

The Meeting of the Nibley Planning Commission held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Wednesday, April 22, 2009.

The following actions were made during the meeting:

Commissioner Bliesner made a motion to approve the conditional use permit for an accessory building for Robert and Jessica Crook. Commissioner Anderson seconded the motion. The motion passed unanimously 4-1; with Commissioner Bliesner, Commissioner Anderson, Commissioner Heidt, and Commissioner Cook all in favor.

Commissioner Anderson made a motion to approve the 600 square foot accessory building located at 1492 W. 3140 S. Commissioner Heidt seconded the motion. The motion passed unanimously 4-0; with Commissioner Anderson, Commissioner Heidt, Commissioner Bliesner, and Commissioner Cook all in favor.

Commissioner Bliesner made a motion to approve the conditional use permit and business license for a home office for Robert Rallison at 2928 S. 515 W. with the conditions that all supplies associated with the business be stored inside and that there be no employees perform work at the premises. Commissioner Heidt seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Heidt, Commissioner Anderson, and Commissioner Cook all in favor.

Commissioner Bliesner made a motion to approve the conditional use permit and business license for Erick Neilsen at 3731 Sheridan Ridge Lane with the condition that any signs on the premises be in compliance with city ordinance before the business license and conditional use permit is issued and that any equipment associated with the business not be stored in any set back area of the property. Commissioner Heidt seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Heidt, Commissioner Anderson, and Commissioner Cook all in favor.

Commissioner Heidt made a motion to approve the application for the conditional use permit and business license for Holli Williams at 2929 S. 1080 W. for the Tot Stop. Commissioner Bliesner seconded the motion. The motion passed unanimously 4-0; with Commissioner Heidt, Commissioner Bliesner, Commissioner Anderson, and Commissioner Cook all in favor.

Commissioner Anderson made a motion to approve the accessory building for Carrie Cook at 3150 S. 1350 W. Commissioner Bliesner seconded the motion. The motion passed unanimously 3-0; with Commissioner Anderson, Commissioner Bliesner, and Commissioner Heidt all in favor.

Commissioner Carrie Cook called the Wednesday, April 22, 2009 Nibley City Planning Commission meeting to order at 7:00 p.m. Those in attendance included Commissioner Carrie Cook, Commissioner Marina Heidt, Commissioner Aarron Bliesner, and Commissioner Wayne Anderson. Shari Phippen, the city planner, was also present. Commissioner Bill Green was excused from the meeting.

Item 1: Approval of 4-8-09 meeting minutes and agenda.

The evening agenda and the minutes for 4-8-09 passed with general consent.

Commissioner Bliesner made a motion to suspend the agenda and move to the accessory building permits because those applicants were currently present. Commissioner Heidt seconded the motion which passed unanimously.

Accessory Building—Robert & Jessica Crook—request approval to construct a 500 square foot accessory building located at 3166 S. 1565 W.

Mr. and Mrs. Crook were present at the meeting. Ms. Phippen showed the site plan and the layout to the Commission and stated that it met all set-backs. Ms. Phippen asked the Commission if they have a minimum roof pitch. Commissioner Bliesner stated there was no minimum pitch requirement.

Commissioner Anderson arrived at 7:05 p.m.

Mr. Crook stated the entire building was steel. Commissioner Bliesner asked how tall the building was. The building will be 11 ft. tall. Commissioner Bliesner asked if there was any irrigation easement on the property. It was determined the irrigation ditch was not an issue. The accessory building in question did not affect the easement. Commissioner Bliesner made a motion to approve the conditional use permit for an accessory building for Robert and Jessica Crook. Commissioner Anderson seconded the motion. The motion passed unanimously. Ms. Phippen made a note to the Commission that an accessory building was not a conditional use permit, it is a permitted use. Commissioner Bliesner stated they had been operating as though it was a conditional use.

Accessory Building—Tod Pignataro—request approval to construct a 660 Square foot accessory building located at 1492 W. 3140 S.

Mr. Pignataro was present at the meeting. Mr. Pignataro is the contractor for this building. Mr. Pignataro said the closest point from the corner of the shop to the neighbor's house is 39 ft. Commissioner Anderson asked for the subdivision plat. The Commission reviewed the subdivision plat and the accessory building plot plan. Mr. Pignataro explained to the Commission why the building is placed so close to an easement. Ms. Phippen stated there was no ordinance requiring them to stay out of an easement. They can only recommend it. Commissioner Bliesner asked if the set-backs were adequate. Ms. Phippen said they were. Commissioner Anderson made a motion to approve the 600 square foot accessory building located at 1492 W. 3140 S. Commissioner Heidt seconded the motion. The motion passed unanimously.

Ms. Phippen noted that Erick Nielsen and Holli Williams would not be to the meeting.

Conditional Use Permit/Business License—Ninja Geekz—request approval for a conditional use permit and business license for a home office located at 2928 S. 515 W. (Applicant: Robert Rallison)

The applicant was not present. Ms. Phippen stated there may be issues because the applicant may employ people not living at that address. She said she believed he was an independent contractor. Commissioner Bliesner made a motion to approve the conditional use permit and business license for a home office for Robert Rallison at 2928 S. 515 W. with the conditions that all supplies associated with the business be stored inside and that there be no employees perform work at the premises. Commissioner Heidt seconded the motion. The motion passed unanimously.

Conditional Use Permit/Business License—Erick Nielsen, LLC—request approval for a conditional use permit and business license for a home office located at 3731 Sheridan Ridge Lane (Applicant: Erick Nielsen)

The applicant was not present. Commissioner Heidt asked if he had adequate storage. It was determined he did. Ms. Phippen stated she had no problem with the request. Ms. Phippen noted he did have a sign that was out of ordinance. Commissioner Bliesner made a motion to approve the conditional use permit and business license for Erick Nielsen at 3731 Sheridan Ridge Lane with the condition that any signs on the premises be in compliance with city ordinance before the business license and conditional use permit is issued and that any equipment associated with the business not be stored in any set back area of the property. Commissioner Heidt seconded the motion. The motion passed unanimously.

Conditional Use Permit/Business License—Holli’s Day Care—request a conditional use permit and business license for an in-home day care located at 2929 S. 1080 W. (Applicant: Holli Williams)

The applicant was not present. The business will be called The Tot Stop. Ms. Phippen said the applicant is doing this full-time. Every day from 7-5. It will be 5-6 kids every day. She lives on a cul-de-sac. She has her food handlers permit, CPR certification, first-aid certification, and all door and bathroom locks are in place. Her yard is not fenced. The state has given her a 90 day contingency license for her to get her fence in. Ms. Phippen said she thought since she is licensed with the state and they had given her a contingent license that will expire if she does not get her fence in that she had no problem with it. Commissioner Heidt made a motion to approve the application for the conditional use permit and business license for Holli Williams at 2929 S. 1080 W. for the Tot Stop. Commissioner Bliesner seconded the motion. The motion passed unanimously.

Accessory Building—Carrie Cook—request approval to construct a 900 square foot accessory building located at 3150 S. 1350 W.

Commissioner Heidt takes over as Commission chair at 7:38 to proceed with Commissioner Cook’s application. Ms. Phippen said she has no issues with the application. She said it met all the set-backs. Commissioner Cook said it is 10 ft. off the North corner. Commissioner Anderson made a motion to approve the accessory building

for Carrie Cook at 3150 S. 1350 W. Commissioner Bliesner seconded the motion. The motion passed unanimously.

Commissioner Cook resumes as commission chair at 7:49.

Planning and Zoning Reports

Ms. Phippen said the first meeting in June will be on the 10th. She will be gone that week.

Ms. Phippen said she had a resident request to put a wind turbine in a back yard. She wondered if they wanted to have an ordinance for alternative energy. Commissioner Heidt said they should at least have a discussion and come up with some ideas.

Ms. Phippen said she anticipates a public hearing on the animal land use ordinance at the next meeting. Ms. Phippen will be making a presentation at the public hearing.

There was general consent to adjourn at 8:05 p.m.