

**APPROVED**

**CACHE COUNTY  
COUNCIL MINUTES  
JULY 27, 2010**

**CACHE COUNTY COUNCIL**  
**July 27, 2010**

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**CACHE COUNTY COUNCIL MEETING**  
**July 27, 2010**

The Cache County Council convened in a regular session on July 27, 2010 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

**Chairman:** Gordon Zilles  
**Vice Chairman:** **Jon White absent.**  
**Council Members:** Craig "W" Buttars, Brian Chambers, H. Craig Petersen, Kathy Robison & Cory Yeates.  
**County Executive:** M. Lynn Lemon  
**County Clerk:** Jill N. Zollinger  
**County Attorney:** James Swink

**The following individuals were also in attendance:** Kim Bales, Mikelshan Bartschi, Shaun Bartschi, Sarah Fallentine, Chris Harrild, Sharon L. Hoth, Kree Lindsay, Keith Meikle, Dave Nielsen, Val Potter, Marianne Sidwell, Lucy Watkins, Rich Wiederman, **Media:**, Jay Patrick (Herald Journal), Jeremy Threlfall (KUTA-TV), Jennie Christensen (KVNU).

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Council member Robison gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

Council member Yeates asked that Item 11a – *Proposed Amendments to the Cache County Road Standards* – and Item 11b – *Discussion-Surplus Property along Blacksmith Fork River-approximately 37 acres of Coldwater Property Parcel #17-002-0033* – be moved to the August 10<sup>th</sup> Council Meeting agenda. Yeates also asked that Item 12d – *Discussion of Planning Commission as the recommending body for land use issues* – be added to the agenda.

The Council approved the agenda as amended by Council member Yeates.

**REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Robison to approve the minutes of the July 13, 2010 Council Meeting as written. Yeates seconded the motion. The vote was unanimous, 6-0. White absent.

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:** There were none.

**WARRANTS:** Warrants for the period 06-25-2010 to 07-01-2010 and 07-02-2010 to 07-08-2010 were given to the clerk for filing.

**OTHER ITEMS**

- ❑ **Approval of Polling Places for the November 2, 2010 General Election** – Executive Lemon distributed a listing of the proposed polling places for the November 2, 2010 General Election for the Council's review and approval.

(Attachment 1)

**ACTION: Motion by Council member Yeates to approve the proposed polling places for the November 2, 2010 General Election. Buttars seconded the motion. The vote was unanimous, 6-0. White absent.**

- ❑ **Franklin Basin Bridge** – Executive Lemon indicated the work was in progress on the bridge and should be finished by the end of this week.
- ❑ **UACCC Fall Conference** will be held in Midway, Utah at The Homestead September 15 through 17, 2010. Lemon needs to know today who is attending for reservation purposes.
- ❑ **Ruby Pipeline** – Executive Lemon reported that Ruby Pipeline has the necessary clearances and is only awaiting the notice to proceed. Completion date for the pipeline is projected as March 2011.

Ruby signed an agreement with Western Watershed which creates some problems for multiple use and public grazing. Lemon asked the Council to consider writing a letter requesting that Ruby Pipeline also set up a fund for multiple use and public grazing comparable to the one granted Western Watershed.

Council member Yeates added that there was a recommendation that the board that will be set up to oversee the fund be expanded to include a governmental representative.

**ACTION: Motion by Council member Buttars to draft a letter from the Cache County Council to Ruby Pipeline stating its support of the multiple use concept and expressing concerns that the funds may be used to adversely affect multiple use and, additionally, recommend expansion of the board to include a governmental representative. Yeates seconded the motion. The vote was unanimous, 6-0. White absent.**

**ITEMS OF SPECIAL INTEREST**

- **Report on Summerfest – Marianne Sidwell** thanked Cache County for the RAPZ allocation and reported that Summerfest was a success with approximately 60,000 attendees.
- **Employee of the Month** was presented to Deputy Chad Hess of the Sheriff's Department by Jim Smith.
- **Report on High Line Canal Project – Bob Fotheringham** reviewed the canal restoration project alternatives noting that the most expensive option would cost

\$28,575,000.00 with the NRCS Grant paying \$21,685,000.00 or 75.9%, the Board of Water Resources paying \$5,875,000.00 or 20.6% and Cache County, local cities and canal companies paying \$1,015,000.00 or 3.5%.

The Technical and Financial Assistance agreements expire in September of 2010 and an extension was requested on July 19, 2010.

Because a party or parties have threatened to sue if an Environmental Impact Study (EIS) is not completed, the projected timeline has been extended and work on the project cannot begin for four to five years.

Council member Buttars voiced frustration and anger that a few or one person can create delays that will have such a detrimental effect on farmers and their families and cost the county and its residents so much time and money.

Council member Petersen agreed.

Keith Meikle of the Logan, Hyde Park and Smithfield Canal Company expressed grave concerns over the extended timeline for completion of the project. Farmers cannot survive that long on less than half their normal water allotments. He predicts that farmers will be forced to sell substantial amounts of property at greatly reduced prices which will negatively impact all property values in Cache County.

Lucy Watkins announced that she is the party who has forced the EIS, but stated that the EIS would have been required anyway because it involved federal funds.

Fotheringham said his information is that if Watkins had not forced the EIS, only the Environmental Assessment (EA) would have been required, which is a much accelerated process compared to the EIS.

Fotheringham indicated there is to be a Public Scoping Meeting for the Cache High Line Canal Project on August 11, 2010 at the Bridgerland Area Technical College at 1301 North 600 West, Logan, the south entrance. People can choose to attend either the 5:30 p.m. or 6:30 p.m. meeting. Fotheringham urged public attendance. Written comments will be received until Friday, August 31, 2010 at the following address:

Sue Lee  
HDR Engineering  
3949 South 700 East, Suite 500  
Salt Lake City, UT 84107  
801-743-7811  
[LNC-EIS@hdrinc.com](mailto:LNC-EIS@hdrinc.com)

Council member Buttars asked if a letter to the federal agency listing the seriousness of the extended timeline's effect on farmers and, indeed, all residents of Cache County should be drafted? Buttars also asked those opposing the project to write a letter withdrawing their concerns and opposition.

Council member Petersen concurred that a letter should be drafted by the Council.

Chairman Zilles asked if the county could or should have done something else to avert this crisis? Fotheringham said the county did all it could by signing the TA and FA agreements to hasten the project.

**(Attachment 2)**

**ACTION: Motion by Council member Buttars to draft a letter to the federal government stating the Council's concerns over the economic impact the extended EIS timeline will have on the county. Chambers seconded the motion. The vote was unanimous, 6-0. White absent.**

**CONSENT AGENDA**

- ◊ **Kenneth Cardon Subdivision Amended – 3575 North 4000 West, Benson**

**(Attachment 3)**

**ACTION: Motion by Council member Yeates to approve the Consent Agenda item – Kenneth Cardon Subdivision Amended – 3575 North 4000 West, Benson. Petersen seconded the motion. The vote was unanimous, 6-0. White absent.**

**PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**PUBLIC HEARING SET: AUGUST 10, 2010 – 5:45 P.M. – Open 2010 Budget**

**ACTION: Motion by Council member Buttars to set a Public Hearing for August 10, 2010 at 5:45 p.m. to Open the 2010 Budget. Yeates seconded the motion. The vote was unanimous, 6-0. White absent.**

**INITIAL PROPOSAL FOR CONSIDERATION**

- **Spriggs Subdivision & Boundary Line Adjustment, 1430 East 11000 South, Avon** – Director Runhaar stated this is a 2-lot subdivision and boundary line adjustment in the Agricultural Zone on 40.17 acres. The road is presently only sixteen feet wide. It was widened by Spriggs to twenty-two feet in 1999, but the Cache County Road Department has graded the road at only a sixteen-foot width. Runhaar and Executive Lemon recommend that the Cache County Road Department restore the road to a twenty-foot width with two one-foot shoulders.

**(Attachment 4)**

**ACTION: Motion by Council member Yeates to waive the rules and approve Spriggs Subdivision and Boundary Line Adjustment, 1430 East 11000 South, Avon. Petersen seconded the motion. The vote was unanimous, 6-0. White absent.**

- **West Bench Vista Subdivision and Boundary Line Adjustment, 2500 North 7000 West, Petersboro** – Director Runhaar observed that this property is

currently a dry farm and the proposed lots would only have culinary water without any secondary water. The lots are five to ten acres each and Runhaar commented that a plan of maintenance for the land is needed. It cannot be left fallow because of the probable degradation of the land, i.e. erosion, weeds.

The road is another concern and Runhaar said the road needs to be a paved twenty-foot wide with one-foot shoulders.

In keeping with the requirements of adjacent subdivisions, fire sprinklers or other fire suppression or mitigation alternatives shall be installed in the subdivision or within all the dwelling units within the subdivision as recommended by the Cache County Fire District.

**(Attachment 5)**

**ACTION: Motion by Council member Buttars to waive the rules and approve the West Bench Vista Subdivision and Boundary Line Adjustment, 2500 North 7000 West, Petersboro with the conditions of approval as recommended by the Planning Commission. Petersen seconded the motion. The vote was unanimous, 6-0. White absent.**

- **Discussion – Manufacture, Distribution, Possession or Use of Synthetic Cannabinoids – Penalties** – Deputy Bartschi informed the Council of the concerns of law enforcement over the emergence of Spice, a synthetic cannabinoid. A cannabinoid is a chemical compound in marijuana. Because Spice has a different chemical structure than marijuana, it is not presently illegal. To be declared illegal a compound must have the same chemical structure as a cannabinoid or cause the same pharmacological activity.

Bartschi cited Spice users' reports of the effects of Spice and showed a video of an individual under the influence of Spice failing a field sobriety test. All indicate the pharmacological activity caused by Spice is the same as other illegal drugs.

There are currently three stores where Spice can be purchased in the valley. It is sold as incense, not for human consumption. However, Bartschi observed that the stores know it is used as a "high" inducing drug and price it accordingly. It sells for about the same price as marijuana - \$50.00 for 3.5 grams. It is not being sold to persons under nineteen years of age. It is being manufactured locally as well.

Local emergency room personnel indicate they have at least one to two Spice overdoses a week. It is considered a research drug because sufficient studies have not yet been completed to determine its full effect on humans; therefore, it should not be used. Four states have banned Spice.

Attorney Swink stated that HB 38 set up an advisory committee to make recommendations in regards to controlled substances by the end of September 2010, but nothing has been accomplished thus far.

The Council asked Attorney James Swink to draft ordinance language to make it illegal to manufacture, sell or possess Spice in Cache County to be presented at the August 10, 2010 Council meeting.

- **Discussion – Planning Commission as Recommending Body for all Land Use Applications** – Director Runhaar suggested additional language imposing a time period (possibly 45 days) in which a recommendation must be forthcoming from the Planning Commission and if a recommendation is not forthcoming, it is considered a negative recommendation.

Council member Petersen commented this same language should be considered at a future date for other areas in the code referring to the Planning Commission as the recommending body.

### **OTHER BUSINESS**

- ✓ **Cache County Fair & Rodeo, August 12, 13, 14, 2010** – Clerk Zollinger asked Council members which night they want tickets to the rodeo. Chairman Zilles and Council members Buttars and Yeates chose Friday, August 13<sup>th</sup>. Other Council members will contact Zollinger later with their dates.

### **COUNCIL MEMBER REPORTS**

**Gordon Zilles** – Chairman Zilles explained that Vice Chairman White asked him to put forth the date of Tuesday, August 17, 2010 for the Council's summer social. Due to some conflicts with Council members, an alternate date of Thursday, August 19, 2010 was suggested.

### **ADJOURNMENT**

The Council meeting adjourned at 7:30 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** Gordon A. Zilles  
Chairman



## PRECINCTS/POLLING PLACES

Precinct	Polling Place
Logan 01/07	Logan Senior Citizen Center (gym) 240 N 100 East Logan, UT 84321
Logan 02/03/33	Logan National Guard Armory 530 S 500 West Logan, UT 84321
Logan 04/25	Willow Valley Church 825 N 200 West Logan, UT 84321
Logan 05/06	Sunshine Terrace 225 N 200 West Logan, UT 84321
Logan 08/10	Whittier Community Center 290 N 400 East Logan, UT 84321
Logan 09/24	Wilson Elementary School 89 S 500 East Logan, UT 84321
Logan 11/15/23	Adams Elementary School (media center) 530 N 400 East Logan, UT 84321
Logan 12/13/19/20/21	Lundstrom Student Center 1295 E 1000 North Logan, UT 84341
Logan 14/22	8 <sup>th</sup> – 25 <sup>th</sup> Ward LDS Church 325 Lauralin Drive Logan, UT 84321
Logan 16/18/26/28	Central Stake Center 1255 N 600 East Logan, UT 84341
Logan 17/30/31	Cache Stake Center 250 W 1200 North Logan, UT 84341
Logan 27/32	Logan River 2 <sup>nd</sup> Ward LDS Church 94 W 600 S Logan, UT 84321
Logan 29	Eastridge LDS Church 1350 Eastridge Drive Logan, UT 84321
Amalga	Town Hall OR BY MAIL 6590 N 2400 West No physical polling place Amalga, UT 84335
Benson	Benson LDS Church OR BY MAIL 3432 N 3000 West No physical polling place Benson, UT 84335
Clarkston	Town Hall OR BY MAIL 50 S Main No physical polling place Clarkston, UT 84305
College/Young	College/Young LDS Church 2394 W 2200 South College Ward, UT 84339

Cornish	Town Hall 14300 N 4800 W Cornish, UT 84308	OR	BY MAIL No physical polling place
Hyde Park 01/02	City Office 113 E Center Hyde Park, UT 84318		
Hyrum 01/02/03/04/05	City Office 83 W Main Hyrum, UT 84319		
Lewiston 01/02	City Office 29 S Main Lewiston, UT 84320		
Mendon 01/02	Historic Mendon Station 95 N Main Mendon, UT 84325		
Millville 01/02	Providence South Stake Center 360 E 450 North Millville, UT 84326		
Newton	Town Hall 51 S Center Newton, UT 84327		
Nibley 01/02	Nibley 4 <sup>th</sup> Ward LDS Church 360 W 3200 South Nibley, UT 84321		
North Logan 02/03/04	North Logan Library 475 E 2500 North North Logan, UT 84341		
North Logan 01/05/06	Professional Development and Technology Center 2035 N 1200 East North Logan, UT 84341		
Paradise	Town Hall 9035 S 100 West Paradise, UT 84328		
Providence 01/02/03/04/05	Providence 1 <sup>st</sup> Ward LDS Church 420 W 100 North Providence, UT 84332		
Richmond 01/02/Cove	Community Building 6 W Main Richmond, UT 84333		
River Heights 01/02	City Office 520 S 500 East River Heights, UT 84321		
Smithfield 01/02/03/04/05	Summit Creek LDS Church 179 N 100 E Smithfield, UT 84335		
Smithfield 06/07	Smithfield Fire Station 325 W 100 North Smithfield, UT 84335		
Trenton	Trenton City Office 17 E Main Trenton, UT 84338	OR	BY MAIL No physical polling place
Wellsville 01/02/03/04	4 <sup>th</sup> – 8 <sup>th</sup> Ward LDS Church 49 W 200 South Wellsville, UT 84339		



Natural Resources Conservation Service  
125 South State Street, Room 4402  
Salt Lake City, UT 84138-1100  
(801) 524-4550  
FAX (801) 524-4403

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July 27, 2010

**To: Interested Parties**  
**From: Bronson Smart, State Conservation Engineer**  
**NRCS**  
**Subject: Logan Northern Canal Reconstruction Project, Cache County, Utah**  
**Environmental Impact Statement**  
**Invitation to Attend Public Scoping Meeting**

The Natural Resources Conservation Service (NRCS), is requesting comments from you regarding the scope of an Environmental Impact Statement (EIS) on the Logan Northern Canal (LNC) Reconstruction Project in Cache County, Utah.

NRCS is preparing the EIS for proposed repair, replacement, and/or modifications to the Logan Northern Canal system. During the spring of 2009, a slope failure occurred along a hillside in south Logan, resulting in damage to the LNC and disabling the water distribution capabilities of the canal. The canal is located in an unincorporated area of Cache County and the communities of Logan, North Logan, and Hyde Park, Utah. NRCS is assisting the sponsoring local organization, Cache County, through the Emergency Watershed Protection (EWP) Program.

**The public scoping meeting will be held on:**  
**Wednesday, August 11, 2010**  
**Bridgerland Applied Technology College**  
**1301 North 600 West, South Entrance**  
**Logan, Utah**  
**5:30 p.m. to 7:30 p.m.**

The public is encouraged to attend a brief project presentation at either 5:30 p.m. or 6:30 p.m. A question and answer session will follow each presentation. In addition, available project staff will address questions one-on-one throughout the evening.

**We request written comments no later than Friday, Aug. 31, 2010. Please mail comments to:**

Sue Lee  
HDR Engineering  
3949 South 700 East, Suite 500  
Salt Lake City, UT 84107  
801-743-7811

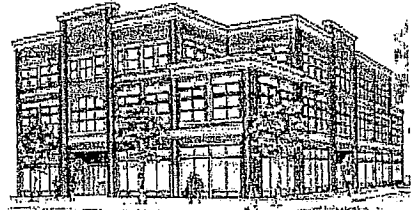
Comments may also be sent by electronic mail to [LNC-EIS@hdrinc.com](mailto:LNC-EIS@hdrinc.com). Please note the project in the subject line of either written or electronic correspondence. Basic information about the LNC-EIS is also available on the NRCS Utah Website at <http://www.ut.nrcs.usda.gov/programs/EWP/index.html>

If you have any questions about the project, please feel free to contact me at 801-524-4559 or Sue Lee at the number listed above.

# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP  
DIRECTOR/  
ZONING ADMINISTRATOR

PAUL BERNTSON  
CHIEF BUILDING  
OFFICIAL



179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1630 ♦ FAX (435)755-1987

To: Cache County Council  
From: Josh Runhaar, Development Services Director & Zoning Administrator  
Date: July 21, 2010  
Subject: Development Services Agenda Items

*A request for the County Council to place the following on the July 27, 2010 Agenda:*

## ITEMS FOR CONSENT AGENDA

- (1) **Kenneth Cardon Subdivision Amendment** – Allan Cardon is requesting a recommendation of approval to the County Council for an amendment to an existing 2-lot subdivision on 40 acres of property in the Agricultural Zone located at approximately 3575 North 4000 West, Benson.  
Recommended Findings of Fact: Five (5)  
Recommended Conditions of Approval: Five (5)  
Planning Commission Recommendation: Approve with Conditions (5, 0)

## ITEMS FOR INITIAL CONSIDERATION

- (2) **Spriggs Subdivision & Boundary Line Adjustment** - Melanie Spriggs is requesting a recommendation of approval to the County Council for a 2-lot subdivision and boundary line adjustment on 40.17 acres of property in the Agricultural Zone located at approximately 1430 East 11000 South, Avon.  
Recommended Findings of Fact: Four (4)  
Recommended Conditions of Approval: seven (7)  
Planning Commission Recommendation: Approve with Conditions (5, 0)
- (3) **West Bench Vista Subdivision & Boundary Line Adjustment** – Brian Lyon is requesting a recommendation of approval to the County Council for an 8-lot subdivision and boundary line adjustment on 80.05 acres of property in the Agricultural Zone located at approximately 2500 North 7000 West, Petersboro.  
Recommended Findings of Fact: Four (4)  
Recommended Conditions of Approval: Thirteen (13)  
Planning Commission Recommendation: Approve with Conditions (4, 0)

## ITEMS FOR PENDING ACTION

None

## ITEMS TO SET A PUBLIC HEARING

None

Attachments:

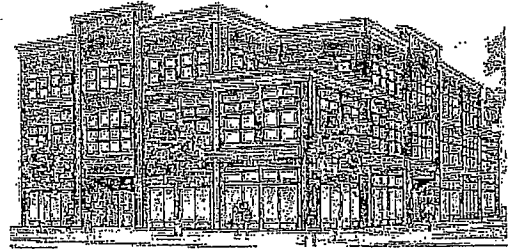
- Application
- Staff Report
- Survey Plat
- Plat Map
- Minutes

# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP  
DIRECTOR/  
ZONING ADMINISTRATOR

PAUL BERNTSON  
CHIEF BUILDING  
OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 + (435)755-1630 + FAX (435)755-1987



APPLICATIONS ARE DUE BY 3:00 PM ON THE DAY OF THE DEADLINE  
PLEASE ALLOW STAFF 20-30 MINUTES TO PROCESS THE APPLICATION  
LATE APPLICATIONS WILL BE HELD FOR THE NEXT MEETING'S AGENDA  
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

## PROJECT APPLICATION

### REVIEW AUTHORITY

- CACHE COUNTY COUNCIL
- CACHE PLANNING COMMISSION
- BENSON PLANNING COMMISSION
- BOARD OF ADJUSTMENTS
- ADMINISTRATIVE REVIEW

### TYPE OF APPLICATION

- SUBDIVISION
- CONDITIONAL USE PERMIT
- ZONE CHANGE
- CODE AMENDMENT
- BOUNDARY LINE ADJUSTMENT

Date Received: <u>6-9-10</u>	Received By: <u>MDG</u>	Receipt Number: <u>5168</u>	Application Number: <u>1100<sup>00</sup> / #8717</u>	<u>600<sup>00</sup></u> <u>+ 500<sup>00</sup></u>
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PROJECT INFORMATION	AGENT/OWNER INFORMATION
REQUEST TYPE <u>2-10+ subdivision amend.</u>	AGENT NAME <u>Allen Cardon</u>
PROJECT NAME <u>Kenneth R Cardon Subdivon Amend</u>	ADDRESS <u>3575 North 4000 West</u>
PROJECT ADDRESS _____	<u>Benson Utah</u>
SERIAL NUMBER(S) <u>12-010-0008</u>	TELEPHONE (DAY) <u>753-6343</u> (CELL) <u>757-6200</u>
<u>12-010-0018</u>	OWNER NAME <u>Kenneth Cardon</u>
ZONE <u>A9</u>	ADDRESS <u>4086 W. 3000 N.</u>
PROJECT LOCATION <u>Benson</u>	<u>Smithfield Utah 84335</u>
	TELEPHONE (DAY) <u>435-752-6508</u>

State of Utah )

County of Cache )

On this 9 day of June, 20 10, personally appeared before me, Allen Cardon, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that they executed the same.

Signed Allen Cardon  
(Property Owner or Agent)



Marsha Dene Giles  
Notary Public

# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

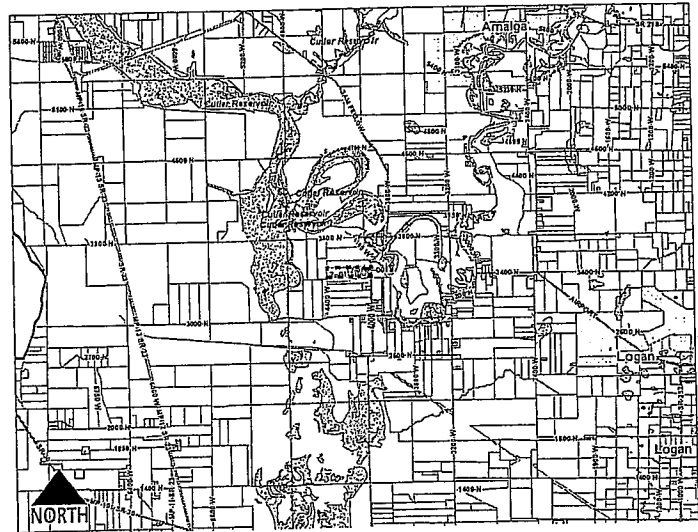
*Project Name:* **Kenneth R Cardon  
Subdivision Amendment**

*Agent:* Allan Cardon  
*Request:* 2-lot Subdivision Amendment  
*Type of Action:* Recommend to County Council  
*Current Zoning:* Agricultural (A-10)  
*Project Address:* Approximately 3575 North 4000 West,  
Benson area

*Staff Recommendation:* Approval with conditions  
*Tax ID:* 12-010-0008, 12-010-0018

*Surrounding Uses:* North – Agriculture  
South – Residential/Agriculture  
East – Road/Agriculture  
West – Agriculture

*Reviewed by:* Christopher S Harrild, Planner I



**PURPOSE:** To recommend approval of the preliminary and final plat for the Kenneth R Cardon Subdivision Amendment to the Cache County Council.

## PROJECT SUMMARY

The proposal is to amend the existing subdivision plat to add an additional lot to an existing 2-lot subdivision located at approximately 3575 North 4000 West near Benson in the Agricultural Zone on 40 acres of property and will allow one additional building lot on a 5.51 acre parcel. A 34 acre parcel will be left as an agricultural remainder. There is (1) one existing home built on Lot #1 of this subdivision amendment.

### *Access:*

- Access from county road 4000 West provides adequate access but will require a minimum 18" culvert in the approach to this property. The subject road is a 21' wide paved surface.
- An Encroachment Permit shall be required prior to the construction of the access to this property.

### *Water & Septic:*

- The applicant has provided a letter from Benson Culinary Water System with approval for one hook-up for the proposed residential lot, Lot #1, which is approximately 5.51 acres.

### *Service Provision:*

- The residents shall provide sufficient space for all refuse and recycling containers to be placed along the side of 4000 West for collection so that they sit four feet apart and are out of the travel lane.
- There is an existing fire hydrant within 500 feet of this property.
- A school bus stop is located at 3575 North 4000 West.

## STAFF DETERMINATION

It is staff's determination that the Kenneth R Cardon Amendment, a 2-lot subdivision for property located at approximately 3575 North 4000 West near Benson with TIN #'s 12-010-0008 and 12-010-0018 are in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact:**

1. The Kenneth R Cardon Amendment has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.

2. The Kenneth R. Cardon Amendment has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Kenneth R. Cardon Amendment conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Kenneth R. Cardon Amendment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. Access from county road 4000 West provides adequate access but will require a minimum 18" culvert in the approach to this property.

### CONDITIONS OF APPROVAL

The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
3. A minimum 18" culvert shall be constructed for the access to this property.
4. An Encroachment Permit shall be required prior to the construction of the access to this property.
5. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.

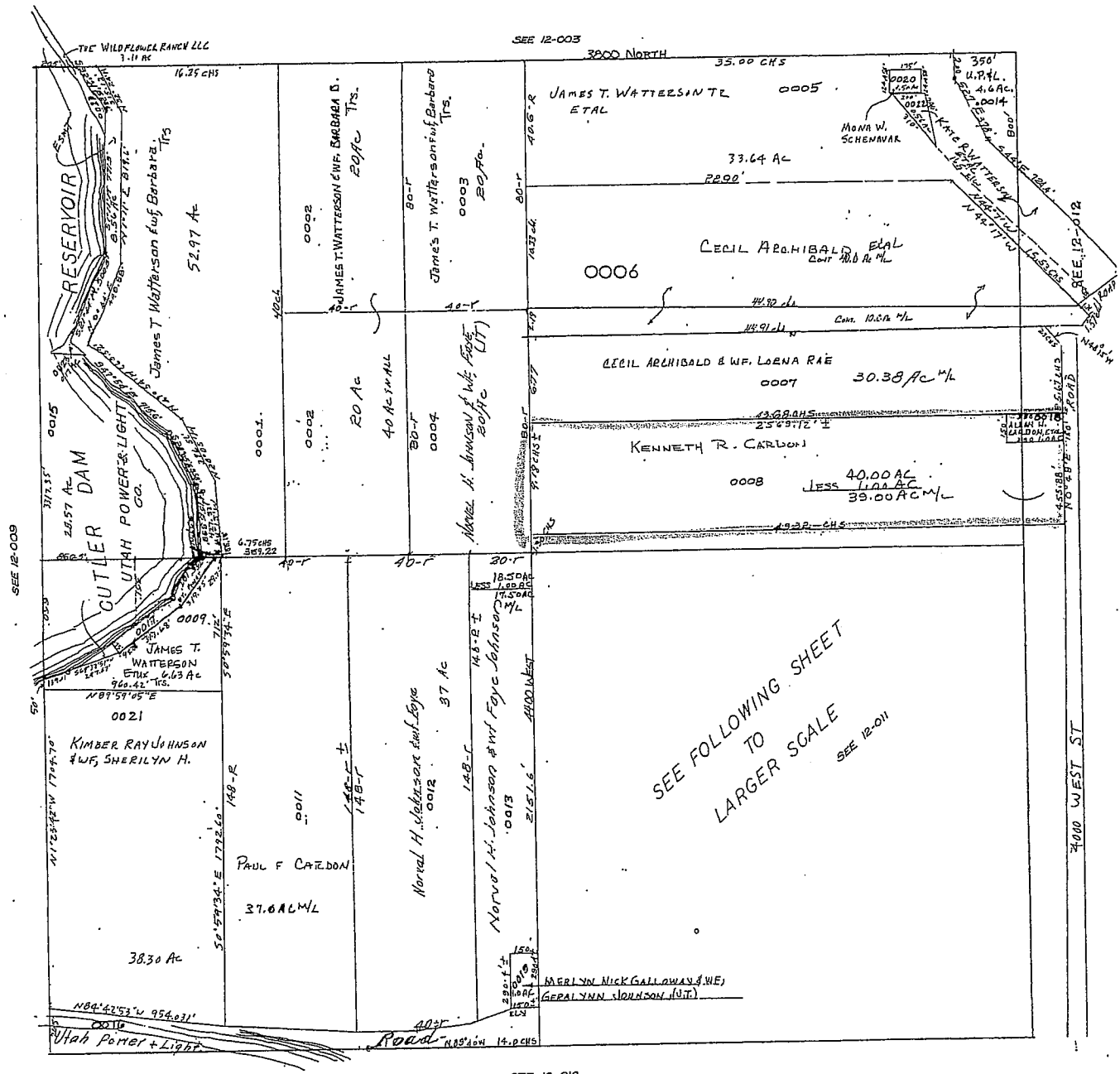






# SECTION 10, TOWNSHIP 12 NORTH, RANGE 1 WEST

SCALE 1 INCH = 6 CHAINS. TAX UNIT 28



1 Cache County Planning Commission (CCPC)

2  
3 Minutes for 08 July, 2010

4  
5 **Present:** Josh Runhaar, Chris Harrild, Don Nebeker, Clair Ellis, Chris Sands, David Erickson, Leslie  
6 Larson, Don Linton, Megan Izatt

7  
8 **Start Time: 5:31:00** (Video time not shown on DVD)

9  
10 **Ellis** welcomed; **Larson** gave opening remarks.

11  
12 **5:33:00**

13  
14 Agenda

15  
16 *Passed*

17  
18 Minutes

19  
20 **June 3, 2010** – *Passed*.

21  
22 **June 14, 2010** – *Passed*

23  
24 **5:34:00**

25  
26 Consent Agenda

27  
28 #1 Kenneth Cardon Subdivision Amendment (Allan Cardon)

29  
30 **Allan Cardon** no concerns.

31  
32 **Findings of fact:**

- 33  
34  
35  
36  
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1. The Kenneth R Cardon Amendment has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
  2. The Kenneth R Cardon Amendment has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
  3. The Kenneth R Cardon Amendment conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
  4. The Kenneth R Cardon Amendment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
  5. Access from county road 4000 West provides adequate access but will require a minimum 18” culvert in the approach to this property.

45 **CONDITIONS OF APPROVAL**

46 The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

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1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
  2. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.

3. A minimum 18" culvert shall be constructed for the access to this property.
4. An Encroachment Permit shall be required prior to the construction of the access to this property.
- All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.

*Sands moved to approve the subdivision with the stated conditions and findings of facts; Erickson seconded; Passed 5, 0.*

5:38:00

**#2 Spriggs Subdivision and Boundary Line Adjustments (Melanie Spriggs)**

Runhaar reviewed Ms. Melanie Spriggs request for a 2-lot subdivision and boundary line adjustment on 40.17 acres of property in the Agricultural Zone located approximately at 1430 East 11000 South, Avon. The road is currently at 16 feet and we are asking that the road be widened to 20-foot road plus 1 foot shoulder. Back in 1999 it was required that the road be widened to 22 feet and that was done. However over time the road has been reduced to 16 feet and we are asking that the road be widened back to the condition it was in 1999.

Staff and commission discussed the needed road improvements. The road will need to be widened to 20 feet with a 1 foot shoulder. There is a possibility that the applicant might not be responsible for the road improvements as this is a county road.

Melanie Spriggs I have no concerns. I actually built the road in 1999 and we had strict parameters for the road base and things like that. There actually is a turn around there already but due to changes to the fire code we are willing to bring it up to code. I know what we have to do and hopefully the work on the turnaround will start soon and I have all the correct permits and everything.

**Findings of fact:**

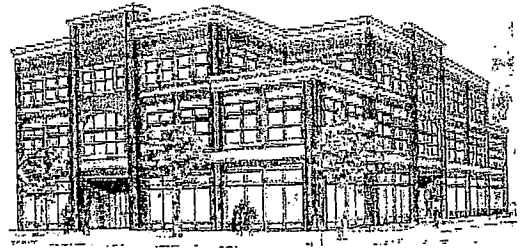
1. The Spriggs Subdivision and BLA has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Spriggs Subdivision and BLA has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Spriggs Subdivision and BLA conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Spriggs Subdivision and BLA is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

**Conditions of approval**

The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.

# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT



**JOSH RUNHAAR, AICP**  
DIRECTOR/  
ZONING ADMINISTRATOR

**PAUL BERNTSON**  
CHIEF BUILDING  
OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 || (435)755-1630 || FAX (435)755-1987

**APPLICATIONS ARE DUE BY 3:00 PM ON THE DAY OF THE DEADLINE**  
PLEASE ALLOW STAFF 20-30 MINUTES TO PROCESS THE APPLICATION  
LATE APPLICATIONS WILL BE HELD FOR THE NEXT MEETING'S AGENDA  
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

## PROJECT APPLICATION

### REVIEW AUTHORITY

- CACHE COUNTY COUNCIL
- CACHE PLANNING COMMISSION
- BENSON PLANNING COMMISSION
- BOARD OF ADJUSTMENTS
- ADMINISTRATIVE REVIEW

### TYPE OF APPLICATION

- SUBDIVISION
- CONDITIONAL USE PERMIT
- ZONE CHANGE
- CODE AMENDMENT
- BOUNDARY LINE ADJUSTMENT

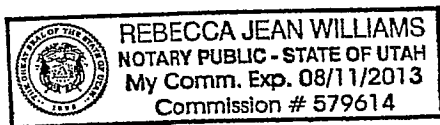
Date Received: <u>6-3-10</u>	Received By: <u>km</u>	Receipt Number: <u>5154</u>	Amount/Check Number: <u>981</u> <u>1100.00</u>	<del>\$400.00</del> <del>\$500.00</del> <u>600.00</u> 500.00
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<h3>PROJECT INFORMATION</h3> <p>REQUEST TYPE <u>2 R - Lot SUB/BLA</u></p> <p>PROJECT NAME <u>Spring 95 Subdivision</u></p> <p>PROJECT ADDRESS <u>1430 EAST, 11000 S</u> <u>Avon, UT 84328</u></p> <p>SERIAL NUMBER(S) <u>16-047-0053, 16-047-0058</u> <u>16-047-0020</u></p> <p>ZONE <u>Ag</u></p> <p>PROJECT LOCATION <u>Avon</u></p>	<h3>AGENT/OWNER INFORMATION</h3> <p>AGENT NAME <u>MELANIE SPRIGGS</u></p> <p>ADDRESS <u>1649 N. 1000 E</u> <u>N. Logan, UT 84341</u></p> <p>TELEPHONE (DAY) <u>(206) 617 2836</u> (CELL) _____</p> <hr/> <p>OWNER NAME <u>EAST Fork Enter / ALLAN ORTON</u></p> <p>ADDRESS <u>1649 N 1000E, Logan, UT 84341</u></p> <p>ORTON- <u>3732 NORTH 225 E, OGDEN, UT 84414</u></p> <p>TELEPHONE (DAY) <u>(206) 617-2836</u> (CELL) _____</p>
--	--

State of Utah )  
County of Cache )

On this 12 day of May, 2010, personally appeared before me, Melanie Spriggs, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that they executed the same.

Signed Melanie Spriggs  
(Property Owner or Agent)



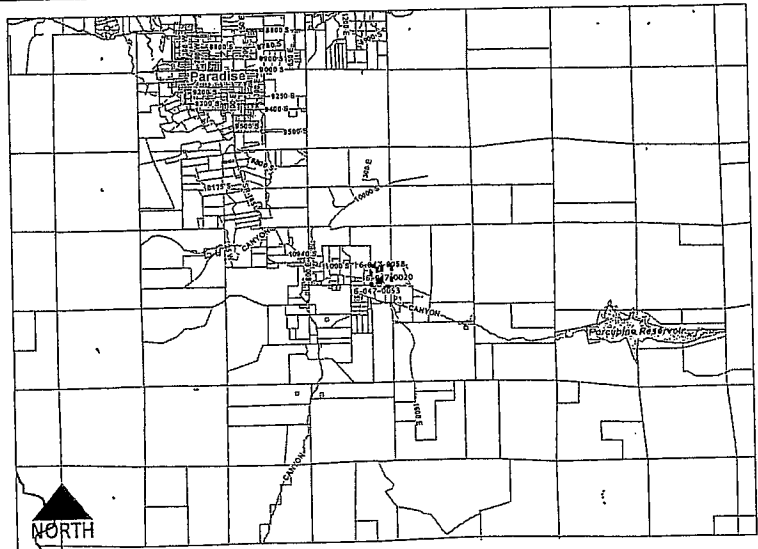
Rebecca Jean Williams  
Notary Public

4

# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

*Project Name:* **Spriggs Subdivision &  
BLA**

*Agent:* Melanie Spriggs  
*Request:* 2-lot Subdivision & BLA  
*Type of Action:* Recommend to County Council  
*Current Zoning:* Agricultural (A-10)  
*Project Address:* 1430 East 11000 South  
Avon, UT 84328  
*Staff Recommendation:* Approval with conditions  
*Tax ID:* 16-047-0053, 16-047-0058,  
16-047-0020  
*Surrounding Uses:* North – Agriculture  
South – Residential/Agriculture  
East – Agriculture  
West – Residential/Agriculture  
*Reviewed by:* Christopher S. Harrild – Planner I



**PURPOSE:** To recommend approval of the preliminary and final plat for the Spriggs Subdivision & Boundary Line Adjustment to the Cache County Council.

## PROJECT SUMMARY

The proposal is to create a 2-lot subdivision and complete a boundary line adjustment located 1430 East 11000 South in Avon in the Agricultural Zone on 40.17 acres of property. There is (1) existing home located on parcel 2. Parcel 1 and the Agriculture remainder are currently restricted because they were not subdivided with the necessary permits and approvals from the appropriate land use authorities. This subdivision process will legally split these two parcels. The boundary line adjustment slightly shifts the boundary line between lots 1 and 2 so that each lot contains approximately 10 acres per lot.

### Access:

- Access from the private road 11000 South provides inadequate access. The subject road is 16' wide with a gravel surface.
- There is an existing turnaround in front of the proposed subdivision that does not meet current fire safety standards.

### Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation for lot 1 of the proposed subdivision. Lot 2 currently has a single family dwelling and is serviced by a well; the remaining lot is an agriculture remainder.
- The proposed lot is feasible for an on-site septic tank system.

### Service Provision:

- All refuse and recycling containers shall be placed along the side of 11000 South for collection.
- The residents shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane.
- A school bus stop would be located at 800 East 11000 South, approximately 6.5 blocks from the proposed subdivision.

## STAFF DETERMINATION

It is staff's determination that the Spriggs Subdivision, a 2-lot subdivision and boundary line adjustment for property located at approximately 1430 East 11000 South with TIN #'s 16-047-0053, 16-047-0058, &

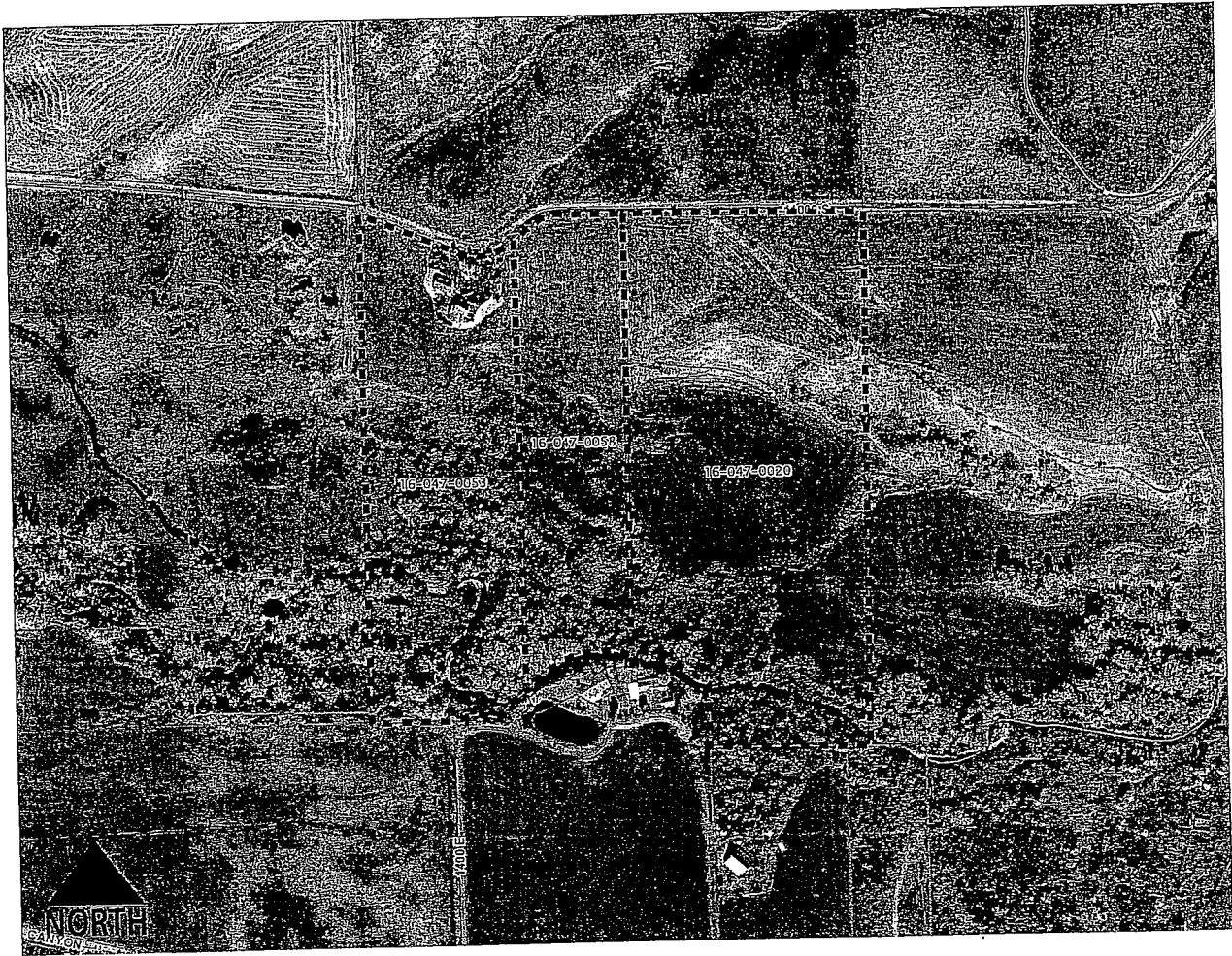
16-047-0020 are in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

1. The Spriggs Subdivision and BLA has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Spriggs Subdivision and BLA has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Spriggs Subdivision and BLA conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Spriggs Subdivision and BLA is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

#### **CONDITIONS OF APPROVAL**

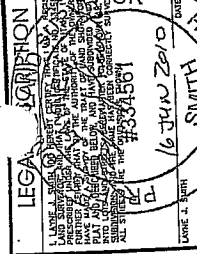
The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for lot 1 of the proposed subdivision.
3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic along county road 11000 South.
5. County road 11000 South, from the intersection to the private drive of lot 1, shall be widened to its previous width to 20' wide with 1' shoulders and a gravel surface.
6. The existing turnaround in front of the subject property shall be improved to meet fire district standards and specifications.
7. The design of all roads within the development shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent.



Staff Report for the Planning Commission meeting of July 8, 2010- 3 -

This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

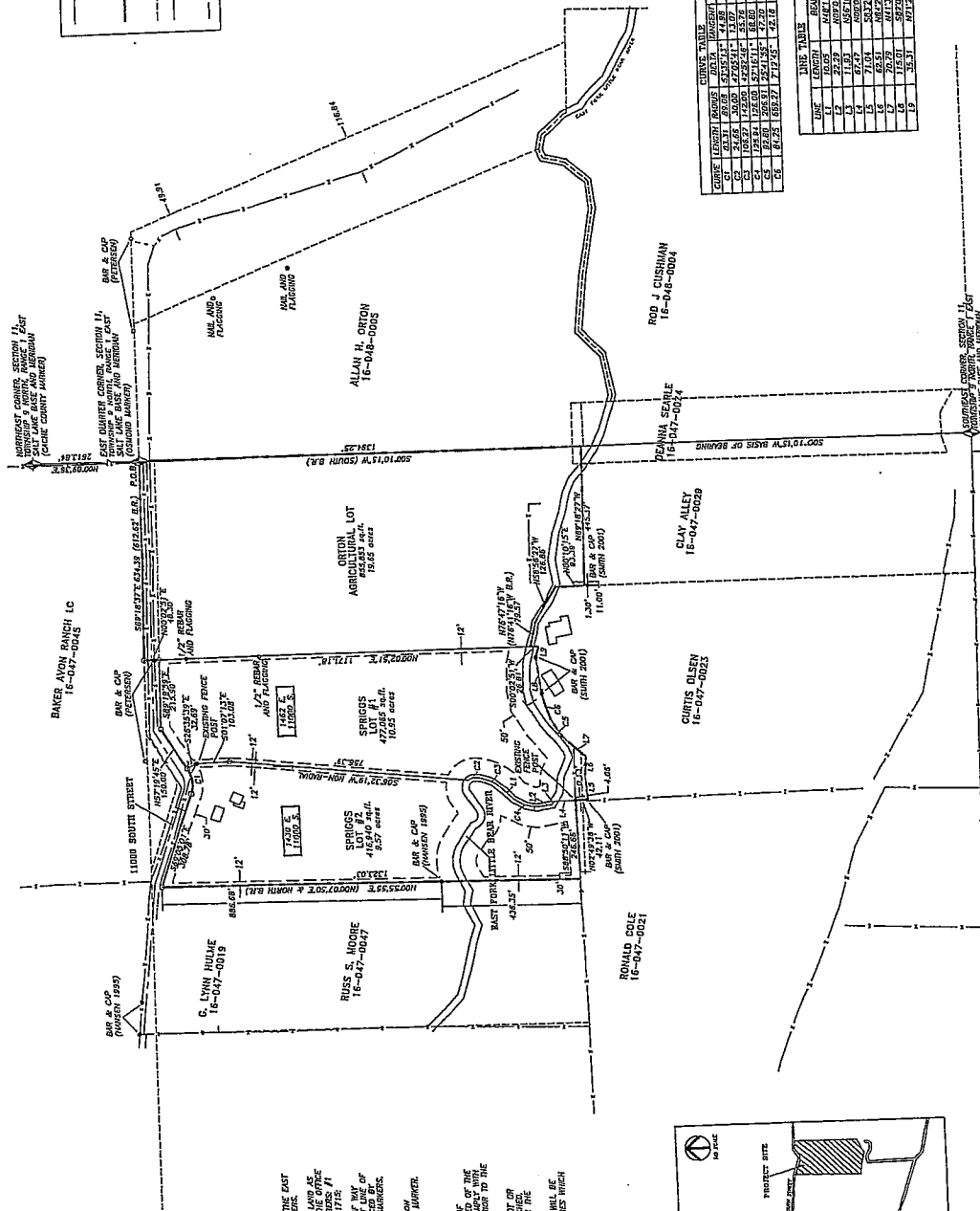
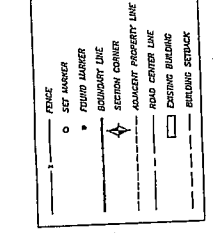


# SPRIGGS SUBDIVISION

## PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

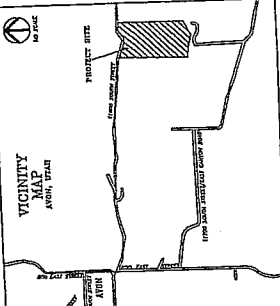
### CONTAINING 40.17 ACRES +\-

SCALE: 1 INCH = 200 FEET



LINE	LENGTH	BEARING
1	11.00	S 89° 00' 00" E
2	11.00	S 89° 00' 00" E
3	11.00	S 89° 00' 00" E
4	11.00	S 89° 00' 00" E
5	11.00	S 89° 00' 00" E
6	11.00	S 89° 00' 00" E
7	11.00	S 89° 00' 00" E
8	11.00	S 89° 00' 00" E
9	11.00	S 89° 00' 00" E
10	11.00	S 89° 00' 00" E
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17	11.00	S 89° 00' 00" E
18	11.00	S 89° 00' 00" E
19	11.00	S 89° 00' 00" E

LINE	LENGTH	BEARING
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18	11.00	S 89° 00' 00" E
19	11.00	S 89° 00' 00" E



ON THIS SURVEY SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, THE FOLLOWING PARCELS OF LAND ARE SHOWN AS BEING OWNED BY THE FOLLOWING PERSONS:

1. BAKER AVON RANCH LC, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 16.047 ACRES.

2. LYNN HULTINE, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

3. RUSS E. HULTINE, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

4. RONALD COLE, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

5. CURTIS OLSEN, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

6. CLAY ALLEY, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

7. PENINA SCRIBBLE, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

8. ROD J. CUSHMAN, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

9. ALLAN H. ORTON, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

10. SPRIGGS LOT #1, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

11. SPRIGGS LOT #2, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

NOTwithstanding the above, any and all rights of the public in and to the lands shown on this plat shall be preserved and the public shall be allowed to flow from any lot or parcel shown on this plat to any other lot or parcel shown on this plat through the public streets, roads, and highways shown on this plat.

IF ANY PERSONS ARE SHOWN AS OWNERS OF ANY OF THE PARCELS SHOWN ON THIS PLAT, THEY SHALL BE DEEMED TO HAVE BEEN ADVISED BY THE SURVEYOR OF THE LOCATION OF THE PARCELS AND THE ADJACENT PARCELS.

THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND THAT THE RECORDS SHOW THAT THE FOLLOWING PERSONS ARE THE OWNERS OF THE PARCELS SHOWN ON THIS PLAT:

1. BAKER AVON RANCH LC, SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 16.047 ACRES.

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OWNER/SUBDIVIDER:  
ALLAN ORTON  
2225 NORTH 225 EAST  
CODDEN, UTAH 84414

OWNER/SUBDIVIDER:  
EAST YORK ENTERPRISES LLC  
MELANIE K. SPRIGGS  
NORTH LOGAN, UTAH 84341  
1-208-817-2898

SKYLINE  
SURVEYS, INC.  
15 W. 200 SOUTH, SUITE 100, SALT LAKE CITY, UT 84143  
(801) 467-1000

Project No: SPRIGGS SUBDIVISION AVON, CACHE COUNTY, UTAH

Final Plat

Project Number: 10-081  
Date: 5-25-10  
Sheet No: 1 of 1

LEGAL DESCRIPTION

SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, CONTAINING 40.17 ACRES +\-

BOUNDARY DESCRIPTION

NORTHWEST CORNER SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 16.047 ACRES.

SOUTHWEST CORNER SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

SOUTHEAST CORNER SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

NORTHEAST CORNER SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, 11.000 ACRES.

OWNER/SUBDIVIDER:  
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2225 NORTH 225 EAST  
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Project No: SPRIGGS SUBDIVISION AVON, CACHE COUNTY, UTAH

Final Plat

Project Number: 10-081  
Date: 5-25-10  
Sheet No: 1 of 1

OWNER/SUBDIVIDER:  
ALLAN ORTON  
2225 NORTH 225 EAST  
CODDEN, UTAH 84414

OWNER/SUBDIVIDER:  
EAST YORK ENTERPRISES LLC  
MELANIE K. SPRIGGS  
NORTH LOGAN, UTAH 84341  
1-208-817-2898

SKYLINE  
SURVEYS, INC.  
15 W. 200 SOUTH, SUITE 100, SALT LAKE CITY, UT 84143  
(801) 467-1000



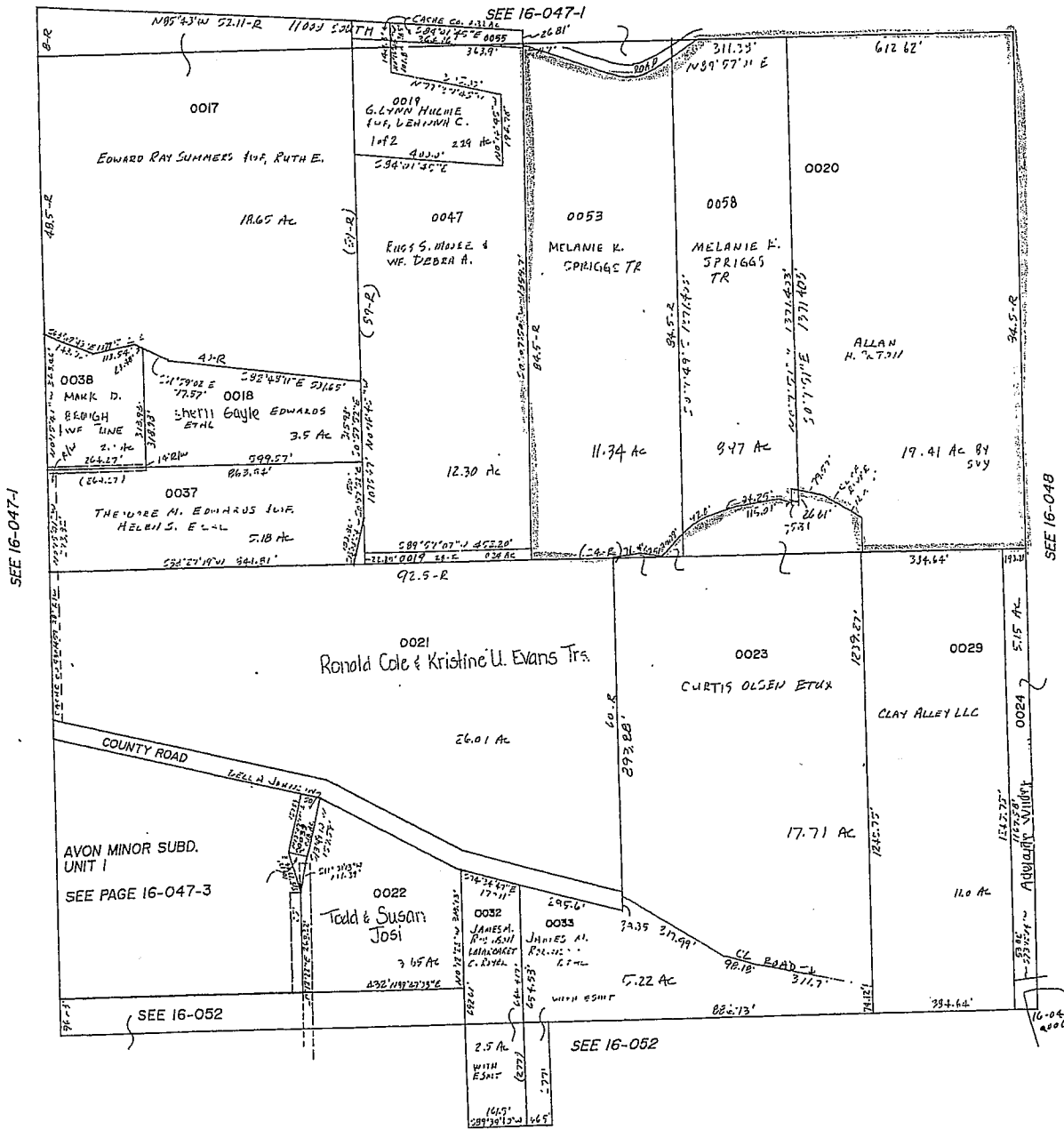
SE<sup>4</sup> Section || Township 9 North Range 1 East

15-047

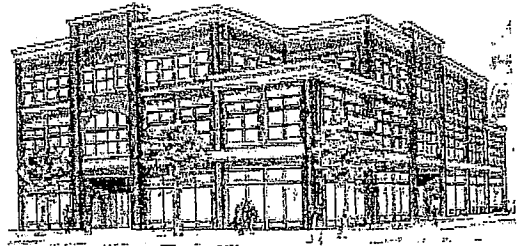
Scale 1 Inch = 200 Feet

TAX UNIT 31

-2-



# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT



**JOSH RUNHAAR, AICP**  
DIRECTOR/  
ZONING ADMINISTRATOR

**PAUL BERTSON**  
CHIEF BUILDING  
OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 || (435)755-1630 || FAX (435)755-1987

**APPLICATIONS ARE DUE BY 3:00 PM ON THE DAY OF THE DEADLINE**  
PLEASE ALLOW STAFF 20-30 MINUTES TO PROCESS THE APPLICATION  
LATE APPLICATIONS WILL BE HELD FOR THE NEXT MEETING'S AGENDA  
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

## PROJECT APPLICATION

### REVIEW AUTHORITY

- CACHE COUNTY COUNCIL
- CACHE PLANNING COMMISSION
- BENSON PLANNING COMMISSION
- BOARD OF ADJUSTMENTS
- ADMINISTRATIVE REVIEW

### TYPE OF APPLICATION

- SUBDIVISION
- CONDITIONAL USE PERMIT
- ZONE CHANGE
- CODE AMENDMENT
- BOUNDARY LINE ADJUSTMENT #1517

Date Received: <u>6-9-10</u> <i>mm</i>	Received By: <u>mm</u>	Receipt Number: <u>5179</u>	Amount/Check Number: <u>3,900.00</u>
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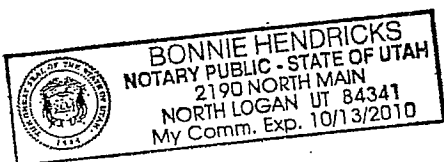
3400<sup>00</sup>  
+ 500<sup>00</sup> Engul

<h3>PROJECT INFORMATION</h3> <p>REQUEST TYPE <u>Subdivision + BLA</u></p> <p>PROJECT NAME <u>West Bench Vista</u></p> <p>PROJECT ADDRESS <u>2500 N 7000 W</u> <u>Petersboro</u></p> <p>SERIAL NUMBER(S) <u>12-021-0006, Part</u> <u>12-021-0008</u></p> <p>ZONE <u>Ag</u></p> <p>PROJECT LOCATION <u>Petersboro</u></p>	<h3>AGENT/OWNER INFORMATION</h3> <p>AGENT NAME <u>Brian Lyon</u></p> <p>ADDRESS <u>150 E 200 N Suite P</u> <u>Logan, UT 84321</u></p> <p>TELEPHONE (DAY) <u>755-5121</u> (CELL) _____</p> <hr/> <p>OWNER NAME <u>Douglas Griffin, D&amp;S Dairy</u></p> <p>ADDRESS <u>P.O. Box 126</u> <u>Newton, UT 84327</u></p> <p>TELEPHONE (DAY) <u>563-5748</u> (CELL) _____</p>
---	--

State of Utah )  
County of Cache ) §

On this 1st day of June, 2010, personally appeared before me, Douglas A. Griffin, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that they executed the same.

Signed Douglas A. Griffin  
(Property Owner or Agent)



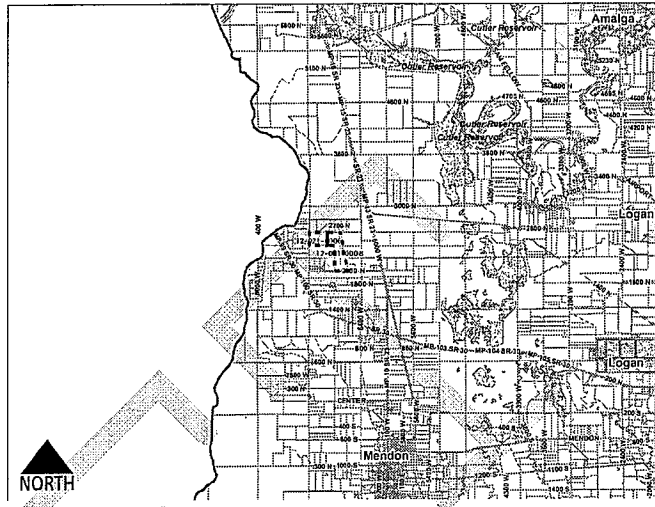
Bonnie Hendricks  
Notary Public

# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

**Project Name:** West Bench Vista Subdivision & BLA

**Agent:** Brian Lyon  
**Request:** 8-lot Subdivision & BLA  
**Type of Action:** Recommend to County Council  
**Current Zoning:** Agricultural (A)  
**Project Address:** 2500 North 7000 West  
Petersboro

**Staff Recommendation:** Approval with conditions  
**Tax ID:** 12-021-0006, & 12-021-0008  
**Surrounding Uses:** North – Eagle Rock Subdivision  
South – Residential/Agriculture  
East – Agriculture  
West – Residential/Agriculture  
**Reviewed by:** Christopher S. Harrild, Planner I



**PURPOSE:** To recommend approval of the preliminary and final plat for the West Bench Vista Subdivision & Boundary Line Adjustment to the Cache County Council.

## PROJECT SUMMARY

The proposal is to create an 8-lot subdivision and complete a boundary line adjustment located at 2500 North 7000 West Petersboro in the Agricultural Zone on 80.05 acres of property. The subject parcel is currently utilized as a dry farm in the Petersboro area. Parcel 12-021-0006 contains approximately 59.01 acres; the request includes a boundary line adjustment to include an additional 21.36 acres to the subject parcel.

There is a large drainage area that runs through lots 1, 7, & 8 of the proposed subdivision. A drainage plan will be completed to address water run-off and water containment of the drainage area. Lots 1, 7, & 8 shall be required at the time of construction to provide engineered plans concerning the private drive crossings over the drainage areas.

The applicant has proposed a 22.29 acre parcel that will be designated as open space. A detailed master plan for the open space area shall be submitted and approved by the Cache County Zoning Administrator prior to final plat recordation.

The proposed subdivision is located in Petersboro, just south of the Eagle Rock Subdivision. Phases I and II of the Eagle Rock Subdivision were required to have fire sprinklers due to the distance from the water supply tenders to the subdivision.

### Access:

- Access from the private road 6750 West provides adequate access. The subject road is 22' wide with a chip and seal surface.
- The applicant is proposing to construct a private road, 2500 North, to access the subdivision. Private road 2500 North shall be constructed to 20' wide with 1' shoulders and a minimum chip and seal surface.
- An approved turnaround will need to be constructed at the end of the private road 2500 North to 96' diameter.

*Water & Septic:*

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation for all building lots within the proposed subdivision.
- All lots are feasible for on-site septic tank systems. The soil will allow for standard trench systems with trench depth limited to 24 inches below natural grade.

*Service Provision:*

- Water supply tenders 5.6 miles from Mendon.
- All refuse and recycling containers shall be placed along the side of 2500 North Street for collection.
- The private road surface must be maintained by the residents in a timely manner, or the collection trucks will not attempt to access the road. If there are unresolved access problems, residents may be required to bring their containers to the Eagle Rock Subdivision or to 2000 North for collection.
- The residents shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane.
- A school bus stop would be located at 2000 North 6400 West, approximately 11 blocks from the proposed subdivision.
- Access for fire protection must meet minimum County standards. The Mendon fire station is 5.2 miles from the site.
- Due to the distance from the fire department and a lack of water supply in the area residential fire sprinklers are strongly recommended.
- All private roads must meet the requirements of the International Fire Code as adopted by the County.
- The turnaround at the end of the private road 2500 North must be a level surface, and the diameter must meet the 96' turnaround requirement. The slope of the road may not exceed 10% to accommodate emergency and service vehicles.

**STAFF DETERMINATION**

It is staff's determination that the West Bench Vista, an 8-lot subdivision and boundary line adjustment for property located at approximately 2500 North 7000 West with TIN #'s 12-021-0006 and 12-021-0008 are in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

1. The West Bench Vista Subdivision and BLA has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The West Bench Vista Subdivision and BLA has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The West Bench Vista Subdivision and BLA conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The West Bench Vista Subdivision and BLA is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

**CONDITIONS OF APPROVAL**

The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for all building lots within the West Bench Vista Subdivision.
3. All private drives shall meet applicable requirements of the 2009 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.

5. An open space master plan shall be submitted and approved by the Cache County Zoning Administrator prior to final plat recordation.
6. Lots 1, 7, & 8 shall provide engineered plans concerning the private drive crossing over the drainage areas with slopes in excess of 20%.
7. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache County Attorney and Zoning Administrator to ensure that all private roads can be adequately funded and maintained.
8. The private road 2500 North shall meet all applicable requirements of the 2009 International Fire Code and any other applicable codes. The private road shall be a 20' paved surface with 1' shoulders.
9. The design of all private roads within the development shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent.
10. A note shall be added to the final plat stating that County services may be limited or discontinued if the private road is not adequately maintained.
11. The applicant shall post signage to indicate that the road is private and there will be no county maintenance or snow removal on the road.
12. Fire Sprinklers or other fire suppression or mitigation alternatives shall be installed within the subdivision or within all dwelling units within the subdivision as recommended by the Cache County fire district.
13. The design of all private roads within the development shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent.



This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

# WEST BENCH VISTA

Part of the Southwest Quarter of Section 18,  
Township 12 North, Range 1 West  
Salt Lake Baseline & Meridian  
Cache County, Utah

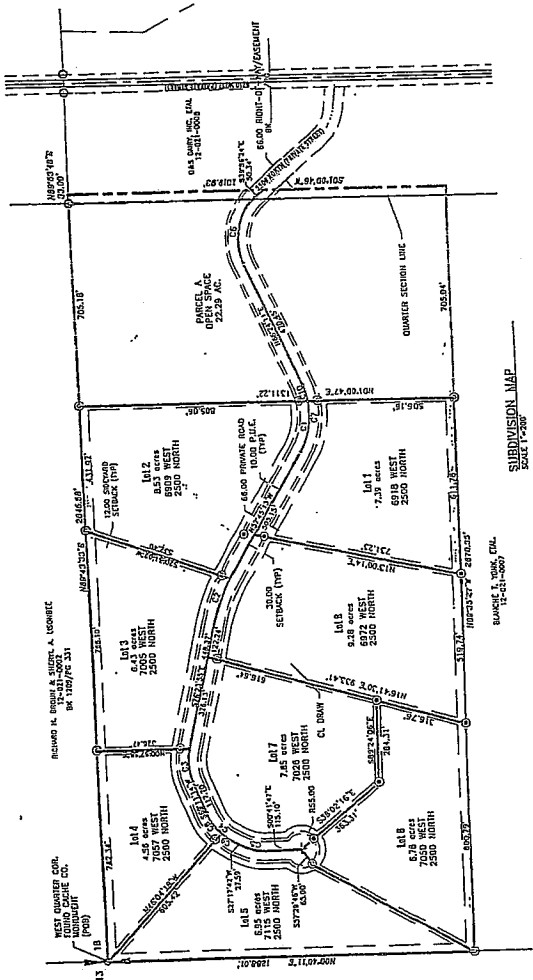
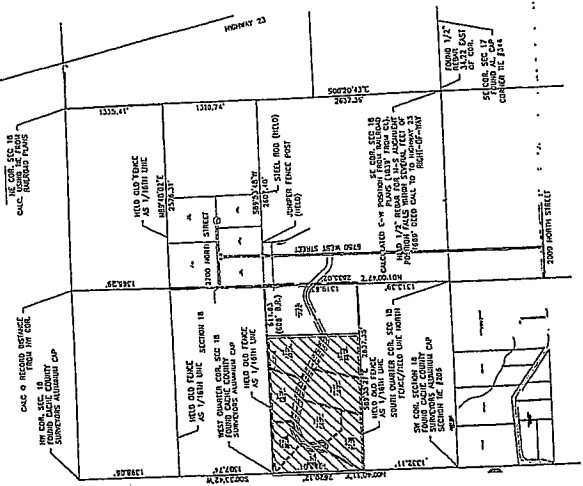
NORTH



SCALE 1" = 200'-0"

LEGEND

- SECTION CORNER
- QUARTER SECTION CORNER
- SET 5/16" IRON NAIL CAP
- FOUND EXISTING ROAD
- BOUNDARY LINE
- ROAD CENTERLINE
- EASEMENT
- FENCE LINE
- SEWAGE
- SLOPES > 20%



SUBDIVISION MAP  
SCALE 1"=200'

OWNERS: HUS & NICHOLE HINES  
945 SOUTH MAIN, SUITE 142  
SALT LAKE CITY, UTAH 84143

BEAR RIVER HEALTH DEPARTMENT APPROVAL  
THE SUBDIVISION DESIGNATION DEPARTMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

BEAR RIVER HEALTH DEPARTMENT  
\_\_\_\_\_ HEALTH OFFICER

COUNTY SURVEYORS CERTIFICATE  
I, COUNTY SURVEYOR \_\_\_\_\_, HAVE EXAMINED THIS PLAN AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT AND THE STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

NOTES AND PROTECTIVE COVENANTS:  
1. CURRENT AND FUTURE PROPERTY OWNERS, SURVEYORS, AND OTHERS ASSOCIATED WITH AGRICULTURAL ACTIVITIES WHICH ARE THE PERMITTED USES IN THIS SUBDIVISION SHALL BE ALLOWED TO INCREASE LEVEL OF STORM WATER DRAINAGE SHALL BE ALLOWED TO INCREASE LEVEL OF STORM WATER DRAINAGE FROM THE EXISTING LEVEL TO THE LEVEL OF THE SUBDIVISION TO ANY ADJACENT FIELDS, RIVERS, CANALS, OR WATERS OF THE STATE OF UTAH WITHOUT PRIOR WRITTEN AUTHORIZATION PROVIDED BY THE UTAH DEPARTMENT OF HERITAGE AND ARTS, WHICH OR CANAL LAUNCH, CACHE COUNTY, OR THE STATE WATER ENGINEERS' OFFICE. CACHE COUNTY HAS NOT RETURNED THE AVAILABILITY AND AVAILABILITY OF CANALS TO THE STATE OF UTAH. A CULINARY AGREEMENT SHALL BE ENTERED INTO BY THE SUBDIVISION AND THE STATE OF UTAH FOR THE USE OF THE CANALS. THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE COST OF THE CANALS.  
2. SETBACK LINES ARE FOR PRIMARY BUILDINGS ONLY.  
3. PRIVATE ROADS:  
A. PRIVATE ROAD 2500 NORTH AND 6730 WEST SHALL BE DEDICATED TO CACHE COUNTY AND BE OPEN TO ALL TYPES OF MOTOR VEHICLES.  
B. PRIVATE ROAD 2500 NORTH AND 6750 WEST SHALL BE DEDICATED TO CACHE COUNTY AND BE OPEN TO ALL TYPES OF MOTOR VEHICLES.  
C. ALL LOT OWNERS OF THIS SUBDIVISION SHALL BE RESPONSIBLE FOR THE COST OF THE CANALS.  
D. ALL LOT OWNERS OF THIS SUBDIVISION SHALL BE RESPONSIBLE FOR THE COST OF THE CANALS.  
E. ALL LOT OWNERS OF THIS SUBDIVISION SHALL BE RESPONSIBLE FOR THE COST OF THE CANALS.

SURVEYOR'S NOTES/MARKINGS  
Part of this Survey was previously recorded in the Office of the County Clerk, Salt Lake County, Utah, on the 12th day of March, 2010, under the name of the Surveyor, \_\_\_\_\_.

SUBDIVISION BOUNDARY DESCRIPTION  
Part of the Southwest Quarter of Section 18, Township 12 North, Range 1 West, Salt Lake Baseline & Meridian, Cache County, Utah, containing 200.00 acres, more or less, as shown on the attached plat, is hereby described as follows:

ACKNOWLEDGEMENT  
THE UNDERSIGNED PART OF LAND OWNERS OF THIS PARCEL OF LAND TO BE SUBDIVIDED:  
\_\_\_\_\_ DATE JUNE 15, 2010  
\_\_\_\_\_ DATE JUNE 15, 2010  
COUNTY OF CACHE, UT  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

ENGINEER'S CERTIFICATE  
I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAN AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.  
DATE \_\_\_\_\_ COUNTY ENGINEER \_\_\_\_\_

CACHE COUNTY ATTORNEY  
I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAN AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.  
DATE \_\_\_\_\_ COUNTY ATTORNEY \_\_\_\_\_

CACHE COUNTY PLANNING COMMISSION  
THIS PLAN WAS REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.  
APPROVED/REJECTED THIS SUBDIVISION BASED ON ITS FINDINGS.  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.  
CACHE COUNTY PLANNING COMMISSION  
BY: \_\_\_\_\_ CHAIRMAN

CACHE COUNTY RECORDER  
THIS PLAT WAS APPROVED BY THE CACHE COUNTY COUNCIL BY MAJORITY VOTE \_\_\_\_\_ ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.  
CACHE COUNTY RECORDER  
COUNTY RECORDER  
Slate of Utah, County of Cache, recorded and filed in the presence of \_\_\_\_\_ County Recorder

WEST BENCH VISTA  
Part of the Southwest Quarter of Section 18,  
Township 12 North, Range 1 West  
Salt Lake Baseline & Meridian  
Cache County, Utah

SCALE 1"=200'  
DATE JUNE 2010  
REVISION BY \_\_\_\_\_  
DESIGNED BY \_\_\_\_\_  
PROJECT ALLIANCE CONSULTING ENGINEERS

PROJECT ALLIANCE CONSULTING ENGINEERS  
130 EAST 200 NORTH SUITE P  
CODY, UTAH 84201  
(435) 755-5121

1 SHEETS  
OF 1 SHEETS

- 1 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for
- 2 lot 1 of the proposed subdivision.
- 3 3. All private drives shall meet applicable requirements of the 2006 International Fire Code
- 4 and any other applicable codes as adopted by Cache County.
- 5 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they
- 6 do not interfere with traffic along county road 11000 South.
- 7 5. County road 11000 South, from the intersection to the private drive of lot 1, shall be
- 8 widened to its previous width to 20' wide with 1' shoulders and a gravel surface.
- 9 6. The existing turnaround in front of the subject property shall be improved to meet fire
- 10 district standards and specifications.
- 11 7. The design of all roads within the development shall be reviewed by the County Engineer
- 12 for compliance with applicable codes. The proponent shall submit a full set of engineered
- 13 design and construction plans. The plans shall address issues of grade, drainage, base
- 14 preparation and construction, and surfacing for the road. The cost of such review shall be
- 15 paid by the proponent.

16 *Erickson moved to recommend approval to the Cache County Council for the Spriggs*  
17 *Subdivision and Boundary Line Adjustments with the needed changes; Nebeker seconded;*  
18 *Passed 5, 0.*

19  
20  
21 **5:48:00**

22 **#3 West Bench Vista (Brian Lyon)**

23  
24  
25 **Runhaar** reviewed Mr. Brian Lyon's request for an 8-lot subdivision and boundary line  
26 adjustment on 80.05 acres of property in the Agricultural Zone located approximately at 2500  
27 North 7000 West, Petersboro. The boundary line adjustment is for parcel 3 and it will add a little  
28 to it. There are drainage issues with lots 7, 8 and 1. The drainage plan will need to be reviewed  
29 by engineers. We do have concerns of obtaining CCNR as to what will happen with the open  
30 space so it does not become a weed patch. We also are concerned with the size of the lots;  
31 without secondary water parcels like this typically are not kept in shape and where there is no  
32 water on that land it can quickly slide into lack of maintenance. The access is off private road  
33 7500 north and the road will be constructed to 20 foot wide with 1 foot shoulder with a gravel  
34 base. It will need an approved turnaround at the end of the road as well. We do have an issue  
35 with fire protection as well. On both Eagle Rock phases 1 and 2, Cache County Council required  
36 fire sprinklers and we are requesting that that requirement be maintained on this project as well  
37 due to the fact that fire cannot access these lots easily.

38  
39 *Larson leaves*

40  
41 Staff and commission discussed the requirement of fire sprinklers for residential dwellings. The  
42 County Council required Eagle Rock phases 1 and 2 to have sprinklers and trying to keep  
43 consistency the fire districted has asked that sprinklers be required. Staff and commission also  
44 discussed the requirements for the private road. The road will be required to meet fire code.



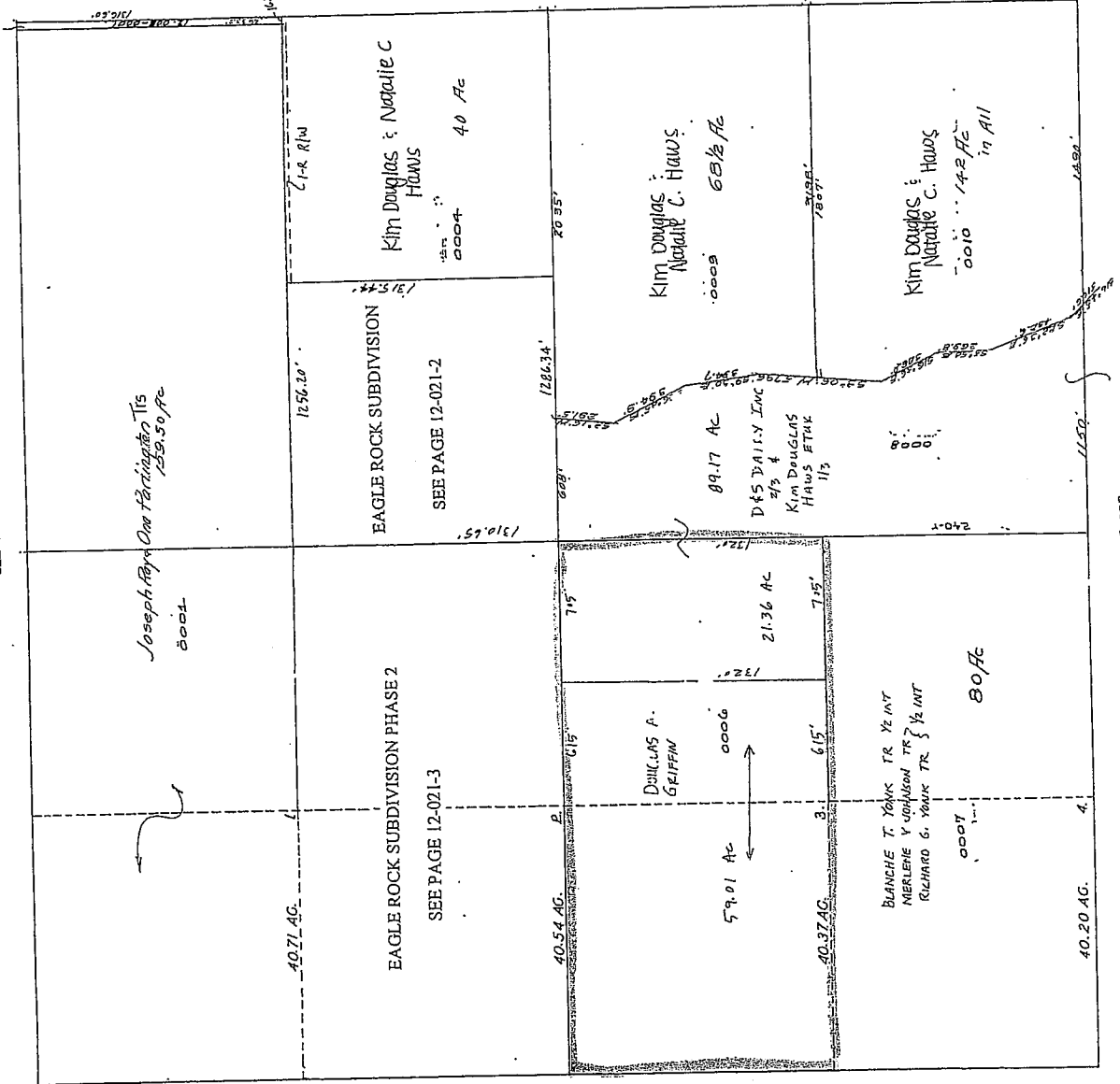
12  
021

# SECTION 18, TOWNSHIP 12 NORTH, RANGE 1 WEST

TAX UNIT 28

## SCALE 1 INCH = 5 CHAINS.

SEE 12-007



SEE 12-020

SEE 12-045

SEE 12-022

- 1 3. A minimum 18" culvert shall be constructed for the access to this property.  
2 4. An Encroachment Permit shall be required prior to the construction of the access to this property.  
3 All lots shall provide sufficient space for placement of refuse and recycle containers so they do not  
4 interfere with traffic.

5  
6 *Sands moved to approve the subdivision with the stated conditions and findings of facts; Erickson*  
7 *seconded; Passed 5, 0.*  
8

9 5:38:00

10  
11 **#2 Spriggs Subdivision and Boundary Line Adjustments (Melanie Spriggs)**

12  
13 Runhaar reviewed Ms. Melanie Spriggs request for a 2-lot subdivision and boundary line adjustment on  
14 40.17 acres of property in the Agricultural Zone located approximately at 1430 East 11000 South, Avon.  
15 The road is currently at 16 feet and we are asking that the road be widened to 20-foot road plus 1 foot  
16 shoulder. Back in 1999 it was required that the road be widened to 22 feet and that was done. However  
17 over time the road has been reduced to 16 feet and we are asking that the road be widened back to the  
18 condition it was in 1999.

19  
20 Staff and commission discussed the needed road improvements. The road will need to be  
21 widened to 20 feet with a 1 foot shoulder. There is a possibility that the applicant might not be  
22 responsible for the road improvements as this is a county road.

23  
24  
25 **Melanie Spriggs** I have no concerns. I actually built the road in 1999 and we had strict  
26 parameters for the road base and things like that. There actually is a turn around there already  
27 but due to changes to the fire code we are willing to bring it up to code. I know what we have to  
28 do and hopefully the work on the turnaround will start soon and I have all the correct permits and  
29 everything.

30  
31 **Findings of fact:**

- 32 1. The Spriggs Subdivision and BLA has been revised and amended by the conditions of  
33 project approval to address the issues and concerns raised within the public and  
34 administrative records.  
35 2. The Spriggs Subdivision and BLA has been revised and amended by the conditions of  
36 project approval to conform to the requirements of Titles 16 and 17 of the Cache County  
37 Code and the requirements of various departments and agencies.  
38 3. The Spriggs Subdivision and BLA conforms to the preliminary and final plat requirements  
39 of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.  
40 4. The Spriggs Subdivision and BLA is compatible with surrounding land uses and will not  
41 interfere with the use and enjoyment of adjoining or area properties.  
42

43 **Conditions of approval**

44 The following stipulations must be met for the developments to conform to the County  
45 Ordinance and the requirements of county service providers.

- 46 1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache  
47 County Ordinance.

2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for lot 1 of the proposed subdivision.
3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic along county road 11000 South.
5. County road 11000 South, from the intersection to the private drive of lot 1, shall be widened to its previous width to 20' wide with 1' shoulders and a gravel surface.
6. The existing turnaround in front of the subject property shall be improved to meet fire district standards and specifications.
7. The design of all roads within the development shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent.

*Erickson moved to recommend approval to the Cache County Council for the Spriggs Subdivision and Boundary Line Adjustments with the needed changes; Nebeker seconded; Passed 5, 0.*

**5:48:00**

**#3 West Bench Vista (Brian Lyon)**

Runhaar reviewed Mr. Brian Lyon's request for an 8-lot subdivision and boundary line adjustment on 80.05 acres of property in the Agricultural Zone located approximately at 2500 North 7000 West, Petersboro. The boundary line adjustment is for parcel 3 and it will add a little to it. There are drainage issues with lots 7, 8 and 1. The drainage plan will need to be reviewed by engineers. We do have concerns of obtaining CCNR as to what will happen with the open space so it does not become a weed patch. We also are concerned with the size of the lots; without secondary water parcels like this typically are not kept in shape and where there is no water on that land it can quickly slide into lack of maintenance. The access is off private road 7500 north and the road will be constructed to 20 foot wide with 1 foot shoulder with a gravel base. It will need an approved turnaround at the end of the road as well. We do have an issue with fire protection as well. On both Eagle Rock phases 1 and 2, Cache County Council required fire sprinklers and we are requesting that that requirement be maintained on this project as well due to the fact that fire cannot access these lots easily.

*Larson leaves*

Staff and commission discussed the requirement of fire sprinklers for residential dwellings. The County Council required Eagle Rock phases 1 and 2 to have sprinklers and trying to keep consistency the fire districted has asked that sprinklers be required. Staff and commission also discussed the requirements for the private road. The road will be required to meet fire code.

1 **Brian Lyon** one thing on fire sprinklers, I think it should be the decision of the homeowners. I  
2 know there was fire about 1 mile south of this subdivision and they were able to get firefighters  
3 there and get the fire out. I feel it should be a decision left to the homeowners.  
4

5 **Ellis** who will own the open space?  
6

7 **Brian Lyon** right now it is still in the hands of the owners and I believe it will remain in their  
8 hands. They have maintained it and it is a really nice area.  
9

10 **Findings of fact:**

- 11 1. The West Bench Vista Subdivision and BLA has been revised and amended by the conditions of  
12 project approval to address the issues and concerns raised within the public and administrative  
13 records.
- 14 2. The West Bench Vista Subdivision and BLA has been revised and amended by the conditions of  
15 project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and  
16 the requirements of various departments and agencies.
- 17 3. The West Bench Vista Subdivision and BLA conforms to the preliminary and final plat requirements  
18 of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
- 19 4. The West Bench Vista Subdivision and BLA is compatible with surrounding land uses and will not  
20 interfere with the use and enjoyment of adjoining or area properties.  
21

22 **CONDITIONS OF APPROVAL**

23 The following stipulations must be met for the developments to conform to the County Ordinance and the  
24 requirements of county service providers.

- 25 1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County  
26 Ordinance.
- 27 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for all  
28 building lots within the West Bench Vista Subdivision.
- 29 3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any  
30 other applicable codes as adopted by Cache County.
- 31 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not  
32 interfere with traffic.
- 33 5. An open space master plan shall be submitted and approved by the Cache County Zoning  
34 Administrator prior to final plat recordation.
- 35 6. Lots 1, 7, & 8 shall provide engineered plans concerning the private drive crossing over the drainage  
36 areas with slopes in excess of 20%.
- 37 7. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and  
38 Restrictions is approved by the Cache County Attorney and Zoning Administrator to ensure that all  
39 private roads can be adequately funded and maintained.
- 40 8. The private road 2500 North shall meet all applicable requirements of the 2006 International Fire  
41 Code and any other applicable codes. The private road shall be a 20' drivable surface with 1'  
42 shoulders.
- 43 9. The design of all private roads within the development shall be reviewed by the County Engineer for  
44 compliance with applicable codes. The proponent shall submit a full set of engineered design and  
45 construction plans. The plans shall address issues of grade, drainage, base preparation and  
46 construction, and surfacing for the road. The cost of such review shall be paid by the proponent.
- 47 10. A note shall be added to the final plat stating that County services may be limited or discontinued if  
48 the private road is not adequately maintained.
- 49 11. The applicant shall post signage to indicate that the road is private and there will be no county  
50 maintenance or snow removal on the road.

1 12. Fire Sprinklers or other fire suppression or mitigation alternatives shall be installed within the  
2 subdivision or within all dwelling units within the subdivision as recommended by the Cache County  
3 fire district.

4 13. The design of all private roads within the development shall be reviewed by the County Engineer for  
5 compliance with applicable codes. The proponent shall submit a full set of engineered design and  
6 construction plans. The plans shall address issues of grade, drainage, base preparation and  
7 construction, and surfacing for the road. The cost of such review shall be paid by the proponent.  
8

9 *Erickson motioned to recommend approval to the County Council for the West Bench Vista  
10 Subdivision with the addition of condition #8 adding additional 1 foot shoulders, 20 foot wide  
11 paved road and condition #6 adding the slopes with 20% grade; Sands seconded;*  
12

13 *Nebeker motioned to amend the previous motion to change condition #12 to read that fire  
14 sprinklers or other fire suppression or mitigation alternatives shall be installed within the  
15 subdivision or the dwelling units within the subdivision as recommended by the fire district;  
16 Erickson seconded; Passed 4, 0.*

17 *Erickson's original motion Passed 4, 0.*  
18

19  
20 6:17:00

21  
22 #4 K & K Welding Conditional Use Permit (Kirt Archibald)  
23

24 **Runhaar** reviewed Mr. Archibald's request for an expansion of an existing conditional use  
25 permit to allow the placement of a portable classroom to be used as an office on 58.50 acres of  
26 property in the Agricultural Zone located at approximately 2150 West Highway 101, Hyrum.  
27 UDOT has no concerns regarding this project as it should not increase the work. Hyrum City is  
28 concerned with the outward appearance dues to lots of machines and debris surrounding the  
29 business. There will be no increase in employees or actually work being done on site with this  
30 expansion. This is approved for up to 5 employees including the owner.  
31

32 **Ellis** you mentioned appearance, is the applicant in compliance with the conditional use permit?  
33

34 **Runhaar** they are.  
35

36 **Erickson** is this a canal that goes through this property?  
37

38 **Mr. Archibald** it does; about 200 yards below our parcel.  
39

40 **Erickson** I noticed that the original conditional use permit is for the entire parcel, so you could  
41 eventually expand out?  
42

43 **Mr. Archibald** yes we could; it is all open ground  
44

45 **Erickson** does that slope from the north to the south?  
46

47 **Archibald** yes. But it is flat until about 200 yards below the building.