

Rockville Planning Commission
Regular Meeting Minutes
April 14, 2026
6:00 pm

1. **CALL TO ORDER – ROLL CALL.** Chair Arnold called the Rockville Planning Commission meeting to order at 6:00 pm. Planning Commission members in attendance were Tim Arnold, Jane Brennan, Layney DeLange, Skyler Davis and Angle Frabasilio. Linda Brinkley was excused. Skyler Davis will be a voting member in the absence of Linda Brinkley. Town Clerk Shelley D. Cox was recording the meeting
2. **PLEDGE OF ALLEGIANCE:** Chair Arnold led the audience in the Pledge of Allegiance.
3. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM.** No conflicts were declared.

PUBLIC COMMENT: No comments were made.

4. **DISCUSSION OF CONCEPTUAL DESIGN FOR AN ACCESSORY BUILDING AT 115 EAST MAIN-SOFIA OPMANIS.** Chair Arnold invited Sofia Opmanis to come to the podium and explain her request. He also reminded the Planning Commission members that this was just a discussion to give her some options to resolve her code violation at her home and no vote would be taken. Sofia Opmanis explained she had lived in Rockville for two (2) years at this address. She said she is committed to resolving this cooperatively and following the Town Code. The Code violation is she presently has two (2) buildings being lived in full time on one property, the main residents and a small accessory building behind the home. It is a small 384 square foot wood building in the back that is a permanent structure on a concrete slab that has been there since the early 70s, which is before Rockville was incorporated in 1987. She presented photos from Washington County in 1974 that clearly shows the cabin was already on the property. The building also has a permanent steel patio roof on a concrete foundation that is exactly 10 feet from the main home porch. When she purchased the property, the water and sewer were already connected. Since then, she has only made minor repairs. She did not add any new lines nor increase the size, and she has made no structural changes. She said the Commission may be thinking, no one ever lived there full-time, because that's something that's been brought up to me already. That is true. It was never a full-time residence from what she knows in the last two (2) years. She said Chapter 6 in the Land Use Code does not require that someone had lived in it full-time. It only says that a non-complying structure is presumed abandoned if it remains completely vacant for a year. The cabin was never vacant. In contacting the previous owners, the cabin was used for a horse barn, art studio, workshop, and the utilities were never disconnected, and have been connected since the building was there. And it has been actively maintained by all the previous owners, including myself. She also has significantly reduced the overall water usage since moving in. As a Pipeline Board Member, she takes conservation very seriously. Because the cabin was already there long before the Town ever existed, and long before the Code was adopted or amended, and because she hasn't changed anything, she respectfully asks that the Planning Commission to recognize it as a pre-existing, non-complying structure under Chapter 6. She is open to any fair resolutions that you have and thanked the Commission for their time. Chair Arnold thanked Sofia Opmanis for her presentation. He said the options are in our Town it is not attached to the home, so, according to Town rules there's no renting of accessory buildings. The Town does allow an interior accessory building and which can be rented out for a period of not less than 30 days at a time. He said the only way he sees to resolve the issue is that it must be attached to the main home in order to use the building. Sofia Opmanis said she lives in the small building and rents the main home, but she is the property owner.

Jane Brennan said the issue is not that the building was there, the issue is the use changed and it had not been a residence ever or for a decent amount of time. She said when Tamara Burton, the previous owner, moved in, she saw that building and it was a tack shed that was an armpit and it was not only not lived in, but it was also not livable. Maybe before you bought it, Tamara Burton made some conversions. However, they were not legal conversions. Chair Arnold asked what year Tamara Burton purchased the property? Jane Brennan said she thought it was six (6) to eight (8) years ago.

Chair Arnold said the building can exist. The water is already hooked up and we're not saying you have to disconnect that at this time, but the problem is with the renters. The current Town Code is an accessory dwelling unit cannot be rented on a property. Jane Brennan said to clarify there's two residences on this property and it is not allowed according to Town Code. When Sofia Opmanis came into the Office for this request, she presented a plan to attach both buildings which the Commissioners have in the packet along with the letter she received regarding the Code violation.

The Planning Commission discussed why this Code about temporary living spaces was the code violation referenced. In Chapter 6 it mentions only one (1) residence per lot. However, Clerk Cox said the complaint was that the accessory building was being lived in more than allowed as temporary which has a limit of 15 days. Sofia Opmanis asked if she could see the actual complaint and who filed it. Clerk Cox said the complaint could be viewed through a GRAMA request, but the name would be redacted.

Sofia Opmanis said she had different aerial maps photographed of Rockville starting in 1974 showing the building is there before the Town incorporated. Which is before the ordinance was adopted so is pre-existing and should be allowed. The Planning Commission reiterated it is not the building in question it is the use of the building. It had not been lived in previously and was non-conforming. Since Sofia Opmanis has moved into the building and living in it permanently presents the problem. Sofia Opmanis questioned the use as there is no mention of how it was used over the years nor is this issue addressed in the Code. Jane Brennan said she had been in the building when the previous owner purchased the property, and it was a tack shed. Sofia Opmanis said it was a ranger cabin in Zion Park, and in the 70s, Zion sold them, and many people in the area acquired the cabins, her property being one of them. In the aerial photographs it shows that property in the 70's. When the shed was purchased, it had been lived in as a ranger home. It had water and plumbing to it in the park as a livable unit. Sofia Opmanis said Town Code references you cannot increase the square footage; she was not the one that connected the water and she has not made any structural changes. She said when a plumber came to repair the front home, he reviewed the shed and it was connected to the sewer system already. She said all she did was make minor repairs. The floor itself is still the concrete slab, which is the exact concrete slab the previous owner had. The drywall was scratched up, and she replaced some pieces of the drywall and added a toilet. The toilet was not there, but the plumbing was there. She said she feels this allows her to live in the shed.

Jane Brennan said she would like to call everybody's attention to Chapter 6.4. as it states any non-conforming use, or non-conforming structure. And we're talking about the use here that is determined to be by the Town to be abandoned, shall not therefore be reestablished or resumed. And a non-complying structure abandonment may be presumed to have occurred if a majority of the primary structure associated with the non-conforming use has voluntarily been demolished or the non-conforming use has been discontinued for a minimum of one year. She said she was in the shed when purchased by the previous owner there was enough dust in the tack shed to make it not livable. Jane Brennan asked if it was livable when Sofia Opmanis bought it. Sofia Opmanis replied to definitions of livable are probably very different between us. She said what she is saying is that the Code never says anything about it being livable. It references if it was vacant and abandoned. That structure was never vacant or abandoned. She had spoken to other previous owners, and it was never vacant or abandoned. Jane Brennan said it was abandoned as a residence. Sofia Opmanis said yes but it was never vacant and still had utilities. Jane Brennan replied it was abandoned as a residence and was not being used as a residence since that time. She said even when the property was purchased by Sofia Opmanis the small building was not being used as a residence. Sofia Opmanis said she understands why this code was put into place and she moved to Rockville because she loves that growth is not allowed and there's no businesses in Town and it's a special Town. She said she does not think it is okay for other people to add structures to their property and changing the Town Code. She said she is trying to ask the Planning Commission to view this as noted in Chapter 6 as this structure was here in the 70s. She didn't increase the square footage. Nor did she do anything structural. In the aerial photos you can see the building with a permanent foundation from the 70's. Jane Brennan said again the building is not the issue. Chair Arnold said the Planning Commission completely understands the building is fine and the water in it right now is fine. Sofia Opmanis said in reviewing Chapter 8 to add or connect the buildings together they are 10' apart. Skyler Davis asked if connecting the two buildings together would resolve the issue. Jane Brennan said absolutely. She could build a building and connect the current two buildings. Jane Brennan asked if there was a possibility she would be able to attach this building to the primary structure. Sofia Opmanis said financially, the answer is no. It would be incredibly expensive to do that so that would not be an option. Skyler Davis said in his reviewing the Codes it states no alterations can enlarge or expand any structures housing the use are made for the purpose of expanding the use for the non-conforming building. To connect the two would mean expanding the footprint of that building and giving it a different use. Would it not still be non-complaint? Jane Brennan said this would be viewed as expanding the main house and adding another room between the two buildings. She said it would not change the non-complying building but would make the whole structure from 384 to 1589 because it's attached. She said if it's attached this would then not be a non-complying structure. Angie Frabasilio said then it would be a building permit as an addition to the home. The Planning Commission discussed the wording and uses of accessory buildings. Jane Brennan said when Megan Orton wanted to attach her garage,

there was the same discussion. She could add a room to attach it, but she can't just add an alleyway to attach it. Skyler Davis asked if the detached garage for Megan Orton was a compliant structure previously? Jane Brennan said in a way, yes, in a way, no. Skyler Davis said this would be a pre-existing non-compliant structure and according to Code it says specifically for those, you can't expand them. Jane Brennan said she felt the only solution that can be offered is to connect the two buildings. Angi Frabasilio said because that's not an addition to the non-compliance, it's an addition to the home. Chair Arnold said he feels it comes down to language on that one. He said to be clear it is the use of the building not the building itself that is the issue. He said this is wording that needs to be clearer. He said renting out the front home and having two separate residences on the property is the problem.

Sofia Opmanis said the cabin had the appropriate plumbing from when it was a ranger cabin 100% previously, so when it was relocated to Rockville the previous owner simply connected into the Rockville utilities for the sink and a shower. The toilet itself had a ring, and there was a little thing out of the wall for the toilet connection. She did put in a toilet, and it is connected to the main sewer system. She said when she first acquired the property, there was a plumbing issue in the main house. When a plumber came out, and used a camera, to follow the drains she had him scope the accessory building as she believed it was on a septic tank. The plumber verified it was connected to the sewer system. Since then, she had conducted research to see when the cabin was actually relocated there in the 70s. She said with Chapter 8, allowing the one house per lot, which is the current rule, however this cabin was relocated to Rockville decades before Chapter 8 was adopted in 2020 and before the Town incorporated in 1987. That is exactly why Chapter 6 protects it as pre-existing. Jane Brennan said again, we're talking about the use, not the building." The building was okay to be there, but it was a tack shed, or it was a horse barn, or it was an art studio, but it wasn't a house. It wasn't a bedroom. Sofia Opmanis said it was a ranger cabin in the park. Skyler Davis said so it was a ranger cabin and there was plumbing at some point. Sofia Opmanis said she didn't know when, as she just moved here two years ago. Chair Arnold said it was a ranger cabin before it was moved, not at that location. Sofia Opmanis said but the cement slab under the building has the plumbing in the cement. Jane Brennan reiterated again, the complainant is not about the building. Chair Arnold said at this point unless there is clear proof that someone lived in that building between when it was moved to this location and now the Town has to follow the Code. Sofia Opmanis said the Code doesn't say same use it uses the word vacant. Chair Arnold said vacancy always refers to living. It does not include animals. It does not include storms. Sofia Opmanis said it says the meaning of vacant, is completely unused, empty, not occupied in any way. It does not say living or occupied and the utilities were never disconnected. She said in the definition, it does not say that someone had to live in it for that whole time. Chair Arnold said he understands, but as of right of now in this conceptual meeting, the use is currently against the rules. That is our policy and that's how we are to handle it until somebody legally tells us to change it. Chair Arnold asked if Sofia Opmanis was saying it's impossible to attach the two buildings. Sofia Opmanis said yes. Jane Brennan said the accessory building must be 10 feet from the house for fire protection. Chair Arnold said any size building to connect the two buildings would resolve the problem, as long as it falls into the square footage allowed for a building. Sofia Opmanis said there are other people in Town who have these situations, and some of them are permitted. There is a person down the street who is renting a cabin that is detached. She said it is more than 10 feet away from the home, and that person was given the exception through Chapter 6. How did that occur? Jane Brennan said that it was for Robin Smith. She had met the burden of proof that this had been occupied since the two homes were built. The original house was the small one, and then a bigger house was built, and the small one had been occupied. Chair Arnold said Robin Smith met the burden of proof, so the Planning Commission allowed it. He said right now you would need to provide proof the cabin had been lived in and there is no proof allowing it. Sofia Opmanis asked why shouldn't the Town have the burden of proof to prove that no one ever lived in it? Chair Arnold stated it is not the Town's burden to prove the use when it is against the Code, but up to the residents to prove continually use. Sofia Opmanis said although it may not have been lived in it was never abandoned and had been used for various things thought the time.

Chair Arnold reminded the Commission to remember, it's the use being reviewed, not the building and this is only conceptually. He said as of right now there's only one option to resolve the issue which is to connect the two buildings to make it compliant with an exterior accessory dwelling unit which would then make it included in the residence converting to an interior dwelling. He said he understood Sofia Opmanis when she said cost-wise that's not possible but that's the only way we could approve anything going forward as of right now. Unless she can prove it was continually lived in for the accessory building, as others have done. Skyler Davis asked if Ms. Opmanis could figure out another way would we all agree she would comply. Chair Arnold said if adding a room between the primary house and this accessory building would make it an interior accessory dwelling unit, which falls under 8.26 rules. In 8.6, it defines two things that are really important to remember. A habitable second dwelling unit in an owner-occupied single-family property. If she attached it, it would fall

under that rule. Chapter 2 may have some questions on its definition, as a primary dwelling unit defined. It reads; a primary dwelling means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record. Jane Brennan said when this was written the concept, detached is not a great word, but the intent we were thinking is a non-shared space. Chair Arnold said but it doesn't clarify the intent and the Planning Commission must use what is written. Jane Brennan said in adopting this Code the intent was the owner must live in the main home or larger portion of the home. Chair Arnold stated as written it just states the owner must live in the home. He feels that any space within the home is mandated not necessarily the largest part. The wording must be the primary residence of the homeowner, not mentioning size. Chair Arnold said this is another issue in the Code book that needs to be clarified as we do the review. The Planning Commission discussed this issue, but did not make any final decisions as this is not the issue currently at hand.

Jane Brennan reminded the Commission and Ms. Opmanis that the connecting building must follow the definition of attached building which is: a building connected by any two of the following, a common wall, a continuous wall, a continuous foundation, a continuous roof line. Walls or fences, patios, porches, terraces, or other roofed accessories that are open on at least two sides shall not constitute an attached building. No attached building shall be further than 30 feet from the main structure and shall not be used as an additional residence.

Chair Arnold explained the process would be to apply for a building permit. Once the building is completed an application could be submitted for an interior accessory unit to come into compliance. Sofia Opmanis stated she is not able to financially add a connecting building at this time. Skyler Davis asked about the fines that would be imposed if this is not addressed. Chair Arnold said if Sofia Opmanis is actively working to resolve the issue the fines of \$00.00 per day would not be assessed. But she must address the issue.

Chair Arnold said he would send out another letter to address the non-compliant issue and refer to both Chapter 8 and Chapter 6. But again, action needs to be taken. Chair Arnold thanked Sofia Opmanis for trying to resolve the complaint. He said she could reach out with any other questions if needed.

5. **APPROVAL OF THE MINUTES FOR MARCH 10, 2026, REGULAR MEETING & WORK MEETING:** Chair Arnold asked if anyone had any corrections for last month's meeting minutes. None were made.

Jane Brennan **MOVED** to approve the minutes from the March 10, 2026, regular meeting and work meeting. Layney DeLange **SECONDED** the motion.

VOTE on Motion:

Layney DeLange-Aye
Angie Frabasillo-Aye (noting she was not in attendance)
Jane Brennan-Aye
Tim Arnold-Aye
Skyler Davis-Aye

MOTION PASSED

Information/Discussion/Non-Action Items.

1. **Planning Commission Report-Chair Arnold** Chair Arnold reminded the Planning Commission meeting will be on May 12, 2026. All in attendance stated they would be there.
2. **Town Office Report:** Clerk Cox reported the Code Violation letters that were reviewed by the Planning Commission at last month's meeting are still being processed. One resident has refused to pick up the certified copy. Another one of the complaints has been resolved. Fines of \$100.00 per day will be imposed beginning May 1, 2026. Another complaint was received today (of which the Commission has a copy of the complaint) and a letter will be sent out soon.

Clerk Cox also provided copies of the outcome from the Variance Hearing held Monday 13, 2026 at 10:30 am which was for the Niensens garage on DeMille Road.

Clerk Cox next provided copies of an issue being discussed tomorrow by the Town Council that will close down open burning. This paper outlines what types of open fires are still allowed.

Clerk Cox also provided copies of a review regarding amending plats within subdivisions in the new subdivision law required by the State, which Chair Arnold will be discussed in the work meeting.

Jane Brennan asked if any permits had been issued within the Office this month. Clerk Cox reported no permits were requested.

3. **Motion to Adjourn:** Jane Brennan **MOVED** to adjourn the regular meeting at 6:55 pm. Angie Frabasilio **SECONDED** the motion.

VOTE on Motion:

Layne DeLange-Aye
Angie Frabasilio-Aye
Jane Brennan-Aye
Tim Arnold-Aye
Skyler Davis-Aye

MOTION PASSED

ROCKVILLE PLANNING COMMISSION WORK MEETING

CALL TO ORDER: Chair Arnold called to order the Rockville Planning Commission Work Meeting of April 14th, 2026 at 6:55 pm with a roll call. In attendance were Layney DeLange, Angie Frabasilio, Chair Arnold and Skyler Davis. Jane Brennan was then excused along with Linda Brinkley.

Chair Arnold said the Planning Commission has tried to address some things over the last two (2) years that need revised in the Land Use Code. There are a couple things he is bringing up now to do a little training because of the lot line adjustment discussed at last month's meeting. He wanted to make sure we understood our plan. It is understood that a subdivision has already divided the property into lots which has been recorded. With the new State mandated Subdivision Ordinance in amending the plat with a lot line adjustment, known as LLA, it refers to Utah code, as a shuffling of lines between neighbors. Between you and I, moving it between two properties, we're not creating another property. We're just adjusting lines and can be done without creating a subdivision. Currently, the State Law requires, and this is where we're getting into the division, is that they have to inform the Land Use Authority-that does not say get approval only to notify the Land Use Authority. The Planning Commission is the Land Use Authority. Angie Frabasilio questioned if he is referring to a subdivision or all private property? Chair Arnold said all property. Currently in order to do this they come to a Planning Commission meeting and a vote is taken to allow moving a line. He is proposing a line adjustment between two properties be made an administrative action. The administrative action would be done through Planning Commission Chair or Vice Chair reviewing the revision and then requiring a signature. This action is only when an additional lot is NOT being created nor setbacks varied and no other Code is being violated. Chair Arnold said per Utah Code Rule #10-9A-523 under the Utah law, LLA's (lot line adjustments) are often ministerial and doesn't require a vote by the Land Use Authority. This proposal would still notify the Town. Chair Arnold stated in a case of lot line adjustments for a subdivision is changing a plat map and specifically deals with the County. If a new property is being created it would still require a plat and appear before the Planning Commission/Land Use Authority. If two property owners of the subdivisions wanted to move a line, they could then do that without having a problem, as long as it doesn't affect anyone outside the subdivision. Angie Frabasilio and Stephanie Trimmer made lot line adjustments in the last two years and as per Utah law they should have come into a meeting for formal approval. Angie Frabasilio said in the Town Code it states to file with the Office and pay the fee for approval. This will need to be revised in the Town Code. Chair Arnold said he is doing the training on lot lines and subdivisions so that we can clear it up for the future so we can discuss it. The Commission agreed with this. Once the revisions to the Land Use Code, if any are made a public hearing will be held and then it will go to the Town Council for formal approval.

Chair Arnold said last week he had emailed out some audit objectives for Chapter one, two, and three. He would like the Commissioners to review these Chapters and make recommendations to clarify issues that they may not understand. By starting with just the first three Chapters it will be easier and more approachable than trying to review the entire Code Book. When the Town Code references Utah law it needs to be checked to ensure the number for the Utah law it refers to is correct as changes have been made in the Utah law changing numbers and sections. He said in reviewing Chapter 1 as an example, the Municipal Land Use Development and Management Act, MLUDMA, specifically citing Section #109A, is the authority for building. That's what we have to follow. That's the one the Code refers to and follows. It states that the Town Code provisions are in addition to the laws of the State of Utah and the United States.

Chair Arnold said there is a little issue with variances. He thinks the Variance Code with Utah that is quoted in the Land Use Code is wrong. He said he will go back and check the reference number. The Legislature made changes to Utah law in November of 2025. He said every year there are changes made to Utah law that need to coincide with the Town Code and be referenced correctly. Currently we have a massive job to bring our Code back in line with the Utah State Code which has changed, like the interior accessory dwelling units. He said the law did change and he is unsure what pertains to the Town. He asked the Commissioners to review the Land Use Code and when a State Code is referenced look it up to make sure it is correct.

Chair Arnold asked the Commissioners to review these three Chapter in the Land Use Code before next month's meeting. Please also write down possible changes to make the Code clearer and easier to understand. The wording cannot be the intent; it needs to be clearly written. Clerk Cox said in reviewing the Town Land Use Code, if a change is made to a Chapter the amended date will be noted but not which part was amended.

Chair Arnold asked if there were any more questions or comments. None were made. Angie Frabasilio **MOVED** to adjourn the Work Meeting at 7:30 pm. Layney DeLange **SECONDED** the motion.

VOTE on Motion:

Layney DeLange-Aye
Angie Frabasilio-Aye (noting she was not in attendance)
Jane Brennan- Aye
Tim Arnold-Aye
Skyler Davis-Aye

MOTION PASSED

Minutes prepared by
Shelley D. Cox
Town Clerk

APPROVED.



Planning Commission Chair/Vice Chair

Attest:

Shelley D Cox
Shelley D. Cox-Town Clerk

The foregoing notice was posted in the cabinet of the Rockville Town Office by Shelley D Cox at approximately 8:30 (AM/PM) on 5-13-26, on the Rockville website and the Utah Public Notice website. Emailed to The Spectrum
5-13-26

Shelley D Cox
Shelley D. Cox-Town Clerk

