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

The following action was taken on the above described item by an Administrative Hearing Officer, acting in behalf of the Provo City Planning Commission, on May 6, 2015

APPROVED WITH CONDITIONS

Administrative Hearing Officer: Brian Maxfield

Conditions of Approval:
1. Complete the development review team (CRC) process, 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;

The report includes facts of the case, analysis, and conclusions outlined in the Staff Report, with any changes noted. Administrative Hearing Officer’s determination is consistent with the Staff analysis and determination.

RELATED ACTIONS:
None

STAFF PRESENTATION:

CURRENT LEGAL USE:
Single-Family residential

RELEVANT HISTORY:
The lots proposed to be combined were part of the original Sherwood Hills Subdivision Plat “H.”

NEIGHBORHOOD ISSUES:
None.
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.

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 process, which includes requiring the applicant to provide an Owner’s Acknowledgment 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.

APPLICANT RESPONSE:
Key points addressed in the applicant's presentation to the Administrative Hearing Officer included the following: None

NEIGHBORHOOD AND PUBLIC COMMENT:
The Neighborhood Chair was not present or did not address the Administrative Hearing Officer during the hearing. Neighbors or other interested parties were present or addressed the Administrative Hearing Officer. Comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission.

APPLICANT RESPONSE:
Key points addressed in the applicant's presentation to the Administrative Hearing Officer included the following:
1. Applicant showed where he plans to build the new home, which would be on the division line between the two existing lots.

Administrative decisions of the may be appealed by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, within fourteen (14) calendar days of the Hearing Officer's decision (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS