

CITY OF DELTA, UTAH
PLANNING & ZONING COMMISSION MEETING
SEPTEMBER 8, 2011

PRESENT

Vance Bishop	Chairman
Linda Beard	Commission Member
Rand Crafts	Commission Member
Alan Johnson	Commission Member
Steven Pratt	Commission Member
Linda Sorensen	Commission Member
Tom Stephenson	City Council Representative
Roger Zeeman	Commission Member

ABSENT

None

ALSO PRESENT

Alan Riding	Zoning Officer
Ken Clark	Assistant Zoning Officer
Todd Anderson	City Attorney
Karen Johnson	Planning & Zoning Secretary
Federico Morataya	City Resident

Chairman Bishop called the meeting to order at 7:00 p.m. He stated that notice of the time, place and agenda of the meeting had been provided to the Millard County Chronicle/Progress, had been posted on the Utah Public Notice Website and at the City Building, and had been provided to each member of the Planning & Zoning Commission at least two days prior to the meeting. Chairman Bishop welcomed the new members of the Planning & Zoning Commission and thanked them for their willingness to serve in this capacity.

MINUTES

The minutes of a Planning & Zoning Commission Meeting held April 14, 2011 were presented for consideration and approval. Following discussion, Commission Member Roger Zeeman MOVED to approve the minutes of the Planning & Zoning Commission Meeting held April 14, 2011, as presented. The motion was SECONDED by Commission Member Linda Sorensen. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson,

Steven Pratt, Linda Sorensen, Tom Stephenson and Roger Zeeman voting in favor and no one voting against.

ERIC MOONEY: REQUEST FOR SINGLE LOT SUBDIVISION LOCATED AT APPROXIMATELY 200 SOUTH 200 EAST

In the absence of anyone representing Mr. Mooney, Chairman Bishop advised Commission Members that this request had previously come before the Planning Commission and minutes of those previous meetings, along with information provided by City Attorney Todd Anderson, were included in meeting packets distributed to Commission Members. Originally, Mr. Mooney and his brother purchased the entire one-quarter block and divided it into two lots; the West ½ and the East ½. In 2003, Eric Mooney requested permission from the Planning & Zoning Commission to subdivide the West ½ into two lots. Mr. Mooney was advised that he would be required to install curb, gutter, sidewalk and storm drain. Mr. Mooney determined that he did not want to divide the property if he was required to install those improvements. Since that time, Mr. Mooney has sold a portion of the West ½ to an adjacent property owner, which did not require approval from Delta City. Mr. Mooney is now requesting permission to subdivide the East ½ of the property and was advised by Zoning Officer Alan Riding that he would be required to install curb, gutter, sidewalk and storm drain. The Mooneys were against installing the improvements and asked if they could meet with the Planning & Zoning Commission to see if they would waive the installation of the improvements. Mr. Mooney then made application to meet with this Commission.

Zoning Officer Riding recommended that the request for single lot subdivision be denied unless the curb, gutter, sidewalk and storm drain are installed. City Attorney Todd Anderson stated that Mr. Mooney has failed to submit a proper preliminary or final plat for the proposed subdivision and the request should be denied on that basis.

Following discussion, Commission Member Roger Zeeman MOVED to deny the Eric Mooney request for single lot subdivision on property located at approximately 200 South 200 East due to lack of a proper subdivision plat. The motion was SECONDED by Commission Member Tom Stephenson. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt, Linda Sorensen, Tom Stephenson, and Roger Zeeman voting in favor and no one voting against.

FEDERICO MORATAYA: CONDITIONAL USE PERMIT TO OPERATE AN AUTOMOBILE REPAIR SERVICE AT APPROXIMATELY 189 WEST MAIN STREET

Mr. Morataya advised Commission Members that he would like to operate an automobile repair business at 189 West Main Street. He is renting the garage area from the owner of the service station/convenience store and plans to do repairs such as tune up, brake replacement, inspections, oil changes, tire sales, and that type of repairs. He will not be doing major automobile repairs such

as overhauls.

Commission Member Rand Crafts expressed concern regarding parking for the three businesses located in that particular building, those being gas pumps / convenience store, a fast food restaurant and auto repairs. Commission Members felt that Mr. Morataya needs to provide a letter from the property owner granting him three designated parking spaces for his business. Mr. Morataya noted that he plans to do repairs by appointment but recognizes that there will be walk-in business, as well. Commission Members suggested that the conditions attached to the conditional use permit should include parking spaced, limited storage of non-operating vehicles, a cleanliness standard for used oil, work limited to light automobile repairs, work done inside the garage except for emergencies such as tire repairs/changes, and no tires being stored outside the building.

Following discussion, Commission Member Rand Crafts MOVED that the request for a conditional use permit for Mr. Morataya to operate an automobile repair business at approximately 189 West Main Street be approved, subject to the following conditions: 1) Repairs are limited to light automobile repairs; 2) All work must be done inside the garage except for things such as emergency tire repair or change; 3) Property owner must allocate, in writing, a minimum of three (3) parking spaces to be used by Mr. Morataya's business; 4) No tires will be stored outside the garage area; and 5) Used oil must be removed from the premises before overflow occurs. The motion was SECONDED by Commission Member Tom Stephenson. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt, Linda Sorensen, Tom Stephenson, and Roger Zeeman voting in favor and no one voting against.

Chairman Bishop thanked the new members of the Planning & Zoning Commission for their willingness to serve the community in this capacity.

Chairman Bishop requested that the agenda for the next Planning & Zoning Commission include a discussion of by-laws to be adopted by the Commission and election of a Vice Chairman for the Commission.

City Attorney Todd Anderson advised Commission Members that one of their responsibilities is to suggest any changes they feel needs to be made to the Zoning Ordinance. He also stated that ordinances are not "set in stone." They are living documents which need to be amended or changed from time to time and Commission Members should not be timid about noticing and suggesting changes which they feel appropriate.

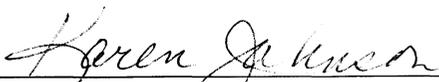
Chairman Bishop asked if there were any other comments or questions. There being none, Commission Member Tom Stephenson MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Alan Johnson. Chairman Bishop asked if there any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Alan Johnson, Steven Pratt, Linda Sorensen, Tom

Stephenson, and Roger Zeeman voting in favor and no one voting against.

Chairman Bishop declared the meeting adjourned at 8:12 p.m.



VANCE BISHOP, Chairman



Karen Johnson, Secretary

MINUTES APPROVED: P&Z 12-08-11