

STATE OF UTAH
COUNTY OF SEVIER
TOWN OF ANNABELLA

**Minutes from the Board of Adjustment meeting held on Thursday August 27th, 2026,
6:00 PM - 7:00 PM in the Annabella Town Chambers, located at 295 East 300 North,
Annabella, Utah. Chairman Bradley Powell conducted the meeting.**

I. Board of Adjustment Meeting

A. Roll Call

Present: Bradley Powell (Chairman), David Peterson, Devin Squire, Monte Aldridge, Angel Nielsen (Secretary)

II. Business

A. Consider Variance Requests for KC Ford

Chairman Powell introduced KC Ford and Karie Ford, who appeared before the Board of Adjustment seeking approval for two unpermitted accessory structures on their property: a chicken coop (approximately 13×16 feet including roof overhang, with an 8×8 enclosed area) and an agricultural building (18×28 feet), both situated along the rear property line. The Fords explained that a building permit had been applied for and initially signed, but was subsequently pulled by the county, which directed them to appear before the Board. Construction on both structures had already progressed before proper approvals were secured, and the matter had been pending for several years.

Description of Structures

Karie Ford described the chicken coop as a small, enclosed structure sitting on a metal frame with a roof overhang that extends the total footprint beyond what is typically exempt from permitting requirements. The agricultural building has metal siding on the lower portion, wooden trusses, and a metal roof, and remains unfinished. Both structures run along the rear fence line, behind which lies a 10-foot utility easement.

The Fords indicated their intent to finish the agricultural building with a metal roof, hardy board or metal siding on the exterior, full insulation, and 5/8-inch drywall on the interior ceiling and walls as a fire barrier. The chicken coop was described as substantially complete with similar fire-resistant interior finishes already installed.

Fire Safety Concerns

Board members raised significant concerns regarding fire safety, particularly given the wooden trusses in the agricultural building and the structure's location on the property line. The Board noted that during wildfire conditions, fire can travel rapidly and that combustible elements at the property line pose a risk not only to the applicants but to neighboring properties as well. Members acknowledged the Fords stated intention to install 5/8-inch drywall as a fire barrier on the interior ceiling, which was seen as a step in the right direction, but the Board was not satisfied that the plans as presented were sufficient to confirm compliance. The Fords were directed to consult with county officials—specifically Misty and Jason at the county office—as well as a contractor, to determine what additional measures would be required to adequately encapsulate or fireproof wooden trusses.

Utility Easement and Property Line

A substantive portion of the discussion focused on the 10-foot strip behind the Fords' property line. Board members debated whether this strip constitutes a dedicated utility easement, a right-of-way, or a utility corridor,

and whether it is owned by the adjacent landowners or by the governing authority or utility company. Member Monte Aldridge noted that in a typical easement arrangement, the adjacent landowner owns the underlying property but cannot develop on it, and that the platted boundary—not the easement edge—determines the effective property line for setback purposes. Other members suggested that if the easement is truly city-owned or dedicated and not developable by anyone, a reasonable argument could be made that placing a structure on the property line does not adversely affect neighboring properties, given the 10-foot buffer. The Board agreed this question was unresolved and that the plat map would need to be consulted to determine ownership of the easement strip before any decision could be made.

Members also discussed the obligation to manage drainage, noting that regardless of the easement's ownership, the property owner is responsible for capturing and controlling any water runoff from their structures so that it does not drain onto the easement or cause erosion. The Fords indicated they planned to install rain gutters and a rain barrel to collect roof drainage, which the Board found acceptable in principle, subject to verification.

Neighbor Relations and Compliance Context

The Fords represented that their immediate neighbors are aware of them and on good terms, though they acknowledged they had not had a specific conversation with neighbors regarding the structures themselves. The Board noted that the primary purpose of these requirements is to protect all property owners equally, and emphasized that had permits been obtained prior to construction, the matter would not have come before the Board. The Fords acknowledged this and expressed their willingness to do whatever was necessary to come into compliance.

Board's Determination

The Board concluded that the chicken coop, given its small, enclosed footprint, did not rise to the level of a matter for the Board of Adjustment and should be addressed at the Planning Commission level. With respect to the agricultural building, members discussed whether true hardships required to justify a variance—was present. The prevailing view was that constructing a building in the wrong location without a permit does not in itself constitute a hardship under the variance standard. The Board determined that both items should be referred to the Planning Commission, and that the Fords would need to present additional information

Including: Documentation of the plat and the nature of the utility easement, their specific plans for fire mitigation including treatment of the wooden trusses, confirmation of their drainage plan, photographs of both structures, and any county documentation regarding minimum square footage thresholds for permit-exempt structures. The Board indicated that if the Planning Commission declines to approve the structures, the matter could be returned to the Board of Adjustment for further review.

A motion was made by Member Devin Squire to reject the variance request at the Board of Adjustment level and refer the matter back to the Planning Commission, with the requirement that the applicants return with complete information regarding the utility easement ownership, fire mitigation plans for the wood trusses, drainage management, and photographic documentation of both structures. The motion was seconded by Chairman Powell. The motion carried unanimously.

III. Adjourn

Monty made a motion to adjourn, motion was seconded. The motion carried unanimously.

The meeting was adjourned.

Minutes prepared by Angel Nielsen, Board of Adjustment Secretary. Town of Annabella | 295 East 300 North, P.O. Box 175, Annabella, UT 84711


Bradley Powell
Board of Adjustment Chairman


Angel Nielsen
Board of Adjustment Secretary