

STATE OF UTAH
COUNTY OF SEVIER
TOWN OF ANNABELLA

Minutes of the Planning Commission meeting held on Monday, January 23, 2023 beginning at 6:00 p.m. at the Annabella Town Council Chambers, located at 295 East 300 North, Annabella, Utah. John Chartier conducting.

PLANNING COMMISSION

1. ROLL CALL
2. APPROVAL OF MINUTES
3. RICHARD LARMOUTH, CONDITIONAL USE PERMIT UPDATE
4. CONNIE DILLAVOU, CONDITIONAL USE PERMIT AND CODE VIOLATION QUESTIONS
5. PLANNING COMMISSION VACANCY
6. ANNUAL REVIEW OF CONDITIONAL USE PERMITS
7. CONDITIONAL USE PERMIT APPLICATIONS
8. BUILDING PERMIT APPLICATIONS
9. ADJOURN

Public in Attendance

Connie Dillavou

Wendy Golyer

Richard Larmouth

1. ROLL CALL. John Chartier, Wade Ingram, Kelvin Johns, Jacob Olsen and Kent Poulson were in attendance. Tina Mitchell, Clerk, was also in attendance.
2. APPROVAL OF MINUTES. It was noted that the November 28, 2022 minutes should be corrected as follows: Tina Mitchell was in attendance and Section 4 typo changed from purse to pursue. **Jacob Olsen made a motion to approve the November Planning Commission minutes with the changes noted. The motion was seconded by Wade Ingram and the motion carried unanimously.**
3. RICHARD LARMOUTH CONDITIONAL USE PERMIT UPDATE. Mr. Larmouth was in attendance to discuss the status of an occupancy permit from the Sevier County Building Department. Mr. Larmouth explained that he hasn't obtained the occupancy permit for various reasons, including his wife's health and being unable to contact the correct person to sign the permit. He added that the structure is safe and comfortable and that there is no reason he shouldn't be able to stay there. Chairman Chartier explained that the Planning Commission is not questioning the stability of the structure, the question is whether or not it meets the criteria set for occupancy. He also noted that the Planning Commission is concerned for Mr. Larmouth's safety and wants to make sure the structure meets the required codes. He added that the Sevier County Building Department would make the decision regarding the occupancy permit. The Planning Commission agreed that the Town could facilitate the process by sending a

letter to the building department requesting an inspection of the structure. Chairman Chartier noted that if an occupancy permit is granted, Mr. Larmouth will need to complete a conditional use permit for an accessory apartment. Also, if an occupancy permit was denied, that decision would need to be accepted as such.

Kent Poulson made a motion that Annabella Town send a letter to the Sevier County Building Department requesting an inspection of Mr. Larmouth's shed, identifying whether or not it can be issued an occupancy permit. He added to the motion that both the Planning Commission and Mr. Larmouth accept the decision rendered by the building department. Wade Ingram seconded the motion and the motion carried unanimously.

Mr. Larmouth stated that he felt that was fair.

Note: The response from the Sevier County Building Department dated February 6, 2023 states that the outbuilding appears to have addressed the proper safety issues and that the bathroom is located within twelve feet of the occupied living space. It states that this type of use should only be used for temporary use and not for long term living.

4. **CONNIE DILLAVOU, CONDITIONAL USE PERMIT AND CODE VIOLATION QUESTIONS.** Connie Dillavou explained that she had received a code violation letter for Jeff & Wendy Golyer living in an RV on her property. Mrs. Dillavaou and Mrs. Golyer explained that they were unaware of the ordinance limiting mobile homes used as living quarters to 14 days within a two-month period. Mrs. Golyer added that she would like to stay on the Dillavou property until her property (across the street from the Dillavou's) has power, water, a septic tank, etc. and they begin building their own home. Mrs. Dillavou noted that her house has a separate septic system that the Golyer's are currently using for their RV. She added that Mrs. Golyer has obtained all the signatures needed for her conditional use permit and all neighbors are aware that the RV is occupied and located on the Dillavou property with the intent of moving to the Golyer property during home construction.

5. **PLANNING COMMISSION VACANCY.** Chairman Chartier explained that, due to his many other commitments, Nate Selin is unable to complete his term on the Planning Commission. The Planning Commission unanimously agreed on recommending Lenny Hartle to the Town Council to fill the unexpired Planning Commission term. The term will end December 31, 2023.

6. **ANNUAL REVIEW OF CONDITIONAL USE PERMITS.** The Planning Commission reviewed the list of permits. **Wade Ingram made a motion to renew the conditional use permits as presented. The motion was seconded by Jacob Olsen and the motion carried unanimously.**

7. **CONDITIONAL USE PERMIT APPLICATIONS.** The Planning Commission approved the following conditional use permits:

Kesko Engineering (Jacob Olsen), LLC, 72 S. 400 E., a home based engineering business. **Ken Poulson made a motion to approve the conditional use permit for**

Kesko Engineering. The motion was seconded by Kelvin Johns and the motion carried unanimously.

Jeff & Wendy Golyer, requesting to reside in an RV at the Dwight & Connie Dillavou property located at 10 S. 300 E. until water and power are in place on their property located at 43S. 300 E. Additionally, to stay in the RV on their own property until their new home is constructed.

Jacob Olsen made a motion to approve the conditional use permit with the following conditions:

- **Approval to occupy Dwight & Connie Dillavou property in an RV for up to six (6) months, after which, must move to purchased lot**
- **Permit reviewed annually**

8. BUILDING PERMIT APPLICATIONS.

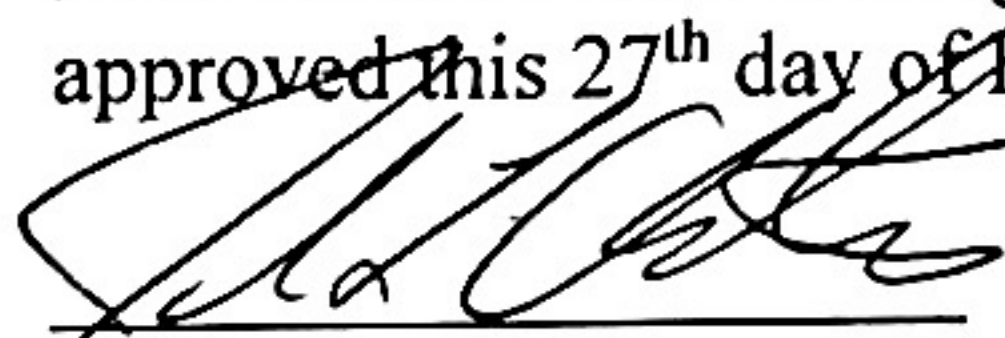
The Planning Commission reviewed and approved the following building permits:

- Johnathan Barlow, rooftop solar, 231 S. 300 E.
- Amber Carter, tear off/re-roof, 295 S. Main
- Matt Daniels, tear off/re-roof, 115 S. Main
- Kurt Johns, solar, 172 W. 200 S.
- Celeste Hancock, solar, 80 E. 300 S.
- William Taufer, solar, 352 E. 320 N.
- Lenny Hartle, shed, 332 East 300 North.
- Brittany Curtis, garage, 354 East 360 North

Jacob Olsen made a motion to formally approve the building permits. The motion was seconded by Wade Ingram and the motion carried unanimously.

9. ADJOURN. At 7:14 p.m. Wade Ingram made a motion to adjourn the meeting. The motion was seconded by Kelvin Johns and the motion carried unanimously.

Minutes from the Planning Commission meeting held on Monday, January 23, 2023 were approved this 27th day of February, 2023



John Chartier
Planning Commission Chairman



Tina Mitchell, Town Clerk

