



BRIAN HEAD

The Regular Meeting of the
Brian Head Planning Commission

Town Hall - 56 North Highway 143 - Brian Head, UT 84719

Zoom Meetings ([Click Here](#))

Zoom Meeting ID# 818 0360 5444

TUESDAY, August 19, 2025 @ 1:00 PM

AGENDA

- A. CALL TO ORDER** **1:00PM**
- B. PLEDGE OF ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES**
August 5, 2025 Planning Commission Meeting
- E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- F. AGENDA ITEMS:**
 - 1. LOT LINE ADJUSTMENT – Lot Line Vacation at Lot 31 and 32 of Cedar Breaks Mountain Estates – Greg Sant, Planning and Building Administrator**
 - 2. DISCUSSION ONLY – LMC Amendment for Flag Lots – Greg Sant, Planning and Building Administrator**
- G. ADJOURNMENT**

Date: August 19, 2025

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the Council may participate by means of a telephonic or telecommunications conference. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda in two public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall and Post Office, and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Ciera Claridge, Deputy Clerk



ITEM: LOT LINE ADJUST. - LOT 31 & 32 CEDAR BREAKS MTN. EST.

AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: August 19, 2025
TYPE OF ITEM: Administrative Action

SUMMARY:

The Commission will review and consider approval of a Lot Line Adjustment for Skylar Bennett for Lots 31 and 32 of Cedar Breaks Mountain Estates.

BACKGROUND:

The applicant owns 2 lots that are adjacent to each other and he desires to combine the 2 lots and vacate the lot line in between the two.

ANALYSIS:

The Standards for Review on this type of request are outlined in the LMC as follows;

9-9-4 (B) - Property Boundary Adjustments; Lot Line Adjustments; Boundary Line Agreements:

Property boundary adjustments including parcel boundary adjustments, lot line adjustments, and boundary line agreements shall follow the process identified in Utah Code Annotated §10-9a-523 and §10-9a-524 et. seq. When subject to review by the Town, applicant(s) shall submit a complete application including the fee as required in the Town's Consolidated Fee Schedule to the Planning and Zoning Department for review. The Planning and Zoning Administrator or designee may approve an application based upon consistency with the provisions of this title. (ord. 21-005, 05-11-2021, amd. ord. 24-014, 10-8-24)

Utah Code Annotated 10-9a-523. Simple boundary adjustment-Full boundary adjustment-Process-Review by land use authority states.

- (1) A person may propose a simple boundary adjustment to a land use authority as described in this section.
- (2) A proposal for a simple boundary adjustment shall:
 - (a) include a conveyance document that complies with Section [57-1-45.5](#); and
 - (b) describe all lots or parcels affected by the proposed boundary adjustment.
- (3) A land use authority shall consent to a proposed simple boundary adjustment if the land use authority verifies that the proposed simple boundary adjustment:
 - (a) meets the requirements of Subsection [\(2\)](#); and
 - (b) does not:
 - (i) affect a public right-of-way, municipal utility easement, or other public property;
 - (ii) affect an existing easement, onsite wastewater system, or an internal lot restriction;
 - (iii) result in a lot or parcel out of conformity with land use regulations.

The proposed Lot Line Adjustment meets all these standards.

STAFF RECOMMENDATION:

Staff recommends that Commission approves this Lot Line Adjustment based on the Analysis outlined in this report.

PROPOSED MOTION:

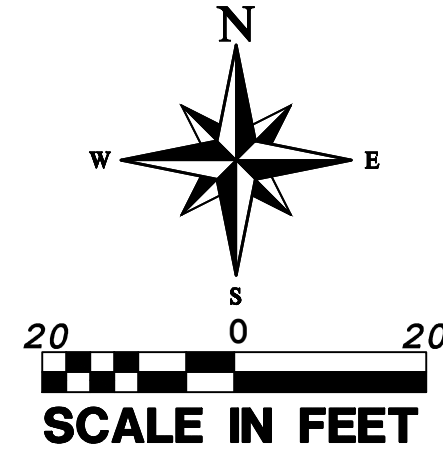
I move to approve the Lot Line Adjustment as presented in this report.

ATTACHMENTS:

A – Proposed Amended Plat

LOTS 31 AND 32, CEDAR BREAKS MOUNTAIN ESTATES, UNIT C, AMENDED

A PART OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT C, LOCATED IN THE NE1/4 OF SECTION 2, T36S, R9W, S.L.B.&M.
BRIAN HEAD TOWN, IRON COUNTY, UTAH

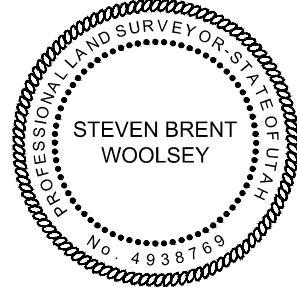


LEGEND

- SUBDIVISION AMENDMENT LINE
- LOT LINE
- LOT LINE BEING VACATED BY THIS PLAT
- PUBLIC UTILITY EASEMENT LINE

SURVEYOR'S CERTIFICATE

I, STEVEN BRENT WOOLSEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 4938769, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, HAVE COMBINED SAID TRACTS OF LAND INTO ONE (1) LOT, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS LOTS 31 AND 32, CEDAR BREAKS MOUNTAIN ESTATES, UNIT C, AMENDED.



STEVEN BRENT WOOLSEY, PLS #4938769

DATE

SURVEYOR'S NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF THE SKYLAR AND DANICA BENNETT, OWNERS OF LOTS 31 AND 32, CEDAR BREAKS MOUNTAIN ESTATES, UNIT C, TO VACATE THE COMMON LOT LINE BETWEEN SAID LOTS 31 AND 32 AND COMBINE SAID LOTS INTO ONE LOT TO BE CALLED LOT 31A. THEY ALSO CONVEY A 10.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST AND NORTH LINES OF SAID LOT 31A, ADJACENT TO FOREST DRIVE AND 300 NORTH STREET BY THIS PLAT.

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE OFFICIAL PLAT OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT C.

NOTE: TO KEEP IN HARMONY WITH THE RECORD BEARINGS AND DISTANCES, THIS SURVEY IS BASED SOLELY ON THE OFFICIAL PLAT OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT C.

SUBDIVISION DESCRIPTION: A-1211-0031-0000 & A-1211-0032-0000

BEGINNING AT THE NORTHWEST CORNER OF LOT 32 CEDAR BREAKS MOUNTAIN ESTATES, UNIT "C"; THENCE S89°52'00"E ALONG THE NORTH LINE OF SAID LOT 32, 108.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 32; THENCE RUNNING S00°08'00"W ALONG THE EAST LINE OF SAID LOT 32 AND LOT 31, 232.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 31; THENCE N89°52'00"W ALONG THE SOUTH LINE OF SAID LOT 31, 108.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 31; THENCE N00°08'00"E ALONG THE WEST LINE OF SAID LOT 31 AND LOT 32, 232.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.58 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED IS THE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE COMBINED INTO ONE (1) LOT, TOGETHER WITH EXISTING EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS LOTS 31 AND 32, CEDAR BREAKS MOUNTAIN ESTATES, UNIT C, AMENDED. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENT SHOWN ON THIS PLAT. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. IN WITNESS WHEREOF, WE HAVE SET OUR HAND THIS ____ DAY OF ____, 20__.

OWNER: SKYLAR BENNETT AND DANICA BENNETT, HUSBAND AND WIFE AS JOINT TENANTS

SKYLAR BENNETT

DANICA BENNETT

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF IRON

S.S.

ON THIS ____ DAY OF ____, PERSONALLY APPEARED BEFORE THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE OF UTAH, SAID COUNTY OF IRON, SKYLAR BENNETT AND DANICA BENNETT, WHO BEING DULY SWORN DID SAY THEY ARE THE SIGNERS OF THE OWNERS DEDICATION, WHO DULY ACKNOWLEDGED THAT THEY EXECUTED THE SAME.

RESIDING IN ____ COUNTY, ____

NOTARY PUBLIC FULL NAME: ____

COMMISSION NUMBER: ____

MY COMMISSION EXPIRES: ____

A NOTARY PUBLIC COMMISSIONED IN ____

GENERAL NOTES:

- THERE EXISTS 10.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG ALL BACK PROPERTY LINES PER THE OFFICIAL PLAT OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT C. SAID EXISTING EASEMENTS ARE NOT AFFECTED PER THIS PLAT AND REMAIN UNCHANGED.
- A 10.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST AND NORTH LINES OF LOT 31A, ADJACENT TO FOREST DRIVE AND 300 NORTH STREET TO BE CONVEYED BY THIS PLAT.

PLANNING COMMISSION APPROVAL

I, DOUG DEUTSCHLANDER, CHAIRPERSON OF BRIAN HEAD TOWN PLANNING COMMISSION, DO HEREBY CERTIFY THAT THIS PLAT WAS RECOMMENDED FOR APPROVAL ON THIS THE ____ DAY OF ____, 20__.

DOUG DEUTSCHLANDER - CHAIRPERSON

TOWN ATTORNEY'S APPROVAL

I, ERIC JOHNSON, ATTORNEY FOR BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND SAID PLAT MEETS THE REQUIREMENTS OF BRIAN HEAD TOWN PURSUANT TO ITS ORDINANCES AND IS HEREBY RECOMMENDED FOR APPROVAL THIS THE ____ DAY OF ____, 20__.

ERIC JOHNSON - BRIAN HEAD TOWN ATTORNEY

TOWN SURVEYOR'S APPROVAL

I, ____, SURVEYOR FOR BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT THIS PLAT WAS EXAMINED AND ACCEPTED BY ME THIS THE ____ DAY OF ____, 20__.

TOWN SURVEYOR

CERTIFICATE OF ACCEPTANCE

I, BRET HOWSER, MANAGER OF BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE TOWN COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE IRON COUNTY RECORDER ON THIS THE ____ DAY OF ____, 20__.

BRET HOWSER-TOWN MANAGER

ATTEST: NANCY LEIGH-TOWN CLERK

CERTIFICATE OF RECORDING

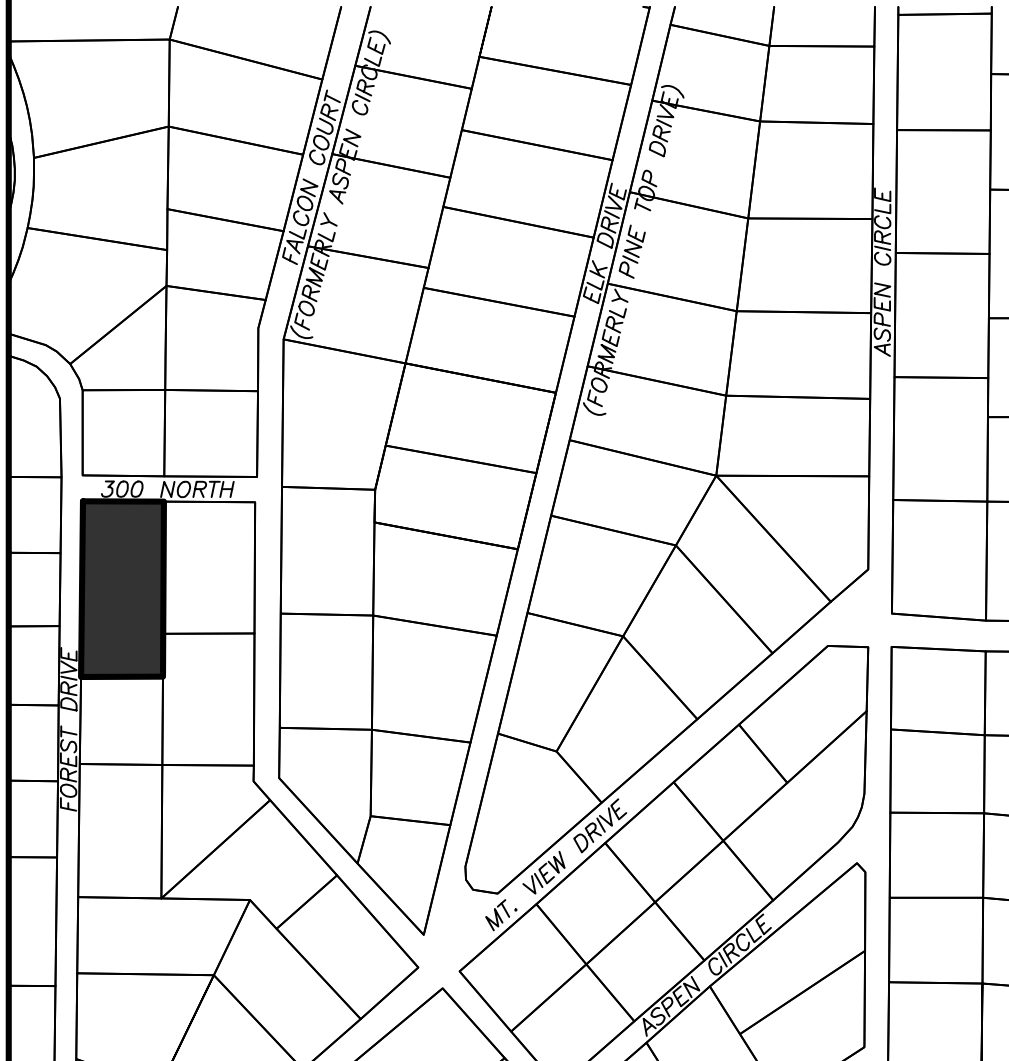
I, CARRI JEFFRIES, COUNTY RECORDER OF IRON COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS THE ____ DAY OF ____, 20__.

COUNTY RECORDER - CARRI JEFFRIES

BOOK ____ PAGE ____

ENTRY NO. ____ FEE ____

RECORDED AT THE REQUEST OF: SKYLAR AND DANICA BENNETT



VICINITY MAP N.T.S.

FINAL PLAT OF:

LOTS 31 AND 32, CEDAR BREAKS MOUNTAIN ESTATES, UNIT C, AMENDED

BRIAN HEAD TOWN, IRON COUNTY, UTAH
LOCATED IN THE NE1/4 OF SECTION 2, T36S, R9W, S.L.B.#1.

DATE: 8-30-2024
SCALE: 1"=20'

JOB NO.
2422

SHEET NO:

1 OF 1

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REVISIONS

DESCRIPTION

DATE

BY

NO

WOOLSEY LAND SURVEYING, P.C.

Land Surveyors - Land Planners

50 WEST 3600 NORTH

ENOCH CITY, UTAH 84171

435-555-2315 CELL

steve@woolseyls.com



ITEM: PROPOSED CHANGE TO LMC - FLAG LOTS

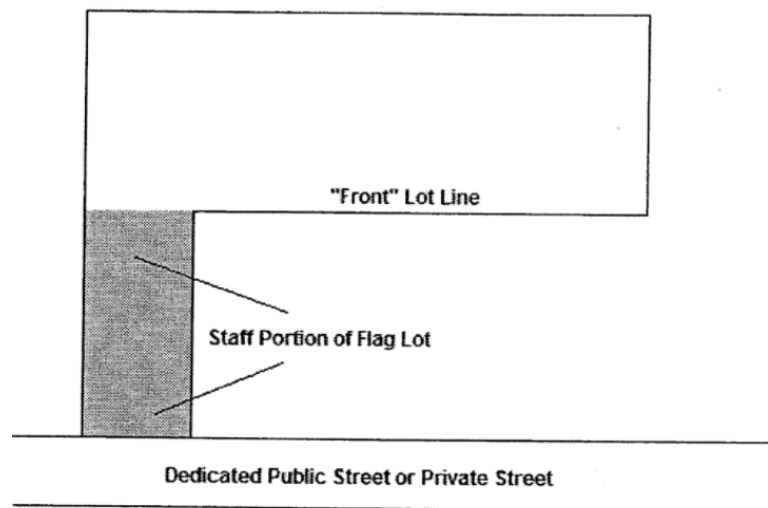
AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: August 19, 2025
TYPE OF ITEM: Discussion

SUMMARY:

The Planning Commission at the August 5, 2025 Planning Commission Meeting discussed the possibility for a change to the LMC regarding Flag Lots being permitted under certain circumstances.

BACKGROUND:

As discussed in the August 5th meeting, a flag lot shall be comprised of a staff (narrow) portion that is contiguous with a flag (wide) portion as shown below.



Our Land Management Code indicates that all lots must have forty-five-foot frontage on a public road. The LMC does not have a provision for a flag lot and would require any easement, giving access to the lot off the road to be forty-five feet wide. Furthermore, an easement frontage is not the same thing as lot frontage. Because of this, Staff recommends that we consider amending the LMC to directly address flag lots. Finally, there are many locations in our Town where a Flag Lot could give access to existing land-locked lots and that could allow the Town to preserve open space, trees and natural vegetation rather than build a road.

The Commission asked staff at that meeting to further look at other cities and situations that have addressed this issue. Furthermore, the Commission asked Staff to narrow down the list of guidelines that a proposed Flag Lot ordinance would require.

ANALYSIS:

Previously Staff had looked at the Hurricane City and Springdale Town ordinances regarding Flag Lot and had found the following:

The Springdale Flag Lot ordinance starts off with “the unique topographical, geological and visual character of the Town adds a dimension of difficulty not typical in most Towns and cities. Most established lots in the Town lack frontage on a dedicated street, widths are restricted by existing structures, and foothill locations would be detrimentally affected by the pavement and width requirements of a dedicated street. Therefore, flag lots and private lanes may be developed in accordance with the special provisions herein.” Brian Head Town could say something similar, however, most established lots do have frontage.

Hurricane City on the other hand thinks differently and states “A flag lot for one single-family dwelling may be allowed to accommodate the development of property that otherwise could not reasonably be developed under the regulations contained in this title or other titles adopted by the City. The primary purpose of this section is not to make development of property easier and more profitable. Rather, it is to serve as a "last resort" for property which may not otherwise be reasonably developed.” Staff believe that the use of Flag Lots in Brian Head should be a combination of these 2 land use policies.

Since the last Planning Commission Meeting, Staff attended the State Housing Summit which talked about the need for more lots in the state. One of the tools that they mentioned was allowing Flag Lots. Flag Lots require less infrastructure and therefore are less expensive to produce. Flag Lots allow more lots to be developed without disturbing the environment with roads. This allows for more open space and landscaped common areas. Finally, the State Housing Authority is encouraging all cities and towns to at least have a provision for Flag Lots in their Town Code.

Staff have come up with the following revised list of guidelines for the use of Flag Lots:

1. Creation of a flag lot should not foreclose the possibility of future development of other large interior parcels that are not developable unless a street is extended to them across other adjacent properties.
2. The Staff Portion of the Flag Lot:
 - a. shall front on a dedicated public street or private street.
 - b. be a minimum width of the staff portion of said lot shall be 20 feet.
 - c. shall be a maximum of 150 feet. If longer, a wider emergency vehicle access could be required, according to the specifications of the fire marshal.
 - d. shall be improved with a compacted gravel or other all-weather surface. The driving surface shall be well maintained, it shall be readily passable by a standard passenger car and standard emergency vehicle, and it shall be constructed to the minimum standards specified by the Town Construction Standards.
 - e. the Town shall have no maintenance responsibility for the staff portion of the flag lot unless a fire hydrant is required (see 2f below).
 - f. shall have no building or structure located within the staff portion of a flag lot. All buildings shall be located on the flag portion of the lot and no more than 250 feet from a fire hydrant. If a fire hydrant is located in the staff portion of the flag lot, then the width of the staff will be increased to a minimum width of 30 feet and an easement for the water line and the fire hydrant located on private property shall be provided to the City for access to and maintenance of the hydrant.

- g. may require installation of curb, gutter and other drainage control measures in the staff portion of a flag lot to prevent runoff from entering neighboring properties if Town determines it necessary.
 - h. no part of the staff portion of the flag lot may serve more than one flag lot.
 - i. the maximum slope for the staff portion of the flag lot to be 12%.
- 3. The Flag Portion of the Flag Lot:
 - a. shall conform to the minimum lot size requirement of the zone in which the lot is located. The front yard of a flag lot shall be on the side of the flag portion which connects to the staff. Yard setbacks shall conform to the setback requirements of the zone in which the flag lot is located. No part of the staff portion of the lot shall be used to meet any setback requirement.
- 4. Flag Lot Policy:
 - a. Clear address signage shall be installed and maintained at the street by the owner, including notice that the driveway is a private right-of-way.
 - b. During the construction of the home, no building materials, dumpsters, toilets or parking will be allowed on the staff portion of the lot as to keep it clear for emergency vehicles.
 - c. Public services, such as garbage collection, water and sewer, will be at the dedicated street only.

STAFF RECOMMENDATION:

It is the recommendation of Staff that this change to the LMC be approved once it has received input from the public.

PROPOSED MOTION:

No motion, discussion item only.

ATTACHMENTS:

None