



Item 1: The Lodge at Stillwater Plat Amendment

Project: DEV-10080 | Stillwater Lodge
Report Date: 2 January 2025
Report Author: Anders Bake, Planner
Council Action Required: No
Type of Action: Administrative
Applicant: MJSAA

Address: 1364 Stillwater Drive
Existing Land Use: Condominium Hotel
Existing Plat: 151 Units on 5.86 acres
Proposed Amendment: combining three units into two
Units Affected: R-1108, R-1110, and R-1112

DETERMINATION ISSUE

Whether or not the proposed amendment meets the standards for ‘good cause’ as required by Utah Code Annotated §17-27a-609 and other applicable ordinances governing the land use in Wasatch County. This determination is an administrative decision to be made by the Wasatch County Administrative Land Use Committee.

RECOMMENDATION

Based on the analysis in this staff report, it appears that the proposal can be compliant with applicable laws. Therefore, it is recommended that the Administrative Land Use Committee APPROVE the proposed Plat Amendment based on the findings and subject to the following conditions:

1. The proposed Plat Amendment is not approved until the applicant provides documentation that they have complied with the “Declaration of Condominium The Lodge at Stillwater”;

Administrative Land Use Committee Staff Report

-
- This aerial map shows the Stillwater Lodge area, which is outlined in orange. A yellow star is placed on a property within the lodge, labeled with the number 17-5716-0-0017. The map includes several roads: N Jordanelle Blvd, State Road 319, and N Vista Dr. Other roads shown include Fisher Ln, Old Rd, N Rail Trail, Main Lower Town, and Main Upper Town. The map also shows various property boundaries, some labeled with numbers like 20-3928, 20-3978, 20-7789, 20-7780, 20-2279, 20-3939, 20-3959, and 21-378. The map is oriented with North at the top.

The Lodge at Stillwater is a condominium hotel project that is part of the original Hailstone Village master plan that contains 12 pods of development. The Lodge at Stillwater is included in Pod 10 and consists of 5.86 acres. The existing plat is the Lodge at Stillwater Subdivision 2nd Amended Condominium which was recorded by plat on 27 February 2023 under the requirements of the Jordanelle Basin Overlay Zone. The applicant is seeking to amend the number of condominium units established in the existing plat in order to combine three one-bedroom units into two two-bedroom units in building five level 1. The applicant has stated that the structural changes to the building will include the replacement of two demising walls with one. Both new units are less than 1500 square feet.

Wasatch County Code requires notice to be sent to all property owners within the plat, as well as property owners within 500 feet of the requested plat amendment. After the notices were sent, an earlier version of this staff report was posted to the Utah Public Notice Website and a seven-day comment period was opened according to the procedures outlined in Wasatch County Code. During the comment period, the Planning Department received a written objection to the application. The objection states that the proposal has not gone through the required process as stated in the “Declaration of Condominium the Lodge at Stillwater” documents recorded on March 15, 2000. The County Code requires that any application which receives an objection be reviewed by the Administrative Land Use Committee in a public meeting. The objection letter and staff’s analysis of the letter are included in this report.

KEY ISSUES TO CONSIDER

- Compliance with zoning requirements including any supplementary development standards including but the “Declaration of Condominium the Lodge at Stillwater”.
- Compliance with UCA §17-27a-609, and including WCC 16.04.02 definition of good cause.

STAFF ANALYSIS

– CONDOMINIUM OWNERSHIP ACT AND OBJECTION LETTER –

State Code Title 57 Chapter 8 creates the Condominium Ownership Act. These state codes outline unique laws, rights, and responsibilities associated with condominium projects. Many of the regulations fall to the required declarations and recorded covenants on the property. Those covenants are managed and enforced by the condominium association. The Act requires the applicant to work with the association to prepare and record amendments to the declaration that address the requirements under the act. The County expects that an applicant, subject to the declarations, would comply with the requirements of their association. After preparation of the initial staff analysis it was brought into question through a written objection (Exhibit F) whether the applicant had followed the required procedures established by their condominium association. Those declarations, as mentioned previously, are enforced by the condominium association and not the county. However, given the concern raised, it warrants emphasis from the county that the county expects an applicant to comply with all applicable laws, even those not administered directly through the county.

The objection to the application, that was sent during the comment period, is attached to this report (Exhibit F). It raises the concern that the applicant did not follow the requirements of the “Declaration of Condominium The Lodge at Stillwater” which states that “any amendment to this Declaration, or the Map require the affirmative vote of at least sixty-seven percent (67%) of the Total Votes of the association cast in person or by proxy at a meeting duly called for such purpose” According to the objection letter, the required voting process did not occur.

With the concerns raised, staff recommends that the Administrative Land Use Committee may still approve the proposed Plat Amendment application with the condition that the applicant holds a successful vote on the proposed changes with the homeowner’s association according to the Declaration of Condominium the Lodge at Stillwater. If the successful vote does not occur, the approval would be void and the applicant would not be allowed to record the plat amendment.

– GOOD CAUSE –

UCA §17-27a-609 allows the County to approve a plat amendment if the County finds that: (a) there is good cause for the vacation, alteration, or amendment; and (b) no public street, right-of-way, or easement has been vacated or altered. Wasatch County Code 16.04.02 has defined “good cause” as follows:

16.04.02: DEFINITIONS

...

GOOD CAUSE: Providing positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Wasatch County and furthering the health, safety, and welfare of Wasatch County.

...

The Development Review Committee has reviewed the plat amendment and finds the proposal complies with the need to meet “good cause.” The proposed change from three one-bedroom units to two two-bedroom units, increases the number of bedrooms but decreases the overall density of the Stillwater Lodge from 60 units to 59 units.

– SETBACKS –

The proposed amendment only impacts the internal building walls which are used as the lot boundaries for the existing condominium plat. There are no changes to the building footprint and therefore no impact to the building setbacks.

– PUBLIC RIGHT-OF-WAY OR EASEMENTS –

The proposal does not impact any public street or right-of-way access or public utility easement.

– NON-CONFORMING UNITS –

The Lodge at Stillwater, and the associated master plan, were vested under previous codes that have since been modified or replaced. The proposed amendment, since it is reducing the number of units would be able to be considered under the previous vesting. If approved and recorded, the applicant would forfeit the right to re-subdivide the property in the future to re-create the three units that are being reduced to two units by the proposal.

– PARKING –

An in depth parking analysis was provided to the Planning Commission in 2023 through the review of a site plan application for PODs 10B and 10C. In the approval of the Site Plan application the declared use was approved as a condominium hotel. The proposed plat Amendment would not negatively impact the previous analysis as long as the existing uses are not altered. It should be noted that the commercial tenant spaces in the Lodge have not yet provided the required parking to occupy those uses.

DEVELOPMENT REVIEW COMMITTEE

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance

with the respective guidelines, policies, standards, and codes. A report of this review has been attached in the exhibits. The Committee has forwarded the item for the Administrative Land Use Committee to render a decision.

RECOMMENDED MOTION

Move to Approve the item consistent with the findings and subject to the conditions presented in the staff report.

– FINDINGS –

1. The subject property is 5.86 acres per the recorded subdivision plat.
2. The subject property is part of the Hailstone Village Master Development that includes 12 development pods with uses and density identified in the master plan.
3. The “Declaration of Condominium the Lodge at Stillwater” was recorded on March 15, 2000, entry number 222531.
4. The subject property is POD 10 of the Hailstone Village Master Plan and contains 151 condominium units. The proposed plat amendment will combine three one-bedroom units into two two-bedroom units in building five level 1 of the Stillwater Lodge.
5. The proposal will replace two demising walls with one. There will be no changes to the building envelope on the plat.
6. No public or private roads are being vacated as part of this plat amendment.
7. Good cause for the amendment exists since the proposed change will reduce the density of the Stillwater Lodge from 60 units to 59 units.
8. The proposal is consistent with Utah Code §17-27a-609.
9. The Development Review Committee has reviewed the technical requirements of the proposed project and determined the project is ready for decision by the Land Use Authority.
10. The plat amendment approval shall expire if the plat is not recorded within one year from the date of receipt of final approval by the Administrative Land Use Committee.
11. Condominium plats are subject to UCA 57-8 and will require approval from the Condominium Association.
12. The applicant forfeits the right to re-create the three units being combined into one through this proposal.
13. An objection letter was received on 17 December 2024, within the seven-day comment period from Greg Griffin stating that the proposal needed to comply with the “Declaration of Condominium the Lodge at Stillwater.”

– CONDITIONS –

1. The proposed Plat Amendment is not approved until the applicant provides documentation that they have complied with the, “Declaration of Condominium The Lodge at Stillwater”;

2. The following language is included in the Owner’s dedication section on the plat according to Wasatch County Code: The owner shall dedicate and convey to the owners of the lots in all phases of the development all open space, common areas, private trails, private roads, and any other property labeled on the plat as common; and
3. The following signature boxes are added to the Plat: Wasatch County Administrative Land Use Committee and Water Board.

POSSIBLE ACTIONS

The following is a list of possible motions the Administrative Land Use Committee can take. If the action taken is inconsistent with the recommended findings listed in the staff report, the Administrative Land Use Committee should state new findings.

1. Approve. This action may be taken if the Administrative Land Use Committee finds that the Plat Amendment request is compliant as proposed with Wasatch County Code and all other applicable laws.
2. Approve with Conditions. This action can be taken if the Administrative Land Use Committee feels comfortable that remaining issues can be resolved through specified conditions. ****This action would be consistent with the staff analysis.****
3. Continue. This action can be taken if the Administrative Land Use Committee needs additional information before rendering a decision, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can only be taken if the Administrative Land Use Committee finds that the proposal does not meet the ordinance or that the application is insufficient to comply with applicable law.

NEXT STEPS

If the requested plat amendment is approved, the applicant will need to satisfy any conditions, if applicable, and can deliver a mylar plat to the planning office for recording. Actions must be taken to pursue the approval with reasonable diligence as outlined in Wasatch County Code 16.01.16.

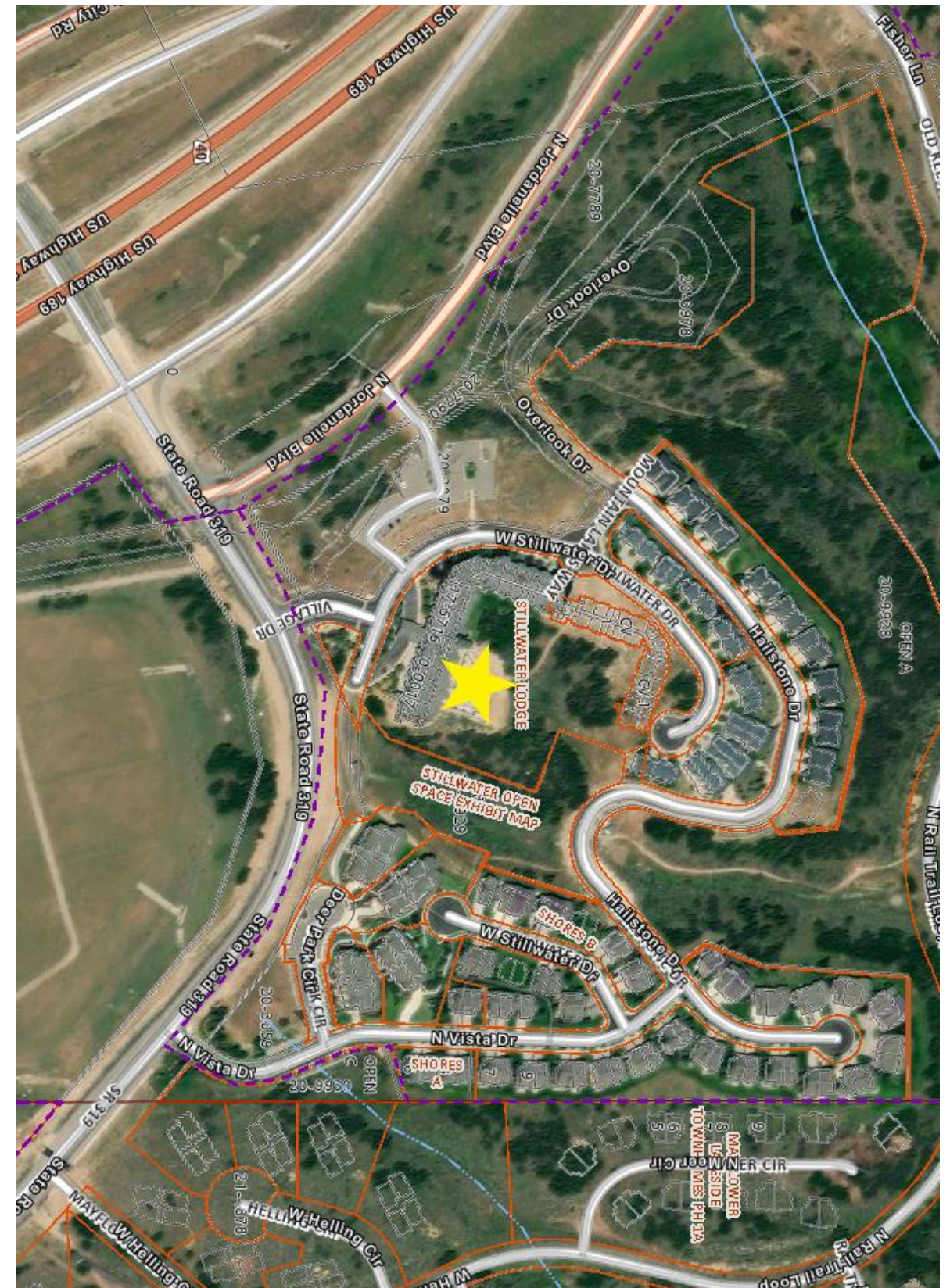
If the requested plat amendment is denied, there is no further action required. If the applicant desires to request an alternative plan for approval, it will need to be made as a new application.

Any person adversely affected by a final decision made by the Land Use Authority can be appealed under the provisions outlined in Wasatch County Code 2.02.02.

EXHIBITS

Exhibit A – Vicinity Plan.....	7
Exhibit B – Existing Subdivision Plat	8
Exhibit C – Proposed Amended Plat.....	10
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Exhibit A – Vicinity Plan

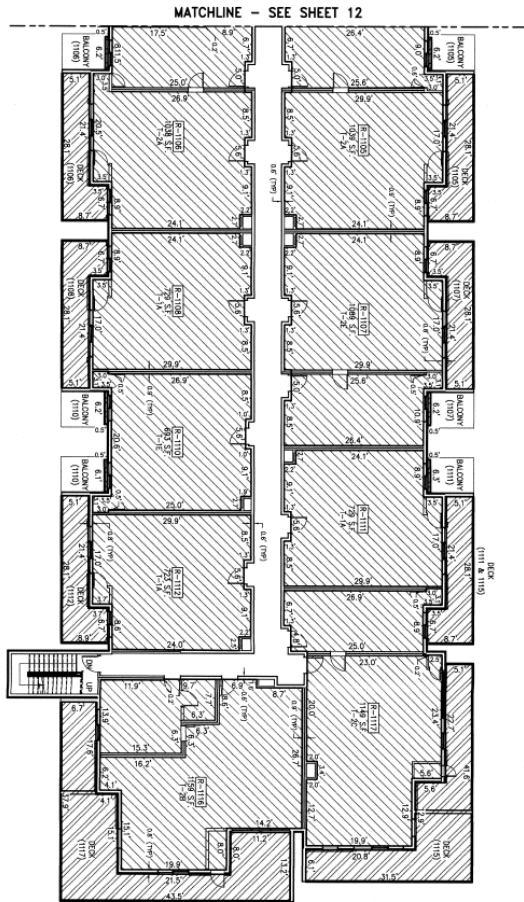


THE LODGE AT STILLWATER

2ND AMENDED CONDOMINIUM PLAT MAP
PREVIOUSLY RECORDED JUNE 25, 2001 AS ENTRY No. 234502

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
WASATCH COUNTY, UTAH
JULY 2022



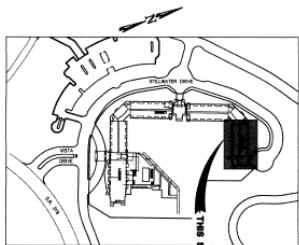
NOTES

The purpose of these drawings is to amend sheets 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Sheet 13 (Amending Sheet 23) - Entire sheet.

1. Modified stairs
2. (a) Changed unit number to R-1117
3. (b) Changed boundary line
4. (c) Changed line of deck
5. (d) Combined and changed to one unit R-1116
6. (e) Changed boundary line
7. (f) Changed line of deck
8. (g) Changed unit number to R-1111
9. (h) Changed boundary line
10. (i) Changed line of deck
11. (j) Changed unit number to R-1112
12. (k) Changed boundary line
13. (l) Changed line of deck

6. Units R-1119 and R-1125
7. (a) Combined and changed to one Unit R-1107
8. (b) Changed boundary line
9. (c) Changed line of deck
10. (d) Changed unit number to R-1122
11. (e) Changed boundary line
12. (f) Changed line of deck
13. (g) Changed unit number to R-1110
14. (h) Changed boundary line
15. (i) Changed line of deck
16. (j) Changed unit number to R-1108
17. (k) Changed boundary line
18. (l) Changed line of deck
19. (m) Combined and changed to one Unit R-1105
20. (n) Changed boundary line
21. (o) Changed line of deck
22. (p) Changed unit number to R-1114
23. (q) Changed boundary line
24. (r) Changed line of deck



LEGEND

- UNIT NUMBER
- LIMITED COMMON APPURTENANT TO UNIT NUMBER
- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- CONVERTIBLE SPACE 1
- CONVERTIBLE SPACE 2
- CONVERTIBLE SPACE 3



DOMINION
Engineering Associates, L.C.
2020 SOUTH PARK DRIVE
SALT LAKE CITY, UT 84119
(801) 203-5460

PREPARED BY

DEVELOPER

LEVEL ONE - NORTH ARM

WASATCH COUNTY RECORDER # 524934
State of Utah, County of Wasatch, recorded and filed at the
request of _____ Date _____ Time _____ Book 1345, Page 437
\$ _____ WASATCH COUNTY RECORDER

SHEET 19 of 22

MJSA 255 West 700 South
Salt Lake City Utah 84101
Telephone 801 364 5161

|
November 8, 2024

Wasatch County Government Planning Department
55 South 5th East
Heber, Utah
84032

Dear Sir/Madame:

We are requesting The Lodge at Stillwater Plat to be amended due to the following:

1. The unit counts shall be reduced from 60 units to 59 units. This will be accomplished by combining three 1-bedroom units into two 2-bedroom units in Building 5 on level 01.
2. The structure has changed by reducing two demising walls to one. Both new units are less than 1500 square feet. The structural plans have been permitted by the building department in Addendum 3.0.
3. Purpose: The original three 1-bedroom units were not selling well, and the market suggested the 2-bedroom units were more desirable.

Thank you for your assistance.

Warmly,

Kathleen Hill
MJSA Architects, P.C.
255 west 700 south
Salt Lake City, Utah 84101
Cell: 801-699-6518
Office: 801-364-5161

Exhibit E – DRC Report



Wasatch County DESIGN REVIEW COMMITTEE (DRC) COMMENTS

PROJECT ID: DEV-10080
PROJECT NAME: ROBERT HUGGINS - STILLWATER DRIVE
VESTING DATE: 11/18/2024
REVIEW CYCLE #: 1

REVIEW CYCLE STATUS: READY FOR DECISION

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

When uploading revisions please name your documents exactly the same as it was previously uploaded.

Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

Entity	Decision
County Surveyor	Ready for Decision
GIS Department	Ready for Decision
Health Department	Ready for Decision
Fire SSD	Ready for Decision
Sheriff's Office	Ready for Decision
Engineering Department	Ready for Decision
Planning Department	Ready for Decision
Public Works Department	Ready for Decision
Recorder's Office	Ready for Decision
Jordanelle SSD	Ready for Decision
DRC - SSA 1 Water	No Action Taken

Approved = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

Ready for Decision = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

Changes Required = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

No Action = Reviewing entity has not taken any action for the review cycle.

OVERALL PROJECT COMMENTS

DRC Project Comments		
Comment ID	Entity	Comment
FIRE-App-1	SSD - Fire SSD Approval	Remodel would need to meet suppression and alarms requirements.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

DRC – Planning Dept		
Comment ID	Sheet Name	Comment
DRC-PLN1	02b - Amended Plat	Condition of Approval: Include the following language in the Owner's dedication: The owner shall dedicate and convey to the owners of the lots in all phases of the development all open space, common areas, private trails, private roads, and any other property labeled on the plat as common; (WCC 16.27.12.k.1.a)
DRC-PLN2	02b - Amended Plat	Condition of Approval: Include signature boxes for the following: Wasatch County Planning Commission Water Board

DRC - Recorder Office		
Comment ID	Sheet Name	Comment
DRC-REC1	02b - Amended Plat	Looks good.

Exhibit F – Objection Letter

DATE: December 17, 2024- via email only to planning@wasatch.utah.gov
TO: Wasatch County Planning Department
FROM: Greg Griffin, Owner Units 1034 and 3029 Stillwater Lodge, 1364 Stillwater Drive 84032
RE: Amendment to Stillwater Lodge Plat
CC: file

I am in receipt of letter from Wasatch county Planning dated December 11, 2024 (copy attached) regarding plat amendment to Stillwater Lodge to combine three 1 bedroom units into two 2-bedroom units.

Please consider this my written objection to the proposed amendment for the following reason:

1. The property is encumbered by the *"Declaration of Condominium The Lodge at Stillwater"* recorded on the land records of the County of Wasatch marked as 00222531, dated March 15, 2000.
2. This Declaration in Section 23 AMENDMENT requires "any amendment to this Declaration, or the Map (emphasis added) require the affirmative vote of at least sixty-seven percent (67%) of the Total Votes of the association cast in person or by proxy at a meeting duly called for such purpose".
4. Further, the change of the map will affect percent ownership and voting rights as set forth in the declaration. Section 22 MORTGAGEE PROTECTION, sub paragraph 22.2 states in part *"the vote or prior written consent of Owners entitled to vote at least sixty-seven percent of the Total Votes of the Association ...shall be required... 22.2.2 Amend any material provision of the Declaration, Articles, Bylaws or Map"*. Section 22.2.2 goes on to state *(an amendment to the such documents shall not be considered material if it is for the purpose of correcting technical errors or for clarification only)"*. Clearly a change to the plat/map to combine units is not a correction or clarification. Section 22.2.2.11 simply states *"Voting Rights"* -as another change that would require Association approval.

In summary, no individual owner can amend the map without the consent and approval of the Association as set forth in the recorded document that run with the land. I am an owner of property in The Condominium at Stillwater Lodge and no notice, meeting or action has taken place that would allow this change in the map to occur. Until such time that the complete amendment that includes the modification to the map and associated adjustments to the documents for voting and share of common area may be approved by the Association, the Planning Department and Planning Commission should and cannot take action on this proposed amendment.

Please confirm receipt of this correspondence by replying to gregrif@gmail.com within 24 hours or receipt and notify me when this is scheduled to go before the planning commission.

Thank you. Please contact me at (202) 253-3382 or gregrif@gmail.com if you have any questions or wish to discuss further.