

**MINUTES OF THE WORK SESSION OF THE PLANNING & ZONING
COMMISSION OF THE TOWN OF THATCHER
March 1, 2010**

MEMBERS PRESENT: Chairman David Griffin, Members Jerry Hoopes, Pat Nelson, Mike Ajeman, Mark Vining, Ramon Morales, and Town Engineer Heath Brown

MEMBERS ABSENT: Dennis Martin

VISITORS: Kenny Goodman, M'Lee Goodman, Mr. and Mrs. Drew Christensen

Chairman David Griffin called the meeting to order at 7:00 pm, establishing that there was a quorum.

Pledge of Alliance

Roll Call

Approval of Minutes

Chairman David Griffin asked if there was any discussion of the October meeting minutes and there was no discussion. A motion was made by Mr. Jerry Hoopes to accept the minutes and seconded by Mrs. Pat Nelson. The vote was unanimous and the minutes were approved.

Public Hearing:

Request to consider the matter of granting a temporary use permit to allow an accessory structure to be used as a temporary dwelling for resident's mother.

Chairman Griffin asked for any discussion concerning the consideration of granting of a temporary use permit to allow an accessory structure to be used as a temporary dwelling for Mr. Kenny Goodman's mother. Mr. Kenny Goodman explained the structure would be a site built structure and not a temporary structure, but the use of the structure would be temporary in the sense that it would no longer be used as a dwelling once his mother was no longer living in it. Mr. Heath Brown clarified that the use of the word "Temporary" is use to describe the type of permit being requested. Mr. Kenny Goodman showed a site plan, floor plan, and elevation of the structure to be built. Also says that the construction will meet all set back and code requirements of the Town. Mr. Drew Christensen asked why there is a need for a temporary use permit. Mr. Heath Brown states that the reason for the permit is that in this zoning (single family residential) you can only have one living dwelling or home per parcel, and that Mr. Goodman will now have two separate dwelling units because they won't be attached. Mr. Brown goes on to explain that the rules do not allow this, but a person can request for a permit to allow for a mobile home or use an accessory structure to be on the property to take care of a parent until the parent is gone. It is also required that permit is obtained through the P&Z and Council. Mr. Christensen asked if it would be ok if the secondary dwelling were attached to the main residence. Mr. Brown says that

would be considered a duplex, unless it was attached with an opening/ doorway leading directly into both dwellings. In that case it would only be considered an addition. Mrs. Pat Nelson says that when the mother passes away Mr. Goodman cannot rent the dwelling out. Mr. David Griffin asks Mr. Goodman if he or anyone else has anything to add or discuss.

Decision on Public Hearing:

Decision on Approval of temporary use permit

Chairman Griffin voices a concern that the plan shows the proposed dwelling only three feet from the property line. Mr. Brown explains that there is no code requiring an accessory structure be more than three feet from the property line. Mr. Griffin then asked Mr. Goodman his attentions with the structure once it is no longer needed for his mother. Mr. Goodman replies that he already owns a number of apartments in town, and the last thing they would want is a rental property in their backyard. He states this dwelling will not be rented out, but simply used as a guest house. Mr. Griffin then asked Mr. Goodman why he can't attach the new dwelling to the existing house. Mr. Goodman explains that the backyard is fully landscaped and the proposed location fit the layout and future plans for a pool. He also says that his mother is still very active and she would like to keep as independent as possible. Mr. Griffin asked if the square footage added by the new dwelling will still meet the maximum square footage allowed on the lot. Mr. Brown states that it was checked and the lot is a very large lot and will support the additional square footage added by the new structure, not even coming close to going over the maximum allowed for that zoning. Mr. Ramon Morales asked what the rules are on a guest house and how long can someone stay there without violating the zoning laws. Mr. Brown said that there is no set time. The dwelling just cannot become someone's permanent residents or be rented.

Mr. Griffin asked for a motion. Mr. Mark Vining made a motion that they accept Mr. Goodman's request for a temporary use permit to allow an accessory structure to be built and used as a temporary dwelling for his mother, as long as Mr. Goodman's mother resides there. When the mother no longer lives there the permit use would cease to exist, and the structure cannot become a permanent residence. Mrs. Pat Nelson seconded the motion. The vote was 5-0 in favor and the motion passed.

Discussion of Workshop Schedule and Staff Report:

Mr. Brown asked that with the Planning and Zoning Commission being slow and in the case there are no idioms on the agenda to call for a meeting, should they still meet for a workshop and if so how often. The Planning and Zoning Commission agreed that they would meet on bi-monthly bases.

Adjournment:

Mr. Jerry Hoopes made a motion to adjourn and Mr. Mike Ajeman seconded it. The vote was unanimous and the meeting adjourned.