

# Minutes Price City Planning and Zoning

## Price City Hall

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May 11, 1998

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

**Excused:** Gary Lyon

Meeting convened at 6:00 P.M.

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### I. MINUTES OF APRIL 20, 1998

Commission Members asked that Larry Bruno be shown as *Vice-Chairman* in lieu of Chairman Pro Tem, presiding over the April 20, 1998 meeting in the absence of Chairman John Angotti. Larry Bruno made a motion to approve this change in the minutes and Penny Sampinos seconded. The motion carried.

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### II. HOME OCCUPIED BUSINESS

LORLA'S CHILD CARE - 243 EAST 200 SOUTH  
LORLA FOSSAT - NEIGHBORHOOD SURVEY PENDING

Ms. Fossat submitted her Neighborhood Survey and all signatures were positive. She will be licensed for 12 children and, with more than 6 children, will have help from within her family. She must first have her business license before the State of Utah will issue her license. The play yard will be fenced, the Price City Fire Chief has inspected her home and Francis Duzenack indicated there are no concerns. Joe Piccolo moved to forward a favorable recommendation to Price City Council for the Home Occupied Business of Lorla's Child Care. Alfred Richens seconded and the motion carried.

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### III. HOME OCCUPIED BUSINESS - OFFICE USE ONLY

RED ROCK CONCRETE - 530 NORTH COTTONWOOD ROAD  
JODY KNOWLDEN - ALFRED MADILL, PARTNERS  
NO SIGNATURES NEEDED

Mr. Knowlden indicated this business will be a partnership. His partner, Alfred Madill, has a Contractor's License and Mr. Knowlden has applied to the State of Utah for his license. This is a licensed partnership doing business as Red Rock Concrete, with the office location being at the Knowlden home. Francis Duzenack told Mr. Knowlden he and his partner, must register their partnership with the State of Utah and bring in copies of both Contractor's Licenses so that the information can be put on file. There were no further questions and Alfred Richens moved to forward

a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only for Red Rock Concrete. Rose Etzel seconded and the motion carried.

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#### **IV. CONDITIONAL USE PERMIT**

SEE WORLD PRESCHOOL - 126 EAST 400 NORTH  
MERILEE PRETTYMAN - CHANGE DWELLING TO PRESCHOOL

Ms. Prettyman explained that Preschool and Daycare requirements are different. Preschool needs no state licensing. The only physical changes needing to be made to this property will be a bathroom remodel and a handicapped access to the house. This will become strictly a school use building as their personal residence is elsewhere. The backyard play area is fenced and everything else is in order. Chairman Angotti asked if the building had been inspected by the Price City Fire Chief and Building Official. Francis Duzenack indicated he had gone through the building, but there is no requirement by the State of Utah for a fire inspection, however, it could become a contingency of the motion. There were no further concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for a Conditional Use Permit for See World Preschool, contingent upon inspection by the Price City Fire Chief. Penny Sampinos seconded and the motion carried.

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#### **V. CONDITIONAL USE PERMIT**

DAVIS PHOTOGRAPHY AND GALLERY FRAMING - 79 WEST MAIN  
SCOTT AND SUSAN DAVIS - SIGN AND STORE FRONT ALTERATIONS

Mr. Davis told the Commission they had taken over The Gallery Frame Shop and have added a photography studio also. There is adequate parking available in the rear. Francis Duzenack referred the Commission to the copy of the sign and store front alterations. These will be done in beige with dark green trim and will eliminate the overhanging sign. There were no concerns and Penny Sampinos moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit for Davis Photography and Gallery Framing. Rose Etzel seconded and the motion carried.

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#### **VI. CONDITIONAL USE PERMIT - BUSINESS AND SIGN**

HORIZON LABORATORIES - 140 EAST 100 SOUTH  
VICTOR M. JARRETT

Mr. Jarrett explained to the Commission that Horizon Laboratories is a coal testing lab. Coal testing today is automated and the only chemicals used are sodium hydroxide and hydrogen peroxide. A window sign will be used for advertisement as they provide complete service with pickup and delivery and expect very little walk-in traffic. Most coal samples will be brought to the office in small containers, the largest being a 55 gallon drum, and the greatest amount stored will be 550 pounds. The material must be kept for 90 days and is stored in a shed in heat sealed bags. After this time, the material is hauled back to the site. There were no further concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Business and Sign for Horizon Laboratories. Joe Piccolo seconded and the motion carried.

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## **VII. CONDITIONAL USE PERMIT - BUSINESS AND SIGN**

MOM'S KITCHEN SECRETS - 90 EAST 100 SOUTH  
MARYLA ADAMS

Ms. Adams told the Commission that their business would consist of prepared food dishes for consumers, most of which would be carry-out to be cooked at home. They will prepare dishes that cannot be purchased in this area and have a light luncheon meal with a few tables for service. They're not certain how many tables the available space can accommodate. There is adequate parking and a canopy sign will be attached to the building. Francis Duzenack will have to see new plans as the original plans did not show any on-site dining. He will also have to look at a building plan to calculate the occupant loading and number of people to be seated. Based on occupant loading, some of the rules change in the Building Code. The higher the occupant load, the more prevalent the hazard in an emergency situation. Ms. Adams will meet with Francis to determine available seating. The area set aside for tables is 12' x 40' and they would like to have as many tables as possible. Francis Duzenack informed those present that Building Code Occupancies are not based on how many people can be fit in an area; but are based on a formula of a fully-loaded building, worse case scenario. The 12' x 40' area would have an occupant load of 32 people, even though it is a small area. They want to make certain that the exits are acceptable and that in the event of an emergency, you can quickly get 32 people out of the door.

Joe Piccolo asked if this should be a request for a restaurant, but Ms. Adams reiterated this was a "take-n-bake" type of business. Discussion was held on this matter and in light of this new information, Mr. Piccolo recommended treating this as a take out restaurant. There will be a great deal of space dedicated to coolers and freezers. The canopy sign will come well within the regulations. The Board of Health has done their inspection and the owners will comply with his recommendations. They would like to open for business by June 15, 1998.

There were no further concerns or questions and Joe Piccolo moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Business and Sign for Mom's Kitchen Secrets, contingent upon compliance with the Uniform Building Code as discussed with Building Official Francis Duzenack. Larry Bruno seconded and the motion carried.

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## **VIII. CONDITIONAL USE PERMIT - BUSINESS AND SIGN**

THE GOLF SHOP - 19 EAST MAIN  
JEFF WESTERGARD - RETAIL GOLF CLUBS AND ACCESSORIES

Mr. Westergard explained this is a retail golf shop and people can also be fitted for golf clubs and receive lessons. The sign is within the code and will be placed on the existing sign. There are no concerns and Alfred Richens moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Business and Sign for the Golf Shop. Penny Sampinos seconded and the motion carried.

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## **IX. CONDITIONAL USE PERMIT**

CUSTOM CLOSET CREATIONS - 375 SOUTH CARBON AVENUE - BTAC  
JOHN VANWAGONER

Mr. VanWagoner passed out literature showing his product and what it entails. He will be at the BTAC temporarily until he is able to build a shop on his own property. At present, he will build his projects on site. He has applied for his State of Utah Contractor's license, but will work under a Handyman's Service license until it arrives. Francis Duzenack informed Mr. VanWagoner that once he has received his Contractor's License, he can have his business license changed to a construction license. If he moves to a Home Occupied situation, he will have to return to Planning and Zoning with a new application. There were no further concerns and Rose Etzel moved to forward a favorable recommendation for a Conditional Use Permit for Custom Closet Creations - Handyman Service. Larry Bruno seconded and the motion carried.

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## **X. CONDITIONAL USE PERMIT - BUSINESS AND SIGN**

KARATE STUDIO - 95 SOUTH 100 EAST - BASEMENT  
KATSUMI DAVIS

Ms. Davis asked to be removed from the agenda as she has had a change of plans and will re-apply later.

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## **XI. CONDITIONAL USE PERMIT - AMENDMENT**

ELK RIDGE PUD - AMEND ORIGINAL PLAN BY COMBINING LOTS 9 & 10

Developer T.H. Poloni approached the Commission explaining he has a small lot in his PUD he would like to combine with another to make one large lot. When asked, Mr. Duzenack indicated it would be an improvement because the lot is a problem due to the shape and the roadway. Combining both lots will produce a much nicer and larger lot. Joe Piccolo asked if the two lots could be purchased together. Mr. Duzenack replied it would be possible in a standard subdivision, however, this is a Planned Unit Development, approved by the Planning and Zoning Commission, and any alterations to the original plans must come before the Commission. There were no other questions or concerns. Joe Piccolo moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Amendment for Combination of Lots 9 and 10 for the Elk Ridge Planned Unit Development. Rose Etzel seconded and the motion carried.

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## **XII. CONDITIONAL USE PERMIT - CHANGE OF USE**

DAVE COON - 580 SOUTH HIGHWAY 55  
CHANGE FROM STORE TO DWELLING

Chairman Angotti referred the Commission to the letter and review from Price City Attorney Nick Sampinos regarding this matter. In his review, Mr. Sampinos indicated that, in his opinion, the Code requires the installation of the curb, gutter, sidewalk and street improvements. The dwelling use was changed on September 25, 1995 to a commercial antique store and that change cannot be ignored or the former use restored without the involvement of the Planning Commission and application of the Code requirements.

Mr. Coon asked what he would be expected to do and Larry Bruno indicated he would have to install the curb, gutter, sidewalk and street improvements on his property. He recommended contacting Dale

Stapley of UDOT as they will be involved and work will be done to their specifications. Francis Duzenack told Mr. Coon that when doing these type of projects, the developers are asked to complete a Development Agreement with Price City and post a Letter of Credit or some type of guarantee insuring the projects are done. He recommended contacting Price City Engineer Gary Sonntag for clarification of the issue. Once the Development Agreement is recorded and in place, the property can continue as a rental. When the improvements are guaranteed with the Development Agreement, and if, for some reason, Mr. Coon fails to install the required improvements within a years time, there is a Letter of Credit or guarantee Price City can use to get the job done. Mr. Coon also has a Temporary Conditional Use Permit which will expire in November of 1998.

There was no further discussion and Joe Piccolo moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Change of Use for Dave Coon, contingent upon the Development Agreement being issued and signed. Penny Sampinos seconded and the motion carried.

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### **XIII. INFORMATION ONLY**

BONNIE J SUBDIVISION  
JACK SINGLETON

Mr. Singleton told Commission Members he had spoken with both Francis Duzenack and Gary Sonntag concerning this 12 lot subdivision and now feels he is ready to have the plans drawn up. He mentioned the newly proposed changes and will have a plan check by Price City Engineer Gary Sonntag before presenting it to the Planning and Zoning Commission for their approval..

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### **XIV. STAFF**

Francis Duzenack reminded Commission Members that a Board of Adjustment Meeting is scheduled the same evening as Planning and Zoning Meeting and will begin at 7:00 P.M. In the event of a large agenda, Planning and Zoning may have to adjourn and reconvene to conclude business.

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There was no further business and the meeting adjourned at 7:15 P.M.