



Flying Hawk Lots 8 & 9 Minor Plat Amendment

Project: DEV-12112 | Flying Hawk Lots 8 & 9 Amended
Report Date: 27 March 2026
Report Author: Austin Corry, Assistant Director
Council Action Required: No
Type of Action: Administrative

Applicant: Ward Engineering Group
Address: 2537 East White Buffalo Drive
Existing Land Use: Residential
Existing Plat: 9 lots on 12.662 Acres
Proposed Amendment: Acreage label of Lots 8 & 9

DETERMINATION ISSUE

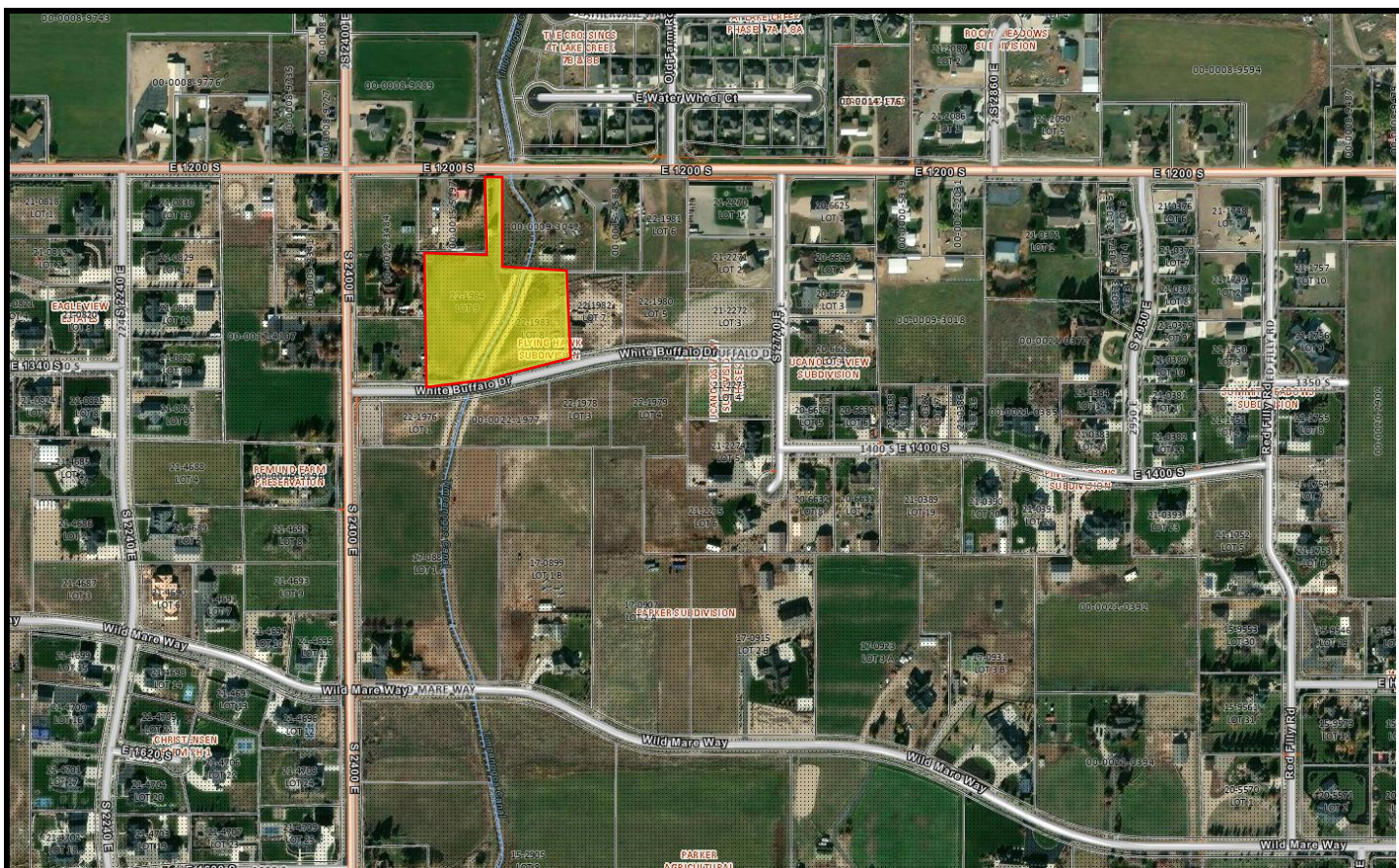
Whether or not the proposed plat amendment meets the standards for 'good cause' as required by Utah Code Annotated §17-27a-609 and other applicable ordinances governing the land use in Wasatch County. This determination is an administrative decision to be made by the Wasatch County Planning Commission.

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 listed in the staff report and subject to the following conditions:

1. The plat amendment shall not be recorded until the non-conforming shed is removed or a revised bond guaranteeing its removal is filed. Alternatively, the applicant may pursue a separate approval to adjust property boundaries through a legal mechanism that would bring the shed into compliance.
2. All issues raised by the DRC shall be resolved to the satisfaction of the relevant review department in accordance with applicable standards.

Administrative Land Use Committee Staff Report



BACKGROUND

The Flying Hawk Subdivision was recorded by plat on 14 March 2025. The plat was recorded with an error on the acreage labels for lots 8 and 9. Instead of having correctly calculated acreages, the labels show the total acreage of the two lots combined. The applicant is seeking to amend the plat or order to correct the labeling discrepancy. The actual boundaries of the lots are not being altered.

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. At the time of this report, no objections have been received in response to the notices sent.

KEY ISSUES TO CONSIDER

- Compliance with zoning requirements, including supplementary development standards.
- Compliance with UCA §17-79-712, and including WCC 16.04.02 definition of good cause.
- Non-conforming structure status.

STAFF ANALYSIS

– LAND USE AND DENSITY –

No changes to density or land use are proposed with this plat amendment. However, lot 9 contains a non-conforming structure that the approved development plans show as being removed. This condition from the original development remains incomplete.

– GOOD CAUSE –

UCA §17-79-712 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 correction to the lot acreage addresses an error on the recorded plat; however, the non-conforming shed on Lot 9 remains unresolved. The developer previously indicated they might seek a boundary adjustment to legalize the structure, but no formal application has been submitted, and the plat was recorded without resolving the issue. To correct the non-conformity, the shed must either be removed or a formal boundary adjustment must be processed. Resolving this condition is necessary to fully support a finding of good cause. Staff therefore recommends conditions requiring the issue to be resolved prior to the amended plat being recorded.

– PUBLIC RIGHT-OF-WAY OR EASEMENTS –

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

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.

RECOMMENDEDATION

Staff recommends the Administrative Land Use Committee Approve the proposed plat amendment consistent with the findings and subject to the conditions presented in the staff report.

– FINDINGS –

1. The subject properties total 3.65 acres per the applicant survey.
2. The subject property is in the Residential Agriculture 1 (RA-1) zone.
3. The RA-1 zone is a 5 acre minimum lot size zone, but allows a greater density of 1.3 acres per unit if certain criteria outlined in 16.08.04(C) of the Wasatch County Code are met.
4. Flying Hawk Lot 9 contains a non-conforming shed that was required to be removed under the original development approval.
5. Good cause for the amendment can exist to resolve non-conformities, including correcting mislabeled lots and addressing the required removal of the non-conforming shed.
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. Notice has been provided in compliance with state and local laws.
9. The proposal can be consistent with Utah Code §17-79-712 if the conditions of approval are satisfied.

– CONDITIONS –

1. The plat amendment shall not be recorded until the non-conforming shed is removed or a revised bond guaranteeing its removal is filed. Alternatively, the applicant may pursue a separate approval to adjust property boundaries through a legal mechanism that would bring the shed into compliance.
2. All issues raised by the DRC shall be resolved to the satisfaction of the relevant 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 Planning Commission 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 – Existing Subdivision Plat.....6

Exhibit B – Proposed Amended Plat.....7

Exhibit C – Excerpt from Existing Construction Documents 8

Exhibit D – DRC Report.....9

White Buffalo Partners/Flying Hawk Estates/Engineering/Design/Demo Plan.dwg



Exhibit D – DRC Report



Wasatch County DESIGN REVIEW COMMITTEE (DRC) COMMENTS

PROJECT ID: DEV-12112
PROJECT NAME: PLAT AM - FLYING HAWK AMENDED
SUBDIVISION
VESTING DATE: 3/9/2026
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
Recorder's Office	Ready for Decision
Planning Department	Ready for Decision
DRC - SSA 1 Water	Ready for Decision
GIS Department	Ready for Decision
Engineering Department	Ready for Decision
Sheriff's Office	Ready for Decision
DRC - Twin Creeks SSD	Ready for Decision
Health Department	Ready for Decision
Public Works Department	Ready for Decision
Fire SSD	Ready for Decision
County Surveyor	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-ENG1	ENG - Engineering	There is an existing shed in the north portion of Lot 9 that needs to be removed before the warranty bond can be released for the full subdivision. Another option that was previously discussed was amending the plat to adjust Lot 9 so this was added to the lot to the north of Lot 9. Recommend incorporating that adjustment into this amendment if that is the route the developer wants to go.
DRC-PLN1	PLN - Planners	Under UCA and county code 16.02.06, plat amendments can only be approved by the County if there can be a finding of good cause. While correcting the discrepancy in the acreage would resolve an issue in a good way, there are other unresolved issues with the original subdivision that will need to be resolved considering the length of time that has passed without progress being made. Namely, there is a non-conforming shed on Lot 9 that the original subdivision plans show as being removed, but it has not been removed. The developer in years past has indicated an intent to work with the adjacent property owner to adjust property lines in a way that would allow the shed to remain, but as to date, no formal requests to do so have been presented to the planning department. As such, this issue will continue to carry over as a condition of approval that encumbers lot 9 until resolved entirely.
FIRE-App-1	SSD - Fire SSD Approval	Access and fire flow to meet Wasatch Fire Districts Single Family Dwelling Guidelines.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

DRC - Engineering Dept		
Comment ID	Sheet Name	Comment
DRC-ENG1		There is an existing shed in the north portion of Lot 9 that needs to be removed before the warranty bond can be released for the full subdivision. Another option that was previously discussed was amending the plat to adjust Lot 9 so this was added to the lot to the north of Lot 9. Recommend incorporating that adjustment into this amendment if that is the route the developer wants to go.

DRC - Recorder Office		
Comment ID	Sheet Name	Comment
DRC-REC1	02b - Amended plat	COA: There is no narrative or note on the plat explaining what or

	Flying Hawk	why this plat is being amended.
DRC-REC2	02b - Amended plat Flying Hawk	COA: One Loan LLC and Ross D Stokes no longer have interest in these lots. Paul Jacobsen is on this plat and he owns lot 9. Steven W Dougherty and Kathy A Dougherty now own lot 8. The Owners Dedication Box will have to be updated and be specific as to which lot each person is signing for.
DRC-REC3	02b - Amended plat Flying Hawk	COA: There will need to be Quit Claim Deeds filed after the subdivision is recorded. One from PAUL JACOBSEN to PAUL JACOBSEN for Lot 9A of the amended subdivision and one from STEVEN W DOUGHERTY and KATHY A DOUGHERTY to STEVEN W DOUGHERTY and KATHY A DOUGHERTY for lot 8A of the amended plat.
DRC-REC4	02b - Amended plat Flying Hawk	I will approve this plat on the condition that my notes will be addressed and corrected when the plat is submitted to the Planning Department for the signature process.