

Minutes Price City Planning and Zoning

Price City Hall

April 6, 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 23, 1998

In reviewing the minutes, two corrections were indicated. Larry Bruno called attention to Item #1 - Minutes of March 9, 1998, whereby the first sentence should read: *"There were no corrections or additions to the minutes of the March 9, 1998 meeting and Gary Lyon made a motion to approve the minutes as read."* In addition, Joe Piccolo referred Commission Members to Item #5 - Steve's Western Transmission and Automotive, whereby the reason was not indicated for tabling the matter. He asked that the minutes reflect the fact that Mr. Ballard was not present and because of his absence, the matter was tabled. Penny Sampinos made a motion to approve the minutes of March 23, 1998 as corrected. Gary Lyon seconded and the motion carried.

II. HOME OCCUPIED BUSINESS - OFFICE USE ONLY

CAMPBELL TRANSFER AND EXPRESS - 295 NORTH CARBON AVENUE
CHARLES CAMPBELL

Cal Campbell appeared before the Commission and explained his business has moved from the BTAC to an office in his home. He feels his business is not a walk-in business, but is a phone business. His big trucks are parked in a storage facility and he uses only two pick-up trucks for running around. He will not need a sign. There were no further questions and Alfred Richens moved to forward a favorable recommendation to Price City Council for the Home Occupied Business of Campbell Transfer and Express. Rose Etzel seconded and the motion carried.

III. HOME OCCUPIED BUSINESS

MONTEZ HANDYMAN SERVICE - 695 WASHINGTON AVENUE
PHILLIP MONTEZ

Mr. Montez is in the process of applying for his State of Utah General Contractor's License and until he receives it, will work as a handyman. He is aware of the \$1000.00 limit per project on the Handyman's License. There will be a sign on his truck only. There were no concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Home Occupied Business of Montez Handyman Service. Penny Sampinos seconded and the motion carried.

IV. CONDITIONAL USE PERMIT - BUSINESS AND SIGN

ROMANCE BOUTIQUE - 39 EAST MAIN
HAPPIE PATTERSON

Ms. Patterson appeared before the Commission to apply for a Conditional Use Permit for her business. When asked, she explained her business sign would be lettering on the front store window. Both Francis Duzenack and Chairman Angotti indicated the Price City Attorney is currently working on an ordinance regulating adult oriented businesses and recommends tabling this matter until the ordinance is completed. Gary Lyon asked for clarification on the request. Francis Duzenack told Commission Members that since our ordinances were lacking in regulation of these types of businesses, it was decided to write an new ordinance to regulate this type of retail facility. Larry Bruno asked when the ordinance would be completed, but no time frame was available. Ms. Patterson indicated she is currently paying rent on the building and if she does not receive a business license, she will seek a refund from the landlord and do business elsewhere. She understands the concerns and is familiar with the situation next to her proposed shop. She explained the nature of her business and the merchandise to be sold, which does not include adult magazines or videos. Chairman Angotti referred the Commission back to the recommendation of the Price City Attorney and suggested a definite date be set for the completion of the new ordinance. Gary Lyon recommended a two week time limit for the decision. Ms. Patterson indicated she has a large investment and two weeks of not knowing whether or not to order would be difficult for her. Discussion was held at length on the matter. Alfred Richens moved to table this item until further review. Gary Lyon seconded and the motion carried.

V. APPEAL TO THE BOARD OF ADJUSTMENTS

GEORGE DUNCAN - 390 SOUTH 200 WEST
REQUEST TO CREATE SUN ROOM BY ENCLOSING FRONT PORCH

Mr. Duncan's home is an existing older home and has been remodeled several times. He would like to create a sun room by enclosing the front porch with windows. Francis Duzenack explained that when windows are added to a porch, it becomes a room addition. Porches are allowed to extend and encroach into the front yard and side yard set-back, but room additions are not. The current requirement for that zone is 25 feet. This will not impact visibility at the nearby intersection. Mr. Duncan should appear before the Board of Adjustments for approval of a variance in order to complete this project. There were no concerns and Gary Lyon moved to forward this request to the Board of Adjustments for consideration. Alfred Richens seconded and the motion carried.

VI. CONDITIONAL USE PERMIT - BUSINESS AND SIGN

ANADARKO PETROLEUM CORPORATION - 60 SOUTH 700 EAST, UNIT #1
JIM HARTLEY, FIELD FOREMAN

Mr. Hartley told the Commission their office was located in the Etzel Building, next to Blue Water Marine. There is an office and some storage in the garage area. The sign will be flat on the face of the building and measures 4' x 8'. No vehicles will be parked inside the building. There will be no overnight parking and only four vehicles parked intermittently in the parking lot. There were no concerns and Joe Piccolo moved to forward a favorable recommendation to Price City Council for a

Conditional Use Permit - Business and Sign for Anadarko Petroleum Corporation. Larry Bruno seconded and the motion carried.

VII. CONDITIONAL USE PERMIT

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

Mr. Ballard showed the Commission the parcel of property belonging to him. Since he has his car dealers license, he will need to put the bonded dealer number up on the building where it can be seen and a copy will need to be given to Mr. Duzenack for his file. Gary Lyon encouraged Mr. Ballard to keep up the good front line appearance of his property. It makes it enticing for those entering Price City. Joe Piccolo asked if there were any plans to install a fence to separate the right-of-way. Mr. Ballard indicated he was considering that as a future improvement. Mr. Piccolo also asked concerning egress and ingress onto the property. Francis Duzenack indicated the current frontage on this property doesn't have curb and gutter or normal driveway cuts to handle traffic control, as it is wide open all the way across the front, pavement to pavement, with the highway. The area where the vehicles are parked is asphalted, but if there are plans to use any of the adjoining Wetlands Property, a formal lease would have to be established with that agency. It would also have to be paved as a parking lot. There were no further comments and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Business Expansion To Include Auto Sales for Steve's Western Transmission and Automotive, contingent upon the parking of vehicles only on the property owned by Mr. Ballard. Rose Etzel seconded and the motion carried. Mr. Duzenack suggested Mr. Ballard contact the Price City Business License Department to change the name of his business to include the auto sales.

VIII. STAFF

UTAH LEAGUE OF CITIES AND TOWNS

A) Francis Duzenack referred the Commission to the information from Utah League of Cities and Towns.

TEMPORARY CONDITIONAL USE PERMITS

B) Gary Lyon asked concerning the Temporary Conditional Use Permits for Celebrations Reception Center/Bear Hugs Floral and Gifts. They have an expiration date of 11-10-98 and will have to return to Planning and Zoning on or before that date.

Jo's Oldies N' Goodies is out of business, but there has been some activity at the building. Francis told the Commission this is an approval allowing the antique store to go into the building, with the provision that they install the street improvements. They came back in November of 1997, asking for an extension on the permit and now, they have closed the business. If they sell the building, Planning and Zoning Commission will have to deal with a new owner and a new Conditional Use Permit. This is the reason we have

suggested using Development Agreements and having them recorded with the property, so when the property is sold, the new owner is automatically obligated to complete the street improvements. This will allow better regulation of these improvements. Mr. Lyon indicated he was in favor of the approach now being used - the extending of a grace period thus easing the financial hardship.

There was no further business and the meeting adjourned at 6:50 P.M.