Midway City Council
19 November 2019
Regular Meeting

Whitaker Farm Subdivision / Plat Amendment

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING:	November 19, 2019
NAME OF PROJECT:	Whitaker Farm
NAME OF APPLICANT:	Mike Johnston
AGENDA ITEM:	Plat Amendment of Lots 9 and 10
LOCATION:	462 N Waters Edge
ZONING DESIGNATION:	RA-1-43 zone

ITEM: 14

Mike Johnston, agent for The Brewster Road Trust, is requesting a Plat Amendment of Whitaker Farm subdivision. The proposal is to combine lots 9 and 10. The property is located at 462 N Waters Edge and is in the RA-1-43 zone.

BACKGROUND:

Mike Johnston, agent for The Brewster Road Trust, is proposing a plat amendment to the Whitaker Farm subdivision. The property is located at 462 N Waters Edge and is in the RA-1-43 zone. The applicant is proposing to combine lots 9 and 10 into one lot to create more space around a future home. Lot 9 is 1.65 acres and Lot 10 is also 1.04 acres. If the lot combination is approved the size of the lot will be 2.69 acres.

The approval of the plat amendment will reduce the traffic in the area by potentially ten trips per day. It will also create more open space because only one dwelling will be allowed instead of two that are currently allowed. Overall density in the subdivision will also be reduced if the proposal is approved. The applicant will benefit from reduced property taxes if the lots are combined into one lot.

A plat amendment is a legislative item and City Council is not obligated to allow any changes even if they feel that the applicant met the requirements of the Code.

ANALYSIS:

For the Land Use Authority to approve a plat amendment Utah State Code dictates that the Land Use Authority consider the petition in a public meeting. The City Council should consider if the proposal is in the best interest of the community and if the petition matches the vision of Midway as described in the General Plan. The General Plan describes, among many things, the preservation of open space and the rural atmosphere of Midway. This proposal seems to help reach those two goals by reducing the number of dwellings that will be built in the subdivision. Lowering the density reduces the impact of development on the community by reducing potential services required by a developed lot, traffic (on average about ten trips per day) and potential impact on the school district.

A plat amendment and plat vacation are legislative items and the City Council is not obligated to allow any changes even if they feel that the applicant complies the requirements of the Code. Subsection 9a-608(2)(a) states "a land use authority may consider at a public meeting an owner's petition to vacate or amend a subdivision plat if the petition seeks to:"

(i) join two or more of the petitioner fee owner's contiguous lots;

No public street, right-of-way, easement will be vacated or altered. A public utility easement that runs along the shared lot line of lots 9 and 10 will be removed.

PROPOSED FINDINGS:

- Potential trips per day generated from the two lots will be reduced
- Density in the subdivision will be reduced
- The area will feel more open because of the reduction of one lot
- No public street, right-of-way, or easement will be vacated or altered

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds there is good cause to approve the proposal.

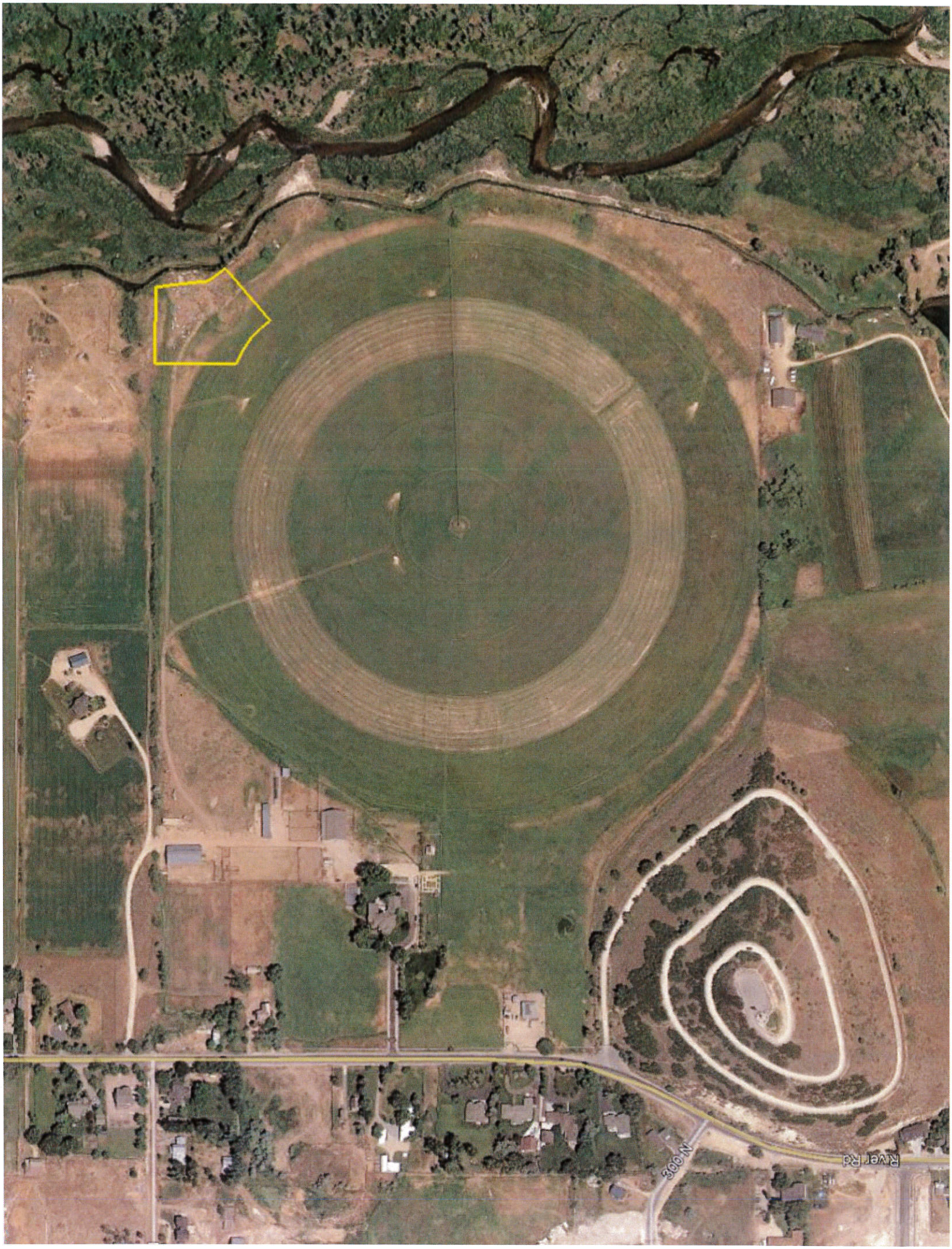
    a. Accept staff report
    b. Reasons for approval (findings)
    c. Place condition(s) if needed

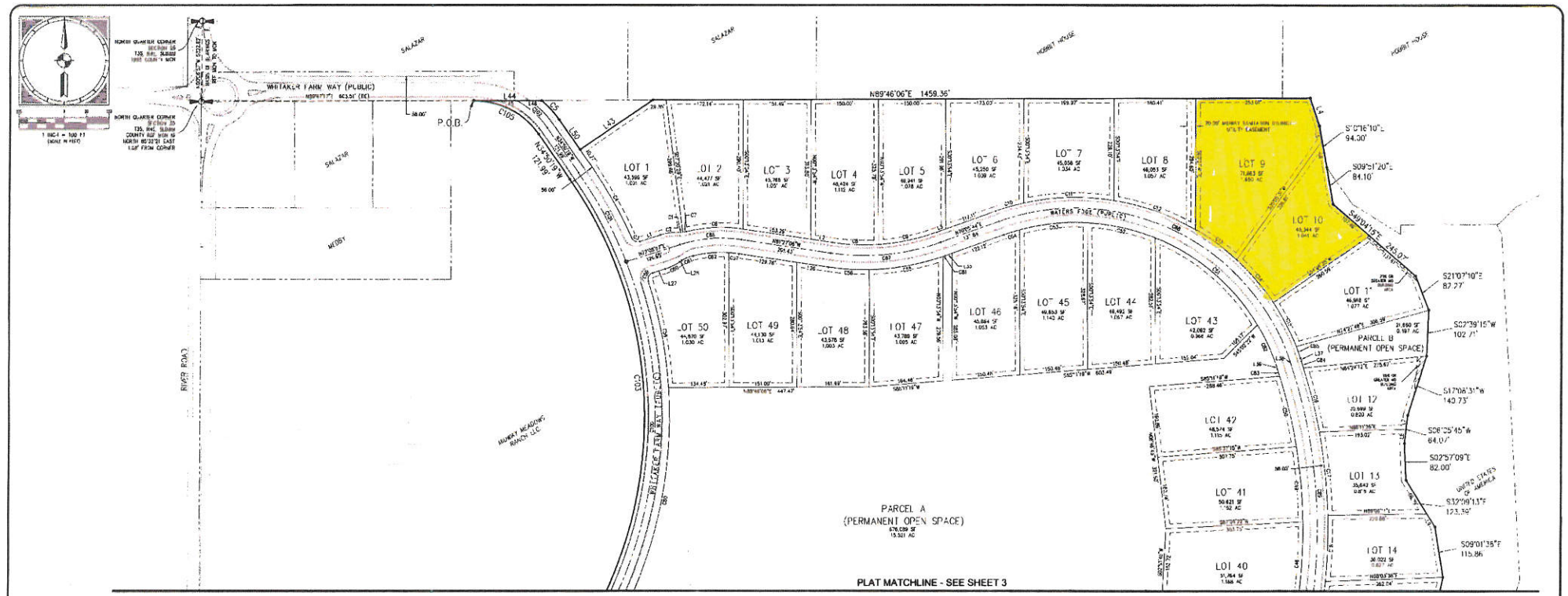
2. Continuance. This action can be taken if the City Council finds that there are unresolved issues.

    a. Accept staff report
    b. List accepted findings
    c. Reasons for continuance
        i. Unresolved issues that must be addressed
    d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds that the request does not meet the intent of the ordinance.

    a. Accept staff report
    b. List accepted findings
    c. Reasons for denial


300 N
River Rd



LINE	BEARING	DISTANCE
L1	N89°46'06"E	1459.36'
L2	N89°46'06"E	1459.36'
L3	N89°46'06"E	1459.36'
L4	N89°46'06"E	1459.36'
L5	N89°46'06"E	1459.36'
L6	N89°46'06"E	1459.36'
L7	N89°46'06"E	1459.36'
L8	N89°46'06"E	1459.36'
L9	N89°46'06"E	1459.36'
L10	N89°46'06"E	1459.36'
L11	N89°46'06"E	1459.36'
L12	N89°46'06"E	1459.36'
L13	N89°46'06"E	1459.36'
L14	N89°46'06"E	1459.36'
L15	N89°46'06"E	1459.36'
L16	N89°46'06"E	1459.36'
L17	N89°46'06"E	1459.36'
L18	N89°46'06"E	1459.36'
L19	N89°46'06"E	1459.36'
L20	N89°46'06"E	1459.36'
L21	N89°46'06"E	1459.36'
L22	N89°46'06"E	1459.36'
L23	N89°46'06"E	1459.36'
L24	N89°46'06"E	1459.36'
L25	N89°46'06"E	1459.36'
L26	N89°46'06"E	1459.36'
L27	N89°46'06"E	1459.36'
L28	N89°46'06"E	1459.36'
L29	N89°46'06"E	1459.36'
L30	N89°46'06"E	1459.36'
L31	N89°46'06"E	1459.36'
L32	N89°46'06"E	1459.36'
L33	N89°46'06"E	1459.36'
L34	N89°46'06"E	1459.36'
L35	N89°46'06"E	1459.36'
L36	N89°46'06"E	1459.36'
L37	N89°46'06"E	1459.36'
L38	N89°46'06"E	1459.36'
L39	N89°46'06"E	1459.36'
L40	N89°46'06"E	1459.36'
L41	N89°46'06"E	1459.36'
L42	N89°46'06"E	1459.36'
L43	N89°46'06"E	1459.36'
L44	N89°46'06"E	1459.36'
L45	N89°46'06"E	1459.36'
L46	N89°46'06"E	1459.36'
L47	N89°46'06"E	1459.36'
L48	N89°46'06"E	1459.36'
L49	N89°46'06"E	1459.36'
L50	N89°46'06"E	1459.36'

LEGEND

- SECTION LINES
- ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- SLOPE EASEMENT – NO STRUCTURES
- SET STONE MONUMENT
- EXTERIOR SUBDIVISION CORNER SET 5/8" REBAR AND CAP MARKED "SUMMIT ENGINEERING 435-654-6225"
- EXTERIOR SUBDIVISION CORNER MEASURED AND MARKED AS
- BOUNDARY ANGLE POINT
- 25% OR GREATER NO BUILDING AREA

PROJECT C18-004
SHEET 2 OF 3
DATE 07/30/2018

Summit Engineering Group Inc.
Structure • Civil • Surveying
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UT 84032
PH 435-654-6225 • FX 435-654-6231

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SUMMIT ENGINEERING GROUP INC

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WHITAKER FARM

LOCATED IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SLB&M.
MIDWAY CITY, WASATCH COUNTY, UTAH

ENTRY 467419 BOOK 1262 PAGE 1769-1791
DATE 8-30-19 TIME 9:30AM FEE $256.00
FOR WHITAKER FARM DEVELOPMENT LLC
BY TC
WASATCH COUNTY RECORDER

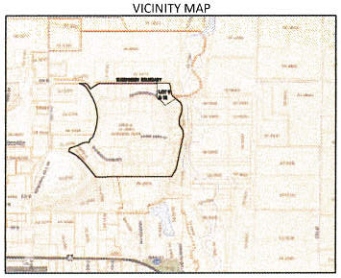
WHITAKER FARM
LOT 9 AMENDED

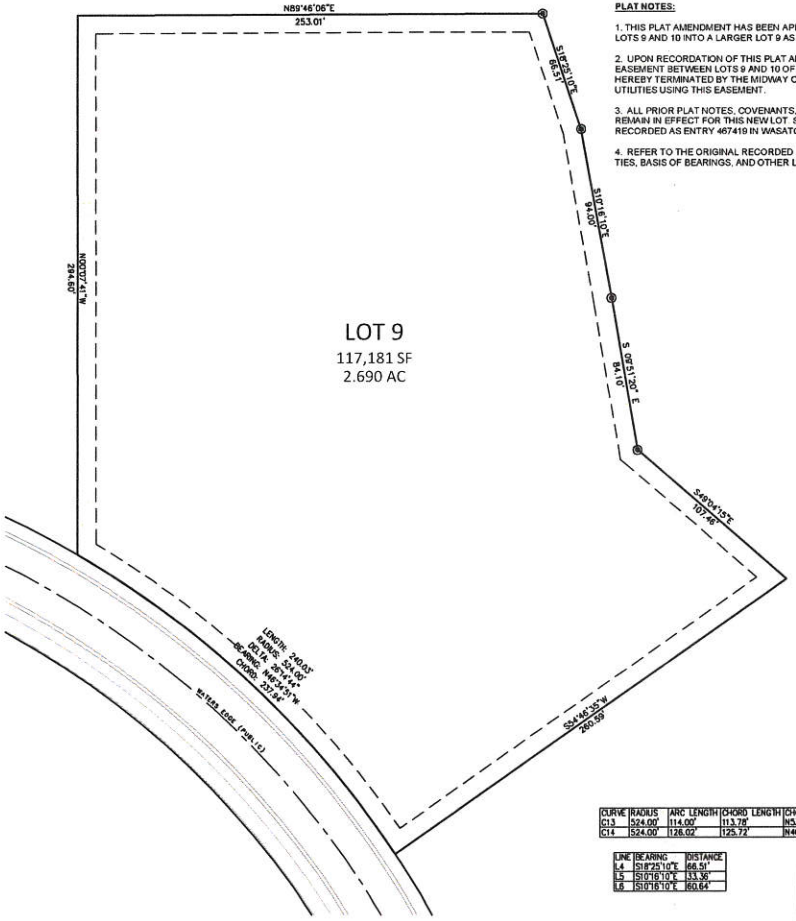
N

GRAPHIC SCALE

(IN FEET)
1 INCH = 30 FT

VICINITY MAP





PLAT NOTES:

1. THIS PLAT AMENDMENT HAS BEEN APPROVED FOR THE PURPOSE OF COMBINING LOTS 9 AND 10 INTO A LARGER LOT 9 AS SHOWN HEREON.

2. UPON RECORDATION OF THIS PLAT AMENDMENT THE 10-FT PUBLIC UTILITY EASEMENT BETWEEN LOTS 9 AND 10 OF THE ORIGINAL PLAT FOR WHITAKER FARM IS HEREBY TERMINATED BY THE MIDWAY CITY COUNCIL. THERE ARE NO EXISTING UTILITIES USING THIS EASEMENT.

3. ALL PRIOR PLAT NOTES, COVENANTS, AND RESTRICTIONS OF RECORD SHALL REMAIN IN EFFECT FOR THIS NEW LOT. SEE SUBDIVISION PLAT FOR WHITAKER FARM RECORDED AS ENTRY 467419 IN WASATCH COUNTY OFFICIAL RECORDS.

4. REFER TO THE ORIGINAL RECORDED PLAT FOR WHITAKER FARM FOR SECTION TIES, BASIS OF BEARINGS, AND OTHER LOCATION AND SURVEY INFORMATION.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C13	524.00'	114.00'	113.78'	N53°26'15"W	12°27'56"
C14	524.00'	126.02'	125.72'	N40°20'53"W	13°46'48"

LINE	BEARING	DISTANCE
L4	S18°25'10"E	66.51'
L5	S10°16'10"E	33.36'
L6	S10°16'10"E	60.64'

NARRATIVE

THE PURPOSE OF THIS PLAT AMENDMENT IS TO COMBINE LOT 9 & LOT 10 OF THE WHITAKER FARM INTO ONE LOT, HEREAFTER TO BE NAMED LOT 9 AMENDED.

MIDWAY CITY ATTORNEY

CITY ATTORNEY DATE

MIDWAY SANITATION DISTRICT

DATE

MIDWAY ENGINEER APPROVAL

CITY ENGINEER DATE

MIDWAY IRRIGATION

DATE

SURVEYOR'S CERTIFICATE

I, BRIG CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 148798 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW.

BRIG CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE

SURVEYOR'S SEAL

BOUNDARY DESCRIPTION

LOTS 9 AND 10 OF THE WHITAKER FARM, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF RECORDER, WASATCH COUNTY, UTAH.

CONTAINS 2.69 ACRES

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS PER THE ORIGINAL RECORDED SUBDIVISION PLAT FOR WHITAKER FARM (ENTRY NO: 467419).

OWNER'S DEDICATION AND CONSENT TO RECORD

I, THE UNDERSIGNED OWNER OF LOTS 9 AND 10 IN WHITAKER FARM, DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THIS PLAT AMENDMENT TO BE CREATED, AND GRANT TO MIDWAY CITY THE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON, AND HEREBY GIVE CONSENT TO RECORD THIS PLAT.

GREGORY J MORRIS, TRUSTEE OF THE BREWSTER ROAD TRUST (10/8/2019)

DATE

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASATCH

ON THE ____ DAY OF _____, 2019 PERSONALLY APPEARED BEFORE ME GREGORY J MORRIS, TRUSTEE, WHO SIGNED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD, AND WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MIDWAY, UTAH, APPROVES THIS SUBDIVISION PLAT AMENDMENT SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, THIS _____ DAY OF _____, 2019.

MAYOR

CLERK–RECORDER

PLANNING APPROVAL

APPROVED THIS _____ DAY OF _____, 2019 BY THE CITY COUNCIL OF MIDWAY, UTAH.

PLANNING DIRECTOR

WASATCH COUNTY RECORDER

PROJECT	PREPARED FOR
L19-246	THE BREWSTER ROAD TRUST
SHEET 1 OF 1	PROJECT: WHITAKER FARM 9 & 10 LOTS COMBO

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WHITAKER FARM LOT 9 AMENDED

LOCATED IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SLB&M,
MIDWAY CITY, WASATCH COUNTY, UTAH

COUNTY SURVEYOR APPROVAL

APPROVED AS TO FORM. RECORD OF SURVEY #

WASATCH COUNTY SURVEYOR

DATE