



Hildale City Planning Commission

Thursday, February 17, 2022 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Agenda

Notice is hereby given to the members of the Hildale City Planning Commission and to the public, that the Planning Commission will hold a public hearing as part of the regular meeting on **17th day of February, 2022** at 6:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah 84784.

Commission members may be participating electronically by video or telephone conference. The meeting will be broadcast to the public on Facebook Live under Hildale's City page. Members of the public may also watch the City of Hildale through the scheduled Zoom meeting.

<https://www.facebook.com/hildalecity/live/>

Join Zoom Meeting

<https://zoom.us/j/95770171318?pwd=aUVSU0hRSFFHcGQvcUIPT3ZYK0p5UT09>

Meeting ID: 957 7017 1318

Passcode: 993804

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Comments during the public comment or public hearing portions of the meeting may be emailed to manager@hildalecity.com or privately messaged to Hildale City's Facebook page. All comments sent before the meeting may be read during the meeting and messages or emails sent during the meeting may be read at the Mayor's discretion.

Roll Call of Commission Attendees: City Recorder

Welcome, Introduction and Preliminary Matters: Presiding Officer

Pledge of Allegiance: By Invitation of Presiding Officer

Conflict of Interest Disclosures: Commissioners

Approval of Minutes of Previous Meetings: Commissioners

1. Consideration, discussion, and approval of meeting minutes for 10/20/2021

Public Comments: (3 minutes each - Discretion of Presiding Officer)

Reports:

Public Hearing: Notice is hereby given to the members of the Planning Commission and the public, that the Planning Commission will hold a public hearing on Thursday, February 17, 2022 at 6:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah 84784 to receive public comments regarding

- Zone Change for HD-SHCR-1-1 from RA-1 to RM-1

- Zone Change for HD-SCHR-4-12 from RA-1 to R1-10 - Text Amendment to Sec 152-39-4 Necessity Of Plat; Exemption From Plat Requirements

- Zone Change for HD-1-5 from RA-1 to R1-8

Unfinished Commission Business:

New Commission Business:

2. Consideration, discussion, and possible recommendation for Land Development Text Amendment current language Sec 152-39-4, to proposed language amending to Sec 152-39-4.
3. Consideration, discussion, and possible recommendation for re-zoning Parcel HD-1-5, commonly addressed as 725 N Willow. Current zoning RA-1 to change to zoning R1-8.
4. Consideration, discussion, and possible recommendation for Zone Change for commonly addressed as 925 N Pinion. Current zone RA-1 changed to RI-10.

Commissioners Comments: (10 minutes total)

Commissioners comments of issues not previously discussed in the meeting.

Executive Session: As needed

Adjournment: Presiding Officer

Agenda items and any variables thereto are set for consideration, discussion, approval or other action. The Hildale City Planning Commission may, by motion, recess into executive session which is not open to the public, to receive legal advice from the City attorney(s) on any agenda item, or regarding sensitive personnel issues, or concerning negotiations for the purchase, sale or lease of real property. Hildale City Planning Commission Members may be attending by telephone. Agenda may be subject to change up to 24 hours prior to the meeting. Individuals needing special accommodations should notify the City Recorder at 435-874-2323 at least three days prior to the meeting.



Hildale City Planning Commission

Wednesday, October 20, 2021 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Minutes

Call to Order: Presiding Officer

Chair Brigham Holm called the meeting to order at 6:05 pm.

Roll Call: Presiding Officer

Recorder Athena Cawley

PRESENT

Chair Brigham Holm

Commissioner Rex Jessop
Commissioner Derick Holm
Commissioner Nathan Fischer
Commissioner Tracy Barlow

ABSENT

Commissioner Charles Hammon
Commissioner Jennifer Kesselring

Pledge of Allegiance: Invitation of Presiding Officer

Chair Brigham Holm lead the pledge.

City Manager Duthie Introduction of Zoning Administrator

Christian Kesselring has resigned and moved on from the zoning administrator position. City Manager Duthie introduced the new consultants that will act as the zoning administrator - Rural Community Consultants.

Mike Hansen, Ryan Robinson, Kendall Welch introduced themselves over zoom and expressed thanks to be able to work with Hildale City.

Public Comment: Discretion of Presiding Officer

Garth Evans would like clarification of the up coming zone change.

1. Approval of Minutes: Presiding Officer and Commission Members

Consideration, discussion, and approval of meeting minutes for August 19, 2021.

Commissioners reviewed the minutes for August 19, 2021.

Motion made by Commissioner Holm to approve the minutes for August 19, 2021, Seconded by Commissioner Jessop. Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Holm, Commissioner Barlow Voting Abstaining: Commissioner Fischer

2. Public Hearing:

Public hearing to receive public comment on zoning map amendment to re-zone Parcel HD-SHCR-1-40, commonly known as 685 N. Willow, from Residential Agricultural 1 (RA-1) to Residential 1-8 (RM-1-8).

Chair Brigham Holm opened the public hearing.

Thomas Timpson commented that the reason for the rezone is to split the lot into 3 parcels for the intent of 3 single family structures.

Garth Evans questioned if the development will require road improvements with this kind of development. Also, he asked the Commissioners to take in consideration the intent of the developers to be investing back in the community.

Chair Brigham Holm Closed the public hearing.

3. New Commission Business:

Consideration, discussion, and possible recommendation to Hildale City Council to adopt a zoning map amendment to re-zone Lot HD-SHCR-1-40, 685 N. Willow, from Residential Agricultural 1 (RA-1) to Residential 1-8 (R1-8). (CM Duthie)

Commission discussed the adopting of zoning map amendment.

Motion made by Commissioner Holm to recommendation to Hildale City Council to adopt a zoning map amendment to re-zone Lot HD-SHCR-1-40, 685 N. Willow, from Residential Agricultural 1 (RA-1) to Residential 1-8 (R1-8) Seconded by Commissioner Jessop.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Holm, Commissioner Fischer, Commissioner Barlow

4. Staff Report

Chair Brigham Holm would like to see items that are tabled to be remembered at the next meeting.

Adjournment: Presiding Officer

Chair Brigham Holm adjourned meeting at 6:41 pm.

Agenda items and any variables thereto are set for consideration, discussion, approval, or other action. The Hildale City Planning Commission may, by motion, recess into executive session, which is not open to the public, to receive legal advice from the City attorney(s) on any agenda item, or regarding sensitive personnel issues, or concerning negotiations for the purchase, sale, or lease of real property. Hildale City Planning Commission Members may be attending by telephone. Agenda may be subject to change up to 24 hours prior to the meeting. Individuals needing special accommodations should notify the City Recorder at 435-874-2323 at least three days prior to the meeting.

Minutes were approved at the Planning Commission Meeting on _____.

Athena Cawley, City Recorder

Land Development Text Amendment- Lot Split Amendment

Purpose

In line with the development philosophy that assists local citizens in developing their land in an economically responsible manner, we propose to increase the creation of new lots that are split to three lots by administrative process. This will reduce the cost for smaller developers and lower income homeowners to develop their property with a higher density to help increase the City's tax base.

Current Language- Sec 152-39-4 Necessity Of Plat; Exemption From Plat Requirements

A subdivision creating no more than one new lot may be approved by city staff without the necessity of preparing and filing a preliminary plat or final plat if:

Proposed Language- Sec 152-39-4 Necessity Of Plat; Exemption From Plat Requirements

A subdivision creating no more than ~~one~~ **three** new lot(s) may be approved by city staff without the necessity of preparing and filing a preliminary plat or final plat if:

Full Section with Proposed Text- Sec 152-39-4 Necessity Of Plat; Exemption From Plat Requirements

All subdivisions shall be required to prepare and receive approval of a preliminary and final plat in accordance with the provisions of this chapter, except as follows:

1. A subdivision creating no more than three lot(s) may be approved by city staff without the necessity of preparing and filing a preliminary plat or final plat if:
 1. Notice is provided by city as required by this chapter.
 2. The proposed subdivision:
 1. Is not traversed by the mapped lines of a proposed street as shown in the general plan and does not require the dedication of any land for street or other public purposes.
 2. Does not impact an existing easement or right of way or, if it does have an impact, evidence is shown that the impact will not impair the use of any such easement or right of way.
 3. Has been approved by the culinary water authority and sanitary sewer authority.
 4. Is located in a zoned area, and conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

2. A lot or a parcel resulting from a division of agricultural land is exempt from the plat requirements of this chapter if the lot or parcel:
 1. Meets the minimum size requirement of applicable zoning; and
 2. Is not used and will not be used for any nonagricultural purpose.
3. The creation of a lot under subsection A of this section shall not be approved until a plan for providing utilities and other required improvements to the proposed lot has been reviewed and signed by members of the joint utility committee. No building permit will be issued for said lot until the approved improvements are constructed and accepted.
4. The boundaries of each lot or parcel exempted under subsection A or B of this section shall be described by deed and upon approval of city staff, shall be recorded with the county recorder.

From: Harrison Johnson
To: Hildale City Planning & Zoning Commission; Hildale City Mayor
Date: February 2, 2022
Subject: Zone Change request

Applicant Name: John and Candi Shapley, NBJC, LLC
Agent: N/A
Application Type: Zone Change request
Project Address: 725 N Willow
Current Zoning: RA-1
Requested Zoning: R1-8
Date: February 10, 2022
Prepared by: Harison Johnson

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Summary of Application

The Applicant is requesting approval of a Zone Change.

Request 1:

Amend the zoning map to re-zone Parcel HD-1-5, commonly addressed as 725 N Willow, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Single-family residential 8 R1-8. Should the zone change be approved, the applicant intends to submit an application for a subdivision on the same parcel.

Background

This application's parcel HD-1-5 was subdivided without compliance to Hildale City ORD Chapter 39 by the property's previous owner(s). The applicant had made inquires on how to proceed with improvements while returning to compliance with Hildale City's Ordinances. As per City policy, no building permits are approved on illegally subdivided property and the City would take action against any party attempting to improve an illegally divided parcel. Hildale City Staff are in the process of recording deed restrictions to all properties believed to have been illegally subdivided which will inform potential buyers of the restrictions that have been applied to those lots. Additionally, the City reserves the right to criminally prosecute individuals who record subdivisions without complying to Hildale City ORD Chapter 39. However, in order to allow property owners who have purchased illegally subdivided lots to return those lots into compliance with City Ordinances, City Staff committed to work with those individuals in accordance with our Land Use Codes to correct outstanding issues.

In this case, City Staff determined that they would not recognize the subdivision and therefore had to apply for rezone on the parent lot HD-1-5. Additionally, since there were now two parties claiming ownership of the property included in HD-1-5, both would need to agree with the rezone application.

Below is a summary of actions taken in relation to this zone change application:

- The applicant submitted the application on February 3rd, 2022 to the Hildale City offices and paid the fee of \$100.
- As of February 4th, 2022 Hildale City had received two signed affidavits indicating that the two parties claiming ownership of property with HD-1-5 have agreed to the application of rezone.
- The applicant provided addressed, stamped envelopes for all property owners within the required boundary of the subject property.
- City staff prepared a Rezone Letter for Neighboring Properties and mailed the letters within the required notice time.
- The Public Hearing for this zone change request was noticed, as required.

General Plan and Zoning

The property is bounded on the North by HD-1-5 On the East by Willow Street; On the South by Field Ave; and on the West by a canal street; Surrounding properties are zoned RA-1, and RA-.5.

Analysis

The zone change request complies with required standards for approval, as identified in Hildale Planning and Zoning ordinance, section 152-13-3 Uses allowed; and Sec 152-13-4 Development Standards In Residential Zones, as follows:

Sec 152-13-3 Uses Allowed

1. Permitted And Conditional Uses:

Permitted and conditional uses allowed within residential zones shall be as set forth in table 152-13-1 of this section. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on table 152-13-1 of this section shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use as provided in subsection 152-7-18E4 of this chapter.

TABLE 152-13-1 PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES							
	Zones						
	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3	MH/RV
Agricultural uses:							
Accessory building	P	P	P	P	P	P	P
Agricultural business	N	N	N	N	N	N	N
Agricultural industry	N	N	N	N	N	N	N
Agriculture	N	N	N	N	N	N	N
Agriculture residential	P	P	P	P	P	P	P
Animal specialties	P	P	N	N	N	N	N
Animals and fowl for recreation and family food production	P ³ /C	P ³ /C	P ³	N	N	N	N
Stable, private	N	N	N	N	N	N	N
Residential uses:							
Assisted living facility	C	C	C	N	N	N	N
Boarding house	N	N	N	N	N	N	N
Building, accessory	P	P	P	P	P	P	P
Dwelling, earth sheltered	P	P	P	P	P	P	N
Dwelling, multiple-family	N	N	N	P	P	P	N
Dwelling, single-family	P	P	P	P	P	P	P
Dwelling, single-family with accessory dwelling unit	P	P	P	N	N	N	N
Dwelling, temporary	P	P	P	P	P	P	P
Dwelling, two-family	N	N	N	P	P	P	N
Guesthouse or casita with direct access to main dwelling unit	P	P	P	N	N	N	N
Guesthouse or casita without direct access to main dwelling unit	C	C	C	N	N	N	N
Manufactured home	P	P	P	N	N	N	P
Manufactured/mobile home park	N	N	N	N	N	N	P
Manufactured/mobile home subdivision	N	N	N	N	N	N	P
Protective housing facility	N	N	N	N	N	N	N
Rehabilitation/treatment facility	N	N	N	N	N	N	N
Residential facility for elderly persons ¹	P	P	P	P	P	P	P
Residential facility for persons with a disability ¹	P	P	P	P	P	P	P
Residential facility for troubled youth	N	N	N	N	N	N	N
Short term rental ⁴	P	P	P	N	N	N	N
Transitional housing facility	N	N	N	N	N	N	N
Public and civic uses:							
Airport	N	N	N	N	N	N	N
Auditorium or stadium	N	N	N	N	N	N	N

Bus terminal	N	N	N	N	N	N	N
Cemetery	P	P	P	P	P	P	P
Church or place of worship	P	P	P	P	P	P	P
Club or service organization	N	N	N	N	N	N	N
College or university	N	N	N	N	N	N	N
Convalescent care facility	N	N	N	N	N	N	N
Correctional facility	N	N	N	N	N	N	N
Cultural service	N	N	N	N	N	N	N
Golf course	P	P	P	P	P	P	P
Government service	N	N	N	N	N	N	N
Hospital	N	N	N	N	N	N	N
Operations center	N	N	N	N	N	N	N
Park	P	P	P	P	P	P	P
Post office	N	N	N	N	N	N	N
Protective service	P	P	P	P	P	P	P
Reception center	N	N	N	N	N	N	N
School, elementary, middle, high or private	P	P	P	P	P	P	P
School, vocational	N	N	N	N	N	N	N
Stable, public	N	N	N	N	N	N	N
Utility, major	N	N	N	N	N	N	N
Utility, minor	P	P	P	P	P	P	P
Commercial uses:							
Agricultural sales and service	N	N	N	N	N	N	N
Animal hospital	N	N	N	N	N	N	N
Bail bond service	N	N	N	N	N	N	N
Bank or financial institution	N	N	N	N	N	N	N
Bed and breakfast, home (Less than or Equal to 2; Owner Occupied)	C	C	C	N	N	N	C
Bed and breakfast inn (Between 3 and 10)	C	C	C	N	N	N	C
Business equipment rental, services, and supplies	N	N	N	N	N	N	N
Camping Hosting Facility	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N
Club, private	N	N	N	N	N	N	N
Construction sales and service	N	N	N	N	N	N	N
Convenience store	N	N	N	N	N	N	N
Family child daycare facility ²	P	P	P	P	P	P	P
Licensed family child care ²	C	C	C	C	C	C	C
Residential certificate child care ²	P	P	P	P	P	P	P
Child care center	N	N	N	N	N	N	N

Funeral home	N	N	N	N	N	N	N
Garden center	N	N	N	N	N	N	N
Gas and fuel, storage and sales	N	N	N	N	N	N	N
Gasoline service station	N	N	N	N	N	N	N
Hostel	N	N	N	N	N	N	N
Hotel	N	N	N	N	N	N	N
Kennel, commercial	N	N	N	N	N	N	N
Kennel, residential	P	P	P	P	P	P	P
Laundry or dry cleaning, limited	N	N	N	N	N	N	N
Liquor store	N	N	N	N	N	N	N
Media service	N	N	N	N	N	N	N
Medical or dental laboratory	N	N	N	N	N	N	N
Medical service	N	N	N	N	N	N	N
Motel	N	N	N	N	N	N	N
Office, general	N	N	N	N	N	N	N
Off Road Recreational Vehicle Rental	C	C	C	N	N	N	N
Parking garage, public	N	N	N	N	N	N	N
Parking lot, public	N	N	N	N	N	N	N
Pawnshop	N	N	N	N	N	N	N
Personal care service, home based²	P	P	P	P	P	P	P
Personal instruction service, home based²	P	P	P	P	P	P	P
Printing and copying, limited	N	N	N	N	N	N	N
Printing, general	N	N	N	N	N	N	N
Produce stand	N	N	N	N	N	N	N
Recreation and entertainment, indoor	N	N	N	N	N	N	N
Recreation and entertainment, outdoor	N	N	N	N	N	N	N
Recreational vehicle park	N	N	N	N	N	N	P
Repair service	N	N	N	N	N	N	N
Research service	N	N	N	N	N	N	N
Residential hosting facility	P	P	P	N	N	N	N
Restaurant, fast food	N	N	N	N	N	N	N
Restaurant, general	N	N	N	N	N	N	N
Retail, general	N	N	N	N	N	N	N
Secondhand store	N	N	N	N	N	N	N
Shopping center	N	N	N	N	N	N	N
Tattoo establishment	N	N	N	N	N	N	N
Tavern	N	N	N	N	N	N	N
Temporary trailer	P	P	P	P	P	P	P
Transportation service	N	N	N	N	N	N	N

Vehicle and equipment rental or sale	N	N	N	N	N	N	N
Vehicle and equipment repair, general	N	N	N	N	N	N	N
Vehicle repair, limited	N	N	N	N	N	N	N
Veterinary service	N	N	N	N	N	N	N
Warehouse, self-service storage	N	N	N	N	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title						
Industrial uses:							
Automobile wrecking yard	N	N	N	N	N	N	N
Freight terminal	N	N	N	N	N	N	N
Heavy industry	N	N	N	N	N	N	N
Junk or salvage yard	N	N	N	N	N	N	N
Laundry services	N	N	N	N	N	N	N
Manufacturing, general	N	N	N	N	N	N	N
Manufacturing, limited	N	N	N	N	N	N	N
Mineral extraction	N	N	N	N	N	N	N
Wholesale and warehousing, general	N	N	N	N	N	N	N
Wholesale and warehousing, limited	N	N	N	N	N	N	N

2. Notes:

1. See chapter 46 of this chapter.
2. See chapter 42 of this chapter.
3. See section 152-37-15 of this chapter for permitted animals and fowl.
4. See licensing and operations requirements in title 11 of this code.

3. Accessory Uses:

Permitted and conditional uses set forth in table 152-13-1 of this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this chapter.
2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
3. Accessory uses in residential zones shall include, but not be limited to, the following: Garage sales, subject to applicable standards of chapter 48, "Temporary Uses", of this chapter. Garages and off street parking areas, subject to applicable standards of chapter 34, "Off Street Parking And Loading", of this chapter. Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other city ordinance. Home based businesses, subject to applicable standards of chapter 42, "Home Based Businesses", of this chapter. Household pets. Nurseries and greenhouses, when used for family food production. Playhouses, patios, porches, gazebos, and incidental storage buildings. Swimming pools and hot tubs for use by residents and their guests.

4.

[Sec 152-13-4 Development Standards In Residential Zones](#)

Development standards within residential zones shall be as set forth in table 152-13-2 of this section.

TABLE 152-13-2

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES							
	Zones						
Development Standard	R1-25	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3
Lot standards:							
Average lot area ²	15,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	8,000 sq. ft.	n/a	n/a	n/a
Minimum lot area or acreage	12,000 sq. ft.	12,000 sq. ft.	8,000 sq. ft.	6,400 sq. ft.	10,000 sq. ft.	1 acre	1 acre
Minimum lot width and/or project frontage	89 ft.	90 ft.	80 ft.	70 ft.	80 ft. project	100 ft. project	200 ft. project
					30 ft. unit	30 ft. unit	30 ft. unit

/	n/a	n/a	n/a	n/a	6 units/lots	10 units/lots	15 units/lots
Building standards:							
Maximum height, main building ³	34 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Maximum height, accessory building ⁴	19 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Maximum size, accessory building	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	500 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	500 sq. ft.
Building coverage: See subsection 10-37-12I of this title	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot
Distance between buildings	No requirement	No requirement	No requirement	No requirement	20 ft.	20 ft.	20 ft.
Setback standards - front yard:							
Any building ⁵	24 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Setback standards - rear yard:							
Main building	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage ⁶	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Setback standards - interior side yard:							
Main building	9 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6
Setback standards - street side yard:							
Main building ⁷	19 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Accessory building	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6

Notes:

1. Duplex only permitted on first 10,000 square feet. Any additional units must meet density per acre standards.
2. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.
3. Except as otherwise permitted by subsection 152-13-7C of this chapter.
4. Except as otherwise permitted by subsection 152-13-7B of this chapter.
5. Except as modified by the provisions of subsection 152-37-12F, "Setback Measurement", of this chapter.
6. If located at least 10 feet from main building, 2 feet from the dripline of the roof. Otherwise, same as for main building.
7. When this side setback is required, rear setback may be reduced to 10 feet.

[Sec 152-13-5 Regulations Of General Applicability](#)

The use and development of real property in residential zones shall conform to regulations of general applicability as set forth in the following chapters of this chapter:

1. Design and compatibility standards:
See chapter 33 of this title.
2. Landscaping and screening:
See chapter 32 of this title.
3. Motor vehicle access:
See chapter 35 of this title.
4. Natural resource inventory:
See chapter 31 of this title.
5. Off street parking:
See chapter 34 of this title.
6. Signs:
See chapter 36 of this title.
7. Supplementary development standards:
See chapter 37 of this title.

[Sec 152-13-6 Regulations For Specific Uses](#)

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in Article VI of this chapter, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter.

Sec 152-13-7 Special Regulations

1. **Animals:**
Within R1, RM, and MH/RV zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use.
2. **Larger Accessory Buildings:**
Notwithstanding the maximum building size limitation shown on table 152-13-2 in section 152-13-4 of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit.
3. **Increased Height:**
Notwithstanding the height limitations shown on table 152-13-2 in section 152-13-4 of this chapter a greater building height may be allowed in residential zones pursuant to a conditional use permit.
4. **Visual Barriers:**
Fencing or other method of providing privacy and a visual barrier to adjacent property shall be constructed around the perimeter of a multiple-family development.
 1. The height of such barrier shall be at least six feet (6').
 2. The barrier material and location shall be identified on an approved site plan.
5. **Open Space:**
In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus fifty percent (50%) of all additional floor area.

Recommendation

Staff recommends approval of the zone change request as it is consistent with Hildale City' General Plan.

Sample Motions – ZONING CHANGE

1. I move to recommend approval of the zoning map amendment requested for Parcel HD-1-5, commonly addressed as 725 N Willow Street Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Single-family residential 8 R1-8

Attachments

- a. Zone Change Application
 - a. Warranty Deed
 - b. Affidavit
 - c. Check
 - d. Zoning Map
- b. Washington County Property Report for parcel HD-1-5
- c. Draft copy Rezone Letter for Neighboring Properties
- d. Public Hearing Notice



📞 435-874-2323

📠 435-874-2603

🌐 www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: Same as original plat fee

<i>For Office Use Only:</i>	
File No.	_____
Receipt No.	_____

Name: John Barlow and Candi Shapley (Lots B, and C NBJC, LLC (Lot A)) Telephone: 801.824.4232

Address: 725 North Willow PO BOX 2742, Hildale, UT, 84784 Fax No. _____

Agent (If Applicable): John Barlow Telephone: _____

Email: johnroybarlow@gmail.com

Address/Location of Subject Property: 725 North Willow, Hildale, UT 84784

Tax ID of Subject Property: HD-1-5 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
R1-8

To split lot.

Submittal Requirements: The zone change application shall provide the following:

- _____ a. The name and address of every person or company the applicant represents;
- _____ b. An accurate property map showing the existing and proposed zoning classifications;
- _____ c. All abutting properties showing present zoning classifications;
- _____ d. An accurate legal description of the property to be rezoned;
- _____ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- _____ f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the third Monday of each month at 6:30 p.m. The deadline date to submit the application is 10 business days prior to the scheduled meeting. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES NO

Date application deemed to be complete: _____ Completion determination made by: _____

ZONE CHANGE APPLICATION (General Information)

PURPOSE

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc.). Zoning occurs to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

WHEN REQUIRED

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the Goals, Objectives and Policies of the City's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

PROCESS

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the City Council of approval, approval with modifications, or denial the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the City Council will consider and act on the Commission's recommendation. The action of the City Council is final. If denied, a similar application generally cannot be heard for a year.

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)

COUNTY OF)

I (we), John Barlow & Candi Shapley, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying, and the Hildale City Planning staff have indicated they are available to assist me in making this application.

Candi Shapley
(Property Owner)

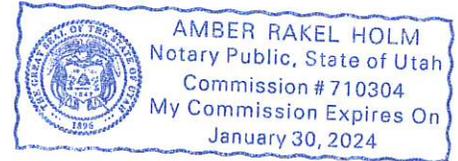
[Signature]
(Property Owner)

Subscribed and sworn to me this 3rd day of February 2022

Amber Rakel Holm
(Notary Public)

Residing in: Hildale, Utah

My Commission Expires: 1-30-2024



Agent Authorization

I (we), John Barlow & Candi Shapley the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) John Barlow to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Candi Shapley
(Property Owner)

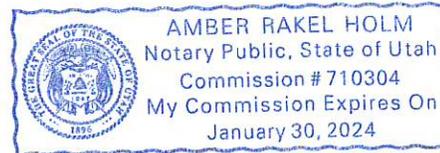
[Signature]
(Property Owner)

Subscribed and sworn to me this 3rd day of February 2022

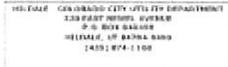
Amber Rakel Holm
(Notary Public)

Residing in: Hildale, Utah

My Commission Expires: 1-30-2024



Item 3.



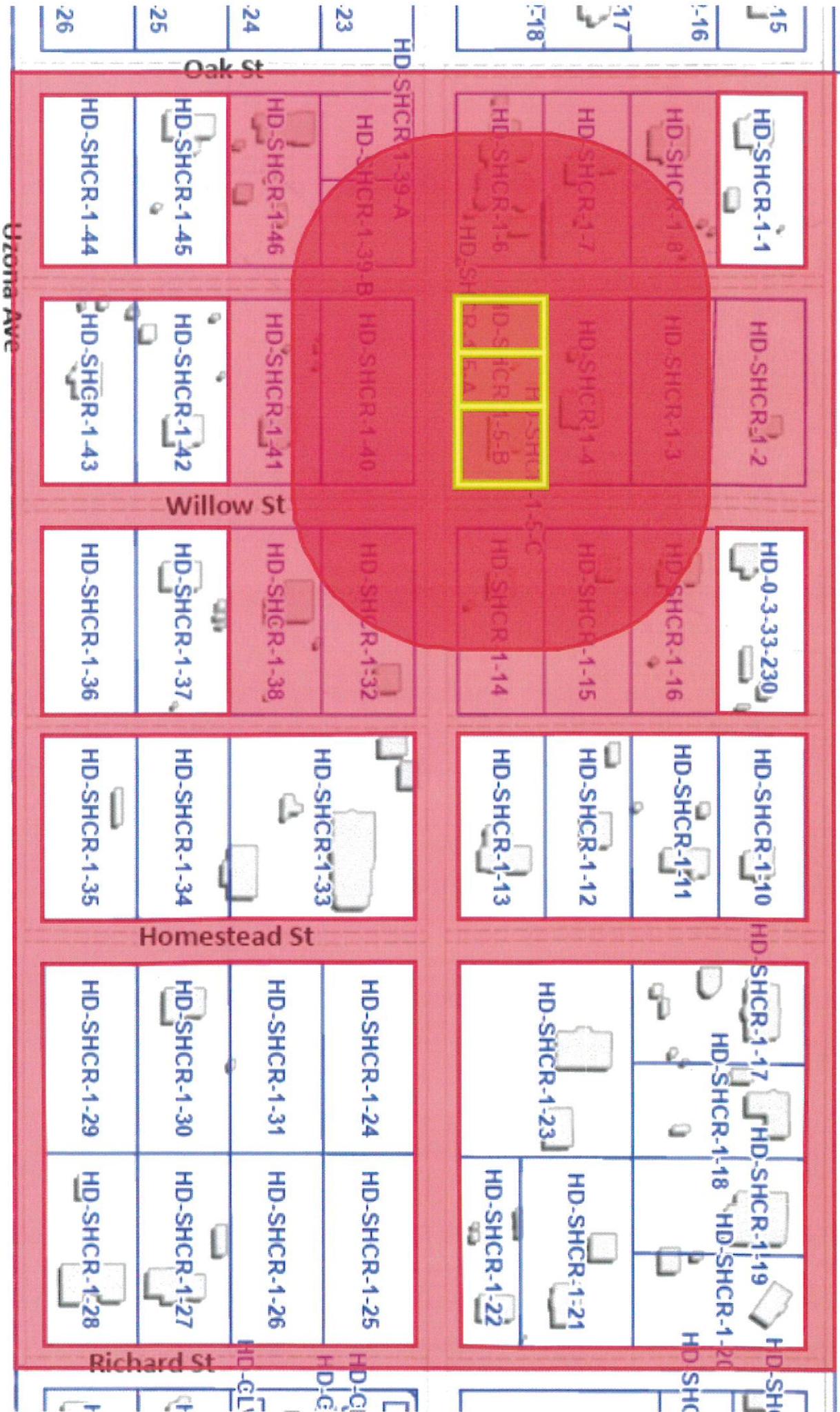
Hildale City
320 E. Newel Ave
Hildale, UT 84784
(435) 874-1160
ar@hildalecity.com

XBP Confirmation Number: 114607980

▶ Transaction detail for payment to Hildale City.		Date: 02/03/2022 - 1:49:58 PM MT	
Transaction Number: 165895642PT VisaXXXX-XXXX-XXXX-6295 Status: Successful			
Account #	Item	Quantity	Item Amount
ZONE CHANGE APP	Land Use	1	\$100.00
TOTAL:			\$100.00

Billing Information
JOHN ROY BARLOW
725 NORTH WILLOW ST
HILDALE, UT 84784
(801) 824-4232

Transaction taken by: Admin AChatwin



TAX ID	FIELD5	FIELD6	FIELD7	FIELD8	FIELD9	FIELD10
HD-SHCR	UNITED EFFORT PLAN	PO BOX 959		HILDALE	UT	84784
HD-SHCR	UNITED EFFORT PLAN	PO BOX 959		HILDALE	UT	84784
HD-SHCR	OLSON BRODY LINNE & ELIZABETH FAITH	660 N WILLOW ST #841427		HILDALE	UT	84784
HD-SHCR	JESSOP RUSSELL	PO BOX 840422		HILDALE	UT	84784-0422
HD-SHCR	BISTLINE LOUIS A & DAWNA	PO BOX 404		HILDALE	UT	84784-0404
HD-SHCR	BARTOW JOHN ROY SHAPLEY CANDI	PO BOX 2742		COLORADO CITY	AZ	86021-2742
HD-SHCR	BARLOW JOHN, SHAPLEY CANDI	725 N WILLOW ST	PO BOX 24	HILDALE	UT	84784
HD-SHCR	BARLOW DARRON & LEEAL LYMAN	685 W FIELD AVE		HILDALE	UT	84784
HD-SHCR	BARLOW	2816 SOARING PEAK AVE		HENDERSON	NV	89052
HD-SHCR	MORGAN BRIAN TR	491 N BLUFF ST STE 203		SAINT GEORGE	UT	84770-7384
HD-SHCR	UNITED EFFORT PLAN	PO BOX 959		HILDALE	UT	84784
HD-SHCR	BLACK HEBER	PO BOX 842396		HILDALE	UT	84784-2396
HD-SHCR	MILLETT CELESTA MARIE & TAVIAH LEHI	585 W FIELD AVE		HILDALE	UT	84784
HD-SHCR	DOCKSTADER MARGARET LUJEANNA, DRAPER ERIC	760 N WILLOW STREET		HILDALE	UT	84784
HD-SHCR	UNITED EFFORT PLAN	PO BOX 959		HILDALE	UT	84784
HD-SHCR	UNITED	2816 SOARING PEAK AVE		HENDERSON	NV	89052
HD-SHCR	DRAPER EZRA	PO BOX 840535		HILDALE	UT	84784-0535
HD-SHCR	UNITED EFFORT PLAN	PO BOX 959		HILDALE	UT	84784
HD-SHCR	JESSOP RAY JR	PO BOX 840422		HILDALE	UT	84784-0422

* Applicants

Legal Description:

SHORT CREEK 1 (HD) Lot: 5 DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF LOT 5 OF SHORT CREEK SUBDIVISION #1, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER WASHINGTON COUNTY, STATE OF UTAH, AND RUNNING THENCE S 0°01'12" W 131.69 FEET ALONG THE WEST RIGHT OF WAY LINE OF WILLOW STREET, TO A POINT ON THE NORTH RIGHT OF WAY OF FIELD AVENUE; THENCE S 89°53'31" W 118.16 FEET ALONG SAID LINE; THENCE N 0°01'50" W 131.77 FEET, TO A POINT ON THE SOUTH LINE OF LOT 4 OF SAID SUBDIVISION; THENCE N 89°56'02" E 118.28 FEET, TO THE POINT OF BEGINNING. CONTAINING 15,573 SF OR 0.36 ACRE

AND

SHORT CREEK 1 (HD) Lot: 5 DESCRIBED AS: BEGINNING AT A POINT BEING N 89°56'02" E 82.08 FEET FROM THE NORTHWEST CORNER OF LOT 5 OF SHORT CREEK SUBDIVISION #1, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, AND RUNNING THENCE N 89°56'02" E 82.08 FEET ALONG THE SOUTH LINE OF LOT 4 OF SAID SUBDIVISION; THENCE S 0°01'50" E 131.77 FEET, TO A POINT ON THE NORTH RIGHT OF WAY LINE OF FIELD AVENUE; THENCE S 89°53'31" W 82.08 FEET ALONG SAID LINE; THENCE N 0°01'50" W 131.83 FEET, TO THE POINT OF BEGINNING. CONTAINING 10,818 SF OR 0.25 ACRE

AND

SHORT CREEK 1 (HD) Lot: 5 DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 5 OF SHORT CREEK SUBDIVISION #1 RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, AND RUNNING THENCE N89°56'02" E 82.08 FEET ALONG THE SOUTH LINE OF LOT 4 OF SAID SUBDIVISION; THENCE S 0°01'50" E 131.83 FEET, TO A POINT ON THE NORTH RIGHT OF WAY LINE OF FIELD AVENUE; THENCE S89°53'31" W 82.08 FEET ALONG SAID LINE, TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE N 0°01'50" W 131.89 FEET ALONG THE WEST LINE OF SAID LOT 5 TO THE POINT OF BEGINNING.
CONTAINING 10,823 SF OR 0.25 ACRE



435-874-2323

Item 3.

435-874-2603

www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: Same as original plat fee

<i>For Office Use Only:</i>	
File No.	_____
Receipt No.	_____

Name: John Barlow and Candi Shapley (Lots B, and C NBJC, LLC (Lot A)) Telephone: 801.824.4232

Address: 725 North Willow PO BOX 2742, Hildale, UT, 84784 Fax No. _____

Agent (If Applicable): John Barlow Telephone: _____

Email: johnroybarlow@gmail.com

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Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
R1-8

To split lot.

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(Office Use Only)

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Date application deemed to be complete: _____ Completion determination made by: _____

ZONE CHANGE APPLICATION (General Information)

PURPOSE

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc.). Zoning occurs to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

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AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH Arizona)

COUNTY OF Mohave

I (we), Benjamin Knudson, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying, and the Hildale City Planning staff have indicated they are available to assist me in making this application.

Benjamin Knudson

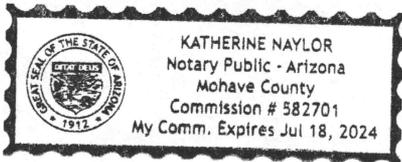
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 4th day of February 2022.

Katherine G. [Signature]

(Notary Public)



Residing in: Mohave County, Arizona

My Commission Expires: 7-18-24

Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) John Barlow to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20__.

(Notary Public)

Residing in: _____

My Commission Expires: _____

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)

COUNTY OF)

I (we), _____, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying, and the Hildale City Planning staff have indicated they are available to assist me in making this application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20__.

(Notary Public)

Residing in: _____

My Commission Expires: _____

Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) John Barlow to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20__.

(Notary Public)

Residing in: _____

My Commission Expires: _____

From: Harrison Johnson
 To: Hildale City Planning & Zoning Commission; Hildale City Mayor
 Date: February 2, 2022
 Subject: Zone Change request

Applicant Name: Patrick & Irene Jessop
Agent: N/A
Application Type: Zone Change request
Project Address: 925 North Pinion
Current Zoning: RA-1
Requested Zoning: R1-10
Date: February 2, 2022
Prepared by: Harison Johnson

Summary of Application

The Applicant is requesting approval of a Zone Change.

Request 1:

Amend the zoning map to re-zone Parcel HD-SHCR-4-12, commonly addressed as 925 North Pinion Street, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Single-family residential 10 R1-10. Should the zone change be approved, the applicant intends to submit an application for a lot split of the same parcel.

Background

The applicant submitted the application on January 31st, 2022, to the Hildale City offices and paid the fee of \$100.

The applicant submitted all required documents identified in the application.

The applicant provided addressed, stamped envelopes for all property owners within the required boundary of the subject property.

City staff prepared a Rezone Letter for Neighboring Properties and mailed the letters within the required notice time.

The Public Hearing for this zone change request was noticed, as required.

General Plan and Zoning

The property is bounded on the North by HD-SHCR-4-11; On the East by Pinion Street; On the South by Newel Ave; and on the West by HD-SHCR-4-13; Surrounding properties are zoned RA-1, RM-2 and M-1.

Analysis

The zone change request complies with required standards for approval, as identified in Hildale Planning and Zoning ordinance, section 152-13-3 Uses allowed; and Sec 152-13-4 Development Standards In Residential Zones, as follows:

Sec 152-13-3 Uses Allowed

1. Permitted And Conditional Uses:

Permitted and conditional uses allowed within residential zones shall be as set forth in table 152-13-1 of this section. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on table 152-13-1 of this section shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use as provided in subsection 152-7-18E4 of this chapter.

TABLE 152-13-1 PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES							
	Zones						
	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3	MH/RV
Agricultural uses:							
Accessory building	P	P	P	P	P	P	P
Agricultural business	N	N	N	N	N	N	N
Agricultural industry	N	N	N	N	N	N	N
Agriculture	N	N	N	N	N	N	N

Agriculture residential	P	P	P	P	P	P	P
Animal specialties	P	P	N	N	N	N	N
Animals and fowl for recreation and family food production	P ³ /C	P ³ /C	P ³	N	N	N	N
Stable, private	N	N	N	N	N	N	N
Residential uses:							
Assisted living facility	C	C	C	N	N	N	N
Boarding house	N	N	N	N	N	N	N
Building, accessory	P	P	P	P	P	P	P
Dwelling, earth sheltered	P	P	P	P	P	P	N
Dwelling, multiple-family	N	N	N	P	P	P	N
Dwelling, single-family	P	P	P	P	P	P	P
Dwelling, single-family with accessory dwelling unit	P	P	P	N	N	N	N
Dwelling, temporary	P	P	P	P	P	P	P
Dwelling, two-family	N	N	N	P	P	P	N
Guesthouse or casita with direct access to main dwelling unit	P	P	P	N	N	N	N
Guesthouse or casita without direct access to main dwelling unit	C	C	C	N	N	N	N
Manufactured home	P	P	P	N	N	N	P
Manufactured/mobile home park	N	N	N	N	N	N	P
Manufactured/mobile home subdivision	N	N	N	N	N	N	P
Protective housing facility	N	N	N	N	N	N	N
Rehabilitation/treatment facility	N	N	N	N	N	N	N
Residential facility for elderly persons ¹	P	P	P	P	P	P	P
Residential facility for persons with a disability ¹	P	P	P	P	P	P	P
Residential facility for troubled youth	N	N	N	N	N	N	N
Short term rental ⁴	P	P	P	N	N	N	N
Transitional housing facility	N	N	N	N	N	N	N
Public and civic uses:							
Airport	N	N	N	N	N	N	N
Auditorium or stadium	N	N	N	N	N	N	N
Bus terminal	N	N	N	N	N	N	N
Cemetery	P	P	P	P	P	P	P
Church or place of worship	P	P	P	P	P	P	P
Club or service organization	N	N	N	N	N	N	N
College or university	N	N	N	N	N	N	N
Convalescent care facility	N	N	N	N	N	N	N
Correctional facility	N	N	N	N	N	N	N
Cultural service	N	N	N	N	N	N	N
Golf course	P	P	P	P	P	P	P
Government service	N	N	N	N	N	N	N

Hospital	N	N	N	N	N	N	N
Operations center	N	N	N	N	N	N	N
Park	P	P	P	P	P	P	P
Post office	N	N	N	N	N	N	N
Protective service	P	P	P	P	P	P	P
Reception center	N	N	N	N	N	N	N
School, elementary, middle, high or private	P	P	P	P	P	P	P
School, vocational	N	N	N	N	N	N	N
Stable, public	N	N	N	N	N	N	N
Utility, major	N	N	N	N	N	N	N
Utility, minor	P	P	P	P	P	P	P
Commercial uses:							
Agricultural sales and service	N	N	N	N	N	N	N
Animal hospital	N	N	N	N	N	N	N
Bail bond service	N	N	N	N	N	N	N
Bank or financial institution	N	N	N	N	N	N	N
Bed and breakfast, home (Less than or Equal to 2; Owner Occupied)	C	C	C	N	N	N	C
Bed and breakfast inn (Between 3 and 10)	C	C	C	N	N	N	C
Business equipment rental, services, and supplies	N	N	N	N	N	N	N
Camping Hosting Facility	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N
Club, private	N	N	N	N	N	N	N
Construction sales and service	N	N	N	N	N	N	N
Convenience store	N	N	N	N	N	N	N
Family child daycare facility ²	P	P	P	P	P	P	P
Licensed family child care ²	C	C	C	C	C	C	C
Residential certificate child care ²	P	P	P	P	P	P	P
Child care center	N	N	N	N	N	N	N
Funeral home	N	N	N	N	N	N	N
Garden center	N	N	N	N	N	N	N
Gas and fuel, storage and sales	N	N	N	N	N	N	N
Gasoline service station	N	N	N	N	N	N	N
Hostel	N	N	N	N	N	N	N
Hotel	N	N	N	N	N	N	N
Kennel, commercial	N	N	N	N	N	N	N
Kennel, residential	P	P	P	P	P	P	P
Laundry or dry cleaning, limited	N	N	N	N	N	N	N
Liquor store	N	N	N	N	N	N	N

Media service	N	N	N	N	N	N	N
Medical or dental laboratory	N	N	N	N	N	N	N
Medical service	N	N	N	N	N	N	N
Motel	N	N	N	N	N	N	N
Office, general	N	N	N	N	N	N	N
Off Road Recreational Vehicle Rental	C	C	C	N	N	N	N
Parking garage, public	N	N	N	N	N	N	N
Parking lot, public	N	N	N	N	N	N	N
Pawnshop	N	N	N	N	N	N	N
Personal care service, home based ²	P	P	P	P	P	P	P
Personal instruction service, home based ²	P	P	P	P	P	P	P
Printing and copying, limited	N	N	N	N	N	N	N
Printing, general	N	N	N	N	N	N	N
Produce stand	N	N	N	N	N	N	N
Recreation and entertainment, indoor	N	N	N	N	N	N	N
Recreation and entertainment, outdoor	N	N	N	N	N	N	N
Recreational vehicle park	N	N	N	N	N	N	P
Repair service	N	N	N	N	N	N	N
Research service	N	N	N	N	N	N	N
Residential hosting facility	P	P	P	N	N	N	N
Restaurant, fast food	N	N	N	N	N	N	N
Restaurant, general	N	N	N	N	N	N	N
Retail, general	N	N	N	N	N	N	N
Secondhand store	N	N	N	N	N	N	N
Shopping center	N	N	N	N	N	N	N
Tattoo establishment	N	N	N	N	N	N	N
Tavern	N	N	N	N	N	N	N
Temporary trailer	P	P	P	P	P	P	P
Transportation service	N	N	N	N	N	N	N
Vehicle and equipment rental or sale	N	N	N	N	N	N	N
Vehicle and equipment repair, general	N	N	N	N	N	N	N
Vehicle repair, limited	N	N	N	N	N	N	N
Veterinary service	N	N	N	N	N	N	N
Warehouse, self-service storage	N	N	N	N	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title						
Industrial uses:							
Automobile wrecking yard	N	N	N	N	N	N	N
Freight terminal	N	N	N	N	N	N	N
Heavy industry	N	N	N	N	N	N	N

Junk or salvage yard	N	N	N	N	N	N	N
Laundry services	N	N	N	N	N	N	N
Manufacturing, general	N	N	N	N	N	N	N
Manufacturing, limited	N	N	N	N	N	N	N
Mineral extraction	N	N	N	N	N	N	N
Wholesale and warehousing, general	N	N	N	N	N	N	N
Wholesale and warehousing, limited	N	N	N	N	N	N	N

2. Notes:

1. See chapter 46 of this chapter.
2. See chapter 42 of this chapter.
3. See section 152-37-15 of this chapter for permitted animals and fowl.
4. See licensing and operations requirements in title 11 of this code.

3. Accessory Uses:

Permitted and conditional uses set forth in table 152-13-1 of this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this chapter.
2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
3. Accessory uses in residential zones shall include, but not be limited to, the following: Garage sales, subject to applicable standards of chapter 48, "Temporary Uses", of this chapter. Garages and off street parking areas, subject to applicable standards of chapter 34, "Off Street Parking And Loading", of this chapter. Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other city ordinance. Home based businesses, subject to applicable standards of chapter 42, "Home Based Businesses", of this chapter. Household pets. Nurseries and greenhouses, when used for family food production. Playhouses, patios, porches, gazebos, and incidental storage buildings. Swimming pools and hot tubs for use by residents and their guests.

4.

Sec 152-13-4 Development Standards In Residential Zones

Development standards within residential zones shall be as set forth in table 152-13-2 of this section.

TABLE 152-13-2

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES							
	Zones						
Development Standard	R1-25	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3
Lot standards:							
Average lot area ²	15,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	8,000 sq. ft.	n/a	n/a	n/a
Minimum lot area or acreage	12,000 sq. ft.	12,000 sq. ft.	8,000 sq. ft.	6,400 sq. ft.	10,000 sq. ft.	1 acre	1 acre
Minimum lot width and/or project frontage	89 ft.	90 ft.	80 ft.	70 ft.	80 ft. project	100 ft. project	200 ft. project
					30 ft. unit	30 ft. unit	30 ft. unit
/	n/a	n/a	n/a	n/a	6 units/lots	10 units/lots	15 units/lots
Building standards:							
Maximum height, main building ³	34 ft.	35 ft.	35 ft.				
Maximum height, accessory building ⁴	19 ft.	20 ft.	20 ft.				
Maximum size, accessory building	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	500 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	500 sq. ft.
Building coverage: See subsection 10-37-121 of this title	50% of lot	50% of lot					
Distance between buildings	No requirement	No requirement	No requirement	No requirement	20 ft.	20 ft.	20 ft.
Setback standards - front yard:							

Any building ⁵	24 ft.	25 ft.					
Setback standards - rear yard:							
Main building	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage ⁶	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Setback standards - interior side yard:							
Main building	9 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage	See note 6						
Setback standards - street side yard:							
Main building ⁷	19 ft.	20 ft.					
Accessory building	See note 6						

Notes:

1. Duplex only permitted on first 10,000 square feet. Any additional units must meet density per acre standards.
2. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.
3. Except as otherwise permitted by subsection 152-13-7C of this chapter.
4. Except as otherwise permitted by subsection 152-13-7B of this chapter.
5. Except as modified by the provisions of subsection 152-37-12F, "Setback Measurement", of this chapter.
6. If located at least 10 feet from main building, 2 feet from the dripline of the roof. Otherwise, same as for main building.
7. When this side setback is required, rear setback may be reduced to 10 feet.

Sec 152-13-5 Regulations Of General Applicability

The use and development of real property in residential zones shall conform to regulations of general applicability as set forth in the following chapters of this chapter:

1. Design and compatibility standards:
See chapter 33 of this title.
2. Landscaping and screening:
See chapter 32 of this title.
3. Motor vehicle access:
See chapter 35 of this title.
4. Natural resource inventory:
See chapter 31 of this title.
5. Off street parking:
See chapter 34 of this title.
6. Signs:
See chapter 36 of this title.
7. Supplementary development standards:
See chapter 37 of this title.

Sec 152-13-6 Regulations For Specific Uses

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in Article VI of this chapter, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter.

Sec 152-13-7 Special Regulations

1. Animals:
Within R1, RM, and MH/RV zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use.
2. Larger Accessory Buildings:
Notwithstanding the maximum building size limitation shown on table 152-13-2 in section 152-13-4 of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit.
3. Increased Height:
Notwithstanding the height limitations shown on table 152-13-2 in section 152-13-4 of this chapter a greater building height may be allowed in residential zones pursuant to a conditional use permit.
4. Visual Barriers:
Fencing or other method of providing privacy and a visual barrier to adjacent property shall be constructed around the perimeter of a multiple-family development.
 1. The height of such barrier shall be at least six feet (6').
 2. The barrier material and location shall be identified on an approved site plan.

5. Open Space:

In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus fifty percent (50%) of all additional floor area.

Recommendation

Staff recommends approval of the zone change request as it is consistent with Hildale City' General Plan.

Sample Motions – ZONING CHANGE

1. I move to recommend approval of the zoning map amendment requested for Parcel HD-SHCR-4-12, commonly addressed as 925 North Pinion Street Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Single-family residential 10 R1-10

Attachments

- a. Zone Change Application
 - a. Warranty Deed
 - b. Affidavit
 - c. Check
 - d. Zoning Map
- b. Washington County Property Report for parcel HD-SHCR-4-12
- c. Draft copy Rezone Letter for Neighboring Properties
- d. Public Hearing Notice

ZONE CHANGE APPLICATION

City of Hildale
320 East Newel Avenue
Hildale, UT 84784
(435) 874-1160
FAX (435) 874-2603

Fee: \$100

For Office Use Only:
File No. _____
Receipt No. 1050824

Angelene
01/31/22

Name: Patrick & Irene Jessop Telephone: (435) 619-9757

Address: 925 North Pinion Street Fax No. 435-608-4586

Agent (If Applicable): _____ Telephone: _____

Email: irenejessop@hotmail.com

Address/Location of Subject Property: 925 North Pinion Street

Tax ID of Subject Property: HD-SHCR-4-12 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
Rezone to R1-10 to split into a 1 acre lot and three lots.

Legal Description: All of Lot 12 Short Creek Subdivision #4.

Submittal Requirements: The zone change application shall provide the following:

- a. The name and address of every person or company the applicant represents;
- b. An accurate property map showing the existing and proposed zoning classifications;
- c. All abutting properties showing present zoning classifications;
- d. An accurate legal description of the property to be rezoned;
- e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES NO

Date application deemed to be complete: _____ Completion determination made by: _____

Hildale City
320 East Newel Avenue
P. O. Box 840490
Hildale UT 84784-0490 435-874-2323

Receipt No: 1.050824 Jan 31, 2022

PATRICK JESSOP

Previous Balance:	.00
MISCELLANEOUS	
Land Use - ZONE CHANGE	100.00
APP	

Total: 100.00

Check - Zions Bank	
Check No: 9460	100.00
Payor:	
PATRICK JESSOP	
Total Applied:	100.00

Change Tendered: .00

01/31/2022 4:42 PM

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
 :ss
COUNTY OF)

I (we), Patrick Jessop & Irene Jessop being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hildale City Planning staff have indicated they are available to assist me in making this application.

[Signature]

(Property Owner)

[Signature]

(Property Owner)

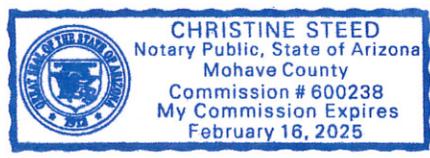
Subscribed and sworn to me this 31 day of Jan 2022.

[Signature]

(Notary Public)

Residing in: Mohave

My Commission Expires: 2/16/25



Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20____.

(Notary Public)

Residing in: _____

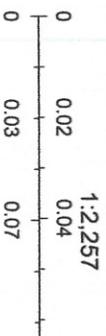
My Commission Expires: _____

Hildale City Zoning districts



Subject Lot

- 32:51 PM
- RA-1 - Residential-agricultural 1
 - RA-5 - Residential-agricultural .5
 - R1-10 - Single-family residential 10
 - RM-2 - Multiple-family residential 2
 - GC - General commercial
 - HC - Highway commercial
 - M-1 - Light industrial



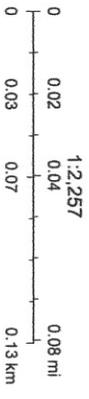
Maxar, Microsoft, Esri Community Maps Co
 County, Utah AGRC, © OpenStreetMap, Mic
 Garmin, SafeGraph, INCREMENT P, METI/NV
 of Land Management, EPA, NPS, US Cent

Proposed Zoning

Hildale City Zoning districts



- 1/31/2022, 12:32:51 PM
- Municipal Boundary
 - Parcels
 - RA-1 - Residential-agricultural 1
 - RA-.5 - Residential-agricultural .5
 - R1-10 - Single-family residential 10
 - GC - General commercial
 - HC - Highway commercial
 - A-20 - Agricultural 20
 - RM-2 - Multiple-family residential 2
 - M-1 - Light industrial



Maxar, Microsoft, Esri Community Maps Contributors, Cocoono County, Utah AGRC, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, Swisstopo, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA.

Hildale City
Sunrise Cloud SMART GIS®

WHEN RECORDED MAIL TO:
~~MARTHA LAYTON~~ PATRICK JESSOP
P.O. BOX 283/ 2441
HILDALE, UT 84784

Special Warranty Deed Page 1 of 4
Russell Shirts Washington County Recorder
12/29/2017 09:49:55 AM Fee \$14.00 By
INVEST TITLE SERVICES - ST. GEORGE

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

RECORDED AT THE REQUEST OF INWEST TITLE SERVICES, INC. ORDER # 242136
RESPA

SPECIAL WARRANTY DEED

JEFF J. BARLOW, EXECUTIVE DIRECTOR OF THE UNITED EFFORT PLAN TRUST
GRANTOR(S)

OF HILDALE, COUNTY OF WASHINGTON, STATE OF UT
HEREBY CONVEY AND WARRANT TO

~~MARTHA LAYTON AND IRENE JESSOP~~
~~MARTHA LAYTON AND MYVE LAYTON WIFE AND HUSBAND, AS JOINT TENANTS~~
and WIFE
GRANTEE(S)

OF HILDALE, COUNTY OF WASHINGTON, STATE OF UT
FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION,
THE FOLLOWING DESCRIBED TRACT OF LAND IN WASHINGTON COUNTY, STATE OF UT:

(HD-SHCR-10-10)
4-12)

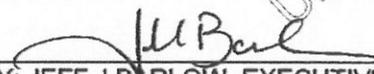
LOT 12, SHORT CREEK SUBDIVISION #4, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE
AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE, STATE OF UTAH.

SUBJECT TO THE MATTERS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART
THEREOF.

SUBJECT TO EASEMENTS, RESTRICTIONS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, AND TAXES
FOR THE YEAR 2017 AND THEREAFTER.

WITNESS, THE HAND(S) OF SAID GRANTOR(S), THIS 27TH DAY OF DECEMBER, 2017.

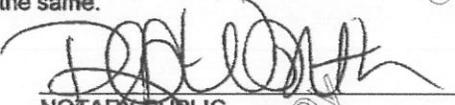
THE UNITED EFFORT PLAN TRUST


BY: JEFF J BARLOW, EXECUTIVE DIRECTOR

ACKNOWLEDGMENT

STATE OF UTAH)
(ss.
COUNTY OF WASHINGTON)

On this 27th Day of DECEMBER, 2017, personally appeared before me JEFF J. BARLOW, whose identify is
personally known to me, or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that
he is the EXECUTIVE DIRECTOR of THE UNITED EFFORT PLAN TRUST, and that said document was signed by
him/her behalf of said Trust by the authority of the Trust Agreement and any Amendments thereto, and said JEFF J.
BARLOW, acknowledged to me that said Trust executed the same.


NOTARY PUBLIC

My Commission Expires:

5/23/20



INVEST TITLE SERVICES, INC.

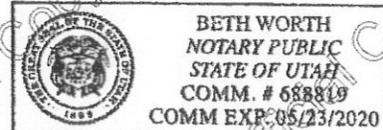


EXHIBIT "A"

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule C, "Requirements" are met.
2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
3. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
4. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.
5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records.
7. Any lien or right to a lien for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
8. COUNTY PROPERTY TAXES FOR THE CURRENT YEAR ARE NOW PAYABLE AND DUE NO LATER THAN NOVEMBER 30, 2017.
AMOUNT DUE: \$862.08
SERIAL NO.: HD-SHCR-4-12
STATUS: DUE
9. THE SUBJECT PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF THE SPECIAL ASSESSMENT DISTRICT(S) SHOWN BELOW, AND IS SUBJECT TO ALL CHARGES AND/OR ASSESSMENTS LEVIED THEREBY:
DISTRICT(S): WASHINGTON
DISTRICT(S): MULTICOUNTY ASSESSING & COLLECTING LEVY
DISTRICT(S): COUNTY ASSESSING & COLLECTING LEVY
DISTRICT(S): WASHINGTON COUNTY SCHOOL DISTRICT
DISTRICT(S): HILDALE CITY
DISTRICT(S): THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT
DISTRICT(S): SOUTHWEST MOSQUITO ABATEMENT & CONTROL DISTRICT
DISTRICT(S): SOUTH UTAH SHOOTING SPORTS PARK SPECIAL SERVICE DIST.
10. MINERALS OF WHATSOEVER KIND, SUBSURFACE AND SURFACE SUBSTANCES, INCLUDING BUT NOT LIMITED TO COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND AND GRAVEL IN, ON, UNDER AND THAT MAY BE PRODUCED FROM THE LAND, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, WHETHER OR NOT APPEARING IN THE PUBLIC RECORDS OR LISTED IN SCHEDULE B. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF ANY SUCH INTERESTS. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF INTERESTS THAT ARE NOT LISTED.
11. RIPARIAN OR WATER RIGHTS, CLAIMS, OR TITLE TO WATER WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.
12. NOTES, SETBACK LINES, CONDITIONS, RESTRICTIONS, EASEMENTS, REQUIREMENTS, STIPULATIONS AND ALL MATTERS AS SET FORTH ON THE RECORDED DEDICATION PLAT.
13. PUBLIC UTILITY AND DRAINAGE EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS THERETO, OVER THE EAST 33 FEET AND OVER THE NORTH AND WEST 12.5 FEET AND OVER THE SOUTH 15 FEET OF THE LAND OF THE LAND, ALL AS DELINEATED ON THE RECORDED PLAT.
14. EASEMENTS AS EVIDENCED BY MESNE DOCUMENTS OF RECORD, INCLUDING, BUT NOT LIMITED TO A QUITCLAIM DEED, RECORDED JULY 1, 2009, AS ENTRY NO. 20090025437.
15. THE RIGHTS OF PARTIES IN POSSESSION OF THE SUBJECT PROPERTY UNDER UNRECORDED LEASES, CONTRACTS, RENTAL OR OCCUPANCY AGREEMENTS AND ANY CLAIMS, RIGHTS OR INTERESTS ARISING THEREUNDER.
16. NOTE: NO EXISTING DEED OF TRUST OR MORTGAGE APPEARS OF RECORD. IF THIS INFORMATION IS NOT CORRECT, PLEASE NOTIFY THE COMPANY AS SOON AS POSSIBLE TO PROVIDE INFORMATION REGARDING THE EXISTING LOAN.
17. UTAH STATE TAX LIEN
FILED: MAY 27, 2013
AMOUNT: \$2,077.06
CASE NO: 136501717
CREDITOR: STATE TAX COMMISSION OF UTAH
DEBTOR: PATRICK J. JESSOP

CERTIFICATE OF COMPLIANCE
(Distribution of Property – 5th Round)

Jeff J Barlow, Executive Director of the Board of Trustees of the United Effort Plan Trust (“Trust”), certifies that pursuant to the Order: (1) Transferring Additional Duties and Authority to the Board, and (2) Reducing Court Oversight dated February 26, 2016 (“Order”):

1) On April 22, 2016, the Notice of Intent to Distribute Property (Fifth Round) dated April 22, 2016 (“Notice”), a copy of which is attached hereto as Exhibit A, was filed with the Third Judicial District Court in and for Salt Lake County, State of Utah, Civil No. 053900848 (“Court”).

2) On April 22, 2016, the Notice was posted on the UEP website (www.ueptrust.com).

3) On April 22, 2016, the Public Notice of Intent to Distribute Property of the United Effort Plan Trust (dated April 22, 2016) (“Public Notice”), a copy of which is attached hereto as “Exhibit B”, was posted in the following places:

- a. United States Post Office: 55 S. Central Street, Colorado City, Arizona, 86021;
- b. ii. Colorado City Offices: 25 S. Central Street, Colorado City, Arizona 86021;
- c. iii. Hildale City Offices: 320 E. Newel Ave., Hildale, UT 84784; and
- d. iv. The Trust’s business office: 1155 N. Canyon Street, Hildale, Utah 84784.

4) On April 22, 2016, the Public Notice was sent electronically to Nolan Barlow at “nolanbarlow@gmail.com” with the Trust’s permission to post the Public Notice on the “shortcreek.us” website.

5) Ten Calendar Days have passed since filing and posting the Notice and Public Notice.

6) No objection to the Notice or Public Notice has been filed with the Court.

7) Pursuant to the Order, the Trust's decision to distribute property as described in the

Notice is now operative and may be implemented.

DATED May 11, 2016



Jeff J Barlow
Executive Director of the Board of Trustees
of the United Effort Plan Trust
1155 North Canyon Street
PO Box 959
Hildale, Utah 84784
(435) 874-1126
Email: jeff@jeffbarlowlaw.com

4851-4282-9105

Harrison Johnson

From: Irenejessop@hotmail.com
Sent: Tuesday, February 1, 2022 9:59 AM
To: Harrison Johnson
Subject: Zone Change Application- Lot 12

To Whom it May Concern,

I am writing in reference to a Zone Change Application that was submitted, in my name, on January 31, 2022. The application proposes a change of the zoning district to R1-10, allowing the property to be split into three 10,000 sq.ft lots. This is not my intention with the property, but I did feel that it was the closest representation of the size intended for smaller lot. Ultimately, the purpose is to subdivide the lot into two unequal portions, approximately 1/3 acre and 2/3 acre. I will be keeping the 2/3 acre and selling the 1/3 acre to a family member who intends to build.

Please feel free to contact me if further clarification is needed.

Best regards,

Irene Jessop
435-619-9757
Irenejessop@hotmail.com