UTAH COUNTY BOARD OF ADJUSTMENT

Minutes
June 6, 2013

Present: Steve White, Vice-Chair
Rose Blakelock
Greg Graves

Excused: Randy Christiansen

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, J. Brent Wood

The meeting was called to order at 5:20 p.m. by Steve White, Vice-Chair of the Utah County Board of Adjustment at 100 East Center Street in Room 1400 of the Utah County Administration Building, Provo, Utah.

APPEAL #1525 - SNOWBIRD RESORT - who is requesting to amend the conditions of approval of Appeal #1522 for various accessory mountain resort facilities in the Critical Environment (CE-1) Zone, various Sections 17-30, T3S R3E, in the American Fork canyon area of Utah County

Bryce Armstrong gave a summary of the past history of permits for Snowbird for accessory ski lifts and associated facilities. The Land Use Ordinance was amended January 2013, by the Utah County Commission to allow zoning lots that do not abut a recorded recreational resort plat or an existing ski resort in an adjoining county to be utilized for associated mountain resort facilities, provided there exists an authorized connection between zoning lots abutting the resort plat or ski resort and the outlying zoning lots. The applicant also received approval for various mountain resort facilities by the Board in February 2013, for the portions of their property that now qualify under the January 2013, amendment.

The original approval of Appeal #1522 on November 1, 2012, attached conditions # 4 and #5 that no longer apply as a result of the January 8, 2013 amendment. Slides of the area were presented.

Marty Banks, attorney for the applicant, thanked Mr. Moore and Mr. Armstrong for their cooperation in a workable recommendation and justification for conditions #4 and #5 that are consistent with the law and the wishes of Snowbird.

There were no public comments.

Motion: Greg Graves Second: Rose Blakelock

Motion that the Utah County Board of Adjustment **approve** the request of Snowbird Resort to amend condition of approval #4 and #5 of Appeal #1522 approved on November 1, 2012, by the Board of Adjustment based on staff findings and subject to 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 condition of approval #4 be deleted in its entirety;
3. That condition of approval #5 be amended to read,
   "That all zoning lots to be utilized for the proposed accessory mountain resort facilities be in the same ownership as the existing ski resort to which they are appurtenant;"
4. That all other conditions of approval of Appeal #1522, for both the "western" block of property and the "eastern" block of property, continue to be met.

The motion passed by the following vote: "Aye", Steve White, Rose Blakelock, Greg Graves; "Nay", none.

APPEAL #1526 - HURST WOOD EDUCATION FOUNDATION, INC -who is requesting to amend the approved site plan of Appeal #1500 for a primary and secondary school in the Transitional Residential (TR-5) Zone, Section 28, T6S R2E, in the Provo/Orem area of Utah County

Bryce Armstrong gave a history of the previous application for a conditional use for a primary and secondary school in 2011. As part of the application for Appeal #1500, the applicant included a site plan for a "main building", two "playground" areas, future expansion and development ("Phase 2"), and proposed and future parking areas. The applicant would now like to construct a covered pavilion on the property near the playground areas. The original site plan would need to be amended to include the location of the proposed pavilion. Digital photos were presented.

Rob Moore clarified that the applicant had received approval from the building department for the footing and foundation which is already in place.
He also disclosed that he is a friend of the applicant but not involved with this project.

J. Brent Wood, applicant, commented that this is a year-round autistic school for children and the pavilion was started while school is out for 2 weeks so that the construction vehicles would not interfere with school activities.

There were no public comments.

Motion: Rose Blakelock Second: Greg Graves

Motion that the Utah County Board of Adjustment **approve** the request of Hurst Wood Education Foundation to amend the approved site plan of Appeal #1500 to include a picnic pavilion accessory to a primary and secondary school in the TR-5 Zone, based on staff findings and subject to the following conditions:

1. That the Board finds that the conditional use meets the standards found in 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 a permit be obtained for the pavilion that meets all applicable zoning, building, health, and fire-safety requirements.

The motion passed by the following vote "Aye", Steve White, Rose Blakelock, Greg Graves; "Nay", none.

APPROVAL OF THE MINUTES

Motion: Greg Graves Second: Rose Blakelock

Motion to **approve** the minutes of the March 7, 2013, meeting of the Utah County Board of Adjustment. The motion passed by the following vote: "Aye", Steve White, Rose Blakelock, Greg Graves; "Nay", none.

OTHER BUSINESS

Bryce Armstrong commented that there are applications for the July BOA meeting which will be held a week later on July 11, due to the July 4 holiday. At that meeting, yearly training on the Open and Public Meetings Act will also be presented by Mr. Moore.

ADJOURN

Motion: Greg Graves Second: Rose Blakelock

Motion to adjourn. The motion passed by the following vote: "Aye", Steve White, Rose Blakelock, Greg Graves; "Nay", none.
The meeting adjourned at 5:40 p.m.

Board of Adjustment
June 6, 2013

Minutes respectfully submitted by:

APPROVED BY:

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Christina Sutton, Secretary

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STEVE WHITE, VICE-CHAIR

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ROSE BLAKELOCK

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GREG GRAVES