



Wild Mare Farms Plat B Plat Amendment

Project: DEV-10508 | Wild Mare Farms Plat B
Report Date: 15 April 2025
Report Author: Anders Bake, Planner
Council Action Required: No
Type of Action: Administrative
Applicant: Thierry Marchione

Address: 3386 Wild Mare Way
Existing Land Use: Single-family Home
Existing Plat: 4 ERUs
Proposed Amendment: Rear setback plat note
Related Applications: Wild Mare Farms Plat B
Subdivision (2002)

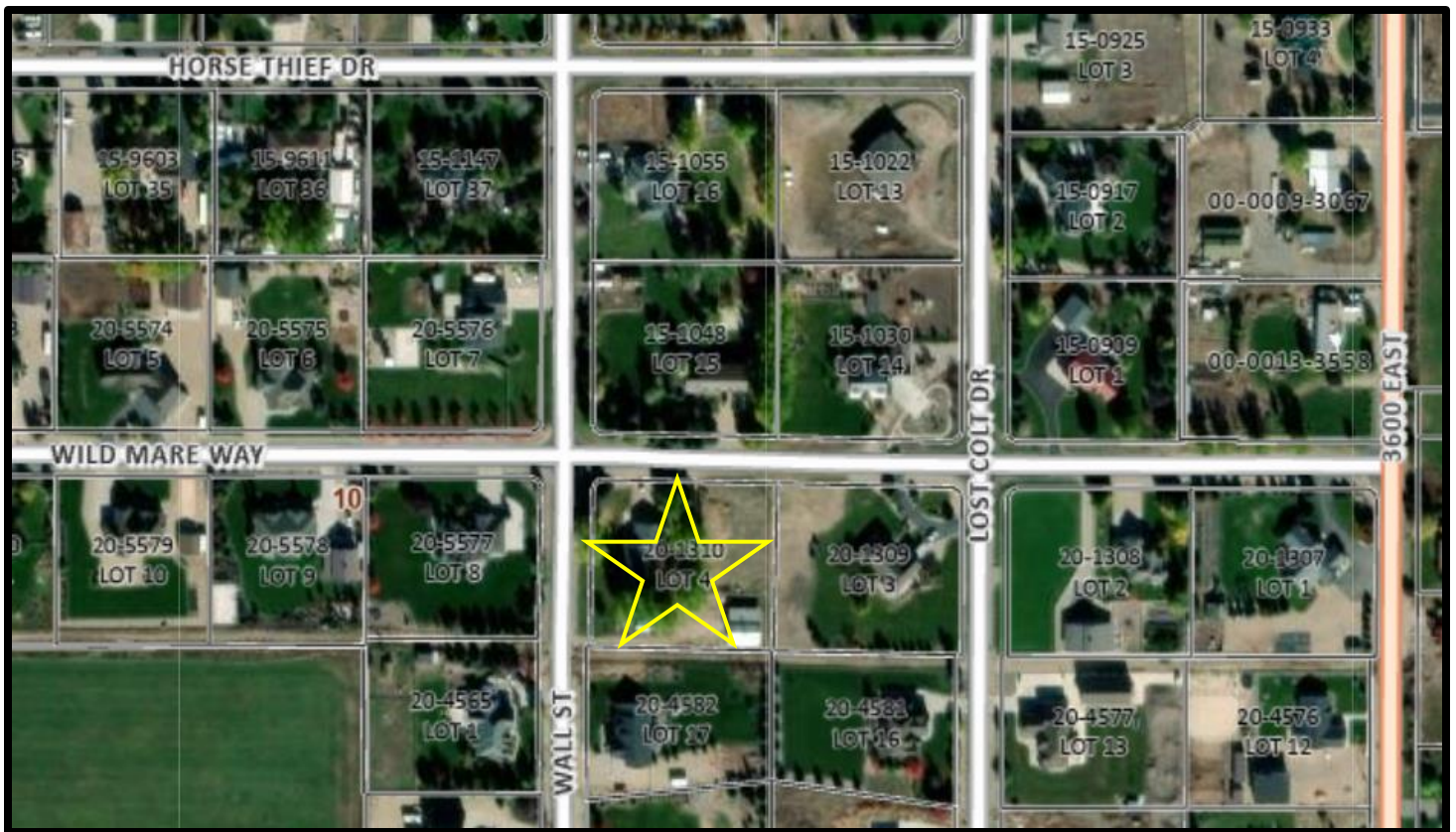
DETERMINATION ISSUE

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. All issues raised by the DRC shall be resolved to the satisfaction of the applicable review department in accordance with applicable standards.



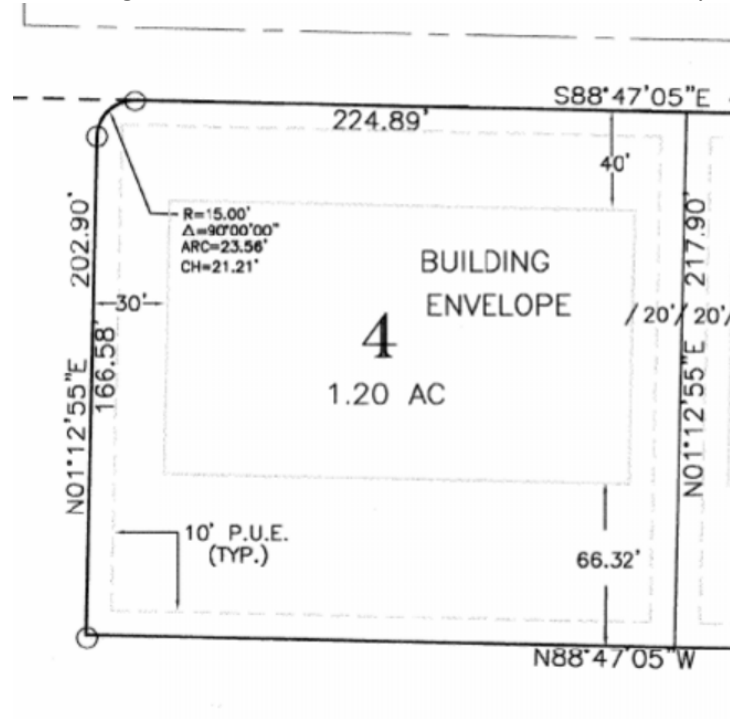
BACKGROUND

The Wild Mare Farms Plat B Subdivision was recorded by plat on 2 May 2002. The applicant is seeking to amend the building envelope of lot four in order to remove the 66.32-foot rear yard setback that the plat currently requires. If the proposal is approved, the setback requirements for structures on this property would be determined by the Wasatch County Code Title 16.

The applicant would like to construct an accessory building on lot four in the rear yard. The Wasatch County Code regulates rear setback requirements for a main dwelling, accessory structures, and accessory dwelling units. However, if a building envelope shown on a plat identifies a more restrictive building setback, the building must comply with the plat requirements. The original purpose of the 66.32 rear yard setback on the plat is unknown. As part of the review of this application, the Development Review Committee has not identified any benefits that the increased setback would create and has recommended that the application be forwarded to the Land Use Authority. The applicant is proposing to amend the building envelope by add a plat note stating that “All setbacks are subject to Wasatch County Zoning Ordinance Requirements at the time a building permit is issued. See codes for setback requirements.”

The 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 can be considered by the Administrative Land Use Committee. If no objections are received by the neighboring property owners, the proposal can be approved by the Chairman of the Administrative Land Use Committee without the need for a public meeting. If objections are received, then the Administrative Land Use Committee will hold a public meeting regarding the proposal.

Lot 4 of the existing Wild Mare Farms Plat B with a 66.32-foot rear yard setback



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.
- Compliance with all physical constraint requirements in WCC 16.27.25

STAFF ANALYSIS

– SETBACKS –

Through the DRC review of this application, The County was unable to identify the original purpose of the existing 66.32-foot rear yard setback on the Wild Mare Farms Plat B. The Development Review Committee has determined that there are no known conditions that would necessitate an increased rear yard setback. In addition, the county is not aware of any benefit that the current building envelope setback requirement provides to neighboring properties or the community. Therefore, the Development Review Committee is forwarding the proposed application to the Land Use Authority.

– 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” because the proposal would resolve an existing issue. It appears that at the time this plat was approved, there was no reason to limit the placement of accessory structures beyond the requirements of County Code. No public roads or easements 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 or public utility easement.

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

– FINDINGS –

1. The subject property is 1.2 acres per the recorded subdivision plat.
2. The subject property is in the Residential Agriculture 1 (RA-1) zone.
3. The existing plat includes a building envelope that requires buildings to be placed at least 66.32 feet from the rear property line on lot four.
4. Through the DRC review, it was determined that the additional rear yard setback is not necessary and that the setback requirements in Wasatch County Code are sufficient.
5. Good cause for the amendment exists since the proposed change will resolve an issue by removing an increased setback that is not required by County Code.

6. No public or private roads are being vacated as part of this plat amendment.
7. 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.
8. The proposal is consistent with Utah Code §17-27a-609.

– *CONDITIONS* –

1. All issues raised by the DRC shall be resolved to the satisfaction of the applicable review department in accordance with applicable standards.

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.

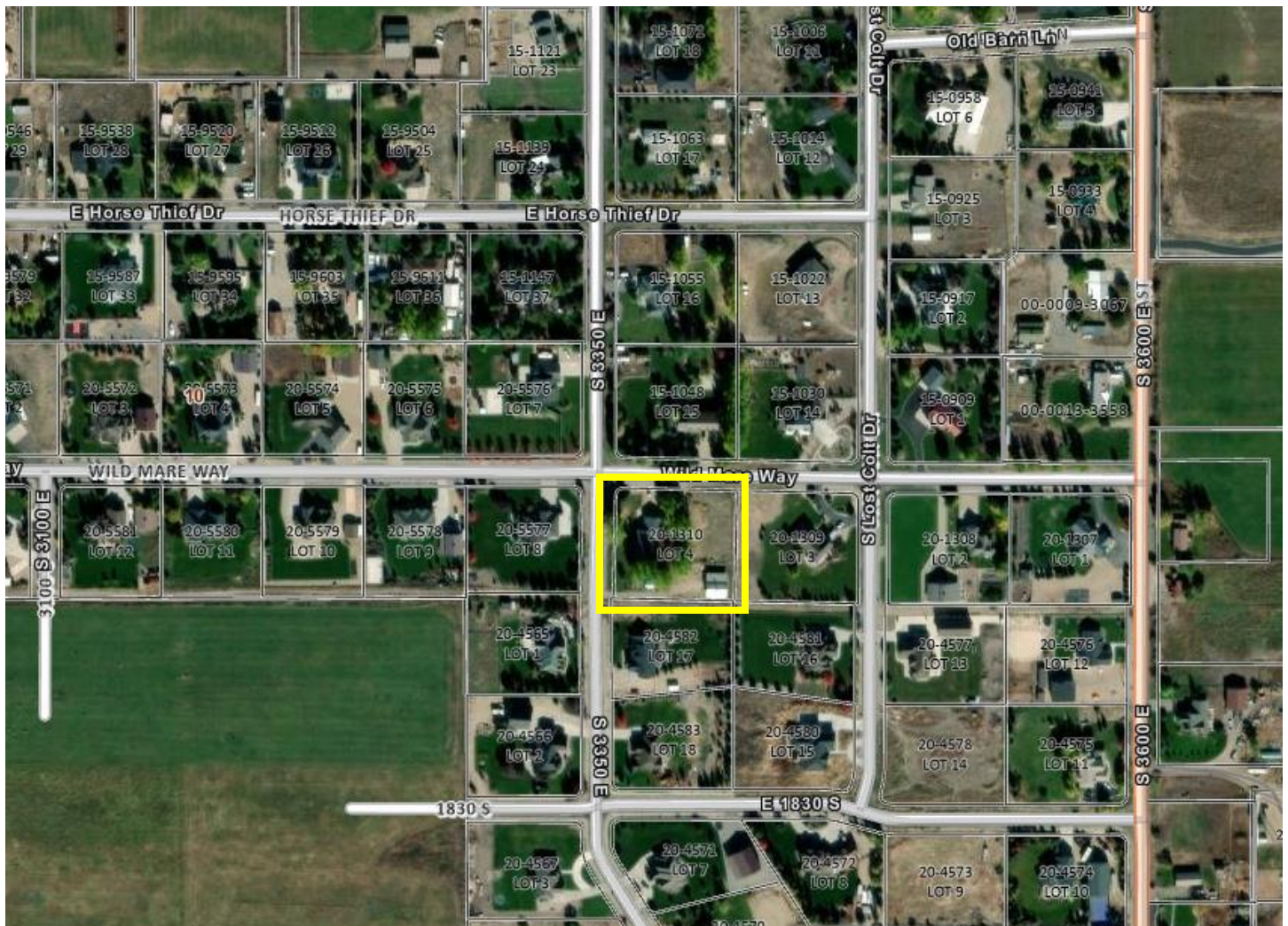
If the requested plat amendment is denied, there is no further action required. If the applicant desires to request an alternative plan for approval, it will need to be made as a new application.

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.

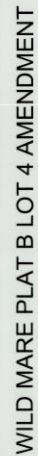
EXHIBITS

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

Exhibit A – Vicinity Plan



WILD MARE PLAT B
LOT 4 AMENDMENT





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

PROJECT ID: DEV-10508
PROJECT NAME: PLAT AM - MARCHIONE PLAT AMENDMENT
BUILDING AREA
VESTING DATE: 3/25/2025
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
Health Department	Ready for Decision
Public Works Department	Ready for Decision
Recorder's Office	Ready for Decision
Planning Department	Ready for Decision
Sheriff's Office	Ready for Decision
DRC - SSA 1 Water	Ready for Decision
DRC - Twin Creeks SSD	Ready for Decision
County Surveyor	Ready for Decision
Engineering Department	Ready for Decision
Fire SSD	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
DRC-PLN3	PLN - Planners	For your information: The County was unable to determine the original purpose of the 66.32' rear yard setback on this Plat. We are not aware of any easements, trail and street plans, or utility lines that would necessitate an increased setback. Therefore, the Planning Department has determined that the proposed Plat Amendment may be given DRC approval and forwarded to the Administrative Land Use Committee.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

DRC – Planning Dept		
Comment ID	Sheet Name	Comment
DRC-PLN1	File02b WILD MARE PLAT B LOT 4 AMENDMENT	Condition of Approval: Add the address on the lot. (WCC 16.27.12.l)
DRC-PLN2	File02b WILD MARE PLAT B LOT 4 AMENDMENT	Condition of Approval: Make the following changes to the signature boxes: Change the Planning Commission signature box to the Administrative Land Use Committee. Change "Special Service District" to Twin Creeks SSD.

DRC - Recorder Office		
Comment ID	Sheet Name	Comment
DRC-REC1	File02b WILD MARE PLAT B LOT 4 AMENDMENT	COA: Thierry Marchione has a middle initial on ownership, it is Thierry A. Marchione Beatrice's name is fine