be able to give him a conditional use permit at this time. He said if it couldn't be put under any of the listed classification then it was also not permitted. Commissioner Anderson said he couldn't see how to make it work. He asked the applicant if he had anything from city staff in writing. Mr. Jensen said he didn't and said was told he didn't need it. The Planning & Zoning Commission agreed that their hands were tied.

Discussion with Brian Anderson of whether a building permit would be permissible at 790 West 3200 South

Mr. Brian Anderson was present at the meeting. Mr. Anderson showed the Planning & Zoning Commission where his property was displayed with Google maps. Mr. Anderson discussed a previous conversation held with the city planner about the property being

landlocked. They were now considering a house in the middle of the property. He said the City Planner's opinion was that that property was grandfathered and would be OK.

Based in the discussion that took place, the Planning & Zoning Commission could think of no reason that they wouldn't issues a building permit. Commissioner Anderson said he didn't see anything that would hold Mr. Anderson and his son up. Commissioner Anderson told Mr. Anderson he would have to keep the piece of land he sliced out within the zoning requirements. He said Mr. Anderson would also want to look at the sewer slopes to make sure he could make it out to the line. Commissioner Anderson said Mr. Anderson would have to bring the lot split back before the Planning & Zoning Commission. Commissioner Lawver asked them to overlay the future plans for 800 West into their plans.

The Planning & Zoning Commissioners had a discussion with Mr. and Mrs. Ballard who were directly impacted by Mr. Jensen's business operations. Commissioner Bliesner asked, if as a Planning & Zoning Commission, they would be derelict if they didn't take action when an issue of non-compliance was officially brought to their attention. He thought they should consider it a formal complaint and pass it on to enforcement to see that action took place. The Planning & Zoning Commission agreed that they felt that was the case and Commissioner Bliesner asked the Commission Chair to take on that responsibility.

Bear River Contractors—request a conditional use permit and business license for a home occupation (general contractor) located at 4850 Hollow Rd. (Applicant: Michael Burton)

Michael Burton was not present at the meeting. Commissioner Lawver said that the City Planner had recommended they approve this application with the condition that the applicant was required to park his equipment behind the front plane of the house. Commissioner Lawver displayed the applicant's property on Google Maps.

Commissioner Bliesner made a motion to table application for a business license and conditional use permit for Bear River Contractors until the applicant could be present and all the pertinent data presented. Commissioner Beus seconded the motion. The motion passed 5-0; with Commissioner Bliesner, Commissioner Beus, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Workshop

First discussion of updates to the Nibley City subdivision ordinance

Commissioner Lawver updated the Commissioners of items that had been discussed at City Council specifically noting the recent action take regarding the Stonebridge Subdivision. The Planning & Zoning Commission discussed everything being developed before lots are sold, the completion of open space, landscaping and streetscape standards, the maintenance of park strips, home owners associations, and secondary water.

Commissioner Lawver directed the Commissioners to think about the Ordinance and come to the next meeting with their ideas; including ideas on using secondary water.

Staff Reports

There was general consent to adjourn at 8:41.