

APPROVED
Spring City Corp
Planning and Zoning Commission
Regular Meeting Minutes
May 14, 2008

Roll Call: Keith Chandler (presiding), Clare Sorensen (Zoning Administrator), Greg Hansen, Noel Bertelson (Alternate), Lawrence Gardner, Boyd Mickel (City Council Representative), Whit Allred (City Treasurer, minutes).

Attending: Dennis Watson, Robert Allred, Nedra Allred, Holly Cook, Shane Allred, Melissa Allred, Amy Allan, Joe Allan, Jim Thompson.

Meeting called to order 7:10pm.

Approval of previous minutes:

April 9, 2008:

Greg Hansen motion to approve minutes with amendments. Lawrence Gardener 2nd, all in favor.

Zoning Permits/Subdivision Applications:

Clark Christensen zoning permit expiration issue:

Mr. Christensen applied for a zoning permit for a garage on his property that would have full utilities to it in 2001. The garage was built and the water and sewer were installed. The electric hookup was paid for in 2003 in the sum of \$2000 but never installed. The question is whether or not he needs a new zoning permit (which would have expired after 2 years from the original date of approval in 2001) and whether he needs to pay the additional hookup fees and impact fees associated with a current electrical hookup. Lawrence Gardner motion to require a new zoning permit and pay the additional fees for electric hookup giving him credit for the \$2000 he paid in 2003. Noel Bertelson 2nd, all in favor.

Edwin Ruth zoning permit and request for utilities outside city limits:

Request for utilities is approved. All utilities are requested by the owner.

Jim Thompson zoning permit:

Jim is removing an existing mobile or modular home and replacing it with a new modular home. Clarence Sorensen has examined the property and approved the zoning permit. Lawrence Gardner motion to approve. Greg Hansen 2nd, all in favor.

Robert Allred zoning permit and conditional use permit:

Lisa Romney, the attorney for Spring City, sent a letter to the Planning and Zoning Commission outlining the stipulations and provisions of the revised zoning permit and conditional use permit that had been agreed upon by both the city and Robert Allred. The

letter also outlined to the Planning and Zoning Commission the information that needs to be stated in the motion to accept this zoning permit and conditional use permit. Greg Hansen made this motion as follows:

I move the planning commission approve the conditional use permit for Robert S and Nedra S Allred for a guesthouse on property located at 296 East 400 South Spring City, UT 84662. This motion is subject to the following terms and conditions of approval:

1. The construction, use, and maintenance of the guesthouse shall comply with all applicable city ordinances. Including, but not limited to, the terms and conditions of Section 10-6A-3 of the Spring City zoning ordinances regarding guesthouses.
2. Among other restrictions and requirements of Section 10-6A-3, the Guesthouse shall be located in the accessory structure on the property (“New Building”), shall not exceed 900 square feet, shall not contain a kitchen, and may not be occupied by the same guest for ninety (90) days within the same six (6) month period.
3. The construction, use, and maintenance of the Guesthouse shall be subject to and comply with all of the terms and conditions of that certain Settlement Agreement entered into by and between the Allreds and Spring City, dated April 8, 2008 (“Settlement Agreement”).
4. Among other terms and conditions of the Settlement Agreement, the Allreds shall construct and maintain two separate staircases to provide access to the second floor of the New Building. One stairway shall exclusively access the family gathering area and the second stairway shall exclusively access the Guesthouse.
5. Among other terms and conditions of the Settlement Agreement, the Allreds shall construct and maintain a wall separating the two bedrooms and bathroom constituting the Guesthouse from the family gathering area on the second floor of the New Building. The wall shall not have a door or other means of access from the family gathering area to the Guesthouse. The wall shall also enclose the separate stairway so there is no view or access between the Guesthouse and the family gathering area.
6. The Allreds shall obtain an amended Zoning Permit for the construction of the New Building in accordance with the terms and conditions of the Settlement Agreement.
7. No new additions shall be made to the New Building beyond the parameters of the amended Zoning Permit approval or any other alterations or additions that would increase the footprint of the New Building or increase the square footage of the New Building.
8. The City shall have the right to an annual inspection of the Guesthouse to ensure compliance with the terms and conditions of the Conditional Use Permit. The City shall provide the Allreds, or subsequent owner, written notice of its intent to inspect the New Building at least 48 hours prior to the inspection.
9. This Conditional Use Permit shall be recorded against the property as permitted by the Sanpete County Recorder and shall run with the land.

Lawrence Gardner 2nd, all in favor.

Nedra Allred requested to have her name put on the agenda for the next regular meeting to discuss the ordinance against having a guest house or second residence on a single parcel. Keith Chandler recommended having a public hearing on the subject. Public Hearing to be scheduled for one hour prior to the next regular meeting for both the Heath Cook re-zoning request and Nedra Allred request.

Shane Allred zoning permit and subdivision application:

Shane Allred bought a 1.06 acre parcel inside city limits from his father in law, Gary Oveson. The property had not been divided when Shane bought it and the split took place in March of 2008. Subdivision application was not made at the time because Shane was not aware that the ordinance had been changed to require one. The property falls within the standard road grid lines and will require no variance. It is a standard city building lot. The road right of way is encroached upon by another property owner on the East side of the Allred property and the fence will have to be moved and the road improved to accommodate the Allred driveway. Lawrence Gardner motion to approve the subdivision application. Greg Hansen 2nd, all in favor. Greg Hansen motion to approve the zoning permit. Noel Bertelson 2nd, all in favor.

Heath and Holly Cook subdivision application:

Heath and Holly own 5 acres within city limits and are making application to subdivide into a 3.94 acre and 1.06 acre parcel. The 1.06 acre parcel has a city culinary water line running through the middle of it with the proper easements filed. There is a potential road grid problem with the property, but it is highly unlikely that a road would ever be put in because of the presence of other homes on the grid to the East. There is insufficient frontage for the property at present (214' is required for any new split) because the road curves away from the property line and another individual owns the property "wedge" that exists between the road and the Cook property. The Cooks are currently in the process of trying to acquire the wedge but have not completed the acquisition to date. Lawrence Gardner motion to table this issue until the proper frontage can be proved. Keith Chandler 2nd, all in favor.

Orson Huntsman zoning permit and request for utilities outside city limits:

Request for electric hookup is approved.

Allison Anderson zoning permit:

The Andersons are requesting approval of zoning for a new garage on their property. The new structure is well within zoning guidelines. Lawrence Gardner motion to approve. Noel Bertelson 2nd, all in favor.

William Root zoning permit:

William Root has begun (and completed) construction of a car port attached to his home. The carport does not meet city code for setbacks. Mr. Root failed to apply for a Zoning Permit from Spring City Corp and a Building Permit from Sanpete County prior to construction. Lawrence Gardner motion to disapprove this zoning permit and file a notice of certificate of non-compliance on the property. This will leave the issue open for appeal to the Board of Adjustments. Greg Hansen 2nd, all in favor.

Michael Barkdull zoning permit:

Mr. Barkdull is planning construction of a new garage. The new structure meets all code requirements. Noel Bertelson motion to approve. Lawrence Gardner 2nd, all in favor.

Business Licenses

There are no business licenses to approve in this meeting.

Jaques Cazier road issue:

Mr. Cazier was not present. Boyd Mickel explained that Mr. Cazier would like to dedicate property to the city for the building of the 400 East road from 500 East running to 700 East in exchange for permission to subdivide his property creating a parcel 2.12 acres in size but retaining it's agricultural status to avoid the need to install utilities as provided under the current subdivision ordinance. This issue will be tabled until Mr. Cazier is present.

Greg Hansen motion to adjourn. Keith Chandler 2nd, all in favor.