

STATE OF UTAH
COUNTY OF SEVIER
TOWN OF ANNABELLA

Minutes of the Planning Commission meeting held on Monday, July 17, 2023 beginning at 6:05 p.m. at the Annabella Town Council Chambers located at 295 East 300 North Annabella, Utah. John Chartier conducting.

PLANNING COMMISSION

1. ROLL CALL
2. APPROVAL OF MINUTES
3. KC & KARRIE FORD ROAD ACCESS UPDATE
4. RICHARD LARMOUTH CONDITIONAL USE PERMIT UPDATE
5. SHORT-TERM RENTAL APPLICATION
6. CONSIDERATION OF CONDITIONAL USE PERMITS
7. BUILDING PERMIT APPLICATIONS
8. ADJOURN

Public in Attendance
Rex Friant, Surveyor

1. ROLL CALL. John Chartier, Lenny Hartle, Kelvin Johns, Wade Ingram, Jacob Olsen, and Kent Poulson were in attendance. Minutes were taken by Jill Anderson.
2. APPROVAL OF MINUTES. Lenny Hartle made a motion to accept the minutes Kent Poulson seconded the motion. Motion passed unanimously.
3. KC & KARRIE FORD ROAD ACCESS UPDATE. John Chartier explained that he and Mayor Christensen visited with the Fords about the Fords deeding to the town the property needed for the cul-de-sac turnaround on 270 South at approximately 450 East. The Fords refused to deed the property needed. The Fords did agree to consider some design options for the turnaround that Rex Friant would survey and create. Rex showed the design options to the commission. Mr. Friant mentioned that in the 43 years since he has lived here there has always been a turnaround at the end of said street. Kent Poulson then asked which of the designs the Fords desired. Kent and Wade Ingram both commented that the design they desired should work fine. Friant then explained that that design would take a small piece of neighboring property that is owned by Jack Reider. Jack agreed to give an easement to accommodate the radius needed for the turnaround. Wade then commented that the rock-containing wire pillars at the entrance of the Ford's property were in the right-of-way and would need to be moved or removed. Kelvin Johns commented that the neighbors have complained about the pillars, and that they also pose a hazard as they stand. Mr. Friant said that the Ford's don't want to remove the pillars

because they are installed securely. The commission discussed that the rock pillars' height need to be 3 feet or less- the same as a fence, and that they need to be moved at least ten feet off from right-of-way. Rex mentioned that the town may have to help move the pillars. Jack Reider's driveway was also discussed. Rex suggested that there should be a perpetual easement for his driveway just the same as the street should have a perpetual easement since there has been a turnaround there for many decades. John Chartier then asked if we could get an aerial map view of the proposed designs to enable the commission to get a better look at the street and surrounding areas in relation to the design options. He suggested that Kelvin ask Travis ~~at Jones & Demille~~ to come up with an aerial map that would show the various options. The maps could be taken to the Fords and neighbors to see what option they prefer. It was decided that John Chartier and Mayor Christensen would meet with the Fords to present the options. Mr. Friant mentioned that unless the town takes legal action, an easement would be required, and that the perpetual easement should have never been violated in the first place. Kent asked if the options needed to be presented to the Town Council. Rex commented that the mayor wants the Fords to be happy and for all the neighbors to get along. The commission agreed to move forward with the design plans and to contact the Fords and neighbors to try to find a solution.

4. RICHARD LARMOUTH CONDITIONAL USE PERMIT UPDATE. Chairman Chartier inquired if a letter was sent from the town to Mr. Larmouth after last month's meeting regarding the requirements for his compliance. Jill responded that the letter was sent, and that Tina reported to her that Mr. Larmouth came into the town office claiming he was in compliance. The commission members agreed that Richard hasn't accomplished the requirements set forth in the previous letter. Jacob made a motion to move forward with actions for compliance. Kent seconded the motion. Jacob mentioned that the rental contract that Mr. Larmouth has on his house is supposed to expire on Sept. 15th, and that Mr. Larmouth can move back into his house once the rental contract expires. Kelvin commented that Richard has now brought in a fifth -wheel RV onto his property. John asked if we could get Tina to write another letter. The motion to send the letter and move forward with the actions for compliance passed unanimously.

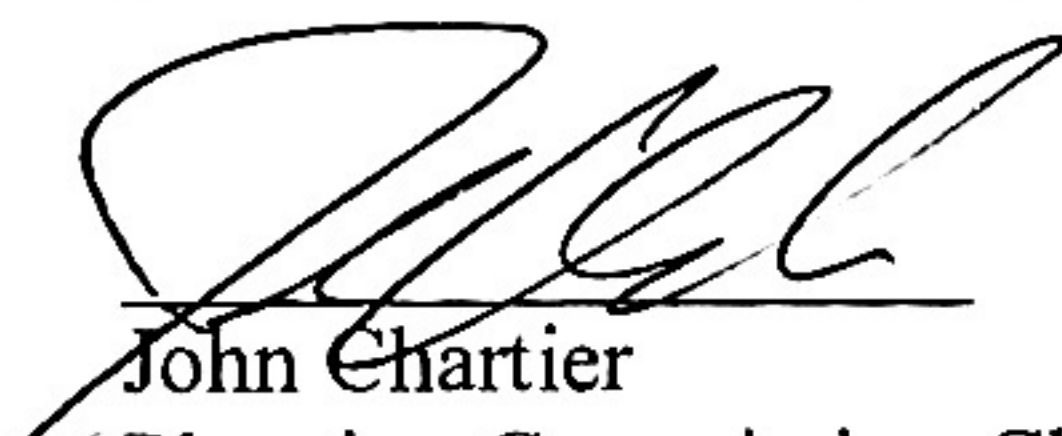
5. SHORT TERM RENTAL APPLICATION REVIEW- Regarding Morgan Chadwick's property, Kent pointed out that the address provided on the application isn't her residential address, but the property address. He suggested that the application should be denied without the owner's residential address. He also questioned the square footage requirement on the application (500 square feet for accessory apartment, 1100 s.f. for primary dwelling). John mentioned that in the original building permit application, the garage was designated to be finished first and lived in until the home could be finished. He wondered if with the new short term rental application, the owners intend to only have the accessory dwelling on the property and no house. He asked if Tina and Jill could send a letter of denial requiring that the new application have the address updated to the current residential address instead of the property address, require that the owners state their intent with the property dwelling(s), state that no trailers or RV's can be parked on the property as a rental or be occupied at the same time the accessory apartment is being rented. Also, a detailed floorplan to scale with rooms intended for rental highlighted, and

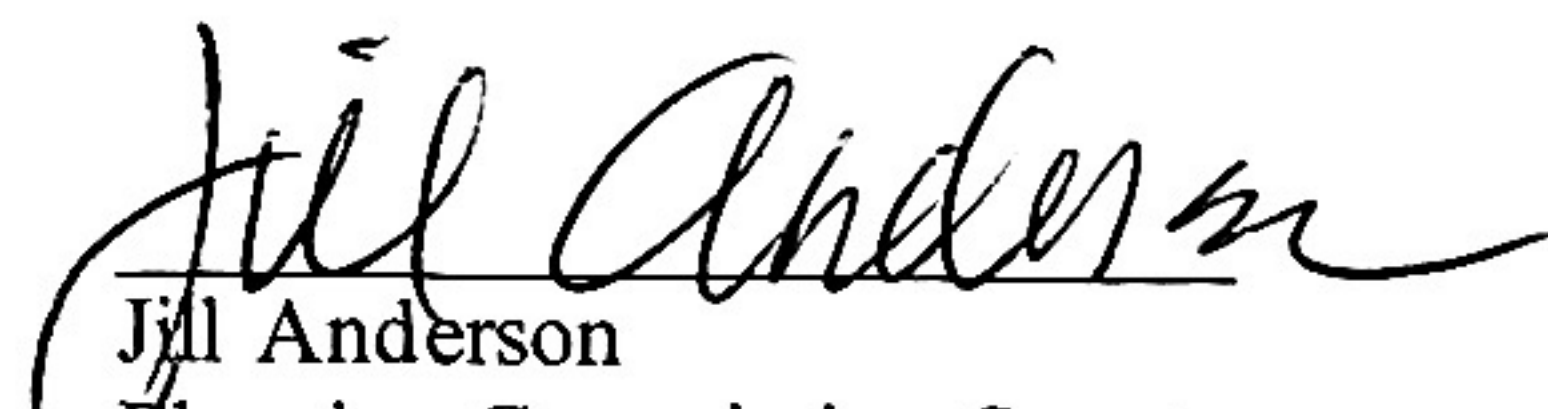
square footage would need to be confirmed. An in-person visit from the planning commission may be necessary. Lenny mentioned that the drawing provided states that the dwelling is 40'x50' but it doesn't appear to be that large. Jacob asked if the commission can approve the short term rental where it doesn't really qualify as an accessory apartment or a primary residence. He wondered if it would be a non-conforming primary residence if it were approved. Kent mentioned that primary residences can be short-term rentals. He also suggested that future applications need to be changed to include the more specific requirements mentioned above. He asked if all the neighbors were consulted and had approved of the rental. He made a motion to deny the current application, and request further information for consideration. Wade seconded the motion. The motion passed unanimously.

6. **CONDITIONAL USE PERMIT CONSIDERATIONS.** Kent mentioned that the Lopez-Chavez construction business application needed signatures from all neighbors within a 300 ft. radius. The application was lacking some neighbor signatures. John mentioned that a construction business would need to obey the same rules as truck drivers with parking large vehicles off- street. Jacob made a motion to approve the application if the requirements stated are met. Lenny seconded the motion. The motion passed unanimously.

7. **BUILDING PERMIT APPLICATION REVIEW.** John mentioned that there were some concerns about the Walter Bompane proposed garage setting on top of the septic tank on his property. He also mentioned that according to the health department drawings it appeared to be in compliance. Jacob asked what would happen if it was built over the tank. John mentioned that the building inspector should catch it, but if he doesn't, it becomes the owner's responsibility. Jacob questioned if the plastic panels proposed for use on Randy Farmer's greenhouse were non-combustible. He wondered if they were combustible if they were too close to the property line. Jacob made a motion to approve the permits. Wade seconded the motion and the motion passed unanimously.

8. **ADJOURN.** Wade made a motion to adjourn. Lenny seconded the motion. The motion passed. The meeting adjourned at 7:34 p.m.


John Chartier
Planning Commission Chairman


Jill Anderson
Planning Commission Secretary

