

Sanpete County Planning Commission

December 10 2008
6:30 P.M.

Present: Dale Lewis, Chair
Steve Anderson
Gene Jacobsen
Garth Sorenson
Thell Stewart

Claudia Jarrett, Chair, Sanpete County Commissioner
Dwight Inouye, Sanpete County Commissioner
Ross Blackham, Sanpete County Attorney
Lee Holmstead, County Zoning Administrator
Selma Jorgensen, Deputy Clerk

Meeting called to order by Dale Lewis.

ZONING ADMINISTRATOR LEE HOLMSTEAD REVIEW OF AGENDA

Zoning Administrator Lee Holmstead is present and reviews the agenda items.

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Motion is made by Steve Anderson to approve the Planning Commission Minutes of October 8, 2008. Motion seconded by Thell Stewart, the motion passed.

PLANNING COMMISSION: ORDINANCE CHANGES TO “RESIDENTIAL FACILITY FOR TROUBLED YOUTH”, CHAPTER 14.80; AND “RESIDENTIAL FACILITIES FOR ELDERLY AND DISABLED PERSONS”, CHAPTER 14.84

Dale Lewis reviewed the reasons for revising the ordinance. He stated that the Planning Commission has discussed this issue for some time. He then asked the audience for comments. Paul Bailey stated that if they change this ordinance, then they will put all of these facilities out of business, and expressed his concerns. Ross Blackham explained that these ordinances are not retroactive, this change will not apply to his business as it is now, but it may in the future. Steve Frazee explained the reasons for wanting to establish a business in Sanpete County. Steve Despain stated his concern with having so many people living in one facility, and his concern that these facilities may decrease their quality of life. He feels that there should be some restrictions on these youth homes, and that he's aware of the threat of lawsuits, etc. He commended the Planning Commission on their decision. Candace Sanders stated that she appreciates the decision the Planning Commission is making on this issue. Matt Gause expressed the issue of costs not only by the youth home, but to the citizens of the county. He

feels that the county is “way past saturation” with youth homes. Several audience members expressed their concerns. Steve Anderson stated that he feels that the county needs to make sure that these facilities are reasonably disbursed and have limited occupancy. Gene Jacobsen explained that he has visited some of these facilities and talked with school officials. He stated that he learned a lot about these facilities and was very impressed. He also explained that he spoke with the superintendent of the North Sanpete School District, and learned a lot about what they do, and the expense they have in providing services. Mr. Jacobsen explained that Paul Gottfredson, South Sanpete School District, stated that he feels that these youth homes are good for our county, but he is concerned with the location of some of them as far as traffic is concerned. Gene Jacobsen asked if the Planning Commission could set up some kind of zone to place these types of business into. Ross Blackham explained the Fair Housing Act that would prohibit these kinds of zones. More discussion ensued. Steve Anderson made a motion to accept the ordinance as written by Ross Blackham. Thell Stewart seconded the motion. Garth Sorenson motioned to amend the ordinance to change the occupancy number from 6 to 12 for the youth homes only, with each facility being 5 miles apart, Dale Lewis seconded the motion. Motion passed. Gene Jacobsen voted against.

DALE BARKER’S REQUEST FOR CONDITIONAL USE PERMIT TO OPERATE A DRIVING SCHOOL, LOCATED NORTH OF MT. PLEASANT.

Dale Barker is present. Mr. Holmstead reviewed his request for a conditional use permit to operate a driving school out of his home located North of Mt. Pleasant. He has all required documents. Gene Jacobsen motioned to approve the conditional use permit. Dale Lewis seconded motion. Motion passed.

LARRY MCCOY’S REQUEST FOR A CONDITIONAL USE PERMIT FOR ALTERNATIVE POWER FOR A CABIN ON HIS PROPERTY IN THE ASPEN HILLS SUBDIVISION.

Larry McCoy is not present. Mr. Holmstead reviewed his request for a conditional use permit to use alternative power at his cabin in the Aspen Hills Subdivision. Mr. McCoy would like to use solar power and/or generator. He is presently building on lot #355, and has all required documents submitted. Garth Sorenson made a motion to approve the conditional use permit with two conditions: generator is to be housed and sound proof. Motion is seconded by Gene Jacobsen. Motion passed.

DAVID ASAY’S, OF ASPEN GROVE ASSETS, REQUEST FOR A CONDITIONAL USE PERMIT TO INSTALL A 300,000 GALLON WATER TANK ON PROPERTY TO SUPPLY WATER TO THE TWIN OAKS SUBDIVISION.

Mike Bowles is present. Mr. Holmstead reviewed his request for a conditional use permit to install a 300,000 gallon water tank on property to supply water to the Pine Creek Ranchos Subdivision. The tank will be located approximately ½ mile south east of the subdivision. Gene Jacobsen asked Mr. Bowles if he has any type of insurance in case of flooding. Mr. Bowles explained that it would only affect his property, but would be willing have an engineer research.

James Nichol stated that he feels that they should build a fence around the tank and paint it like they made someone else do in Salt Lake area. Mr. Bowles explained that a fence is already being built for security efforts. Steve Anderson made a motion to approve the conditional use permit. Thell Stewart seconded the motion. Motion passed.

COMPASS ACADEMY; DAN SPERRY'S REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A YOUTH HOME ON PROPERTY EAST OF MORONI.

Dan Sperry, Alice Sperry, Josh Wilkey, and Syndy Wilkey are present. Mr. Holmstead reviewed Mr. Sperry's request for a conditional use permit to operate a Residential Treatment Center for 24 juvenile male youth in custody by the State. Mr. Sperry explained his business experience, and expressed his concern that when he first applied for this conditional use permit, the ordinance had not been changed. He explained the funds that he has already spent for this facility, and his intentions for buildings, etc. Alice Wilkey stated that their family has lived in Sanpete County for several generations, and they would like to stay here in the valley with their family and be able to help youth. Syndy Wilkey stated that they are very worried about the security of the facility as much as the community because her kids will be living in the area as well. Josh Wilkey stated that their facility is a lot like the Lighthouse facility, and explained his work history with youth homes. Questions were asked about the property and his plans for buildings and their locations on said property. Matt Gause reported that he had spoken to Mr. Sperry, and Mr. Sperry did not mention his plans to build a youth home, and expressed his concern about traffic, etc. Member of the audience asked about liability. Mr. Sperry explained the insurance coverage. Mr. Beardall expressed his concern about the road being too narrow for fire trucks to pass safely, etc. Discussion ensued. Gene Jacobsen made a motion to table this issue tonight in consideration of the decision made back on August 13, 2008. Thell Stewart made a motion to deny the application. Steve Anderson seconded Gene Jacobsen's motion. Dale Lewis stated that he agrees with Gene Jacobsen. Motion passed.

RONALD L. BANGERTER'S REQUEST FOR APPROVAL OF A 4-LOT MINOR SUBDIVISION

Mr. Bangerter is present. Mr. Holmstead reviewed Mr. Bangerter's request for approval of a 4-lot minor subdivision which will be call "Rock A By Ranch". It is located in the RA-2 buffer zone north east of Fairview. He has 1 acre ft. water fight for lot #1 and the city will provide water for the other 3 lots. Lot #1 is in a flood plain, and Mr. Holmstead explained that he required them to hire an engineer to design a system to keep the water from the home. Mr. Bangerter reported that this has been done. Mr. Holmstead explained that required easements have been recorded, and all other requirements have been completed. However, the roads have not yet been approved. Some discussion ensued about the roads. Members of the audience expressed concerns. Dave Taylor, Fairview City Planner, stated that Fairview City would like to protest and provided documents explaining that this subdivision would be in the "Protection Zone" of the city's water well. More discussion ensued. Gene Jacobsen asked about mitigating the cost for Mr. Bangerter to hook up to the sewer system, because he has a signed document

from city personnel approving their digging a septic system two years ago. Discussion ensued concerning the city having to subsidize this, etc. Dale Lewis made a motion to approve the 4-lot minor subdivision with the conditions that the roads be completed and that the fence is repaired. Garth Sorenson seconded the motion. Motion passed.

**C & E MANAGERMENTS' REQUEST FOR A CONDITIONAL USE PERMIT TO HARVEST DEAD
TIMBER ON PRIVATE PROPERTY.**

Charlotte Draper is present. Mr. Holmstead reviewed Mrs. Draper's request for a conditional use permit to harvest dead timber on private property in the following sections: range 5 & 6, township 12 south, 13 south, 14 south, and 15 south. They would like to have this permit extend for one year. Mr. Holmstead reported that they have provided a copy of their liability insurance and also a bond to protect public property. Dale Lewis made a motion to approve the conditional use permit. Gene Jacobsen seconded the motion. Motion passed.

**PETRO-HUNT, LLC, ANDREASEN FAMILY TRUSTS' REQUEST FOR CONDITIONAL USE PERMIT
TO DRILL FOR OIL ON PROPERTY LOCATED IN SECTION 27 NORTH WEST OF MANTI.**

Dennis Ludington is present on behalf of the Andreasen Family Trust. Mr. Holmstead reviewed their request for a conditional use permit to drill for oil on the Andreasen property located in section 27 just north west of Manti. The property is in the A Zone and requires a conditional use permit to explore for oil. Petro Hunt has a \$100,000 blanket insurance policy to protect any damage to public property. Included in this packet is a copy of a \$120,000 policy to protect Andreasen's property. Gene Jacobsen made a motion to approve the conditional use permit. Steve Anderson seconded the motion. Motion passed.

With no further business before the Planning Commission, motion to adjourn is made by Garth Sorenson. Motion seconded by Thell Stewart, motion passed.

The meeting adjourned at 10:00 P.M.