

The value of this parcel is closely tied to its proximity to Whittier Estates and the existing infrastructure and community standards already in place. Aligning the development with those standards represents a balanced and practical solution that benefits current residents, the developer, and Morgan County as a whole.

Thank you for your time and consideration.

**Sincerely,**  
Jared Santos

Amanda Santos

Erin Wiley

Matt Feil

Jason Sundberg

Dan North

Connie North

Paul Mendonsa

Kristin Mendonsa

Amy Hansen

Mike Hansen

Angie Wayman

Lisa Schmauch

Brandon Nickle

Kayla Saunders

Jeremy Witte

Melissa Bingham

Betsy Endrizzi

## **Morgan County Planning Commission,**

We are writing to express our concerns regarding the proposed Meadow Brook Subdivision, Phase 2. After reviewing the proposal, we believe there are several important issues that warrant careful consideration, along with a practical solution that could benefit all parties involved.

First, the proposed subdivision is immediately adjacent to Whittier Estates, yet it does not conform to the established lot sizes, building standards, or covenants of that community. While it is presented as a continuation of Meadow Brook, this characterization is misleading. The proposed development shares direct access via a street within Whittier Estates, and a significant hill physically separates it from the existing Meadow Brook neighborhood. In effect, the new phase is more closely connected to Whittier Estates than to Meadow Brook.

Whittier Estates is comprised of lots that are one acre or larger, contributing to the neighborhood's established character and property values. The introduction of smaller lots in the proposed subdivision would create inconsistency in development standards and is likely to negatively impact surrounding property values.

Additionally, Whittier Estates is governed by covenants and an HOA that maintain a cohesive, high-quality neighborhood aesthetic, including regulations on landscaping and park strip trees. The proposed subdivision would benefit from proximity to Whittier Estates while not being subject to these same standards or contributing to their enforcement, creating an imbalance in both responsibility and benefit.

There are also infrastructure concerns. The Whittier Estates HOA currently funds the construction, maintenance, and repair of the retaining wall that supports the main access road into the neighborhood. This infrastructure represents a significant financial investment—exceeding \$75,000—and requires ongoing maintenance. The proposed subdivision would rely on this same access road, increasing traffic and wear, yet would not contribute to its upkeep. Unless Morgan County assumes responsibility for this infrastructure, it is inequitable to place additional burden on existing homeowners.

### **Proposed Solution**

We respectfully propose that the subject property be zoned RR-1 (Residential Rural, 1-acre minimum) and incorporated as an additional phase of Whittier Estates. This approach offers several clear benefits:

- It maintains consistent lot sizes, preserving the character and property values of the existing neighborhood
- It ensures that new lots are subject to the same covenants and HOA responsibilities, including shared infrastructure costs
- It allows the landowner to develop and profit from the property while aligning with the surrounding community standards

**Requested Actions:**

I ask the Commission to:

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1. **Condition approval on a redesign to a two-lot configuration** that demonstrates eastward drainage consistent with the surrounding neighborhood pattern
2. **Require any necessary agreements with adjacent property owners** regarding storm drainage as specified in § 155.407(F)(5) before final plat recording

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Respectfully submitted,

Anthony Dorsey

3811 Thurston Drive, Morgan, UT

801-979-5511

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—  
Anthony Dorsey

- The only storm drain in adjacent Whittier Estates was never extended to the northern end of the neighborhood nearest these proposed lots — an omission by the original Whittier Estates developer.
- The next closest storm drain is located above the proposed lots up the hill. Water does not flow or drain up hill.
- Because of the significant ground water, and surface water that drains down hill directly at my home, I currently route sump pump discharge lines across three neighboring properties to reach the distant storm drain, a workaround that is now physically impossible to replicate because homes occupy that path.

The proposed drainage plan for the three-lot configuration relies entirely on stormwater detention areas on each lot — essentially excavated holes. While detention areas are a recognized form of stormwater management, the proposed plan fails to demonstrate:

- An engineered outlet or discharge point for the detained water
- Detention areas that simply collect and hold water without a compliant, engineered discharge path do not eliminate the problem, they delay it. In high-groundwater conditions, such as exist on my property (I currently operate multiple sump pumps year round), detained water migrates underground and laterally, directly and my home significantly increases flooding potential.
- That the cumulative discharge from three detention basins will flow in the natural direction that it already does, directly at my home.

I have previously had to put a trash pump in the field and pump water out of the already existing low spot into the street to prevent flooding. Coincidentally this problem area and low spot, appears to be an exact proposed detention area. So rather than fix an issue, this would double down on an existing problem and exacerbate it. Final hydraulic and hydrologic storm drainage calculations as required under § 155.414(A), demands a demonstration of "mitigation of potential harmful impact" to off-site areas and downstream facilities. This has not been provided.

## **II. The Three-Lot Configuration Creates Drainage Problems that a Two-Lot Alternative Would Resolve**

The subject property slopes northeasterly with grades of 12% to 2%, with all natural drainage running toward the north — directly toward my home's foundation. A two-lot configuration, with lots oriented similarly to mine and other homes in the neighborhood (long, narrow, east-west drainage orientation), would allow the developer to grade each lot so that surface water flows east to the adjacent roadway gutter — the same drainage solution that works for every other home on this street — rather than pooling at the low, northern corner of the field where my foundation is located.

Under the three-lot configuration, the southernmost proposed lot (the smallest of the three) is wedged directly against a steep hillside to the south with known stability issues. This lot has no feasible direction to discharge stormwater except northward toward my property. No grading solution within a smaller lot footprint can overcome this physical constraint.

Morgan County Code § 155.426 states that "a subdivision shall not create lots which would make improvement unfeasible due to size, shape, steepness of terrain, location of watercourses." I respectfully submit that the southernmost proposed lot in the three-lot design fails this standard. Its size, shape, and relationship to the adjacent steep hillside make adequate stormwater management unfeasible within that configuration.

The proposed detention areas, which are simply excavated holes, have no engineered outlet, no demonstrated receiving facility, and no emergency overflow route as required by Stormwater Design Manual Section 5.2. When those holes fill during a significant storm event, overflow has one direction to travel: down hill directly against my home's foundation. The design manual requires OMCS review and approval of all drainage plans before construction.

## Jessie Drage

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**From:** submit  
**Sent:** Thursday, April 23, 2026 1:08 PM  
**To:** Jessie Drage  
**Subject:** FW: URGENT Drainage Consideration: Today's Meeting

Another one. 😊



Mickelle Thackeray  
Plans Examiner  
Morgan County Planning & Development  
48 W Young St  
Morgan, Utah 84050  
Office (801) 845-4015

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**From:** Anthony Dorsey <anthony@dorsey.cx>  
**Sent:** Thursday, April 23, 2026 12:02 PM  
**To:** submit <submit@morgancountyutah.gov>  
**Subject:** URGENT Drainage Consideration: Today's Meeting

**CAUTION:** This email originated from outside of Morgan County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure please contact Jeremy or Brandon.

Dear Members of the Planning Commission,

My name is Anthony Dorsey. I own the property immediately adjacent to the north of the proposed Meadow Brook Subdivision, my home is located at 3811 Thurston Drive, Morgan, UT in the Whittier Estates subdivision.

While I fully support the landowner's right to develop this parcel of land, I object to the proposed three-lot configuration and lack of adequate engineering consideration. My concern is narrowly focused on stormwater drainage and geologic hazard standards that the current plan does not meet.

### I. The Proposed Drainage Plan Is Insufficient Under Morgan County Code § 155.428

Morgan County Code § 155.428 requires the subdivider to construct and install drainage and erosion control systems designed for a 100-year storm event for detention basins and a 10-year storm event for all other facilities. No such facility exists:

2. increasing drainage or groundwater impacts to neighboring property,
3. requiring retaining structures or earthwork that could affect adjacent land,
4. creating risk of damage to existing improvements on neighboring property, including my pool deck and concrete flatwork.

For those reasons, I respectfully request that the Planning Commission:

1. Deny the third lot as currently configured; or
2. Continue the application until the applicant submits and the County reviews:
  - o a stamped geotechnical and slope-stability report addressing off-site uphill and downhill conditions,
  - o a grading and drainage plan specifically analyzing runoff, detention, groundwater, and impacts to adjacent properties,
  - o any retaining wall design and construction details,
  - o a demonstration that no off-site support or drainage burden will be imposed on neighboring parcels,
  - o and any necessary agreements or protective conditions for adjacent property owners.

If the Commission is not prepared to deny Lot 3, then I ask that no approval be granted unless there is substantial evidence in the record that development of Lot 3 will not endanger adjacent property, public safety, or welfare.

Thank you for your consideration.

Sincerely,  
Jordan Curtis

3740 N 3675 W Peterson, UT 84050

385-260-2030

[jordanRcurtis@gmail.com](mailto:jordanRcurtis@gmail.com)

To: [mmaloney@morgancountyutah.gov](mailto:mmaloney@morgancountyutah.gov) <[mmaloney@morgancountyutah.gov](mailto:mmaloney@morgancountyutah.gov)>; [rwatt@morgancountyutah.gov](mailto:rwatt@morgancountyutah.gov) <[rwatt@morgancountyutah.gov](mailto:rwatt@morgancountyutah.gov)>; [ttaylor@morgancountyutah.gov](mailto:ttaylor@morgancountyutah.gov) <[ttaylor@morgancountyutah.gov](mailto:ttaylor@morgancountyutah.gov)>; [mking@morgancountyutah.gov](mailto:mking@morgancountyutah.gov) <[mking@morgancountyutah.gov](mailto:mking@morgancountyutah.gov)>; [dsessions@morgancountyutah.gov](mailto:dsessions@morgancountyutah.gov) <[dsessions@morgancountyutah.gov](mailto:dsessions@morgancountyutah.gov)>; [cmcmillan@morgancountyutah.gov](mailto:cmcmillan@morgancountyutah.gov) <[cmcmillan@morgancountyutah.gov](mailto:cmcmillan@morgancountyutah.gov)>; [swilson@morgancountyutah.gov](mailto:swilson@morgancountyutah.gov) <[swilson@morgancountyutah.gov](mailto:swilson@morgancountyutah.gov)>; Jordan Curtis <[jordanrcurtis@gmail.com](mailto:jordanrcurtis@gmail.com)>  
Subject: URGENT for tomorrow's meeting

**To: Morgan County Planning Commission**  
**Re: Meadow Brook Subdivision, Phase 2, File #25.061**  
**Meeting Date: April 23, 2026**

Chair and Commissioners,

My name is Jordan Curtis, and I live at 3740 N 3675 W in Peterson, Utah, adjacent to and immediately affected by the proposed Meadow Brook Subdivision Phase 2. I apologize for the late email as the meeting is tomorrow, but I only learned of this 3rd lot request earlier today.

I am writing to object to approval of the proposed third lot, or at minimum to request that the Commission pause this matter until there is adequate geotechnical and drainage evidence in the record showing that the third lot can be safely developed without causing harm to adjacent property.

My home sits at the top of the hill bordering the proposed new lot. Based on the topography and the apparent location of the proposed third lot, I am very concerned that development of that lot may require significant excavation, grading, and possibly a retaining wall near the base of my hill. I already have concrete flatwork and a pool area that have experienced some shifting and cracking. Because of that existing movement, I am concerned that additional disturbance, loading, drainage changes, or support work near the toe of the slope could worsen movement and damage my property.

My objection is not simply about neighborhood preference. It is about slope stability, drainage, groundwater, and public safety.

The staff report itself recognizes existing site constraints by requiring that basements be prohibited due to high groundwater conditions and that detention areas be provided for each lot. Those conditions suggest that subsurface and drainage issues are already significant on this site.

Under Morgan County Code, a small subdivision application must include a grading and drainage plan showing areas of substantial earthmoving, storm drainage patterns, detention basins, off-site drainage facilities, and slope analysis for slopes greater than 15% and 25%. The code also requires a geotechnical soils report and any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval.

In addition, Morgan County's geologic hazard provisions require evaluation of off-property conditions and require the applicant's professionals to demonstrate that the proposed hillside development will not affect adjacent sites or limit adjacent property owners' ability to use and develop their property.

At this time, I do not believe the record establishes that Lot 3 can be safely developed without:

1. destabilizing the adjacent uphill slope,

## Jessie Drage

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**From:** submit  
**Sent:** Thursday, April 23, 2026 1:07 PM  
**To:** Jessie Drage  
**Subject:** FW: URGENT for tomorrow's meeting

Hi Jessie,

Here is another message to for tonight's meeting.

Thanks!



Mickelle Thackeray  
Plans Examiner  
Morgan County Planning & Development  
48 W Young St  
Morgan, Utah 84050  
Office (801) 845-4015

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**From:** Jordan Curtis <jordanrcurtis@gmail.com>  
**Sent:** Thursday, April 23, 2026 11:23 AM  
**To:** submit <submit@morgancountyutah.gov>  
**Subject:** Fw: URGENT for tomorrow's meeting

**CAUTION:** This email originated from outside of Morgan County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure please contact Jeremy or Brandon.

Hello, would someone please confirm with me today that this email will be distributed in the packet tonight and reviewed? I only found out about these plans yesterday, sorry for the late submission!

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**From:** Jordan Curtis <[jordanrcurtis@gmail.com](mailto:jordanrcurtis@gmail.com)>  
**Sent:** Wednesday, April 22, 2026 5:03:43 PM

home's foundation. The design manual requires OMCS review and approval of all drainage plans before construction.

**Requested Actions:**

I ask the Commission to:

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Anthony Dorsey

3811 Thurston Drive, Morgan, UT

801-979-5511

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Anthony Dorsey

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- 

The proposed drainage plan for the three-lot configuration relies entirely on stormwater detention areas on each lot — essentially excavated holes. While detention areas are a recognized form of stormwater management, the proposed plan fails to demonstrate:

- An engineered outlet or discharge point for the detained water
- Detention areas that simply collect and hold water without a compliant, engineered discharge path do not eliminate the problem, they delay it. In high-groundwater conditions, such as exist on my property (I currently operate multiple sump pumps year round), detained water migrates underground and laterally, directly and my home significantly increases flooding potential.
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## Jessie Drage

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**From:** Chris Tremea  
**Sent:** Thursday, April 23, 2026 1:59 PM  
**To:** Jessie Drage  
**Subject:** Fw: URGENT Drainage Consideration: Today's Meeting

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**From:** Debbie Sessions <dsessions@morgancountyutah.gov>  
**Sent:** Thursday, April 23, 2026 1:45:24 PM  
**To:** Chris Tremea <cTremea@morgancountyutah.gov>  
**Subject:** Fwd: URGENT Drainage Consideration: Today's Meeting

Begin forwarded message:

**From:** Anthony Dorsey <Anthony@dorsey.cx>  
**Date:** April 23, 2026 at 12:00:58 PM MDT  
**To:** Maddie Maloney <mMaloney@morgancountyutah.gov>, Randy Watt <rwatt@morgancountyutah.gov>, Travis Taylor <tTaylor@morgancountyutah.gov>, Matthew King <MKing@morgancountyutah.gov>, Debbie Sessions <dsessions@morgancountyutah.gov>, Chans McMillan <cmcmillan@morgancountyutah.gov>, Steve Wilson <swilson@morgancountyutah.gov>  
**Subject: URGENT Drainage Consideration: Today's Meeting**

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Dear Members of the Planning Commission,

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While I fully support the landowner's right to develop this parcel of land, I object to the proposed three-lot configuration and lack of adequate engineering consideration. My concern is narrowly focused on stormwater drainage and geologic hazard standards that the current plan does not meet.

### I. The Proposed Drainage Plan Is Insufficient Under Morgan County Code § 155.428

Morgan County Code § 155.428 requires the subdivider to construct and install drainage and erosion control systems designed for a 100-year storm event for detention basins and a 10-year storm event for all other facilities. No such facility exists:


10. Approval of April 9<sup>th</sup>, 2026, Planning Commission Minutes –

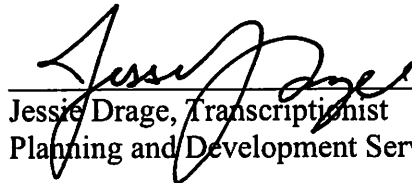
***A motion to approve the minutes was made by Member King and seconded by Member Watt. The motion passed unanimously.***

11. Adjourn

***Motion by Member Maloney to adjourn. Second by Member Taylor. Motion carried unanimously.***

Approved:

 Date: 5/14/26  
Chairman, Debbie Sessions  
Morgan County Planning Commission

 Date: 5/14/26  
Jessie Drage, Transcriptionist  
Planning and Development Services

citations, and double fees upon permit application. He emphasized that bringing the property into closer compliance was a more practical resolution than leaving it non-conforming.

**CA Christoffersen** – Noted that the enforcement code was outdated on the website and clarified that current enforcement tools were stronger, including the ability to halt work and impose more substantial penalties.

**Member Taylor** – Asked what inspections had been completed on the structure.

**Chris Tremea** – Stated that documentation was limited but indicated that the Building Official could allow the project to proceed if it met current code requirements. He noted that he did not want to speculate publicly without further research.

**CA Christoffersen** – Added that concerns had previously been raised regarding fire safety, emergency access, and snow removal when allowing for driveways off the bulb of a cul-de-sac.

**Chair Sessions** – Noted that the fire department had already approved the project.

**Chris Tremea** – Stated that the applicant had chosen to move forward to the County Commission with an unfavorable recommendation from the Planning Commission. He expressed disagreement with how the situation had been handled historically but emphasized that current enforcement could serve as a deterrent moving forward. He noted that significant penalties, such as double fees, had not commonly been enforced in the past.

**Chair Sessions** – Expressed concern that allowing the situation could set a precedent for rule violations of proper building permit process.

**Chris Tremea** – Responded that enforcement had since improved and that the County now had stronger tools to prevent similar situations in the future.

**Chair Sessions** – Referenced a prior postponement agreement at the planning commission meeting on April 9<sup>th</sup> of 2026 and that the applicant had agreed to continue the discussion to May 28<sup>th</sup>.

**Chris Tremea** – Reiterated that the goal was to bring the property into better compliance under current enforcement standards, not to bypass code.

**Member Taylor** – Stated that the issue would either return for review on an agenda, or it would not.

Clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in division (B) below.

(2) It is the intent of the County to maintain consistency with state-adopted standards for wildland-urban interface regulations. Accordingly, to the extent the State of Utah adopts a subsequent edition of the International Wildland-Urban Interface Code, together with any required state modifications, that edition shall be deemed adopted and incorporated herein by reference without the need for further legislative action, unless the County Commission affirmatively provides otherwise. Nothing herein shall limit the County's authority to adopt amendments, exceptions, or modifications to the adopted code, provided such local provisions remain consistent with and do not conflict with applicable state law.

State Required Modifications (R652-122-1300).

(1) Applicability of State Modifications. The County adopts and incorporates all modifications required by Utah Administrative Code R652-122-1300, and any successor provisions, to the applicable edition of the International Wildland-Urban Interface Code adopted by the County. To the extent necessary, such modifications shall be applied to the corresponding provisions of the adopted code edition.

(2) Controlling Authority. In the event of any conflict between the adopted International Wildland-Urban Interface Code and the requirements of Utah Administrative Code R652-122-1300, or any successor provisions, the state rule shall control.(Prior Code, § 8-14-1)

***Second by Member Taylor. Motion carried unanimous.***

## **10. Business/Staff Questions**

**Chair Sessions** – Stated that she had difficulty understanding the letter received from Joshua Cook relating to the project on Silverstone that had been continued to May 28<sup>th</sup> at the last Planning Commission Meeting.

**Chris Tremea** – Explained that regarding the build of this property, in previous years, enforcement options were limited, particularly because prior enforcement actions had not been fully carried out. He stated that the structure in question had been built without permits and had been subject to a cease-and-desist order that was not enforced. He noted that the dwelling had since been completed and was occupied, and that the County was unlikely to pursue demolition due to cost.

He outlined potential options: allowing a text amendment to bring the property closer to compliance while requiring submission of building plans and applying significant penalties such as double fees; or maintaining the current code, resulting in non-compliance and potential demolition. He explained that standard penalties included stop work orders, violation notices,

**CA Christoffersen** – Proposed adding a statement confirming that any future state-adopted code updates would be incorporated without additional legislative action. Stated that she could add the sentence “If the State of Utah adopts a later edition of the International Wildland-Urban Interface Code, the County shall be deemed to have adopted the most recent edition of the International Wildland-Urban Interface Code as adopted by the State, including any amendments thereto, without the necessity of further action by the County, unless the County Commission affirmatively elects to adopt a different edition by ordinance.”

***Member King motioned to open public hearing. Second by Member Taylor. Motion carried unanimously.***

***Member Watt motioned to close public hearing. Second by Member Taylor. Motion carried unanimously.***

**CA Christoffersen** – Stated that she would like to keep the first paragraph. Then she would read the additional sentence to add at the end, and then we don’t need B.

***Member Watt moved to recommend approval to the County Commission of the Wildland Urban Interface Code Text Amendment based on the findings listed in the memorandum dated April 23, 2026, with the following additional conditions:***

***1. With the elimination of everything except the first paragraph and the addition after that first paragraph to be “If the State of Utah adopts a later edition of the International Wildland-Urban Interface Code, the County shall be deemed to have adopted the most recent edition of the International Wildland-Urban Interface Code as adopted by the State, including any amendments thereto, without the necessity of further action by the County, unless the County Commission affirmatively elects to adopt a different edition by ordinance.”***

Text Shall Read: § 155.370 WILDLAND URBAN INTERFACE CODE.

(A) Code adopted by reference.

(1) That certain document, three copies of which are on file in the office of the County Clerk, being marked and designated as the International Wildland Urban Interface Code, 2006 edition, including appendix chapters as published by the International Code Council, as modified by the Utah Division of Forestry, Fire and State Lands pursuant to Utah Administrative Code R652-122-1300 and as further amended herein, be and is hereby adopted as the Urban Wildland Interface Code of the county for regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Wildland Urban Interface Code on file in the office of the County

**Brad Wilkes** – Clarified that the National Fire Code and WUI Code were separate, and that the focus of the amendment was specifically on WUI updates. He explained that recent legislation, including House Bills 41 and 48, complicated implementation timelines, with some provisions delayed until 2027. He noted that the County had proactively updated its sprinkler code and established high-risk WUI parameters, positioning Morgan County ahead of others in the state. He added that while assessments would be conducted, billing would not occur until 2027.

**Member Maloney** – Asked whether the changes would be retroactive and what impact they would have on the County.

**Brad Wilkes** – Clarified that the changes were not retroactive and would apply to future development. He explained that high-risk areas would be assessed and property owners advised on mitigation, while future building permits would be subject to updated requirements.

**Member Maloney** – Asked whether enforcement varied by jurisdiction.

**Brad Wilkes** – Explained that enforcement was governed at the state and county level, not by individual cities.

**CA Christoffersen** – Proposed adding language to adopt all future WUI code updates automatically and suggested removing redundant sections.

**Member King** – Asked whether the amendment would limit the County’s ability to adopt stricter standards.

**Brad Wilkes** – Confirmed that while the County could not adopt standards less stringent than the state, it retained the authority to implement more restrictive requirements, citing Mountain Green as an example.

**Member Taylor** – Noted that fire marshals often operated within defined jurisdictions.

**Brad Wilkes** – Emphasized the importance of consistent policy and training to ensure uniform enforcement and outcomes, while maintaining the ability to adopt stricter standards if desired.

**Member King** – Expressed concern about preserving the County’s authority.

**Member Watt** – Suggested clarifying language to ensure compliance with current state code.

**Chris Tremea** – Summarized the final proposed revisions: maintaining the minimum 10-foot side-yard setback for any building; retaining total side-yard width requirements; removing redundant or unclear provisions; keeping setback requirements for accessory structures; and revising corner lot standards to require two front yards and two side yards. He noted that certain duplicative setback language would be removed.

**CA Christoffersen** – Confirmed that all definitions had been reviewed and that the revised language was acceptable.

**Member Taylor** moved we recommend approval to the County Commission for the Side Yard Setbacks Code Text Amendment based on the findings listed in the memorandum dated April 23, 2026, with the following additional conditions:

*1. We rectify any conflicting references in the code and standardize on this language.*

*Second by Member King. All in favor, motion carries.*

**9. Public Hearing/Discussion/Decision** – *Wildland Urban Interface Code Text Amendment:* Request for approval of a text amendment to the Morgan County Code (MCC) to amend the requirements of the Wildland Urban Interface Code to match State Statutes.

**Brad Wilkes** – Introduced the Wildland Urban Interface Code Text Amendment: a request for approval of a text amendment to the Morgan County Code to amend the requirements of the Wildland Urban Interface (WUI) Code to match State Statutes. Stated that Morgan County had adopted the 2006 Fire Code but was in the process of amending it to align with 2024 updates. He explained that the intent of the text amendment was to allow the County to automatically adopt future state amendments without requiring repeated legislative action. He emphasized that Wildland-Urban Interface (WUI) code requirements superseded other regulations and referenced recent wildfire events as evidence of the importance of compliance. He stated that the proposed language aimed to incorporate “state required modifications” to streamline future updates.

**CA Christoffersen** – Noted that the language needed clarification and suggested adding wording to specify adoption of the “current WUI code,” including future updates.

**Member Taylor** – Questioned whether the County would lose its authority to adopt minimum codes independently and suggested simply aligning with all state adoptions to remain compliant.

**CA Christoffersen** – Responded that the language could be revised to clearly state that the County would follow state updates, noting that alignment was necessary for funding purposes.

**Member Watt** – Asked whether a blanket adoption of code without specific references was legally permissible.

**CA Christoffersen** – Confirmed that it was allowable, as the adoption referenced state code, though she acknowledged limited precedent.

**Chris Tremea** – Explained that larger setbacks on corner lots were often necessary to accommodate visibility, safety, and line-of-sight requirements, noting that inadequate design could lead to issues such as street parking challenges for law enforcement. Stated that many property owners aimed to build larger homes on lower-cost corner lots, which often created conflicts with existing setback requirements. He emphasized the importance of matching home size to appropriate lot conditions.

**CA Christoffersen** – Clarified that “building” was defined as any structure used for occupancy or use, and that a “main building” referred to the primary structure to which all others were accessory.

**Chris Tremea** – Agreed with prior comments regarding the importance of enforcing ordinances based on clear definitions.

**Chair Sessions** – Noted that definitions were often overlooked when interpreting code. She outlined proposed revisions, including replacing “dwelling” with “building,” reinstating language for corner lots to require two front yards and two side yards, and maintaining the minimum 10-foot side-yard setback.

**Member Maloney** – Noted that the amendment originated from an applicant and invited public comment.

***Member Taylor moved to open the public hearing, seconded by Member Maloney; the motion carried unanimously.***

**Lauren Hiller (Cole West)** – Stated that builders had experienced confusion interpreting the current code. She asked whether simplifying the language to reference “building,” establishing a minimum side-yard setback, and clarifying corner lot requirements would resolve the issue.

**Member Maloney** – Stated that definitions were appropriate but needed to be updated within the code table.

**CA Christoffersen** – Confirmed that approach.

**Chair Sessions** – Clarified that “main” was unnecessary and that “building” was sufficient terminology.

**Member Taylor** – Noted that setback requirements applied to the lot, not the building itself.

**Chair Sessions** – Stated that the revised version of the table should be presented to the County Commission without strikethrough lines to avoid confusion.

***Member Watt moved to close the public hearing, seconded by Member Maloney. Motion carried unanimously.***

## **Legislative**

- 8. Public Hearing/Discussion/Decision – *Side Yard Setback Code Text Amendment:*** Request for approval of a text amendment to the Morgan County Code (MCC) to remove a portion of the side yard requirements in section 155.111 of the Residential and Multiple-Family Residential Districts.

**Chris Tremea** – Introduced the Side Yard Setback Code Text Amendment, a request for approval of a text amendment to Morgan County code to remove a portion of the side yard requirements. He explained that the current provision required side yards combined to be at least the height of the building, which had never been applied nor enforced.

**Chair Sessions** – Questioned the removal of the existing language, noting that larger structures such as schools or agricultural buildings could be permitted in certain zones and may still require appropriate setbacks.

**Member Maloney** – Clarified that such structures would be non-dwelling buildings, such as barns.

**Chris Tremea** – Responded that, regardless of structure type, the code required a minimum 10-foot setback.

**CA Christoffersen** – Asked whether all buildings would fall under a minimum side-yard requirement and suggested simplifying the language by establishing a clear minimum setback.

**Chris Tremea** – Acknowledged that current definitions created confusion, particularly regarding what constituted a primary structure.

**Member Taylor** – Suggested removing dwelling-specific language and clearly stating minimum side-yard setbacks for residential and multi-residential districts.

**Member Maloney** – Asked whether “building” was formally defined in code, prompting further review.

**Chris Tremea** – Noted that additional provisions, such as requiring a combined side-yard width of at least 40 feet and a minimum 10-foot setback for accessory structures, were redundant. He also explained that current corner-lot requirements—two front yards, one rear yard, and one side yard—created practical challenges for development, fencing, and parking. He suggested revising the standard to two front yards and two side yards for consistency.

**Chair Sessions** – Confirmed that the amendment would include two front yards and two side yards, while maintaining a minimum 10-foot side-yard setback.

**Member Taylor** – Expressed concern that requiring two 30-foot setbacks on corner lots could be excessive.

***Member Taylor moved to approve the Meadow Brook Subdivision, Phase 2, application number 25.061, allowing for a three (3) lot subdivision, located approximately west of the intersection of North Thurston Drive and West 3725 North in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated April 23<sup>rd</sup>, 2026, and with the following additional conditions***

***1. That areas labeled non-buildable on the plat will be labeled “non-buildable and non-disturbance except for stabilization efforts with the concurrence of the county geologist.”***

***2. No basements including walkout basements will be allowed. Only slab on grade homes.***

***3. Upon approval of the construction drawings.***

***Second by Member King. Motion carried unanimous.***

- 7. Public Meeting/Discussion/Decision – WPR Mountain Villa Plat Amendment No. 2: A request for approval of an amendment to the Wasatch Peaks Ranch North Village Mountain Villas to adjust the Limited Common Area of the subdivision. The properties are identified by parcel numbers 00-0094-0174 and 00-0093-0461 & serial numbers 12-WPRNVMTV-CA-NA-A1 and 12-WPRNVMTV-CA-NA, and is located approximately at 5233 West Wasatch Peaks Road in unincorporated Morgan County.***

**Chris Tremea** – Introduced the WPR Mountain Villa Plat Amendment No. 2 as a request for approval of an amendment to the Wasatch Peaks Ranch North Village Mountain Villas to adjust the limited Common Area of the subdivision. He stated that the current zoning is Resort Special District and the request is to adjust the limited common areas around the previously recorded 12 townhome units. He stated that the applicant was in the audience if the Commission had questions and that Planning Staff does recommend approval.

**Chair Sessions** – Requested any questions for staff or the applicant.

**Member Wilson** – Stated that he did not have any.

***Member Watt motioned to recommend approval to the County Commission of the WPR Mountain Villa Plat Amendment No. 2, application# 26.003, to adjust the “Limited Common Area” of the subdivision, based on the findings and with the conditions listed in the staff report dated April 23, 2026. Second by Member Wilson. Motion carries unanimously.***

**Brent Bohman** – Confirmed that testing had been completed.

**Member King** – Stated that additional conditions would be necessary.

**Member Maloney** – Referenced prior discussion regarding a culvert on the map.

**Chair Sessions** – Reviewed potential conditions, including construction drawing approval, prohibition of walk-out basements, slab-on-grade requirements, and designation of a non-disturbance area. She asked whether additional drainage-related conditions were needed.

**Brent Bohman** – Raised concerns about the definition of “non-disturbance,” noting that certain actions, such as adding fill, could stabilize the hillside while technically altering it.

**Chris Tremea** – Clarified that non-disturbance typically meant no cutting into the hillside, referencing a similar subdivision where construction was allowed up to, but not into, a designated boundary. He noted that such standards were guided by engineering and geotechnical analysis.

**Member Watt** – Expressed concern about slope stability for Lot 15 and suggested that limited stabilization efforts might be appropriate.

**Member King** – Characterized the situation as a potential risk but noted that geotechnical studies were intended to address such concerns.

**Member Watt** – Noted that previous information suggested ongoing slope movement and expressed concern that strict non-disturbance language could prevent stabilization.

**Chris Tremea** – Suggested that the matter could be referred to engineers to develop appropriate stabilization measures rather than relying solely on a non-disturbance designation.

**CA Christoffersen** – Stated that using a strict “non-disturbance” designation would prohibit future stabilization efforts and emphasized the need for clear language stating that attempts to stabilize the hillside *would* be allowed.

**Member Steve Wilson** – Asked for clarification on where water would ultimately drain.

**Chair Sessions** – Stated that overflow would likely flow into the field.

**Brent Bohman** – Confirmed that natural slope would direct water into the field and ultimately toward the river.

jurisdiction, shallow groundwater could create challenges for development, including drainage and system placement.

**Chris Tremea** – Acknowledged the concern and stated that if the property could not meet health department requirements, it would not be buildable. He noted the applicant was aware of these constraints and reiterated support for slab-on-grade construction to avoid excavation. He added that enforcement would ensure compliance with no-basement conditions.

**Member King** – Stated the concern would not warrant denial but noted it would be a significant challenge for development.

**Member Wilson** – Asked about the plan to direct water away from neighboring properties.

**Chris Tremea** – Stated that the applicant had discussed installing a culvert to redirect water and noted that the applicant had already addressed many of these concerns in prior discussions.

**Brent Bohman, Applicant** – Stated that his family had farmed the land for forty years prior to the development of Whittier Estates and that he was familiar with the property. He explained that he had previously advised against basements in the area and attributed Whittier Estates current issues to groundwater rather than surface drainage. He stated that flow irrigation practices had historically existed and that he had already modified them to reduce impacts on neighboring properties.

He explained that while he could assist by installing culverts and creating drainage points to direct water toward the road, these measures would not fully resolve groundwater issues. He emphasized that the broader groundwater conditions were influenced by a much larger area and nearby river, not just the subject property. He stated that he had considered alternative development approaches, including additional lots and irrigation changes, but encountered regulatory limitations from the Weber Morgan County Health Department. He expressed his willingness to help mitigate impacts but stated he should not bear full responsibility for existing conditions and homebuilders building basements where it had been ill-advised to do so.

**Member Steve Wilson** – Asked where the water would ultimately drain.

**Brent Bohman** – Stated that groundwater levels were tied to river conditions and could not be fully controlled. He reiterated support for slab-on-grade requirements and explained that site testing showed varying groundwater depths, with some areas encountering water at approximately six feet and others not encountering groundwater.

**Member King** – Noted that limited depth between groundwater and surface could restrict septic feasibility and emphasized that regulatory compliance would be necessary.

**Brent Bohman** – Acknowledged that the health department could impose stricter requirements in such areas.

**Chair Sessions** – Asked whether percolation testing had been completed.

**Member Taylor** – Expressed concern that allowing water to percolate into the ground could worsen existing groundwater issues and asked whether water could instead be released elsewhere.

**Jess Holyoak** – Stated that systems such as overflow boxes with controlled release rates could be implemented and expressed confidence that an effective solution could be developed.

**Member Watt** – Noted stated public concerns which he felt had been accounted for, for the record including driveway safety, drainage, groundwater, and septic considerations, and asked whether percolation testing had been completed.

**Chris Tremea** – Stated that percolation testing would occur after this stage and that some drainage-related concerns would be addressed during that process.

**Member Watt** – Stated that while the development avoided the hillside, there was reliance on ensuring no impacts to the area around it either.

**Chris Tremea** – Confirmed that conditions required no disturbance of the hillside, including a strict no-build requirement.

**Member Watt** – Acknowledged that the lots met conformity requirements and reiterated that the primary concerns remained groundwater and drainage.

**Member Taylor** – Referenced the no-build area shown in the plans.

**Chris Tremea** – Clarified that “no-build” meant no disturbance of any kind, including structures, landscaping, or irrigation.

**Member Taylor** – Asked whether non-buildable areas were defined in code and how they were designated.

**Chris Tremea** – Stated that the hillside should be designated as a non-disturbance area and expressed confidence that the engineer and geologist would support that designation. He referenced a prior situation where a pool had been installed too close to such an area, noting that it would be a violation and that enforcement would address such issues if they were to arise.

**Member Wilson** – Asked whether the applicant had reviewed Anthony Dorsey’s drainage concerns and requested their professional opinion.

**Chris Tremea** – Stated that, based on the engineer’s comments regarding directing water away from the area of concern, he believed that issue could be addressed. He expressed confidence that, if included as a condition, the County Engineer could further evaluate feasibility, noting that collaboration between parties was intended to resolve such concerns.

**Member King** – Expressed concern regarding Lot 15, particularly related to groundwater and septic feasibility. He noted that while septic systems fell under state and health department

**Jess Holyoak** – Explained that a water study had been completed for each lot, based on a ten-year storm event (approximately 1.75 inches of rainfall in an hour). He stated that detention areas were sized to account for additional hard surfaces such as homes and driveways, but not the street, as it was already constructed and drained toward Whittier Estates.

**Member Taylor** – Asked about the release rate.

**Jess Holyoak** – Stated that the maximum release rate was 0.2 cubic feet per second per acre. He explained that, rather than large detention ponds, smaller on-lot detention areas were used to store runoff, as there was no direct outlet available.

**Member King** – Asked whether groundwater was being considered and whether the system would impact it.

**Jess Holyoak** – Stated that groundwater would not be impacted, explaining that the detention areas were shallow (less than two feet deep) and designed as low areas for water to pool rather than deep excavations.

**Member Taylor** – Asked where water would go during events exceeding a ten-year storm.

**Jess Holyoak** – Stated that overflow would follow natural drainage patterns.

**Member Taylor** – Pressed for clarification on whether overflow would go to the road or neighboring properties.

**Jess Holyoak** – Stated that it would depend on grading, but overflow could either flow toward the street or downhill.

**Member Taylor** – Asked whether the design could ensure overflow directed to the street rather than neighboring properties.

**Jess Holyoak** – Confirmed that drainage plans could be designed to direct overflow to the street.

**Member Taylor** – Asked whether this could be incorporated into the subdivision design.

**Jess Holyoak** – Confirmed that features such as berms could be added to prevent runoff from reaching neighboring properties. He also noted that, alternatively, a culvert could be installed under the existing road to direct stormwater to the opposite side.

**Member Taylor** – Asked whether both overflow and controlled release could be incorporated.

**Jess Holyoak** – Confirmed that the design could include detention areas with overflow plans or culverts to manage excess water.

He explained the subdivision conformed to land use and zoning regulations. He noted all consultant fees must be paid prior to recordation, all federal and state laws must be followed, and fire and engineering comments must be addressed. He added that it was recommended that plat drawings should prohibit basements.

He provided background that a March 1, 2022 rezone converted a 10-acre portion to R1-20, which was now proposed for division into three lots, while the remainder retained split zoned R1-20 and A-20 zoning.

He stated the grading and drainage plan could be combined with the plat if approved by the County Engineer and noted coordination with both the engineer and geologist. He explained that although the property received a geotechnical waiver, conditions required the hillside remain undisturbed and prohibited building or digging in that area, along with no basements.

He relayed comments from the County Engineer, Mark Miller, who stated the no-basement note was insufficient and strongly recommended slab-on-grade homes due to groundwater issues in Whittier Estates. He emphasized that walk-out basements were not desired and that building areas were designated away from the hillside.

He stated any approval should be conditioned upon construction drawing approval. He explained that county ordinances required drainage to match pre-development conditions and expressed concern that current plat notes were insufficient pending full construction review. He noted the current design addressed a ten-year storm event, with streets serving as overflow channels in larger storms.

He clarified that the Health Department had jurisdiction over septic systems, though coordination with Morgan County Planning occurred. He confirmed R1-20 zoning allowed 20,000-square-foot lots, stated the County would maintain roads, and noted subdivision requirements for road connectivity to support future growth.

He outlined that motions could include approval or approval with conditions and noted a correction should be made to reflect a “three-lot subdivision.” Suggested conditions included construction drawing approval, no walk-out basements, and slab-on-grade homes.

He referenced the property map and plat layout, including detention basins, and noted alternative drainage ideas such as boring beneath the right-of-way to another area owned by the applicant. He concluded by inviting the applicant to comment.

**Jess Holyoak (Mountain Engineering)** – Stated that a grading and drainage plan had been completed, though it was not included in the packet. He explained that several drainage concerns, particularly near the corner of the neighboring home, had been addressed. He noted that these plans would be reviewed by Mark Miller and that they would continue working with him to resolve any remaining issues.

**Member Steve Wilson** – Asked about the size of the detention basins.

He explained that the lot above the parcel had geological concerns and emphasized that his primary concern was drainage, as his home was located at the bottom of the parcel where the slope directed water toward the north corner of his property. He noted that Whittier Estates experienced high groundwater levels and that he had installed three sump pumps, which ran year-round, at significant personal expense. He described ongoing challenges with managing discharged water, noting limited options for proper drainage and only one storm drain located above his property.

He stated that he had not reviewed the plans until the previous day and expressed concern with the proposed mitigation strategy of installing detention areas for each lot after development, including driveways and other hardscapes. He questioned the effectiveness of collecting water in detention areas uphill from his property, stating that it would likely worsen his situation. He further noted that one of the proposed detention areas was located in an existing low spot where he had previously needed to install a trash pump to manage water accumulation, and he believed the plan would exacerbate that issue.

He concluded that, in his opinion, the current plan did not meet Morgan County drainage requirements and that a two-lot configuration would be more appropriate. He referenced county code requirements for discharge plans that mitigate harmful impacts and stated his belief that the plat could not be approved without an adequate drainage plan. While acknowledging the developer's willingness to explore alternative approaches, he questioned whether the current proposal met legal approval standards.

**Jordan Curtis** – Stated that he did not oppose development and recognized the property owner's rights, but expressed concern specifically with the inclusion of a third lot. He noted that there was an existing pool above the site that had already experienced shifting and cracking, and he was concerned that additional movement at the base of the hill could negatively impact his property. He concluded by expressing appreciation for the opportunity to comment.

### **Administrative**

1. **Public Meeting/Discussion/Decision** – *Meadow Brook Subdivision, Phase 2, Small Subdivision Preliminary & Final Plat*: A request for preliminary & final plat approval of the Meadow Brook Subdivision, Phase 2, Small Subdivision for the creation of three (3) lots. The property is identified by parcel number 00-0001-3258 & serial number 01-004-093, and is located approximately west of the intersection of North Thurston Drive and West 3725 North Street in unincorporated Morgan County.

**Chris Tremea, Code Enforcement** – Stated that it was his first time conducting a meeting of this nature and asked for patience from the Commission and public. He introduced himself as the Code Enforcement Officer and explained he was filling in for the Planning Department due to a surgery and a graduation.

He introduced the Meadow Brook Subdivision, Phase 2 Small Subdivision & Final Plat project. A request for preliminary and final plat approval for three lots. He noted the current zoning was R1-20. He stated staff recommended approval with listed findings and conditions, and that Jessie had distributed public comment information for the record to the Planning Commission.



PLANNING COMMISSION AGENDA  
Thursday, April 23rd, 2026  
Morgan County Commission  
Room  
6:30 p.m.

Minutes of the Morgan County Planning Commission meeting at the above time and date at the Morgan County Courthouse, Commission Chambers; 48 West Young Street, Morgan, Utah.

**Present PC Members:**

Chair Sessions  
Member Maloney  
Member Taylor  
Member Wilson  
Member Watt  
Member King

**Absent PC Members**

Member McMillan

**Public Attendance:**

Tina Kelley  
Lauren Hiller w/ Cole West  
Jess Holyoak  
Cambria Gibson  
Jordan Curtis  
Brian Nesteroff

**Staff:**

Deputy County Attorney – Janet Christoffersen  
Chris Tremea – Code Enforcement  
Jessie Drage, Transcriptionist/Permit Tech

1. **Call to order – Prayer by Member Taylor**
2. **Pledge of Allegiance**
3. **Approval of agenda**

*Motion by Member Wilson to approve the agenda for Thursday April 23<sup>rd</sup> 2026, seconded by Member King. Motion carried unanimously.*

4. **Declaration of Conflicts of Interest – None**
5. **Public Comment**

**Anthony Dorsey** – Stated that he lived in Whittier Estates and had initially been hesitant to attend due to his friendship with the developer and respect for the developer’s right to use the land. He clarified that his concerns were not with development itself, but with the design of the project. He raised a specific engineering concern related to drainage and suggested that modifying the plat to two lots instead of three could resolve several issues for both himself and the surrounding community.