



STAFF REPORT

To: Snyderville Basin Planning Commission (SBPC)
Report Date: October 7, 2010
Meeting Date: Tuesday, October 12, 2010
Author: Sean Lewis, County Planner
Project Name & Type: Summit Park Plat M-2 Plat Amendment / Lot Combination
Type of Item: Public Hearing and Possible Decision
Future Routing: N/A

EXECUTIVE SUMMARY: This application seeks to amend portions of Summit Park Plat M-2, to adjust the boundaries of lots 34, 35, and 36. Lots 34 and 36 would be expanded under this proposal, while lot 35 would be eliminated. This lot combination would result in the loss of one (1) unit of density from the Summit Park M-2 Plat.

Staff recommends that the SBPC conduct a public hearing and vote to approve the proposed amendment.

A. **Project Description**

- **Project Name:** Summit Park Plat M-2 Plat Amendment & Lot Combination
- **Applicant(s):** Charles Galati, GC-Surveying
- **Property Owner(s):** SU-M-2-34: Kevin Curtis
SU-M-2-35: Scott & Leere Aldrich
SU-M-2-36: Scott & Leere Aldrich
- **Location:** 275 Matterhorn Dr.
- **Zone District:** Hillside Stewardship (HS)
- **Setback Requirements:** Front: 15 feet unless > 30% slope, then 0 feet; Side/Rear: 12 feet;
- **Adjacent Land Uses:** Residential
- **Existing Uses:** Residential
- **Parcel Numbers and Sizes:** SU-M-2-34, 0.50 acres
SU-M-2-35, 0.48 acres
SU-M-2-36, 0.41 acres
- **Lot of Record Status:** Each affected lot is considered one (1) Lot of Record

B. **Community Review**

This item appears as a public hearing and was noticed in the October 2, 2010 edition of the *Park Record*. Staff also mailed postcards to property owners within 1000 feet of the subject parcels. Staff has received no public comment regarding this item at the time of this report.

C. **Background**

The Summit Park Plat M-2 Subdivision was originally recorded in 1969, prior to zoning regulations in Summit County, and has been amended once since that time to adjust the boundaries of lots 6, 7, 11, & 12. The current proposal seeks to adjust the lot lines of Summit Park Lots 34, 35, & 36. This change would increase the size of lots 34 & 36 while completely eliminating lot 35.

Lots 34 and 35 each feature an existing single family home. The home on lot 35 currently rests across the current boundary of lots 35 & 36. The applicant is seeking to remedy this situation in anticipation of selling the home. The owner of lot 34 also expressed interest in expanding the size of his lot; so Staff directed the applicant to combine the adjustments into one (1) Plat Amendment application for convenience in approvals and recordation of a final adjusted plat.

D. **Identification and Analysis of Issues**

Effects of Lot Combination:

The applicants have been made aware that once the lot combination process is complete, the unit of density associated with the removed lot is disqualified and not eligible for replatting anywhere in Summit County.

Snyderville Basin Service Providers:

This amendment was presented to Service Providers at the September 20, 2010 meeting. None of the Service Providers, including The Snyderville Basin Water Reclamation District voiced opposition to the proposed amendment.

E. **Consistency with the General Plan**

Summit Park is part of The Summit Neighborhood Planning Area. The goal of this planning area is to ***“Enhance the existing residential characteristics of the neighborhood in a manner, which is compatible with the mountain environment and avoids or modifies suburban land use patterns and characteristics. Ensure that all new development is appropriate with adequate amenities compatible with the surrounding mountain environment and neighborhood scale.”***

The General Plan encourages protection of areas such as mountain slopes and any area that can be viewed from Interstate 80. The Plan also states that development shall be integrated into the natural landscape.

The proposed lot combination will eliminate the possibility of another house being built between the two homes currently there. There will be no need for additional services nor any increased traffic or visual impacts as a result of this amendment. The proposal also will remedy the issue of the house that rests on the boundary of 35 & 36 by adjusting the boundary to include the entire house.

F. **Findings/ Code Criteria and Discussion**

Before an amendment to a recorded subdivision plat can be approved, it shall comply with the standards set forth in Section 10-3-18 of the Snyderville Basin development Code:

Grounds for Changing a Plat:

1. If the County Manager or Land Use Authority is satisfied that neither the public nor any person will be materially injured by the proposed vacation, alteration or amendment, and that there is good cause for the vacation, alteration or amendment, the County Manager or Land Use Authority, may vacate, alter or amend the plat, any portion of the plat, or any road or lot.

The applicants have shown that they do not feel that they will be materially injured by the proposed amendment as evidenced by applying for the amendment.

There is good cause for this amendment because if the applicants were to try to leave three (3) lots, the remaining vacant lot may be too small to meet current development standards as required by the Snyderville Basin Development Code. This correction of a nonconforming setback issue is also good cause.

2. No plat amendment shall be approved which results in an increase in density.

If approved, this amendment will decrease available density in the Summit Park Area.

G. **Recommendation(s)/Alternatives**

Staff recommends that the SBPC conduct a public hearing to gain input regarding this application; discuss the item; and approve the proposed amendment with the following findings and conditions:

Findings:

1. There is good cause for the amendment as it will allow for reduced density in the Summit Park area.
2. There is no evidence that the public will be materially injured by the approval of this amendment.
3. As stated above, this proposed amendment will not increase density.

Conditions:

1. All service provider requirements shall be met prior to plat recordation.

Attachment(s)

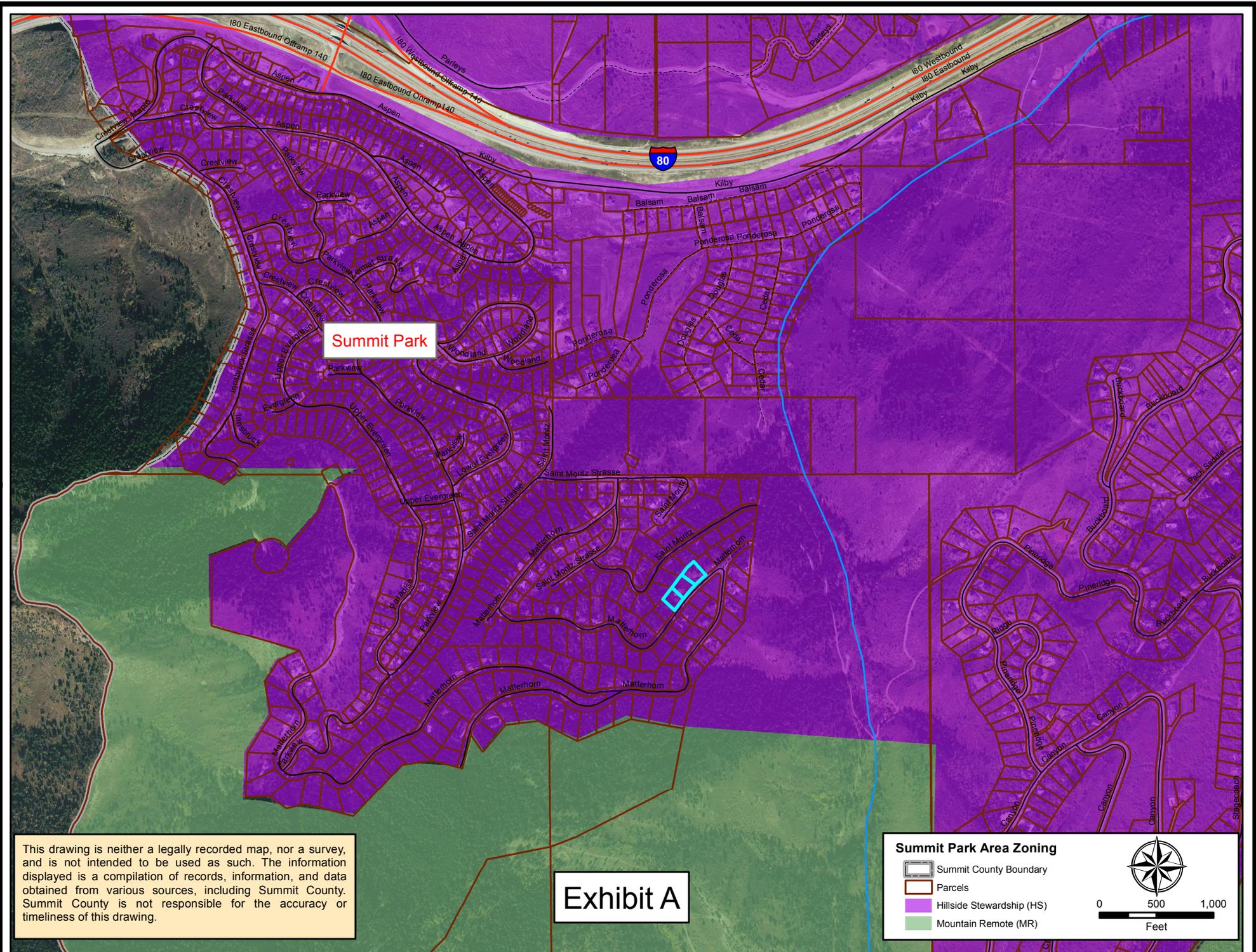
Exhibit A – Vicinity/Zoning Map

Exhibit B – Current Recorded Plat

Exhibit C – Proposed Amended Plat

Exhibit D – Site Photos

S:\SHARED\Sean Lewis\Plat Amendments\Aldrich Summit Park\Aldrich SBPC Staff Report 10-12-10.doc



Summit Park

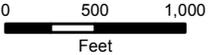
Exhibit A

This drawing is neither a legally recorded map, nor a survey, and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, including Summit County. Summit County is not responsible for the accuracy or timeliness of this drawing.

Summit Park Area Zoning

-  Summit County Boundary
-  Parcels
-  Hillside Stewardship (HS)
-  Mountain Remote (MR)





OWNER'S DEDICATION
 Know all men by these presents that we, the undersigned owner (s) of the tract of land described on right, having caused same to be subdivided into lots and streets to be hereafter known as the

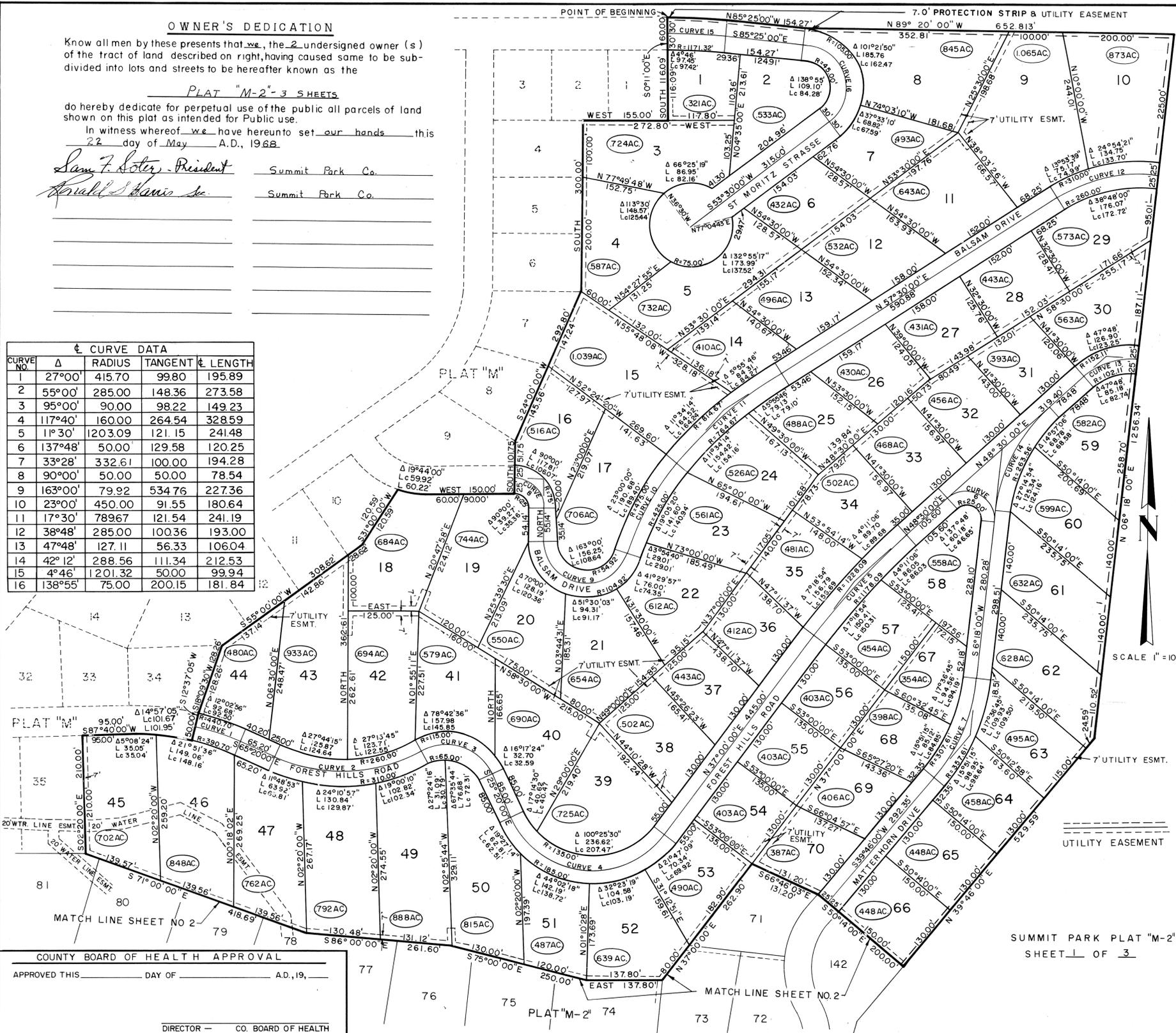
PLAT "M-2" - 3 SHEETS

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof we have hereunto set our hands this 22 day of May A.D., 1968.

Sam F. Soter, President Summit Park Co.
Ronald S. Harris, Sec. Summit Park Co.

CURVE NO.	Δ	RADIUS	TANGENT	LENGTH
1	27°00'	415.70	99.80	195.89
2	55°00'	285.00	148.36	273.58
3	95°00'	90.00	98.22	149.23
4	117°40'	160.00	264.54	328.59
5	11°30'	1203.09	121.15	241.48
6	137°48'	50.00	129.58	120.25
7	33°28'	332.61	100.00	194.28
8	90°00'	50.00	50.00	78.54
9	163°00'	79.92	534.76	227.36
10	23°00'	450.00	91.55	180.64
11	17°30'	78967	121.54	241.19
12	38°48'	285.00	100.36	193.00
13	47°48'	127.11	56.33	106.04
14	42°12'	288.56	111.34	212.53
15	4°46'	1201.32	50.00	99.94
16	138°55'	75.00	200.15	181.84



COUNTY BOARD OF HEALTH APPROVAL
 APPROVED THIS _____ DAY OF _____ A.D., 19____

DIRECTOR - CO. BOARD OF HEALTH

COUNTY PLANNING COMMISSION APPROVAL
 APPROVED THIS 14 DAY OF July A.D., 1968, BY THE _____ COUNTY PLANNING COMMISSION.

Don Mendenhall CHAIRMAN, CO. PLANNING COMM.

COUNTY ENGINEER'S CERTIFICATE
 I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT, AND SAID TRACT, AS STAKED, EXAMINED BY THIS OFFICE; AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

SEPT. 27, 1968 DATE
Edward J. Owen COUNTY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS 7th DAY OF October A.D., 1968

Robert L. Soter COUNTY ATTORNEY

COUNTY COMMISSION APPROVAL & ACCEPTANCE
 PRESENTED TO THE BOARD OF _____ COUNTY COMMISSIONERS THIS 7th DAY OF October A.D., 1968, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED

ATTEST: Paul D. Pace COUNTY CLERK, Richard W. Mendenhall CHAIRMAN, BD. OF CO. COMM.

RECORDED # 107949
 STATE OF UTAH, COUNTY OF Summit, RECORDED AND FILED AT THE REQUEST OF _____

DATE Oct 14 1968 TIME 3:10 PM BOOK _____ PAGE _____

45.00 FEE \$ 4

Maude V. Sanchez COUNTY RECORDER

SURVEYOR'S CERTIFICATE

I, JOHN E. KAY, do hereby certify that I am a Registered Professional Engineer and/or Land Surveyor, and that I hold certificate No. 286, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as SUMMIT PARK PLAT "M-2" and that same has been correctly surveyed and staked on the ground as shown on this plat

John E. Kay 5-22-68

COURSE	DIST.	REMARKS
BEGINNING AT A POINT 2864 FT. NORTH AND 895.15 FT. EAST FROM THE SOUTHEAST CORNER OF SEC. 9, TWS. 1S, RANGE 3 E., SALT LAKE BASE & MERIDIAN AND RUNNING THENCE		
S00°11'00" E	60.000	FEET: THENCE
SOUTH	116.090	FEET: THENCE
WEST	155.000	FEET: THENCE
SOUTH	300.000	FEET: THENCE
S24°00'00" W	292.800	FEET: THENCE
SOUTH	101.750	FEET: THENCE
WEST	150.000	FEET: THENCE
S31°00'00" W	120.590	FEET: THENCE
S85°00'00" W	308.620	FEET: THENCE
S18°09'30" W	128.260	FEET: THENCE
S12°37'05" W	50.000	FEET: THENCE
S87°40'00" W	95.000	FEET: THENCE
S02°20'00" E	210.000	FEET: THENCE
WEST	815.640	FEET: THENCE
S40°33'00" W	385.200	FEET: THENCE
S46°32'15" W	215.000	FEET: THENCE
S29°43'45" W	209.840	FEET: THENCE
S47°36'20" W	240.000	FEET: THENCE
N42°23'40" W	170.000	FEET: THENCE
N25°00'00" W	30.000	FEET: THENCE
N20°00'00" W	136.358	FEET: THENCE
N25°00'00" W	435.328	FEET: THENCE
S65°00'00" W	203.280	FEET: THENCE
S33°30'00" W	215.211	FEET: THENCE
S10°00'00" E	305.000	FEET: THENCE
S32°30'00" W	390.000	FEET: THENCE
S02°30'00" W	385.000	FEET: THENCE
N88°30'00" E	215.000	FEET: THENCE
S53°00'00" E	175.000	FEET: THENCE
N78°00'00" E	175.000	FEET: THENCE
S76°00'00" E	425.896	FEET: THENCE
N43°30'00" E	609.735	FEET: THENCE
N81°24'29" E	264.981	FEET: THENCE
S76°00'00" E	278.407	FEET: THENCE
N14°00'00" E	298.538	FEET: THENCE
S35°00'00" E	181.688	FEET: THENCE
N40°00'00" E	305.000	FEET: THENCE
N83°00'00" E	290.000	FEET: THENCE
S63°00'00" E	380.000	FEET: THENCE
N68°00'00" E	503.230	FEET: THENCE
S80°00'00" E	466.476	FEET: THENCE
N13°48'00" E	443.528	FEET: THENCE
N39°46'00" E	659.590	FEET: THENCE
N06°18'00" E	1256.340	FEET: THENCE
N89°20'00" W	652.813	FEET: THENCE
N85°25'00" W	154.274	FEET: THENCE

CORPORATE ACKNOWLEDGMENT
 STATE OF UTAH }
 COUNTY OF Salt Lake } S.S.
 On this 22 day of May, 1968 A.D. personally appeared before me Sam F. Soter & Ronald S. Harris, who being by me duly sworn, did say that they are President & Secretary & Treasurer, respectively of SUMMIT PARK CO. a Utah Corporation, & that the owners dedication on left was signed on behalf of said corporation by authority of a resolution of its Board of Directors.

MY COMMISSION EXPIRES: 4-26-69 James S. Simon NOTARY PUBLIC, RESIDING IN Salt Lake COUNTY

ACKNOWLEDGMENT
 STATE OF UTAH }
 County of Salt Lake } S.S.
 On the 22 day of May A.D., 1968, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, the signer () of the Owner's dedication on left, 2 in number, who duly acknowledged to me that Sam F. Soter & Ronald S. Harris signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: 4-26-69 James S. Simon NOTARY PUBLIC, RESIDING IN Salt Lake COUNTY

SUMMIT PARK PLAT "M-2"
 A SUBDIVISION BEING A PART OF AND IN THE SE 1/4, SW 1/4, NW 1/4, & NE 1/4 SECTION 16 AND THE NW 1/4 SECTION 15 S. L. B. & M.

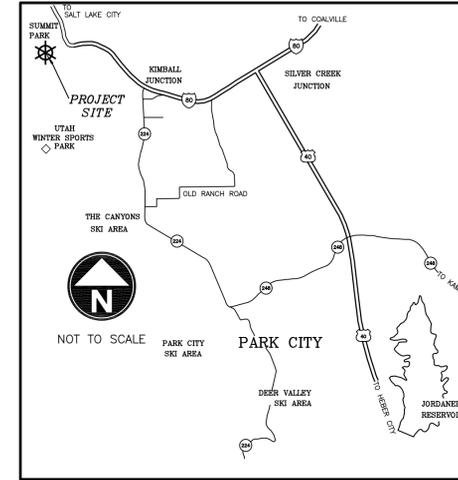
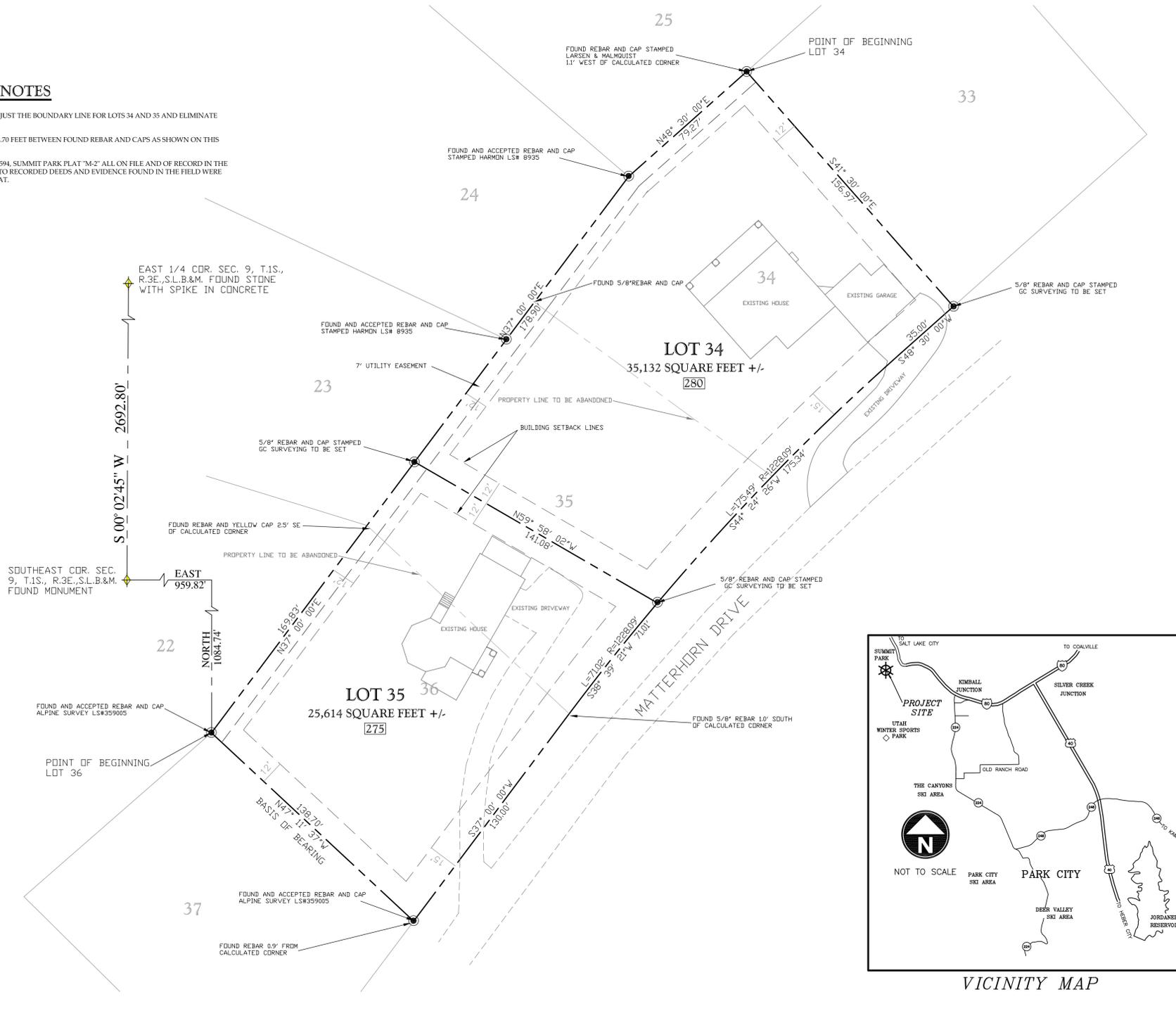
FORM APPROVED BY BOARD OF _____ COUNTY COMMISSIONERS.

SUMMIT PARK PLAT "M-2", AMENDED LOTS 34, 35 AND 36 SUBDIVISION PLAT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH

PLAT NOTES

1. THE PURPOSE OF THIS PLAT AMENDMENT IS TO ADJUST THE BOUNDARY LINE FOR LOTS 34 AND 35 AND ELIMINATE LOT 36 SUMMIT PARK PLAT "M-2".
2. THE BASIS OF BEARING IS NORTH 47°11'37" WEST 138.70 FEET BETWEEN FOUND REBAR AND CAPS AS SHOWN ON THIS PLAT.
3. RECORDED SURVEY NUMBERS 5005984 AND 5600694, SUMMIT PARK PLAT "M-2" ALL ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE. IN ADDITION TO RECORDED DEEDS AND EVIDENCE FOUND IN THE FIELD WERE USED IN DETERMINING THE BOUNDARY FOR THIS PLAT.



OVERALL BOUNDARY DESCRIPTION

ALL OF LOTS 34, 35 AND 36 SUMMIT PARK PLAT "M-2" SUBDIVISION ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

LEGAL DESCRIPTION LOT 35

BEGINNING AT A POINT, SAID POINT BEING THE REAR LOT CORNER FOR LOTS 34 & 35 SUMMIT PARK PLAT "M-2" OF RECORD AND ON FILE AT THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE NORTH 37°00'00" EAST 169.83 FEET; THENCE SOUTH 59°58'00" EAST 141.08 FEET TO A POINT ON A NON-TANGENT 1228.09 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 38°39'21" WEST 71.01 FEET; THENCE 71.02 FEET ALONG THE ARC OF SAID CURVE; THENCE SOUTH 37°00'00" WEST 130.00 FEET; THENCE NORTH 47°11'37" WEST 138.70 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION LOT 34

BEGINNING AT A POINT, SAID POINT BEING THE REAR LOT CORNER FOR LOTS 34 & 35 SUMMIT PARK PLAT "M-2" OF RECORD AND ON FILE AT THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE SOUTH 41°30'00" EAST 156.97 FEET; THENCE SOUTH 48°30'00" WEST 35.00 FEET; THENCE 175.49 FEET ALONG THE ARC OF A 1228.09 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 44°24'26" WEST 175.34 FEET; THENCE NORTH 59°58'02" WEST 141.08 FEET; THENCE NORTH 37°00'00" EAST 178.90 FEET; THENCE NORTH 48°30'00" EAST 79.27 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH UTAH STATE CODE 10-9A-603, I CHARLES GALATI, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE #724891-2201 IN ACCORDANCE WITH TITLE 58 CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT. I FURTHER CERTIFY THAT ON BEHALF OF GC SURVEYING LLC I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH STATE CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND TO BE KNOWN HEREAFTER AS SUMMIT PARK PLAT "M-2", AMENDED LOTS 34, 35 AND 36 SUBDIVISION PLAT, DO HEREBY CERTIFY THAT WE HAVE CAUSED THIS SUBDIVISION PLAT TO BE PREPARED, AND WE HEREBY CONSENT TO THE RECORDATION OF THIS SUBDIVISION PLAT. ALSO, THE OWNER OR THEIR REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO SUMMIT COUNTY ALL EASEMENTS SHOWN ON THIS PLAT IN ACCORDANCE WITH AN IRREVOCABLE LETTER OF DEDICATION.

IN WITNESS WHEREOF, THE UNDERSIGNED SET THEIR HAND THIS ____ DAY OF _____, 2010.

BY: LEERE ALDRICH
CO-OWNER LOTS 35 & 36

BY: SCOTT ALDRICH
CO-OWNER LOTS 35 & 36

BY: KEVIN CURTISS
OWNER LOT 34

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF SUMMIT: }
ON THIS ____ DAY OF _____, 2010, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SUMMIT, IN SAID STATE OF UTAH, _____, HAVING BEEN DULY SWORN, ACKNOWLEDGED TO ME THAT _____ IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT _____ SIGNED THE ABOVE OWNERS' DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

RESIDING IN: _____

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF SUMMIT: }
ON THIS ____ DAY OF _____, 2010, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SUMMIT, IN SAID STATE OF UTAH, _____, HAVING BEEN DULY SWORN, ACKNOWLEDGED TO ME THAT _____ IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT _____ SIGNED THE ABOVE OWNERS' DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

RESIDING IN: _____

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF SUMMIT: }
ON THIS ____ DAY OF _____, 2010, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SUMMIT, IN SAID STATE OF UTAH, _____, HAVING BEEN DULY SWORN, ACKNOWLEDGED TO ME THAT _____ IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT _____ SIGNED THE ABOVE OWNERS' DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

RESIDING IN: _____

GC SURVEYING
P.O. BOX 980151 PARK CITY, Utah 84098
Ph. 801-520-8763 Ph. 435-640-4200

COUNTY ASSESSOR
APPROVAL AND ACCEPTANCE BY THE SUMMIT COUNTY ASSESSOR.
THIS ____ DAY ____ 2010 A.D.
SUMMIT COUNTY ASSESSOR

COUNTY ENGINEER
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. THIS ____ DAY OF ____ 2010 A.D.
SUMMIT COUNTY ENGINEER

GOVERNING BODY APPROVAL AND ACCEPTANCE
APPROVED AND ACCEPTED THIS ____ DAY OF ____ 2010.
BY: CHAIR, SNYDERVILLE BASIN PLANNING COMMISSION LAND USE AUTHORITY

COUNTY ATTORNEY
APPROVED AS TO FORM THIS ____ DAY OF ____ 2010 A.D.
SUMMIT COUNTY ATTORNEY

COUNTY RECORDER
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
DATE ____ TIME ____ BOOK ____ PAGE ____
FEE ____ RECORDER



Exhibit D-1

Aldrich 7



Exhibit D-2

Aldrich 8



Exhibit D-3

