



To: Mayor and Town Council
From: Mark C. Meyers, Town Manager *WCM*
Date: February 5, 2026
Subject: Unplugged CUP Appeal

Background

Brody Fausett of Virgin Glamping Ventures, LLC proposes to develop a glamping resort at 131 W Mesa Road. It would include 20 geodesic domes for nightly rental. A larger central dome would serve as a gathering space for small events, corporate retreats, weddings, etc. There will also be a swimming pool and fire pit.

The property is zoned Commercial. Hotel/Motel is a conditionally permitted use. This development falls under the small-scale facilities designation as it would be under 30 lodging units.

Staff considered the proposal at the September 29, 2025, Development Review Committee (DRC) meeting. Staff then developed a report (attached).

The Planning Commission held a public hearing on the CUP application at their October 14, 2025, meeting. The hearing was continued to the November 11, 2025, meeting as the Planning Commission requested a more thorough report from staff that followed ordinance requirements. The Commission voted on the CUP at their December 9, 2025, meeting, adding several more conditions beyond those recommended by staff (attached). Subsequently, Mr. Fausett filed a timely appeal (attached) to the Town Council regarding five (5) conditions as follows:

- 1) Future mandatory sewer connection
- 2) Maximum occupancy of 54 people
- 3) Maximum event capacity of 54 people
- 4) On-site management
- 5) Swimming pool size limit

Recommendation

It is recommended that Town Council discuss the appeal in preparation for formal consideration at the February 17, 2026, Town Council regular meeting.



To: Chair and Members of the Planning Commission

From: Gene Garate, Zoning Administrator

Date: November 6, 2025; *Corrected November 14, 2025*

Subject: Unplugged Conditional Use Permit (CUP) - *Corrected*

Background

Brody Fausett of Virgin Glamping Ventures, LLC proposes to develop a glamping resort at 131 W Mesa Road. It would include 20 geodesic domes for nightly rental. A larger central dome would serve as a gathering space for small events, corporate retreats, weddings, etc. There will also be a swimming pool and fire pit.

The property is zoned Commercial. Hotel/Motel is a conditionally permitted use. This development falls under the small-scale facilities designation as it would be under 30 lodging units.

Staff considered the proposal at the September 29, 2025, Development Review Committee (DRC) meeting. Staff then developed a report.

The Planning Commission held a public hearing on the CUP application at their October 14, 2025, meeting. The hearing was continued to the November 11, 2025, meeting as the Planning Commission requested a more thorough report from staff that followed ordinance requirements. Hence this revised report.

Compliance Analysis and Discussion

No likely adverse effects were identified by the DRC during the CUP preliminary review. Items required to be reviewed such as noise, lighting and screening are addressed in this report.

The applicant for the CUP has demonstrated compliance with *Review Criteria (16.16.20)* as follows:

- A. The CUP application complies with applicable Town, State and Federal laws;
- B. The structures, buildings and improvements associated with the use are generally compatible with surrounding structures of the zone in terms of use, scale, mass, and circulation;

- C. The proposed Conditional Use is not detrimental to the public health, safety, and welfare of the Town and its residents;
- D. The proposed Conditional Use is consistent with the Town's General Plan as amended; (It is vested in the "old" plan.)
- E. Traffic conditions are not adversely affected by the proposed Conditional Use, including the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;
- F. There is sufficient emergency vehicle access;
- G. The location and design of parking and off-street parking complies with Town standards for the zone;
- H. A plan for fencing, screening, and landscaping to separate and mitigate the potential for conflict with adjoining uses exists;
- I. The site has or is planned to have sufficient utility capacity;
- J. Exterior lighting complies with the lighting standards of the zone;
- K. Possible impacts from the proposed Conditional Use on groundwater have or can be mitigated;
- L. Slope retention and flood potential, within and adjoining the site, have been fully mitigated and is appropriate to the topography of the site;
- M. Any possible issues regarding noise have been identified and will comply with Town standards;
- N. Times of operation are consistent with underlying zone;
- O. Adequate General Liability insurance coverage, as necessary.

Staff reviewed the CUP application using the following *standards* (16.16.22):

A. Standard: SAFETY OF PEOPLE AND/OR PROPERTY. Conditions:

- 1. Traffic control:
 - a. Minimizing the traffic flow.
 - b. Directing the traffic flow.
 - c. Limiting the types of vehicles.
- 2. Requiring fencing or other types of protection.
- 3. Requiring additional setbacks or land area. Note that the developer has a written agreement with the adjacent property owner allowing for a reduction in the required 60' setback (16.40.40) per 16.40.14. A.). See attached site plan.
- 4. Lighting for safety.
- 5. General Liability Insurance coverage.

B. Standard: HEALTH AND SANITATION. Conditions:

- 1. Controlling outdoor storage.
- 2. Requiring proper sewer connections or treatments.
- 3. Demanding proper disposal of solid waste abandoned or discarded property, and safety hazards.
- 4. Controlling dust or other types of air pollution.

C. Standard: ENVIRONMENTAL CONCERNS. Conditions:

- 1. Enforcing well-head protection standards, when applicable.
- 2. Requiring planting or ground cover to control dust, runoff, and erosion.

3. Enforcing necessary standards for the protection of watershed.
4. Controlling the disposal of hazardous materials.
5. Requiring no special uses of resources.

D. Standard: THE GENERAL PLAN. Conditions:

1. Protecting the quality of the underlying zone.
 - a. Traffic.
 - b. Lighting.
 - c. Esthetics.
 - d. Noise.
 - e. Landscaping.
 - f. Open space areas.
 - g. General use and design.
2. Encourage diversity of business.
3. Promote small, locally owned businesses
4. Encourage agricultural activities such as ranching and equestrian use.

Note that the above includes conditions that are not covered in the municipal and land use codes. The proposal also complies with those codes.

Recommendation

Staff recommends that Virgin Glamping Ventures, LLC's CUP application related to its proposed development at 131 Mesa Road, be approved with conditions as follows:

- Fast growing vegetation forming a wall of 6 feet minimum to be planted and maintained along south border.
- Low lying bushes to be planted and maintained along north border.
- No string lighting
- Signage facing south or southwest must have lighting that is dimmed or shut off during night hours.
- When/if WCACSD makes sewer available development is required to hook up at owner's expense
- Backflow preventers must be tested annually.
- On site management required during events conventions or other large gatherings
- Town shall be provided with contact information in writing of management both on site and off site annually.
- Remoted metering of sound to be put in place and maintained by owner or designated manager.

This permit is for a Motel use. Motels have now been deemed unsuitable and prohibited in all zones except Highway Resort. However, this application was first received prior to that prohibition.

The parcel upon which this Motel is to be constructed is zoned Commercial. Under Title 16 of the VMC, Commercial zoning is only available on parcels fronting SR9; however, Commercial zoning was acknowledged by the Town at the time it was divided from its parent parcel, and so we treat it accordingly.

A Motel in a Commercial zone requires a setback of 60 feet from other zones. However, our current ordinance permits adjustment of this setback with agreement from an adjoining landowner, and such an agreement, reducing this setback to 10 feet, has been formally recorded with the neighboring homeowner to the north.

The circumstances of this application require us to consider how to mitigate potential harm to a very close neighbor as well as to the goals of the surrounding area and the Town. Some of these conditions are the recommendations of the DRC with or without slight modifications; others are based on the standards to be found in Title 16, Chapter 16 or other chapters of the Virgin Municipal Code, or the Virgin General Plan. In addition to basic standards found in 16.40.36 and the completion of requirements per each member of the DRC, The Planning and Zoning Commission finds that the following specific conditions are based on the goals and requirements of our professional staff, our General Plan, and/or our Municipal Code, and that they will sufficiently mitigate the unique challenges anticipated of the Unplugged Motel.

1. Within one year of WCACSD sewer reaching 300 feet of property owner is required to hook up at own expense.

The Planning and Zoning Commission finds this condition will help to fulfill VMC code requiring proper sewer connections or treatments and protecting the watershed-- from DRC (including Ash Creek Sewer District & Washington County Water Conservancy) and VMC: d. 16.16.22.B.2,3 and C.3

Backflow preventers must be tested annually.

The Planning and Zoning Commission finds this condition will help to fulfill VMC code requiring proper sewer connections or treatments. Protecting the watershed. from DRC and VMC: 16.16.22.B.2,3 and C.3

Fast-growing vegetation forming a wall of 6 feet minimum to be planted and maintained along east, west and south borders.

The Planning and Zoning Commission finds this condition will help to fulfill VMC requirement of protecting views from the highway and forming a buffer from adjoining property. From DRC, GP section 4 and VMC 16.16.22.A.2& D.1.c and elsewhere

Low lying bushes to be planted and maintained along north border.

The Planning and Zoning Commission finds this condition will help to fulfill VMC requirement of forming a division from extremely close rural residential home for dust and straying guests. From DRC and VMC: 16.16.22.A.2, B.4, C.2)

Remote metering of sound to be put in place at parcel boundaries and maintained by owner or designated manager (see Quiet Time, below).

The Planning and Zoning Commission finds this condition will help to fulfill VMC and General Plan requirements that we preserve the peace of neighbors and neighborhoods. From DRC and VMC 16.16.20, GP 5.03.d.1

On-site management available 24 hours to serve guests and respond to general complaints/emergencies.

The Planning and Zoning Commission finds this condition necessary under the Virgin GP and VMC 16.16.20 to mitigate nuisance or harm to extremely close neighbor. This is historically required of hotel/motel. Unlike a STR, a motel provides on-site management to ensure immediate response for guest and neighbor safety, noise, light and other disturbance. DRC required this during events. (All lodging has recently been deemed unsuitable and is now prohibited in Residential, Rural Residential, and Commercial zones, except for Residential Hosting, which requires the owner or permanent resident to live on site.)

Signage lighting shall be turned off or dimmed by 9pm.

The Planning and Zoning Commission finds this condition necessary to prevent light disturbance to neighbors and protect our dark sky. General Plan, VMC, and particularly 16.50 require Dark sky protection. Also preventing light disturbance to neighbors.

Swimming pool limited to maximum 850 square feet of surface area.

The Planning and Zoning Commission finds this to satisfy our current codes and agreements with WCD, which tell us to prevent overuse of public resources and to conserve water: GP and 16.16.22.C.5. The current draft of the Washington County Water Conservancy District Ultra Efficiency Standards would limit to 650 sq. ft.

Dome skins must be fire retardant, of a color to blend with surroundings, and truly opaque.

The Planning and Zoning Commission finds this condition necessary to fulfill numerous provisions of General Plan and Municipal Code intended to preserve night sky, prevent any upward light escape, prevent disturbance to viewshed. GP 4.01, 4.02, 4.03; VMC 16.16, 16.40.46, 16.50

Any transparent or translucent areas of structures which allow upward light escape must be covered whenever interior is lit.

The Planning and Zoning Commission finds this condition necessary to preserve night sky and prevent any upward light escape. GP 4.01, 4.02, 4.03; VMC 16.50

All lighting shall comply with current VMC Chapter 50 as amended; string lights may be used for temporary gatherings if fully shielded and turned off by 9pm.

The Planning and Zoning Commission finds this condition to satisfy our town code and General Plan, which require us to preserve the dark sky and avoid disruption of viewshed; to this end, applicant agrees to comply with all provisions of our lighting ordinance, and, notwithstanding the DRC recommendation to prohibit string lights, to use them if desired, as limited by this condition. All previous lighting references, plus GP 4.03 View preservation.

All signage shall comply with current VMC Chapter 52 (review in Municode under ordinances yet to be codified).

The Planning and Zoning Commission finds sign regulations necessary to ensure that town views are maintained while providing for effective use of signage that is compatible with surrounding development. (see 16.16.50 and GP 4.03)

Stick to plan in accordance with VMC and these imposed conditions as submitted.

We include this as a reminder, but under municipal code, if use is altered from that which was originally approved or permitted in accordance with VMC, the CUP may be nullified and/or voided after a decision by the Town Council at a public meeting. (VMC 16.16.02(B) and (C)) Town may inspect during construction and in response to complaints (VMC 16.16.18).

Day and night maximum capacity of 54 people.

The Planning and Zoning Commission finds strict capacity limits to be critical to protection of neighbors; this is also the capacity based on the specifics of the septic system. (from Ash Creek permit, 16.02.04,16.16.22.A.1.a & 16.16.22.D.1.a,d,g)

Quiet time is between 9:00 p.m. and 7:00 a.m.

The Planning and Zoning Commission finds strict quiet times necessary to preserve the peace of unusually close neighbors and to prevent disturbance of surrounding area of noise of crowds or music. Decibel limits are to be measured at the nearest property boundary to the sound source. Daytime decibel limit is 60, and quiet time limit is 50 Db. Exception may be made for construction to the Daytime limit; there shall be no exceptions to the Quiet Time limit.

Events prohibited unless limited to maximum 54 guests.

The Planning and Zoning Commission finds strict capacity limits to be essential to protection of neighbors and for proper sanitation; this condition is important to mitigate negative impacts of noise, lighting, and traffic on residents and landowners. This is also the capacity based on the specifics of the septic system. Also, on-site parking is limited. From Ash Creek permit, and GP 5.03, VMC 16.16.20, 16.02.04,16.16.22.A.1.a & 16.16.22.D.1.a,d,g



TOWN VIRGIN
114 S. Mill Street
PO Box 790008
Virgin, UT 84779
(435) 635-4695

TOWN USE ONLY
Application Fee: \$500.00 + Professional Fees (per
agreement) & Noticing Fees
(non-refundable)
Date Application Fee Paid: _____
Check #: _____ Staff Initials: _____

APPLICATION FOR APPEAL

*Appealing a decision from the Zoning Administrator, Planning Commission or Town Council.
All Appeals are subject to Chapter 3 of VULU*

Name: Brody Fausett Authorized Agent (if applicable): _____

Phone # (435) 669-8037 Cell # () Email: bfausett11@gmail.com

Mailing Address: 31 Iliahi way,
Lahaina, HI 96761 Date of Action: _____

If the Appeal involves a land use application, the Address of the property: _____
MESA ROAD VIRGIN, UT 84779

If the Appeal involves a land use application, the Zoning District of the property: _____

TYPE OF APPEAL

Please *put a check by the provision under which you are making this request.*

- Appeal from final decision of the Zoning Administrator applying the provisions of VULU.
- Appeal from a Planning Commission final decision
- Appeal from a Town Council final decision

APPLICATION REQUIREMENTS

1. All appeals must be filed with the Town within fifteen (15) days of the date of the decision. An appeal is not considered fully filed unless the application is completed and filed along with the Application Fee.
2. Provide a written narrative specifying the nature of the appeal.
3. Provide supporting documentation, maps, pictures, studies or any other information that would allow the Appeal Authority to make a well-informed decision.

APPLICANT(S) CERTIFICATION

I declare that the information set forth herein (or attached) is true and correct to the best of my knowledge and belief.

Applicant's Signature: _____ Date: 12/14/25

Applicant's Signature: _____ Date: _____

APPEAL OF CONDITIONAL USE PERMIT CONDITIONS

APPEAL OF CONDITIONAL USE PERMIT CONDITIONS

Unplugged Project – Virgin, Utah (MESA ROAD VIRGIN, UT 84779)

Appeal from Planning & Zoning Commission Decision dated December 10, 2025

I. INTRODUCTION AND SCOPE OF APPEAL

This appeal challenges specific conditions imposed by the Virgin Town Planning and Zoning Commission as part of the Conditional Use Permit approval for the Unplugged project.

The Applicant does not appeal the approval of the Conditional Use Permit itself, nor does the Applicant challenge reasonable, impact-based conditions addressing legitimate land-use concerns such as lighting, noise limits, quiet hours, landscaping, fire safety, or management availability.

This appeal is narrowly focused on a limited subset of conditions that exceed the lawful scope of conditional use authority under Utah Code §10-9a-507 and the Virgin Municipal Code, are not supported by substantial evidence in the record, or improperly rely on standards that do not regulate the impacts cited.

The Applicant respectfully requests that the Appeal Authority modify or remove the challenged conditions to ensure the CUP remains lawful, proportional, evidence-based, and consistent with vested rights.

II. PROCEDURAL HISTORY AND RELIANCE ON TOWN DIRECTION

The Applicant engaged in extensive pre-application coordination with the Town, including two Development Review Committee meetings. Throughout this process,

Town staff guided the Applicant through preparation and submission of a complete building permit application.

In June 2024, the zoning administrator and building inspector reviewed the plans, confirmed compliance, and signed off on the building permit application. The Applicant was expressly informed that all substantive requirements had been satisfied and that issuance of the building permit was pending only payment of the water impact fee, which was delayed due to a mathematical error acknowledged and later corrected by the Town.

At no point during this period was the Applicant informed that a Conditional Use Permit was required, nor was the application processed as a motel requiring CUP review. The Applicant reasonably relied on the Town's guidance, approvals, and representations and incurred substantial expense in reliance on that direction.

After subsequent zoning amendments removed lodging uses from the Commercial zone, the Town initially asserted that the project could no longer proceed. Only after the Applicant, through counsel, established that the project was vested did the Town reverse course and require a Conditional Use Permit, retroactively applying standards and conditions that had not been part of the earlier review.

This procedural history is provided for context and to preserve the record. The Applicant raises it not to relitigate vesting, but to demonstrate good-faith reliance on Town direction and to underscore the importance of limiting CUP conditions to those that are lawful and proportional.

III. LEGAL STANDARD GOVERNING CONDITIONAL USE PERMITS

A. Conditional Use Authority Is Limited

Under Utah Code §10-9a-507(2)(a), a land use authority shall approve a conditional use if reasonable conditions can mitigate the reasonably anticipated detrimental effects of the proposed use.

This statute imposes clear limits:

- Conditions must mitigate identifiable land-use impacts
- Conditions must arise from the conditional aspect of the use

- Conditions must be supported by substantial evidence

A Conditional Use Permit is not a mechanism to reopen zoning decisions, downgrade a zoning district for one applicant, impose speculative future obligations, or advance policy goals not codified at the time of vesting.

Utah courts consistently reject the use of CUPs as a form of use-specific downzoning.

B. Reasonable Conditions Versus Overreach

The Applicant acknowledges that reasonable operational conditions are appropriate and necessary. Conditions such as decibel-based noise limits, quiet hours, lighting controls, buffering, and management availability are valid tools to mitigate impacts associated with lodging uses.

The issue presented in this appeal is not whether conditions may be imposed, but whether certain conditions exceed what is reasonable and proportional when compared to the impacts identified and the standards applicable to other uses in the same zoning district.

Where less restrictive measures adequately mitigate an impact, imposing more burdensome conditions exceeds the scope of reasonable mitigation contemplated by statute.

C. Vested Rights and Applicable Standards

The Town has acknowledged that this application vested prior to adoption of several zoning changes and policy initiatives. Under Utah Code §10-9a-509, the application must be evaluated based on standards in effect at the time the application was complete.

While duly adopted ordinances are enforceable even if not yet codified, draft standards, aspirational goals, or future policy objectives may not be used to justify CUP conditions.

IV. CONDITIONS ACCEPTED AND NOT IN DISPUTE

The Applicant does not challenge conditions addressing:

- Landscaping and buffering

- Fire-retardant materials
- Dark sky compliance and shielding
- Decibel-based noise limits
- Quiet hours
- Sign code compliance
- Lighting curfews
- On-site staffing during events
- Management availability for emergencies

These conditions directly mitigate identifiable impacts and fall within the lawful scope of CUP authority.

V. CONDITIONS CHALLENGED IN THIS APPEAL

CONDITION A

Mandatory Sewer Connection Within One Year of Sewer Availability

Condition:

"Within one year of WCACSD sewer reaching 300 feet, owner is required to hook up at own expense."

Why the Town's Cited Code Appears Applicable:

The Commission cites provisions addressing protection of water quality and proper wastewater treatment.

Why the Code Does Not Support This Condition:

The project is already served by a Health Department-approved septic system designed in compliance with Utah Administrative Code R317-4. No current wastewater impact exists requiring mitigation.

This condition regulates a hypothetical future infrastructure scenario and imposes a future financial obligation unrelated to any demonstrated land-use impact of the approved use. Sewer connection requirements are governed by state law and utility regulations and will apply automatically if triggered in the future. A CUP is not the proper vehicle to impose that obligation.

Requested Relief:

Remove this condition in its entirety.

CONDITION B

Maximum Day and Night Occupancy of 54 People

Condition:

"Total day and night occupancy shall be limited to a maximum of fifty-four (54) people."

Why the Town's Cited Code Appears Applicable:

The Commission references septic system capacity and general impact mitigation provisions.

Why the Code Does Not Support This Condition:

The septic report evaluates estimated daily wastewater flow associated with overnight lodging use. It does not establish a zoning occupancy limit, event capacity, or instantaneous headcount restriction.

Wastewater engineering standards regulate sanitation, not land-use intensity. Converting an engineering assumption into a blanket zoning cap misapplies the purpose of the report and is not supported by substantial evidence.

Noise, traffic, and parking impacts are already regulated through enforceable performance standards. No evidence demonstrates that 55 people would create a materially greater impact than 54.

Requested Relief:

Modify the condition to clarify that the 54-person figure applies only to overnight lodging capacity assumed for wastewater design purposes, not total site occupancy.

CONDITION C

Event Restrictions Limited to 54 People

Condition:

"Events prohibited unless limited to a maximum of 54 guests."

Why the Town's Cited Code Appears Applicable:

The Commission cites general plan goals and nuisance mitigation provisions.

Why the Code Does Not Support This Condition:

The Commercial zoning district already permits a baseline level of gatherings, assemblies, traffic, and noise subject to code limits. A CUP may regulate impacts arising from overnight lodging but may not prohibit activities already allowed in the zone absent evidence of materially greater impact.

The record contains no traffic study, no parking deficiency finding, and no noise analysis demonstrating that events compliant with noise and parking standards are inherently incompatible.

This condition functions as a de facto prohibition rather than an impact-based mitigation.

Requested Relief:

Replace the blanket restriction with performance-based standards or require separate event permitting if applicable under existing code.

CONDITION D

24/7 On-Site Management Requirement

Condition:

"On-site management available 24 hours."

Why the Town's Finding Appears Plausible:

The Commission asserts that continuous on-site management is historically required of motel uses.

Why the Finding Is Inaccurate:

The Virgin Municipal Code definition of a motel references an on-site management office but does not require continuous physical presence, overnight residency, or 24/7 staffing. The code describes typical characteristics for classification purposes, not mandatory operational standards.

The Commission's finding conflates common industry practices with codified legal requirements. No ordinance provision mandates continuous physical presence.

Given other imposed conditions such as decibel limits, quiet hours, event staffing, and management availability, the record contains no evidence that continuous

physical presence is necessary to mitigate impacts.

Requested Relief:

Strike the finding characterizing 24/7 physical presence as a motel standard and modify the condition to require 24/7 management availability and response capability, with on-site staffing during events.

CONDITION E

Swimming Pool Surface Area Limitation

Condition:

"The swimming pool shall be limited to a maximum surface area of 850 square feet."

Why the Town's Cited Code Appears Applicable:

The Commission references water conservation goals and efficiency standards.

Why the Code Does Not Support This Condition:

Water consumption is determined by volume, not surface area. Surface area is an arbitrary proxy that does not meaningfully address water use.

Water demand, sanitation, filtration, and backwashing are already evaluated by the Health Department and utility authorities. Pool-related water use does not directly correlate to septic capacity and is already regulated through existing approvals.

Imposing a surface-area limit through a CUP introduces a design restriction unrelated to land-use impacts:

Requested Relief:

Remove the pool surface area limitation or defer all water-related considerations to the Health Department and utility authorities.

VI. CONCLUSION

This appeal does not seek to eliminate reasonable conditions. It seeks to ensure that Conditional Use Permit conditions remain lawful, proportional, evidence-based, consistent with vested rights, and limited to mitigating impacts arising from the conditional nature of the use.

**ACKNOWLEDGEMENT AND AGREEMENT FOR PAYMENT OF
ADDITIONAL PROFESSIONAL FEES**

Name of Owner/Applicant: Brady Fawcett

Type of Application: Appeal of CJP

The Town of Virgin requires that all applicants agree to pay the actual out-of-pocket professional fees incurred by the Town in relation to your application/request. These professional fees include all fees paid by the Town to Engineers, Surveyors, Attorneys, Planning & Zoning Consultants and Administrators, etc. The Town may be able to give you an estimate of these costs, but because of differences in each application and situation it is not a quotation of a fixed amount. Because of the size of the Town and its budgetary constraints many of these professional services must be outsourced to third parties who charge for their services on an hourly basis. In instances of applications for a variance or applications for administrative appeals where the request will be heard and determined by the Town's Appeal Authority (a single member body who is a practicing municipal attorney other than the Town Attorney) the legal fees incurred by the Town will include both those of the Appeal Authority and the Town's Attorney who will be involved in the matter to represent the Town's interest in ensuring compliance with Town Standards. These fees shall be paid prior to the release of permits/licenses and any approvals for a variance or positive appeal decisions will be suspended and not become effective unless and until payment in full has been received by the Town. In the event an applicant fails to pay any aforementioned fees, the Town may recover all costs of collection including reasonable attorney's fees and costs.

AGREED TO BY:

OWNER/APPLICANT:

DATE: 12/29/25

OWNER/APPLICANT:

DATE:

STATE OF UTAH

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15

COUNTY OF WASHINGTON

1

On this 29 day of December, in the year 2025, before me personally appeared Brody Fawsett, 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.

SEAL:

Notary Public



MACRAE HEPPLER
Notary Public
State Of Utah
My Commission Expires 06-09-2027
COMMISSION NO. 731608

The Applicant respectfully requests that the Appeal Authority modify or remove the challenged conditions consistent with Utah Code §§10-9a-507 and 10-9a-509.

