



## MEMO

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11/07/14

Hi all!

I appreciate the way the meeting was handled last week in my absence. Although I had a prior commitment, it turns out I ended up missing that as well. I had the stomach flu and there was no one on this planet who wanted to be anywhere near me last Wednesday. I appreciate that you all are well enough versed in planning matters that you can handle the business of the meeting without me being there.

Also, just to make you aware of Council actions on a few items previously heard by you all:

- They agreed with the Planning Commission action on the Stonebridge amendment. They denied the amended plat.
- They denied NNHC's request to have an additional building lot. They felt that because the additional building lot would drop the amount of open space below 25% (despite it only dropping to 24.4%), that they aren't entitled to the 25% density bonus which would be required to have 79 building lots.
- They approved the final plat for Phase 1 of River Meadows Estates.

I have forwarded to the Mayor the names of a couple of individuals who I think would be well suited to serve on the Commission. If there are other names you'd like the Mayor and I to consider, let me know.

These are the items we have on this meeting's agenda:

### **Conditional Use Permit/Business License**

Discussion and consideration of a conditional use permit and business license application for **Princess Toppers**, a home occupation (hair accessories) located at 1005 West 3200 South (Applicant: Shannon Gooch)

- I have no concerns with this application. It meets all the standards for a home occupation. I recommend it be approved.

Discussion and consideration of a conditional use permit and business license application for **Royal Pottery**, a home occupation (historical pottery) located at 1005 West 3200 South (Applicant: Shawn Gooch)

- My concern with this application is it states he is going to fire the pottery in a kiln located in a shop behind his home. Our ordinances does not allow home occupations to use accessory buildings as part of the business.
- I have looked at other ways to classify the business so that it would be permitted. The only other option I saw is that the nature of what he is making classifies the business as an artisan shop, but our land use chart doesn't allow for artisan shops in R-2 zoning.
- Provided he is able to operate the kiln and other business related equipment/activities in the home or in the shop, then I recommend approving the request. If he is not, then I don't believe our ordinance allows for an approval of the application.

### **Accessory Building**

Discussion and consideration of a request for a 24'x30' accessory building located at 2903 South 800 West (Applicant: Minh Hoang)

- This meets the size and height limits for approval. The only thing which needs changed is the location. The plan presented with the application has the building located within the public utility easement on the side and the back. The plat for the subdivision specifically states that no buildings can be located within the public utility easements. The easement is 5' on the side and 10' on the back. I will make a note for Austen but locating it out of the easements should be specifically stated in any motion to approve.

Discussion and consideration of an ordinance regarding property and public peace in Nibley City.

- My notes don't indicate any major changes to the draft you all reviewed last time. I have made what minor changes my notes indicate. This does not require a public hearing because it is not a land use ordinance.

Discussion and consideration of an ordinance regarding nuisance abatement procedures in Nibley City.

- My notes don't indicate any major changes to the draft you all reviewed last time. I have made what minor changes my notes indicate. This does not require a public hearing because it is not a land use ordinance.

Please let me know asap if you're not going to be able to make the meeting. Mark L will not be in attendance, so Wayne will need to chair the meeting.

Thanks. Have a great weekend-

Shari