



(435) 885-3036

<https://dutchjohn.org>

NOTICE OF PUBLIC MEETING

Town of Dutch John
Planning Commission
Dutch John Conference Hall
April 3, 2024 7:00 P.M.

NOTICE OF PUBLIC MEETING AND AGENDA

Electronic participation will be available. See <https://dutchjohn.org/electronic-meetings> for more details.

CALL TO ORDER

ATTENDANCE

Commission Members

Jared Marquis (online)
James McGuirk
Rachel Albritton
Amanda Lucas (Alternate)
Amy McDonald (Alternate)

Public Audience

Darren Bowcutt
Scott Gough
David Orr

Online

Allen Parker
Denise Rogers
Andrew Morse
Garret Morse

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

The Consent portion of the Agenda is a means of expediting routine matters that must be acted on by the Commission. All items approved will be done by one undebatable motion passed unanimously. Any item may be removed for debate on request of any Commission member. Items removed from the Consent portion become the first item of business of the regular agenda.

1.1 Minutes of meeting: March 6, 2024 and March 20, 2024

Minutes were reviewed and motioned to approve with the condition to amend the draft minutes for March 20th to state that the commission requested two permits for Mr. John Morton rather than one permit. One permit for his garage and another permit for the construction of a new porch.

Motion

Rachel Albritton made a motion to accept the consent agenda and to accept the minutes as is for March 6. Minutes for March 20th were conditionally accepted pending minor grammatical updates as well as a correct to John Morton needing two permits (instead of one). There should be a permit for the garage and a separate permit for the porch. Amanda Lucas second. All in favor.

1.2 Building Permits: Review List

The current build permit list was reviewed and updated. The following permits need to be followed up with Matt Tate regarding final inspections:

- Lunt Permit (#2022-12)
- Moser Addition (#2023-08)

1.3 Correspondence:

No Correspondence

2. PUBLIC COMMENT

Limited to 5 minutes per individual or group spokesperson. Members of the public may address the Planning and Zoning Commission on matters that are not listed on the meeting agenda. The Commission cannot discuss or take legal action on any matters during the Public Comment, unless the matters are properly noticed for discussion and legal action. Commission members may or may not respond to those who have addressed the Commission or may ask that a matter be put on a future agenda. All Planning & Zoning Commission meetings are recorded.

Darren Bowcutt has recently purchased a lot on Guide Row. He was wanting more information on the property lines since a portion of the lot extends into the road. Specifically he wanted to know if the road was going to be treated as an easement or if the portion of the road that falls within his property line would be removed. Amy McDonald explained that the portion of that road that falls within his property line is his property. Based on conversations with Butch, the Town's mayor, she believes the town is going to give full ownership of that property to its owner and extend the road width in the opposite direction. However, Jared Marquis noted that it is not uncommon in other towns for property owners to have a portion of road as their property and have this property treated as an easement. It typically has depended on the property description. This issue has not been directly addressed in the current ordinance and the Town as well as the property owners need clarification. He believes that more research is needed. It was noted that this was a topic of discussion for later on this evening's agenda.

Additionally, It's Darrens' understanding that a new main water line will be going through a corner of his new property and currently where his trailer is sitting. He's wanting to know if that is something the Commission is going to discuss. Amy McDonal stated that this was not something that the Commission would be addressing. The construction of the water main is part of the County, and Darren should talk to Trevor Brooksby.

Lastly he asked if curb and gutter was required and the Commission stated that yes, curb and gutter would be required.

3. OLD BUSINESS

3.1 Rogers, Conditional Use Permit - Discussion and Possible Action

The Rogers are wanting to build a single family home in an R2 zone which requires a Conditional Use Permit (CUP). The Commission believes that the proposed use is not likely to generate significant public interest and that the building of a single family home within the R2 zone does not compromise the character of the neighborhood, the economic and aesthetic effects of the proposed use, and the harmony of the proposed use with the existing neighborhood. Therefore, no survey is needed and the surrounding neighbors do not need to be notified.

Motion

Rachel Albritton made a motion to approve the CUP Application. Amanda Lucas seconded the motion. All in favor.

Action Items

Rachel Albritton will email the Town Council with the recommendation along with the relevant applications for Town Council to review over the next council meeting.

3.2 Morse, Lot Line Adjustment - Discussion and Possible Action

Mr. Morse has recently purchased a small triangle of his neighbors adjoining land and was inquiring about the necessary steps needed to adjust his lot lines. The Town currently does not have anything in the Ordinance that

addresses this directly, however, Allen Parker, the Towns Land Use Administrator noted that in that instance we fall back to state code. Discussion was pursued on various options that could be taken, however, more research needs to be done before a decision and action can be taken.

Motion

No motion taken

Action Items:

Allen Parker is going to do some research on the state code, and Amanda Lucas will follow up with Allen on the processes available to the Town and information can be presented at the next meeting.

4. NEW BUSINESS

4.1 Amend Meeting Schedule - Discussion and Possible Action

Jared Marquis began the discussion by noting that it has been helpful to have Allen Parker available for Planning and Zoning Meeting. The Commission would like to move the regularly scheduled meetings to Mondays instead of Wednesdays to be in alignment with Allen's schedule. Allen is on board with this idea. There was a short discussion on if the move to Mondays would cause any conflicts with the Town Council and it was agreed that this should not be an issue. There was some uncertainty on whether or not the Commission has sole authority to change the meeting days or if they must first get approval from the Town Council. It was agreed that an email should be sent to the Town Council to get final approval.

Motion

Jared Marquis motioned to adjust the meeting schedule to the first and third Mondays of each month. Amanda Lucas seconded that motion. All in favor.

Action Items

Rachel Albriton will email the Town Council for approval.

Amy McDonald or Harriet Dickerson will make changes on the Public Notice website once Council approves.

4.2 Budget for FY 2025 - Discussion and Possible Action

The Commission discussed possible line items for the FY25 budget. There was discussion around what line items currently existed and what the current budget was in addition to the request for new items. Jared Marquis stated that it was good to have a line item for everything we thought could be a possible expense, and reminded us that just because we've requested an item, or if an item does exist within the budget does not mean we need to use it.

Suggestions were made from both within the Commission and public attending the meeting to consider adding items related to training as well as a stipend for Commission members. Amy McDonald suggested looking into software to assist with the management of building permits. Trello, iWorqs, and Monday.com were all options that were suggested as potential solutions. Jared Marquis suggested that we also request a separate line item for Engineering and other professional services that would not be included within the current budget used for building inspections. It was also suggested that we request a budget for miscellaneous equipment that the Commission may need to assist in completing tasks (computer, office supplies, etc.).

The final line items requested for FY25 include the following:

- Training: \$4,000
- Commissioners Stipends: \$7,800
- Software: \$1,000

- Equipment: \$1,000
- Engineering & Professional Services: \$10,000

Motion

Jared Marquis made a motion. Rachel Albritton seconded. All in favor.

Action Items

Rachel Albritton will email the request to the Town Council.

4.3 Guide Row Road Easement - Discussion

The discussion was primarily focused on addressing concerns related to property development and property rights along Guide Row. Amy McDonald provided information that the Town was pursuing for a grant for road resurfacing and potential alterations to road infrastructure.

Jared Marquis emphasized the need to clarify easement rights, particularly regarding curb and gutter construction. Allen Parker highlighted the historical establishment of public rights-of-way and the need for thorough research into property deeds and plats.

Amy McDonald noted the historical lack of planning in Dutch John and the complexities it adds to current issues. James McGuirk inquired about road width requirements, prompting Jared to suggest reviewing plats. Discussion also covered the ownership of land opposite the road and the recent purchase of lots on Guide Row, which prompted the need for clarity on property treatment and setbacks.

Allen Parker shared the Daggett County GIS map to aid in discussion and stressed the necessity of offline research into right-of-way establishment. The group emphasized the importance of preventing future disputes and ensuring accurate interpretation of ordinances regarding setbacks and easements.

James sought actionable steps, considering an imminent building project. Assigning responsibility for the project was discussed, with suggestions for involving the mayor, Planning and Zoning (PNZ) members, and potentially the attorney. Allen recommended adopting a road cross-section to initiate planning and layout discussions. This topic was covered rather extensively during this topic session as well as after remaining topics on the agenda were discussed.

Overall, the meeting emphasized the need for thorough research, clear communication, and proactive measures to address road development and property rights issues in Dutch John.

Motion

No motions were made.

Action Items

Allen Parker will continue to look into this issue. Butch Johns (mayor) as well as James McGuirk will follow up with options and information as it comes.

4.4 Dutch John Resort PUD Amendment - Discussion and Possible Action

Dutch John Resort has proposed several changes to the current Planned Unit Development (PUD). Initially, they plan to replace an existing pad with a 4-bedroom manufactured home equipped with a garage. They also are requesting to introduce two 3-bedroom units on another existing pad within the PUD area.

Lastly, they aim to relocate the current pads to the location of the road, while simultaneously moving the road to the area currently occupied by the pads.

In the future, they envision expanding the existing bar. Additionally, they seek to introduce a new component to the PUD by adding rustic cabins to an undeveloped area.

Jared Marquis suggests that Allen Parker, the PUD administrator, should review the proposed plans and submit a staff report to the Commission. Allen concurs, expressing his willingness to fulfill this task.

Motion

No Motion Taken

Action Items

Allen Parker will review the PUD amendment application and associated plans.

4.5 Assignment and Tracking of Incoming Requests - Discussion and Possible Action

Requests for information, permits or amendments have been increasing over the past two months, and the Commission needs a better way of keeping up with and continually tracking the progress of these incoming requests. The discussion around this returned to the points discussed earlier in 4.3 for line item budget related to potential software solutions for tracking and monitoring requests. Jared Marquis stated that he would like to explore all options. iWorq will take some time to come through. In the meantime we can look into Monday.com.

Motion

No motion needed.

Action Items

Amanda Lucas is going to look into the possibility of Monday.com

5. Executive Session, if necessary* Pursuant to 52-4-204

5.1 Discussion

*Closed session is for the purpose of discussing the character, professional competence, or physical or mental health of an individual; Collective Bargaining; Litigation, Purchase, Exchange or lease of real property.



Rachel Albritton , Acting Secretary