

MINUTES OF THE HELPER CITY PLANNING AND ZONING COMMISSION

Wednesday, March 21, 2012

7:00 p.m.

Helper Auditorium

Council Chambers

19 South Main

Helper, Utah 84526

ATTENDANCE:

City Staff

Chairman Tom Paluso

Vice Chairman Jean Boyack

Board Members:

Margie McCourt (absent excused)

David Palacios

Grant Howell

Deputy Recorder: Joan Burgess

Council Member Liaison: Chris Pugliese

Citizens: Michael Bryant, KC Williams, Valene Young, Sonja Hansen, Ashley Derossett, Charles Hamilton

PLEDGE OF ALLEGIANCE

Chairman Paluso directed the Pledge of Allegiance

The regular meeting of the Helper City Planning and Zoning Commission was called to order by Chairman Paluso at 7:03 p.m.

APPROVAL OF MINUTES February 15, 2012.

Board Member Boyack moved to approve the regular meeting minutes of February 15, 2012. Board Member Howell seconded the motion. Motion Carried. Board Member Boyack, Palacios and Howell all voting yes.

PUBLIC HEARING ON HELPER CITY GENERAL PLAN/DEVELOPMENT CODE/ERROR CHANGES.

Commission Member Boyack moved to open the public hearing at 7:06. Commission Member Howell seconded the motion. Motion Carried. Boyack, Palacios and Howell voting yes.

Tom Paluso explained how the Planning Commission has worked on the General Plan for over a year and introduced Michael Bryant from Southeastern Utah Association of Local Governments. Chairman Paluso stated Mr. Bryant has been very helpful in the process of updating the city's General Plan. Michael Bryant gave the definition of a General Plan as a guiding document for a city's goals and objectives they want to achieve over a period of time. He presented the General Plan with a short description of each section and accepted any questions from the public.

Chairman Paluso announced there were clerical errors that needed to be corrected on the Development Code and Zoning map; Michael Bryant identified the changes that needed to be made. CC1 on North Main should have been GC1, R1-8000 primarily businesses south of Central Commission toward Main Street should also be GC-1, R1-8,000 east side of Main Street by Janet Street should be R1-5,000, small piece of property at the end of Fabrizio that was not zoned should be R1-5000. Development Code necessary changes were: Delete wording on definition of carport, add definition of Livestock, Conditional Use decision for Private Clubs.

Chairman Paluso asked for any public comments, KC Williams commented on the Appendix G was missing on printed copy, Michael Bryant stated it was a typo error and it was on the main copy. Charles Hamilton questioned the zoning south end of Martin Rd on the east side of the river; zone was confirmed as R2-5000.

Commission Member Boyack moved to close the public hearing at 7:43 Commission Member Palacios seconded the motion. Motion Carried. Boyack, Palacios and Howell voting yes.

Commission Member Boyack moved to make a positive recommendation to the City Council to approve the General Plan and approve the recommended changes to the Development Code and Zoning Map. Commission Member Palacios seconded the motion. Motion Carried. Boyack, Palacios and Howell voting yes.

CONDITIONAL USE PERMIT APPLICATION/SONJA HANSEN FOR DAY CARE AT 50 NORTH MAIN.

Sonja Hansen explained to the Commission her day care in her home at 147 Stack Street and she is considering buying the home at 50 North Main for her day care instead of being in her house. Miss Hansen told the Commission she would fence off ½ of the back yard to use for a play yard and the other ½ would be used for parking and child drop off. Chairman Paluso stated a Conditional Use permit is required for a day care. Chairman Paluso reviewed the day care requirements, Sonja agreed to the terms. Jean Boyack questioned Miss Hansen about her plans for parking because of concerns of children being dropped off across the street. The Commission agreed to approve the conditional use permit with the terms that parking and child drop off would be done only in the rear of the home.

Board Member Howell moved to approve the Conditional Use permit application for Sonia Hansen for daycare at 50 N Mail Street. Board Member Palacios seconded the motion. Motion Carried. Board Member Boyack, Palacios and Howell all voting yes.

DISCUSSION/APPROVAL ON REQUESTED R2-5,000 ZONE CHANGE FOR CHARLES HAMILTON AT 250 N MARTIN RD.

Charles Hamilton told the Commission the property has been family owned since 1870, the only access is across the bridge and in the past has always had animal rights. Mr. Hamilton explained that he has an opportunity to sell the property, but the buyers only want to purchase it if they are allowed to have small animals. Chairman Paluso asked if the bridge had been condemned, Charles Hamilton explained he had the bridge put in himself, it is a private bridge and he has it gated off. Jean Boyack stated that if the property zone was changed it would be spot zoning and there had been problems in the past doing that, Mr. Bryant stated that was not illegal anymore.

Michael Bryant stated he could see 3 different possibilities, have the city change the zone to R1-30,000 allow livestock, change wording in ordinance to allow livestock in particular zones or change the definition of agriculture to include livestock. The Commission told Mr. Hamilton there was a process that needed to be followed to change a zone or change an ordinance and they would like to review and discuss the different options. Charles Hamilton agreed to have the item on the next agenda to see if the Commission could come up with a solution to assist him or he would request the zone change for his property only. Charles Hamilton stated he will contact the adjacent neighbors to see what their opinions were on him requesting to have livestock on the property.

Item rolled over to next agenda for further discussion on possible zone change or added conditional use for livestock in residential zones.

DISCUSSION/CHRIS PUGLIESE ON CURB AND GUTTER FOR NEW CONSTRUCTION.

Council Member Chris Pugliese said there will need to be future discussions and possible changes in the Ordinance for curb and gutter on new construction after the city's utility improvements are completed.

COMMISSION/PUBLIC COMMENTS.

Ashley Derosett approached the Commission wanting to discuss what her options were on putting a fence up in her yard to keep her dogs in. Chairman Palsuo advised Ms. Derosett to get a copy of the fence ordinance to review and if necessary she would need to be put on the agenda for a future meeting.

ADJOURNMENT:

There being no further business Board Member Howell moved to adjourn the meeting. Board Member Boyack seconded the motion. Motion carried. Board Member Boyack, Palacios and Howell and voting yes. Meeting adjourned.

I here by certify that the foregoing represents a true, accurate and complete record of the Helper City Planning and Zoning Commission meeting held on Wednesday, March 21, 2012.

Jean Boyack
Vice Chairman

Joan Burgess
Deputy Recorder

Approved on April 18, 2012