

Town of Leeds

Agenda Town of Leeds Planning Commission Wednesday, November 2, 2022

PUBLIC NOTICE is hereby given that the Town of Leeds Planning Commission **PUBLIC MEETING** scheduled for Wednesday, November 2, 2022 at 7:00 P.M. This meeting will be held at Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746.

If you are interested in participating remotely via Zoom, please contact Town Hall at 879-2447 or email Clerk@LeedsTown.org for the Zoom details.

Regular Meeting 7:00 p.m.

1. Call to Order/Roll Call
 - Oath of Office for Jennifer Luft, Planning Commission term ending July 2024
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting Minutes of October 5, 2022
 - c. Meeting minutes of Joint Work Session August 30, 2022
6. Announcements:
 - a. Dumpster Days November 11,12, & 13, 2022
 - b. Draft Administrative Code Enforcement available on the Leedstown.org website
 - c. Acknowledgement of resignation and service from Council member Lorrie Hunsaker Oct.11, 2022. Interviews and selection of Midterm Candidates will be held at Town Council Meeting November 9, 2022, 7:00pm
 - d. Public Hearing date for Annexation of Zion Landing LLC & Write Direction LLC set for November 30, 2022
 - e. Public Hearing date for preliminary 2023 grant recommendations set for November 30, 2022
7. Public Hearing: None
8. Action Items:
 - a. Discussion and possible action on Conditional Use Application for Ron and Pauline Fowlks
9. Discussion Items: None
10. Staff Reports
11. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at *least* 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting.

The undersigned Clerk/Recorder does hereby certify that the above notice was posted October 31, 2022, at these public places being **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** <http://pmmutah.gov> and the **Town of Leeds website** www.leedstown.org



Aseneth Steed, Clerk/Recorder

Town of Leeds

Planning Commission Meeting for Wednesday, November 02, 2022

1. Call to order:

Chairman Swenson called to order the regular meeting of the Planning Commission at 7 PM on Wednesday, November 2, 2022.

ROLL CALL:

	Present	Absent
CHAIRMAN: DANNY SWENSON	<u> X </u>	<u> </u>
COMMISSIONER: ALAN ROBERTS	<u> X </u>	<u> </u>
COMMISSIONER: GARY ROSENFELD	<u> X </u>	<u> </u>
COMMISSIONER: TOM DARTON	<u> X </u>	<u> </u>
COMMISSIONER:	<u> </u>	<u> </u>

Alternate Miranda Nessen and Bill McLaughlin present

a. Oath of Office for Jennifer Luft, Planning Commission term ending July 2024

2. Invocation: Tom Darton

3. Pledge of Allegiance: Chairman Swenson

4. Declaration of Abstentions or Conflicts: None

5. a. Agenda:

Commissioner Rosenfield moved to approve the agenda of November 2, 2022. Commissioner Roberts seconded. Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: ALAN ROBERTS	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: GARY ROSENFELD	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: TOM DARTON	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JENNIFER LUFT	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

b. Meeting Minutes of October 5, 2022:

Commissioner Darton motioned to approve Meeting Minutes of October 5, 2022. Chairman Rosenfield seconded the motion. Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	<u>X</u>	---	---	---
COMMISSIONER: ALAN ROBERTS	<u>X</u>	---	---	---
COMMISSIONER: GARY ROSENFELD	<u>X</u>	---	---	---
COMMISSIONER: TOM DARTON	---	---	---	<u>X</u>
COMMISSIONER: JENNIFER LUFT	---	---	---	<u>X</u>

Meeting Minutes of Joint Work Session August 30, 2022:
 Commissioner Roberts motioned to approve Meeting Minutes of October 5, 2022.
 Chairman Swenson seconded the motion. Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	<u>X</u>	---	---	---
COMMISSIONER: ALAN ROBERTS	<u>X</u>	---	---	---
COMMISSIONER: GARY ROSENFELD	---	---	---	<u>X</u>
COMMISSIONER: TOM DARTON	---	---	---	<u>X</u>
COMMISSIONER: JENNIFER LUFT	---	---	---	<u>X</u>

Commissioner Roberts: Let me point out just on that. Here's a good example of a meeting that happens a while ago. The public has the right to have an official copy of what transpires in these meetings in a timely manner. And when they are not approved, they could not be released as official meeting minutes. And you could have individual citizens that would petition the clerk under a GRAMMA request or looking for those official documents, but until they have been approved they're not official, they can't be released. They need to be in a timely manner that that they're approved for the public to have access to.

6. Announcements:

- a. Dumpster Days November 11,12 & 13. Dumpsters located on Cherry Lane

Chairman Swenson: Dumpster days coming up the 11th 12th 13th. And we encourage you to take advantage of that. It is at the same location.

- b. Draft Administrative Code Enforcement available on the Leedstown.org Website

- c. Acknowledgement of resignation and service from Council member Lorrie Hunsaker Oct.11, 2022. Interviews and selection of Midterm Candidates will be held at Town Council

Chairman Swenson: For those that do not know and for the record we announce the resignation from Lorrie Hunsaker, who has been quite ill and has resigned because she doesn't feel like she can continue in her condition. I have talked with her, she is slowly improving and that's a great, great news. She fully intends to, to engage in a town and service as she gets better. So that's good news. And I recognize that she's done a lot of work, invested a lot of time in the community and most recently, a lot of work and organizing with service at the cemetery. We recognize her efforts for sure

there'll be missed, but she will be participating. We have an opening and interviews and selections for the midterm candidates will be held at the Town Council meeting November 9, 2022 at seven o'clock. Any questions definitely contact the mayor or Aseneth with your questions. We do need to fill that spot within 30 days.

- d. Public Hearing date for preliminary 2023 grant recommendations set for November 30, 2022

7. Public Hearing: None

Lynn Potter: My name is Lynn Potter. And this is in regard to my property at L-3-1-7110 currently owned by Diane Powell and Lynn Potter. I wanted to bring this before the planning commission hopes that might be acknowledged in the minutes if not put on to the general transportation master transportation plan that's coming up. This is minutes from the planning commission from September 15, 1999. I blew that up because it's too small on the next page. This is in regard to Alberta Lee's subdivision with two provisions that Roundy Mountain Road is part of. It was the Silver Meadows estates subdivision II. Mike Empey made the motion at the Commission recommended approval of the final plat for Alberta Lee's subdivision with two provisions when and if the future road is developed at the property be deeded back to the property owners a lot 8 and 11 and that the setbacks for a lot nine be for the future potential road. Okay. Now, this is from the town council from September 22, 1999. And the page after that basically says that they made a motion to approve the Silver Meadows two subdivision estates plat as plated and it was seconded, and it was passed. Okay. And then this third, minutes, is from January of 2003. January 2003. Okay. On the next page, Now, this planning commission meeting was in regard to another subdivision. Okay. But they referenced the Alberta pace subdivision in regard to how they're going to put an opening at the bottom of this subdivision. Okay. The arrangements of streets and the new subdivision shall make provisions for the continuation of the street and adjoining areas and shall provide access to non-subdivided adjoining areas, and so much as continuation or access shall be deemed necessary by the planning commission. Chairman said that that was the approach that they took with Alberta subdivision when they recommended she not put a lot at the end of the cul de sac on that was a Roundy Mountain road. But that she dedicated the road similar to Westhoffs. This was in regard to Westhoffs. Now, this is the plat. This is the first page of the plat of Silver Meadows II subdivision. This is the plat where you can see the picture on their highlighted. Well, let's just go on to the next picture. Because it's enlarged. They're highlighted, it says future wide right away. Okay, now, this cuts across lot nine, which is built. Now, I do not want to have to cut across a big chunk Right of Way, Phil's lot. Even if it did grant, part of the cul de sac back to the other lots around it, I would rather have a cul de sac on my property with a private road. This next one, this is just an example of a 1996 survey that has had the upward pace have gone up. That's what was expected to be the future road. Okay and this very last page is a zoom of the Leeds Master transportation plan, and I put the black line in there saying we should acknowledge it or make a note because this is what was in the agreement. This is what was in the minutes. This is what's plated. This is supposed to go through, even though I would rather have a cul de sac then goes through and cut across Bills front yard. Okay. I don't want to do this, but it should be on the record. And I need to ask to be, this to be put on into the written record, not just the recorded record. Okay, Aseneth? Do you have any questions?

Chairman Swenson: Yeah, no, it'll be on the minutes.

Potter: Excellent.

Chairman Swenson: That's what you wanted, an announcement?

Potter: Yes.

Chairman Swenson: And are you planning then to present his Town Council?

Potter: That's correct. Okay. I'm not sure how to get on with the Town Council anymore, because they don't let me on the Town Council to speak. But I can, I can make a request, I guess in an email to the mayor be put on the Town Council for this, or do I just speak when they asked for the hearing?

Chairman Swenson: Well, I mean, you caught me out front, but I think it's a good idea to do it ahead of time. Let you and Aseneth communicate. If we need to talk to the mayor and have him talk to you. Great. Okay. I'll see you this is new information.

Potter: Yeah. Yeah. I'll see you tomorrow. I'll drop off that application and maybe we can figure something out then. Thanks.

8. Action Items:

- a. Discussion and possible action on Conditional Use Application for Ron and Pauline Fowlks

Ron Fowlks: We've got a petition before you or an application for a conditional use permit to have a bed and breakfast in one of the side rooms of our house. That's off to the east or west east of our house

Chairman Swenson: photograph is of your regular residence, right?

Fowlks: Yes, it's an individual residence, we are living in the other side. And we'll be living in the other side. This is just a suite. It's individual's bathroom facilities, we have had family stay in it for years, it was a place for my mom and dad to stay for a while when we first moved down and build it when he first got the house. So, we're just looking to for future endeavors and adventures and be able to help support us in our old age.

Chairman Swenson: I take it that you have plenty of parking for your residents and somebody else?

Fowlks: Yes, I can get ten cars on my driveway. When our family gets together, we overflow a little bit into the street. We have actually paved the front of the property out to the streets. So, I have that. That strip that runs all the way down. I own the property right next door, the vacant lot.

Commissioner Darton: And did you send out notice to your neighbors?

Fowlks: No, we have not. Were we and we're required to do that. I don't recall.

Commissioner Roberts: It is not a requirement.

Chairman Swenson: separate entrance?

Fowlks: Yes

Commissioner Darton: On page two of the application. It says in all caps. It is required that the applicant submit stamped addressed envelopes for all property owners within three hundred feet of the affected property. So is Alan, is this out of date this application?

Chairman Swenson: No, it is up to date.

[Reference 7.5.1.1 of Leeds, Land And Zoning Ordinance 2008.11]

Fowlks: We probably just glanced over the top of that? Well, the question was asked. Pauline, Weren't you aware that there was a letter that's been sent out to the property owners?

Chairman Swenson: We've had most of our discussions here if somebody wants a home business of some sort which is not that often. So, we relate to that.

Fowlks: One of the Neighbors is right here. Miranda lives across the street from us.

Miranda Nessen: As long as they do not park in front of my house I am fine with it.

Fowlks: We will never interrupt her parking.

Chairman Swenson: Any other questions? Are you going to advertise?

Fowlks" We are not really but I'd like to see what comes in.

Commissioner Darton: No Billboards on the side of the road because that is not allow.

Fowlks: Yes, I went online and looked at the ordinance, and the bed and breakfast is specific for owner occupied and so we may not be there 24/7 But we're there. Whoever comes you know, we share the driveway, and you know, I've had family and friends that come and stay there, and we've just improved it, fixed it up somewhat and would like to reuse it.

Chairman Swenson: I think just manage the property, the noise, the parking the whatever, if you are gone for a month on vacation, and people are coming and going.

Fowlks: I do not think we'd ever go. You know, given the way it is you can schedule the times and just do not if you are not going to be there.

Commissioner Darton: And it is you said it's a single room. So yeah, I am assuming you're probably going to, like limited two people?

Fowlks: It's pretty limited. Yeah, we'd never try and over and populate because we don't want to be inconvenienced no personal party next door to our bedroom. The walls really soundproof without a door, no door, and it's got its own bath.

Chairman Swenson: All right. Okay. Great. Any other questions

Commissioner Roberts: It needs to be very clear, Ron, it is a bed and breakfast. I know, this may sound like a semantics on words. But believe me, there will be people that will want to challenge this because they look at it as a list as a short-term rental and how is the Town of Leeds accepting this? It is not a short-term rental; it's listed as a Bed and Breakfast. That's something that the legislative body and the town needs to deal with. This is a permitted Use under the existing ordinances of the town as a home occupation with a conditional use. That's why I questioned the notification of for this particular use of a notification of neighbors within three hundred feet. Our application is generic for any conditional use with multiple categories. I don't think it should be government telling you what to do for your Bed and Breakfast as far as what you serve. We need it very clear that people understand. We're not granting a traditional short-term rental here; it meets the condition for a Bed and breakfast.

Fowlks: As I read the ordinance, and is very specific about it, like VRBO type thing where it's vacant home, and you rent the whole thing out, like the blue house down to the way. I mean, that was a month rental that they wanted on that for that time, because it was a vacant home. And when this is owner occupied, and we're there to oversee everything. I think that's why the town made that order because I read back into the ordinance as it came through and tried to be up on it.

Chairman Swenson: I wanted to make sure that you had been given the ordinances, but it looks like you've pulled them up. You've read it.

Fowlks: Yeah, I was able to have a website and research back into it.

Chairman Swenson: All other questions

Commissioner Darton Made a motion to approve the Bed and Breakfast Conditional use permit application for Ron and Pauling Fowlks. Seconded by Gary Rosenfield. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	<u>X</u>	___	___	___
COMMISSIONER: ALAN ROBERTS	<u>X</u>	___	___	___
COMMISSIONER: GARY ROSENFELD	<u>X</u>	___	___	___
COMMISSIONER: TOM DARTON	<u>X</u>	___	___	___
COMMISSIONER: JENNIFER LUFT	<u>X</u>	___	___	___

9. Discussion Items: None

10. Staff Reports

Chairman Swenson asked for a report of the Chili Cookoff.


Rhonda Mclaughlin: So, for the Chili cookoff, we ended up with only five participants, which I was hoping for a little bit more on that end. Hoping maybe we can never if we want to move on to the third annual then maybe we can drum up some more people wanting to go. There were there were there was people that came down for the tasting. And that I think we can work on a little bit next year as well. You know, right out on the street for the Easter egg hunt, we always put like a big sign up for that. I'm thinking if we want to continue and make this an annual event, maybe we can have a sign like that, that we can just tweak the dates every year. That way, then people coming, you know, driving by, then they can see it. This is only the second annual the first year that it was held, I wasn't there, but it was also in conjunction with a trunk or treat. So that's going to bring more people down. So, you know, just things to think about the coming year, do we want to do it the same timeframe, you know, if it's going to be an annual event, probably pick, you know, the certain like, Saturday beforehand, you know, so everyone, everyone knows months to come, like if they really want to get down there and make their chili, then they're going to put it on their schedule, that they're not going to book something else.: thought with it being a Monday, you know, because you've got to prepare your chili all day, I thought that would probably limit people to enter it as well. So, which again, you know, we were only at three and then we ended up with two at the last-minute coming in. It was a good turnout with five but from what I heard there was a lot more than a year before.

Chairman Swenson: I could attest from Miranda and I both, with just five was very, very difficult to come up with the best. I thought it was great. You did a good job.

He got a new flagpole in right. I went out there tonight. My vote would be keep both, one across from the other and have the state flag and whatever flags that we're going to put on state local flag and a national flag. I just wanted to put it out there that there is a new flagpole, whether there's going to be two or just one discussion was, and consideration was actually to put it out on the other side where the sidewalk is where the round circle and rocks and in investigating that there's power going through it and a number of utilities and so on. And it would cost, you know, upwards of \$5,000 To even begin to dig the hole and move stuff. So that's probably not very feasible for us unless somebody wants to donate. We'll probably move that. I just wanted to put that out there and approve it.

The meeting was adjourned at 7:38 pm.

APPROVED ON THIS SEVENTH DAY OF DECEMBER 2022


Danny Swenson, Chairman

ATTEST:


Aseneth Steed, Town Clerk/Recorder