

UTAH COUNTY BOARD OF ADJUSTMENT

Minutes February 7, 2013

Present: Randy Christiansen, Chair
Steve White
Greg Graves

Excused: Rose Blakelock

Bryce Armstrong, Associate Director, Community Development
Rob Moore, Deputy County Attorney
Christina Sutton, Secretary

OTHERS PRESENT: Dennis Barker, Utah County Fire Marshal; Peggy Kelsey, Utah County Community Development; Marty Banks

The meeting was called to order at 5:15 p.m. by Randy Christiansen, Chair of the Utah County Board of Adjustment at 100 East Center Street in Room 1400 of the Utah County Administration Building, Provo, Utah. Greg Graves was welcomed as a new member of the Board.

APPEAL #1522 - SNOWBIRD SKI & SUMMER RESORT - who is requesting a conditional use for various accessory mountain resort facilities in the Critical Environment (CE-1) Zone, various Sections 15 through 34, T3S R3E, in the American Fork Canyon area of Utah County

Bryce Armstrong gave background information on the appeal since this item has been continued from the November, 2012, Board of Adjustment meeting. Snowbird wishes to expand its operation for more year-round activities. On January 8, 2013, the Utah County Commission amended the LUO to allow zoning lots that do not abut a recorded recreation resort plat or an existing ski resort in an adjoining county to be utilized for accessory mountain resort facilities, provided there exists an authorized connection between zoning lots abutting the resort plat or ski resort and the outlying zoning lots.; this is found in Section 3-47-H of the Utah County Land Use Ordinance. Slides of the area were shown. The only structure might be a warming hut, since the area would be used for hiking, horseback riding, snowmobiling, cross-county skiing, and trails. A change in recommended condition #4 was given to the Board members.

Randy Christiansen asked for clarification on the action of the County Commission.

Bryce Armstrong stated that the changes are in Section 3-47-H for accessory ski lifts and associated mountain resort facilities.

Rob Moore replied that the change allows for multiple zoning lots that are not contiguous to

Snowbird; generally the intervening property is Federal lands.

Steve White noted that the county line had previously been moved so that improvements or additions to Snowbird could be made on abutting lands.

Randy Christiansen asked if there would be de-forestation, and if being in the watershed area would require additional permits.

Bryce Armstrong replied that grading and drainage issues would be reviewed through applicable permits.

Marty Banks, attorney for the applicant, said that there would be very modest if any de-forestation since the uses were for trail use such as back country skiing and horseback riding; there would be no ski lifts on the Utah County side. He commented on the possible reason for the abutment wording in the original ordinance which may have been to discourage new independent ski resorts in the area when Snowbird and Sundance were already established.

There were no public comments.

Motion: Steve White

Second: Greg Graves

Motion to close the public hearing. The motion passed by the following vote: “Aye” Randy Christiansen, Steve White, Greg Graves; “Nay”, none.

Motion: Steve White

Second: Greg Graves

Motion that the Utah County Board of Adjustment **approve** the request for a conditional use for various accessory mountain resort facilities in the CE-1 Zone on the applicant’s “eastern block” of property as depicted on the site map submitted at the November 1, 2012 meeting, based on staff findings and with the following conditions:

1. That the application meet all the criteria for approving a conditional use as per Section 7-20-C(1) through (7) of the Utah County Land Use Ordinance, to the extent required in Section 7-20-D;
2. That all applicable permits be issued for any structures and uses associated with the proposed accessory mountain resort facilities to be constructed or utilized on the property that meet all applicable building, zoning, health, and fire-safety requirements. Development and construction shall be consistent with “best management practices” as referenced in the submitted application;
3. That all requirements and standards of Section 3-47 for accessory mountain resort facilities be met;

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4. That the applicant provide a legal description or descriptions encompassing all parcels/property that constitute the “eastern block” of property as depicted on the site map submitted at the November 1, 2012, meeting of the Board of Adjustment. Said legal description or descriptions shall describe a zoning lot or zoning lots as defined in Section 2-2-B-61-c, and shall be provided to the Board’s secretary no later than 15 days after a decision has been reached by the Board on this appeal;
5. That the applicant provide verification that all of the subject zoning lots are connected, or will be connected, to the existing ski resort in Salt Lake County by an authorized connection, including future authorized connections, as required in Section 3-47-H-1. Existing connections include U. S. Forest Service Special Use Permits dated January 9, 2009 and January 22, 2009, and U. S. Forest Service roads NF-70007 and NF-70111;
6. That the applicant provide verification that all of the subject zoning lots are in the same ownership as the resort to which they are appurtenant.

The motion passed by the following vote: “Aye”, Randy Christiansen, Steve White, Greg Graves; “Nay”, none.

APPROVAL OF MINUTES

_____ Motion: Steve White

Second: Greg Graves

Motion to approve the minutes of the January 3, 2013, meeting of the Utah County Board of Adjustment. The motion passed by the following vote: “Aye”, Randy Christiansen, Steve White, Greg Graves; “Nay”, none.

ADJOURN

Motion: Greg Graves

Second: Steve White

Motion to adjourn. The motion passed by the following vote: “Aye”, Randy Christiansen, Steve White, Greg Graves; “Nay”, none.

The meeting adjourned at 5:40 p.m.

Minutes respectfully submitted by:

Christina Sutton, Secretary

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APPROVED BY:

RANDY CHRISTIANSEN, CHAIR

STEVE WHITE, VICE CHAIR

GREG GRAVES