

1 **Providence City Administrative Land Use Authority (ALUA) Minutes**

2 **Thursday, January 28, 2021 2:42 PM**

3 Providence City Office Building 164 North Gateway Drive, Providence UT 84332

4 **Members of the ALUA may be attending this meeting electronically.**

5 **This meeting will live stream on Providence City's YouTube Channel**

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7 **Call to Order:** Skarlet Bankhead, Chair

8 **Members in Attendance:** Skarlet Bankhead, Rob Stapley, Max Pierce

9 **Others in Attendance:** Ryan Snow, Diane Campbell, April Fredrickson, Robert and Debra Ellis

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11 **Item No. 1 - Conditional Use – Remodel:** The Providence City Administrative Land Use Authority will consider for
12 approval a request by Robert and Debra Ellis for a home remodel, located at 272 S. Sherwood Drive, Providence,
13 UT.

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15 **Background Information:**

16 A complete application was received January 11, 2021 and contained:

- 17 1. Providence City Conditional Use Application and Residential Site Plan application.
- 18 2. Payment of \$100 fee, January 11, 2021
- 19 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure January 12, 2021.
- 20 4. Aaron Walker, Fire Inspector, reviewed site; see letter dated January 12, emailed January 21, 2021.

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22 **FINDINGS OF FACT:**

- 23 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes
24 conditional uses and provisions for conditional uses that require compliance with standards set for in an
25 applicable ordinance.
- 26 2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
- 27 3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional Use Permit Required, states all
28 requests for permits involving a lot, parcel, or site located wholly or partially within an area subject to the
29 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE),
30 or Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the
31 provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before
32 any permit shall be issued.
- 33 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the
34 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare of
35 persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the
36 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large
37 gatherings of people, or other causes.

38
39 **CONCLUSIONS OF LAW:**

- 40 1. Providence City has adopted land use ordinances that include conditional uses and provisions for
41 conditional uses.
- 42 2. The Cache County GIS Parcel Summary indicates this parcel is in a Wildfire Hazard area.
- 43 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated
44 detrimental effects of the proposed use.
- 45 4. The request meets the requirements of the Codes listed in the Findings of Fact with the following
46 conditions:

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48 **CONDITIONS:**

- 49 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
50 codes, and ordinances.
- 51 2. The applicant will mitigate fire hazard by: See letter from Aaron Walker dated Jan. 12, 2021.
- 52 3. This conditional use is only for the remodel on the home as shown on the site plan date stamped Jan. 11,

- 53 2021.
54 4. Payment of fees listed on the Providence City Zoning Permit.
55 5. Approval by the City of any application or paperwork submitted does not alleviate the owners and/or
56 their agents from their responsibility to understand and conform to local, state, and federal laws.
57 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
58

59 **Comments:**

- 60 • S Bankhead read from Aaron Walker's letter. She explained the importance of taking precautions of living
- 61 in a fire hazard area.
- 62 • M Pierce asked about a garage and R Ellis clarified the height, width, and location.
- 63 • M Pierce also asked about the dimensions from the garage to the property line. A discussion followed.
- 64 • R Ellis said that there will be a room extending underneath the porch but it is shown in the plan as well.
65

66 **Motion to approve a request for Conditional Use for a remodel for a home located at 272 S. Sherwood Drive**
67 **based on the Findings of Fact, Conclusions of Law, and Conditions listed on the staff report and reviewed during**
68 **the meeting:** — M. Pierce, second — R. Stapley

69 **Vote:**

70 **Yea:** S. Bankhead, M. Pierce, R. Stapley

71 **Nay:** None

72 **Abstained:** None

73 **Excused:** None
74

75 **Motion to adjourn:** — R. Stapley, second — M. Pierce

76 **Vote:**

77 **Yea:** S. Bankhead, M. Pierce, R. Stapley

78 **Nay:** None

79 **Abstained:** None

80 **Excused:** None
81

82 Meeting adjourned at approximately 2:54 PM

83 Minutes prepared by Kris Hobbs Clemente
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87 Skarlet Bankhead, Chair
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