



Knockeart Plat Amendment

Project: DEV-10205 | Knockeart Plat Amendment
Report Date: 21 February 2025
Report Author: Anders Bake, Planner
Council Action Required: No
Type of Action: Administrative
Applicant: Dan Gayler
Address: 9459 N Sunset Drive

Existing Land Use: Single-Family Residential
Existing Plat: Tuhaye Dancing Sun ph. 4
22 ERUs (3.89 a/u)
Proposed Amendment: Expanding the building
envelope of lot 49
Related Applications: Tuhaye Dancing Sun ph. 4 (DEV-
4097)

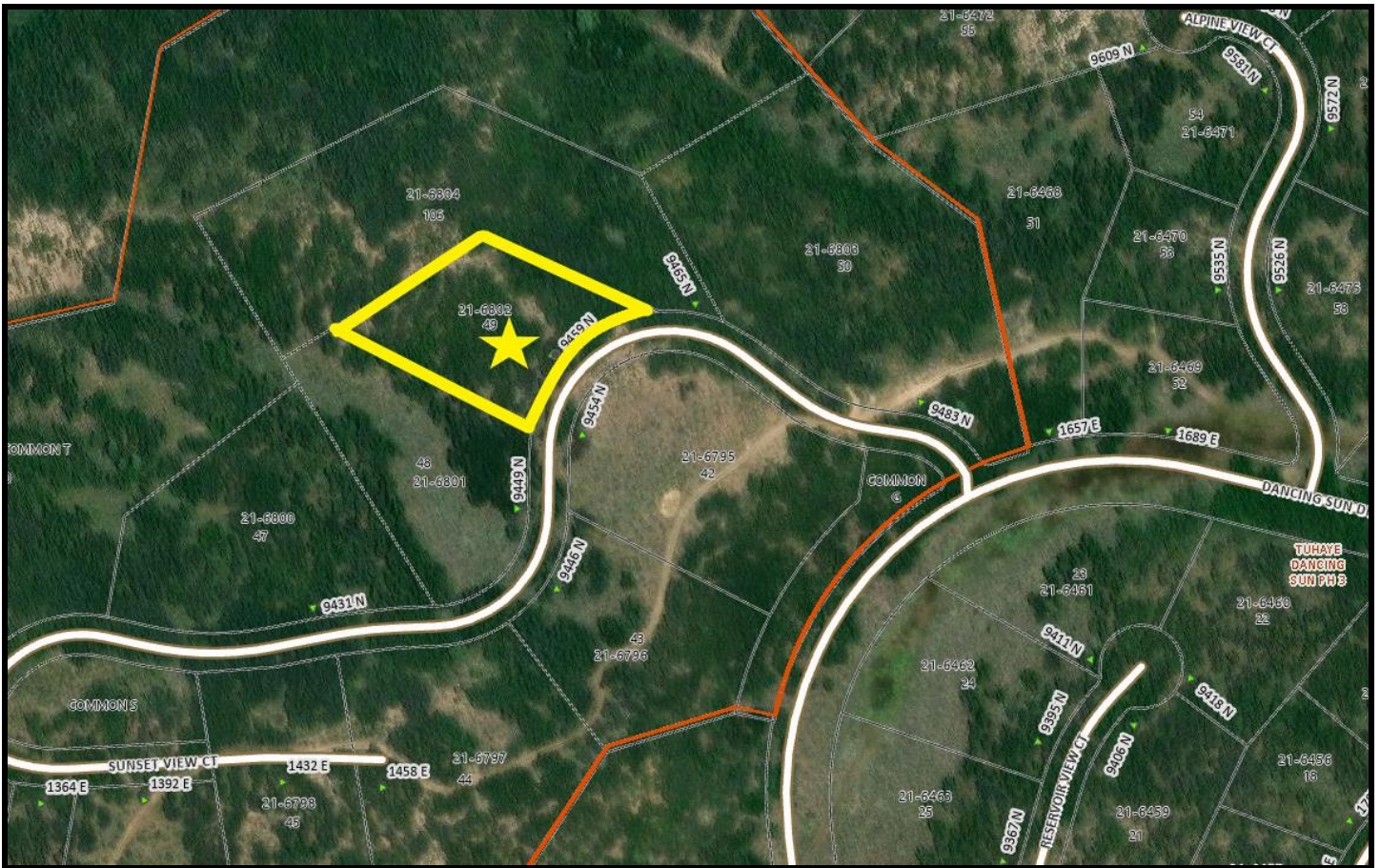
DETERMINATION ISSUE

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 following condition raised by the Fire Department shall be met with all future building permit applications on the lot: "Access must meet Fire Code and minimum specifications as per Wasatch Fire Districts Single Family Dwelling Guidelines."



BACKGROUND

The applicant is seeking to amend the Tuhaye Dancing Sun Phase 4 Subdivision Plat for the purpose of amending the building envelope for lot 49. The building envelope delineates the area on the lot where a building can be placed. Its location is based on setback requirements from property lines, easements, and physical constraints on the property. An envelope was originally placed on the plat based on the constraints identified during the initial subdivision which was recorded on 30 November 2021. This proposal seeks to relocate the building envelope based on a more accurate, lot specific, slope analysis that still excludes area with slopes over 30% according to County requirements.

The proposed Plat Amendment consists of Tuhaye Dancing Sun Phase 4 lot 49 (parcel # 00-0021-6802) located at 9459 N Sunset View Drive in the Jordanelle Basin Overlay Zone. The amended plat will be titled Tuhaye Dancing Sun Phase 4 Subdivision Amending Lot 49.

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. Wasatch County Code 16.01.05 identifies who the land use authority is depending on the scope of the proposed amendment. This proposal is considered a Minor Plat Amendment and therefore, is under consideration by the Administrative Land Use Committee.

Utah Code § 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.

KEY ISSUES TO CONSIDER

- Compliance with zoning requirements, including supplementary development standards.
- Compliance with UCA §17-27a-609, and including WCC 16.04.02 definition of good cause.

STAFF ANALYSIS

– SETBACKS –

Setbacks in the Jordanelle Basin Overlay Zone are required to be 20 feet from the front, 30 feet from the rear, and 12 feet from the side property lines. The proposed building envelope implements these setback requirements for lot 49.

– 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.

...

Staff has reviewed the plat amendment and finds the proposal complies with the need to meet “good cause” as required by State Law. The existing plat has a building envelope that is based on an inaccurate slope analysis resulting in some areas that are inappropriately excluded from the building envelope. The amended plat will resolve these issues by bringing the property further in compliance with Wasatch County Code slope requirements. It is not anticipated that the proposed action would affect the neighboring landowners negatively. No roads are being affected by the proposed plat amendment.

– PUBLIC RIGHT-OF-WAY OR EASEMENTS –

The proposal does not impact any public street or right-of-way access. A public utility easement is being modified by the amendment to comply with current ordinances which require a front yard public utility easement of 15 feet.

– SLOPE STUDY –

The applicant provided a slope analysis map for the lot (see Exhibit D). The slope map indicates that there are no portions of the proposed building envelope with slopes over 25%. Section 16.27.19 of the Wasatch County Code states that “Slopes over thirty percent (30%) are not considered buildable. Lots must have a minimum of five

thousand (5,000) square feet of contiguous area under thirty percent (30%) natural slope excluding slope irregularities as defined in 16.04. Any lot with a slope over 30% shall include building envelopes or constrained areas on the final plat.” The building envelope on the proposed plat is greater than 5,000 square feet and in compliance with the County slope requirements.

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 Land Use Authority to render a decision.

RECOMMENDED MOTION

Move to Approve item 1 consistent with the findings and subject to the conditions presented in the staff report.

– FINDINGS –

1. The subject property is lot 49 in the Tuhaye Dancing Sun Phase 4 Subdivision
2. The subject property is 45,883 square feet per the proposed plat.
3. The subject property is in the Jordanelle Basin Overlay zone.
4. Good cause for the amendment exists since the updated building envelope resolves existing issues by enforcing a building envelope that more accurately reflects existing conditions on the lot. The proposal is consistent with Utah Code §17-27a-609.
5. No public or private roads are being vacated as part of this plat amendment.
6. 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.

– CONDITIONS –

1. The following condition raised by the Fire Department shall be met with all future building permit applications on the lot: “Access must meet Fire Code and minimum specifications as per Wasatch Fire Districts Single Family Dwelling Guidelines.”

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. Recommendation for Approval. This action may be taken if the Administrative Land Use Committee finds that the Preliminary Plan request is compliant as proposed with Wasatch County Code and all other applicable laws.
2. Recommendation for Approval with Conditions. This action can be taken if the Administrative Land Use Committee feels comfortable that remaining issues can be resolved prior to final approval. ****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. **Recommendation for Denial.** 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.

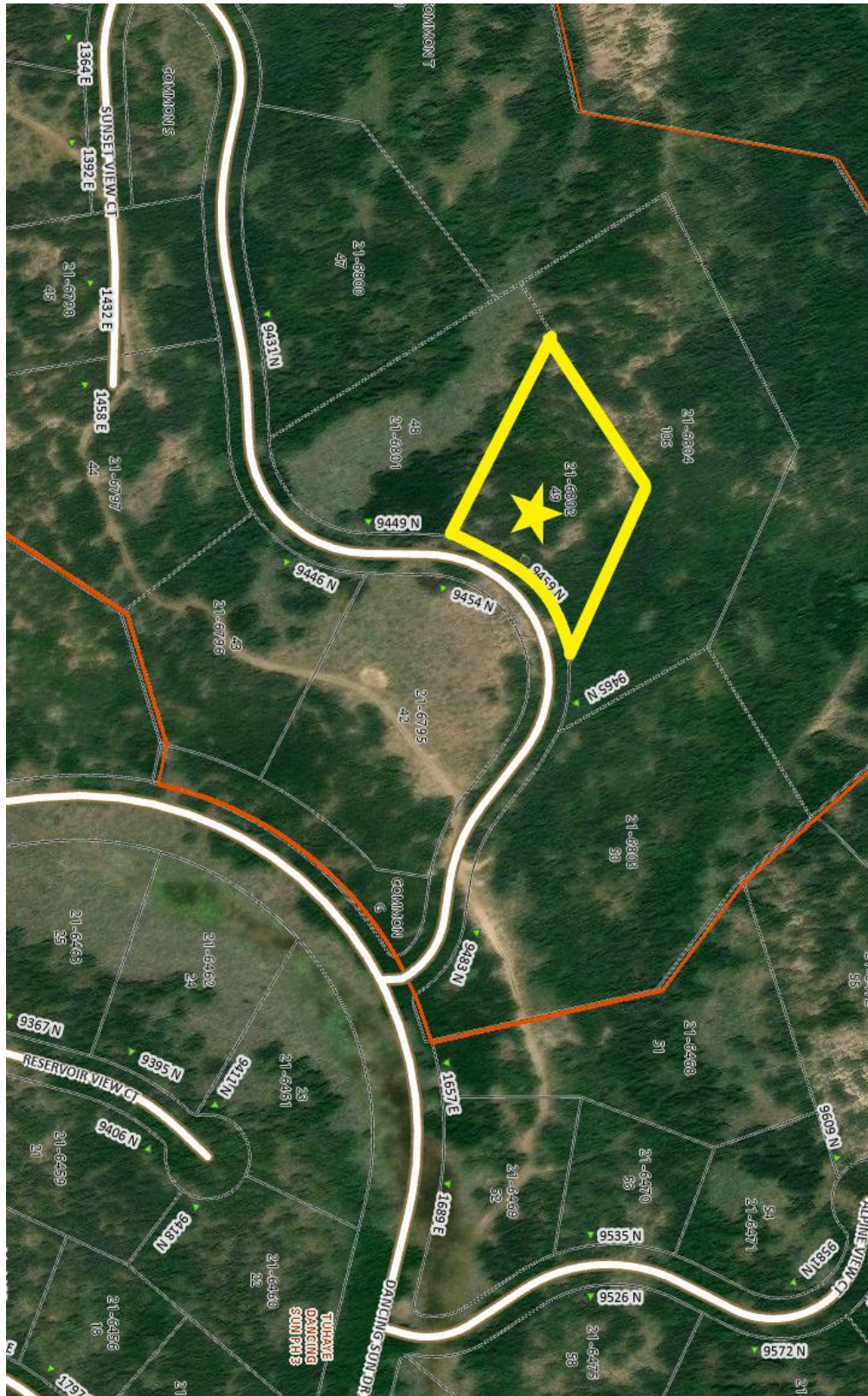
If the requested plat amendment is denied, there is no further action required. If the applicant desires to request an alternative plan for approval, it will need to be made as a new application.

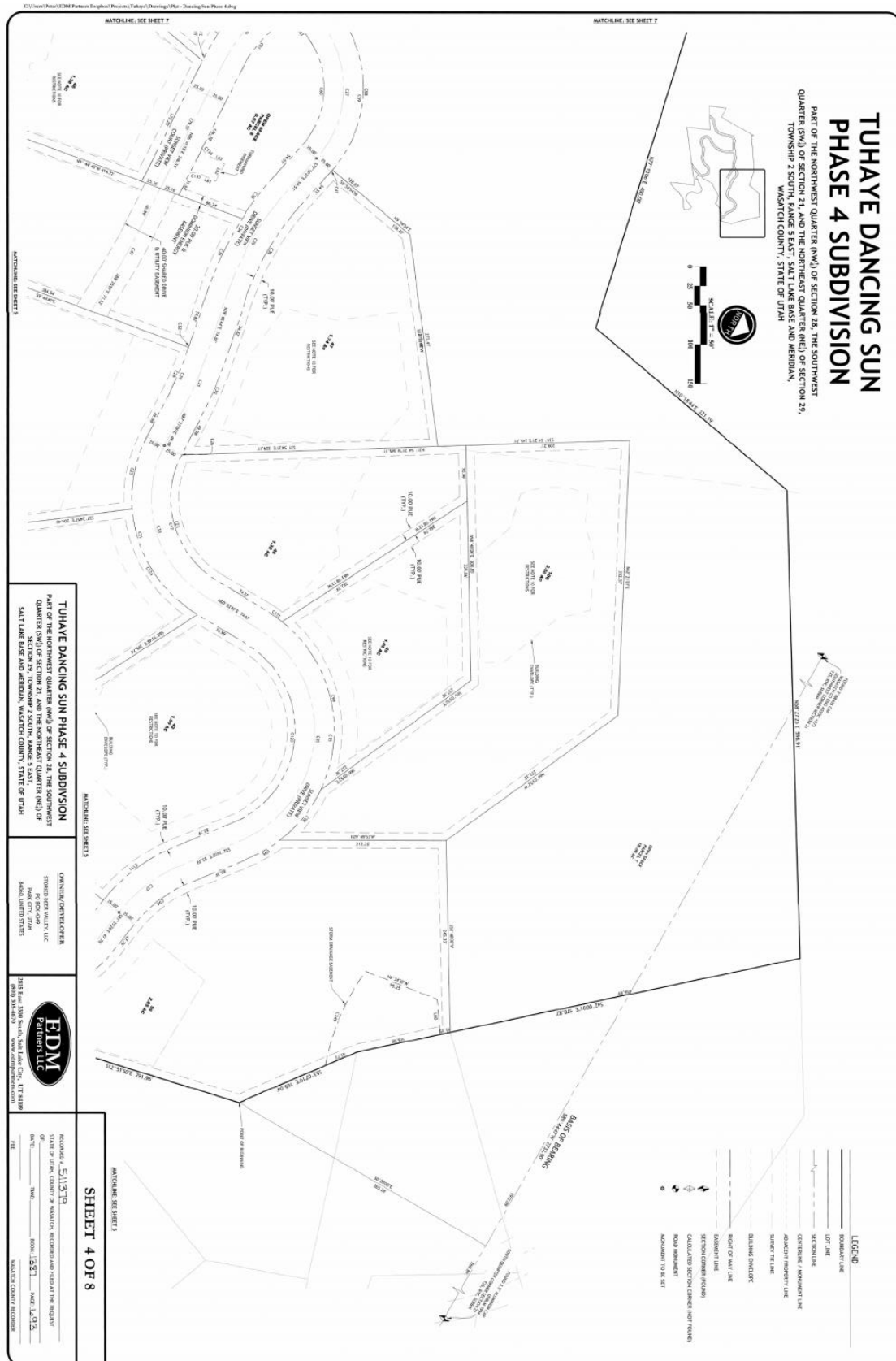
Any person adversely affected by a final decision made by the Land Use Authority can be appealed under the provisions outlined in Wasatch County Code 2.02.02.

EXHIBITS

Exhibit A – Vicinity Plan.....	6
Exhibit B – Existing Subdivision Plat.....	7
Exhibit C – Proposed Amended Plat.....	8
Exhibit D – Slope Study.....	9
Exhibit E – DRC Report	10

Exhibit A – Vicinity Plan





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**Wasatch County
DESIGN REVIEW
COMMITTEE (DRC)
COMMENTS**

PROJECT ID: DEV-10205
PROJECT NAME: PLAT AM - KNOCKEART PLAT AMENDMENT
VESTING DATE: 12/23/2024
REVIEW CYCLE #: 3

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
Recorder's Office	Ready for Decision
Planning Department	Ready for Decision
Fire SSD	Ready for Decision
Engineering Department	Ready for Decision

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	Access must meet Fire Code and minimum specifications as per Wasatch Fire Districts Single Family Dwelling Guidelines.