

**BIG WATER PLANNING AND ZONING
MEETING
MONDAY NOVEMBER 16TH, 2020**

MEETING AT 3 PM

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES 10.12.20**
- 4. ADMINISTRATOR REPORT**
- 5. CITIZEN COMMENTS-**
- 6. OLD BUSINESS-**
- 7. NEW BUSINESS-**
 - a) Discussion and Possible Action on Judge Lot Consolidation
 - b) Discussion and Possible Action on STR Requirements – Adam Wagener
- 8. FINAL COMMENTS**
- 9. ADJOURNMENT**

Big Water Clerk is inviting you to a scheduled Zoom meeting.

Topic: Planning and Zoning

Time: Oct 12, 2020 6:30 PM Utah

Join Zoom Meeting

<https://us04web.zoom.us/j/843437115?pwd=VmxlQlB0K3JMMkh1NjdnaWlFbXpXUT09>

Meeting ID: 843 437 115

Password: 754485

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BIG WATER PLANNING AND ZONING MEETING MINUTES MONDAY October 12TH, 2020

NO WORK SESSION

MEETING AT 7:30 PM UT (6:30 PM AZ)

AGENDA

1. CALL TO ORDER 7:40PM; late start because the external microphone and camera were borrowed and not returned in time and the clerk was not notified.
2. ROLL CALL: Denise, Tina and Scott present, Robert absent.
3. APPROVAL OF MINUTES 8.10.20 AND 7.20.20 Scott made the motion to approve, Tina second, all in favor.
4. MAYOR ANNOUNCEMENT OF NEW P&Z BOARD MEMBER:
 - Mayor could not make the meeting because he is sick so he will make the announcement at the TC Meeting.
5. ADMINISTRATOR REPORT: Tony Brown reported that he is working with 2 active permits, Jeff Wheeler and Levi Banfill
6. CITIZEN COMMENTS Pat Jensen wanted to know if the Mayor made his announcement, no one on the Zoom chat could hear because someone borrowed the external microphone and camera so I explained to both her and Stacy Wadleigh (who also asked) that the Mayor is sick and will make his announcement at the Town Council meeting.
7. OLD BUSINESS
 - a) Discussion and Possible Action on STR Requirements – Adam Wagener and Ashley Rankin
 - Both were a no show so this was tabled.
8. NEW BUSINESS
 - a) Discussion and Possible Action on Rankin STR on 640 William Dawes: Ashley Rankin asked for an extension based on the fact that she broke her foot and her inspection cannot be accomplished.
9. FINAL COMMENTS: None
10. ADJOURNMENT: Scott made the motion to approve, Tina second at 7:53PM.

Big Water Municipal Corporation
Drawer 410127
60 N Aaron Burr
Big Water UT 84741-2127
435-675-3760

Receipt No: 16055
Receipt Date: 09/14/2020
Time of Receipt: 09/14/2020 01:28 PM

Allen Judge Lot Consolidation	<u>100.00</u>
	\$100.00

Check: 3997	<u>100.00</u>
	\$100.00



Drawer 410127, 60 Aaron Burr, Big Water, UT 84741-2127
Office (435) 675-3760 Fax (435) 675-3736 Fire Department (435) 675-9160 Sheriff 1-877-677-2349

LOT CONSOLIDATION APPLICATION

1. Name Allen Judge
Address: 101 Paul Place Lebanon, IL 62254
Phone number: 435 644 2031 cell: _____

2. Lot Lot 2, Lot 7 Block _____ Section _____

The following is a description of what lots lines I want erased:
Remove Lot Line Between the two parcels to combine them together.

3. Name and addresses of ALL owners of record (Owners and addresses need to be listed here as they are currently listed on county tax rolls; this information must be obtained by the applicant and not by the Municipal Staff)

SEE ATTACHED

4. Subdivision platted name: Lone Rock Subdivison

Allen Judge
Applicants Signature

Date fee paid: _____ Amount \$ _____

Check # _____ By: _____

Statement of Taxes Due

Account Number 0151897
Assessed To

Parcel B-146-2
JUDGE ALLEN T
101 PAUL PLACE
LEBANON, IL 62254

Legal Description	Situs Address				
ALL OF LOT 2 LONE ROCK SUBDIVISION.	E JUSTICE WAY				
Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2019	\$329.58	\$1.37	\$0.00	(\$330.95)	\$0.00
Total Tax Charge					\$0.00
Special Assessment: 10 - BIG WATER					
2019	\$0.00	\$0.10	\$11.12	(\$11.22)	\$0.00
Total Special Assessment: 10 - BIG WATER					\$0.00
Special Assessment: GLEN CANYON SPECIAL SERVICE DIST					
2019	\$115.00	\$1.02	\$0.00	(\$116.02)	\$0.00
Total Special Assessment: GLEN CANYON SPECIAL SERVICE DIST					\$0.00
GRAND TOTAL					\$0.00
Grand Total Due as of 10/12/2020					\$0.00

Tax Billed at 2019 Rates for Tax Area 10 - 10 - BIG WATER

Authority	Tax Rate	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	0.0032400000	\$78.26	RES. REAL ESTATE	\$24,150	\$24,150
KANE SCHOOL DISTRICT	0.0034750000	\$83.92	UNIMPR. NON-PRIM		
MULTI COUNTY A & C	0.0000090000	\$0.22	Total	\$24,150	\$24,150
LOCAL A & C	0.0005020000	\$12.12			
KANE SCHOOL DISTRICT/STATE	0.0016610000	\$40.11			
COUNTY LIBRARY	0.0000420000	\$1.01			
STATE CHARTER SCHOOL LEVY	0.0000020000	\$0.05			
KANE CO WATER CONS.	0.0005950000	\$14.37			
BIG WATER	0.0041210000	\$99.52			
Taxes Billed 2019	0.0136470000	\$329.58			
GLEN CANYON SPECIAL SERVICE DIST					\$115.00

Statement of Taxes Due

Account Number 0151939
Assessed To

Parcel B-146-7
JUDGE ALLEN T
101 PAUL PL
LEBANON, IL 62254

Legal Description						Situs Address
ALL OF LOT 7 LONE ROCK SUBDIVISION.						E DISCOVERY WAY
Year	Tax	Interest	Fees	Payments	Balance	
Tax Charge						
2019	\$362.53	\$0.00	\$0.00	(\$362.53)	\$0.00	
Total Tax Charge						\$0.00
Special Assessment: GLEN CANYON SPECIAL SERVICE DIST						
2019	\$115.00	\$0.00	\$0.00	(\$115.00)	\$0.00	
Total Special Assessment: GLEN CANYON SPECIAL SERVICE DIST						\$0.00
GRAND TOTAL						\$0.00
Grand Total Due as of 10/12/2020						\$0.00

Tax Billed at 2019 Rates for Tax Area 10 - 10 - BIG WATER

Authority	Tax Rate	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	0.003240000	\$86.07	RES. REAL ESTATE	\$26,565	\$26,565
KANE SCHOOL DISTRICT	0.003475000	\$92.31	UNIMPR. NON-PRIM		
MULTI COUNTY A & C	0.000009000	\$0.24	Total	\$26,565	\$26,565
LOCAL A & C	0.000502000	\$13.34			
KANE SCHOOL DISTRICT/STATE	0.001661000	\$44.12			
COUNTY LIBRARY	0.000042000	\$1.12			
STATE CHARTER SCHOOL LEVY	0.000002000	\$0.05			
KANE CO WATER CONS.	0.000595000	\$15.81			
BIG WATER	0.004121000	\$109.47			
Taxes Billed 2019	0.013647000	\$362.53			
GLEN CANYON SPECIAL SERVICE DIST					\$115.00

Transaction Identification Data for reference only:
Commitment Number: 37127-K
Escrow Agent: Brad Adair
Escrow Agent Utah License Number: 73872
Escrow Agent Contact: (435) 644-4200 | brada@sutc.com
Searcher: Brad Adair
Searcher Utah License Number: 73872



SCHEDULE A

1. Effective Date: October 12, 2020 at 7:00AM
2. Report: Iron Rock Engineering
3. Title to the fee simple estate or interest in the land is at the Effective Date vested in:
Allen T. Judge
4. The land referred to in this Report is situated in the County of Kane, State of Utah, and described as follows:
Parcel 1:
All of Lot Two (2), LONE ROCK SUBDIVISION, according to the Official Plat thereof, on file in the Office of the Recorder of Kane County, State of Utah.

Parcel 2:
All of Lot Seven (7), LONE ROCK SUBDIVISION, according to the Official Plat thereof, on file in the Office of the Recorder of Kane County, State of Utah.

Southern Utah Title (Kanab Office)

By: 

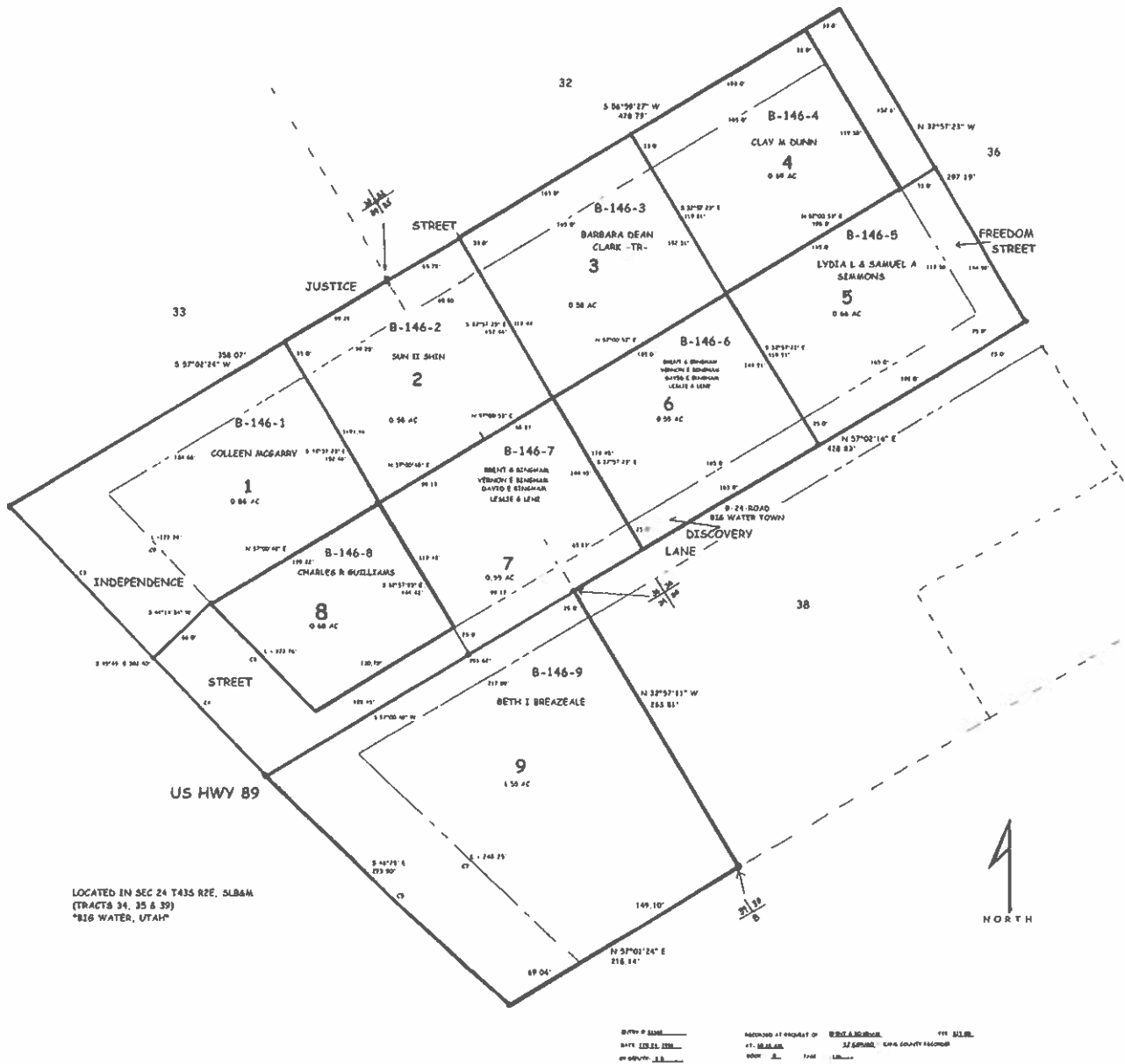
Authorized Signatory

SCHEDULE B
Exceptions

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be by an inspection of the land or which may be asserted by persons in possession, or claiming be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the records or attaching subsequent to the effective date hereof but prior to the date the proposed acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
10. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.
11. Taxes for the year 2020, which are liens, but not yet due or payable. (NOTE: 2019 taxes in the amounts of \$444.58 and \$477.53 are paid in full. Serial numbers B-146-2 and B-146-7. Account numbers 0151897 and 0151939.)
12. The property lies within the Kane County Water Conservancy District and is subject to charges and assessments thereof, as shown by Amended Decree Establishing The Kane County Water Conservancy District, Civil No. 923600013, recorded in Book 0-124 at Pages 600-603, Official Kane County Records.
13. The property lies within the Kane County Recreation and Transportation Special Service District, and is subject to charges and assessments thereof, as shown by Resolution No. 1996-11, recorded in Book 0-161 at Pages 373-388, Official Kane County Records.
14. The property lies within the Glen Canyon Special Service District of Big Water and is subject to charges and assessments thereof, as shown by Resolution No. 2016-7, Plat and Ordinance No. 2017-2, recorded June 27, 2017 as Entry Numbers 00175097, 00175098 and 00175099 in Book 0479 at Pages 0596-0611, 0612 and 0613-0614, Official Kane County Records.
15. Subject to easements, notes, restrictions, reservations, any and all other matters as set forth and disclosed on the Official Plat of "Lone Rock Subdivision", Official Kane County Records.

16. The effect of Declaration of Protective Covenants, Agreements Restrictions and Conditions affecting said subdivision in the declaration of restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, recorded February 24, 1998 as Entry No. 93364 in Book 0-171 at Pages 91-93, Official Kane County Records.
17. Deed of Trust, dated July 1, 1998, executed by Tonya L. Graffis, as TRUSTOR, in favor of Southern Utah Title Company, as TRUSTEE and Bingham Partnership, as BENEFICIARY, to secure the payment of \$45,000.00 and interest, recorded July 13, 1998, as Entry No. 94923, in Book 0175 at Page(s) 243 - 246, Official Kane County Records. (Affects Parcel 2.)
18. This report is provided for information purposes only and is not to be construed to be a Commitment to issue Title Insurance, an Abstract of Title nor an Opinion of Title and any liability as to the completeness or accuracy of the information is strictly limited to the amount of fee paid.

Note: The names on Schedule A have been checked for judgments and, if any were found, are disclosed on Schedule B of this Report.



B-146: LONE ROCK SUBDIVISION

SCALE: 1" = 60'

15.10.160 Procedures For Lot Line Adjustment

In accordance with the Town of Big Water, Utah, Subdivision Ordinance (2004-236, adopted 12-21-2004, Vacating or Changing a Subdivision Plat, amended by Municipal Ordinance 2009-258, April 20, 2009) and § 10-9a-103 (subsections 24, 44) and § 17-27a-103 (subsections 28, 48) Definitions Utah Code (Amended 2008), petitions to adjust lot lines (mutual boundary) between adjoining properties may be executed upon the recordation of an appropriate deed with the consent of the owners' of record.

1. The applicants must complete and submit to the Zoning Administrator a Big Water Lot Line Adjustment Request form to include:
 - a. property owners' names;
 - b. date;
 - c. owners' addresses, phone/cell/fax numbers, city, state, Zip code;
 - d. name, location (lot #s, block(s), section(s)) and legal descriptions);
 - e. reason for lot line adjustment request;
 - f. paid tax statement for the current year;
 - g. certification to conform to Big Water ordinances;
 - h. names and addresses of all property owners adjacent to the lots in question.
2. Applicants must prove that:
 - a. no new dwelling lot or housing unit results from the lot line adjustment;
 - b. that all adjoining property owners consent to the lot line adjustment;
 - c. the lot line adjustment does not result in a remnant piece of land that did not exist previously; and
 - d. the lot line adjustment does not result in the violation of any applicable zoning district requirements.
3. Applicants must provide a title report, by a licensed Title Company, for the properties proposed for Lot Line Adjustment with the application.
4. Applicants must submit a revised (final) plat, prepared by a licensed land surveyor. The plat shall be prepared in pen and all sheets shall be numbered. The plat shall be drawn on reproducible Mylar. A minimum of twelve (12) paper (8 1/2" x 11") copies shall be presented to the Town Clerk with the formal request form. The revised plat shall contain Signature blocks for the dated signature of the Zoning Administrator, Mayor, Planning Commission Chair, and Town Attorney.
5. Applicant must pay the applicable Lot Line Adjustment fees to the Town Clerk in accordance with the current Big Water Rates and Fees for Municipal Services schedule.
6. The Zoning Administrator shall ensure that notice is given to all adjoining property owners, pursuant to local ordinance.
7. After the Lot Line Assessment request and plat are acknowledged, approved and certified by the Zoning Administrator, the owners shall, within one year, record the appropriate deed in the Kane County recorder's office.
8. The County Recorder shall ensure the requirements of this Section are met. The Kane County

Recorder may request a review of the materials presented for a Lot Line Adjustment by the Zoning Administrator prior to recordation.

9. If any owner of an adjoining property notifies the municipality of his/her objection in writing within ten (10) days of mailed notification or by published notification deadline, the Zoning Administrator will set an agenda item for the next Planning and Zoning public meeting. The Applicants, or his/her/their authorized agent(s), must be present. If they are not present, the application will be tabled. (Please see Section 15.10.150(7-10), for the required additional processes.)

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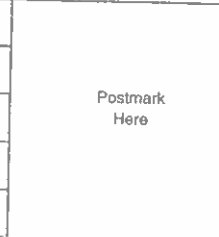
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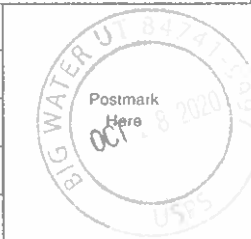
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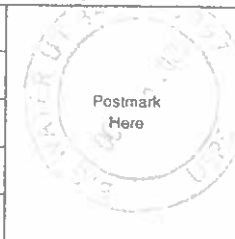
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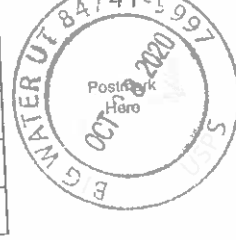
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PO BOX 410021
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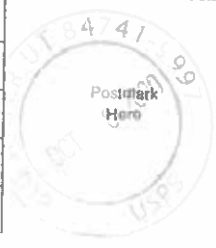
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 PAGE, AZ 86040-0936

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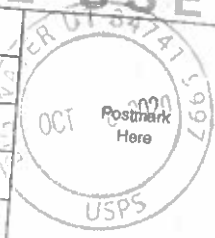
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 PO BOX 410164
 BIG WATER, UT 84741-2164

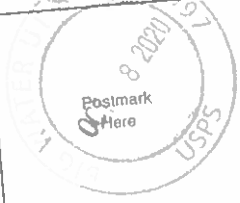
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Sent To **NANCY J BROWN**

7014 1200 0001 4569 8503

TO: Big Water City Council

CC: Big Water Planning & Zoning Council and Admin

9/21/2020

I have a few requests, based on my previous experience with P&Z inspections of my Short Term Rental property, and I believe other STR owners would share my sentiment. I think the following ideas would help the annual inspection process go more smoothly.

1. Please have P&Z Admin (or town clerk) communicate with each STR owner, to set an exact time and date for appointment for future inspections. Then, if appointment time is not kept by the STR owner, BWMC could charge a "missed appointment fee" of \$10 to \$20. On the day of inspection, allow for 10 minutes of grace for owner to meet inspector at the property, at the time/day appointment is set, before deeming it a "missed appointment."
2. Please have an office or a direct line allotted to the P&Z Admin. Last year, I made several attempts to call and get an appointment made, and somehow did not get a clear date set for my property inspection -- rather, my inspection was more of a surprise.
3. If there is a guideline or checklist of what is being inspected, please provide a copy of that to all STR Owners one month before the inspection. This allows time for owners to make needed upgrades, research and complete code compliance issues, or ask questions before the inspection. There is no incentive for BWMC to have an STR Owner temporarily out of business, due to the owner not knowing what compliance issues were needing to be fixed.

(Every day that an STR owner can't be open is a day of lost revenue, as well as transient tax revenue for the town. It's very impractical for an STR owner to know all of the codes that need to be met, on a yearly basis, so any new codes that may have been made in the current year, should also be given to the STR owner, before the STR renewal, if possible.)

4. As STR renewals are typically done at the beginning of each year, and inspections are usually completed after the filing of the renewal application, BWMC should allow for businesses to run "as usual" until the date of the inspection. (This seems to already be in practice.) The importance of setting an appointment is emphasized here, as an STR should be completely vacant, for a proper inspection. Most STR owners have a "rolling" calendar that allows for bookings to take place, months in advance. However, January appears to be a very good month for inspections, due to reduced visitors in the area.
5. Please advise the P&Z Inspector or admin to not walk around the property to be inspected, without permission. Simply call the owner to confirm arrival, or meet at the front door. My assistant manager assumed that we had a trespasser on the date of my last inspection.

Thank you for considering, and implementing my requests.

Kind regards, Adam Wagener