

**MEETING MINUTE SUMMARY**  
**SALT LAKE COUNTY PLANNING COMMISSION MEETING**  
**Wednesday, September 12, 2018 8:30 a.m.**

**\*\*Meeting minutes approved on October 10, 2018 with one amendment\*\***

**Approximate meeting length:** 1 hour  
**Number of public in attendance:** 8  
**Summary Prepared by:** Wendy Gurr  
**Meeting Conducted by:** Commissioner Cohen

**\*NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

**ATTENDANCE**

Commissioners	Public Mtg	Business Mtg	Absent
Neil Cohen	x	x	
Ronald Vance	x	x	
Mark Elieson	x	x	
Bryan O’Meara	x	x	
Kim Barbushev	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Todd Draper	x	x
Max Johnson		
Curtis Woodward		
Zach Shaw (DA)	x	x

**BUSINESS MEETING**

**Meeting began at – 8:35 a.m.**

- 1) Approval of Minutes from the August 15, 2018 meeting.

**Motion:** To continue minutes from the August 15, 2018 meeting to the next scheduled meeting to allow amendments.

**Motion by:** Commissioner Barbushev

**2<sup>nd</sup> by:** Commissioner Elieson

**Vote:** Commissioners voted unanimous in favor

- 2) Other Business Items (as needed)

*Commissioner Cohen confirmed they are the historic preservation commission. Mr. Shaw said next step is to schedule a work meeting, same time as MPDPC to discuss how to take an inventory of historical sites in their jurisdiction. October meeting of the MPDPC, combined workshop how best to do inventory of historical sites. Mr. Shaw said county will provide the areas of unincorporated county and boundaries for proposed sites to be considered. Commissioner Cohen said if done by the next meeting it will be noticed.*

*Mr. Shaw said there is a workshop the state was involved in, staff will send an email for date, time and location and will be beneficial. There is a fee to that, but state mentioned there is a scholarship*

*for public bodies. September 27<sup>th</sup>, we will give more information when the workshop is for training. Mr. Shaw said Mr. Woodward would find out more information and provide it to them.*

## **PUBLIC HEARINGS**

**Hearings began at – 8:50 a.m.**

**30417 – Continued from 08/15/2018** - Adam Breen is requesting approval of amendments to the site plan and conditions of approval for the Janke Estates Planned Unit Development (PUD). **Location:** 3023 East Janke Flats Lane. **Zone:** R-1-21 (Single Family Residential). **Community Council:** Granite. **Planner:** Todd A. Draper, AICP

*Salt Lake County Planning and Development Services Planner Todd Draper provided an analysis of the staff report. Todd advised new information has come out since the staff report was created.*

*Commissioner Vance said one solution is a private line agreement, which solves all the questions and problems in addition to the easement. Commissioner Cohen said regardless, would this easement be something settled regardless the major changes. Mr. Draper said should be, at this point main concern is lack of knowledge of location of the lines and exact size of easement for regular maintenance to occur. Mr. Breen expressed getting that part of the plan corrected, haven't had a full review. Commissioner Cohen said because we continued this and, on the agenda, asking for continuance. Mr. Draper said it would be appropriate rather than go through the list in the staff report. Commissioner Cohen said proceed as rules of conduct require.*

## **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant/Breen Homes

**Name:** Adam Breen

**Address:** 6340 South 3000 East

**Comments:** Mr. Breen provided information received today. Design of the garage and wall parallel to property line. Highlighted a few areas, increased setback to ten feet two inches. Doesn't show location of irrigation line, did spot check and physically found them. Sit within one foot and three-foot setback. Once they show ten-foot line, would be within the north side of the property. Second, highlighted garage wall and changed the sizing to be more in line with the house and support neighbor's property. Removed all windows from the side. Addressed everything, no matter what they design and hardscape, allows for room for irrigation to be corrected. Emails with Scott Ellis from sandy city water. Have included Mr. Zarbock to make sure across to everyone and corrected. Quick irrigation easement, their title company wrote up and sent to staff yesterday. Need approval for verbiage and have property owner sign. Taking steps to make better sense, time is coming in to play.

*Commissioner Vance said its proper for the owner to write up the owners of the easement, but it's a good starting point. Mr. Breen asked who would write that up. Commissioner Cohen asked if he moved the pipe. Mr. Breen said they did, as they got into the development it was amongst the main utilities, thought to come down twelve feet and come back up and cause a problem. They didn't write up the agreement to move it to the north. Mr. Breen said there is some owners on the utility line and he will make a note of that. Commissioner Cohen asked if he is redesigning the new garage. Mr. Breen confirmed.*

*Mr. Breen asked for continuation in preparation for the changes.*

**Speaker # 2:** Granite Community Council Chair

**Name:** Michael Braun

**Address:** 3020 Apple Hollow

**Comments:** Mr. Braun said at their Granite Community Council September meeting, they discussed was made in other business section, he gave a summary of the meeting and they had no discussion otherwise after the summary. He described the meeting in his terms during the minutes.

*Commissioner Barbushev motioned to open the public hearing, Commissioner Vance seconded the motion. Commissioners voted unanimous in favor.*

**Speaker # 3:** Citizen

**Name:** Michael R Braun

**Address:** 3020 Apple Hollow

**Comments:** Mr. Braun said he apologizes for Salt Lake County Counsel obstructing Commissioner Vance's motion. Pipes near his fence, he isn't giving any easement to his property line north. Other attendees against the application and here for irrigation issues. Read all the emails, neighbors. Attends community meeting municipality meetings on a regular basis. Salt Lake County needs to adhere to their ordinances. Sandy city in an ordinance, they stick to their ordinances because its law. Irrigation issues are an issue, yet this application is about major changes to a PUD and a specific ordinance that applies 19.78.110, law needs no interpretation. How do we keep citizens happy, county planners adhere to the written words of the ordinance. Conditional use amendments do not meet the parameters of the law. Need major changes. How do we keep members not to annex in to Sandy.

**Speaker # 4:** Citizen

**Name:** Greg Miller

**Address:** 10324 Dimple Dell Road

**Comments:** Mr. Miller said he is a board member for Bell Canyon irrigation company. Here to oppose the garage and deck and clarify issues regarding the easements irrigation water. Scott Ellis, not with sandy city water, bell canyon, sandy city citizen. Stated earlier bell canyon, easements in place if they've been in continued use for 20 years. First used water for flood irrigation in 1992. All four users are over the 20 years. Case law here and it states the holder of an easement must describe the easement in the county recorder's office to make it filed. He doesn't understand why there are zoning ordinances if they aren't going to be filed. Followed very closely that we would allow the development of four homes. Why have building ordinances if they are going to be violated.

**Speaker # 5:** Citizen

**Name:** Jim Whitmore

**Address:** 2998 East Apple Hollow Cove

**Comments:** Mr. Whitmore said he has exhibits to hand out and gave a summary and history of the property. They need fifteen feet from the fence to turn their equipment.

*Commissioner Vance said along with the easements, comes ingress and egress. You can go in there anytime and the property owners must allow access. Commissioner Cohen said this shows the redline. Mr. Whitmore said originally it was a ditch to a cement pipe and then to an ads pipe. Commissioner Cohen said pipe was there when the subdivision went in. Mr. Whitmore said they fed the pipe. Commissioner Cohen said someone cut that off. Mr. Whitmore said Brent Layton owned the property and cut them off and in 2008 cut the lines. Mr. Whitmore said he wasn't using irrigation anymore and could get rid of easement.*

**Speaker # 6:** Citizen

**Name:** Greg Miller

**Address:** 10324 Dimple Dell Road

**Comments:** Mr. Miller said they went to pressurized irrigation. Can't speak for Mr. Layton, but one concern was having pressurized water go through his property, but that was his claim when the legal issue came out.

**Speaker # 7:** Applicant/Breen Homes

**Name:** Adam Breen

**Address:** 6340 South 3000 East

**Comments:** Mr. Breen said irrigation rights are new to him. He understands the need for the lines and feelings the lines bring in to people's property. He thinks it's safe to say irrigation has started to fall and any reason can't get together to align and not be so against battling each other. It is hard to listen to the negativity he is open to figure out proper methods. He will continue to work through and thinks he's designed around the lines to give the owners of the lines the attention.

*Commissioner Barbushev motioned to close the public hearing, Commissioner Elieson seconded that motion. Commissioners voted unanimous in favor.*

### **PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To continue application #30417 to the October 10<sup>th</sup> meeting.

**Motion by:** Commissioner Elieson

**2<sup>nd</sup> by:** Commissioner Vance

**Vote:** Commissioners voted unanimous in favor

### **MEETING ADJOURNED**

**Time Adjourned – 9:35 a.m.**