

**BOX ELDER COUNTY**  
**April 22, 1993**

The Board of Planning Commissioners of Box Elder County, Utah met in regular session in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, in Brigham City, Utah, at 7:10 p.m. on April 22, 1993.

The meeting was called to order by Chairman Richard Kimber, with the following members present, constituting a quorum:

Richard Kimber	Chairman
Allen Jensen	Commissioner, Member
Deanne Halling	Member
Junior Okada	Member
Marie Korth	Ex-Officio Member, Recorder/ Clerk
Denton Beecher	Ex-Officio Member, Surveyor

**Excused:**

Steve Grover	Member
Jon Thompson	Member

**Absent:**

DeVon Breitenbeker	Member
--------------------	--------

**APPROVAL OF MINUTES:**

Chairman Kimber presented the Minutes of March 18, 1993, for approval. Commissioner Jensen made a motion to approve the Minutes of March 18, 1993, as written. Ms. Halling seconded. None opposed. The motion carried.

**AGENDA: (Attachment No. 1)**

**CONDITIONAL USE PERMIT:**

**Jack B. Parson Companies: (Attachments No. 2 & 3)**

Mr. Faye Facer, Real Estate Manager, Mr. Randy Anderson, Materials Manager, Parsons Companies; and Mr. Gary Newman, Great Basin Engineering met with the Planning Commission to discuss the request by Parsons for a conditional use permit.

Mr. Facer stated Parsons has acquired the property that surrounded the gravel operation in the White's Orchard area. He again explained the concept and plan discussed last month for the benefit of the Commission members who were not present.

Mr. Facer stated when the original conditional use permit was granted in 1986, the concept was that the excavation would be done in pads making it possible to maintain vegetation. They have since found that this is not practical. He said their request is for an amendment to the conditional use permit. Mr. Facer stated they

would like to have the capability of mining gravel down to 100 feet if acceptable material is present. As the mining is done, the storm drain basins are automatically created. He said the Willard/Box Elder Flood District has reviewed the plan and have agreed with Parsons' calculations. Ms. Halling asked how close they would be working to the canal. Mr. Facer replied no closer than fifty feet each side of the canal. He again explained the operation will provide monetary benefits to the county.

Mr. Beecher stated he felt conditions should be generated similar to those imposed on another operator in the general vicinity. Mr. Okada asked a question regarding revegetation. Mr. Facer explained as slopes are completed, they will be grassed.

A letter was presented from Mr. Facer addressing questions raised regarding amendments requested by Mr. Beecher. Mr. Anderson stated Parsons would like to begin work as soon as possible.

Ms. Halling made a motion to hold a special meeting within two weeks to evaluate the conditions of the permit and to be aware of all the conditions in the county so one operator is not favored over another. Mr. Okada seconded. Mr. Facer stated if the Planning Commission needed any further information they would provide it. Chairman Kimber called for the vote. It was unanimous in the affirmative.

**ROY LEMON SUBDIVISION:**

**Request for Conceptual Approval:**

Mr. Roy Lemon, Willard resident, met with the Planning Commission to request approval for a six lot subdivision in South Willard. Mr. Beecher stated the conceptual plan was submitted several years ago but was not completed. He explained the area on the map. Mr. Beecher stated Mr. Lemon has submitted all of the required information relative to the Ordinances. Commissioner Jensen made a motion to approve the conceptual plan for the Roy Lemon Subdivision. Mr. Okada seconded. None opposed. The motion carried.

**HARDY SUBDIVISION:**

**Request for Final Approval:**

Mr. Beecher presented the Hardy Estates Subdivision for final approval. It has been reviewed and approved by the County Attorney. He said River Bank Tract B which encompasses the area has been vacated, Ordinance Number 188 was filed on April 13, and title Insurance has been received. An escrow agreement in the amount of \$21,240.00 with First Interstate Bank providing for property improvements has been submitted. Mr. Beecher stated County Commission approval is still required. Commissioner Jensen made a motion that the Planning Commission approve the Hardy Estates Subdivision and authorize the Chairman to sign. Ms. Halling seconded. None opposed. The motion carried.

**CONDITIONAL USE PERMIT:**

**Feed Lot:**

Mr. Beecher stated Mr. Kim Hawker has a feed lot in Harper north and west of the old Harper Ward Church. Mr. Hawker has constructed a feed lot on the west end of the property with a barn, etc. Due to zoning County Ordinances require a conditional use permit be issued for a feed lot. Mr. Hawker said he is raising replacement heifers on the property and right now has about 150 animals; he has had as many as 250. Mr. Hawker explained his plans and operation. Ms. Halling made a motion to table the matter and discuss it at the special meeting in two weeks. Mr. Okada seconded. None opposed. The motion carried.

**REQUEST FOR ZONE CHANGE:**

**5 C's Mobile Home Court:**

Mr. Beecher presented a request for a zone change for the 5 C's Mobile Home Court in South Willard. He said he had not had the information long enough to review it and requested it be put on the Agenda for next month's meeting. Commissioner Jensen made a motion to take no action on the request and put in on the Agenda for next month. Mr. Okada seconded. None opposed. The motion carried.

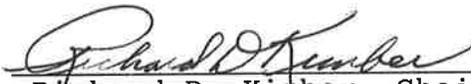
**LUCIN AREA REPORT: (Attachments No. 4 & 5)**

Mr. Beecher stated an individual came in to his office requesting information about some property south of Lucin near Lemay Island in Box Elder County. Landex Real Estate from Reno, Nevada, has been trying to sell some parcels of property in the area. Mr. Beecher read a letter (attached) from Landex describing their proposal. County Attorney Jon Bunderson wrote to Landex (Attachment No. 4) informing them that they are in violation of the Box Elder County Zoning Ordinances. The letter stated their sales activity may be illegal. Mr. Beecher stated three parcels have been sold.

Commissioner Jensen made a motion to adjourn at 8:20 p.m.

Passed and adopted in regular session this 6th day of

May, 1993.

  
Richard D. Kimber, Chairman

ATTEST:

  
Marie G. Korth  
Recorder/Clerk

AGENDA  
BOX ELDER COUNTY PLANNING COMMISSION  
MEETING PLACE; COUNTY COMMISSION CHAMBERS  
BOX ELDER COUNTY COURTHOUSE  
BRIGHAM CITY, UTAH

1. Public agenda for the Box Elder County Planning Commission meeting scheduled for 22 April 1993. at 7:00 P.M.
2. Notice given to the newspaper this 21 day of April 1993.
3. Approval of the minutes of 18 MArch 1993
4. Scheduled Delegations:
  - A. Parson Companies Conditional Permit Review
  - B. Roy Lemon Concept Plan for a Subdvision
  - C. Hardy Subdivision Final
  - D. Kim Hawker Conditional Permit for a Feed Lot
  - E. 5 C's Mobile Home Court Request for Zone change
  - F. Lucin Area report-Beecher
  - G.
  - H.
  - I.
  - J.
5. Old Business
  - A.
  - B.
  - C.
  - D.

BOX ELDER CO/WILLARD CITY FLOOD CONTROL  
AND SPECIAL DRAINAGE DISTRICT  
P.O.Box 286  
Willard, Utah 84340

March 26, 1993

Denton H. Beecher  
Staff, B.E. Planning Comm.  
B.E. County Court House  
Main and Forest Streets  
Brigham City, UT 84302

Dear Denny:

We received the plans for Parson Companies on March 22, 1993. Our engineer has examined them and has presented the attached cost estimate for engineering review. Our policy, set by the prior Flood District Board in October, 1987, is to pass the costs of this review on to the owner/developer.

We plan to have the results of our review to you by your deadline of April 9, 1993. If there are any questions, please contact me at 723-8049 or Gale Larsen at 753-0153.

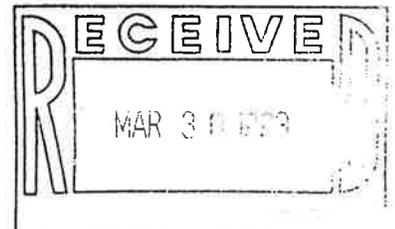
Sincerely,

*Ronald R. Nelson*  
Ronald R. Nelson, Chairman *rch*

RRN:lch

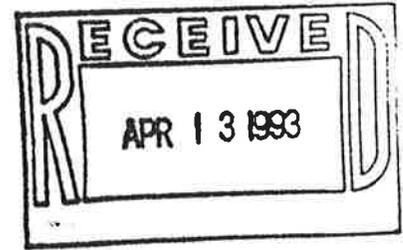
cc: Comm. Allen Jensen  
F. Facer, Parsons Co.  
LarWEST Engineering

*Received a phone call from  
Allen Jensen on 3/26/93 that the  
information would be coming  
in the form of a report.*



*LarWest* International Engineering

130 South Main, Suite 200  
Logan, Utah 84321  
Phone (801) 753-0153  
FAX (801) 753-0619



April 7, 1993

Box Elder County/Willard City  
Flood Control District (FCD)  
P.O. Box 286  
Willard, Utah 84340

Attn: Ronald R. Nelson, Chairman  
Sub: Review of Plans - Parson Willard North Pit

Dear Mr. Nelson:

On the 4th of March at your FCD meeting, I was introduced to the subject project and have since become familiar with it. I have had conversations with Fay Facer representing Parson's, Gary Newman, engineer representing Parson's, and various members of the FCD Board concerning this project. Mr. Newman was contacted on the 5th of March with regard to supplying storm water calculations and the final disposition of the land, then on the 30th of March in requesting a site visit time. On the 6th of April, Mr. Facer provided the site visit accompaniment and a guided tour of the proposed gravel extraction operation.

In accordance with our letter of March 26, 1993 and the task break-down attachment, along with the Board approval of it, we have reviewed the Operation Plan, Rehabilitation Plan, the storm water calculations, submitted maps, and visited the proposed gravel mining site. Please note the following comments as a result of our review:

1. The calculations on the storm water for a 100-year frequency, appears to meet our criteria for analysis of the drainage areas.
2. The property lines were pointed out to me in the field by Mr. Facer and the limits of the proposed excavation seem to be within their property. Survey markers were visible, indicating a recent property survey had been completed.

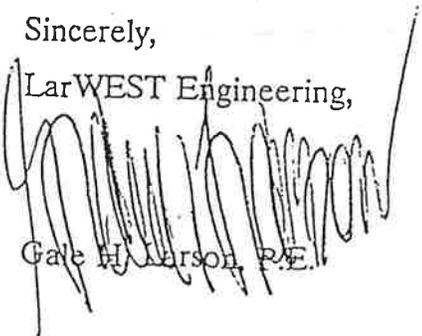
6. It is my understanding that the final disposition of the excavated area will become a subdivision or commercial in nature. In any event, the area will be revegetated accordingly. Any topsoil removed should be stockpiled and used for this purpose as soon as finished grades are achieved anywhere on the extracted area. Other means of flood control will need to be conceived at this time by Parson's and approved by the FCD.
7. Coordination with and approval by the South Willard Water Company, Ogden-Brigham Canal Users, State Dam Safety, as well as the county, FCD, and others seem necessary to ensure that all interests are considered and taken into account so that the proposed mining operation can proceed without delay once it starts.
8. Reasonable responsibility of damage due to flood water from the disturbed drainage areas is being accepted by Parsons, as I understand it, in that retention/detention/debris basins will remain in his name on his property, at his request. Bonding amounts and personal guarantee should be equal to the risks involved through potential flood damage by changed conditions.

In summary, the site for this rather large and long lasting operation appears to be suitable for gravel extraction without major adverse effects on storm water management. Methods of development and mitigation measures seem reasonable. Flood control measures are being taken into consideration.

Based on submitted information, verbal and visual communication, I have generated the concerns detailed in this letter report for your deliberation(s).

Sincerely,

LarWEST Engineering,



Gale H. Larson, P.E.



Jack B Parson Companies

April 20, 1993

Mr. Denton H. Beecher  
Box Elder County Planning Commission  
County Court House  
Brigham City, Utah 84302

Re: Parson Willard North Pit  
Conditional Use Permit Amendment

Dear Denny,

We are listing below the responses to some of the issues and questions raised regarding our above amendment request.

1. Ogden River Water Users Association - Attached is a letter from Pineview which indicates they have no problem with our proposal.
2. State Water Engineers Office - We reviewed our plan with Robert Fatheringham at their Logan office. His opinion was that our activity did not constitute a dam and that they would not have any problem with what we have planned.
3. Utah Power - Our plan was reviewed with Kent Schlehuder, their project engineer. Utah Power has only a prescriptive right to the property. If mining were to be in the 30 feet depth range the power line would not be located. If mining does go as deep as 100 feet the line would be relocated on the perimeter of the property.
4. Mountain Fuel - Jim Lund from their engineering department indicated they would have no problem with our mining plan provided we do not disturb, weaken or add soils on top of the area of the pipe line. Our planned berm would be east of the gas line and our excavation would begin even further east. The integrity of the gas line would not be adversely impacted by our operation.
5. Attached is a letter from White Orchards, the contiguous land owner in the south and west, indicating no objection to our revised plan.

Page 2

We've also incorporated the minor changes you'd requested on our drawings and will provide you with additional sets at the meeting on April 22nd.

We appreciate your comments, assistance and cooperation.

Sincerely,



R. Fay Facer  
Real Estate Manager

RFF/ck  
enclosure



P.O. Box 9176  
Ogden, Utah 84409  
Farm (801) 782-8164  
Ogden (801) 394-6621

**Rob White**  
**President**

*Direct dial: (801) 626-1330*  
*FAX: (801) 626-1340*

March 1, 1993

**To: The Box Elder County Planning Commission**  
**Re: Jack B. Parson Companies' request to modify conditional use permit in South Willard**

Dear Commissioners:

White Orchards has reviewed Jack B. Parson Companies' request to modify the existing conditional use permit on land bordering our property. We have no objection to their request.

Sincerely,

Rob White  
President, White Orchards

# OGDEN RIVER WATER USERS ASSOCIATION

471 WEST 2ND STREET • OGDEN, UTAH 84404



PHONE (801) 621-6555  
FAX (801) 621-6558

## OFFICERS

JAMES N. RANDALL  
PRESIDENT

E. A. REED  
1ST VICE PRESIDENT

MARK G. HODSON  
2ND VICE PRESIDENT

TEREL H. GRIMLEY  
GENERAL MANAGER

LEE ANN M. FULLER  
SECRETARY-TREASURER

FREDRICK "BUCK" FROERER III  
LEGAL COUNSEL

## DIRECTORS

JAMES N. RANDALL

LESLIE E. RANDALL

SHERMAN V. WALKER

E. A. REED

EDWARD E. KAMMEYER

MARK G. HODSON

ROCKY FULHART

JIMMIE PAPAGEORGE

ROB WHITE

April 2, 1993

Box Elder County Planning Commission  
County Court House  
Brigham City, Utah 84302

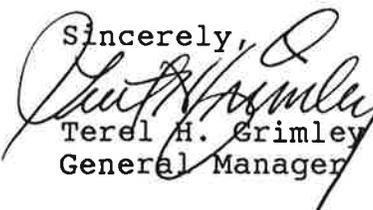
Subject: PARSON WILLARD NORTH PIT

After reviewing the plans submitted for the PARSON WILLARD NORTH PIT. We have no objections at this time to their planned work. Our facilities are not encumbered by their operation and the distances and proposed grading plan are adequate.

As Parsons begins to move up the property above the canal we do have some concerns about the revegetation and control of water runoff. I have discussed these with Mr. Fay Facer and feel confident that they can be resolved as the project progresses.

If you have any questions or concerns please feel free to call at any time.

Sincerely,

  
Terel H. Grimley  
General Manager

702-334-2070

LANDEX REAL ESTATE

LAND INVESTMENTS  
316 CALIFORNIA AVENUE #690 • RENO, NEVADA 89509

RONALD

DOT

March 18, 1993

EARL  
SONES

3100  
mill street  
215

1100 EAST  
Blumb  
max  
sweet  
A

Dave Thayne  
7237 Saffron Way  
Citrus Heights, CA 95621

Dear Mr. Thayne:

Enclosed please find the maps and information about the 40 acres of land which is currently available in the Lucin Valley, on the Nevada/Utah border.

This 40 acres is situated in the scenic area of the valley, just to the east of the Pilot Mountains and south of the Sawtooth National Forest. The 40 acres is rolling land with great views of the mountain and the valley from the different sites on the property.

Lucin Valley is a beautiful area of big ranches, mountain forests and large greenbelt areas of wilderness range which is home to many varieties of wildlife, including mule deer, antelope & wild horses. Hiking, camping, fishing and even rock & arrowhead hunting are all found in this outdoor paradise. This is a great homestead for now and for the future.

The 40 acres is \$6800., with \$95. down and 12% interest \$68. monthly.

The yearly county property tax is currently \$20.

If you would like additional information, please give me a call.

If you are interested in purchasing this 40 acre parcel, please complete the enclosed land reservation form and return it back to me along with your \$95. down payment and I can send your Land Contract to you immediately.

Sincerely,



Ron Jones

(602) 567-5659

Enc





## PILOT MOUNTAIN RANCHES

### 40 ACRE HOMESTEADS

Explorers and trappers were among some of the first to become acquainted with the Pilot Mountains. Then came the great migration of wagon trains. During the last century, to the wagon scouts and settlers, this majestic Range, with Pilot Peak at 10,700 feet, became known as "The Pilots" - a guide post which could be seen for several days journey away. These wagon trains passed through the southern range of the Pilot Mountains, following the Humboldt River, on their way West.

The Pilots are a massively beautiful range of mountains with springs, forests of pine, cedar and aspen trees and home to much wildlife. Big mule deer and antelope herds roam over the land as they have done for hundreds of years. The air is fresh, crisp and clean.

Today, The Pilots seem even more inspiring as they share the world of space age technology. Being largely owned by the Bureau of Land Management of the United States Department of Interior, these mountains stand just as they have for past generations of travelers crossing into Nevada.

Pilot Mt. Ranch Homesteads is a land offering of forty acres each. These homesteads join up to the wilderness range. Access to The Pilot Mountains is provided out the back door of each property. With each parcel, one can hike all over the range, hunt, camp and even look for arrowheads! The scenery is grand! Spectacular views of the mountains and valley provide more than one site on each parcel for cabins or campers.

One more aspect of The Pilots which hasn't changed much since the days of the early pioneers. The current property tax on the 40 acres of land is under Twenty Five Dollars a year.

You can own your own 40 acre Pilot Mt. Homestead forever. Here's how. EACH 40 ACRE HOMESTEAD IS ONLY \$6,800. FULL PRICE. And, you can purchase a parcel for only \$95. downpayment and only \$68. monthly. That's all. Enclosed you will find a parcel map and a land reservation form for your 40 acre homestead. Fill out the reservation form and return it along with your \$95. downpayment and your Land Contract will be sent to you immediately.

04/08/93

ABSTRACT OF TITLE FOR PARCEL 01-009-0001  
BOX ELDER COUNTY, UTAH

Parcel# : 01-009-0001  
District : 101  
Notes :

LEGAL DESCRIPTION	RECORD OWNERS	INTEREST
REMAINDER DESCRIPTION: N/2 OF SW/4, S/2 OF SE/4, & NW/4 OF SE/4 OF SEC 1 T5N R18W SLM. CONT 200 ACRES M/L	JONES, RON	

Prop Addr:  
Mail Addr: 316 CALIFORNIA AVE #690  
RENO, NV 89509

GRANTORS	GRANTEES	KIND OF INST CONSIDERATION	ENTRY# BOOK/PAGE	D.O.F. T.O.F.	D.O.I.	AFFECTED (RELEASED) ENTRY# BOOK/PAGE
CATTELEMENS TITLE GUARANTEE CO TRUSTEE	JONES, RON	SPEC WAR DEED 10.00	051738 0536/0608	01/14/93 01:39	01/08/93	/
LAND MANAGEMENT SERVICES INC	MOBIL EXPLORATION & PRODUCING NORTH AMERICA INC	REL QC DEED .00	044125 0519/0470	04/20/92 11:54	03/16/92	0467/0233
MASCHEK, ALBERT L & ANNA S MASCHEK, ROBERT V & VIRGINIA E	TURLEY, EUGENE T & MAGDALENA	TRUST DEED 6,500.00	025202 0476/0157	07/26/89 04:04	06/ /89	/
TURLEY, EUGENE T & MAGDALENA	MASCHEK, ALBERT L & ANNA S MASCHEK, ROBERT V & VIRGINIA E	SPEC WAR DEED 500.00	025201 0476/0156	07/26/89 04:04	06/06/89	/
GEVAS, LEONARD M & CHARLENE G	MASCHEK, ALBERT & ANNA MASCHEK, ROBERT & VIRGINIA	GRANT DEED .00	025200 0476/0153	07/26/89 04:04	03/19/89	/
CATTELEMENS TITLE GUARANTEE CO TRUSTEE	TURLEY, EUGENE T & MAGDALENA	SPEC WAR DEED 10.00	025199 0476/0152	07/26/89 04:04	04/20/89	/
OMAN, MILTON A	WARBURTON, ROBERT S & CAROL	LIS PENDENS .00	021346 0467/0421	12/14/88 12:10	12/13/88	96416H 0367/0639
MOBIL EXPLORATION & PRODUCING NORTH AMERICA INC	LAND MANAGEMENT SER INC	MINERAL LEASE .00	021270 0467/0233	12/08/88 01:53	06/01/88	/
GEVAS, LEONARD M GEVAS, CHARLENE G	TURLEY, EUGENE T & MAGDALENA	TRUST DEED 10,335.00	020431 0465/0286	10/20/88 12:32	09/26/88	/
TURLEY, EUGENE T & MAGDALENA L	GEVAS, LEONARD M	DEED 1.00	020430 0465/0283	10/20/88 12:32	09/26/88	/

The following parcels have been broken off:

===== END OF REPORT =====

400' Survey

R. 19 W.

R. 18 W.

OGDEN - BRIGHAM CITY - R. 17 W.

MONTELEONE, Nevada 8 miles

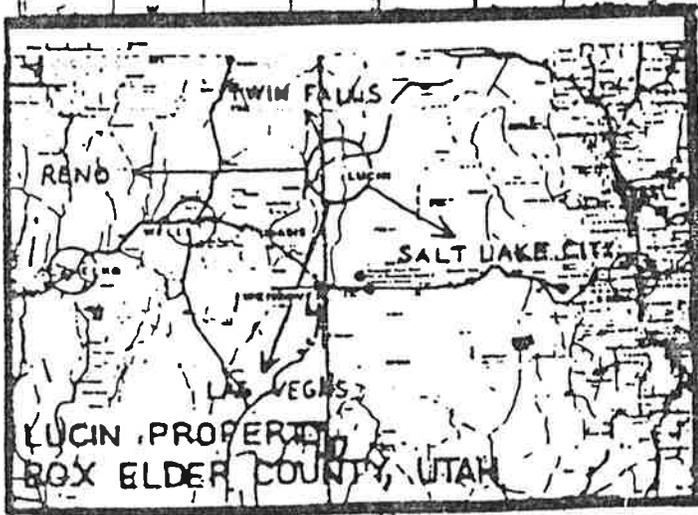
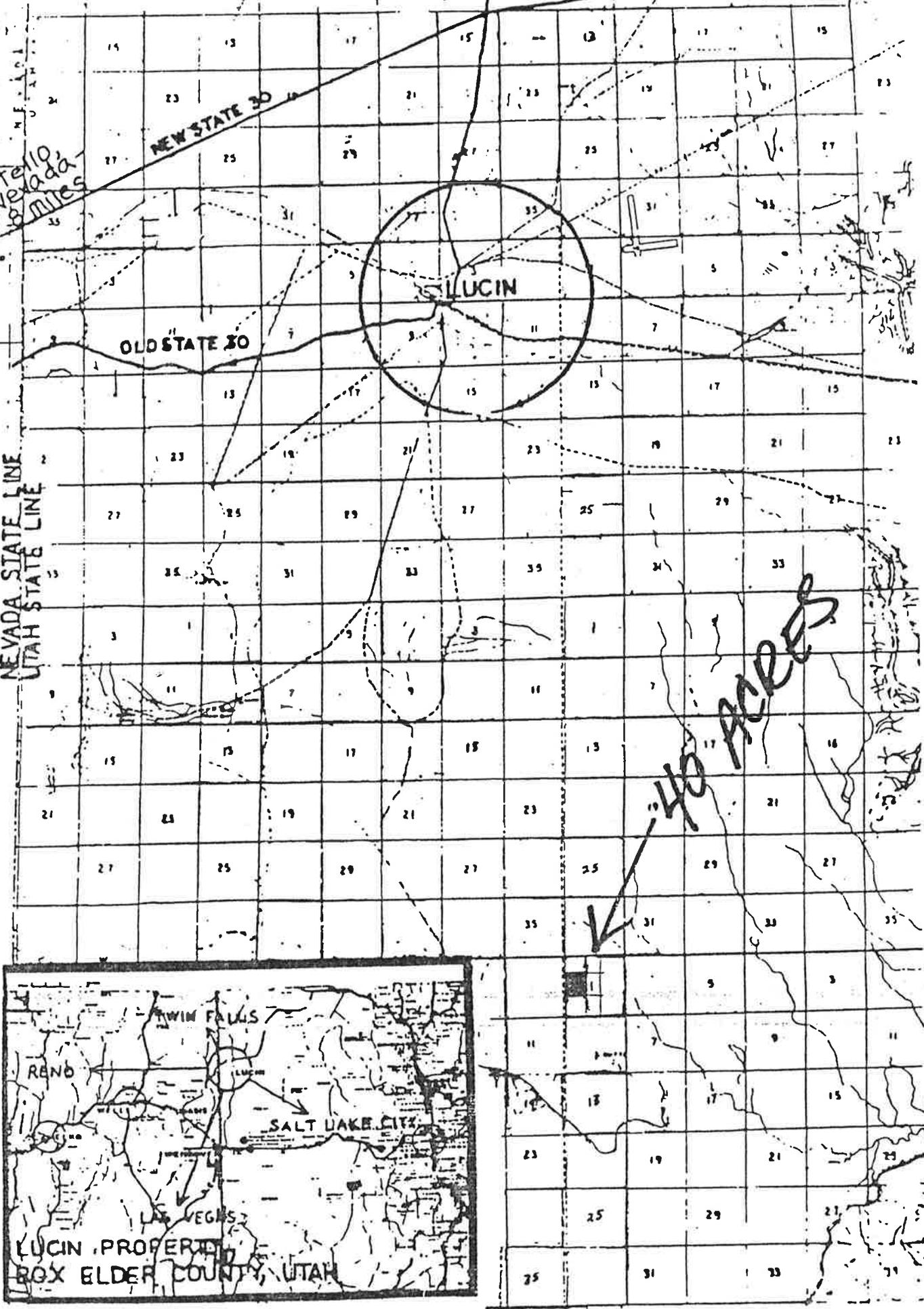
MONTELEONE MILES

R. 17 W.

NEVADA STATE LINE  
UTAH STATE LINE

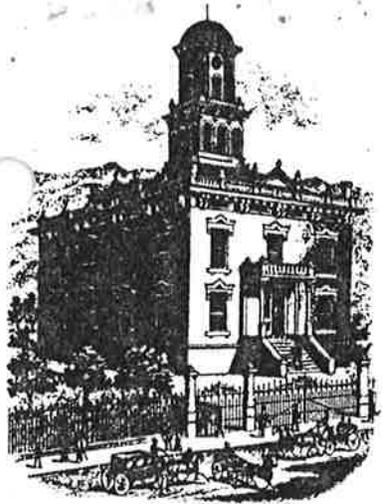
T. 6 N.

T. 5 N.



LUCIN PROPERTY  
BOX ELDER COUNTY, UTAH

*Jenny Beecher*



CIRCA 1890's

# Box Elder County,

STATE OF UTAH

## COUNTY COMMISSIONERS

ALLEN L. JENSEN  
FRANK O. NISHIGUCHI  
JAMES J. WHITE

### OFFICERS

CARLLA J. SECRIST, COUNTY AUDITOR-TREASURER  
MARIE G. KORTH, COUNTY RECORDER-CLERK  
ROBERT E. LIMB, COUNTY SHERIFF  
JON J. BUNDERSON, COUNTY ATTORNEY  
MONTE R. MUNNS, COUNTY ASSESSOR  
DENTON BEECHER, COUNTY SURVEYOR



CIRCA 1980's

April 19, 1993

Landex Real Estate  
Land Investments  
316 California Avenue, #690  
Reno NV 89509

COPY

Re: Land Sales - Box Elder County  
Our File: Cnty Misc '93

To Whom It May Concern:

Enclosed you will find copies of some documents, purportedly prepared by your company, dealing with proposed land sales of property located near Lucin, Box Elder County, Utah.

I am informed by our County Surveyor that this land is located in Section 1, Township 5 North, Range 18 West, Salt Lake Base and Meridian.

You are hereby informed that you are in violation of the Box Elder County Zoning Ordinance, since land in that area is zoned MU160. This type of zoning allows for a minimum parcel size of 160 acres.

Furthermore, pursuant to our subdivision ordinance, you have failed to obtain approval for a subdivision of the property.

It appears that your sales activity may be illegal, in violation of our Box Elder County Ordinances as well as Utah State law regarding subdividing.

If you desire to properly subdivide this land, you should contact Denton Beecher, the Box Elder County Surveyor, at the Box Elder County Courthouse in Brigham City, Utah. He can inform you

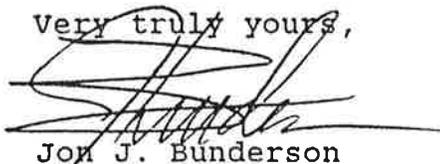
Landex Real Estate  
April 19, 1993  
Page 2

regarding the proper procedures and applications which you may need to make under the circumstances.

You should also be advised that our ordinance does not allow the recordation of deeds for parcels created in violation of our subdivision and zoning ordinances.

You have been advised and warned, so govern yourself accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jon J. Bunderson", is written over the typed name. The signature is stylized and somewhat illegible.

Jon J. Bunderson

JJB:vll

cc: Denton Beecher, Box Elder County Surveyor  
Marie Korth, Box Elder County Recorder