

Mapleton City Planning Commission Staff Report

Meeting Date: June 14, 2012

Item #: 3

Applicant: David Herring

Prepared by: Cory Branch

Parcel ID #'s: 27:002:0129;
0130; 0131; 0132

Current Zone: A-2

Proposed Zone: RA-1

General Plan Designation:
Low Density Residential

Total Acreage: Approximately
1.82 acres

Council Action Required:
Yes

REQUEST:

David Herring requests to rezone property located generally at 1045 West Maple Street and 98 South 975 West from the A-2 (Agricultural Residential) zone to the RA-1 (Residential Agricultural) zone.

FINDINGS OF FACT:

1. The subject parcels (27:002:0129; 0130; 0131; 0132) are located directly west and south of Union Bench Subdivision, Plat "A". Union Bench Subdivision, Plat "A" was approved and recorded at the Utah County Recorder's office on May 3, 2000 (see Attachment #1 – Existing Union Bench Subdivision, Plat "A"). Prior to the approval and recording of Union Bench Subdivision, Plat "A" the subject parcels were once part of the overall property, thus when Union Bench Subdivision, Plat "A" was recorded in 2000 the subject parcels were left as remnant parcels.
2. The subject parcels are currently located in the A-2 zone. Union Bench Subdivision, Plat "A" is currently located in the RA-1 zone. (see Figure 1 – Zoning Map)
3. The A-2 zone requires a minimum lot size of two (2) acres and the RA-1 zone requires a minimum lot size of one (1) acre.
4. Mapleton City's General Plan map designates the subject parcels as Low Density Residential. (see Figure 2 – General Plan Map)
5. The written polices for Low Density Residential (Equivalent to the RA-1, RA-1-C, and PRC Zones), read, as follows:
"The characteristics of this category include low density single family homes with ample open spaces and setback requirements meant to provide adequate spacing between dwellings, and houses of worship. Developments will be designed to maintain a minimum lot size of one dwelling per acre. The clustering of homes is encouraged according to established criteria to maintain an open feel. A higher density than one dwelling per acre may be allowed pursuant to a development agreement or with the use of "Transferable Development Rights" (TDR's) and zone overlay of TDR-R. PRC zones are also permitted, with or without the use of TDRs. Since animals and agricultural uses are allowed in the area, new developments should be sensitive to the agricultural environment and be designed accordingly. In order to allow animals and residential agricultural uses on all lots, lots smaller than 21,780 square feet should not be allowed, even with TDR's or development agreements. Pedestrian access by means of sidewalks, trails or paths should be provided by all new development along with parks and other recreational facilities."
6. There is an existing home (1045 West Maple Street) located on one of the subject parcels (27:002:0131). According to Utah County Records the home was built in 1962.

STAFF ANALYSIS:

1. The intent of this proposed rezone would be to clean up the subject remnant parcels. Item 4 of this agenda accomplishes this clean up by combining the subject parcels into two parcels. The existing home (1045 West Maple Street) will be located on the proposed Lot 1 and the proposed Lot 2 will have the ability for the construction of a single family home in the future. (see Attachment #2 – Proposed Herring Estates Subdivision, Plat "A").
2. As can be seen from the proposed Herring Subdivision, Plat "A", Lot 1 includes a lot area of 33,875 square feet, which is less than the standard one (1) acre (43,560 square foot) lot requirement for the RA-1 zone.

3. It is the opinion of Staff that the reason Lot 1 is less than one (1) acre in size is due to the existing Union Bench Subdivision, Plat “A” (see above Findings of Fact #1) leaving the subject parcels as remnant parcels and UDOT (Utah Department of Transportation) requiring additional street dedication over the years for Maple Street.
4. As stated in the above Findings of Fact #5 the zones equivalent to Low Density Residential are the RA-1, RA-1-C, and PRC zones. It is the opinion of Staff that rezoning the subject parcels to RA-1 fulfills the City’s written policies of Low Density Residential.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed rezone from A-2 to RA-1 based on the above Findings of Fact and Staff Analysis.

ATTACHMENTS:

1. Existing Union Bench Subdivision, Plat “A”
2. Proposed Herring Estates Subdivision, Plat “A”

Figure 1 - Zoning Map

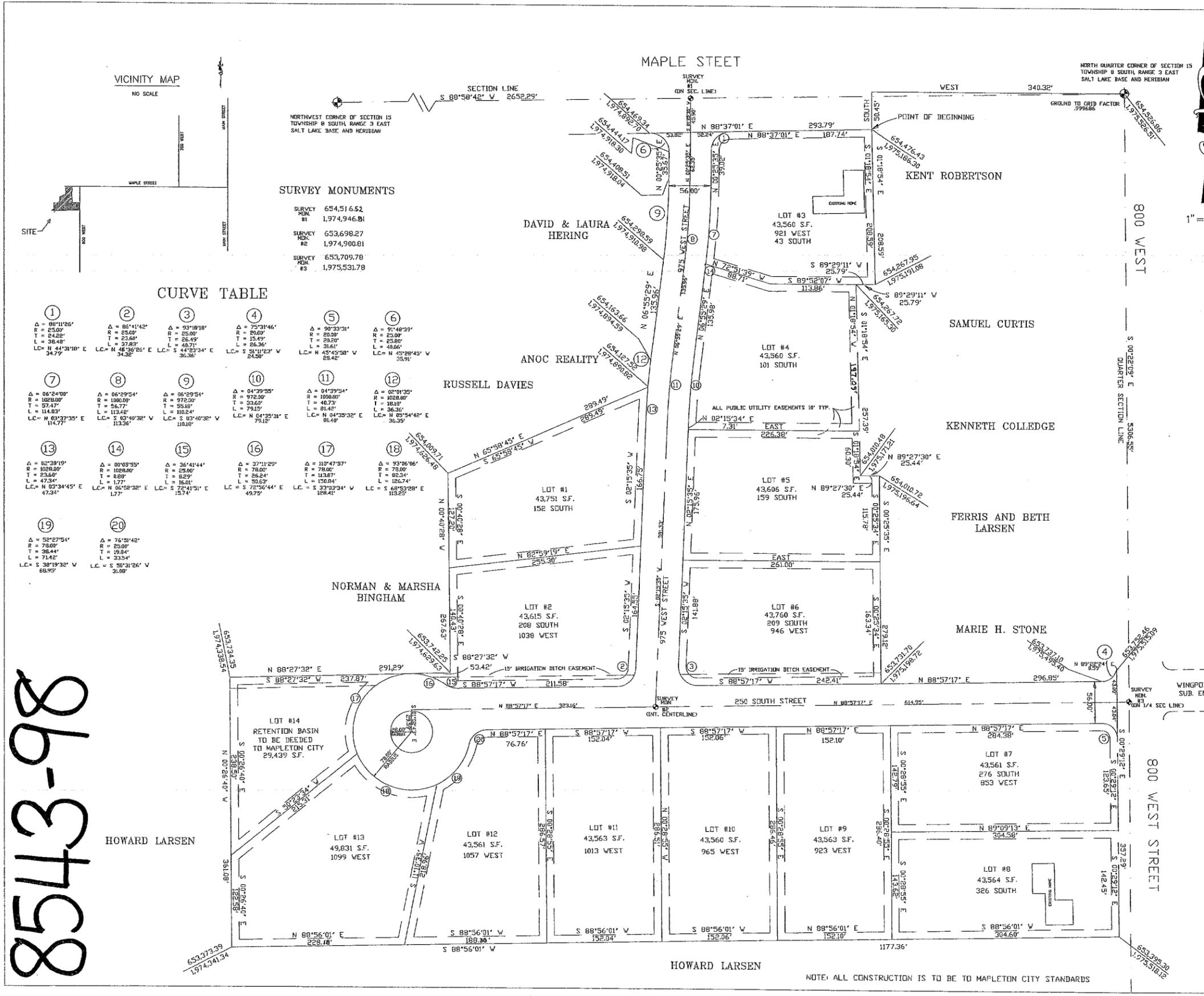


Figure 2 - General Plan Map



Figure 3 - Aerial





SURVEYOR'S CERTIFICATE
 I, DODD M. GREER, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 153771 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION
 BEGINNING AT A POINT WHICH IS SOUTH 50.45 FEET AND WEST 340.32 FEET FROM THE NORTH QUARTER CORNER OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE AS FOLLOWS:

COURSE	DISTANCE	REMARKS
S 01°18'54" E	208.59'	THENCE;
S 89°29'11" W	25.79'	THENCE;
S 01°18'54" E	257.39'	THENCE;
N 88°27'30" E	25.44'	THENCE;
S 00°25'35" E	279.12'	THENCE;
N 88°57'17" E	296.65'	THENCE;
ON A CURVE TO THE LEFT	L = 26.36' R = 20.00' Δ = 75°31'46" LC = N 51°11'23" E 24.50'	
N 89°22'24" E	0.59'	THENCE;
S 00°29'12" E	357.29'	THENCE;
S 88°56'01" W	1177.36'	THENCE;
N 00°26'40" W	361.08'	THENCE;
N 88°27'32" E	291.29'	THENCE;
N 00°40'28" W	287.63'	THENCE;
N 65°58'45" E	289.49'	THENCE;
ON A CURVE TO THE RIGHT	L = 36.36' R = 1028.00' Δ = 201°35' LC = N 55°44' E 36.35'	
N 06°55'20" E	135.98'	THENCE;
ON A CURVE TO THE LEFT	L = 110.24' R = 972.00' Δ = 6°28'54" LC = N 3°40'32" E 110.18'	
N 00°25'35" E	35.67'	THENCE;
ON A CURVE TO THE LEFT	L = 40.06' R = 25.00' Δ = 81°48'39" LC = N 45°28'45" W 35.91'	
N 88°37'01" E	293.79'	TO THE POINT OF BEGINNING.

CONTAINING 16.364 ACRES

BASIS OF BEARING = UTAH STATE PLANE COORDINATE SYSTEM, UTAH CENTRAL ZONE
 DATE: Feb 17, 2000
 SURVEYOR: DODD M. GREER

OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS 24th DAY OF February, A.D. 2000.

Kathryn Bennett RON BENNETT
KATHRYN BENNETT RON BENNETT
Jerrold L. Syme MARGARET SYME
MARGARET SYME

ACKNOWLEDGEMENT
 JERROLD L. SYME MARGARET SYME

ON THE 24th DAY OF February, A.D. 2000, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 4-1-02 *Dianne B. Wittusen* NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY
 THE CITY COUNCIL OF MAPLETON CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 24th DAY OF March, A.D. 2000.

Richard H. Hissel *David Walker*
 APPROVED - CITY ENGINEER (SEE SEAL BELOW) ATTEST - CITY RECORDER (SEE SEAL BELOW)

BOARD OF HEALTH
 APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

CITY-COUNTY HEALTH DEPARTMENT
 APPROVED THIS 27th DAY OF January, A.D. 2000, BY THE
 MAPLETON CITY PLANNING COMMISSION CHAIRMAN
Jim Pugh
 CHAIRMAN, PLANNING COMMISSION

PLAT "A"
UNION BENCH
 SUBDIVISION
 MAPLETON CITY UTAH COUNTY, UTAH
 SCALE 1" = 60 FEET

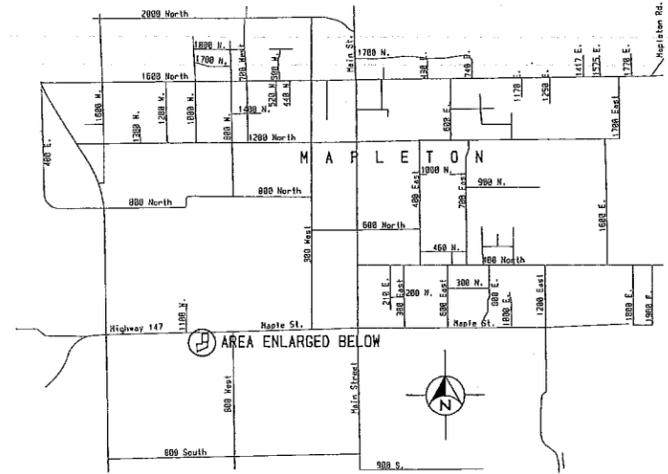
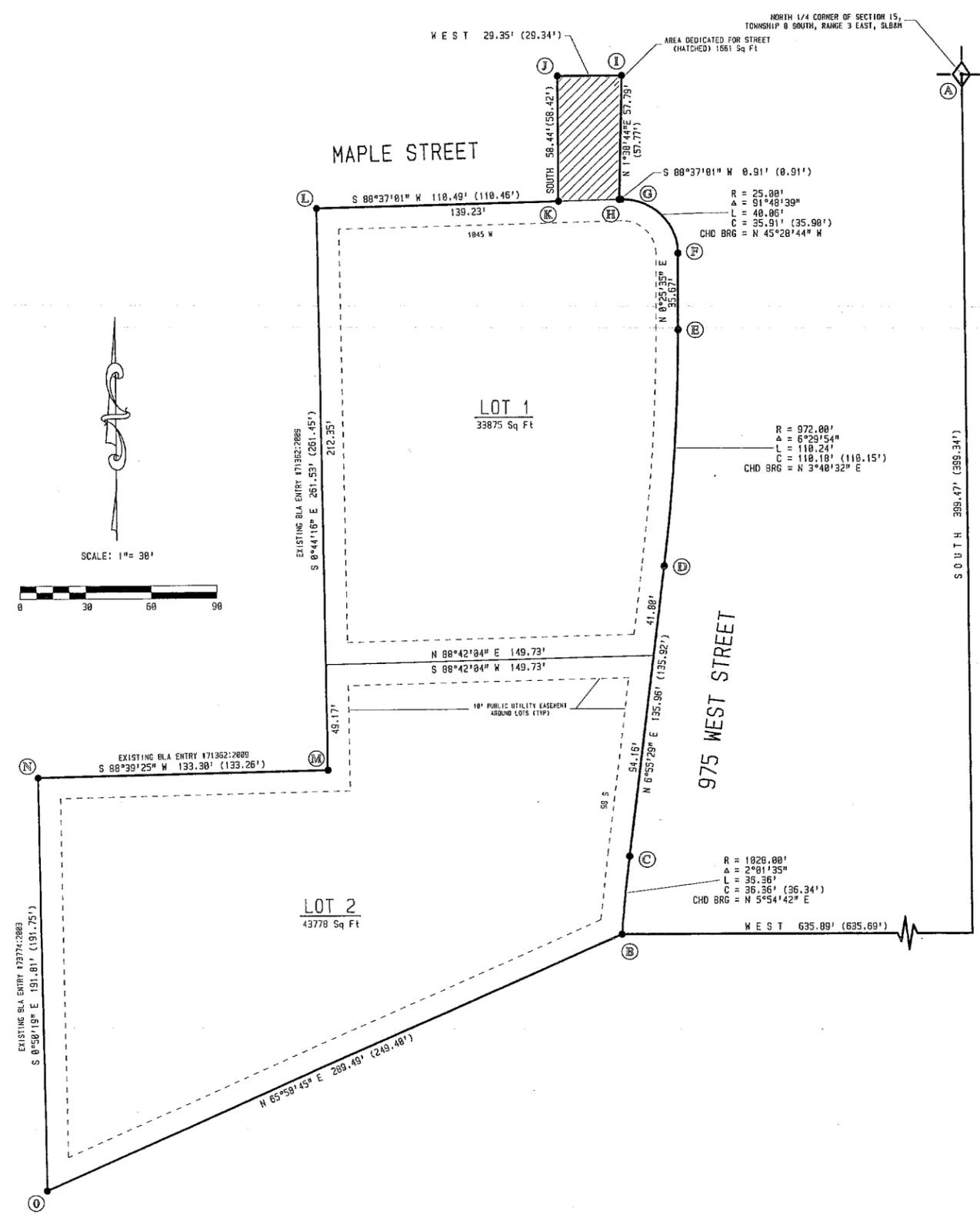
STATE OF UTAH
 DODD M. GREER
 REGISTERED LAND SURVEYOR
 NO. 153771

CITY-COUNTY ENGINEER SEAL
 NO. 142070
 ROBERT D. CURRIE
 ENGINEER

CLERK-RECORDER SEAL
 MAPLETON CITY CORPORATION
 RANDALL COUNTY RECORDER
 RECORDED FOR MAPLETON CITY

8543-98

Attachment 2



STATE PLANE COORDINATES

POINT	NORTHING	EASTING
A	7,216,192.2690	1,615,730.4178
B	7,215,792.9250	1,615,894.7249
C	7,215,829.8761	1,615,898.4682
D	7,215,964.0826	1,615,114.8555
E	7,216,073.9246	1,615,121.9178
F	7,216,109.5826	1,615,122.1825
G	7,216,134.7536	1,615,096.5871
H	7,216,134.7317	1,615,895.6788
I	7,216,192.4789	1,615,897.2825
J	7,216,192.4789	1,615,867.8616
K	7,216,134.8681	1,615,867.8616
L	7,216,131.3948	1,614,957.4373
M	7,215,869.9782	1,614,968.8837
N	7,215,866.8468	1,614,827.5797
O	7,215,675.1186	1,614,838.3862

GRID FACTOR = 0.9996914

U.D.O.T. APPROVAL
 APPROVED THIS _____ DAY OF _____, A.D. 20____,
 BY THE UTAH DEPARTMENT OF TRANSPORTATION.

SURVEYOR'S CERTIFICATE
 I, BARRY L. PRETTYMAN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 186406 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION
 COMMENCING AT THE NORTHEAST CORNER OF LOT 1, UNION BENCH SUBDIVISION PLAT A, MAPLETON, UTAH, WHICH POINT LIES SOUTH 399.47 FEET AND WEST 635.89 FEET FROM THE NORTH 1/4 CORNER OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE MERIDIAN; THENCE AS FOLLOWS:

COURSE	DISTANCE	REMARKS
NORTHEASTERLY	L = 36.36'	R = 1828.80', Δ = 2°01'35", CHD BRG = N 5°54'42" E 36.36' (R)
N 6°55'29" E	135.96'	
NORTHEASTERLY	L = 110.24'	R = 972.80', Δ = 6°29'54", CHD BRG = N 3°40'32" E 110.18' (L)
N 8°25'35" E	35.67'	
NORTHEASTERLY	L = 48.86'	R = 25.80', Δ = 81°48'39", CHD BRG = N 45°28'45" E 35.91' (L)
S 88°37'01" W	0.91'	ALONG THE SOUTH LINE OF MAPLE STREET
N 1°38'44" E	57.79'	
W E S T	29.35'	
S O U T H	58.44'	
S 88°37'01" W	118.49'	ALONG THE SOUTH LINE OF MAPLE STREET
S 8°44'16" E	261.53'	ALONG AN EXISTING FENCE AND BLA ENTRY #71362:2089
S 88°39'25" W	133.38'	ALONG EXISTING BLA ENTRY #71362:2089
S 8°58'19" E	151.81'	ALONG AN EXISTING FENCE AND BLA ENTRY #73774:2883
N 65°58'45" E	289.49'	ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

AREA = 1.82 ACRES

BASIS OF BEARING = UTAH COORDINATE BEARINGS, CENTRAL POINT S 88°58'58" W BETWEEN THE NORTHEAST CORNER AND THE NORTH 1/4 CORNER OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SL88M.

DATE May 25, 2012 SURVEYOR Darryl B. Prettyman
 (See Seal Below)

OWNERS' DEDICATION
 KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.
 IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____, A.D. 20____

ACKNOWLEDGEMENT
 STATE OF UTAH } S.S.
 COUNTY OF UTAH }
 ON THE _____ DAY OF _____, A.D. 20____ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC (See Seal Below)

ACCEPTANCE BY MAYOR
 THE MAYOR OF _____, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20____
 ATTEST _____ CLERK-RECORDER (See Seal Below)

APPROVED _____ ENGINEER (See Seal Below)

UTILITIES APPROVAL
 UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE OWNER'S EXPENSE. AT NO TIME ANY PERMANENT STRUCTURES MAY BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTIONS WHICH INTERFERE WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

ROCKY MOUNTAIN POWER & LIGHT _____
 QUESTAR GAS _____ COMCAST _____
 MAPLETON IRRIGATION _____ QUEST _____

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

PLAT "A"
HERRING ESTATES
 SUBDIVISION
 MAPLETON, UTAH COUNTY, UTAH
 SCALE: 1" = 30 FEET

SURVEYOR'S SEAL BARRY L. PRETTYMAN #186406 STATE OF UTAH	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL
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This form approved by Utah County and the municipalities therein.