Mountainous Planning District Planning Commission
Public Meeting Agenda
Thursday, September 6, 2018 4:00 P.M.

**AMENDED**

Location
SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N1-110
NORTH BUILDING, COUNCIL CHAMBERS
(385) 468-6700

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.
TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission’s agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

PUBLIC HEARINGS

30722 – Shaun Hoggan is requesting a conditional use for a 2-unit dwelling group in the Foothills and Canyon Overlay Zone. Location: 6954 South Mt Aire Rd #86. Zone: FR-0.5. Community Council: Parleys. Planner: Jim Nakamura

BUSINESS MEETING

1) Approval of minutes from the July 5, 2018 meetings.
2) Historic Preservation Commission training for the Mountainous Planning District and Salt Lake County Planning Commission members.
3) Other Business Items (as needed)

ADJOURN
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Conditional Use Approval

Public Body: Mountainous Planning Commission
Parcel ID:
Property Address: 6954 S Mt Aire #86
Request: Dwelling Group (2 dwellings proposed)

Community Council: Parleys (Unincorporated)
Planner: Jim Nakamura
Planning Staff Recommendation: Approval
Applicant Name: Shaun Hoggan

PROJECT DESCRIPTION

Shaun Hoggan is requesting a conditional use for a (2 detached habitable units) Dwelling Group. The project has been reviewed for compliance with the zoning ordinance, including the Foothills/Canyons overlay zone, and staff believes that it meets the standards for approval.

19.04.190 - Dwelling group.

"Dwelling group" means a group of two or more dwellings located on a parcel of land in one ownership and having any yard or court in common

SITE & VICINITY DESCRIPTION (see attached map)

The property is located in the Mt. Aire Canyon area of Unincorporated Salt Lake County. This area is zoned FR-0.5.

LAND USE CONSIDERATIONS

In a FR-0.5 zone max density is 2 dwelling units/acre. Mr Hoggan’s property is 1.06 acres.
NEIGHBORHOOD RESPONSE

A Neighbor called wanting to know the size of the structures and what the applicant is proposing.

REVIEWING AGENCIES RESPONSE

PLANNING STAFF ANALYSIS

A. The development shall comply with the maximum allowable density for the zone in which it is located.

B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, if the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall be at least fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be at least the front yard required in the zoning district, except on corner lots the side yard which faces on a public street shall be at least twenty feet.

C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall be at least twenty feet wide for one or two rear dwelling units and at least thirty feet wide for three or more dwelling units.

D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall meet county standards.

E. Every dwelling structure in the dwelling group shall be within sixty feet of an access roadway or drive.

F. The development plan shall provide landscaping as specified in Chapter 19.77 of this title. Solid visual fences shall be provided along all interior property lines unless the planning commission approves otherwise.

Staff believes that the above requirements have been met.
COMMUNITY COUNCIL RESPONSE

"Parleys Canyon Community Council has no comments on this particular project. Please move ahead." Direct quote from Darrell (Parley’s Canyon CC Chair)

PLANNING STAFF RECOMMENDATION

Staff recommends that the Mountainous Planning Commission grant approval for the request of a Dwelling group.
CONDITIONAL USE DWELLING GROUP
MT AIRE

MAIN DWELLING (TEAR DOWN REBUILD IN FDOZ REVIEW) to be built on existing footprint

NEW SECONDARY DWELLING LIVING SPACE ABOVE DETACHED GARAGE

common courtyard
Existing main dwelling to be rebuilt
THE DESIGNS SHOWN AND DESCRIBED HEREIN INCLUDING ALL TECHNICAL DRAWINGS, GRAPHIC REPRESENTATION & MODELS THEREOF, ARE PROPRIETARY & CANNOT BE COPIED, DUPLICATED, OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART WITHOUT THE SOLE AND EXPRESS WRITTEN PERMISSION FROM JJA DESIGN.

THESE DRAWINGS ARE AVAILABLE FOR LIMITED REVIEW AND EVALUATION BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNMENT AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE.
MEETING MINUTE SUMMARY
MOUNTAINOUS PLANNING DISTRICT PLANNING COMMISSION MEETING
Thursday, July 5, 2018 4:00 p.m.

Approximate meeting length: 50 minutes
Number of public in attendance: 7
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Johnson

ATTENDANCE

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<th>Commissioners</th>
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<td>NICOLE OMER</td>
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<td>LIBBY ELLIS</td>
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<td>LINDA JOHNSON (VICE CHAIR)</td>
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<td>DON DESPAIN</td>
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<td>REID PERSING (CHAIR)</td>
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<td>CATHERINE KANTER</td>
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<td>CHRISTIE HUTCHINGS</td>
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<td>LAYNEE JONES</td>
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<tr>
<th>Planning Staff / DA</th>
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<td>Wendy Gurr</td>
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<td>Max Johnson</td>
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<td>Jim Nakamura</td>
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<td>Jake Young</td>
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<td>Zach Shaw (DA)</td>
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*NOTE: Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

BUSINESS MEETING

Meeting began at – 4:07 p.m.

1) Approval of Minutes from the May 24, 2018 meeting.

   Motion: To approve minutes from the May 24, 2018 special working meeting as presented.
   Motion by: Commissioner Ellis
   2nd by: Commissioner Young
   Vote: Commissioners voted unanimous in favor (of commissioners present)

2) Approval of Minutes from the June 7, 2018 meeting.

   Motion: To approve minutes from the June 7, 2018 meeting as presented.
   Motion by: Commissioner Ellis
   2nd by: Commissioner Young
   Vote: Commissioners voted unanimous in favor (of commissioners present)
3) Other Business Items (as needed)

Commissioner Johnson said the Central Wasatch commission is trying to get the bill of recreation and wilderness area changed into the federal line of approval and is worried of fires and interested in the beetle kill, it’s not an issue brought before, but the people taking care of the canyons should be brought here.

PUBLIC HEARINGS

Hearings began at – 4:10 p.m.


Salt Lake County Planning and Development Services Planner Jim Nakamura provided an analysis of the Staff Report.

Commissioner Johnson asked about the letter from Sara Bouley and if these facts are validated. Mr. Nakamura said she could be called if we need to. Mr. Shaw said the question should be referred to the applicant regarding access or to the attorney.

Commissioner Kanter asked if the community council knew of the alleged lawsuit before they made their recommendation. Mr. Nakamura said he doesn’t know.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant
Name: Veronica Florin
Address: 2863 East Fallentine Road
Comments: Ms. Florin said her lawsuit is a totally different issue. Parking spots don’t even come up to the access they are talking about. Plenty of parking beyond our parking spots.

Commissioner Johnson asked if they can park there without turning or touching his property and if parking is on their two lots. Commissioner Kanter asked if they have a diagram in the litigation and what would be helpful to them, so they can understand and the source of the dispute and where the alleged easement is. The parking is on their property, primitive road is the issue and the easement the attorney is talking about and the cabin is on Florins’ lot two. Commissioner Kanter said they filed a lawsuit against the neighbor. Ms. Florin said it has been in place for 50 years. Ms. Florin said from their front door into the easement. Commissioner Johnson said Commissioner Kanter said claim is five. Turn down in front of their property or going over the Disman’s land and they don’t go over his property. Ms. Florin said they are asking for an easement on the primitive road. They let the Disman’s Bed and Breakfast park on their road. Commissioner Palmer asked if they have access to Big Cottonwood road from their property. Ms. Florin said they don’t use the primitive road at all and working on access to the front road.

To access parking, do you have to travel over the disputed land. Disman’s don’t want to get access to the Florins’ cabin to travel on the road in front of their cabin.
Mr. Shaw said the first step is to make a clear record of what we figured out and Mr. Nakamura walk us through the map, working on and explain access and have the applicants explain that. If you’d like, contact the Dismans. Ms. Florin said they have been trying to do this since February and they have waited to do this. Mr. Shaw asked if the access onto the Dismans property is not required to access the parking and if other neighbors agree with that could approve the application without acquiring that and requires looking at maps and would be appropriate to continue. Commissioner Ellis said when we prepared for this meeting we had this, when they sat down why did they receive that. Mr. Shaw said a member of the public wanted them to look at it.

**Speaker # 2:** Citizen  
**Name:** Linda Boettcher  
**Address:** 11454 East Mule Hollow Lane  
**Comments:** Ms. Boettcher said when you look at the paper, the Dismans must cross Florins property to access and back onto their property to back out. They bought their lot 50 years ago and when opened had a dead end and they work very well together, only problem is with the other neighbor. They had to go to court with the Dismans for parking issues as well.

**Speaker # 3:** Citizen  
**Name:** Gerhard Boettcher  
**Address:** 11454 East Mule Hollow Lane  
**Comments:** Mr. Boettcher said they had the first cabin up there. The road has been there forever, he drives across his land. He wants to landlock, live and let live, give and take. Mr. Disman is pushing pretty hard up there and doesn’t know why the road doesn’t go to Florins front door.

Commissioner Johnson asked if the roadway has ever been closed. Mr. Boettcher thought it was weird that Dismans wouldn’t let him access the road. He has a little lot with a big house and parks in front of his door and parking is a problem.

Commissioner Jones said this is across the highway through her home and is familiar to this home and can attest there is access to the Florins property.

**Speaker # 4:** Citizen  
**Name:** Kelly Lether  
**Address:** 11468 East Mountain Sun Lane  
**Comments:** Mr. Lether said the access goes up Mountain Sun Lane and turns to Mill Hollow Lane and stops at their property. Doesn’t affect it at all and the interesting part is he got the notice of the meeting on the 23rd why did it take them so long. This has been going on much longer. Mr. Dismans parking need to be looked at and he doesn’t have adequate access. Longtime friends, no problem with the Florins. Mr. Disman is kind of an outsider and out of towner and it doesn’t work. Everyone can get along. Dismans have a short-term rental and has an issue with parking. The Florins have adequate parking on their first lot.

Commissioner Kanter said there are two things commented, suggesting the renters will have to park on Mill Hollow Road. Dismans’ concerned adequate parking to accommodate renters and that’s not the case. Mr. Lether said the Florins used to turn in on Dismans property. Mr. Disman blocked it off. The case has nothing to do with the situation.

Commissioner Ellis asked facts as Mr. Nakamura knows them. They have access off the road that doesn’t cross the Dismans property and Commissioner Palmer confirmed off site and Commissioner Johnson said they can access without the other persons property. Commissioner Kanter asked if there is inadequate
parking and parking in front of neighbors. Mr. Nakamura said four off street parking. Commissioner Palmer said shows five cars on one and two on the other.

**Speaker # 5:** Big Cottonwood Community Council  
**Name:** Barbara Cameron  
**Address:** 11185 Mountain Sun Lane  
**Comments:** Ms. Cameron said they considered this application by email vote. She received approval with recommendations from fifteen of twenty members. Two other points, she walked up and noticed parking, right next to their home. Thought of posting noise ordinance. Kelly took it to UFA and wants to develop that with short term rentals.

**PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To approve application #30656 with Staff Recommendations, and revisory in response to Big Cottonwood Community Council to provide detailed directions to get there.  
**Motion by:** Commissioner Young  
**2nd by:** Commissioner Ellis  
**Vote:** Commissioners voted unanimous in favor (of commissioners present)

*Commissioner Young advised this is the third short-term rental in Big Cottonwood Canyon. Consider changing the planning commission meeting location to Big Cottonwood Canyon.*

*Commissioner Johnson said to investigate public and private roads.*

**MEETING ADJOURNED**

*Time Adjourned – 4:57 p.m.*