

PLANNING COMMISSION MEETING

May 17, 1984

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, May 17, 1984, at 7:30 p.m.

Members present were: Don Chase, Richard Kimber, DeVon Breitenbeker, Thomas Mower.

Ex-officio: Denton Beecher.

DeVon Breitenbeker was welcomed as a new member to replace Jerry Wilde, who has resigned. Kent Newman was absent, and with the resignation of Jerry Wilde, Richard Kimber was appointed temporary chairman for this meeting.

The minutes of April 19, 1984, were presented to be approved. Richard Kimber asked for a correction on the last page pertaining to the item of Bill Reeder for a mobile home. Correctly stated that Glen Nelson made the motion, but it was Thomas Mower who seconded the motion and not Glen Nelson. Thomas Mower made a motion to approve the minutes with the correction indicated. Don Chase made the second with all voting in favor.

APPLICATION FOR CONDITIONAL USE PERMIT FOR KIM H. HAWKER

Kim Hawker met with the Commission to ask for a Conditional Use Permit to construct four grain bins on Lot 4 of Cedar Springs Planned Unit Development. The bins are to be 17 ft. in diameter and about 20 feet high. There was a discussion on the location and type of use of said bins. A motion by DeVon Breitenbeker that a Conditional Use Permit be issued to construct the bins with the following conditions:

1. That it not become a business and can only be used by the owner for storage purposes.
2. That the location of the bins be East of the easement shown on the plat and along the North property line or along the East property line.
3. The gravel road, if paved, will be done so by the owners and the County offers no maintenance.

The motion was seconded by Thomas Mower and approved. (Copy 1).

C AND C MINOR SUBDIVISION - Louis Christensen met before the Commission and presented his one lot minor subdivision plat. He explained that he is going to connect to an existing culinary well which his brother-in-law owns. He said he is applying for a permit with the State Engineer. He also submitted his approved sewer permit to show he can have a septic tank. With all this information, Don Chase made a motion to approve this as a sketch plan and preliminary, and authorize the chairman to sign said plat. This motion was seconded by DeVon Breitenbeker with all voting in favor.

HAL ALLEN ZONE CHANGE REQUEST

Hal Allen presented a request to change the zone on 1200 West just South of Perry to a zone which would allow a one acre lot, so he could build. After some discussion on this matter, a motion was made by DeVon Breitenbeker that Mr. Beecher check out Perry's zone ordinance

and submit the request of Mr. Allen to Perry City. It was also recommended to Mr. Allen that he try to annex to Perry City so they can provide the necessary services. Motion was seconded by Don Chase with all voting in favor. (Copy 2).

MEGABAR EXPLOSIVES CORPORATION APPLICATION FOR CONDITIONAL USE PERMIT

John Peterson and Kent Davis met before the Commission to explain their situation, and ask for a Conditional Use Permit. Mr. Peterson explained in detail how the accident happened and how the investigation is proceeding. They will incorporate all findings into the new plan. They were very, very sorry for what has happened and they also admitted that they were in the wrong to have been working in the area without a permit. There was a very long discussion and explanation regarding all the issues of this operation. Mr. Peterson again explained, in detail, their proposed plan for the operation of a research and development laboratory. They would like to plan to proceed with the new building upon a receipt of a conditional permit. (Copy 3).

Commr. Don Chase voiced a great concern over the situation and said he needed to present the matter and his request back to the public which would require an extension of time to do so. Mr. Peterson expressed that any delay might as well be a denial. Again there was an extended discussion regarding how their operation would effect the public. Mr. Davis expressed that he has talked to the neighbors and they still do not have any concerns and would not object. Gay Pettingill and Mrs. Kent Davis expressed their findings and concerns as two citizens. They indicated that no one they had talked with were opposed to the project. DeVon Breitenbeker expressed that he could not see how the accident pertained in any way to the application and was ready to make a motion. Commr. Don Chase asked for a 10 minute recess to allow him time to contact the other two County Commissioners. He was unable to make contact with them and he indicated he was now ready for the motion. DeVon Breitenbeker made a motion that the Conditional Use Permit be approved, subject to and before occupancy of the structure, the administration must be able to satisfy the following conditions:

1. Meet all requirements of the "National Fire Codes Vol. Four 1975 edition" and its updates.
2. Meet all requirements of the "Hazardous Material Guidebook"
3. Signed approval from the Federal Bureau of Alcohol, Tobacco, and Firearms, US Dept. of The Treasury.
4. Signed approval from U.D.O.T. regarding clearance from their highway and railroad.
5. Signed approval from the Utah Industrial Commission.
6. That the building meet all of the UBC codes.
7. That the facilities shall always be a research and development operation, and never become a production plant. The quantity of explosive material shall be limited to those needed to carry on an experimental operation.

The motion was seconded by Thomas Mower with all voting in favor.

MARSH POINT LODGE

Horacio Giron, Shierly Chavez, and Robert C. Maxwell, met with the Commission to request they be allowed to upgrade the old Marsh Point into a resturant and beer lounge, and need a conditional use permit to operate same. Don Chase made a motion, after much discussion, that the conditional use permit be approved and authorize the issuance of a building permit to remodel said structure to bring it up to todays standards, and that they establish a food and beverage establishment, providing that all building codes are met and that all health codes be met. If they desire to sell beer, they must obtain a beer license from the County. Motion was seconded by DeVon Breitenbeker, with all voting in favor.

APPOINTMENTS

The appointment of a new chairman of the Planning Commission and a representative to the Board of Adjustments Board, was postponed until the next regular Planning Commission Meeting.

Meeting adjourned at 11:30 p.m.

APPLICATION FOR CONDITIONAL USE PERMIT

7:35
10/17/84

Copy
Minutes 5/17/84

Applicant's Name Kim H. Hawke Application No. 27
 Address Lot #5 Cedar Springs Date Received by Building Inspector _____
 Telephone 779-8137 Date of Hearing _____

Application is hereby made to the Planning Commission requesting that

_____ be permitted as a "conditional use"
 on 5 Acres located at Cedar Springs
 (Sq. Ft. or Acres) Street Address

in a _____ zone (see attached location map).

Please complete the following:

- I. State in detail what is intended to be done on or with the property. Include Site Plan as required in the Conditional Use Chapter of the Zoning Ordinance.

3 or 4 GRAM BING Pines on my Property. They measure 17' Diameter 5 Rings high. For the purpose of storing my lumber. By Rental ground & Cedar Cutting.

- II. Explain fully how your application will satisfy each of the following conditions:

- (a) The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

I will only provide a service to myself

- (b) The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons nor injurious to property or improvements in the vicinity.

That is correct!

- (c) The proposed use will be compatible with and complimentary to the existing surrounding uses, buildings, and structures when considering traffic generation, parking, building design and location, landscaping, noise, or other pollution.

The proposed plan is very much in line with the surrounding community. The road is a private road and will not create more traffic for any period of time.

- (d) The proposed use conforms to the goals, policies, governing principles and emerging land use patterns of the Master Plan. Please list specific goals and policies as adopted in the Master Plan which would be pertinent.

It is my feeling that this proposed use is in conformance.

- III. Attach a copy of market analysis and economic study which justifies the proposed use, and any assurance of financial ability or program to complete and conduct the use (if required by Planning Commission)

N/A

- IV. If proposed use is providing a public service, rather than a private personal use, explain how it will benefit the public or render a service to the community.

These Bins will only provide a private service.

- V. List the names and addresses of all property owners within 300' of the subject property. (Use additional sheet if necessary)

At this time I do not know.

- VI. Fee paid _____

Signed:

[Signature]
(Applicant)

Horseshoeville, UT.
(Address)

279-8137
(Phone)

Zoning Administrators Action:

Date Approved: _____

Date Disapproved: _____

Date Referred to Planning Commission for Action _____

Planning Commission Action:

Date Approved: 5/17/84

Date Disapproved: _____

Governing Body Action if Appealed From Decision of Planning Commission:

Date Approved: _____

Date Disapproved: _____

Public Hearing Date if Deemed Necessary _____

Conditions of Approval , or Reasons for Disapproval

- List:
1. That it shall not become a business only a private storage.
 2. That the location shall be east of the recorded easement and along the north property line or along the east property line.
 3. That the gravel road if paved shall be done by the owner and that the co. provides no maintenance.

Signature: Dwight A. Beecher
Chairman, Planning Commission or, Zoning Administrator

The Building Inspector shall place the Conditional Use Application No. as well as any conditions of approval on the Building Permit.

Appealed to the Planning Commission from Decision or Zoning Administrator _____

Appealed to the Governing Body from Decision of Planning Commission _____

APPLICATION FOR AMENDING THE
ZONING ORDINANCE

COPY 2
Minutes 5-17-84

Fee Paid _____

Date: 14 May 84

I (we), the undersigned property owners, respectfully request that the Zoning Ordinance be amended by re-zoning 0024 TU-33 and 0025 TU-33

area of land bordering Perry Township on the south
portion.

for the purpose of building a single purpose dwelling
on one acre

** The Planning Commission must review the request from the standpoint that changes in the Zoning Ordinance cannot be made unless it is in the best interest of the public generally and in conformity with the policies of the general or specific Master Plan.

Please answer the following questions: (Attach additional sheet for statements, if necessary.)

1. How is this proposal consistent with the policies of the general or specific Master Plan? _____

2. How will this proposal promote the health, safety, morals, convenience, order, prosperity, or welfare of the general public? expand tax base for county

add to value of area in terms of beautification improve
utility services in potentially expanding residential area.

3. Names of all owners of property in the proposed amendment area and signatures of property owners as available (Planning Commission may require signatures of all property owners showing approval of proposed change).

Name	Address	Phone	Approve	Disapprove
Jay Matthews	2530 5th 89 Perry	723-7666	Jayce Matthews	
Dennis Billings	2900 5th 89 Perry	723-3767	Dennis Billings	

APPLICATION FOR CONDITIONAL USE PERMIT

Copy 3
Minutes 5/17/84

Applicant's Name MAGAZAR EXPLOSIVES CORP Application No. 28
 Address 409500 So Highway 89 Date Received by Building Inspector WILLARD 84340
 Telephone 782 2275 Date of Hearing 17 MAY 1984

Application is hereby made to the Planning Commission requesting that _____ be permitted as a "conditional use" on _____ located at _____ (Sq. Ft. or Acres) _____ Street Address in a _____ zone (see attached location map).

Please complete the following:

I. State in detail what is intended to be done on or with the property. Include Site Plan as required in the Conditional Use Chapter of the Zoning Ordinance.

II. Explain fully how your application will satisfy each of the following conditions:

(a) The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

(b) The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons nor injurious to property or improvements in the vicinity.

(c) The proposed use will be compatible with and complimentary to the existing surrounding uses, buildings, and structures when considering traffic generation, parking, building design and location, landscaping, noise, or other pollution.

(d) The proposed use conforms to the goals, policies, governing principles and emerging land use patterns of the Master Plan. Please list specific goals and policies as adopted in the Master Plan which would be pertinent.

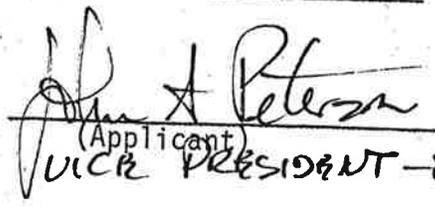
III. Attach a copy of market analysis and economic study which justifies the proposed use, and any assurance of financial ability or program to complete and conduct the use (if required by Planning Commission)

IV. If proposed use is providing a public service, rather than a private personal use, explain how it will benefit the public or render a service to the community.

V. List the names and addresses of all property owners within 300' of the subject property. (Use additional sheet if necessary)

VI. Fee paid _____

Signed:

 (Applicant) VICE PRESIDENT - CORPORATION	<u>563 So. 8th W.</u> (Address)	<u>7235136</u> (Phone)
_____	_____	_____
_____	_____	_____