

**MINUTES OF THE HUNTSVILLE TOWN
PLANNING COMMISSION MEETING**

MEETING DATE: October 27th, 2011
PLACE: Huntsville Town Hall, 7309 E. 200 S.
TIME: 7:00 P.M.

Commissioners: Ron Gault Doug Allen Karen Klein
 Jeff Holt Gail Ahlstrom

Excused: Sandy Hunter Rex Harris

Citizens: Laurie Allen Monty Stewart

Ron Gault called the meeting to order, there is a quorum present.

Approval of PC minutes for meeting held September 29th, 2011:

Karen made a motion to approve the minutes for meeting held September 29th, 2011, as prepared. Ron seconded. All votes aye. Motion passed. Minutes were approved.

Discussion on rental properties in town and what is allowable:

Ron began the discussion by explaining that last month the Watts home was highlighted in a magazine as a must see Utah home. It was not advertised as a rental, but it could have been. When the Watts originally applied for their building permit the stable had everything necessary for a second residence, bedrooms, bathrooms and kitchen facilities. A stop was put to this. There were a couple of meetings held with the Watts, Ron, and Stuart Murray the building inspector, and the Watts understand that their stable is only intended to be used as a sleeping area for their kids, there is not to be any kitchen facilities in the stable.

This brought up the topic of whether or not it was time to re-think the town's ordinances on allowing rentals. Ron asked the commission if they had any comments on this. Doug is not as concerned about the rental part, as he is with the fact that the town allowed this to be built. Jeff thought the intent was that you can have a family member in a separate part of your home, like a mother-in-law apartment. Does that mean you can charge rent? If you don't pay rent, you're just living with them, is that ok? Ron read from the ordinance, "only one single family dwelling is allowed upon an approved R-1 lot". Karen stated that there are a lot of topics to cover; she felt that you should be allowed to let your mother-in-law live with you. But, if you rent to another family to help supplement your income that's another issue. If young families have to move back home because of the economy, the town shouldn't be involved. Ron mentioned that there are some garages that are currently being used as rentals. Jeff stated that they would be non-conforming because family members aren't living there and they shouldn't have kitchen facilities in them. There is also a septic tank issue. Doug mentioned that there will be parking problems as well.

Ron stated that renters have a different outlook than residents. They consume services, and don't contribute to the community. Doug asked if there is a way to check septic tanks, to make sure they can handle a heavier load. Doug suggested that one of the criteria for anyone who is going to have a rental unit should be that they have to provide the town with a signed letter from the Weber/Morgan Health Department stating that their septic system has been inspected and will be able to meet their needs. The home owner would have to get a permit from the town to rent their property. Ron said it is difficult to test whether a septic tank is working properly or not, especially the leach fields. Ron stated that the Health Dept. has plans on file for about half of the homes in Huntsville. Gail mentioned that parking will really be a problem in the winter; there are a lot of homes in town that don't have driveways, where will they park extra cars. Karen said there are two separate issues, people who own homes that are going to rent them out as a long term lease, and people who built second homes who block out time for themselves and then rent out the rest of the time as nightly or weekly rentals. Both of these are different than a bed and breakfast, where someone actually lives in the home all the time and rents out a bedroom for a weekend.

This will be a running item on the agenda.

Discussion on Monte Stewart's building issues: (property located at 7500 E. 500 S.)

Ron invited Monty Stewart to address the commission. Monte was issued a building permit a couple of months ago. He is in the process of remodeling his garage. Ron mentioned that the ordinance reads, if you have a building that is not in compliance with current ordinance but it has been there for a long time it is grandfathered, and you can remodel it, and continue to be out of compliance with the ordinance. The question is, how extensive can you go with the remodel. The way Ron interprets the ordinance is that as long as you use the existing footprint you can tear down and rebuild. Ron stated that the further Monte got into his remodel the more he realized the structure was not in good condition and he ended up tearing it down. Monte had planned to use the existing foundation, but he found that the foundation is was not poured to the required 40-inch footing. Monte had Chad Roberts look at the footings, he thought they would be fine, but they don't meet code requirements. Monte doesn't want to start construction and then have Stuart Murray make them stop construction. The garage will not be attached to the house. Doug said the 40-inch footings are for frost heave and if the garage isn't attached to the home this won't be a problem.

Stuart's job is to go through the plan and make sure it meets code, not to give an opinion. Ron stated the town makes the decisions on whether a property is grandfathered or not. Monte is willing to do whatever the commission decides, but he would like to use the existing foundation. There is one corner that needs some repair work. Ron replied that Monte has engineered plans. Monte explained that the existing footings are 15-20 inches deep. Doug asked what portion of the existing foundation needs to be reinforced. Monte replied about 50%. The garage will be 28 X 24 feet with a green house on the south side. Ron mentioned that the commission has already approved Monte's request and the location of his garage is grandfathered. The question is whether or not Stuart Murray will approve the use of the existing footings. Monte said if Stuart were to make him pull out the old foundation to put in a new one he will stay within the exact same footprint. Karen said Monte's plan isn't changing he is using the same footprint.

Ron restated that the commission is in agreement that the previous passing of Monte's building permit stands and he is grandfathered and can build on the existing foundation.

Set date for next PC meeting:

The next regularly scheduled PC meeting will be held on November 18th.

Doug made a motion to adjourn. Karen seconded. All votes aye.

Meeting adjourned at 8:00 P.M.

Gail Ahlstrom, Clerk/Recorder

Ron Gault, Chairman

