

# Mantua Planning and Zoning Meeting Minutes

Held on December 8th, 2022

6:30 at Town Hall 409 North Main Mantua, Utah

## COMMISSION MEMBERS:

Pam Eaves-Not in attendance  
Cindy Gibbons  
Doug Green  
Dave Marsh- Not in Attendance  
Stephanie Bair-Deputy Recorder

Robert Thayne  
Darrell Duncan  
Tim Miles

## AUDIENCE PRESENT:

Holden Florence  
Matt Jeppsen

Morgan Florence  
Rob Lyndsey

## THOUGHT OR INVOCATION-

Doug Green

## PLEDGE OF ALLEGIANCE-

Lead by Robert Thayne- followed by all in attendance

## APPROVAL OF MINUTES:

Minutes for the Planning and Zoning meeting held on November 10<sup>th</sup>, 2022, approved with corrections by the Planning and Zoning Commission

## PUBLIC COMMENTS:

None

## PUBLIC COMMENTS REGARDING THE FLOENCE SUBDIVISION:

*(Per Utah Code, Council will receive input only, no decision can be made on public comment. It will be up to the discretion of the mayor the amount of time allowed to comment.)*

Letters were mailed to property owners within 1000-foot radius (per Land Use Code) informing of the Florence's intent to subdivide parcel number 03-031-078. The property owners were given an opportunity to voice concerns or comments at this time during the Planning and Zoning meeting held on December 8<sup>th</sup>, 2022.

Rob Lyndsey-Commercial Real- Estate Broker- Stated concerns regarding the .5 acer portion of the subdivision. He asked for clarification to ensure the Commission was not setting a precedence for creating smaller lots in a MU-5 zoned community. The response was that the .5-acre lot was already zoned as R-

120 and the remainder of the lot, 5.38 acres will remain zoned as MU-5. This area will remain as MU-5, maintaining the area for larger lots. Rob also inquired about asphaltting of the road. Holden Florence responded that, yes, they are required to Asphalt the road from the boundary of his property to the already improved portion of the road. Rob was shown documents from the Florence's file that had been sent from the engineer showing the asphalt requirements.

**No other comments were made by the public**

## **DISCUSSION ITEMS:**

### **HOLDEN AND MORGAN FLORENCE-PRELIMINARY PLAT UP-DATE**

Robert Thayne initiated a discussion with the Florence's regarding the subdivision of their property. Robert mentions to them that the Planning and Zoning commission had received a lot of information and updated documents and said he had looked through them very thoroughly and, in his opinion, has found everything required to be in order. Robert then asked the commission for any comments or concerns. Which none were stated.

Stephanie Bair, Deputy Recorder, then read a letter emailed to the Planning and Zoning Commission from Chris White, Project Manager/Review Coordinator with Hansen and Associates, that stated.

*Attached are the APPROVED construction plans for the Florence Subdivision on North Dam Road and we recommend preliminary plat approval.*

Robert Thayne asked Stephanie Bair if there was any other information or documents needed from them to move forward. Stephanie responded that the following documents were still needed:

- A letter from Golden West stating their approval and acknowledgement of subdividing the property
- Engineer Estimate for Subdivision Improvements Guarantee Agreement
- Escrow Account set up with funds reflected on the Engineers estimate for the Subdivision Improvements Guarantee Agreement

Robert then addressed the issue regarding a stamp required on the Final Plat that was required stating they lived in proximity of a Shooting Range, and also stated that the letter from Chris White went on to say:

*" A final plat for the development needs to be submitted to Janessa Knotts at the Box Elder County Surveyor's office for review before submitting it to Mantua for approval and before we review it."*

Holden said he was aware of this, and his Engineer, Hansen and Associates and the Planning and Zoning Commission had been working close together and had CCed each other on the emails.

Rob Lyndsey asked to address the Commission again. He stated that he had been the one that had utilities installed in this area and had a Pioneering Agreement that was filed with the Town of Mantua. He wanted to ensure the Florence's were aware of this and the percentage amount owed to him. Holden responded that he was aware and that he was informed that his lots would not be issued permits until all monies due were paid.

### **REVISED APPLICATION FOR COMMISSION REVIEW:**

#### **Lot Alteration/Lot line adjustment Application- (Not part of subdivision)**

Robert Thayne presented to the members of the Planning and Zoning Commission; the revised Lot Alteration/Lot Line Adjustment Application proposed by Pam Eaves. In this new application, Pam includes the applicable application fees on the front page for transparency along with a check list on the back for Applicant, Town Staff, Planning and Zoning Commission, Surveyor, Title Company, and Town Council. This will help each party know what steps they are responsible for throughout the process. This

will work as an aid to those involved with the application and will help insure completeness and ease in the Lot Alteration/Lot line Adjustment process. The commission unanimously commented that this new application would make this process streamlined and easier to follow.

In combination with this new proposed application, a section of the 2022 Powers and Duties Book, chapter, Land Use (page 168) **Boundary Line Agreements** was also brought to the attention of the Planning and Zoning Commission. This section states.

***“The current state law indicates the property owners can adjust their contiguous boundaries of record by quitclaim deed or boundary line agreement without getting the approval of the municipalities land use authority”***

Pam Eaves asked the commission to discuss this in depth. Robert began the discussion by asking What the Commission members thought about the statement and as a Planning and Zoning Commission, do we still have the ability to regulate this, and do we want to? The point made was that even though this is a State Statute, The Planning and Zoning Commission feel they need to have a say in matter to help keep the integrity of the boundaries and set back. It was suggested to check if the Town has an ordinance in place regarding property owners changing boundaries without guidance of the Planning and Zoning Commission or Town Council and if not, check into getting one in place. Cindy Gibbons commented that when property owners start changing boundaries without guidance the boundaries can be moved in such a way to cause real issues and concerns. Matt Jeppsen said that it is important that property owners abide by the setbacks and boundaries, or the Town may encounter real issues. Darrell Duncan made the comment that we need to find out if the State has higher precedence than Municipalities. Robert suggested that the Planning and Zoning Commission do more research on this topic.

#### **Revised Sketch Plat Application for Subdivision/Development including check list:**

Robert presented The Sketch Plat Application for Subdivision/Development that was revised by Pam Eaves. The revised application that is being proposed, simplifies this process not only for the Subdivider but also Town staff and includes the applicable application fees on the front for transparency. This Application also includes a check list. This check list including the Applicant, Town Staff, Planning and Zoning Commission, Surveyor, Title Company, and Town Council will help each party know what step of the process they are responsible for. This will work as an aid to those involved with the application and will help insure completeness and ease in the Subdivision process. The present Sketch Plat application confuses small subdivisions and major subdivisions or master planned developments process. The Planning and Zoning Commission agreed the revised application is a great replacement for the existing application.

#### **Checklist for Sketch Plat for Major Subdivision requiring dedication of property for public streets, on-site or off-site improvements and /or Master Planned Development information and checklist:**

This new check list is proposed will be in place of check list above but will be a companion to the revised Sketch Plat Application for Subdividers/Development. This check list including the Applicant, Town Staff, Planning and Zoning Commission, Surveyor, Title Company, and Town Council will help each party know what step of the process they are responsible for and will work as an aid to those involved with the application and will help insure completeness and ease in the Major Subdivision and Master Planned Development process. Robert Thayne mentioned that this is a great way inform both the applicant and Town staff and will help keep everyone on the same page.

#### **ACTION ITEMS:**

None

**COMMISSION AND MAYOR COMMENTS:**

Mayor Nelson- Not in attendance

Pam Eaves- Not in attendance

Cindy Gibbons- No Comments

Dave Marsh- Not in attendance

Darrell Duncan- No Comments

Tim Miles- No Comment

Doug Green- No Comments

Robert Thayne-Thanked Stephanie Bair and the Commission members for all their help and support

Matt Jeppsen-Suggested we look into where we, as a Town Council and Planning and Zoning Commission stand in regards to the Powers and Duties Book. He suggested we contact Seth Tait on the legalities.

**ADJOURNMENT**

Cindy Gibbons made a motion to adjourn the December 8th, 2022, Planning and Zoning meeting. Tim Miles Seconded the motion

**Cindy Gibbons-YES**

**Doug Green-YES**

**Robert Thayne-YES**

**Darrell Duncan-YES**

**Tim Miles-YES**

**Dave Marsh- Not in Attendance**

**MOTION PASSES**

**MEETING ADJOURNED**