

**MINUTES OF THE MEETING OF
THE RUSH VALLEY PLANNING & ZONING COMMISSION
HELD ON FEBRUARY 4, 2026 AT THE RUSH VALLEY TOWN HALL
52 SOUTH PARK STREET, RUSH VALLEY, UTAH
THE MEETING BEGAN AT 7:02 P.M.**

Planning & Zoning Commission Members Present: David Andersen, Paul Bishop, Scott Hawkins, Kyle Russell, and Carl Wall

Appointed Officers and Employees Present: Attorney Rob Clegg, Clerk/Recorder Patty Rowe, and Engineer Doug Kinsman

1. Roll Call. David Andersen, Scott Hawkins, Carl Wall, Paul Bishop, and Kyle Russell

2. Approval of Meeting Minutes – January 7, 2026. Carl Wall made a motion to approve the minutes for January 7, 2026 and Paul Bishop seconded the motion. All present voted in favor and the motion carried.

Agenda item 7 - OPMA Training was moved up on the agenda to accommodate meeting attendees that were running late.

3. Approval of Conditional Use and Building Permit – Basement Finish for Scott Hawkins at 151 N. Kruletz Lane. Scott Hawkins was present and requested a conditional use permit for an accessory dwelling unit (ADU) in his basement. There is no issue with parking and one of the conditions of the CUP is that parking will be in the driveway, not on the street. Carl Wall made a motion to approve the CUP for an ADU and Paul Bishop seconded the motion. All present voted in favor and the motion carried. Scott Hawkins did not vote on the motion.

Scott Hawkins also requested a building permit to finish his basement. His contractor, Honest Construction, was present and provided necessary paperwork for the permit. Carl Wall made a motion to approve the building permit to finish a basement and Paul Bishop seconded the motion. All present voted in favor and the motion carried. Scott Hawkins did not vote on the motion.

4. Approval of Building Permit - Solar Battery Backup for Janice Thomas at 610 N. Main Street. Robert Thomas was present and requested a permit for a battery backup for his existing solar system. A representative from the solar company was also present to answer questions. The battery backup will be installed on the side of the house and not enclosed in a structure. A permit for an electrical upgrade was submitted separately. Scott Hawkins made a motion to approve the building permit for a solar batter backup and Carl Wall seconded the motion. All present voted in favor and the motion carried.

5. Approval of Conditional Use Permit – Greenhouses for Charles Lenker at 50 E. Pine Street. Charles Lenker, 4279 S McKay Street, Taylorsville, was present and would like to utilize the existing buildings for greenhouse technology. Mr. Lenker does not own the property yet and was told that the current owner of the property must obtain the CUP. He was also told that the parcel has exceeded the square footage of structure coverage allowed and no other buildings can be placed on it. If Mr. Lenker is only growing plants as a hobby or for personal use, a CUP is not required, but if he sells plants or allows the public into the greenhouses, a CUP would be required. A business license would also be required. After discussion, Mr. Lenker decided to withdraw his CUP application.

6. Public Comments. Attorney Rob Clegg responded to a question from Planning & Zoning Commission member Kyle Russell regarding why the Commission approves building permits instead of having them approved by a zoning administrator. Attorney Clegg explained that utilizing Ensign Engineering to issue building permits is an option; however, the Planning and Zoning Commission would need to initiate the process and bring the matter forward for discussion and potential approval to change town code.

Charles Lenker asked how to resolve the zoning issue with the greenhouse property at 50 E. Pine Street. He was told that the greenhouses are already approved but there can be no expansion on the parcel. It will be treated as a legal non-conforming lot.

Commission member Kyle Russell asked what size building requires a permit and was told that anything larger than 120 square feet. This is not in the town's land use code, but in State code to which we must adhere. Kyle also asked where to find the cost of a building permit and was told that Ensign Engineering assigns costs that are driven by the State code.

Scott Hawkins asked if the town council approved the boundary line adjustment for Scott Holladay and he was told that it was approved.

Clerk/Recorder Patty Rowe asked for a status of the variance for the Vance and Betty Sagers Trust. Engineer Doug Kinsman said that they are still working with the recorder's office and will need to bring it back to the Commission for formal submission.

7. Open and Public Meetings Act (OPMA) Training. The training video was provided to all Planning & Zoning Commission members and a training roster was signed.

8. Adjourn. Kyle Russell made a motion to adjourn. Paul Bishop seconded the motion. All present voted in favor and the motion carried. The meeting ended at 8:19 p.m.