

**AMENDED
Rockville Planning Commission
Regular Meeting
June 9, 2026
6:00 pm**

1. **CALL TO ORDER – ROLL CALL.** Chair Arnold called the Rockville Planning Commission Regular meeting to order at 6:00 pm. Planning Commission members in attendance were Tim Arnold, Linda Brinkley, Jane Brennan, Layney DeLange, Angie Frabasilio and Skyler Davis. 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. **REVIEW OF CODE VIOLATION OF USE OF AN ACCESSORY BUILDING-115 EAST MAIN-SOFIA OPMANIS:** Chair Arnold reviewed this item as a refresher. In March a letter was sent to Sofia Opmanis at 115 East Main regarding her living in the accessory building behind her home. This is violation of the Land Use Code which allows only one livable structure on a property. Sofia Opmanis came before the Planning Commission in April to address this issue. At that time, she was informed that she needed to either connect both living structures or move out of the accessory building. She was given a deadline until June 1, 2026, to follow through with either solution or a fine of \$100.00 per day would be assessed. Sophia Opmanis has been trying to work with us to resolve the issue and now the Planning Commission needs to actually make a formal decision on how to proceed forward with this violation. Chair Arnold said even with a formal decision tonight one way or the other Sofia Opmanis has an opportunity to appeal to the Town Council after the decision of this Commission. Chair Arnold said the Town has received some information from Sofia Opmanis's attorney Jason Boal. Chair Arnold asked if Sofia Opmanis would like to add any additional information other than from her attorney. Sofia Opmanis said there is additional information since the preliminary meeting. She said since hiring Jason and Riley to help her in this case, they were able to actually find more evidence. Sofia Opmanis asked if the Town was aware of the new evidence/information. Chair Arnold said the Planning Commission did receive that information last week, and he has read through it completely, as has the Commissioners. Sofia Opmanis said they have County tax records showing that both of the units on that one parcel have been taxed separately, and that in the Washington County tax records it is showing as a mobile home dated from 1972 and it specifies that it's one bedroom to one bathroom and a living space. She asked if they had looked at that information. Chair Arnold replied yes, we did see that.

Sofia Opmanis said she just had the Washington County Assessor come back out and he remeasured everything and said that everything matched their records. She said the biggest issue was stated by Jane Brennan that she herself converted it, but she didn't, as it has always had a bathroom and always had a bedroom and obviously tax records show that. Chair Arnold asked if there was anything else. Sofia Opmanis asked her attorney Jason Boal if there was anything he would like to say. Jason Boal said he thinks that covers the issue. He said they did additional research and reviewed recorded photography to see if there was information available and have updated those with clearer images that were previously available on the County website. These show the structure was definitely there before 1979, long before Rockville incorporated and adopted the general organization. He said he thinks the pictures are very clear, and interesting in exhibit D. He said he thinks the tax records are pretty clear, indicating 15 years ago how it was assessed, how it was intended to be used, and what the structure was, and what the ultimate use was for that structure. He asked if the Planning Commission had any questions he could answer regarding the analysis. He said when we took an in-depth note, in the State Code, as case law to understand what the legal framework is out there for a situation like this. Jason Boal said some of you may recognize him as he presented this same type of issue to you a couple of years ago in a similar manner. We recognize that it is difficult at times when there are buildings or instructions that were constructed in the County before the Town was incorporated, so sometimes the records are not as complete as we would like. But that's where we have to rely on the records that we do have. He said he thinks this one's pretty clear, that it was constructed as a residential structure, the facts

are residential structure, it hasn't moved. He said it seems pretty consistent with the code that it would be recognized as a residential pre-existing structure. Chair Arnold stated the main issue is the Town of Rockville does not dispute the physical building itself and recognizes the building was there beforehand. The problem is the use that is nonconforming and it comes down to use. He said he understand Sofia Opmanis was not living in Rockville when the rules were made. However in the Land Use Code in Chapter 8, it states specifically, you can have only one residence on each property in that zone, as in all of our zones. You can only have one use as a residence and Sofia Opmanis occupies two (2). Chair Arnold said so according even to Utah State Code #1098511, it must be to continue that use, if you want it to be a lawful non-conforming use, it has to be continually used as that use. He said Sofia Opmanis has admitted to us that it was a horse tack barn or a shed. Sofia Opmanis replied the Code says vacant, that it can never be vacant. She said it has utilities connected and water connected to that accessory building. Chair Arnold said he completely understands there's water and power into that building, but you cannot use it as a residence as per our code. Sofia Opmanis said but the County tax record says-- again, with a bathroom which makes it a residential building. Chair Arnold said we have other County records that show that it labeled as a shed, or something else. Jason Boal said in Section 6-3.2, it's pretty clear that an uncombined structure can be occupied by a use for which the structure was originally designed for. He said this building was originally designed and intended to be a residential structure. Jane Brennan asked, was this structure legally placed in about 1972? Jason Boal said that is their understanding. Jane Brennan said in the old resolution from 1958 that you supplied us, which was super fun to read, on page 13, 8-2-7, size of buildings, the ground floor area of any one family dwelling shall not be less than 600 square feet exclusive of open porches and carports for churches, schools, and other public buildings. And as this building does meet the minimum floor area, that tells her this building was not legally placed when it was under County rules. Jason Boal said so, again, there was an existing home and structure on the property, and this was not the primary dwelling, but an accessory dwelling. Jane Brennan said the County rules doesn't say that and there's no such thing as accessory dwelling. She said there is accessory building, but not accessory dwelling under the 1958 definitions. Jason Boal said the uses mentioned are accessory to the primary use. Jane Brennan reiterated saying that what I'm telling you is it was not legally placed as a residence, a single-family dwelling or a dwelling according to this definition of the size of the buildings if it was placed under the 1958 code. It wasn't legal then and it is not legal now. She said the Planning Commission has a whole bunch of memos where it was abandoned and recognized as abandoned or at least not occupied and not used as a residence. Therefore, it was abandoned. Chair Arnold said the definition in Chapter 6. Sofia Opmanis interrupted by saying Jane Brennan, I have a question for you then. If that's what your understanding is, then why did you approve of Robin and Tracy's (side note 388 West Main, which was previously approved as an accessory building that had been lived in)? Because that issue was never mentioned during their request. Jane Brennan said the occupancy, the original placement was legal. Sofia Opmanis asked so why is her placement illegal? Jane Brennan replied because your placement is not legal as a dwelling, according to the 1958 code that your lawyer supplied us with. Because it was not big enough to be a dwelling in 1972-ish. Sofia Opmanis said Robin and Tracy's was smaller than hers. Jane Brennan said but theirs was a dwelling first, and it was occupied periodically. Sofia Opmanis said and we don't know if mine was a dwelling first. Jane Brennan said yours was a dwelling when it was at the national park, she is sure. Sofia Opmanis said and when it was placed in Rockville, we don't know if it was there before the home. Jane Brennan said yes, we do. Linda Brinkley said we do know that. Sofia Opmanis said how? Linda Brinkley said we have many documents sitting right here from different people who were previous property owners of that property, also people who were realtors when it changed hands. Jane Brennan asked Linda Brinkley if she was around when there was a mobile home on the property before the stick house was built? Linda Brinkley she said no. Jane Brennan said that's what she thinks mobile home means when the fallible county records talk about the mobile home built by Abby and maybe there was an original mobile home on that property prior to a stick built. Jane Brennan asked if we have any confirmation from somebody who's been here a long time. Shirley Ballard said she lived here since before the Town was incorporated in 1987, there was no one living in that outbuilding. It was never lived in, so when the ordinances were written, it was never considered a residence. Over the years several owners have used it as a work shed or for tools, outbuilding, something of that sort. But it was never lived in. Shirley Ballard said she moved across the street from this building in 1972, and there was no mobile home on that property at that time. Jane Brennan thanked Shirley Ballard. Jane Brennan said that's what I was asking about. Sofia Opmanis said she has multiple tax records. Chair Arnold said wait, hold on please address the entire Commission. Sofia Opmanis said it says living area

one building is considered a three bedroom and it has the year of when it was built. Chair Arnold said he understands that it could be there and the records and even your attorney said that there as to the building itself. But he wants to read right from our Land Use Code, because this is the issue again, it is the use, not the building. Chair Arnold said the letter that was sent to you regarding a fine was for the use of the building. He said let me read it straight from the Code. This is concerning abandonment, which is what Sofia Opmanis brought up. Chair Arnold read abandonment may be presumed to have occurred, meaning it can happen if A, a majority of the primary structure associated, has been demolished. Such as it's changed a couple times from a mobile home to something else. Or B which is the most important. The non-conforming use has been discontinued for a minimum of one year. Whether or not it was the owner's intent to discontinue the use or the non-conforming use has been changed to something other than its original legal non-conforming state. So, it states right there and you (Sofia Opmanis) were not here when this was done as he knows the previous owner did not use it as a residence nor the owner right before that did not use it for living in, therefore it has been abandoned for that use. Chair Arnold said that building has not consistently been used as a residence. That one rule right there is what makes it this new because it's abandoned, it has to follow our code. Sofia Opmanis said she would love to agree with you, but again, with Robin and Tracy's case, you guys were unable to prove that for decades her's was also unlive in for decades, and everyone voted yes on her. Chair Arnold said he did not as he was not here. Linda Brinkley said she voted no. Sofia Opmanis said but Jane Brennan voted yes. Jane Brennan said yes, she did, because the property owners brought up enough proof of that. Sofia Opmanis said she has a county tax record that says mobile home on it. Jane Brennan said at the last meeting you had with us, during the conceptual meeting, you said that you put in the new toilet and there was no toilet there. She said if she were to officially abandon the use of this building as a residence, she would take out something kind of as important as the toilet. And that's what the people before you did. Linda Brinkley said Sophia, may I say something really quick since I'm the one that voted against the other requested permission. The other requested permission for the little cottage for Robin and Tracy that we're talking about, that's by the house down at the end of Town, 388 West Main, is where the original people who built the house lived in while they actually built the larger home. They had the small home/cabin first and they lived there while they built the big house. That building never left. It stayed there and the issue was just a matter of whether how long someone didn't actually use it or slept in it. Where the property at 115 East Main, where you live the originally people who built the main house, your big house as you just heard from Shirley Ballard did not live in that small building. And then later when all those cabins were available at the park, they got one. She said we have letters now from people who lived in this house and owned it, realtors who listed the property before and when you brought it, it was never brought as a dwelling. It was everything we had stated ranging from a tool shed, outlying shed, tack house attesting to the fact it was not lived in. Linda Brinkley said she can see why Sofia Opmanis is pointing to the other request, because it sounds the same, but it really wasn't the same. as if someone lived at the other property first. In the case of your property that didn't happen. Sofia Opmanis said it had a bathroom, there was a toilet, a shower drain, and a sink. Jane Brennan interjected there's a toilet now. Sofia Opmanis said the drain was there, Jane Brennan. It is a cast iron toilet ring. Linda Brinkley asked if Sofia Opmanis put the toilet in. Sofia Opmanis said she put the toilet on the ring. Linda Brinkley said it didn't have a toilet. Sofia Opmanis said not when she bought it. But the plumbing was still there, and it was never disconnected nor was it abandoned.

Chair Arnold asked if Sofia Opmanis could provide documentation since 1980 that shows that somebody has lived in that building continually and/or for a small period of time each year since this Land Use Code was adopted? Because unless that is available, we have where the issue lays. Chair Arnold said the burden of proof lies with the property owner to prove the continual usage. Jason Boal said no, it's actually on the Towns side to prove it. The issue is a residential structure, for example, an accessory residential structure, there is no occupancy, continuous occupancy requirement identified anywhere. Chair Arnold replied that even the Utah State Code Section 10-9, has this contained in it. be consistent. Jason Boal said the issue is a residential structure, for example, an accessory residential structure, there is no occupancy, continuous occupancy requirement identified anywhere. The Utah State Code may reference however, it's not established. He said he guesses the argument, the issue that we have is that this is a residential structure that continues to be a residential construction. It continues to have built attributes the same as it was taxed on, as the records show, in 2001, as it was originally constructed. It just seems like we're adding in an additional layer of requirement that's not there. Linda Brinkley said the building being discussed was never lived in. It was brought as an exterior unit to use as a dwelling or deck house or whatever. It

may have been used in the park and they had it typed in, but when it came to this property, even if they had a bathroom in it, which she doesn't know that they did and just because there was a slab with connections on it means nothing. She said the point is that no one's ever lived in this building at this location. She said the Commission has documentation here tonight of people who've lived in it, owned it, sold it, and realtors who listed it, and it's never been lived. There's no history on this property until you (Sofia Opmanis) moved into it.

Chair Arnold said at this point, where we are at is with the code violation, there are two residences on the property. You cannot live in two residences nor have different people living in one or the other. You can live in the main one or you can live in the small one and leave the other one open. Chair Arnold said that's what we're saying right now that's the solution as of right now. He reiterated we're not saying you have to tear down that building. We're not even arguing that building right now that it has a bathroom and water in it and other things that will have to be addressed at another time. But right now, for the code violation, it has to do with Chapter 8 of our Land Use Code and Chapter 6 in abandonment in the use. Chair Arnold said so as the attorney, unless you can change our mind about the use that it was continuously used throughout that whole period, which we have documentation that it was not, it doesn't say the intent. It says whether or not it was the owner's intent to discontinue the use, it was discontinued. Before you (Sofia Opmanis) ever even owned it, was discontinued. So therefore, it is under the Rockville Land Use Code. Jane Brennan added your attorney has put a lot of burden on the tax forms from Washington County. However, in about 2011, probably the Ellert's went and had that officially revised and to not be listed as a mobile home, but as a shed with the County Office, which anyone can do that. Sofia Opmanis said all of you guys are welcome to do that on your properties. Jane Brennan said can she do that on her main residence? Sofia Opmanis said would anyone ever go to the County and say, hey, please make this shed a home as I really want to pay extra money on taxes. Jane Brennan said the owners until that point had been paying extra money on taxes and wanted to resolve it. Sofia Opmanis said it was a mobile home. If someone doesn't want it taxed as a mobile home, they would have done it. Jane Brennan said at that point, the owners changed it from a home to a shed. They made it not a home. Chair Arnold stated only one person is to speak at a time.

Jason Boal asked first of all, the documents you keep referring to, did you make those available to us as it is difficult to argue and understand. Jane Brennan said some of this paperwork was supplied by your Office. Many of the tax paperwork is fallible because they changed it around 2011. Jason Boal said it sounds like you guys have made this statement several times that you have a lot of records and statements from previous property owners and realtors. And he just wondering if those were submitted to his Office from us. Jane Brennan said she can read some of the letters. She began to read some of the letters: "To whom it may concern. I'm the real estate agent who listed and sold the property, the subject property, in October of 2014. I represented both the seller, Jenny Ellert, and the buyer, Tamara Burton. At the time of the listing and the execution of the purchase, the back shed was not being used as a domicile. Ms. Ellert used it as a garden tool shed and Tamara Burton planned to use it for a tack shed. Since the October closing date of 10-7-2014, I have not been involved with the property or its owners." That is from a realtor, Kristi Staker. Another letter from a resident, Melinda Chrisman, sometime at. Jason Boal interjected if I can just, it's something these are documents that are part of the record in which you can use to make your decision. Is that correct? Jane Brennan said it's part of what she made my decision by. She said there is also another letter from a former resident. Jason Boal asked for copies of all this additional information. Jane Brennan then said there is a letter from a former resident, Neil and Lorraine Economy, who also previously owned the 115 East Main Street home in Rockville from 1999 to 2004. Who stated they did not occupy the ADU in the years they owned the property. The unit had two rooms with an electric space heater and cabinetry. Jane Brennan said another letter is from a resident who got a tour, Melinda Crismon, sometime at the end of 2014 or early 2015. "She said she had the opportunity to tour Tamara Burton's property at 115 East Main Street. Ms. Burton purchased the property as she had been renting a place up the road. She had horses like us and wanted to show off her new place. I got to check out her irrigation pond and how she would irrigate and nearby was the chicken coop. I also saw a cool looking old shed type wooden building behind the house. Tamara said she would use that as her tack shed. I looked inside; it was dark. I don't remember the interior as I did not enter it. Since Tamara didn't say something like, turn the light on dummy, I assumed electrical was not working or hooked up. I did not recognize it as a cabin and don't remember Tamara saying it once was. I do know that it was not a mobile home. On a few occasions, I did help Tamara with her irrigation by opening her gate to fill her pond when she was working. During those visits, I did not notice or did not stand out as the shed was being used for any other purpose

than a tack shed. To me, it did not appear to have been turned into a living space." That's from Melinda Chrisman.

Jane Brennan said the Planning Commission also has advertisements for when this property was put up for sale. Those advertisements show a workshop and a shed on the property. She said in the advertisement when Sofia Opmanis bought it, the building was represented as a workshop. It was not represented as a. Sofia Opmanis interrupted, that is not true. The realtor had her husband come over to tell me it is more of a moveable usage. He told me that it is not illegal to live in it because it has plumbing already, it has water already and has electricity already. Jane Brennan said since you brought him up, Chance Wright, who is the realtor's husband, submitted a letter stating: "Sophia Opmanis had me come to look at her shed to renovate it to make it suitable for occupancy. I turned down the job and told her it would be an illegal renovation, which I wasn't willing to do." Sofia Opmanis interrupted stated I don't know if you're aware of this, but I was just in a lawsuit with him. Jane Brennan stated we are aware of the lawsuit, but she is sure this conversation happened way before your lawsuit. Chair Arnold reiterated only one person is to speak at a time. Sofia Opmanis said she can provide the bid. Chair Arnold stated we have received affidavits from previous owners. He said this brings it right back to use, not the building, not the bathroom, not the water is the actual issue please. Chair Arnold said he wanted to address only the use and the abandonment. He said he needs proof that the use was continual and not abandoned for a different usage. He said that is what needs to be proved on. Chair Arnold said you (Sofia Opmanis) have an opportunity to appeal to the Town Council later. But it is the continual usage of the building being lived in. Chair Arnold asked Sofia Opmanis if she had anything to show the Planning Commission that the use of, meaning somebody living in it, partially portioned once a year for the last 20 years has happened? Not whether the building was designed for. It's not anything other issue but the use at this time. Sofia Opmanis said they also couldn't prove that for decades it hadn't been used for that. Angie Frabasilio asked if Sophia could prove your property usage? Angie Frabasilio said the issue we're addressing needs you to prove your same usage using documents that exist. These are documents we have that state it was not in use. So that research has been done. Sofia Opmanis said the plumbing was in use, the water was in use, the electricity was in use. Chair Arnold corrected her by stating those things existed. Sofia Opmanis said who would contact Washington County and ask them to come and appraise their property as a mobile home so they can pay more taxes. Nobody would do that. And for years, it has been appraised as a mobile home with a bedroom and bathroom, which makes it residential. Angie Frabasilio said, but the proof that was just given were items saying that it was used as something other than being lived in. When we're looking at the Code, it talks about non-conforming use may only be continued if the use has not changed from what was originally intended. And there are multiple documents showing that it had changed to a shed or a storage or a tack shed, and it was not used during that time as a living place. It was used as a shed. It was used as a tack shed. So that is the part that Chair Arnold is trying to explain about how it's not used as living space. Sofia Opmanis said from what I, the way that I've been reading this, is that the Code does not require it to have been a full-time residence. It requires that the lawful use of it was not abandoned, and it's never been abandoned. Jason Boal said again, I refer to Section 6-3.2, an occupied structure could be occupied use, which the structure was originally designed. Chair Arnold then referred to Section 6.4-2B which says the non-conforming use has been discontinued for a minimum of one year, whether or not it was the owner's intent to discontinue the use. It just says that it was not occupied. Nobody was using it as that, whether they wanted to or not. And Sofia Opmanis was not the original owner even when this Code was written. So, it really becomes a moot point. So, unless you have, honestly. Jason Boal interrupted stating it's really not a moot point when Utah State is very clear that when you're conflicting provisions or any duty in the code, they are to be interpreted in favor of the landowner.

Chair Arnold replied and Utah State Code Section 1098511 also says that the specific use must be maintained continuously, specifically continuously ever, it's not established. Jason Boal said the argument, the issue that we have is that this is a residential structure that continues to be a residential construction. It continues to have built attributes the same as it was taxed on, as the records show, in 2001, as it was originally constructed. It just seems like we're adding in an additional layer of requirement that's not there. Linda Brinkley said this building that we're talking about was never lived in at this location in all the years previously, until Sofia moved in. She said because we did some research also and we had a response from the assessor and I was really interested in this part in the report where he talked about the fact that it was called a mobile home, and he explained that it wasn't. And he talks about terminology and back in that time, probably why they use that term mobile home. And we just got that report right from him and he's the one that just came out and did your assessment. Sofia Opmanis replied yeah, but he doesn't say that it's not residential. He's saying actually, this isn't a mobile home because you can't pick it

up and move it. So, what he's saying, if you actually, if it's not clear to you, he never said it's not residential. He's saying actually as built, you can't pick this up and move it. So just the part where they called it a mobile home is wrong, but he said it is residential and it always had a bathroom. That's the only difference from him coming out this time. Linda Brinkley replied but nobody but you ever lived in it. Sofia Opmanis said she doesn't know, as she hasn't been here, so she doesn't know if anyone's lived in it. Linda Brinkley replied but we have, we've been here and we went back and did all this research on everybody who's owned it. Jane Brennan asked if any of the previous property owners had a toilet in the building. Jane Brennan said Sofia Opmanis had put the toilet in as she had stated in the previous meeting. Chair Arnold said let's just stop right there again, we're coming back to specifically usage and the notification that we sent you. Jane Brennan said in going to go back to the 1958 code that your attorney supplied us with page 13 it states that the building for a dwelling needs to be 600 square feet and therefore, even if this was moved from the park and meant to be a dwelling, it was illegally placed there under the 1958 to 1987 code. And includes the statement also, anything that's erected or moved or repaired under the definition in that code says a permit was necessary. Jane Brennan asked, and was a permit issued for the moving of this building? Jason Boal said the County does not have records of that. Which is not uncommon that it didn't get a permit. You cannot prove that it did not get a permit. Jane Brennan said she has copies of all my permits. Chair Arnold said again, we're going now in circles." We are coming back to the building, but the issue is with the use. And unless he has any further proof or any other firm comments from the Commission, do we have any further proof of documentation on use, Jason or Sophie, at this time? Jason Boal said they had provided the documentation in the letter which was sent to the Planning Commission. He said again if you provide us with the documentation that you're looking at during this reviewing that would be helpful. Chair Arnold said that could be provided.

Chair Arnold then **MOVED** that the Rockville Planning Commission formally uphold the original notice of violation issued regarding the property located at 115 East Main Street, parcel # R-1230-B, owned by Sophia Omanis, and affirm the associated \$100 per day fine scheduled as originally established by the Town. Furthermore, be it moved that the Commission establishes a final extended compliance deadline of July 1st, 2026, by which time all unpermitted residential occupancy of the accessory detached structure must be completely ceased and all interior living facilities must be brought into compliance with the Rockville Town Code Chapter 8-7-29. Failure to comply by this date will cause a daily fine scheduled to initiate immediately. Finally, this motion formally notes for the record that the pursuant to Utah Code Section 10.9.A.701 and local administrative procedures, the property owner retains the right to appeal this administrative decision to the Rockville Town Council, acting as the designated appeal authority within the Town's established statutory filing window. Jane Brennan **SECONDED** the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Linda Brinkley-Aye
Jane Brennan- Aye

Motion Passes

Chair Arnold reminded Sofia Opmanis and her attorney Jason Boal, that you have until July 1st to come into compliance. You also have the opportunity to follow the timetables and the deadlines to appeal with the Town Council. He thanked them both for coming and stated all the documentation requested that were used to make this decision would be provided.

5. **REVIEW OF REQUIREMENTS FOR A BUILDING PERMIT AT 115 SOUTH BRIDGE ROAD FOR-KEN RYBKIEWICZ**-Chair Arnold said this is just a matter of housekeeping to make a formal discussion and action on the issue. He had sent out some documentation for the Planning Commission to review and give their input. Chair Arnold said as he talked to the Mayor, because we are formally accepting for Ken's residence, the floodplain permit as our report that substantiates the change in the setbacks due to the sensitive lands, tonight we need to make a

formal motion on one of the conditions from last month's meeting. Chair Arnold said the issue is as discussed last month is it comes down to a wash in the back the property, considered a waterway that falls under a classification within the Code requiring a setback of 100 feet from the wash to the home. But according to our Land Use Code, we can consider other documents to approve a lesser setback. Ken Rybkiewicz has done the mitigating circumstances, such as doing a full floodplain permit and his property will be above the floodplain. And since the original building has survived and been safe and he's actually raising the lot higher and it falls within what can be allowed, we can accept the flood plan study as enough information rather than requiring a different engineer's study to be submitted. Being on this agenda will be formal acceptance of this study to be allowed and used for the documentation.

Chair Arnold then **MOVED** to approve the formal acceptance of the submitted professional floodplain and hydrological engineering report for 115 Bridge Road. If approved, the Town hereby accepts the specialized data contained therein as fulfilling the safety criteria of Chapter 8.20.3.4.6. thereby authorizing a reduced custom-building setback matching the report's designated safe building envelope, contingent upon strict adherence to all elevation recommendations and final building inspections. (See paperwork attached) Linda Brinkley **SECONDED** the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Linda Brinkley-Aye
Jane Brennan- Aye

Motion Passes

Chair Arnold said the building permit will be ready in the Office and may be picked up once the permit fees are paid. The other condition of providing a septic tank permit from Southwest Health Department has been done and a copy was provided to the Office.

6. **APPROVAL OF THE MINUTES FOR MAY 12, 2026, REGULAR MEETING:** Chair Arnold asked if there were any changes or corrections to last month's meeting minutes. None were made.

Angie Frabasilio **MOVED** to approve the minutes from the May 12, 2026, meeting. Chair Arnold **SECONDED** the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Linda Brinkley-Aye
Jane Brennan- Aye

Motion Passes

Information/Discussion/Non-Action Items.

1. **PLANNING COMMISSION CHAIR REPORT**- Chair Arnold reminded the Commission the next regular meeting is scheduled for July 14, 2026. Layney DeLange said she would not be in attendance for next month's meeting.
2. **TOWN OFFICE REPORT**: Clerk Cox had nothing to report.
3. **MOTION TO ADJOURN**: Chair Arnold asked if there were any other discussion or questions. None were asked.

Layney DeLange **MOVED** to adjourn the meeting at 7:00 pm. Angie Frabasilio **SECONDED** the motion.

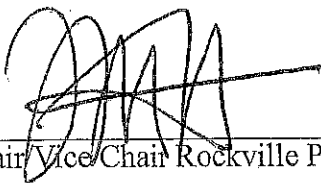
VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layney DeLange-Aye
Linda Brinkley-Aye
Jane Brennan- Aye

Motion Passes

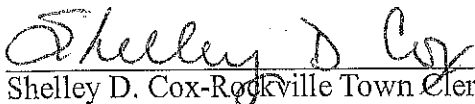
Minutes prepared by
Shelley D. Cox
Town Clerk

APPROVED



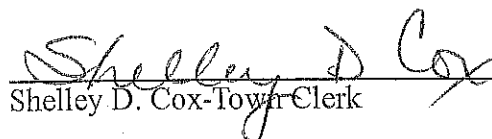
Chair/Vice Chair Rockville Planning Commission

Attest:



Shelley D. Cox-Rockville Town Clerk

The foregoing notice was posted in the cabinet of the Rockville Town Office by Shelley D Cox at approximately 7:00 AM PM on 8-12-26 on the Rockville website and the Utah Public Notice website. Emailed to The Spectrum 8-12-26



Shelley D. Cox-Town Clerk