

MINUTES OF THE PLANNING COMMISSION
OF THE TOWN OF CLARKSTON

August 14, 2025
7:00 PM

Clarkston Planning Commission Meeting held at the Clarkston Town Hall, 24 South Main, Clarkston, UT

Attendance: Chairman Adam Hanover, Commissioner Austen Powell, Commissioner Jeremy Hidalgo, Commissioner Lester Lee

Deputy Clerk: Holly Jones

Public Attendance: Jeff Renshaw, McKenzie Christensen, Tami Nelson, Rod Buttars

1. CALL TO ORDER PLANNING COMMISSION MEETING

Chairman Hanover called the Clarkston Planning Commission meeting to order at 6:58 pm.

The first order of business was to approve the minutes from the July 10, 2025, meeting. Commissioner Hidalgo was not in attendance at the meeting, so he abstained from voting. Commissioner Lee made a motion to approve the minutes. Commissioner Powell seconded the motion. All were in favor. The minutes from July 10, 2025, were approved.

2. PERMITS/BUSINESS LICENSES:

• Business Licenses:

- Jeff Renshaw – 30 S. 100 E. – Renshaw's Handyman Services LLC

Chairman Hanover recognized Mr. Renshaw for a business license. He confirmed that Mr. Renshaw would just be involved in Handyman Services and did not have a need for a contractor's license. He asked if he had any parking requirements, to which Mr. Renshaw replied that he did not. He would be helping people at their property. Mr. Renshaw stated that he had a business license with Clarkston a few years ago and he just wanted to reactivate it. Commissioner Powell made a motion to recommend the business license application to the Town Council for approval. Commissioner Hidalgo seconded the motion. All were in favor. The application will be forwarded to the Town Council.

• Building/Zoning Permit:

- Rod Buttars – 9 S. Main – Zoning Clearance

Chairman Hanover recognized Mr. Buttars for a zoning clearance. In looking at the application, the height of the building was not mentioned. Mr. Buttars stated that it would be 8 to 9 feet high, shorter than the existing garage. Commissioner Hidalgo asked what the square footage would be. Mr. Buttars said it would be 9 x 18. Commissioner Hidalgo then asked if he would be attaching it to the current structure. Mr. Buttars replied that he did want to attach it to the current structure. Commissioner Hidalgo pointed out it would need a building permit in that case because it would be over 200 square feet in total. He also stated that, even though the regulations were different when the original garage structure was built, right now the code states that you need to be 30 feet back from your property line and not the center of the road. He said that Mr. Buttars would need to get a variance. Mr. Buttars asked if he would still need a building permit if he built it free-standing, next to the garage.

He was told he would not need a building permit in that case, but he would still need a variance. Mr. Buttars asked how far from the existing building he would need to be. He wondered if he could put it right up against the garage, about one foot away from it. The Planning Commission reviewed Clarkston Town Code 10-7A-6.

10-7A-6: MODIFYING REGULATIONS:

A. Side Yard: Main buildings, other than dwellings, shall have a side yard of twenty feet (20') and a total of the two (2) side yards shall be forty feet (40'). Private garages and other accessory buildings located at least ten feet (10') behind the main building may have a side yard of one foot (1'), provided the slope of the roof is not toward the property line. If the slope of the roof is toward the property line, the side yard has to be five feet (5') from the roof overhang.

B. Setback To Adjacent Streets: All structures will have a setback of thirty feet (30') on all adjacent streets.

C. Rear Yard: Private garages and accessory buildings located at least ten feet (10') behind the main building may have a rear yard of five feet (5'); provided, that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be ten feet (10'). (Ord. 01-04, 1-7-2002)

D. Distance Between Buildings: No building, structure, or enclosure housing animals or fowl shall be constructed closer to a dwelling on an adjacent lot less than thirty feet (30'). (Ord. 17-08, 6-6-2017)

The Commission came to the conclusion that our code did not address the distances between accessory buildings that were not located 10 feet behind the main building. Mr. Buttars' accessory buildings are in front of the main building. Either way, he would need to obtain a variance because he does not have a 30-foot setback from his property line. Chairman Hanover asked for a motion to table this permit request until further information could be obtained. Commissioner Lee made a motion to table the permit. Commissioner Powell seconded the motion. All were in favor. The permit request was tabled until further clarification.

The next day Mr. Buttars decided not to pursue this zoning clearance any further.

3. BUSINESS

- Simple Boundary Line Adjustment – Colby and Tami Nelson

Chairman Hanover recognized Tami Nelson regarding a simple boundary line adjustment. He asked Commissioner Powell to take the lead in the discussion as the Land Use Authority.

Commissioner Powell explained that around 2001 the parent parcel went through a minor subdivision or lot-split process. A secondary home was built on a remainder parcel to the west of the existing parcel. As it now sits recorded, the property lines don't accurately reflect where the property lines should be, as per the 2001 survey. He stated the Commission needed to figure out what happened with the existing survey, get it properly recorded, and review it to

make sure there are no nonconforming buildings or lots created. He explained where the boundary lines should have been after the survey. He wondered if any of them had any issues with him signing a document that would allow a re-recording of the survey to accurately reflect the lot boundaries of the two parcels.

Chairman Hanover noted that the houses looked very close together on the parcel viewer and, short of verifying through a new survey, there was no way to be sure the Commission wouldn't be approving nonconforming lots. Ms. Nelson stated that they received a building permit from the Town with the approved dimensions on it at the time the home to the west was built. She said they had to do the lot split before they built their home. So, the lot was split when they applied for a building permit, and Clarkston Town approved the setbacks at that time. She has been in contact with the county and a title company. She was instructed that all she would need to do was get a signed document (Exhibit A) from the Town stating they could proceed with recording the survey.

Commissioner Powell stated that, in looking at the document, it doesn't put any liability on the Town for making nonconforming lots. It puts the liability back on the Nelsons. He felt that moving forward with the document would only make the lots less nonconforming than they currently are. All the Commissioners agreed.

Chairman Hanover asked for a motion to approve the request and have the document signed by the Land Use Authority. Commissioner Lee made a motion to approve the request. Commissioner Powell seconded the motion. All were in favor. Commissioner Powell, as the Land Use Authority, signed the document.

4. PUBLIC COMMENT

There was no public comment.

5. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Powell made a motion to adjourn the meeting. Commissioner Hidalgo seconded the motion. All were in favor. The Clarkston Town Planning Commission meeting was adjourned at 6:25 p.m.

Holly Jones

Clarkston Deputy Clerk

BOUNDARY ADJUSTMENT AGREEMENT

THIS AGREEMENT entered into this ____ day of August, 2025, by and between **COLBY NELSON AND TAMI NELSON, AS JOINT TENANTS**, of PO Box 104, Clarkston, Ut 84305, County of Cache, State of Utah, herein called the First Party, and **COLBY C. NELSON AND TAMI L. NELSON, HUSBAND AND WIFE, AS JOINT TENANTS**, of PO Box 104, Clarkston, UT 84305 County of Cache, State of Utah, herein called the Second Party.

- 1. The parties own or have equitable interests in adjoining tracts of land in Clarkston City, County of Cache, State of Utah, which adjoining parcels are particularly described as follows:

WHEREAS, the First Party is the owner of the following described tract of land situated in Clarkston City, of Cache County, Utah, to-wit:

THE EAST 165 FT OF LOT 5 BLK 4 PLAT B CLARKSTON TOWN SVY
Tax Parcel No. 15-040-0008

WHEREAS, the Second Party is the owner of the property immediately adjacent to that above described, particularly described as follows, to-wit:

THE WEST 165 FT OF LOT 5 BLK 4 PLAT B CLARKSTON TOWN SVY
Tax Parcel No. 15-040-0065

In order to establish the boundary line between the property belonging to the First Party, and the property belonging to the Second Party, to avoid future conflict and confusion, in consideration of the agreements herein contained, and in consideration of the premises, it is hereby covenanted and agreed as follows:

- 2. By virtue of this agreement, the parties are hereby adjusting the common boundary between their respective tracts of land herein.
- 3. Attached as "Exhibit "A" is a graphic depicting a representation of the location of the newly established boundary, the location of the boundary, and the size, shape and dimensions of each adjusted parcel or lot.

4. After the boundary adjustment, the adjoining tracts of land in Clarkston City, County of Cache, State of Utah, are particularly described as follows:

**Adjusted Legal Description
Part of 15-040-0008**

Part of the Northeast quarter of Section 34, Township 14 North, Range 2 West of the Salt Lake Base and meridian described as follows: Commencing at the Northwest corner of Lot 5, Block 4, plat "B", Clarkson Town Survey and running S88°00'E 115.00 feet along the South Right of Way line of 200 South. Thence S18°38'11" W 35.55 feet. Thence S11°18'50"W 73.76 feet. Thence S88°00'E 190.98 feet. Thence S0°00'W 58.13 feet to the North line of Lot 4. Thence N88°00'W 282.00 feet along said line to the East Right-of-Way line of 200 West. Thence N1°00'E. 165.00 feet along said line to the true point of beginning.

**Adjusted Legal Description
Part of 15-040-0065**

Part of the Northeast Quarter of Section 34 Township 14 North, Range 2 West of the Salt Lake Base and Meridian described as follows: Commencing at the Northeast Corner of Lot 5, Block 4, Plat "B" CLARKSTON TOWN SURVEY and running thence North 88°00' West 216.00 feet along the South right of way line of 200 South; thence South 18°38'11" West 35.55 feet; thence South 11°18'50" West 73.76 feet; thence South 88°00' East 190.98 feet; thence South 0°00' West 58.13 feet to the North line of Lot 4; thence South 88°00' East 49.00 feet along said line to the West line of Lot 6; thence North 1°00' East 165.00 feet along said line to the South right of way line of 200 South and the true point of beginning.

5. Survey dated April 30, 2002 by Peterson Land Surveying reference number 2002-0052.
6. That all parties to this agreement accept said boundary adjustment as the true boundary dividing and separating the respective properties of the First Party from the Second Party and quit claim any right or claim to property on the other side of said boundary adjustment.
7. The parties shall cause or permit this agreement showing the adjusted boundary to be recorded in the office of the Cache County Recorder.
8. That this agreement is binding upon the heirs at law, administrators, executors, successors in interest, and assigns of the respective parties hereto.

WITNESS the hands of the parties the day and year first above written.

FIRST PARTY

SECOND PARTY

Colby Nelson

Colby C. Nelson

Tami Nelson

Tami L. Nelson

STATE OF UTAH }
 SS.
COUNTY OF CACHE }

On this day before me _____, a notary public, personally appeared Colby Nelson and Tami Nelson to me known to be the individual or individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this __ day of August, 2025.

Notary Public

STATE OF UTAH }
 SS.
COUNTY OF CACHE }

On this day before me _____, a notary public, personally appeared Colby C. Nelson and Tami L. Nelson to me known to be the individual or individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this __ day of August, 2025.

Notary Public



Clarkston, UT, ID; Scale: 1" = 0.154Mi 249Mt 816Ft, 1 Mi = 6.474" , 1 cm = 98Mt

VICINITY MAP