

TOWN OF PAYSON
BOARD OF ADJUSTMENT
MINUTES OF THE PUBLIC MEETING
OCTOBER 14, 2015

- A Chairman Underwood called the duly posted public meeting of the Board of Meeting Time
Adjustment to order at 3:00 p.m. in the Town Council Chambers. & Place
- B MEMBERS PRESENT: Patrick Underwood; Doug Martin; Lynn Raichert; Roll Call
Pamela Jackson; and Micah Utterback. ABSENT: Butch Joyner and Matt
Sopeland.
- C STAFF PRESENT: Sheila DeSchaaf, Planning and Development Director; Doni Staff Present
Wilbanks, Planning Specialist; Trever Fleetham, Planning Technician; Bobby
Davis, Economic Development Specialist; Chris Floyd, Executive Assistant.
- D OTHERS PRESENT: Mike DeWees; Mike Wicks; Wayne Dillon; Tony Others
Vlahopoulos. Present
- E Pat Underwood was nominated for Chairman. There were no other nominations. Election Of
Officers
Motion carried 5-0.
Doug Martin was nominated for Vice-Chairman. There were no other nominations.
Motion carried 5-0.
- F Doug Martin moved, seconded by Lynn Raichert, to approve the minutes of the Approval Of
October 15, 2014 meeting, pages 227-228. Minutes
Motion carried 3-0 with Pamela Jackson and Micah Utterback abstaining.
- G SCHEDULED HEARING (S): V15-001
V15-001 Variance Request 908 South
Filed by: Michael and Tammy DeWees, property owners; McLane Rd
Michael Wicks, agent
Location: 908 South McLane Road
Purpose: Variance to the Home Occupation provisions of the Unified
Development Code §154-14 for 908 South McLane Road, Tax
Parcel 304-06-219
- H Chairman Underwood read the above application and asked for a staff report. Staff
Report
Sheila DeSchaaf, Planning and Development Director, summarized the staff report.

APR 21 2016 E.2*

Staff finds the following to be true and correct and recommends conditional approval of this application:

1. Due to special circumstances applicable to the property, particularly its location and surroundings, the strict application of these regulations will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
2. Grant of a variance will be subject to conditions as will ensure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
3. The special circumstances applicable to the property are not self-imposed by any person presently having an interest in the property.
4. The variance will not allow the establishment of a use which; is not otherwise permitted in the zoning district; would result in the extension of a non-conforming use; would change the zoning classification of any or all of the property.

If the Board finds staff's recommendation to be sound; the following are the recommended conditions:

1. All automotive repair activities, outside storage and/or uses shall be limited to the 39' X 40' area depicted on the site plan submitted, except the front 5' of the proposed use area as other properties in this area are limited by the Unified Development Code requirement that open land uses, storage of materials and equipment in C-3 districts be located beyond the front 50' of the lot or parcel.
2. The area utilized for automotive repair shall be screened from view of the street with opaque fencing a minimum of 6' in height.
3. All other Unified Development Code requirements pertaining to a Level Three home occupation shall be met.
4. If the use of this property as a single family residence with exterior automotive repair uses changes, this variance shall be nullified.

The Board asked questions which were answered by staff.

Mike Wicks, applicant, gave a brief overview of his proposed project.

Discussion followed regarding possible beautification of the area and number of vehicle repairs.

A Chairman Underwood opened the public hearing.

Public
Comments

Tony Vlahopoulos spoke in favor of the variance request.

Chairman Underwood closed the public hearing.

- A Doug Martin moved, seconded by Pam Jackson, to approve Variance application Motion To V-15-001, a request to allow vehicle repair in conjunction with the single family Approve residence use at 908 South McLane Road, tax parcel 304-06-219 with the four (4) V15-001 conditions listed in the staff report.

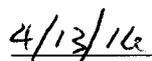
Motion carried 4-1 with Linnie Raichert casting the dissenting vote.

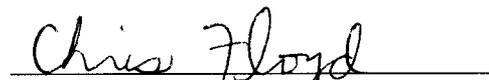
- B Sheila DeSchaaf, Planning and Development Director noted that there were three Information (3) terms expiring and if they wished to continue serving to let the clerk's office To Board know.

She also commented that there would be a Boards and Commissions conference on December 4, 2015. Please let staff know if you are interested in attending.

- C With no further items on the agenda, Chairman Underwood adjourned the Board of Adjournment Adjustment meeting at approximately 4:00 p.m.


Patrick Underwood, Chairman


Approved


Chris Floyd, Executive Assistant