

MEETING MINUTE SUMMARY
MOUNTAINOUS PLANNING DISTRICT PLANNING COMMISSION MEETING
Thursday, July 5, 2018 4:00 p.m.

****Meeting minutes approved on September 6, 2018****

Approximate meeting length: 50 minutes

Number of public in attendance: 7

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Johnson

***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
NICOLE OMER			x
TOD YOUNG	x	x	
LIBBY ELLIS	x	x	
LINDA JOHNSON (VICE CHAIR)	x	x	
DON DESPAIN	x	x	
REID PERSING (CHAIR)			x
CATHERINE KANTER	x	x	
JAMES PALMER	x	x	
CHRISTIE HUTCHINGS			x
LAYNEE JONES	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson		
Jim Nakamura	x	x
Jake Young		
Zach Shaw (DA)	x	x

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.

30656 – Veronica Florin is requesting conditional use approval to establish a short-term rental on her property. **Parcel Area:** .17 Acre. **Location:** 11476 East Mule Hollow Lane. **Zone:** FR-1. **Community Council:** Big Cottonwood. **Planner:** Jim Nakamura

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 Dismans' 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 Dismans' 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. Dismans' 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 town 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.