



Hildale City Planning Commission

Thursday, February 15, 2024 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 regular meeting on Thursday, February 15, 2024, 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

One tap mobile

+16699006833,,95770171318#,,,,*993804# US (San Jose)

+12532158782,,95770171318#,,,,*993804# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston) +1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago)

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.

Welcome, Introduction and Preliminary Matters: Presiding Officer

Roll Call of Commission Attendees: City Recorder Barlow

Pledge of Allegiance: By Invitation of Presiding Officer

Conflict of Interest Disclosures: Commissioners

Approval of Minutes of Previous Meetings: Commissioners

1. Consideration, discussion, and possible approval of the minutes of the December 21, 2023 Planning and Zoning meeting.

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

Reports:

2. Introduction and Orientation of new Commissioners.

Public Hearing:

3. This hearing is an opportunity for the public to be heard concerning a request to re-zone Parcel HD-SHCR-3-10 & 3-41, commonly addressed as 985 N. Juniper St., Hildale, Utah from Residential Agricultural 1 (RA-1) to Planned Recreational Resort (RR).
4. This hearing is an opportunity for the public to be heard concerning a request to re-zone Parcel HD-SHCR-9-24-B-1 & HD-SCHR-9-24-B-2, commonly addressed 495 East Newel Ave., Hildale, Utah from Residential 1-10 (R-1-10) to Residential Multiple Family (RM-1).

Unfinished Commission Business:

New Commission Business:

5. Consideration, discussion, and possible recommendation to Hildale City Council concerning a proposed change to Land Use Ordinance 152-26-3 Minimum Acreage, lowering the minimum acreage for Planned Recreational Resort Zone from "at least five (5) acres" to at least two (2) acres.
6. Consideration, discussion, and possible recommendation to the Hildale City Council to approve a request to re-zone Parcel HD-SHCR-3-10 & 3-41, commonly addressed as 985 N. Juniper St., Hildale, Utah from Residential Agricultural 1 (RA-1) to Planned Recreational Resort (RR).
7. Consideration, discussion, and possible recommendation to the Hildale City Council to approve a request to re-zone Parcel HD-SHCR-9-24-B-1 & HD-SCHR-9-24-B-2, commonly addressed 495 East Newel Ave., Hildale, Utah from Residential 1-10 (R-1-10) to Residential Multiple Family (RM-1).

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

Thursday, December 21, 2023 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Minutes

Welcome, Introduction and Preliminary Matters:

Chair Hammon called Meeting to order at 6:04pm

Roll Call of Commission Attendees:

PRESENT

Chair Charles Hammon
Commissioner Rex Jessop
Commissioner Nathan Fischer
Commissioner Lawrence Stubbs joined at 6:07pm
Commissioner Derick Holm

ABSENT

Vice Chair Elissa Wall
Commissioner Tracy Barlow

Pledge of Allegiance:

Pledge lead by Chair Hammon.

Conflict of Interest Disclosures:

No Conflict of Interest.

Approval of Minutes of Previous Meetings:

1. Discussion and possible approval of Planning Commission Minutes 11-7-2023 Special Meeting.

Commissioners reviewed Meeting Minutes.

Motion made by Chair Hammon to approve Planning Commission Minutes 11-7-2023 Special Meeting,
Seconded by Commissioner Fischer.

Voting Yea: Chair Hammon, Commissioner Jessop, Commissioner Fischer, Commissioner Stubbs,
Commissioner Holm
Motion Carries.

Public Comments:

No Public Comments.

Public Hearing:

2. The Commission will receive public comment concerning 985 W. Field Ave. request to Rezone application.

No decisions will be made during the Public Hearing.

Upon conclusion of the Public Hearing, the Commission will return to their regular meeting and this item will be heard in the order in which it is addressed on the meeting agenda.

Chair Hammon opened Public Hearing at 6:08pm.

No Comments

Chair Hammon closed Public Hearing at 6:09pm.

All in Favor

Unfinished Commission Business:

New Commission Business:

3. Consideration, discussion, and possible action concerning a request to rezone HD-SHCR-2-38, commonly addressed as 985 W. Field Ave from Rural Agriculture 1 (RA-1) to Residential Multifamily 2 (RM-2).

City Manager Duthie presented to the Commissioners the request for a rezone.

Thomas Timpson representing the applicant tonight spoke to the Commissioners the goal of the owner of the lot.

Commissioners discussed the application.

Motion made by Chair Hammon to approve rezone HD-SHCR-2-38, commonly addressed as 985 W. Field Ave from Rural Agriculture 1 (RA-1) to Residential Multifamily 2 (RM-2), Seconded by Commissioner Jessop.

Voting Yea: Chair Hammon, Commissioner Jessop, Commissioner Fischer, Commissioner Stubbs, Commissioner Holm
Motion Carries

Reports:

4. Notice of City Council adoption of Resolution 2023-12-004, Hildale City Rates and Fees adjustment.

City Manager Duthie presented the work going into fees. Commissioners recognized the need to increase fees.

5. Notice of Memorandum of Understanding between Hildale City and Hansen Planning Group to update the Hildale Zoning Code in accordance with 2023 legislative mandates. This update is not to exceed \$14,000 and is to be paid directly by the State of Utah.

City Manager presented the contract to the Commissioners. Commissioners discussed among themselves this change and support of it.

Commissioners Comments:

Chair Hammon asked City Manager Duthie to explain the water impact fee to the Commissioners.

Executive Session: As needed

Adjournment: Presiding Officer

Chair Hammon adjourned meeting at 6:44pm

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 _____.

Sirrene J. Barlow, City Recorder

Sec 152-6-4 Planning Commission**Item 2.****Established:**

A Planning Commission, consisting of seven (7) members, is hereby established to exercise the powers and duties specified herein. Members of the Planning Commission shall be appointed by the Mayor with the advice and consent of the City Council, and reasonable expenses incurred in performing their duties as members of the Commission shall be paid by the City.

Appointment And Terms Of Office:

Planning Commission members shall be appointed by the Mayor with the advice and consent of the City Council.

The terms of Planning Commission members shall be staggered. Each member of the Planning Commission shall serve for a term of four (4) years and until the term of the first members shall be such that the terms of two (2) members shall expire each year.

Terms of Planning Commission members shall begin on or before the first Monday in February of each year.

Planning Commission members may be reappointed for successive terms.

The Mayor, with the advice and consent of the City Council, may remove any member of the planning commission for cause if written charges are filed against that the member shall be afforded a public hearing if one is requested.

A vacancy occurring on the planning commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.

Members and alternate members of the planning commission shall be deemed "volunteers" for purposes of city ordinances, rules, regulations and policies shall be included in the definition of "employee" for purposes of the Utah governmental immunity act as set forth in section 63G-7-102 et seq., of the Utah Code.

Organization And Procedure:

The planning commission shall be organized and exercise its powers and duties as follows:

Members of the planning commission shall select one of its members as chairperson to oversee the proceedings and activities of the planning commission. The chairperson shall be responsible for the business and the conduct of its proceedings.

The chairperson shall serve for a term of one year.

The chairperson, with the advice and consent of the planning commission, shall appoint one of the planning commission members as alternate chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

The planning commission may adopt reasonable policies and procedures, consistent with the provisions of this chapter, to govern the conduct of its meetings and other purposes considered necessary for the functioning of the planning commission.

The planning commission shall meet on a regular date each month, as determined by the planning commission, and at such other times as the planning commission may properly notice and held in accordance with the open meetings law set forth in title 52, chapter 4, of the Utah Code, as amended.

No official business shall be conducted by the planning commission unless a quorum of its members is present. Three (3) members of the planning commission shall constitute a quorum. A majority of the members present shall be required for the planning commission to take any action, unless otherwise prescribed by law.

Decisions of the planning commission shall become effective at the meeting or hearing in which the decision is made, unless a different time is designated by the commission. A decision is made.

The planning commission shall keep written minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, shall be recorded in the minutes. The planning commission may, but is not required to, have its proceedings contemporaneously transcribed by a court reporter.

The planning commission shall transmit reports of its official acts and recommendations to the city council. Any member of the commission may also make a recommendation to the city council.

The minutes of all meetings of the planning commission shall be prepared and filed in the office of the planning commission. All records in the office of the planning commission shall be available for public review and access in accordance with title 1, chapter 5, "Government Records Access and Management", of this code.

Powers And Duties:

The planning commission is hereby designated as the land use authority to hear and decide the applications set forth below:

Applications for conditional use permits provided for in Section 152-7-9(B)(1).

Applications to determine the existence, expansion or modification of a non-conforming use or non-complying structure, as provided in Section 152-7-14.

The planning commission is hereby designated as the appeal authority to hear and decide appeals of administrative decisions as designated in Section 152-7-15. In addition, the planning commission shall make a recommendation to the city council for:

A general plan and amendments to the general plan, as provided in section 152-7-6 of this chapter;

Land use ordinances, zoning maps, official maps, and amendments, as provided in section 152-7-7 of this chapter;

An appropriate delegation of power to at least one designated land use authority to hear and act on a land use application;

An appropriate delegation of power to at least one appeal authority to hear and act on an appeal from a decision of the land use authority;

Application processes that:

may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the applicant shall protect the right of each:

Applicant and third party to require formal consideration of any application by a land use authority;

Applicant, adversely affected party, or municipal officer or employee to appeal a land use authority's decision to a separate appeal authority; and

Participant to be heard in each public hearing on a contested application.

Examinations And Surveys:

The planning commission and its authorized agents may enter upon any land at reasonable times to make examinations and surveys as needed for planning and development.

Item 2.**Appeals:**

Any person aggrieved of a final decision of the planning commission may appeal that decision according to the procedures set forth in Section 152-7-19.

HISTORY

Amended by Ord. [2019-002](#) on 3/6/2019



TEXT AMENDMENT APPLICATION

Fee: \$100

For Office Use Only:

File No. _____

Receipt No. _____

Name: Richard Barlow Telephone: 435-817-7741

Address: 985 North Juniper Street, Hildale, Utah 84784 Fax No. _____

Agent (If Applicable): John & Jeff Barlow Telephone: 801.824.4232

Email: johnroybarlow@gmail.com

The proposed text amendment would be to what Chapter and section of the current Land

Use or City Code 152-26-3

The purpose this change would accomplish Lower the minimum acreage for

Planned Recreational Resort Zone

If request is to create a new zone applicant shall attach a purpose statement for this new zone as found in Chapter 11 for the existing zones. Purposed uses and standards shall be submitted as found in the appropriate zoning group; Residential, Residential Agricultural, Commercial, Industrial, or Open Space and Public Facility Zones.

Submittal requirements:

Completed Applications

Existing Land Use Ordinance or City Code

Proposed change to Land Use Ordinance or City Code

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 thursday of each month at 6:30 p.m. The deadline, for application submissions, is 14 days before 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: _____

Richard Lee Barlow
985 North Juniper Street,
Hildale, Utah 84784

January 22, 2024

Hildale City Planning Commission
325 East Newel Avenue,
Hildale, Utah 84874

Subject: Text Amendment Request Recreational Resort (RR)

Dear Commissioners

I am writing to request a text amendment to the Hildale City Zoning Ordinance, specifically to Section 162-26-3, which regulates the minimum lot size for the Recreational Resort (RR) zone. Currently, the ordinance requires a minimum of 5 acres for any project in the RR zone. I propose to lower this requirement to two acres.

Current Code:

Sec 152-26-3 Minimum Acreage

The recreation resort zone shall be applied only to projects consisting of at least five (5) acres.

Propose Code :

Sec 152-26-3 Minimum Acreage

The recreation resort zone shall be applied only to projects consisting of at least two (2) acres.

I respectfully request that the Planning Commission review and approve my text amendment request, and forward it to the City Council for adoption. I appreciate your time and consideration, and I look forward to hearing from you.

Sincerely,

Richard Lee Barlow

From: Eric Duthie, Hildale City Manager
To: Hildale City Planning and Zoning Commission;
Date: February 15, 2024
Subject: Zone Change request

Applicant Name: Richard Barlow
Agent: John Barlow/Jeff Barlow
Application Type: Zone Change request
Project Address: 985 N. Juniper St., Hildale, UT 84784
Current Zoning: Residential Agriculture 1 (RA1)
Requested Zoning: Planned recreational Resort (RR)
Date: January 22, 2024
Prepared by: City Manager Eric Duthie

Summary of Application

The Applicant is requesting approval of a Zone Change.

Amend the zoning map to re-zone Parcel HD-SHCR-3-10 and 3-41, commonly addressed as 985 N. Juniper St., Hildale, Utah from the current Residential Agriculture 1 Zone (RA1) to Planned Recreational Resort Zone (RR).

Background

The applicant submitted the application on January 22, 2024, 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 (included).

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

General Plan and Zoning

The property is bounded on the North by Jessop Avenue; On the East by Juniper Street; On the South by structures zoned RA-1; and on the West by structures zoned RA-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 152-26-1 Purpose And Objectives

1. Purpose:

The recreation resort zone is established to designate certain areas within the city of Hildale where it is desirable and beneficial to the area economy to allow for a mix of limited commercial, public, and residential uses. Specifically, to authorize recreation and resort developments in which residential dwelling units may be occupied by the owners thereof on a full or part time basis, to authorize the rental of residential units on an overnight or short term (30 days or less) basis by owners who reside elsewhere; and to authorize limited commercial and public uses that are incidental to and compatible with resort developments.

2. Objective:

The objective of the recreation resort zone is to allow full-service resort developments with short- and long-term residential use combined with those commercial and public facilities necessary to create a desirable resort atmosphere.

Sec 152-26-3 Minimum Acreage

The recreation resort zone shall be applied only to projects consisting of at least five (5) acres.

Sec 152-26-4 Site Location

The recreation resort zone shall only be allowed on collector or higher street classification. However, a lower street classification may be considered if the applicant can demonstrate that the development would have no negative affect to adjoining properties.

Sec 152-26-5 Uses Allowed

All uses must be shown on a preliminary site plan presented with the application to change an area on the zoning map to recreation resort.

1. Permitted Uses:

Permitted uses allowed within the recreation resort zone are as follows:

1. Single and multiple dwelling unit residential, including condominium and townhouse complexes. Unit and/or complex owners may reside in the dwelling units or offer them for rent or lease either long term or short term.
2. Any commercial use related to the support or servicing of those uses referred to in subsection A1 of this section and the facilities related thereto including, but not limited to:
 - Childcare facilities.
 - Indoor and outdoor recreation facilities.
 - On site property management.
 - Personal care services.
 - Professional office space related to property management.
 - Restaurant and outdoor dining.
 - Retail stores.
 - Sales and rental offices.
3. Motel, hotel, bed and breakfast inn, or boarding house.

2. Prohibited Uses:

Any use not listed 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.

3. Accessory Uses:

Permitted and conditional uses set forth above 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:
 - 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. Household pets. Nurseries and greenhouses, when used for resort landscape or food production. Playgrounds, patios, porches, gazebos, and incidental storage buildings in accordance with the approved site plan for the zone. Short term storage and parking areas and facilities for recreational vehicles, boats, and trailers which are incidental and otherwise related to other approved uses. Swimming pools and hot tubs; tennis and other sport courts; clubhouses; and other common recreation or sport facilities for use by residents and their guests.

Sec 152-26-6 Development Standards For Recreational Resort

1. Recreation resort zones shall be established on the city zoning map and may be amended from time to time by ordinance. The recreation resort zone is intended only for resort development directly providing the following minimum facilities and services:
 1. a swimming pool and clubhouse and;
 2. an on-site rental or property manager. Those resort developments in which full time/permanent residential use is authorized or contemplated shall be subject to covenants, conditions, and restrictions and governed by a property owners' association or other similar governing body.
2. Development standards within the recreational resort shall be set forth in table 152-26-1 of this section.

TABLE 152-26-1

Lot standards:		
	Average lot area	n/a
	Minimum lot area or acreage	
	Minimum lot width and/or project frontage	300 feet project 30 feet unit
	Maximum density per acre	15 units or lots
Building standards:		

	Maximum height, main building ¹	35 feet
	Maximum height, accessory building ¹	20 feet
	Building coverage	50 percent per site plan
	Distance between buildings	20 feet
Setback standards - front:		
	Any building - pedestrian entrance	15 feet from back of sidewalk
	Garage or parking building ³	25 feet from back of sidewalk
Setbacks - rear:		
	Main building	10 feet
	Accessory building, including private garage ²	10 feet
Setback standards - interior side yard:		
	Main building	10 feet
	Accessory building, including private garage ²	10 feet
Setback standards - street side yard:		
	Main building	20 feet
	Accessory building	Not permitted
	Parking	See note 3

3. Notes:

1. Except a greater height may be approved subject to a conditional use permit.
2. If located at least 10 feet from main building, 2 feet.
3. If alternate parking, such as underground parking facilities or parking structure is provided, garage setbacks may be altered by the planning commission.

4. An application for a zone map change to recreation resort zone shall be accompanied by a completed preliminary site plan application as set forth in section 152-7-10 of this chapter. An approved final site plan shall be required before construction or site work in a recreation resort zone.

Sec 152-26-7 Regulations Of General Applicability

The use and development of real property in the recreation resort zone shall conform at a minimum 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 chapter.
2. Landscaping and screening:
See chapter 32 of this chapter.
3. Motor vehicle access:
See chapter 35 of this chapter.
4. Natural resource inventory:
See chapter 31 of this chapter.
5. Off street parking:
See chapter 34 of this chapter.
6. Signs:
See chapter 36 of this chapter.
7. Supplementary development standards:
See chapter 37 of this chapter.

Recommendation

Staff recommends approval of the zone change request pending recommended approval from the Planning and Zoning Commission of a text amendment lowering the minimum acreage for planned Recreational Resort Zone by the Hildale City Council from at least five acres to at least two acres, and Hildale City Council approval of the text amendment.

Sample Motion – ZONING CHANGE

I move to recommend approval, to the Hildale City Council, of the zoning map amendment for Parcel HD-SHCR-3-10 and 3-41, commonly addressed as 495 E. Newel Avenue, Hildale, Utah from the current Residential Agriculture 1 Zone (RA1) to Planned Recreational Resort Zone (RR) pending a Planning and Zoning Commission recommendation for approval a text amendment lowering the minimum acreage for Planned Recreational Resort Zone to the Hildale City Council from at least five acres to at least two acres, AND only upon the Hildale City Council approval of the text amendment.



☎ 435-874-2323

☎ 435-874-2603

🌐 www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: \$100 01/22/24 AC

For Office Use Only:

File No. _____

Receipt No. 163803671

Name: Richard Barlow & Uzona Holdings, LLC Telephone: 435-817-7741

Address: 985 North Juniper Street, Hildale, Utah 84784 Fax No. _____

Agent (If Applicable): John Barlow and Jeff Barlow Telephone: 801.824.4232

Email: johnroybarlow@gmail.com

Address/Location of Subject Property: 985 North Juniper Street, Hildale, Utah 84784

Tax ID of Subject Property: HD-SHCR-3-10 & 3-41 Existing Zone District: RA-1

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

Planned Recreational Resort (RR) Planned Use: single family dwellings, non-owner occupied, leased for 30 days or less as outline in HC 152-26-1

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)

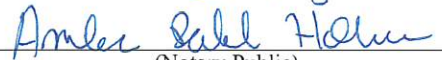
I (we), Richard Lee Barlow & Uzona Holdings LLC, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all 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)

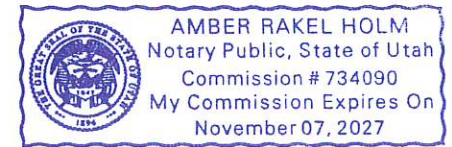
Subscribed and sworn to me this 22nd day of January 2024



(Notary Public)

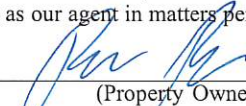
Residing in: Hildale, Utah

My Commission Expires: 11-07-2027



Agent Authorization

I (we), Richard Barlow & Uzona Holdings, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) John Barlow & Jeff 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)

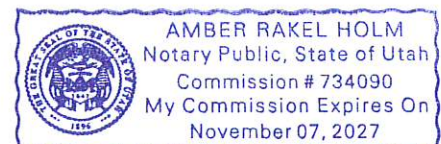
Subscribed and sworn to me this 22nd day of January 2024



(Notary Public)

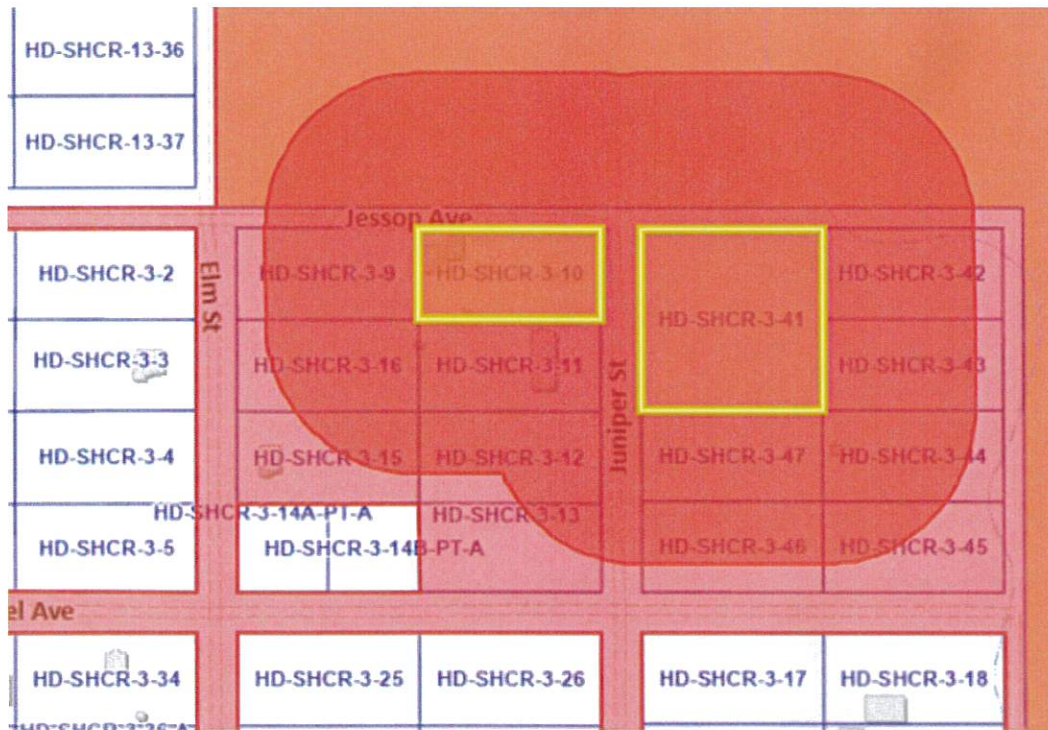
Residing in: Hildale, Utah

My Commission Expires: 11-07-2027



TAX_ID	FIELD5	FIELD6	FIELD7	FIELD8	FIELD9	FIELD10
HD-SHCR WILLIAMS DANIEL	PO BOX 842112	HILDALE	UT	84784-2112		
HD-SHCR BATEMAN KEVIN	PO BOX 976	COLORADO CITY	AZ	86021-0976		
HD-SHCR STEED THOMAS RAY	PO BOX 843277	HILDALE	UT	84784		
HD-SHCR BARLOW RICHARD LEE	485 E NEWEL AVE	HILDALE	UT	84784		
HD-SHCR BATEMAN KEVIN	PO BOX 976	COLORADO CITY	AZ	86021-0976		
HD-SHCR BARLOW MARYLOU, HAMMON SARIAH RAE	PO BOX 842696	HILDALE	UT	84784		
HD-SHCR STEED LEE	PO BOX 843185	845 N OAK ST	UT	84784-3185		
HD-SHCR STEED LEE	PO BOX 843185	845 N OAK ST	UT	84784-3185		
HD-SHCR BARLOW RICHARD LEE	485 E NEWEL AVE	HILDALE	UT	84784		
HD-SHCR DOCKSTADER E DARLENE	PO BOX 2395	COLORADO CITY	AZ	86021-2395		
HD-SHCR HOLM BRIGHAM, COOKE MEGAN	PO BOX 843251	HILDALE	UT	84784-3251		
HD-SHCR STEED LEE	PO BOX 843185	HILDALE	UT	84784-3185		
HD-SHCR UZONA HOLDINGS LLC	PO BOX 841518	HILDALE	UT	84784-1518		
HD-SHCR STEED LEE	PO BOX 843185	845 N OAK ST	UT	84784-3185		
HD-SHCR TIMPSON RICHARD	PO BOX 733	COLORADO CITY	AZ	86021		
HD-SHCR CHATWIN MARVIN RAY & JESSICA RAE TRS	PO BOX 841464	HILDALE	UT	84784-1464		
HD-SHCR BARLOW RICHARD LEE	485 E NEWEL AVE	HILDALE	UT	84784		

250' Property Owner Mailing List Map



Zoning Map





February 13, 2024

RE: Notice of Public Hearing — Re-zone Request
Parcel Numbers: HD-SHCR-3-10 & 3-41
Address: 985 N. Juniper St., Hildale, Utah

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to rezone the above-listed parcel from Residential Agricultural 1 (RA-1) to Planned Recreational Resort (RR).

The Residential Agricultural 1 zone fosters very low- and low-density development with little impact on its surroundings and municipal services; preserves the character of the city's semi-rural areas; and promotes/preserves conditions favorable to large-lot family life, including the keeping of limited numbers of farm animals and fowl. Other major uses in these zones are small farms, hobby farms and agricultural developments. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

The Recreation Resort zone designates certain areas within the City, where desirable and beneficial to the area economy, for a mix of limited commercial, public, and residential uses. To authorize recreation and resort developments in which residential dwelling units may be occupied by the owners on a full or part time basis, to authorize the rental of residential units on an overnight or short-term basis by owners who reside elsewhere; and to authorize limited commercial and public uses that are incidental to and compatible with resort developments.

Details of Zones are found in the Hildale City Land Use Ordinance, available from City Hall, or at https://hildale.municipalcodeonline.com/book?type=ordinances#name=CHAPTER_13_RESIDENTIAL_ZONES

The hearing will be held Thursday, February 15, 2024, at 6:00 pm (MDT), at Hildale City Hall, at 320 East Newel Avenue, Hildale, Utah. Any objections, questions or comments can be submitted in person at the Hildale City Hall, or by mail to:

City of Hildale Zoning Administrator
P.O. Box 840490, Hildale, Utah 84784
or Zoning Administrator (435) 874-2323
or at manager@hildalecity.com.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after the day of the public hearing. Each written objection filed with the municipality will be provided to the Hildale City Council.

Sincerely,

Eric Duthie, City Manager / Zoning Administrator

From: Eric Duthie, Hildale City Manager
To: Hildale City Planning and Zoning Commission;
Date: February 15, 2024
Subject: Zone Change request

Applicant Name: Lynn Gutzwiller

Agent:

Application Type: Zone Change request

Project Address: 495 E. Newel Avenue, Hildale, UT 84784

Current Zoning: R1-10

Requested Zoning: RM-1

Date: December 11, 2023

Prepared by: City Manager Eric Duthie

Summary of Application

The Applicant is requesting approval of a Zone Change.

Request 1:

Amend the zoning map to re-zone Parcel HD-SHCR-9-24-B1 and B-2, commonly addressed as 495 E. Newel Avenue, Hildale, Utah from the current Residential 1-10 Zone (R1-10) to Residential Multifamily 1Zone (RM-1). Should the zone change be approved, the applicant intends to build multi-family units.

Background

The applicant submitted the application on December 11, 2023, 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 (included).

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

General Plan and Zoning

The property is bounded on the North by Field Avenue; On the East by an alleyway; On the South by 660 N Maple Street; and on the West by Maple Street. The Property immediately to the South, East, and North are zoned Residential Agriculture 1 (RA-1); The property adjacent to the Northwest is zoned General Commercial (GC); and the property immediately to the West is zoned Public Facilities (PF).

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.

PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES								
		Zones						
		R1-15	R1-10	R1-8	RM-1	RM-2	RM-3	MH/RV
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

Item 7.

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-	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot

37-12I of this title							
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 is 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.

Recommendation

Staff recommends approval of the zone change request.

Sample Motions – ZONING CHANGE

I move to recommend approval to the Hildale City Council of the zoning map amendment for Parcel HD-SHCR-9-24-B1 and B-2, commonly addressed as 495 E. Newel Avenue, Hildale, Utah from the current Residential 1-10 Zone (R1-10) to Residential Multifamily 1 Zone (RM-1).

To Whom It May Concern:

In response to the note about email request below, I am confirming that Lynn Gutzwiller (property owner) will take full responsibility for all utility costs necessary as a part of the lot separation for the lots noted below.

An email response has also been sent to this regard.

Thank you,

Lynn Gutzwiller

Copy of original message below.

Greetings

The sewer line in Newel Ave is proposed.(not installed yet and will need to be completed to serve sewer to Lot 24-A and lot 24-B1) This will be at property owners expense.

The water meter shown on 24-B2 currently serves 24-A . We will require a new water service to be installed to serve 24-A as well as one for 24-B1

Gercane Energy handles the power, please reach out to them and they will be happy to answer any power related questions.

Thank you

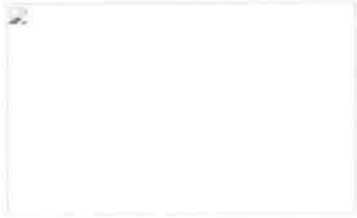


Nathan Fischer <NathanF@hildalecity.com>
to me, Eric, Jerry ▾

Oct 5, 2023, 12:03 PM ☆ ↶ ⋮

Greetings

The sewer line in Newell Ave is proposed.(not installed yet and will need to be completed to serve sewer to Lot 24-A and lot 24-B1) This will be at property owners expense.
The water meter shown on 24-B2 currently serves 24-A . We will require a new water service to be installed to serve 24-A as well as one for 24-B1
Garcane Energy handles the power, please reach out to them and they will be happy to answer any power related questions.
Thank you



From: Rachael Coleman <rachael.coleman@jordandistrict.org>
Sent: Thursday, October 5, 2023 9:54 AM
To: Eric Duthie <EricD@hildalecity.com>
Cc: Jerry Postema <jerry@hildalecity.com>; Nathan Fischer <NathanF@hildalecity.com>
Subject: Re: 495 East Newell Ave, Hildale, UT



Rachael Coleman
to Nathan, Jerry, Lynn, Eric ▾

2:17 PM (0 minutes ago) ☆ ↶ ⋮

Thanks for your email. We understand that we will need to run new utility lines to the rezoned lot split (495 East Newell Ave.) and are willing to incur those costs.

Thanks so much,
Rachael Coleman
Lynn Gutzwiller
...

↶ Reply

↶ Reply all

↷ Forward

Item 7.

NEWEL AVENUE (900 NORTH)
(PUBLIC STREET)

214 LF 8" SDR 35 @ --- %

RIM ELEV. = 5131.35'
FL =

Divide current 2 lots into 3 lots.
Lot A = 150.85' x 70'
Lot B = 75.42' x 80.86'
Lot C = 75.42' x 81.44'

Existing Lot Lines
Proposed Lot Line

LOT 24-A
475 EAST

APPROXIMATE LOCATION OF
SEWER LATERAL TO BE USED TO
SERVICE LOT 24-B2

LOT B
75.42' x 80.86'

LOT 24-B1
PARCEL NO.
HD-SHCR-11-24-B1
11,235 SQ FT

LOT A
150.85' x 70'

LOT C
75.42' x 81.44'

LOT 24-B2
PARCEL NO.
HD-SHCR-11-24-B2
11,235 SQ FT

CANYON STREET (500 EAST)

(PUBLIC STREET)



NOV 22 2023

435-874-2323

435-874-2603

www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: \$100

For Office Use Only:

File No. _____

Receipt No. 1053649

check n. 3551

Name: Lynn Gutzwiller Telephone: 385-237-7416

Address: 358 East Bridlewalk Lane, Murray UT. 84107 Fax No. _____

Agent (If Applicable): _____ Telephone: 385-237-7416

Email: gutzwiller@gmail.com

Address/Location of Subject Property: 495 East Newel Avenue, Hildale, UT. 84784

Tax ID of Subject Property: See Attached Existing Zone District: R1-10

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

See attached paper.

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

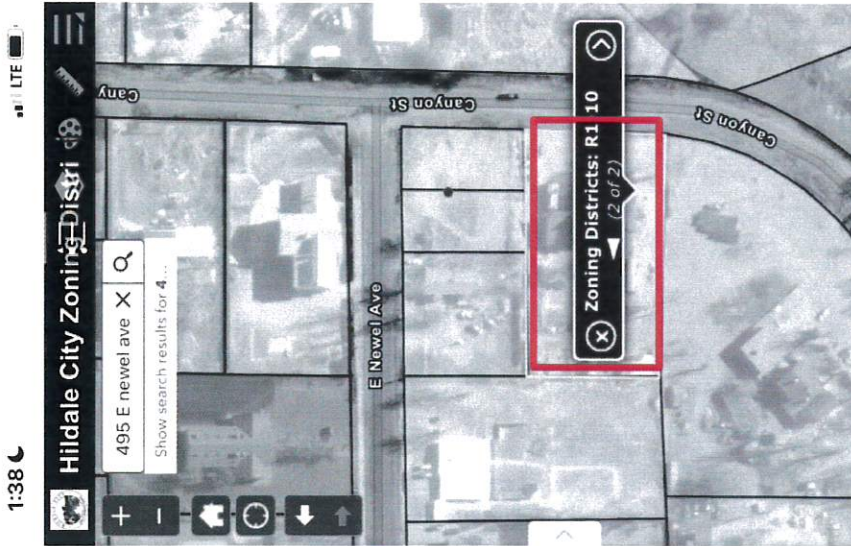
- ☒ a. The name and address of every person or company the applicant represents.
- ☒ b. An accurate property map showing the existing and proposed zoning classifications.
- ☒ c. All abutting properties showing present zoning classifications.
- ☒ d. An accurate legal description of the property to be 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.

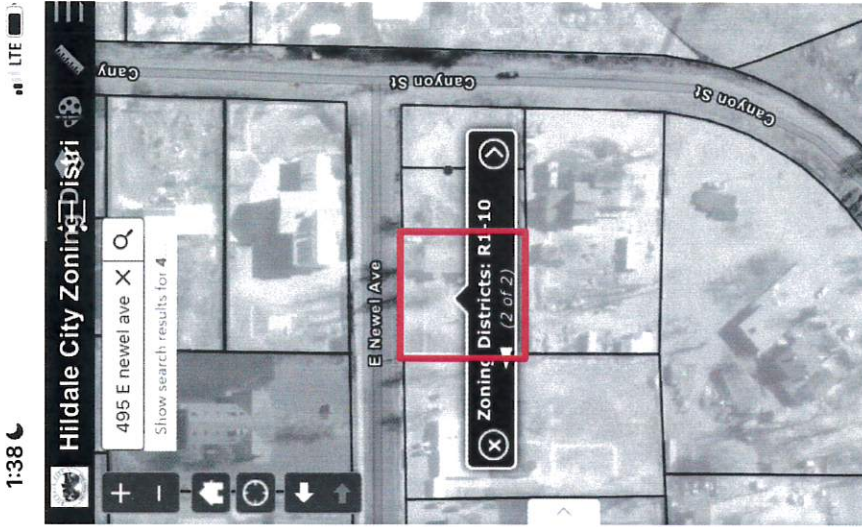
(OFFICE USE ONLY)

Date Received: _____ Application Complete: YES ☐ NO ☐

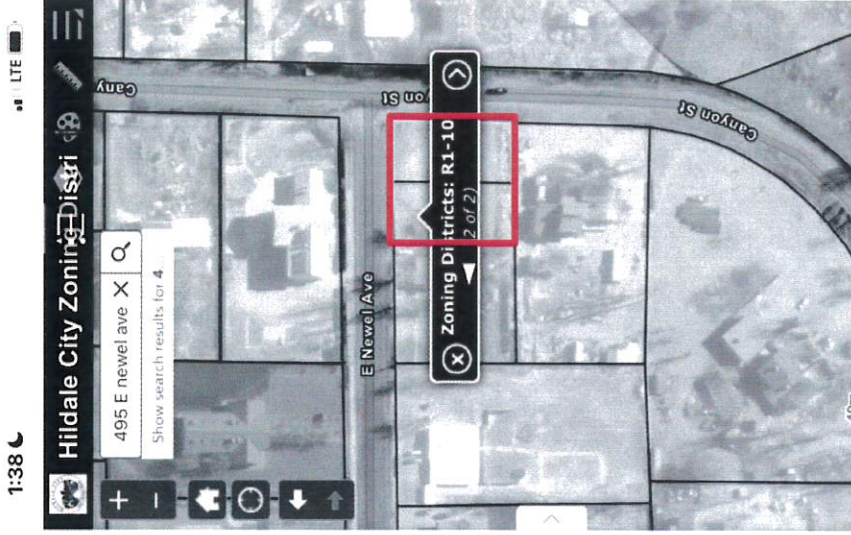
Date application deemed to be complete: _____ Completion determination made by: _____



865 North Canyon Street
Hildale, UT 84784



485 East Newel Ave
Hildale, UT 84784



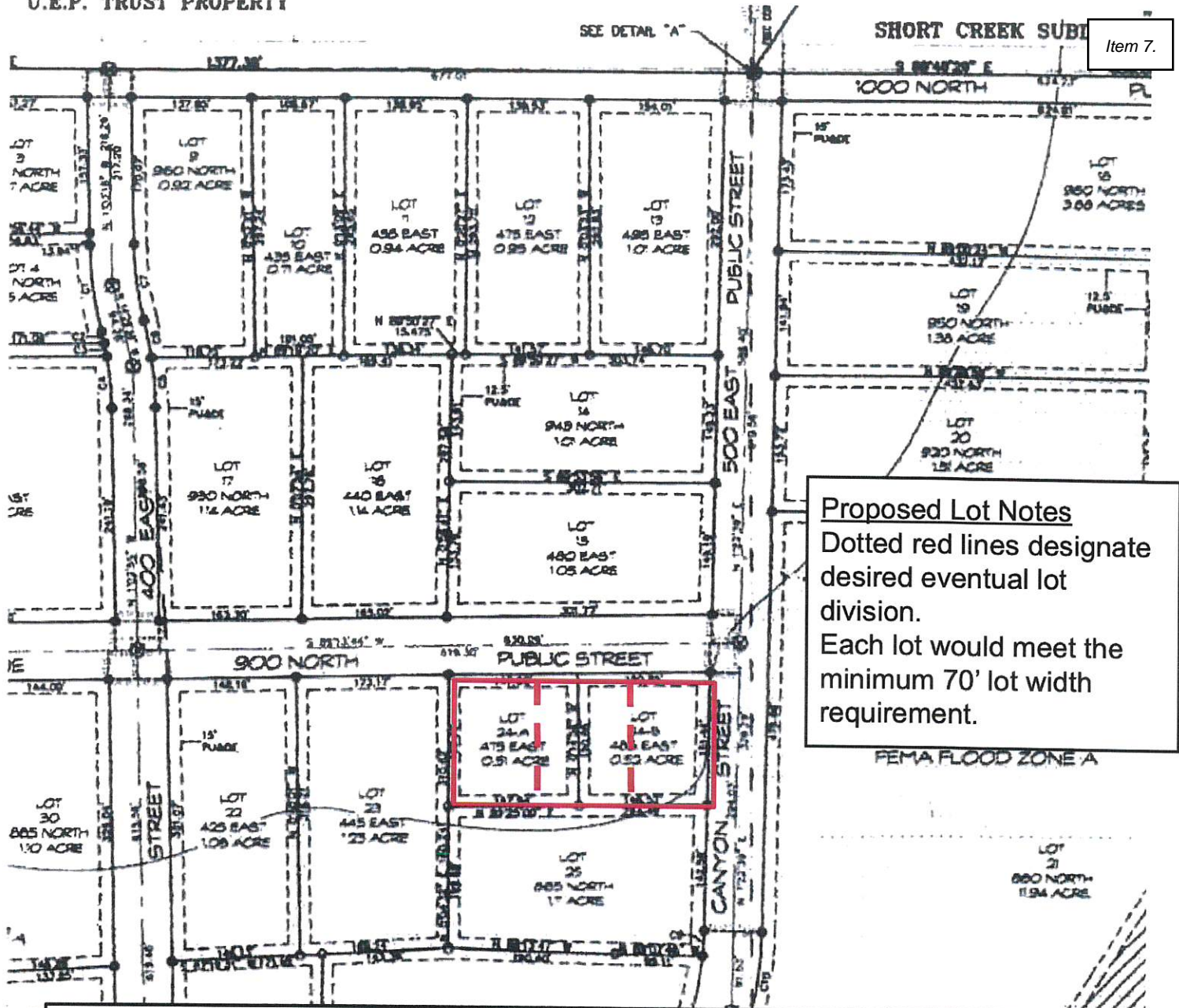
495 East Newel Ave
Hildale, UT 84784

Current Zoning for 495 East Newel Avenue, Hildale Utah and adjoining properties.
Note current zoning districts in the black boxes on each image. All properties are currently zoned R1-10.

SEE DETAIL "A"

SHORT CREEK SUBD

Item 7.



Existing Lot Notes

Existing zoning for properties highlighted in red are R1-10. Proposed zoning for red properties would be R1-8.

Current square footage for Lot 24.A - 11325 square feet

Current square footage for Lot 24.B - 11761 square feet

Total for lots combined - 23,086 square feet

Per Hildale Municiple Code - R1-10 minimal lot size - 8,000 square feet

Per Hildale Municiple Code - R1-8 minimal lot size - 6,400 square feet

Applicant would like to rezone to R1-8 with plans to divide the property into 3 lots of 7,695 square feet each. This would be well over the minimum lot size for R1-8 zoning.

Tax ID of Subject Property - HD-SHCR-9-24-B-1 & HD-SHCR-9-24-B-2

Hildale City

320 East Newel Ave., Hildale, UT 84784 / 435-874-2323
A+ A- | A- A+ | K << >> H

Municipal Code

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									
Development Standard	Zones								
	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 10-37-121 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.		

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

Receipt No: 1.053649 Nov 22, 2023

LYNN GUTZWILLER

Previous Balance:	.00
MISCELLANEOUS	
ZONE CHANGE APPLICATION	100.00
495 EAST NEWEL AVENUE	

Total:	100.00
--------	--------

Check - Zions Bank	
Check No: 3551	100.00
Payor:	
LYNN GUTZWILLER	
Total Applied:	100.00

Change Tendered:	.00
------------------	-----

11/22/2023 4:35 PM

Warranty Deed Page 1 of 4

Gary Christensen Washington County Recorder
10/27/2023 09:38:56 AM Fee \$40.00 By EAGLE
GATE TITLE INSURANCE AGENCY, INC.

Recording requested by:
Eagle Gate Title Insurance Agency, Inc.

Mail Tax Notice To:
Lynn Gutzwiller
358 E Bridewalk Lane
Murray, Utah 84107

File Number: STG-100495-LH
Parcel ID: HD-SHCR-9-24-B-1 &
HD-SHCR-9-24-B-2

Warranty Deed

TERRILL JOHNSON,

Grantor, hereby CONVEY(S) IN WARRANTY to

Lynn Gutzwiller,

Grantee, for the sum of TEN AND NO/DOLLARS and other good and valuable consideration, the following tract of land in Washington County, State of Utah, to-wit

SEE ATTACHED EXHIBIT "A"

APN: HD-SHCR-9-24-B-1 & HD-SHCR-9-24-B-2

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2023 taxes and thereafter.

****See Deed Restrictions attached hereto and made a part hereof**

WITNESS, the hand of said grantor, this 26 day of October, 2023

Terrill Johnson
Terrill Johnson

STATE OF UTAH
COUNTY OF WASHINGTON

On this 26 day of October, 2023, before me Leslie Hepler, a
notary public, personally appeared Terrill Johnson, proved on the basis of
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this
instrument, and acknowledged he/she/they executed the same.

Witness my hand and official seal

Leslie Hepler
Notary Public



Eagle Gate Title Insurance Agency, Inc
File STG-100495-LH

Exhibit "A": Legal Description

LOT 24-B-1, SHORT CREEK SUBDIVISION #9 AMENDED AND EXTENDED,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE
WASHINGTON COUNTY RECORDER'S OFFICE, MORE SPECIFICALLY DESCRIBED
AS:

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF NEWEL AVENUE,
SAID POINT BEING S 89°13'44" W 75.38 FEET ALONG SAID LINE FROM THE
NORTHEAST CORNER OF LOT 24, SHORT CREEK SUBDIVISION #9, RECORDED AND
ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF
UTAH, AND RUNNING THENCE S 0°34'11" W 151.14 FEET, TO THE SOUTH LINE OF
SAID LOT 24; THENCE S 89°25'00" W 73.33 FEET; THENCE N 0°14'28" W 150.86 FEET,
TO A POINT ON THE SAID RIGHT OF WAY LINE OF NEWEL AVENUE; THENCE N
89°13'44" E 75.48 FEET, TO THE POINT OF BEGINNING.

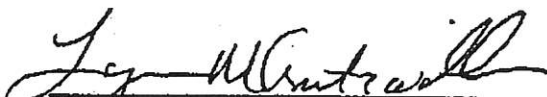
LOT 24-B-2, SHORT CREEK SUBDIVISION #9 AMENDED AND EXTENDED,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE
WASHINGTON COUNTY RECORDER'S OFFICE, MORE SPECIFICALLY DESCRIBED
AS:

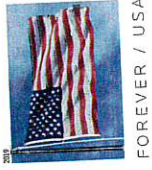
BEGINNING AT THE NORTHEAST CORNER OF LOT 24, SHORT CREEK SUBDIVISION
#9, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON
COUNTY, STATE OF UTAH, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY
LINE OF CANYON STREET; AND RUNNING THENCE SOUTH 1°22'39" WEST 151.44
FEET, ALONG SAID LINE; THENCE SOUTH 89°25'00" WEST 73.23 FEET; THENCE
NORTH 0°34'11" EAST 151.14 FEET, TO A POINT ON THE SOUTH RIGHT OF WAY
LINE OF NEWEL AVENUE; THENCE NORTH 89°13'44" EAST 75.38 FEET, ALONG SAID
LINE, TO THE POINT OF BEGINNING.

APN(S): HD-SHCR-9-24-B-1 & HD-SHCR-9-24-B-2

Deed Restriction

**SUBJECT TO: No Utilities have been provided to these lots.
The City of Hildale will not issue any building permit for each lot
until all utilities have been installed at the cost of the Grantee,
herein.**


Lynn Gutzwiller



Cutwiler
358 E Bidlewalk Ln
Murray, UT 84107

Mr. Darnay
865 North Canyon Street
Hildale, UT 84784



Cutwiler
358 E Bidlewalk Ln
Murray, UT 84107

Ron Jessop
485 E Newel Ave
Hildale, UT 84784

Query: AccountNumID = 1161851

Item 7.

Showing 1 result on 1 page

Account# Summary

1161851	Parcel #: HD-SHCR-9-24-B-1	Owner: <i>GUTZWILLER LYNN, GUTZWILLER JAMES</i>
	Situs:	Legal: Subdivision: SHORT CREEK 9 AMD & EXT (HD) Lot:
	Acres: 0.26	24-B DES...
	Version: 11/20/2023 04:54:26-513 PM to: MAX	

Query: AccountNumID = 1161868

Item 7.

Showing 1 result on 1 page

Account# Summary

1161868	Parcel #: HD-SHCR-9-24-B-2	Owner: <i>GUTZWILLER LYNN, GUTZWILLER JAMES</i>
	Situs:	Legal: Subdivision: SHORT CREEK 9 AMD & EXT (HD) Lot:
	Acres: 0.26	24-B DES...
	Version: 11/20/2023 04:54:26-309 PM to: MAX	



February 13, 2024

RE: Notice of Public Hearing — Re-zone Request
Parcel Numbers: HD-SHCR-9-24-B-1 & HD-SCHR-9-24-B-2
Address: 495 East Newel Ave., Hildale, Utah

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to rezone the above-listed parcel from Residential 1-10 (R-1-10) to Residential Multiple Family (RM-1).

Residential 1-10 (RA-1-10) permits development of detached single-family homes on individual lots at medium to high densities. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

Residential Multiple Family (RM-1) permits well designed apartments, townhomes, twin homes, and condominiums at medium to high density that are appropriately buffered from and compatible with surrounding land uses. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

Details of Zones are found in the Hildale City Land Use Ordinance, available from City Hall, or at https://hildale.municipalcodeonline.com/book?type=ordinances#name=CHAPTER_13_RESIDENTIAL_ZONES

The hearing will be held Thursday, February 15, 2024, at 6:00 pm (MDT), at Hildale City Hall, at 320 East Newel Avenue, Hildale, Utah. Any objections, questions or comments can be submitted in person at the Hildale City Hall, or by mail to:

City of Hildale Zoning Administrator
P.O. Box 840490, Hildale, Utah 84784
or Zoning Administrator (435) 874-2323
or at manager@hildalecity.com.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after the day of the public hearing. Each written objection filed with the municipality will be provided to the Hildale City Council.

Sincerely,

Eric Duthie, City Manager / Zoning Administrator