

To: Planning Commission
Cc: Eric Duthie, Shawn Guzman
From: Harrison Johnson
Date: August 16th, 2022
Subject: Staff Report on Lot Line Adjustment Application

Applicant Name: Don Timpson
Agent: Thomas Knudson
Application Type: Lot Line Adjustment
Project Address: 1280 W Utah Ave & 865 N Redwood Street
Date: August 16th, 2022
Prepared by: Harrison Johnson

Summary of Application

This application is to adjust the lot lines for the following lots: HD-SHCR-4-33, HD-SHCR-4-37, HD-SHCR-4-36, HD-SHCR-4-35 in order to build a new structure for Plus One.

- All affected property owners are signed petitioners to this application
- There are no public rights-of-way or roads affected in this application
- There are changes to the Public Utilities Easements (PUE), and PUE providers have all reviewed the application and expressed they have no concerns
- There are no new lots being created

One of the affected property owners, Robert and Amanda Knudson did receive a lot split approval on June 21st, 2021, however they failed to record it with the county recorder. They have signed as a petitioner to this application and have confirmed that they wish to rescind their lot split approval in order to advance the lot line adjustment application.

Compliance with State Law

This applications falls under Utah Code Section 10-9a-523 and Utah 10-9a-608 for Lot Line adjustments as the lots are part of a previous subdivision.

There is no requirement for a public hearing due to an exemption outlined in 10-9a-608(2)a(III):

- *adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;*

A public meeting is required however as the lot line adjustment application does affect PUEs.

Compliance with City Ordinance

Chairperson: Charles Hammon
Vice-Chairperson: Elyssa Wall
Commissioners: Lawrence Barlow, Derick Holm, Nation Fischer, Tracy Barlow, Rex Jessop

This application is considered under the Hildale Sec 152-7-17 Routine And Uncontested Matters.

- The lots in question are zoned Highway Commercial (HC) the change in lot lines does not conflict with development standards.

There are no other concerns or conflicts with local city ordinance in relation to this application.

Staff Recommendation

As this application falls under Hildale Sec 152-7-17 Routine and Uncontested Matters, the Planning Commission may designate the Zoning Administrator as the approval authority.

This staff review recommends that this application for lot line adjustment is approved.

Chairperson: Charles Hammon

Vice-Chairperson: Elyssa Wall

Commissioners: Lawrence Barlow, Derick Holm, Nation Fischer, Tracy Barlow, Rex Jessop



☎ 435-874-2323
📠 435-874-2603
🌐 www.hildalecity.com

SUBDIVISION LOT LINE ADJUSTMENT APPLICATION

320 E Newel Ave
Hildale, UT 84784
planning@hildalecity.com

Fee: \$300

Name(s): Don Timpson

Telephone: (435) 467-2466

Address: 1185 West Utah Avenue, Hildale, UT 84784

Email: timpsond@yahoo.com

Address(es) of Subject Property: 1280 W. Utah Ave, Hildale, UT & 865 N Redwood St., Hildale, UT

Parcel Nos. of Subject Property: HD-SHCR-4-33, HD-SHCR-4-37, HD-SHCR-4-36, HD-SHCR-4-35

Subdivision Name: Short Creek Subdivision #4 Phase: _____

For Office Use Only:
File No. _____
Receipt No. _____

Submittal Requirements: This application must be accompanied by the following:

- a. Signature sheet reflecting name, address, phone number and signature of each owner affected.
- b. Proposed amended plat (showing only the portion of the plat to be amended).
- c. Drawing of the proposed new configuration of the lots with accurate dimensions and the locations of any buildings or other structures.
- d. Proposed form of boundary line agreement or quitclaim deed.

(Office Use Only)

Date Received: _____ Application Complete: YES NO

Date Complete: _____ Completion determination made by: _____

Signature Sheet for Lot Line Adjustment Application


Regarding Parcel Nos: HD_SHCR-4-33, HD-SHCR-4-37, HD-SHCR-4-36, & HD-SHCR-4-35



Don Timpson
PlusOne Company
PO Box 840639
Hildale, UT 84784
(435) 467-2466

 *PK*

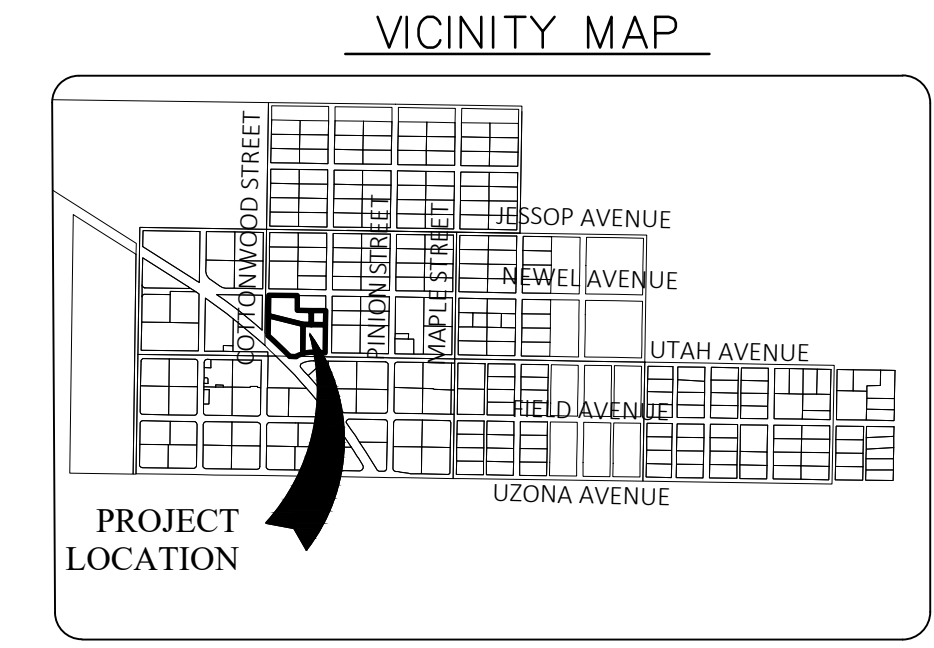
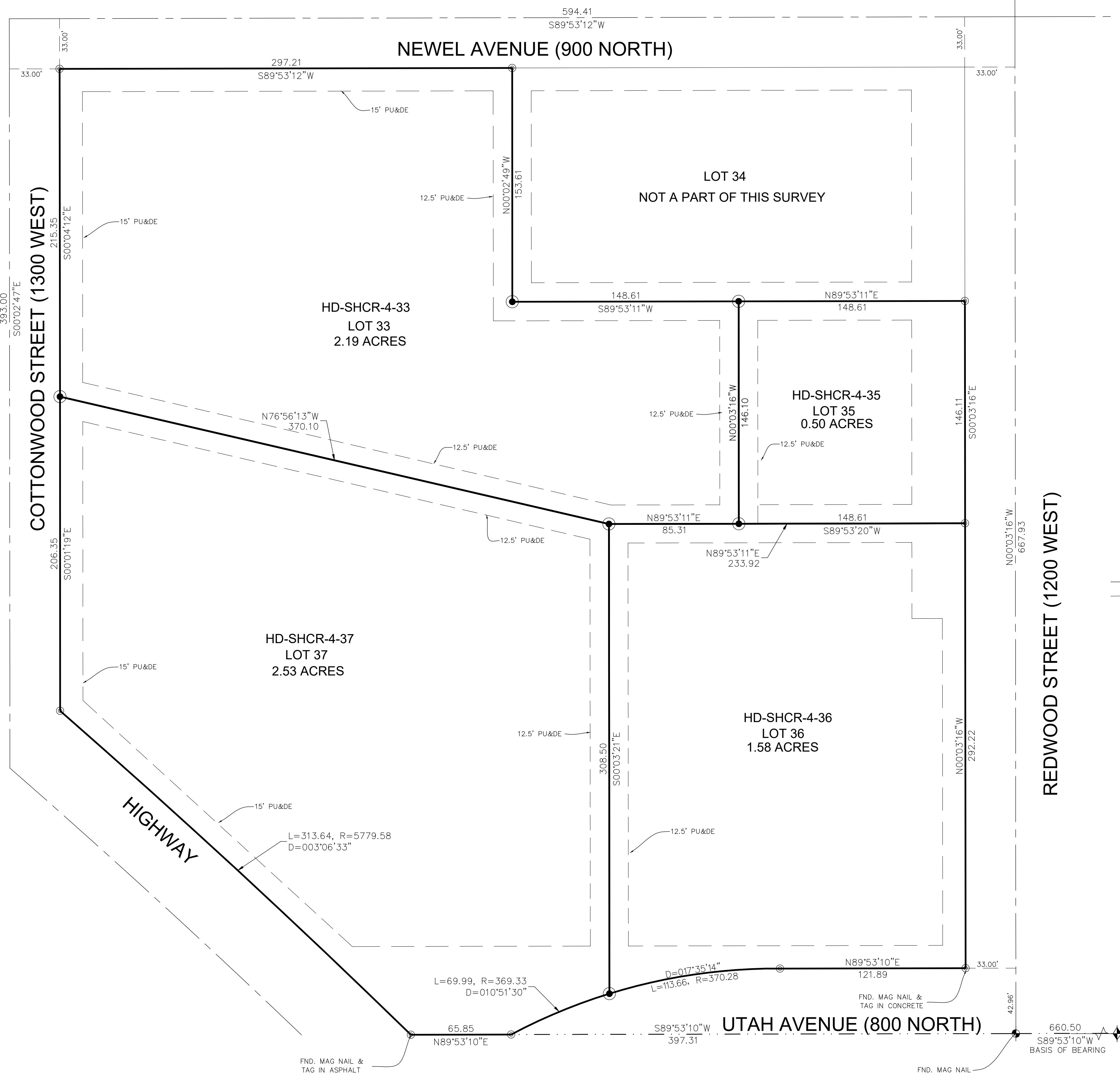
Robert Knudson
PO Box 841669
Hildale, Utah 84784
(435) 467-0890

 *AK*

Amanda Knudson
PO Box 841669
Hildale, Utah 84784
(435) 619-7037

SHORT CREEK SUBDIVISION #4 AMENDING LOTS 33, 35, 36 & 37

SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 10 WEST,
SALT LAKE BASE AND MERIDIAN,
HILDALE, UTAH



GENERAL NOTES & RESTRICTIONS

1. There exists a 15.00 foot public utility and drainage easement along all street lot lines and a 12.50 foot public utility easement along all side and rear lot lines unless otherwise noted. No buildings or structures, e.g. pools, walls, or fences, will be allowed to be built in the easement area and the owner bears the risk of loss or damage to those improvements resulting for the exercise of the easement rights.

- LEGEND**
- ◆ SECTIONAL MONUMENTATION (TYPE LOCATION ETC. AS SHOWN ON THE PLAT)
 - SPECIFICS PROPERTY CORNER MONUMENT TO BE SET (ALPHA ENG. REBAR & CAP)
 - ⊙ SPECIFICS FOUND PROPERTY CORNER MONUMENT BUSH & GUDGELL REBAR & CAP PLS 6.362432, OR AS NOTED.
 - CENTERLINE
 - - - EASEMENT LINE

AMENDMENT NOTE

THE PURPOSE OF THIS AMENDED PLAT IS TO DO A LOT LINE ADJUSTMENT TO LOTS 33, 35, 36 & 37 OF THE SHORT CREEK SUBDIVISION #4 AS RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT NO. 20140018626. THIS WILL ALSO AMEND THE EASEMENTS ALONG EACH REVISED PROPERTY LINES. NO OTHER CHANGES ARE INTENDED.

ACKNOWLEDGMENT

State of Utah)
County of Washington)

On this _____ day of _____ A.D. 2021, personally appeared Don Timpson, CEO of PLUSONE Company, a Utah Corporation, proved on the basis of satisfactory evidence to be the person whose names is subscribed to in this document, and acknowledged he executed the same.

Notary Public Full Name: _____
Commission Number: _____
My Commission Expires: _____
A Notary Public Commissioned in Utah

Notary Public (signature) _____
No stamp required (Utah Code 46-1-16(6))

SURVEYOR'S CERTIFICATE

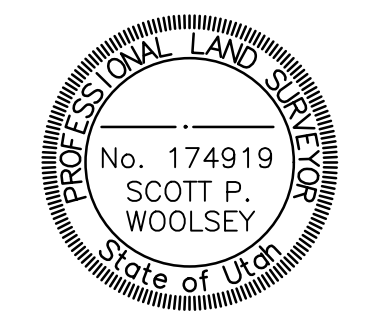
I, SCOTT P. WOOLSEY, PROFESSIONAL UTAH LAND SURVEYOR NUMBER 174919, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HEREBY CERTIFY ALL MEASUREMENTS AND DESCRIPTIONS ARE CORRECT. MONUMENTS HAVE BEEN SET AS REPRESENTED ON THIS PLAT.

**SHORT CREEK SUBDIVISION #4 AMENDING
LOTS 33, 35, 36 & 37**

AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO LOTS AND PUBLIC STREETS, AND EASEMENTS AND SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDARY DESCRIPTION

LOTS 33, 35, 36 & 37 OF SHORT CREEK SUBDIVISION #4 ACCORDING TO THE OFFICIAL PLAT THEREOF FILED AT ENTRY #20140018626 OF THE WASHINGTON COUNTY RECORDER'S OFFICE. TO BE HEREAFTER KNOWN AS:



OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS, AND PUBLIC UTILITY & DRAINAGE EASEMENTS TO BE HEREAFTER KNOWN AS:

**SHORT CREEK SUBDIVISION #4 AMENDING
LOTS 33, 35, 36 & 37**

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, DO HEREBY DEDICATE AND CONVEY TO THE CITY OF HILDALE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS UTILITY AND DRAINAGE EASEMENTS. ALL LOTS, STREETS, AND EASEMENTS ARE AS NOTED OR SHOWN ON THIS PLAT. THE OWNER DOES HEREBY CONVEY AND WARRANT TO THE CITY OF HILDALE, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

IN WITNESS I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____.

PLUSODON TIMPSON, CEO, OF PLUSONE COMPANY
ROBERT KNUDSON
AMANDA KNUDSON

ACKNOWLEDGMENT

State of Utah)
County of Washington)

On this _____ day of _____ A.D. 2021, personally appeared ROBERT KNUDSON AND AMANDA KNUDSON, Husband and Wife, proved on the basis of satisfactory evidence to be the persons whose names are subscribed to in this document, and acknowledged they executed the same.

Notary Public Full Name: _____
Commission Number: _____
My Commission Expires: _____
A Notary Public Commissioned in Utah

Notary Public (signature) _____
No stamp required (Utah Code 46-1-16(6))

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°53'10" WEST, BETWEEN THE EAST 1/4 CORNER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 10 WEST, SALT LAKE BASE AND MERIDIAN, AND THE CENTERLINE MONUMENT LOCATED AT UTAH AVENUE AND REDWOOD STREET.

SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 10 WEST, SALT LAKE BASE AND MERIDIAN, HILDALE, UTAH

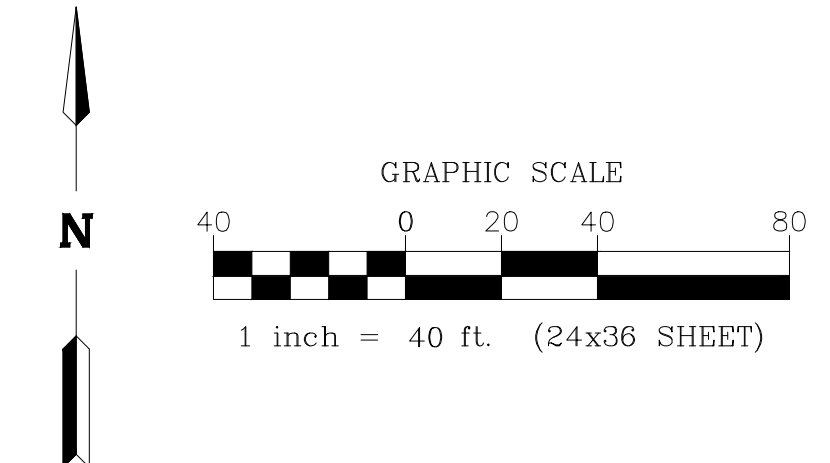
FINAL PLAT OF
**SHORT CREEK SUBDIVISION #4, AMENDING
LOTS 33, 35, 36 & 37**

Hildale City Utility Department Approval	City Engineer Approval	Approval as to Form	Approval and Acceptance by Hildale City	Treasurer Approval
I hereby verify that this office examined this Amended Plat and hereby recommends approval on this the _____ day of _____ A.D. 2021.	I hereby verify that this office examined this Amended Plat and hereby recommends approval on this the _____ day of _____ A.D. 2021.	Approved as to Form, this the _____ day of _____ A.D. 2021.	We, the Mayor and City Council of Hildale City, Utah, have reviewed the above Amended Subdivision Final Plat and by authorization of said City Council have approved it on this the _____ day of _____, 2021, with all commitments and obligations pertaining thereto.	I, Washington County Treasurer, certify on this _____ day of _____ A.D. 2021 that all taxes, special assessments, and fees due and owing on this Amended Subdivision Final Plat have been paid in full.
Utility Department Hildale City	City Engineer Hildale City	City Attorney Hildale City	Attest: City Recorder, Hildale City Mayor, Hildale City	Washington County Treasurer Washington County Recorder

1552-02 SVY FINAL PLAT.DWG (MARCH 2, 2021)

ALPHA ENGINEERING

43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com



P:\1552-02_FINAL PLAT.DWG (MARCH 2, 2021) - AMENDED PLAT 3/2/2021 11:10:13 AM

LOT LINE ADJUSTMENT AGREEMENT

THIS AGREEMENT is made and entered into the _____ day of _____, 20____, by and between _____, the owner(s) of Parcel No. _____ and _____, the owner(s) of Parcel No. _____ (collectively referred to as the “Parties” or the “Adjoining LotOwners”).

RECITALS

WHEREAS, Section 10-9a-103(65)(c) of the Utah Code Annotated and Section 152-3-4 of the Hildale City Code both exempt lot line adjustment between adjoining lot owners from the approval and filing requirements of a subdivision, by excluding from the definition of the term “Subdivision” a recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if no new lot is created and the adjustment does not violate applicable land use ordinances;

AGREEMENT

NOW, THEREFORE, in consideration of the terms and representations herein contained, the parties hereby represent and agree as follows:

1. The undersigned Adjoining Lot Owners hereby represent and agree: that they are the legal title owners of adjoining parcels of real property; that they mutually desire and agree to adjust the location of their mutual boundary line running between their adjoining parcels; that, in so adjusting their mutual boundary line, no new lot will be created thereby; and that the adjustment does not violate any applicable land use ordinances.
2. Attached hereto as Exhibit “A,” and by this reference incorporated herein, is a drawing showing the adjusted boundary line between the Adjoining Lot Owners, together with the new legal descriptions for each lot, as prepared and stamped by a Utah licensed Land Surveyor.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed the day and year first above written

SIGNATURES OF ADJOINING LOT OWNERS:

Owner, Parcel No. _____

Co-Owner, Parcel No. _____

Owner, Parcel No. _____

Co-Owner, Parcel No. _____

STATE OF UTAH)
 : ss.
County of Washington)

On this _____ day of _____, 20____, before me personally appeared _____, owner(s) of Parcel No. _____, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are signed above on this Agreement, and acknowledged before me that they signed it voluntarily for its stated purpose.

Notary Public

STATE OF UTAH)
 : ss.
County of Washington)

On this _____ day of _____, 20____, before me personally appeared _____, owner(s) of Parcel No. _____, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are signed above on this Agreement, and acknowledged before me that they signed it voluntarily for its stated purpose.

Notary Public