

PLANNING COMMISSION MEETING  
January 21, 1982

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, January 21, 1982. Chairman Jerry Wilde presiding. Members present were Jerry Wilde, Charles Kimber, Glen Nelson, and new member to the Commission Thomas M. Mower. Don Chase was present for a short time having another meeting to attend. Also present were ex-officia members Denton Beecher and Jay R. Hirschi.

MINUTES

Minutes of the last Planning Commission meeting were read by Mr. Beecher, Charles Kimber made the motion the minutes be approved as read. This was seconded by Glen Nelson with all in favor.

AMMENDMENTS TO RESTRICTIVE COVENANTS - MARBLE HILLS SUBDIVISION

A letter dated January 4, 1982, was received from Vaughn Cook and Associates signed by Russell Campbell, in which they requested the Commission to review and approve an ammendment to the restrictive covenants for the Marble Hill Subdivision. This ammendment adjusted several of the paragraphs in the original document including the reduction in the square foot requirement on the main level of family dwellings. Mr. Beecher said restrictive covenants are not prepared nor required by the County. It does, however, become an administrative function of the County when issuing building permits in that they are followed. He said there has been only one building permit issued for construction in the project. After reviewing the ammendment, member Mower said it is not detrimental to the developer or the residents who would be building, but would allow more families with lower income to build. Motion was made by Glen Nelson that the ammendment be approved. Seconded by Thomas Mower and approved by all present.

SUMMER HILLS ESTATE (Smedley)

Mr. Beecher reviewed, with the Commission, the Environmental Impact Study submitted by A. Arden Larsen and Associates. The development calls for a total of 897 houses to be built in the general area as Marble Hill Estates. This would be an area larger than Tremonton and could present many problems and responsibilities to the County as it develops. Beecher felt even though many of the problem areas were covered in the study, they were inadequate and created many questions to be answered by Mr. Smedley. Such items as Fire Protection, Police Protection, Sewage Disposal, Road Maintenance, Cullinary Water, Drainage, were items covered, but inappropriately because they did not specify as to where responsibility lies. The Commission was unanimous in that all costs and responsibilities of the above mentioned, would definitely be the burden of the developers and the residents, and not be assessable to the County.

Mr. Beecher also introduced a letter dated January 19, 1982, from Mountain West Design Inc. in response to proper drainage of water and the storage of water associated with the development projects. After reviewing all of the above mentioned, the Commission expressed their concern with the total project and felt there should be a report prepared for their review on the feasibility, market value, and probability of full development. Member Wilde expressed that prior to any approval, more information and committments are needed, and that the project be approved in phases of 25 lots maximum and that all lots in each phase have homes constructed or verification of construction prior to approval of the next phase.

There were no one present to represent the developers, and therefore concluded that the Commission would take no action at the present time.

Meeting adjourned.

Jan. 19, 1982

No. 3 - Planning Commission  
minutes 1-21-82

Mr. Denton Beecher  
Box Elder County Surveyor  
Box Elder County Court House  
Brigham City, Utah

Re: Summer Hills Subd.  
Marble Hills Subd.  
Drainage Plan

Dear Mr. Beecher;

Please find enclosed a map showing the Summer hills site, Marble Hills site and all offsite watersheds affecting both subdivisions. Also enclosed are my calculations of quantities for flow and volume of 100 year storms for the five offsite watersheds shown.

You will notice that the major contributors of stormwater which would affect Marble Hills are drainages 2 & 3. This is the drainage-way that Mr. Dale Smedley has filled and moved on the Summer Hills site. The stormwater generated from these two drainages will be stored in the reservoir already constructed as shown on the map enclosed. This reservoir has the capacity to not only store the 100 year storms but also the maximum probable storm.

Drainages 4 & 5 would also utilize small reservoirs for storage as shown on the map. Drainage 1 is so small that it would probably be assimilated into the onsite drainage plan.

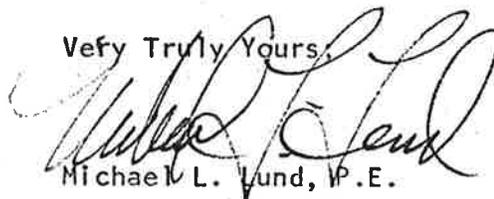
All stormwater generated onsite will be stored either in above ground reservoirs/parks or in underground washed gravel reservoir/dry well combination. No generated stormwater will be allowed to enter either Marble Hills or the surrounding properties.

A complete stormwater analysis for the onsite areas of Summer Hills will follow.

If you have any Questions regarding this stormwater analysis of the

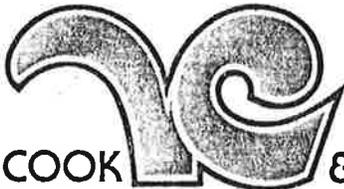
offsite areas affecting Summer Hills and Marble Hills please contact me  
at this office.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Michael Lund". The signature is written in a cursive style with large, sweeping loops.

Michael L. Lund, P.E.

I Minutes Planning Commission  
1-21-82



**VAUGHN COOK & ASSOCIATES**

450 East 1000 North - North Salt Lake City, Utah 84054 - (801) 295-1507

January 4, 1982

Box Elder County Engineers  
Box Elder County Court House  
Brigham City, Utah 84302

Attention: Denton Beecher

Reference: Restrictive covenants, Marble Hill Estates

Dear Denny,

Enclosed, please find the amendment to the restrictive covenants for Marble Hill Estates along with copies of the previous amendment, as well as the original restrictive covenants recorded.

The major changes affected by this amendment are first the elimination of a need of a carport or garage, two, the reduction of the size of the square footage required on the main level from 1,000-900 square feet, and three, the set back on the property line in the front yard from 50', reducing it to 40'. The fourth change would be the membership of the architectural and structural control committee, removing Kelvyn Cullimore and Larry Gordon from that committee and replacing Russell Campbell and Mark Wilkey in their stead.

Denny I would appreciate it if you would review these changes and present them at the next planning and zoning meeting. If this is acceptable without our being in attendance, it would be appreciated. If you feel that we should be there to handle any discussion, we will be happy to have someone arrive. I must admit however that I feel the changes are minimal enough that discussion would be very limited as to our request.

I will look to hear from you in the very near future concerning this matter. Thank you in advance for your help.

Sincerely yours,

RUSSELL H CAMPBELL  
General Manager

RHC:ko

Encl.

AMENDMENT TO:

*In Planning minutes 1.21-82*

Recorded August 14, 1979

Book 322 Page 762

BOOK PAGE

DECLARATION OF RESTRICTIVE COVENANTS,  
AGREEMENTS AND CONDITIONS AFFECTING THE  
REAL PROPERTY KNOWN AS MARBLE HILL ESTATES,  
BOX ELDER COUNTY, UTAH

Item #3 changed to read as follows:

3. LAND USE AND BUILDING TYPE: No lot shall be used except for residential and related purposes. No building shall be erected, altered, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two (2) stories (or thirty (30) feet in height if a one-story building). The Architectural and Structural Control Committee ("Committee") shall have power to further limit the number of stories and the height of structures as to all lots in its sole and exclusive discretion. Every detached single-family dwelling, exclusive of garages and open porches, erected on any one of the above described residential lots shall have a minimum area above final grade of at least 900 square feet on the main level. With regards to split-level homes, the top 1 1/2 stories shall be considered the main level. All construction shall be of new materials except for approved "used brick". Such accessory buildings as are approved by the committee may be permitted.

Item #7 paragraph "B" changed to read as follows:

b. No barn, coop, shed, sty or building of any type shall be constructed for the purpose of housing pigs, cows, sheep, goats poultry, or any other livestock, and none of the foregoing shall be kept, maintained or permitted at any place within the limits of said subdivision, excepting only a reasonable number of common household pets, and one horse per lot. A barn to house a horse may be built only upon the approval of the architectural committee as to design, height and setback requirements. Corral fencing for said horse shall not extend further than 60' feet from the rear property line.

Item #7 paragraph "C" changed to read as follows:

C. No storage of any articles, materials, equipment or vehicles, including boats, of any nature is permitted in the yard or side yard portion of any lot, except that regularly used passenger cars and light pick-up trucks may be parked upon driveway areas. Trailers, trucks, campers, boats, and all types of accessory equipment are permitted to be stored or repaired only in garages, or rear yards.

Item #7 paragraph "G" changed to read as follows:

G. No eternal radio, citizen's band, ham radio or any other transmitting and/or receiving antennas or equipment shall be placed upon any structure or lot, without prior written approval of committee; provided, however, a television antenna may be placed on a structure at a height to be specifically approved by the Committee.

Item #9 paragraph "A" changed to read as follows:

A. Dwelling, garage and building (not habitable rooms) setbacks shall be 40 feet for front yards, along a line paralleling the front property line, not less than 15 feet and a total of 45 feet for both side yards combined, along lines paralleling side property lines, and 30 feet for rear yards along a line paralleling the rear yard line, provided that no dwelling shall be constructed nearer than 20'0" from a bordering street, provided, that the Committee may vary the setback requirements for the garage portion of a dwelling if the design of the dwelling so requires.

Item # changed to read as follows:

13. ARCHITECTURAL AND STRUCTURAL CONTROL COMMITTEE MEMBERS:  
The Committee members shall be composed of:

Russell Campbell  
3205 South 975 East  
Bountiful, Utah 84101

Vaughn R. Cook  
6074 South 2075 East  
Salt Lake City, Utah 84121

Mark Wilkey  
240 East 400 North  
Logan, Utah 84321

BOTHWELL DEVELOPEMNT ASSOCIATES, A  
Utah General Partnership, by its  
Managing General Partner  
VAUGHN R. COOK

Vaughn R Cook

STATE OF UTAH )  
                          ) SS.  
COUNTY OF SALT LAKE )

On this 20<sup>th</sup> day of December 1981, personally  
appeared before me VAUGHN R. COOK, who being by me duly sworn did  
say that he the said VAUGHN R. COOK is a Managing General Partner of  
BOTHWELL DEVELOPMENT ASSOCIATES, a Utah General Partnership, and that  
the within and foregoing instrument was signed in behalf of said part-  
nership.

Patty Rucklman  
NOTARY PUBLIC

Residing in: W. Salt Lake, UT

My commission Expires:

10/31/85

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