

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
December 8, 2008**

CALL TO ORDER - 3:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

ABSENT/EXCUSED: Jere Jarrell

STAFF PRESENT: Ray Erlandsen, Acting Community Development Director, Sheila DeSchaaf, Planner II, LaRon Garrett, Public Works Director, Tim Wright, Deputy Town Attorney, and Chris Floyd, Secretary.

- A. PUBLIC COMMENTS - Comments concerning items not on the agenda. Note: Those wishing to address the Planning and Zoning Commission during this time need not request permission in advance. Action taken as a result of public questions and comments shall be limited to directing staff to study the matter or rescheduling the matter and decision at a later date. There shall be no discussion regarding any issues presented.**

There were no public comments.

B. SCHEDULED HEARING(S)

1. A-15-08 Abandonment Request
Filed by: Town of Payson, Public Works Director LaRon Garrett
Location: 701 East Phoenix Street
Purpose: To abandon a 5' x 45' portion of the existing East Phoenix Street right-of-way, adjacent to the west side of Rim View Heights Lot #58.

LaRon Garrett, Public Works Director, summarized the staff report. Staff is asking that a public utility easement be retained over the property.

The Commission asked questions, which were answered by staff.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Motion: Recommend to the Town Council approval of the abandonment of

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the 5' X 45' public right of way, but retain a public utility easement over the abandoned area along the south side of 701 East Phoenix Street as requested by the property owner. Chairman Baas asked if the property owner was required to purchase the property from the Town, which the reply was in the affirmative.

Moved by James Scheidt, seconded by Russell Goddard.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

Absent: Jere Jarrell.

2. CUP-169-08 Conditional Use Permit Request
Filed by: Karen Aronson, property owner
Location: 2406 West Graff Drive
Purpose: For a guest quarters with kitchen facilities.

Sheila DeSchaaf, Planner II, summarized the staff report.

Staff recommends approval with the following conditions:

1. That the proposed guest quarters with kitchen facilities use shall be by family members, servants or non-paying guests only and shall not be leased or rented.
2. That the proposed guest quarters shall meet the requirements of the Town of Payson Water Department.
3. Construction shall be in substantial conformance with the site plan submitted and proper permits for construction shall be obtained.
4. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for a single family residence with a detached guest quarters with kitchen facilities use, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.
5. Failure to comply with the above conditions shall be grounds for zoning citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the Community Development Department, with a 24 hour notification to the property owner, a zoning inspection shall be allowed at the guest quarters. If violations of the conditions of this CUP persist, a request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

The Commission asked questions, which were answered by staff and the applicant.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Motion: Approve CUP-169-08, a request filed by Karen Aronson to allow detached guest quarters use with kitchen facilities at 2406 West Graff Drive, APN 302-38-263B, subject to the conditions prepared and renumbered by staff.

Moved by Lori Meyers, seconded by Gary Bedsworth.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

Absent: Jere Jarrell.

3. CUP-170-08 Conditional Use Permit Request

Filed by: Lee and Nancy Woods

Location: 700 North Granite Drive

Purpose: A request for more than two (2) customer/clients per day related to a home based business.

Ray Erlandsen, Acting Community Development Director, summarized the staff report.

Staff recommends approval with the following conditions:

1. Hours of operation shall be between 8:00 a.m. and 8:00 p.m. only.
2. All additional parking must be on private property and paved. On street parking is not permitted.
3. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for a single family residence with a home-based business providing counseling services to more than two customer/clients per day in connection with that business, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.
4. Failure to comply with the above conditions shall be grounds for zoning citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the

Community Development Department, with a 24 hour notification to the property owner, a zoning inspection shall be allowed at the site. If violations of the conditions of this CUP persist, a request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

The Commission asked questions, which were answered by the applicant and staff.

Motion: Approve CUP-170-08, a request to allow more than two customer/client visits per day in conjunction with a home-based business at 700 North Granite Drive subject to the conditions listed in the staff report. Moved by Gary Bedsworth, seconded by James Scheidt.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

Absent: Jere Jarrell.

C. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. 2009 P & Z Commission meeting schedule.

The proposed meeting schedule for 2009 was presented to the Commission. It will be considered for approval at the January 2009 meeting.

D. REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING & ZONING COMMISSION AGENDAS

Gary Bedsworth asked for a ruling on a member's absence when they have missed several meetings.

Jim Scheidt requested a status report on the proposed beehive amendment to the code.

Chairman Baas asked the status of the fence ordinance. Ray Erlandsen, Acting Community Development Director, stated that Council said do a policy not an ordinance so a written policy has been formulated and is in place.

Gary Bedsworth commented that Mr. Scheidt was on a committee regarding how committees and boards are governed and asked if the information could be shared with the Commission. Mr. Scheidt gave a brief overview of what the committee reviewed.

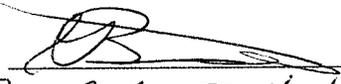
E. INFORMATION TO COMMISSION (Not for Discussion)

Ray Erlandsen, Acting Community Development Director, stated that the next meeting would be in January and there will be election of officers.

Mr. Erlandsen also noted that Chairman Baas has elected not to rejoin the Commission for another term. He thanked Mr. Baas for his service on the Commission. Chairman Baas stated that he has enjoyed being on the Commission, working with staff, and the other Commissioners. He looks forward to the good work of this Commission continuing.

ADJOURNMENT

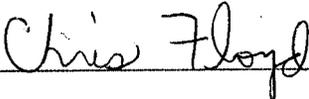
3:35 p.m.



Gary Beckwith 1/12/09
~~Hal Baas, Chairman, Vice~~

1-12-09
7/0

Approved



Chris Floyd, Secretary