

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF MARCH 22, 2010**

PRESENT: Commissioners:
Chairman Larry Bruno
Erroll Holt
Judy Beacco
Alfred Richens
Frankie Sacco
Grady McEvoy, Alternate

Nick Tatton, Community Director
Laurie Tryon, City Recorder

EXCUSED: Commissioner Shook and Commissioner Davis
OTHERS PRESENT: Brett Rowley

1. MINUTES of March 8, 2010

MOTION. Commissioner Richens moved to approve the minutes of March 8, 2010 as presented. Motion seconded by Commissioner McEvoy and carried.

2. PUBLIC COMMENT ON AGENDA ITEMS-No public comment was received

GENERAL BUSINESS

CONDITIONAL USE PERMITS

3. **TEMPORARY STORAGE CONTAINER-CONSIDERATION AND POSSIBLE APPROVAL OF TEMPORARY PLACEMENT OF A STORAGE CONTAINER AT 687 PRICE RIVER DRIVE WITHIN THE C-1 ZONING DISTRICT**

Nick Tatton represented Kenny Drake of Wendy's Restaurant at Mr. Drake's request, located at 687 West Price River Drive, within the Commercial 1 (C-1) zoning district. Nick Tatton stated that Mr. Drake is requesting a temporary Conditional Use Permit (CUP) for placement of a storage container adjacent to the restaurant for use during a facility remodel project. The temporary use is available based on Section 11.3.9.11.1.5 of the Price City Land Use Management and Development Code (Code). Staff recommended a temporary use request and a provision for an extra thirty (30) days of approved placement to accommodate any project delay's that may be experienced. He stated that the container is presently at the location and will be until May 2010 while renovations are being done.

ACCEPTANCE: The Commission confirmed the acceptance, understanding and intent to comply of the approval conditions by Nick Tatton on behalf of Kenny Drake of Wendy's Restaurant. **MOTION.**

Commissioner Sacco moved to approve the Conditional Use Permit with temporary use until June 1, 2010. Motion seconded by Commissioner Beacco and carried.

4. **ROWLEY PINSTRIPING-CONSIDERATION AND POSSIBLE APPROVAL OF A HOME OCCUPIED BUSINESS CONDITIONAL USE PERMIT AT 339 EAST 200 SOUTH WITHIN THE R2-7 ZONE DISTRICT**

Brett Rowley submitted a Home Occupied Permit for a business located at his home called Rowley Pinstriping, LLC, located at 339 East 200 South within the Residential 1 -7 (R1-7) zoning district. The land use of a HOB is available within the zoning district based on Section 10.3.4 of the Price City Land Use Management and Development Code (Code). General zoning district review criteria is located in Section 10.1.5 of the Code. The HOB, since it is not office use only, requires contact with all property owners within 250' of the subject property. Mr. Rowley brought the positive neighborhood signature forms to the meeting. Staff recommended that Mr. Rowley have the subject property inspected by the Price City Fire Chief for safety since he will be working with solvents, etc. in the conduction of the business. Mr. Rowley stated that he uses his garage to hand paint pin striping on vehicles using paint

and a brush. He stated that the supplies he uses are minimal and last a long time. Mr. Rowley stated that there are no paint fumes or noise with the pin striping technique he uses and that no contamination occurs. He stated that he has received neighborhood signature approvals from his neighbors. He stated that he has tried to contact the Price City Fire Chief for an inspection but has not yet reached him but will continue trying until he receives an inspection. Staff recommended approval with the following conditions read aloud by Chairman Bruno:

- a. Completion of contact with neighbors and completion of neighborhood signatures from those properties within 250' of the subject property finding that neighborhood awareness of home occupied businesses reduces confusion regarding activity and mitigates impact within the community of the business.
- b. Completion of a fire safety review of the subject property by the Price City Fire Chief and compliance recommendations stemming from the fire safety review finding that protection from fire is a primary health, safety and welfare issue.
- c. No more than one vehicle at a time being worked on finding that one vehicle at a time for work produces mitigates any potential parking issues that may arise in a residential neighborhood.

ACCEPTANCE: The Commission confirmed the acceptance, understanding and intent to comply of the approval conditions by Brett Rowley. **MOTION**. Commissioner McEvoy moved to approve the Home Occupied Permit with the stated conditions. Motion seconded by Commissioner Sacco and carried.

Meeting adjourned at 6:10 p.m. pursuant to a motion by Commissioner McEvoy.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon