



Midway

PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: March 9, 2021

NAME OF PROJECT: South Farm Rural Preservation Subdivision

NAME OF APPLICANT: George Hansen

PROPERTY OWNER: Joseph and Marsha Probst

ENGINEER: Summit Engineering

AGENDA ITEM: Preliminary/Final Approval

LOCATION OF ITEM: 344 West 500 South

ZONING DESIGNATION: RA-1-43

ITEM: 4

Mike Johnston of Summit Engineering, agent for George Hansen, is requesting preliminary/final approval of a Rural Preservation Subdivision to be known as South Farm. The property is six acres and located at 344 W 500 South and zoned RA-1-43.

BACKGROUND:

This request is for preliminary/final approval of a Rural Preservation Subdivision on six acres which will contain one lot. The proposal is on property currently owned by Joseph and Marsha Probst and will help preserve the property by creating a low-density development with a large amount of open space and will retain the rural atmosphere of the area. The current parcel is 7 acres. Approving the 6 acre rural preservation lot will create a one acre remnant parcel. The applicant will need to propose how the one acre parcel is dealt with so that it does not become a non-conforming lot. Currently the property is being used for agriculture.

LAND USE SUMMARY:

- 6.0-acre parcel
- RA-1-43 zoning
- Proposal contains one lot
- Private driveway
- Sensitive lands – None identified
- The lot will connect to Midway City's culinary water line, Midway Irrigation Company's secondary water line and an onsite septic system as approved by the Wasatch County Health Department

ANALYSIS:

Access – Access for the lot will be from a shared driveway within a 56' wide easement. Driveway easements for Rural Preservation Subdivisions need to be at least 30' wide to accommodate a 20' drivable area and 5' clear areas on both sides of the driveway to comply with the rural preservation driveway standards. The easement will connect directly to 500 South. The driveway easement will also be a utility easement for water, sewer, and other utilities.

It appears that the existing driveway access for the adjoining Bonner parcel (OMI-0503-8) will overlap with the proposed driveway for the newly created parcel. Unless the two properties create separate driveways that are a minimum of 150' apart, the driveways will need to be combined into one and an easement for the benefit of the Bonners noted on the plat.

Culinary Water Connection – The lot will connect to the City's water line located in 500 South.

Fire Flow - A fire hydrant will need to be located within 500' of the future dwelling, measured by the route of a fire hose from the fire hydrant to the future home site.

Secondary Water Connection – The property is currently connected to Midway Irrigation Company's water system and this will continue with the new development.

Sewer Connection – The property will be served by an onsite septic system that will be approved by the Wasatch County Health Department. The location of the approved septic site should be noted on the plat.

Sensitive Lands – The applicant has not identified any sensitive lands that are part of the proposed development.

Deed Restriction – The 6.0 acre lot within the plat will be deed restricted so no further subdividing of any kind will be allowed within the subdivision plat. The density of the 6.0 acres will never be more than one dwelling. A note will also be placed on the plat indicating the restriction. A deed restriction will also be recorded towards the lot immediately after the plat is recorded so all future landowners will know of the restrictions before the property is purchased. The deed restriction language will state the following:

1. *Any further subdividing of the lot is prohibited.*

The deed restriction prohibiting further subdivision of the lots within the development is created for the benefit of all of the lots within the development, all of the neighboring lots to the development, and Midway City. This deed restriction cannot be altered in any way without written consent from all of the above. This deed restriction is a covenant that runs in perpetuity with the land, and it shall inure to the benefit of the owners of each lot within the development, the owners of neighboring lots of the development, and Midway City, including all parties' heirs, successors or assigns.

All future owners take title subject to this Deed Restriction and shall be bound by it.

WATER BOARD RECOMMENDATION:

The Water Board recommended that 18.26 acre feet of water is tendered to the City before the plat is recorded. Also, the lot will be required to install a secondary water meter.

POSSIBLE FINDINGS:

- The proposed lot meets the minimum requirements for the R-1-43 zoning district
- The proposal does meet the intent of the General Plan for the R-1-43 zoning district
- The proposal does comply with the requirements for the Rural Preservation Subdivision code

- The subdivision helps comply with the vision stated in the General Plan to preserve open space and a rural atmosphere
- The lot will be deed restricted so it can never be further subdivided

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds that the proposal complies with the intent of the land use code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)
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 the request does not comply with the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

- The deed restriction that will be recorded towards the lot must be submitted to the City for review and recorded immediately after the plat is recorded.
- A note on the plat is included with language that clearly states that subdividing the lot is prohibited.
- 18.26-acre feet of water is tendered to the City before the plat is recorded.
- Before being placed on the City Council Agenda, the applicant will need to either include the remnant piece in this proposal, absorb into an adjacent parcel, or submit application for a one lot subdivision which would be heard on the same agenda as this proposal.

March 9, 2021

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

Subject: South Farm Rural Preservation - 1 lot Subdivision – Preliminary / Final Approval

Dear Michael:

Horrocks Engineers recently reviewed the South Farm Rural Preservation plan for Preliminary/Final approval. The following comments should be addressed prior to City Council approval.

General Comments

- The proposed plan is a rural preservation subdivision. The plan proposes one 6.0 acre lot and is located at 344 West 500 South.

Water

- The proposed development will be served from the Gerber Mahogany pressure zone.
- A fire hydrant should be within 600' of the proposed home.
- A drawing should be prepared showing the proposed water line.

Roads

- The driveway for this subdivision will connect to 500 South according to the rural preservation requirements. No erosion potential was identified; therefore, the driveway may be a gravel surface.

Storm Drain

- It is not anticipated that this subdivision will generate storm water along the private driveway.

Trails

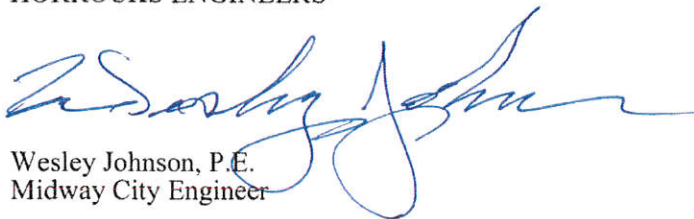
- No trails are shown to be constructed within the development.

Irrigation

- The proposed lot will connect to the existing pressurized line within 500 South.

Please feel free to call our office with any questions.

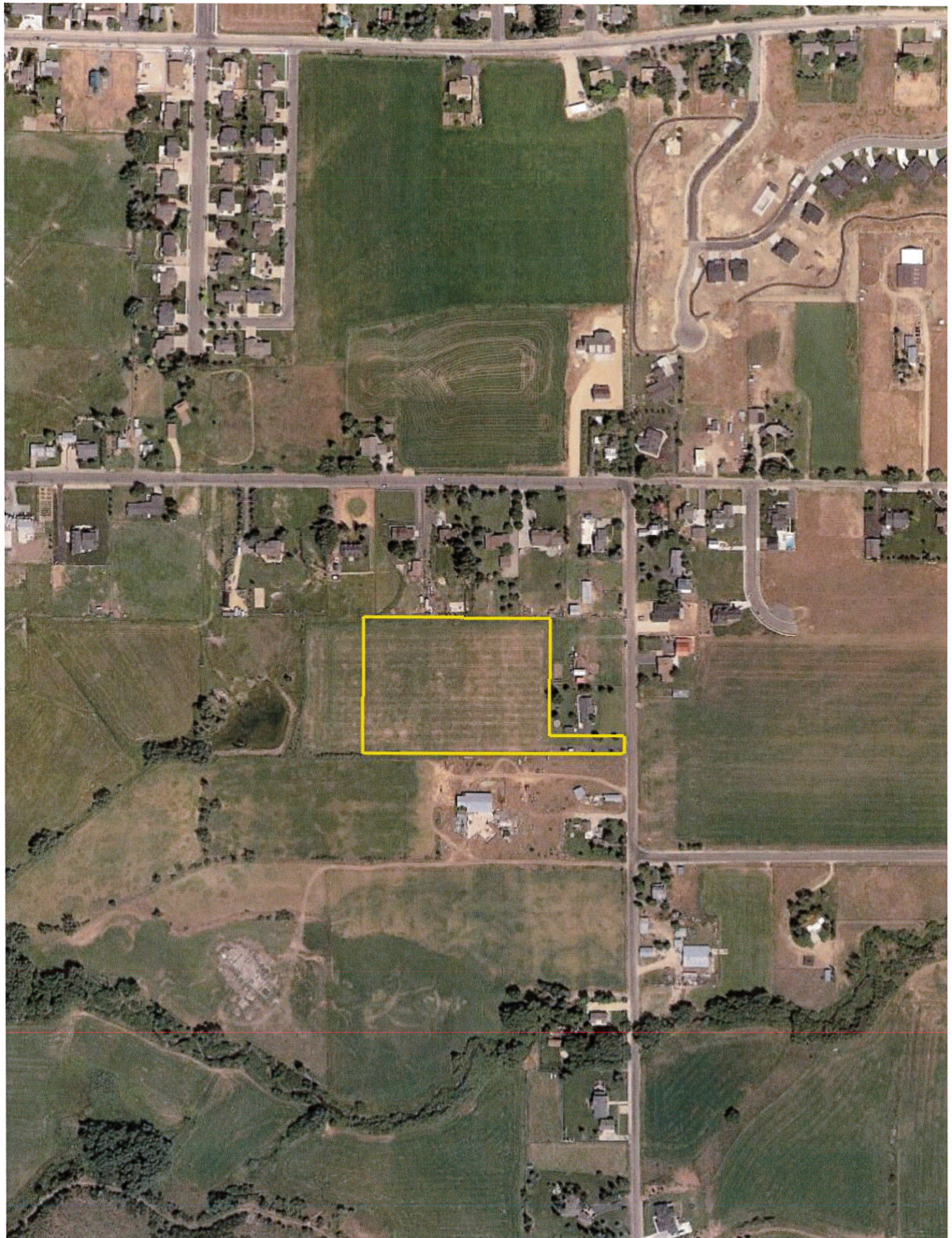
Sincerely,
HORROCKS ENGINEERS

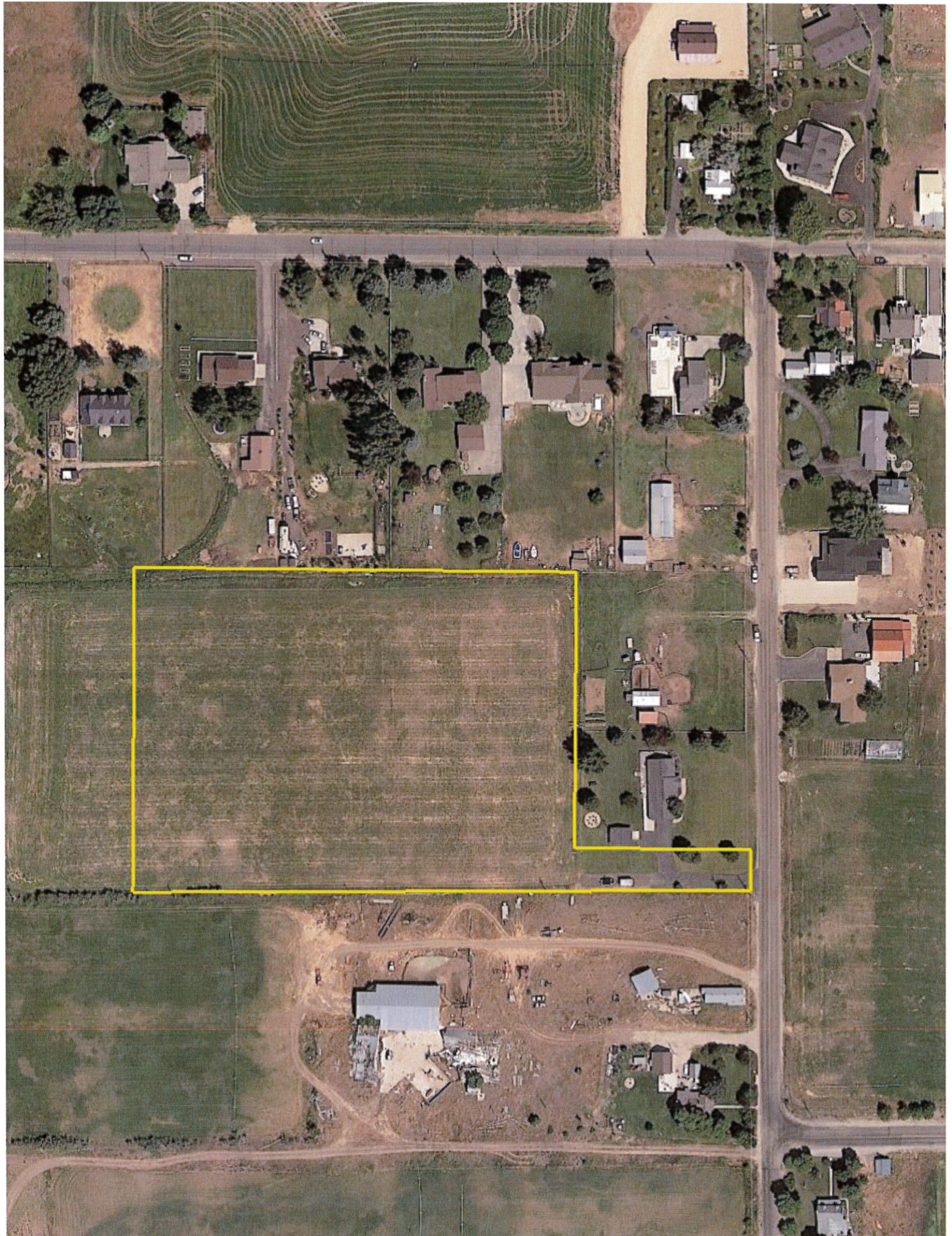


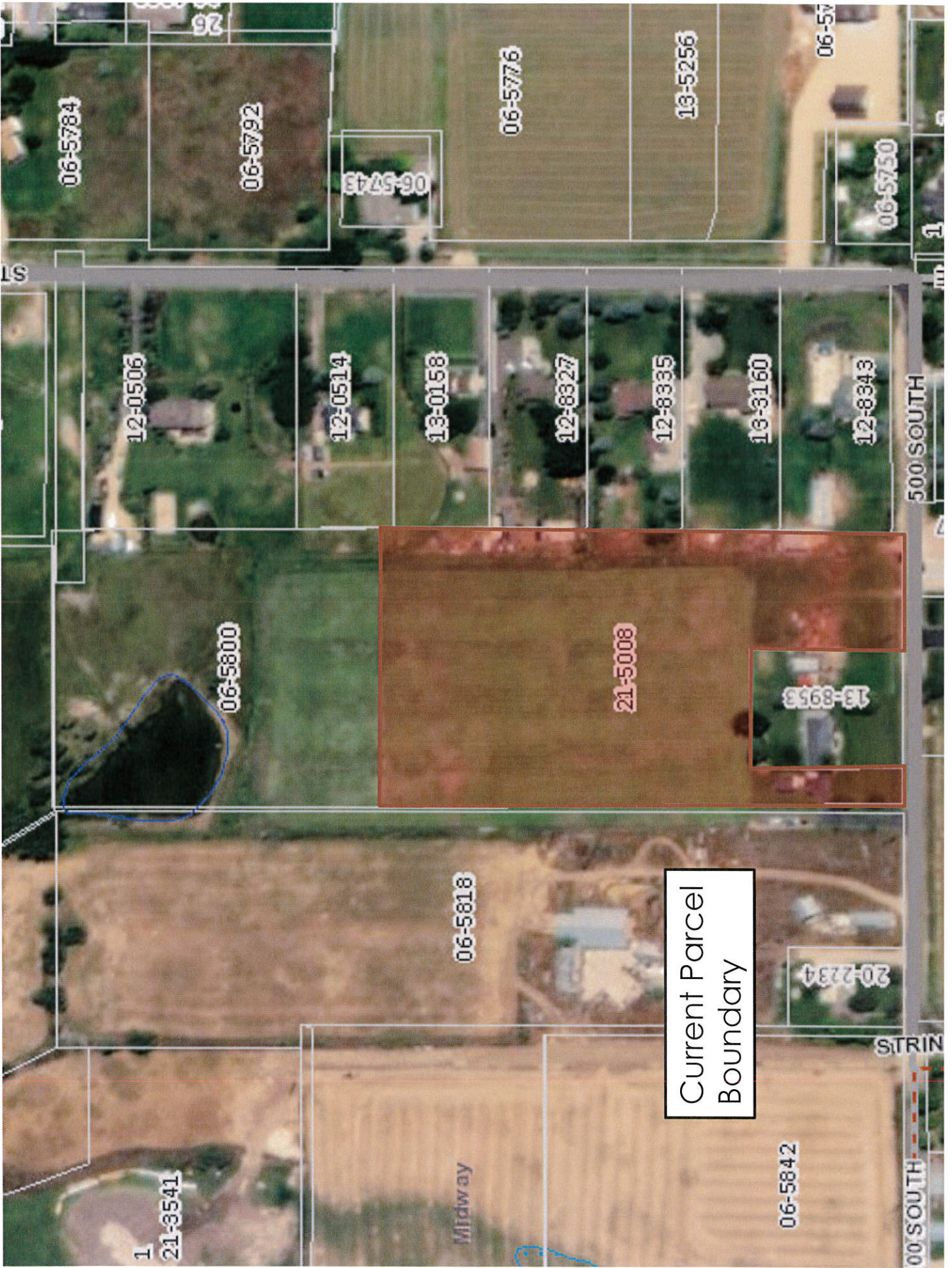
Wesley Johnson, P.E.
Midway City Engineer

cc: Mike Johnston Summit Engineering









SURVEYOR'S CERTIFICATE

DEREK KOHLER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LAND THAT I HOLD CERTIFICATE NO. 11720301 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.

	DATE
SUNNY KOWLER - P.L.S.	

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 89°54'27" EAST 5311.36 FEET BETWEEN COUNTY MONUMENTS REFLECTING THE NORTH 1/4 CORNER OF SECTION 3 AND THE NORTH 1/4 CORNER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 4 EAST, PLAT 1 LAST BLK. AND MERIDIAN IN CONFORMANCE WITH UTM COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

BOUNDARY DESCRIPTION

[illegible]

OWNER'S DEDICATION AND CONSENT TO RECORD

I, THE UNDERSIGNED OWNER OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE BOUNDARY DESCRIPTION ON THIS PLAT, CONSENT TO THE RECORDED OF THIS PLAT. FURTHERMORE, I HAVE CAUSED THE LAND DESCRIBED TO BE DEVELOPED UNDER THE REQUIREMENTS OF THE BURAL PRESERVATION SUBDIVISION CODE OF MORGAN CITY, AND ALSO DO HEREBY GRANT UNDER THE

OWNER'S ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASATCH

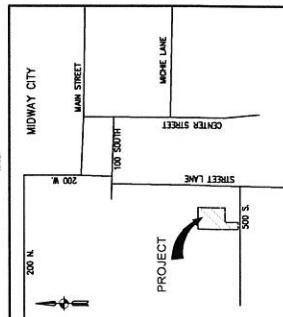
ON THIS DAY OF _____ PERSONALLY APPEARED BEFORE ME, XXXXXXXXXXXX, THE SHERIFF OF THE ABOVE COUNTY, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND

MY COMMISSION EXPIRES _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MONROE CITY, WASATCH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE BURDEN OF PUBLIC UTILITY EASEMENTS.

VICINITY MAP



SOUTH FARM RURAL PRESERVATION
A RURAL PRESERVATION SUBDIVISION

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

COPIES AVAILABLE @ \$2.00
 1000 MARKET STREET, PHILADELPHIA, PENN. 19102



Summit Engineering Group Inc.
Structural • Civil • Surveying
30 WEST CENTER • P.O. BOX 176
SALT LAKE CITY, UT 84143-0176
(801) 466-1100

PROJECT	L21-023
SHEET	1 OF 1
ISSUE DATE	