



Nibley City  
Planning Commission  
Wednesday, July 8, 2015  
455 W. 3200 S.  
Nibley, UT

5:30 p.m.      Call to Order  
                    Approval of Agenda  
                    Approval of Minutes

### **ACCESSORY BUILDING**

**Richard Eliason**- consideration of a request for a building permit for a 24'x24' accessory building located at 3140 South 700 West.

### **PUBLIC HEARING**

A public hearing to receive comment concerning a request to rezone 4.24 acres of property located at 173 West 4000 South from Residential R-1 to Residential R-1A.

Discussion and consideration of a request to rezone 4.24 acres of property located at 173 West 4000 South from Residential R-1 to Residential R-1A. (Applicant: John & Janice Wallentine)

Discussion and consideration of Resolution 15-01PC: A resolution designating staff as the review authority for accessory building approvals.

*Planning Commission agenda items may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.** The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.*

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.**



## MEMO

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7/2/15

Hi everyone! Hopefully your weekend will involve fireworks, family and friends! This is what we have on the agenda for next week's meeting.

### **ACCESSORY BUILDING**

**Richard Eliason- consideration of a request for a building permit for a 24'x24' accessory building located at 3140 South 700 West.**

- City Code 10-12-6(C) outlines the size of accessory building which property owners may have. Size and height limits are based on acreage of the property. Mr. Eliason's property is .57 acre, which would allow him a 1,500 sq ft building, much larger than what he is requesting, so he is within the size limit of the ordinance.
- Mr. Eliason's building is going to be 15' high, which is within the height limit prescribed by our ordinance.
- City Code 10-11-1 outline the setbacks required for accessory buildings. Mr. Eliason is not on a corner lot, so his accessory building setbacks are 3' on the side and 1' on the back. His proposed setbacks are 30' on the rear, which is acceptable, and 2' on the side, which is not. He needs to be a minimum of 3' from his side property line.
  - There are some properties in the City where utility easements are in place around the property. In those cases, the Commission has increased the required setback so that no buildings are being built within the utility easements.
  - Mr. Eliason's property does not have such utility easements around it, so no increased setback is necessary in this situation.
- My recommendation is that this application be approved, with the condition that the building is located a minimum of 3' from the north property line.

### **PUBLIC HEARING**

**A public hearing to receive comment concerning a request to rezone 4.24 acres of property located at 173 West 4000 South from Residential R-1 to Residential R-1A/Discussion and consideration of a request to rezone 4.24 acres of property located at 173 West 4000 South from Residential R-1 to Residential R-1A. (Applicant: John & Janice Wallentine)**

- This property came to the Planning Commission about a year ago for rezone from R-1 to R-1A. The Commission made a recommendation to the Council that the property be rezoned. However, before the Council was able to hear the request, the property purchase fell through and so the rezone request was taken off the table.
- The primary difference between R-1 and R-1A has to do with the minimum lot size and frontage required. R-1 requires a 1 acre minimum with 200' frontage. R-1A is .75 acre with 150' frontage.
  - On this property, assuming that the lots all front 4000 South, there is enough frontage for 2 lots under the current R-1 zoning, and 3 if the zoning were changed to R-1A.
- The Wallentines have expressed the desire to subdivide the property in the future, but there is not a subdivision application on the table right now.
- There have been concerns raised in the past about whether this would constitute a spot zone- it does not. Spot zones exist when there is no property of a similar zone in the immediate vicinity. Property directly across the street from this is zoned R-1A. Additionally, although they are zoned R-1, the properties this piece, out to Main Street, are of a similar size as what is requested.
- The long-term planned use for this area is low-medium density residential, consistent with what is anticipated by the R-1A zoning.
- Similar to my recommendation last summer, I recommend sending this rezone request on to the City Council with a recommendation for their approval of the rezone.

**Discussion and consideration of Resolution 15-01PC: A resolution designating staff as the land-use authority for accessory building approvals.**

- In the past, we have discussed accessory buildings and whether they should be reviewed by staff. Austen (the building inspector) has to review the size, setbacks and placement and height as part of his building permit review. And if the plans meet all of those when the application comes to you, then you all are required to approve the permit. So, in accordance with City Code, which allows you all to designate, by resolution, this type of thing to staff for their review and approval, I've prepared a resolution for you to debate and consider.

Have a safe and happy Independence Day weekend!

Shari





# APPLICATION FOR ACCESSORY BUILDING PERMIT

Office Use Only	
Date Received	6/18/15
Fee Paid	\$3000 cash

**Property Owner Information**

Name Richard D. Eliason  
 Address 3140 South 700 West  
 Phone \_\_\_\_\_ Cell 770-0013 Fax \_\_\_\_\_  
 Email \_\_\_\_\_

Proposed Building Size 24x24 Lot Size 5/8 acre

**SUPPORTING MATERIALS:** The following materials must be submitted with this Accessory Building Application, or the application will not be accepted by Nibley City.

Plot Plan showing: (please initial each item)

City Staff Review

- |                                                                                                                        |       |
|------------------------------------------------------------------------------------------------------------------------|-------|
| <input checked="" type="checkbox"/> The applicant's name, address and the date the plan was completed                  | _____ |
| <input checked="" type="checkbox"/> An arrow indicating North                                                          | _____ |
| <input checked="" type="checkbox"/> An approximate scale                                                               | _____ |
| <input checked="" type="checkbox"/> Property boundaries of the lot on which the building is being proposed             | _____ |
| <input type="checkbox"/> Roads or streets adjacent to the lot (include street names)                                   | _____ |
| <input type="checkbox"/> Public and private easements on the lot                                                       | _____ |
| <input checked="" type="checkbox"/> Existing buildings                                                                 | _____ |
| <input checked="" type="checkbox"/> The location of the proposed accessory building or addition                        | _____ |
| <input checked="" type="checkbox"/> Dimensions of the proposed accessory building or addition                          | _____ |
| <input checked="" type="checkbox"/> Distance from the proposed accessory building or addition to lot boundaries        | _____ |
| <input checked="" type="checkbox"/> Distance from the proposed accessory building or addition to existing buildings    | _____ |
| <input checked="" type="checkbox"/> Vehicle access plan to the proposed accessory building or addition (if applicable) | _____ |

**Elevation Drawings** of the proposed accessory building or addition showing:

- |                                                                                                                          |       |
|--------------------------------------------------------------------------------------------------------------------------|-------|
| <input checked="" type="checkbox"/> Accessory building height, pitch and all other dimensions                            | _____ |
| <input checked="" type="checkbox"/> Approximate location of doors and windows                                            | _____ |
| <input type="checkbox"/> Information sufficient to determine an approximate building appearance <u>siding metal roof</u> | _____ |
| <input checked="" type="checkbox"/> How the addition will attach to the existing building (if applicable)                | _____ |

Please describe the proposed use for this accessory building: storage shed

Do you plan to conduct business-related activities in this accessory building or addition? \_\_\_\_\_ Y X N

X **Application Fee.** All fees related to the accessory building application shall be paid as part of the application submittal. See the attached sheet "Nibley City Development Fee Schedule"

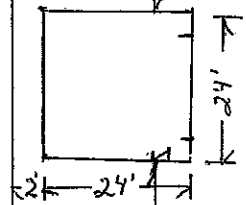
103.33

NORTH

EAST

Proposed 24' x 24' STORAGE Building

RICHARD O ELWASON



348.45'

102'45"

245.87

16'

EXISTING HOUSE AND GARAGE

32'

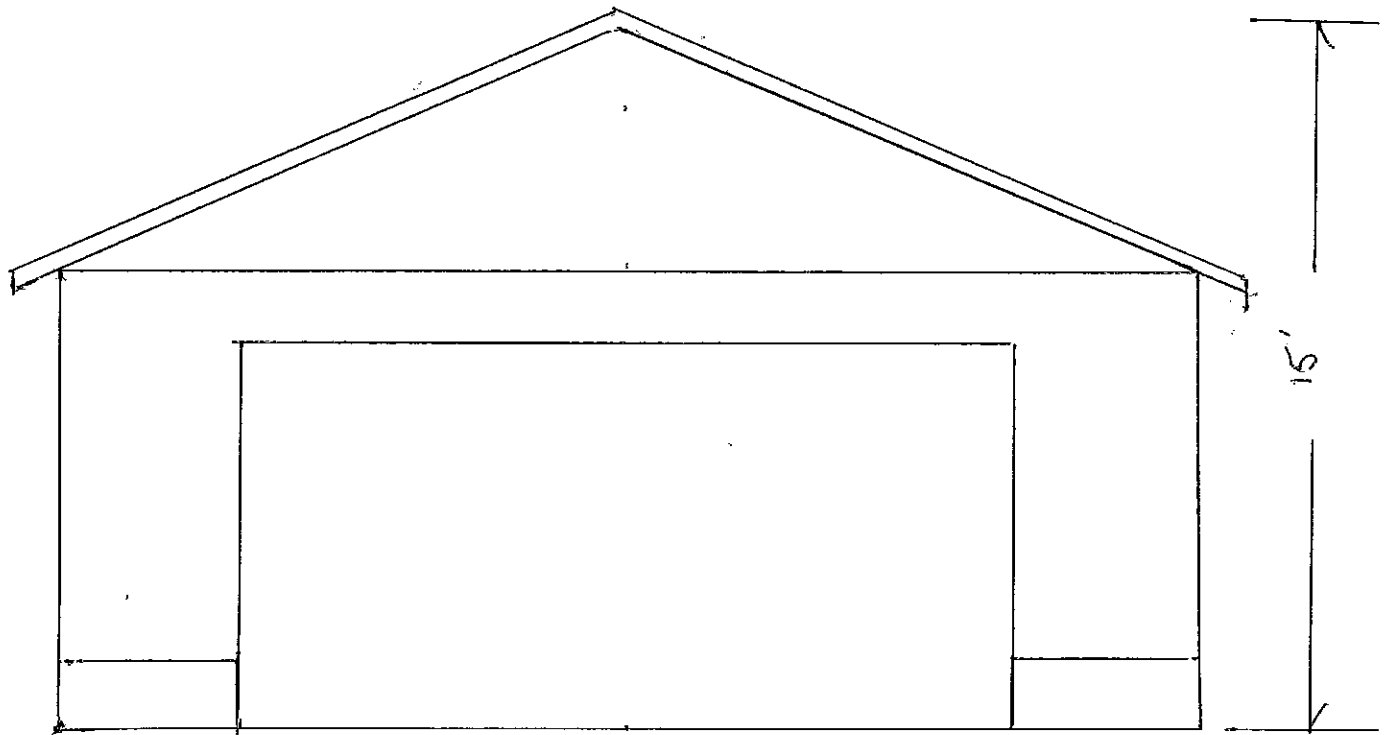
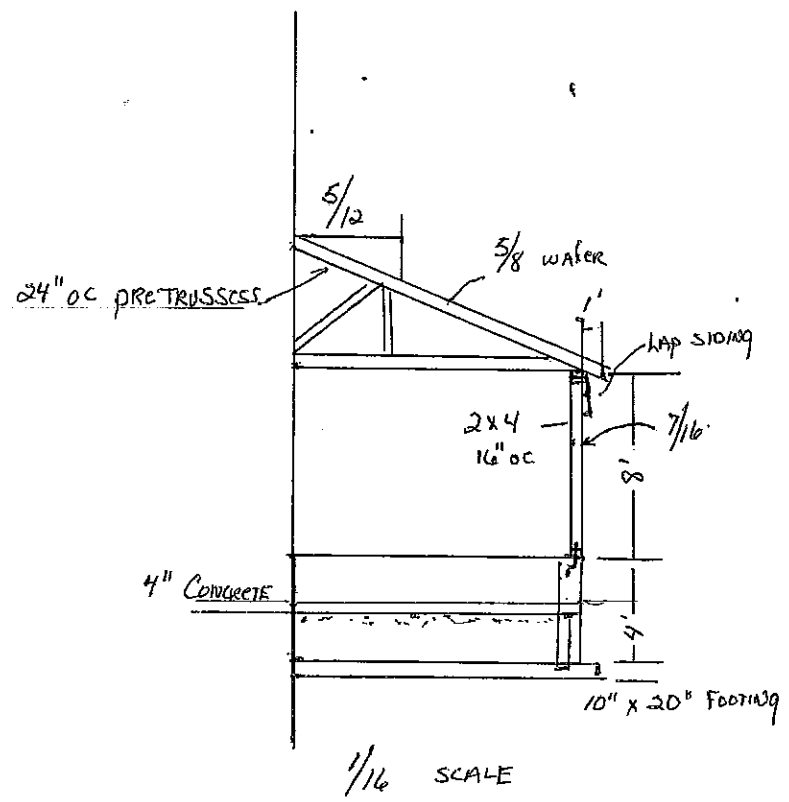
40'

65.45'

86.18'

85.0'

700 West

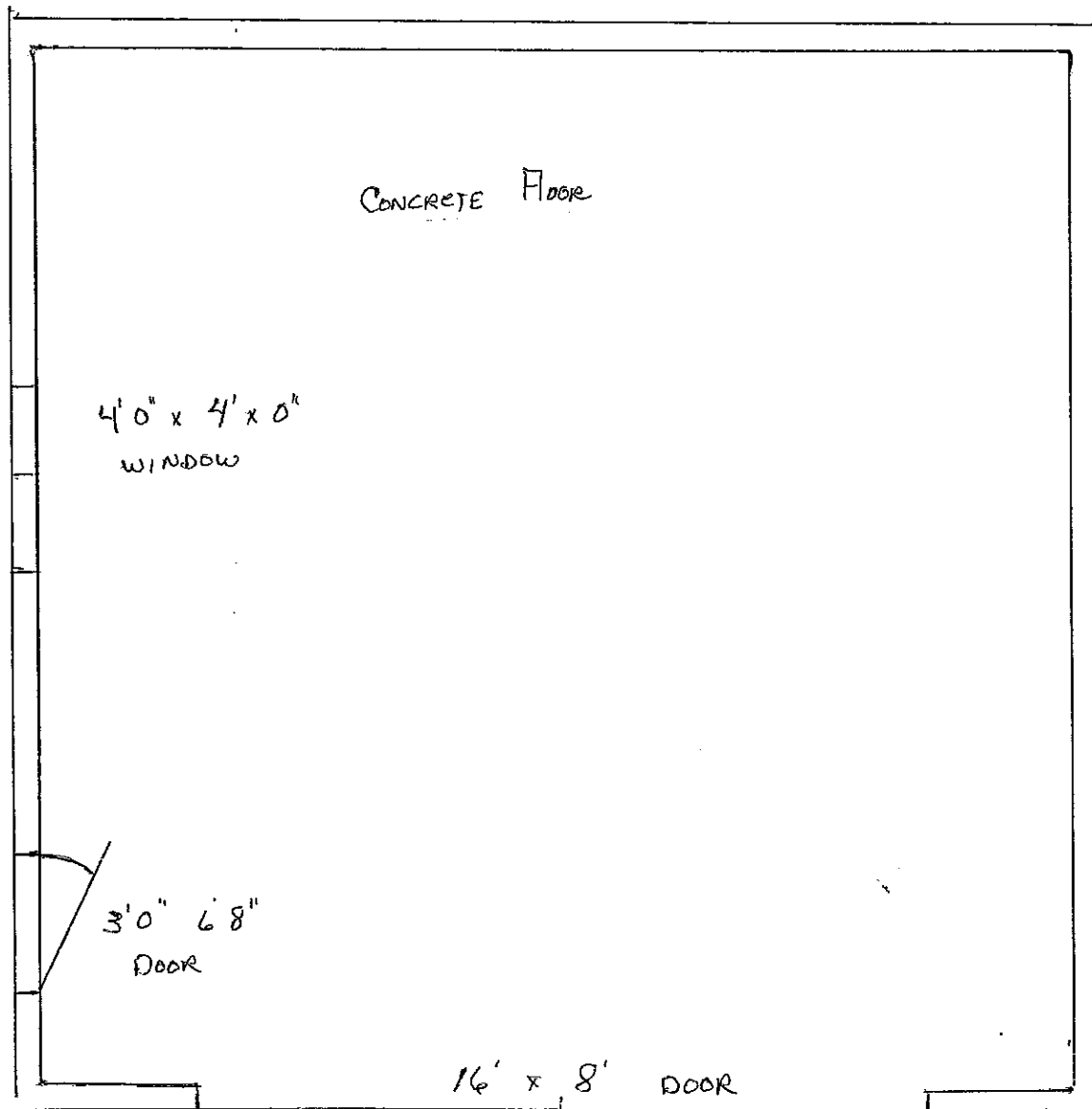


FRONT ELEVATION

SOUTH FACING 1/4" SCALE

EAST

NORTH



FLOOR PLAN  $\frac{1}{4}"$  SCALE





## REZONE APPLICATION

## Office Use Only

Date Received 6/24/2015Fee Paid 100.00Rec'd By [Signature]Property Owner Information

Name Ed & Karren Nunes  
 Address 4932 W 7000 N Cedar City UT 84721  
 Phone \_\_\_\_\_ Cell \_\_\_\_\_ Fax \_\_\_\_\_  
 Email \_\_\_\_\_

Property Owner Representative (If Applicable)

Name John & Janice Wallentrie  
 Address 3968 S 280 W Nibley UT 84321  
 Phone 435-770-0698 Cell \_\_\_\_\_ Fax \_\_\_\_\_  
 Email janice@wescor.com

PROJECT INFORMATION

Project Address 173 W 4000 S Nibley  
 Tax I.D. Number (s) 03-048-007  
 Project Size (Acres) 4.24  
 Current Zoning R-1 Proposed Zoning R-1a

SUPPORTING MATERIALS

The following materials **must** be submitted with this Rezone Application, or the application will not be accepted by Nibley City:

- ☒ **Survey.** The applicant shall submit a certified survey of land area to be rezoned. The applicant may submit a copy of the Cache County Recorder's plat map identifying the property proposed for rezone. The survey shall show the following:

1. Total acreage of land proposed for rezone
2. Adjacent land uses
3. Existing zoning of property
4. Vicinity map
5. Proposed project conceptual plan (if applicable)

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- ☒ **Applicant Statement.** A statement by the Applicant, explaining the rationale for the rezone request, shall accompany the application (attach additional sheets). The statement shall answer the following questions (please list each question and its answer underneath):

1. What is the need for the proposed zone change?
2. What will the public benefit be if the zone change is granted?
3. How does the proposal comply with the goals and policies of the Nibley City General Plan?
4. Is there any annexation of property necessary?
5. Is the anticipated use appropriate for the surrounding area?
6. What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the developer?
7. Does the proposed zone change constitute "spot zoning"?

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☒ **Title Report.** Applicant shall provide a certified, preliminary title report listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property. \_\_\_\_\_

☒ **Taxes.** A statement from the County treasurer showing the current tax status of the property. \_\_\_\_\_

☒ **Surrounding Property Owners.** Applicant shall provide the City with mailing labels showing the name and mailing address of all property owners of record within three-hundred (300') feet of the subject property. \_\_\_\_\_

**Posting.** Not less than ten (10) days prior to the public hearing, Applicant is responsible for posting a sign in a prominent place on the property containing, in lettering that maybe reasonably read by passersby, the time, date and location of the public hearing. The posting shall not be required prior to the application being accepted. However, the City shall require that, not less than ten (10) days prior to the public hearing, Applicant provides the City with evidence of compliance with this requirement. \_\_\_\_\_

**Application Fee.** All fees related to the rezone application shall be paid as part of the application submittal. \_\_\_\_\_

With the exception of the requirement to post, once all the above items have been completed and submitted, the rezone will be scheduled for a public hearing before the Nibley City Planning Commission. The following are the deadlines for Planning Commission meeting submittal:

Meeting Date	Application Deadline	Meeting Date	Application Deadline
January 14, 2015	December 31, 2014	June 24, 2015	June 10, 2015
January 28, 2015	January 14, 2015	July 8, 2015	June 24, 2015
February 11, 2015	January 28, 2015	July 22, 2015	July 8, 2015
February 25, 2015	February 11, 2015	August 12, 2015	July 29, 2015
March 11, 2015	February 25, 2015	August 26, 2015	August 12, 2015
March 25, 2015	March 11, 2015	September 9, 2015	August 26, 2015
April 15, 2015	March 30, 2015	September 23, 2015	September 9, 2015
April 29, 2015	April 15, 2015	October 14, 2015	September 30, 2015
May 13, 2015	April 29, 2015	October 28, 2015	October 14, 2015
May 27, 2015	May 13, 2015	November 18, 2015	November 4, 2015
June 10, 2015	May 27, 2014	December 9, 2015	November 25, 2015

**File the completed application at:**

Nibley City  
455 West 3200 South  
Nibley, UT 84321  
(435) 752-0431

**Applicant Certification**

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Grand County may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Nibley City Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this resolution. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Janet Wallontine  
Property Owner Signature

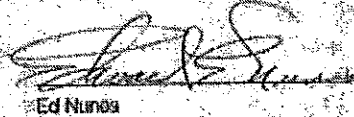
6/24/2015  
Date

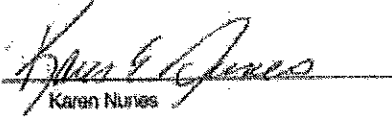
From: Kent Dunkley [mailto:kent.dunkley@jones.com]  
Subject: Nibley City Letter  
Date: June 23, 2015 at 4:54 PM  
To: Karen Nunes [mailto:karen@jones.com]

Ed and Karen,

The Wallentines would like to go before Nibley City perhaps as early as tomorrow's city council meeting, to discuss rezoning your property located at 173 West 4000 South, Nibley, that they are interested in purchasing. The Wallentines have an accepted offer to purchase your land.

As part of the Real Estate contract you gave permission to the Wallentines to approach the city with the rezone concept. By Signing below, and returning this email you are verifying that you will allow, and give your permission to John and Janice to meet with the city to pursue rezoning for the intent and purpose of the Wallentines future use of the property. As per the Real Estate Contract, the discussion of the rezone can take place, but, the final rezone of the land CANNOT take place until the ownership of the land is transferred to John and Janice. Any and all fees required for this purpose will be paid in full by the Wallentines. No final changes will take place until ownership has changed.

  
Ed Nunes

  
Karen Nunes

Thanks Very Much,

Kent  
Kent S. Dunkley, Associate Broker/ Manager  
Century 21 N & N Realtors  
2013 Cache-Rich Association President  
Licensed in Utah and Idaho  
Residential- Commercial- Land- Multi Family  
435-752-5000  
435-757-6099

Karen in UT

**Applicant Statement.** A statement by the Applicant, explaining the rationale for the rezone request, shall accompany the application (attach additional sheets). The statement shall answer the following questions (please list each question and its answer underneath):

**1. What is the need for the proposed zone change?**

John and Janice Wallentine would like to purchase the property from Ed Nunes and split the property into three 1-acre+ lots which would include one lot with the existing house and shed, one lot east of the house and one lot west of the house.

**2. What will the public benefit be if the zone change is granted?**

The public will benefit because the property is currently not being taken care of. It has been listed for over two years. Wallentines would like to purchase the property and improve it. There is a current contract in place to purchase the property but the sale is contingent upon rezoning.

**3. How does the proposal comply with the goals and policies of the Nibley City General Plan?**

The property is zoned residential and the rezoning will be consistent with the intent of the property and similar to those in the area. The lots to the east of the property do not have 200 ft frontage.

**4. Is there any annexation of property necessary?**

No

**5. Is the anticipated use appropriate for the surrounding area?**

Yes. At most, there will be the ability to build one more home in the area than currently allowed. The short term plans are to keep part of the property for horses.

**6. What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the developer?**

As noted in the minutes of a meeting held July 9, 2014, there is sufficient sewer pipeline to hook onto. There are also water shares included with the property to provide adequate water for intended use. Other utilities are available to hook to.

**7. Does the proposed zone change constitute "spot zoning"?**

No. A similar proposal was taken to the planning and zoning commission year ago and it was noted in the minutes of the meeting that this changing from R1 to R1a would not be considered spot zoning.

**Note:** See minutes from "The Meeting of the Nibley City Planning Commission held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah on Wednesday, July 9, 2014" attached.

The Meeting of the Nibley City Planning Commission held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Wednesday, July 9, 2014.

The following actions were made during the meeting:

**Commissioner Davenport motioned to recommend the rezone of 4.24 acres of property located at 173 W 4000 S from Residential R-1 to Residential R-1a. Commissioner Anderson seconded the motion. The motion passed 3-2; with Commissioner Davenport, Commissioner Anderson, and Commissioner Lawver in favor. Commissioner Green was opposed. Commissioner Bliesner abstained from voting.**

**Commissioner Bliesner motioned to recommend approval of the final plat for Phase 3 of Maple View Estates (23 lots), a conservation subdivision located at approximately 1150 West 2800 South. Commissioner Davenport seconded the motion. The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Davenport, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.**

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Planning and Zoning Commission Chair Mark Lawver called the Wednesday, July 9, 2014 Nibley City Planning Commission meeting to order at 7:00 p.m. Those in attendance included Commissioner Mark Lawver, Commissioner Aaron Bliesner, Commissioner Bill Green, and Commissioner Dave Davenport. Shari Phippen, the City Planner, was also present.

**Approval of 06-25-14 meeting minutes and the evening's agenda**

General consent was given for the evening's agenda. General consent was given for the previous meeting's minutes.

**Public Hearing**

**A public hearing to receive comment concerning a request to rezone 4.24 acres of property located at 173 W 4000 S from Residential R-1 to Residential R-1a.**

**(Applicant: Brian Rasmussen)**

Miss Phippen displayed the property being discussed with the Cache County Parcel viewer. Miss Phippen said the Rasmussen's were intending to purchase the property between 250 West and 4000 South and had expressed interest in rezoning the property from R-1 (1 acre lot minimum with 200 ft. of frontage) to R-1a (3/4 acres lot minimum with 150 ft. of required frontage). Miss Phippen said there was a canal on the property and showed where the lot could be split. Miss Phippen said this would allow them to carve off a section and to subdivide into three lots.

Commissioner Anderson arrived at 7:03.

Miss Phippen discussed the zoning requirements in the areas surrounding the property. She said the request was not incompatible with the land surrounding it. Miss Phippen said

she saw no issues with making a positive recommendation that the property be rezoned to R-1a.

Commissioner Lawver gave direction to the public present. Commissioner Bliesner stated he would abstain from voting because of a possible conflict of interest. Commissioner Lawver opened the public hearing at 7:06.

Larry Slade said he would like to see some sort of proposal of what would be going into the property before it was rezoned. He mentioned items such as streets, water, sewer, and how it would be subdivided. He proposed that those items be submitted before the property was considered for rezone.

Barbara Wilden of 660 West 3200 South said she was curious if this would be a family group building houses or if it would be a speculative business of people making money, referencing a possible subdivision. Mrs. Wilden agreed with Mr. Slade. She said she was curious of the intent down the road.

Dave Anderson of 115 West 4000 South said he lived adjacent to the proposed property. He asked why there was a 200 foot frontage requirement on the zones in that area. He said it was fine for him right now because he bought it because he didn't want a neighbor there. He stated he didn't like the idea of back properties being right up against his property. Mr. Anderson said he had the same questions as Mr. Slade. Mr. Anderson expressed scenarios that would be acceptable to him. He said he would like to see what the Rasmussen's really wanted to do there.

Richard Leishman 3566 South Main said he lived down on the highway. He said there would be double traffic and said the people who purchase the property along 4000 south purchased it for the size of lots they were having. Mr. Leishman said they would be spot zoning with this proposal if they went to R-1a and he would be careful of spot zoning a small piece with a large group around it. Mr. Leishman said 4000 South had been considerably improved over the years but was concerned with more traffic being added to the road.

Barbara Wilden asked about the plans for 4000 South. She discussed scenarios she had heard of. Miss Phippen said this would be something they would deal with when they widened the road. She believed at some future point that 4000 would need significant improvement. Commissioner Anderson said 4000 South was planned to be a collector which would be a 60 ft. right-of-way. Mr. Leishman asked if they already had the rights to widen the road. Miss Phippen said they did in some areas and said the development of the proposed regional park would impact that road significantly at some point.

John Wallentine of 3968 S. 280 W. said he had property bordering with the property proposed for rezone to the west and asked where the SE corner of the property would end and where the frontage for that lot would end. Miss Phippen measured out the property for Mr. Wallentine and addressed Mr. Wallentine's questions.

Janis Wallentine of 3968 S. 280 W. said she was confused. She asked how many total houses could potentially be there if the property was rezoned. Commissioner Lawver said R1 was 1 acre with 200 ft. of frontage. He said with R-1A they needed  $\frac{3}{4}$  acre with 150 ft. of frontage.

Noreen Brown of 4000 S. main asked if they put a road in if they could have 1 acre lots? She assumed the answer was no.

Larry Slade asked where they were thinking of putting a road? Commissioner Lawver said he was not proposing putting in a road; he was guessing. He stated that an engineer would have to look at the property.

Brain Rasmussen of 975 West 2675 South said he intended to build on the west piece and then intended to sell off the east piece. He said he had no intention of putting in a road. He stated his intent was to split the property into three lots. Mr. Rasmussen said they loved the area, wanted to stay in the area, and that this piece of property was very attractive to them.

**Discussion and consideration of a request to rezone 4.24 acres of property located at 173 W 4000 S from Residential R-1 to Residential R-1a. (Applicant: Brian Rasmussen)**

Commissioner Lawver said the lots to the east that didn't have the 200 ft. of frontage were in existence before Nibley's zoning laws came into effect and were grandfathered in. Commissioner Davenport addressed Mr. Slade's question. Commissioner Lawver said Mr. Rasmussen had given a sufficient answer. He said an engineer would have to look at the property but currently it was all just speculation. Commissioner Davenport noted that some of the property to the south and west were already zoned R-1a so that this wouldn't be the only property zoned 1-a. Commissioner Davenport asked if there was sufficient water and sewer to the property. Miss Phippen said at the point of subdividing the property, the applicant was required to provide the city with shares in a canal company in order to ensure the city was able to provide the water to the property. She said the property owner was also required to hook onto the sewer and there were sufficient sewer pipelines to hook onto. Commissioner Davenport addressed the individual questions that had been asked by the public during the public hearing. Commissioner Bliesner said any new plat would be required to satisfy the frontage of that zone. Commissioner Bliesner stated the proponent should not be under the illusion that they would be able to put more lots in, and get away with it, than the zoning requirement in the subdivision ordinance would require. Commissioner Bliesner discussed and described a spot zone. He said this technically would not be a spot zone. Commissioner Anderson said the area was slated for medium density in the Nibley City General Plan. Mrs. Wallentine received clarification on subdivision after a rezone is granted. Miss Phippen said the request was not out-of-line with what the general plan anticipated. Mr. Slade asked if the canal right-of-way had an influence on the subdivision of the lot. Commissioner Lawver described how the canal could impact the property. Miss Phippen said it wouldn't affect the number of lots they could develop. She said they would have to provide a canal easement and that it would affect the buildable area of the lot.

Commissioner Davenport made a motion to recommend the rezone of 4.24 acres of property located at 173 W 4000 S from Residential R-1 to Residential R-1a. Commissioner Anderson seconded the motion. The motion passed 3-2; with Commissioner Davenport, Commissioner Anderson, and Commissioner Lawver in favor. Commissioner Green was opposed. Commissioner Bliesner abstained from voting.

### **Final Plat**

#### **Discussion and consideration of a final plat for Phase 3 of Maple View Estates (23 lots), a conservation subdivision located at approximately 1150 West 2800 South (Applicant: Neighborhood Nonprofit Housing Corporation)**

Kim Datwyler, the director of Neighborhood Nonprofit Housing Corporation (NNHC) was present at the meeting. Miss Phippen described that the phase being considered proposed to finish the subdivision. Miss Phippen displayed the preliminary plat for Phase 3 of Maple View Estates and described the general location of the property. Miss Phippen said she had received the finalized comment from the engineers; she said they had no problems with the configuration of roads or lots but were concerned with the layout of a sewer line. She described where the engineer had recommended the sewer line go. Mrs. Datwyler, Miss Phippen, and the Planning & Zoning Commission discussed placement of the sewer line.

Miss Phippen said there was also a question about the canal on the east side of the property. Mrs. Datwyler said it was proposed that the canal would stay open and it was not proposed to be fenced. Commissioner Bliesner requested the applicant make the homeowners aware of the Nibley City fence ordinance. Mrs. Datwyler nodded her head in the affirmative.

Commissioner Bliesner made a motion to recommend approval of the final plat for Phase 3 of Maple View Estates (23 lots), a conservation subdivision located at approximately 1150 West 2800 South. Commissioner Davenport seconded the motion. The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Davenport, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

### **Staff Reports**

Miss Phippen said Nibley City hoped to have the new Public Works Director on board within the next three weeks. She said an offer had been extended that morning.

Miss Phippen gave the Planning & Zoning Commissioners the dates for the next League of Cities and Town conference.

There was general consent to adjourn at 7:58.



RESOLUTION 15-01PC

A RESOLUTION DESIGNATING THE NIBLEY CITY PLANNER AND BUILDING INSPECTOR AS THE REVIEW  
AUTHORITY FOR ACCESSORY BUILDING PERMITS

BE IT RESOLVED BY THE PLANNING COMMISSION OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. The ability to approve building permits for accessory buildings is hereby designated to the Nibley City Planner and the Nibley City Building Inspector.
2. The Planning Commission shall retain the authority to direct the City Planner and Building Inspector to make approvals only in strict accordance with Nibley City Code and other building regulations as they may deem necessary for the safe construction of accessory buildings in Nibley City.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Aaron S. Bliesner, Chair

ATTEST

\_\_\_\_\_  
City Recorder