ITEM 2  Dean Peterson requests Final Plat approval to combine two lots into one, by vacating lots 272 & 273 from the Sherwood Hills Subdivision Plat H, and creating Plat Y, located at 4688 North Brookshire Circle, Provo, UT, in the R1.10 (One-Family Residential) Zone. Sherwood Hills Neighborhood. 15-0006SF, Sean Allen, 801-852-6407

| Applicant: Peterson, Dean |
| Current Legal Use: Single-Family Residential |
| Staff Coordinator: Sean Allen |
| Property Owner: Burningham, Jeffrey D. & Sally |
| Parcel ID#: 521440024, 521440023 |
| Current Zone: R1.10 One-Family Residential Zone |
| Acreage: 1.87 |
| Number of Lots: 2 |
| Council Action Required: No |
| Related Casefile(s): N/A |

### Alternative Actions:

2. **Continue** to a future date to obtain additional information or to further consider information presented. The next available meeting date is May 20, 2015:00 p.m.

3. **Deny** the requested Plat. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

### Summary of Key Issues:

1. Owner of two single-family lots would like to combine the lots into one. To do so requires vacating to previously recorded lots.
2. The intended use would remain single-family.
3. Engineering is waiting for the applicant to enter into an Owners Acknowledgment Agreement, regarding a bullet list of items provided in the CRC report sent on April 15, 2015.

### Staff Recommendation:

City staff recommends that the Administrative Hearing Officer approve Sherwood Hills Subdivision Plat “Y” and the vacation of lots 272 & 273 in the Sherwood Hills Plat “H” with the following conditions:

### Conditions of approval:

1. Complete the development review team process (CRC) and obtain final approval prior to the issuance of a building permit;
2. As part of condition #1, enter into the “Owner’s Acknowledgement Agreement requested by the City Engineer;
FINDINGS OF FACT:

1. Property is located in the R1.10 Zone;
2. Lots proposed to be combined are lots 272 & 273 of the Sherwood Hills Subdivision Plat “H”.
3. The newly created lot will meet all of the minimum requirements of the zone.

STAFF ANALYSIS:

The proposal to combine two platted lots in order to create one larger lot does not pose a problem from a zoning perspective. The correct process to accommodate this proposal would be to vacate lots 227 and 273 from Plat “H” and to create a new Plat “Y” that would contain only the new combined lots. There are, however, several items concerning civil engineering that the applicant must address. These items were forwarded to the applicant in the April 15, 2015 CRC report, and are also provided below:

Engineering: Chad Hill / Survey Supervisor email: cjhill@provo.utah.gov Phone: 801 852 6746
Changes Required:
4/14/2015 - Chad Hill:

Site Plan:
1) An agreement/owners acknowledgement is going to be required. This document needs to be signed by the two parties involved (The owners of Sherwood Hills Plat Y and the owner of Sherwood Hills Plat H Lot 281). The document needs to address but not limited to the following item:
   - Sherwood Hills Plat Y is proposing to use the sewer lateral that was originally designated for Sherwood Hills Plat H Lot 281. The owner of Lot 281 needs to be aware of the use of the original sewer lateral and the depth and location of the new lateral.
   - Acknowledgement that the owners of Sherwood Hills Plat H Lot 281 are aware of the existing access easement that was previously recorded.

2) Because Sherwood Hills Plat Y is proposing to run a new water service lateral up the pole portion of the flag lot attached to Sherwood Hills Plat H Lot 281, an easement will be required. This easement should grant permission from the owner of Sherwood Hills Plat H Lot 281 to the owner of Sherwood Hills Plat Y the ability to run utilities across Lot 281.

3) Provo City Water was able to locate and blue stake the existing water meters pertaining to this project. There are 2 along Foothill and 1 on Brookshire. These will need to be shown on the Site Plan.
4) All work of abandoned utilities will need to be bonded for or work completed before a building permit will be issued. Refer to the following instruction as to the abandonment of utilities:

**Water** - Contact Matt Hutchings 801-368-5308
- All work is to be done by a licensed contractor (licensed to work in the road E-100)
- Obtain a Provo City Excavation Permit from the Engineering Office
- Excavate down to the main
- Turn water corp off at the main
- All work must be verified by a Provo City Worker to confirm the shut off and that no leaks are present

**Sewer** - Terry Welsh
- All work is to be done by a licensed contractor (licensed to work in the road E-100)
- Obtain a Provo City Excavation Permit from the Engineering Office
- Excavate down to the main
- Cap sewer lateral as close to the main as possible
- Depending on the pipe material, you can use: Brant plug, cap, concrete, etc. to cap the lateral. Basically it needs to be capped so that no dirt, water, or other materials can enter into the sewer main.
- All work must be verified by a Provo City Worker to confirm the cap

The City Engineer has requested these items be addressed through an Owner’s Acknowledgement Agreement. Once this is has been received and approved, the applicant may progress to printing the recordable, mylar plat.

**CONCLUSIONS:**
The format of the proposed subdivision plat to combine two lots into one, vacating the lots 272 & 273, is acceptable. There are no zoning violations that could be found. All that remains is to satisfy Public Works and Engineering with the related development review.

**RECOMMENDATION:**
City staff recommends to the Administrative Hearing Officer to approval the proposed new plat, including the vacation of lots 272 & 273 as presented, and with the following conditions:
1. Complete the remaining CRC requirements, which is to provide an Owner’s Acknowledgement Agreement, addressing the utility, access, and easement items;
2. No permits can be issued until all CRC items are addressed, and not prior to recording the new Plat.

APPEAL:
Decisions of the Administrative Hearing Officer may be appealed to the Provo City Board of Adjustment by filing a written appeal with the Community Development Department within fourteen (14) days following the date of the hearing per the requirements of Section 14.05, Provo City Code.

ATTACHMENTS:
- Aerial Location Map
- Zoning Location Map
- Proposed Plat
- Proposed Site Plan

Aerial Location Map:
Zoning Location Map:
SHERWOOD HILLS

INCLUDES A VACATION OF LOTS 272 & 273, PLAT H,
SHERWOOD HILLS SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 18, T6S, R3E, SLAM
PROVO CITY, UTAH COUNTY, UTAH

SCALE: 1" = 30 FEET