

**MINUTES OF THE REGULAR MEETING OF THE RUSH VALLEY PLANNING
COMMISSION HELD ON NOVEMBER 07, 2018
AT THE RUSH VALLEY TOWN HALL,
52 SOUTH PARK STREET, RUSH VALLEY, UTAH.
THE MEETING BEGAN AT 7:00 P.M.**

Planning Commission Members Present: Scott Hawkins, Blaine Russell and Carl Wall

Appointed Officers and Employees Present: Amie Russell

REGULAR AGENDA:

1. Discussion and Review of Agenda Items by Planning Commission. No comments were offered.

2. Roll Call. Blaine Russell, Scott Hawkins and Carl Wall. Jeff Neil and David Smith were excused. Scott Hawkins is acting as chairman in this meeting.

3. Approval of meeting minutes for 10-03-18. Blaine Russell made a motion to approve the minutes as written. Carl Wall seconded the motion. All present voted in favor and the motion carried.

4. Warren Cheatham – Zoning Approval, AG Building. Warren Cheatham was present at the meeting. Scott Hawkins explained that the minimum setback will need to be 6 feet off the property line where the building will sit. The side setback is the issue. The back and front setbacks will meet setbacks. Even with a non-conforming lot because the property is under 5 acres the minimum is 6' from the side and also from the back. Scott Hawkins and Jeff Neil went and looked at the building. It looked like it was built on railroad ties. Can it be moved 6'? Mr. Cheatham said he could do that. Scott Hawkins asked him to submit a new drawing with it the West 6'. Carl Wall made a motion to approve plan with 6' setback as discussed and new drawing be submitted. Blaine Russell seconded the motion. All present voted in favor and the motion carried.

Warren commented he doesn't think Ensign Engineering will approve this because he built the trusses himself. He has had conversations with Ensign and they are telling him they have to be designed and stamped by an engineer. The commission believes this is in relation to the garage and not the AG Building being discussed tonight.

Mayor Johnson commented for an AG building and pole barns as they haven't required engineer design or stamp. These trusses are a fink truss that he has built. The requirements for an AG Building are different from other structures.

Warren commented they (Ensign) did shut him down on the garage. He hasn't decided if he is going to pursue the garage application. He was hoping to pass this skill of teaching his boys' to build trusses, but it doesn't seem like that will be approved in this situation. Upstairs storage for camping equipment. Mayor Johnson asked what the intended use would be for the garage. Warren responded the upstairs would be used to store his camping equipment. Mayor Johnson commented that is a different use so different requirements are needed.

Carl Wall made a motion to give zoning approval with the condition a new map be provided and it shows the 6' setback required. Blaine Russell seconded the motion. All present voted in favor and the motion carried.

5. Public Comments. Kim Shaffer asked if there are rules on fencing to replace and existing fencing. Scott Hawkins commented on a corner lot it cannot be higher than 6 feet in height, he doesn't believe a building permit is required for installing fencing.

Also asked about the house that is going in north of Paxman's, is the lot 1.25 acres. The original size of the original lots. Scott Hawkins commented he cannot remember what the size was. Boone Baird purchased 2 lots and Paxmans purchased 2 lots. Makayla Russell asked about the acreage of the lots. Mayor Johnson commented Rock road was never designated as part of the acreage. Scott Hawkins commented reading the parcel booked. 4 1.25 acre lots is what was grandfathered. It is showing 2.73 Paxman, Scott Hawkins commented it is showing they are combined lot and believe .5 (.25 from Boone and .25 from Bray's) has been taken out for Rock Road. Mayor Johnson and Scott Hawkins looked at Lot 29 (page 305 and it refers to page 310) were grandfathered and there were 2 lots purchases with 2 different descriptions. Scott Hawkins commented there was illegal divisions (Arthurs) and they worked with Attorney Linares and correctly did the division with public hearings, Planning and Zoning approval and Town Council approval as well. Both homes are compliant with the required acreage needed. The old St John subdivision dates to the 1880's lot 5 and 6 warranty deed from the Arthurs but it does not show the acreage on the warranty deed 310-0002. Rock Road is a town road and it went to court to designate it as such, but no paperwork was ever filed. Joel Linares helped to get this taken care of.

Geneil Russell asked about building a building yourself. Carl Wall commented you get approval for setback and type of use by the Planning Zoning commission. Then it is submitted to Ensign Engineering for permit review and approval. The Ensign Engineering determines what needs to be stamped. There are two different items Mr. Cheatham is asking for approval for. He wanted to use the garage and redo the roof system, not just re-roof, the engineer asked for stamped drawing. He can go to an engineer to review and stamp the trusses. If the town issues a permit without the stamped trusses and someone is injured because of this the town could be liable. Geneil Russell asked if she needed to worry about setbacks if she is the property owner for property surrounding her. Yes, because it is a new boundary and if the other property is ever sold it will not be in compliance.

Kim Shaffer asked about carports. She stated at one time there weren't permits required. You can put a building on your property without a permit. Maximum size is 10 x 12 = 120 square feet.

6. Adjourn. Carl Wall made a motion to adjourn. Blaine Russell seconded the motion. All present voted in favor. The meeting adjourned at 7:41 pm.