

**Planning & Zoning Commission Meeting
County Administrative Offices, Duchesne, Utah
September 7, 2011 - 5:00 p.m.**

In Attendance were:

John Jorgensen, Planning Commission – Chairperson
Dean Burton, Planning Commission
Randy Mair, Planning Commission
Shelly Fabrizio, Planning Commission
Kent Olsen, Planning Commission
Mike Hyde, Community Development Administrator
CoraLee Sanchez, Planning Secretary

Visitors:

Tracy Morris	WFS-CUP
Gene Ostler	WFS-CUP
Charlie Fabrizio	CF Diesel-CUP

Chairperson Jorgensen opened the meeting at 5:00 PM.

Chairperson Jorgensen asked if any of the Planning Commission had any ex-parte contacts associated with either item on the agenda, Commissioner Fabrizio excused herself from the CF Diesel hearing as the applicant is a family member.

PUBLIC HEARINGS:

A. Request for a Conditional Use Permit by Charlie Fabrizio, CF Diesel, to establish a diesel mechanics shop in a residential zone at 5075 S Highway 87 (Lot 18-2, Uintah View Ranches) on the Blue Bench north of Duchesne.

Mr. Hyde referred the commission the photos in their packets showing the site plan and the other businesses in the area and stated the applicant is proposing to construct a 4,800 square foot commercial shop building associated with his diesel mechanic business, which is a mobile business serving the oilfield. Commercial uses such as this are a conditionally-permitted use in the residential zones.

Mr. Hyde highlighted sections of the staff report regarding water supply and fire protection, potential noise and dust issues, UDOT access approval, outdoor storage and since the location of the shop is just north of the Duchesne City airport there will need to be a letter from the city stating there are no issues with their master plan.

Mr. Hyde recommended that the Planning Commission approve the Conditional Use

Permit requested by Charlie Fabrizio, subject to the following conditions:

1. Fire protection shall be provided for the building as required by the Duchesne County Building Official and/or Fire Chief. Applicant shall work with the Fire Chief to ensure that any fuel storage on the property, if proposed in the future, is in accordance with the Fire Code.
2. Applicant shall limit noise generating operations at this location to 7:00 AM to 9:30 PM.
3. Applicant shall construct the parking and driveway areas with adequate road base and gravel to minimize the tracking of mud and rock onto State Highway 87.
4. If business signage is installed, it shall not be greater than 32 square feet in size.
5. If outdoor storage areas are utilized, such areas shall be fenced with a sight-obscuring fence at least six feet in height.
6. Prior to the issuance of a building permit, the applicant must receive a letter from Duchesne City verifying that his plans do not conflict with the airport master plan or associated regulations adopted by the City.

Mr. Hyde asked if there were any questions of the staff report.

Commissioner Olsen asked if the power lines were far enough away and what about UDOT access approval. Mr. Hyde stated there would not be any problems as the building would be setback east of the power lines and their access has been approved.

There were no other questions so the applicant was invited to speak.

Charlie Fabrizio, applicant and owner of CF Diesel stated he agreed with the staff report and does not have any problems with the conditions for approval, stating they will be set back at least 50 feet from the power lines.

Commissioner Jorgensen asked if there were any other questions or comments. There were none and, with no one in opposition to speak, the hearing was closed.

Commissioner Mair motioned to approve the applicant's request for a Conditional Use Permit, subject to the 6 conditions stated in the staff report. Commissioner Olsen seconded the motion and it passed unanimously.

At this time Commissioner Fabrizio returned to the meeting.

B. Request for a Conditional Use Permit by Western Fluid Services to establish an oilfield drilling fluid service office, shop and warehouse at the NE corner of Highway 40 and 6250 South in the Myton area.

Mr. Hyde reviewed the site photos with the commission explaining the applicant is proposing to construct an office, shop, warehouse and pre-mix building as part of a drilling fluids business serving the oilfield. Commercial uses such as this are a conditionally-permitted use in the residential zones. Mr. Hyde referred the commission to the conditions and criteria for approval as stated in the staff report.

Mr. Hyde recommended that the Planning Commission approve the Conditional Use Permit requested by Western Fluid Services, subject to the following conditions:

1. Fire protection shall be provided for the building as required by the Duchesne County Building Official and/or Fire Chief. Applicant shall work with the Fire Chief to ensure that any fuel storage on the property, if proposed in the future, is in accordance with the Fire Code.
2. Applicant shall limit noise generating operations at this location that are audible at residences in the area, to 7:00 AM to 9:30 PM.
3. Applicant shall construct the parking and driveway areas with adequate road base and gravel to minimize the tracking of mud and rock onto 6250 South.
4. If business signage is installed, it shall not be greater than 32 square feet in size.
5. If outdoor storage areas are utilized, such areas shall be fenced with a sight-obscuring fence at least six feet in height.
6. Applicant/property owner irrevocably consent to participate in a fair share of the costs of a road improvement project on at the intersection of 6250 South and Highway 40 to facilitate safe truck movements to and from this facility. Said fair share shall be determined by the County Public Works Director or County Commissioners on appeal. Applicants/property owners also consent to dedicate any additional road right of way needed for such a project.

Mr. Hyde asked if there were any questions or comments.

There was some discussion with the commission about the safety of the intersection and the amount of trucks moving in and out from that location on Hwy 40 and 6250 south and a future project with UDOT, Duchesne County, KD Warehouse and Western Fluid Services to address the matter.

Mr. Hyde asked if there were any other comments or questions. There were none so the applicant was invited to speak.

Tracy Morris, owner and applicant, stated they already buy product from KD Warehouse making the added traffic minimal as they are already at that location.

As for the fair share project they would be willing to give up some acreage for extra right of way but does not feel they should be responsible for all of the improvements.

Commissioner Olsen asked where they store the product. Mr. Morris stated they store out of KD Warehouse now and do the books out of his home in Vernal so this would be more convenient.

Mr. Morris explained the mixing process that would occur on the site.

Mr. Hyde asked if there would also be a caretaker dwelling and roping arena at the location. Mr. Morris indicated in the future those items will be added as money permits and would be to the west on the flat part of the property with some stalls for horses.

Commissioner Jorgensen asked if there were any other questions.

Gene Ostler stated he is in favor of the applicants request and thinks the improvements to the intersection will benefit the general public with the added well locations to the south and feels Mr. Morris should not be responsible for all the improvements.

There were no other questions or comments and no one in opposition to speak so the hearing was closed.

Commissioner Burton motioned to approve the applicants request subject to the conditions stated in the staff report. Commissioner Mair seconded the motion and it passed unanimously.

NEW BUSINESS:

None

Minutes: Approval of August 3, 2011

Commissioner Mair moved to approve the minutes of August 3, 2011.
Commissioner Fabrizio seconded the motion and it passed unanimously.

Commission Comments and Staff Information Items

None

Adjournment:

Meeting adjourned at 5:34p.m.