

Midway City Council
4 August 2020
Regular Meeting

Whitaker Farm Subdivision /
Plat Map Amendment



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: August 4, 2020
NAME OF PROJECT: Whitaker Farm
NAME OF APPLICANT: Derek Kohler/Summit Engineering
NAME OF OWNER: Derek and Angela Wright
AGENDA ITEM: Plat Amendment of Lots 32 and 33
LOCATION: 734 East Stone Barn Lane
ZONING DESIGNATION: RA-1-43 zone

ITEM: 8

Derek Kohler, agent for Derek and Angela Wright, is requesting a Plat Amendment of Whitaker Farm subdivision. The proposal is to combine lots 32 and 33. The property is located at 734 East Stone Barn Lane and is in the RA-1-43 zone.

BACKGROUND:

Derek Kohler, agent for Derek and Angela Wright, is proposing a plat amendment to the Whitaker Farm subdivision. The property is located at 734 East Stone Barn Lane and is in the RA-1-43 zone. The applicant is proposing to combine lots 32 and 33 into one lot to create more space around a future home. Lot 32 is 0.84 acres and Lot 33 is also 0.86 acres. If the lot combination is approved the size of the lot will be 1.7 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.

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 32 and 33 will be removed.

PROPOSED FINDINGS:

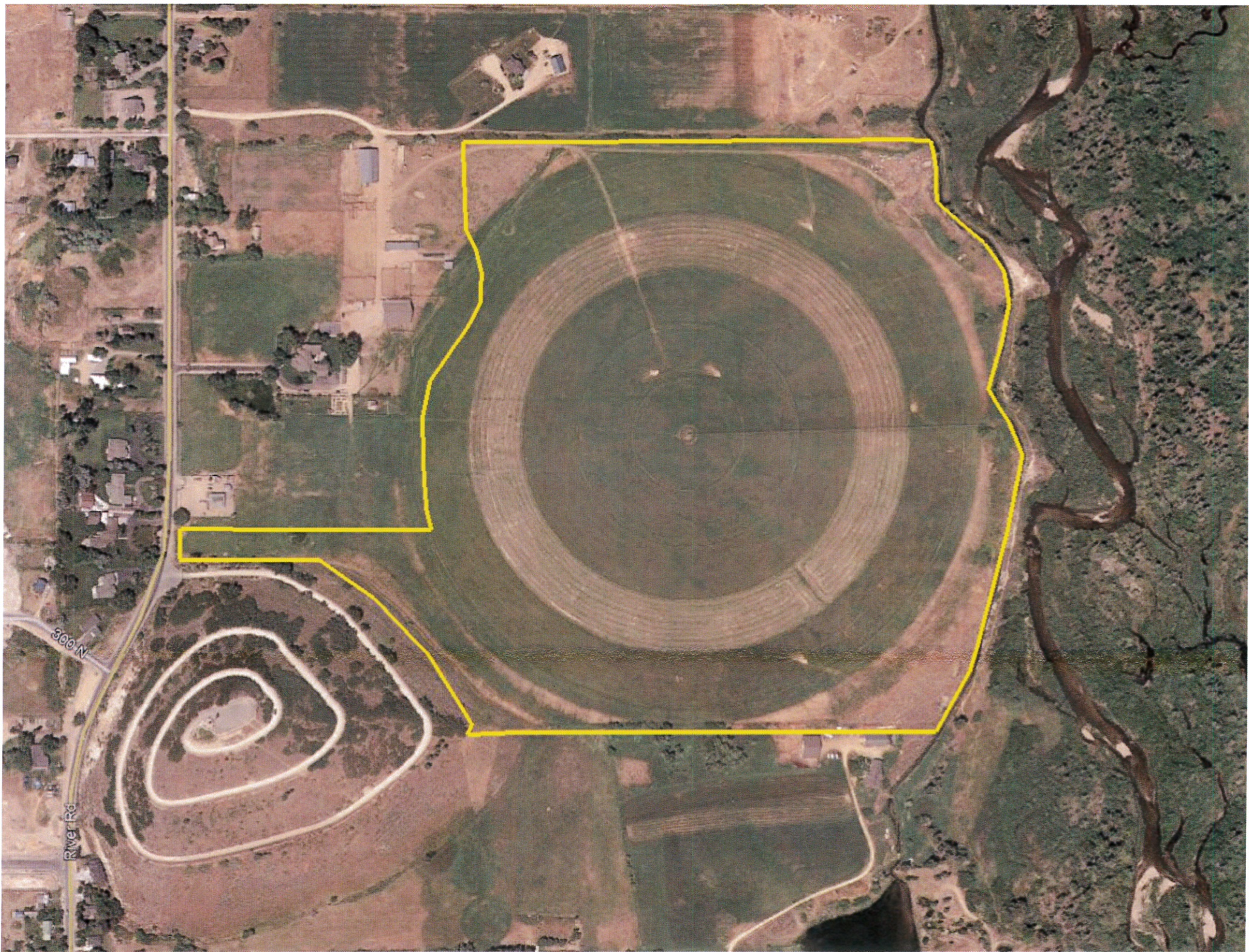
- Potential trips per day generated from the two lots will be reduced
- Density in the subdivision will be reduced
- The area will feel more open because of the reduction of one lot
- No public street, right-of-way, or easement will be vacated or altered

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

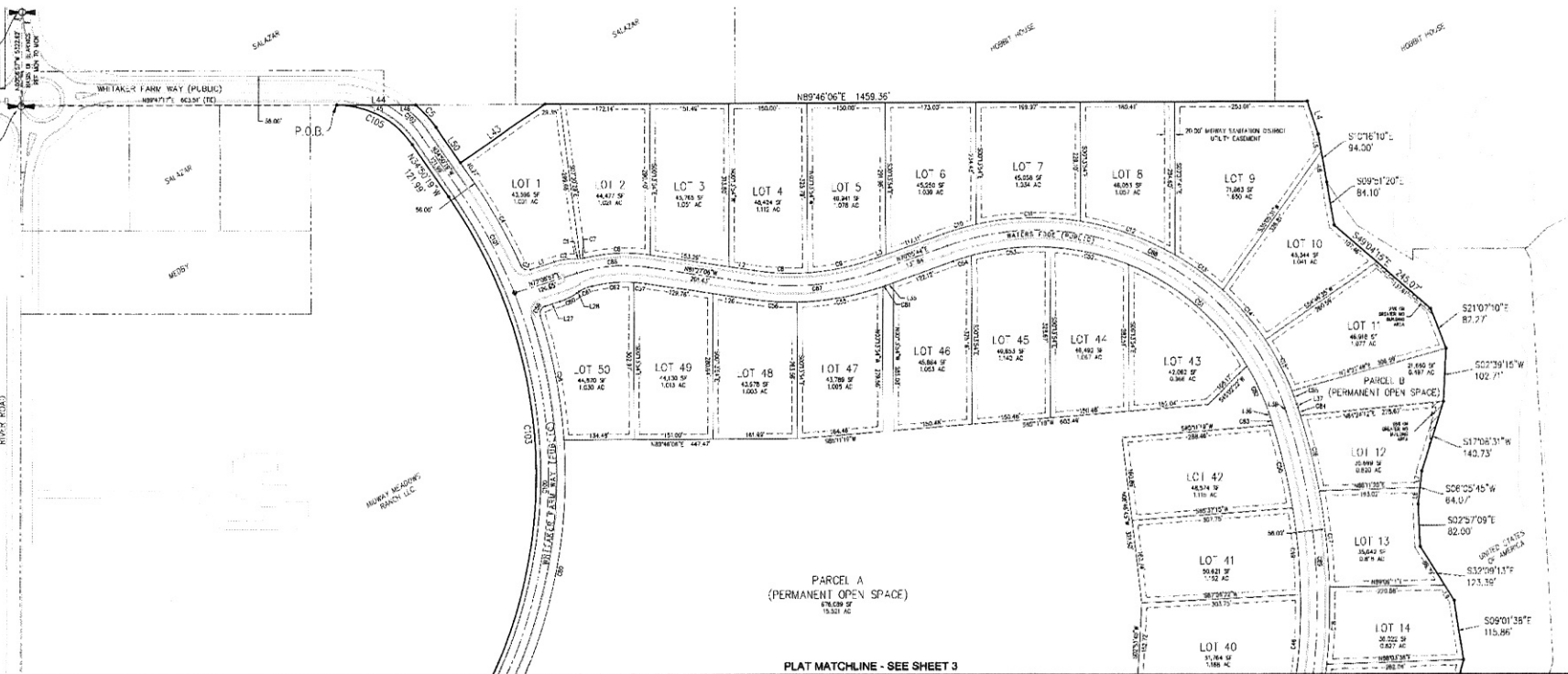
3. Denial. This action can be taken if the City Council finds that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial





NORTH QUARTER CORNER SECTION 35
T2S, R4E, S24M
COUNTY REF MON IS
NORTH 82°27'51" EAST
158' FROM CORNER

NORTH QUARTER CORNER SECTION 35
T2S, R4E, S24M
COUNTY REF MON IS
NORTH 82°27'51" EAST
158' FROM CORNER



PLAT MATCHLINE - SEE SHEET 3

LINE NO.	FROM	TO	BEARING	DISTANCE	AREA
1	100	101	N 89°46'06" E	1459.35'	1.0000
2	101	102	S 70°21'10" E	94.00'	0.0000
3	102	103	S 89°21'20" E	84.10'	0.0000
4	103	104	S 21°07'10" E	87.27'	0.0000
5	104	105	S 02°39'15" W	102.71'	0.0000
6	105	106	S 17°08'31" W	140.73'	0.0000
7	106	107	S 06°05'45" W	84.07'	0.0000
8	107	108	S 02°57'09" E	82.09'	0.0000
9	108	109	S 12°09'13" E	123.35'	0.0000
10	109	110	S 09°01'38" E	115.86'	0.0000
11	110	111	S 89°46'06" E	1459.35'	1.0000

LINE NO.	FROM	TO	BEARING	DISTANCE	AREA
11	111	112	S 70°21'10" E	94.00'	0.0000
12	112	113	S 89°21'20" E	84.10'	0.0000
13	113	114	S 21°07'10" E	87.27'	0.0000
14	114	115	S 02°39'15" W	102.71'	0.0000
15	115	116	S 17°08'31" W	140.73'	0.0000
16	116	117	S 06°05'45" W	84.07'	0.0000
17	117	118	S 02°57'09" E	82.09'	0.0000
18	118	119	S 12°09'13" E	123.35'	0.0000
19	119	120	S 09°01'38" E	115.86'	0.0000
20	120	121	S 89°46'06" E	1459.35'	1.0000

LINE NO.	FROM	TO	BEARING	DISTANCE	AREA
21	121	122	S 70°21'10" E	94.00'	0.0000
22	122	123	S 89°21'20" E	84.10'	0.0000
23	123	124	S 21°07'10" E	87.27'	0.0000
24	124	125	S 02°39'15" W	102.71'	0.0000
25	125	126	S 17°08'31" W	140.73'	0.0000
26	126	127	S 06°05'45" W	84.07'	0.0000
27	127	128	S 02°57'09" E	82.09'	0.0000
28	128	129	S 12°09'13" E	123.35'	0.0000
29	129	130	S 09°01'38" E	115.86'	0.0000
30	130	131	S 89°46'06" E	1459.35'	1.0000

LEGEND

- SECTION LINES
- ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- SLOPE EASEMENT - NO ENCROACHES
- 5/8" IRON PIPER
- EXTERIOR SURVEYS CORNER SET 5/8" IRON AND CAP MARKED TYPICAL ENGINEERING 4.00 PER COPY
- EXTERIOR SURVEYS CORNER SET - NO MARKERS SET
- BOUNDARY ANGLE POINT
- 5/8" OR GREATER NO BUILDING AREA

PROJECT
C18-004

SHEET
2 OF 3

ISSUE DATE
07/20/2018

Summit Engineering Group, Inc.
Sarasota • Ft. Myers • Orlando
30 WEST GULF • P.O. BOX 176
Ft. Myers, FL 33902-0176

CONTRACT NO. 2018-001
DATE 07/20/2018

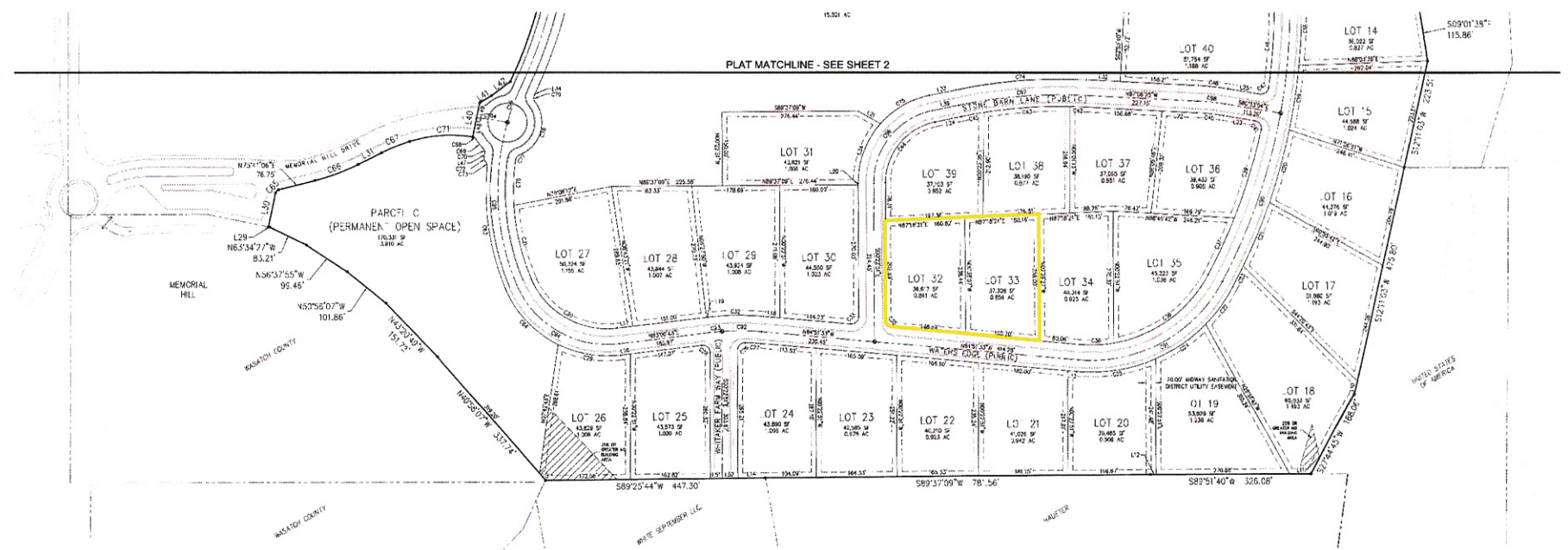
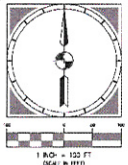
OWNER: WHITAKER FARM DEVELOPMENT, LLC
PROJECT: WHITAKER FARM PLAT 18-004

WHITAKER FARM

LOCATED IN THE NORTH-EAST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SURM., MIDWAY CITY, WASHINGTON COUNTY, UTAH

DATE: 7/20/18
BY: [Signature]
FOR: WHITAKER FARM DEVELOPMENT, LLC
BY: [Signature]

THIS PROJECT/CLIENT PRESENTS TO US AS THE PROPERTY OF THE CLIENT. WE ARE NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND FOR THIS PROJECT.



NO.	BEARING	DISTANCE	AREA	PERIMETER	AREA	PERIMETER	AREA	PERIMETER
1	N 89° 01' 35" W	115.86'						
2	S 89° 01' 35" E	115.86'						
3	N 89° 01' 35" W	115.86'						
4	S 89° 01' 35" E	115.86'						
5	N 89° 01' 35" W	115.86'						
6	S 89° 01' 35" E	115.86'						
7	N 89° 01' 35" W	115.86'						
8	S 89° 01' 35" E	115.86'						
9	N 89° 01' 35" W	115.86'						
10	S 89° 01' 35" E	115.86'						
11	N 89° 01' 35" W	115.86'						
12	S 89° 01' 35" E	115.86'						
13	N 89° 01' 35" W	115.86'						
14	S 89° 01' 35" E	115.86'						
15	N 89° 01' 35" W	115.86'						
16	S 89° 01' 35" E	115.86'						
17	N 89° 01' 35" W	115.86'						
18	S 89° 01' 35" E	115.86'						
19	N 89° 01' 35" W	115.86'						
20	S 89° 01' 35" E	115.86'						
21	N 89° 01' 35" W	115.86'						
22	S 89° 01' 35" E	115.86'						
23	N 89° 01' 35" W	115.86'						
24	S 89° 01' 35" E	115.86'						
25	N 89° 01' 35" W	115.86'						
26	S 89° 01' 35" E	115.86'						
27	N 89° 01' 35" W	115.86'						
28	S 89° 01' 35" E	115.86'						
29	N 89° 01' 35" W	115.86'						
30	S 89° 01' 35" E	115.86'						
31	N 89° 01' 35" W	115.86'						
32	S 89° 01' 35" E	115.86'						
33	N 89° 01' 35" W	115.86'						
34	S 89° 01' 35" E	115.86'						
35	N 89° 01' 35" W	115.86'						
36	S 89° 01' 35" E	115.86'						
37	N 89° 01' 35" W	115.86'						
38	S 89° 01' 35" E	115.86'						
39	N 89° 01' 35" W	115.86'						
40	S 89° 01' 35" E	115.86'						

LEGEND

- SECTION LINES
- - - - - ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- SLOPE EASEMENT - NO STRUCTURES
- SET STREET MONUMENT
- ⊙ FUTURE SURVEY CORNER, 12" DIA. IRON PIPE AND CONCRETE FOUNDATION. ALSO MARK POINTS
- ⊙ EXISTING SURVEY CORNER WITH NO MARKING SET
- BOUNDARY MARKER POINT
- ▨ ZONING OR OTHER NO BUILDING AREA

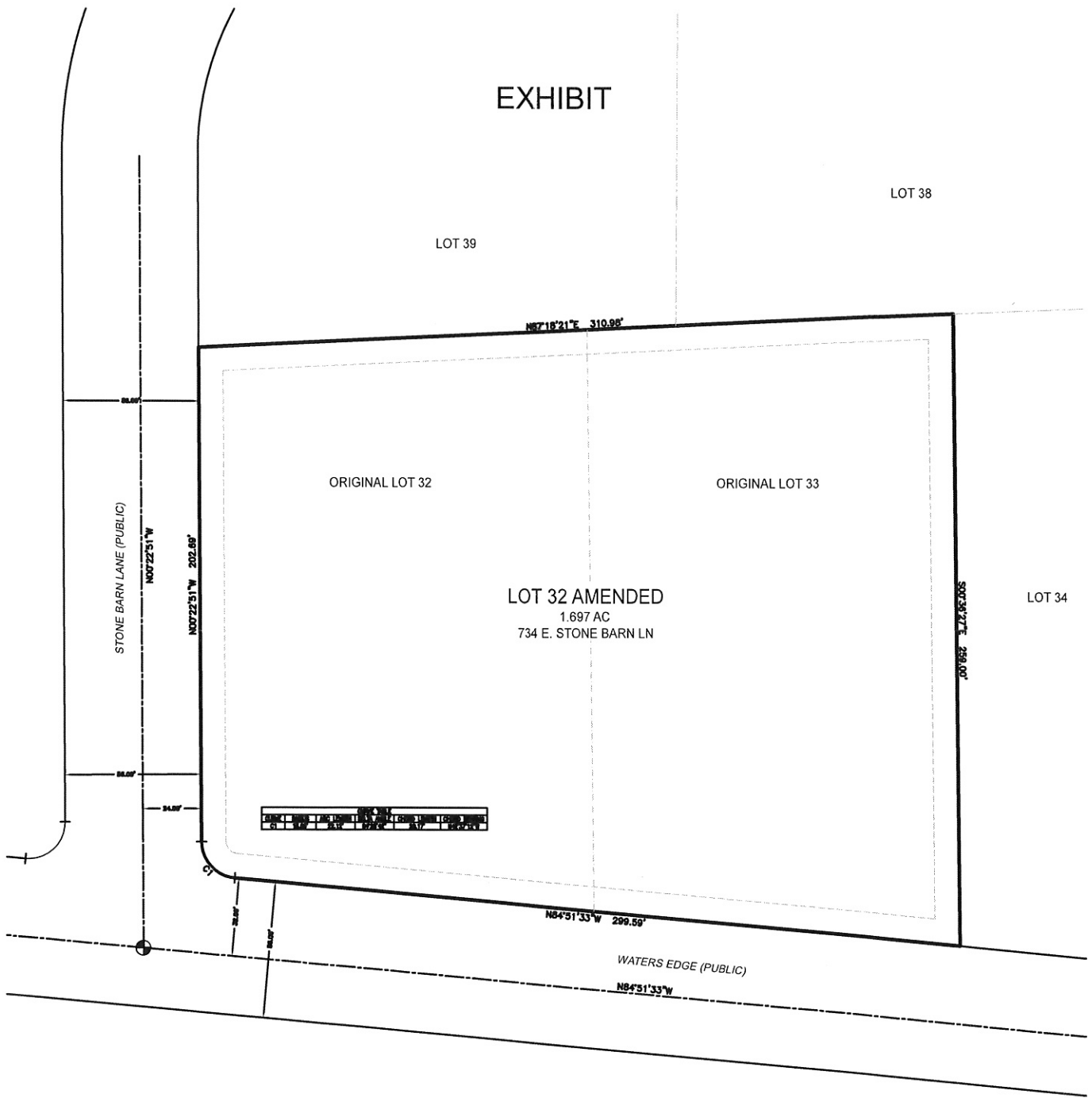
PROJECT: C18-004
 SHEET: 3 OF 3
 SUMMIT ENGINEERING GROUP INC.
 1175 S. 1000 E. SUITE 200, MIDWAY, UT 84048
 PH: 801-488-8888 FAX: 801-488-8889
 WWW.SUMMIT-ENG.COM

WHITAKER FARM

LOCATED IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SUBM.B., MIDWAY CITY, WASATCH COUNTY, UT-4

DATE: 4/6/22 SHEET: 3 OF 3 PAGE: 1762-1791
 TIME: 8:30 AM TO 8:30 AM
 BY: WHITAKER FARM DEVELOPMENT LLC
 TC

EXHIBIT



PROJECT
L20-136

PROJECT
WHITAKER FARM

SHEET
1

LOT COMBO EXHIBIT - LOTS 32-33

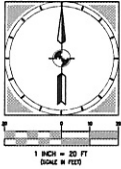
55 WEST CENTER
P.O. BOX 178
HEBER CITY, UT 84032



P: 433.654.9229
F: 433.654.9231

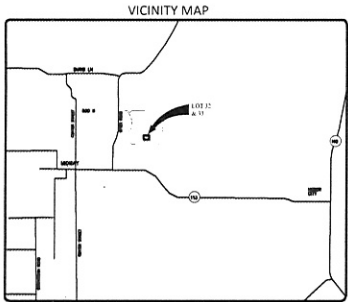
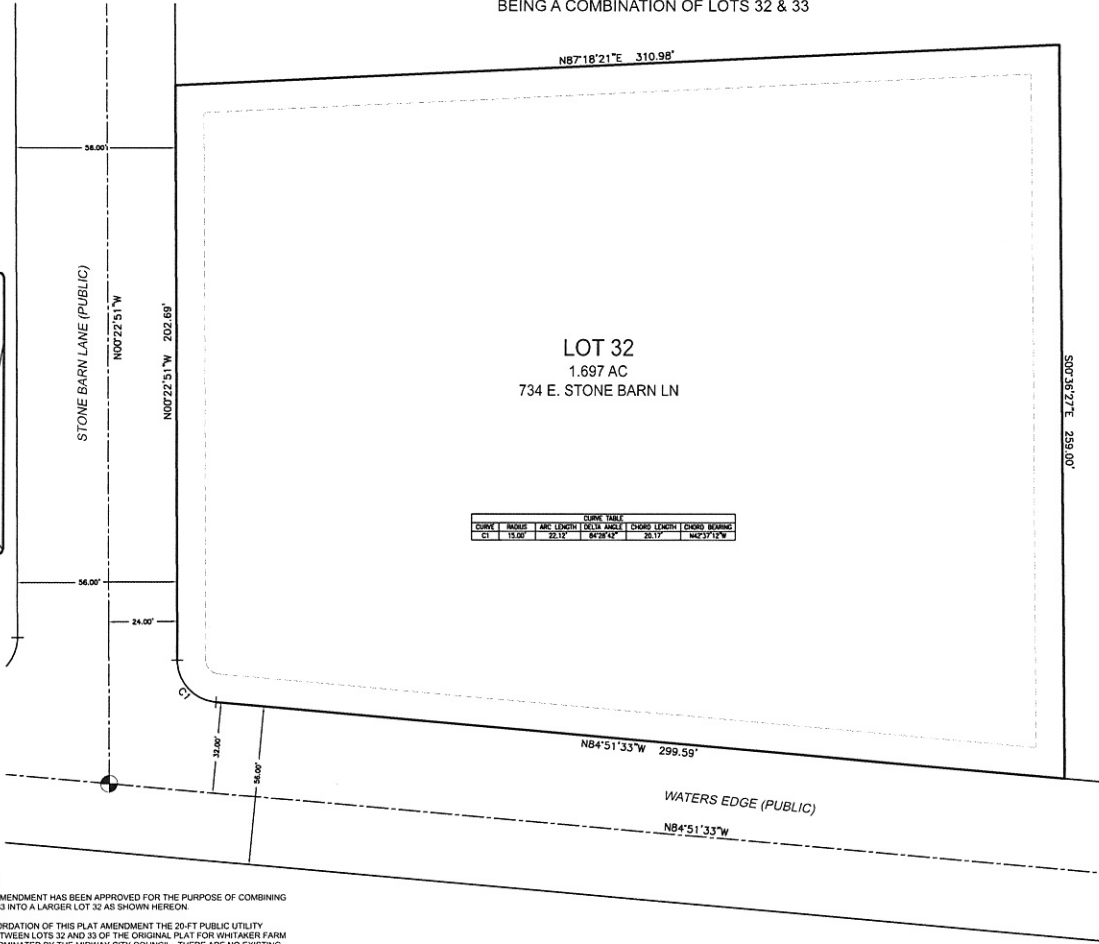
Summit Engineering Group Inc.

Structural • Civil • Surveying



WHITAKER FARM LOT 32 AMENDED

BEING A COMBINATION OF LOTS 32 & 33



NARRATIVE

THE PURPOSE OF THIS PLAT AMENDMENT IS TO COMBINE LOT 32 & LOT 33 OF THE WHITAKER FARM INTO ONE LOT, HEREAFTER TO BE NAMED LOT 32, AMENDED.

MIDWAY CITY ATTORNEY

CITY ATTORNEY _____ DATE _____

MIDWAY SANITATION DISTRICT

DATE _____

MIDWAY ENGINEER APPROVAL

CITY ENGINEER _____ DATE _____

- PLAT NOTES:**
1. THIS PLAT AMENDMENT HAS BEEN APPROVED FOR THE PURPOSE OF COMBINING LOTS 32 AND 33 INTO A LARGER LOT 32 AS SHOWN HEREON.
 2. UPON RECORDATION OF THIS PLAT AMENDMENT THE 20-FT PUBLIC UTILITY EASEMENT BETWEEN LOTS 32 AND 33 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.

MIDWAY IRRIGATION

DATE _____

SURVEYOR'S CERTIFICATE

I, DEREK KOHLER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 11728351 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.

PRELIMINARY PLAT - FOR REVIEW ONLY

DEREK KOHLER
PROFESSIONAL LAND SURVEYOR

DATE _____

SURVEYOR'S SEAL

BOUNDARY DESCRIPTION

LOTS 32 AND 33 OF THE WHITAKER FARM, ACCORDING TO THE ORIGINAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF RECORDER, WASATCH COUNTY, UTAH, CONTAINS 1.697 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

WE, THE UNDERSIGNED OWNERS OF LOTS 32 AND 33 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.

DEREK F. WRIGHT, TRUSTEE
THE WRIGHT FAMILY JOINT PROPERTY TRUST DATED FEBRUARY 6, 2019. DATE _____

ANGELA K. WRIGHT, TRUSTEE
THE WRIGHT FAMILY JOINT PROPERTY TRUST DATED FEBRUARY 6, 2019. DATE _____

ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____

ON THIS DAY OF _____, PERSONALLY APPEARED BEFORE ME DEREK F. WRIGHT AND ANGELA K. WRIGHT, TRUSTEES, WHO SIGNED THE ABOVE OWNER'S 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 _____ BY 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 _____, 2020.

MAYOR _____

CLERK-RECORDER _____

PLANNING APPROVAL

APPROVED THIS DAY OF _____ BY THE PLANNING DIRECTOR OF MIDWAY, UTAH.

PLANNING DIRECTOR _____

WASATCH COUNTY RECORDER

ENTRY # _____ DATE _____ TIME _____

REC. _____ BOOK _____ PAGE _____ FOR _____

BY _____ WASATCH COUNTY RECORDER PEGGY FODY SULSER

PROJECT
L20-136

PREPARED FOR
THE WRIGHT FAMILY JOINT PROPERTY TRUST

SHEET
1 OF 1

PROJECT
WHITAKER FARM 32 & 33 LOTS COMBO

Summit Engineering Group Inc.

Summitland • Civil • Surveying

94 WEST CENTER • P.O. BOX 119
MIDWAY CITY, UTAH 84049
P. 435-342-8278 • F. 435-342-8831

COMPILED & PLOTTED
LARRY L. COOPER, PLS., C.S.

PLS. IS A MEMBER OF THE UTAH SOCIETY OF PROFESSIONAL LAND SURVEYORS AND THE NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS.

WHITAKER FARM LOT 32 AMENDED

LOCATED IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 3
SOUTH, RANGE 4 EAST, SUBMERC.

MIDWAY CITY, WASATCH COUNTY, UTAH

COUNTY SURVEYOR APPROVAL

APPROVED AS TO FORM, RECORD OF SURVEY # _____

WASATCH COUNTY SURVEYOR _____ DATE _____