

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
JUNE 12, 2012**

MEMBERS PRESENT: Brian Bodily, Sharon Esplin, Gerald Gilbert, Tim Pales, Dave Weaver

ALTERNATE MEMBERS PRESENT: Jeremy Davis

MEMBERS ABSENT: Wynn Hansen

ALTERNATE MEMBERS ABSENT: Dawn Fitzpatrick

OTHERS PRESENT: Staff Members: Bill Wright, Kem Weaver, Brandon Rypien, Clint Drake, Julie Jewell, Councilmember Jory Francis

PUBLIC REVIEW:

1. SUMMER PLACE COVE PHASE 2 AND SUMMERHAZE SUBDIVISION PLAT AMENDMENT

These properties are located at 30 South 2050 East and 1985 East 75 South. The applicants are Scott and Shelly Hansen and Brian and Lisa Daems.

Planner I, Brandon Rypien, presented the proposed plat amendment for Summer Place Cove Phase 2 and Lot 19 of the Summerhays Subdivision. He said the adjustment is to move the property line to accommodate an existing fence. He said the lot line adjustment also involves the Les Chenes Subdivision which received final approval but was never recorded. The landowner is doing a quit claim deed for the property transfer. Community and Economic Development Director, Bill Wright, said the lot line could have been done administratively, but the property owners requested a recorded plat.

2. BROMSFIELD SUBDIVISION PLAT AMENDMENT

This property is located at approximately 2080 East 25 South. The applicant is Daniel Richards.

Mr. Rypien presented the request to amend the Lots 3 and 4 of the Bromsfield Subdivision plat to allow Lot 4 better property access. He said both lots meet the minimum acreage requirements of the R-1-10 zone as well as the frontage and lot width requirements. The lots also meet the 5,000 square foot buildable area. Lot 3 has an existing home on the property and Lot 4 is vacant. With the lot line adjustment, the public utility easements will have to be redrawn with the old easement vacated and the new easement dedicated.

3. JAMES DUFFY – CONDITIONAL USE REQUEST FOR A PRIVATE KENNEL

This property is location at 2150 North Fairfield Road in an A (Agriculture) zone. The applicant is James Duffy.

Mr. Rypien presented the request for a conditional use permit for a private kennel. He applicant has two dogs registered with the American Kennel Club and is requesting to have an additional dog for his daughter to raise and present in dog shows.

Mr. Rypien said the minimum requirement for a kennel license is that the property be in an agriculture zone and be a minimum of one acre in size. He said the kennel has to be 100 feet from any neighboring home and maintain a 10-foot setback for the private kennel from any side or rear property line.

He said it was Staff's opinion that the total number of dogs allowed should be four dogs in case the applicant wanted to add another dog.

Commissioner Weaver said the applicant had two adult dogs and three puppies. Mr. Rypien explained that more dogs were allowed as long as the puppies are less than four months old.

Mr. Rypien said there had been no feedback from the neighbors.

Commissioner Pales said it was commendable that the applicant was making the effort to have the additional dog approved.

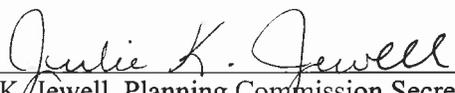
Commissioner Gilbert asked if a condition should be added that the dogs be kept in at night since that was what the applicant was stating he would do. Mr. Wright said it wouldn't be necessary given the size of the lot, and Mr. Rypien said the requirement was not in the code.

OTHER: Commissioner Gilbert asked about the WINCO conditional use. Mr. Wright explained that WINCO had declined to post the required bond, so the conditional use would be revoked.

There was a discussion about In and Out Burger and about the Randall Oil Company's search for a new site.

Commissioner Gilbert asked when the U-Haul business would be cleaning up its site. Mr. Wright responded that he would talk with them about it.

Mr. Wright explained that the City would be conducting a campaign for the November 6, 2012, ballot since it appeared that the appropriate number of signatures had been collected. Councilmember Francis said many of the signatures came from East Layton.



Julie K. Jewell, Planning Commission Secretary

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Chairman Esplin called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited and an invocation was given by Commissioner Davis.

Chairman Esplin called for a motion to approve the May 8, 2012, Planning Commission and Work Meeting Minutes. Commissioner Pales moved to approve the May 8, 2012, minutes as written. Commissioner Gilbert seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to open Public Review. Commissioner Gilbert moved to open Public Review. Commissioner Pales seconded the motion, and the voting was unanimous.

PUBLIC REVIEW:

1. SUMMER PLACE COVE PHASE 2 AND SUMMERHAZE SUBDIVISION PLAT AMENDMENTS

These properties are located at 30 South 2050 East and 1985 East 75 South. The applicants are Scott and Shelly Hansen and Brian and Lisa Daems.

Planner I, Brandon Rypien, presented the plat amended for Summer Place Cove Phase 2 and Lot 19 of the Summerhaze Subdivision. He said the adjustment is to move the property line to accommodate an existing fence. He said the lot line adjustment also involves the Les Chenes Subdivision which received final approval but was never recorded. Because the plat was not recorded, the landowner can do a quit claim deed for the property transfer.

Mr. Rypien said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the amended plats subject to meeting all Staff requirements. There were no comments from the Commission or audience.

Chairman Esplin called for a motion on the item. Commissioner Weaver moved that the Planning Commission forward a positive recommendation to the City Council to approve the amended plats. Commissioner Davis seconded the motion, and the voting was unanimous.

2. BROMSFIELD – SUBDIVISION PLAT AMENDMENT

This property is located at approximately 2080 East 25 South. The applicant is Daniel Richards.

Mr. Rypien presented the request for the Bromsfield Subdivision plat amended. He said that the 16-lot subdivision was given final approval by the City Council on February 7, 2005. He said the majority of the lots

exceed the minimum lot size of 10,000 square feet in the R-1-10 zoning district and both Lots 3 and 4 will meet the 60-foot frontage requirement and 80-foot lot width after the lot lines are adjusted.

Mr. Rypian said the subdivision is within the sensitive lands area so each lot must have a 5,000 square foot buildable area. He explained that the reason for the adjustment is to allow better access for Lot 4.

Mr. Rypien said Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve the plat amendment.

Chairman Esplin called for a motion on the item. Commissioner Davis moved that the Planning Commission forward a positive recommendation to the City Council to grant amended plat approval subject to the applicant meeting all Staff requirements and recommendations in the staff memo. Commissioner Gilbert seconded the motion, and the voting was unanimous.

3. JAMES DUFFY – CONDITIONAL USE REQUEST FOR A PRIVATE KENNEL

This property is location at 2150 North Fairfield Road in an A (Agriculture) zone. The applicant is James Duffy.

Mr. Rypien presented the request for a conditional use permit for private kennel. The applicant has two dogs registered with the American Kennel Club and is requesting to have an additional dog for his daughter to raise and present in dog shows.

Mr. Rypien said the minimum requirement for a kennel license is that the property be in an agriculture zone and be a minimum of one acre in size. He said the kennel has to be 100 feet from any neighboring home and maintain a 10-foot setback for the private kennel from any side or rear property line.

Mr. Rypien said the applicant has agreed to comply with all the requirements. He said Staff recommends the Planning Commission approve the conditional use request with the following conditions:

1. Outdoor pens shall be located in the rear yard and shall not be closer than one hundred feet (100') to any neighbors dwelling and ten feet (10') from any side or rear property line.
2. The kennel shall comply with all applicable Davis County Health Department and Davis County Animal Control Department regulations.
3. The total number of dogs shall be limited to four (4) total.

There were no questions or comments from the Commission.

A resident, Kent Hepner, 2226 North Fairfield Road, and two houses north of the subject property, said he had concerns with the additional dogs and related that a year ago the applicant's dogs killed a goat on his property. He wanted a guarantee that the dogs wouldn't get out again.

The applicant, James Duffy, 2150 North Fairfield Road, said the dogs are locked in a kennel. He said that on the evening of the event Mr. Hepner related, Davis County Animal Control had investigated and found no evidence his dogs had done the damage. He said the pens are locked and the dogs are in at the night and aren't allowed to bark. He said he had made changes to the locking mechanism.

Chairman Esplin asked if there had been other incidents, and Mr. Duffy said there had not been any other incidents.

Commissioner Gilbert asked Mr. Duffy if he was familiar with the conditions and if he could comply.

Mr. Duffy replied in the affirmative and explained where the dog pen would be located. He said they had two adult dogs and a litter of three puppies. They would be keeping one puppy.

Chairman Esplin called for a motion on the item. Commissioner Pales moved that the Planning Commission grant the conditional use request subject to the applicant meeting all Staff conditions, which are hereby adopted as requirements. Commissioner Weaver seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to close Public Review and adjourn the meeting.

Commissioner Gilbert moved to close Public Review and adjourn the meeting. Commissioner Weaver seconded the motion, and the voting was unanimous.

The meeting adjourned at 7:14 p.m.



Julie K. Jewell, Planning Commission Secretary