

MINUTES
BOX ELDER COUNTY PLANNING COMMISSION
APRIL 18, 2002



The Board of Planning Commissioners of Box Elder County, Utah met at their regularly scheduled meeting, at the County Courthouse, 01 South Main Street in Brigham City, Utah at 7:00 p.m., **APRIL 18, 2002**. The following members were present constituting a quorum:

Richard Kimber	Chairman
Jon Thompson	Vice-Chair
Royal Norman	Member
David Tea	Member
Theron Eberhard	Member
Ann Holmgren	Member
Deanne Williams	(excused)

The following Staff was present:

Garth Day	County Planner
Elizabeth Ryan-Jeppsen	Department Secretary

The **session** was called to order by Chairman Kimber at 7:03 p.m.

The **Minutes** of the regular meeting held on March 21, 2002 were reviewed by the members present and Commissioner Tea suggested clarification on one item and then made a motion that the Minutes be approved as written with the change and submitted to the Chairman for signature. The motion was seconded by Commissioner Eberhard and passed unanimously.

SUBDIVISIONS FOR APPROVAL

There were no items on the Consent Agenda to be considered this month.

NEW BUSINESS

VACATE PORTION OF 15300 NORTH LOCATED BETWEEN 5325 AND 5250 WEST IN THE RIVERSIDE AREA; KEVIN L. JOHN, PETITIONER.

Mr. Day explained to the Commissioners that this road, which the petitioner is requesting to have vacated, is currently un-zoned and has not been developed. Several other roads within this same area have been vacated and the petition is in accordance with Section 17-27-808 of the Utah State Code and the Box Elder County Land Use Management and Development Code. Although the roads were laid out on the original plat, several of them have never been used as roads. Much of the road is currently covered with brush and trees, and Mr. John would like to be able to clean up the area. Although the road is deemed as a County road, once it is vacated, the property will revert back to the property owner(s). The three property owners are: **Kevin L. John, Dennis Riser, and Sheldon D. Richins**. Mr. Day stated that once a petition to vacate a road is received, the Planning Commission has thirty days in which to act on a recommendation to the County Commission to vacate said road. Commissioner Tea asked about the overall future infrastructure of the area of Riverside if these roads are vacated. Mr. Day stated that the creation of [future] roads in this area would be handled through the subdivision process when petitions are received to develop the various plats. The original roads were platted through the township process and many of those would be reconstructed in a subdivision process. It was Mr. Day's opinion that it would be in the best interest of the County and the property owner(s) that this petition be granted allowing the street to be vacated and that this action would not financially harm any of the landowners. Commissioner Thompson said that he was familiar with the area and the street in question was "*nothing more than a backyard to the pieces of property to the side of it.*" After further discussion between the Commissioners and petitioner, Chairman Kimber asked for a motion on the petition.

MOTION: A motion was made by Commissioner Thompson to recommend to the County Commissioners to vacate the road. The motion was seconded by Commissioner Holmgren and passed unanimously with Commissioner Tea opposed.

MILLENNIAL HEIGHTS, PHASE II (NINETEEN LOTS), LOCATED AT OR ABOUT 7650 SOUTH 500 WEST IN THE SOUTH WILLARD AREA

Mr. Day addressed the Commissioners regarding this subdivision which is currently zoned R-1-20. Although the petition is in accordance with the existing subdivision ordinances and Zoning requirements there were still some items that needed clarification. Mr. Day noted that there is a substantial grade on 7650 South, which appears to be greater than the maximum allowed of 12%. Because of this, it was recommended that lots 24, 27, 32, and 35 be restricted to limit the access from 7650 South only. There were also some other items that had not been received by the Planning Office, including feasibility of the sanitary sewer service; verification of water service; and approval from the South Willard Flood Control District. Shirlene Peck was present at the meeting and stated that due to the recent weather conditions, the Health Department officials (Bob Wilson)

had not been able to conduct the necessary test regarding the sewer system. Also, Richard Day, from the Willard Flood District and Water Services had requested a copy of the Phase I Development of Millennial Heights with the redlines noted. Even though a conceptual approval was done for the entire subdivision, each phase of the subdivision is acted upon individually. Ms. Peck asked that the Planning Commission approve the Phase II subdivision conditionally, based upon receiving the approval from the Health Department and the Willard Water District. Mr. Day, however, recommended that the petition be tabled until all of the requirements had been met as vital information was lacking in the file.

MOTION: A motion was made by Commissioner Thompson to table the Millennial Heights Phase II subdivision until the vital information is received. The motion was seconded by Commissioner Eberhard and passed unanimously.

UNFINISHED BUSINESS

CONDITIONAL USE PERMIT (DR. STEPHEN STARR, BED & BREAKFAST) LOCATED AT OR ABOUT 1500 SOUTH PARK DRIVE IN THE MANTUA AREA.

Mr. Day noted to the Commission that no other information had been received from Dr. Starr concerning this petition and there was no one present at this meeting representing Dr. Starr.

MOTION: A motion was made by Commissioner Holmgren to table indefinitely this petition for a Conditional Use Permit regarding the Bed & Breakfast facility until further notice is received from Dr. Starr. The motion was seconded by Commissioner Thompson and passed unanimously.

ZONING

Ms. Pat Comarell met with the Commissioners regarding the issue of zoning in various parts of the County. An outline had been prepared for the Commissioners and Ms. Comarell discussed each topic individually. (A copy of the outline is attached to these minutes.) The Commissioners took some time to discuss and comment on the issues covered in the outline. Ms. Comarell will meet with the Planning Commissioners during the next several months to work on the zoning plan for the County.

A motion was made to adjourn the meeting at 8:54 p.m. by Commissioner Norman and all concurred.

Passed and adopted in regular session this 16th day of May, 2002.



Richard Kimber
Box Elder County
Planning Commission Chair