## PUBLIC HEARING #3 (Time: 6:50 p.m.) February 10, 1997

## **PRESENT**

Don Dafoe

Gayle Bunker Robert Dekker Robert Droubay Dale Roper Glen Swalberg Mayor

Council Member Council Member Council Member Council Member Council Member

## **ABSENT**

None

## **ALSO PRESENT**

Dorothy Jeffery Neil Forster

Richard Waddingham

Bryce Ashby

Grant & Louise Nielson

Mike Barney Val Christofferson

Greg Schafer

Vance Bishop & children

Darin Phelps

Russell & Cindy Greathouse & children

Pete & Andrea Bulloch

Kay Niles

Kirtt Myers

Ruth Hansen

City Recorder

**Public Works Director** 

City Attorney

Fire Chief

Owner - Topaz Condominiums

Contractor - Topaz Condominiums

City Resident

City Employee

City Resident

Millard County Chronicle/Progress

Owner - Baptist Church Property

Real Estate Agents

City Resident

Library Board Member

City Resident

Mayor Dafoe called the Public Hearing to order at 6:50 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council by personal delivery at least two days prior to the meeting.

Mayor Dafoe explained that the purpose of the Public Hearing was to receive public comment regarding a proposed Planned Development Permit for Topaz Condominium Townhouses, together with a zone change, rezoning such property from R-D (Residential Development) to PD (Planned Development). When attempting to sell the condominiums in the first four units, which are presently completed, it came to the attention of the Zoning Officer that the project should

have been approved as a Planned Development. The owners are now requesting approval for the entire project as a Planned Development. The Planning & Zoning Commission has recommended that the Planned Development Permit be approved, subject to the recommended requirements to be implemented with the Permit. Those recommended requirements are: 1) Four foot sidewalks be changed to five foot sidewalks, 2) street lighting be installed, 3) the proposed Planned Development would include fourteen (14) units, subject to the relocation of water and sewer lines and, if the water and sewer lines are not moved, there will only be twelve (12) or thirteen (13) units. The Planning Commission also recommended that the zone be changed from R-D (Residential Development) to PD (Planned Development), pursuant to Section 12-700, et seq. Of the Delta City Zoning Ordinances.

Mayor Dafoe asked for comments from the floor. Owner Grant Nielson stated that this is really a "re-run" of the previous approval. There have been more rules and obstacles to comply with and City Attorney Richard Waddingham has found another rule which will make these Townhouses. This rule has to do with ownership of the building only vs. owning the building and the land. The Council reviewed the drawings and plans with Mike Barney. City Attorney Waddingham advised the Council that they could impose a lien, or bond, to insure completion of the conditions imposed with the issuance of the permit.

Mayor Dafoe asked if there were any further comments. There was no opposition to the proposed issuance of a Planned Development Permit for Topaz Condominiums.

Mayor Dafoe declared the Public Hearing closed at 7:00 p.m.

DON DAFOE, Mayø

DOROTHY JEFFERY, City Recorder

MINTUES APPROVED: RCCM 02-24-97