



BRIAN HEAD

The Regular Meeting of the
Brian Head Planning Commission

Town Hall - 56 North Highway 143 - Brian Head, UT 84719

Zoom Meetings ([Click Here](#))

Zoom Meeting ID# 227 198 1271

TUESDAY, August 5, 2025 @ 1:00 PM

AGENDA

- A. CALL TO ORDER** **1:00PM**
- B. PLEDGE OF ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES**
June 17, 2025 Planning Commission Meeting
- E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- F. AGENDA ITEMS:**
- 1. PUBLIC HEARING - Minor Plat Amendment for Lots 2, 4, 6, 8, 20, 23, 25 and 27 at Cedar Breaks Mountain Estates, Unit A** – Greg Sant, Planning and Building Administrator.
Commission will hear comments from the audience regarding this item.
 - 2. LEGISLATIVE ACTION - Minor Plat Amendment for Lots 2, 4, 6, 8, 20, 23, 25 and 27 at Cedar Breaks Mountain Estates, Unit A** – Greg Sant, Planning and Building Administrator.
Commission will discuss, review and act on this matter.
 - 3. DISCUSSION ONLY - LMC Amendment for Flag Lots** – Greg Sant, Planning and Building Administrator
- G. ADJOURNMENT**

Date: August 5, 2025

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the Council may participate by means of a telephonic or telecommunications conference. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda in two public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall and Post Office, and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Ciera Claridge, Deputy Clerk



July 21, 2025

Dear Property Owner:

An application has been received by Brian Head Town requesting a Minor Plat Amendment for Lots 2, 4, 6, 20, 23, 25, and 27 in Cedar Breaks Mountain Estates Unit A Plat. Brian Head Town is sending out this notice as per Utah Code Title 10, Chapter 9a, Part 2 and Brian Head Land Management Code 9-1-8.

- A. Anyone wishing to review the information on the proposed plat amendment may do so at Brian Head Town Hall during normal business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.
- B. Anyone wishing to make comments about the proposed plat amendment may submit written comments to the Brian Head Deputy Clerk @ cclaridge@bhtown.utah.gov no later than August 4, 2025, by 5:00 p.m.
- C. The Brian Head Planning Commission will hold a Public Meeting at the BRIAN HEAD TOWN HALL COUNCIL CHAMBERS, 56 North Hwy 143, Brian Head, UT on August 5, 2025, at 1:00 p.m.

If you have any questions or should need additional information, please do not hesitate to contact our offices during normal business hours.

Respectfully,

Brian Head Town

Bret Howser
Town Manager



Enclosure – Cedar Breaks Mountain Estates Plat Amendment



**WATSON
ENGINEERING
COMPANY, INC.**

472 N 2150 W, Suite 7
Cedar City, UT 84721

Tel. (435) 586-3004

www.wecinc.com

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PLAT AMENDMENT
CEDAR BREAKS MOUNTAIN ESTATES, UNIT A

LOTS 2, 4, 6, 8, 20, 23, 25, 27
WITHIN SEC. 2, T. 36 S., R. 9 W., S.L.M.
BRIAN HEAD, IRON COUNTY, UTAH

~ PRELIMINARY ~
FOR REVIEW

DRAWN BY:
D. T. BROWN

CHECKED BY:
T. G. WATSON

DATE:
July 1, 2025

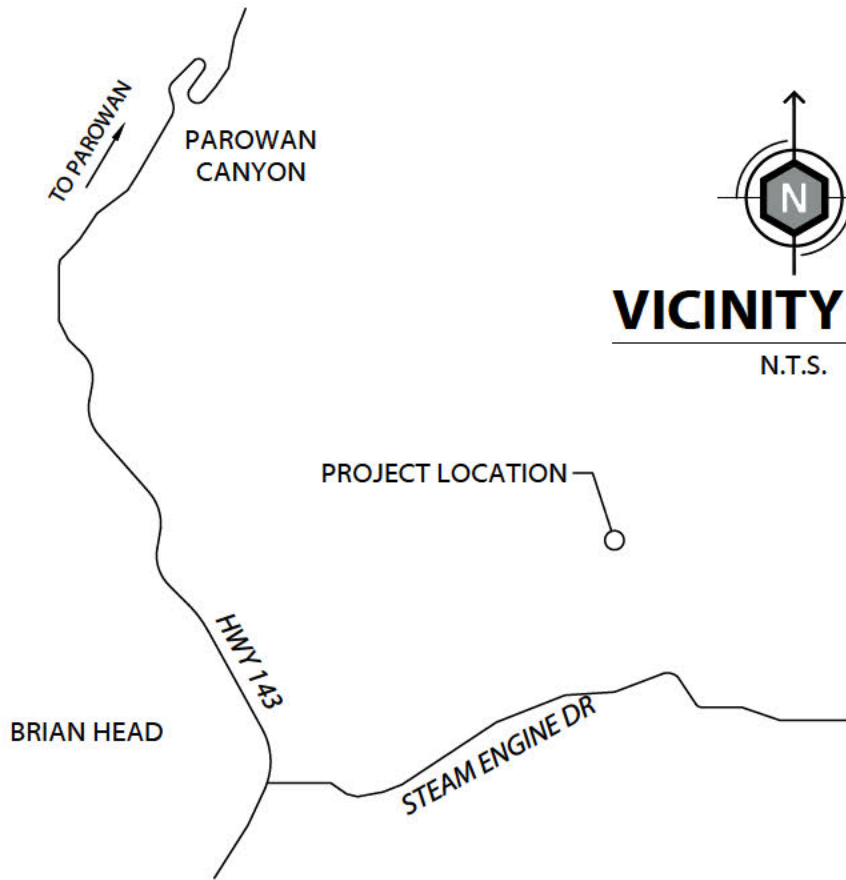
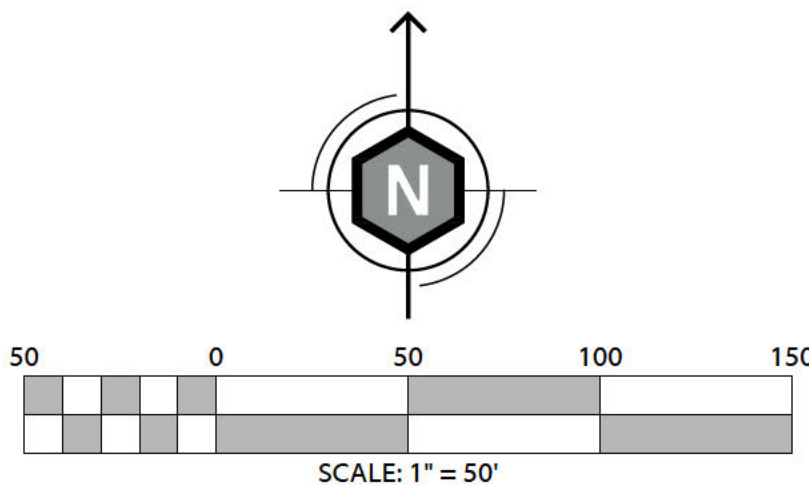
SCALE:
1:50

WATSON PROJECT No.:
22-6125

FILE:
MYNARCIK SURVEY.DWG

Sheet
1 of 2

PLAT AMENDMENT
LOTS 2, 4, 6, 8, 20, 23, 25, 27
CEDAR BREAKS MOUNTAIN ESTATES, UNIT A
WITHIN THE NE $\frac{1}{4}$ OF SECTION 2, TOWNSHIP 36 SOUTH, RANGE 9 WEST, SALT LAKE MERIDIAN
BRIAN HEAD, IRON COUNTY, UTAH



NARRATIVE

THIS PLAT AMENDMENT WAS COMPLETED AT THE REQUEST OF MR. TIGER MYNARCIK TO IDENTIFY THE SUBJECT PROPERTY BOUNDARY, COMBINE THE SUBJECT LOTS BY VACATING THE COMMON LOT LINES AND RIGHT-OF-WAY AS SHOWN, AND MONUMENT THE MISSING PROPERTY CORNERS ON THE GROUND.

EXISTING MONUMENTS WERE FOUND AS SHOWN HEREON. THE EAST BOUNDARY OF THE SUBJECT SUBDIVISION AND WEST LINE OF ASPIN LANE RIGHT-OF-WAY (R.O.W.) WAS ESTABLISHED BETWEEN THE PLATT $\frac{1}{2}$ " REBAR & CAP (R&C) FOUND AT THE NORTHEAST CORNER OF LOT 1 AND THE NORTHEAST CORNER OF LOT 9, RESPECTIVELY. THE NORTH BOUNDARY OF THE SUBJECT SUBDIVISION WAS ESTABLISHED BETWEEN A WATSON $\frac{1}{2}$ " R&C FOUND AT THE NORTHWEST CORNER OF LOT 37 AND SAID PLATT $\frac{1}{2}$ " R&C FOUND AT THE NORTHEAST CORNER OF LOT 1. THE WEST LINE OF LOTS 20, 23, 25, 27 WAS ESTABLISHED FROM THE $\frac{1}{2}$ " REBAR FOUND AT THE WESTERLY CORNERS OF LOTS 25 & 27 RESPECTIVELY. THE SOUTH LINE OF LOTS 5, 6, & 25 WAS ESTABLISHED FROM THE FOUND MONUMENTS AT THE SOUTH LINE OF SAID LOTS. THE LOTS AS SHOWN HEREON WERE PROPORTIONED WITHIN THE ESTABLISHED BOUNDARY.

NO INVESTIGATION OR INDEPENDENT SEARCH HAS BEEN MADE FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

AMENDED LOT DESCRIPTIONS

LOT 2A
ALL OF LOTS 2, 4, 20, 23, & 25, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND A PORTION OF VACATED MOUNTAIN VIEW DRIVE RIGHT-OF-WAY.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ORIGINAL LOT 2, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE EAST LINE OF SAID LOT 2, 500°30'32"W 299.58' TO THE SOUTHEAST CORNER OF ORIGINAL LOT 4; THENCE ALONG THE SOUTH LINE OF SAID LOT 4, N89°31'56"W 165.27' TO A POINT ON THE ORIGINAL CENTERLINE OF THE MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.); THENCE ALONG SAID R.O.W. CENTERLINE, 500°31'55"W 149.89' TO A POINT INTERSECTING WITH THE PROJECTED SOUTH LINE OF ORIGINAL LOT 25 AND SAID R.O.W. CENTERLINE; THENCE ALONG THE SOUTH LINE OF SAID LOT 25, N89°33'54"W 166.13' TO THE SOUTHWEST CORNER OF SAID LOT 25; THENCE ALONG THE WEST LINE OF SAID LOT 25, N00°32'21"E 449.95' TO THE NORTHWEST CORNER OF ORIGINAL LOT 20; THENCE ALONG THE NORTH LINE OF SAID LOT 20, S89°27'59"E 331.21' TO THE NORTHEAST CORNER OF SAID ORIGINAL LOT 2 AND POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 2.85 ACRES.

RESERVING A 20' WIDE INGRESS/EGRESS ACCESS EASEMENT ACROSS THE SOUTH 20' OF LOT 3, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 6A
ALL OF LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND THE EAST HALF OF THE ORIGINAL MOUNTAIN VIEW DRIVE RIGHT-OF-WAY ALONG THE WEST LINE OF SAID LOT 6.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ORIGINAL LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE NORTH LINE OF SAID LOT 6, N89°31'56"W 165.27' TO A POINT ON THE ORIGINAL CENTERLINE OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.); THENCE ALONG SAID R.O.W. CENTERLINE, 500°31'55"W 149.89' TO A POINT INTERSECTING WITH THE PROJECTED SOUTH LINE OF SAID LOT 6 AND SAID R.O.W. CENTERLINE; THENCE ALONG THE SOUTH LINE OF SAID LOT 6, S89°33'54"E 165.33' TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE ALONG THE EAST LINE OF SAID LOT 6, N00°30'32"E 149.79' TO THE NORTHEAST CORNER OF SAID ORIGINAL LOT 6 AND THE POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 0.57 ACRES.

RESERVING A 20' WIDE INGRESS/EGRESS ACCESS EASEMENT ACROSS THE SOUTH 20' OF LOT 5, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 8A
ALL OF LOT 8, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND A PORTION OF THE EAST HALF OF THE ORIGINAL MOUNTAIN VIEW DRIVE RIGHT-OF-WAY ALONG THE WEST LINE OF SAID LOT 8.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ORIGINAL LOT 8, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE EAST LINE OF SAID LOT 8, 500°30'32"W 149.79' TO THE SOUTHEAST CORNER OF SAID LOT 8 AND A POINT ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF PINE TRAIL; THENCE ALONG SAID NORTH R.O.W. LINE AND THE SOUTH LINE OF SAID LOT 8, N89°35'53"W 150.39' TO THE SOUTHWEST CORNER OF SAID LOT 8, AND EAST LINE OF MOUNTAIN VIEW DRIVE R.O.W.; THENCE ALONG SAID R.O.W. LINE AND WEST LINE OF SAID LOT 8, N00°31'55"E 45.00'; THENCE DEPARTING SAID R.O.W. N89°35'53"W 15.00' TO A POINT ON THE CENTERLINE OF SAID R.O.W.; THENCE ALONG SAID R.O.W. CENTERLINE N00°31'55"E 104.89' TO A POINT AT THE INTERSECTION OF SAID R.O.W. CENTERLINE AND A PROJECTION OF THE NORTH LINE OF SAID LOT 8; THENCE ALONG THE NORTH LINE OF SAID LOT 8, S89°33'54"E 165.33' TO THE NORTHEAST CORNER OF SAID ORIGINAL LOT 8 AND POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 0.57 ACRES.

LOT 27A
ALL OF LOT 27, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND A PORTION OF THE WEST HALF OF THE ORIGINAL MOUNTAIN VIEW DRIVE RIGHT-OF-WAY ALONG THE EAST LINE OF SAID LOT 27.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF ORIGINAL LOT 27, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE WEST LINE OF SAID LOT 27, 500°32'21"W 149.98' TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE ALONG THE SOUTH LINE OF SAID LOT 27, S89°35'53"E 151.15' TO THE SOUTHEAST CORNER OF SAID LOT AND WEST LINE OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.); THENCE ALONG SAID R.O.W. LINE AND EAST LINE OF SAID LOT 27, N00°31'55"E 45.00'; THENCE DEPARTING SAID R.O.W. S89°35'53"E 15.00' TO A POINT ON THE CENTERLINE OF SAID R.O.W.; THENCE ALONG SAID R.O.W. CENTERLINE N00°31'55"E 104.89' TO A POINT AT THE INTERSECTION OF SAID R.O.W. CENTERLINE AND A PROJECTION OF THE NORTH LINE OF SAID LOT 27; THENCE ALONG THE NORTH LINE OF SAID LOT 27, N89°33'54"W 166.13' TO THE NORTHWEST CORNER OF SAID ORIGINAL LOT 27 AND POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 0.56 ACRES.

VACATED RIGHT-OF-WAY DESCRIPTIONS

LOT 2A
THAT PORTION OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.) FROM THE R.O.W. BOUNDARY TO THE CENTERLINE OF SAID R.O.W., FRONTING LOTS 2, 4, 20, 23, AND 25, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 6A
THAT PORTION OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.) FROM THE R.O.W. BOUNDARY TO THE CENTERLINE OF SAID R.O.W., BEING 15 FEET IN WIDTH, FRONTING LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 8A
THAT PORTION OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.) FROM THE R.O.W. BOUNDARY TO THE CENTERLINE OF SAID R.O.W., BEING 15 FEET IN WIDTH, FRONTING LOT 8, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, EXCEPTING THEREFROM THE SOUTH 45.00 FEET.

LOT 27A
THAT PORTION OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.) FROM THE R.O.W. BOUNDARY TO THE CENTERLINE OF SAID R.O.W., BEING 15 FEET IN WIDTH, FRONTING LOT 8, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, EXCEPTING THEREFROM THE SOUTH 45.00 FEET.

BASIS OF BEARING

THE BASIS OF BEARING IS 500°29'40"W ALONG THE EAST BOUNDARY OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, FROM THE NORTHEAST CORNER OF LOT 1 TO THE NORTHEAST CORNER OF LOT 9, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, WITHIN SECTION 2, TOWNSHIP 36 SOUTH, RANGE 9 WEST, SALT LAKE MERIDIAN.

REFERENCE PLATS

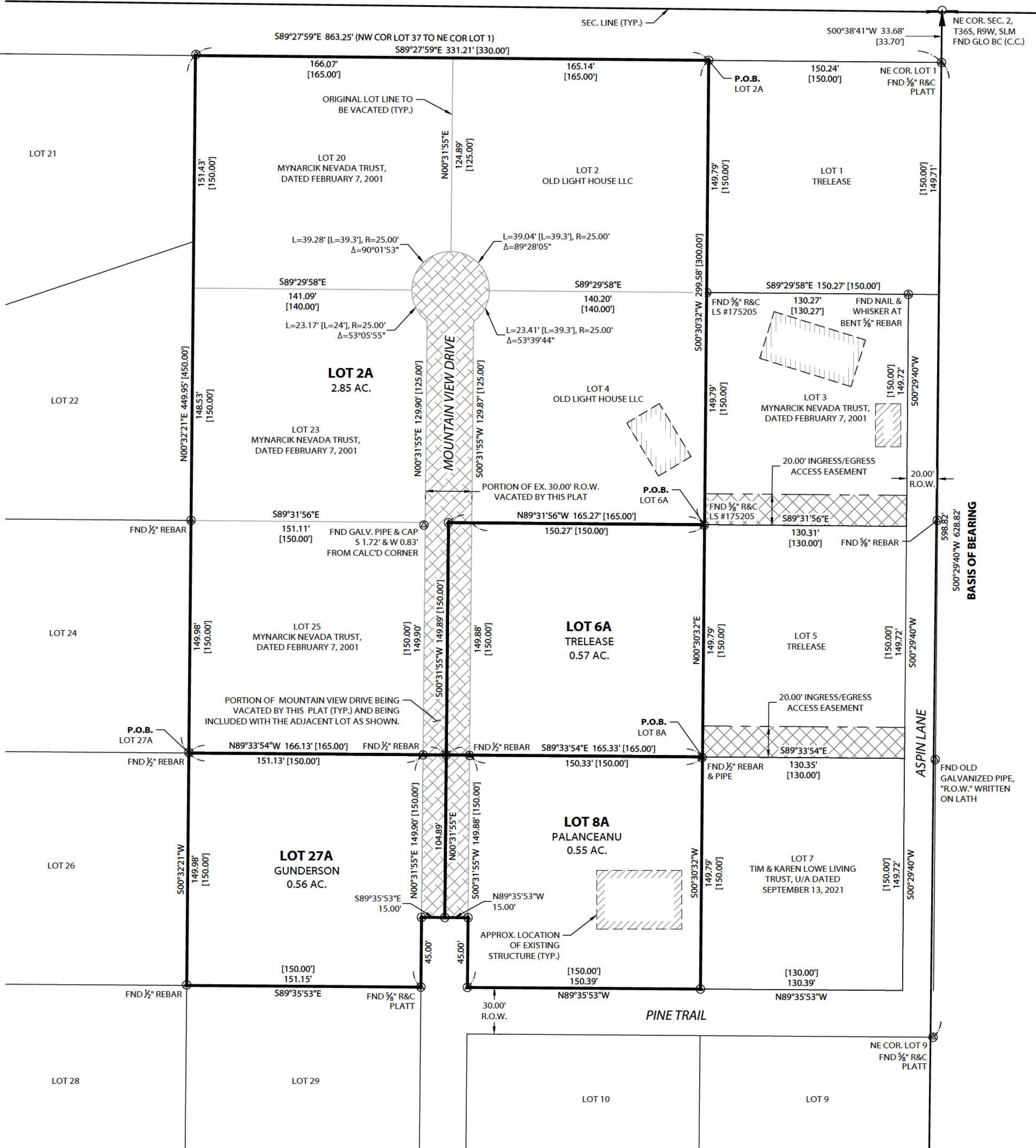
1. CEDAR BREAKS MOUNTAIN ESTATES, UNIT A - BY PLATT, DATE: 03-01-1962.
2. RECORD OF SURVEY FOR STANLEY & PEGGY MEER - BY PLATT & PLATT, PLAT #2907, FILE DATE: 11-22-2016.

NOTES

1. EXISTING STRUCTURES ARE SHOWN ARE APPROXIMATE, AND FOR REFERENCE ONLY.

LEGEND

- FOUND PROPERTY CORNER, AS SHOWN
- SET $\frac{1}{2}$ " REBAR & CAP, PLS #11864106
- PROPERTY LINE
- SECTION LINE
- - - NEW EASEMENT, AS NOTED
- [00.00'] RECORD DISTANCE
- 00.00' MEASURED DISTANCE
- PROPOSED R.O.W. VACATION





Ciera Claridge <cclaridge@bhtown.utah.gov>

Cedar Breaks Mountain Estates Minor Plat Amendment

AR2M Properties, LLC [REDACTED] >
To: cclaridge@bhtown.utah.gov

Mon, Jul 28, 2025 at 2:59 PM

Robert Martinez

Cedar Breaks Mountain Estates

Lot 29 Property Owner

Dear Planning Commission,

I recently received a copy of the plat map for the area surrounding Cedar Breaks Mountain Estates Lots 2,4,6,20,23,25, and 27, and I noticed that the road names shown on the plat differ from those listed on Google Maps and other mapping services (see attachments). For clarity and future reference, I would appreciate confirmation of the official names of the streets in this area, particularly those immediately adjacent to my property.

Additionally, I would like to better understand how the recent or proposed amendments to the lots in this area may impact future development—specifically in terms of road infrastructure, including water and sewer access, road paving, and overall street maintenance. Will these changes affect snow removal efforts or alter how the town maintains this road during the winter season?

Thank you for your assistance in clarifying these details. Please feel free to contact me at [REDACTED] or [REDACTED] if additional information is needed.

Sincerely,
Robert Martinez

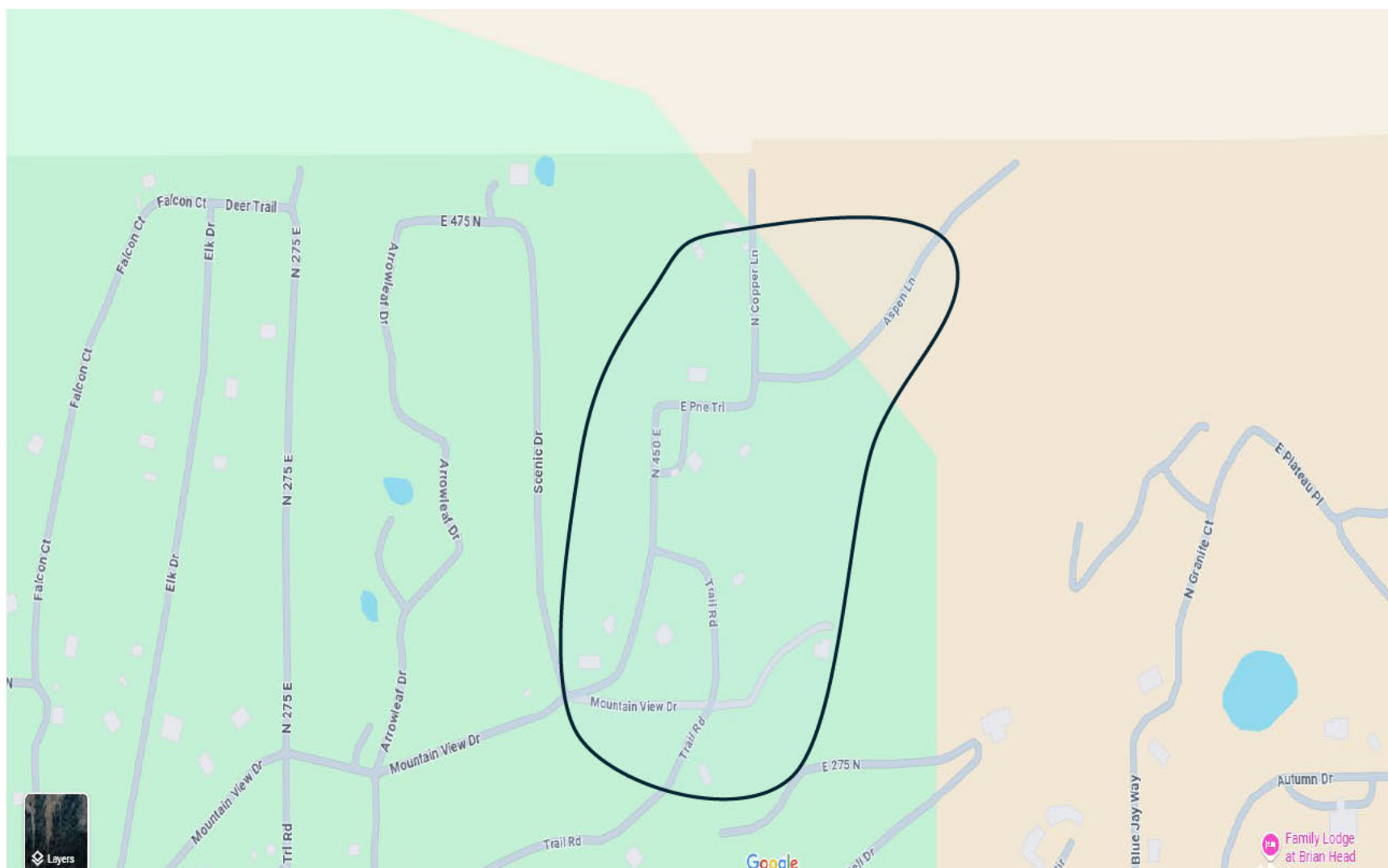
2 attachments



Mynarick Public Notice 7-21-25.pdf
398K



Brian Head Map.docx
248K





ITEM: MYNARCIK MINOR PLAT AMENDMENT

AUTHOR: Greg Sant
DEPARTMENT: Building and Planning
DATE: August 5, 2025
TYPE OF ITEM: Legislative Action

SUMMARY:

Staff received an application for a Minor Plat Amendment on July 7, 2025 to vacate four property lines and a portion of Mountain View Drive to create one large lot that is designed to be preserved as an open meadow.

BACKGROUND:

The applicant met with staff in June 2025 to look at preserving the meadow that is located at the end of Mountain View Dr (actually 450 East). There are five landowners that are affected by this amendment, and it has been represented to Town Staff that all are amenable to this concept. The amended plat has space for each of these owners to sign, indicating their approval.

Furthermore, a portion of 450 East will be vacated, deeding property to the larger parcel being created as well as a few of the landowners. Lots 6A, 8A and 27A will receive that property as well as the larger lot that is owned by the Applicant. The forty-five-foot portion of 450 East that remains along lots 8A and 27A will serve as the only access for lot 27A and because it is not over 100 feet in length it does not require a turnaround or hammerhead. Staff has talked to the lot owner of 27A and they have verbally agreed to this change to their lot frontage.

ANALYSIS:

If this is approved by the Planning Commission, then the road vacation for 450 East will need to go to the Town Council and council will need to vacate the road through a Town Resolution. Vacating the road also leaves 2 parcels without public road access. Lot 6A will no longer have access to their property from 450 East and would now rely on a 20-foot-wide access easement on lot 5. As you can see at this time both lots are owned by the same individual, however they could sell these lots in the future. Also, the large lot created to preserve the meadow would only have access to a public road through a 20-foot-wide access easement on lot 3. All of those lots are owned by the Applicant. It is important to note that this road vacation will be non-reversible.

This 20-foot-wide access easement is a quasi-Flag lot situation. Our Land Management Code indicates that all lots must have a forty-five-foot frontage on a public road. The LMC does not have a provision for a flag lot. Because of this, Staff recommends that we amend the LMC to allow for this type of a lot. If approved by the commission, then this arrangement would meet that definition and be allowed. The 20-foot width is the same width of Aspin Lane (actually Copper Lane) that provides access to those flag lots.

After receiving the Title Report, it appears that there are 3 owners that have liens against their property that will require the lender to sign on the plat. Two of the owners with a lien are actually self-financed and upon showing proof of this can be eliminated from having to sign. The third parcel could be mitigated by having 450 East vacated after lots 8A and 27A.

STAFF RECOMMENDATION:

Staff recommends that the commission approve the Minor Plat Amendment, however there are a few things that need to happen before this Amended plat can be recorded:

1. The road names need to be changed on the amended plat – Mountain View to 450 East and Aspin Lane to Copper Lane.
2. The LMC needs to be amended to allow Flag Lots as outlined in the Flag Lot Staff Report.
3. The amended plat needs to be changed to show the Flag Lots rather than the easements shown currently.
4. The Town Council needs to vacate a portion of 450 East.
5. Lender signature blocks if required.

PROPOSED MOTION:

I move to approve the Mynarcik Minor Plat Amendment upon the completion of the Staff Recommendations stated within this Staff Report.

ATTACHMENTS:

A – Proposed Amended Plat



**WATSON
ENGINEERING
COMPANY, INC.**

472 N 2150 W, Suite 7
Cedar City, UT 84721

Tel. (435) 586-3004

www.wecinc.com

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PLAT AMENDMENT
CEDAR BREAKS MOUNTAIN ESTATES, UNIT A

LOTS, 2, 4, 6, 8, 20, 23, 25, 27
WITHIN SEC. 2, T. 36 S., R. 9 W., S.L.M.
BRIAN HEAD, IRON COUNTY, UTAH

~ PRELIMINARY ~
FOR REVIEW

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D. T. BROWN

CHECKED BY:
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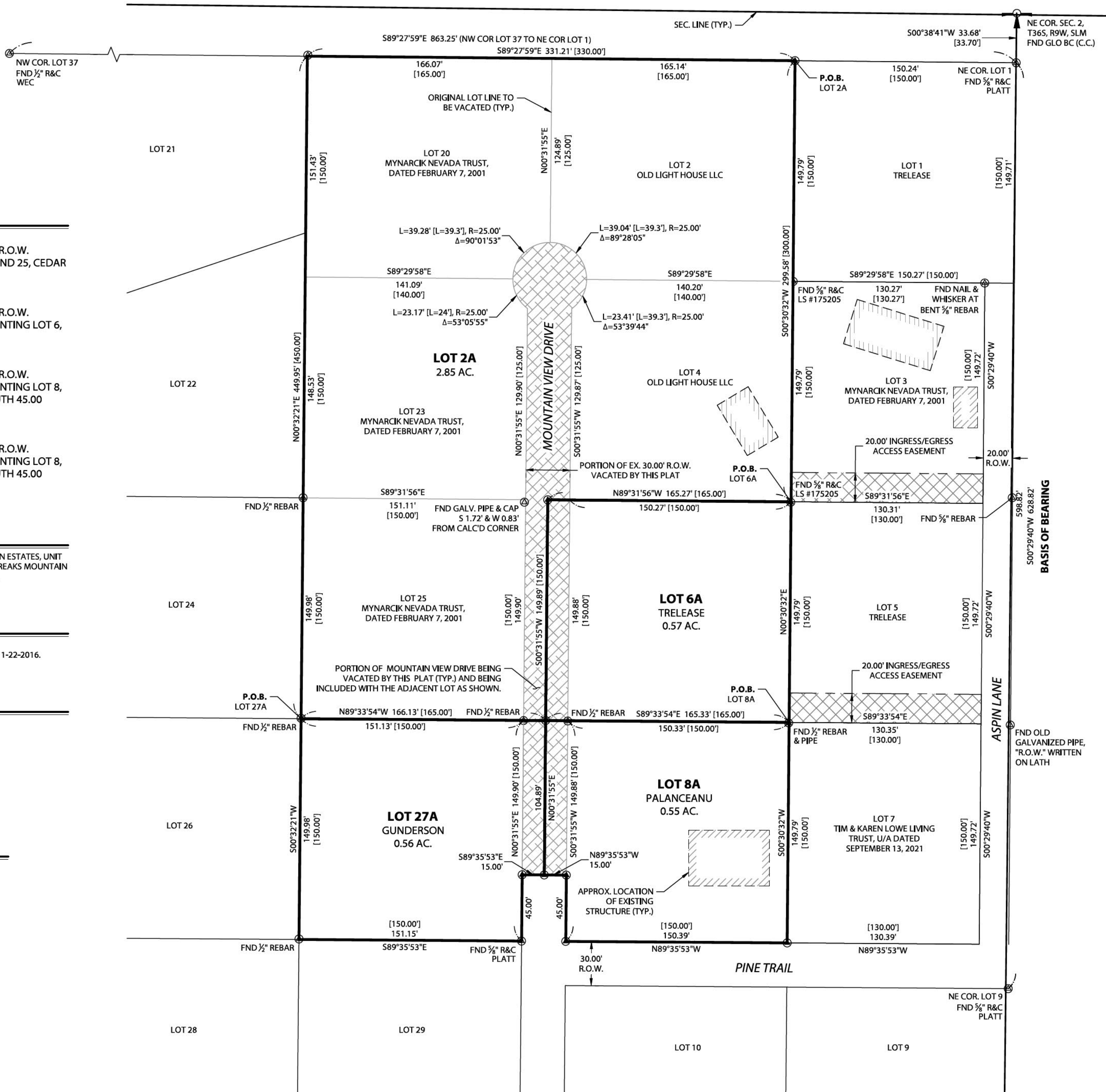
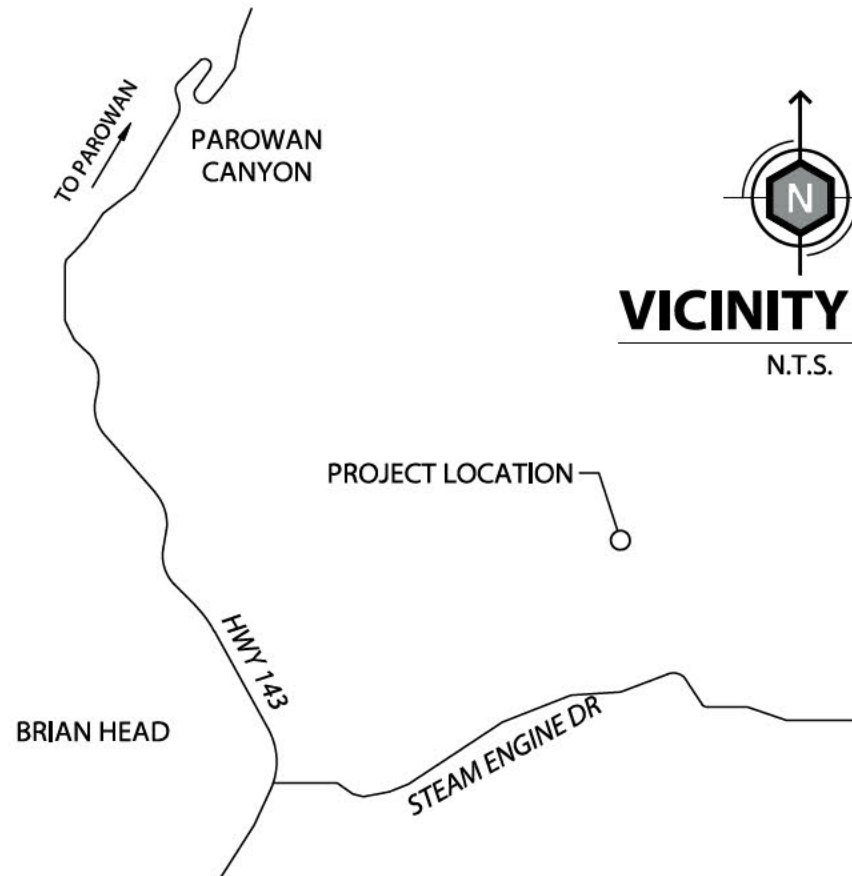
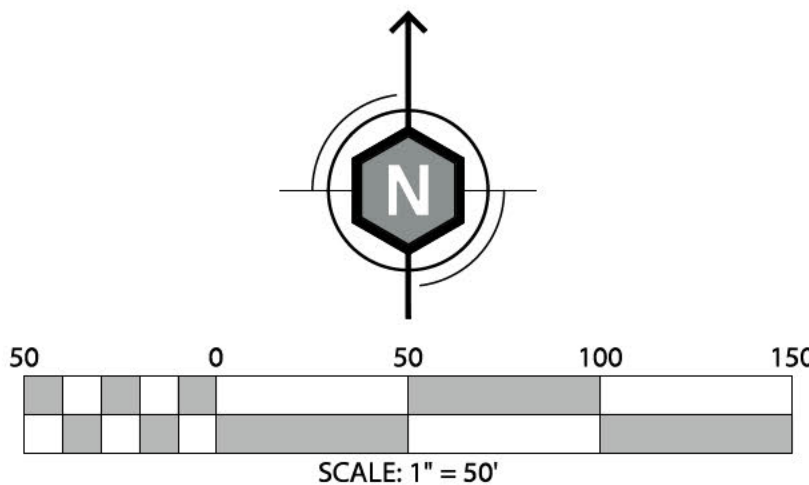
SCALE:
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WATSON PROJECT No.:
22-6125

FILE:
MYNARCİK SURVEY.DWG

Sheet 1 of 2

PLAT AMENDMENT
LOTS 2, 4, 6, 8, 20, 23, 25, 27
CEDAR BREAKS MOUNTAIN ESTATES, UNIT A
WITHIN THE NE ¼ OF SECTION 2, TOWNSHIP 36 SOUTH, RANGE 9 WEST, SALT LAKE MERIDIAN
BRIAN HEAD, IRON COUNTY, UTAH



VACATED RIGHT-OF-WAY DESCRIPTIONS

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LOT 27A
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LEGEND

- ⊙ FOUND PROPERTY CORNER, AS SHOWN
- ⊙ SET ½" REBAR & CAP, PLS #11864106
- PROPERTY LINE
- SECTION LINE
- - - NEW EASEMENT, AS NOTED
- [00.00'] RECORD DISTANCE
- 00.00' MEASURED DISTANCE
- [X] PROPOSED R.O.W. VACATION

NARRATIVE

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RESERVING A 20' WIDE INGRESS/EGRESS ACCESS EASEMENT ACROSS THE SOUTH 20' OF LOT 3, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 6A
ALL OF LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND THE EAST HALF OF THE ORIGINAL MOUNTAIN VIEW DRIVE RIGHT-OF-WAY ALONG THE WEST LINE OF SAID LOT 6.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ORIGINAL LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE NORTH LINE OF SAID LOT 6, N89°31'56"W 165.27' TO A POINT ON THE ORIGINAL CENTERLINE OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.); THENCE ALONG SAID R.O.W. CENTERLINE, 500°31'55"W 149.89' TO A POINT INTERSECTING WITH THE PROJECTED SOUTH LINE OF SAID LOT 6 AND SAID R.O.W. CENTERLINE; THENCE ALONG THE SOUTH LINE OF SAID LOT 6, S89°33'54"E 165.33' TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE ALONG THE EAST LINE OF SAID LOT 6, N00°30'32"E 149.79' TO THE NORTHEAST CORNER OF SAID ORIGINAL LOT 6 AND THE POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 0.57 ACRES.

RESERVING A 20' WIDE INGRESS/EGRESS ACCESS EASEMENT ACROSS THE SOUTH 20' OF LOT 5, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 8A
ALL OF LOT 8, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND A PORTION OF THE EAST HALF OF THE ORIGINAL MOUNTAIN VIEW DRIVE RIGHT-OF-WAY ALONG THE WEST LINE OF SAID LOT 8.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ORIGINAL LOT 8, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE EAST LINE OF SAID LOT 8, 500°30'32"W 149.79' TO THE SOUTHEAST CORNER OF SAID LOT 8 AND A POINT ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF PINE TRAIL; THENCE ALONG SAID NORTH R.O.W. LINE AND THE SOUTH LINE OF SAID LOT 8, N89°35'53"W 150.39' TO THE SOUTHWEST CORNER OF SAID LOT 8, AND EAST LINE OF MOUNTAIN VIEW DRIVE R.O.W.; THENCE ALONG SAID R.O.W. LINE AND WEST LINE OF SAID LOT 8, N00°31'55"E 45.00'; THENCE DEPARTING SAID R.O.W. N89°35'53"W 15.00' TO A POINT ON THE CENTERLINE OF SAID R.O.W.; THENCE ALONG SAID R.O.W. CENTERLINE N00°31'55"E 104.89' TO A POINT AT THE INTERSECTION OF SAID R.O.W. CENTERLINE AND A PROJECTION OF THE NORTH LINE OF SAID LOT 8; THENCE ALONG THE NORTH LINE OF SAID LOT 8, S89°33'54"E 165.33' TO THE NORTHEAST CORNER OF SAID ORIGINAL LOT 8 AND POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 0.57 ACRES.

LOT 27A
ALL OF LOT 27, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND A PORTION OF THE WEST HALF OF THE ORIGINAL MOUNTAIN VIEW DRIVE RIGHT-OF-WAY ALONG THE EAST LINE OF SAID LOT 27.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF ORIGINAL LOT 27, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE WEST LINE OF SAID LOT 27, 500°32'21"W 149.98' TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE ALONG THE SOUTH LINE OF SAID LOT 27, S89°35'53"E 151.15' TO THE SOUTHEAST CORNER OF SAID LOT AND WEST LINE OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.); THENCE ALONG SAID R.O.W. LINE AND EAST LINE OF SAID LOT 27, N00°31'55"E 45.00'; THENCE DEPARTING SAID R.O.W. S89°35'53"E 15.00' TO A POINT ON THE CENTERLINE OF SAID R.O.W.; THENCE ALONG SAID R.O.W. CENTERLINE N00°31'55"E 104.89' TO A POINT AT THE INTERSECTION OF SAID R.O.W. CENTERLINE AND A PROJECTION OF THE NORTH LINE OF SAID LOT 27; THENCE ALONG THE NORTH LINE OF SAID LOT 27, N89°33'54"W 166.13' TO THE NORTHWEST CORNER OF SAID ORIGINAL LOT 27 AND POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 0.56 ACRES.



**WATSON
ENGINEERING
COMPANY, INC.**

472 N 2150 W, Suite 7
Cedar City, UT 84721

Tel. (435) 586-3004

www.wecinc.com

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Watson Engineering Co.

PLAT AMENDMENT
CEDAR BREAKS MOUNTAIN ESTATES, UNIT A
LOTS, 2, 4, 6, 8, 20, 23, 25, 27
WITHIN SEC. 2, T. 36 S., R. 9 W., S. 14 M.
BRIAN HEAD, IRON COUNTY, UTAH

~ PRELIMINARY ~
FOR REVIEW

DRAWN BY:
D. T. BROWN

CHECKED BY:
T. G. WATSON

DATE:
July 1, 2025

SCALE:
N.T.S.

WATSON PROJECT No.:
22-6125

FILE:
MYNARCIK SURVEY.DWG

Sheet 2 of 2

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

KELLEN GUNDERSON

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

COMMISSION EXPIRES

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

DANUT PALANCEANU

LUMINITA PALANCEANU

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

COMMISSION EXPIRES

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

MORGAN TRELEASE

WILLIAM LARSEN TRELEASE

ASHLEY VERLING

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

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COMMISSION EXPIRES

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

COMMISSION EXPIRES

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

COMMISSION EXPIRES

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

BY: MYNARCIK NEVADA TRUST, DATED FEBRUARY 7, 2001

TIGER W. MYNARCIK - INVESTMENT TRUSTEE

JILL M. CHILDS-MYNARCIK - INVESTMENT TRUSTEE

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, TRUSTEES OF

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

COMMISSION EXPIRES

BY: MYNARCIK NEVADA TRUST, DATED FEBRUARY 7, 2001

BRANDON MYNARCIK - DISTRIBUTION TRUSTEE

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, TRUSTEE OF THE

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

COMMISSION EXPIRES

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

BY: OLD LIGHT HOUSE, LLC, A NEVADA LIMITED LIABILITY COMPANY

MANAGING MEMBER

ACKNOWLEDGEMENT

STATE OF)

S.S.

COUNTY OF)

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____

A NOTARY PUBLIC, _____, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

RESIDING IN THE COUNTY OF

STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

COMMISSION EXPIRES



ITEM: PROPOSED CHANGE TO LMC - FLAG LOTS

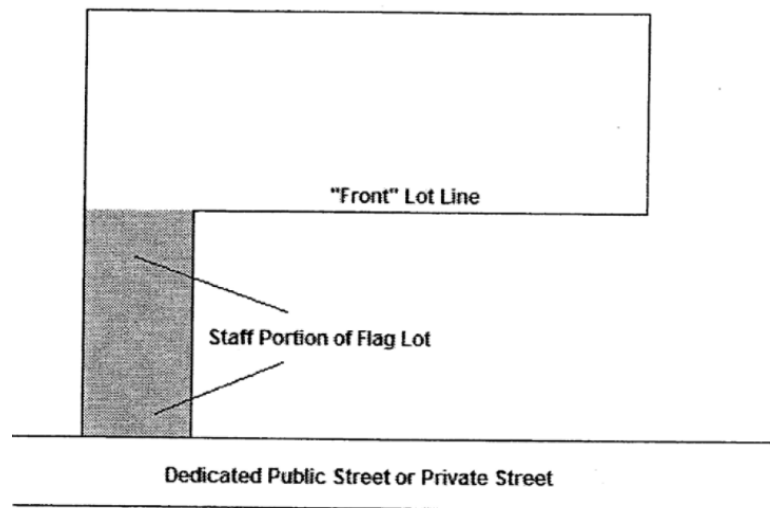
AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: August 5, 2025
TYPE OF ITEM: Discussion

SUMMARY:

The Planning Commission will discuss the need for a change to the LMC regarding Flag Lots being permitted under certain circumstances.

BACKGROUND:

The Minor Plat Amendment being proposed by Tiger Mynarcik is asking for an easement access to lots that will no longer have access from a recorded Brian Head Town right-of-way. Staff questioned whether there was another way to address the situation, and Flag Lots were discussed. A flag lot shall be comprised of a staff (narrow) portion that is contiguous with a flag (wide) portion as shown below.



Our Land Management Code indicates that all lots must have forty-five-foot frontage on a public road. The LMC does not have a provision for a flag lot and would require any easement, giving access to the lot off the road to be forty-five feet wide. Furthermore, an easement frontage is not the same thing as lot frontage. Because of this, Staff recommends that we consider amending the LMC to directly address flag lots. Finally, there are many locations in our Town where a Flag Lot could give access to existing land-locked lots and that could allow the Town to preserve open space, trees and natural vegetation rather than build a road.

ANALYSIS:

Staff have looked at the Hurricane City and Springdale Town ordinances regarding Flag Lot and have found the following:

The Springdale Flag Lot ordinance starts off with “the unique topographical, geological and visual character of the Town adds a dimension of difficulty not typical in most Towns and cities. Most established lots in the Town lack frontage on a dedicated street, widths are restricted by existing structures, and foothill locations would be detrimentally affected by the pavement and width requirements of a dedicated street. Therefore, flag lots and private lanes may be developed in accordance with the special provisions herein.” Brian Head Town could say something similar, however, most established lots do have frontage.

Hurricane City on the other hand thinks differently and states “A flag lot for one single-family dwelling may be allowed to accommodate the development of property that otherwise could not reasonably be developed under the regulations contained in this title or other titles adopted by the City. The primary purpose of this section is not to make development of property easier and more profitable. Rather, it is to serve as a "last resort" for property which may not otherwise be reasonably developed.” Staff believe that the use of Flag Lots in Brian Head should be a combination of these 2 land use policies.

By combining these 2 policies staff have come up with the following guidelines for the use of Flag Lots in Brian Head:

1. More than two flag lots with contiguous staffs should be avoided;
2. Creation of a flag lot should not foreclose the possibility of future development of other large interior parcels that are not developable unless a street is extended to them across other adjacent properties.
3. The staff portion of the flag lot shall be improved with a compacted gravel or other all-weather surface. The driving surface shall be well maintained, it shall be readily passable by a standard passenger car and standard emergency vehicle, and it shall be constructed to the minimum standards specified by the Town Engineer. An easement shall be recorded along the staff portion of the flag lot providing access for installation and maintenance of utility lines and services, emergency vehicle access and access of Town or other public personnel or vehicles as may be required to carry out the responsibilities of the Town and other governmental entities. Public services, such as garbage collection, will be at the dedicated street only.
4. The staff portion of a flag lot shall front on a dedicated public street or private street. The minimum width of the staff portion of said lot shall be 20 feet. If the staff portion of the flag lot is 150 feet or longer, a wider emergency vehicle access could be required, per the specifications of the fire marshal.
5. The size of the flag portion of a lot shall conform to the minimum lot size requirement of the zone in which the lot is located. Sufficient turnaround space per the fire code shall be provided.
6. No building or structure shall be located within the staff portion of a flag lot.
7. The front yard of a flag lot shall be on the side of the flag portion which connects to the staff. Yard setbacks shall conform to the setback requirements of the zone in which the flag lot is located. No part of the staff portion of the lot shall be used to meet any setback requirement.
8. The Town shall have no maintenance responsibility for the roadway on the staff portion of the flag lot.

9. A main building shall be located no more than 250 feet from a fire hydrant, measured along a public or private right-of-way or along the staff portion of a flag lot. An easement for any fire hydrant located on private property shall be provided to the City for access to and maintenance of the hydrant.
10. Upon review, the City may require installation of curb, gutter and other drainage control measures in the staff portion of a flag lot to prevent runoff from entering neighboring properties.
11. Clear address signage shall be installed and maintained at the street by the owner, including notice that the driveway is a private right-of-way.
12. During the construction of the home, no building materials, dumpsters, toilets or parking will be allowed on the staff portion of the lot as to keep it clear for emergency vehicles.
13. The lot shall meet all size and setback requirements of the zone in which the lot is located.
14. No part of the staff portion of the flag lot may serve more than one flag lot.
15. The maximum slope for the staff portion of the flag lot to be 12%.

Any change to the LMC would address these issues.

STAFF RECOMMENDATION:

It is the recommendation of Staff that this change to the LMC be approved once it has received input from the public.

PROPOSED MOTION:

No motion, discussion item only.

ATTACHMENTS:

A – Hurricane City and Springdale Town policies.

Hurricane City

- **Sec. 10-37-10. - Flag lots.**

A flag lot for one single-family dwelling may be allowed to accommodate the development of property that otherwise could not reasonably be developed under the regulations contained in this title or other titles adopted by the City. The primary purpose of this section is not to make development of property easier and more profitable. Rather, it is to serve as a "last resort" for property which may not otherwise be reasonably developed.

A. *Factors.* When property is subdivided, flag lots shall not be approved by right but may be allowed after considering the following:

1. More than two flag lots with contiguous staffs should be avoided;
2. Whether development of the property in question under normal City land use and subdivision regulations is reasonable and practical; and
3. Creation of a flag lot should not foreclose the possibility of future development of other large interior parcels that are not developable unless a street is extended to them across other adjacent properties.

B. *Development standards.* When flag lots are permitted, they shall be subject to the following conditions:

1. A flag lot shall be comprised of a staff (narrow) portion that is contiguous with a flag (wide) portion.
2. The staff portion of the lot shall front on and be contiguous to a public street. The minimum width of the staff portion at any point shall be 26 feet. However, a greater staff width for lots within the sensitive lands overlay zone may be required. The maximum length of a staff shall be 500 feet. The maximum grade of a staff shall not exceed 12 percent.
3. The size of the flag portion of a lot shall conform to the minimum lot size requirement of the zone in which the lot is located. Sufficient turnaround space per the fire code shall be provided.
4. No building or structure shall be located within the staff portion of a flag lot.
5. The front yard of a flag lot shall be on the side of the flag portion which connects to the staff. Yard setbacks shall conform to the setback requirements of the zone in which the flag lot is located.

6. A main building shall be located no more than 250 feet from a fire hydrant, measured along a public or private right-of-way or along the staff portion of a flag lot. An easement for any fire hydrant located on private property shall be provided to the City for access to and maintenance of the hydrant.

7. Upon review the City may require installation of curb, gutter and other drainage control measures in the staff portion of a flag lot to prevent runoff from entering neighboring properties.

8. Clear address signage shall be installed and maintained at the street by the owner, including notice that the driveway is a private right-of-way.

9. The new residential structure to be constructed on a flag lot shall be no higher than the average height of all residential structures within a 300-foot radius of the proposed structure.

10. Before a flag lot is approved the joint utility committee must approve the design and location of all facilities needed to accommodate a single-family dwelling. Construction of the approved facilities must be complete before a building permit will be issued for the lot.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2007-17, 7-5-2007; Ord. 2008-10, 6-5-2008)

Springdale Town

- **10-25-8: - FLAG LOTS AND PRIVATE LANES ALLOWED:**

The unique topographical, geological and visual character of the Town adds a dimension of difficulty not typical in most Towns and cities. Most established lots in the Town lack frontage on a dedicated street, widths are restricted by existing structures, and foothill locations would be detrimentally affected by the pavement and width requirements of a dedicated street. Therefore, flag lots and private lanes may be developed in accordance with the special provisions herein.

- **10-25-9: - FLAG LOTS; SPECIAL PROVISIONS:**

Flag lots may be developed in the Town, subject to the requirements of this section:

A. Flag lots may only be developed if there is no feasible way the lot could be developed as a standard lot or that the property could be subdivided with standard lots, either at the present time or in the foreseeable future.

B. An easement shall be recorded along the staff portion of the flag lot providing access for installation and maintenance of utility lines and services, emergency vehicle access and

access of Town or other public personnel or vehicles as may be required to carry out the responsibilities of the Town and other governmental entities. Public services, such as garbage collection, will be at the dedicated street only.

C. The staff portion of a flag lot shall front on a dedicated public street or private street. The minimum width of the staff portion of said lot shall be 20 feet. If the staff portion of the flag lot is 150 feet or longer, an emergency vehicle access, built to the specifications of the fire marshal, shall be provided on the flag lot.

D. No building or construction, except for driveways and fences, shall be allowed on the staff portion of said lot. A minimum width of 20 feet along the entire length of the staff portion of the lot must be kept clear of obstructions, including storage of materials, general debris, and vegetation.

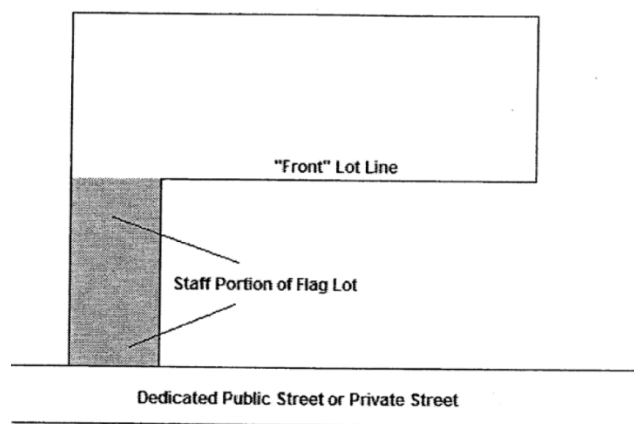
E. The lot shall meet all size and setback requirements of the zone in which the lot is located.

F. No part of the staff portion of the flag lot may serve more than one flag lot.

G. The staff portion of the flag lot shall not be closer to an adjacent dwelling than ten feet.

H. The staff portion of the flag lot shall be improved with a compacted gravel or other all-weather surface. The driving surface shall be well maintained, it shall be readily passable by a standard passenger car and standard emergency vehicle, and it shall be constructed to the minimum standards specified by the Town Engineer.

I. The front side of the flag lot shall be deemed to be the side nearest the street upon which the staff portion fronts. The front setback shall be measured from the lot line nearest the street on which the staff portion of the lot fronts as shown in the figure below. No part of the staff portion of the lot shall be used to meet any setback requirement.



J. The Town shall have no maintenance responsibility for the roadway on the staff portion of the flag lot.

K. No new flag lots shall be created in the Central Commercial or Village Commercial zones.