

PLANNIG COMMISSION MEETING STAFF REPORT

DATE OF MEETING: August 12, 2025

NAME OF PROJECT: Julian Subdivision

NAME OF APPLICANT: Jeff Findarle

PROPERTY OWNERS: Richard & Lori Julian

AGENDA ITEM: Plat Amendment

LOCATION: 145 North Center Street, Midway

ZONING DESIGNATION: R-1-7 zone

ITEM: 3

Jeff Findarle, representative of Richard and Lori Julian, has submitted a plat amendment application for the small-scale, two-lot Julian Subdivision that would further subdivide the development and create a third lot by subdividing lot 1 into two lots. The acreage of the Julian Subdivision is 0.80 acres and is in the R-1-7 zone at 145 North Center Street.

BACKGROUND:

The Julian Subdivision is a two-lot subdivision. The proposal is to divide Lot 1 (currently 23,615 square feet) into two lots, a northern lot and a southern lot. The southern lot will contain the existing house and will remain Lot 1. The northern lot would become a new Lot 3. The minimum lot size in the R-1-7 zone is 7000 square feet and the minimum frontage is 70 feet in this zone. The existing Lot 2 will remain unchanged.

The existing house on the existing Lot 1 is connected to City water and Midway Sanitation for sewer. The newly created Lot 3 would need to dedicate water and obtain a Will Service letter from HVSSD and Midway Sanitation District.

Most plat amendments are legislative action, and the Land Use Authority has discretion regarding approval. No land use ordinance violations have been identified.

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 proposal is to subdivide the existing Lot 1 into two lots. The southern of the two new lots, which is improved by an existing house, would remain Lot 1. Per the application, the revised Lot 1 will be 14,375 square feet, 0.33 acre, with 108.72 feet of frontage on North Center Street, and retain the address of 145 North Center Street. The northern of the two new lots would become a new Lot 3. Per the application, Lot 3 will be 9,240 square feet, 0.212. acre, with 70 feet of frontage on Center Street, and will have an address of 151 North Center Street. The minimum lot size in the R-1-7 zone is 7000 square feet and the minimum frontage is 70 feet in this zone, therefore, both lots meet existing area and frontage requirements. The existing Lot 2 will remain unchanged.

No public street, right-of-way, or easement will be vacated or altered by the requested Plat Amendment.

Zoning: Objective of R-1-7 Zone: Section 16.07.010 lists the objectives and characteristics of the R-1-7 Zone as follows:

The objective in establishing the R-1-7 Residential Zone is to provide appropriate locations within the City for development with a higher amount of residential density. In general, this zone is located in the central part of the City, adjacent to commercial areas where the impact of vehicular travel and parking is consonant with adjacent use of land, and where multiple dwellings can best be supplied with necessary public facilities. This zone is characterized by more compact development and somewhat higher volumes of traffic than is characteristic of the R-1-11 and R-1-9 Zones. Representative of the uses within the R-1-7 Zone are one and two-family dwellings and related community facilities. However, commercial uses are prohibited in this zone.

Duplex Potential: Existing Lot 1 is 23,615 square feet. The minimum area requirements for attached two-family dwellings in this zone is 10,000 square feet and minimum lot size for detached two-family dwellings is 22,000. Thus, the existing Lot 1 could get the same density through an attached or detached two-family dwelling, although additional water would have to be dedicated for the second dwelling.

Public Utility Easement: A public utility easement currently runs along the perimeter of the subdivision and along the shared lot line of Lots 1 and 2. The same public utility easement should run along the boundary between Lots 1 and 3 if the application is approved.

Driveway: Per the existing Plat, the existing Lot 1 is limited to one driveway with a turnaround to avoid vehicles backing into traffic. A similar note should be placed on the plat for any new Lot 3, limiting Lot 3 to one driveway with a turnaround to avoid vehicles backing into traffic on Center Street.

Water: Water shares for Lot 3 will have to be turned over to the City prior to the recording of any amended Plat. The lot will connect to the City's water line located under Center Street. A lateral will be needed for Lot 3.

Sewer: The existing house on the existing Lot 1 is connected to Midway Sanitation for sewer. Any newly created Lot 3 would need to obtain a Will Serve letter from Midway Sanitation District, as well as construct a lateral from the Center Street line to the newly created Lot 3.

Sidewalks: Sidewalks run along the east side of the lots in the Subdivision.

Sensitive Lands: Per the application, there are no sensitive lands, ditches, or canals on the property. The Midway City Geological and Hydrological Features Map does not show sensitive lands or water features at this location.

Name: The original Plat denotes the subdivision name as the "Julian Subdivision". The proposed amended Plat lists the name as the "RLJ Small Subdivision, Amending Lot 1 of the Julian Subdivision". To avoid confusion, particularly for County rescue services, the name should remain "Julian Subdivision" and any amended plat revised accordingly.

Plats: the original plat and the proposed amended Plat are annexed for review.

PROPOSED FINDINGS:

In favor:

- 1. Lot 1 will be divided into 2 Lots, the northern lot to be Lot 3 and the southern lot to remain Lot 1, the dimensions of which shall be in accordance with the proposed plat by Atwell, 2025, Project Number 25005941.
- 2. While there is an existing subdivision and plat for this property, the proposed subdivision meets the requirements of the Midway City Code for the R-1-7 zone, and this zone is characterized by higher density, including allowing attached and detached two-family dwellings.
- 3. Both lots will continue to comply with the requirements of the R-1-7 zone.

- 4. No public street, right-of-way, or easement will be vacated or altered.
- 5. The duration of a plat amendment approval shall be for one year from the date of approval of the amendment by the City Council. Should the amended plat not be recorded by the County Recorder within the one-year period of time, the plat amendment's approval shall be voided, and approval must be re-obtained unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or (b) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

OR

Against:

A. This property has previously been subdivided and there is an existing plat. Further subdivision of previously subdivided property does not comply with the stated goals of the general plan including, but not limited to, preserving the rural nature of Midway, view corridors along streets and roads, open space in developments, and preserving buffer zones.

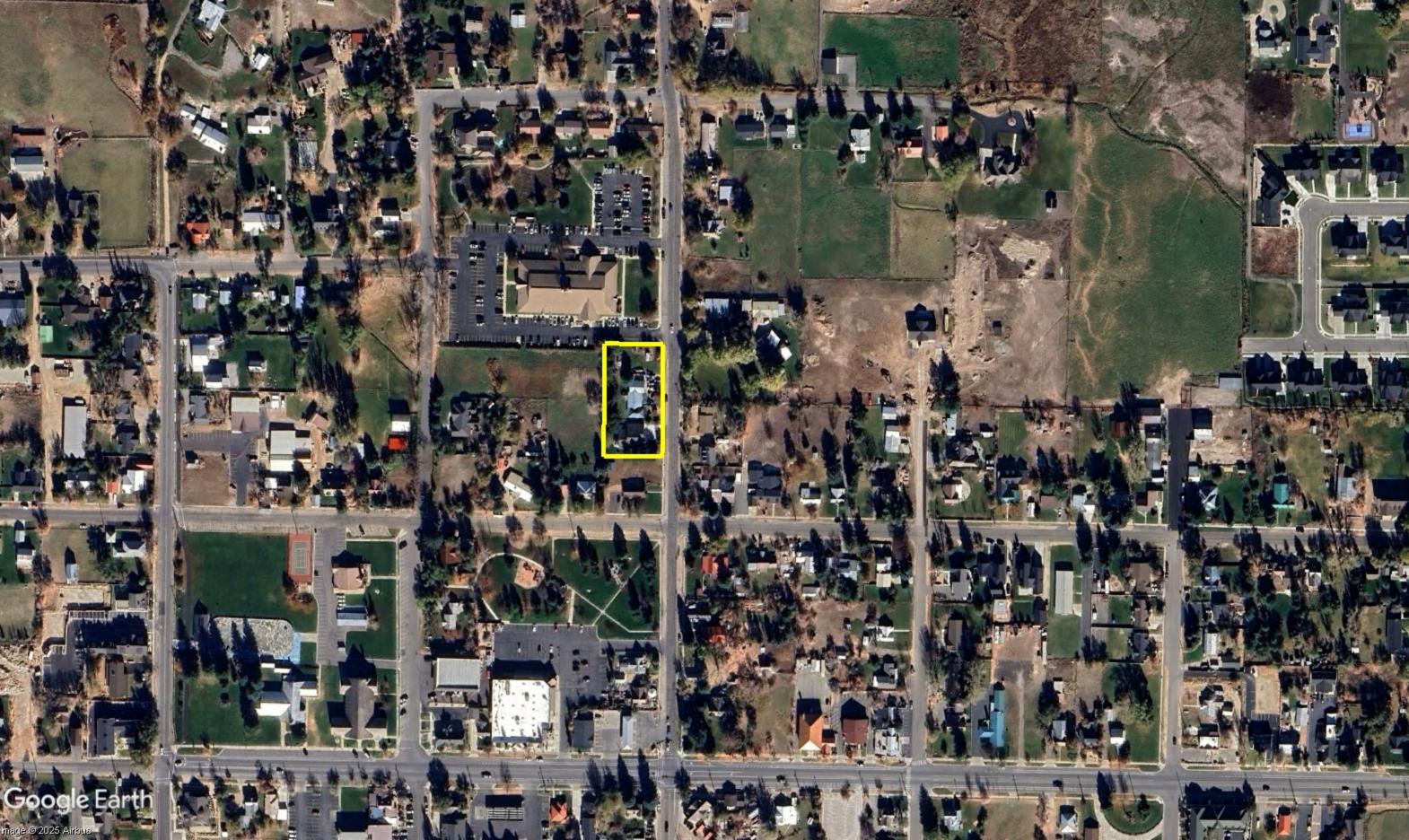
PROPOSED CONDITIONS:

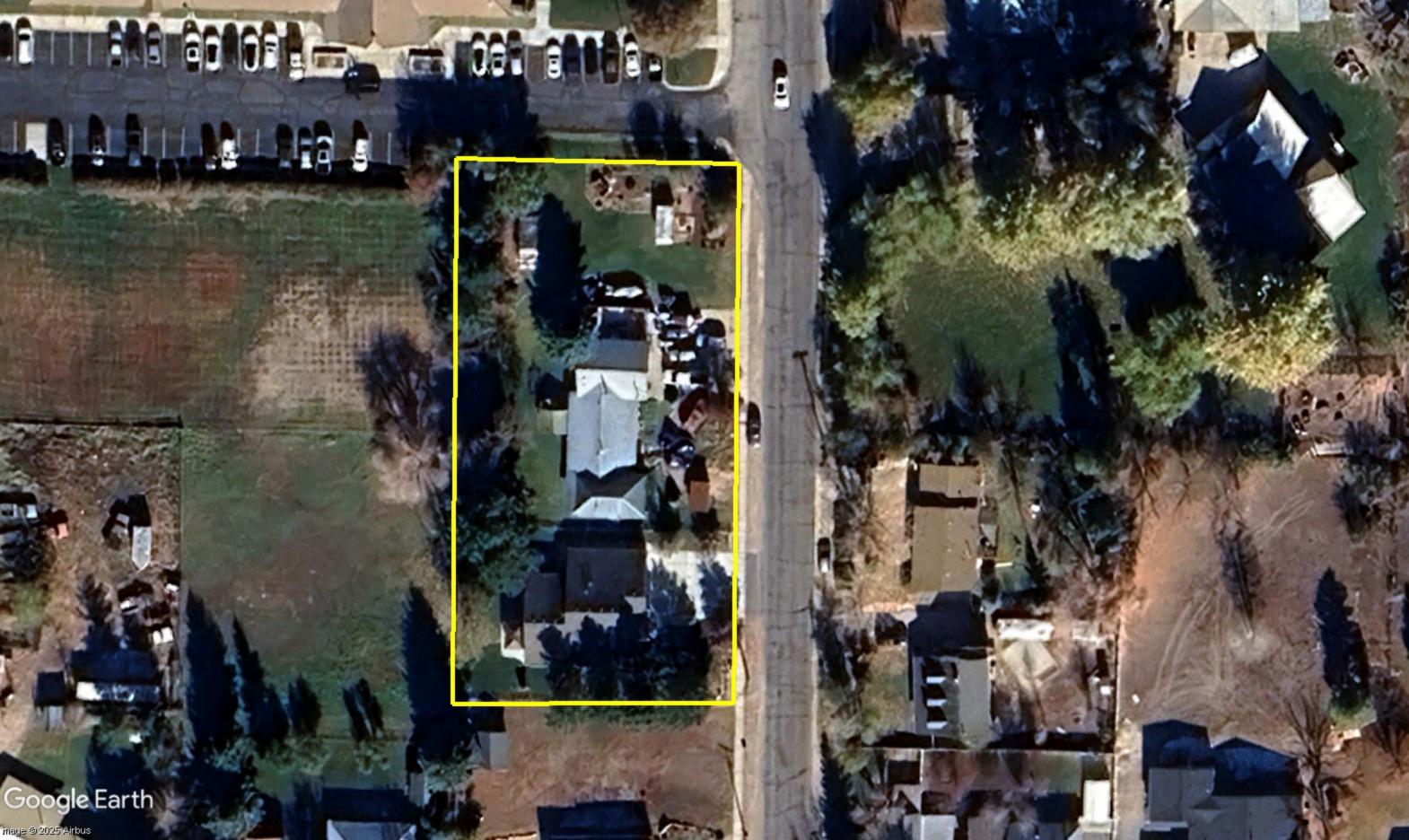
- 1. Any amended plat will retain the name of the subdivision as the "Julian Subdivision". If Lot 1 is divided into two lots, the northern lot shall be denoted Lot 3 and the southern remain Lot 1.
- 2. Lot 1 shall continue to be restricted to one driveway access with a turnaround. A similar note shall be placed on the plat for the newly created Lot 3, restricting to one driveway with turnaround to avoid backing into Center Street.
- 3. Public utility easements of 10 feet will run along each side of the property line between Lots 1 and 3.
- 4. Water shares sufficient for the new Lot 3 will have to be dedicated prior to recording of any amended plat.

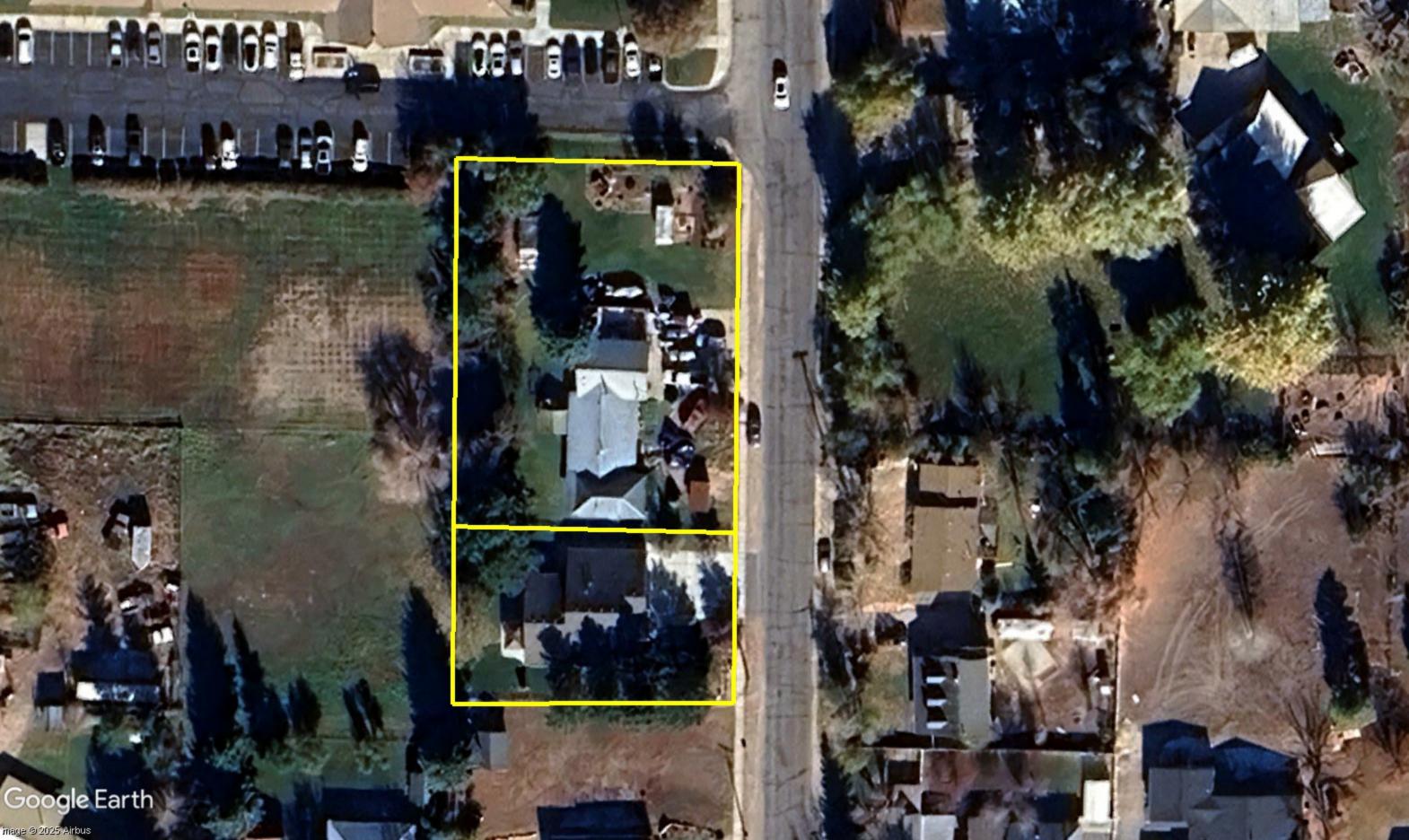
ALTERNATIVE ACTIONS:

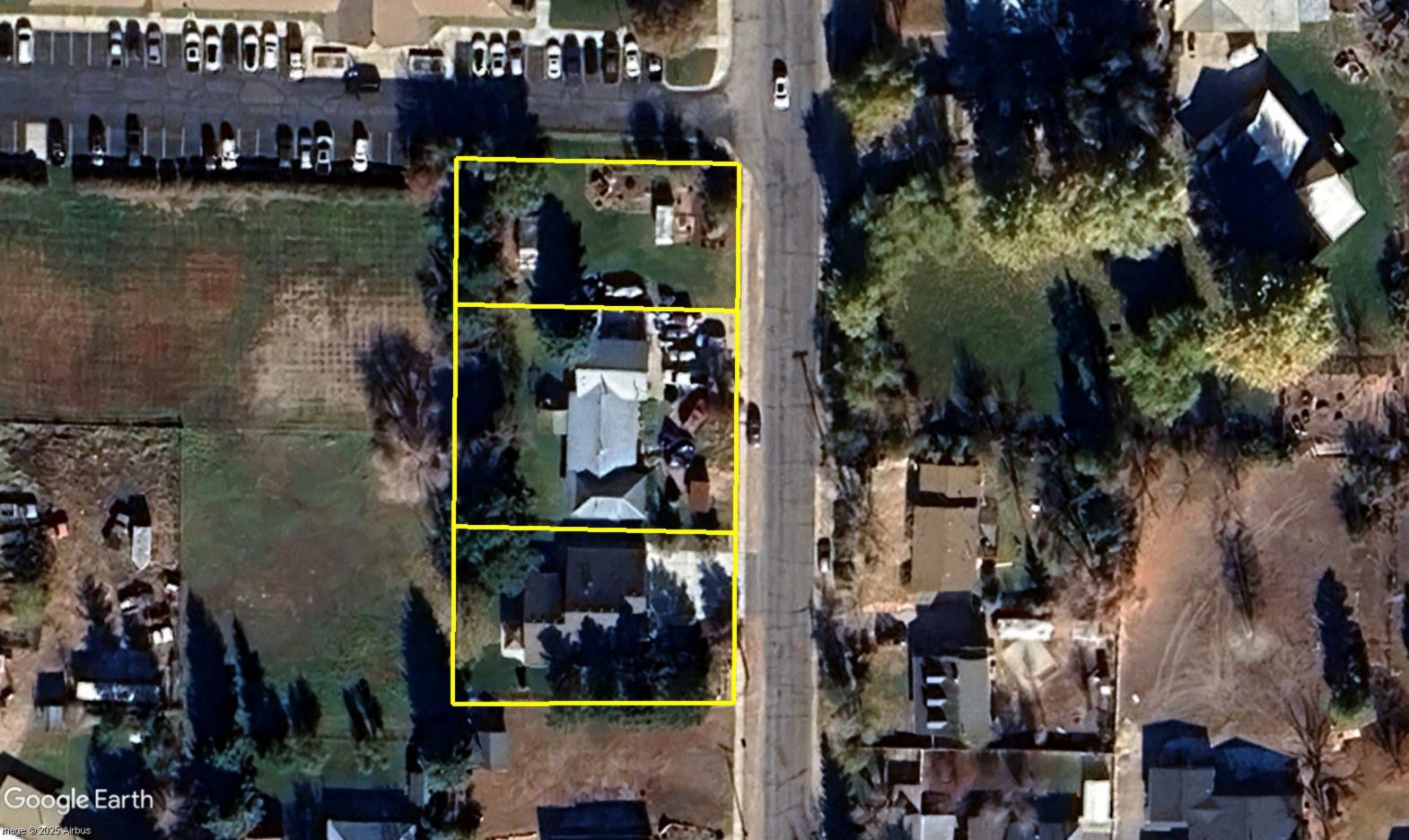
- 1. <u>Recommendation of Approval (conditional)</u>. This action can be taken if the Planning Commission finds there are no land use violations.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed
- 2. <u>Continuance</u>. This action can be taken if the Planning Commission 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. <u>Recommendation of Denial</u>. This action can be taken if the Planning Commission finds that the request does violate a land use ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

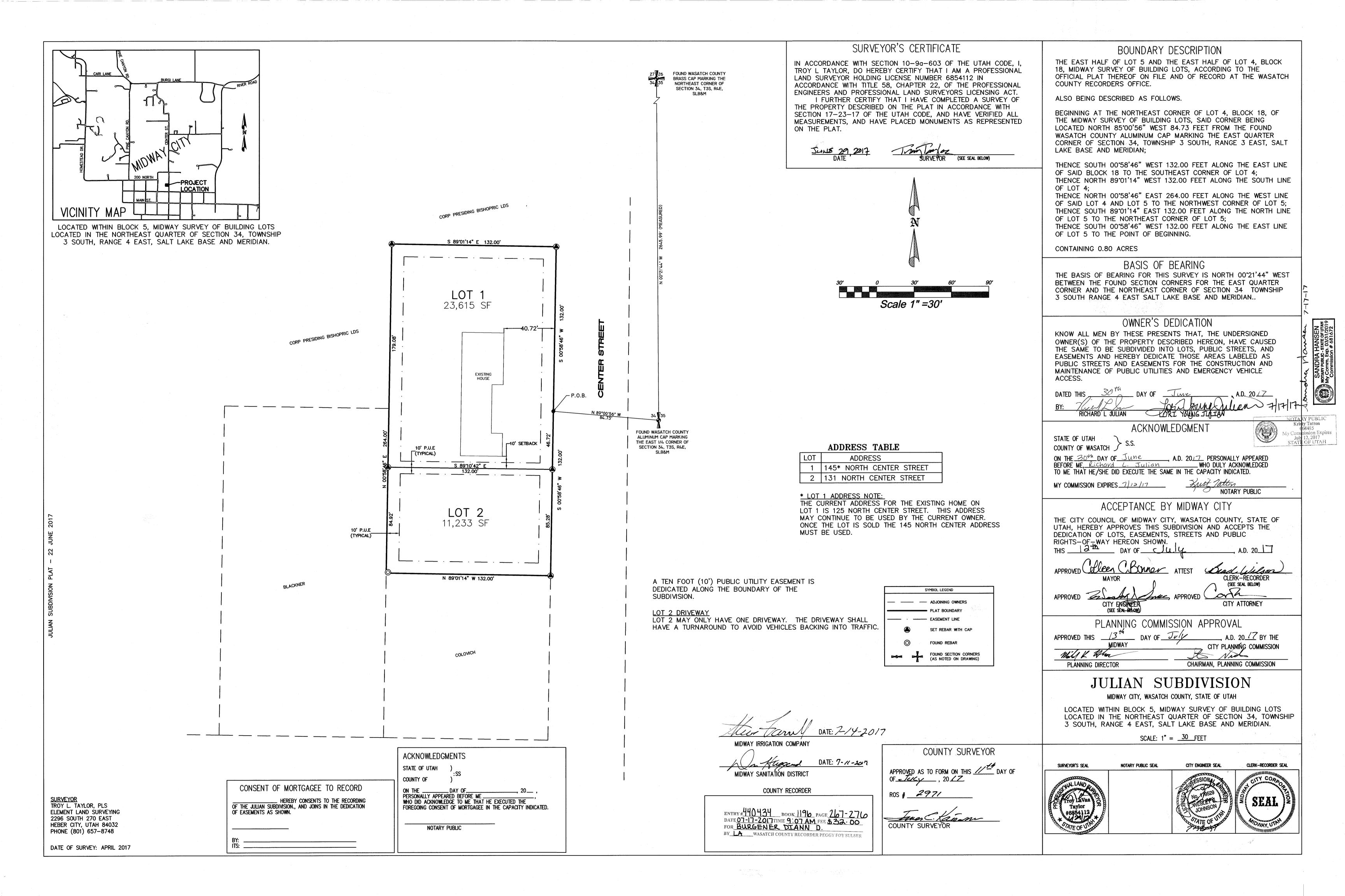












1 INCH = 20 FT(SCALE IN FEET)

LEGEND

FOUND BRASS MONUMENT

FOUND REBAR & CAP

SET REBAR & PLASTIC CAP STAMPED 'ATWELL 435-654-9229'

PROPERTY BOUNDARY

———————— EXISTING BUILDINGS

A TEN FOOT (10') PUBLIC UTILITY EASEMENT IS DEDICATED ALONG THE BOUNDARY OF THE SUBDIVISION.

LOTS MAY ONLY HAVE ONE DRIVEWAY. tHE DRIVEWAY SHALL HAVE A TURN AROUND TO AVOID VEHICLES BACKING INTO TRAFFIC.

PUBLIC UTILITY EASEMENTS:

THESE LOTS ARE SUBJECT TO A 10-FT WIDE PUBLIC UTILITY EASEMENT ALONG ALL LOT BOUNDARIES.

PER UTAH CODE 54-3-27, PUBLIC UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, OPÉRATE, REPAIR, REMOVE, REPLACE, AND RELOCATE THEIR EQUIPMENT AND ALL OTHER RELATED FACILTIES ABOVE AND BELOW GROUND WITHIN THE PUBLIC UTILITY EASEMENTS (P.U.E) IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREON.

PUBLIC UTILITIES ALSO HAVE THE RIGHTS OF INGRESS AND EGRESS WITHIN THE P.U.E. FOR PUBLIC UTILITY EMPLOYEES, CONTRACTORS, AND AGENTS, ALONG WITH ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS, INCLUDING STRUCTURES AND TREES AND TALL VEGETATION, THAT MAY BE PLACED WITHIN THE

THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE EXPENSE. AT NO TIME SHALL ANY PERMANENT STRUCTURE BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

NOTWITHSTANDING THE ABOVE RIGHTS, A PUBLIC UTILITY SHALL RESTORE OR REPAIR, AT THE EXPENSE OF THE PUBLIC UTILITY, A FENCE, GRASS, SOIL, SHRUBBERY, BUSHES, FLOWERS, OTHER LOW-LEVEL VEGETATION, SPRINKLER SYSTEM, IRRIGATION SYSTEM, GRAVEL, FLAT CONCRETE OR ASPHALT DAMAGED OR DISCPLACED FROM THE EXERCISE OF THE EASEMENT RIGHTS NOTED ABOVE.

MIDWAY IRRIGATION

MIDWAY CITY ATTORNEY

CITY ATTORNEY

MIDWAY SANITATION DISTRICT

MIDWAY ENGINEER APPROVAL

CITY ENGINEER

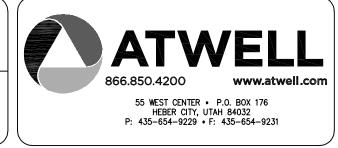
PROJECT RICHARD JULIAN

SHEET

25005941

1 OF 1

RLJ SMALL SUBDIVISION



IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANY TIEM ON THIS DOCUMENT IN ANY WAY. ANY LICENCEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATIONS.

F.U.E. TYP.

RLJ SMALL SUBDIVISION LOCATED IN THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH,

RANGE 4 EAST, SLB&M, MIDWAY CITY, WASATCH COUNTY, UTAH

RLJ SMALL SUBDIVISION

AMENDING LOT 1 OF JULIAN SUBDIVISION

S89°01'14"E 132.00'

0.212 AC 151 NORTH CENTER ST.

N89'01'14"W

EXISTING HOUSE

14,375 SF 0.330 AC

145 NORTH CENTER S

N89°10'42"W 132.00'

SETBACK

PRELIMINARY/FINAL PLAT

NORTHEAST CORNER SECTION 34, T3S, R4E, SLB&M

(FOUND WASATCH COUNTY BRASS CAP)

APPROVED AS TO FORM. RECORD OF SURVEY #_____.

COUNTY SURVEYOR APPROVAL

WASATCH COUNTY SURVEYOR

EAST QUARTER CORNER

ALUMINIUM CAP)

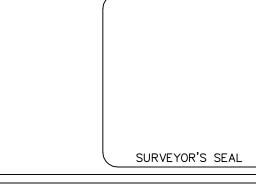
SECTION 34, T3S, R4E, SLB&M

(FOUND WASATCH COUNTY

SURVEYOR'S CERTIFICATE

BRIAN PRESCRIE	BED UN	DER '	THE LA	WS OF	THE	STATE	OF	UTAH.	ΙF	URTHE	R CEF	RTIFY	BY A	•				1 AS
SURVEY	of the	TRA	CT OF	LAND	SHOW	NO N	THIS	PLAT	AND	DESC	ribed	BELO'	W.					

BRIAN BALLS PROFESSIONAL LAND SURVEYOR



BOUNDARY DESCRIPTION

ALL OF LOT 1 OF THE JULIAN SUBDIVISION PLAT ENTRY #440434

BEGINNING AT A POINT THAT LIES NOO'21'44"E 2645.99' FEET ALONG THE SECTION LINE AND N89'00'56"E 84.73' FEET FROM THE FOUND WASATCH COUNTY SECTION CORNER MONUMENT REPRESENTING THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SAID POINT OF BEGINNING BEING A FOUND REBAR AND CAP ON THE WEST RIGHT-OF WAY OF CENTER STREET, MIDWAY, UTAH (THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS ESTABLISHED AS NORTH 00°21'44" EAST BETWEEN THE FOUND WASATCH COUNTY SECTION CORNER MONUMENTS REPRESENTING THE NORTHEAST CORNER AND EAST ONE-QUARTER CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.)

THENCE ALONG SAID RIGHT-OF WAY SO0'58'46"W 46.72 FEET TO A FOUND REBAR AND CAP: THENCE N89'10'42"W 132.00 FEET TO A FOUND REBAR AND CAP; THENCE NO0'58'46"E 179.08 FEET TO A FOUND REBAR AND CAP; THENCE S89'01'14"E 132.00 FEET TO A FOUND REBAR AND CAP AND SAID WEST RIGHT-OF-WAY OF CENTER STREET; THENCE ALONG RIGHT-OF-WAY SO0'58'46"W 132.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.542 ACRES.

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS ESTABLISHED AS NORTH 00°21'44" EAST BETWEEN THE FOUND WASATCH COUNTY SECTION CORNER MONUMENTS REPRESENTING THE NORTHEAST CORNER AND EAST ONE-QUARTER CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AS SHOWN HEREON.

OWNER'S DEDICATION AND CONSENT TO RECORD

WE, THE UNDERSIGNED OWNERS OF THE DESCRIBED PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THIS PLAT TO BE CREATED, AND TO BE FURTHER KNOWN AS PROBST MEADOW SUBDIVISION, AND GRANT TO MIDWAY CITY THE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON, AND HEREBY GIVE CONSENT TO RECORD THIS PLAT.

DATED THISDAY OF	,	A.D.	2025
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RICHARD L JULIAN

ACKNOWLEDGMENT

LORI YOUNG JULIAN

STATE OF _____ COUNTY OF _____

ON THIS DAY OF , PERSONALLY APPEARED BEFORE ME RICHARD L JULIAN & LORI YOUNG JULIAN, WHO SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD, AND WHO DULY ACKNOWLEDGED TO ME THAT THEY 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 SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, THIS DAY OF

CLERK-RECORDER

PLANNING APPROVAL

___, BY THE PLANNING DIRECTOR OF MIDWAY, UTAH.

PLANNING DIRECTOR

WASATCH COUNTY RECORDER

BY WASATCH COUNTY RECORDER MARCY M. MURRAY