



Midway

PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: December 8, 2020
NAME OF PROJECT: Lime Canyon Meadows
PROJECT ENGINEER: Berg Engineering
OWNER OF RECORD: Brandon Firth
AGENDA ITEM: Plat Amendment
LOCATION OF ITEM: 971 West Lime Canyon Road
ZONING DESIGNATION: R-1-22

ITEM: 4

Berg Engineering, agent for Brandon Firth, is requesting a Plat Amendment of Lot 4 of Lime Canyon Meadows. The proposal would reconfigure the private irrigation line easement on the property. Lot 4 is 0.5 of an acre and is located at 971 West Lime Canyon Road and is in the R-1-22 zone.

BACKGROUND:

This request is to amend the Lime Canyon Meadows subdivision plat. The proposed amendment would reconfigure the private irrigation line easement along the west property line of lot 4. The reconfiguration will allow more room for a future dwelling on the property. The easement is owned by The Homestead Group LLC and is used to route water from their spring in Lime Canyon to The Homestead Resort property on the north side of Lime Canyon Road.

The current easement is 15' wide and is contiguous and parallel to a 10' wide public utility easement that also runs along the west property line. The proposal would reduce the 15' wide private easement to 5'. Scott Jones, of The Homestead Group LLC, submitted a letter to staff that gives its consent to the proposed amendment (please see attached). His letter states in part:

The Homestead gives its consent, with the conditions listed below, to amend the plat for Lime Canyon Meadows Lot 4. The proposed amendment will reduce the width of the easement for the private irrigation line owned by The Homestead.

1. The Homestead will be allowed to use the ten foot (10') public utility easement that is adjacent to the irrigation easement for access. The public utility easement will remain free of structures, trees and landscaping that would prevent access.

2. The existing irrigation line must be within the proposed irrigation easement. If the existing irrigation line is not within the easement, a new line will be installed within the amended easement.

3. The Homestead has the right to inspect, maintain, repair and replace the irrigation line at any time. The Homestead is responsible to repair or replace property disturbed during maintenance, repair or while replacing the irrigation line.

LAND USE SUMMARY:

- Lime Canyon Meadows is 7.99-acres and contains four lots
- Lot 4 is 0.5 of an acre
- R-1-22 zoning
- Proposal will vacate and reduce the width and area of a private irrigation easement

ANALYSIS:

Homestead's private irrigation easement – The Homestead has a spring in Lime Canyon that is used to irrigate some of the resort property. The irrigation system that routes water from the spring to the resort property follows the easements in the Lime Canyon Meadows plat. The easement is private and can only be used by The Homestead. No other parties, including the City, have rights to use the easement. The

Homestead has agreed to reduce the area and width of the easement and since the easement is private, no other parties should be disturbed.

Lot 4 – Lot 4 is 0.50 of an acre. The buildable area of lot 4 will increase because of the reduction of the width and area of the easement. The width at the front of lot 4 is 115' and at the rear of the lot is 104'. The buildable width of the lot with the current easement, using the front lot line width of 115' and subtracting the required side setbacks (12' minimum and 28' combined), is about 78'. With the proposed amendment, the buildable width of the lot will be about 87'.

Public utility easement – The 10' public utility easement that runs parallel the private easement will remain unchanged with this proposal.

POSSIBLE FINDINGS:

- The proposal does meet the intent of the General Plan for the R-1-11 zone
- The proposal does comply with the land use requirements of the R-1-11 zone
- The proposed amendment will only impact The Homestead's private irrigation easement
- A letter of consent from Scott Jones of The Homestead Group LLC has been received
- The public utility easement will remain unchanged

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds the proposal meets the intent of the code and any conditions placed on the approval can resolve any outstanding issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)

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

PROPOSED CONDITIONS:

No proposed conditions.

Exhibits

Exhibit 1 – Location Maps

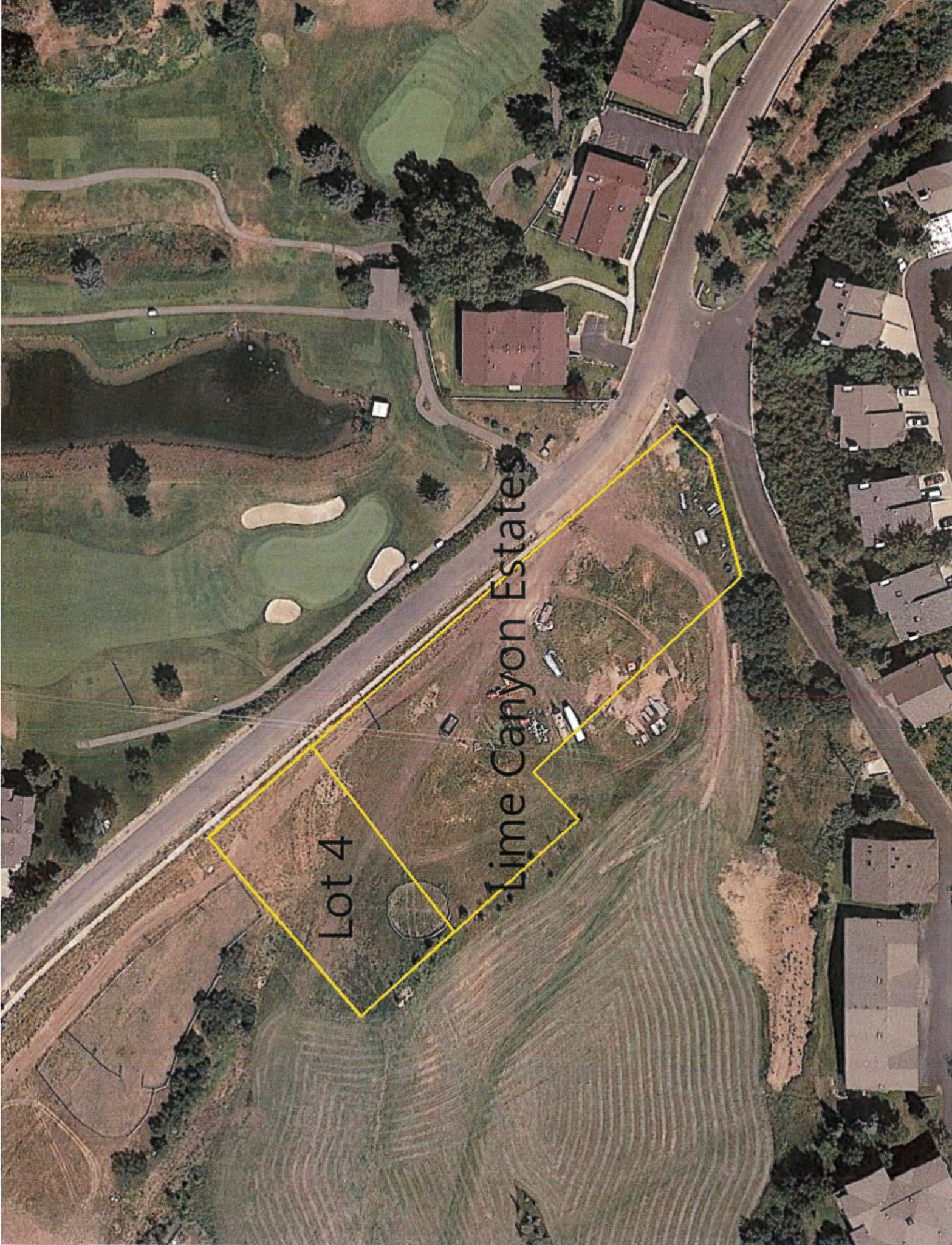
Exhibit 2 – Current Plat

Exhibit 3 – Proposed Amended Plat

Exhibit 4 – The Homestead Letter

Exhibit 1



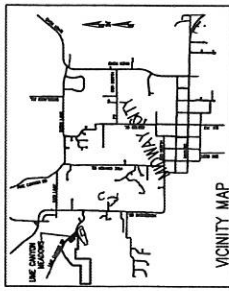


Lot 4

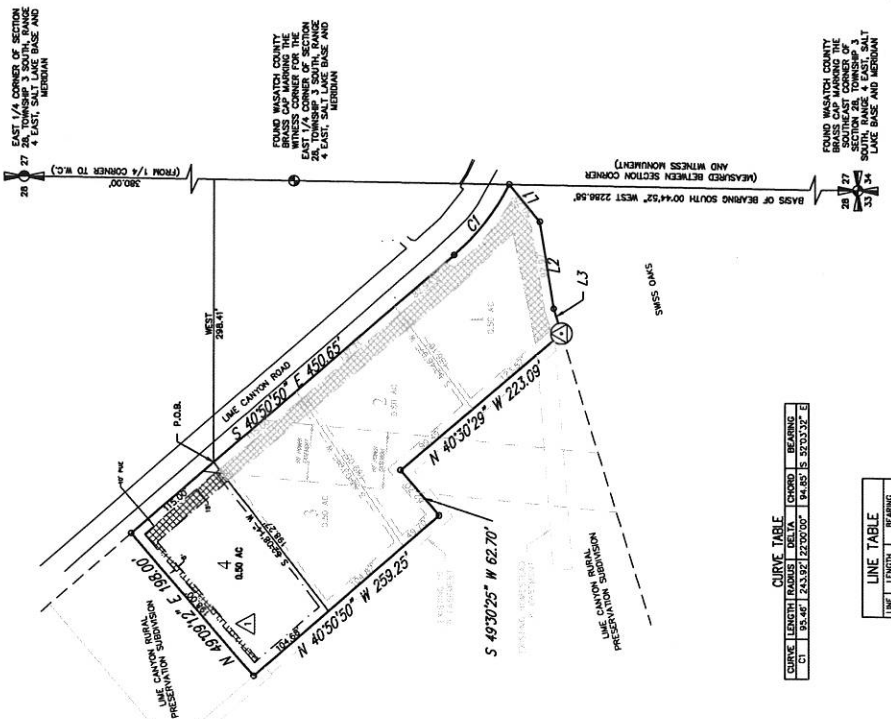
Lime Canyon Estate

Exhibit 2

Exhibit 3



LIME CANYON MEADOWS - LOT 4 AMENDED



SYMBOL LEGEND

⊗ SURVEY BOUNDARY
 ⊙ SET BEARS WITH CAP AND SURVEYING P.L.S. BEARINGS
 ⊕ FOUND REBAR WITH CAP
 ⊛ FOUND SECTION CORNERS (AS NOTED ON DRAWING)
 ⊠ PRIVATE IRRIGATION EASEMENT (FOR THE PROPERTIES)

ADDRESS TABLE

LOT	ADDRESS
1	871 WEST LIME CANYON ROAD
2	873 WEST LIME CANYON ROAD
3	875 WEST LIME CANYON ROAD
4	871 WEST LIME CANYON ROAD

AMENDMENT LEGEND
 △ RIGHT OF PRIVATE IRRIGATION EASEMENT REVISED.
 △ RIGHT OF PRIVATE IRRIGATION EASEMENT REVISED.

CURVE TABLE

CURVE	LENGTH	RAADIUS	DELTA	CHORD	BEARING
C1	95.46'	243.82'	122.02°00'	144.85'	S 37°03'32" E

LINE TABLE

LINE	LENGTH	BEARING
L1	50.75'	S50°30'20" W
L2	82.87'	S88°44'28" W
L3	27.59'	S72°25'04" W

POWER EASEMENT NOTE:
 NO BUILDINGS, STRUCTURES OR TREES ARE ALLOWED IN THE 60 FOOT POWER EASEMENT.

OWNER'S DEDICATION:
 KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED HAS CONVEYED TO THE PUBLIC THE RIGHT TO USE THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS AND PASTURE AND CROPLAND AREAS LABELED AS PUBLIC PASTURE AND CROPLAND AREAS. THIS DEDICATION IS MADE FOR THE MAINTENANCE OF UTILITIES AND EMERGENCY VEHICLE ACCESS.

ACKNOWLEDGMENT:
 DATED THIS 27th DAY OF APRIL, A.D. 2017, at _____, UTAH.
 STATE OF UTAH)
 COUNTY OF WASHINGTON) S.S.
 BEFORE ME)
 I, _____, COUNTY CLERK DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE ON _____, A.D. 2017, AT _____.

ACCEPTANCE BY MIDWAY CITY:
 THE CITY COUNCIL OF MIDWAY CITY, WASHINGTON COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE RIGHTS OF WAY HEREON SHOWN, STREETS AND PUBLIC UTILITY RIGHTS OF WAY.
 APPROVED: _____ DATE: _____
 APPROVED: _____ DATE: _____
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PLANNING COMMISSION APPROVAL:
 APPROVED THIS _____ DAY OF _____, A.D. 2017, BY THE PLANNING COMMISSION.
 PLANNING DIRECTOR: _____
 PLANNING COMMISSION: _____

SURVEYOR'S CERTIFICATE:
 I, _____, SURVEYOR, DO HEREBY CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ABOVE AND THAT THE SAME IS ACCORDANCE WITH THE PLATS AND RECORDS OF THE COUNTY OF WASHINGTON, STATE OF UTAH.
 I HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED PERMANENT MONUMENTS AS REPRESENTED ON THE PLAT.
 DATE: _____ SURVEYOR: _____

WITNESSES:
 EAST 1/4 CORNER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.
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 EAST 1/4 CORNER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

BOUNDARY DESCRIPTION:
 BEGINNING AT A POINT WHICH IS NORTH 00°44'52" EAST 84.30 FEET AND WEST 89.61 FEET FROM THE POINT OF BEGINNING OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.
 THENCE SOUTH 32°07'14" WEST 108.27 FEET; THENCE NORTH 40°30'20" WEST 104.89 FEET; THENCE NORTH 49°07'12" EAST 188.00 FEET; THENCE SOUTH 40°30'30" EAST 113.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.30 ACRES.

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 PLANNING COMMISSION: _____

Exhibit 4



December 1, 2020

Brandon Firth
P.O. Box 42
Midway, Utah 84049

Re: Lime Canyon Meadows Lot 4
Plat Amendment to Reduce Width of Homestead Irrigation Easement

Dear Brandon:

The Homestead gives its consent, with the conditions listed below, to amend the plat for Lime Canyon Meadows Lot 4. The proposed amendment will reduce the width of the easement for the private irrigation line owned by The Homestead.

1. The Homestead will be allowed to use the ten foot (10') public utility easement that is adjacent to the irrigation easement for access. The public utility easement will remain free of structures, trees and landscaping that would prevent access.
2. The existing irrigation line must be within the proposed irrigation easement. If the existing irrigation line is not within the easement, a new line will be installed within the amended easement.
3. The Homestead has the right to inspect, maintain, repair and replace the irrigation line at any time. The Homestead is responsible to repair or replace property disturbed during maintenance, repair or while replacing the irrigation line.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Jones", is written over the signature line.

Scott Jones
The Homestead Group LLC

Copy: Michael Henke, Midway City Planner
Paul Berg, Berg Engineering
Brett Walker