

**Town of Daniel
Daniel Planning Review Board
Meeting Minutes
March 19, 2008
County Health Department
North Conference Room
7:00 pm**

Quorum: Eric Bunker, Mike Averett, Francis Smith, Lynn Crisler, Diane Grose

Eric Bunker called the meeting to order at 7:01 pm.

1. Public Comment

- a. Barry Hobbs asked about the boarding schools and Eric Bunker told the meeting that they had applied for a zone change and it would be acted on in November.
- b. Merry Duggin told the Board the Supreme Court had issued their decision re: WDLA. The Supreme Court denied their request. WDLA next resort is 4th District Court. Marilou Hall read the decision.

2. Mike Peterson

- a. Mike Peterson is seeking approval for his Office/Warehouse. He had an "in process" letter from the County Health Department and he is working with UDOT and expects a final approval by the next meeting. He is asking for concept approval.
- b. There was discussion on the building, its usage, parking and the number of employees. Francis Smith stated that there was not enough room for semi trucks to get off the highway and circulate.
 - i. Motion - Diane Grose
 - 1. To approve with the condition that Mike Peterson check on access requirements with UDOT
 - ii. Second - Francis Smith
 - iii. Passed unanimous

3. Chip Turner

- a. Chip Turner has applied for a permit for an agricultural building - barn. Eric Bunker showed the Board the plans. Chip Turner was present and was informed that a staff report was issued and consented to proceed. There was discussion on the barn.
 - i. Motion - Mike Averett
 - 1. To approve
 - ii. Second - Francis Smith
 - iii. Passed unanimous

4. Building Permit - MaryJo Coleman

- a. Robert Wilson, builder, was present and explained the plan was to

enclose a covered patio, enlarge the bedroom and add an exercise room. He said the occupant is disabled and needs more room. He was informed a staff report was issued and consented to proceed. There was discussion on the addition.

i. Motion - Lynn Crisler

1. To approve with the condition of restroom and garbage facilities on site.

ii. Second - Diane Grose

iii. Passed unanimous

5. Annexation - 3600/Parry

- a. Merry Duggin, Deputy Recorder, showed the plat map to the Board and explained that the annexation was approximately 4 acres and consists of 5 parcels. She stated the annexation needs no additional services and is an extension of Little Sweden Road. The protest period ended March 7 and no protests were filed.

i. Motion - Diane Grose

1. To recommend to the Town Council to accept the annexation

ii. Second - Lynn Crisler

- b. There was discussion on the fact that the plat map should show the area of the lots and existing lots of record. Diane Grose withdrew her Motion and Lynn Crisler withdrew his second.

i. Motion - Lynn Crisler

1. To recommend to the Town Council to approve the annexation with plat maps that show the area of the lots and roads and are subject to RA-5 zone and zoning as currently in Town of Daniel code.

ii. Second - Francis Smith

iii. Mike Averett: yea

iv. Francis Smith: yea

v. Lynn Crisler: yea

vi. Diane Grose: yea

6. Water Update

- a. Lynn Crisler explained Daniels Domestic Water will come into the Town of Daniel soon. Their attorney and the Town of Daniel attorney are currently working on the forms. There are some details that need to be attended to before they come into the Town but it is underway. They have no outstanding liabilities and the condemnation of the road was filed today. At the last shareholder meeting the vote was unanimous that the water company come into the Town.

7. Public Hearing

i. Motion - Diane Grose

1. To open the Public Hearing

- ii. Second - Mike Averett
 - iii. Passed unanimous
 - b. The Public Hearing was opened at 7:55 pm.
 - c. Eric Bunker explained the previous hearing ended at short term private rentals and the term "leaseholder" was a problem. He did not get a definition. There was discussion about leaseholder, property rights and business licensure.
 - i. Motion - Francis Smith
 - 1. No nightly rentals
 - 2. Second - Diane Grose
 - a. Diane Grose: yea
 - b. Francis Smith: yea
 - c. Mike Averett: nay
 - d. Lynn Crisler: nay
 - ii. Motion - Lynn Crisler
 - 1. Have attorney look at the proposed code change and rephrase
 - d. There was discussion.
 - e. Lynn Crisler withdrew his motion.
 - i. Motion - Lynn Crisler
 - 1. Send to Town Council to approve
 - ii. Died - no second
 - iii. Motion - Diane Grose
 - 1. Continue Title 8 to next meeting
 - 2. Second - Mike Averett
 - 3. Passed unanimous
 - f. The Public portion of the Public Hearing was closed.
- 8. Committee Reports
 - a. There were no reports.
- 9. Minutes
 - i. Motion - Lynn Crisler
 - 1. To approve
 - 2. Second - Mike Averett
 - 3. Passed unanimous
- 10. Administrative Issues
 - a. Eric Bunker talked about the Bylaws of the Planning Board and asked the Board members if there were changes they wished to make. Diane Grose pointed out a typo. Marilou Hall asked that the secretary position be appointed.
 - i. Motion - Lynn Crisler
 - 1. The secretary position for the Planning Board is an

appointed position. (sec G, #7)

- ii. Second - Francis Smith
- iii. Passed unanimous

b. Motion - Lynn Crisler

- 1. To adopt with the changes
- ii. Second - Diane Grose
- iii. Mike Averett: yea
- iv. Francis Smith: yea
- v. Diane Grose: yea
- vi. Lynn Crisler: yea

11. Adjourn

- i. Motion - Diane Grose
 - 1. To adjourn
 - 2. Second - Mike Averett
 - 3. Passed unanimous

12. The meeting was adjourned at 9:30 pm.

Approved