



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: May 14, 2018

NAME OF PROJECT: Cozens Subdivision

NAME OF APPLICANT: Berg Engineering

AGENDA ITEM: Preliminary/Final Approval

LOCATION OF ITEM: 840 South Stringtown Road

ZONING DESIGNATION: RA-1-43

ITEM: 6

Albert Cozens is requesting Preliminary/Final approval for the Cozens Subdivision. The proposal is a small-scale subdivision located on 3.72 acres and will contain one lot. The property is located at 840 South Stringtown Road and is in the RA-1-43 zone.

BACKGROUND:

This request is for preliminary/final approval of a small-scale subdivision on 3.72 acres that will contain one lot. The lot proposed in the subdivision will obtain frontage along Stringtown Road. The property is located in the RA-1-43 zoning district and the lot does comply with the minimum requirements of frontage, width and acreage for a lot in this zone.

According to a chain of deeds for the property that was supplied to staff, the four parcels that will be combined into one lot with this proposal, in their current boundary description, were created without complying with Wasatch County's land use requirements. The parcels were created when all four parcels were in the jurisdiction of Wasatch County before they were annexed into Midway. Because the none of the parcels

are lots of record the owner would like to record a subdivision plat to bring the property into compliance with the Midway Land Use Code.

There is currently one dwelling on the property and a relatively large detached structure. The dwelling is nonconforming to current front setback requirements but is considered legal non-conforming. The dwelling is connected to Midway' culinary water system but it is not connected to Midway Sanitation District's sewer line because of the septic system on the property.

There are sensitive lands present on the property. Snake Creek runs through the northeast section of the property. A FEMA floodplain accompanies Snake Creek which requires a 100' setback or any structures. The submitted plans do show the floodplain with the required 100' setback.

LAND USE SUMMARY:

- 3.72-acre parcel
- RA-1-43 zoning
- Proposal contains one lot
- Frontage Stringtown Road
- The lot will connect to the Midway City's culinary water line, and Midway Irrigation Company's secondary water line
- The dwelling will continue to be serviced by the onsite septic system until future development requires a connection to the sewer system

ANALYSIS:

Sensitive lands – Snake Creek runs through the property and has a FEMA floodplain associated with it. A 100' setback is required for all structures from the FEMA floodplain which will be shown on the plat limiting where future structures may be located.

Water Connection – The existing dwelling is connected to the City's water line located under Stringtown Road.

Sewer Connection – The dwelling will continue to be serviced by the onsite septic system until future development requires a connection to the sewer system.

Secondary Water Connection – The lot will connect to Midway Irrigation Company’s secondary water line which already services the area.

Setbacks – A 50’ setback is required for any structures built in the proposal. The required setback will be noted on the plat.

Further development – The owner has considered a two lot subdivision and a three lot subdivision on this property, which would clearly comply with the code requirements for lot in the RA-1-43 zone. In the Small Subdivision section of the code under 16.17.1: Purpose and Intent it is described that no further development should take place unless state code requires or allows the development. The code reads as follows: *Once a small subdivision has been approved by the City Council and recorded, no further subdivision of that plat will be approved by the City of Midway, except as may be required by Utah law.*

WATER BOARD RECCOMDATION:

The Water Board has yet to review the proposal.

POSSIBLE FINDINGS:

- The proposed lot meets the minimum requirements for the RA-1-43 zoning district
- The proposal does meet the intent of the General Plan for the RA-1-43 zoning district

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission feels the proposal complies with the requirements of the Land Use Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s) if needed

2. Continuance. This action can be taken if the Planning Commission feels 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. Recommendation of Denial. This action can be taken if the Planning Commission feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

May 14, 2019

Midway City
Attn: Michael Henke
75 North 100 West
Midway, Utah 84049

Subject: Cozens Subdivision, – Preliminary / Final Approval

Dear Michael:

Horrocks Engineers recently reviewed the Cozens Subdivision plat for Preliminary and Final approval. The proposed subdivision is located at approximately 840 South Stringtown Road. The proposed subdivision consists of 1lot. The following issues should be addressed.

General Comments

- The small scale subdivision is not proposing to construct any new roads or public infrastructure. If the plat is further subdivided, the existing sewer line at the intersection of Stringtown Road and Wards Lane should be extended to the North boundary of the subdivided plat.

Water

- The existing home is served by the existing 10" water line within Stringtown Road.

Roads

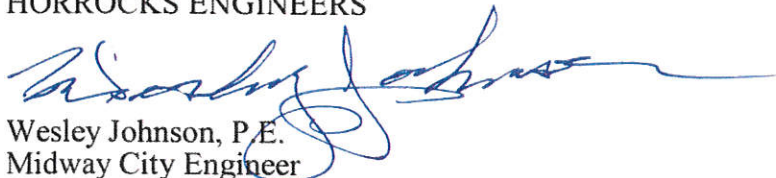
- No new roads are proposed within the subdivision.

Storm Drain

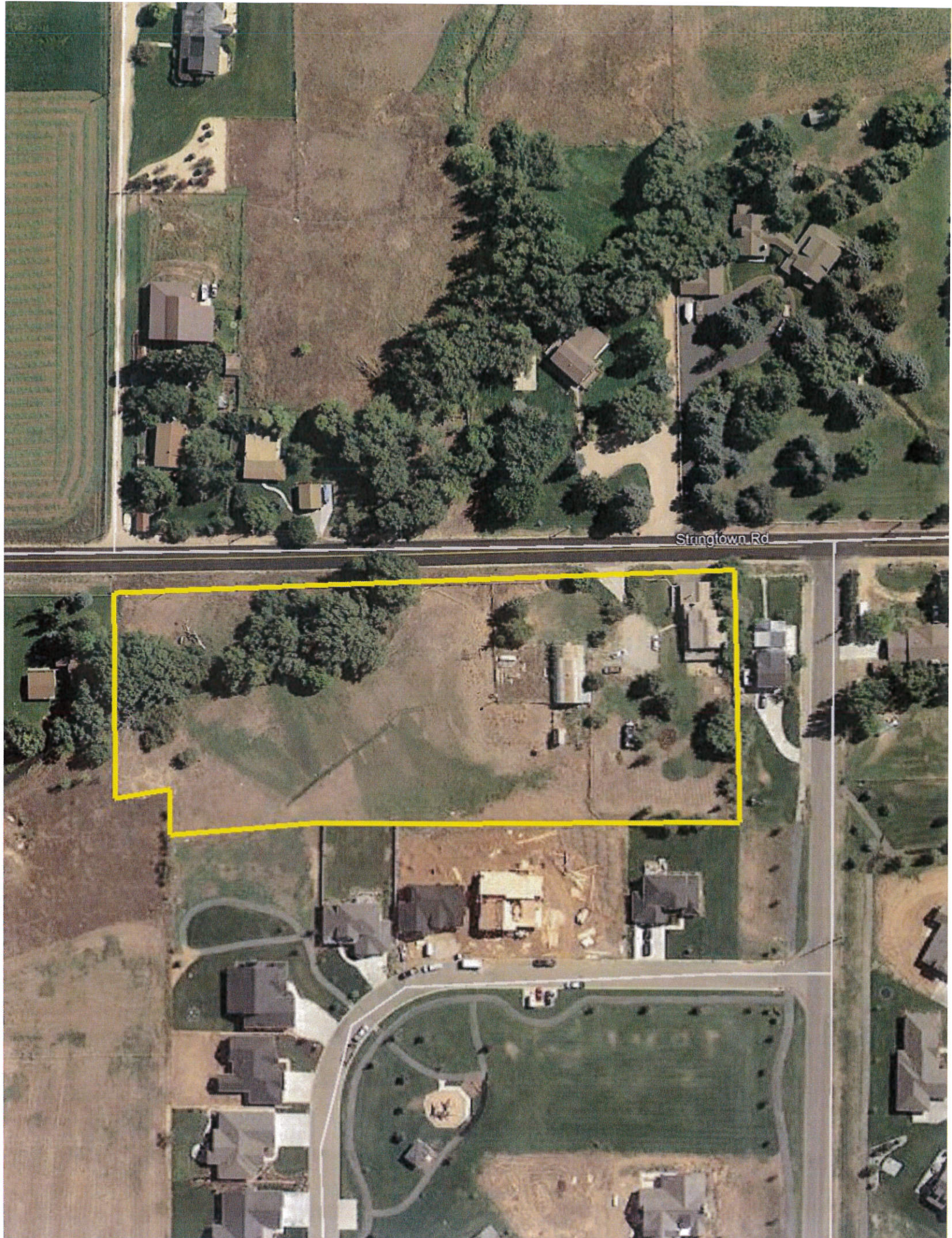
- The existing Stringtown Road shoulder will contain the storm water.

Please feel free to call our office with any questions.

Sincerely,
HORROCKS ENGINEERS

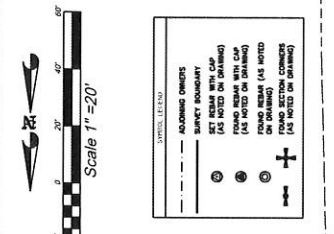
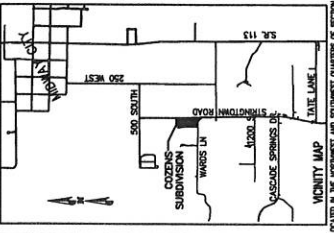


Wesley Johnson, P.E.
Midway City Engineer



Stringtown Rd

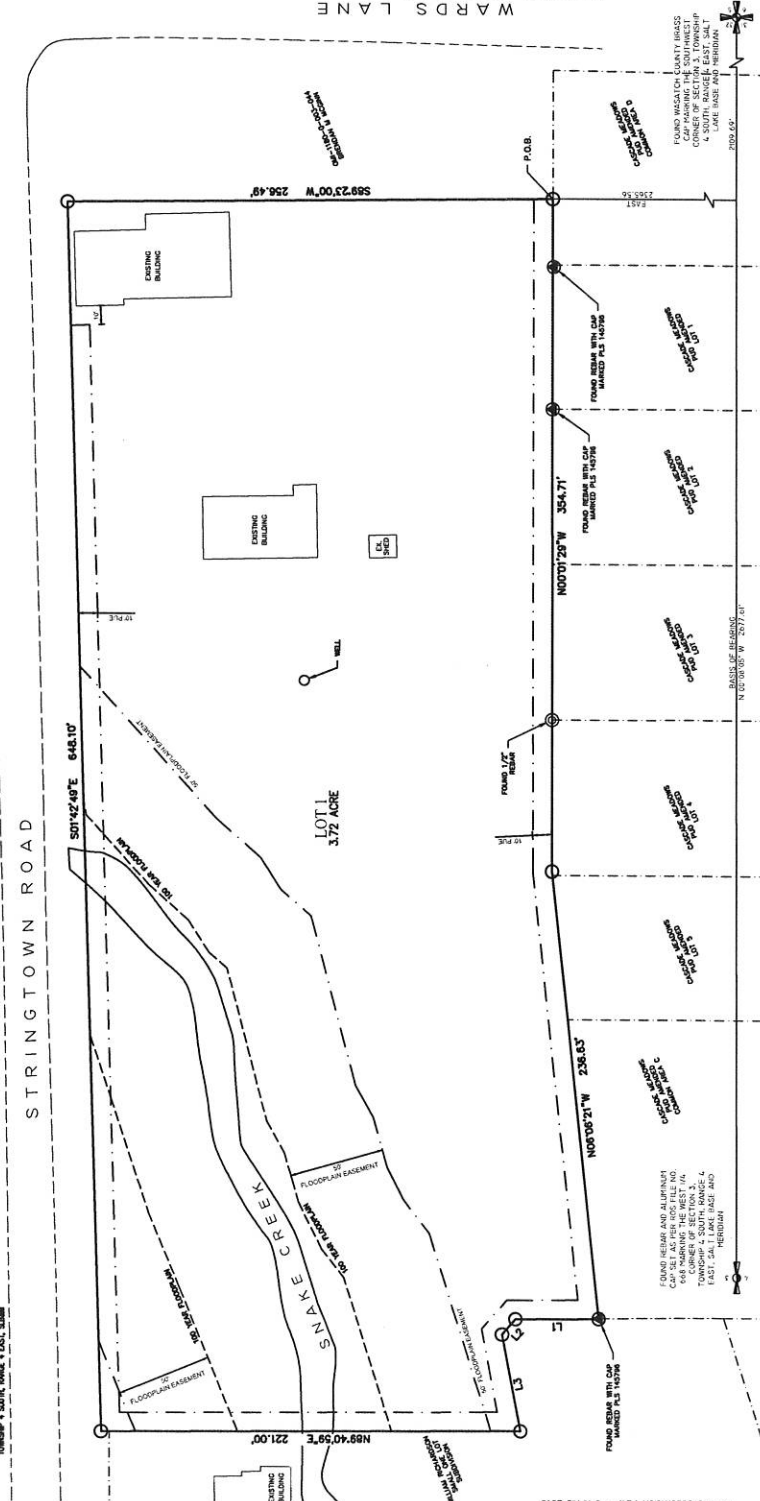
COZENS SUBDIVISION



ADDRESS TABLE

LOT	ADDRESS
1	240 S STRINGTOWN ROAD

LINE	LENGTH	DIRECTION
L1	44.04'	N89°27'17"E
L2	10.75'	N10°00'07"W
L3	91.79'	N10°07'21"W



SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9-403 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE PROFESSIONAL ENGINEERS AND SURVEYORS BOARD OF THE STATE OF UTAH. I HAVE PERSONALLY CONDUCTED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTIONS 17-23-17 UTAH CODE, AND I HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE _____ **SURVEYOR** _____ **BY** _____

DATE _____ **SURVEYOR** _____ **BY** _____

BOUNDARY DESCRIPTION

BEING AND AT A POINT ON THE EAST BOUNDARY OF THE CASCADE MEADOWS PLAT AMENDED SUBDIVISION AND A FENCE POST, SAID POINT BEING LOCATED 224.55 FEET FROM THE WASATCH COUNTY MONUMENT MARKING THE EAST-SOUTHWEST CORNER OF SECTION 3 TO THE FOUND REAR WITH ALUMINUM CAP SET AS PER NOTES SOUTH, RANGE 4 EAST, SALT LAKE AND MERIDIAN IN CONFORMANCE WITH THE UTAH STATE COORDINATE SYSTEM T80 CENTRAL ZONE BEARING.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNERS OF THE COZENS SUBDIVISION, PUBLIC STREETS, EASEMENTS, AND HEREBY DEDICATE TO THE COMMISSION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF WASATCH) S.S.
 ON THIS _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED TO ME, _____, COUNTY CLERK, THE SAID _____, KNOWN TO ME TO BE THE SAID _____, WHOSE NAME IS THE SAME IN THE COUNTY RECORDS, BY COMMISSION EXPRESSES, _____, NOTARY PUBLIC.

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HAS REVIEWED AND APPROVED THE SUBDIVISION PLAT, EASEMENTS, STREETS AND PUBLIC RIGHTS OF-WAY HEREON SHOWN.

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE DIRECTOR - PLANNING _____, CHAIRMAN, PLANNING COMMISSION.

CITY ATTORNEY APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE CITY ATTORNEY _____.

CITY ENGINEER APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE CITY ENGINEER _____.

COZENS SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SUMMIT COUNTY, UTAH

SCALE: 1" = 20.0 FEET

COUNTY SURVEYOR'S CERTIFICATE

APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____.

ROSS _____
 COUNTY SURVEYOR

LEGEND

PE PUBLIC UTILITY EASEMENT

COUNTY RECORDER

MIDWAY IRRIGATION COMPANY _____ DATE: _____
 MIDWAY SANITATION DISTRICT _____ DATE: _____

FOUND BEARING AND ALTIMETER CORNER MARKS

FOUND BEARING AND ALTIMETER CORNER MARKS AT THE INTERSECTION OF THE EAST-SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SUMMIT COUNTY, UTAH.

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COZENS SUBDIVISION PLAT - 8 APRIL 2019

TROY L. TAYLOR, P.L.S.
 2240 S. WARD LANE, MIDWAY, UT 84049
 (435) 834-8100
 DATE OF SURVEY: APRIL 2019