

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Subdivision Land Use Authority (SLUA) of the Willard City Corporation will hold a special meeting at Willard City Hall, 80 West 50 South, on Thursday, October 5, 2023. Said meeting shall start at 2:00 p.m.

Agenda is as follows:

1. Call to order:

2. Business:

- a. Consideration of a sketch plan for the Peacock Subdivision located at approximately 103 East 100 North (Parcel No. 02-048-0012)
- b. Consideration and approval of August 31, 2023, minutes

3. Adjourn

SLUA Meetings: Held as needed based on applications.

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the Willard City Hall, on the State of Utah Public Meeting Notice website <https://www.utah.gov/pmn/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 29th day of September, 2023.

/s/ Michelle Drago

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS - In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah 84340, phone number (435) 734-9881, at least three working days prior to the meeting.

WILLARD CITY PLANNING COMMISSION SUBDIVISION APPLICATION

| | |
|--|--|
| Application Date <u>8/3/23</u> Applicant <u>Leland Steve Davies</u> Mailing Address <u>P.O. Box 13351</u> <u>Ogden, UT 84412</u> Project Address <u>103 E 100 N</u> <u>Willard</u> Email Address <u>prolawtrac3@icloud.com</u> Phone Number <u>801-452-3743</u> Cell Phone _____ Fax Number _____ | <div style="border: 1px solid black; padding: 2px;">Proposed Subdivision Data</div> Subdivision Name <u>Peacock Subdivision</u> Application Level (Check One) <input checked="" type="checkbox"/> Sketch Plan <input type="checkbox"/> Preliminary Plat* <small>*(Not required for In-fill Subdivisions)</small> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Date _____</div> <div>Approval _____</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Date _____</div> <div>Approval _____</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Date _____</div> <div>Approval _____</div> </div> Assessor Parcel Number <u>02-048-0012</u> Number of lots <u>2</u> |
|--|--|

FEES MUST ACCOMPANY APPLICATION SUBMISSION AT EACH LEVEL.

FEE COMPUTATION

| | Administrative | Engineering | Attorney | TOTAL |
|------------------|-----------------|-------------------------|------------------|-------|
| Sketch Plan | \$50 + \$2/Acre | Billed to the Developer | | |
| Preliminary Plat | \$50 + \$15/Lot | Billed to the Developer | \$100 + \$10/Lot | |
| Final Plat | \$50 + \$5/Lot | Billed to the Developer | \$50 + \$5/Lot | |

CAUTION: No part of the proposed subdivision may be sold or offered for sale until the Final Plat is approved by the Willard City Council.

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Leland Steve Davies, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 103 E 100 N in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED

[Signature]
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 3rd day of August 20 23



Michelle Drago

Notary Public

Residing in Kerry, Ut

My commission expires: 2/2/25

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____

Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 _____

Notary Public

Residing in _____

My commission expires: _____



Willard City
80 W 50 S | PO Box 593
Willard, UT 84340
(435) 734-9881
willardcity@comcast.net

XBP Confirmation Number: 150785231

| | | | |
|---|------------|-----------------------------------|-------------|
| Transaction detail for payment to Willard City. | | Date: 08/03/2023 - 12:54:10 PM MT | |
| Transaction Number: 202277872 Visa — XXXX-XXXX-XXXX-5113 Status: Successful | | | |
| Account # | Item | Quantity | Item Amount |
| | Charges PC | 1 | \$52.00 |
| Notes: SKETCH PLAN FILING FEE FOR PEACOCK SUBDIVISION | | | |

TOTAL: \$52.00

| | | | |
|---|-------------|-----------------------------------|-------------|
| ▶ Transaction detail for payment to Willard City. | | Date: 08/03/2023 - 12:54:11 PM MT | |
| Transaction Number: 202277873 Visa — XXXX-XXXX-XXXX-5113 Status: Successful | | | |
| Account # | Item | Quantity | Item Amount |
| | Service Fee | 1 | \$2.06 |
| Notes: SKETCH PLAN FILING FEE FOR PEACOCK SUBDIVISION | | | |

TOTAL: \$2.06

Billing Information
L DAVIES
, 84340

Transaction taken by: Admin mdragoCaselle MD



↑ North



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

August 31, 2023, 2023 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website.

The following members were in attendance:

Chris Davis, City Manager
Mike Christiansen, City Attorney
Bryce Wheelwright, City Planner
Chris Breinholt, City Engineer/Jones & Associates
Payden Vine, Public Works Director
Michelle Drago Deputy City Recorder

Excused: Van Mund, Fire Chief

Others in attendance: Neldon Kapp, Colton Kapp; and Diana Baker.

1. CALL TO ORDER

Bryce Wheelwright, City Planner, called the meeting to order at 2:00 p.m. A roll call attendance was recorded by the secretary.

2A. CONSIDERATION OF A SKETCH PLAN FOR THE PEACOCK SUBDIVISION LOCATED AT APPROXIMATELY 103 EAST 100 NORTH (02-048-0012)

Time Stamp – 1:15 08/31/2023

Bryce Wheelwright stated that Leland Steve Davies wanted to split his one acre lot into two half-acre lots. Each lot would have the required 100-foot frontage.

Leland Davies was not in attendance.

Chris Davis moved to table consideration of the Peacock Subdivision until the applicant was in attendance. Michelle Drago seconded the motion. All voted “aye.” The motion passed unanimously.

2B. CONSIDERATION OF A SKETCH PLAN FOR THE KAPP SUBDIVISION LOCATED AT APPROXIMATELY 620 NORTH 200 WEST (102-046-0006)

Time Stamp – 2:08 08/31/2023

Bryce Wheelwright stated that Neldon Kapp wanted to split the nine acres he owned at 620 South 200 West into two lots. Lot 1 contained his home and would have approximately six acres. Lot 2 was for his son Colton. It would have three acres. The existing nine-acre parcel was located on 200 West and was currently zoned A-5. Mr. Kapp's property would have to be rezoned to A-3 or R ½ in order for the three-acre parcel to be legal.

Chris Davis, City Manager, asked about the future land use designation shown on the existing Future Land Use Map. Bryce Wheelwright stated that the Future Land Use Map designated this area as R ½.



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Michelle Drago, Deputy City Recorder, asked if the Kapp property was contiguous to any A-3 zoning. Mr. Wheelwright said it was not. If the property was zoned A-3, it would be an island of A-3. The property could be rezoned R ½ to comply with the Future Land Use Map.

Chris Breinholt, City Engineer, wanted to make sure that the frontage of Lot 1 was 100 feet or greater. It was determined that the frontage of Lot 1 was shown in two different measurements because part of it was on a curve. The total of the two was approximately 179.49 feet. So Lot 1 would have the required 100 feet of frontage. There was a small right-of-way easement south of Lot 2 that was 33.55 feet wide, which did not count toward the required frontage. Lot 2 was 319.44 feet wide. Mr. Breinholt asked about the required frontage for the R ½ Zone. Mr. Wheelwright said it was 100 feet.

Mr. Breinholt stated that the utilities were there.

Neldon Kapp asked about underground electrical. Mr. Wheelwright said it had just been installed.

Chris Breinholt asked if there was a fire hydrant in the area. Neldon Kapp said there was a fire hydrant 100 feet south of his home. Payden Vine said there was also a fire hydrant on the southeast corner of 500 North and Highway 89, which was within 250 feet of the new lot.

Diana Baker, 276 West Center, asked where 100 West would be located. Bryce Wheelwright stated that 100 West could no longer be built due to the 400 North cul-de-sac built by Gordon Sleeman.

Chris Breinholt asked if there was a right-of-way for 500 North on Neldon Kapp's property. Mr. Kapp said there was. It ran along the north and east sides of Dean Taylor's property. Then it turned and went east along the south side of McCormick's and the north side of Sleeman's to Highway 89.

Chris Davis did not have any comments, nor did Michelle Drago.

Mike Christiansen, City Attorney, asked how the utility easement would work with the reserved area and future road access. His question led to a discussion about the plans for 500 North and 100 West. Bryce Wheelwright stated that when the 400 West cul-de-sac was approved and built, it made the construction of 100 West impossible unless homes were removed. He did not know the full history because it happened before he started working for Willard City.

Chris Breinholt stated that the City had a map of 500 North with an easement. It was needed for sewer access, but would it ever be more than a utility easement? Mr. Wheelwright wasn't sure about its future. The conservation easement planned by Dr. Lynn Beard on the west side of 200 West made the continuation of 500 North unlikely.

Chris Breinholt felt an R ½ Zone would require some roadways. If Nelson Kapp had plans for additional development, roads would be needed. Mr. Kapp didn't feel there would be any more lots. He planned to leave the rest of his property in the green belt designation.

Mr. Breinholt felt the A-3 Zone might be better than R ½. Chris Davis didn't feel an island of A-3 made a lot of sense.

Chris Breinholt stated that there wasn't a reason for a road right now. A street was not needed to create this additional lot.



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Diana Baker asked what would happen if there was a future problem between the father and son. Bryce Wheelwright stated that these were two separate lots. If one property owner decided to sell and move, it would not create a problem for the other owner. Chris Breinholt stated that each lot could stand on its own.

Nelson Kapp stated that he did have an existing metal barn located on his lot. Chris Breinholt felt the setbacks for the existing building should be shown to make sure it complied with the City setback requirements. Colton Kapp estimated it was located at least 10 feet from the proposed property line.

There was a discussion about whether the closest property line would be a side yard or a rear yard. Bryce Wheelwright said it was a side yard so the setback would be 10 feet, or 5 feet with a firewall.

Payden Vine, Public Works Director, asked if it would make sense to tie the water line from Nelson Kapp's home to the water line in 200 West. Chris Breinholt said there wasn't a reason to require the Kapp's to do that; although looping never hurt, especially on this system. He asked if the Kapp's would be willing to record an easement for the City to connect a water line from their fire hydrant to 200 West to help with looping the water system, which would improve water flow and pressure.

Nelson Kapp stated that he drove a school bus. He used his driveway to get the bus in and out. Could the line be installed during the summer months? Chris Breinholt said the City would do it when it was convenient for the Kapp's. Chris Davis said the time frame could be written into the utility easement. The gas line ran though the easement. How far would the water line be from the gas line? Mr. Breinholt felt they just needed to be 5 to 10 feet apart.

Payden Vine asked if the Kapp's accessed their property from 200 West or Highway 89 via the 500 North easement. Mr. Kapp said he used 200 West.

Nelson Kapp asked if the City would to put the road back in after the water line was installed. Chris Breinholt said the City would put back whatever was there. Payden Vine felt the project would only take about a week to complete.

Nelson Kapp asked if there was another alternative. Mr. Breinholt didn't feel there was for this location. Mr. Kapp felt installing a water line from his hydrant to 200 West would be fine.

Bryce Wheelwright clarified that the property had to be rezoned before City could approve the sketch plan.

Chris David moved to recommend that the Planning Commission approve the sketch plan subject to the property being rezoned to R 1/2 in accordance with the existing Future Land Use Map. Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

2C. APPROVAL OF THE MAY 25, 2023, MINUTES

Chris Davis moved to approve the minutes of May 25, 2023, as written. Mike Christiansen seconded the motion. All voted "aye." The motion passed unanimously.

3. ADJOURN

Chris Davis moved to adjourn at 2:33 p.m. Mike Christiansen seconded the motion. All voted "aye." The motion passed unanimously.



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Minutes were read individually and approved on: _____

Bryce Wheelwright, City Planner

Michelle Drago, Deputy City Recorder

dc:SLUA 08-31-2023