

Midway City Council  
15 September 2020  
Regular Meeting

Kinsey Property /  
Connect to Culinary Water System

# Memo



---

Date: September 15, 2020  
To: Midway City Council  
From: Michael Henke  
Re: Kinsey culinary water connection petition

---

Nick Patterson, agent for Allan and Myrna Kinsey, have requested three culinary connections to the City's water system. The property is not located in the city limits, but it is within the City's growth boundary. The 3.79-acre parcel is located near the corner of Center Street and 850 South. The Kinsey parcel is in Wasatch County's jurisdiction and it is currently undeveloped and is in agricultural production. The owners would like to subdivide the property into three lots as shown on the attached document.

Current City policy (Resolution 2020-01) requires annexation to connect to the City's water system unless annexation is not possible. Staff has determined that without neighboring properties joining the petition, annexation is not possible because the annexation would create an unincorporated county peninsula. There are two neighboring properties that would need to sign the petition (Hoover – OWC-1113-2 and Lefler – OEC-1113-3) to avoid creating the unincorporated county peninsula and both have stated they do not want to participate in the petition. The two properties cannot be forced into the City unless two criteria are met according to Utah State Code. The first can be met which is the requirement that the petitioner owns at least half of the land. The second is that the petitioner also owns at least 1/3 of the market tax value which the petitioner does not meet, therefore, annexation is not possible. (Property values: Hoover \$595,061, Lefler \$410,407, and Kinsey \$198,308)

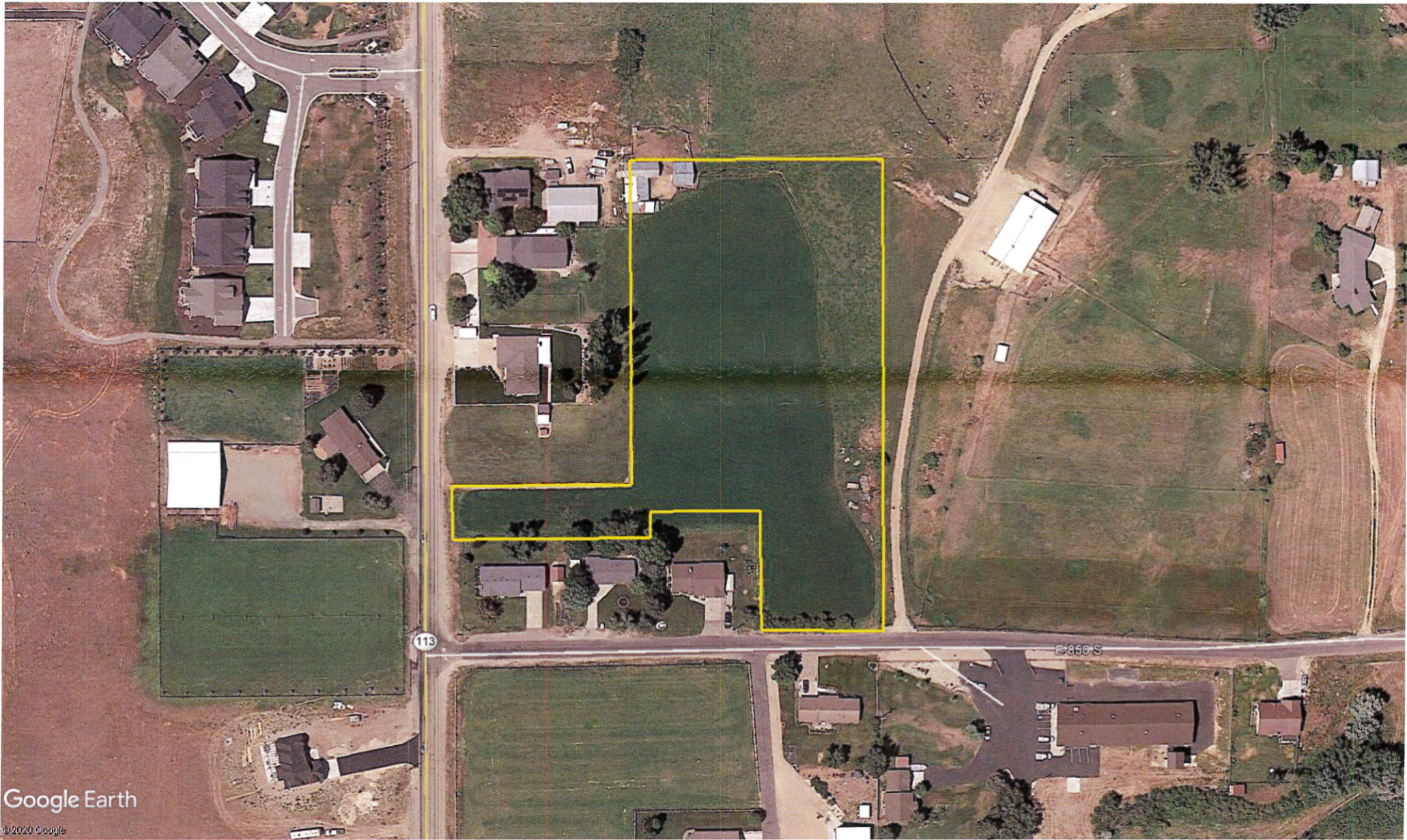
If annexation is not possible, the property owner may petition the City Council for water connections. Granting access to the City's culinary system is a discretionary item that the City Council may consider. If approved, the Kinseys would need dedicate water rights, pay water impacts fees, connection and inspection fees to the City. Also, the City requires a rate payer, with property in the County, to pay one and a half times the rate of a rate payer in the City limits. They would also have to comply with any other requirements that the City Council requires.

Please let me know if you have any questions.





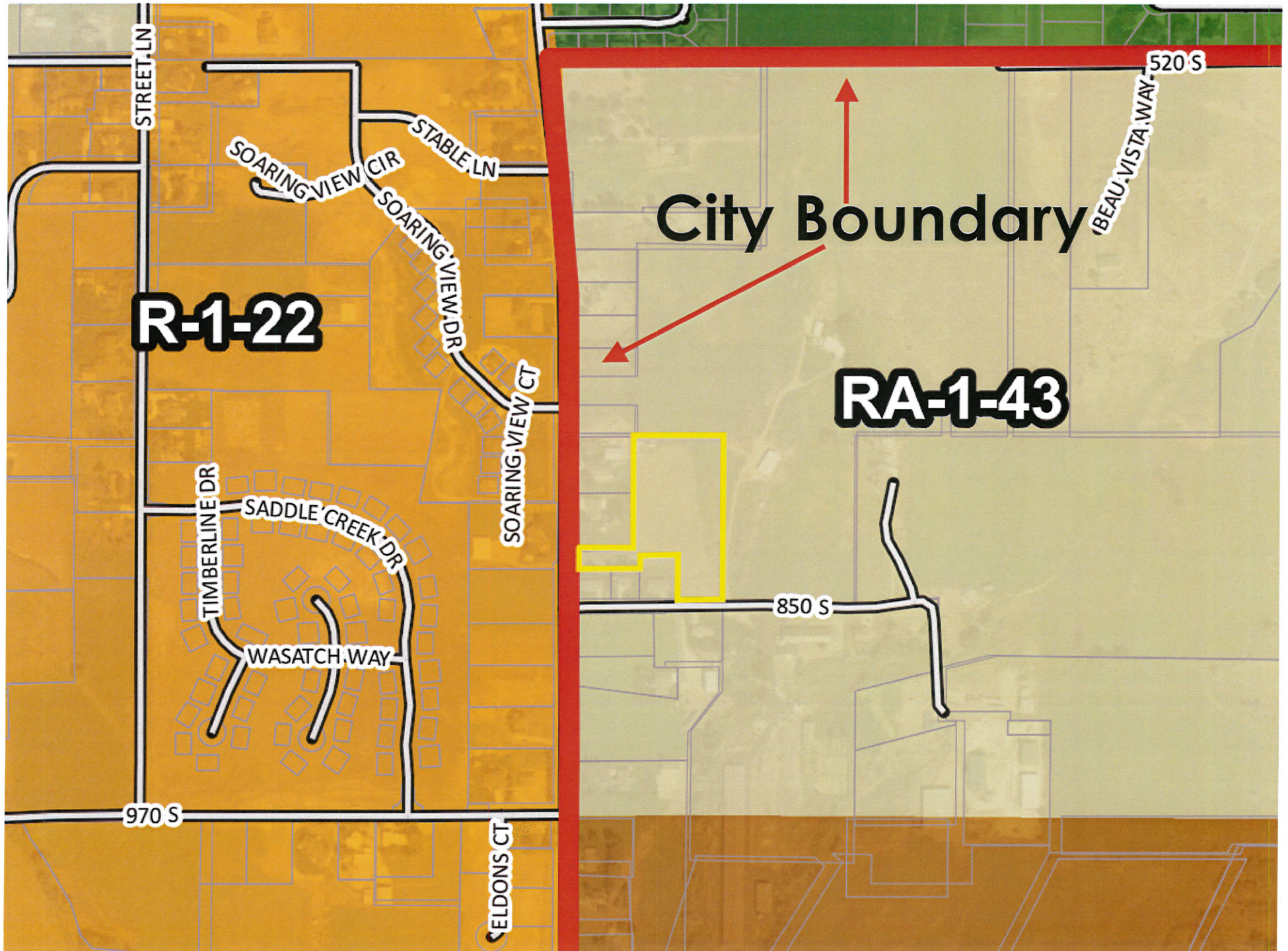




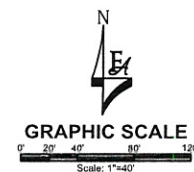
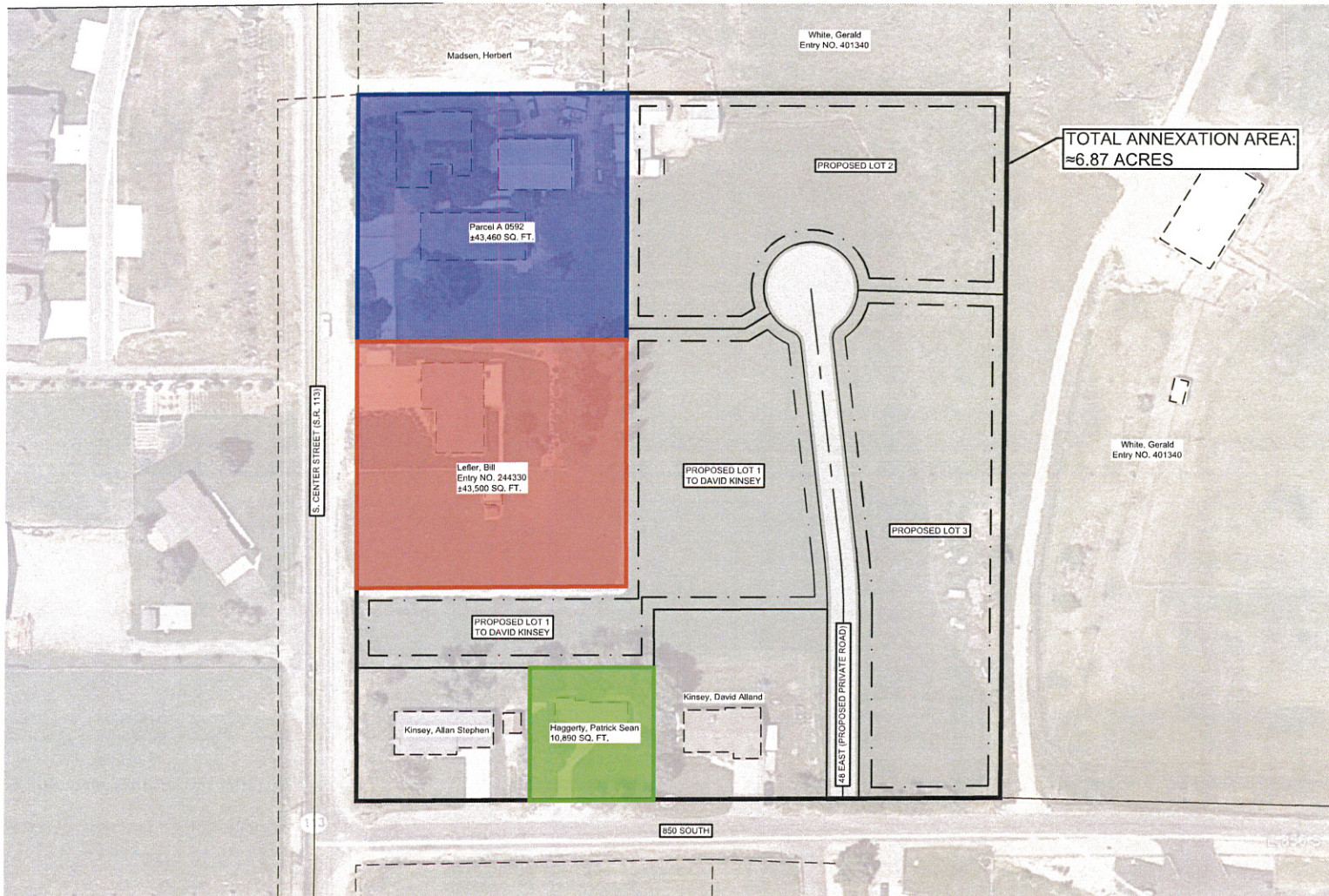
Google Earth

©2020 Google









50% DESIGN

NO.	REVISIONS	BY	DATE

DRAWN	S. COZZENS
DESIGNED	N. PATTERSON
APPROVED	N. PATTERSON
QA	J. BUNCH

**ATTENTION**  
LINE IS 2 INCHES  
AT FULL SIZE  
OF NOT 2" SCALE ACCORDINGLY

**PRELIMINARY  
DRAWING  
NOT FOR  
CONSTRUCTION**

JASON MORRIS  
SUBDIVISION

**FORSGREN**  
*Associates Inc.*  
375 EAST 500 SOUTH, STE 200, SALT LAKE CITY, UT 84111  
PH: 801.364.4785 FAX: 801.364.4802



KINSEY - MIDWAY SUBDIVISION

ANNEXATION PLAN

PROJECT NO.	05-20-0065
SHEET NO.	C-01
DATE:	JUL 2020
PAGE NO.	X OF XX





75 North 100 West  
P.O. Box 277  
Midway, Utah 84049  
Phone: 435-654-3223  
Fax: 435-654-4120  
midwaycityut.org

## Request to be on a City Council Agenda

Name: Nick Patterson Organization: Forsgren Associates, Inc.  
Phone: (801) 592-4479 Email: npatterson@forsgren.com  
Mailing Address: 370 E. 500 S. Ste. 200 City: Salt Lake City  
State: UT Zip: 84111

### Reason for Request:

Mr. Kinsey, a long time resident of the Midway City area, is subdividing his property to allow his daughters to move back to where they grew up and build future homes. Their property is located outside the Midway City boundary in Wasatch County, but within the currently designated Annexation Declaration boundary.

City code requires that these properties annex into Midway City in order to receive a Will Serve letter, which the property owners are willing to do. We have discussed the annexation option with neighboring property owners to get their support, as they would need to be included in the annexation to not create a property island. Both neighboring property owners who would need to be included are NOT in favor of the petition to annex.

### Please Note:

1. This is a general application. Specific applications are required for land use approvals, conditional use permits, etc.
2. Return this completed application to the city recorder's office or email to [bwilson@midwaycityut.org](mailto:bwilson@midwaycityut.org).
3. You will be notified within 2 weeks if your request to be on the agenda is approved or declined.
4. City council regular meetings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month at 6:00 p.m. in the Midway Community Center (160 West Main Street). City council work meetings are held the same days at 10:00 a.m. in the Midway City Office Building (75 North 100 West). Your item will be considered at both meetings.
5. Please provide supplemental information for your item no later than the Thursday before the meeting. This information will be provided to the Council prior to the meeting.

### For Office Use Only

Date Received: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Meeting Date: \_\_\_\_\_