

Minutes Price City Planning and Zoning

Price City Hall

March 23, 1998

Present: John Angotti (Chairman), Francis Duzenack (Zoning Administrator), Joe Piccolo, Carolyn Vogrinec (Secretary), Rose Etzel, Gary Lyon, Alfred Richens, Larry Bruno, Penny Sampinos

Meeting convened at 6:00 P.M.

I. MINUTES OF MARCH 9, 1998

There were no corrections or additions to the minutes of the March 23, 1998 meeting and Gary Lyon made a motion to approve the minutes as read. Penny Sampinos seconded and the motion carried.

II. HOME OCCUPIED BUSINESS - OFFICE USE ONLY

D & S HEALTH AND NUTRITION - 841 NORTH 400 EAST
DEVERE K. SMITH

Sue Smith represented D & S Health and Nutrition. There were no concerns or questions from Staff or Commission and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only of D& S Health & Nutrition. Rose Etzel seconded and the motion carried.

III. HOME OCCUPIED BUSINESS - OFFICE USE ONLY

MIKE'S HANDYMAN SERVICE - 584 NORTH DOVER CIRCLE
MIKE PRICHARD

Mr. Prichard told the Commission there will be no sign as he is using business cards for advertisement. He is working on his State General Contractors License. A Handyman's License allows him to do smaller jobs up to \$1000.00 on labor and materials. There were no questions or concerns and Alfred Richens moved to forward a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only of Mike's Handyman Service. Gary Lyon seconded and the motion carried.

IV. CONDITIONAL USE PERMIT - A FRAME SIGNS

CARBON COUNTY CHAMBER OF COMMERCE
MELAINE PIERCE - TEMPORARY SIGNS FOR BLACK DIAMOND STAMPEDE

Francis Duzenack told the Commission the Chamber has sent in their annual letter requesting placement of A-frame signs for the Black Diamond Stampede Rodeo being held on June 18, 19 & 20, 1998. The signs will be placed at various sites on June 8 and taken down on June 21. They apply for a permit each year because of the temporary nature of the signs and there are no concerns. Rose Etzel moved to forward a favorable recommendation to Price City Council for a Conditional Use Permit for the use of temporary A-frame signs by the Carbon County Chamber of Commerce for advertisement of the Black Diamond Stampede Rodeo. Larry Bruno seconded and the motion carried.

V. CONDITIONAL USE PERMIT

STEVE'S WESTERN TRANSMISSION AND AUTOMOTIVE
150 NORTH CARBONVILLE ROAD
STEVE BALLARD - EXPAND BUSINESS TO INCLUDE AUTO SALES

Mr. Ballard was not in attendance. Francis Duzenack indicated Mr. Ballard has, in the past, sold his own cars, but now has a dealers license. The concern was the junky area in and around the business. However, he has completed his clean-up and has been very cooperative. Discussion proceeded and it was decided to look further into this matter before taking any action. Gary Lyon made a motion to table the item until a future date. Penny Sampinos seconded and the motion carried.

VI. CONDITIONAL USE PERMIT

COMPUTALOG WIRELESS SERVICES - 268 SOUTH HIGHWAY 55, UNIT #2
ERIC ROSEMAN - LOGISTICAL SUPPORT FOR PRICE RIVER GAS

Pat Patterson, District Manager for Computalog appeared before the Commission to provide information concerning the safety of explosives used in their work. The explosives are used in the oil field to perforate gas wells drilled by River Gas. It is the policy of Computalog to come before the Planning Commission and Fire Chief to let them know what they are doing. Their supplies are housed at the above address. The product is not volatile and is safely stored in an approved fire proof magazine. The charges themselves are focused, do not go over three feet and there are no projectiles. The Price City Fire Chief has received all the Material Safety Data Sheets and they have been forwarded to PRWID. Francis Duzenack indicated the MSDS sheets recommend 1500 feet evacuation space in the event of a fire. The building in which they are stored has masonry walls, concrete floor, wood structure roof and there is no high fire loading situation in the building. The Fire Chief did not express any concerns. There were no further questions and Larry Bruno moved to forward a favorable recommendation to Price City Council for a Conditional Use Permit for the business of Computalog Wireless Services. Gary Lyon seconded and the motion carried.

VII. CONDITIONAL USE PERMIT - BUSINESS AND SIGN

ANADARKO PETROLEUM CORPORATION - 60 SOUTH 700 EAST
OFFICE IN THE WEST END OF THE ROBERT ETZEL BUILDING

Mr. Jim Hartley, Field Foreman for Anadarko Petroleum was not in attendance and a motion was presented by Larry Bruno to table the item. Gary Lyon seconded and the motion carried.

VIII. COMMISSION MEMBER JOE PICCOLO

1) KAREN DUNN DEVELOPMENT OF 700 SOUTH STREET

Mr. Piccolo spoke on behalf of Karen Dunn and the development of 700 South Street. She is proposing to put a modular home on the corner of 100 East and 700 South. It has not yet been determined whether the property is part of a wetlands area. The matter has been reviewed and the question is whether or not the development of 700 South should be required at this time. Currently, there is no developed street and the improvements extend to the south end of her property, but it is the 700 South side of the property that is of concern.

Reference was made to the letter in the packet written by Price City Engineer Gary Sonntag whereby the curb cut and the sidewalk on 100 East will be required before occupancy can take place. Ms. Dunn and Price City will also sign a Development Agreement to install all of the necessary street improvements along 700 South at such time the rest of the road is developed.

Francis Duzenack asked the Commission if this agreement should be recorded and attached to Ms. Dunn's property deed. If so, it should be legally binding to the property so that in the event someone new purchases the property, they would be aware of this commitment. There have been cases in the past where people have developed a property and sold it in a short space of time, leaving the improvements undone.

With those stipulations in place, Mr. Piccolo made a motion that the development be allowed with the following:

- contingent upon placement of the curb cut and sidewalk on 100 East Street as agreed prior to occupancy;
- contingent to a signed agreement with Price City whereby Ms. Dunn will agree to install all necessary street improvements along 700 South at such time the rest of the road is developed;
- contingent to the above mentioned agreement becoming legally binding to the property and being recorded and attached to the property deed.

Larry Bruno seconded and the motion carried.

2) MURRAY AND PAULINE SHORTS

EXPIRED NON-CONFORMING USE (DUPLICATE) 644 NORTH 200 EAST

This is a request to have the apartment of Mr. & Mrs. Shorts "grandfathered back in". It was tabled last meeting so it could be reviewed and an opinion presented by the Price City Attorney. It is his opinion that, in lieu of the long period of time that has elapsed with no rental activity, it cannot be allowed per the conditions of our Land Use Management and Development Code and this is a law that cannot be broken. Francis Duzenack told the Commission the zoning for that area has been changed over the years. He suggested a re-zoning might be in order, however, it cannot be extended to just one piece of property. Discussion was held regarding the re-zoning procedure. Research will

be done on the amount of property required for a zone change as well as the past re-zoning dates.

The size of the property raises questions. It measures 50' x 150' or 7500 square feet and may need a Board of Adjustment variance. A duplex in MR-7 zone will require 13,000 square feet, 7000 square feet for the first dwelling unit and 6,000 square feet for each additional unit. The fee for re-zoning is \$200.00 and a public hearing must be held.

Mr. Piccolo offered his help, but does not see this approach as being feasible, according to the legal advice received and interpretation of the Land Use Management and Development Code. It would set a precedent and make the law invalid for the use of others. Mr. Duzenack indicated the Land Use Management and Development Code does not allow any slack for the reason an operation is ceased; it says is that once it ceases, it is no longer permitted to be brought back. The only possibilities to make it work are a zone change and at that point, a Board of Adjustment variance. Mr. Shorts will meet with Francis Duzenack on the results of his research. Joe Piccolo made a motion to deny the request of Murray and Pauline Shorts - Expired Non-Conforming Use for a duplex at 644 North 200 East. Alfred Richens seconded and the motion carried.

3) CENTRAL SIGN FOR PRICE COMMUNITY CENTER

Richard McCormick attended this meeting on behalf of the Boy Scouts of America, tenants of the Price Community Center. This matter was tabled at the last meeting until more information concerning a central sign was available. Mr. Piccolo indicated Price City will proceed with plans to install a centrally located sign identifying as many as 30 tenants. This will be done as quickly as possible. Mr. McCormick indicated the B.S.A. would be willing to help either financially or physically or both. The sign plan allows for easily changed marquees and would be inexpensive, about \$30.00 per item and allowing all tenants good recognition. Mr. McCormick asked if they would be able to hang a temporary sign between the existing poles in the parking lot behind the sidewalk until such time as the new sign is done. The Conditional Use Permit has been submitted for a sign and can be approved on a temporary basis. There was no objection to the utilization of the existing poles for a temporary sign and Joe Piccolo made a motion to forward a favorable recommendation to Price City Council for the Temporary Conditional Use Permit for the use of a sign at the Price Community Center by the Boy Scouts of America. Gary Lyon seconded and the motion carried.

IX. STAFF

1) Commission Member Gary Lyon will serve another three year term on the Planning and Zoning Commission. His term of office will expire on 02-01-2001. Both Commission and Staff thanked Mr. Lyon for his willingness to serve.

There was no further business and the meeting adjourned at 7:05 P.M.