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3 **City of Washington Terrace**
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6 **Minutes of a Regular Planning Commission Meeting held on**
7 **Thursday, August 29, 2019**
8 **City Hall, 5249 South 400 East, Washington Terrace City,**
9 **County of Weber, State of Utah**
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13 **PLANNING COMMISSION AND STAFF MEMBERS PRESENT**

14 Chairman Scott Larsen
15 Commissioner Dwight Henderson
16 Commissioner T.R. Morgan
17 Commissioner Wallace Reynolds
18 Commissioner Charles Allen
19 Commissioner Darren Williams - Excused
20 Commissioner Dan Johnson - Excused
21 Chief Building Inspector Jeff Monroe
22 City Recorder Amy Rodriguez
23

24 **Others Present**

25 Randy Emero, Tiffany Emero
26

27 **1. ROLL CALL** **6:00 p.m.**

28 **2. PLEDGE OF ALLEGIANCE**

29 **3. WELCOME**

30 **4. RECURRING BUSINESS**

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33 **4.1 MOTION: APPROVAL OF AGENDA**

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35 **Motion by Commissioner Reynolds**
36 **Seconded by Commissioner Henderson**
37 **To approve the agenda**
38 **Approved unanimously (5-0)**
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41 **4.2 MOTION: APPROVAL OF MINUTES FOR MAY 30, 2019**

42 **Motion by Commissioner Allen**
43 **Seconded by Commissioner Morgan**
44 **to approve the minutes of May 30, 2019**
45 **Approved unanimously (5-0)**
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48 **5. SPECIAL ORDER**

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50 **5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND**
51 **OPPOSITION TO THE PROPOSED ORDINANCE AMENDING SECTION**
52 **17.44.080 “FENCES, WALLS, AND HEDGES” REGARDING FENCING**
53 **ALLOWED WITHIN A SIGHT TRIANGLE**

54
55 **Chairman Larsen opened the public hearing at 6:04 p.m.**

56 There were no citizen comments.

57 **Chairman Larsen closed the public hearing at 6:05 p.m.**

58
59 **5.2 PUBLIC HEARING: TO HEAR COMMENT IN SUPPOR AND**
60 **OPPOSITION TO THE COMMISSION CONSIDERATION OF AN**
61 **APPLICATION TO ALLOW FOR A CONDITIONAL USE PERMIT AT**
62 **200 E 5100 S TO ALLOW FOR A FENCE HIGHER THAN 6 FEET**

63
64 **Chairman Larsen opened the public hearing at 6:05 p.m.**

65
66 Tiffany and Randy Emero - 200 E 5100 S- are requesting to put a fence larger than 6 feet
67 in their yard. Mr. Emero stated that a new HOA community is being built on the side of
68 their property. He stated that they have had incidences in the past with the HOA on the
69 other side of their home. He stated that there has been issues with animal feces and
70 garbage being thrown over the fence into their yard. He stated that someone has driven
71 through their fence before not realizing that the property was theirs. They stated that this
72 will allow for more privacy from the HOA developments.

73
74 **Chairman Larsen closed the public hearing at 6:09 p.m.**

75
76 **6. NEW BUSINESS**

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78 **6.1 MOTION/ORDINANCE 19-07: MOTION TO RECOMMEND APPROVAL**
79 **OR DENIAL OF ORDINANCE 19-07 AMENDING SECTION 17.44.080**
80 **“FENCES, WALLS, AND HEDGES” TO DEFINE AND DESCRIBE THE**
81 **TYPE OF FENCING ALLOWED WITHIN A SIGHT TRIANGLE**

82 Monroe stated that the ordinance adds a line that allows scalloped fencing to be allowed
83 on a corner lot. He stated that the posts can be up to 2.5-3 feet and the scallop fencing
84 would be 2 feet. He stated that he does not see this as a line of sight problem. He stated
85 that the City Manager agrees that the decorative type of fence should be allowed in the
86 city.

87 Monroe stated that the fence will look like an ocean wave, with the highest points at 3
88 feet, lending to more privacy.

89 Commissioner Allen clarified that the Planning Commission is considered the “local
90 authority”.

91
92 **Motion by Commissioner Morgan**
93 **Seconded by Commissioner Reynolds**
94 **To recommend approval of Ordinance**

95 **19-07 amending section 17.44.080 “Fences, Walls and Hedges”**
96 **To define and describe the type of fencing allowed within a sight triangle**
97 **Approved unanimously (5-0)**
98

99 **6.2 MOTION: CONSIDERATION OF A CONDITIONAL USE PERMIT FOR**
100 **200 E 5100 S TO ALLOW FOR A FENCE HIGHER THAN 6 FEET**
101

102 Commissioner Morgan asked if there are any material requirements for the fence if they
103 are allowed to go higher than 6 feet. Monroe stated that they would have to maintain the
104 standards of the city. There are no standards for the height limit if it is allowed to go
105 above 6 feet. The Emero’s stated that they would only be fencing their property.

106 Commissioner Reynolds stated that it would look strange if they have a 10 foot fence
107 alongside a regular 6 foot fence.

108 The Emero’s stated that materials have intentionally been have thrown over the fence
109 from the property next to them. The Emero’s stated that they are looking to put up a vinyl
110 fence, possibly concrete. They stated that they want it to look nice and be durable.

111 Commissioner Allen stated that the applicants should comply with the ordinance and
112 bring in plans to be in compliance. Commissioner Allen stated that the applicants must
113 comply with code 17.68.040 “application requirements”. He stated that the questions
114 being asked will be answered if they follow the process.

115 Monroe stated that he directed the applicants directly to the Commission for review.
116 He stated that he is not sure what other information is needed for the Commission.

117 Commissioner Allen stated that he wants to see a site plan. Morris confirmed that it does
118 required a site plan. Morris stated that a conditional approval could be approved with the
119 condition that an acceptable site plan be submitted to the Building Department.

120 Commissioner Morgan asked if the applicants can draw out a site plan here at the
121 meeting to be approved. Morris stated that would be all that would be needed. Monroe
122 brought in a plat map and the applicants drew on the plat as to where the fence would be
123 located. Commissioner Morgan stated that all the requirements of the permit must be met
124 to make sure that the fence is structurally sound. Monroe would determine if the fence
125 has to be engineered depending on slope and height.

126 Monroe showed the proposed subdivision plat to the Commission explaining where the
127 Emero’s property sits.

128 Randy Emero stated that they are proposing to fence all along the east side of the
129 property and along their backyard.

130 Commissioner Morgan explained that it would be level across so where the property
131 raises it will be level and not 10 feet of fence.

132
133 Commissioner Morgan stated that the motion should be specific. He supports a motion to
134 allow a 10 foot fence. Commissioner Henderson stated that 12 feet would allow more
135 privacy. Monroe stated that the motion should include that the fence be engineered.

136
137 **Motion by Commissioner Henderson**
138 **Seconded by Commissioner Morgan**
139 **To approve a conditional use permit**
140 **For a fence to be constructed up to 12 feet**
141 **That has been engineered**

142 **With a retaining wall**
143 **subject to the ordinance being approved by City Council**
144 **Approved 4-1**
145 **Aye: Commissioners Morgan, Henderson, Larsen, Reynolds**
146 **Nay: Commissioner Allen**
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150 **7. BUILDING AND PLANNING UPDATES**

151 Monroe stated that there are a few minor infill lots that have not been developed, but the
152 majority of the properties are being developed.

153
154 Monroe stated that the City is waiting for street lights on 5700 South before the plat can
155 be recorded.
156

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159 **8. MOTION: ADJOURN THE MEETING**

160 **Motion by Commissioner Reynolds**
161 **Seconded by Commissioner Allen**
162 **To adjourn the meeting**
163 **Approved unanimously**
164 **Time: 6:50 p.m.**
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166

167 _____
168 **Date Approved**

167 _____
168 **City Recorder**