

**MEETING OF THE  
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES  
November 3, 2021**

The Millard County Planning Commission met on Wednesday November 3, 2021 at the Millard County Offices, 71 South 200 West, Delta, Utah.

**PRESENT:** David Sturlin ..... Planning Commission Chairman  
DeMar Iverson ..... Planning Commissioner  
Peter Greathouse ..... Planning Commissioner  
Erin Sorenson ..... Planning Commissioner  
Joyce Barney ..... Planning Commission Vice Chairman  
Denton Peterson ..... Deputy County Attorney

**EXCUSED:** Bob Rogers ..... Planning Commissioner

**ALSO PRESENT:**

Adam Richins ..... Millard County Planner  
Mallori Wood ..... Secretary  
Florence Bunker ..... Applicant  
Cason Purcell ..... Applicant's son

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED to each member of the Planning Commission, posted at the Millard County Offices in Delta, the Public Safety Building in Fillmore, and the Main Street Courthouse in Fillmore, posted on the Utah Public Notice Website and the Millard County Website, and provided to the Millard County Chronicle Progress, a newspaper of general circulation within Millard County, Utah as required by law, the following proceedings were had:

**1. WELCOME, CALL TO ORDER –** Chairman David Sturlin

Chairman David Sturlin called the meeting to order at 6:31pm. He welcomed all present.

**2. PUBLIC INPUT**

There was no public input.

**3. REVIEW and POSSIBLE APPROVAL—**Application # Z-2021-051 for a Non Plat Subdivision located at approximately 500 N 3000 W, Delta. Florence Bunker, Applicant

Applicant Florence Bunker approached the commission and gave a description of her application. She would like to divide her property in half so that her daughter can build a home to help take care of Florence and her son Cason.

Commissioner David Sturlin asked about the private well. Florence stated that she wasn't sure how much water her existing well had or whether her daughter would need to drill another.

There was conversation about adding another septic tank. Florence stated that her daughter is planning on putting one in.

There was conversation about power. Florence stated her daughter would need to run the power from the pole right next to her house to the new house.

Commissioner Joyce Barney asked at what point would 1 acre foot of water be required. Planner Adam Richins stated that the requirement is that the house have 1 acre foot of water. When Florence's daughter applies for a building permit it would be required that she show a source of water and would have to have that before given the certificate of occupancy.

Commissioner Peter Greathouse asked if Florence owned the field next to her home. She stated that she sold the farm in April 2020.

Commissioner Joyce Barney asked when the prior split of property happened. Planner Adam stated it was a while ago, he's thinking the 80's.

Commissioner Peter Greathouse made a MOTION to make approve.  
Commissioner DeMar Iverson SECONDED the motion. Voting was unanimous in the affirmative.

## **Recommendation**

1. Approve the Non-Plat Subdivision as proposed
2. Basis for Recommendation or Approval of the Subdivision: (Title 11-Subdivision Regulations)

### **11-1-4: DEFINITIONS**

#### **SUBDIVISION:**

- A. Any land that is divided resubdivided or proposed to be divided into two (2) or more lots, parcels, sited, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions.
- B. "Subdivision" includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument.

- C. "Subdivision" does not include:
1. A bona fide division or partition of agricultural land for agricultural purposes;
  2. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
    - a. No new lot is created; and
    - b. The adjustment does not result in a violation of applicable zoning ordinances;
  3. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property; or
  4. A bona fide decision or partition of land in a county other than a first-class county for the purpose of siting, on one or more of the resulting separate parcels:
    - a. An unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, interstate pipeline company, or intrastate pipeline company; or
    - b. An unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facility.
- D. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under subsection A of this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to the county's subdivision ordinance.

#### 11-3-1: MINI SUBDIVISIONS

- A. Conditions: Any property owner or an owner's agent (hereinafter a "property owner") may submit to the county recorder's office for recording a document that subdivides property by metes and bounds into nine (9) or fewer parcels, without the necessity of recording a final plat if:
1. The planning commission has reviewed the document and has given the county commissioners its recommendation on the subdivision application: and
  2. The document contains a certification of approval signed by the chairman of the county commissioners or his designee that:
    - a. The planning commission has given its recommendation to the county commissioner:
    - b. The subdivision is not traversed by the mapped lines of a proposed street as shown in the master plan and does not require the dedication of any land for streets or public purposes;
    - c. Each parcel in the subdivision meets the minimum area, width, access, and frontage requirements of the zone in which the property is located, or has been granted a variance from those requirements by the board of adjustment.

- B. Use Restrictions: The uses on parcels created under this section must be either permitted or conditional uses in the zone district in which they are located. Non Plat subdivisions which result in the creation of three (3) or fewer lots will be presumed to be for the primary purpose of supporting agricultural uses rather than for primarily residential purposes/
- C. Lot Size: The sizes of the lots created in a three (3) or fewer lot, Non Plat subdivision may be smaller than the minimum lot size required in the zone in order to preserve agricultural land uses.
- D. One Time Process; Information on Deed: This special provision may be utilized only once per parcel of property. Parcels of land which are subdivided under these special circumstances must be deed restricted with a notation on the documents of conveyance that this one time election has been exercised and that the resulting parcels may not be further subdivided without recordation of an approved subdivision plat. The deed restriction shall also contain a statement that subsequent owners of the created parcels are on notice that the parcels are in an agricultural zone, were created for the support of agricultural activities, and may be subject to the noises, odors and other conditions typical of agricultural activities. (Ord. 01-08-27A, 8-27-2001, eff. 10-08-2001)

**4. REVIEW and POSSIBLE APPROVAL—Sunset View Estates Plat C, SCDC Enterprises, LLC, applicant.**

Joyce Barney Approached the commission. She stated that they're just wanting to do a lot line adjustment on Lot 1 and add 2 new lots to clean up the existing Plat C.

Commissioner Peter Greathouse made a MOTION to make a favorable recommendation to the BOCC. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

**5. OTHER BUSINESS**

There was discussion about some anticipated campground applications. Planner Adam stated it would be a good idea to review what might be needed.

There was discussion about the annual dinner in December.

**6. APPROVAL OF MINUTES –Planning Commission Meetings September 28th, October 6<sup>th</sup>, & October 12<sup>th</sup> 2021**

The proposed minutes of the Work Session Commission meeting held September 28, 2021 were presented for consideration and approval. Following review and

consideration of minor corrections, Commissioner David Sturlin made a MOTION to approve the minutes for September 28, 2021 as corrected. Commissioner Joyce Barney SECONDED the motion. Voting was unanimous in the affirmative

The proposed minutes of the regular Commission meeting held October 6, 2021 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Joyce Barney made a MOTION to approve the minutes for October 6, 2021 as corrected. Commissioner Peter Greathouse SECONDED the motion. Voting was unanimous in the affirmative

The proposed minutes of the Work Session Commission meeting held October 14, 2021 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Erin Sorenson made a MOTION to approve the minutes for October 14, 2021 as corrected. Commissioner DeMar Iverson SECONDED the motion. Voting was unanimous in the affirmative

**7. POSSIBLE CLOSED MEETING** Pursuant To Utah Code Annotated Section 52-4-204 & 205

**ADJOURNMENT**

Commissioner Demar Iverson made a MOTION to adjourn. Commissioner Joyce Barney SECONDED the motion. Voting was unanimous in the affirmative.

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Dated this \_\_\_ day of \_\_\_\_\_ 2021  
David Sturlin, Chairman  
Millard County Planning Commission