



**PLANNING COMMISSION MEETING**  
117 South Main Street, Monticello, Utah 84535. Commission Chambers  
September 28, 2023 at 6:00 PM

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**AGENDA**

Virtual Attendance Link:

Google Meet joining info

Video call link: <https://meet.google.com/ykn-qhci-xtx>

Or dial: (US) +1 929-220-3674 PIN: 538 350 392#

<https://www.youtube.com/@sanjuancountycommission7488/streams>

**GENERAL BUSINESS**

**Welcome / Roll Call**

**Approval of Minutes**

1. Consideration and Approval of the July 13, 2023 Planning Commission Meeting Minutes

**PUBLIC COMMENT** - *Time reserved for public comment on items or issues not listed on the agenda.*

**ADMINISTRATIVE ITEMS**

2. Consideration of a Conditional Use Permit for the La Sal Junction Airport Helipad. Sarah Day, Foundation Properties, LLC
3. Consideration of a Conditional Use Permit Amendment Allowing for a RV Park for Wolf Springs Ranch located in La Sal, Brian Ballard
4. Consideration of a Temporary Conditional Use Permit Application for 1231 Deer Park Drive, Elk Meadows, Daniel Perry
5. Consideration and Approval of the Valley Estates Subdivision Utility Easement. Shik Han
6. Consideration and Approval of the Canyon Shadow Subdivision, Amendment No. 1, Easement Establish Survey. Shik Han
7. Preliminary Plat Review for Amendment II, Lot 29, San Juan Estates, Phase III, 33 North McElhane Lane
8. Preliminary Plat Review: Turkey Trot Estate, Phase 1, Lot 22 Amended

- [9.](#) Preliminary Plat Review: 2023 San Juan Estates, Lot 2 Amended
- [10.](#) Preliminary Plat Review: Cedar Springs Preliminary Plat
- [11.](#) Spanish Valley Telecommunications Tower Discussion
- 12. San Juan County Subdivision and Overnight/Short-Term Rental Changes Discussion

**LEGISLATIVE ITEM:**

The Planning Commission will accept public comment regarding the Spanish Valley Overnight Accommodations Overlay District being applied to the Real Property located at 33 East Merriam Court, owners Morgan & Koi Cook, located in the Highway Commercial Zone allowing for Nightly Rentals on the property.

- [13.](#) Consideration and Recommendation to the Board of County Commissioners for an Application for Overnight Accommodations Overlay for 33 East Merriam Court

**LEGISLATIVE ITEM:**

The Planning Commission will accept public comment regarding the Spanish Valley Zoning Map proposal updating the existing zoning map.

- [14.](#) Consideration and Approval of the September 2023 Spanish Valley Zoning Map Updating Recent Approved Overlays and Zoning

**BUILDING PERMIT(S) REVIEW**

**ADJOURNMENT**

\*\*In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the San Juan County Clerk’s Office: 117 South Main, Monticello or telephone 435-587-3223, giving reasonable notice\*\*



**PLANNING COMMISSION MEETING**  
117 South Main Street, Monticello, Utah 84535. Commission Chambers  
July 13, 2023 at 6:00 PM

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**MINUTES**

**GENERAL BUSINESS**

**Welcome / Roll Call**

PC Chair Trent Schafer called the meeting to order at 6:00 pm.

**PRESENT**

Chairman Trent Schafer  
Commissioner William Johnston  
Commissioner Cody Nielson  
Commissioner Ed Dobson  
Commissioner Ann Austin  
County Administrator Mack McDonald  
Building Inspector Ben Tomco  
County Chief Deputy Attorney Mitch Maughn  
Board of County Commissioner Silvia Stubbs

**Pledge of Allegiance**

The PC conducted the Pledge of Allegiance

**Approval of Minutes**

**1. Approval of June 08, 2023 Planning Commission Meeting Minutes**

Motion to approve the minutes was made by Commissioner Austin, Seconded by Commissioner Dobson.

Voting Yea: Chairman Schafer, Commissioner Johnston, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

**PUBLIC COMMENT**

Public Comment was offered for anything not on the agenda. Public Comment will be allowed for individual Administrative and Legislative Items.

No public comment was made.

## ADMINISTRATIVE ITEMS

### 2. Consideration of Conditional Use Permit, Shane and Karry Deeter, Deeter Accounting

#### Time stamp 3:30 (audio)

Commissioner Shafer provided background reminding the PC Commissioners that this was referred to the County Attorney to review a legal question asked regarding Conditional Uses being added to the RR-1 Zone where it was not a permitted Conditional Use.

Commissioner Shafer indicated that this is kind of putting the cart before the horse and should wait until the new Land-Use Ordinance is approved.

County Attorney Mitch Maughan provided an opinion letter regarding the allowance of conditional uses for the Deeter property located at 156 East Markle Road. County Attorney Maughan indicated that this is kind of a band-aid until the new map and new Land-Use Ordinances are approved. This area of La Sal will need further discussion until the new zoning can be determined.

Commissioner Shafer invited the applicant to respond to their Conditional Use Application.

Karry Deeter reminded that the ordinance they are referencing is the old ordinance approved back in 2007. They are wanting the office space approved. Shane Deeter reminded the Commission that this business has been operational since 1994 prior to the 2007 changes. Their business employes 5 employees in La Sal in the attic of their home and would like to move them out. They have also obtained signatures of members in the Community and most importantly their neighbors on both sides of this property.

Commissioner Austin asked what the risk was to approve it as a Conditional Use?

Commissioner Shafer indicated that the Conditional Use isn't the reason, it should go through an entire rezone application. The project would fit perfectly if it was rezoned. The property is located adjacent to the Deeters existing house.

County Administrator McDonald indicated that the property falls within the R-1 zone.

Commissioner Nielson mentioned he had no problem with it there, they are already performing this use in their home.

Commissioner Shafer reminded them that the Deeters are performing this use out of their home as a home occupation. The adjacent property would require a Commercial Zone.

Commissioner Shafer asked if there were any public comments regarding the application for Conditional Use. No one provided any comments.

Commissioner Dobson asked if this was approved as a Conditional Use, who would object?

Commissioner Shafer indicated no one in the community would object but the approval creates precedence.

Commissioner Dobson made a motion to approve the Conditional Use.

County Administrator McDonald provided a reminder regarding Conditional Uses and referenced the County Attorney's opinion regarding allowing a Conditional Use being permitted within this zone and on this property. Prior to making a decision as a Conditional use, and what a Conditional Use is. Commissioners can turn to guidance such as that found in the *Utah Land Use Institute Ground Rules: Your Handbook to Utah Land Use Regulation*. With this guidance Commissioners need to state why they are placing the Conditions and what those Conditions are in their motion so that they are appropriately a part of the official record.

If something is not permitted in the Zone, that is why Conditional Uses are allowed as a process. In our Ordinance for RR-1 it states: Conditional Uses can be applied if that use is not named specifically. This is why we are here today. As a refresher, especially as you consider these items on the agenda.

It states, if Conditional Uses are not appropriate and desirable that process would not be allowed in the Ordinance. It is allowed in our Ordinance. The Board of County Commissioners has designated the Planning Commission to approve Conditional Uses.

Substantial Evidence has to be a part of the record when approving a Conditional Use. It states: It must be kept in mind that any consideration of both the nature and extent of potentially detrimental impact as well as the type of condition that might reasonably and substantially mitigate that impact must be based in substantial evidence, and not on speculation, clamor, or unfounded apprehensions of either members of the Land Use Authority which is the Planning Commission, the Staff, nearby landowners or the general public. This means that only information that is to be considered in reviewing a proposed Conditional Use and imposing conditions includes an appropriate interpretation of the relevant law and substantial evidence in the record.

That is what we are trying to set today. Substantial evidence has been defined as “the quantum and quality of relevant evidence that is adequate to convince a reasonable mind to support a conclusion. It is essential that the Land Use Authority provide a clear statement in the record of the proceeding as to the law and facts that support its conclusions. Without findings and conclusions, the task of a court reviewing the decision becomes highly impractical because there is no way to determine from the record what the decision maker's thinking was when it took action. That substantial evidence needs to be stated as to why you made the decision.

With that, as you apply Conditional Uses in a zone and you allow uses that may not be listed as permitted, it is important that you consider those items that may mitigate the detriments of that use. This property is in a residential zone, they are applying for other uses to be allowed in a residential zone including RV parking, the office and residential. As you look at the uses, are they compatible with that zone? What is the effect of these uses in that zone? What are those items to help mitigate negative aspects of these uses? If you are in this zone and you bring in an RV park, what does that look like and how do you mitigate that use with the surrounding neighborhood yet accomplishing the purpose of a residential zone? What conditions can be placed to continue to keep these uses compatible with the zone?

Be careful with public clamor, this is not substantial evidence. Substantial evidence is critical and a key word in law when you look at the uses. This does not mean that the public can not also have substantial evidence of their own and should not be ignored.

The burden of establishing this entitlement for approval of a Conditional Use is required of the applicant. With no evidence in the record to support the conclusion that has detrimental effects of the use can be substantially mitigated by reasonable conditions, the applicant is not entitled to approval.

Looking at substantial and the imposition of reasonable conditions, several steps need to be taken to deny a Conditional Use. First, you have to be able to determine the detrimental effects of these uses within that zone. With the Deeters, what are the detrimental effects of these uses in that residential zone? How the standards of our Ordinances are going to be applied to these effects. With your Conditions and as you consider Conditions, you want to make sure those Conditions are appropriate within the authority of the local government to regulate. This is critical, if you place a Condition on this property that the County can't enforce, doesn't have a mechanism, or means to enforce, then it doesn't make sense to make that Condition. Conditions have to be appropriate and relevant as consistent with the standards of the Ordinance. The Standards of the Ordinance in the residential RR-1, if they allow similar uses, then it is relevant to that Zone.

Our County Attorney has provided his opinion demonstrating that some of the uses are relevant to this Zone. This becomes part of that record that we are looking for, but we need to state it in your approval as well. Also, it must be proportionate and otherwise reasonable. These are the reasons to impose the Conditions but not having them so far outlandish that it overrides the intent of the Zone.

Denial of a conditional use as quoted in Utah Code "if the reasonably anticipated detrimental effects of the proposed Conditional Use can not be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the Conditional Use may be denied." It doesn't say it must, it doesn't say shall, but it says may be denied. Again, it states substantially mitigated. It does not state it has to be fully mitigated only substantially. For example, if you have a dark sky initiative in that Zone, dark sky and safety sometimes don't correlate but if I can substantially mitigate a dark sky initiative but still allow for safety in my lighting scheme, that is a Condition that is allowable where it is substantial but not 100% no you have to be dark sky, no matter what, it is about safety.

Some of the Conditions can help mitigate. How can you mitigate some of the Deeters uses, the office hours, with the office hours they have been in operations for years, office hours are not late into the night, it is practical and reasonable to have this type of business in a residential Zone. What are the Conditions you would have? Where do people frequenting this business park? On the street or on the property? It is things like this that can be used as Conditions to a Conditional Use to be allowed within the Zone. They may have suggestions as well if there are concerns with the uses.

It is important to note that as you approve a Conditional Use, that Conditional Use stays with the property itself. If they sell the property to another owner, that Conditional Use can carry on, the new owner will still have to uphold those Conditions that you approved, but they do remain with the property.

Regarding the importance of the Conditional Uses, as you place Conditions with your approval or denial, we need to clearly state these Conditions in the motion and if approval, why you are approving these Condition, what they are, or in case of denial, why you are denying a Conditional Use. We need that in the record so that it is clear why you approved these uses and

Conditions you placed on them. If there is an item contested, these are the Conditions that you placed on the uses and why you placed those Conditions. In that motion, it is a record of fact why you placed those Conditions.

All of these items tonight on this Agenda are all able to have Conditional Uses if not permitted in the Zone with appropriate Conditions.

Commissioner Shafer asked Commissioner Dobson if he would like to amend his motion adding Conditions.

Commissioner Dobson indicated that the County Attorney listed Conditions imposed to adequately deal with parking, water, sanitation, emergency vehicle access, storm drain runoff, and other Conditions as needed. Have the applicants brought back suggestions to meet these Conditions?

Shane Deeter indicated that any Conditions imposed, we will meet. These Conditions in the letter will need to be met. We had planned to do these anyways.

Commissioner Austin indicated that we need to identify what the detriments are. Is the use and RV park or renting RV's for people to rent?

Shane Deter mentioned that this is a building for offices, our RV's are on another property. We need offices to administer the Air BnB, showers, laundry, a private meeting room to rent, all uses to support our RV rental but that RV rental is on another RV park. They will use this facility for Wi-Fi or a mobile location.

Commissioner Austin mentioned it does not sound like a large amount of people here. So, traffic, is that detrimental and not an issue where it seems like it will be light traffic? Hours of operations?

Shane Deter mentioned the offices are open from 8 am to 6 pm. Same hours as these uses will be available.

Commissioner Nielson asked about the meetings taking place by those staying in the RVs?

Shane Deter mentioned that if someone needed a meeting place and there wasn't a place in La Sal to hold those, we could hold them here but it would be few and far in between.

Commissioner Nielson asked about the noise from the laundry?

Shane and Kerry Deter mentioned that they do not get too rowdy. We are only putting in a couple of machines. Where the building is located, it is next to our house on a 20-acre parcel. We are the only ones that could complain.

Commissioner Nielson mentioned it is an easy Conditional Use to approve using the County Attorney's Legal Opinion as the basis to do so.

Commissioner Shafer mentioned we can use those Conditions set forth there.

Commissioner Dobson amended his motion using that language within the opinion.

Commissioner Nielson seconded the motion.

Commissioner Shafer, we have a motion to approve the Conditional Use Permit for Deeter Accounting with the following Conditions:

- *The uses must have adequate parking*
- *The Use must have adequate water and sanitation*
- *Must have appropriate emergency vehicle access*

### **3. Consideration and Approval of a Conditional Use Permit for the La Sal Junction Airport Helipad. Sarah Day, Foundation Properties, LLC**

#### **Time stamp 31:28 (audio)**

The applicant was not at the meeting, but some background information was provided regarding the Conditional Use Permit.

County Administrator McDonald indicated that this is within the Control District Community Commercial Zone. This section allows for Commercial and is flexible in uses.

These proposed uses are allowable as a Conditional Use where they are within the appropriate Sub Zone.

There are a lot of public comments that have been received through email. As a reminder and caution, this is not about the ownership, the owner's reputation, or uses outside of this property. We are strictly looking at these uses and ways we can mitigate a Conditional Use. There are concerns with noise from the helicopter. We need to have this discussion with the applicant.

Commissioner Austin mentioned that seeing that the applicant is not here and all the detrimental issues with the use, I would like to make a motion to have a Public Hearing regarding this item.

Commissioner Nielson commented about having a Public Hearing, the problem I have about a Public Hearing, not that I don't take in all this input, it's like County Administrator McDonald indicated, sometimes no matter if we agree with you or do not agree with you, we are bound by statute and the ordinance. We can't deny it because we don't like it, or neighbors don't like it. Statute allows for it, language allows it and we can place Conditions on it, but we are not allowed to just deny it. A Public Hearing makes me look like a bad guy, but I am still bound by the law.

Commissioner Austin indicated that a Public Hearing demonstrates a wider impacted area, we owe it to the larger public that this is important enough to have it on public record that we had a Public Hearing on this item for any legal challenge that may come from our decision.

Commissioner Nielson made a motion to table the item and come up with a list of Conditional Uses or questions and answers we want them to come back with. Hours of operations? Parking? Easement? Off the County Road? Housing, is it employee housing restricted only to employees? We don't know any of these things.



Commissioner Austin mentioned that maybe tabling is the way to go but after the applicant presents then we can decide if it warrants a Public Hearing.

Commissioner Johnston seconded the motion.

Voting Yea: Chairman Schafer, Commissioner Johnston, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

Commissioner Shafer allowed for public comment regarding this item and had 4 members signed up to comment.

Steven Burtell commented that he lives 2 ½ miles away in the Flat Iron Mesa Subdivision Community. They are concerned about the noise this would cause and the dark skies. This development has caught us by surprise and will affect our peace and serenity and will decrease our home values. Night operations, flyovers and multiple aircraft will impact us. From his research it is impossible to mitigate noise from takeoff.

Commissioner Nielson indicated that he is considering Conditions such as hours of operation and how many helicopters. If people comment, do you like these or can you comment on those?

Beth Jankowski commented that she has a direct view of this property. She is in the approach and takeoff. Can you place a restriction that they only take off and land towards the east. She is concerned with the light. These can be mitigated by the number of lumens, but we need to protect our dark skies. Where are the tours going?

Mike Sheerer commented he lives on Flat Iron Mesa and is a contractor, he is concerned about the road into the employee housing and should have their own turn lane. Another concern is the helicopters being distracted, the fuel leaking into the aquifer and water. How are you going to enforce complaints if they fly over our homes?

Cassie Paup commented that this would significantly impact neighboring developments. No one would choose to develop right next door. Development that could help stimulate our tax base. Also, a concern is the noise and flight level or how many take-offs are taking place. Who is enforcing this? We need to know this and where they are going and the impact on others not just us.

Randy Day commented that before Flat Iron Mesa the airport existed for the mining industry with fuel pump, two gas stations, a tire shop and his mom worked in the café there. Randy mentioned that his neighbor had a helicopter starting it up each morning, it was a nuisance for 60 seconds and he was respectful. The road cannot go there because UDOT will not allow it. The concerns are not unwarranted.

David Smith from Flat Iron Mesa commented that the people proposing this aren't even here. No information for substantial mitigation. No studies from the FAA regarding noise fuel and emissions. Until there is a lot more information, we cannot mitigate anything without further information.

Sam Wood from Flat Iron Mesa commented that blind sided they feel by the magnitude of the helicopter proposal is. He is concerned with the noise. They can hear them from where they

live and are easily heard over vehicle noise. It is impossible to mitigate the peaceful enjoyment where they are noisy.

Simon Koumjian from Flat Iron Mesa commented that he was concerned about the Conditions and echo's everyone that has commented. He is concerned about the colors of the hangers as well as the roads. Colors should be compatible with the scenery. He is also worried about the distraction this would cause on the highway.

Mike Sherer from Flat Iron Mesa commented that it is unfortunate that this could not be placed in Monticello or in Moab at those airports. He is concerned about the sightseeing tours where there is limited areas here to view. The road is a concern onto highway 191.

## LEGISLATIVE ITEMS

### 5. **Consideration and Approval of Spanish Valley Overnight Accommodations Overlay Development and Site Master Plan for the Balanced Rock Resort, Mack McDonald**

#### **Time stamp 90:05 (audio)**

County Administrator McDonald provided a brief history of the steps in this process indicating the next step is the Development Agreement. This applicant has gone through the rezone, overlay approval and now we approve the Site Master Plan and make sure they have everything in the Site Master Plan in accordance with the ordinances.

The Site Master Plan working towards a Development Agreement follows Chapter 10 of the Spanish Valley Ordinances. The Planning Commission is to review the Site Master Plan that this development in its entirety is supposed to be reviewed and approved. That at this point, the Site Master Plan is critical due to the concept of the development that it creates.

County Administrator McDonald also described what was in the Development Agreement and the structure of the agreement in relation to the Site Master Plan.

Jim Schnepel with Gardner Plumb LLC presented the Site Master Plan changes. His presentation covered a variety of topics including affordable housing units, road coordination with SITLA, the duplexes transitioning to twin-homes. No changes to the density will take place. He also described the benefits of this type of development, and the proposed density as well as participating in the costs of extending Old Airport Road.

Commissioner Johnston mentioned his concern about all the traffic this creates on the roads in the development and the next for additional access.

The developer informed the Planning Commission that this exact plan must have some flexibility. Regarding the desires that the neighbors to the north and have created a larger buffer to affordable housing. Regarding the development they are including deed restrictions on affordable housing so that those do not change to over-night rentals. They decided to plant trees instead of a wall separating the community to control noise. They are not planning on installing streetlights along that main road, but it depends on the County in case they are needed for safety. They will have speed limits to control the speed of ATV's if it is allowed by the County.

The developer went through the total number of units with a lodge of 130 units for a total of all units equaling 360 units. The equivalent residential (ERU) units being 269 with 360 units being the cap. They are concerned regarding the ability of the lodge coming to fruition. This development applying the number of units per acre is 3.7 ERU's per acre.

Commissioner Nielson indicated that without the lodge, it would change this development drastically. How do we approve the site plan without knowing if the lodge is not there.

County Administrator McDonald mentions that if the lodge is not developed, there can be an alternative proposed if the lodge is not developed.

Commissioner Nielson indicated that it would be good to have an alternative site plan. He would like to lock in as much of the site plan as possible. The amount of parking and making sure we have adequate parking, RV parking and items like that are a big concern.

Planning Commission Members indicated that they were in favor of the development.

Commissioner Nielson mentioned that he was confused in the steps and was thinking that we were at a different step and was worried only about the density but now he is supposed to approve a site plan that binds the County.

Commissioner Austin mentioned a concern with the trails in which the developer indicates that there is a narrative of the trail system as indicated in the Site Master Plan and on Exhibit E.

Randy Day suggested the possibility of different bonds being placed, one if the lodge is developed and another if something else takes its place.

Commissioner Nielson indicated that it is a complete plan, but it limits the developer. There is also a concern about density and parking.

Commissioner Johnston indicated his concern was the large trailers, with the development being tight, everywhere you go, there is parking on the sides of the roads and how you keep people from parking in others driveways.

County Administrator McDonald went through the items described in Chapter 10 that have to be provided in the Site Master Plan but recognizing that some of the granular details in that Chapter have not been met yet.

Commissioner Austin indicated that some of the granular details can be worked out with staff including possibilities such as a sound wall separating the neighbors to the north.

Commissioner Shafer mentioned that if all items in Chapter 10 are met and the site plan stays the same, then what is the density the Planning Commission would recommend.

Commissioner Nielson indicated that if the lodge does not work out, he would like the developer to come back and approve an alternative use for that site. Commissioner Nielson then made the motion that the Planning Commission recommends to the Board of County Commissioners the Site Master Plan dated July 11 for a total of 269 total ERU's and that if the lodge cannot be developed, the developer comes back to the Planning Commission to present an alternative for approval and allowing staff to finalize the site plan for a Development Agreement.

Commissioner Austin seconded the motion.

Voting Yea: Chairman Schafer, Commissioner Johnston, Commissioner Nielson,  
Commissioner Dobson, Commissioner Austin

## **BUILDING PERMIT(S) REVIEW**

### **7. Building Permit List**

#### **Time stamp 1:69.8 (audio)**

The PC reviewed the building permit list.

Commissioner Austin recommended that the Planning Commission begin looking at the current ordinances and recommended that we have a discussion item on the next agenda to discuss potential changes that could be added to the current ordinances then it will help until we have the new ordinances approved to avoid current language that creates a liability for the County.

## **ADJOURNMENT**

Motion to adjourn was made by Commissioner Nielson, Seconded by Commissioner Johnston.  
Voting Yea: Chairman Schafer, Commissioner Johnston, Commissioner Nielson, Commissioner  
Dobson, Commissioner Austin



## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Consideration of a Conditional Use Permit for the La Sal Junction Airport Helipad. Sarah Day, Foundation Properties, LLC

**RECOMMENDATION:** Make a motion recommending approval to the Board of San Juan County Commission for the Conditional Use Permit with the following conditions:  
(State each Condition as part of the motion)

Make a motion denying the Conditional Use Permit due to the following reasons: (Statement of Findings for Substantial Evidence)

### SUMMARY

In June 2023, the County received a Conditional Use Permit Application for Parcel 29S23E0436000 for improvements and uses to the existing La Sal Junction Airport. The property is within 1,000 feet of Highway 46, which places the property within the Controlled District-Community Commercial (CD-c).

In July, the Planning Commission reviewed this request for a Conditional-Use Permit. However, very little was known regarding the intentions of this use. Speculation and the lack of information made it appear that this was a Tour Operation that would be located on this property.

In discussions with Foundation Properties, we have since learned that the intended use on this property is to assist Federal or Government Contracted firefighting efforts. They do not intend to place as many helicopters at this location as shown on the concept plans. The helicopters are shown to demonstrate where helicopters would land , LLC.

They do not have a lease and do not intend to currently use the runway. Operations at this site will only take place during the day. Employees are the only ones that would stay in employee housing. Some uses may include training. Most operations would see helicopters taking off in the morning or when called to a fire and returning in the evenings or once they were ordered to stand down. Where fires are not fought at night, no nighttime flights will be taking place.

### Ordinance Sections:

Controlled Districts are to provide, in appropriate locations, a district where agriculture, industrial, commercial and residential uses may exist in harmony, based on planned development for mutual benefit and flexible location of uses. Permitted uses include Agriculture, Residential, Commercial, Highway Commercial, and Industrial (Industrial subject to approval). In addition to the uses regulated in RR-22 districts, the following uses may be permitted by variance within each sub-zone:

Grocery Store  
 Drug Store  
 Automobile Service Station  
 Bakery  
 Dry Cleaning and Laundry Pickup  
 Beauty Shop  
 Barber Shop  
 Child Care  
 Ice Cream Store  
 Variety Store  
 Medical and Dental Offices  
 Professional Office  
 Public Utilities, public and quasi-public  
 Stores, shops and offices supplying commodities or performing services such as department stores, specialty shops, banks, business offices, and other financial institutions and personal service enterprises.  
 Restaurants, beer taverns, pool hall lounges, theaters, similar enterprises provided that all uses be conducted within buildings.  
 Business and technical schools, and schools and studios of photography, art, music and dance.  
 Bowling alley, dance hall, roller skating rink.  
 Carpenter shops, electrical, plumbing, heating and air conditioning shops, printing and publishing or lithographic shops, mortuaries, and furniture upholstering shops, provided all uses shall be within and enclosed building.  
 New car dealers.  
 Garages for minor repairs of automobiles.  
 Garages for storage of automobiles, commercial parking lots.  
 Hotels and Motels.

Any other similar retail business or service establishments which the Planning and Zoning Commission finds to be consistent with the purpose of this chapter and which will not impair the present or future use of adjacent properties

### 12-3 Conditional Uses

All other uses than those listed.

There is a Special Provisions that all applications for conditional uses or request for variances in the CD district must first have appropriate sub-zone designations which this property does have as the zoning map indicates.

By definition, a Conditional Use is: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

### **Possible discussion and questions may include:**

- What is the landing and take-off flight path for the aircraft?
- The parking and loading lot is adjacent to the landing pad, how is that hazard going to be mitigated to avoid helicopter/vehicle conflicts?

- The employee entry turns directly onto Highway 191, well past the turn lanes for the La Sal Junction, is there a concern for vehicle impacts at that entry where employees will drive such a short distance at a slower speed in order to make the turn into where they work or return home to everyday? There is no indication of a trail system internally to the project.

**Possible Conditions may include:**

- *No more than three (3) helicopters can be located on the property at a time.*
- *Training of approach and takeoffs need to be kept at a minimum during daylight hours.*
- *Activation and utilization of the runway will require FAA approval and Planning Commission Review*
- *Lighting must meet dark sky initiatives where possible unless helipad safety standards prevent it.*
- *Must show approval of a right-of-way from UDOT allowing for the road to the employee housing*
- *No nighttime flights can take place other than for transporting helicopters to the sight for staging*
- *Employee Housing shall not be used as over-night or short-term rentals*
- *No tour operations can take place on this property*
- *The flight path for helicopters approach and takeoff can only be from the Northeast of the property which shall be established in an Aviation Easement approved by the Planning Commission and is subject to FAA standards.*
- *Flights from the operations on this property shall not take place over residential communities within a five-mile radius and is prohibited to protect the public health, safety, and welfare of residents in this area.*
- *To the extent reasonably possible, all helicopters must adhere to the Helicopter Association International guidelines related to noise abatement as published in the "Fly Neighborly Guide", as amended from time to time, and the helicopter manufacturer's noise abatement guidelines.*
- *A noise or sound reducing wall shall be installed on the east side of the helipad to help reduce noise while helicopters are warming up for takeoff and landings.*
- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must comply with San Juan County business license requirements*

**HISTORY/PAST ACTION**

On July 13, 2023, this item was considered by the Planning Commission. Due to the lack of information, this item was tabled.

**SAN JUAN COUNTY CONDITIONAL USE PERMIT APPLICATION**

Type of Application (check all that apply):

- New Construction                       Land Use Change
- Addition                                       Appeal

Subject Property Location or Address: 38°18'37.2"N 109°24'06.7"W

Parcel Identification

Number: 29S23E043600

Parcel Area: \_\_\_\_\_ Current Use: \_\_\_\_\_

Floor Area: \_\_\_\_\_ Zoning Classification: \_\_\_\_\_

Applicant

Name: Sarah Day

Mailing

Address: 2045 S Navajo Heights

City, State,

ZIP: Moab, UT 84532

Daytime Phone #: (313-610-7272) Fax#: \_\_\_\_\_

Email [1ubtsslc@gmail.com](mailto:1ubtsslc@gmail.com)

Address: \_\_\_\_\_

Business Name (If applicable): Foundation Properties,

LLC Property Owner's Name (If

different): \_\_\_\_\_ Property Owner's Mailing

Address: 2045 S Navajo Heights City, State,

ZIP: Moab, UT 84532

Daytime Phone #: (313-610-7272) Fax#: \_\_\_\_\_

Describe your request in detail (use additional page(s) if necessary): Building a Helipad. Taking existing hanger and modifying for larger aircraft.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Authorized Signature:  Date: 3/20/23



Foundation Properties LLC  
717 Riverside Drive unit 805  
Memphis, TN 38103

San Juan County

Dear San Juan County,

This Letter of Intent sets forth the interest of Foundation Properties LLC regarding the property located at La Sal Juncartcel A, B, C, D per survey tax ID # 29S23E043600 and 29S23E0500000. This letter outlines our intentions with the property:

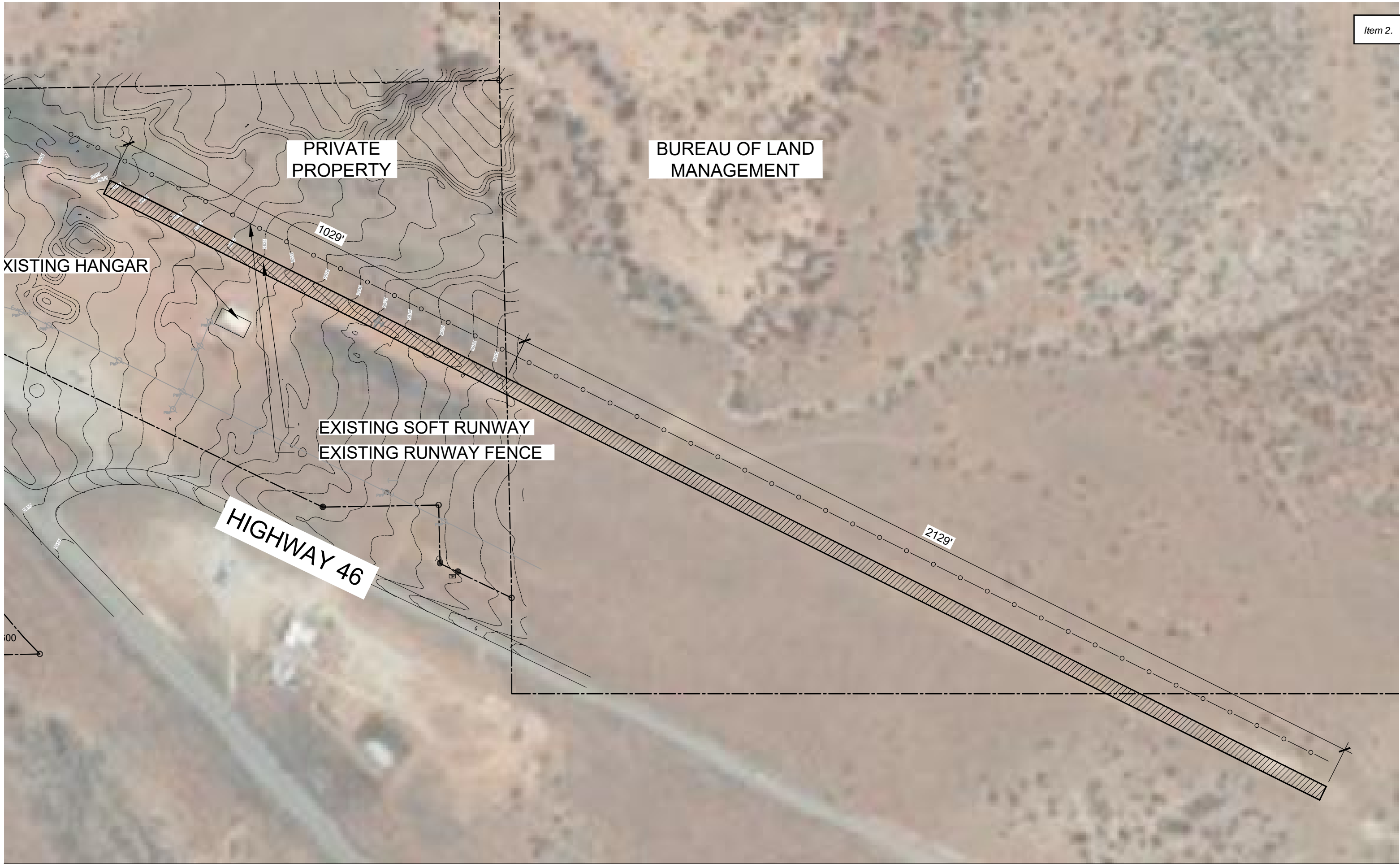
1. This property will serve as a firefighting/utility and personal helicopter operation with no more than three company helicopters anticipated.
2. It will not be used for tour operations.
3. In the event of an active firefighting operation nearby, other helicopters may temporarily refuel and base on-site.
4. The existing building on the property will undergo modifications to add a larger garage door. This building will be used for storage and light helicopter maintenance.
5. The proposed buildings on the property will be dedicated to helicopter firefighting, helicopter utility, search and rescue operations, and personal storage. We are committed to ensuring that these structures blend aesthetically with the surrounding landscape.
6. There will be housing for employees on the premises; we have no intention of using this property for overnight rentals.
7. The initial operation will involve two employees, with a total of 8-10 anticipated in the coming years.
8. Hours of operation will be dictated by emergencies, fires, and search and rescue missions, which can occur at any time. There is no fixed schedule, with possibly one company flight every two days once the company is fully operational after a few years. Utility work typically occurs at varying intervals and not near the permanent base of operations.
9. Takeoffs and landings will be subject to weather conditions, and helicopters will take off from the designated helipad rather than the runway. Regular flight paths will not overfly any of the community buildings or homes.
10. Outdoor lighting will be equipped with motion sensors and timers to eliminate light pollution.
11. Our primary intention is to enhance the value of this property, add revenue to our county, support the community with firefighting, search and rescue, and utility operations. We understand the concerns of the local community and are committed to working closely with San Juan County, and directly with the community to maintain the integrity, peace, and beauty of the area we call home.

Sincerely,

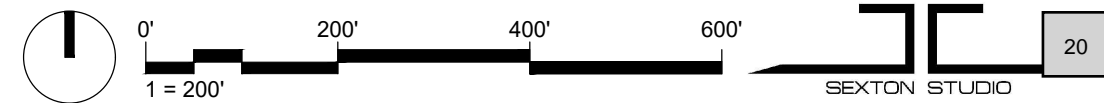
Foundation Properties LLC



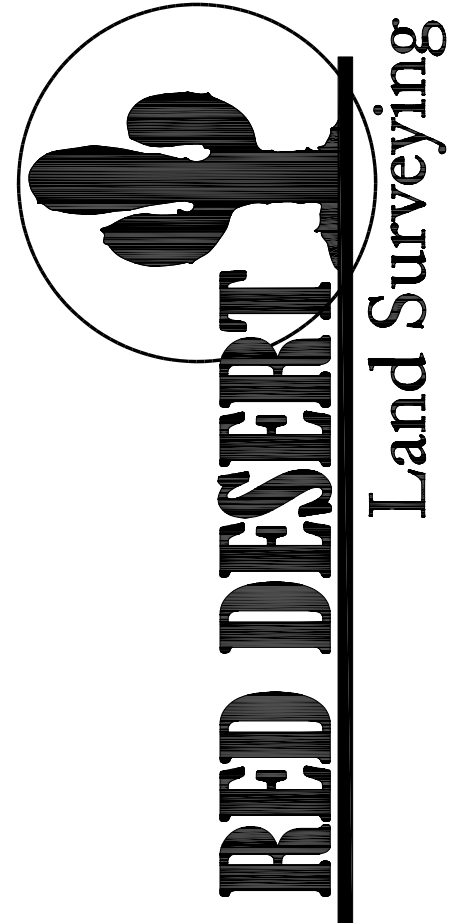




LA SAL JUNCTION EXISTING RUNWAY







88 East Center Street  
Moab, UT 84532  
435.259.8171

**STANDARD LEGEND**

	CLEAN OUT		WATER LINE		POWER POLE		PROP. CORNER FOUND
	SAN SEWER LINE		WATER VALVE		GUY WIRE		PROP. CORNER SET
	CABLE BOX		WATER MANHOLE		LIGHT POLE		MAG NAIL SET
	CABLE PEDESTAL		HYDRANT		ELECTRIC METER		BLOCK CORNER
	STOP SIGN		TELEPHONE PEDESTAL		ELECTRIC METER BOX		SECTION MONUMENT
	SIGN		GAS METER		GENERATOR		PROPERTY LINE
	379 CONTOUR		GAS PEDESTAL		RECORD DATA		EASEMENTS
	380 CONTOUR		FENCE		MEASURED DATA		PROPERTY ADJOINING
	ASPHALT		CALCULATED DATA				

PROJECT TYPE:  
Engineering Survey

PROJECT ADDRESS:  
La Sal Junction  
LaSal, Utah 84530

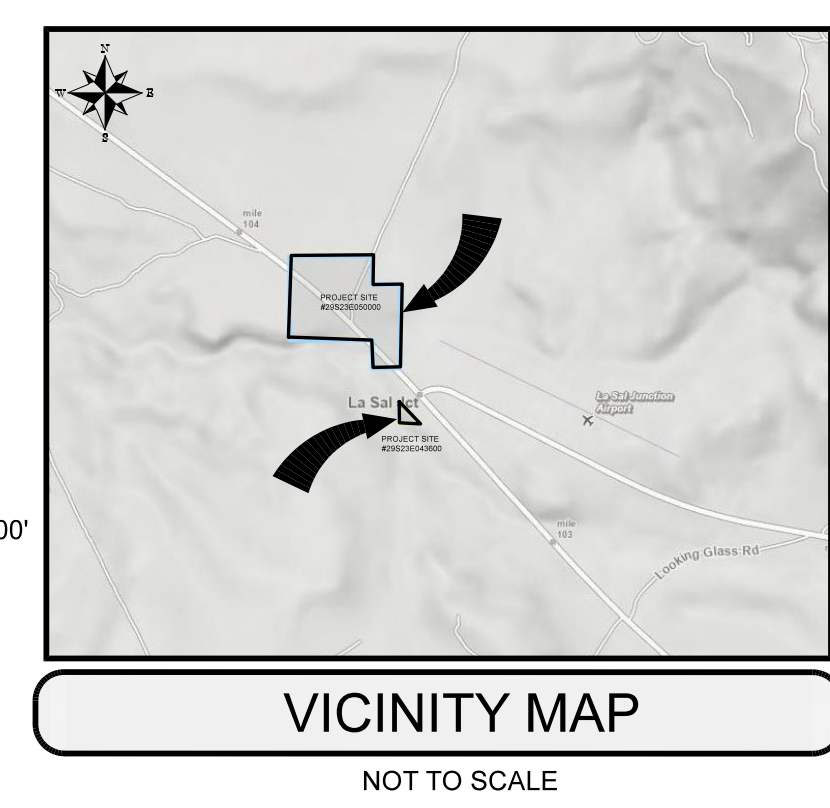
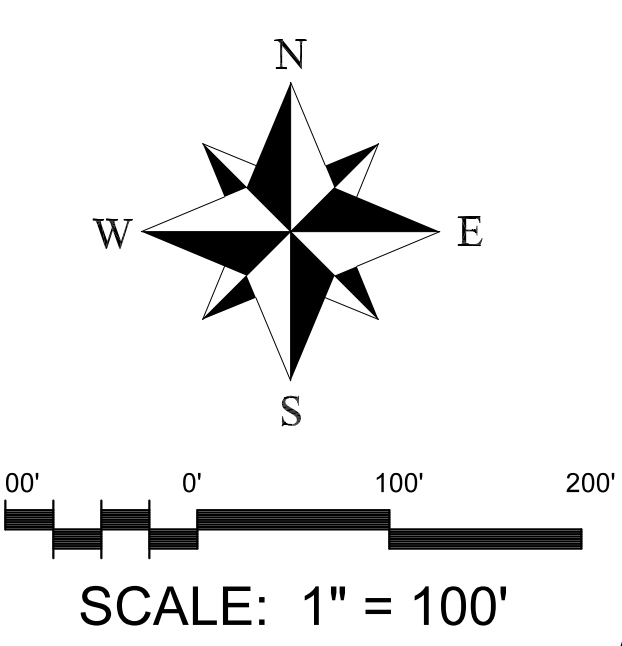
PROJECT LOCATION:  
SAN JUAN COUNTY, STATE OF UTAH

PREPARED FOR:  
Ben Byrd

DATE:  
05/27/2022

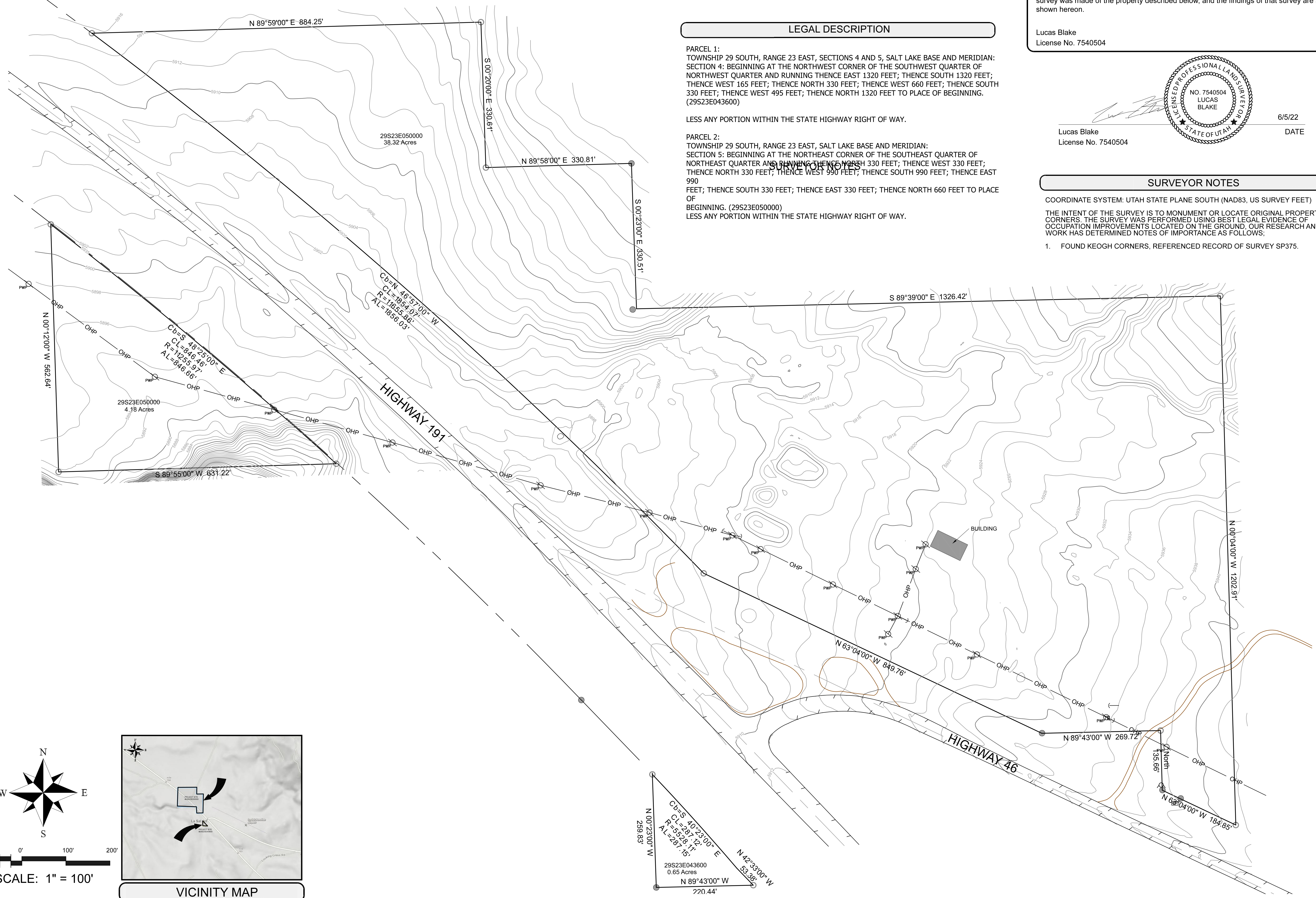
JOB NUMBER:  
150-22

SHEET 1 OF 1



# ENGINEERING SURVEY

LOCATED WITHIN  
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF  
SECTION 4 & 5, T29S, R23E, SLB&M



## LEGAL DESCRIPTION

PARCEL 1:  
TOWNSHIP 29 SOUTH, RANGE 23 EAST, SECTIONS 4 AND 5, SALT LAKE BASE AND MERIDIAN:  
SECTION 4: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF  
NORTHWEST QUARTER AND RUNNING THENCE EAST 1320 FEET; THENCE SOUTH 1320 FEET;  
THENCE WEST 165 FEET; THENCE NORTH 330 FEET; THENCE WEST 660 FEET; THENCE SOUTH  
330 FEET; THENCE WEST 495 FEET; THENCE NORTH 1320 FEET TO PLACE OF BEGINNING.  
(29S23E043600)

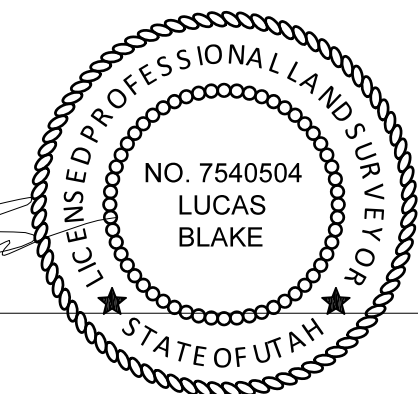
LESS ANY PORTION WITHIN THE STATE HIGHWAY RIGHT OF WAY.

PARCEL 2:  
TOWNSHIP 29 SOUTH, RANGE 23 EAST, SALT LAKE BASE AND MERIDIAN:  
SECTION 5: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF  
NORTHEAST QUARTER AND RUNNING THENCE NORTH 330 FEET; THENCE WEST 330 FEET;  
THENCE NORTH 330 FEET; THENCE WEST 990 FEET; THENCE SOUTH 990 FEET; THENCE EAST  
990  
FEET; THENCE SOUTH 330 FEET; THENCE EAST 330 FEET; THENCE NORTH 660 FEET TO PLACE  
OF  
BEGINNING. (29S23E050000)  
LESS ANY PORTION WITHIN THE STATE HIGHWAY RIGHT OF WAY.

## SURVEYOR'S CERTIFICATION

I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that an engineering survey was made of the property described below, and the findings of that survey are as shown hereon.

Lucas Blake  
License No. 7540504



Lucas Blake  
License No. 7540504

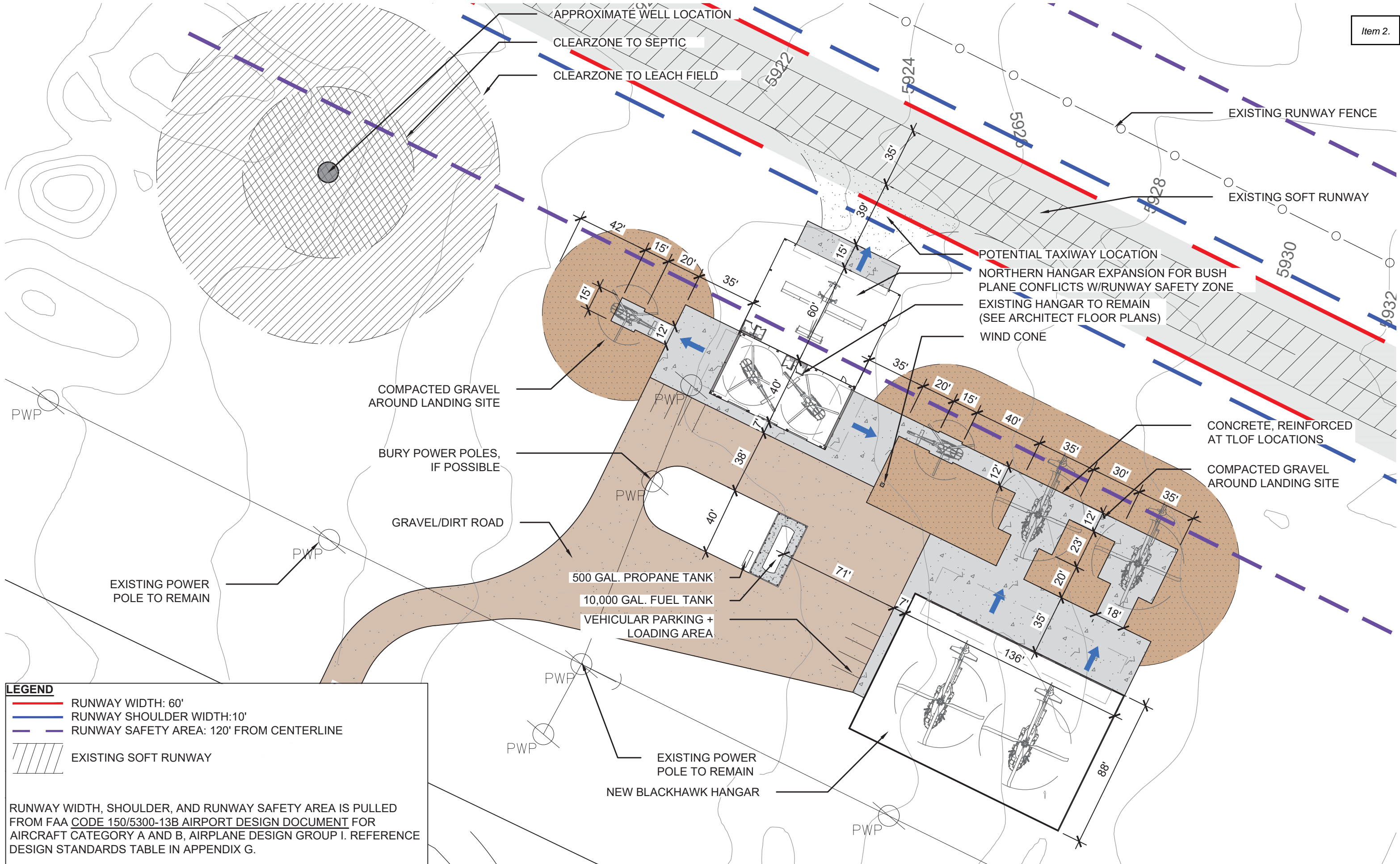
6/5/22  
DATE

## SURVEYOR NOTES

COORDINATE SYSTEM: UTAH STATE PLANE SOUTH (NAD83, US SURVEY FEET)  
 THE INTENT OF THE SURVEY IS TO MONUMENT OR LOCATE ORIGINAL PROPERTY CORNERS. THE SURVEY WAS PERFORMED USING BEST LEGAL EVIDENCE OF OCCUPATION IMPROVEMENTS LOCATED ON THE GROUND. OUR RESEARCH AND SITE WORK HAS DETERMINED NOTES OF IMPORTANCE AS FOLLOWS:

1. FOUND KEOGH CORNERS, REFERENCED RECORD OF SURVEY SP375.

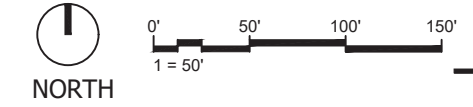




**LEGEND**

- RUNWAY WIDTH: 60'
- RUNWAY SHOULDER WIDTH: 10'
- - - RUNWAY SAFETY AREA: 120' FROM CENTERLINE
- EXISTING SOFT RUNWAY

RUNWAY WIDTH, SHOULDER, AND RUNWAY SAFETY AREA IS PULLED FROM FAA CODE 150/5300-13B AIRPORT DESIGN DOCUMENT FOR AIRCRAFT CATEGORY A AND B, AIRPLANE DESIGN GROUP I. REFERENCE DESIGN STANDARDS TABLE IN APPENDIX G.

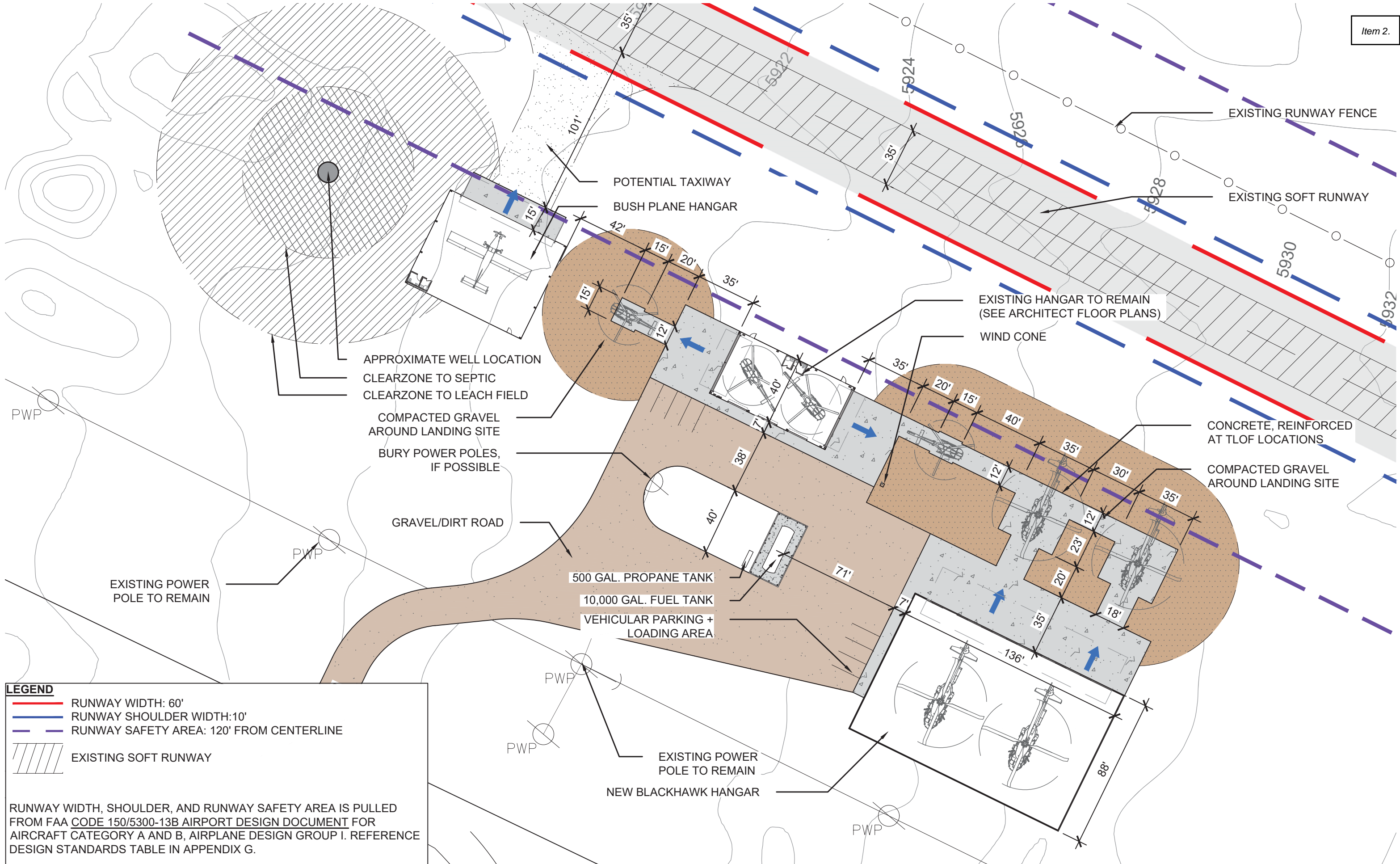


# LA SAL JUNCTION LAYOUT OPTION A

01.14.2023



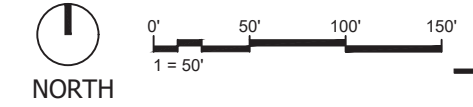




**LEGEND**

- RUNWAY WIDTH: 60'
- RUNWAY SHOULDER WIDTH: 10'
- - - RUNWAY SAFETY AREA: 120' FROM CENTERLINE
- EXISTING SOFT RUNWAY

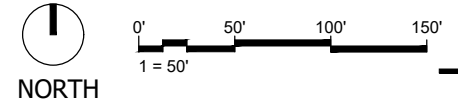
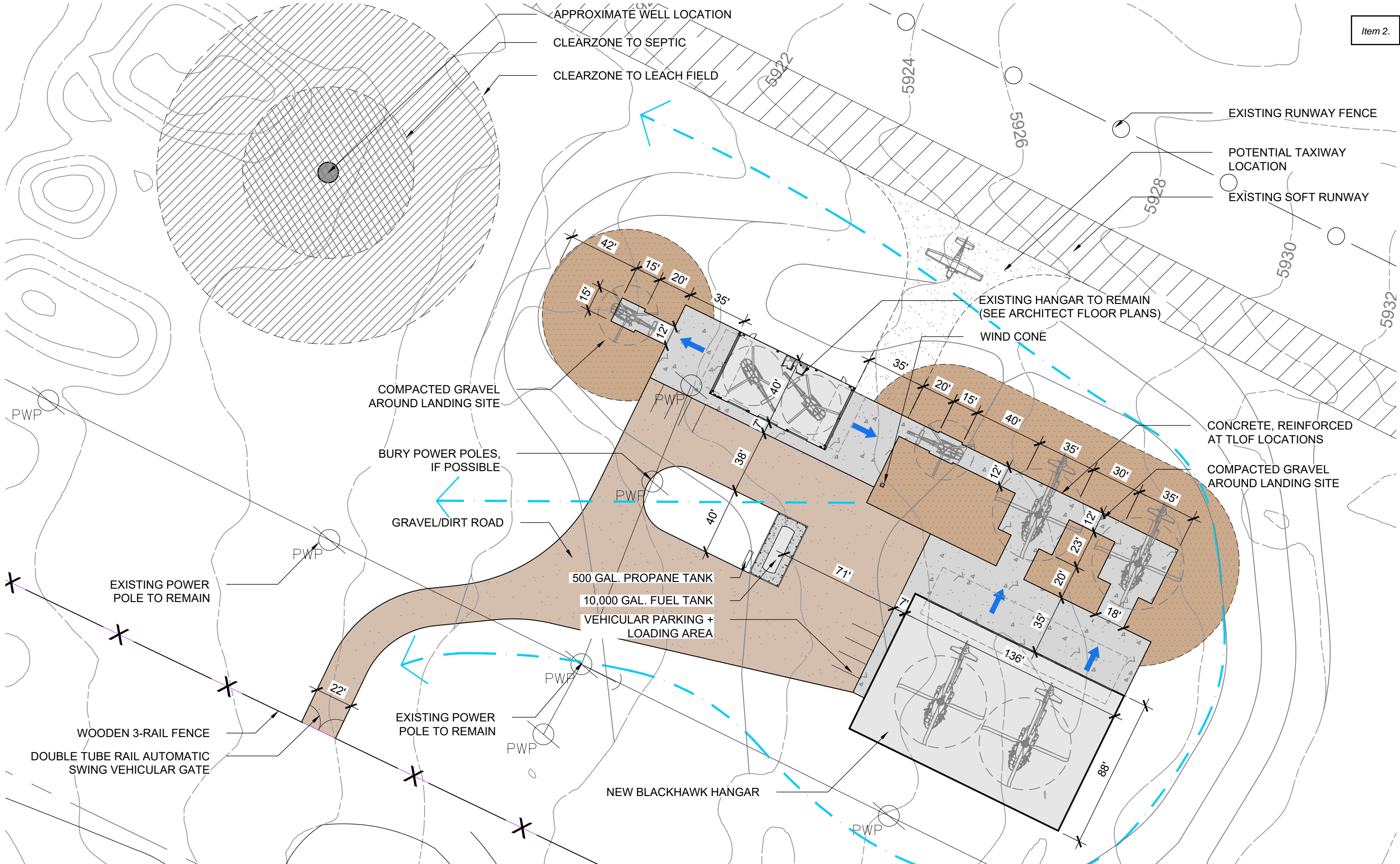
RUNWAY WIDTH, SHOULDER, AND RUNWAY SAFETY AREA IS PULLED FROM FAA CODE 150/5300-13B AIRPORT DESIGN DOCUMENT FOR AIRCRAFT CATEGORY A AND B, AIRPLANE DESIGN GROUP I. REFERENCE DESIGN STANDARDS TABLE IN APPENDIX G.



# LA SAL JUNCTION LAYOUT OPTION B

01.14.2023





# LA SAL JUNCTION LAYOUT EXHIBIT

09.21.2022









**LA SAL JUNCTION  
 HANGAR  
 RENOVATION**

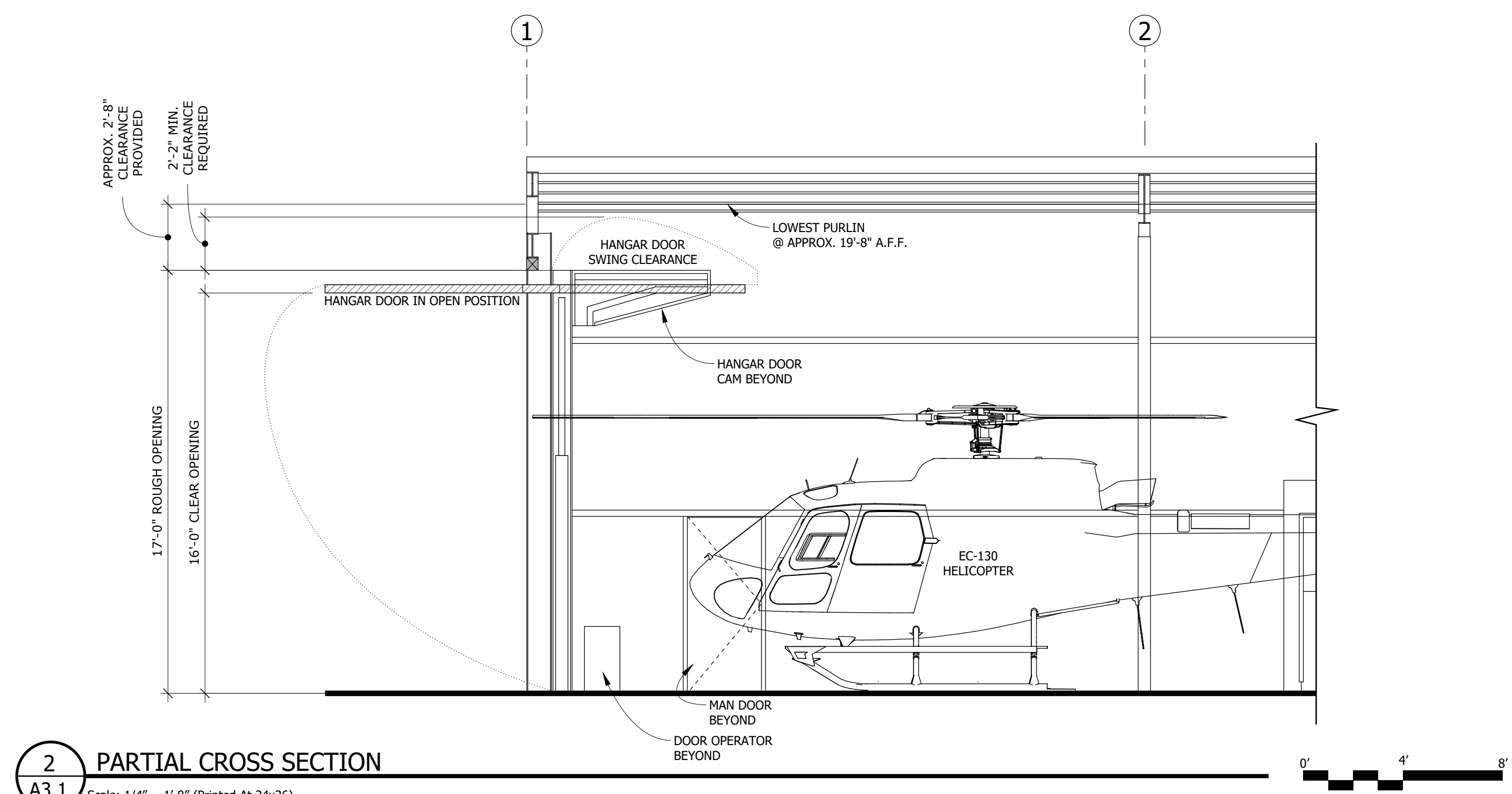
La Sal Junction  
 Utah 84530

**NOTICE: DUTY OF COOPERATION**

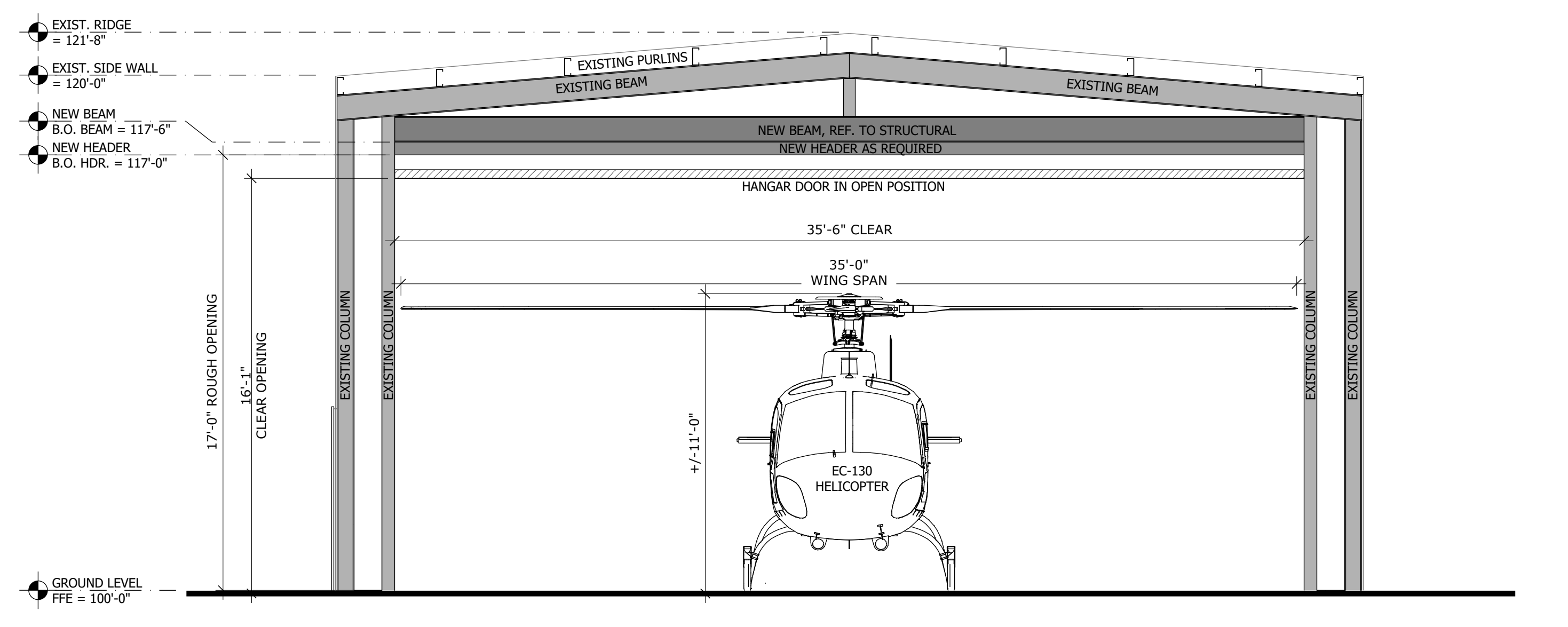
Release of these documents contemplates further cooperation among the owner, his contractor and the Designer. Design and construction are complex. Although the Designer and his consultants have performed these services with due care and diligence, they cannot guarantee perfection. Communication is imperfect and every contingency cannot be anticipated. Any errors, omissions, or discrepancy discovered by the use of these documents shall be reported to the Designer. Failure to notify the Designer compounds misunderstanding and increases construction cost. A failure to cooperate by simple notice to the Designer shall relieve the Designer of responsibility of all consequences arising out of such changes. The designs and plans are copyright and are not to be used or reproduced wholly or in part without the written permission of Sexton Studios, LLC. The drawings and specifications are instruments of service and shall remain the property of the Designer, whether the project for which they are made are executed or not.

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**NOT FOR  
 CONSTRUCTION**



**2 PARTIAL CROSS SECTION**  
 A3.1 Scale: 1/4" = 1'-0" (Printed At 24x36)



**1 EAST & WEST ELEVATION**  
 A3.1 Scale: 1/4" = 1'-0" (Printed At 24x36)

**PROJECT NO. 2036**

**DATE: 10.26.2022**

**REVISIONS:**

CREATED BY: M. SEXTON

BUILDING PERMIT #

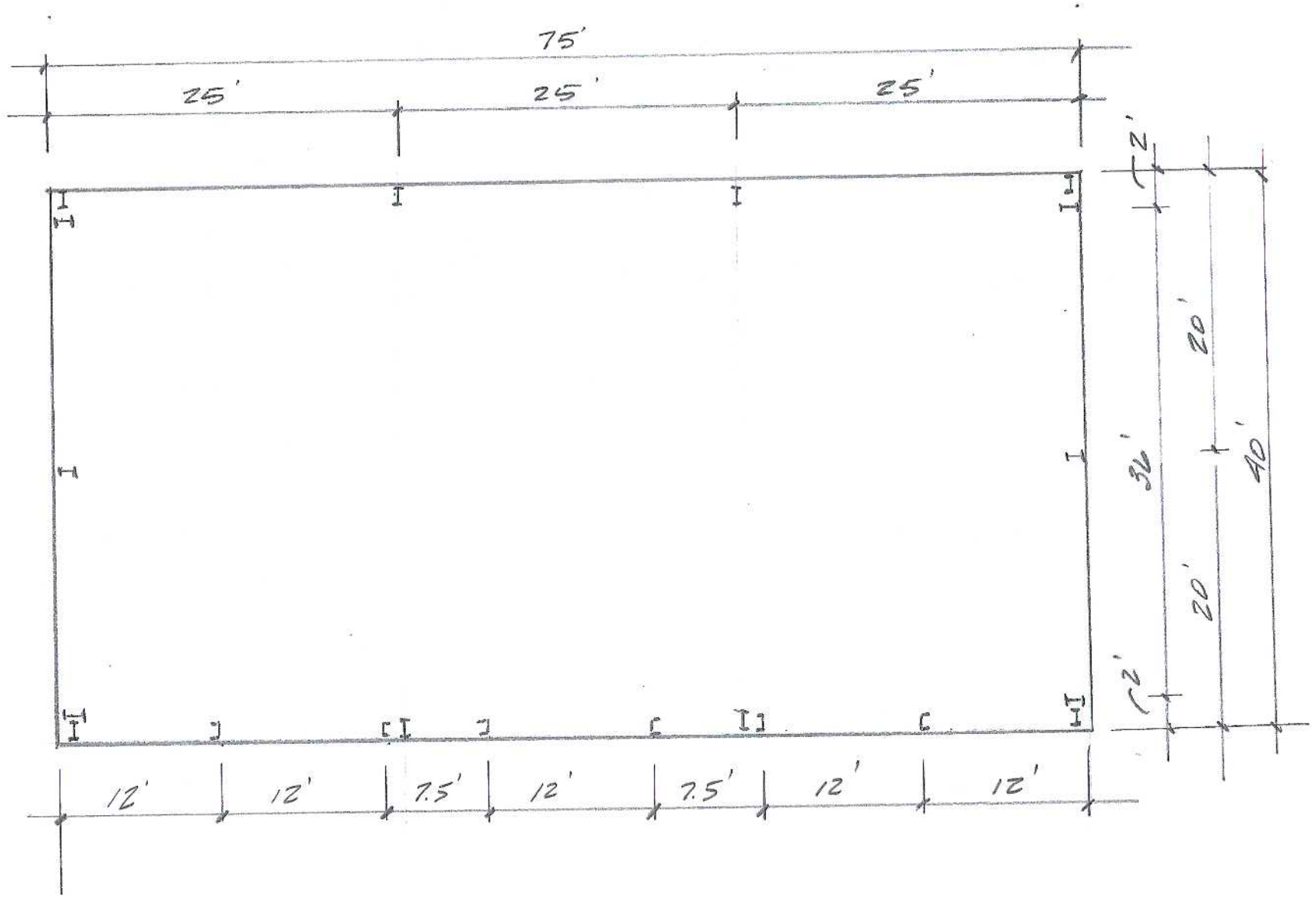
SHEET TITLE:

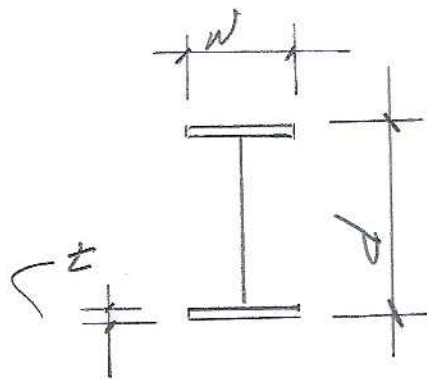
**SECTIONS**

SHEET:

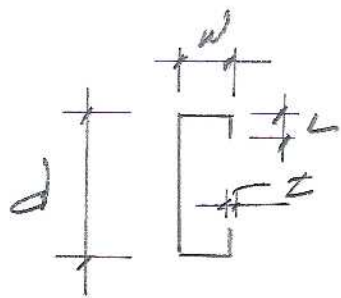
**A3.1**

1054



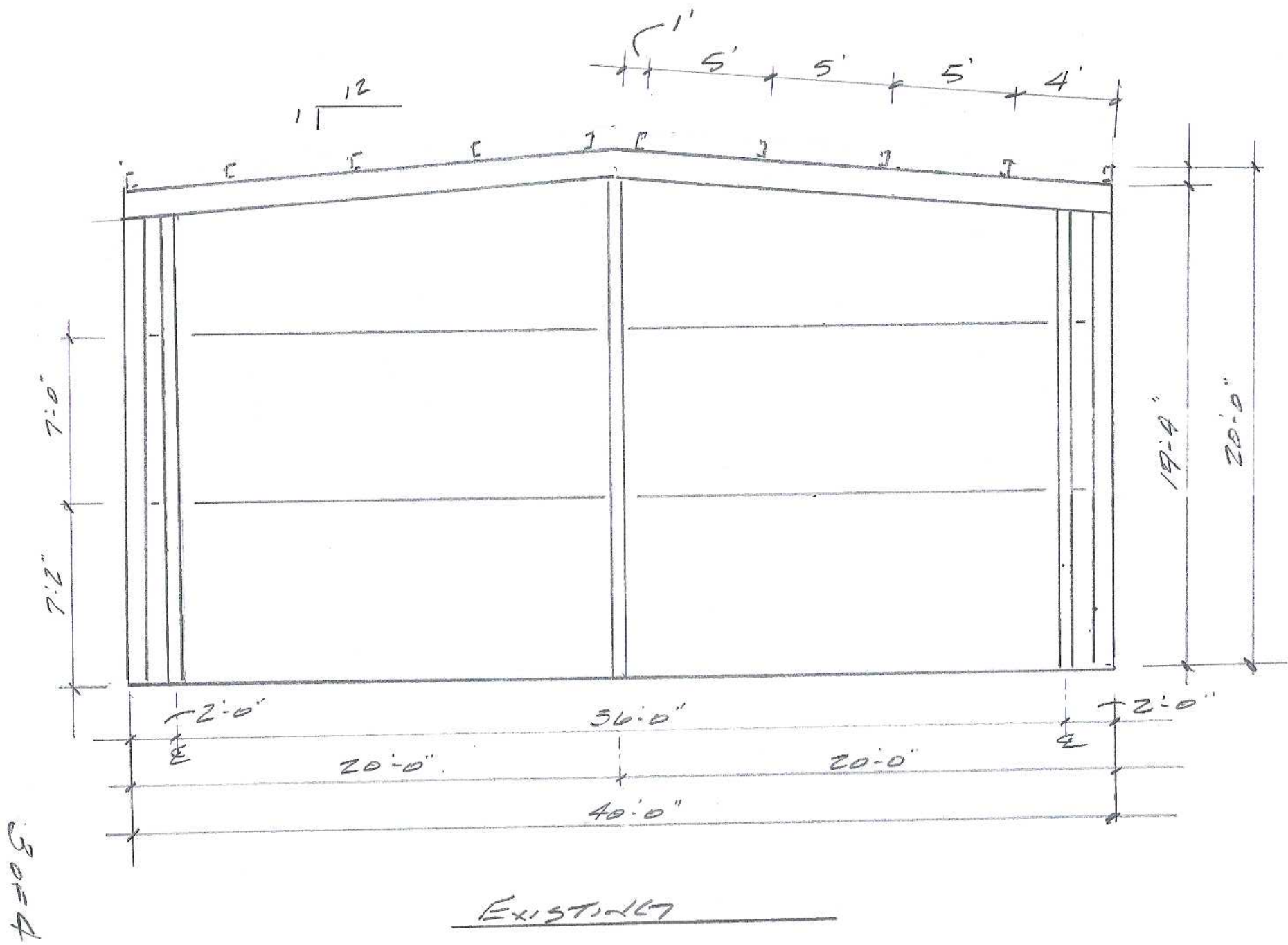


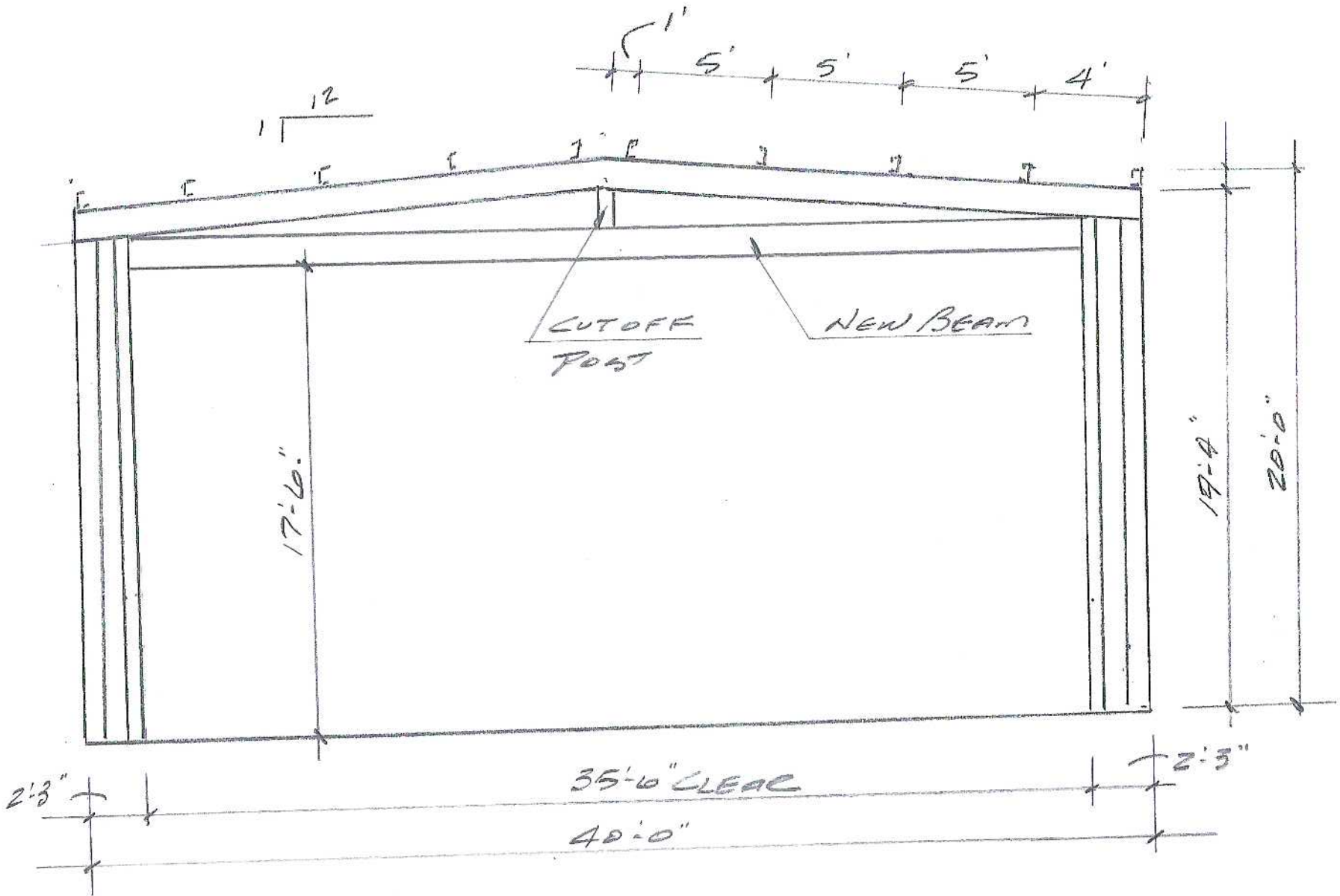
	d	w	t
CORNER COL.	8	5 1/2	.18
CRANE RAIL COL.	12	6	.25
MAIN FRAME COL.	12	6	.30
CENTER E.N. COL	7	5 1/2	.18
MAIN FRAME BEAM	12x24	5 1/2	.18
CRANE BEAM	14	6 3/4	.40
ENDWALL BEAM	12	5 1/2	.18



	d	w	L	t
PURLINS S.O.C.	8	3	1	.080
S.W. GIRT	8	3	1	.070
EW GIRT	7	3	1	.070
DOOR POST	8	3	1	.080







POST

AFTER MODIFICATION!



## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Consideration of a Conditional Use Permit Amendment Allowing for a RV Park for Wolf Springs Ranch located in La Sal, Brian Ballard

**RECOMMENDATION:** Make a motion recommending approval to the Board of San Juan County Commission for the Conditional Use Permit with the following conditions:  
(State each Condition as part of the motion)

Make a motion denying the Conditional Use Permit due to the following reasons: (Statement of Findings for Substantial Evidence)

### SUMMARY

In October 2021, the County received a Conditional Use Permit Application for Parcel 28S2E115400 and 28S25E142400 for improvements and uses for his existing ranch property and his plans for additional overnight rental cabins.

During that discussion, the RV park was denied as a Conditional Use due to a concern regarding water availability. The Owner has since reached out to the Department of Environmental Quality as recommended and obtained the following documentation from them indicating that as long as the spring does not exceed 12 connections for this parcel, it is not considered a public water system.

Access to the pond is also allowed for the fire protection and suppression.

The Health Department has also outlined and approved the size of Septic System for 12 total sites.

The Conditions approved at the time are as follows:

1. Fire lane turnaround at the pond that meets the 50 ft. turning radius according to the SJC road department standards
2. No more than 14 units (to stay below requirements for public water system)
3. No campsites or RV parks
4. Maintain at least 45,000 gallon water storage for fire suppression.
5. Maintain 50 ft. fire barrier around all structures.

### Ordinance Sections:

This property is located within the MU-1 zone which has a use defined as the following:

Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned by or managed by the recreational facility to which it is accessor

By definition, a Conditional Use is: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

**Possible Conditions may include:**

- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must comply with San Juan County business license requirements*

**HISTORY/PAST ACTION**

In October 14, 2021, this item was considered by the Planning Commission with a Conditional Use Permit approved for everything other than the RV Park.

Received 8/2/2021  
SB

Item 3.

### SAN JUAN COUNTY CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

- New Construction
- Addition
- Land Use Change
- Appeal

Subject Property Location or Address: 1000 East Wolf Springs Ranch Rd

Parcel Identification Number: (88.77) 28S25E11S400 (1600) Total. 28S25E14S400

Parcel Area: 104.77 Acre. Current Use: \_\_\_\_\_

Floor Area: \_\_\_\_\_ Zoning Classification: MU-1

Applicant Name: BRIAN BALLARD

Mailing Address: P.O. Box 151

City, State, ZIP: MOAB Utah 84532

Daytime Phone #: 435-260-8332 Fax#: WolfSpringsCabins@gmail.com

Email Address: WolfSpringsCabins@gmail.com

Business Name (If applicable): Wolf Springs Ranch Retreat

Property Owner's Name (If different): /

Property Owner's Mailing Address: Same

City, State, ZIP: N/A

Daytime Phone #: N/A Fax#: \_\_\_\_\_

Describe your request in detail (use additional page(s) if necessary): Discuss Future Plans and Current, Small R.V. Park for new

Authorized Signature: Brian Ballard Date: 8-2-21

Property Owner's Affidavit

I (we) BRIAN BALLARD, being first duly sworn, depose and that I (we) am (are) the current owner(s) of the property involved in this application; that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Brian Ballard  
Owner's Signature

\_\_\_\_\_  
Owner's Signature (co-owner if any)

State of Utah )  
:  
County of San Juan )

Subscribed and sworn to before me this 2nd day of August, 2021.

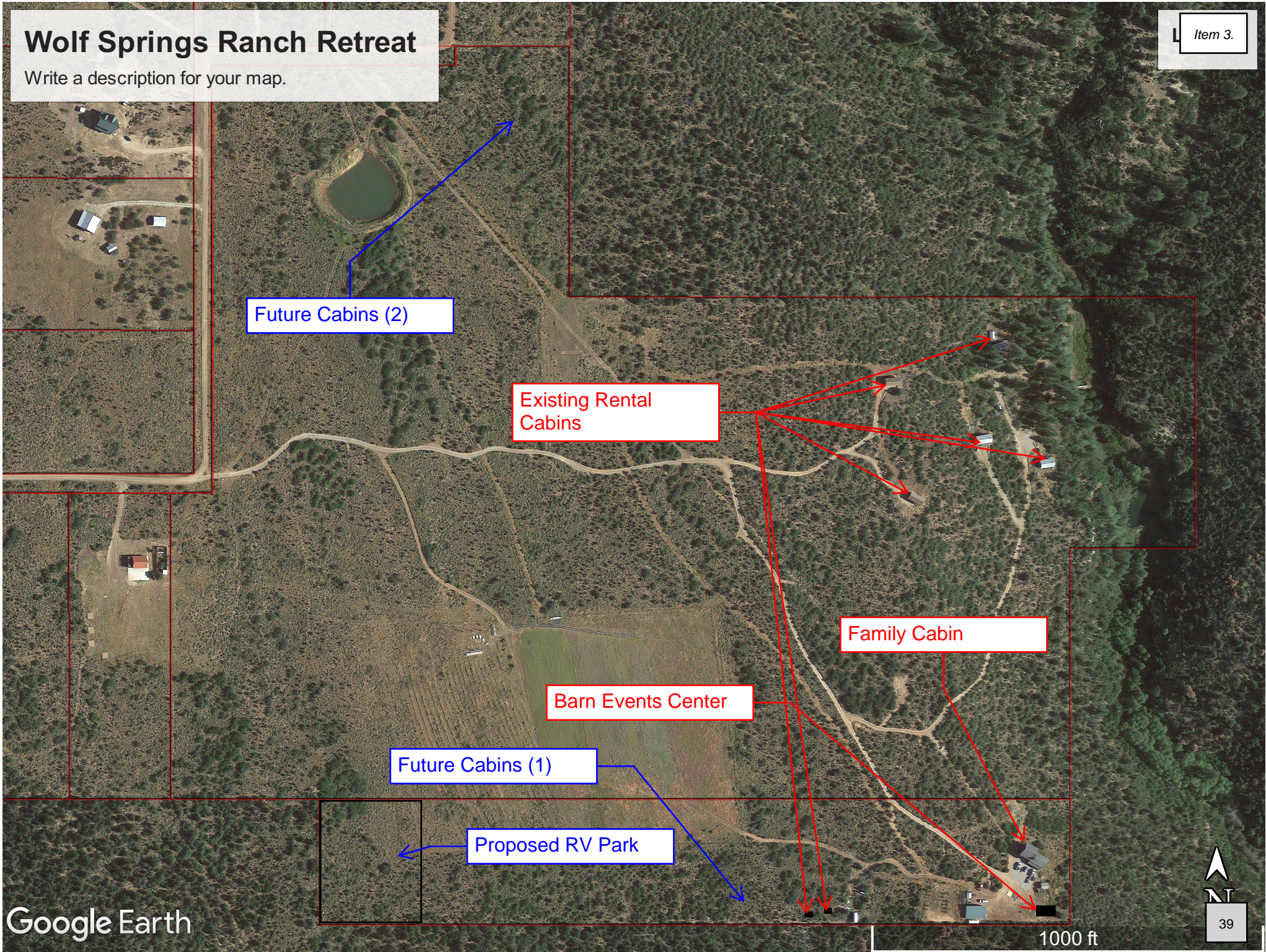


Megan Hailey Gallegos  
Notary Public  
Residing in Monticello Utah  
My Commission expires: 12/23/2021

# Wolf Springs Ranch Retreat

Write a description for your map.

Item 3.





## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Consideration of a Temporary Conditional Use Permit Application for 1231 Deer Park Drive, Elk Meadows, Daniel Perry

**RECOMMENDATION:** Make a motion approving Conditional-Use Permit with the following conditions:

Make a motion denying the Conditional-Use permit for the following reasons: (Statement of Substantial Evidence)

### SUMMARY

The County has received a request for a Conditional Use Permit Application. The request is to allow for temporary housing in RV's while construction is taking place on the main home located at 1231 Deer Park Drive.

There are two sections in the San Juan County Zoning Ordinances that allow for temporary uses as follows:

#### 6-11 Temporary Permit

A temporary use permit may be issued for any use listed as a conditional use for that zone for no longer than six (6) months and may be extended for an equivalent period with a maximum of three (3) extension

#### 11-2 Use Regulations

(3) Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman - such buildings must be removed upon completion or abandonment of the construction work [in MU-1, A-1, RR1, these are all conditional uses]

#### Possible Conditions:

- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*



### SAN JUAN COUNTY CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

- New Construction
- Addition
- Land Use Change
- Appeal

Subject Property Location or Address: 1231 Deer Park Drive  
Elk Meadows, Monticello Utah 84535

Parcel Identification Number: Lot 21

Parcel Area: 12.79 acres Current Use: Farming/building home

Floor Area: 30'x60' Zoning Classification: Agricultural  
Out Buildings undetermined / Pole barn, Tool building

Applicant Name: Daniel Perry

Mailing Address: PO Box 670

City, State, ZIP: Monticello Utah 84535

Daytime Phone #: 801-514-1247 Fax#: \_\_\_\_\_

Email Address: danilperry@yahoo.com

Business Name (If applicable): \_\_\_\_\_

Property Owner's Name (If different): \_\_\_\_\_

Property Owner's Mailing Address: PO Box 670

City, State, ZIP: Monticello, Utah 84535

Daytime Phone #: 801-514-1247 Fax#: \_\_\_\_\_

Describe your request in detail (use additional page(s) if necessary): We are building our retirement home for my disabled wife and I. We are planning on farming the land as it is Zoned Agricultural. We will be using RVs on the property while building our home

Authorized Signature: Daniel Perry

Date: 9/11/2023

Building  
~~Permit~~ # 22117

Property Owner's Affidavit

I (we) Daniel Perry, being first duly sworn, depose and that I (we) am (are) the current owner(s) of the property involved in this application; that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge. See Building Permit # 22117 for Plans

Daniel Perry  
Owner's Signature

\_\_\_\_\_  
Owner's Signature (co-owner if any)

State of Utah )

County of San Juan )

Subscribed and sworn to before me this 11th day of September, 2023.

Nathan James Pitts  
Notary Public  
Residing in Monticello UT  
My Commission expires: June 29th, 2024



**Agent Authorization**

I (we) \_\_\_\_\_, the owner(s) of the  
real property located at \_\_\_\_\_  
\_\_\_\_\_ in San Juan County, Utah, do hereby appoint \_\_\_\_\_,  
as my (our) agent to represent me (us) with regard to this application affecting the above  
described real property, and authorize \_\_\_\_\_,  
to appear before any County board or commission considering this application.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Signature (co-owner if any)

State of Utah )

:

County of San Juan )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me  
\_\_\_\_\_ the signer(s) of the  
above *Agent Authorization* who duly acknowledge to me that they executed the same.

\_\_\_\_\_  
Notary Public  
Residing in \_\_\_\_\_  
My Commission expires: \_\_\_\_\_



## STAFF REPORT

---

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Consideration and Approval of the Valley Estates Subdivision Utility Easement. Shik Han

**RECOMMENDATION:** Make a motion approving Valley Estates Subdivision Utility Easement.

Make a motion denying the Valley Estates Subdivision Utility Easement for the following reasons: (Statement of Findings for Substantial Evidence)

---

### SUMMARY

The County has received a request to amend the Valley Estates Subdivision Utility Easement Utility Easement.

Preliminary Plat  
Valley Estates  
Subdivision  
Phase I

NE 1/4 Section 1, Township 27 South, Range 22 East, SLB&M and  
NW 1/4 Section 6, Township 27 South, Range 23 East, SLB&M

Area within Subdivision: 48.81 Acres±  
Area within Phase I: 8.11 Acres±

Narrative

The purpose of this survey was to identify the bounds of the tracts of land as shown hereon and prepare a subdivision plat.  
The basis of bearings for this survey is N00°04'00"E between the E 1/4 corner and the northeast corner of Section 1, Township 27 South, Range 22 East, SLB&M. This is in accordance with the basis of bearings of a previous survey which is filed in the San Juan County Surveyor's Office as "Record of Survey No. 948"

Subdivision Boundary Descriptions

"As Surveyed"  
A tract of land within the NE 1/4 of Section 1, Township 27 South, Range 22 East and the NW 1/4 of Section 6, Township 27 South, Range 23 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:  
Beginning at a point located 500°04'00"W 867.58 feet along the section line and S89°57'50"W 236.20 feet from the northeast corner of said Section 1; thence S00°01'55"E 460.98 feet, thence S89°56'29"E 235.40 feet, thence S89°56'29"E 390.57 feet, thence S00°00'15"W 552.75 feet, thence S00°00'46"W 767.62 feet, thence N89°53'41"W 391.90 feet to the W 1/4 corner of said Section 6, thence S00°04'00"W 97.04 feet to the E 1/4 corner of said Section 1, thence S89°59'32"W 266.08 feet, thence N00°00'28"W 295.20 feet, thence West 50.97 feet, thence North 163.46 feet, thence West 250.29 feet thence N00°04'01"E 10.23 feet, thence N89°55'59"W 92.78 feet to the 1/4 line, thence N00°03'46"E 353.74 feet, thence N0°04'21"E 497.00 feet, thence S89°58'36"W 660.47 feet, thence N00°03'16"E 558.19 feet, thence N89°57'50"E 1085.08 feet to the point of beginning, containing 42.33 acres more or less.

Phase I Boundary

"As Surveyed"  
A tract of land within the NE 1/4 of Section 1, Township 27 South, Range 22 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:  
Beginning at a point located 500°04'00"W 867.58 feet along the section line and S89°57'50"W 700.19 feet along the north line of the ECP Spanish Valley Development, LLC Tract as recorded in Book 1091 Page 23; thence S00°01'48"E 101.18 feet, thence S89°58'12"W 8.60 feet, thence S00°01'48"E 298.15 feet, thence N89°58'12"E 64.25 feet, thence S00°01'48"E 158.99 feet, thence S89°55'12"W 17.10 feet, thence S89°58'36"W 660.47 feet, thence N00°03'16"E 558.19 feet, thence N89°57'50"E 621.09 feet to the point of beginning, containing 8.11 acres more or less.

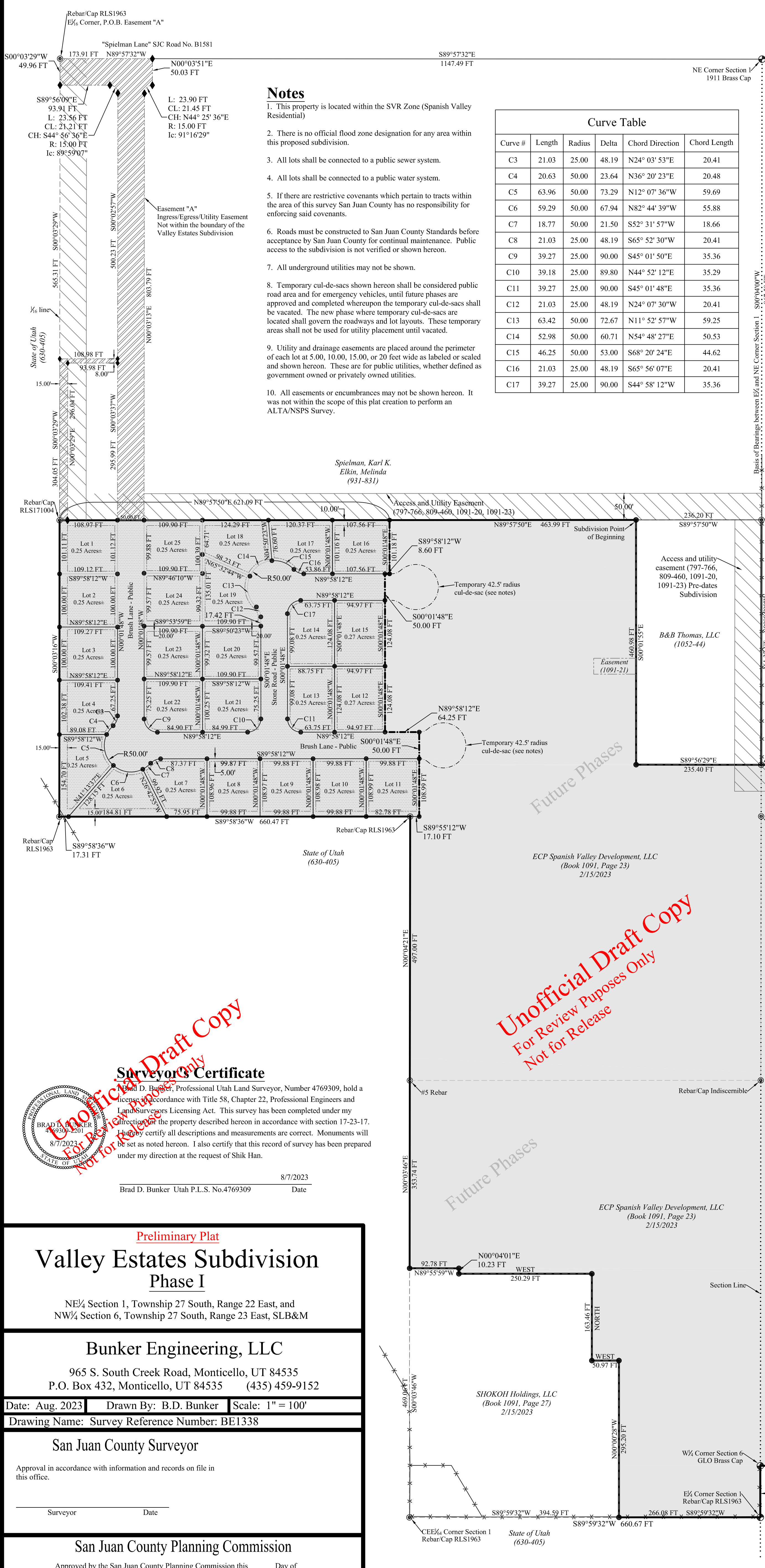
Easement "A" Description

An easement within the NE 1/4 of Section 1, Township 27 South, Range 22 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:  
Beginning at the E 1/4 corner on the north line of said Section 1, said point is also the northwest corner of the Spielman/Elkin Tract as recorded in book 931 page 831 and is located N89°57'32"W 1321.40 feet from the northeast corner of said Section 1; thence S00°03'29"W 49.96 feet along the 1/4 line, thence S89°56'09"E 93.91 feet to the beginning of a 15.00 foot radius curve to the right whose chord is 21.21 feet and bears S44°56'36"E, thence along said curve 23.56 feet, thence S00°02'57"W 500.23 feet, thence West 108.98 feet to the 1/4 line, thence S00°03'29"W 304.05 feet to the northwest corner of the Valley Estates Subdivision, thence N89°57'50"E 15.00 feet along the north line of said Subdivision, thence N00°03'29"E 296.04 feet, thence East 93.98 feet, thence S00°02'57"W 295.99 feet to the north line of said Valley Estates Subdivision, thence N89°57'50"E 50.00 feet along the north line of said Valley Estates Subdivision, thence N00°02'58"E 803.79 feet to the beginning of a 15.00 foot radius curve to the right whose chord is 21.45 feet and bears N44°25'36"E, thence along said curve 23.90 feet, thence N00°03'51"E 50.03 feet to the section line, thence N89°57'32"W 173.91 feet to the point of beginning.

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C3	21.03	25.00	48.19	N24° 03' 53"E	20.41
C4	20.63	50.00	23.64	N36° 20' 23"E	20.48
C5	63.96	50.00	73.29	N12° 07' 36"W	59.69
C6	59.29	50.00	67.94	N82° 44' 39"W	55.88
C7	18.77	50.00	21.50	S52° 31' 57"W	18.66
C8	21.03	25.00	48.19	S65° 52' 30"W	20.41
C9	39.27	25.00	90.00	S45° 01' 50"E	35.36
C10	39.18	25.00	89.80	N44° 52' 12"E	35.29
C11	39.27	25.00	90.00	S45° 01' 48"E	35.36
C12	21.03	25.00	48.19	N24° 07' 30"W	20.41
C13	63.42	50.00	72.67	N11° 52' 57"W	59.25
C14	52.98	50.00	60.71	N54° 48' 27"E	50.53
C15	46.25	50.00	53.00	S68° 20' 24"E	44.62
C16	21.03	25.00	48.19	S65° 56' 07"E	20.41
C17	39.27	25.00	90.00	S44° 58' 12"W	35.36

Notes

- This property is located within the SVR Zone (Spanish Valley Residential)
- There is no official flood zone designation for any area within this proposed subdivision.
- All lots shall be connected to a public sewer system.
- All lots shall be connected to a public water system.
- If there are restrictive covenants which pertain to tracts within the area of this survey San Juan County has no responsibility for enforcing said covenants.
- Roads must be constructed to San Juan County Standards before acceptance by San Juan County for continual maintenance. Public access to the subdivision is not verified or shown hereon.
- All underground utilities may not be shown.
- Temporary cul-de-sacs shown hereon shall be considered public road area and for emergency vehicles, until future phases are approved and completed whereupon the temporary cul-de-sacs shall be vacated. The new phase where temporary cul-de-sacs are located shall govern the roadways and lot layouts. These temporary areas shall not be used for utility placement until vacated.
- Utility and drainage easements are placed around the perimeter of each lot at 5.00, 10.00, 15.00, or 20 feet wide as labeled or scaled and shown hereon. These are for public utilities, whether defined as government owned or privately owned utilities.
- All easements or encumbrances may not be shown hereon. It was not within the scope of this plat creation to perform an ALTA/NSPS Survey.



Unofficial Draft Copy  
For Review Purposes Only  
Not for Release

**Surveyor's Certificate**  
I, Brad D. Bunker, Professional Utah Land Surveyor, Number 4769309, hold a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act. This survey has been completed under my direction of the property described hereon in accordance with section 17-23-17. I hereby certify all descriptions and measurements are correct. Monuments will be set as noted hereon. I also certify that this record of survey has been prepared under my direction at the request of Shik Han.  
8/7/2023  
Brad D. Bunker Utah P.L.S. No. 4769309 Date

**Preliminary Plat**  
**Valley Estates Subdivision**  
Phase I  
NE 1/4 Section 1, Township 27 South, Range 22 East, and  
NW 1/4 Section 6, Township 27 South, Range 23 East, SLB&M

**Bunker Engineering, LLC**  
965 S. South Creek Road, Monticello, UT 84535  
P.O. Box 432, Monticello, UT 84535 (435) 459-9152

Date: Aug. 2023 Drawn By: B.D. Bunker Scale: 1" = 100'  
Drawing Name: Survey Reference Number: BE1338

**San Juan County Surveyor**  
Approval in accordance with information and records on file in this office.  
Surveyor Date

**San Juan County Planning Commission**  
Approved by the San Juan County Planning Commission this \_\_\_\_ Day of \_\_\_\_ 20\_\_  
Commissioner

**Legend**

- Found government monument as labeled
- Set 5/8" rebar and plastic cap (LS 4769309)
- Found monument as labeled
- Calculated corner/point (not set)
- Fence
- Public and/or private utility and drainage easement
- Section Line
- Protracted Tracts
- Phase I
- Easement "A"
- Access and Utility Easement (797-766, 809-460, 1091-20, 1091-23)
- Valley Estates Subdivision

Scale: 1" = 100'

<b>Health Department</b> Approved this ____ Day of ____ 20__ Health Official	<b>Approval as to Form</b> Approved this ____ Day of ____ 20__ Attorney	<b>San Juan County Commission</b> The subdivision hereon was presented to the San Juan County Commission this ____ day of ____, 20__, and was accepted and approved. Commissioner Attest	<b>San Juan County Road Department</b> Approved this ____ Day of ____ 20__ Road Department	<b>Owners Dedication</b> Know all men by these presents that we, the undersigned owners of the above described tracts of land, having caused the same to be subdivided into lots and streets hereafter to be known as the Valley Estates Subdivision, Phase I and do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use. In witness whereof I have hereunto set my hand as dated at the signature below. Elan Spanish Valley, LLC, a Utah limited liability company By: Its Manager, Elan Capital Partners, LLC, a Utah limited liability company By: Kevin C. Bradburn, Manager Date: _____
<b>County Recorder</b> State of Utah, County of San Juan, Recorded at the request of _____ Filed: Date: _____ Time: _____ Book: _____ Page: _____ Fee: _____ County Recorder		<b>Acknowledgement</b> State of Utah, County of San Juan, on the ____ Day of ____, 20__ personally appeared before me _____ and proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she/they) executed the same freely and voluntarily for the purposes stated herein. My commission expires ____ 20__ Residing in ____ County ____ Notary Public		



## STAFF REPORT

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**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Consideration and Approval of the Canyon Shadow Subdivision, Amendment No. 1, Easement Establish Survey. Shik Han

**RECOMMENDATION:** Make a motion approving Canyon Shadow Subdivision Amendment No. 1, Easement Establishment Survey.

Make a motion denying the Canyon Shadow Subdivision Amendment No. 1, Easement Establishment Survey for the following reasons: (Statement of Findings for Substantial Evidence)

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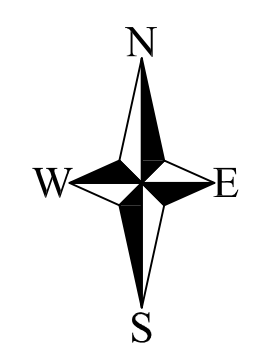
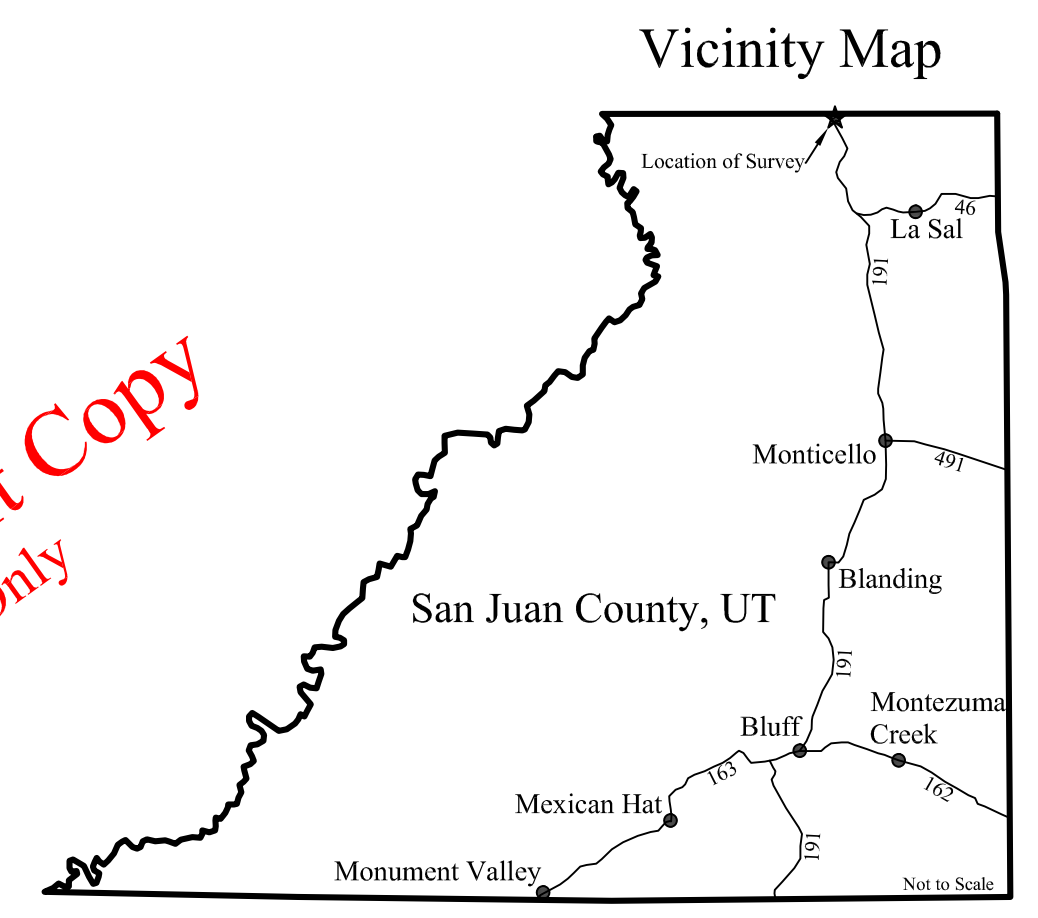
### SUMMARY

The County has received a request to amend the Canyon Shadow Subdivision Plat Utility Easement.

# Canyon Shadow Subdivision Amendment No. 1

## Easement Establishment Survey

Within Unit 7B, Common Area, and Tangren Drive  
Section 1, Township 27 South, Range 22 East, SLB&M  
San Juan County, Utah



### Narrative

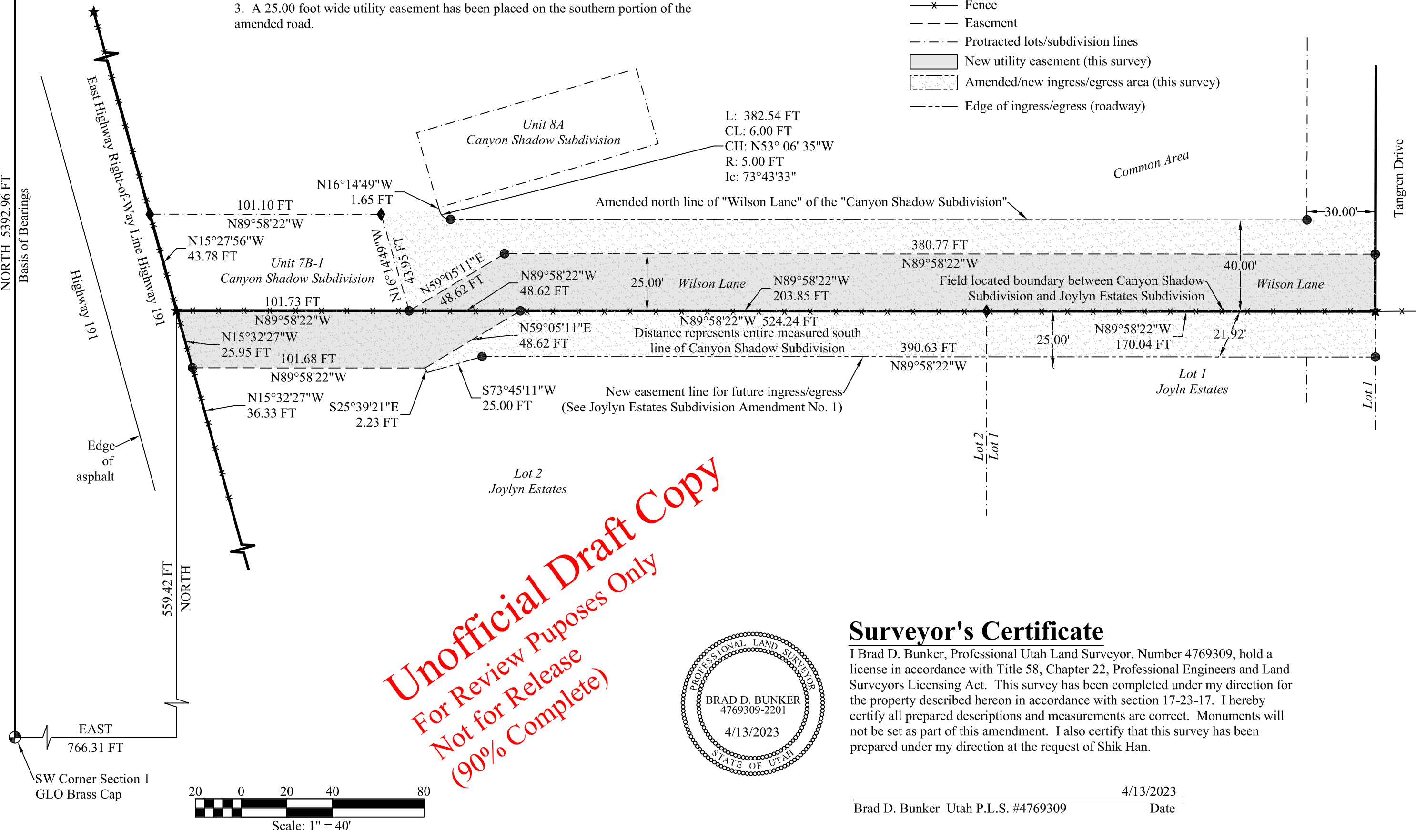
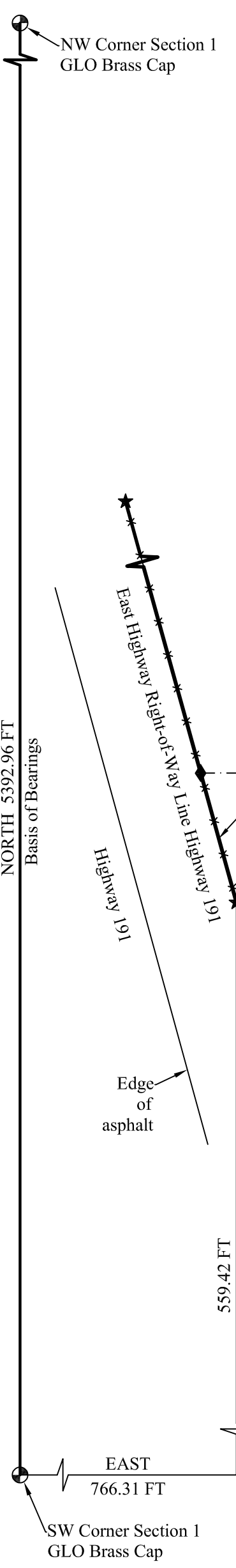
The purpose of this survey was to add a utility easement along part of the south line of the Canyon Shadow Subdivision and along part of the north line of the Joylyn Estates Subdivision as shown hereon. This plat was prepared in accordance with Utah Code Sections 10-9a-524 and 17-23-17. It shall be the responsibility of the lot owners and their legal counsel to ensure all applicable subdivision codes and platting requirements are addressed before the recording of this survey plat.

This survey was based on existing set monuments which define in the field the bounds of the Canyon Shadow Subdivision and Joylyn Estates.

The basis of bearings for this survey is North between the southwest corner and the northwest corner of Section 1, Township 27 South, Range 22 East, SLB&M. This was in accordance with the Lonesome Left Subdivision, the Joylyn Estates, and the Canyon Shadow Subdivision.

### Amended Items (this plat)

- Unit 7B has been changed and is now shown as Unit 7B-1 to differentiate it from the original Unit 7B.
- Wilson Lane has been labeled and is now a total width of 40.00 feet from the south line of the subdivision.
- A 25.00 foot wide utility easement has been placed on the southern portion of the amended road.



**Unofficial Draft Copy**  
For Review Purposes Only  
Not for Release

**Unofficial Draft Copy**  
For Review Purposes Only  
Not for Release  
(90% Complete)



### Surveyor's Certificate

I Brad D. Bunker, Professional Utah Land Surveyor, Number 4769309, hold a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act. This survey has been completed under my direction for the property described hereon in accordance with section 17-23-17. I hereby certify all prepared descriptions and measurements are correct. Monuments will not be set as part of this amendment. I also certify that this survey has been prepared under my direction at the request of Shik Han.

Brad D. Bunker Utah P.L.S. #4769309  
Date 4/13/2023

### Utility Easement Establishment

Whereas, the undersigned are the owners of adjoining property in the Canyon Shadow Subdivision in County of San Juan, State of Utah, Lloyd Wilson and Andria Wilson, being the owners of Unit 7B and the common area within the Canyon Shadow Subdivision, which is described in that deed recorded in book 1025 page 480 and the official plat of the Canyon Shadow Subdivision, San Juan County Recorder's Office; and

Whereas, the undersigned, Lloyd Wilson and Andria Wilson are the owners of said areas, the parties desire to establish an easement within these areas as shown hereon.

The undersigned hereby agree for their heirs, successors, and assigns that the changes shown hereon be made.

In witness whereof, the parties hereby set their hands this the \_\_\_ day of \_\_\_\_\_, 2022.

Lloyd Wilson and Andria Wilson  
134 Tangren Lane  
Moab, UT 84532

Lloyd Wilson  
Andria Wilson

### Notary Acknowledgement for Lloyd Wilson

State of Utah, County of San Juan, on the \_\_\_ Day of \_\_\_\_\_, 20\_\_\_ personally appeared before me Lloyd Wilson and proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she/they) executed the same freely and voluntarily for the purposes stated herein.

My commission expires \_\_\_\_\_ 20\_\_\_  
Residing in \_\_\_\_\_ County  
Notary Public

### Notary Acknowledgement for Andria Wilson

State of Utah, County of San Juan, on the \_\_\_ Day of \_\_\_\_\_, 20\_\_\_ personally appeared before me Andria Wilson and proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she/they) executed the same freely and voluntarily for the purposes stated herein.

My commission expires \_\_\_\_\_ 20\_\_\_  
Residing in \_\_\_\_\_ County  
Notary Public

### Bunker Engineering, LLC

965 South Creek Road, Monticello, UT 84535  
P.O. Box 432, Monticello, UT 84535 (435) 459-9152

Date: April 2023 Drawn By: B.D. Bunker Scale: 1" = 40' Sheet: 1 of 1

Drawing Name: Survey Reference Number: BE1297



## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Preliminary Plat Review for Amendment II, Lot 29, San Juan Estates, Phase III

**RECOMMENDATION:** Make a motion approving the Preliminary Plat with changes discussed as follows: (Provide possible suggestions or concerns regarding the amended plat.)

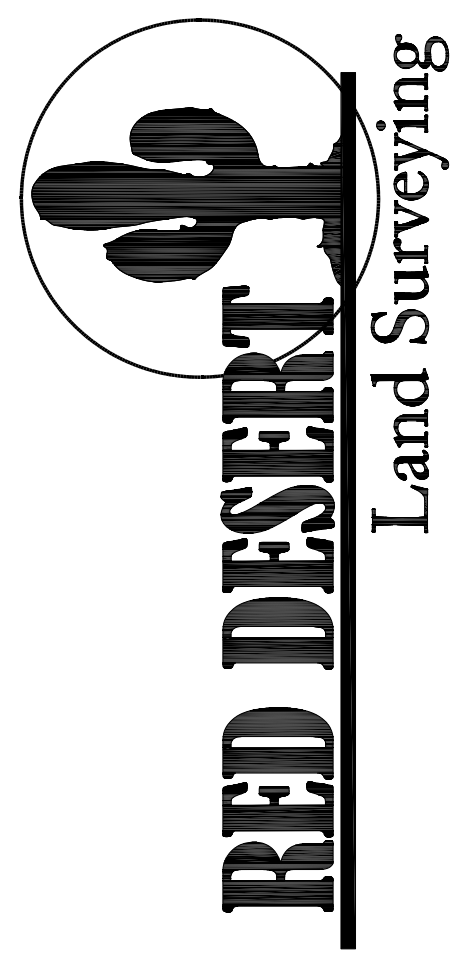
Make a motion denying the Preliminary Plat based on the following: (provide a record of substantial evidence for the denial)

### SUMMARY

The County has received a request from an architect contracted with the property owner to design future homes for the site to subdivide and Amend Lot 29, San Juan Estates, Phase III into three separate parcels. San Juan County Staff has met and reviewed the preliminary plat and has requested the following information or changes to the Preliminary Plat prior to approval of the Final Plat:

1. A letter of intent, and affidavit of ownership signed and notarized. Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 2 and 3.
2. Payment has been made for preliminary plat. The fee for preliminary is \$150 and \$25 per lot. j
3. Existing Topographical contours with intervals of five (5) feet or less Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 5e.
4. It is a required to connect to the public water and sewer here. With that, look at Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 8 for a letter approving connection to this system.
5. There are significant concerns with drainage. Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 5, i. we will have to have this information also in Section 5, Design Standards, A. General Provisions paragraph 2 if there is a flooding hazard on this property. H, 1 also touches on this item.
6. Same Section B, Lots. paragraph 2 requires a maintenance agreement for the private street that is recordable. (This can come at final plat approval but will be needed)
7. Where this is in the SVR zoning, I will need the following statement placed on the plat: "Under zoning in effect at the time of plat approval, use of these properties for short-term rentals, overnight accommodations, bed & breakfasts, lodging houses, or any other variation of overnight accommodations for nightly rentals is prohibited."
8. On the plat, I need the Plat Notes #2 removed.
9. The plat shows the utility easement at 10" wide, Section 5, Design Standards, L. Easements and Rights-of-Way, B: Preliminary Plat Requirements, 5, i.





88 East Center Street  
Moab, UT 84532  
435.259.8171

STANDARD LEGEND

- PROPERTY LINE
- BUILDING SETBACKS
- EASEMENTS
- PROPERTY ADJOINING
- FENCE
- PROP. CORNER FOUND
- PROP. CORNER SET
- SECTION CORNER MONUMENT

PROJECT TYPE:  
SUBDIVISION

PROJECT ADDRESS:  
33 N McElhane Lane  
Moab, Utah 84532

PROJECT LOCATION:  
SAN JUAN COUNTY, STATE OF UTAH

PREPARED FOR:  
Brandon Daley

DATE:  
12/5/2021

JOB NUMBER:  
018-21

SHEET 1 OF 1

COUNTY SURVEYOR  
APPROVAL IN ACCORDANCE WITH  
INFORMATION AND RECORDS ON  
FILE IN THIS OFFICE

COUNTY SURVEYOR DATE

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ATTORNEY

SAN JUAN COUNTY ROAD DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

COUNTY BOARD OF HEALTH

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

PLANNING COMMISSION CERTIFICATE

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

BY SAN JUAN COUNTY PLANNING COMMISSION.

CHAIRMAN

COUNTY COMMISSION APPROVAL

PRESENTED TO THE \_\_\_\_\_

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

SUBDIVISION WAS ACCEPTED AND APPROVED.

ATTEST

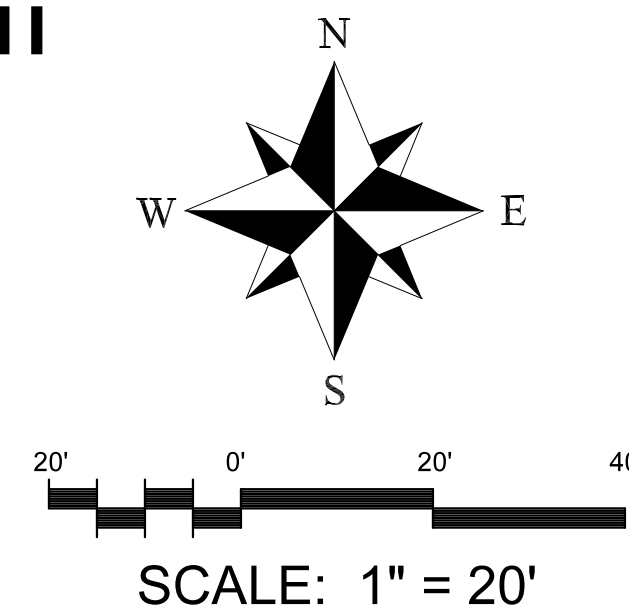
COUNTY RECORDER

STATE OF UTAH, SAN JUAN COUNTY, RECORDED AT THE REQUEST OF \_\_\_\_\_

DATE \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ FEE \_\_\_\_\_

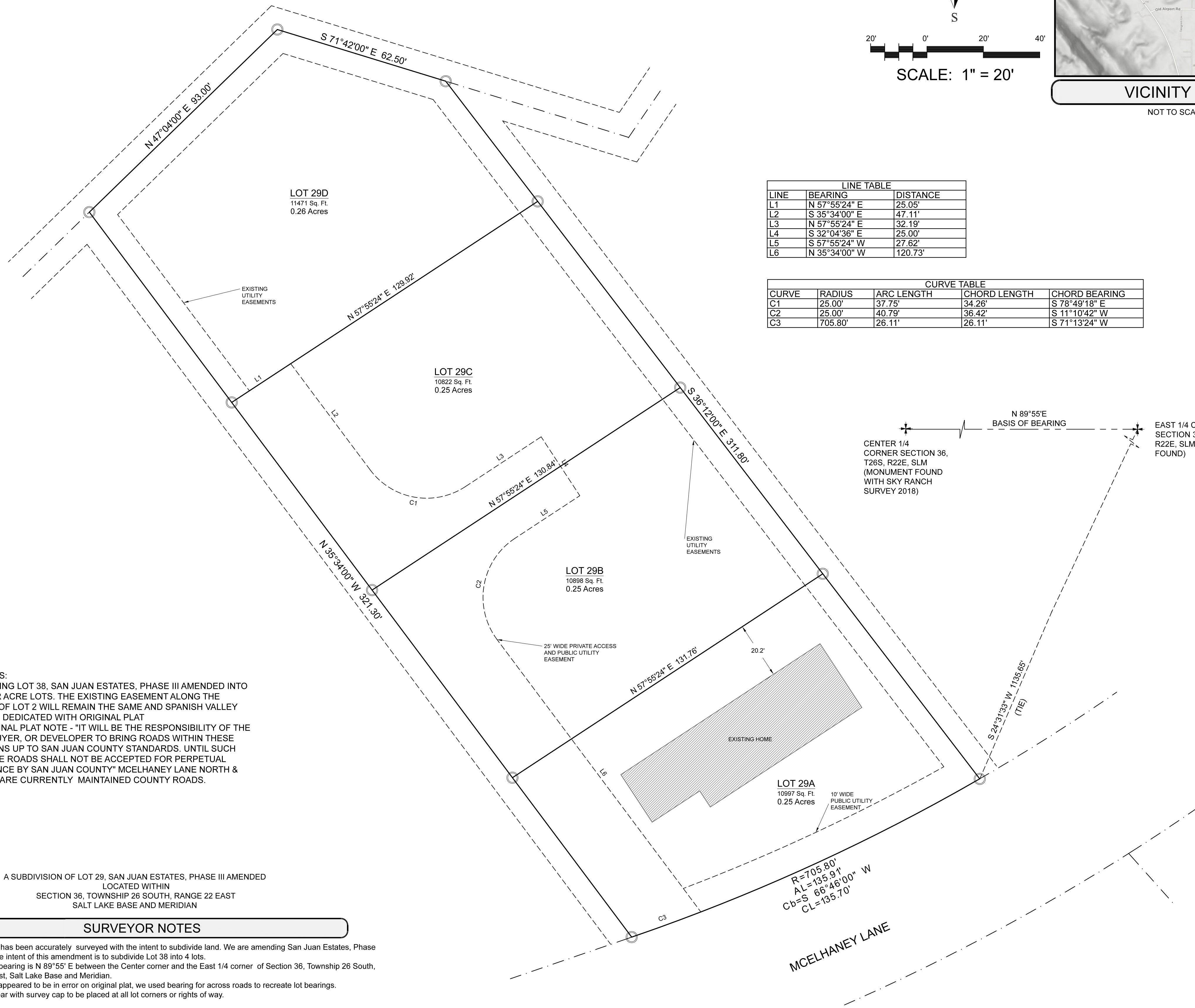
# AMENDMENT II, LOT 29, SAN JUAN ESTATES, PHASE III

FINAL PLAT OF  
A SUBDIVISION OF LOT 29, SAN JUAN ESTATES, PHASE III AMENDED  
LOCATED WITHIN  
SECTION 36, TOWNSHIP 26 SOUTH, RANGE 22 EAST  
SALT LAKE BASE AND MERIDIAN



VICINITY MAP

NOT TO SCALE



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 57°55'24" E	25.05'
L2	S 35°34'00" E	47.11'
L3	N 57°55'24" E	32.19'
L4	S 32°04'36" E	25.00'
L5	S 57°55'24" W	27.62'
L6	N 35°34'00" W	120.73'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.00'	37.75'	34.26'	S 78°49'18" E
C2	25.00'	40.79'	36.42'	S 11°10'42" W
C3	705.80'	26.11'	26.11'	S 71°13'24" W

- PLAT NOTES:
- DIVIDING LOT 38, SAN JUAN ESTATES, PHASE III AMENDED INTO 4 QUARTER ACRE LOTS. THE EXISTING EASEMENT ALONG THE EXTERIOR OF LOT 2 WILL REMAIN THE SAME AND SPANISH VALLEY DRIVE WAS DEDICATED WITH ORIGINAL PLAT
  - ORIGINAL PLAT NOTE - "IT WILL BE THE RESPONSIBILITY OF THE OWNER, BUYER, OR DEVELOPER TO BRING ROADS WITHIN THESE DEDICATIONS UP TO SAN JUAN COUNTY STANDARDS. UNTIL SUCH TIME THOSE ROADS SHALL NOT BE ACCEPTED FOR PERPETUAL MAINTENANCE BY SAN JUAN COUNTY" MCELHANEY LANE NORTH & MT. MEALE ARE CURRENTLY MAINTAINED COUNTY ROADS.

A SUBDIVISION OF LOT 29, SAN JUAN ESTATES, PHASE III AMENDED  
LOCATED WITHIN  
SECTION 36, TOWNSHIP 26 SOUTH, RANGE 22 EAST  
SALT LAKE BASE AND MERIDIAN

SURVEYOR NOTES

The property has been accurately surveyed with the intent to subdivide land. We are amending San Juan Estates, Phase III, Lot 38. The intent of this amendment is to subdivide Lot 38 into 4 lots. The basis of bearing is N 89°55' E between the Center corner and the East 1/4 corner of Section 36, Township 26 South, Range 22 East, Salt Lake Base and Meridian. curve tables appeared to be in error on original plat, we used bearing for across roads to recreate lot bearings. 5/8" x 24" rebar with survey cap to be placed at all lot corners or rights of way.

## SURVEYOR'S CERTIFICATE

### SURVEYOR'S CERTIFICATION

I, Lucas Blake, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7540504, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as **AMENDMENT II, LOT 29, SAN JUAN ESTATES, PHASE III** and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

Lucas Blake  
License No. 7540504

DATE

## LEGAL DESCRIPTION

Beginning at the Southeast corner of Lot 29, San Juan Estates, Phase III, Amended said point being South 24°31'33" West 1135.65 feet from the East 1/4 Corner of Section 36, Township 26 South, Range 22 East, Salt Lake Base and Meridian, and proceeding with Said Lot 29 thence with a curve having a radius of 705.80 feet, to the right with an arc length of 135.91 feet, (a chord bearing of South 66°46'00" West 135.70 feet); thence North 35°34'00" West 321.30 feet; thence North 47°04'00" East 93.00 feet; thence South 71°42'00" East 62.50 feet; thence South 36°12'00" East 311.80 feet to the point of beginning, having an area of 1.01 acres.

## OWNER'S DEDICATION

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

AMENDMENT II, LOT 29, SAN JUAN ESTATES, PHASE III  
Do hereby dedicate for Perpetual use of public all parcels of land shown on this plat as intended for public use.

In witness whereof \_\_\_\_\_ have hereunto set \_\_\_\_\_ this \_\_\_\_\_ Day of \_\_\_\_\_ a.d., 20\_\_\_\_

BY: BRANDON DALEY  
ITS: MANAGER, ASHBRAND, LLC,  
A UTAH LIMITED LIABILITY COMPANY

BY: ASHLEY DALEY  
ITS: MANAGER, ASHBRAND, LLC,  
A UTAH LIMITED LIABILITY COMPANY

## ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ } s.s.  
COUNTY OF \_\_\_\_\_ }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, PERSONALLY APPEARED BEFORE ME, WHOM DID ACKNOWLEDGE TO ME THAT THEY SIGNED THE FOREGOING OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC  
NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_



## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Preliminary Plat Review: Turkey Trot Estate, Phase 1, Lot 22 Amended

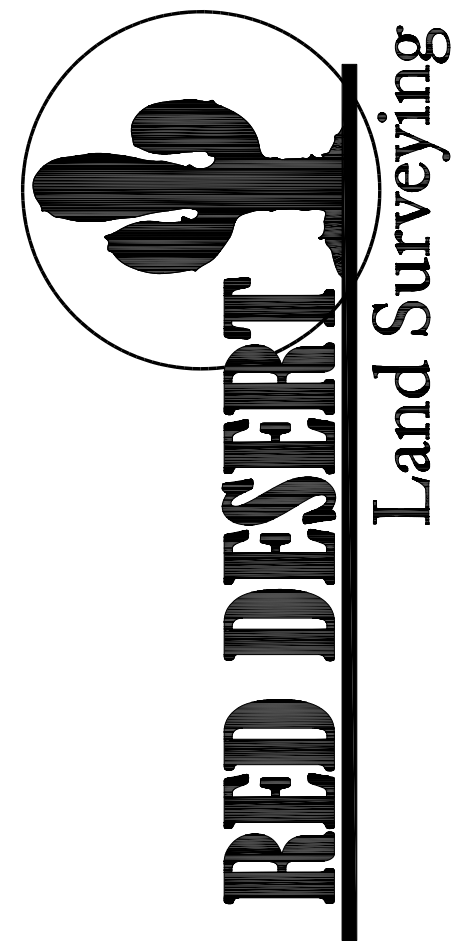
**RECOMMENDATION:** Make a motion approving the Preliminary Plat with suggested changes as follows:

Make a motion denying the Preliminary Plat due to the following reasons:  
(Statement of Findings for Substantial Evidence)

### SUMMARY

The County has received a request from property owner Marla Greenhalgh to subdivide Turkey Trot Estates, Phase 1, Lot 22 amended to subdivide this property into three separate parcels. San Juan County Staff has met and reviewed the preliminary plat and has requested the following information or changes to the Preliminary Plat prior to approval of the Final Plat:

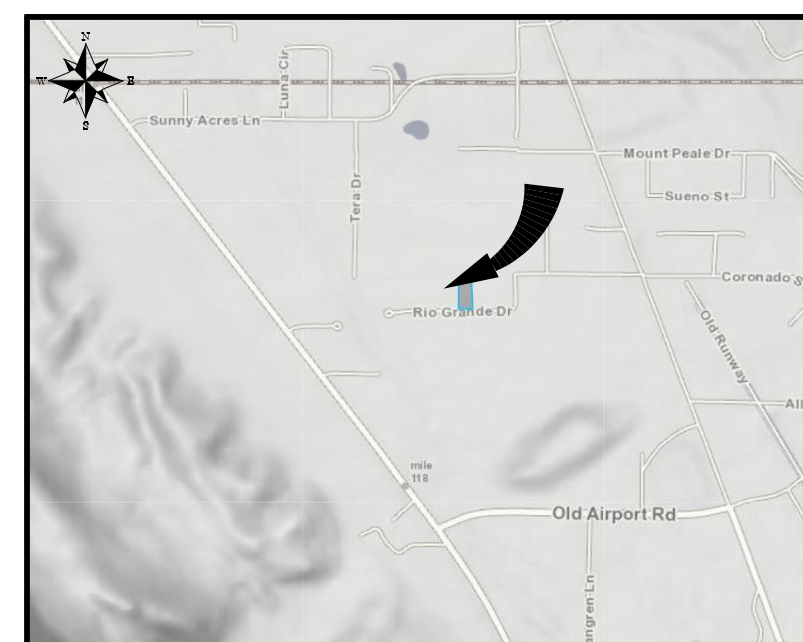
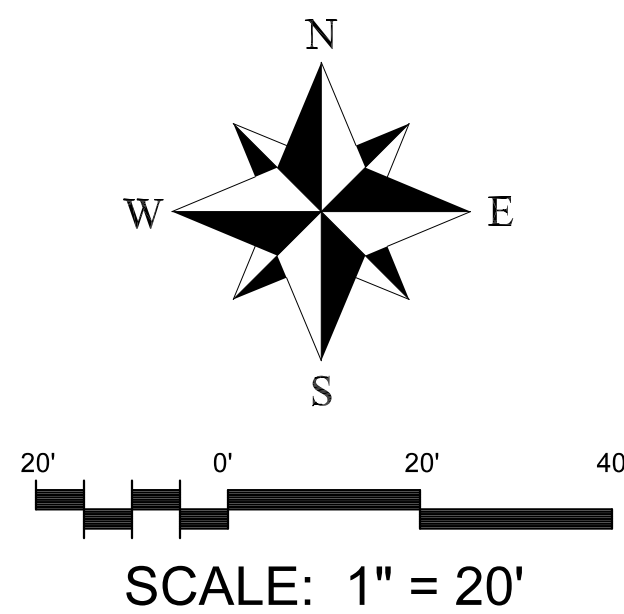
1. Requirements that prelim fees were paid (\$150 plus \$25 each lot)
2. The Road department went out and looked at the site, there is a telephone pedestal where you indicate the private road into the three lots. Is that moving? It seemed from them that this was within the 25' easement.
3. With the new private road, I need a maintenance agreement that can be recorded. This is found in the Subdivision Ordinance Section 5, Design Standards, paragraph B, 2.
4. I am missing the Letter of Intent as described in the Subdivision Ordinance Section 2, Preliminary Plat, Paragraph B item 2, an Owner's Affidavit (item 3), Paid fees (Item 4) (\$150 +\$25 for each lot), Topographical Map (Item 5e)
5. Will you take a look at Subdivision Ordinance Section 2, Preliminary Plat, Paragraph B, 8 and 9. Are you currently connected to the Spanish Valley water and sewer system, if not, I need a letter from them as well as the connection costs and or a letter for the additional 2 connections from them.
6. Where this is in the SVR zone, I need the following statement added to the plat. "Under zoning in effect at the time of plat approval, use of these properties for short-term rentals, overnight accommodations, bed & breakfasts, lodging houses, or any other variation of overnight accommodations for nightly rentals is prohibited."



88 East Center Street  
Moab, UT 84532  
435.259.8171

STANDARD LEGEND

- PROF. CORNER FOUND
- PROP. CORNER SET
- MAG NAIL FOUND
- MAG NAIL SET
- BLOCK CORNER
- SECTION MONUMENT
- POWERPOLE
- PROPERTY LINES
- EASEMENTS
- PROPERTY ADJOINING



VICINITY MAP

NOT TO SCALE

FINAL PLAT OF  
TURKEY TROT ESTATES, PHASE I, LOT 22 AMENDED

AMENDING TO SUBDIVIDE LOT 22, TURKEY TROT ESTATES, PHASE I  
A SUBDIVISION LOCATED WITHIN  
SECTION 35, TOWNSHIP 26 SOUTH, RANGE 22 EAST  
SALT LAKE BASE AND MERIDIAN

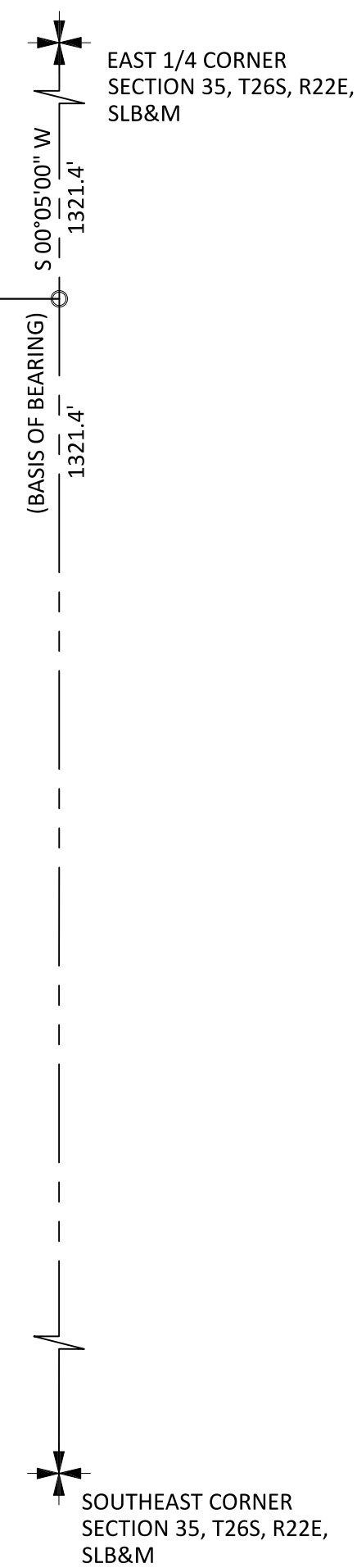
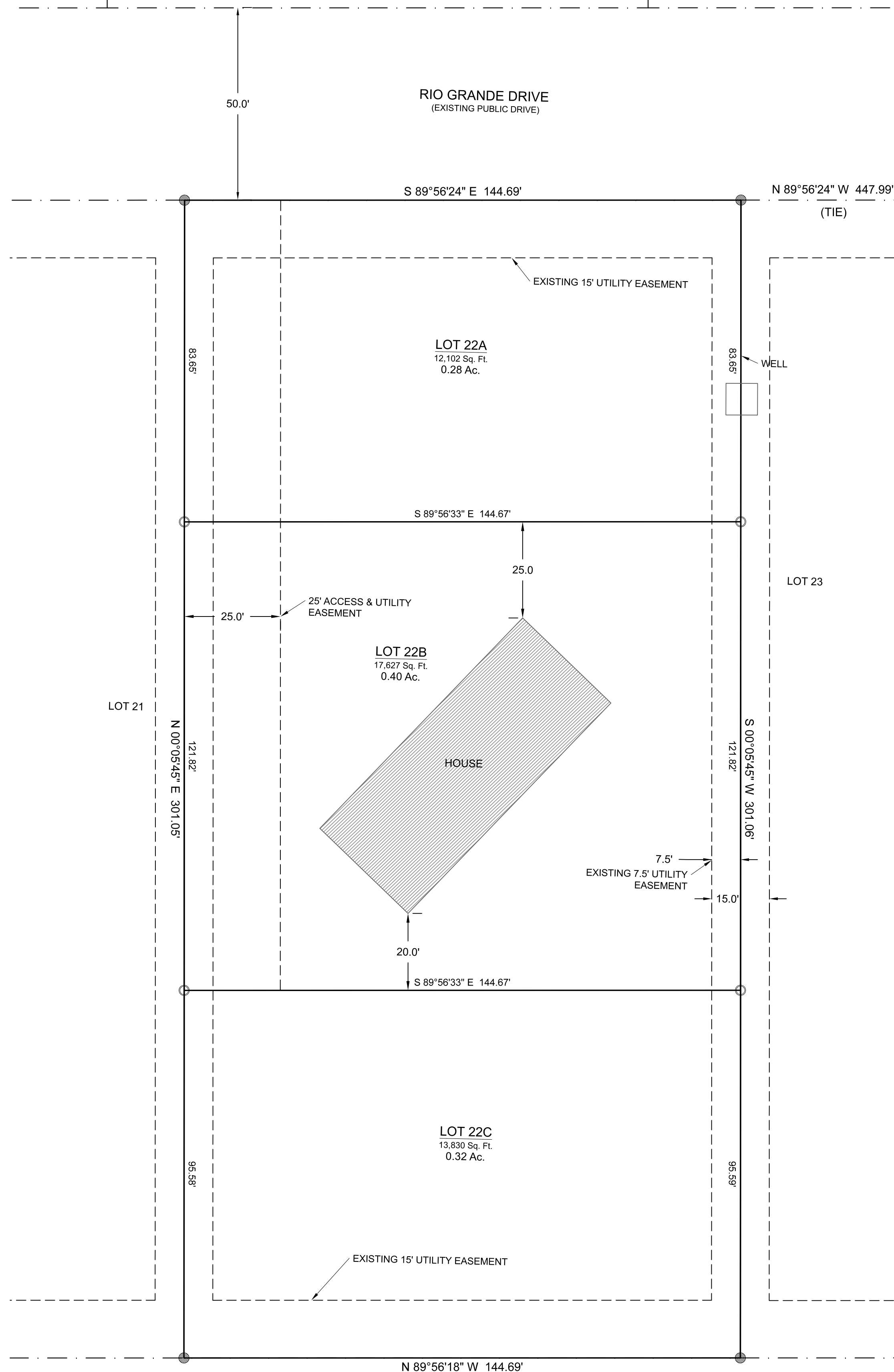
ORIGINAL TURKEY TROT ESTATES, PHASE I PLAT NOTE:  
ALL ROADS WITHIN THESE COUNTY ROAD DEDICATIONS SHALL BE  
BROUGHT UP TO A STANDARD ACCEPTABLE TO SAN JUAN COUNTY  
PREVIOUS TO SAN JUAN COUNTY PROVIDING PERPETUAL  
MAINTENANCE FOR THOSE ROADS. IT SHALL BE THE BUYER, OWNER  
OR DEVELOPER RESPONSIBLE FOR BUILDING SAID ROAD, NOT SAN  
JUAN COUNTY.

PLAT NOTES:

- ROAD ENCROACHMENT PERMIT REQUIRED FOR PRIVATE ROAD DEVELOPMENT.
- NEWLY DEVELOPED LOTS TO BE CONNECTED TO SEWER AND WATER.

SURVEYOR NOTES

The property has been accurately surveyed with the intent to subdivide land. We are amending Lot 6 of Turkey Trot Estates, Phases II, to subdivide into three lots along with a private lane for access to Lots 6B & 6C. The basis of bearing is N 00°05'00" E between the East Quarter corner and the Southeast corner of Section 35, Township 26 South, Range 22 East, Salt Lake Base and Meridian. Various lot corners were located within subdivision. 5/8" x 24" rebar with survey cap to be placed at all lot corners or rights of way. Off-set pins to be placed in the back of the curb where applicable, in lieu of rebar and cap at front corners.



SURVEYOR'S CERTIFICATE

SURVEYOR'S CERTIFICATION

I, Lucas Blake, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7540504, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as TURKEY TROT ESTATES, PHASE I, LOT 22 AMENDED and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

Lucas Blake  
License No. 7540504

DATE

LEGAL DESCRIPTION

Commencing with the East Quarter corner of Section 35, Township 26 South, Range 22 East, Salt Lake Base and Meridian, thence South 00°05'00" West 1680.93 feet; thence North 89°56'24" West 447.99 feet to the point of beginning, and proceeding with the east line of Lot 22, Turkey Trot Estates, Phase I, thence South 00°05'45" West 301.06 feet; thence North 89°56'18" West 144.69 feet; thence North 00°05'45" East 301.05 feet; thence South 89°56'24" East 144.69 feet to the point of beginning, having an area of 1.00 acres.

OWNER'S DEDICATION

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

TURKEY TROT ESTATES, PHASE I, LOT 22 AMENDED

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owners also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

MARLA J GREENHALGH

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ } s.s.  
COUNTY OF \_\_\_\_\_ }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, MARLA J GREENHALGH PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, WHOM DID ACKNOWLEDGE TO ME THAT THEY SIGNED THE FOREGOING OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC  
NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

PROJECT TYPE:  
SUBDIVISION

PROJECT ADDRESS:  
181 W Rio Grande  
Moab, Utah 84532

PROJECT LOCATION:  
SAN JUAN COUNTY, STATE OF UTAH

PREPARED FOR:  
MARLA GREENHALGH

COUNTY SURVEYOR  
APPROVAL IN ACCORDANCE  
WITH INFORMATION AND  
RECORDS ON FILE IN THIS  
OFFICE

DATE:  
4/17/23

JOB NUMBER:  
046-23

SHEET 1 OF 1

COUNTY SURVEYOR DATE

COUNTY ROAD DEPARTMENT  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

APPROVAL AS TO FORM  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

ATTORNEY

COUNTY BOARD OF HEALTH  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PLANNING COMMISSION CERTIFICATE  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

CHAIR

COUNTY COMMISSION APPROVAL  
PRESENTED TO SAN JUAN COUNTY PLANNING COMMISSION.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

ATTEST

COUNTY RECORDER  
STATE OF UTAH SUBDIVISION COMMISSION RECORDER APPROVED REQUEST OF  
DATE \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ FEE \_\_\_\_\_



## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Preliminary Plat Review: 2023 San Juan Estates, Lot 2 Amended

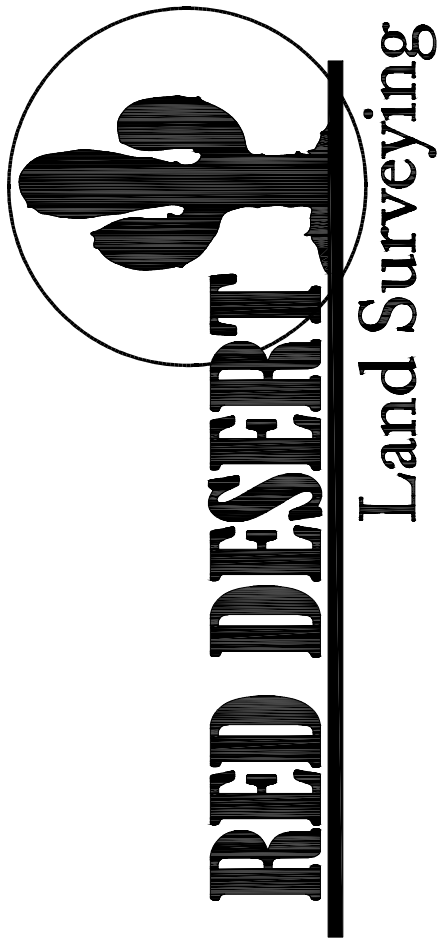
**RECOMMENDATION:** Make a motion approving the amended plat with the following recommended changes:

Make a motion denying the amended plat due to the following reasons.  
(Statement of Findings for Substantial Evidence)

### SUMMARY

The County has received a request from property owner Taylor Manning to subdivide San Juan Estates, Lot 2 amended into 4 separate parcels. San Juan County Staff has met and reviewed the preliminary plat and has requested the following information or changes to the Preliminary Plat prior to approval of the Final Plat:

1. A letter of intent, and affidavit of ownership signed and notarized. Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 2 and 3.
2. Payment has been made for preliminary plat. The fee for preliminary is \$150 and \$25 per lot. j
3. Existing Topographical contours with intervals of five (5) feet or less, Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 5e.
4. You are required to connect to the public water and sewer here. With that, look at Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 8 with the costs requirement and letter from Spanish Valley Special Service District for connection.
5. There are significant concerns with drainage, thank you for providing the information, it may be good to add that note to the plat regarding the retaining wall.
6. Same Section B, Lots. paragraph 2 requires a maintenance agreement for the private street that is recordable. (This can come at final plat approval but will be needed)
7. Where this is in the SVR zoning, I will need the following statement placed on the plat: "Under zoning in effect at the time of plat approval, use of these properties for short-term rentals, overnight accommodations, bed & breakfasts, lodging houses, or any other variation of overnight accommodations for nightly rentals is prohibited."



88 East Center Street  
Moab, UT 84532  
435.259.8171

**STANDARD LEGEND**

	CLEAN OUT		WATER VALVE
	SEWER MANHOLE		WATER METER
	CABLE BOX		WATER MANHOLE
	CABLE PEDESTAL		HYDRANT
	STOP SIGN		TELEPHONE PEDESTAL
	SIGN		GAS METER
	PROP. CORNER FOUND		GAS PEDESTAL
	PROP. CORNER SET		FENCE
	IRON NAIL FOUND		ASPHALT
	BLOCK CORNER		
	CENTERLINE MONUMENT		
	BUILDING SETBACKS		
	EASEMENTS		
	PROPERTY ADJOINING		

PROJECT TYPE:  
SUBDIVISION

PROJECT ADDRESS:  
25 Quail Court  
Moab, Utah 84532

PROJECT LOCATION:  
SAN JUAN COUNTY, STATE OF UTAH

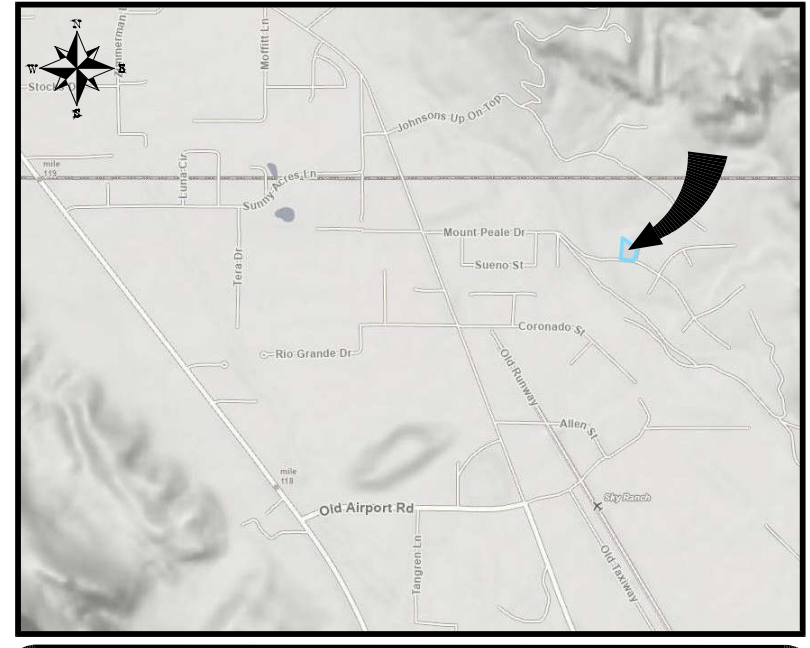
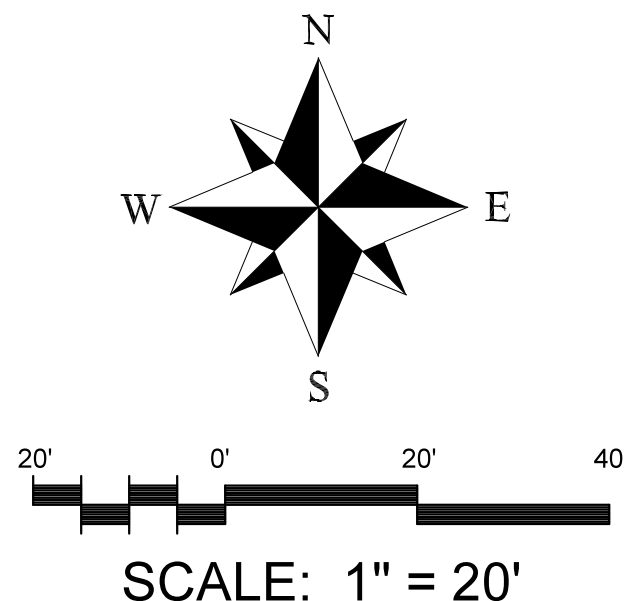
PREPARED FOR:  
Taylor Manning

COUNTY SURVEYOR

DATE: 4/10/23

JOB NUMBER: 055-23

SHEET 1 OF 1



VICINITY MAP  
NOT TO SCALE

# SAN JUAN ESTATES, LOT 2 AMEMDED

A SUBDIVISION BY AMENDMENT OF LOT 2, SAN JUAN ESTATES,  
LOCATED WITHIN THE  
SE1/4 OF SECTION 36, T26S, R22E, SLB&M

CENTER 1/4  
CORNER SECTION 36,  
T26S, R22E, SLM  
(MONUMENT FOUND  
WITH SKY RANCH  
SURVEY 2018)

EAST 1/4 CORNER  
SECTION 36, T26S,  
R22E, SLM (MONUMENT  
FOUND)



### SURVEYOR NOTES

THE BASIS OF BEARING IS NORTH 89°55' EAST BETWEEN THE EAST QUARTER CORNER AND THE CENTER QUARTER CORNER OF SECTION 36, TOWNSHIP 26 SOUTH, RANGE 22 EAST, SALT LAKE BASE AND MERIDIAN.

THE INTENT OF THE SURVEY IS SUBDIVIDE PARCEL INTO 4 LOT.

### SURVEYOR'S CERTIFICATE

**SURVEYOR'S CERTIFICATION**

I, Lucas Blake, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7540504, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as **SAN JUAN ESTATES, LOT 2 AMEMDED** and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

Lucas Blake \_\_\_\_\_ DATE \_\_\_\_\_  
License No. 7540504

### LEGAL DESCRIPTION

Beginning at the Northwest corner of Lot 2, San Juan Estates, said point being South 89°55' West 1726.7 feet and South 03°19' West 87.50 feet from the East Quarter corner of Section 36, Township 26 South, Range 22 East, Salt Lake Base and Meridian, and proceeding with Said Lot 2 thence South 53°13'00" East 246.50 feet; thence with a curve having a radius of 25.00 feet, to the right with an arc length of 21.0 feet, (a chord bearing of South 08°42'00" East 20.40 feet); thence South 15°23'00" West 122.40 feet; thence with a curve having a radius of 25.00 feet, to the right with an arc length of 35.0 feet, (a chord bearing of South 55°25'00" West 32.20 feet); thence North 84°33'00" West 159.10 feet; thence North 03°19'00" East 289.40 feet to the point of beginning, having an area of 1.03 acres.

### OWNER'S DEDICATION

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

SAN JUAN ESTATES, LOT 2 AMEMDED

Do hereby dedicate for Perpetual use of public all parcels of land shown on this plat as intended for public use.

In witness whereof I have hereunto set by hand this \_\_\_\_\_ Day of \_\_\_\_\_ a.d., 20\_\_\_\_

\_\_\_\_\_  
M3W, LLC  
\_\_\_\_\_, MANAGER

### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ } s.s.  
COUNTY OF \_\_\_\_\_ }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, MANAGER OF M3W, LLC, WHOM DID ACKNOWLEDGE TO ME THAT THEY SIGNED THE FOREGOING OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC  
NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

COUNTY SURVEYOR APPROVAL IN ACCORDANCE WITH INFORMATION AND RECORDS ON FILE IN THIS OFFICE DATE: 4/10/23 JOB NUMBER: 055-23	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2023. _____ ATTORNEY	COUNTY BOARD OF HEALTH APPROVED THIS _____ DAY OF _____, 2023. _____	PLANNING COMMISSION CERTIFICATE APPROVED THIS _____ DAY OF _____, 2023. BY SAN JUAN COUNTY PLANNING COMMISSION. _____ CHAIRMAN	COUNTY COMMISSION APPROVAL PRESENTED TO THE _____ THIS _____ DAY OF _____, 2023. SUBDIVISION WAS ACCEPTED AND APPROVED. _____ ATTEST	COUNTY RECORDER STATE OF UTAH, SAN JUAN COUNTY, RECORDED AT THE REQUEST OF _____ DATE _____ BOOK _____ PAGE _____ FEE _____
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## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Preliminary Plat Review: Cedar Springs Preliminary Plat

**RECOMMENDATION:** Make a motion approving the amended plat with the following recommended changes:

Make a motion denying the amended plat due to the following reasons.  
(Statement of Findings for Substantial Evidence)

### SUMMARY

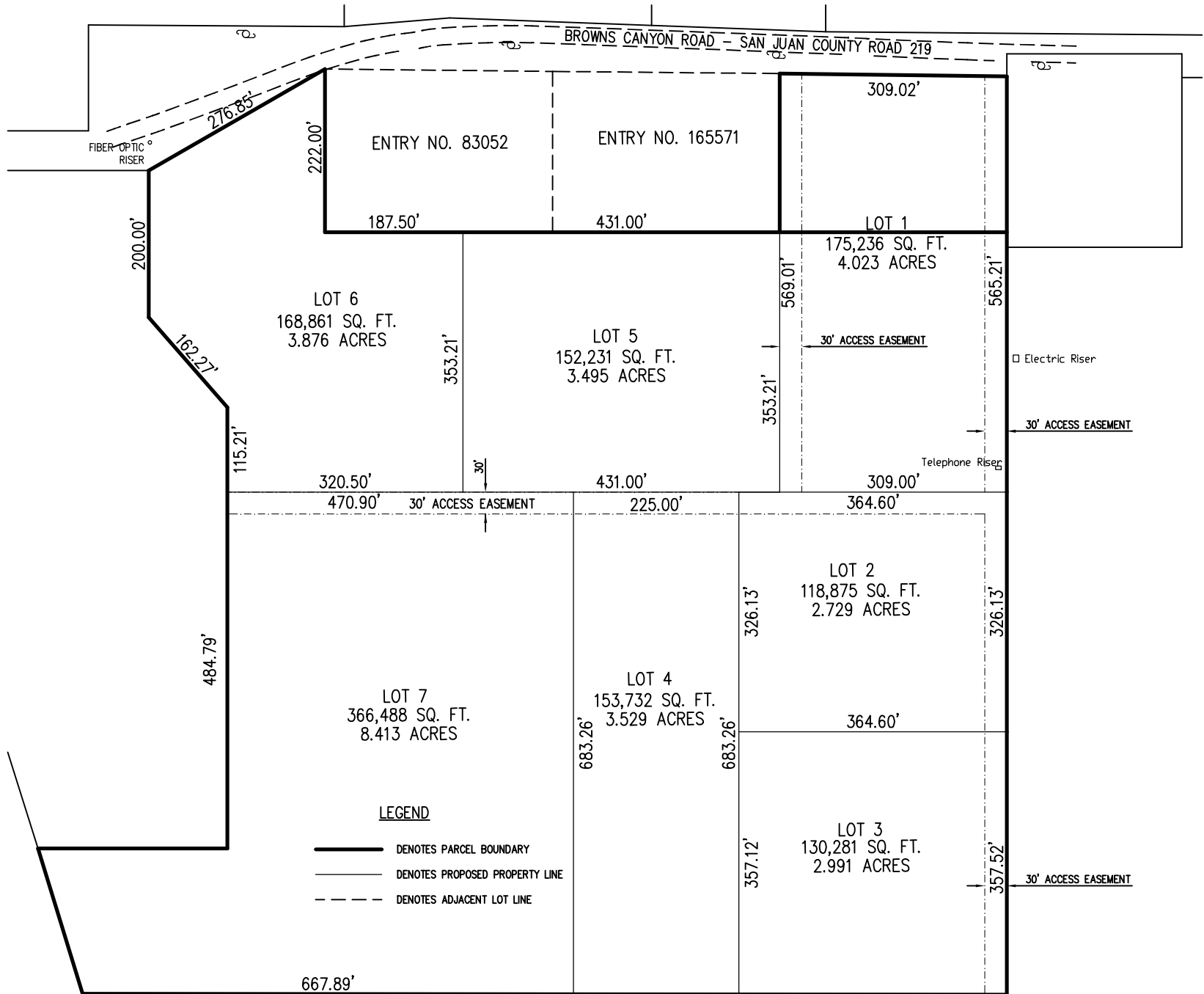
The County has received a request from James Heinritz in behalf of Scott and Tiffany Giddings for the amendment of Cedar Springs Plat off of Brown's Canyon Road located outside of Blanding City. San Juan County Staff has met and reviewed the preliminary plat and has requested the following information or changes to the Preliminary Plat prior to approval of the Final Plat:

1. I need a letter of intent, and affidavit of ownership signed and notarized. Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 2 and 3.
2. I cannot find that a payment has been made for preliminary plat. The fee for preliminary is \$150 and \$25 per lot.
3. Existing Topographical contours with intervals of five (5) feet or less Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 5e.
4. There are concerns with drainage. Section 2, Preliminary Plat, B: Preliminary Plat Requirements, 5, i. we will have to have this information also in Section 5, Design Standards, A. General Provisions paragraph 2 if there is a flooding hazard on this property. H, 1 also touches on this item.
5. Same Section B, Lots. paragraph 2 requires a maintenance agreement for the private street that is recordable. (This can come at final plat approval but will be needed)
6. I need the vicinity map with the north Arrow item b. As well as the name and address of the owner on the plat, subdivider and surveyor.
7. A letter describing the water and sanitary sewer facilities proposed as found in Paragraph 7 of that section.
8. Paragraph 8 and Paragraph 11 if it applies and Paragraph 12.
9. Staff could not tell where this was located due to no original plat provided. I worked through getting them there on google, but we do need it to be on a plat.
10. On lot 1, it appears that the access easement is on both sides of lot 1? This creates a concern for our road department. Has a meeting been set up with them to visit the site, in accordance with the Subdivision Ordinance

11. As discussed previously, the fire code restricts dead end streets. We will need some cul-de-sacs or hammerheads for them to turn around.
12. Looks like this property is A-1. I will need the following statement placed on the Plat: "Under zoning in effect at the time of plat approval, use of these properties for short-term rentals, overnight accommodations, bed & breakfasts, lodging houses, or any other variation of overnight accommodations for nightly rentals is prohibited."







# Preliminary Giddings Subdivision

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 1,  
TOWNSHIP 37 SOUTH, RANGE 22 EAST OF THE SALT LAKE BASE  
AND MERIDIAN, SAN JUAN COUNTY, UTAH



## STAFF REPORT

**MEETING DATE:** September 14, 2023

**ITEM TITLE, PRESENTER:** Spanish Valley Telecommunications Tower Discussion

**RECOMMENDATION:** Provide possible suggestions or concerns regarding the amended plat.

### SUMMARY

The County has received a request from Tierney Rowe, Vice President Tower Development to consider a Telecommunications Tower to be placed in Spanish Valley located in the Highway Commercial Zone close to Highway 191 and Sunny Acres on Parcel 26S22E3454126 behind an existing residential property within this zone.

In the Spanish Valley Ordinances, Communications Towers are not an allowable use in any zone. However, in the Spanish Valley Residential Section of that ordinance there is language regarding Communication Towers. Although it is not a allowable use named in that zone, it does have language regarding the following “Maximum Height: Measurement: Buildings: Building height shall be determined by measuring the vertical distance between the lowest point where the wall face of the building intersects finished grade around the perimeter of the building (or structure other than fences, telecommunications and microwave towers, and antennas) and the highest point on the building.

In our overarching County Ordinance, it allows for Radio and Television Communication Towers as a conditional use with the following statement: Public use, quasi-public use, essential services, including private school, with a curriculum corresponding to a public school, church; dams and reservoirs; radio and television transmitting stations or towers, cemetery.

Wireless Communication towers are considered as an essential service providing use.

Utah Code, Chapter 21 Small Wireless Facilities Deployment Act, allows for small towers to be placed in County zoning.

The Federal Telecommunications Act of 1996 (TCA) was passed with the clear intent to “preempt certain areas of local zoning control. The justification for doing this was that there was a national need to provide “a framework designed to accelerate rapidly private sector deployment of advanced telecommunications services to all America”. Local regulations of communication towers are possible and have been upheld in court where restrictions have been placed on location, placement, height, fencing, minimum land area, setbacks, screening, painting, landscaping or disguises if they do not burden the use as to be unreasonable.

The development will consist of a Telecommunications Tower with a maximum of 125' to be placed on the parcel as well as a 20x20 accessory building housing communication equipment within its fenced perimeter.





Item 11.

Item 11.







PREPARED FOR:

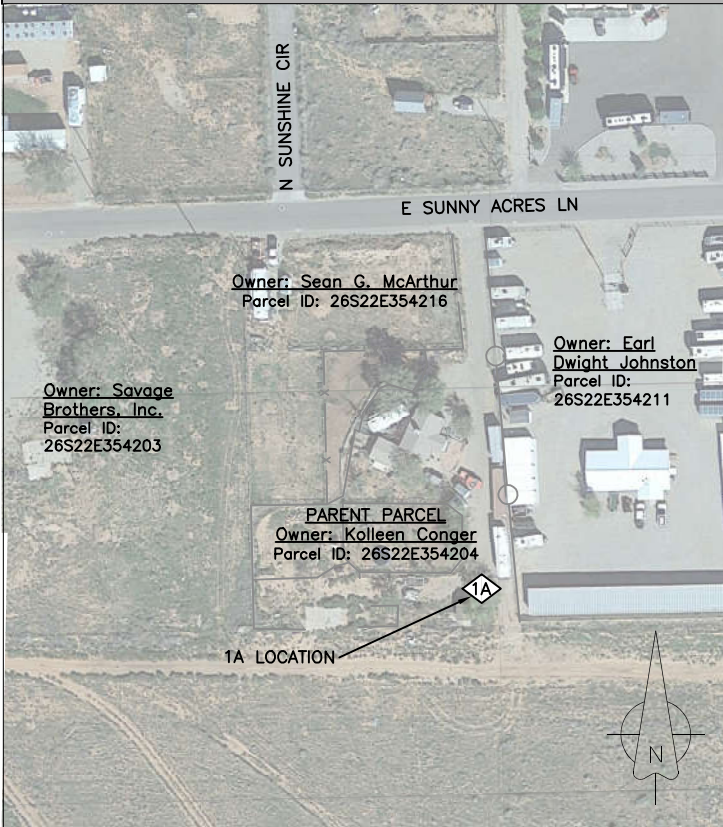
# 1A CERTIFICATION LETTER Item 11.



FOR  
**INFRA TOWERS, LLC**  
FACILITY KNOWN AS:  
**UT-109 Spanish Valley**

ELEVATION REPORT:	LEGAL DESCRIPTION:	APPROX. SITE LOCATION:
NAVD88 - GROUND ELEVATION: 4739 sft [ELEVATION METERS]: 1444.450 m	LOCATED WITHIN SECTION 35, TOWNSHIP 26 SOUTH, RANGE 22 EAST, SALT LAKE BASE AND MERIDIAN,	SITE IS LOCATED APPROX AT: 4326 E SUNNY ACRES LN, SPANISH VALLEY, UTAH.

OVERVIEW: SCALE 1" = 150'      PLAN VIEW: SCALE 1" = 60'



**BASIS OF GEODETIC COORDINATES:**

(1) HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983 (NAD83) (2011) EPOCH 2010 EXPRESSED IN DEGREES (°) MINUTES (') AND SECONDS (") AND CARRIED TO THE 100TH OF A SECOND, AND ALSO EXPRESSED IN DECIMAL DEGREES.

(2) VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) (GEOID 12B) EXPRESSED IN U.S. SURVEY FEET AND METERS (METER EQUIVALENT TO 39.37 INCHES).

(3) NAD83 GEODETIC DATA SHOWN HEREON WAS DERIVED FROM AND IS TIED TO THE NATIONAL GEODETIC SURVEY, NATIONAL C.O.R.S. VIA THE O.P.U.S. UTILITY OR VIA OTHER EQUIVALENT INDUSTRY STANDARD GEODETIC SURVEY CONTROL METHODS.

**1A GEODETIC COORDINATES:**

**NAD 83:**      38°29'53.02"N  
                    109°28'17.51"W

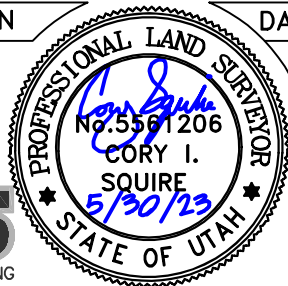
**DECIMAL DEGREES:**      38.498061°N  
   109.471532°W

### SURVEYOR'S CERTIFICATION

### DATE OF SURVEY

I HEREBY CERTIFY THAT THE GEODETIC COORDINATES REPORTED HEREON ARE ACCURATE AND MEET FAA REPORTING REQUIREMENTS OF 1A: TWENTY FEET (20') HORIZONTALLY AND THREE FEET (3') VERTICALLY.

5/19/2023



THESE DRAWINGS AND SURVEYS ARE COPYRIGHT PROTECTED AND THE SOLE PROPERTY OF INFRA TOWERS, LLC AND PRODUCED FOR THE USE OF OUR CLIENT. ANY REPRODUCTION OR USE OF THE INFORMATION CONTAINED WITHIN SAID DOCUMENTS IS PROHIBITED WITHOUT THE WRITTEN CONSENT BY INFRA TOWERS, LLC.

PREPARED BY:



PROFESSIONAL SURVEYING  
295 N 200 E MONA, UT 84645  
PH:(435)660-0816 EMAIL: CORY@CISPLS.COM  
CORY IVAN SQUIRE UT P.L.S. #5561206-2203



Rev:	Date:	Description:	By:
1	6/15/23	100% CD	TDC

LICENSURE NO:



DRAWN BY:	CHK BY:	APV BY:
TDC	CIS	CIS



CORY IVAN SQUIRE UT P.L.S.  
#5561206-2203 11/25/19  
295 N 200 E MONA, UT 84645  
PH:(435)660-0816  
EMAIL: CORY@CISPLS.COM

**UT-109**  
Spanish Valley  
4326 E SUNNY ACRES LN,  
SPANISH VALLEY, UTAH.

SHEET TITLE:

**SITE PLAN**

SHEET NUMBER:

**SU1**

**SITE SURVEY**  
SITE ID: UT-109 SPANISH VALLEY  
SITUATE SECTION 35, TOWNSHIP 26 SOUTH, RANGE 22 EAST,  
SAN JUAN COUNTY, UTAH

**BASIS OF BEARING AND DATUM NOTE:**

(NOT 1A COORDINATES - SEE SEPARATE CERTIFICATION)

(A) LATITUDE: 38°29'53.02"N  
LONGITUDE: 109°28'17.51"W

HORZ. DATUM NAD83 [UTAH VRS] VERT. DATUM NAVD88 [GEOID12]

GRID POSITION (SURVEY FT)  
NORTHING: 10,515,671 sft EASTING: 2,220,943 sft ELEVATION: 4739.39 sft

- All distances are in US survey feet and all bearings are Grid based upon the Utah Coordinate System 1983, Utah South Zone. (NAD83)
- Survey Performed with an iGage receiver connected via cellular to the Trimble Pivot VRS System of Utah (managed by the Utah AGRC).

**(LA) LEASE AREA DESCRIPTION**  
A parcel of land for the purpose of a telecommunications equipment lease area, situate within the limits of San Juan County, Utah. Said lease parcel comprising a portion of the SE¼NW¼ Section 35, Township 26 South, Range 22 East, Salt Lake Base and Meridian; more particularly described by metes and bounds as follows:  
Beginning at a point which lies 1956.75 feet East and 50.00 feet North from the West 1/4 corner of Section 35, Township 26 South, Range 22 East, Salt Lake Base and Meridian; thence North 50.00 feet, thence East 50.00 feet, thence South 50.00 feet, thence West 50.00 feet to the point of beginning. The above described parcel of land contains 2500 square feet in area or 0.057 acres, more or less (as described).

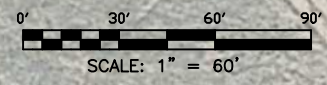
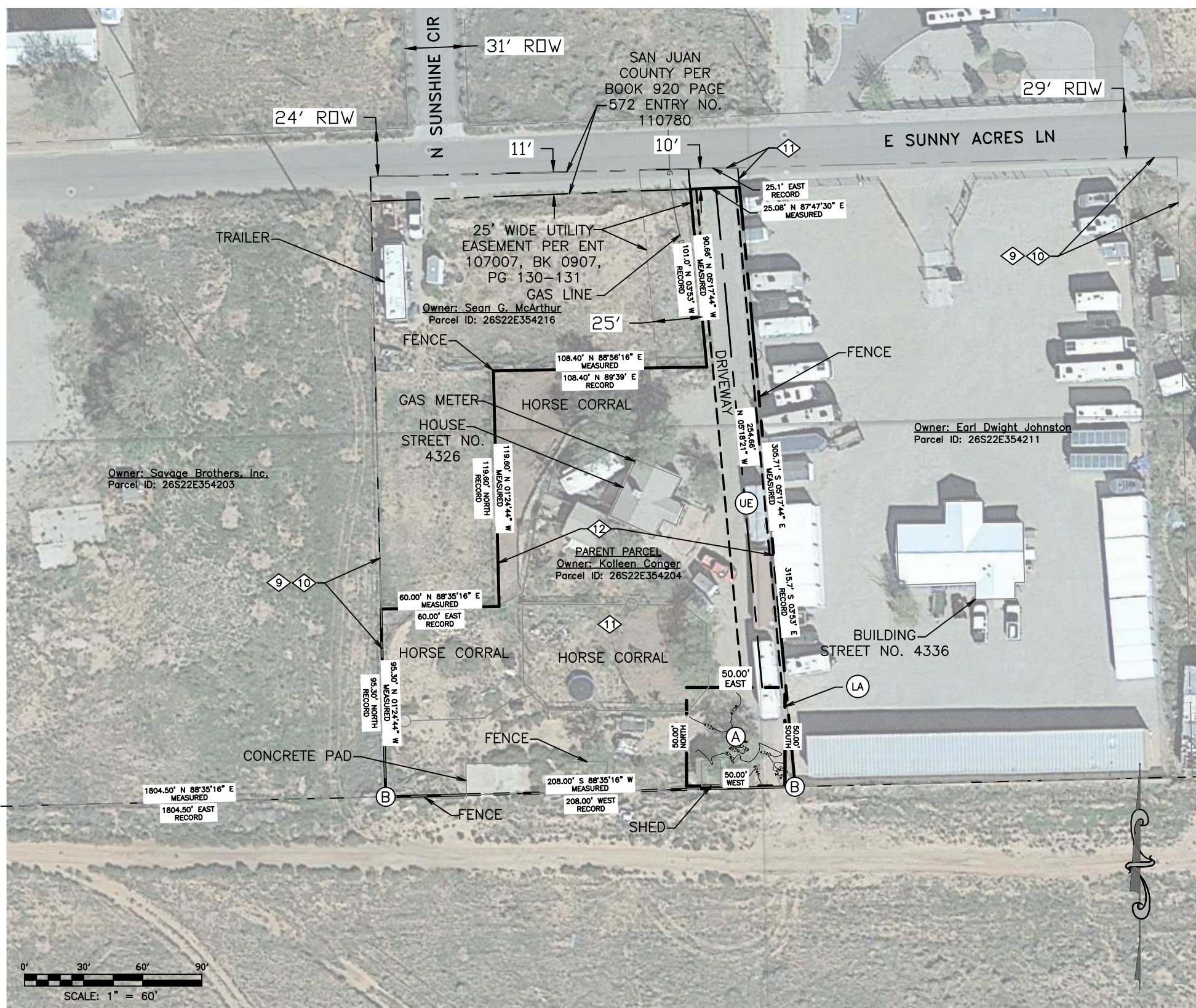
**(UE) ACCESS & UTILITY EASEMENT DESCRIPTION**  
A strip of land twenty feet (20') wide for the purpose of serving a telecommunications equipment lease area, situate within the limits of San Juan County, Utah. Said lease parcel comprising a portion of the SE¼NW¼ Section 35, Township 26 South, Range 22 East, Salt Lake Base and Meridian; the centerline of said strip more particularly described by metes and bounds as follows:  
Beginning at a point which lies 1995.20 feet East and 100.00 feet North from the West 1/4 corner of Section 35, Township 26 South, Range 22 East, Salt Lake Base and Meridian; thence N.05°18'21"W. 254.66 feet to the Northern property line, also being the point of terminus. The above described parcel of land contains 5093 square feet in area or 0.117 acres, more or less (as described).

**KEYED NOTES:**

- (A) PROPOSED TOWER LOCATION.
- (B) FOUND REBAR AND CAP
- (C) FOUND MONUMENT MARKING THE WEST ¼ CORNER OF S35, T26S, R22E SLB&M

**LEGEND**

- Section Line ————
- ¼ Section Line - - - - -
- Client Lease Area ————
- Esmnt Client CL ————
- Esmnt Client - - - - -
- Easement (existing) - - - - -
- Fence Line — x — x — x —
- Contour Index ————
- Contour Line ————
- Overhead Line ————



**SURVEYOR'S NOTE & CERTIFICATION**

This "Site Survey" is based on an actual field survey performed by me or under my direction. It correctly depicts existing, readily visible improvements, and above ground utilities and the perimeter of the parent parcel was verified from field and record information. This "Site Survey" is not a Boundary Survey of the Parent Parcel and this Survey was developed to support the communications facility plan set named hereon.

**FEMA**

ZONE: NA PANEL: UNMAPPED\_490109 DATE: NA  
Flood Note: None. Area of reduced flooding due to the level.

SEE SHEET SU-2 FOR TITLE REPORT (SCHEDULE BII) EXCEPTIONS AND SURVEYOR FINDING

TITLE REPORT

PREPARED BY: OLD REPUBLIC NATIONAL TITLE INS. CO.  
Commitment No: 01-23009398-01T  
DATE: 04/07/2023 at 7:00 a.m

SITE SURVEY  
SITE ID: UT-109 SPANISH VALLEY  
SITUATE SECTION 35, TOWNSHIP 26 SOUTH, RANGE 22 EAST,  
SAN JUAN COUNTY, UTAH



Rev:	Date:	Description:	By:
1	6/15/2023	100% CD	LSP

LICENSURE NO:



295 N 200 E MONA, UT 84645  
PH:(435)660-0816 EMAIL: CORY@CISPLS.COM

DRAWN BY: CHK BY: APV BY:

TDC	CIS	CIS
-----	-----	-----

CORY IVAN SQUIRE UT P.L.S.  
#5561206-2203 11/25/19  
295 N 200 E MONA, UT 84645  
PH:(435)660-0816  
EMAIL: CORY@CISPLS.COM

UT-109  
Spanish Valley  
4326 E SUNNY ACRES LN,  
SPANISH VALLEY, UTAH.

SHEET TITLE:

Title Review

SHEET NUMBER:

SU2

ALTA COMMITMENT FOR TITLE REPORT SCHEDULE B PART II

If any of the exceptions affect the proposed lease area(s) they are plotted and noted accordingly hereon.

- 9 UTILITY EASEMENT IN WARRANTY DEED RECORDED 02/28/1972 AS BOOK 501 PAGE 608 OF THE SAN JUAN COUNTY RECORDS.  
SURVEYOR FINDINGS: EASEMENT IS PLOTTED AND NOTED ON THIS SURVEY
- 10 ANY RIGHTS TITLE, INTEREST, RESERVED IN DEED BOOK 888 PAGE 491 AND IN DEED BOOK 682 PAGE 866 OF THE SAN JUAN COUNTY RECORDS.  
SURVEYOR FINDINGS: PARCEL IS PLOTTED AND NOTED ON THIS SURVEY
- 11 DEED OF TRUST TO SECURE AN INDEBTEDNESS OF THE AMOUNT STATED BELOW AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS HEREOF,  
AMOUNT: \$287,356.00  
TRUSTOR: KOLLEEN CONGER, AN UNMARRIED WOMAN  
TRUSTEE:  
BENEFICIARY: MERS, INC., AS NOMINEE FOR FIRST COLONY MORTGAGE CORPORATION  
DATED: 01/09/2023  
RECORDED: 01/09/2023  
BOOK-PAGE: 1089-121  
NOTE: SCRIVENER'S AFFIDAVIT OF CORRECTION RECORDED 02/21/2023, AS BOOK 1091, PAGE 182 OF THE SAN JUAN COUNTY RECORDS.  
NOTE: SCRIVENER'S AFFIDAVIT OF CORRECTION RECORDED 03/08/2023, AS BOOK 1091, PAGE 681 OF THE SAN JUAN COUNTY RECORDS.  
SURVEYOR FINDINGS: THE DEED DESCRIPTION IS PLOTTED AND NOTED ON THIS SURVEY
- 12 SUBJECT TO COVENANTS, RESTRICTIONS, RESERVATIONS, EASEMENTS, AND RIGHTS OF WAY AND BUILDING SETBACKS, IF ANY, AS SHOWN ON THE PLAT FOR SAN JUAN COUNTY, UTAH.  
SURVEYOR FINDINGS: PLOTTED AND NOTED ON THIS SURVEY

PARCEL LEGAL DESCRIPTION AS PER TITLE REPORT COMMITMENT # 01-23009398-01T  
PREPARED BY OLD REPUBLIC NATIONAL TITLE INS. CO.

A PARCEL OF LAND IN THE NW¼ OF SECTION 35, T26S, R22E, SLM, SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A CORNER WHICH BEARS EAST 1804.5 FT. FROM THE WEST ¼ CORNER OF SECTION 35, T26S, R22E, SLM AND PROCEEDING THENCE NORTH 95.3 FT. TO A CORNER, THENCE EAST 60.0 FT. TO A CORNER, THENCE NORTH 119.6 FT TO A CORNER, THENCE S 89 DEG. 39' E 108.4 FT. TO A CORNER, THENCE N 03 DEG. 53' W 101.0 FT. TO A CORNER, THENCE EAST 25.1 FT. TO A CORNER, THENCE S 03 DEG. 53' E 315.7 FT TO A CORNER, THENCE WEST 208.0 FT. TO THE POINT OF BEGINNING.  
LESS:  
COMMENCING AT THE ¼ CORNER BETWEEN SECTIONS 35 & 34, T26S R22E SLM . A FOUND 1912 GLO BRASS MONUMENT; THENCE N80°29'04"E 1829.71 FEET TO THE TRUE POINT OF THE BEGINNING; THENCE NORTH 12.5 FEET; THENCE EAST 161.5 FEET; THENCE S3°53'E 10.3 FEET; THENCE S89°12'W 162.2 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.04 ACRES, MORE OR LESS. BASIS OF BEARING IS N0°02'E BETWEEN THE W¼ CORNER, AND THE NW CORNER OF SECTION 35. EVIDENCED BY A RECORD OF SURVEY #821 FILED IN THE OFFICE OF THE SAN JUAN COUNTY SURVEYOR.  
COMMENCING AT THE ¼ CORNER BETWEEN SECTIONS 35 AND 34, T26S, R22E, SLM. A FOUND 1912 GLO BRASS MONUMENT; THENCE N 81 DEG 11'31" E 1990.17 FT. TO THE TRUE POINT OF BEGINNING; THENCE N 3 DEG 53' W 10.3 FT.; THENCE E 25.1 FT; THENCE S 3 DEG 53' E 10.0 FEET; THENCE S 89 DEG 12' W 25.1 FT TO THE POINT OF BEGINNING. BASIS OF BEARING IS N 0 DEG 02' E BETWEEN THE W¼ CORNER AND THE NW CORNER OF SECTION 35. EVIDENCED BY A RECORD OF SURVEY #822 FILED IN THE OFFICE OF THE SAN JUAN COUNTY SURVEYOR.  
EXCEPTING THEREFROM ANY OIL, GAS AND MINERALS THAT HAVE BEEN RESERVED, CONVEYED OR TRANSFERRED IN PRIOR DOCUMENTS.  
Tax ID: 26S22E354204  
BEING THE SAME PROPERTY CONVEYED TO KOLLEEN CONGER, AN UNMARRIED WOMAN, GRANTEE, FROM SEAN G. MCARTHUR, GRANTOR, BY DEED RECORDED 01/09/2023, AS BOOK 1089, PAGE 119 OF THE COUNTY SAN JUAN RECORDS.

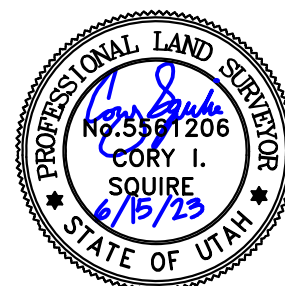
I, Cory I. Squire, do hereby certify to Infra Towers, LLC, a Delaware limited liability company with its headquarters address at 1800 Diagonal Road, Suite 600, Alexandria, VA 22314, Infra Holdings, LLC, a Delaware limited liability company, Infra Intermediate Holdings, LLC, a Delaware limited liability company, and each of their affiliates and lenders, the Federal Aviation Administration, Old Republic National Title Insurance Company and the successors and assigns of each of the foregoing, that this survey was made on the ground under my personal supervision and that this plat is a true, correct and accurate representation of the facts as found at the time of the survey.

I do hereby certify that the survey conforms to the conditions and stipulations as checked (x) below.

- ( X ) 1. The boundary lines and dimensions of the Infra Towers' Leased Area, Access and Utility easements (collectively, the "Easements" indicated hereon is correct.
- ( X ) 2. To the extent the Lease Area and Easements indicated hereon are part of a parent parcel, such Lease Parcel and Easements are located within the boundaries of the record title legal description of such parent parcel. The location of said Lease Parcel and Easements relative to an approximation of the location of the boundaries of the parent tract is illustrated on the inset shown hereon.
  - ( ) 3a. Stakes are set at each proposed Lease Area corner.
  - ( ) 3b. Stakes are set at proposed tower location.
  - ( ) 3c. Stakes are set in the centerline of proposed Access Road.
  - ( ) 3d. Stakes are set at each proposed guy anchor point (if applicable).
  - ( X ) 3e. No stakes are set.
- ( X ) 4. The distance from the nearest intersecting public street or road is as shown hereon.
- ( X ) 5. Shows the location and dimension of all alleys, streets, roads, rights-of-way, easements and other matters of record which the surveyor has been advised affects the Lease Area and/or Easements (each has been identified by instrument volume and page number if available).
- ( X ) 6. Except as shown, there are no visible easements, rights-of way, party walls or conflicts affecting the Lease Area and/or Easements; further, this survey is not subject to any easements or rights-of-way not visible on the ground.
- ( X ) 7. The location of all buildings, structures and other improvements of visible items affecting the Lease Parcel and Easements, if shown, are as indicated hereon. The location of all other buildings, structures and other improvements of visible items on the parent tract, if shown hereon, are approximate in nature, except that the Lease Area and Easements are entirely located within the boundaries of the parent parcel, as shown on the inset.
- ( X ) 8. Except as shown, there are no visible protrusions on adjoining premises, streets or alleys by any building, structure or other improvements situated on the Lease Area and/or Easements.
- ( X ) 9. Except as shown, there are no visible encroachments onto the Lease Area and/or Easements by any building, structure or other improvements situated on adjoining premises.

- ( ) 10a. Shows the location and acres contained in all portions of the Lease Area and Easements which are located in an area designated as a "FLOOD PRONE AREA (ZONE A)" as defined by the U.S. Department of Housing and Urban Development pursuant to the Flood Disaster Act of 1973; NONE, FIRM Community Panel No.
- ( X ) 10b The site Lease Area and Easements are located in an area designated as a Flood Zone (Not Mapped) as defined by the U.S. Department of Housing and Urban Development pursuant to the Flood Disaster Act of 1973 FIRM Community Panel No.
- ( X ) 11. Describes and shows the location of all public streets and roads visibly providing access to and from the subject property, and correctly sets forth the municipal address of the subject property.
- ( X ) 12. Depicts the latitudinal and longitudinal coordinates of the proposed tower(s) location(s), to the nearest tenth of a second.
- ( X ) 13. Survey of the Lease Area and Easements meets or exceeds the minimum technical standards for Land Boundary surveys set forth by Utah State Law.
- ( X ) 14. The subject property in an Enterprise zone and Agricultural (A-1) per Zoning Map July 2013.

CIS Professional Land Surveying  
By:  
Name: Cory Squire  
Date: 6/15/2023  
Surveyor Registration No.5561206



## Application for Overnight Accommodations Overlay – San Juan County

33 E Merriam Ct. Moab, UT

Tax ID #000780000120

Owners: Morgan & Koi Cook

33 E Merriam Ct. is located on 1.01 acres in the Highway Commercial Zone in San Juan County. We currently live in the 4,774 sqft home on the property as our primary residence. We are applying for the Overnight Accommodations Overlay for the following:

### 1. Basement Nightly Rental

The unfinished basement is only accessible through the garage. There is currently a door from the garage that leads to the backyard. We plan to build a wall inside of the garage to make a private basement access through the outside garage door, while having a second door to the inside of the garage so it is still accessible from the upstairs portion of the house. We will add plumbing, 4 or 5 mini split units, water heater, ejector pump, and update the electrical panel. The basement will have a kitchen, living room, informal dining room, recreation room, 3 bedrooms, and 2 bathrooms. Our floor plan for the basement is included below.

### 2. Upstairs Nightly Rental

When we move out of the property (several years from now – we just need to get approval now), we would like to use the upstairs and downstairs as one nightly rental by unlocking the door from the garage to the downstairs. The upstairs has 4 bedrooms, 2 bathrooms, living room, dining room, family room, laundry, and storage room.

### 3. 2 Additional Nightly Rental Units

Over the next few years, we would like to subdivide the 1-acre lot into 3 lots. We would keep the existing house on one lot and build one nightly rental unit on each of the other lots.

We would like to carry out this plan in phases. Phase 1 is top priority right now; phases 2-4 will occur over the next several years.

Phase 1: Finish the basement and start renting it out.

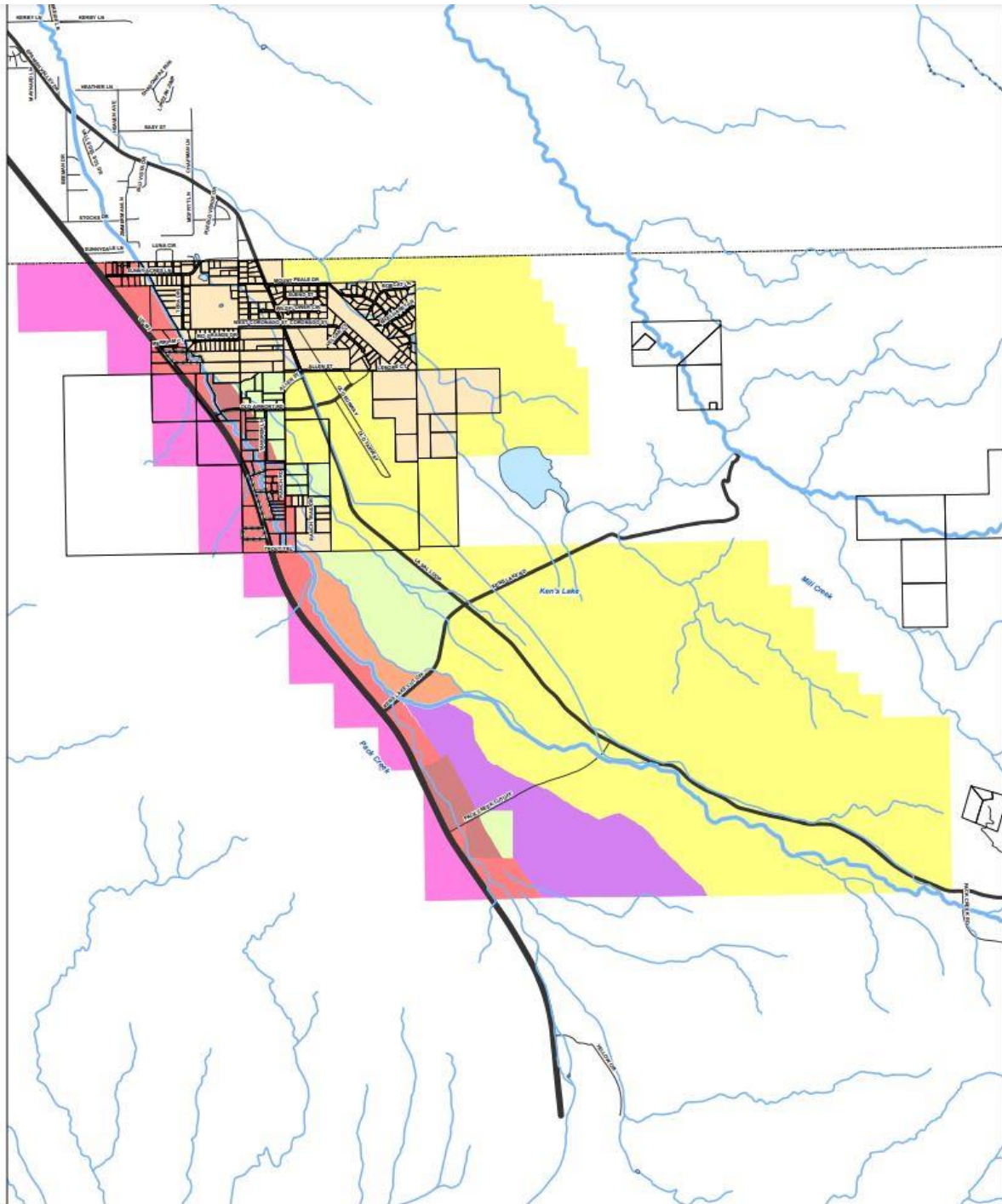
Phase 2: Subdivide the land and build one nightly rental unit on the second lot.

Phase 3: After we move out of the upstairs, rent out the whole house.

Phase 4: Build nightly rental unit on 3<sup>rd</sup> lot.

We had a meeting with UDOT and they informed us that we will not need a traffic study, as long as there are 7 or fewer dwellings in our subdivision. The order of the phases listed above keeps it within those 7 units (there are currently 4 other houses in the cul-de-sac in addition to ours). If you need verification from UDOT, they said they would be happy to send an email.

San Juan County Zoning Map:

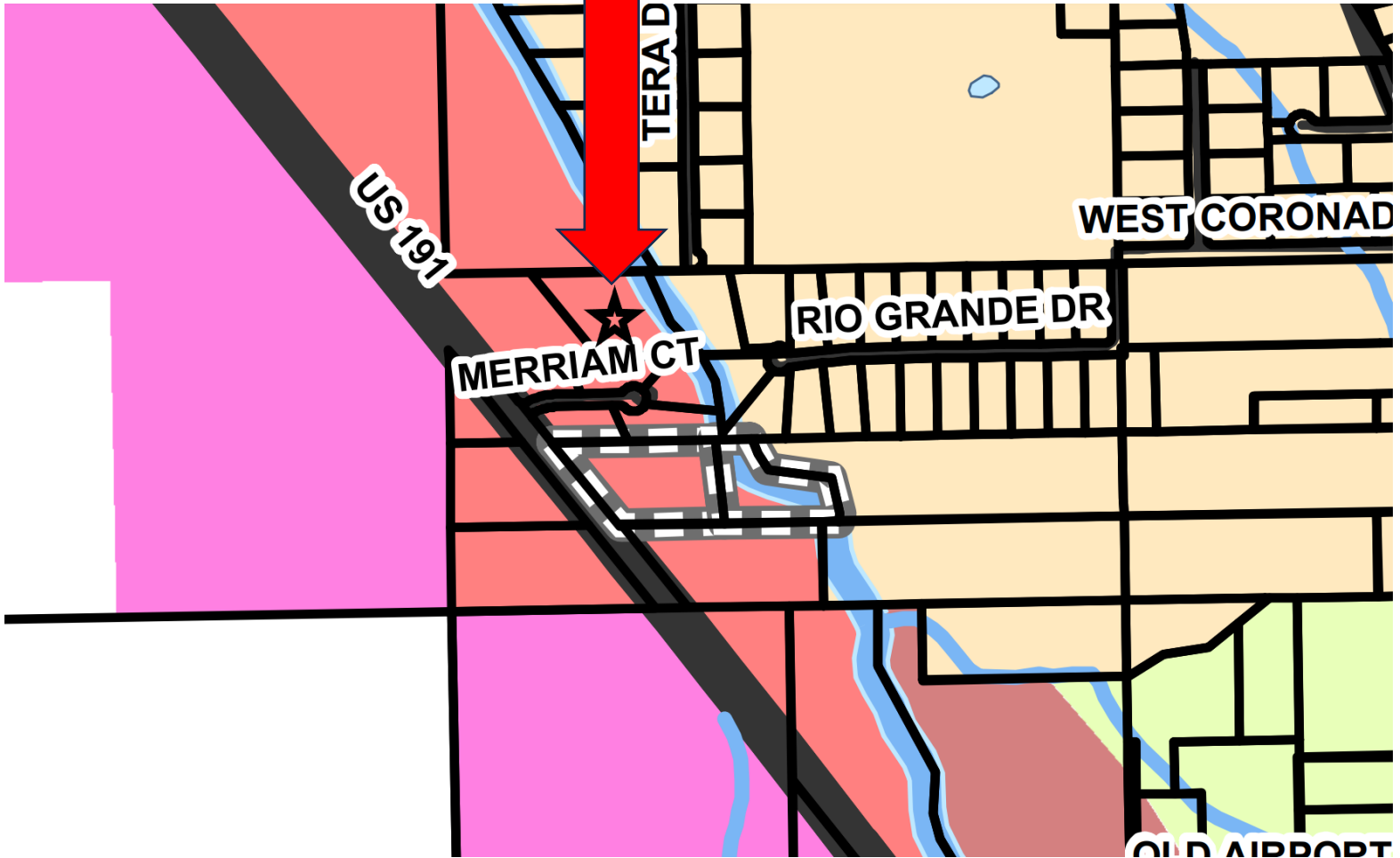


Amended 2021

- |                                  |                                      |                                 |
|----------------------------------|--------------------------------------|---------------------------------|
| Planned Community (PC)           | Highway Flex (HF)                    | Existing Overnight Accomodation |
| Spanish Valley Residential (SVR) | Highway Commercial (HC)              | County Boundary                 |
| Residential Flex (RF)            | Controlled District - Highway (Cd-h) | Stream                          |
| Business Flex (BF)               | Agricultural (A1)*                   | Lakes / Reservoirs              |

Property Location: 33 E Merriam Ct.

Zoning: Highway Commercial



Property Location: 33 E Merriam Ct. Moab, UT 84532





### SITE MASTER PLAN

The proposed plan adds great value to Spanish Valley and San Juan County and is the highest and best use of the property. Currently, the subdivision is surrounded by commercial uses, from the Moab Business Park to other small RV parks and a few other nightly rentals. By allowing our proposed accommodations, it is keeping tax dollars in San Juan County and keeping tourists close to the highway and out of the upcoming and existing residential neighborhoods. The guests that use these accommodations will also use the proposed stores, gas stations, etc. that will be coming to Spanish Valley. Currently, this property is zoned Highway Commercial, which allows for several different commercial ventures that would not mesh well with the residential neighborhood. Allowing for nightly rental accommodations would be the best use of this property to mesh with the current neighborhood.

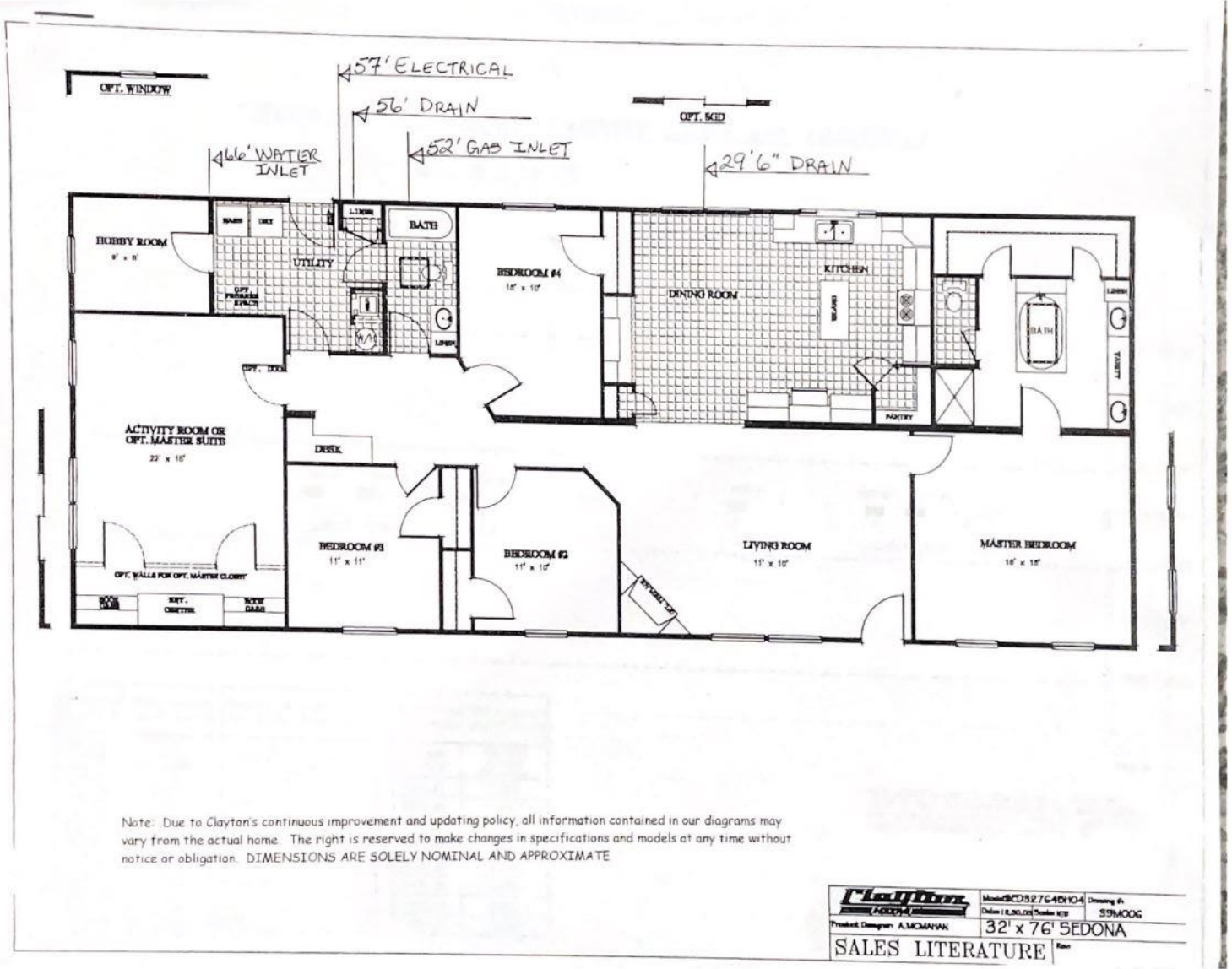


Nothing needs to be done to address this slope or creek bed.

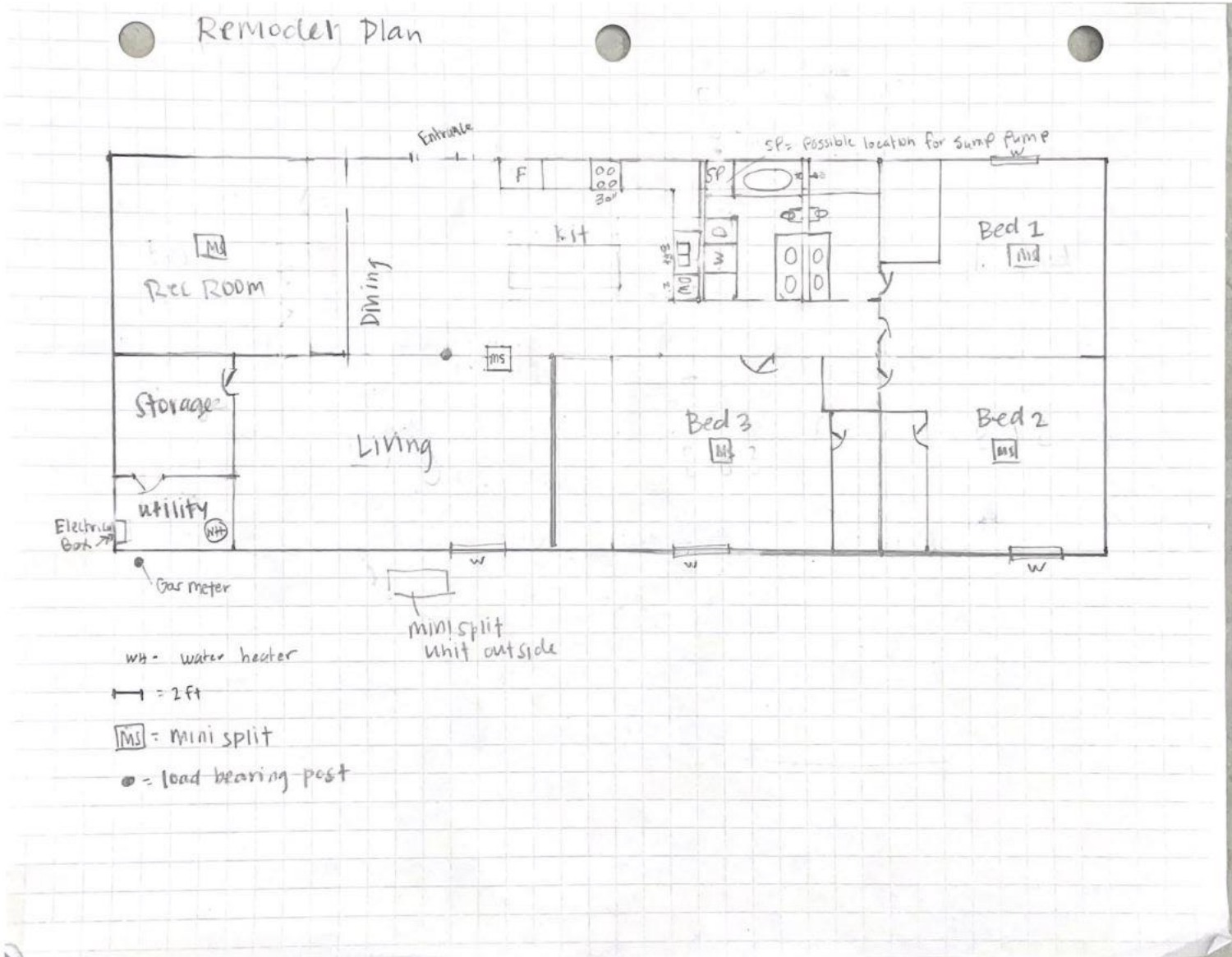


# Current House

Current house at 33 Merriam Ct (upstairs floorplan)



Projected floorplan for basement



# Projected Future Development



The lot lines will be close to this (depending on survey).

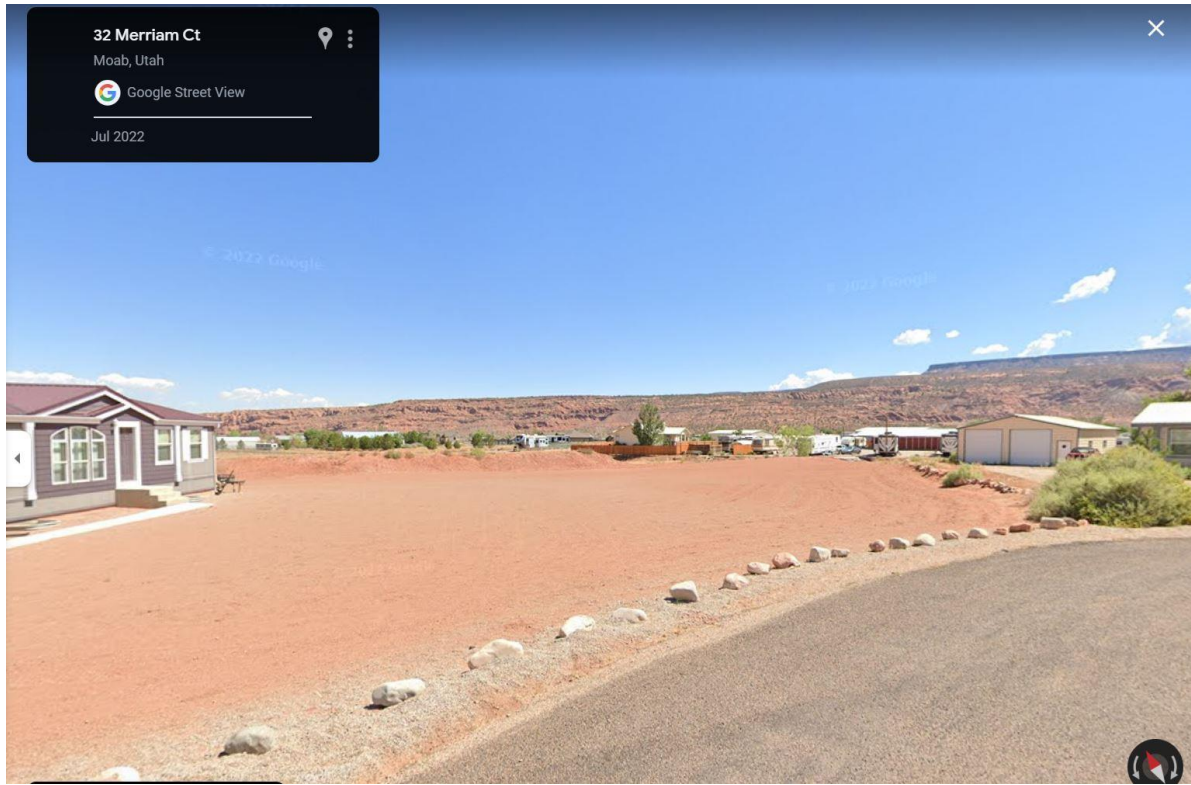


This would be the approximate location of the 2 additional nightly rentals (they may rotate slightly depending on the survey and setback requirements). They would each be approximately 1,800-2,200 sqft

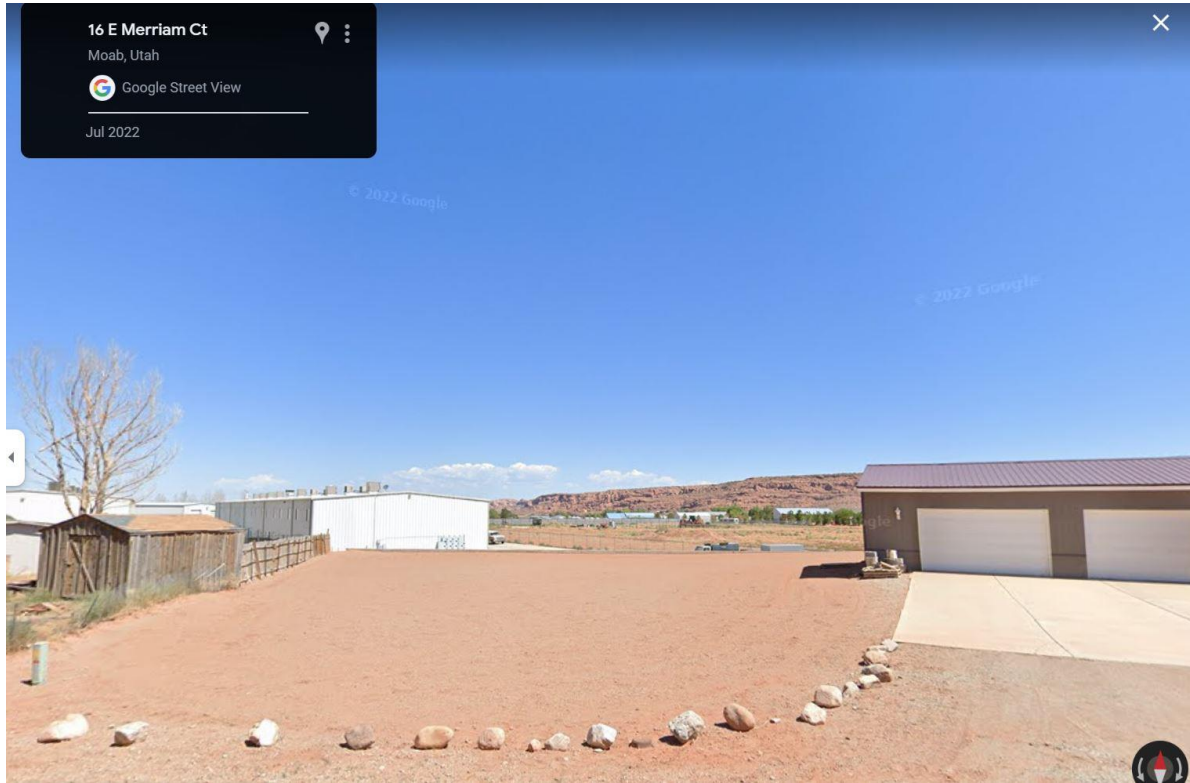
Current House (Nightly Rental #1)



Location for Nightly Rental #2



### Location for Nightly Rental #3



As seen in the above photos, there is plenty of room for parking. Even if guests bring long trailers, they will still have plenty of room to park without impacting the residential neighborhood or having to park along the road. We plan to have a garage and driveway with each unit as well which allow for plenty of parking.

### Proposed Design Style for Nightly Rentals



Modern Style

OR



Manufactured/Modular Home

Landscaping: We would add gravel and some xeriscape landscaping to preserve water and keep it aesthetically pleasing. Here are some examples:



In conclusion, we would greatly appreciate your consideration for our property to be in San Juan County's Overnight Accommodations Overlay. We believe that the plan outlined above is the best use for our property that is currently in the Highway Commercial Zone. If you have any questions about our application or need to contact us, our information is below. We appreciate your time in advance.

Sincerely,  
Morgan & Koi Cook

Morgan Cook  
(435) 260-9549  
[morgancook054@gmail.com](mailto:morgancook054@gmail.com)

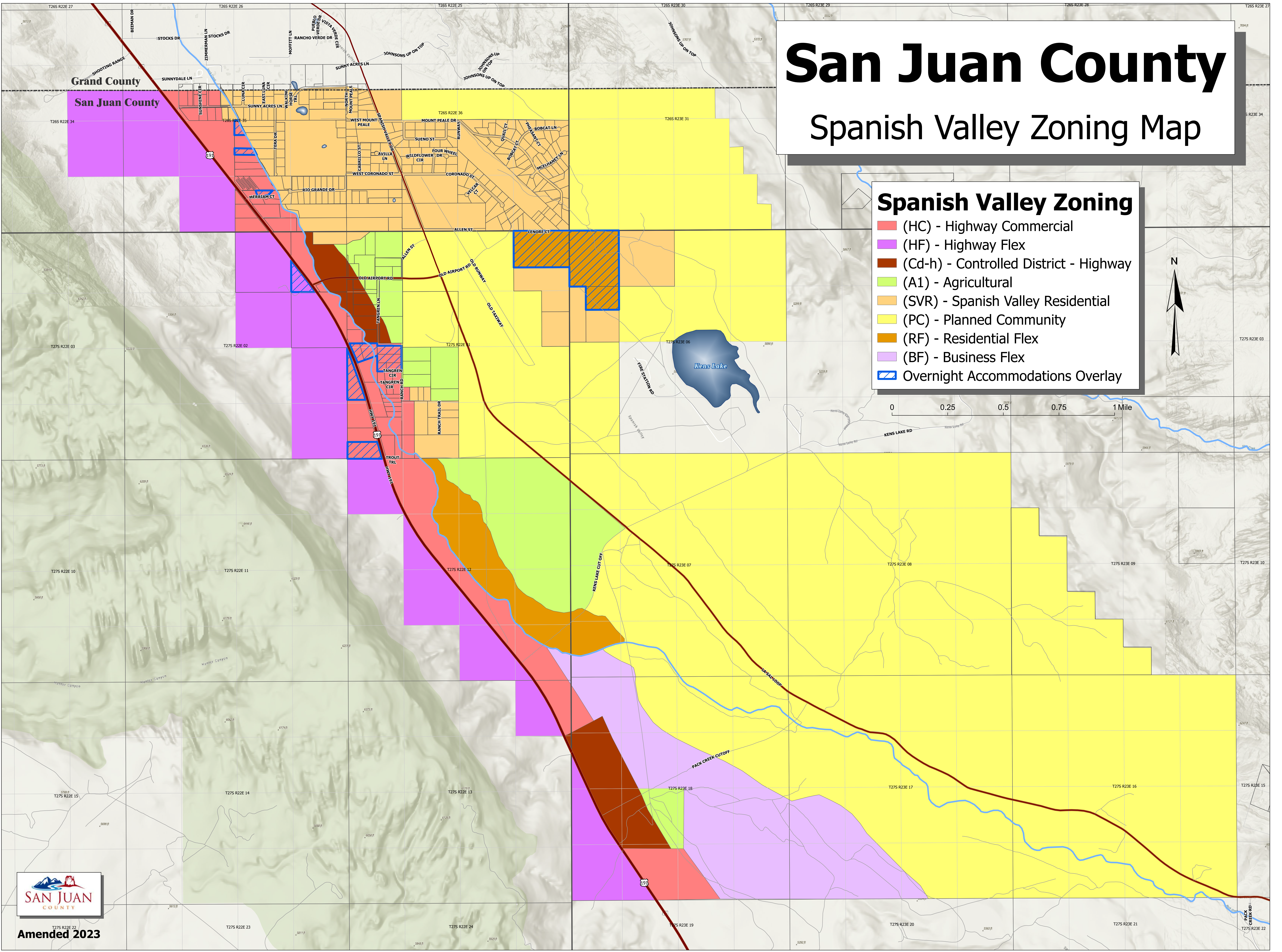
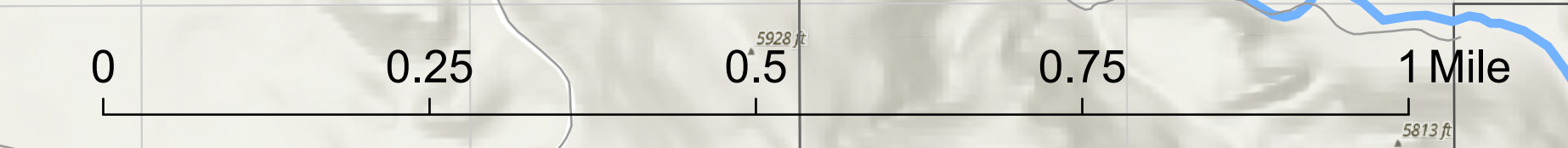
Koi Cook  
(435) 260-2662

# San Juan County

## Spanish Valley Zoning Map

**Spanish Valley Zoning**

- (HC) - Highway Commercial
- (HF) - Highway Flex
- (Cd-h) - Controlled District - Highway
- (A1) - Agricultural
- (SVR) - Spanish Valley Residential
- (PC) - Planned Community
- (RF) - Residential Flex
- (BF) - Business Flex
- ▨ Overnight Accommodations Overlay



Amended 2023