



## **PLANNING 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:** Julian Subdivision – Preliminary/Final Approval

**LOCATION:** 145 North Center Street, Midway

**ZONING DESIGNATION:** R-1-7 zone

### **ITEM: 4**

Michael Johnston, representative of Richard and Lori Julian, has submitted a preliminary/final application for the two-lot Julian Subdivision that would further subdivide and create a third lot in the small-scale subdivision. The plan includes 3 lots (two existing) on 0.8 acres. The property is in the R-1-7 zone at 145 North Center.

### **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 contains 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 lots do comply with the minimum requirements of frontage, width and acreage for a lot in this zone.

## LAND USE SUMMARY:

- 0.8-acre parcel
- R-1-7 zoning
- Currently a two-lot subdivision. Proposal is to divide Lot 1 into two lots (Lot 1 and 3), for a total of three lots in the subdivision. Lot 2 will remain unchanged.
- Center Street
- The existing two lots connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line. The third lot would have to dedicate water and connect to these entities.

## ANALYSIS:

*Access* – Access both the existing lots is from Center Street, which is a collector road. 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.

*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 (10 feet from the property line) should run along any new boundary between Lots 1 and 3 if the application is approved.

*Water Connection* – 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 Connection* – A will serve letter from Midway Sanitation District and HVSSD will be needed for Lot 3. The lot will connect to Midway Sanitations District's line located in the area. A lateral will be needed for Lot 3.

*Secondary Water Connection* – Lot 3 will connect to Midway Irrigation Company's secondary which is already servicing Lots 1 and 2. A lateral will need to be created for 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.

*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.

## **WATER BOARD RECOMMENDATION:**

The Water Board recommended August 4, 2025, that 0.75 acre feet are dedicated before the recording of the amended plat based on the following calculations:

- 0.8-acre parcel (34,848 sq. ft.)
  - Impervious area for dwellings, accessory structures, hard surfaces
    - 0.34 acres (15,000 sq. ft.)
  - Irrigated acreage
    - 0.45 acres (19,848 sq. ft.) x 3 = 1.35 acre feet
- 3 culinary connections for dwellings
  - 2.4 acre feet (3 x 0.8)
- 1.5 acre feet were dedicated on June 22, 2017
- 1.5 acre feet was credited for historic home and landscaping
- Total = 3.75 – 1.5 – 1.5 = **0.75 acre feet**

## **POSSIBLE FINDINGS:**

### **In favor:**

1. The proposed subdivision will result in lots (amended Lot 1, new Lot 3, and unchanged Lot 2), which meet the minimum requirements for the R-1-7 zone.
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. The proposed subdivision meets the intent of the General Plan for the R-1-7 zone.
3. All lots will continue to comply with the requirements of the R-1-7 zone.

### **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 any amended plat.

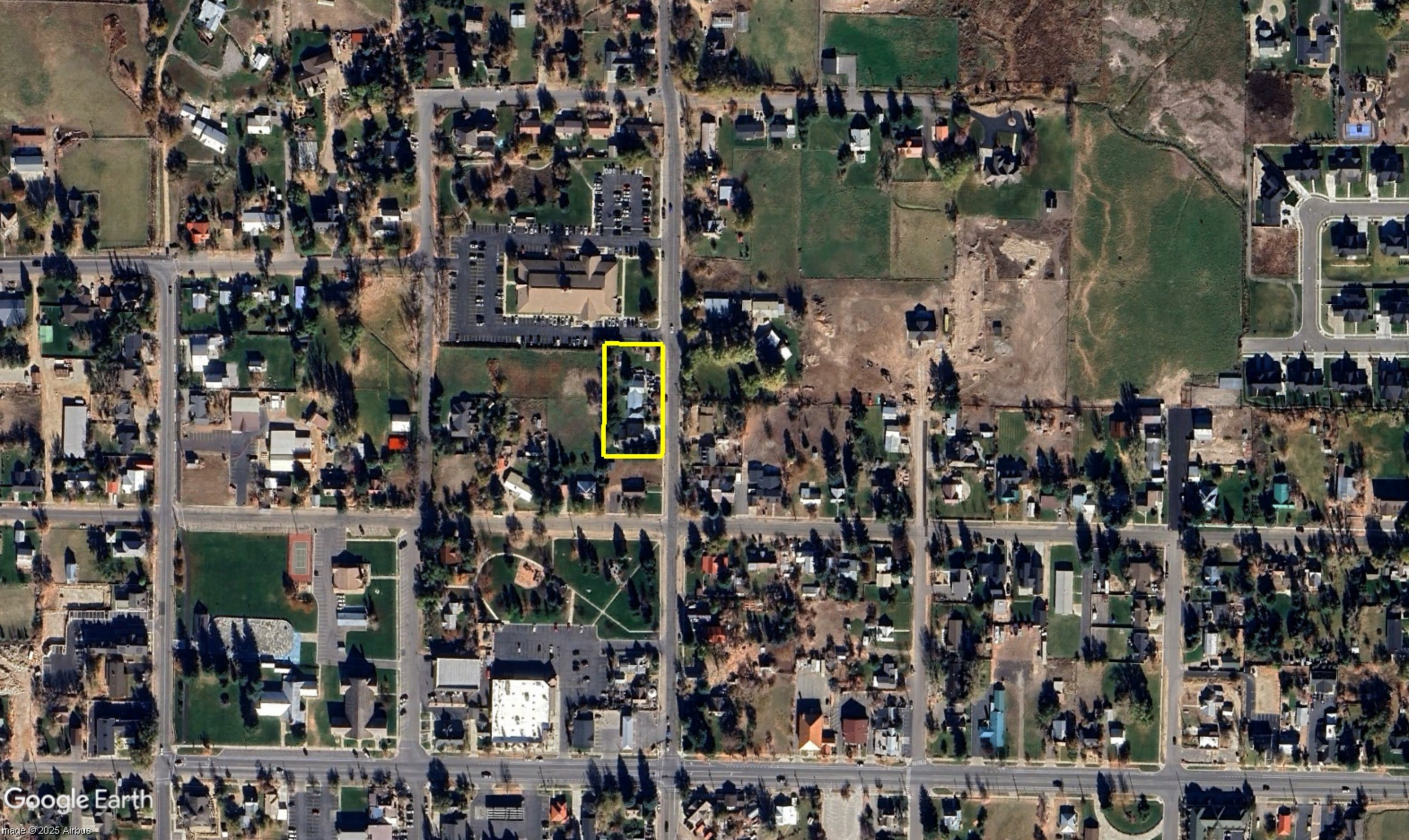
## ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds that conditions placed on the approval can resolve any outstanding issues.
  - a. Accept staff report
  - b. Reasons for approval (findings)
  - c. Place condition(s) if needed
  
2. Continuance. 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. Recommendation of Denial. This action can be taken if the Planning Commission finds that the request does not meet the intent of the ordinance.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

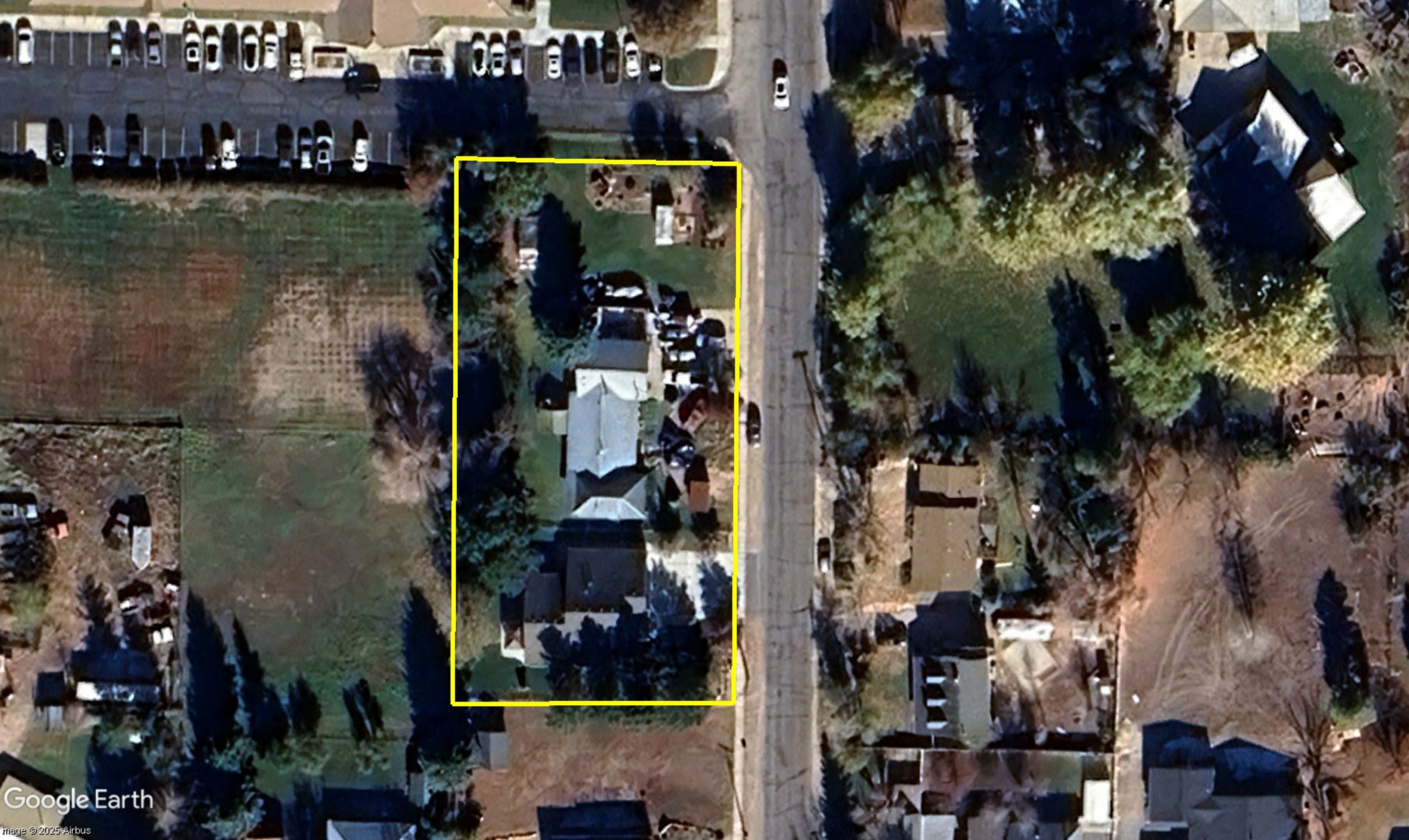




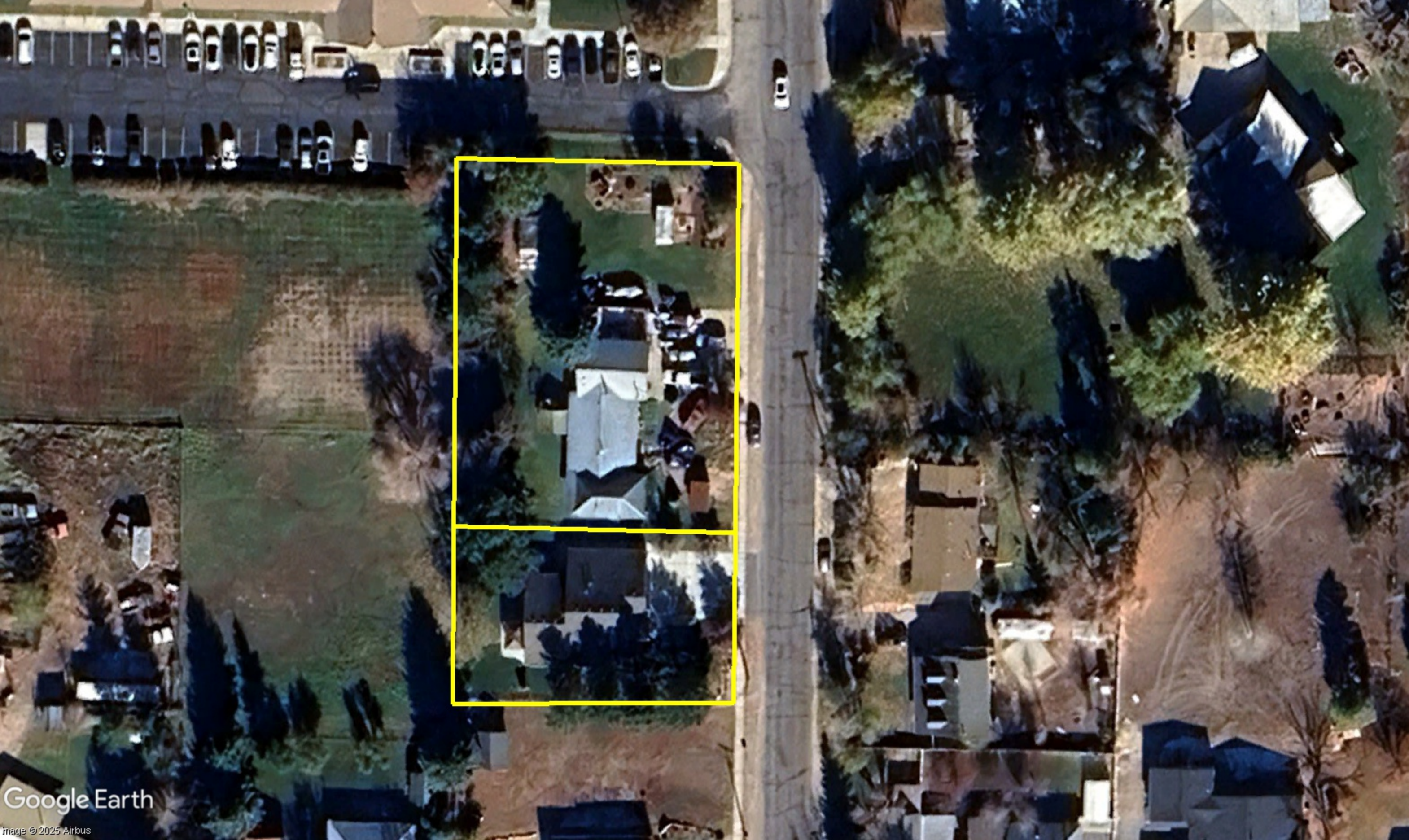




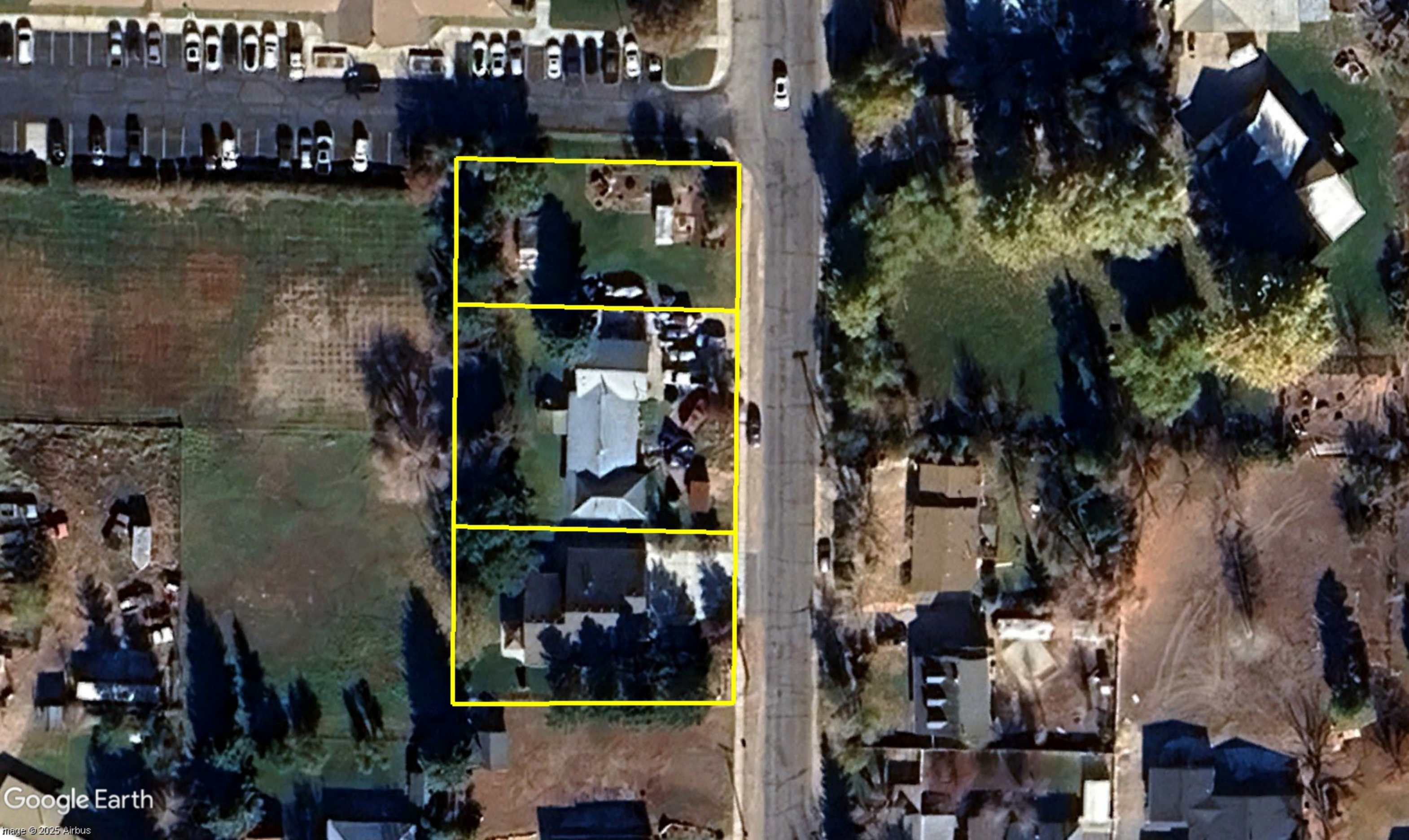




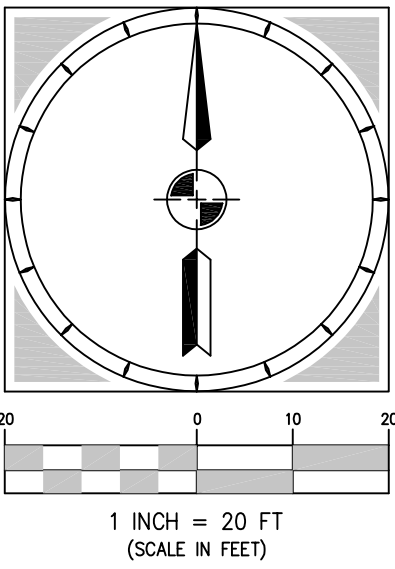












# RLJ SMALL SUBDIVISION

AMENDING LOT 1 OF JULIAN SUBDIVISION

## LEGEND

- FOUND BRASS MONUMENT
- FOUND REBAR & CAP
- SET REBAR & PLASTIC CAP  
STAMPED 'ATWELL 435-654-9229'
- PROPERTY BOUNDARY
- ADJOINING PROPERTY LINES
- P.U.E.
- EXISTING BUILDINGS

NOTES:  
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, OPERATE, REPAIR, REMOVE, REPLACE, AND RELOCATE THEIR EQUIPMENT AND ALL OTHER RELATED FACILITIES 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 P.U.E.

THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S 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 DISPLACED FROM THE EXERCISE OF THE EASEMENT RIGHTS NOTED ABOVE.

## MIDWAY IRRIGATION

DATE

## MIDWAY CITY ATTORNEY

CITY ATTORNEY

DATE

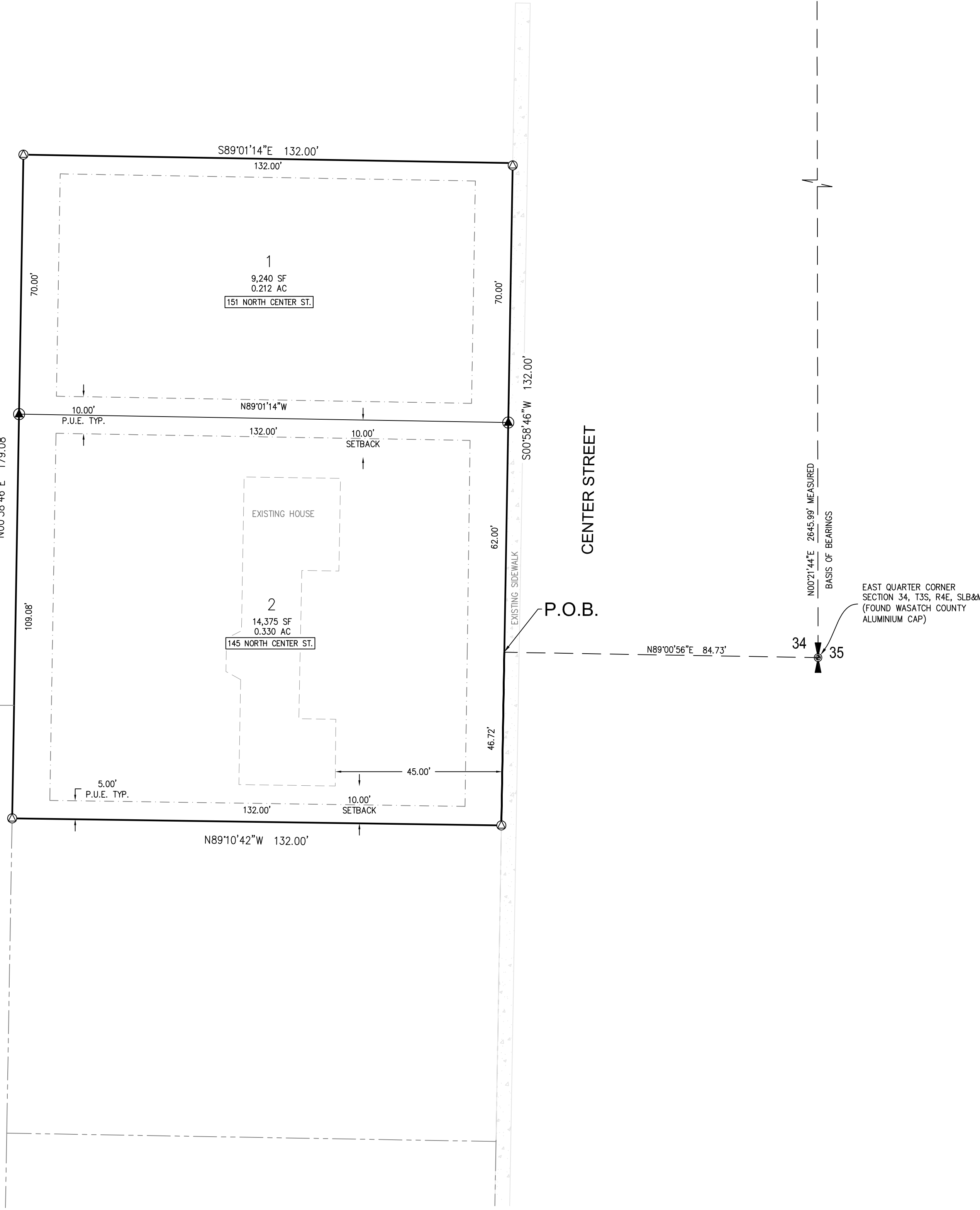
## MIDWAY SANITATION DISTRICT

DATE

## MIDWAY ENGINEER APPROVAL

CITY ENGINEER

DATE



## SURVEYOR'S CERTIFICATE

I, BRIAN BALLS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 334532-2201 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.

BRIAN BALLS  
PROFESSIONAL LAND SURVEYOR

SURVEYOR'S SEAL

## BOUNDARY DESCRIPTION

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

ALSO DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT THAT LIES N00°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 S00°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 N00°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 S00°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 THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2025

RICHARD L JULIAN

LORI YOUNG JULIAN

## ACKNOWLEDGMENT

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 \_\_\_\_\_

MAYOR

CLERK-RECORDER

## PLANNING APPROVAL

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

PLANNING DIRECTOR

## WASATCH COUNTY RECORDER

ENTRY #: \_\_\_\_\_, DATE: \_\_\_\_\_, TIME: \_\_\_\_\_

FEE: \_\_\_\_\_, BOOK: \_\_\_\_\_, PAGE: \_\_\_\_\_, FOR: \_\_\_\_\_

BY \_\_\_\_\_ WASATCH COUNTY RECORDER MARCY M. MURRAY

K:\PROPOSAL\2025\MIDWAY CITY\PROPOSALS\25005941 25005941 JULIAN LOT 1 SMALL SUBDIVISION\CURRENT DWG\25005941 JULIAN PLAT.DWG

PROJECT

25005941

SHEET

1 OF 1

PREPARED FOR

RICHARD JULIAN

PROJECT

RLJ SMALL SUBDIVISION



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### DEAMING ALLEGATION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE 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.

## 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

## PRELIMINARY/FINAL PLAT

## COUNTY SURVEYOR APPROVAL

APPROVED AS TO FORM.

RECORD OF SURVEY # \_\_\_\_\_

WASATCH COUNTY SURVEYOR

DATE