

CITY OF DELTA, UTAH
PLANNING & ZONING COMMISSION MEETING
JANUARY 10, 2013

PRESENT

Vance Bishop	Chairman
Linda Beard	Commission Member
Rand Crafts	Commission Member
Alan Johnson	Commission Member
Steven Pratt	Commission Member
Roger Zeeman	Commission Member

ABSENT

Tom Stephenson	City Council Representative
Linda Sorensen	Commission Member
Alan Riding	Code Enforcement Officer
Ken Clark	Assistant Code Enforcement Officer

ALSO PRESENT

Karen Johnson	Secretary
Todd Anderson	City Attorney

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 posted at the City Building, on the Utah Public Notice website and Delta City website, and had been provided to the Millard County Chronicle/Progress and to each member of the Planning & Zoning Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of a Planning & Zoning Commission Meeting held December 13, 2012 were presented for consideration and approval. Following review, Commission Member Rand Crafts MOVED to approve the minutes of the Planning & Zoning Commission Meeting held December 13, 2012, as presented. The motion was SECONDED by Commission Member Steven Pratt. 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 and Roger Zeeman voting in favor and Commission Members Tom Stephenson and Linda Sorensen being absent.

BUSINESS

KEVIN STYLER: REQUEST FOR CONDITIONAL USE PERMIT TO TRANSITION

APARTMENT RENTALS TO CONDOMINIUM OWNERSHIP ON PROPERTY LOCATED AT APPROXIMATELY 361 SOUTH 300 WEST AND 200 SOUTH 327 WEST

Mr. Styler was not in attendance so Commission Members and City Attorney Anderson discussed the requirements that should be met in order to transition the apartment units into condominium units. City Attorney Anderson felt that, since this request has been made, it would be practical for Commission Members to discuss the requirements that should be made, then there will be guidelines in place for any future requests of this type. City Attorney Anderson advised Commission Members that he had provided Mr. Styler with a copy of his City Attorney Report to the Planning Commission Meeting Scheduled January 10, 2013, wherein he recommended that the request for conditional use permit be denied. Chairman Bishop appreciated the outline of major issues that City Attorney Anderson had provided and felt that the report covered all the issues with the application for conditional use. It was noted that, in order to transition to condominium units, all units should be required to have their own utility meters, including individual water and sewer service. The transition to condominium units would also require that all conditions of the Subdivision Ordinance be met, including the required improvements or installation of curb, gutter, sidewalk and streets, etc. The current Delta City Zoning Ordinance outlines the minimum lot site for a condominium unit, consisting of up to four units per one building, be 15,000 square feet. It also requires adequate open space, parking and spacing of the buildings. City Attorney Anderson mentioned that he did not know if the building code would require a fire wall between units but felt that it would be advisable.

Commission Members determined that the application for conditional use permit does not meet the minimal requirements for a subdivision, including designation of utilities, sizing, how to meet the requirements outlined in the City Attorney report, and any variances from those requirements City Staff would be requesting. There was also discussion about privately owned vs. dedicated streets. Commission Members discussed requiring that Mr. Styler adhere to standards outlined in the Utah Condominium Ownership Act.

Commission Member Rand Crafts MOVED to recommend to Mr. Styler that he present a full application, including an acceptable plat and plans, that meet the requirements of City ordinances and the Utah Condominium Ownership Act, and all elements outlined in the City Attorney Report to the Planning Commission Meeting Scheduled January 10, 2013, as provided to Mr. Styler. The motion was SECONDED by Commission Member Roger Zeeman. Chairman Bishop asked if there were any comments or questions regarding the motion. Commission Members questioned whether Mr. Styler would also be subject to the Delta City Subdivision Act. City Attorney Anderson responded that Mr. Styler would be subject to the requirements of the Subdivision Ordinance. Chairman Bishop asked if there were any further 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 and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

Chairman Bishop asked if there were any other comments, questions or items to be discussed. There

being none, Commission Member Alan Johnson MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Linda Beard. 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 and Roger Zeeman voting in favor and Commission Members Linda Sorensen and Tom Stephenson being absent.

Chairman Bishop declared the meeting adjourned at 7:30 p.m.



VANCE BISHOP, Chairman



Karen Johnson, Secretary

MINUTES APPROVED: P&Z 03-14-13

