



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: October 21, 2025

NAME OF PROJECT: Alpenhof Estates Subdivision, Plat E

NAME OF APPLICANT: David Baird

PROPERTY OWNERS: Curtis D Logan Trust and David Baird

AGENDA ITEM: Plat Amendment of Lots 42 and 43

LOCATION: 191 N and 213 N 1400 W, Midway, Utah

ZONING DESIGNATION: R-1-22 zone

ITEM: 5

David Baird, on behalf of himself and the Curtis D. Logan Trust, is requesting a Plat Amendment of the Alpenhof Estates Subdivision, Plat E, lots 42 and 43. The proposal is to adjust the lot line between the two lots. The properties are located at 191 N and 213 N 1400 West and are in the R-1-22 zone.

BACKGROUND:

The Alpenhof Estates Subdivision is a fifty-one lot subdivision located on the west side of Swiss Alpine Road. The proposal is to adjust the lot line between the two. According to the application:

The Trust owns Lot 42 (191 N 1400 W) and Lot 43 (213 N 1400 W) in the Alpenhof Estates Plat E. Both lots have houses, of which Lot 43 is a primary home and Lot 42 has a guest house for use by the Trust for family and friends. The guest house is not used for either long term or short term rental. The Trust is pursuing a plat amendment to adjust the boundary line between the two lots.

Lot 43 has restricted access on the South side of the house toward Lot 42, due to only 12' between the rear corner of the house and the property line and there are several rock walls and sloping ground, which restricts access by lawn equipment. It has not been a problem, as the Trust owns the adjacent Lot 42. If at some time in the future, one or both lots are sold, this restricted access could cause problems with a sale.

The Plat amendment would move part of the property boundary so there is 20' to 25' between the house on Lot 42 and the property line. The 20' set back would then meet the current Midway City requirements and still not affect the minimum lot size requirement by the City for either of the lots. There will also still be more than a 20' set back for Lot 42, also.

Attached is a Boundary Survey from Elements Land Surveying, Project Number 25-09-348, showing the current boundary line between Lots 42 and 43.

Also attached please find the applicants proposed "amended plat: of Lots 42 and 43, showing the proposed amended boundary line between lots 42 and 43.

Per the submitted survey and proposed amended plat, the boundary line will rotate westward to give additional footage along the west side of Lot 43. Lot 43 will increase in size from .34 acre to .39 acre. Lot 42 will decrease in size from .61 acre to .56 acre. It appears that frontage along 1400W will remain unchanged.

The property is in the R-1-22 zone. Minimum area requirements for lots for single family homes are one-half acre (21,780 square feet), "except for dwelling which are located within an approved large-scale development". (See 16.11.040 Area Requirements). The minimum width and frontage for a lot for a single family dwelling is 115 feet (See 16.11.050 Width and Frontage Requirements).

Most plat amendments are legislative action, and the Land Use Authority has discretion regarding approval. This proposal is a lot line adjustment and does require approval unless the petition is in violation of a land use ordinance.

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. A lot line adjustment does require approval unless the petition is in violation of a land use ordinance. Subsection 9a-608(5)(b) states "The land use authority shall approve a lot line adjustment under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance." No land use ordinance violations have been identified.

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 1 and 2 will be relocated to run along the boundaries of the adjusted lot line.

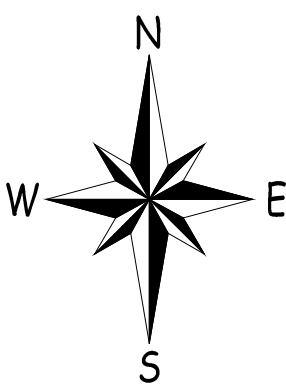
PROPOSED FINDINGS:

- The lot line between lots 42 and 43 will be adjusted as per the amended plat.
- Both lots will continue to comply with the requirements of the R-1-22 zone.
- State code requires that the petition be approved if no land use ordinance is violated.
- No public street, right-of-way, or easement will be vacated or altered.
- 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.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds there are no land use violations.
 - 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 violate a land use ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

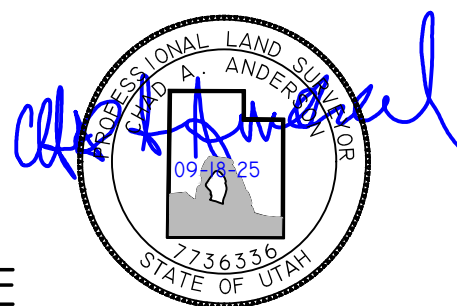


SYMBOL LEGEND	
	DEED LINE
	SURVEY BOUNDARY
	FIELD FENCE
	FOUND REBAR (AS NOTED)
	SET REBAR WITH CAP (7736336)

SURVEYOR'S CERTIFICATE

I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 7736336, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE HEREON DESCRIBED PARCEL AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

CHAD A. ANDERSON - PLS. _____ DATE _____



SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PROVIDE BOUNDARY INFORMATION. SURVEY WAS PERFORMED IN SEPTEMBER OF 2025.

DESCRIPTION

LOT 42 & 43:

ALL OF LOT 42 & 43 OF THE ALPENHOF ESTATES SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, WASATCH COUNTY

LOT 42 AREA = 0.61 ACRES
LOT 43 AREA = 0.34 ACRES

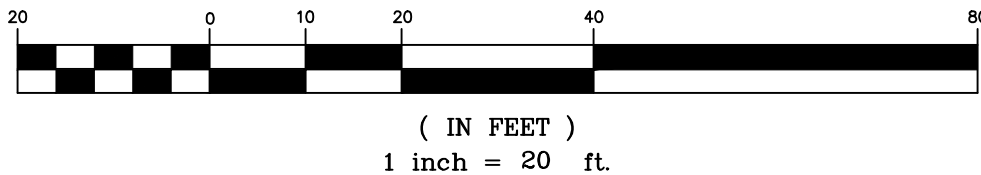
BASIS OF BEARINGS

BASIS OF BEARINGS: SOUTH MEASURED BETWEEN FOUND MONUMENTS AS SHOWN HEREON.

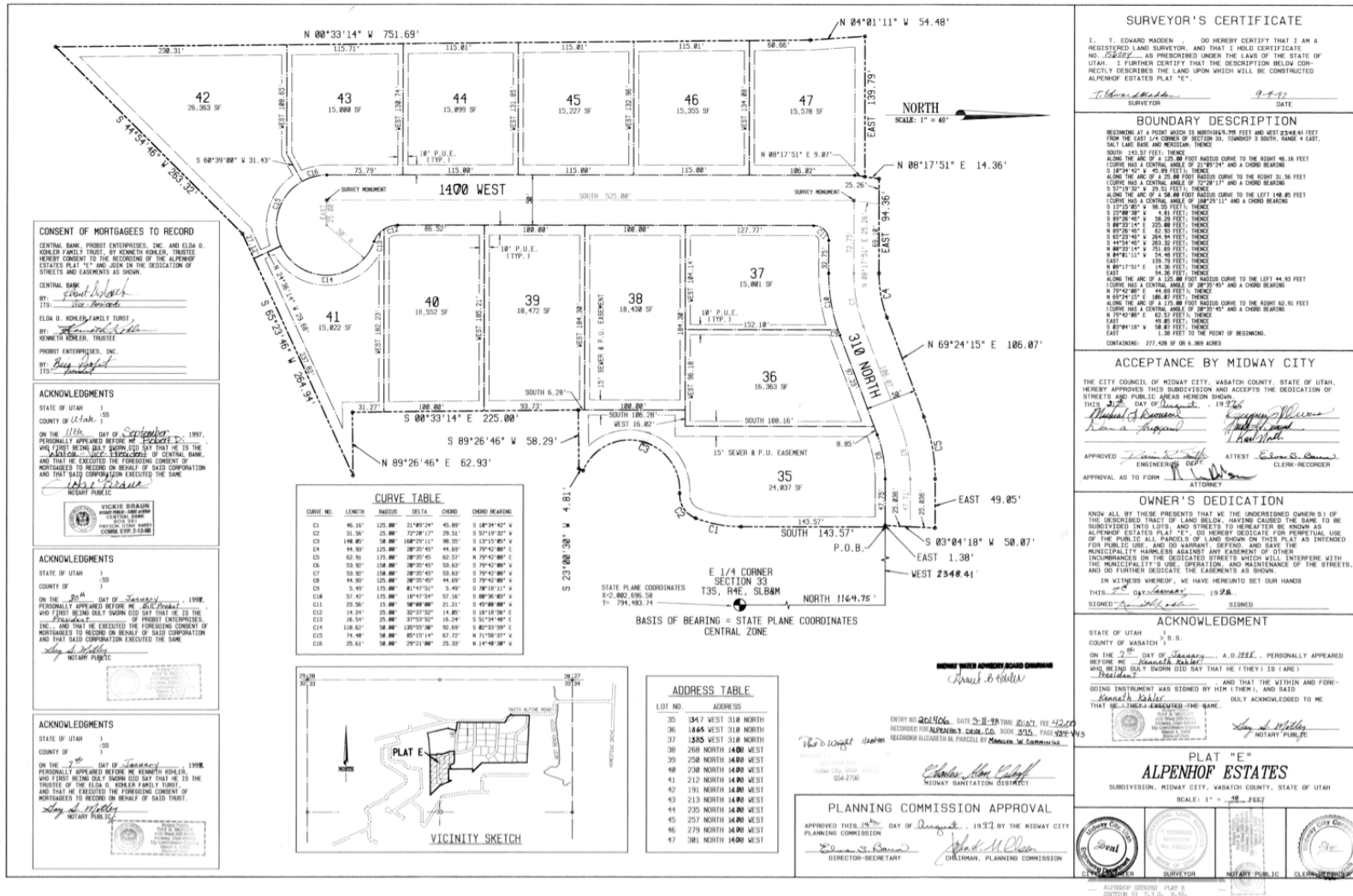
VICINITY MAP



GRAPHIC SCALE

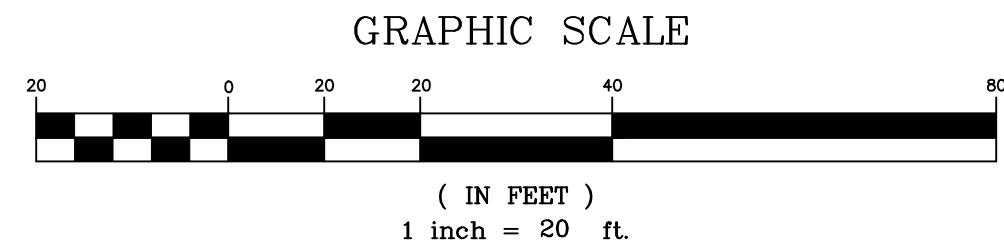


CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LENGTH
C6	25.61	50.00	029°20'49"	S14°40'24"E	25.33
C1	74.40	50.00	085°15'08"	S71°58'23"E	67.72



ALPENHOF ESTATES PLAT "E"
LOTS 42 & 43 AMENDED

LOCATED IN THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP
3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
WASATCH COUNTY, UTAH



MIDWAY IRRIGATION

DATE

MIDWAY CITY ATTORNEY

CITY ATTORNEY

DATE

MIDWAY SANITATION DISTRICT

DATE

MIDWAY ENGINEER APPROVAL

CITY ENGINEER

DATE

COUNTY SURVEYOR

APPROVED AS TO FORM

ROS #

SIGNATURE

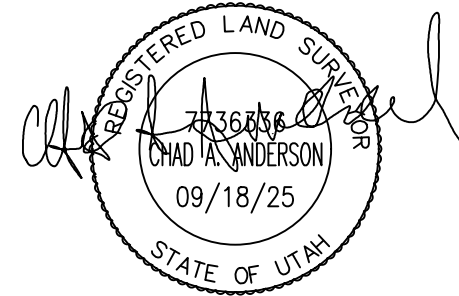
DATE

NARRATIVE

THE PURPOSE OF THIS PLAT AMENDMENT IS TO ADJUST THE
LOT LINE BETWEEN LOTS 42 & 43 OF THE ALPENHOF ESTATES
PLAT "E" SUBDIVISION.

SURVEYOR'S CERTIFICATE

I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND
SURVEYOR AND THAT I HOLD CERTIFICATE NO. 7736336, AS PRESCRIBED UNDER
THE LAWS OF THE STATE OF UTAH. I HEREBY CERTIFY THAT I HAVE MADE A
SURVEY OF THE HEREON DESCRIBED PARCEL AND THAT THIS PLAT IS A TRUE
AND CORRECT REPRESENTATION OF SAID SURVEY.



CHAD A ANDERSON - PLS DATE

BOUNDARY DESCRIPTION

LOTS 42 & 43:

ALL OF LOTS 42 & 43 OF THE ALPENHOF ESTATES PLAT "E", ACCORDING TO THE OFFICIAL
PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, WASATCH COUNTY.

AREA = 0.95 ACRES

BASIS OF BEARING

BASIS OF BEARINGS: NORTH MEASURED BETWEEN FOUND MONUMENTS AS SHOWN
HEREON

OWNER'S DEDICATION AND CONSENT TO RECORD

WE THE UNDERSIGNED OWNERS OF LOTS 42 & 43 OF THE ALPENHOF ESTATES PLAT
"E" SUBDIVISION, 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.

DATED THIS DAY OF , A.D. 20

Curtis D Logan TR DATE

ACKNOWLEDGMENT

STATE OF COUNTY OF } S.S.

ON THE DAY OF A.D. 20 PERSONALLY APPEARED
BEFORE ME, CURTIS D LOGAN, TRUSTEE OF THE DAVID WAYNE BAIRD 1992 TRUST,
DATED JUNE 9, 1992, WHO DULY ACKNOWLEDGED TO ME THAT HE DID EXECUTE
THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES NOTARY PUBLIC

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MIDWAY, UTAH, APPROVES
THIS SUBDIVISION PLAT AMENDMENT SUBJECT TO
THE CONDITIONS AND RESTRICTIONS STATED
HEREON, ON DAY OF , 20.

MIDWAY CITY STAMP

MAYOR

CLERK - RECORDER

PLANNING APPROVAL

APPROVED THIS DAY OF , 2024 BY THE PLANNING DIRECTOR OF
MIDWAY, UTAH.

PLANNING DIRECTOR

COUNTY RECORDER

- HISTORY OF CHANGES
- LOT LINE ADJUSTED BETWEEN LOTS 41 & 42
 - PUE MOVED BETWEEN LOTS 41 & 42.



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LENGTH
C2	25.61	50.00	029°20'49"	S14°40'24"E	25.33
C1	74.40	50.00	085°15'08"	S71°58'23"E	67.72

VICINITY MAP

PROJECT LOCATION

