

PLANNING COMMISSION MEETING

September 20, 1984

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, September 20, 1984, at 7:30 p.m.

Members present were: Don Chase, Richard Kimber, DeVon Breitenbeker, Glen Nelson and Kent Newman.

Ex-officio: Denton Beecher

The minutes of the July 19th and August 16th meeting were approved by a motion by Glen Nelson and seconded by Kent Newman with all voting in favor.

PAUL VALCARCE - HOG FARM

Mr. Valcarce presented a Conditional Use Permit Application No. 29 for a hog feeding operation and asked for a temporary use permit. He explained that he is feeding weniier pigs and plans to market them in November. He has no plans to extend or feed through the winter. The requirement suggestions from USU were reviewed and the report that the Dept. of Agriculture issues a permit to enable the feeding of surplus produce, from a fruit stand, to the hogs, was given.

DeVon Breitenbeker made a motion that the Planning Commission issue this permit with two conditions: 1. That this operation shall not become a permanent feed yard on a year round basis. 2. That the hogs will be sold at the end of this growing season, or feeding season. Motion was seconded by Glen Nelson with all in favor.

CACHE VALLEY BROADCASTING

Mr. Jonathan Bullen presented a plan to construct a small 10' X 10' building and 20 foot tower for the purpose of a re-broadcasting TV signals into Cache Valley to their cable TV station. The location will be near the Box Elder- Cache County line North of Cutler Dam. The building would house their micro-wave equipment. Don Chase made a motion that the Planning Commission authorize the Inspection Department to issue a building permit to Cache Valley Broadcasting when they have supplied and met the necessary FCC, FAA and local code requirements. Motion was seconded by DeVon Breitenbeker with all voting in favor.

GRANT COOK CONDITIONAL USE PERMIT #12

Mr. Beecher reported that on January 23, 1978, Mr. Cook was given a Conditional Use Permit to operate a gravel permit with the conditions of approval as listed on attached permit. Box Elder County has received complaints that Mr. Cook is in violation and Mr. Beecher along with Willard Chief of Police and two Highway Patrolmen confronted Mr. Cook. Willard City issued Mr. Cook a ticket for a public nuisance for causing too much dust. Mr. Cook said he was not going to water the road as the property owners would not let him have water from the source he planned on.

Mr. Beecker asked him about his intention to leave the bank slopes at the agreed upon $1\frac{1}{2}$ to 1 slope. Mr. Cook said he was not going to do anything with the slopes. He said they were steep when he entered the pit and they would sluff off again when he left. Mr. Beecher showed Mr. Cook a copy of the permit whereon he had agreed to leave all side slopes to a $1\frac{1}{2}$ to 1 or flatter slope. He again said he would not do it. Mr. Breagger and Mr. James Lindsey heard him say this also.

Mr. Beecher read from the Ordinance Chapter 6 paragraph 2 that when the conditions of a permit are not met, that the permit may be revoked. After further discussion, DeVon Breitenbeker made a motion that Attorney Jon Bunderson be notified to write Mr. Cook, through his attorney, and that he has until October 8, 1984, to submit to Box Elder County his plan as to how he will comply with the Conditional Use Permit. If he does not notify Box Elder County by the 8th of October, that his permit be revoked and give him the legal notice time of the revoking. Motion was seconded by Kent Newman with all voting in favor.

Meeting adjourned at 8:45 p.m.

APPLICATION FOR CONDITIONAL USE PERMIT

Applicant's Name F. GRANT COOK Application No. 12
 Address SO. WILLARD Date Received by Building Inspector _____
 Telephone 7236693 Date of Hearing _____

Application is hereby made to the Planning Commission requesting that
AGGREGATE ASSOCIATED SUPPLY be permitted as a "conditional use"
 on WELLS PROPERTY located at SEC. 24 EAST of WILLARD
 (Sq. Ft. or Acres) Street Address
 in a GRAVEL PIT zone (see attached location map).

Please complete the following:

I. State in detail what is intended to be done on or with the property. Include Site Plan as required in the Conditional Use Chapter of the Zoning Ordinance.

AGGREGATE SUPPLY FOR BOX ELDER, WEBER, AND DAVIS COUNTY USERS

II. Explain fully how your application will satisfy each of the following conditions:

(a) The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

- 1- THIS PIT WAS THE CORNER STONE OF OUR NEW INTERSTATE HIGHWAY.
- 2- OUR COMMUNITY NEEDS THE INDUSTRY

(b) The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons nor injurious to property or improvements in the vicinity.

WE CAN SEE NO PROBLEM ON THIS MATTER

- 1- THE HAUL ROAD WILL BE KEPT AT ABOUT A 6% SLOPE AND DUST FREE.
- 2- IF AND WHEN VACATING THE PIT AREA, I WILL LEAVE A SAFE SLOPE IN THE AREA OF 1 1/2 TO 1.
- 3- NO CAVITIES WILL BE LEFT LOWER THAN THE BRIGHAM CANAL ELEVATION.

GRANT WILL NOT DO ANYTHING ABOUT SLOPES 9/20/04

- (c) The proposed use will be compatible with and complimentary to the existing surrounding uses, buildings, and structures when considering traffic generation, parking, building design and location, landscaping, noise, or other pollution.

DOT HAS OKED OUR TRAFFIC PROGRAM.

- (d) The proposed use conforms to the goals, policies, governing principles and emerging land use patterns of the Master Plan. Please list specific goals and policies as adopted in the Master Plan which would be pertinent.

YES:

- III. Attach a copy of market analysis and economic study which justifies the proposed use, and any assurance of financial ability or program to complete and conduct the use (if required by Planning Commission)

- IV. If proposed use is providing a public service, rather than a private personal use, explain how it will benefit the public or render a service to the community.

WATER, SEWER AND HIGHWAYS CAN USE OUR SUPPLY

- V. List the names and addresses of all property owners within 300' of the subject property. (Use additional sheet if necessary)

NON:

- VI. Fee paid _____

Signed:

F. Grant Cook Box 183 So. Willard 723-6693
(Applicant) (Address) (Phone)

Jimmy G. Cook Box 183 So. Willard 723-7189

Zoning Administrators Action:

Date Approved: 1/23/78

Date Disapproved: _____

Date Referred to Planning Commission for Action _____

Planning Commission Action:

Date Approved: _____

Date Disapproved: _____

Governing Body Action if Appealed From Decision of Planning Commission:

Date Approved: _____

Date Disapproved: _____

Public Hearing Date if Deemed Necessary _____

Conditions of Approval



, or Reasons for Disapproval



List: ALL SIDE SLOPES SHALL BE LEFT TO A 1 1/2 TO 1 OR FLATTER, NO EXCAVATION SHALL BE ALLOWED BELOW THE LEVEL OF THE TOP OF THE CGDEN-BRIGHAM CANAL. CONTROLS PLACED ON ACCESS ROAD TO AVOID PUBLIC TRAVEL. ALSO ALL CONDITIONS AS SET FORTH IN II(b). NO GREEN BELT CONSIDERATION CAN BE TAKEN. THE ASSESSOR WILL HANDLE THIS AREA.

Signature: Denton A. Beecher
Chairman, Planning Commission or, Zoning Administrator

The Building Inspector shall place the Conditional Use Application No. as well as any conditions of approval on the Building Permit.

Appealed to the Planning Commission from Decision or Zoning Administrator _____

Appealed to the Governing Body from Decision of Planning Commission _____

Zoning Administrators Action:

Date Approved: 1/23/78

Date Disapproved: _____

Date Referred to Planning Commission for Action _____

Planning Commission Action:

Date Approved: _____

Date Disapproved: _____

Governing Body Action if Appealed From Decision of Planning Commission:

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Date Disapproved: _____

Public Hearing Date if Deemed Necessary _____

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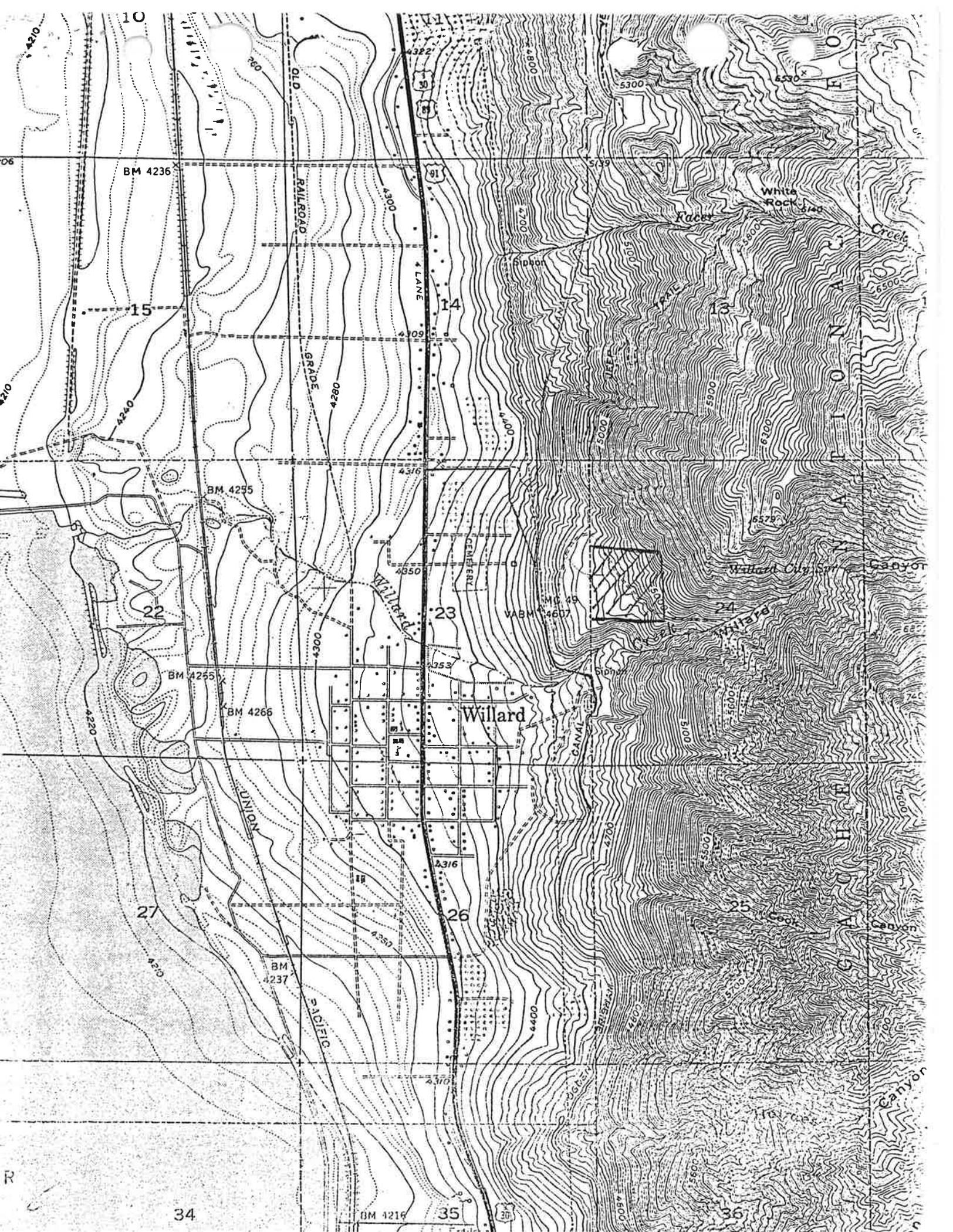
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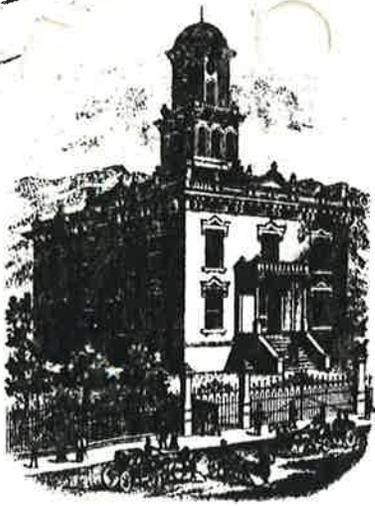
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Appealed to the Planning Commission from Decision or Zoning Administrator _____

Appealed to the Governing Body from Decision of Planning Commission _____





CIRCA 1890's

Box Elder County

STATE OF UTAH

COUNTY COMMISSIONERS

DON E. CHASE
GLEN R. GURTIS
JAMES J. WHITE

BRIGHAM CITY, UTAH 84302 OFFICERS

GLEN S. PIPE, COUNTY TREASURER
JAY R. HIRSCHI, COUNTY CLERK
ROBERT E. LIMB, COUNTY SHERIFF
MARIE G. KORTH, COUNTY RECORDER
JON J. BUNDERSON, COUNTY ATTORNEY
VON R. GURTIS, COUNTY ASSESSOR
DENTON BEECHER, COUNTY SURVEYOR
DORIS L. OLSEN, COUNTY AUDITOR



CIRCA 1980's

September 28, 1984

Mr. Grant Cook
1149-36th Street
Ogden, Utah 84403

RE: Box Elder County Planning Commission Matters

Dear Mr. Cook:

As you are aware, the Box Elder County Planning Commission issued a conditional use permit to you concerning your excavation in a gravel pit located in Section 24 in the area east of Willard, known as the Wells property.

Recently, Denny Beecher met you on or near that property, and discussed with you some of the conditions of your permit.

Your application for the permit provides several things, two of which are relevant to this letter:

1. The haul road is to be kept dust free.
2. Upon your vacating the pit area, you are to leave a slope in the excavated areas of 1½ to 1.

Because he had received complaints about dust in the area, among other things, Mr. Beecher contacted you as referred to above. Mr. Beecher has reported to the Planning Commission that the road had not been properly sprinkled so as to keep the dust down, and he also reported to the Planning Commission that in your conversation you made no reference to any attempts, either past or planned in the future to keep the road dust free.

COOK
GRAVEL
PIT So.W.1

We are informed, although we haven't heard your side of it, that you will be vacating the pit on or about January 1, 1985. Mr. Beecher reports that when he inquired as to your intent concerning the requirement of leaving a 1½ to 1 slope in the pit, you replied that you had absolutely no intention of taking any action to meet this requirement.

The Planning Commission discussed this matter at its most recent meeting, and determined that they should further examine the conditional use permit and consider revoking it.

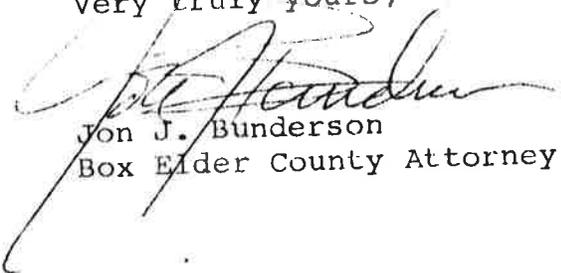
However, this shouldn't be done without you being notified and having a chance to discuss it with the Planning Commission. Accordingly, please be advised that you should appear before the Box Elder County Planning Commission on October 18, 1984, at 7:45 p.m., in the County Commissioners Chambers in the Box Elder County Courthouse in Brigham City, Utah. At that time, the Planning Commission will hear you, will discuss this matter with you, and, based upon what evidence is heard and received at the hearing will determine whether to revoke your permit or allow you to continue to operate under it.

You will have the opportunity to present relevant testimony and evidence on your behalf, and you will have the opportunity to hear Mr. Beecher state to the Planning Commission the substance of his observations and conversation with you, and you will have the opportunity to question Mr. Beecher. You may also be questioned yourself.

If you fail to appear, the Planning Commission will make its decision without any input from you.

The Planning Commission will look forward to meeting with you on the 18th as indicated above.

Very truly yours,


Jon J. Bunderson
Box Elder County Attorney

JJB:jh