

**MINUTES OF THE PLANNING AND ZONING COMMISSION PUBLIC
HEARING FOR THE TOWN OF STAR VALLEY
Tuesday, April 14, 2009 @ 6:00 pm
3632 E. Highway 260**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Chairperson Steven Salatti excused - Vice- Chairman John Whetten X
Member Fred Horton excused - Member Ray Lyons X
Member Bob Hibbert X - Member Steve Bingham excused
Member Gary Plunkett X

Staff present: Joseph Janusz, Building Official and Stephanie Jones, Deputy Town Clerk.

Public present: Karen Benjamin, applicant and Paty Henderson, Rim Country Gazette.

Due to the absence of Chairperson Steven Salatti, Vice-Chairman Whetten conducted the meeting.

- **CONSENT AGENDA ITEMS**

- 1. Approval of the minutes of the Planning and Zoning Commission meeting held on March 10, 2009**

A motion was made by Member Lyons and

Member Hibbert seconded the motion.

Motion was voted on and passed 4-0

- **DISCUSSION AND POSSIBLE ACTION ITEMS:**

- 1. Discussion and possible action regarding CUP 09-02: A Conditional Use Permit Request submitted by Wayne and Kristy Dillon to allow an existing manufactured home on their property for living quarters during construction of a new home. The property is located at 139 Pinion Road, Str Valley, AZ and the parcel number the property is 302+-46-009J.**

- Vice-Chairperson Whetten discussed the item with the Commission citing a Temporary Use Permit issued in September 2008 to Mr. & Mrs. Dillon.
 - Terry Smith submitted a letter of recommendation and Vice-Chairman Whetten read a portion to the Commission *‘It is recommended that a time limit be established for Mr. Dillon to*

apply for and receive a building permit for the residence. Additionally it is recommended a Conditional Use Permit not be activated until such time as the building permit is obtained. The Commission may also want to consider a time limit for construction and monitoring services’.

- Vice-Chairperson Whetten asked for confirmation that Mr. Dillon had received a building permit. Joe Janusz assured the Vice-Chairperson that Mr. Dillon had received his building permit.
- Member Hibbert recommended accepting the recommendations made by Terry Smith
- Member Lyons suggested not being too restrictive on the time limit giving the maximum timeline possible. Member Lyons agreed with the rest of the recommendation but mentioned that Mr. Dillon should have enough time after gaining the occupancy permit to move in and remove the manufactured home.
- Vice-Chairperson Whetten suggested having a permit request every six months.
- Mr. Janusz suggested requiring the home be removed after a set number of months after final inspection was complete.
- Vice-Chairperson Whetten observed that the manufactured home would have to be moved soon as it is in front of the garage of the newly constructed home.

Motion was made by Member Hibbert to accept CUP 09-02 with the recommendation that applicant notify Planning and Zoning when construction has begun – allowing for six month review of CUP to applicant.

- Vice-Chairperson Whetten suggested allowing for additional time as construction had not fully begun.
- Member Lyons suggested tying in the requirements with inspections rather than six month increments.
- Member Hibbert amended his motion on time limit to two years for CUP 09-02.
- Vice-Chairperson Whetten suggested that if final inspection was not granted within two year period that the applicant reapply for CUP 09-02.
- Vice-Chairperson Whetten restated the motion on the floor.

Amended Motion was made by Member Hibbert that upon obtaining a building final the applicant be allowed 60 days to remove the mobile home from the property.

Member Plunkett seconded the motion.

Motion was voted on and passed 4-0

A motion to approve the motion as amended was made by Vice-Chairman Whetten

The motion was voted on and passed 4-0

2. Discussion and possible action regarding Case Z09-01: A request by Christopher and Karen Benjamin Trustees/1999 Benjamin Family Trust to rezone Assessor's Parcel No. 302-59-006U, Parcel E-1A of R.O.S-M.L.D map No. 3695 from C3-Commercial Three District to R1-D40 Residence One District with Density District Forty.

- Vice-Chairperson Whetten read the agenda item and introduced Mrs. Karen Benjamin to address the Council about the zoning extension.
- Mrs. Benjamin stated "...housing should be on residential and not commercial zoning". Mrs. Benjamin also cited Lion Springs and The Knolls as both residential zoned areas that extend to Hwy 260.
- Vice-Chairperson Whetten read a portion of Terry Smith's recommendation letter in which Mr. Smith wrote '*This request should be approved due to the nature of the existing use*'. Vice-Chairperson Whetten paraphrased the intent of the letter stating "He (Mr. Smith) recommends the approval of the application".
- Vice-Chairperson Whetten questioned why the change from commercial to residential zoning but raised no opposition.
- Member Hibbert asked Mrs. Benjamin as to the acreage of the property
- Which she responded it is 2.41 acres.

A motion was made by Member Lyons to recommend rezoning of Case Z09-01 Assessor's Parcel No. 302-59-006U, Parcel E-1A of R.O.S-M.L.D map No. 3695 from C3-Commercial Three District to R1-D40 Residence One District with Density District Forty.

Member Hibbert seconded the motion

The motion was voted on and passed 4-0

2. Discussion and possible action regarding proposed amendments to Section 104.4.

- Vice-Chairperson Whetten read the attachment with the proposed changes/additions to the Planning and Zoning Ordinance. (See Attached)
- The Building Official stated, "The only reason for this is because when we adopted it from the county. What we have was not included in there and when people called asking questions... we were kind of guessing between the two so we wanted come up with something in writing".
- Member Hibbert asked for clarification on a zoning question which was explained by Deputy Clerk Stephanie Jones.

Motion was made by Member Plunkett to accept the proposed amendments to section 104.4 Density Districts of the Town of Star Valley Planning and Zoning Ordinance.

Member Hibbert seconded the motion

Motion was voted on and passed 4-0

- **REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING AND ZONING COMMISSION AGENDAS**

A question was raised regarding the burned mobile home on Garrels Drive.

- **PUBLIC COMMENTS**

There were no public comments.

- **ADJOURNMENT**

A motion to adjourn was made by Member Lyons and Member Hibbert seconded the motion.

The motion was voted on and passed 4-0.

Meeting adjourned at approximately 6:28pm

APPROVED:

SIGNED

John Whetten, Vice-Chairperson

ATTEST:

SIGNED

Stephanie Jones, Deputy Town Clerk

Certification:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Planning and Zoning Commission Meeting for the Town of Star Valley held on this 14th day of April, 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 17th day of April, 2009

SIGNED

Stephanie Jones, Deputy Town Clerk