

Emery County Planning & Zoning
Meeting Minutes
May 8th, 2024 1:00 p.m.

Join Zoom Meeting

<https://zoom.us/j/4353813570?pwd=NWduRlZzRCtGNUdnd1d0NkNNdmxIZz09>

passcode:Emery

IN ATTENDANCE: Gary Arrington, Tyler Jeffs, Bill Dellos, Bart Cox, Jim Jennings, Bruce Wilson, Commissioner Jordan Leonard, Natalie Olsen

EXCUSED:

VISITORS: Jason Merrell, Cody Potter

1. Welcome:

Gary Arrington welcomed all in attendance and opened the meeting.

2. Approval of the April 10th, 2024 meeting Minutes:

Bill made a motion to approve the minutes with a second from Tyler. Voting was unanimous.

3. Citizens Concern:

Presentation from Jason Merrell: (20 min time limit)

Jason asked about what kind of training the board does and suggested that maybe having the board go to some Planning and Zoning training.

Jason said he has donated lots of things off his property and wants to continue to do that. Most of what he is trying to do on his property is 100% in alignment with the General Plan talks about. He wants to do the exact same thing that has been done in the past on that property.

Jason would also like to go over the letter that was sent to him by Jim on what the problems were with Jason's property. He handed out the letter to everyone to view. Gary reminded Jason that he asked to do a presentation not do a questions and answer session.

Casey Potter:

He is here with Jason asking what Jason can and can't do on his property and asking for guidance.

They are three points that he is dealing with and stressed out with over the last couple of years that they would like to address.

What rights does he have on his property? What is permitted so he can enjoy his property like he wishes. Just needing guidance on the ordinances.

After reaching Jason's time limit he said he can come back another time for the rest of what he wants to say.

Gary said that he told Jason two months ago that the Commission would make a decision today but that was before he came up with a new presentation. Gary said Jason has given information that now the Commission has to go back to the county attorney to discuss. Gary said if Jason wants to come back and present next month then it will be another month after that. A decision won't be made until we get counsel from the county attorney. The structure that was up there was ruled by legal that it could not be up there and the Commission is not voting to go against that because that came from the county attorney. So if you are asking to put the same building up there, there is no permission to do that. Without legal counsel standing right here saying you can do that, you cannot do that.

Jason asked if he could put a genuine licensed RV trailer up there? Gary said there are RV's parked all through the canyon so he is not going to say Jason can but he is not sure Jason would get harassed for that. If there was an issue the county would ask Jason to move it.

Jim said Jason might have legal problems with the Forest service and state road because Jason doesn't have a legal right of way with your property that says you have a legal right of way to your property and it has a fishing turnaround that goes right to the edge of the property that Jason is using for parking that is day use only. There are also ordinances that talk about how far off your property line that things need to be. There could be some conflicts and problems with that.

4. Discuss/Approve/Deny Lemon Minor Subdivision:

Jim said South flat in Cleveland has a lot that the owners want to break into a minor subdivision and have 2 lots. They want one lot that is four acres and one lot that is two acres. It's in the A1 zone which is the only zone that is eligible for this minor subdivision. Bill made a motion to approve the minor subdivision with a second from Bart. Voting was unanimous.

5. Discuss/Approve/Deny Dorothy Carter Minor Subdivision:

This is in Green River. The map has been passed out to everyone. They are wanting to subdivide this property into two parcels. It qualifies and meets all requirements to do so. Bill made a motion to approve the minor subdivision with a second from Bart. Voting was unanimous.

6. Discuss/Approve/Deny Ordinance Update for:

- a. Illegal Camping: Kane county illegal camping ordinance was sent out to the board for review.

Bruce said this is a good base to start with. We will put it on the agenda for next month for more discussion.

7. Discuss/Approve/Deny CIB Funding:

Jordan: We didn't receive the grant for the General Plan so we will go after CIB Funding. It will be a 50/50 match. We have \$26,000 in the budget so we could do \$26,000 for the grant. We won't need to go present in person since it's a smaller amount. Gary thought maybe to ask for a 60/40 split.

8. Discuss/Approve/Deny Update on General Plan:

Discussed in item #7

9. Adjourn: Bruce made a motion to adjourn with a second from Bart.