

Sevier County Planning & Zoning Commission
May 9, 2012 Minutes

Minutes of the Sevier County Planning Commission meeting held on the ninth day of May 2012 in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Those present included: Evelyn Nielsen, John Worley, Caryl Christensen, Kelly Alvey, Ralph Brown, and Brenda Malmgren.

Mike Miles was excused.

Others present included: Zoning Administrator Larry Hanson, Deputy Clerk/Auditor Barbara Crowther, and others as listed on the attached roll.

Minutes of March 14th Planning Commission Meeting approved:

The Planning Commission reviewed the Minutes of the March 14th Planning Commission meeting. Discussion followed concerning whether or not the proof of occupancy or inspection on the Bresee Conditional Use Permit had been required. Zoning Administrator Larry Hanson noted that John Hicks did not want to either inspect the property or give a Proof of Occupancy to the Bresee's as he wished the record to show that a building permit was not issued and no inspections were done at the time the structures were built. After discussion, Evelyn Nielsen moved to accept the minutes of the March 14th Planning Commission meeting, second Ralph Brown, unanimous.

Zoning Administrator update:

Zoning Administrator Hanson then reviewed a letter from Rocky Mountain Power regarding their transmission line project, and the recent activity there. Mr. Hanson reminded the Planning Commission that he would review the information he received at a recent training at the end of the meeting.

Mr. Hanson then asked about the possibility of waiving fees for conditional use permits needed for a Scout project to build some sign boards that would be free to the public for the purpose of advertising yard sales. Discussion followed concerning the possibility of waiving the fee for the three sign projects, whether or not the County Commission would agree to that, and who would maintain the signs as well as what would they be made of, etc. Mr. Hanson said he would talk to Commissioner Ogden about the request.

Conditional Use Permit approved for DW Holdings new cell tower:

Doug Magleby, representing DW Holdings, Verizon, met with the Planning Commission regarding a conditional use permit request for a cell tower near Salina. Mr. Magleby said the tower will be on Forest Service property. Discussion followed concerning a private individual constructing the sites, who will be able to lease the sites, that the tower will accommodate up to 5 major companies, possible conditions on the permit including dust control during construction and if/when no longer in use the area be returned to its natural vegetative state, and where the nearest cell phone towers are in relation to the proposed site. After discussion, Evelyn Nielsen moved to grant a conditional use permit to DW Holdings for a wireless communications tower

with the conditions that dust is controlled during construction and when the tower is no longer in use that the area be returned to its original vegetative state, second Kelly Alvey, unanimous.

Conditional Use Permit approved for accessory dwelling:

James & Mary Ann Freeby met with the Planning Commission requesting a conditional use permit for an accessory dwelling on their property near the East end of Koosharem Reservoir Dam. Discussion followed concerning the size of the dwelling, that the new dwelling will have a separate sewer system, that there is one water source for both structures, the amount of water allowed by the well permit, and that the property will not be rented out to anyone but would be used by their children. After discussion, Evelyn Nielsen moved to approve the Freeby's request for an accessory dwelling on their property at the East end of Koosharem reservoir, second Ralph Brown, unanimous.

Training update:

Zoning Administrator Hanson then reviewed some handouts and information that he had received at a recent training he attended. He reviewed the difference between administrative and legislative actions, exactions, vested rights, appeals, and changes made in the law by the legislature. Specific legislative changes including Senate Bill 16 which allows the people a chance to vote on a land use ordinance, that the County has the right to decide the definition of a single family dwelling, and the amendment that allows the military to do whatever they want on their property. Mr. Hanson noted that some of the laws were changed to meet what the County already does, and that according to the laws the County should have a say in everything that happens on Forest Service property within the County.

The Planning Commission then discussed the opportunities for training, and the reimbursement options of the Planning Commissioners should they attend training.

Zoning Administrator Hanson then listed a few of the actions that had been taken since the nuisance ordinance was passed.

Meeting adjourned at 6:45 p.m.