



6:00 p.m. Welcome and opening remarks.  
Review and approval of agenda.

6:05 p.m.

1. **Appeal – Top Job, L.L.C.:** Duane Miles, agent for Top Job, L.L.C. appealing the determination of the Cache County Development Services Director regarding 1) Noncompliant business activities and notices of violation, and 2) Use designation of Top Job, L.L.C. business activities on parcel 12-024-0015, located in the Agricultural (A-10) Zone at 6135 West 2000 North.

Board Member Reports.  
Staff reports.  
Adjourn.

This is a public meeting and all interested persons are invited to attend. Complete details and legal descriptions are on file for public inspection at the office of the Cache County Zoning Administrator, 179 North Main, Room 305, Logan, Utah, 755-1640.

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen, Executive Secretary, at 755-1850 at least three working days prior to the meeting.



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MEMORANDUM

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**Date:** 20 March 2015  
**From:** Cache County Development Services  
**To:** Cache County Board of Adjustments  
**Subject:** Administrative appeal staff report - Top Job, LLC (Top Job)

This memorandum is provided in response to an application and notice of appeal (Exhibit A) submitted to the Development Services Office on March 11, 2015 by Mr. Duane Miles appealing two (2) separate decisions issued by the Development Services Director:

- Appeal item #1:** Violations of the Cache County Ordinance for activities involving Top Job and occurring on county parcel 12-024-0015.
- Appeal Item #2:** A determination by the Cache County Director of Development Services regarding use related definitions as found in the Cache County Zoning Ordinance.

As relates to the two (2) appeal requests staff has referenced, staff has provided:

- All related documentation (Exhibits A-L).
- Summary of documentation.
- A recommended determination and findings of fact.

DOCUMENTATION AND DISCUSSION

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**Exhibit B – 08 January -20 February 2015: Cache County Clerk – Business License Review**

- Week of January 8: County employee, Mr. Chris Harrild contacted the Cache County Clerk to confirm if Top Job had contacted the Clerk’s office to request a business license.
- 08 January: Letter – Clerk’s Office formally notified Mr. Jordan Miles of the requirement to obtain a business license or cease operations in the county. That letter specified a deadline of January 22, 2015 to resolve issue.
- 17 January: Phone Call – Mr. Jordan Miles contacted Mrs. Kim Gardner with the Clerk’s Office and stated that he had previously held a business license in Logan City and was in the process of getting another license in Logan until they could meet county requirements for their business. Mrs. Gardner notified him that this would require that he move his business into Logan City limits, Top Job could not use a Logan City business license to operate in the county.
- 23 January: Phone Call – Mrs. Gardner contacted Maria Tena with Logan City to inquire as to the status of the business license for Top Job. Ms. Tena indicated that Top Job had held a business license in years past but did not currently hold a license.
- 02 February: Phone Call – Mrs. Gardner again followed up with Ms. Tena and was again informed that Top Job had not obtained a business license with Logan City.

- 20 February: Phone Call – Mrs. Gardner contacted Mr. Harrild and reported that Top Job had not yet submitted application for a county business license.

**Exhibit C – 22 January 2015: Site Investigation**

- County employee Mr. Harrild had previously observed activities occurring on the property at West 2000 North and State Route 23 that appeared to be a violation of the Cache County Code. Mr. Harrild then specifically visited the site to document the alleged activities.

**Exhibit D – 30 January 2015: Notice of Violation (Notice)**

- Mr. Harrild made two attempts to contact the owner following the site investigation to alert them of the nature of said activities, and as the owner did not respond to the messages left by Mr. Harrild with employees of Top Job, a “Notice of Violation” letter was sent to Mr. Miles detailing the perceived violations of the Cache County Code.

**Exhibit E – 02 February 2015: Presence of Hazard; Fire and Investigation**

- As described in the Cache County Fire District report, Mr. Miles and employees of Top Job were attempting to clean/empty an old asphalt tank and ignited the material that spilled out of the tank as well as the remaining material within the tank.

**Exhibit F – 05-09 February 2015: Phone Call and Email Correspondence**

- 05 February: Phone Call - Following his receipt of the Notice, Mr. Jordan Miles contacted Mr. Harrild on February 5, 2015 to discuss said Notice. Mr. Harrild directed Mr. Jordan Miles to draft a letter of intent that would identify all existing and proposed uses on the property as relates to Top Job. Mr. Miles also indicated his intent to move his business to Logan City. He also indicated that he did not understand the need to also contact the Development Services office in addition to the Clerk’s office.
- 05 February: Email – Mr. Miles confirmed he would provide a letter of intent. He also stated that he was in the process of obtaining a business license from Logan City and moving his business there.
- 06 February: Email – Mr. Harrild requested the letter of intent be submitted as soon as possible.
- 08 February: Email – Mr. Miles indicated that he would not submit a letter of intent, nor apply to Logan City for a business license at this time. He expressed his intent to come into compliance, and state that he was seeking a consultant regarding county laws and ordinances.
- 09 February: Email – Mr. Harrild requested that Mr. Miles provide the information regarding the action to be taken to resolve the violation by February 13, 2015 at the latest.

**Exhibit G – Week of February 18, 2015: Letter of Intent and Phone Call**

- Mr. Jordan Miles submitted a letter of intent regarding the existing noncompliant use. He also submitted definitions taken from Wikipedia (trade) and Dictionary.com (dead storage) to support his interpretation of the Cache County Code as applied to his business activities.

- Mr. Harrild also contacted Mr. Jordan Miles by phone the week of February 18, 2015, to notify him that the letter of intent had been reviewed, and that as defined in the County Code §17.07.030 the use type “2200 Storage and Warehousing [1. Storage Yard]”(Storage Yard), best represents the activities in the letter of intent.

**Exhibit H – 23 February 2015: Request from Jordan Miles/Teri Miles, Partners Top Job, LLC**

- Top Job submitted a letter contesting the county’s designation of their business as a Storage Yard and also requested detailed support of that designation. They specified that they believed that “3100 Retail and Commercial Sales” (Retail/Commercial) best defined their business, and that it would be more difficult for them to find property whereon to locate their business with the Storage Yard designation.

**Exhibit I – 25 February 2015: County Response to Exhibit H, Top Job Request**

- As requested, the county provided clarification, and based on the letter of intent, identified each correlation of that letter with the County Code. The conclusion being that Top Job is clearly best defined as a Storage Yard, and that Top Job “in no way qualifies, nor is foreseeable, or reasonable, as a use that falls within the definition of 3100 Retail Commercial Sales” based on the letter of intent.

**Exhibit J – 05-06 March 2015: Letter from TeriLynn W. Miles, CEO, Top Job, LLC**

- 05 March – Mrs. TeriLynn Miles, CEO Top Job visited the Development Services Office and became aware at that time of the letter noted herein as Exhibit I. Mrs. Miles indicated that they had not received the letter. Mr. Harrild provided a hard copy of said letter and stated that continued delay to comply with the law would be perceived as noncompliance and necessitate the issuance of the Final Notice.
- 06 March - Top Job submitted a letter again contesting the determination as issued by the Development Services Department and requested indication of to whom to appeal the decision.

**Exhibit K – 06 March 2015: County Response to Exhibit I, Top Job Inquiry**

- The Development Services Department responded and provided the necessary information directing Top Job to the Cache County Board of Adjustments and County Code.

**Exhibit L – 10, 12 March 2015: Final Notice of Violation (Final Notice)**

- A Final Notice is issued to begin a 10 day warning period, following which criminal and civil penalties may be imposed. Said notice is not typically sent unless the offending party has not taken action to correct the noted violation(s). In this instance, Final Notice was submitted to the Cache County Sheriff’s Office on March 10<sup>th</sup> and was served on March 12<sup>th</sup> to Mr. Jordan Miles. The Final Notice was served as Top Job had not taken action to correct the business activities being conducted in violation of the Cache County Code as specified in the Notice (Exhibit D).

**Exhibit A – 11 March 2015: Notice of Appeal**

- Top Job submitted a Notice of Appeal as detailed on page 1 of this memorandum and as regards the stated violations of law and determination of use.

## SUMMARY OF DOCUMENTATION

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Top Job, L.L.C. has been formally noticed and officially aware of the extent of the violations and noncompliant nature of their business activities for what is now approaching 3 months.

With that initial notice and subsequent notices, Top Job, L.L.C. verbally stated their intent to either comply with the law, or move within Logan City limits and obtain proper permitting there.

Top Job, L.L.C. then indicated that they would not be moving to Logan City, and given that they continued to operate their business in the county, Top Job, L.L.C. must then comply with the Cache County Code.

And most recently, from the Notice of Appeal, Top Job, L.L.C. states that they have moved their offices to within Logan City limits, but that all other aspects of the business remain in the county. And while it may be true that some employees no longer operate from said property, no evidence to support that claim has been provided.

Additionally, of the two use types from the County Code that have been identified and discussed (Storage Yard and Retail/Commercial), neither is a permitted, nor conditionally permitted use within the Agricultural (A10) Zone, and the business activities occurring at the site have been shown to be a potential health and safety hazard.

In summation, adequate time and sufficient options to comply have been provided or available. And, while verbally amenable, Top Job, L.L.C. has not taken substantive action to come into compliance with the law.

## RECOMMENDED DETERMINATION AND FINDINGS OF FACT

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### **Appeal Item #1- Violation:**

Based on the record, the Board of Adjustments finds that Top Job, L.L.C, a business operating at 6125 West 2000 North on parcel 12-024-0015, is in violation of the Cache County Code as specified in the “Notice of Violation” as issued by the Development Services Office (Exhibit D). The Board of Adjustments therefore denies the appeal and directs staff to proceed with the necessary measures needed to correct the violation. In reference to the appeal, the Board of Adjustments also finds that any structures, materials, tanks, vehicles, or other inventory being utilized for the business operations of Top Job L.L.C. are a violation of the Cache County Code. Therefore the use of all structures for business activities must cease and all such materials, tanks, vehicles, and other inventory shall be removed from the site. This decision is based on the following findings of fact:

1. The appellant has acknowledged within the filed appeal that the existing activities occurring on the property are a violation of the Cache County Code. The applicant has stated that “we accept that we are currently out of compliance with respect to operating non-agricultural vehicles out of and having inventory at an A10 property.” (Exhibit A)
2. As pertains to the appellant’s business activities:
  - a. Business activities of Top Job, L.L.C. are being conducted in the Agricultural (A10) Zone.
  - b. The business is being conducted without a business license as required by Title 5.04 of the Cache County Code.

- c. Neither definition as discussed pertaining to Top Job, L.L.C. (2200 Storage and Warehousing or 3100 Retail and Commercial Sales) is a permitted use in the Agricultural (A10) Zone.
- d. If pursued, the conduct of the business activities as specified by Top Job, L.L.C. requires further land use authority consideration and approval. While this may be an avenue open to Top Job L.L.C., the action of requesting land use approvals and business licenses is required prior to the initiation of business activities.
- e. Top Job, L.L.C. has not pursued nor obtained land use authority approval to conduct their specified business activities.

**Appeal Item #2 – Use Type Determination:**

Based on the record, the Board of Adjustments finds that the Cache County Development Services Director has reasonably and correctly determined that Top Job, L.L.C. is best defined within the Cache County Code §17.07.030 as “2200 Storage and Warehousing [1. Storage Yard]”. Therefore, the Cache County Board of Adjustments denies the appeal request regarding said use determination based on the following findings of fact:

1. The Development Services Director has the authority under 17.02.060(B)(1)(e) to make determinations on the categorization of permitted and conditionally permitted uses and has considered the said use as required within said section.
2. There is substantial evidence within the record that supports the Development Services Director’s determination categorizing Top Job L.L.C existing and proposed use as “2200 Storage and Warehousing [1. Storage Yard]” as defined in Title 17.07 of the Cache County code.





**DEVELOPMENT SERVICES DEPARTMENT**

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

**Application: Notice of Appeal**

Date Received: 11 MAR 2015	By: <i>C. Miles</i>	Receipt #: 7892	Payment Type/Amount: CHECK # 1189
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**Appeal Information:**

Project Name: Top Job, LLC

Project Address: 6125 W 2000 North

Property ID Number(s): 12-024-0015

Zone: A10 Acres: 5.90 Area: Petersboro

**Agent Contact Information**

Name: Duane Miles Email: d.m@aggiemail.usu.edu

Phone: (435) 512-4870 Mailing Address: P.O. Box 454, Mendon, Utah 84325

**Property Owner Contact Information:**

Name: Jordan & Erin Miles Email: jordan@topjobasphalt.com

Phone: (435) 764-3630 Mailing Address: 6135 W 2000 North, Petersboro, Utah 84325

1. Applications are accepted by appointment only.
2. Incomplete applications will not be accepted.
3. Late applications will be held for the next meeting's agenda.
4. The application fee is not refundable.
5. Any information submitted with this application becomes public record and is posted online.

*16 APR 2015 - BOA*

DEVELOPMENT SERVICES DEPARTMENT  
179 NORTH MAIN, SUITE 305  
LOGAN, UTAH 84321

PHONE: (435) 755-1640 FAX: (435) 755-1987  
EMAIL: devservices@cachecounty.org  
WEB: www.cachecounty.org/devserv

**Appeal - Application Checklist and Acknowledgement:**

*A completed application must include the following unless specified otherwise:*

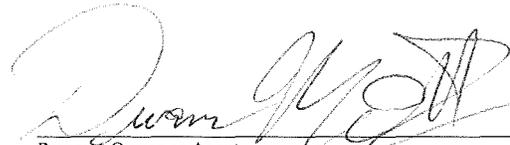
- 1)  A completed application form and *non-refundable* review fee (cash or check only):  
Appeal - \$250
- 2)  A plat map for each property.
- 3)  The legal description with any existing covenants & deed restrictions and current taxation certification for each property.
- 4)  The name(s) and full mailing address(es) for all owner(s) of each property.
- 5)  *If* the owner of record is not the acting agent, an agent letter must be included. *Also*, further information is required if the owner of record is an LLC, Corporation, Trust, or similar. Paperwork identifying the name of the LLC, Corporation, Trust, or similar, the listed owners or members, and assigned agent must be included.
- 6)  A notice of appeal specifying:
  - (i) The decision being appealed and the parties making the appeal.

*\*Further information may be required by staff, other departments and agencies, and/or the Board/Committee/Council that reviews the application based on the proposed use/development.*

**Acknowledgment**

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I, Duane Miles the undersigned agent and/or owner of the involved in this notice of appeal acknowledge that I have read and understand the information and requirements presented in this application.

  
Property Owner or Agent

Cache County Corporation

**Tax Roll Information**

Wednesday, March 11, 2015

For 12-024-0015

8:25AM

Owner Name & Address

Parcel	12-024-0015	Entry	102665!
Name	MILES, JORDAN D		
C/O Name			
Address 1	6135 W 2000 N		
Address 2			
City State Zip	PETERSBORO	UT	84325
District	028 COUNTY OUTSIDE		
Year	2015	Status	TX

Owners List

1 MILES, JORDAN D	1026655	1631/531
2 MILES, ERIN E	1026655	1631/531
4 WILLE, JEFFREY M	1026655	1631/531

Property Address

Address	6135 W 2000 N
City	PETERSBORO
Tax Rate	0.010280

\*\*\*\*\* PROPERTY INFORMATION \*\*\*\*\*

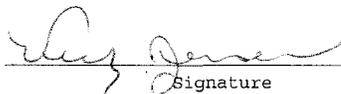
		2014		2015	
	UNITS/ ACRES	MARKET	TAXABLE	MARKET	TAXABLE
BC	BUILDING COMMERCIAL	22,400	22,400	22,400	22,400
BR	BUILDING RESIDENTIAL	89,395	49,165	89,395	49,165
LR	LAND RESIDENTIAL	1.00	50,000	50,000	27,500
LS	LAND SECONDARY	4.90	34,300	34,300	34,300
Totals			196,095	133,365	196,095

\*\*\*\*\* BUILDING & TAX INFORMATION \*\*\*\*\*

Square Footage:	1,135	Taxes for:	2014	1,370.99	
Year Built:	2010	Taxes for:	2015	1,370.99	
Building Type:	SFR	Special Tax:		0.00	
		Abatements:		0.00	
		Payments:	(	0.00	)
		Balance Due:		1,370.99	

\*\*\*\*\* BACK TAX SUMMARY \*\*\*\*\*

NO BACK TAXES

  
Signature

CACHE COUNTY TREASURER/DEPUTY

\*\*\*\*\* PARCEL HISTORY SECTION \*\*\*\*\*

PT 12-024-0001 4/07;

\*\*\*\*\* LEGAL DESCRIPTION \*\*\*\*\*

Property Address: 6135 W 2000 N  
PETERSBORO

Current Year:

# Cache County Corporation

## Tax Roll Information

Wednesday, March 11, 2015

8:25AM

Parcel 12-024-0015

Entry 1026655

Name MILES, JORDAN D

LOT 5 BLUE HAWK SUBDIVISION CONT 5.90 AC

WITH 50 FT R/W: BEG AT SW COR LT 4 BLUE HAWK SUBD & TH N 89\*41' E 290 FT ALG N LN

OF 2000 N ST TO SE COR LT 4 TH N 0\*19'17" E 50 FT TH S 89\*41' W 290 FT TH S

0\*19'17" W 50 FT TO BEG

SIT N/2 OF NW/4 SEC 20 T 12N R 1W

### Next Year:

Next Year Legal Description Same as Current Year

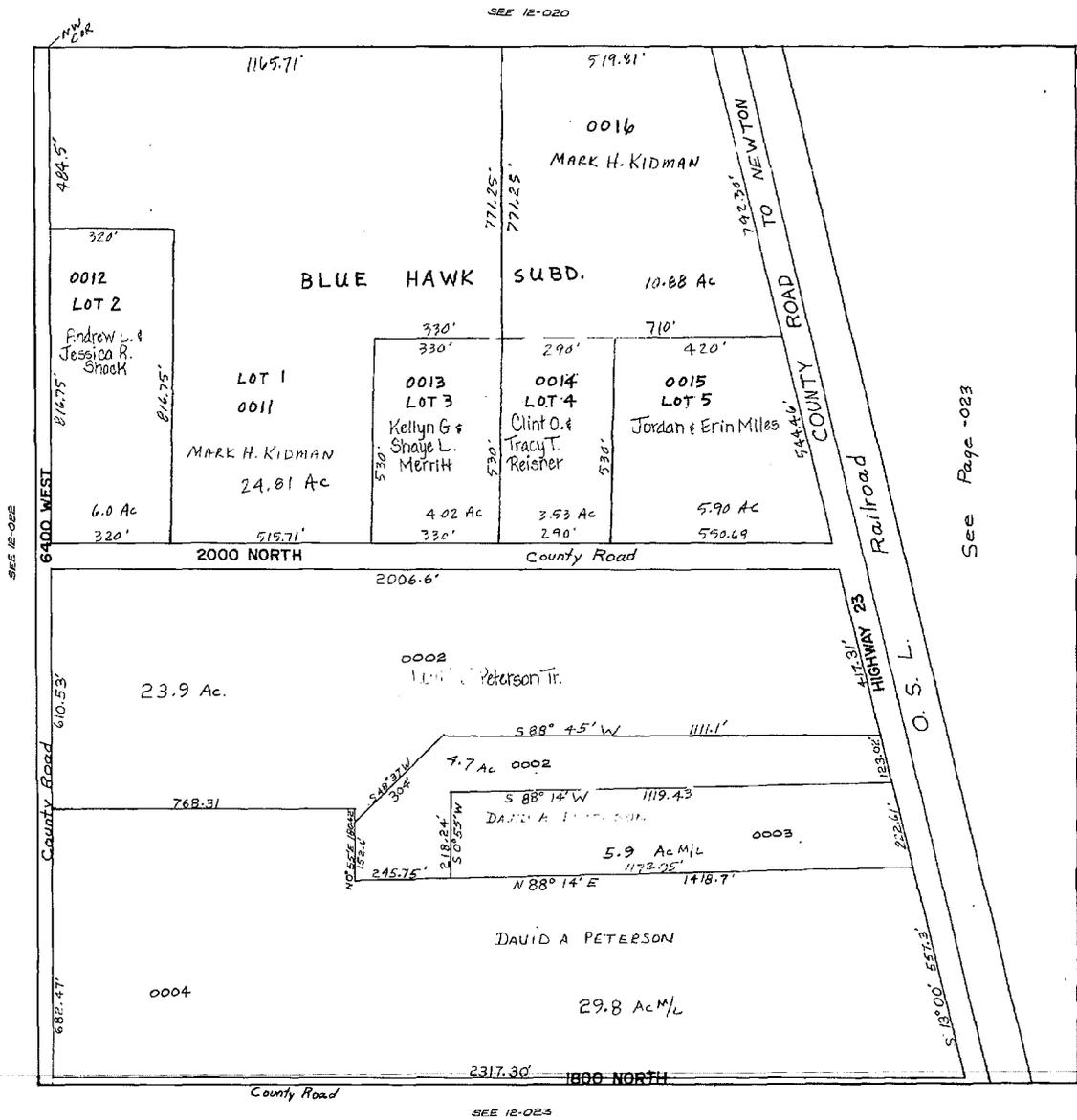
\*\*\*\*\* End of Report \*\*\*\*\*

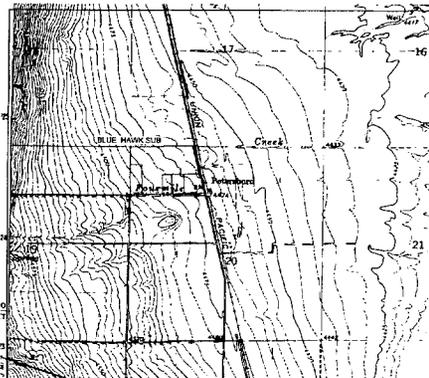
NW 4 Section 20 Township 12 North Range 1 West

12-024

Scale 1 Inch = 3 CHAINS

TAX UNIT 28





### BLUE HAWK SUBDIVISION PART OF THE NORTHWEST QUARTER OF SECTION 20 TOWNSHIP 12 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN

**NOTES**

Present and future owners must be aware that they will be subject to the sights, smells, and sounds of agricultural activities which are the permitted uses in the Agricultural Zone.

No increased level of storm water drainage shall be allowed to flow from any portion of any lot or remainder parcel of this subdivision to any adjacent property, ditches, canals, or waterways nor may any existing, historic, or natural drainage be altered without prior written authorization provided by the affected party or entity.

Set back lines are for primary buildings only.

Cache County has not determined the availability and adequacy of culinary water to either of the lots identified. All owners are advised of the requirements to obtain an approved culinary water source and to comply with all other requirements for the issuance of a zoning clearance prior to the issuance of any building permits.

#### ACKNOWLEDGEMENT

state of UTAH  
county of CACHE  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2006,  
personally appeared before me, the undersigned notary public in and for said county of Cache, in said state of Utah, the signer(s) of the attached owners' dedication, \_\_\_\_\_ in numbers, who duly acknowledged to me they signed it freely and voluntarily and for the purpose therein mentioned.

NOTARY PUBLIC

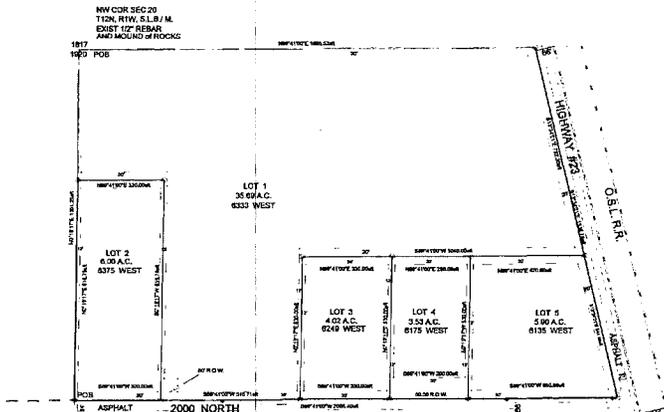
#### BOUNDARY DESCRIPTION

Part of the NorthWest quarter of Section 20, Township 12 North, Range 1 West of the Salt Lake Base and Meridian, described as follows: Commencing at the NorthWest corner of Section 20 and running N89°41'00"E 1985.52 feet to the West right-of-way line of Highway #23, Thence S43°34'01"E 1336.75 feet along said line to the North right-of-way line of 2000 North, Thence S88°41'00"W 2005.40 feet along said line to the West line of Section 20 and the East line of Rhonda R Fleming property, Thence N0°12'17"E 1301.25 feet along said line to the true point of beginning. Containing 55.14 A.C.

#### VICINITY MAP

#### LEGEND

- RECORD DEED LINE
- SET BACK LINE
- POWER LINE
- BOUNDARY LINE
- LOT LINE
- ED ASPHALT
- ROAD R.O.W.
- C.L. WEST RAIL / O.S.L.R.R.
- TO BE SET 58" REBAR/ CAP



#### NARRATIVE

The purpose of this survey is to divide parcel 12-024-0001 into a 5 lot minor subdivision. The survey was ordered by Mark Kidman. The control used for this survey was the right-of-way for 2000 North, Highway #23, and the O.S.L.R.R. The existing NorthWest and SouthWest corners of Section 20, Basis of Bearing is N0°12'17"E between said corners. Said bearing was established using the Cache County GPS coordinate system.

#### OWNERS

MARK KIDMAN  
P.O. BOX 211  
MENDON, UTAH 84325

SW COR SEC 20  
T12N, R1W, S12E, 1/4M  
EXIST BRASS CAP

#### SURVEYOR'S CERTIFICATE

I, Peter L. Peterson, do hereby certify that I am a Registered Land Surveyor in the State of Utah, License Certificate No. 161256 as prescribed by Law of the State of Utah and that I have made a survey of the property described herein.



#### OWNER'S DEDICATION

The following owners acknowledge the Subdivision shown on this plat. In witness whereof, we herunto set our signatures this 7 day of December, 2006.

#### ACKNOWLEDGEMENT

state of UTAH  
county of CACHE  
on this 7 day of December, 2006, Mark H. Kidman  
personally appeared before me, the undersigned notary public in and for said county of Cache, in said state of Utah, the signer(s) of the attached owners' dedication, \_\_\_\_\_ in numbers, who duly acknowledged to me they signed it freely and voluntarily and for the purpose therein mentioned.

NOTARY PUBLIC

#### BEAR RIVER HEALTH DEPARTMENT APPROVAL

The subdivision described on this plat has been approved by the Bear River Health Department this 30 day of Nov, 2006.

Bear River Health Department  
by \_\_\_\_\_  
title: \_\_\_\_\_

#### CACHE CACHE COUNTY PLANNING COMMISSION

This plat was reviewed by the Cache County Planning Commission on the 6 day of March, 2006. It is the recommendation of this board to approve/void this subdivision based on the following information:  
Date: 3-6-06  
CHAIRMAN: \_\_\_\_\_

#### CACHE CACHE COUNTY COUNCIL APPROVAL

This plat was approved and accepted by the Cache County Council by motion, on this 5 day of December, 2006. Dated this 5 day of December, 2006, attested by \_\_\_\_\_ Cache County Clerk.  
BY \_\_\_\_\_ CHAIRMAN

#### CACHE COUNTY ATTORNEY APPROVAL

I certify that I have examined this plat and approved the plat as to form as required by State Law and County Ordinance. Dated this 5 day of December, 2006.

CACHE COUNTY ATTORNEY

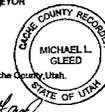
#### CACHE COUNTY SURVEYOR'S CERTIFICATE

I certify that I have examined this plat and find that it is correct and in accordance with the requirements on file in the County Surveyor's office.  
Date: 6 FEB. 2007  
Deputy County Surveyor

#### CACHE COUNTY RECORDER

state of Utah  
county of Cache  
This plat has been duly acknowledged, certified, and approved and may lawfully be recorded in Cache County Utah.  
file no. 2007-109 date 24 APR 2007 time 10:51 A.M.  
book 2007 page 2179 request of M. Young

Michael L. Gleed  
CACHE COUNTY RECORDER



### PETERSON LAND SURVEYING

P O BOX 349 PRESTON, IDAHO 83263  
435-757-0896, 888-322-1023, FAX 208-852-3116  
SCALE 1"=200', DRAWING NUMBER 06-0828  
MARK KIDMAN SURVEY  
P.O. BOX MENDON, UTAH 84325

## Owners

Jordan Miles  
6135 W 2000 North  
Petersboro, Utah 84325

Erin Miles  
6135 W 2000 North  
Petersboro, Utah 84325

Jeff Wille  
1811 Cricket Lane  
East Lansing, Michigan 48823

P.O. Box 454  
Mendon, Utah 84325  
March 11, 2015

Cache Development Services  
179 North Main Street  
Logan, Utah 84321

RE: Agents

The following will be agents for Jordan Miles and Top Job, LLC:

Duane Miles  
P.O. Box 454  
Mendon, Utah 84325  
(435) 512-4870

Craig Call  
Anderson Call & Wilkinson  
60 South Temple  
Salt Lake City, Utah 84111  
(801) 521-3434

If you have any questions feel free to contact either of them.

Thank you,



Jordan Miles  
Member, Top Job, LLC  
(435) 764-3630



TeriLynn W. Miles  
CEO, Top Job, LLC  
(435) 770-2282

P.O. Box 454  
Mendon, Utah 84325  
March 11, 2015

Cache Development Services  
179 North Main Street  
Logan, Utah 84321

RE: Notice of Appeal

We will appeal the decision regarding out-of-compliance activities at 6135 W 2000 North, Petersboro, Utah 84325 as follows:

We accept that we are currently out of compliance with respect to operating non-agricultural vehicles out of and having inventory at an A10 property. We are attempting to cure that or find another location.

We have moved our offices to 88 West Center Street, Logan, so we are no longer out of compliance regarding employees onsite at the subject property.

The existence of a structure is not, by itself, a non-compliance in A10. That structure was approved by Cache Development Services.

The existence of tanks is not non-compliance in A10.

We have been attempting to resolve the classification of Top Job, LLC business activities so that appropriate zoning can be obtained or another property with appropriate zoning can be rented or purchased. In order to make it possible to do so:

We appeal the Cache Development Services determination that Top Job, LLC is a category 2200 STORAGE AND WAREHOUSING activity. Equipment, product and structures are not unique to storage and warehousing. Operating a trade and/or a wholesale or retail business is prohibited under 2200 STORAGE AND WAREHOUSING. On the other hand, TRADE, WHOLESAL, AND RETAIL enterprises operating in "Commercial" zones always require at least product, usually a structure and often equipment.

Additional argument, documentation and evidence will be presented at the appeal hearing.

Regards,



Jordan Miles  
Member, Top Job, LLC  
(435) 764-3630



TeriLynn W. Miles  
CEO, Top Job, LLC  
(435) 770-2282



Email from Kim Gardner to Chris Harrild  
17 March 2015, 11:12 A.M.  
Subject: Top Job Asphalt / Jordan Miles

Jan 08, 2015- Sent business License inquiry Letter to Top Job Asphalt 6135 West 2000 North, Mendon, UT, 84325 Attention: Jordan Miles. Advised him that he was not in compliance with the business license ordinance and he either needed to obtain a county business license or let us know that he was not operating a business in the unincorporated area of the county By January 22, 2015. (Enclosed is a copy of letter sent).

Jan 17, 2015- Jordan called the clerk's office and spoke to Kim about not being able to come into compliance for a county business license by The January 22, 2015 Date. He indicated that they (Top Job Asphalt) had been issued a business license from Logan city before and that they were going to get a business license from them until they could comply with the county. Kim told them at that time that they would have to move the business into the Logan city limits to be issued a Logan City business license, That they could not use the Logan City business license where they were in the unincorporated area of the county.

Jan 23, 2015- Kim called the Logan city business license office and spoke to Maria Tena to inquire if they had issued a business License for Top Job Asphalt. At that time she indicated that Top Job had had a business license with them in a previous year(s), but currently did not have a licensed issued to them.

Feb 02, 2015-Business license due date for all 2015 business license's in the unincorporated area of cache county. Kim checked with the logan City Business License office again speaking to Maria Tena to see if they had approved a business license for top Job Asphalt, again the answer was no.

Feb 20, 2015-Kim Let Chris Harrild know that Top Job Asphalt had not submitted an application for a County Business license.



Jill N. Zollinger  
Cache County Clerk/Auditor  
179 North Main Suite 102  
Logan, UT 84321  
Phone: 435.755.1460 | FAX: 435.755.1980  
www.cachecounty.org/clerk

January 08, 2015

JORDAN MILES  
TOP JOB ASPHALT  
6135 WEST 2000 NORTH  
MENDON, UT, 84325

*Jordan Miles*  
435-764-3630

ATTENTION: JORDAN  
Subject: County Business License

We have been informed that a business is in operation whose headquarters is located in the unincorporated area of Cache County and are subject to the provision of the Cache County Business License Ordinance.

If this information is correct, you are required to obtain a county business license for each and every year your business is in operation.

New businesses must obtain clearance from the County Planning and Zoning Department, the County Building Department and the County Fire Department. A form has been enclosed with this information.

Please advise us, without delay, if you are **not operating** a business in the unincorporated area of the county. You will have until the **22nd of January** to take care of this matter. After that time this will be referred to the Cache County Attorneys Office for further review. If you have any questions concerning this matter please call the County Clerk's Office at (435) 755-1462 and ask for Kim.

Respectfully yours,

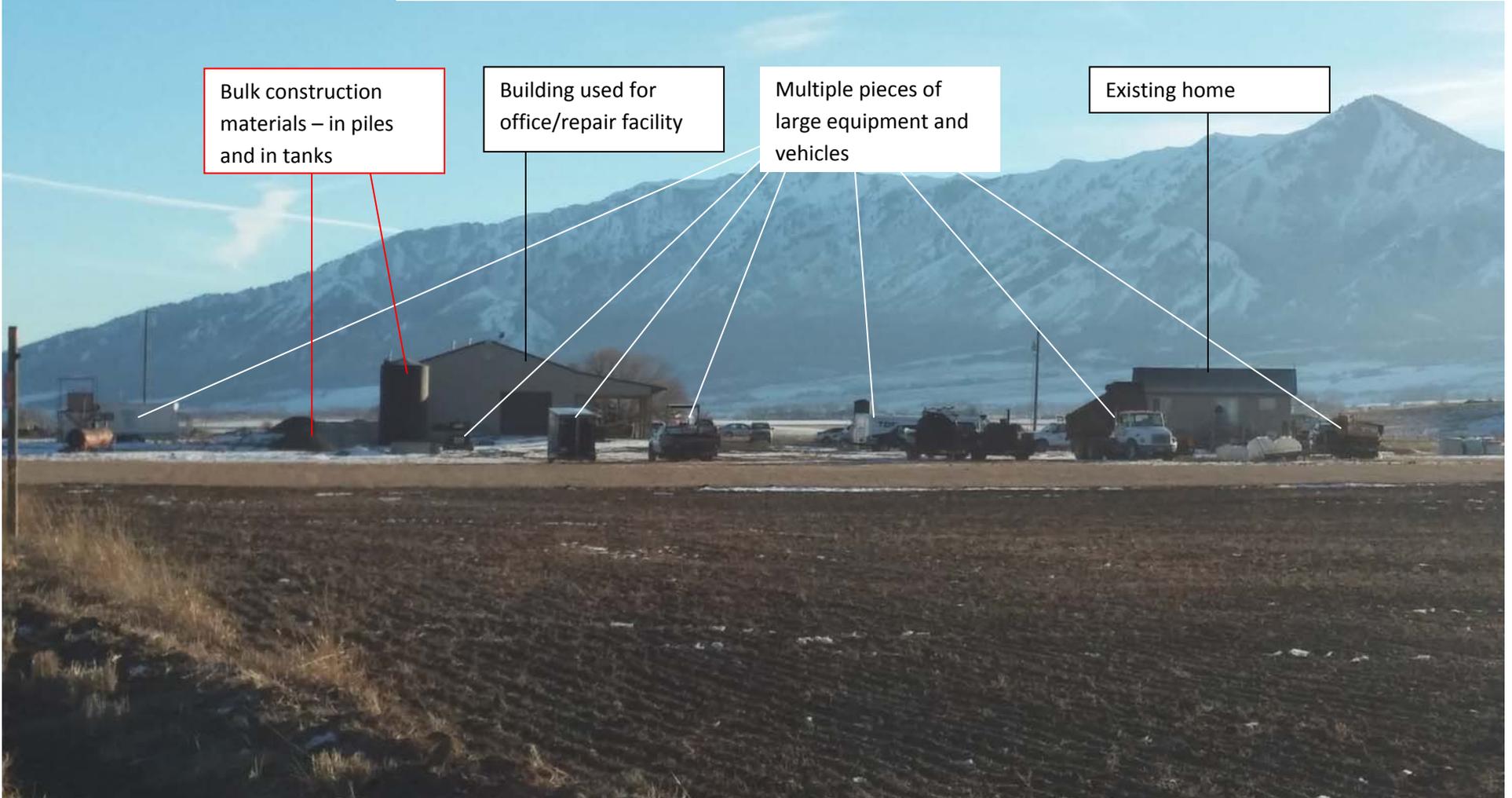
*Jill N. Zollinger*  
Jill N. Zollinger  
Cache County Clerk

Enclosure

cc Mr. Josh Runhaar  
Mr. Paul Berntson  
Mr. Rodney Hammer  
Mr. Craig Buttars  
Mr. James Swink

*Sent 01/08/15 - (kg)  
Called Logan city 01/20/15 about Bus Lic talked to Marice Tena*

Site investigation on January 22, 2015 by Chris Harrild. Photo taken facing south from shoulder of State Route 23.

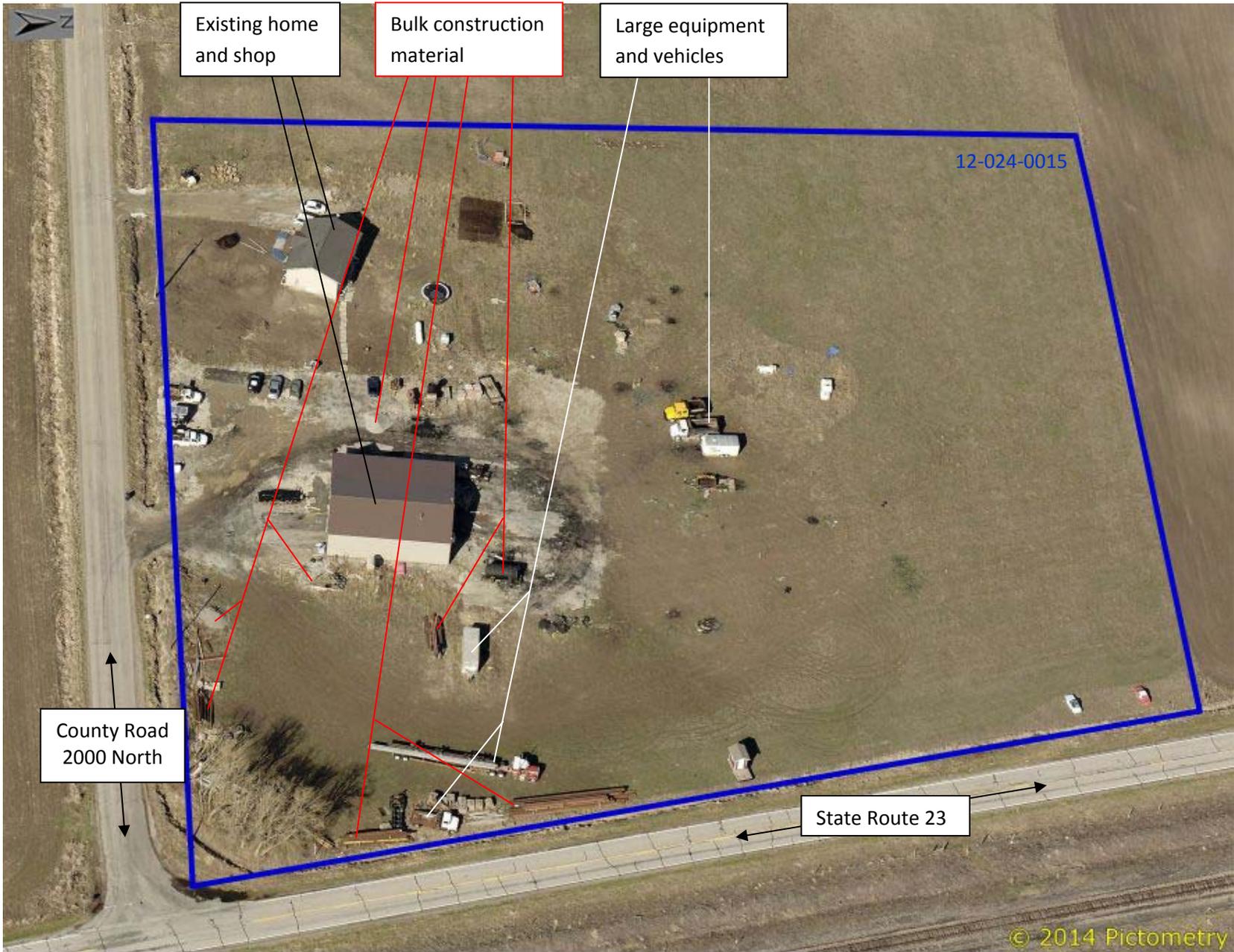


Bulk construction materials – in piles and in tanks

Building used for office/repair facility

Multiple pieces of large equipment and vehicles

Existing home





## DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING &amp; ZONING | ROADS | WEEDS

**NOTICE OF VIOLATION**

**To:** Jordan D. Miles, Erin E. Miles, Jeffrey M. Willie  
**From:** Cache County Development Services  
**Date:** 30 January 2015  
**Subject:** Notice of Violation

This notice is to inform you that activities are being conducted in violation of the Cache County Code on property located at approximately 6135 West 2000 North, Petersboro, with parcel number 12-024-0015.

Cache County has conducted site investigations of said property, and also attempted to contact Mr. Jordan Miles on two separate occasions in an effort to provide notification and direction regarding this issue. A lack of response has necessitated this notice.

The following is a description of the nature of the violation, actions necessary to correct the violation, the time period for correction of the violation, and the action that will be taken if the violation is not corrected.

**NATURE OF THE VIOLATION**

A business is being operated at 6135 West 2000 North, Petersboro, on parcel number 12-024-0015. Said business is being operated without a business license and without land use authority approval.

Following a visual inspection during site investigations, and on the information available to this office regarding the current activity being conducted at this site, it appears that this use is best defined and addressed by the Cache County Ordinance as follows:

Title §17.07.020 Use Related Definitions best defines this activity as:

“2200 Storage and Warehousing [1]”: “Storage Yard: The storage of large equipment and vehicles (either construction or transport); bulk construction materials (soil and rock products or building materials); and buildings or structures for uses such as offices or repair facilities.”

Additionally, Title §17.09.030 Schedule of Uses by Zone identifies that “2200 Storage and Warehousing [1]” is only permitted as a conditional use in the Industrial (I) Zone. The property that is being used for “2200 Storage and Warehousing [1]” is located within the Agricultural (A-10) Zone.

ACTIONS NECESSARY TO CORRECT THE VIOLATION

The following actions must be taken to resolve the violation:

1. Cease all business activities at this site and remove all business related equipment from the property, or;
2. Begin the process to rezone the property, request a conditional use permit (CUP) for said use, and obtain a county business license.
  - a. As this is not a permitted use in the existing Agricultural (A10) Zone, continued operation requires a rezone to the Industrial (I) Zone where "2200 Storage and Warehousing [1]" is a conditionally permitted use, and a request may then be made for a conditional use permit. If both the rezone and CUP are approved, a request for a business license may then be made.
  - b. If the request to rezone or obtain a permit is denied, and the use continues at the site, the noted action to be taken if the violation is not corrected will commence at that time.

TIME PERIOD FOR CORRECTION OF VIOLATION:

The above listed actions must be taken immediately on your receipt of this notice.

ACTION TO BE TAKEN IF THE VIOLATION IS NOT CORRECTED

This matter has been reviewed with the Cache County Attorney's Office, and if the aforementioned violation remains unresolved, a final notice of violation and order shall be served, and ten (10) business days after your receipt of that final notice, you will be subject to both criminal prosecution and the imposition of civil penalties. The penalties you will be subject to in a criminal prosecution include up to 90 days in jail and/or a fine of up to \$1,000.00. The civil penalties that you will also be subject to include a fine of \$100/day until the violation is resolved pursuant to §17.04.070 of the Cache County Ordinance.

If you have any questions regarding this notice or would like to provide any clarification please contact Chris Harrild with the Cache County Development Services Department at (435) 755-1640.

Sincerely,



Josh Runhaar  
Development Services Director

J Property Use Structures		341 Clinic, clinic-type infirmary		539 Household goods, sales, repairs	
131	Church, mosque, synagogue, temple, chapel	342	Doctor, dentist or oral surgeon office	571	Service station, gas station
161	Restaurant or cafeteria	361	Jail, prison (not juvenile)	579	Motor vehicle or boat sales, services, repair
162	Bar or nightclub	419	1 or 2 family dwelling	599	Business office
213	Elementary school, including kindergarten	429	Multifamily dwelling	615	Electric-generating plant
215	High school/junior high school/middle school	439	Boarding/rooming house, residential hotels	629	Laboratory or science laboratory
241	Adult education center, college classroom	449	Hotel/motel, commercial	700	Manufacturing, processing
311	24-hour care Nursing homes, 4 or more persons	459	Residential board and care	819	Livestock, poultry storage
331	Hospital - medical or psychiatric	464	Barracks, dormitory	882	Parking garage, general vehicle
		519	Food and beverage sales, grocery store	881	Warehouse
<b>Outside</b>		936	Vacant lot	981	Construction site
124	Playground	938	Graded and cared-for plots of land	984	Industrial plant yard - area
655	Crops or orchard	946	Lake, river, stream		
669	Forest, timberland, woodland	951	Railroad right-of-way		
807	Outside material storage area	960	Street, other		
919	Dump, sanitary landfill	961	Highway or divided highway		
931	Open land or field	962	Residential street, road or residential driveway		

Look up and enter a Property Use code and description only if you have NOT checked a Property Use Box.

Property Use Code:   
 Property Use Description:

**K1 Person/Entity Involved**

Local Option  Business Name (if Applicable)  Area Code  Phone Number

Check this box if same address as incident Location (Section B). Then skip the three duplicate address lines.

Mr., Ms., Mrs.  First Name  MI  Last Name  Suffix

Number  Prefix  Street or Highway  Street Type  Suffix

Post Office Box  Apt./Suite/Room  City

State  Zip Code

**K2 Owner** Same as person involved?  Then check this box and skip the rest of this block.

Local Option  Top Job  Area Code  Phone Number

Check this box if same address as incident Location (Section B). Then skip the three duplicate address lines.

Mr.  Jordan  MI  Miles  Suffix

6249  W  2000  Street or Highway  Street Type  Suffix

Post Office Box  Apt./Suite/Room  City

UT  84321  State  Zip Code

**M Authorization**

Officer in charge ID  Signature  Position or rank  Assignment

Month  Day  Year

Member Making report ID  Signature  Position or rank  Assignment

Month  Day  Year

**L Remarks**

Local Option

Dispatched initially to a working structure fire. Shortly after I went enroute dispatch advised that they had made contact with the owner of the business and that it was an intentional fire and they did not need any help. I advised I would continue to respond 10-40 to make contact with them.

When I got on SR23 I could see a large black column of smoke rising from the area, I upgraded to 10-39 and advised dispatch to keep all the resources responding 10-39 until I found out what was on fire.

I arrived on scene and found a large asphalt mixing container that was tipped over and had fire in the tank as well as a pool of asphalt burning approx 75' x 35' in area not threatening the building. I advised E110 to put the fire out in the tank first then we would work on the pool burning. As E110 was arriving employees had put the pool of asphalt on fire out with a garden hose, and E110 put out the remaining fire in the tank. I cancelled E72 but kept E60 in case we needed their water.

After the fire was out I was told by the owner that he had just purchased the tank and was trying to get all the old asphalt out, when they built a bon fire with pallets under the tank to heat it up. The asphalt ignited that was coming out of the bottom of the tank then lit the inside of the tank and the pool on fire. He advised me that this was not something he had ever done before nor did he plan on doing it again. Josh Greer from the Health Department showed up and worked with the owner on cleanup.



**Chris Harrild - Re: Logan City Business License Status**

---

**From:** Jordan Miles <jordan@topjobasphalt.com>  
**To:** Chris Harrild <Chris.Harrild@cachecounty.org>  
**Date:** 2/9/2015 8:35 AM  
**Subject:** Re: Logan City Business License Status

---

Will do Chris. Thanks.

Jordan

On Mon, Feb 9, 2015 at 8:24 AM, Chris Harrild <Chris.Harrild@cachecounty.org> wrote:

Hi Jordan,

Thank you for keeping us updated. As you work to come into compliance, please review the items in the initial notice of violation under "Actions Necessary to Correct the Violation" in your consideration of how your business appears to fit within the county requirements. At the very latest, please contact me by the end of this week to discuss your next steps detailing the action you will take to come into compliance.

Chris

Chris Harrild, AICP

Planner II

Cache County Development Services

435-755-1640

chris.harrild@cachecounty.org

>>> Jordan Miles <jordan@topjobasphalt.com> 2/8/2015 9:48 PM >>>

Hey Chris,

I had a meeting over the weekend with my business partners and they disagree with the approach that I was taking. Before we go any further in any direction they would like to consult with someone who is familiar with the county laws and ordinances. As such I have been instructed not to submit either another Logan business license application or a letter of intent at this time. What I can tell you is that we intend to come into full compliance, and that we plan to address this as quickly as possible. We have someone in mind already to help explain options, and plan to try to contact them first thing Monday. I will keep you updated, and of course you can contact me at any time to see where we are at.

As always, if you have any questions please feel free to contact me on my cell at 435.764.3630 or by email.

Thanks.

Jordan Miles

On Fri, Feb 6, 2015 at 8:22 AM, Chris Harrild <Chris.Harrild@cachecounty.org> wrote:

Thanks Jordan,

Please forward a copy of that application to me as soon as possible.

Chris

Chris Harrild, AICP

Planner II

Cache County Development Services

435-755-1640

chris.harrild@cachecounty.org

>>> Jordan Miles <jordan@topjobasphalt.com> 2/5/2015 5:10 PM >>>

Chris,

Thank you for taking my call today. As per our conversation I am drafting the letter of intent you requested and will be delivering it shortly.

I got a phone call a few minutes ago from Maria at the Logan City Business License Division. She informed me that they do not currently have an application on file for Top Job, LLC. I gave the application to an employee to drop off as they were running around. So it would seem that either Logan City misplaced the application or the employee failed to drop it off. Either way I plan to fill out a new application and deliver it myself tomorrow. I will of course get you a copy of that application as per your request. I have meetings out of town tomorrow, so if I can't get back before the City Offices close I will take it in first thing Monday morning. I hope that is acceptable.

If you have any questions please contact me on my cell phone at 435.764.3630 or by email at jordan@topjobasphalt.com.

Jordan Miles  
Owner  
Top Job, LLC

**Explanation of range (example: 2-4): the first number is what we are doing currently, the second number is our 5 year forecast.**

**a) Proposed Use:**

Retail sales/delivery of asphalt maintenance materials

Retail sales/delivery of rock products

Coordinating off-site installation/delivery of asphaltic materials

Office space for record keeping and sales

Current building is 2688 square feet

Site is ~6 acres, flat and almost perfectly level, business activities take ~3.75 acres

No "dead storage" use proposed at this location

No soil, rock product, or building material storage proposed at this location

**b) Number of Employees**

On Site—2-5 plus 2-2 owners

Off-Site—6-10 doing deliveries and off-site work

**c) Hours of Operation**

Monday through Saturday, typically 7am-5pm

Sunday—Closed

**d) Traffic and Parking**

Employees typically arrive around 7am in summer and deliveries depart shortly after. Winter starts are fewer and later. Often in winter no deliveries are made. Customers arrive sporadically during business hours, almost always one at a time. Most sales are telephone or email. Traffic is very light on both 2000 North and SR23. No issues have been experienced in the past.

**Deliveries**

Retail Operations—9am to 5pm

Outgoing Deliveries and Off-Site Operations—typically 7am to 5pm

Dump trucks go out 2-4 times a week average and stay out all day. They typically pick up material from vendor, deliver, and return empty.

Sealcoat trucks/trailers go out every day and usually stay out all day

A semi-truck delivers about twice a month average

UPS or FedEx comes about once or twice per week average

Mail is picked up at the Post Office by an owner

Parking space for customers and employees — 10-12 off-street spaces

Parking space for delivery trucks and equipment—20-25 off-street spaces

**e) Signage**

A 2'x3' sign with the Top Job logo in a window or next to the main door.

**f) Equipment**

2-2 skid steers for loading customer and company trucks, plowing snow, etc.

2-2 dump trucks for delivering product.

A paver and a roller are taken to customer job sites.

3-4 flatbed trucks for delivering products

4-5 trailers for delivering products

1-3 trucks with tanks for delivering products

2-1 trailers with tanks for delivering products

3-3 pickup trucks for pulling trailers and delivering products

2-3 passenger vehicles for sales and management

water tanks

1-3 stationary material tanks (non haz mat)

3-3 diesel fuel tanks (non haz mat, non flammable)

1-1 stand-by generator

various light tools (shovels, hammers, wrenches, etc)

**g) Waste/Garbage**

Logan/Cache has provided two black garbage cans

**h) Impact Mitigation (In Petersboro)**

No digging or other construction activities are carried out on the property, therefore dust or other irritants are not an issue. Noise resulting from equipment is generally restricted to a few minutes in the morning and a few minutes in the evening as the crews come and go, resulting in minimal noise pollution.

To address what little noise is generated, the owner of the property, Jordan Miles, has planted trees along the property line, and plans to plant more trees to shield/minimize both the view and any noise associated with operations. Fast growing temporary trees that grow 3-4 feet per year have and will be planted and will provide short term visual/noise obstruction. Similarly medium and long term trees have and will be planted to provide medium and long term visual and noise obstruction. Fences in natural tones are planned to be placed in strategic places to further block visual and noise pollution.



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# Trade

From Wikipedia, the free encyclopedia

*This article is about the economic mechanism. For other uses, see Trade (disambiguation).*

**Trade** involves the transfer of the ownership of goods or **services** from one person or entity to another in exchange for other goods or services or for money. Possible synonyms of "trade" include "commerce" and "financial transaction". Types of trade include barter. A network that allows trade is called a market.

The original form of trade, barter, saw the direct exchange of goods and services for other goods and services. Later one side of the barter started to involve precious metals, which gained symbolic as well as practical importance. Modern traders generally negotiate through a medium of exchange, such as money. As a result, **buying** can be separated from **selling**, or earning. The invention of money (and later credit, paper money and non-physical money) greatly simplified and promoted trade. Trade between two traders is called bilateral trade, while trade between more than two traders is called multilateral trade.

Trade exists due to the specialization and division of labor, in which most people concentrate on a small aspect of production, trading for other products. Trade exists between regions because different regions may have a comparative advantage (perceived or real) in the production of some trade-able commodity, or because different regions' size may encourage mass production. As such, trade at market prices between locations can benefit both locations.

Retail trade consists of the sale of goods or merchandise from a very fixed location, such as a department store, boutique or kiosk, online or by mail, in small or individual lots for direct consumption or use by the purchaser.<sup>[1]</sup> Wholesale trade is defined as the sale of goods that are sold as merchandise to retailers, and/or industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.<sup>[2]</sup>

Trading is a value-added function: it is the economic process by which a product finds its end user, in which specific risks are borne by the trader.

Trading can also refer to the action performed by traders and other market agents in the financial markets.

## Contents [hide]

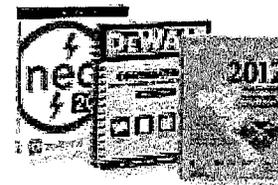
- 1 History
  - 1.1 Prehistory
  - 1.2 Ancient history
    - 1.2.1 Obsidian

✓  
- 764-3636  
- JORDAN WILES

dead storage



REFERENCE & LEARNING  
SUPPLIES AT GRAINGER.



1,000,000+ PRODUCTS.  
IF YOU NEED IT, WE'VE GOT IT.

# dead storage



Examples

CITE

noun

1. the storage of furniture, files, or other unused or seldom used items in a warehouse or other location for an indefinite period of time.

A→あ

Dictionary.com Unabridged

Based on the Random House Dictionary, © Random House, Inc. 2015.



Cite This Source

To: Mr. Josh Runhaar, Cache County Development Services Department

From: Jordan and Duane Miles, Partners, Top Job Asphalt

Date: February 27, 2015

Subject: Zoning classification for asphalt maintenance business

We have been working with Chris Harrild to determine what zoning designation is appropriate for our business. Chris has been very helpful and great to work with.

Last week we submitted a document describing our business, based on the Letter of Intent - Conditional Use Permit form used by Cache County. Chris requested this information to help determine whether we fit into a 2200 Storage and Warehousing zone or a 3100 Trade, Wholesale, and Retail zone. We also submitted common definitions for "trade" and "dead storage". We also requested information on what if any changes would be required to fit into a 3100 Trade, Wholesale, and Retail designation. We were informed verbally by Chris that after reviewing our submittals you have chosen to categorize Top Job as a 2200 Storage and Warehousing activity. We have not received detailed information stating why we don't qualify for the 3100 classification, or what changes are required to qualify for that designation.

Commercially zoned property is more readily available in Cache Valley than Industrial, therefore finding a suitable location for our business will be more difficult if we are classified as a 2200 activity. Therefore we request that you provide in writing a list of the characteristics of our business that do not fit into a 3100 designation so that we can, if possible, adjust the way we do business to meet the parameters of a 3100 Trade, Wholesale, and Retail designation.

Thanks.



Jordan Miles  
Partner  
Top Job Asphalt  
435-764-3630

FEB 23 2015



Teri Miles  
Partner  
Top Job Asphalt  
435-770-2282




**MEMORANDUM**


---

**Date:** 25 February 2015

**From:** Cache County Development Services

**Subject:** Top Job Asphalt Violation – Questions Regarding Use Type

This memorandum is provided as a response to a request for clarification submitted to the Development Services Office on February 23, 2015, dated February 27, 2015 by the submitter (Exhibit A). That request is in reference to a letter of intent previously submitted to and reviewed by our office (Exhibit B). This office has reviewed the request to distinguish as to why this office has identified the noncompliant use as 2200 Storage and Warehousing, instead of 3100 Retail and Commercial Sales, and answers as follows:

The Cache County Code §17.07.030 Use Related Definitions defines 2100 General Manufacturing, and 3100 Retail and Commercial Sales, respectively:

**2200 Storage and Warehousing [1]**

“Storage Yard: The storage of large equipment and vehicles (either construction or transport); bulk construction materials (soil and rock products or building materials); and buildings or structures for uses such as offices or repair facilities.”

**3100 Retail and Commercial Sales**

“An establishment that provides goods, wares, or merchandise directly to a consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.”

Based upon the provided letter of intent (Exhibit B), and in reference to the definition of a Storage Yard as defined by County Code, the noted noncompliant use involves:

1. County Code - “The storage of large equipment and vehicles (either construction or transport)...”

Letter of Intent - Onsite storage and use of skid steers, various sizes and types of trucks, a paver and roller, various types and sizes of trailers, and various types and sizes of passenger vehicles.

2. County Code - “...bulk construction materials (soil and rock products or building materials)...”

Letter of Intent - Various types and sizes of tanks housing various liquid asphalt maintenance materials.

3. County Code - “...buildings or structures for uses such as offices or repair facilities...”

Letter of Intent - A storage/office building

Therefore, this use is clearly defined as a Storage Yard under 2200 Storage and Warehousing, and in no way qualifies, nor is foreseeable, or reasonable, as a use that falls within the definition of 3100 Retail and Commercial Sales.

Additionally, the definitions as referenced in Exhibits A and B, and that exist outside the Cache County Code are not pertinent in the consideration of the existing, noncompliant use, as that use is reasonably addressed by the definitions within the County Code.

If you have any questions, please contact Chris Harrild at (435) 755-1640.

Sincerely,



Josh Runhaar  
Development Services Director

To: Mr. Josh Runhaar, Cache County Development Services Department

From: Jordan and Duane Miles, Partners, Top Job Asphalt

Date: February 27, 2015

Subject: Zoning classification for asphalt maintenance business

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Thanks.



Jordan Miles  
Partner  
Top Job Asphalt  
435-764-3630

FEB 28 2015



Teri Miles  
Partner  
Top Job Asphalt  
435-770-2282

**Explanation of range (example: 2-4): the first number is what we are doing currently, the second number is our 5 year forecast.**

**a) Proposed Use:**

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No "dead storage" use proposed at this location  
No soil, rock product, or building material storage proposed at this location

**b) Number of Employees**

On Site—2-5 plus 2-2 owners  
Off-Site—6-10 doing deliveries and off-site work

**c) Hours of Operation**

Monday through Saturday, typically 7am-5pm  
Sunday—Closed

**d) Traffic and Parking**

Employees typically arrive around 7am in summer and deliveries depart shortly after. Winter starts are fewer and later. Often in winter no deliveries are made. Customers arrive sporadically during business hours, almost always one at a time. Most sales are telephone or email. Traffic is very light on both 2000 North and SR23. No issues have been experienced in the past.

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A semi-truck delivers about twice a month average  
UPS or FedEx comes about once or twice per week average  
Mail is picked up at the Post Office by an owner  
Parking space for customers and employees — 10-12 off-street spaces  
Parking space for delivery trucks and equipment—20-25 off-street spaces

**e) Signage**

A 2'x3' sign with the Top Job logo in a window or next to the main door.

**f) Equipment**

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2-2 dump trucks for delivering product.  
A paver and a roller are taken to customer job sites.  
3-4 flatbed trucks for delivering products  
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2-1 trailers with tanks for delivering products  
3-3 pickup trucks for pulling trailers and delivering products  
2-3 passenger vehicles for sales and management

water tanks

1-3 stationary material tanks (non haz mat)

3-3 diesel fuel tanks (non haz mat, non flammable)

1-1 stand-by generator

various light tools (shovels, hammers, wrenches, etc)

**g) Waste/Garbage**

Logan/Cache has provided two black garbage cans

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# Trade

From Wikipedia, the free encyclopedia

*This article is about the economic mechanism. For other uses, see Trade (disambiguation).*

**Trade** involves the transfer of the ownership of goods or **services** from one person or entity to another in exchange for other goods or services or for money. Possible synonyms of "trade" include "commerce" and "financial transaction". Types of trade include barter. A network that allows trade is called a market.

The original form of trade, barter, saw the direct exchange of goods and services for other goods and services. Later one side of the barter started to involve precious metals, which gained symbolic as well as practical importance. Modern traders generally negotiate through a medium of exchange, such as money. As a result, **buying** can be separated from **selling**, or earning. The invention of money (and later credit, paper money and non-physical money) greatly simplified and promoted trade. Trade between two traders is called **bilateral trade**, while trade between more than two traders is called **multilateral trade**.

Trade exists due to the specialization and division of labor, in which most people concentrate on a small aspect of production, trading for other products. Trade exists between regions because different regions may have a comparative advantage (perceived or real) in the production of some trade-able commodity, or because different regions' size may encourage mass production. As such, trade at market prices between locations can benefit both locations.

Retail trade consists of the sale of goods or merchandise from a very fixed location, such as a department store, boutique or kiosk, online or by mail, in small or individual lots for direct consumption or use by the purchaser.<sup>[1]</sup> Wholesale trade is defined as the sale of goods that are sold as merchandise to retailers, and/or industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.<sup>[2]</sup>

Trading is a value-added function: it is the economic process by which a product finds its end user, in which specific risks are borne by the trader.

Trading can also refer to the action performed by traders and other market agents in the financial markets.

## Contents [hide]

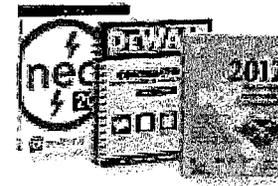
- 1 History
  - 1.1 Prehistory
  - 1.2 Ancient history
    - 1.2.1 Christian

✓  
 - 764-3636  
 - JORDAN MILES

dead storage



REFERENCE & LEARNING  
SUPPLIES AT GRAINGER.



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# dead storage



Examples

CITE

noun

1. the storage of furniture, files, or other unused or seldom used items in a warehouse or other location for an indefinite period of time.

A→あ

Dictionary.com Unabridged

Based on the Random House Dictionary, © Random House, Inc. 2015.



Cite This Source



P.O. Box 454  
Mendon, Utah 84325  
March 5, 2015

Josh Runhaar  
Cache County Development  
179 North Main Street  
Logan, Utah 84321

Mr. Runhaar,

The alleged noncompliant uses listed in your memorandum of 25 February 2015 are addressed as follows:

1. The Cache County Code under 2200 STORAGE AND WAREHOUSING states

“Such facilities are to be used for dead storage only. No business activities may be conducted from a storage facility other than those that are clearly ancillary to the primary business.”

Frequent use of skid steers, trucks, trailers, passenger vehicles and other items are expressly prohibited under STORAGE AND WAREHOUSING, as are sales of any kind.

2. The small pile of gravel observed once by Chris does not constitute “dead storage.” It was brought in to be spread out for driving on and has been spread.

3. “. . . buildings or structures for uses such as offices or repair facilities . . .” are allowed in STORAGE AND WAREHOUSING, but are not unique to storage and warehousing facilities. Structures are not noncompliant for TRADE, WHOLESale, AND RETAIL.

The three alleged noncompliant uses are acceptable common practice in TRADE, WHOLESale, AND RETAIL, as described below:

1. Tradesmen usually have trucks and other equipment that are sent out frequently, often on a daily basis. When wholesale or retail sales are offered to the public, any delivery trucks are usually kept at the business location.

2. Any business that offers wholesale or retail sales to the public has to have inventory. Inventory is not “dead storage.” Our inventory usually rotates in a matter of days or weeks.

3. Tradesmen almost always have some building or structure for their tools, inventory and sometimes vehicles. They usually have an office as well.

Wholesale and retail businesses must have spaces for sales, record keeping and inventory.

There are reasonable grounds for concluding that our business can justifiably be categorized under TRADE, WHOLESale, AND RETAIL. If you still disagree, please indicate in writing the entity or person(s) to whom we should direct our appeal.

Sincerely,



TeriLynn W. Miles  
CEO, Top Job, LLC

MAR 06 2015

Copy received by \_\_\_\_\_ on March 6, 2015





Cache  
County  
1857

**DEVELOPMENT SERVICES DEPARTMENT**

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

**MEMORANDUM**

---

**To:** Jordan D. Miles, Erin E. Miles, Jeffrey M. Willie

Top Job Asphalt  
C/O Jordan Miles, or TeriLynn Miles  
P.O. Box 454  
Mendon, UT 84325

**Date:** 06 March 2015

**From:** Cache County Development Services

**Subject:** Top Job Asphalt - Question Regarding Appeal of Ordinance Interpretation

This memorandum is provided as a response to a letter submitted to the Development Services Office on March 6, 2015, dated March 5, 2015 by the submitter (Exhibit A). Said letter contests the ordinance interpretation as provided by the Development Services Director dated February 25, 2015.

If it is your intent to appeal the Director's decision, you may submit the attached application requesting the review of the Cache County Board of Adjustments within 10 business days of the Director's decision. This means that an application to appeal the decision must be submitted to the Development Services Office by 5:00 p.m., March 11, 2015. Please refer to §17.02.060 [F] & [G] for additional details.

If you have any additional questions, please contact Chris Harrild at (435) 755-1640.

Sincerely,

Josh Runhaar  
Development Services Director

P.O. Box 454  
Mendon, Utah 84325  
March 5, 2015

Josh Runhaar  
Cache County Development  
179 North Main Street  
Logan, Utah 84321

Mr. Runhaar,

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2. The small pile of gravel observed once by Chris does not constitute "dead storage." It was brought in to be spread out for driving on and has been spread.

3. "... buildings or structures for uses such as offices or repair facilities ..." are allowed in STORAGE AND WAREHOUSING, but are not unique to storage and warehousing facilities. Structures are not noncompliant for TRADE, WHOLESALE, AND RETAIL.

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Sincerely,



TeriLynn W. Miles  
CEO, Top Job, LLC

MAR 06 2015

Copy received by \_\_\_\_\_ on March 6, 2015



Cache County  
1857

DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

CACHE COUNTY  
SHERIFF'S OFFICE

2015 MAR 10 A 10:51 144085

**NOTICE TO BE SERVED**

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**To:** Civil Division, Cache County Sheriff's Office

**From:** Cache County Development Services

**Date:** 06 March 2015

**Subject:** Final notice: Land use violation

Please serve the attached final notice of violation. The following is the physical property address and contact number on record with our office:

**Jordan Miles**

**6135 West 2000 North**

**Petersboro, Unincorporated Cache County**

**(435) 764-3630**

If you have any questions regarding the notice please call Chris Harrild at (435) 755-1640.

Thank you for your assistance.



**FINAL NOTICE OF VIOLATION**

---

**To:** Jordan D. Miles, Erin E. Miles, Jeffrey M. Willie  
**From:** Cache County Development Services  
**Date:** 06 March 2015  
**Subject:** Final Notice of Violation

**WARNING PERIOD**

---

The violation(s) as identified in the Notice of Violation dated 30 January 2015 remains unresolved. Upon your receipt of this final notice the ten (10) business day warning period for the correction of said violations shall commence.

**ACTION TO BE TAKEN IF THE VIOLATION IS NOT CORRECTED**

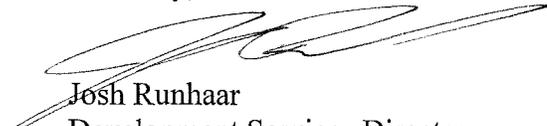
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This matter has been reviewed with the Cache County Attorney’s Office, and the aforementioned violation is punishable as a Class B misdemeanor as defined by Utah Code Annotated 17-53-223 et seq. If said violation remains unresolved following the warning period you will be subject to both criminal prosecution and the imposition of civil penalties.

The penalties you will be subject to in a criminal prosecution include up to 90 days in jail and/or a fine of up to \$1,000.00. The civil penalties that you will also be subject to include a fine of \$100/day until the violation is resolved pursuant to §17.04.070 of the Cache County Ordinance.

If you have any questions regarding this notice please contact Chris Harrild with the Cache County Development Services Department at (435) 755-1640.

Sincerely,

  
Josh Runhaar  
Development Services Director

State of Utah  
Cache County Sheriff's Office  
Civil Division  
Logan, UT 84321  
Return on Notice

Process Number: 144085

Court Number:

I, D. Chad Jensen, Sheriff of Cache County Sheriff's Office do hereby certify that I received the within and foregoing Notice on 10th day of March, 2015, for service on:

Defendant  
Jordan Duane Miles  
6135 W 2000 N  
Cache County, UT 84325

The same was:

Served on: 12th day of March, 2015 at 10:45:00 by Vaughan M  
Served to: Jordan Miles Defendant  
6135 W 2000 N  
Cache County, UT 84325

Returned on the 12th day of March, 2015

I also certify that I endorsed on the said copy the date of service, signed my name, and added my official title thereto.

Dated the 12th day of March, 2015

Fees:

Service: 0.00  
Mileage: 0.00  
Other : 0.00  
Total : 0.00

D. Chad Jensen, Sheriff  
Cache County Sheriff's Office, Utah

BY: M Vaughan  
Authorized Representative  
Civil Division