



Mona City – Planning and Zoning
20 W. Center St. Mona, UT

January 4, 2023
Planning and Zoning Meeting Minutes

Commission Members Present: Chair Dennis Gardner, Steve Ewing, Ed Newton, Mike Stringer, Kevin Young

City Council Member Present: Ron Warren

Others Present: Secretary Lori Henrie, Troy Painter, Chad Phillips, Kris Kay, April Kay, Tyler Painter, Dan Hardy, Jana Hardy, Danika Hardy, Trevor Hardy, Jeff Kay, Brent McAfee, Chris McAfee

Planning and Zoning Chair Dennis Gardner called the meeting to order at 7:28 p.m.

Minutes:

Chair Gardner called for vote to accept the Public Hearing minutes for December 7, 2022. Commissioner Newton made motion to approve the Public Hearing minutes as written. Commissioner Ewing second the motion. The roll call vote was as follows:

Commissioner Ewing: Aye
Commissioner Newton: Aye
Commissioner Stringer: Aye
Commissioner Young: Aye

Chair Gardner called for vote to accept the meeting minutes with the following updates for December 7, 2022:

By Commissioner Newton's request, an amendment to the minutes was made regarding Newton Subdivision. Howard Newton has not decided the size of the sewer line being a 6" line or a 4" line. Mr. Newton is leaning towards the 6" sewer line. The sewer line will run down the east side of the road. There will be 1 manhole.

Commissioner Young made motion to approve the meeting minutes with the amendment as written. Commissioner Ewing second the motion. The roll call vote was as follows:

Commissioner Ewing: Aye

Commissioner Newton: Aye
Commissioner Stringer: Aye
Commissioner Young: Aye

Brent McAfee – Accessory Building Permit – 5 South 650 East

Brent McAfee is interested in installing an accessory building. Mr. McAfee would like to install a large accessory building for storage. It will be 30x30 in size. Chair Gardner inquired about running any utilities to the building. Mr. McAfee said that there would be 100 amp service to the building. Chair Gardner stated to remember the setbacks of 5’ on each side of the building. Mr. McAfee said that it would be at a minimum 5’ but probably a little more.

Chair Gardner called for vote to accept the Accessory Building Permit for Brent McAfee. Commissioner Stringer made motion to approve the Accessory Building Permit. Commissioner Young second the motion. The roll call vote was as follows:

Commissioner Ewing: Aye
Commissioner Newton: Aye
Commissioner Stringer: Aye
Commissioner Young: Aye

Dan Hardy – Accessory Building Request – 355 West 100 South

Dan Hardy is in the process of building a pole barn but did not acquire a building permit. The City sent Mr. Hardy a letter of the violation and requested he attend the Planning & Zoning meeting. Mr. Hardy was not able to provide the City with the plans due to the office being closed over the holidays. Mr. Hardy stated that he had received bad advice from neighbors about permits for a pole barn. Upon receiving the letter from the City regarding the violation, Mr. Hardy received advice from the former Planning & Zoning chair, Lynn Ingram, who explained that a pole barn in an area zoned for green belt is considered agricultural however within a subdivision, it is not considered agricultural, and that it would need to have a building permit and be approved. Mr. Hardy stated that there would be no cement and no electrical to the structure. Mr. Hardy stated that the structure is ¾ built. Mr. Hardy inquired why sheds would need to be inspected. Chair Gardner replied that any structure with a building permit needs to be inspected to approve the design and the stability of the building. The City does not want to be liable for structural problems. Because the City Building Inspector, Lane Allred, has not seen the plans or the structure, Chair Gardner recommended that the inspector see it and sign off on the plans prior to the next City Council meeting on January 10th.

Chair Gardner called for vote to conditionally accept the Accessory Building Permit for Dan Hardy based on the approval from the City Inspector prior to City Council meeting. Commissioner Ewing made motion to approve the Accessory Building Permit under the pre-mentioned conditions. Commissioner Stringer second the motion. The roll call vote was as follows:

Commissioner Ewing: Aye
Commissioner Newton: Aye
Commissioner Stringer: Aye

Commissioner Young: Aye

Kris Kay/Tyler Painter – Demolish House/Building Permit – 65 North 100 West

Kris Kay would like to demolish the existing home on his property and build a new home in its place. Tyler Painter will be the builder. Mr. Kay stated that the original plan was to demolish the home that he owns on 85 North 100 West, however, there is a tenant there and it just wouldn't be feasible. The plans have changed to demolish the other home that Mr. Kay owns at 65 North 100 West. Chair Gardner asked if Mr. Kay was aware that he had two homes and an accessory building with an apartment located on a full acre. Chair Gardner continued that at one time the Juab County records showed that there were two half-acre lots but since has been merged into one full acre. Mr. Kay explained that when he refinanced his loan at 85 North 100 West that the bank had recommended merging both lots into one so Mr. Kay would only have to make one payment instead of two. This however has created an illegal lot. Chair Gardner recommended to Mr. Kay that he go back to the County Recorder's office and split the two properties so that he has two tax ID numbers and have completed before the City Council meeting on January 10, 2023. Mr. Kay would need to bring the plot plans to the Mona City office prior to the meeting.

Chair Gardner asked Mr. Kay about the accessory building that he has been living in. Mr. Kay felt that he didn't build the structure and that it had been approved to live in over previous city leadership. A letter had been written in 2010 stating that no one would occupy the building as a living quarter. Chair Gardner stated in the letter that as a condition, if Shawn Kay were to vacate the home at 85 N. 100 W. then the accessory building would be ok to live in. Chair Gardner continued that this was a condition from 2010 and Shawn Kay still hasn't vacated the property. Chair Gardner stated that this would be a topic for when Mr. Kay applies for the building permit. Mr. Kay stated that if he splits the two lots again, then what he's requesting at 65 North 100 West wouldn't pertain to the two living quarters at 85 North 100 West. Chair Gardner replied that Mr. Kay still has two living quarters on one half acre property which still goes against the city code.

Mr. Kay also presented the Planning & Zoning with building plans for the new home to be built at 65 North 100 West. Chair Gardner asked about the setbacks. The home builder, Tyler Painter, replied that the existing home is 39' and the new home would be 32' from the property line. Chair Gardner asked about the north and south sides of the property as well. Mr. Painter replied that the south side would be 22' and the north side would depend on where the lot split would occur. Chair Gardner requested that when Mr. Kay gets the lot split, to show on a plat map where the setbacks are for the new home.

Chair Gardner called for vote to accept the demolish house/Building Permit for Kris Kay at 65 North 100 West with contingencies of Mr. Kay restoring the acre lot back into the two original .50-acre lots and provide the City with the updated plat map showing the proper setbacks for the new home. Commissioner Newton made motion to approve the Building Permit with the above contingencies. Commissioner Ewing second the motion. The roll call vote was as follows:

Commissioner Ewing: Aye
Commissioner Newton: Aye
Commissioner Stringer: Aye
Commissioner Young: Aye

Jeff Kay – Minor Subdivision – 677 South Old Hwy 91

Jeff Kay is a home builder and owns a parcel of land on 700 South and Old Hwy 91. Mr. Kay would like to create a minor subdivision on the remaining acre or his parcel of property however Mr. Kay has already created 2 minor subdivisions previously. There was discussion regarding Mona City Code 11-3-1 and 11-3-4 in regard to how many minor subdivisions are allowed. Mr. Kay felt that his situation should be considered grandfathered in because his previous minor subdivisions were done prior to amendments in the current code.

Commissioner Stringer reminded Mr. Kay when the previous minor subdivision was approved in May 2022, that Mr. Kay was told at that time that “if he wants to split the land again, it will need to be made into a major subdivision”. Mr. Kay stated that he could apply for a major subdivision. Chair Gardner questioned what else would Mr. Kay have to do for a major subdivision? Mr. Kay replied that he had read over the major subdivision process and the only difference is the time involved with engineers vs. surveyor. Chair Gardner responded that all the utilities were already there. Chair Gardner stated that Mr. Kay hasn’t applied for another minor subdivision since the change in the ordinance was made. Chair Gardner continued that since the amendment to the ordinance was passed June 28, 2022, that he had already filed for a minor subdivision prior to that, so this is the first minor subdivision application since the amendment was passed to MCC 11-3-1. Chair Gardner stated that this would be the first one since the amendment was passed and reiterated to Mr. Kay that if this minor subdivision is filed, you’re done with minors for this parcel, which means you’re done for 10 years.

Chair Gardner called for vote to accept the Minor Subdivision for Jeff Kay. Commissioner Ewing made motion to approve the Minor Subdivision. Commissioner Young second the motion. The roll call vote was as follows:

Commissioner Ewing: Aye
Commissioner Newton: Aye
Commissioner Stringer: Aye
Commissioner Young: Aye

Sidewalk Survey Results

After considering the topic for a month, Chair Gardner preferred not having sidewalks in the city. The commissioners are still met with mixed views. Chair Gardner felt that this topic needed to be tabled further to discuss road widths, drainage, city easement, etc. Chair Gardner tabled the topic until a future planning & zoning meeting.

Adjournment

Chair Gardner called for vote to adjourn the planning and zoning meeting at 9:16 p.m. Commissioner Young made a motion to adjourn the meeting. Commissioner Stringer second the motion. The roll call vote to adjourn the meeting at 9:16 p.m. was as follows:

Commissioner Newton: Aye
Commissioner Ewing: Aye
Commissioner Young: Aye
Commissioner Stringer: Aye

Dennis Gardner
Planning & Zoning Chair

Lori Henrie
Planning & Zoning Secretary