

Hinckley Town Council  
Town Council Chambers  
161 East 300 North Hinckley, UT

May 7, 2026


**Re:** Findings Regarding Souvall Investments (Michael Zurn) for the Duplex Application for Lots 10 and 11, Hinckley Meadows Subdivision

Pursuant to the recommendations of the Town Attorney and following a review of the record regarding the "Application to Appear" submitted by Michael Zurn, the Hinckley Town Council hereby adopts the following formal findings:

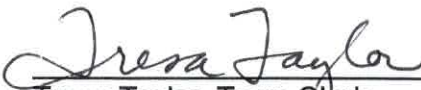
1. That the materials submitted (an "Application to Appear" form, manufacturer's sales literature, and two hand-drawn lot sketches) do not constitute a "complete land use application" within the meaning of Utah Code § 10-9a-509(1)(a) and (1)(c), particularly given the absence of any Land Use Application, Property Affidavit, Building Permit Application, Building Permit Checklist, Inspection Notice Form, Right-of-Way Encroachment Agreement, or Utility Applications, and given the applicant's own statement to the Commission that he was "not ready for a building permit";
2. That no application fees were paid as required by Utah Code § 10-9a-509(1)(a)(i) and the Town's consolidated fee schedule;
3. That the materials presented did not contain sufficient site-specific information against which compliance with Title 10 could be substantively reviewed, and that the P&Z's vote did not constitute substantive review of a complete application within the meaning of Property Rights Ombudsman Advisory Opinions 88, 130, 254, and 259;
4. That the P&Z's action was at most a procedural acknowledgment of the "Application to Appear" and not a vesting-triggering approval, and to the extent the Commission purported to confer substantive approval on the materials presented, it acted outside the scope of authority delegated to it under Title 10;
5. That no vested rights attached, and that any future construction on the subject property must comply with Title 10 of the Code as currently in effect, including the use restrictions applicable to the zone in which the property is located; and

6. That the Council formally initiated proceedings to amend Title 10 in a manner prohibiting approval of the proposal as submitted on January 14, 2025, which preceded the submission of the "Application to Appear" on March 19, 2026, accordingly, the pending-ordinance exception of Utah Code § 10-9a-509(1)(a)(ii)(B) provides an independent and additional ground for the conclusion that no vested rights attached.

**ADOPTED** by the Town Council, Hinckley, Utah, this **7th day of May, 2026**.

  
 \_\_\_\_\_  
 ALAN MILLER, Mayor  
 Hinckley Town

Attest:

  
 \_\_\_\_\_  
 Tresa Taylor, Town Clerk  
 Hinckley Town

Vote As Recorded:

	AYE	NAY	ABSTAIN	ABSENT
Chris Mork	<u>  X  </u>	_____	_____	_____
Skip Taylor	<u>  X  </u>	_____	_____	_____
Ron Black	<u>  X  </u>	_____	_____	_____
Kristi Townsend	_____	_____	_____	<u>  X  </u>
Alan Miller	<u>  X  </u>	_____	_____	_____