



DUCHEsNE COUNTY
Community Development Department
734 N Center Street, P.O. Box 317
Duchesne, UT 84021
Planning Division (435) 738-1152
R. Cody Fisher, Department Director/ Chief Building Official

REQUEST FOR ACTION

DATE: September 22, 2025
TO: Duchesne County Commission
FROM: Mike Gottfredson AICP, Deputy Director of Community Development
SUBJECT: Zoning District Map Amendment Request to Change from A5-Agriculture to R-1 Residential on Dennis Peterson's Property in the Hanna area

EXAMPLE ORDER TO CONSIDER MOTION

1. Request the staff recommendation.
2. Entertain questions of staff.
3. Entertain comments from interested parties.
4. Discussion by the Commission.
5. Call for a motion.

Suggested Motion: I move the Duchesne County Commission approve the zoning district map amendment request by Dennis Peterson to change the zoning district on Parcel #00-0029-3336 from A-5 Agriculture to R-1 Residential.

6. Ask for the vote.

Dennis Peterson owns a 6.27-acres parcel on the North Fork Road, 5.00 miles north the North Fork Road – Utah Highway 35 intersection, in the Hanna area. Mr. Peterson is requesting this rezone of his property to allow for the subdivision of it into three separate lots and a remainder property. Cabin structures exist with established drinking water sources and permanent access for each of the three proposed lots.

Changing the zoning would be consistent with how the property has been used for the past 45-years, as the property has been interpreted and referenced as three separate lots since inception, although no division of property has yet to take place. Changing the zone to R-1 Residential would be more consistent with the character, land use, and actual size of the surrounding 20 properties. For example, 15 of the 20 parcels in this neighborhood are under 2½ acres in size, and 13 of these 15 are even less than 1 acre. Only one parcel of the 20 in the neighborhood is consistent with the current A-5 Agriculture zoning district, it being the only property being assessed as agricultural land. The remaining 19 properties were established and have remained recreational by use for over 70 years. Even with the technical change in how this property will be zoned, no actual change in land use is anticipated to be caused by the rezone.

On September 3, 2025, the Planning Commission held a public hearing to consider this request, reviewed and adopted the findings of fact prepared by the Planning Division, and unanimously recommended the approval of this rezone.

ORDINANCE NO. 25-425

AN ORDINANCE AMENDING THE DUCHESNE COUNTY ZONING MAP, REZONING DESCRIBED PROPERTY FROM A-5 AGRICULTURE TO R-1 RESIDENTIAL

WHEREAS, Dennis Peterson has filed an application to rezone certain described property, 6.27 acres in size, from A-5 Agriculture to R-1 Residential; and,

WHEREAS, after giving notice and conducting a public hearing on September 3, 2025, the Duchesne County Planning Commission has recommended approval of the zoning map amendment as requested for the subject lands; and,

WHEREAS, after giving notice and conducting public hearings on September 22, 2025, the Duchesne County Commissioners have accepted the Planning Commission recommendation and adopted findings to approve the zoning map amendment request.

BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS that:

SECTION 1. The lands described below are hereby designated as R-1 Residential on the official zoning map:

Exhibit A

SECTION 36, T2N, R9W, USM; Beginning at a point which is S89°40'E 480.80 feet along the Quarter Section line and South 605.65 feet from the West Quarter corner of Section 36; thence N78°57'26"E 126.70 feet to an existing fence post; thence S82°49'32"E 399.78 feet; thence S74°37'54"W 467.00 feet; thence N23°52'43"W 160.00 feet more or less to the point of beginning. Also beginning at a point S89°40"E 204.90 feet along the Quarter Section line and South 657.83 feet from the West Quarter corner of Section 36, said point is the center of a 60 foot right-of-way; thence leaving said centerline N78°57'26"E 280.79 feet; thence turning S23°52'43"E 164.5 feet to centerline of a 20 feet right-of-way; thence turning S74°37'54"W 372.91 feet along 20 foot centerline; thence N01°12'56"E 89.98 feet; thence N07°28'50"E 106.94 feet to the point of beginning.

Also beginning S89°40'E 189.25 feet along the Quarter Section line South 856.30 feet from the West Quarter corner of Section 36, which point is also in the centerline of a 60 foot right-of-way; thence leaving said centerline N74°37'54"E 515.50 feet; thence S01°12'56"W 204.79 feet to an existing fence line; thence along existing fence line S74°37'54"W 515.50 feet to the centerline of a 60 foot right-of-way; thence along existing centerline N0°112'56"E 204.79 feet to the point of beginning.

Also beginning at a point S89°40'E along the Quarter Section line 357.87 feet and South 431.32 feet from West Quarter corner of the Section, which point is also the Northeast corner of Parcel I; thence N78°49'17"E 166.25 feet to an existing fence corner; thence along an existing fence line two courses as follows: N10°25'47"W 249.16 feet and N08°31'20"W 155.21 feet to the South line of U.S. Forest Service boundary; thence along said boundary line S89°40'E 96.51 feet; thence leaving said boundary S09°18'09"E 384.77 feet; thence S01°56'32"W 198.19 feet to an existing fence post; thence S78°57'26"W 126.70 feet; thence N23°52'43"W 73.00 feet; thence S78°57'26"W 63.44 feet; thence along an existing fence N14°46'32"W 121.22 feet to the point of beginning.

Together with all interest in and to the following Water Rights: 43-229, 43-230, 43-231, 43-8744, 43-9792, 43-12143, 43-12144, and 43-12145. Parcel #00-0029-3336.

SECTION 2. Severability.

If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only and shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 3. Effective Date.

This Ordinance shall become effective fifteen (15) days after publication.

DATED this 22nd day of September, 2025.

ATTEST:

**DUCHEsNE COUNTY
BOARD OF COMMISSIONERS**

Chelise Stewart
Duchesne County Clerk/Auditor

Gregory Miles, Commissioner

Tracy Killian, Commissioner

Jeff Chugg, Commissioner

ZONING MAP AMENDMENT FOR DENNIS PETERSON

SEPTEMBER 3, 2025

