

**Beaver County
Planning & Zoning Commission
May 18, 2021
6:30p.m.**

Minutes

Attendance: Drew Coombs- Chairman, Kolby Blackner, Don Noyes, Karianne Jarvis, Bryan Graham, Brandon Yardley, Brady Bradshaw, Jared Gillins representing the Zoning Department, Von Christiansen as Attorney and Kyle Blackner as Zoning Administrator.

Visitors: Shane Gadbaw, Chris Gonya, Alma Allred and Nate Robinson

Called to Order at 6:32 p.m.

MINUTES:

A prayer was offered by Don Noyes and the Pledge of Allegiance was led by Karianne Jarvis. Minutes from the April 20, 2021 meeting were reviewed. Don Noyes made a motion to approve the minutes. Karianne Jarvis seconded the motion. Kolby Blackner, Bryan Graham, Brandon Yardley and Brady Bradshaw voted for, thus the motion passed unanimously.

CONDITIONAL USE PERMIT:

Shane Gadbaw, co-owner of Bowman Asset Management, LLC came before the board seeking a Conditional Use Permit for recreational campsites and outdoor activities in S36, T28S, R5W in a PUD District. They own a seventy-three-acre parcel Northwest of Puffer Lake which they would like to develop a portion of it into organized RV pads and tent sites. This would be similar to other camp grounds located on the Beaver Mountains; fees would be charged, reservations could be made, simple signage to direct traffic would be installed. Initially, a road would be established to allow better access and some grading required to create level parking/camping/tent sites. They anticipate approximately thirty RV Pads and fifty tent sites, but demand and use may increase the numbers over time. The immediate benefits would eliminate trespassing, provide garbage/waste removal and mitigate fire hazards. Long term benefits would be increased tourism/recreation revenue for the county. They plan to begin with power hookups and eventually add water to each campsite, but septic will not be provided. The project would be constructed by Aspen Equity Construction, LLC and both Sunrise Engineering and GEM Engineering are providing their services. The Elk Meadows Special Service District will oversee the water system installation/connection and RMP would provide the power. With approval, they would start immediately and anticipate completion by the end of summer. Board members and the applicant reviewed the basic four conditions imposed on every permit. Brandon Yardley suggested that we add, restrooms as a condition because with the tent sites, restrooms would be needed to meet health and safety concerns.

Kolby Blackner made a motion to approve the Conditional Use Permit with the basic imposed conditions and the addition of the “restroom facilities required on site” condition. Brandon Yardley seconded the motion. Karianne Jarvis, Brady Bradshaw, Don Noyes and Bryan Graham voted for, thus the motion passed unanimously.

CONDITIONAL USE PERMIT:

Shane Gadbaw remained before the board seeking an additional Conditional Use Permit for a Temporary Crusher in S36, T28S, R5W in a PUD District. They will hire a crushing contractor to crush rock into road base and other construction materials for use on mountain projects. The rock yard is just north of the hairpin turn between mile marker 19 & 20 off of State Highway 153. They anticipate blasting, then crushing 50,000 tons of construction grade material in about 60-90 days. Board members and Mr. Gadbaw reviewed the conditions imposed on the most recent issued crusher permit and felt that they were adequate. Brandon Yardley made a motion to approve the Conditional Use Permit with the same imposed conditions. Don Noyes seconded the motion. Karianne Jarvis, Brady Bradshaw, Bryan Graham and Kolby Blackner voted for, thus the motion passed unanimously.

SECONDARY DWELLING DIMENSION REQUEST:

General Contractor, Nate Robinson, came before the board on behalf of his clients, Geoffrey & Michelle Ruble to request additional square footage for their secondary dwelling in S36, T28S, R5W in a PUD District. He explained that an easement was created through the middle of several lots in the Aspen Crest Subdivision, to provide access to both sides of these very steep parcels. Due to the easement, the landowners would not be able to build a duplex for multi-family use, which is allowed in this district. To combat these limitations, they are asking for an additional square footage request of their secondary dwelling. The Ruble's initial build is 1,945 sq. ft. with a future build of 6,000 sq. ft., at which time the initial build would become the secondary dwelling used as a nightly rental. Board members reviewed the site plan and overlay to identify where the subdivision was located and determined lot and dwelling size/location.

They asked numerous questions about the PUD Districts permitted and conditional uses.

Their biggest concerns were water and septic and if allowing additional square footage here would hinder or eliminate another land owner's opportunity to develop. Mr. Robinson assured board members that water was stubbed to the property and both dwellings would be fed off of the same line and the EMSSD was responsible for providing/metering the water. Additionally, a lever three septic system, which is almost a self-contained treatment plant, will be installed to service both homes. This special system, which will process more of the waste and utilize a much smaller leach field, has been approved by the Southwest Utah Health Dept.

Building/Zoning representative, Jared Gillins, reminded board members that a single 10,000 sq. ft. dwelling had the potential to use much more water/septic than two smaller dwellings and that the square footage and number of dwellings is less of a factor than the frequency of use.

Mr. Robinson stated that the smaller dwelling will likely be occupied on a regular basis, while the larger dwelling would be a sporadic use as the owner's vacation destination.

Kolby Blackner stated that he could foresee the numerous applicants that could come before the board in the near future as the request for additional square footage might help alleviate the current housing crisis and perhaps we needed to change our ordinance. Board members agreed, but stated that we couldn't address it this evening. Bryan Graham made a motion to approve the additional square footage of the secondary dwelling. Karianne Jarvis seconded the motion.

Bryan Graham & Karianne Jarvis voted for. No one specifically opposed, but Brandon asked for further discussion, thus the motion died. Following additional discussion, Don Noyes made a motion to approve the additional square footage of the secondary dwelling. Bryan Graham seconded the motion. Don Noyes, Bryan Graham, Karianne Jarvis and Brandon Yardley voted for. Brady Bradshaw and Kolby Blackner were opposed, thus the motion passed 4-2.

SECONDARY DWELLING DIMENSION REQUEST:

Nate Robinson remained before the board, on behalf of other clients, James & Heather Harper, to request additional square footage for their secondary dwelling in S36, T28S, R5W in a PUD District. Their parcel is adjacent to the Ruble property and they have the same scenario and plan. Harper's initial build is 2,595 sq. ft. with a future build of 5,000 sq. ft. The board discussed the proposed dwelling size to determine if it made a difference in their decision. There was additional discussion about the need to change our ordinance, perhaps to eliminate the square footage requirement. Ultimately, Bryan Graham made a motion to approve the additional square footage of the secondary dwelling. Karianne Jarvis seconded the motion. Bryan Graham, Karianne Jarvis, Don Noyes and Brandon Yardley voted for. Kolby Blackner and Brady Bradshaw were opposed, thus the motion passed 4-2.

WORK MEETING:

Zoning Administrator, Kyle Blackner, displayed county code 9-17-12 Revocation of Conditional Use Permit and asked for the boards input regarding the language. He has a concern about the language in the code and wants to eliminate the "may, after notice and a hearing," and explained the need for and benefits of the change. He stated that most other jurisdictions have different wording and showed an example from the state Land Use Handbook that had a specific expiration date and option for an extension. Additional language was presented for discussion. Mr. Blackner stated that he would get with County Attorney, Von Christiansen and create a few different drafts to submit to the board for review, prior to our next meeting.

Brandon Yardley made a motion to adjourn. Don Noyes seconded the motion. Kolby Blackner, Bryan Graham, Karianne Jarvis and Brady Bradshaw voted for, thus the motion passed unanimously.

The meeting concluded at 8:28 p.m.

Minutes approved on _____.

Drew Coombs- Chairman