



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: February 18, 2025

NAME OF PROJECT: Kraig Ford Subdivision

NAME OF APPLICANT: Berg Engineering

PROPERTY OWNERS: Kraig R. Ford Trust
Matthew & Chelsea Birk

AGENDA ITEM: Plat Amendment of Lots 1 & 2

LOCATION: 115 West 970 South

ZONING DESIGNATION: R-1-2 zone

ITEM: 10

Berg Engineering, on behalf of Kraig Ford and Matthew and Chelsea Birk, is requesting a Plat Amendment of the Kraig Ford Subdivision lots 1 and 2. The proposal is to adjust the lot line between the two lots that will follow the existing fence line. The properties are located at 115 West and 970 South and are in the R-1-22 zone.

BACKGROUND:

Berg Engineering, on behalf of Kraig Ford and Matthew and Chelsea Birk, is requesting a Plat Amendment of the Kraig Ford Subdivision Lots 1 and 2. The Kraig Ford Subdivision is a two-lot subdivision. The proposal is to adjust the lot line between the two lots and the adjusted lot line will follow the existing fence line. Lot 1 will increase in size from 1 acre to 1.25 acres. Lot 2 will decrease in size from 1 acre to 0.86 acres.

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. As stated earlier, 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. A lot line adjustment does require approval unless the petition is in violation of a land use ordinance. Both lots will continue to comply with the R-1-22 zone requirements for frontage, width, and acreage which comply with the vision described in the General Plan for the R-1-22 zone. 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 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:

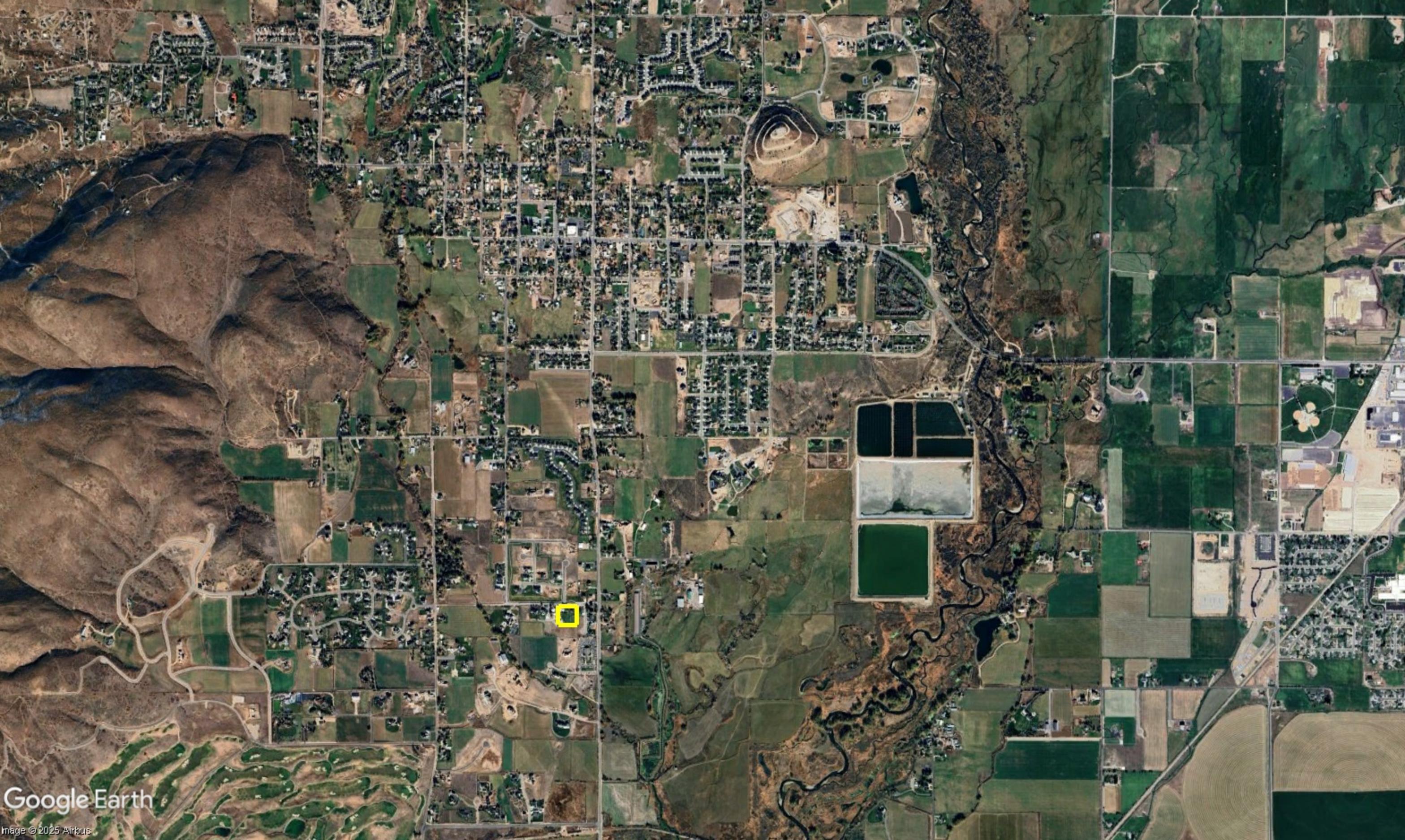
- The lot line between lots 1 and 2 will be adjusted.
- Both lots will continue to comply with the requirements of the R-1-22 zone.
- State code requires that the petition be approved if no land use ordinance is violated.
- No public street, right-of-way, or easement will be vacated or altered.
- The 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.

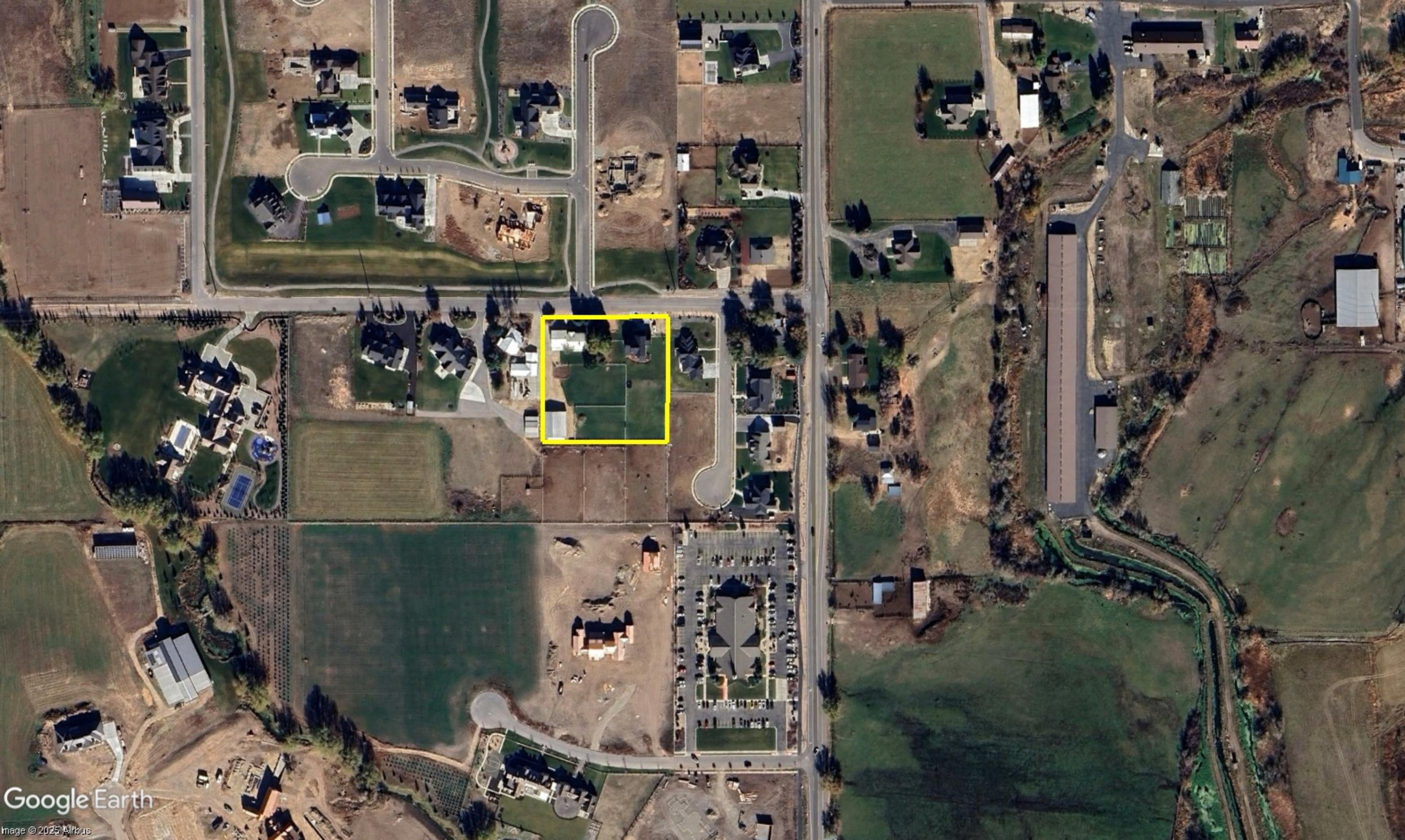
ALTERNATIVE ACTIONS:

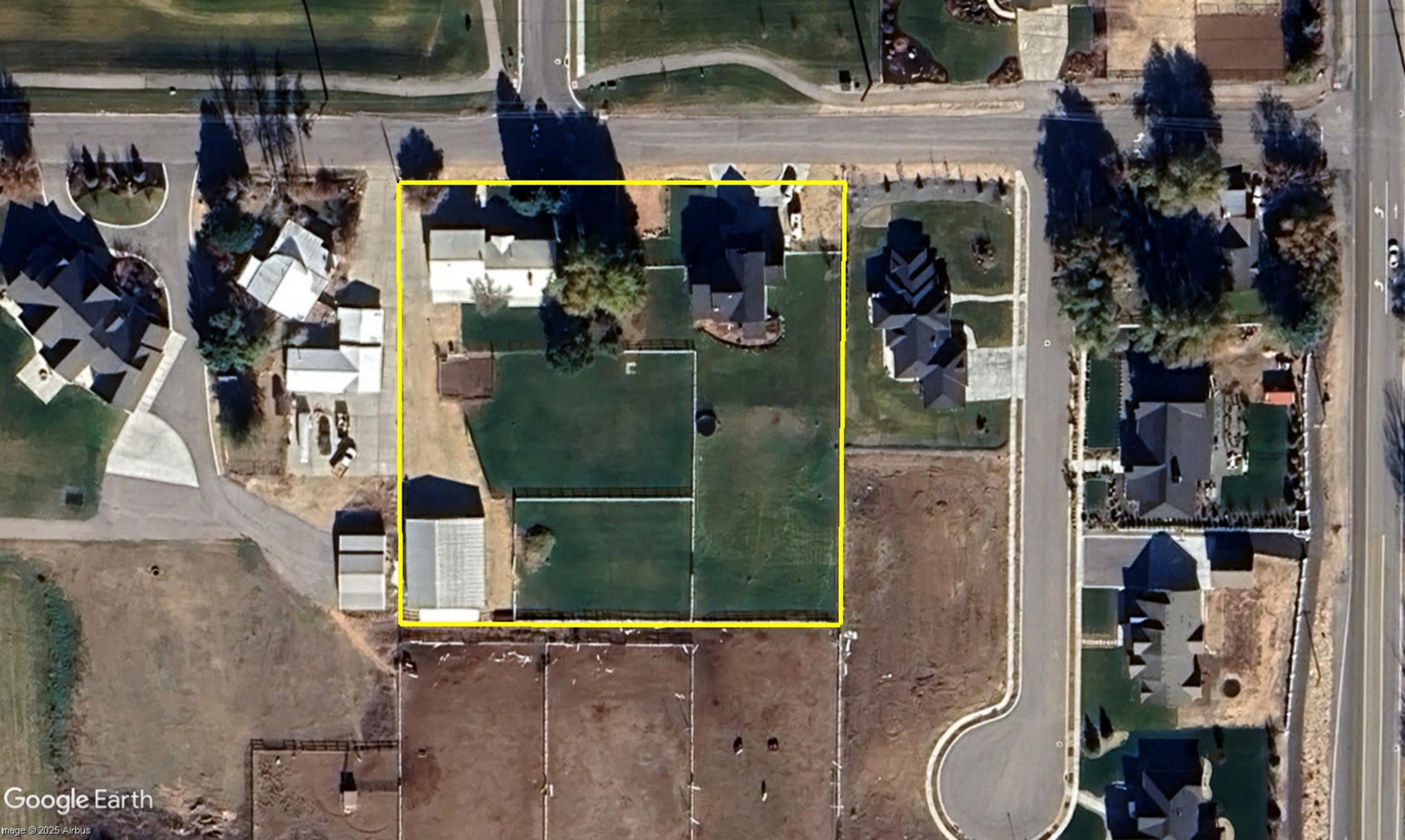
1. Approval (conditional). This action can be taken if the City Council finds there are no land use violations.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed

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







Current Lot Boundary

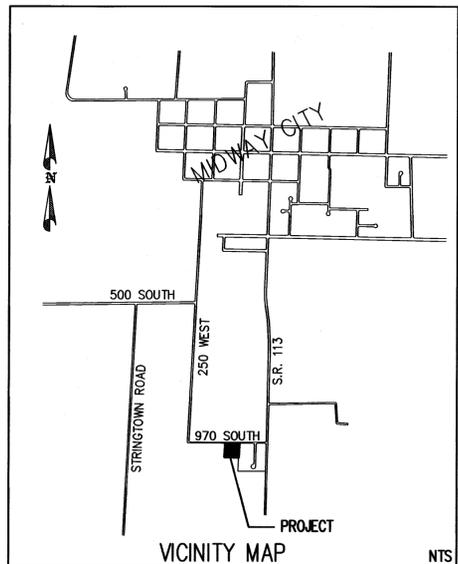


Proposed Lot Boundary

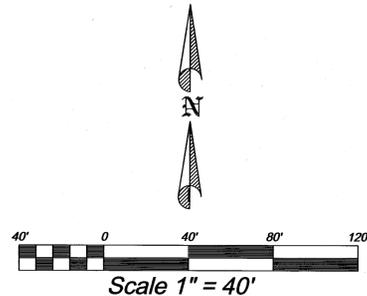


KRAIG FORD SUBDIVISION

LOCATED IN THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.



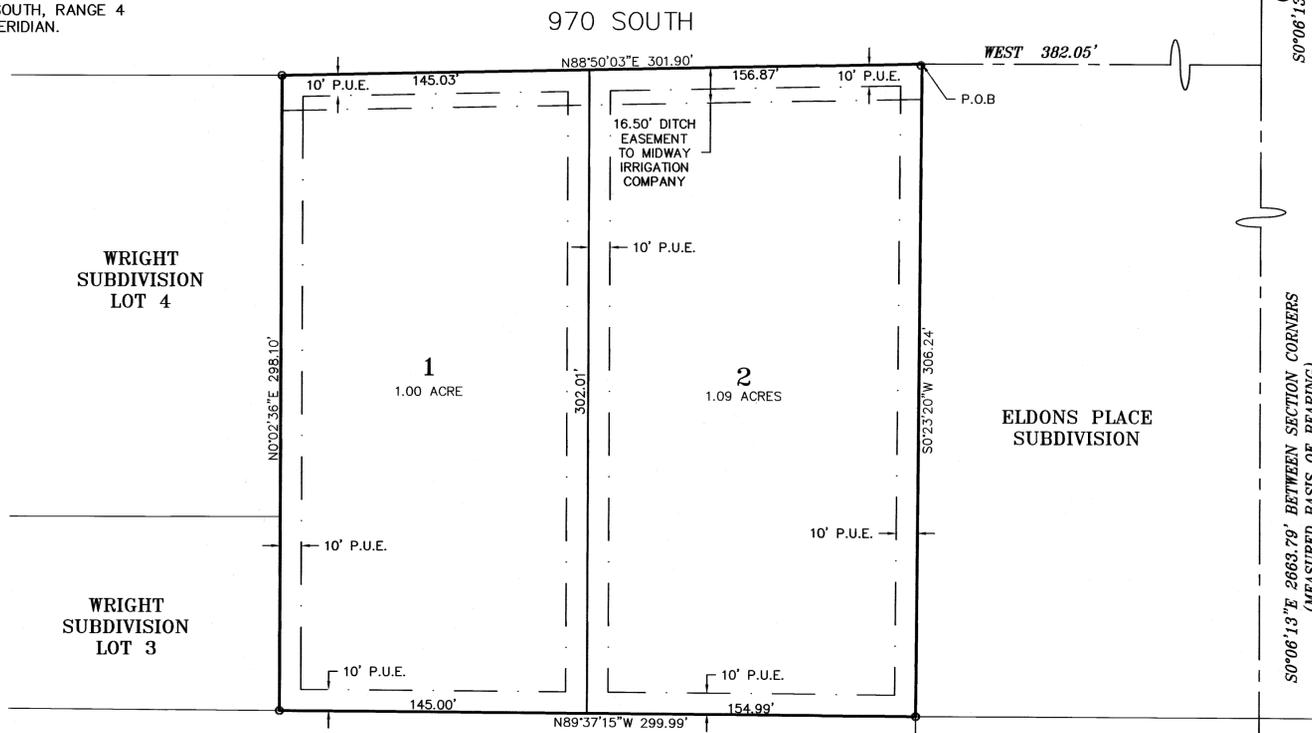
LOCATED IN THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.



ADDRESS TABLE

LOT	ADDRESS
1	115 WEST 970 SOUTH
2	81 WEST 970 SOUTH

FOUND WASATCH COUNTY BRASS CAP MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



WRIGHT SUBDIVISION LOT 4

WRIGHT SUBDIVISION LOT 3

ELDON'S PLACE SUBDIVISION

J. HIGGINSON

FOUND WASATCH COUNTY BRASS CAP MONUMENT FOR THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

DRIVEWAY NOTE:

LOT 2 MAY ONLY HAVE ONE DRIVEWAY AND SHALL HAVE A TURN AROUND ON THE LOT TO AVOID VEHICLES BACKING INTO TRAFFIC.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, JASON G. JENKINS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6119653 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

11-6-2018
DATE

Jason G. Jenkins
SURVEYOR (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 00°06'13" EAST 1345.95 FEET AND WEST 382.05 FEET FROM THE EAST QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°23'20" WEST 306.24 FEET; THENCE NORTH 89°37'15" WEST 299.99 FEET; THENCE NORTH 00° 02' 36" EAST 298.10 FEET; THENCE NORTH 88°50'03" EAST 301.90 FEET TO THE POINT OF BEGINNING.

CONTAINS 2.09 ACRES MORE OR LESS.

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS RECORD OF SURVEY IS SOUTH 00°06'13" EAST BETWEEN THE EAST QUARTER CORNER AND THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS 11-7-2018 DAY OF November, A.D. 20-18

BY: *Kraig R. Ford Trustee*
KRAIG R. FORD TRUST

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF WASATCH }
ON THE 7th DAY OF November, A.D. 2018, PERSONALLY APPEARED BEFORE ME, *Kraig R. Ford Trustee*, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
MY COMMISSION EXPIRES 2/19/19 *Alisha Wood*
NOTARY PUBLIC

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
THIS 14 DAY OF February, A.D. 2019

APPROVED *Michael Johnson* MAYOR ATTEST *Michael Johnson* CLERK-RECORDER (SEE SEAL BELOW)
APPROVED *David Johnson* CITY ENGINEER APPROVED *Corba* CITY ATTORNEY (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS 13 DAY OF November, A.D. 2018 BY THE MIDWAY CITY PLANNING COMMISSION
Michael R. Wood PLANNING DIRECTOR *Charmy L. Wood* CHAIRMAN, PLANNING COMMISSION

KRAIG FORD SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
LOCATED IN THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

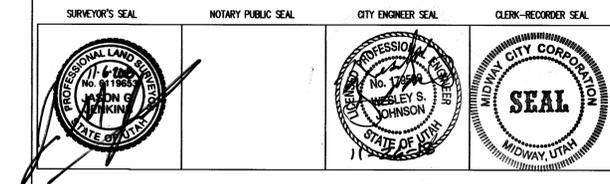
SCALE: 1" = 40 FEET

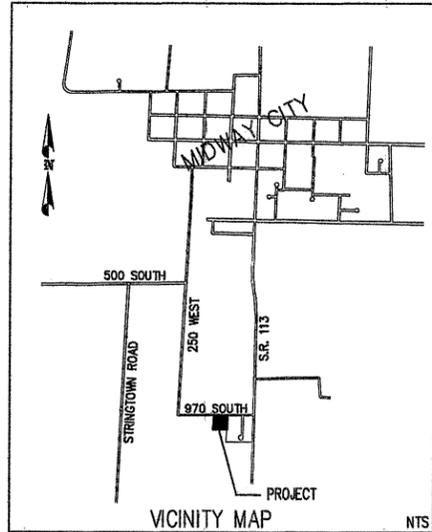
SURVEYOR
JASON G. JENKINS, P.L.S.
JASON G. JENKINS
PO BOX 411
MIDWAY, UT 84049
PHONE: 435-671-2595
DATE OF SURVEY: 27 JULY 2017

COUNTY RECORDER

ENTRY # 460645 BOOK 1244 PAGE 794-803
DATE 03-14-19 TIME 3:12 PM FEE 38.00
FOR FORD KRAIG R
BY TC WASATCH COUNTY RECORDER PEGGY FOY SULLSER

COUNTY SURVEYOR
APPROVED AS TO FORM ON THIS 7th DAY OF Nov., 2018
ROS # 3194
Jason G. Jenkins
COUNTY SURVEYOR



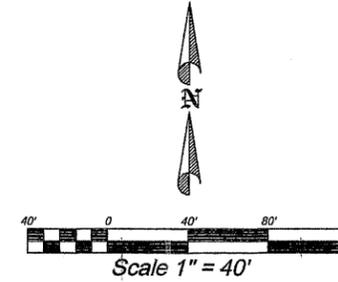


LOCATED IN THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

KRAIG FORD SUBDIVISION - AMENDED

LOCATED IN THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

FOUND WASATCH COUNTY BRASS CAP MARKING THE EAST 1/4 CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



ADDRESS TABLE

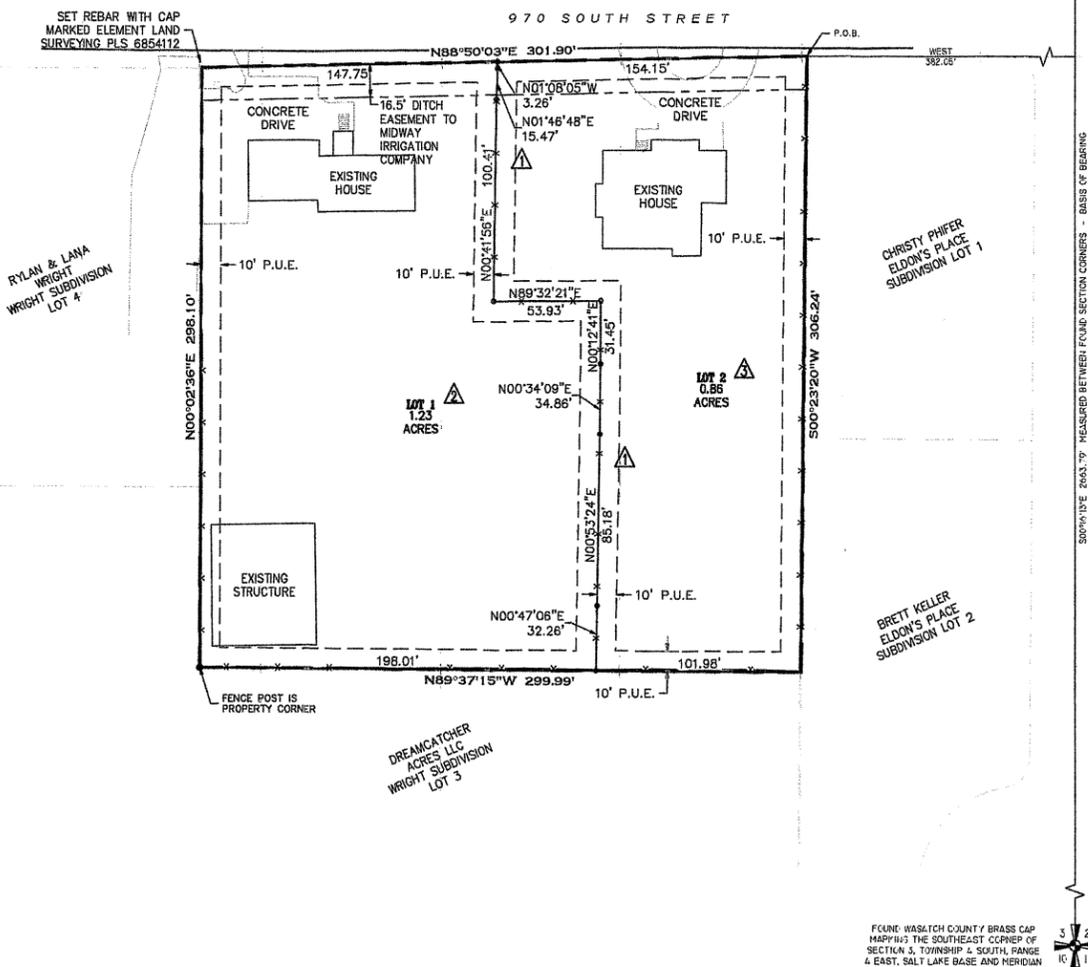
LOT	ADDRESS
1	115 WEST 970 SOUTH
2	81 WEST 970 SOUTH

LEGEND

—X— EXISTING FENCE

- ▲ LOT LINE BETWEEN LOTS 1 AND 2 HAS BEEN CHANGED TO MATCH AN EXISTING FENCE. LOCATION OF PUBLIC UTILITY EASEMENT HAS CHANGED
- ▲ LOT 1 HAS BEEN ENLARGED TO 1.23 ACRES. ORIGINAL LOT WAS 1.00 ACRES.
- ▲ LOT 2 HAS BEEN REDUCED TO 0.86 ACRES. ORIGINAL LOT WAS 1.09 ACRES.

DRIVEWAY NOTE:
LOT 2 MAY ONLY HAVE ONE DRIVEWAY AND SHALL HAVE A TURN AROUND ON THE LOT TO AVOID VEHICLES BACKING INTO TRAFFIC.



FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

DATE: _____
MIDWAY IRRIGATION COMPANY

DATE: _____
MIDWAY SANITATION DISTRICT

SURVEYOR'S CERTIFICATE
IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, TROY TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112. IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

SURVEYOR (SEE SEAL BELOW) _____ DATE _____

BOUNDARY DESCRIPTION
BEGINNING AT A POINT WHICH IS SOUTH 00°06'13" EAST 1345.95 FEET AND WEST 382.05 FEET FROM THE EAST QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°23'20" WEST 306.24 FEET; THENCE NORTH 89°37'15" WEST 299.99 FEET; THENCE NORTH 00° 02' 36" EAST 298.10 FEET; THENCE NORTH 88°50'03" EAST 301.90 FEET TO THE POINT OF BEGINNING.
CONTAINS 2.09 ACRES MORE OR LESS.

BASIS OF BEARINGS
THE BASIS OF BEARING FOR THIS RECORD OF SURVEY IS SOUTH 00°16'13" EAST BETWEEN THE EAST QUARTER CORNER AND THE SOUTHER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20____

BY: _____ KRAIG R. FORD TRUST

BY: _____ BRENDA L. FORD TRUST

BY: _____ MATTHEW BIRK

BY: _____ CHELSEA BIRK

ACKNOWLEDGMENT
STATE OF UTAH } S.S.
COUNTY OF WASATCH }
ON THE _____ DAY OF _____, A.D. 20____ PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACKNOWLEDGMENT
STATE OF UTAH } S.S.
COUNTY OF WASATCH }
ON THE _____ DAY OF _____, A.D. 20____ PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACKNOWLEDGMENT
STATE OF UTAH } S.S.
COUNTY OF WASATCH }
ON THE _____ DAY OF _____, A.D. 20____ PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACKNOWLEDGMENT
STATE OF UTAH } S.S.
COUNTY OF WASATCH }
ON THE _____ DAY OF _____, A.D. 20____ PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC

PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE
MIDWAY CITY PLANNING COMMISSION
PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

KRAIG FORD SUBDIVISION - AMENDED

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
LOCATED IN THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.
SCALE: 1" = 40 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

KRAIG FORD SUBDIVISION - AMENDED 30 DECEMBER 2024

SURVEYOR
TROY L. TAYLOR, PLS
ELEMENT LAND SURVEYING
2296 SOUTH 270 EAST
HEBER CITY, UT 84032
PHONE (801) 657-8748
DATE OF SURVEY: DECEMBER 2024

COUNTY RECORDER

COUNTY SURVEYOR
APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____
ROS # _____

COUNTY SURVEYOR

ACCEPTANCE BY MIDWAY CITY
THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
THIS _____ DAY OF _____, A.D. 20____
APPROVED _____ MAYOR ATTEST _____ CLERK-RECORDER (SEE SEAL BELOW)
APPROVED _____ CITY ENGINEER (SEE SEAL BELOW) APPROVED _____ CITY ATTORNEY

To Midway City,

This letter is to acknowledge the re-alignment of the boundary line between Lot 1 and Lot 2 of the Kraig Ford Subdivision located on 970 South Street in Midway, Utah. Matthew Birk and Chelsea Birk are the owners of Lot 2, Wasatch County Parcel #21-3554. As owners of the Lot 2 we are aware of the change in the boundary line and that the size of our lot will be reduced and will be approximately .85 acres. We also understand that the size of Lot 1 will be increased and will follow along existing fence lines. Lot 1 will increase in size to approximately 1.25 acres.

We are aware and agree with the Kraig Ford Subdivision Lot Line Adjustment as it has been explained in the previous paragraph.



Matthew Birk 02-07-2025



Chelsea Birk 02-07-2025