



STAFF REPORT

To: Eastern Summit County Planning Commission
From: Amir Caus, County Planner
Date of Meeting: June 28, 2018
Type of Item: Plat Amendment - Public Hearing, Possible Action
Process: Administrative Review

RECOMMENDATION: Staff has reviewed the application for compliance with all standards in the Eastern Summit County Development Code and found that it meets the requirements for approval. Staff recommends that the Eastern Summit County Planning Commission review the proposed Deer Crossing Subdivision Lots 81 & 82 Plat Amendment, conduct a public hearing and vote to approve pursuant to the findings of fact, conclusions of law, and conditions found in this Staff Report.

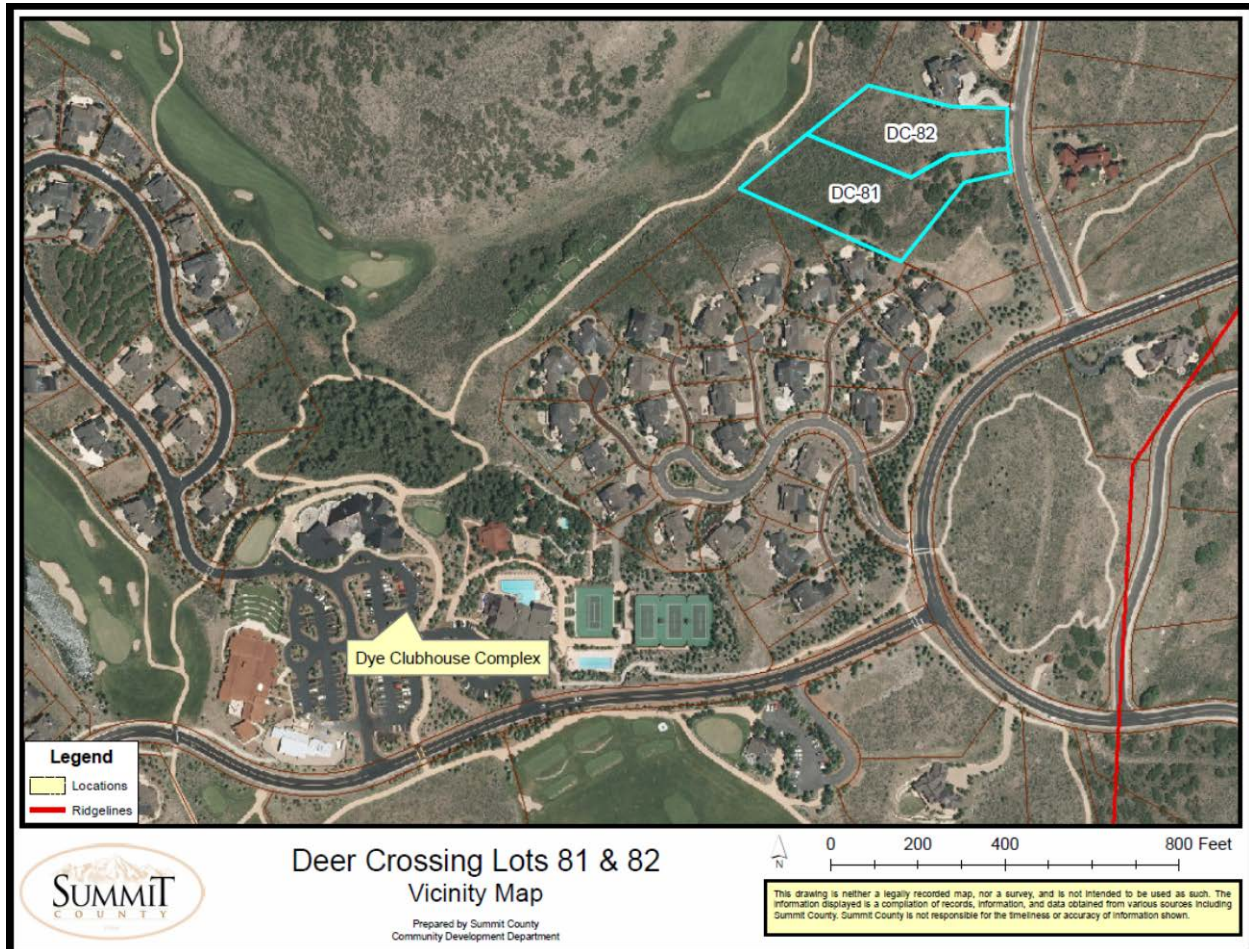
Project Description

Project Name: Deer Crossing Subdivision Lots 81 & 82 Plat Amendment
Applicant(s): Martina Nelson
Property Owner(s): Lana Clarke
Location: 8195 N Garden Ranch Rd, Promontory, Summit County, UT
Parcel Number and Size: DC-81 (1.84 acres) & DC-82 (1.23 acres)
Zone District: Promontory Specially Planned Area
Type of Process: Administrative
Final Land Use Authority: Eastern Summit County Planning Commission

Proposal

The applicant is requesting to combine Lots 81 & 82 of the Deer Crossing Subdivision in order to increase the allowed livable space from 10,000 sq. ft. to 15,000 sq. ft. As a result, the 10 foot utility and drainage easement would be removed from the lot line shared by the two lots.

Vicinity Map



Background

The Deer Crossing Subdivision was recorded in January of 2002 as part of the overall Promontory Specially Planned Area. It consists of 103 lots at an average size of 1.88 acres.

Analysis and Findings

Section 11-4-18(G) of the Eastern Summit County Development Code sets the following grounds for vacating or amending a plat:

1. If the county manager or land use authority is satisfied that the public interest will not be materially injured by the proposed vacation, alteration or amendment, and there is good cause for the vacation, alteration or amendment, the county manager or land use authority, may vacate, alter or amend the plat, any portion of the plat, or any road or lot therein

Analysis: Note 5 of the Deer Crossing Subdivision states; *The combination of two adjacent lots into a single lot may be permitted in certain areas as determined by the Declarant in the exercise of Declarant's discretion. If an owner purchases two adjacent*

and contiguous lots, and the proposed house location straddles a lot line, it will be necessary to have the revised building envelope approved by the Design Reviewer in connection with the approval of a specific house plan. The approval or disapproval of the Design Reviewer may be made in the exercise of its discretion. Further, the combination of lots may require the approval of Summit County for a lot line adjustment or an amendment to the Plat. Request for such approval may not be submitted to Summit County without the prior written approval of the Design Reviewer.

Note 6 of the Deer Crossing Subdivision states; The maximum building floor area of a home within Promontory is 10,000 square feet. This may be further limited by the Design Guidelines. The maximum building floor area of a home straddling two lots, as described in note 5, may be increased to a square footage not to exceed 15,000 square feet if approved by the Design Reviewer, in the exercise of its discretion, in connection with the approval of a specific house plan. Within Promontory, floor area is measured as provided in the Uniform Building Code, but floor area does not count garages or unheated spaces.

Lots 81 and 82 of the Deer Crossing Subdivision are considered to be an “estate lot.” The applicant is requesting to combine the two lots which will result in an increase of the allowed livable space from 8,000 sq. ft. to 12,000 sq. ft. (under the more restrictive design guidelines). The applicant has provided a letter from Promontory supporting the proposed amendment. The applicant has provided a letter from Promontory supporting the proposed amendment.

The proposed lot combination would reduce the potential density which could result in less demand on County infrastructure. Staff finds that there is good cause for the proposed amendment. **COMPLIES**

2. No plat amendment shall be approved which results in an increase in density.

Analysis: The proposal will result in a decrease of density. **COMPLIES**

Recommendation

It is Staff’s finding that the project does meet Section 11-4-18(G) of the Eastern Summit County Development Code. Staff recommends that the Eastern Summit County Planning Commission review and vote to approve the Deer Crossing Subdivision Lots 81 & 82 Plat Amendment according to the following findings of fact, conclusions of law and conditions of approval:

Findings of Fact:

1. The Deer Crossing Subdivision was recorded in January of 2002.
2. Lana Clarke is the owner of record of Parcels DC-81 (1.84 acres) & DC-82 (1.23 acres), located at 8195 N Garden Ranch Rd, Promontory, Summit County, UT.
3. The proposed Plat Amendment is legally described as “Deer Crossing First Amended Lot 82.”

4. As identified in Exhibit A of this Staff Report, the proposed Plat Amendment will result in combination of Lots 81 and 82 of the Deer Crossing Subdivision and the removal of the 10 foot utility and drainage easement from the lot line shared by the two lots.
5. Note 5 of the Deer Crossing Subdivision states; *The combination of two adjacent lots into a single lot may be permitted in certain areas as determined by the Declarant in the exercise of Declarant's discretion. If an owner purchases two adjacent and contiguous lots, and the proposed house location straddles a lot line, it will be necessary to have the revised building envelope approved by the Design Reviewer in connection with the approval of a specific house plan. The approval or disapproval of the Design Reviewer may be made in the exercise of its discretion. Further, the combination of lots may require the approval of Summit County for a lot line adjustment or an amendment to the Plat. Request for such approval may not be submitted to Summit County without the prior written approval of the Design Reviewer.*
6. Note 6 of the Deer Crossing Subdivision states; *The maximum building floor area of a home within Promontory is 10,000 square feet. This may be further limited by the Design Guidelines. The maximum building floor area of a home straddling two lots, as described in note 5, may be increased to a square footage not to exceed 15,000 square feet if approved by the Design Reviewer, in the exercise of its discretion, in connection with the approval of a specific house plan. Within Promontory, floor area is measured as provided in the Uniform Building Code, but floor area does not count garages or unheated spaces.*
7. Lots 81 and 82 of the Deer Crossing Subdivision are considered to be an "estate lot."
8. The applicant is requesting to combine the two lots which will result in an increase of the allowed livable space from 8,000 sq. ft. to 12,000 sq. ft.
9. The proposed lot combination would reduce the potential density which could result in less demand on County infrastructure.
10. The applicant has provided a letter from Promontory supporting the proposed amendment.
11. Public notice of the public hearing was published in the *Summit County News*.
12. Postcard notices announcing the public hearing were mailed to property owners within 1,000 feet of the subject parcels.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The proposed Plat Amendment will not result in additional density.

Conditions of Approval:

1. All service provider requirements shall be met.
2. Per Summit County Council's finding on September 16, 2009, a lot combination does not permit the re-platting of density that has already been designed, platted, and sold to private individuals.

Public Notice, Meetings and Comments

This item was publicly noticed as a public hearing with possible action by the Eastern Summit County Planning Commission. Notice of the public hearing was published in the Summit County

News. Courtesy postcards were mailed to all property owners within 1,000 feet of the subject Parcel.

As of the date of this report, no public comment has been received.

Attachments

Exhibit A – Proposed Plat Amendment