

**MINUTES OF THE REGULAR MEETING OF
THE RUSH VALLEY PLANNING & ZONING COMMISSION
HELD ON FEBRUARY 7, 2024 AT THE RUSH VALLEY TOWN HALL
52 SOUTH PARK STREET, RUSH VALLEY, UTAH
THE MEETING BEGAN AT 7:00 P.M.**

Planning & Zoning Commission Members Present: Boone Baird, Paul Bishop, Scott Hawkins and Carl Wall

Appointed Officers and Employees Present: Attorney Rob Clegg, Clerk/Recorder Patty Rowe and Engineer Doug Kinsman

- 1. Roll Call.** Boone Baird, Paul Bishop, Scott Hawkins and Carl Wall
- 2. Approval of Meeting Minutes for 12-06-2023.** Scott Hawkins made a motion to approve the minutes as written for 12-06-2023. Boone Baird seconded the motion. All present voted in favor and the motion carried.
- 3. Election of Planning & Zoning Commission Chair to Serve for the 2024 Calendar Year.** Scott Hawkins made a motion for Carl Wall to serve as the chair for the 2024 calendar year. Paul Bishop seconded the motion. All present voted in favor and the motion carried.
- 4. Election of Planning & Zoning Commission Vice Chair to Serve for the 2024 Calendar Year.** Boone Baird made a motion for Scott Hawkins to serve as the vice chair for the 2024 calendar year. Paul Bishop seconded the motion. All present voted in favor and the motion carried.
- 5. Setting of Dates, Time and Place for Regular Planning & Zoning Commission Meetings for the 2024 Calendar Year.** Scott Hawkins suggested that the July 3rd meeting be moved to July 10th due to the Independence Day holiday. He also suggested that the September 4th meeting be moved to September 11th due to the Labor Day holiday. Carl Wall said that for the upcoming year if there are no agenda items, the commission will still meet for a working meeting on whatever topic is most prudent.
- 6. Approval of Conditional Use Permit for Home Business for Kelly (Ace) Hymas at 1616 N. Main Street.** Ace Hymas was present at the meeting and would like a conditional use permit for his landscaping business. Ace Hymas has a pickup truck and trailer and some equipment that he stages on his property. There are no customers that come to his home, and he does not store any bulk fuel on the property. Carl Wall noted on the permit that there should be no parking on the shoulder of Main Street. Scott Hawkins said weeds should be kept down and if a fuel tank is put in, it will need to have a pan underneath it. Scott Hawkins made a motion to approve the conditional use permit. Boone Baird seconded the motion. All present voted in favor and the motion carried.

Ace Hymas asked a question regarding the parcel that his house sits on. He is wondering if it could be divided from the hayfield next to it. Carl Wall said that on other lots further north there has never been a place where the portion of those RR-5 parcels are big enough to suffice for the 5-acre minimum. The area that the Hymas home sits on is RR-5 and is big enough to qualify for the minimum of a RR-5. The question is can they separate it from the A-40 parcel? Carl said that it appears it can be separated but it needs to be determined if it is the first time it has been divided and that would decide if it would be a minor or major subdivision. If it is a major subdivision, the open space requirement would have to be considered.

Doug Kinsman said there is a triangular piece that was dissected by the road and a section where the power company has their substation. He said that a subdivision plat was not completed. Boone Baird said there is a question on where the property lines fall, and the southern boundary line needs to be determined. Carl Wall recommended that research needs to be done by Ace Hymas to determine if the property has been divided before. Scott Hawkins asked if the piece across from Meadow Lane is a part of the parcel and Doug said that he would have to look at the county records to verify. Ace Hymas said that at the time the property was purchased, the triangular piece was included in the sale, but it is now listed with a different property owner.

- 7. Approval of Building Permit for Covered Stairwell for Mark Walker at 380 W. Highway 199.** Mark Walker was present at the meeting and said he would like to enclose a stairwell and add an awning over the patio. It will be attached to the house with a wall east of the stairwell. The south end will be open but shielded by the awning. Doug Kinsman mentioned that they may need more detail on the plans. Boone Baird made a motion to approve the building permit pending requested corrections. Paul Bishop seconded the motion. All present voted in favor and the motion carried.
- 8. Approval of Building Permit for Hay Barn for Jerami Ferris at 2 Arthur Circle.** Jerami Ferris was present at the meeting and said the barn has no power or water. He asked why a building permit is required for an agriculture building and was told that it is a paperwork trail and to ensure that the setbacks are met. No inspections are required but there is a permit fee. It was determined that the setbacks are met. Jerami Ferris was told that he will need to pay the outstanding bill for a permit issued in 2019 before another permit will be issued. Jerami Ferris asked if his military abatement would cover the fees and was told that he will need to research that on his own and provide documentation to Rush Valley Town. Otherwise, he will be responsible for paying for both permits. Scott Hawkins made a motion to approve the building permit. Boone Baird seconded the motion. All present voted in favor and the motion carried.
- 9. Public Comments.** None

- 10. Open and Public Meetings Act (OPMA) Training.** It was suggested that this training could be done online. The Clerk/Recorder will send the Planning & Zoning Commission a link to view the training.
- 11. Adjourn.** Scott Hawkins made a motion to adjourn. Carl Wall seconded the motion. All present voted in favor and the motion carried. The meeting ended at 8:32 p.m.