



PLANNING COMMISSION HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, November 12, 2025 at 6:00 PM

AGENDA

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, November 12, 2025**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Garth Hood | Stewart Riding | Kael Hirschi

Please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 8266151 3795

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONFLICT OF INTEREST DISCLOSURES

HEARING ON THE FOLLOWING

1. Ordinance O-2025-37, Zone Change from Open Space Transition Zone (OST) to Rural Estates 1 Acre Zone (RE-1) for parcel AV-1334-V-A.
2. Ordinance O-2025-38, Amend Title 10.02.050 Building Permit Required.

DISCUSSION AND POSSIBLE ACTION ITEMS

- [3.](#) Ordinance O-2025-37, Zone Change from Open Space Transition Zone (OST) to Rural Estates 1 Acre Zone (RE-1) for parcel AV-1334-V-A.
- [4.](#) Updated simple lot subdivision map for the Holm 4-Lot Subdivision, adjusting all lots to five (5) acres and clarifying access to each parcel — applicant: Jordan Holm.

The applicant has submitted a revised subdivision map adjusting lot lines to ensure all lots are five acres in size and to provide verified access to each parcel. No new lots are created, and no ownership boundaries outside the approved subdivision are affected. Staff recommends Planning Commission review and acceptance of the updated plat as a technical correction. No additional public hearing is required under Utah Code § 10-9a-608.

- [5.](#) Ordinance O-2025-38, Amend Title 10.02.050 Building Permit Required.

APPROVAL OF MINUTES

- [6.](#) Minutes: October 8, 2025 - Planning Commission Hearing and Meeting.

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.



Proposal: Zone Change

Current Zone: OST

Proposed Zone: RE-1.0

Acres: 2.05

Project location: AV-1334-V-A

Number of Lots: 1

Report prepared by Eldon Gibb, Planning Consultant with Shums Coda

The applicant is proposing to change the zoning from the current OST to a proposed RE-1. The property is located off of Apple Blossom Ln (AV-1334-V-A) and is 2.05 acres in size. As stated in the application the purpose for the zone change is to split the parcel into 2 one-acre parcels so that two single family homes could be built at this location.

The property is currently zoned OST. Surrounding zoning is RE-1 to the north, east and south, and RV-Park to the west. The General Plan for this property is residential medium. The applicant is asking to change the zone from OST to RE-1 which is in line with the General Plan.

When looking at Section 2 of the General Plan, it appears that this zone change is in line with section 2.3 - Major Land Use Themes - as this proposal would require lots to be 1 acre in size or larger. Furthermore, in section 2.4 - Land Use Goals it is stated as a goal, "Maintain the small-town, rural feel of Apple Valley". It appears this zone change application is in line with the intent of the General as it would create large lot sizes and help preserve the agricultural and historic heritage of Apple Valley.

TOWN OF APPLE VALLEY
ORDINANCE O-2025-37

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1334-V-A FROM OPEN SPACE
TRANSITION ZONE (OST) TO RURAL ESTATES 1 ACRE ZONE (RE-1)

WHEREAS, the Town of Apple Valley (“Town”) has petitioned to rezone parcel AV-1334-V-A from Open Space Transition Zone (OST) to Rural Estates 1 Acre Zone (RE-1); and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 12, 2025, to consider the request and, in a meeting on the same date, voted to recommend approval of the zone change; and

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation and finds that the proposed zone change aligns with the Town’s General Plan and serves a rational public interest; and

WHEREAS, on November 18, 2025 the Town Council of Apple Valley, Utah, convened in a duly noticed and held meeting to consider the proposed amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, AS FOLLOWS:

SECTION I: Zoning Amendment
The zoning designation for parcel AV-1334-V-A is hereby changed from Open Space Transition Zone (OST) to Rural Estates 1 Acre Zone (RE-1).

SECTION II: Official Zoning Map Update
The Official Zoning Map shall be amended to reflect this zoning change.

SECTION III: Effective Date:
This ordinance shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah, this 18th day of November, 2025.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

VOTE RECORD:	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

Item 3.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

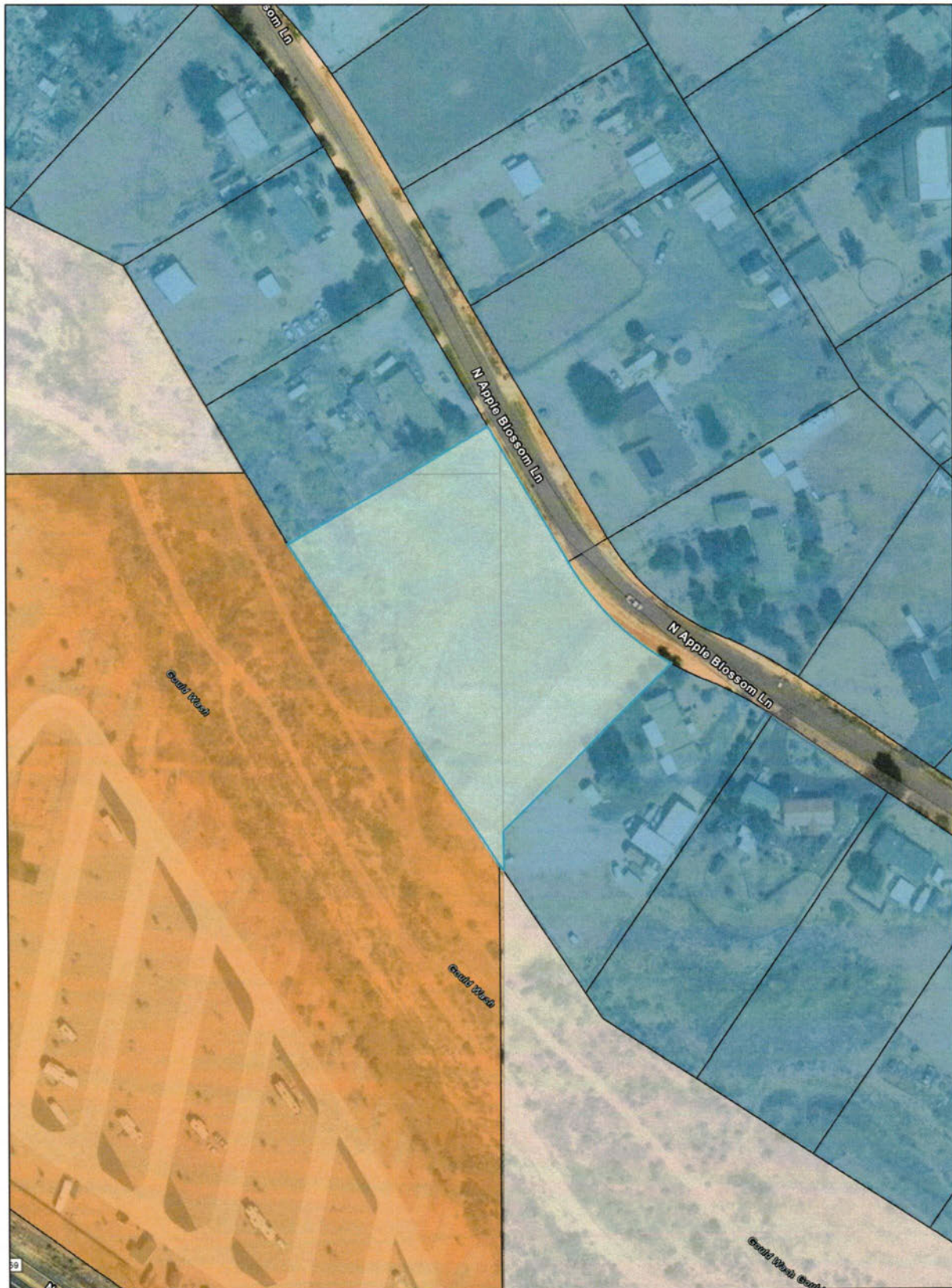
Owner: <u>Stephen L. Gubler</u>	Phone: [REDACTED]
Address: [REDACTED]	Email: [REDACTED]
City: [REDACTED]	State: [REDACTED] Zip: [REDACTED]
Agent: (If Applicable)	Phone:
Address/Location of Property: <u>parcel AV-1334-V-A</u>	Parcel ID: <u>AV-1334-V-A</u>
Existing Zone: <u>OPEN SPACE Transition</u>	Proposed Zone: <u>Rural Estate 1</u>
For Planned Development Purposes: Acreage in Parcel _____ Acreage in Application _____	
Reason for the request <u>Plan is to be able to have 2 one acre Residential lots, Homes</u>	

Submittal Requirements: The zone change application shall provide the following:

- ☒ A. The name and address of owners in addition to above owner. No other owners
- ☒ B. An accurate property map showing the existing and proposed zoning classifications
- ☒ C. All abutting properties showing present zoning classifications
- ☒ D. An accurate legal description of the property to be rezoned attached
- ☒ E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- ☒ F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☒ G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- ☒ H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature <u>Stephen L. Gubler</u>	Date <u>10-22-2025</u>
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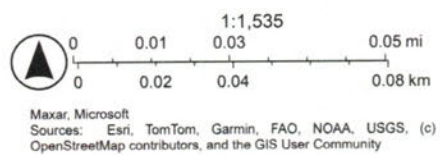
Official Use Only	Amount Paid: \$ <u>2,410.00</u>	Receipt No: <u>58562</u>
Date Received: <u>10/22/25</u>	Date Application Deemed Complete:	
By: <u>ju</u>	By:	



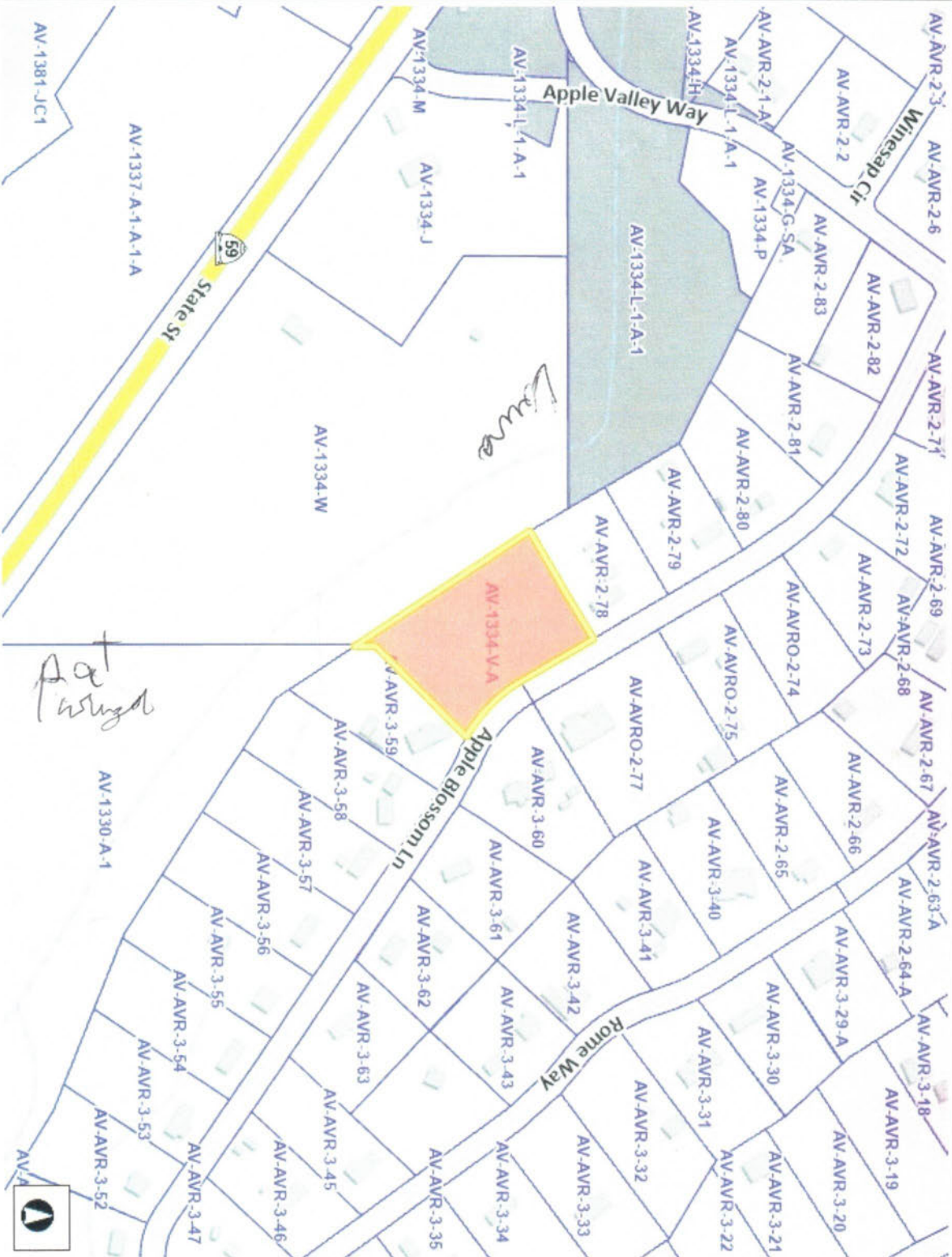
10/22/2025, 4:14:03 PM




















- Washington County Parcels
- Town Boundary
- Zoning Districts
 - OST – Open Space Transition
 - RE-1 – Rural Estate 1
 - RV-Park – Recreational Vehicle Park

World Imagery
 Low Resolution 15m Imagery
 High Resolution 60cm Imagery
 High Resolution 30cm Imagery
 Citations
 30cm Resolution Metadata



ON APPLE BLOSSOM LANE,



- ### Legend
-  Parcels
- Ownership**
-  U.S. Forest Service
 -  U.S. Forest Service Wilderness
 -  Bureau of Land Management
 -  Bureau of Land Management Wildlife
 -  National Park Service
 -  Shinnecock Reservation
 -  Utah Division of Wildlife Resources
 -  Utah Division of Transportation
 -  State Park
 -  State of Utah
 -  Washington County
 -  Municipally Owned
 -  School District
 -  Privately Owned
 -  Water
 -  Water Conservancy District
 -  State Assessed Oil and Gas
 -  Mining Claim



Point	WGS 1984 WMA	GDA 1984	Difference (Feet)
1	752.3	0	752.3
2	752.3	0	752.3
3	752.3	0	752.3
4	752.3	0	752.3
5	752.3	0	752.3
6	752.3	0	752.3
7	752.3	0	752.3
8	752.3	0	752.3
9	752.3	0	752.3
10	752.3	0	752.3
11	752.3	0	752.3
12	752.3	0	752.3
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81	752.3	0	752.3
82	752.3	0	752.3
83	752.3	0	752.3
84	752.3	0	752.3
85	752.3	0	752.3
86	752.3	0	752.3
87	752.3	0	752.3
88	752.3	0	752.3
89	752.		

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

Account 0883714

Item 3.

Location	Owner	Value			
Account Number 0883714	Name GUBLER STEPHEN L	Market (2025)	\$85,100		
Parcel Number AV-1334-V-A		Taxable	\$85,100		
Tax District 45 - Apple Valley Town		Tax Area: 45	Tax Rate: 0.006652		
Acres 2.05		Type	Actual	Assessed	Acres
Situs 0, 0		Non			
Legal S: 30 T: 42S R: 11W BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT (78) SEVENTY-EIGHT OF APPLE VALLEY RANCH SUBDIVISION,PHASE II, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER STATE OF UTAH IN BOOK 409 PAGE 353 AND RUNNING THENCE NORTH 59°30' EAST ALONG THE SOUTH EASTERLY PROPERTY LINE OF SAID, LOT 78, A DISTANCE OF 250.0 FT. TO THE SOUTH BOUNDARY OF APPLE BLOSSUM LANE, THENCE SOUTH 30°30' EAST ALONG THE SOUTH BOUNDARY OF APPLE BLOSSUM LANE A DISTANCE OF 169.52 FEET TO A POINT OF TANGENCY WITH A 300.0 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARING IS SOUTH 45°30'00" EAST) RUNNING THENCE CONTINUING SOUTH EASTERLY ALONG THE SOUTH BOUNDARY OF APPLE BLOSSUM LANE, ALONG THE ARC OF SAID CURVE 157.079 FEET, THROUGH A CENTRAL ANGLE OF 30°00'00", THENCE, DEPARTING FROM THE ROADWAY AND RUNNING THENCE SOUTH 45°15'00" WEST ALONG THE WEST BOUNDARY OF LOT 59 OF APPLE VALLEY RANCH SUBDIVISION, PHASE III, A DISTANCE OF 259.46 FEET, RUNNING THENCE SOUTH 00°03'32" EAST, CONTINUING ALONG THE WEST BOUNDARY OF SAID LOT 59, A DISTANCE OF 38.584 FEET, THENCE DEPARTING FROM THE BOUNDARY OF SAID LOT 59 RUNNING THENCE NORTH 33°08'02" WEST A DISTANCE OF 417.093 FEET, BACK TO THE POINT OF BEGINNING. CONTAINING 2.05 ACRES (DOCUMENT 20250035158)		Primary	\$85,100	\$85,100	1.190
		Land			
Parent Accounts 0474885					
0965067					
0154958					
Parent Parcels AV-1334-J					
AV-1-2-30-2101					
AV-1330-A-1					
Child Accounts					
Child Parcels					
Sibling Accounts					
Sibling Parcels					
Transfers					

Entry Number

20080025659

20090021078

20090021079

Recording Date

06/24/2008 09:47:09 AM

05/29/2009 04:00:08 PM

05/29/2009 04:00:08 PM



Let's turn the answers on.

Dixie Service Center
Estimating Dept.
455 N. Old Hwy 91
Hurricane, UT 84737

October 19, 2025

Stephen Gubler
[REDACTED]

Re: Zone Change

Located: Parcel Number: AV-1334-V-A

Dear Stephen Gubler:

After reviewing the proposed plans for the above mentioned project, I have determined that power is available within a near proximity. Rocky Mountain Power intends to serve the project with electrical service based on load requirements and specifications submitted. All electrical installations will be provided in accordance with the "Electric Service Regulations, as filed with the Utah Public Service Commission after receiving an approved plat showing easements approved by Rocky Mountain Power.

For additional consultation in this matter, please contact me.

Sincerely,

Ruston Jenson
Estimator
Dixie Service Center
435-688-3708



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Parcel ID#

AV-1334-V-A
AV-1334-V-A
2.05 acv2

Item 3.

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Stephen Gubler am/are the applicant(s) of the application known as
AV-1334-V-A located on parcel(s)
_____ within the Town of Apple Valley, Washington County, Utah.

By my/our signatures(s) below, I/we do hereby acknowledge and agree to the following:

1. Approval of a development application by the Town does not guarantee that sufficient water will be available to serve the zone, project, subdivision, or development for which this application is being submitted; and
2. Prior to receiving approval for the application, the applicant shall be required by the Town of Apple Valley to provide a Preliminary Water Service letter from the Big Plains Water Special Service District ("District") which verifies the conditions required to provide services to the project, subdivision or development; and
3. The applicant assumes the entire risk of water availability for the project, subdivision or development and/or application.

Signature(s):

Stephen Gubler
Name

Stephen Gubler
Applicant/Owner

10-22-2025
Date

Name

Applicant/Owner

Date

Name

Applicant/Owner

Date

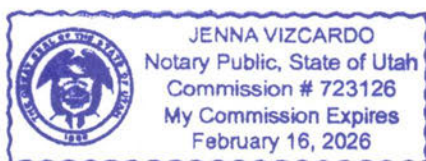
State of Utah

County of Washington

On this 22 day of Oct., in the year 2025, before me, Jenna Vizcardo a notary public, personally appeared Stephen Gubler, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal. JW
(notary signature)

(seal)





October 24, 2025

Apple Valley
1777 North Meadowlark Drive
Apple Valley, UT 84737

Subject: Parcel AV-1334-V-A: Stephen Gubler

Ash Creek Special Service District is providing a Will Serve for Parcel AV-1334-V-A and takes no exception to the proposed zone change for this parcel.

The Owner understands and agrees that if at a future date a building permit is issued a septic agreement with Ash Creek Special Service District will need to be signed and all costs associated with construction and installation of the septic system will be paid by the Owner. The Owner understands and agrees that a septic permit will also need to be obtained from Southwest Utah Public Health Department.

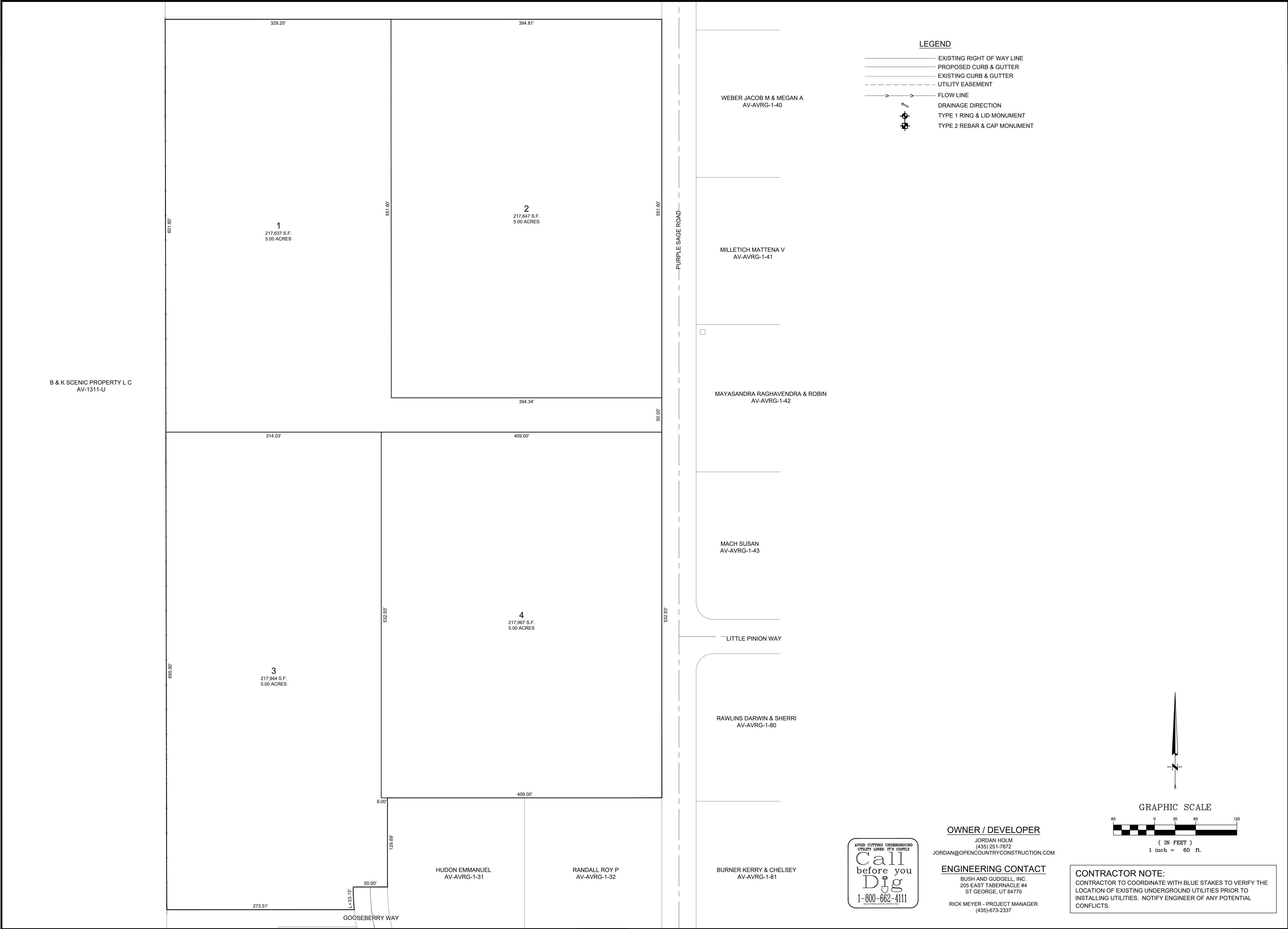
Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Amber Gillette".

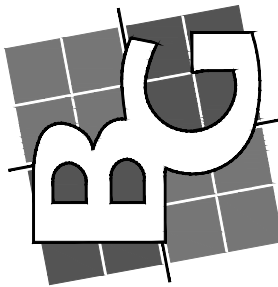
Amber Gillette, P.E.
Engineer
Ash Creek Special Service District

1350 South Sandhollow Road, Hurricane, UT 84737
phone: 435.635.2348
email: ashcreek@infowest.com



X:\231000-231999\231030 - Holm Grading & Drainage Plan\4-lot option.dwg

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bustandgudgell.com



DATE: NOV 2023	DRAWN: CBW/CCL	APPROVED: WFM	SCALE: 1"=60'	JOB NO. 231030
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5-AC LOT LAYOUT
HOLM RESIDENCE
LOCATED IN APPLE VALLEY, UTAH

SHEET	3	OF	3	SHEETS
FILE:	231030-APR02ETPLANS			

Apple Valley Simple Lot Subdivision Application

Fee: _____

Applicant Full Name: Jordan Holm

Mailing Address: _____ City: Washington State: UT Zip: 84780

Phone Number: _____ Email Address: _____

Authorized Agent (if applicable): _____

Property Address: 2745 N Purple Sage Rd City: Apple Valley State: UT Zip: 84737

Tax ID Number: AV-1311-V

Current Zoning Designation: RE-5

Require Conditions

As per Apple Valley Subdivisions § 11.02.050(D), for a proposed subdivision to qualify for simple lot subdivision approval, the proposed simple lot subdivision shall:

- Be for a single-family dwelling or dwellings and any associated accessory dwelling.
- Be located on property zoned for such use.
- Contain no more than ten (10) lots.
- Not contain any legislative approval, such as a zone change or text amendment request. Any legislative approval necessary for the simple lot subdivision to meet all requirements shall be pursued separately and shall be completed before the Planning Commission may review the simple lot subdivision application.
- Not be traversed by the mapped lines of a proposed street as shown in the general plan unless the Town has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinances require.
- Conform to all applicable land use ordinances. A property that has previously obtained a variance shall be deemed to conform as it relates to the conflict that had necessitated the variance.

Submittal Requirements

An applicant shall submit an application to the Town for a Simple Lot Subdivision that includes, at a minimum, each of the following (*Apple Valley Subdivisions § 11.02.050(E)*):

- A current title report showing ownership by the applicant.
- Name of the applicant or authorized agent and contact information.
- Property address, acreage, boundary, and tax identification number.
- Date, scale, and North arrow.
- Vicinity map showing the property's location relative to municipal boundaries and roads that serve the property.
- A statement containing the zone, lot size, and amount of frontage along a public street for each proposed lot.
- A metes and bound description of the property proposed to be subdivided.
- A subdivision name.
- A record of survey map, showing each new lot, which includes the following details:
 - The location of survey by quarter section and township range.
 - The date of survey.
 - The scale of the drawing and North point.
 - The distance course of all lines traced or established, giving the basis of bearing and the distance and course to two or more section corners or quarter corners, including township and range, or to identified monuments within a recorded subdivision.
 - All measured bearings, angles, and distances separately indicated from those of record.
 - A written boundary description of property surveyed.
 - All monuments set and their relation to older monuments found.
 - A detailed description of monuments found and monuments set, indicated separately.
 - The surveyor's seal or stamp.
 - The surveyor's business name and address.
 - A written narrative that explains and identifies:
 - The purpose of the survey.
 - The basis on which the lines were established.
 - The found monuments and deed elements that controlled the established or reestablished lines.
 - If the narrative is a separate document, it shall contain:

- ☐ The location of the survey by quarter section and by township and range.
- ☐ The date of the survey.
- ☐ The surveyor's stamp or seal.
- ☐ The surveyor's business name and address.
- ☐ The map and narrative shall be referenced to each other if they are separate documents.
- ☐ The map and narrative shall be created on material of a permanent nature on stable base reproducible material in the sizes required by the county surveyor.

Site Specific Contents

The following documents shall accompany the simple lot subdivision application when deemed necessary by the Town Engineer (*Apple Valley Subdivisions § 11.02.050 (F)*):

- ☐ Soils Report: The applicant shall provide a detailed soils report addressing the following issues for the subdivision: hill stabilization, road design, foundation design, groundwater impacts, and general soil stability. The report must be stamped and signed by a Civil Engineer licensed in the state of Utah.
- ☐ Storm Water Plan: The applicant shall provide a detailed storm water plan for the subdivision. This plan shall include all calculations showing that it meets all applicable codes, standards, and specifications. Plans and calculations shall be stamped and signed by a civil engineer licensed in the state of Utah.
- ☐ Other Hazard Information: This may include FEMA floodplain information or other information to mitigate natural hazards.

(For Office Use Only)

Date Received: 8/18/2025 Date Paid: _____

Preliminary Review

The applicant shall submit the application and all required contents. The Town will check for completeness. If not all materials have been submitted, the application should be returned to the applicant until all required contents are included (*Apple Valley Subdivisions § 11.02.050(G)(2)*).

Date of Completion Determination: 8/26/2025

Administrative Review

Once the application is deemed to be complete, the Town shall complete a review of the simple subdivision application and Subdivision Improvement Plans and determine whether the application meets all requirements. If the application is found to meet all codes, standards, and specifications, Town staff shall forward the application on to the Planning Commission (*Apple Valley Subdivisions § 11.02.050(G)(3)*).

Date of Administrative Review Completion: 8/26/2025

Administrative Recommendation to Planning Commission:

Planning Commission Review

The Planning Commission shall hold a public hearing on the application and approve or deny the simple lot subdivision application (*Apple Valley Subdivisions § 11.02.050(G)(4)*).

Date of Public Hearing: 9/10/2025

Date of Planning Commission Decision: _____

- ☐ Approved
- ☐ Denied

Filing Date of the Record of Survey: _____



Agent for
First National Title Insurance Company
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

Effective Date: May 9, 2025 at 8:00 AM

Commitment No.: 083869
 Amendment No. 1

- | | | |
|---|-------------|----------|
| 1. Policy or Policies to be issued: | Amount | Premium |
| a. ALTA Extended Loan Policy | \$55,000.00 | \$246.00 |
| Proposed Insured: A Natural Person or Legal Entity To Be Determined | | |
| Endorsements: | | |
2. The estate or interest in the land described or referred to in this Commitment and covered herein is **Fee Simple** and title thereto is at the effective date hereof vested in:
- Jordan Holm
3. The land referred to in the Commitment, located in Washington County, is described as follows:
- See Exhibit A attached hereto and made a part hereof.
- Said property is located in Washington County, State of Utah also known as:
- 2745 N Purple Sage Road, Apple Valley, UT 84737
 APN: AV-1311-V

Shane Curlis, Title Officer
 US Title Insurance Agency

EXHIBIT "A"

Beginning at the Quarter Section corner common to Section 18 and Section 19 of Township 42 South, Range 11 West of the Salt Lake Base and Meridian, and running thence North $00^{\circ}05'23''$ West along the Quarter Section line 80.03 feet; thence East 724.06 feet to the West line of Apple Valley Ranch Subdivision Gooseberry Unit #1, recorded in the Office of the Washington County Recorder as Document No. 485280, said point also being the West line of Purple Sage Road; running along said line South 1134.53 feet to the Northeast corner of Lot 32 of said subdivision; thence West 400.00 feet to the Northwest corner of Lot 31 of said subdivision; thence South 129.89 feet; thence West 50.00 feet; thence Southerly along a 325.00 foot radius non-tangent curve to the left, (long chord bears South $02^{\circ}55'25''$ East a distance of 33.12 feet), center point lies North $89^{\circ}59'50''$ East through a central angle of $05^{\circ}50'29''$ a distance of 33.13 feet to the Northeast corner of Lot 30 of said subdivision; thence West along the North line of said Lot 30 273.51 feet to the Northwest corner of said Lot 30, said point also being on the Center Section line of Section 19, Township 42 South, Range 11 West of the Salt Lake Base and Meridian; thence North $00^{\circ}05'58''$ West along said Section line 1217.47 feet to the point of beginning.

Situated in Washington County, State of Utah

APN: AV-1311-V

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - PART I (Requirements)

Commitment No.: 083869

The following are the requirements to be complied with:

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Pay any amounts due under Exception No. 8-9.
6. Provide evidence of payment in full from those parties that have filed Preliminary Notices in the SCR to remove Exception No.(s) 18.
7. Sign and return Item No. 19 for approval by the Company.
8. Certificate of Occupancy from the City or a copy of the Final Inspection showing that the work has been completed on subject property.
9. Inspection of the State Construction Registry prior to the recording of the deed of trust. Should the inspection reveal either a preliminary notice or notice of retentions has been filed, additional requirements or exceptions may be added including a withdrawal of the preliminary notice pursuant to UCA ? 38-15(3)(b)(ii) and proof that the lien claimant has accepted payment in full for construction services that the claimant furnished before the recording of the deed of trust pursuant to UCA ? 38-1-5(3)(b)(i).
10. Trust Deed securing your note executed by Jordan Holm.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - PART II (Exceptions)

Commitment No.: 083869

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or the public record.
2. Any facts, rights, interest or claims which are not shown by the public records, but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, claims of easements or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of Schedule B, Part I - Requirements are met.
8. Taxes for the year 2025 now a lien, not yet due. General property taxes for the year 2024 were paid in the amount of \$2,261.49. Tax Parcel No. AV-1311-V.
9. Any charge upon the land by reason of its inclusion in Washington County, Apple Valley Town, Big Plains Water Special Service District, Ash Creek Special Service District, Southeastern Special Service District and Washington County Solid Waste District.
10. Any water rights or claims or title to water in or under the land.
11. All rights, title or interest in minerals of any kind, oil, gas, coal or other hydrocarbons and the consequences of the right to mine or remove such substances including, but not limited to, express or implied easements and rights to enter upon and use the surface of the land for the exploration, drilling or extraction related purposes. (The company does not purport to disclose documents of record pertaining to the above referenced rights.)
12. Rights of parties in possession of the subject property under unrecorded, Leases, Subleases, Rental or Occupancy Agreements and any claims or interest arising thereunder.
13. All existing roads, streets, alleys, ditches, reservoirs, utilities, canals, pipelines, power poles, telephone, sewer, gas or water lines and rights-of-way and easements thereof.
14. Subject to any and all matters disclosed on that certain survey prepared by Bush & Gudgeon, Inc, having been certified under the date of April 22, 2020 as Job No. 201072, by D Gregg Meyers, a Registered Land Surveyor holding License No. 312770.

SCHEDULE B - PART II
(Exceptions - Continued)

Item 4.

15. A right of way and easement over and across said land for underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, as granted to Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, by Instrument recorded May 13, 2024 as Entry No. 20240014741 of Official Records.
16. Improvement Delay Agreement by and between the Town of Apple Valley and Jordan Holm recorded May 25, 2023 as Entry No. 20230015217 of Official Records
17. A Deed of Trust by and between Jordan Holm as Trustor in favor of US Title Insurance Agency as Trustee and Heaton Enterprises LLC as Beneficiary, to secure an original indebtedness of \$600,000.00 and any other amounts or obligations secured thereby, dated March 12, 2025 and recorded March 12, 2025 as Entry No. 20250008070 of Official Records.
18. A search of the Construction Registry for the State of Utah reveals the following Preliminary Notices: NONE.
19. Mechanics' and/or Materialmen's Lien, if any, which do not appear of record.

An Indemnity Agreement must be signed by Vested Owner and General Contractor for approval by the company and returned before an Alta Policy will be issued.

* * * * *

According to the official records, there have been no documents conveying the land described herein within 24 Months prior to the date of this commitment. Except the following:

NONE

NOTE: The names of
Jordan Holm

have been checked for Judgments and Tax Liens, etc., in the appropriate offices and if any were found would appear as Exceptions to title under Schedule B, Section 2 herein.

ESCROW/CLOSING INQUIRIES should be directed to your Escrow Officer: Corrie Glover, (435)652-9800 and 1086 South Main Street, Suite #101, Saint George, UT 84770

NOTE: The Policy(ies) to be issued as a result of this Commitment may contain an Arbitration Clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

**The First National Title Corporation
US Title Insurance Agency**

**Privacy Policy
PURPOSE OF THIS NOTICE**

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of First National Title Insurance Company.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

**APPLE VALLEY
ORDINANCE O-2025-38**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.02.050 Building Permit Required” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.02.050 Building Permit Required

- A. The construction, alteration, repair, removal or moving of any building or structure or any part thereof, as provided or as restricted in this title, shall not be commenced or proceeded with, except after the issuance of a written permit for the same by the building inspector. Buildings under 200 square feet in area and that have no utilities do not require a building permit. Open buildings such as car ports, pergolas, gazebos and pavilions, which have no solid walls, do not require building permits. In addition to buildings or structures, utility systems and other physical improvements on any lot, such as pools, courts, etc., shall be constructed only after receiving a written permit from the building inspector.
- B. All building permits shall be issued in accordance with the general plan of the town, the road plan, the standards and regulations approved by the Town and all boards, commissions, agencies and officials of the town and all other applicable ordinances of the town, including the town subdivision ordinance.
- C. Distance between Buildings: No two (2) buildings on the same or adjacent properties shall be located closer together than ten feet (10'). No building, structure or run housing animals or fowl shall be constructed closer to a dwelling unit on the same or an adjacent lot than fifty feet (50').
- D. Applicability to Commercial Properties: This Section applies only to residential structures and uses. For commercial buildings and uses, the requirements of the International Building Code (IBC), as adopted by the Town ordinance of Apple Valley, shall govern the permitting and construction standards.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from November 18, 2025.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

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Council Member Kevin Sair	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley



PLANNING COMMISSION HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, October 08, 2025 at 6:00 PM

MINUTES

CALL TO ORDER – Chairman Farrar called the meeting to order at 6 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Bradley Farrar
Commissioner Lee Fralish
Commissioner Garth Hood
Commissioner Stewart Riding

ABSENT

Commissioner Kael Hirschi

CONFLICT OF INTEREST DISCLOSURES

Commissioner Riding disclosed a potential conflict of interest regarding one of the items they had personally submitted to the Planning Commission for consideration regarding agenda number nine. Commissioner Fralish disclosed a conflict of interest regarding agenda item number six, the zone change application submitted by Joseph Nepl, noting that the applicant is a relative.

HEARING ON THE FOLLOWING

1. Simple Lot Split Subdivision Application for parcel: AV-1354-B, (7 new parcels), Applicant: Alan Dockstader.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

2. Ordinance O-2025-34, Proposed Zone Change, Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for AV-1351-C, 325 N Cougar Ln, Applicant: Joseph and Kituran Nepl.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

3. Ordinance O-2025-35, Amend Title 10.28.150 Utility Requirements.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

4. Ordinance O-2025-36, Repeal Title 10.28.130 Minimum Height Of Main Building.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

DISCUSSION AND POSSIBLE ACTION ITEMS

5. Simple Lot Split Subdivision Application for parcel: AV-1354-B, (7 new parcels), Applicant: Alan Dockstader.

Chairman Farrar opened discussion on agenda item number five, a simple lot split subdivision application for parcel AV-1354-B, submitted by applicant Alan Dockstader. Chairman Farrar noted that the Planning

Commission had previously recommended approval of a zone change for the property to AG-10 and explained that the applicant sought to divide the land into eight parcels.

Chairman Farrar expressed concern that a simple lot split would exempt the applicant from several standard requirements. He recommended requiring the applicant to bring the road adjacent to the property up to fire code standards, explaining that it currently lacked sufficient width for fire truck access. He proposed that the section of road extending from the end of the Hutchings property, located just north of the site, down to the end of the Dockstader property, be improved to meet the town's standards, including a 26-foot-wide road base.

Commissioner Hood agreed that this requirement was reasonable. Commissioner Fralish stated that everything else in the application appeared satisfactory. Chairman Farrar noted that utilities such as power and water would be handled through individual building permits and that the primary concern was ensuring the developer, not future property owners, was responsible for bringing the road up to standard. He suggested including this condition in the motion for approval.

Commissioner Riding asked whether there was access to all parcels, and Chairman Farrar confirmed that access was available along the northern boundary, which bordered Main Street. Commissioner Riding also inquired about the lot sizes, and Chairman Farrar stated that all lots were 10 acres and met the minimum width requirements for the AG-10 zone.

After confirming that the proposed layout met zoning and access standards, Chairman Farrar offered to make a motion for approval contingent upon the road being brought up to minimum town standards.

MOTION: Chairman Farrar motioned we approve the Simple Lot Split Subdivision Application for parcel: AV-1354-B, applicant is Alan Dockstader, pending the road bordering the property, touching the property and accessing those lots is all brought up to town standards.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Chairman Farrar - Aye
Commissioner Hood - Aye
Commissioner Riding - Aye
Commissioner Hirschi - Absent

The vote was unanimous and the motion carried.

6. Ordinance O-2025-34, Proposed Zone Change, Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for AV-1351-C, 325 N Cougar Ln, Applicant: Joseph and Kituran Neppl.

Chairman Farrar introduced agenda item number six, ordinance O-2025-34, a proposed zone change from Open Space Transition (OST) to Agricultural 5 Acres (AG-5) for parcel AV-1351-C. Chairman Farrar stated that the request was straightforward, involving a five-acre parcel currently zoned OST, and noted that the surrounding properties were zoned Agricultural 5 Acres and Residential 5 Acres.

Commissioner Riding asked whether the item would need to be tabled, and Chairman Farrar responded that it would not. Commissioner Riding then inquired whether a quorum was present, and Chairman Farrar confirmed that there was, noting that only three members were required to vote if Commissioner

Fralish chose to abstain. Chairman Farrar stated that there were no objections to the request and that the Commission could proceed with a motion.

MOTION: Commissioner Hood motioned recommending approval for Ordinance O-2025-34, Proposed Zone Change, Open Space Transition to AG-5 for AV-1351-C, 325 N Cougar Ln, for Joseph and Kituran Nepl.

SECOND: The motion was seconded by Commissioner Riding.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Abstain
 Commissioner Riding - Aye
 Commissioner Hirschi - Absent

The vote was three ayes, one abstain, and the motion carried.

7. Ordinance O-2025-35, Amend Title 10.28.150 Utility Requirements.

Chairman Farrar introduced agenda item number seven, ordinance O-2025-35, an amendment to Title 10.28.150 regarding utility requirements. Chairman Farrar explained that this item, along with the next ordinance, involved simple housekeeping updates. He stated that the change was prompted by the dissolution of the Big Plains Water Special Service District and that the ordinance would update references from "Big Plains Water Service District" to "Town of Apple Valley Water Department." He noted that this was the only change being made.

MOTION: Commissioner Riding motioned I recommend approval of Ordinance O-2025-35, Amend Title 10.28.150 Utility Requirements.

SECOND: The motion was seconded by Commissioner Hood.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Aye
 Commissioner Hirschi - Absent

The vote was unanimous and the motion carried.

8. Ordinance O-2025-36, Repeal Title 10.28.130 Minimum Height Of Main Building.

Chairman Farrar introduced agenda item number eight, ordinance O-2025-36, to repeal Title 10.28.130 concerning the minimum height of a main building. Chairman Farrar explained that the ordinance was being repealed because it was redundant, as another section of town code already addressed minimum and maximum building height requirements.

Commissioner Hood commented that the existing language, which stated that no dwelling could be constructed to a height of less than one story, was unusual. Chairman Farrar agreed, noting that the provision was unnecessary and that removing it would help clean up the code.

MOTION: Commissioner Fralish motioned I recommend we approve Ordinance O-2025-36, Repeal Title 10.28.130 Minimum Height Of Main Building.

SECOND: The motion was seconded by Commissioner Hood.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding – Aye
 Commissioner Hirschi - Absent

The vote was unanimous and the motion carried.

9. Stewart Riding - Application - Appear Before The Planning Commission.

Chairman Farrar introduced agenda item number nine, Stewart Riding's application to appear before the Planning Commission. Chairman Farrar invited applicant Stewart Riding to provide details about the request.

Applicant Stewart Riding explained that the project involved a nonconforming building and that, in accordance with town ordinance, Planning Commission approval was required before proceeding with a rebuild or remodel. He offered to show photos of the structure for reference. Commissioner Fralish stated that they would not like to see the photos unless the project involved a significant change.

Commissioner Riding clarified that the remodel was part of an existing structure previously improved on the same property. He added that he had contacted the Garden Committee and donated materials from the old building, which had been disassembled and relocated to Centerville for reuse.

Chairman Farrar commented that the project would likely improve safety on the property and commended Commissioner Riding for following the appropriate process. Commissioner Fralish asked if any formal action was needed. Recorder Jenna Vizcardo confirmed that the Commission's role was to approve the proposed remodel and replacement of the nonconforming building. Chairman Farrar stated that he would make a motion to approve the request.

MOTION: Chairman Farrar motioned that we approve the Application from Stewart Riding to replace or remodel of his non-conforming building.

SECOND: The motion was seconded by Commissioner Hood.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Abstain
 Commissioner Hirschi - Absent

The vote was three ayes, one abstain, and the motion carried.

APPROVAL OF MINUTES

10. Minutes: September 10, 2025 - Planning Commission Hearing and Meeting.

Chairman Farrar moved on to the approval of the minutes from the previous meeting, stating that there were no issues or corrections needed and that the minutes appeared accurate. The commissioners agreed that the minutes looked satisfactory. Chairman Farrar then asked if there were any concerns or if anyone wished to make a motion for approval.

MOTION: Commissioner Riding motioned we approve the Minutes of September 10, 2025, Planning Commission Hearing and Meeting.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Aye
 Commissioner Hirschi - Absent

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn.

SECOND: The motion was seconded by Commissioner Hood.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Aye
 Commissioner Hirschi - Absent

The vote was unanimous and the motion carried.

Meeting adjourned at 6: 11 PM

Date Approved: _____

Approved BY: _____

Chairman | Bradley Farrar

Attest BY: _____

Recorder | Jenna Vizcardo

DRAFT