

**Sevier County Planning & Zoning Commission**  
**June 13, 2018**

Minutes of the Sevier County Planning Commission meeting held on the thirteenth day of June, 2018 in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Those present included: Chairman Ryan Savage, John Worley, Caryl Christensen, and Lisa Robins. Others attending included: Building and Zoning Secretary Mistee Robbins, and others as listed on the roll.

Troy Mills, Garyn Mickelsen and Blake Zobell were excused.

**Minutes of the March 14<sup>th</sup> Planning Commission Tabled:**

Minutes of the March 14<sup>th</sup> Planning Commission meeting were tabled due to lack of quorum members.

**Conditional Use Permit Approved for Paul Niemeyer Sporting Clays Shotgun Range:**

The Planning Commission then considered a Conditional Use Permit for Paul Niemeyer for a sporting clays shotgun range to be located at approximately 1500 East 200 North, Annabella, Utah. Mr. Niemeyer presented his idea to the Planning Commission, stating there are not a lot of places around for children and adults to shoot clays. Mr. Niemeyer stated that he would like to have a place that is already set up for the public to use. Mr. Niemeyer then stated that he does not feel that the sporting shotgun range would be used a lot. He will fence around the structure and he spoke with Rocky Mountain Power, stating there are no power lines that would be in the way. Mr. Niemeyer stated that the Quarnberg's do have sheep that travel through the area that the sporting range would be at and does not want to cause any issues, however, he only wants to fence what he has to. Mr. Niemeyer then stated that currently there is a sporting clays shotgun range in Mesquite and Ephraim. He would like to have one closer. Mr. Niemeyer stated that he has spoken with property owners Ole Lindgren, and John and Kathy Quarnberg, stating they are all ok with this with the exception that they have concerns with their sheep. Mr. Niemeyer told the Quarnberg's that they will not be bothering the sheep. He then stated that the shoots are extremely clean, stating they will pick up all clays and all shotgun shells, this will not be a junky area. Lisa Robins then inquired about the access to the range, at this time Mr. Niemeyer asked if he could approach the Planning members and show them on the map how they would access into the property. Caryl Christensen then asked about the parking, stating that from looking at the map there will need to be parking. Mr. Niemeyer continued to show the Planning Commission the maps and stated that if there are ever ten cars there, that would be a lot. Caryl Christensen then inquired if the County would consider grading that road, Ryan Savage stated that is a probably a condition that the County Road Department would need to put on this and then he asked Zoning Administrator Jason Mackelprang what he thought in which Mr. Mackelprang stated Bob Watts of the County Road Department would have the say on grading the road. Mr. Savage then inquired if there were any other questions regarding this proposal for a sporting clays shotgun range. At this time Trampus Quarnberg stood and asked the Planning Commission if he could speak regarding his concerns of his sheep, the parking lot and the shooting. The Planning Commission allowed Mr. Quarnberg to approach Paul Niemeyer to look at his maps. Mr. Quarnberg also stated his concerns of the noise and how that will affect his sheep that roam through this property, stating he is concerned once the sheep hear the shotgun noise they will not graze or move. Caryl Christensen then stated that she feels the approvals from the surrounding property owners need to be black or white, that she is wanting three letters from the property owners stating they know about the shooting range. Mr. Quarnberg stated his concerns about the road and the fact that it is not being taken care of already as is. Mr. Niemeyer stated that the shooting range will not be open or available every day. Mr. Quarnberg does like the idea of the shooting range, however, he is concerned about his sheep. At this time, Mr. Savage thanked Mr. Quarnberg for his comments and then stated that he does agree that Mr.

Niemeyer needs to provide letters from surrounding property owners. Mr. Niemeyer stated that if his conditional use permit is approved, he will be purchasing property from Mike Labrum. John Worley inquired about water and power. Mr. Niemeyer stated there is no water or power to this property. John Worley recommended that there be porta-potties brought in on the bigger shooting days. Mr. Niemeyer stated that on the days the range is open it will be open for only one to two hours at a time. In the winter, there will be earlier shoots on a Saturday or Sunday because of the time change. Mr. Niemeyer continued by stating this is not a commercial situation, it is place for children to have somewhere to go and he can work with them. Mr. Niemeyer stated he does understand the concerns on the sheep and, that he does not want to ruin anyone's days with this. Caryl Christensen asked Jason Mackelprang, that if approved, and if there are problems, can the permit be pulled. Mr. Mackelprang stated that with a conditional use, the permit can be pulled. John Worley made a motion to approve the sporting clays shotgun range with the stipulations that Mr. Niemeyer get a letter from Mike Labrum on purchasing the property, a letter from each of the surrounding property owners, and a letter from the County Road Department regarding access. Second, Caryl Christensen, unanimous.

**Proposal to Create Agriculture Protection Area within Sevier County, Utah-A & D Jensen Contractors, Inc.:**

The Planning Commission then considered an Agricultural Protection Plan for A & D Jensen Contractors, Inc., regarding parcel numbers 4-295-1 and 4-304-38. Nancy Jensen represented for A & D Jensen Contractors, Inc. Nancy Jensen stated that they want to have their farm property considered for an APA. John Worley asked Jason Mackelprang to explain exactly what an APA encompasses. Mr. Mackelprang stated the property remains agricultural and stays agricultural. The APA protects them from their neighbors moving in and trying to disrupt their agricultural property. For example, they can bale at night and neighbors cannot complain. There are tax breaks, they are on greenbelt. This is for their protection and our ordinance follows state law. Caryl Christensen made a motion to accept the Agricultural Protection Plan for A & D Jensen Contractors, Inc.. Second, John Worley, unanimous.

**Conditional Use Permit Approved for John and Randa Hawley Gravel Pit Expansion:**

The Planning Commission then considered a Conditional Use Permit for John and Randa Hawley for a gravel pit expansion. Randa Hawley explained to the Planning Commission that they want to ask for a change of use to the property they are in escrow with, that is located south of Elsinore on Hwy 89. Mrs. Hawley stated they want to use this property for sand and gravel, stating their current pit, which is Hawley Rock Products, needs to be expanded, their pit is at it's boundaries. This piece of property is contiguous to their current gravel pit. Mrs. Hawley also stated they do know that they cannot use it right next to the highway because of the canal on the property boundary. At this time, Brayden Gardner approached the Planning Commission to show them maps and the canal, stating there is a bridge that crosses the river in the back of the property. Caryl Christensen inquired about the neighbors next to this property. Mrs. Hawley explained that the neighbors are aware of the expansion, if approved and continued by saying that Hawley Rock Products is and has been familiar with the standards set by the state on air quality and etc. Mrs. Hawley explained that they do not want to the change the integrity of the property regarding the canals. Mr. Hawley then spoke stating he has spoken with Russell Christensen regarding the canal and permission. Also stating they have a good right of way. Ryan Savage inquired if there were any other comments regarding the expansion of the gravel pit. John Worley stated he would like a copy of the escrow of the property purchase when done. At this time John Worley made a motion to approve the expansion of the gravel pit. Second, Caryl Christensen, unanimous.

**Conditional Use Permit Approved for Michelle Holt Vacation Rental:**

Chairman Ryan Savage had to leave this meeting at 6:30 p.m. He was available on speaker phone for the remainder of the vacation rental conditional use permit. Vice-Chairman John Worley then took over the meeting. The Planning Commission then considered a Conditional Use Permit for Michelle Holt, for a vacation rental in her basement at her home located at 932 South Black Knoll Road, Venice, Utah. Michelle was not present for this meeting therefore her husband Kelly Peterson was here to represent. Kelly Peterson explained to the Planning Commission that he and his wife would like to have an R B & B in their basement of their home, where people can stay the night while on vacation. He went on to explain that reservations are made on a website. Lisa Robins then inquired about the size and space of the basement. Mr. Peterson stated that the basement is 1200 sq. ft. with three bedrooms and two bathrooms, he stated they can provide for either three families or one large family. One bedroom has two twin beds, the second room has one queen bed and the third bedroom has one king bed. Lisa Robins then inquired about insurance and if they have checked into that in which Mr. Peterson stated the R B & B company themselves does provide insurance, that is a part of their contract with them. Lisa Robins continued by stating there have been problems nationwide where claims are not being paid. Mr. Peterson stated that the R B & B company takes a percentage of the rental for insurance and that he and his wife get the rest of the payment. John Worley inquired if they are required to take everyone that reserves a room. Mr. Peterson stated they can do a history search before committing to that person. They do not have to rent rooms. All reservations are made on the website. There are no issues with access to the property or parking and the basement has a walk out door. Ryan Savage then inquired about the Buchanan Subdivision CCR's and if they had done research. Mr. Peterson stated they have not checked the CCR's. John Worley inquired about Jason Mackelprang researching the CCR's for this subdivision, CCR's do get recorded with the subdivision approvals. John Worley inquired about the R B & B in Joseph and if we had required letters from the surrounding neighbors, Jason Mackelprang told them no. It was not required. Caryl Christensen inquired if Michelle Holt has a business license in which Jason Mackelprang replied that they are in the process of getting it signed. Caryl Christensen made a motion to approve the conditional use permit for a vacation rental with the following stipulations, that they research the subdivision CCR's and that they are limited to ten or less people at a time. Second, Lisa Robins, unanimous.

**Chad Outzen Minor Subdivision Approved:**

At this time, Ryan Savage had to excuse himself on this subdivision and therefore, we had Troy Mills on speaker phone. The Planning Commission then considered a one lot minor subdivision for Chad Outzen, located at 79 East 1570 North, Monroe, Utah. Caryl Christensen inquired about the Monroe Canyon canal floods that flooded both sides of the road several years ago and how Chad Outzen would protect himself if that were to happen again. Mr. Outzen stated that he plans to build his house up and with no basement. Caryl Christensen wants Mr. Outzen to be made aware of the water situation, in which Mr. Outzen replied that he is. Both Caryl Christensen and John Worley stated that this property looked good. Chad Outzen stated that Bob Watts of the County Road Department has approved the road, Mr. Outzen stating that Mr. Watts likes where he is putting the driveway. Caryl Christensen inquired about the access for a fire truck and if there is a fire hydrant. John Worley stated he is ok with this, he has been to the property. The access, water and power has all been approved at this time. Mr. Outzen stated that he only wants one lot for his home and, that he will farm the rest of the property. Caryl Christensen inquired about the sprinkler water and which way it runs, Mr. Outzen stated it is underground, they flow to the canal. There is no culvert needed per Mr. Watts. Caryl Christensen made a motion to approve this minor subdivision. Second, Lisa Robins, unanimous.

Meeting adjourned at 6:56 p.m.

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