



DRAPER CITY HALL

Community Development | 1020 E. Pioneer Rd. Draper, UT 84020

November 19, 2025

*Draper City Planning Division
Administrative Interpretation*

RE: Bonham Maze Interpretation

This letter evaluates whether the property located at 1003 East 13400 South, parcel number 28-32-452-053 is a legal parcel and how the setbacks will be measured given the property configuration. The property has split zoning and is zoned RA2 (Residential Agricultural, 20,000 sq ft lot minimum) and RA1 (Residential Agricultural, 40,000 sq ft lot minimum). The size of the parcel is 0.43 acres (18,730 sq ft). The application number is 2025-0269-ZVL. The property is currently vacant.

The property was part of a lot line adjustment and right-of-way vacation with the City and the adjacent property to the south in 2009. The vacation was to a segment of 1030 East Street, which had been dedicated to the City in 1993 as part of the Wildflower Park Subdivision and provided street frontage to the subject property and the property to the south. Neither property is part of the Wildflower Park Subdivision. This street segment was not improved. The property to the south also owned 0.09 acres of land that was in the future 13400 South right-of-way area. The vacation and lot line adjustment facilitated the City being able to acquire the 0.09 acres of land needed to complete the 13400 South right-of-way acquisition. In exchange, the City vacated the 1030 East segment, with the subject property acquiring 0.03 acres of the former right-of-way and the property to the south acquiring 0.15 acres of the former right-of-way. The Planning Commission staff report for the vacation and lot line adjustment states that the process will "in fact [make] both properties larger and developable." Staff further states at the July 9, 2009 Planning Commission meeting that the property owners involved "will have buildable lots." The applicant has provided email communication from staff dated 2012 which also states the property is buildable. While the subject property is still vacant, the property to the south was developed with a home in 2018.

The Zoning Administrator finds that the subject property is a legal nonconforming parcel and is buildable. While it does not have the minimum acreage required by the RA2 and RA1 zones, the 2009 vacation and lot line adjustments created property capable of being developed and the City at that time determined it was a buildable parcel.

Draper City Municipal Code (DCMC) Section 9-6-060 covers the continuation of nonconforming lots or parcels.

9-6-060: NONCONFORMING LOTS OR PARCELS:

A. Continuation: A nonconforming lot or parcel may continue to be occupied and used although it may not conform in every respect with the dimensional requirements of this title, subject to the provisions of this chapter.

B. New Single-Family Dwelling: A new single-family dwelling may be constructed on a legally established lot or parcel which is nonconforming as to area and/or width, provided:

- 1. The lot or parcel was legally nonconforming when the area or width requirements were changed;*
- 2. The use is for the sole purpose of a single-family residence;*
- 3. There is only one primary building on the lot or parcel; and*
- 4. The dwelling shall conform to all other requirements as to frontage, yard setbacks, building heights, street improvements, fire protection, and building codes.*

Given the configuration of the parcel to its frontage street, Corner Wood Drive, the applicant has asked for clarification as to setback requirements for the different property lines. The setback standards for the RA1 and RA2 zones are the same and can be found in DCMC Section 9-10-090 Table 9-10-3.

<i>Table 9-10-3 Development Standard</i>	<i>Zones</i>	
	<i>RA1</i>	<i>RA2</i>
<i>Setback standards - front yard:</i>		
<i>Main buildings on interior and corner lots</i>	30'	30'
<i>Setback standards - rear yard:</i>		
<i>Main buildings on interior lots</i>	20'	20'
<i>Main buildings on corner lots</i>	12'	12'
<i>Setback standards - side yard:</i>		
<i>Main buildings on interior lots</i>	12'	12'

Lot lines for the front, rear, and side are defined in DCMC Section 9-3-040. The front lot line is considered the one that separates the parcel from the street, the rear lot line is the one that is generally opposite and most distant from the front lot line, and side lot lines are those that are not considered front or rear lot lines. Given these definitions, the front setback is 30-feet from Corner Wood Drive, the rear setback is 20-feet from the south

property line, and all other property lines are subject to side setbacks of 12-feet. An illustration has been provided as an exhibit to this letter for reference.

9-3-040: DEFINITIONS:

LOT LINE, FRONT: A lot line separating a lot or parcel from an existing street right-of-way or, where a new street or street widening is proposed, the proposed street right-of-way line as shown on the master traffic and transportation plan. For an interior lot, the lot line adjoining the street; for a corner lot, the lot lines adjoining both streets; for a double frontage lot, a lot line adjoining one of the streets as elected by the City; for a lot accessed from a private right-of-way or access easement, the easement or right-of-way line.

LOT LINE, REAR: The lot line generally opposite and most distant from the front lot line. In the case of a triangular, gore, or irregular shaped lot with five (5) or more sides at angles less than a 90-degrees per side, the rear line is a "constructive" line ten feet (10') in length within the lot or parcel, generally parallel to the front lot line which intercepts the side lot lines at points most distant from the front lot line.

LOT LINE, SIDE: Any lot line that is not a front lot line or rear lot line. A side lot line separating one lot or parcel from another is an interior side lot line.

SETBACK: The distance on a lot between a building and a property line or, where adjacent to a public street, a designated right-of-way line as shown on the master traffic and transportation plan. For a lot on a private right of way or encompassing an access easement for another lot or parcel, the setback shall be the distance on a lot between a building and the private right of way line or access easement boundary closest to the building.

There are a couple options available to you if you wish to pursue this matter further. You may seek a text amendment in order to change the code, or you may appeal this determination. An appeal is subject to DCMC Section 9-5-180 and shall be made within 10 days of the decision which is appealed. Applications for all options can be found on the city's website.

If you have further questions, please contact me at jennifer.jastremsky@draperutah.gov or at 801-576-6328.

Respectfully,



Jennifer Jastremsky, AICP

Community Development Director / Zoning Administrator
Community Development Department

Inclusions:

- Wildflower Park 1030 East Plat Amendment and Right-of-way Vacation Request Planning Commission Staff Report
- July 9, 2009 Planning Commission Meeting Minutes
- July 21, 2009 City Council Meeting Minutes
- Reference Illustration of Setbacks



Development Review Committee
1020 East Pioneer Road
Draper, UT 84020
(801) 576-6539 Fax (801) 576-6526

STAFF REPORT

June 30, 2009

To: Draper City Planning Commission
Business Date: July 9, 2009

From: Development Review Committee

Prepared By: Jim Bolser, AICP, Senior Planner
Planning Division
Community Development Department

Re: Wildflower Park 1030 East – Plat Amendment and Right-Of-Way Vacation Request

Application No.: JS-2009-0145
PLN-2009-0056
Applicant: Draper City
Project Location: 1030 East 13400 South
Zoning: RA-1 Residential Agricultural Zone
Acreage: Approximately 0.186 Acres (Approximately 8,103 ft²)
Request: Request for approval of a Subdivision Plat Amendment and Right-Of-Way Vacation in the RA-1 Residential Agricultural zone regarding vacation of a portion of the dedicated 1030 East right-of-way.

SUMMARY

This application is a request for approval of a Subdivision Plat Amendment and Right-Of-Way Vacation for approximately 0.186 acres located on the north side of 13400 South, at 1030 East. The property is currently zoned RA-1 Residential Agricultural. The applicant is requesting that a Subdivision Plat Amendment and Right-Of-Way Vacation be approved as a part of a larger process to facilitate the completion of property attainment and construction of the 13400 South right-of-way.

BACKGROUND

The Wildflower Park Subdivision was recorded with the Salt Lake County Recorder on April 20, 1993. That subdivision established, among other things, a new right-of-way at 1030 East that to this day has never been constructed nor does it connect to any other portion of the same or other right-of-way with the exception of 13400 South. The subject request desires to vacate that portion of the 1030 East right-of-way. This right-of-way vacation takes effect through two documents. The first document is an ordinance to declare the City's intent to vacate the subject right-of-way and the second is a plat amendment to be recorded with the County which actually makes the change to the property. A copy of both of these documents can be found in Exhibit "A" to this report.



The subject request is the first step of a much larger process with an ultimate intent of obtaining a missing piece of the 13400 South right-of-way. Assuming the approval of the subject request and by the terms of the Utah State Code, the vacation of the right-of-way would cause the property involved in the vacation to be automatically reverted to the collective ownership of the property owners who signed the owners dedication and acknowledgements on the recorded plat by which the right-of-way was dedicated to the City. In this case, there were four signatories to the Wildflower Park Subdivision plat. Two of which have been established to have deeded their property involved in the subdivision to a third signatory prior to the subdivision's recordation making it technically unnecessary for them to have signed the plat. That third party, S. Craig Bonham, is in fact the property owner of the parcels to the west and north of the proposed right-of-way to be vacated. The fourth signatory was Draper Irrigation Company (DIC). The next step following the right-of-way vacation would consist of three things: a Quit Claim from DIC to Mr. Bonham for the vacated right-of-way area; the combining of the vacated right-of-way area with the parcel of record to the north, both then-to-be-owned by Mr. Bonham; and the dedicating of the remaining needed area for the 13400 South right-of-way from the adjacent property to the east of the vacated right-of-way owned by Sherman S. Fitzgerald. The final step is a lot line adjustment between the now-combined Bonham parcel and the Fitzgerald parcel to balance out the two properties, in fact making both properties larger and developable. Copies of the proposed lot line adjustment before and after drawings can be found in Exhibit "B" to this report.

This project description has outlined the steps involved in somewhat of a drawn out fashion. In fact, following the approval and adoption of the plat amendment and the ordinance by the City Council, the documents for the entire process will be recorded with the County at one time to protect the integrity of the process and the interests of all parties involved. The ordinance declaring the vacation of the right-of-way with the plat amendment are the only parts of the overall project that have to be handled through a formal process with the Planning Commission and City Council. The remainder can and is anticipated to be dealt with at the staff level. The recordation of this project will result in the completion of a significant property attainment in the completion of the improvements for the 13400 South right-of-way, thereby opening the door to the utilization of a vital, Master Transportation Plan-identified east-west connection that has been missing from the city's network.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Low-Medium Density Residential land use designation for the subject property. This category "includes areas of very large lot single-family neighborhoods and ranchettes." It also states that "equestrian uses and privileges may exist in certain areas." The property has been assigned the RA-1 Residential Agricultural zoning classification, supporting approximately one dwelling unit per acre. The purpose of the RA-1 zone is to "foster low density development with little impact on its surroundings and municipal services; to generally preserve the character of the City's semi-rural areas; and to promote and preserve conditions favorable to large-lot family life, including the keeping of limited numbers of animals and fowl." The RA-1 Residential Agricultural zoning designation is identified by the General Plan as a preferred zoning classification for the Low-Medium Density Residential land use designation. RA-1 zoned properties abut the subject property on the south and east, and RA-2 zoned properties abut the property on the north and west.

Existing Subdivision Layout. The Wildflower Park Subdivision extends from Fort Street on the west to the subject 1030 East right-of-way on the east. A copy of the recorded Wildflower Park Subdivision can be found in Exhibit "C" to this report. In between are 13 residential lots, four of which outline a cul-de-sac near the center of the development. Lots 1 and 2 front onto and have access from Fort Street and the remaining 11 lots are provided access from the 13400 South right-of-way, either directly or by way of the Canyon Spring Circle cul-de-sac. On the eastern edge of the subdivision, there are two dedicated right-

of-way areas. The first is a sliver forming the southern third of the 13400 South right-of-way, extending slightly more than 100' to the east of the subdivision proper. The second is a full-width section of the 1030 East right-of-way at issue here. That right-of-way extends slightly less than 125' north of the 13400 South right-of-way, less than two-thirds the depth of the neighboring lots. The subdivision has been completely developed and built out, although the 1030 East right-of-way remains in a vacant undeveloped state.

Criteria For Approval. The criteria for review and potential approval of a Plat Amendment request is found in Section 17-9-040(b) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

The grounds for review and potential approval of a Subdivision Plat Amendment request is found in Section 17-9-040(b) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

- (b) If the City Council 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 City Council may vacate, alter, or amend the plat, any portion of the plat, or any street or lot within the plat.

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Right-Of-Way Vacation and Plat Amendment submission and has issued a recommendation for approval for the request without comment.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their reviews of the Right-Of-Way Vacation and Plat Amendment submission and have issued a recommendation for approval for the request without further comment.

Unified Fire Authority Review. The Unified Fire Authority has completed their review of the Right-Of-Way Vacation and Plat Amendment submission and has issued a recommendation for approval for the request with the following comment:

The fire department reserves the ability to review all access and turnaround requirements for any and all resulting properties at the time of future development or construction.

Noticing. The City has expressed their desire to vacate the subject right-of-way, amend the Wildflower Park Subdivision plat, and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Right-Of-Way Vacation and Plat Amendment by Draper City, application PLN-2009-0056, based on the following findings:

1. Neither the public interest nor any person will be materially injured by the proposed right-of-way vacation and plat amendment.
2. There is good cause for the right-of-way vacation and plat amendment.

3. The proposed right-of-way vacation and plat amendment may not be construed to impair any right-of-way or easement of any lot owner or the franchise rights of any public utility.
4. The proposed right-of-way vacation and plat amendment will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed right-of-way vacation and plat amendment will serve to facilitate the completion of a vital transportation corridor identified by the Master Transportation Plan.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Wildflower Park Subdivision 1030 East Right-Of-Way Vacation and Plat Amendment Request by Draper City, application PLN-2009-0056, based on the findings listed in the Staff Report dated June 30, 2009 and as modified by the following:”

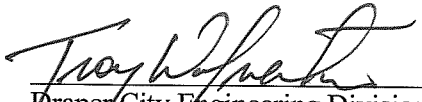
1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Wildflower Park Subdivision 1030 East Right-Of-Way Vacation and Plat Amendment Request by Draper City, application PLN-2009-0056, based on the following:”

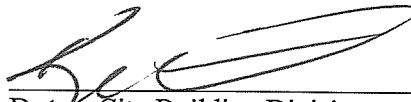
1. List findings...

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.



Draper City Engineering Division



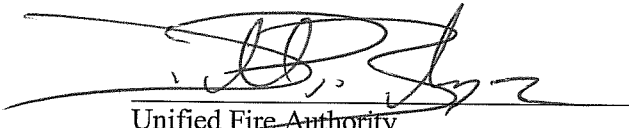
Draper City Building Division



Draper City Public Works Department



Draper City Planning Division



Unified Fire Authority



Draper City Legal Counsel

EXHIBIT A

**PROPOSED SUBDIVISION PLAT AMENDMENT
& RIGHT-OF-WAY VACATION ORDINANCE**

WILDFLOWER PARK SUBDIVISION AMENDED:
VACATING & AMENDING A PORTION OF THE 1030 EAST RIGHT OF WAY

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
DRAPER CITY, SALT LAKE COUNTY, UTAH

SURVEY LEGEND

Proposed Right of Way Vacation

Existing Right of Way

Section Corner - Found
(as described)

Section Corner - Not Found

Witness Corner - Found

Street Monument - Found

Set Property Corner - 5/8" Rebar
& Cap (unless otherwise noted)

Found Existing Property Corner
(as noted)

Street Centerline

Fence (Chain Link)

Fence (Wire)

Fence (Wood)

Fence (Vinyl)

Building Setback Line

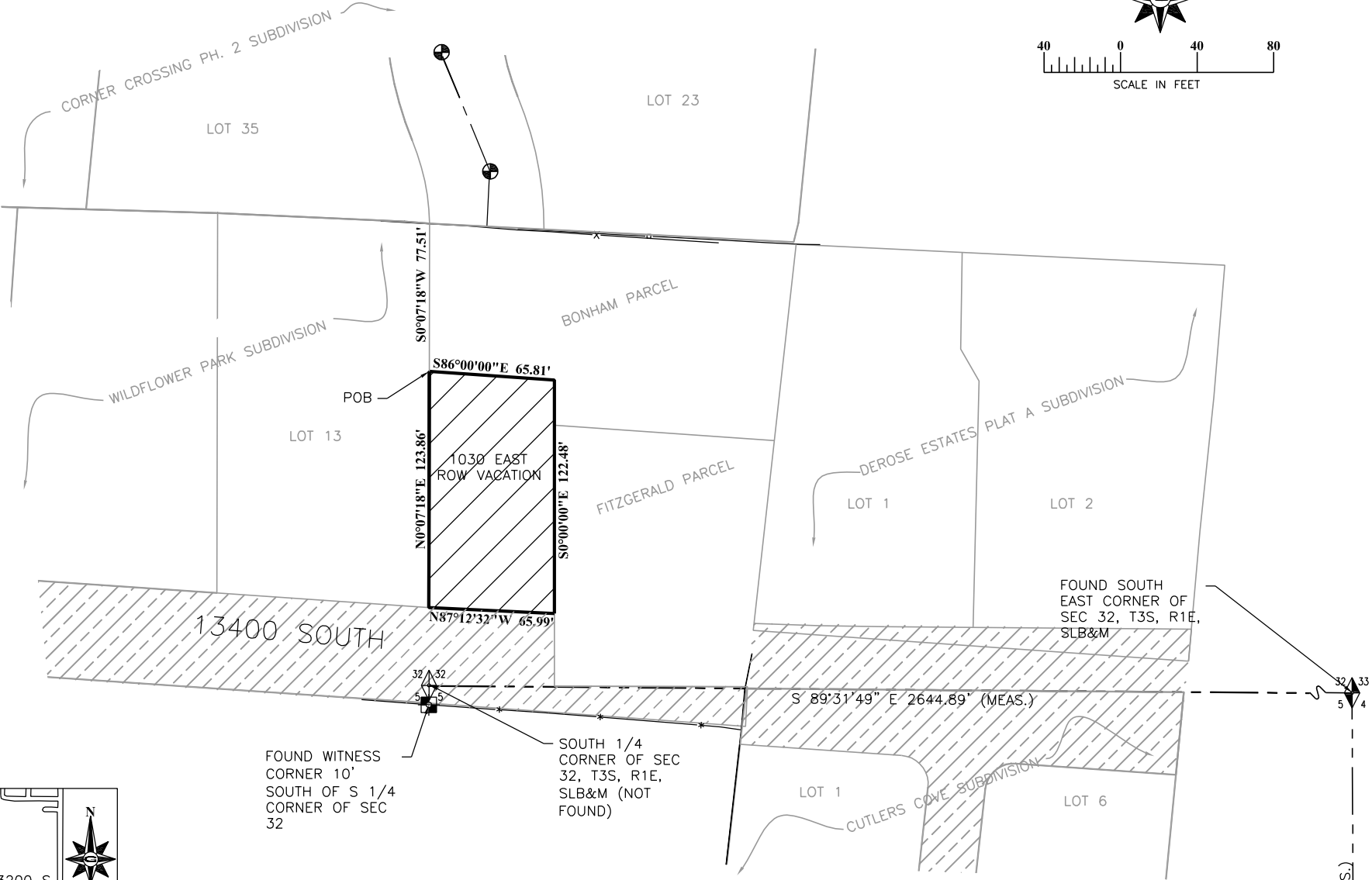
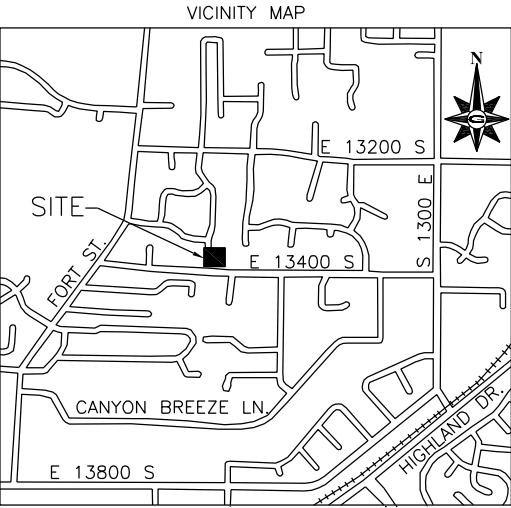
Public Utility Easements

Existing Lot Lines

Boundary

NOTES

Right of way vacated
per Draper City Council
Ordinance 901.



ACKNOWLEDGMENT

STATE OF UTAH
County of Salt Lake
} S.S.
On the _____ day of _____, A.D. 20
, personally appeared before me, the undersigned Notary Public, in and for
said County of Utah in said State of Utah, the signer() of the above
Owner's dedication, _____ in number, who duly acknowledged to me
that _____

signed it freely and voluntarily and for the uses and purposes therein
mentioned.

My commission expires: _____ Notary Public Residing in Salt Lake
County

FOUND EAST 1/4
CORNER OF SEC 5,
T4S, R1E, SLB&M

SURVEYOR'S CERTIFICATE

I, Josh F. Madsen, do hereby certify that I am a Professional Land
Surveyor and that I hold license no. 5152657 as prescribed by the laws of
the state of utah. I further certify that, by the authority of the owner I
have made a survey of the property described hereon, and that the same
is an accurate map of the proposed right of way to be vacated, as shown
hereon.

Josh F. Madsen, P.L.S
NO. 5152657
Date _____

PROPOSED RIGHT OF WAY VACATION
DESCRIPTION FOR 1030 EAST

BEGINNING AT A POINT LOCATED SOUTH 0°07'18" WEST 77.51 FEET FROM THE
NORTHEAST CORNER OF LOT 13, WILDFLOWER PARK, ACCORDING TO THE PLAT THEREOF,
A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF
SECTION 32, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND
RUNNING THENCE SOUTH 86°00'00" EAST 65.81 FEET; THENCE SOUTH 122.48 FEET;
THENCE NORTH 87°12'32" WEST 65.99 FEET; THENCE NORTH 0°07'18" EAST 123.86
FEET TO THE POINT OF BEGINNING.

CONTAINS 8103 SQFT

OWNER'S DEDICATION

Know all men by these presents that _____, the undersigned
owner(s) of the above described tract of land having caused same to be
platted and said 1030 East right of way to be vacated, to be hereafter
known as

WILDFLOWER PARK SUBDIVISION AMENDED

do hereby dedicate all parcels of land shown on this plat as intended to be
vacated. The owner(s) warrant and defend and save the City harmless
against any easements or other encumbrance on a dedicated street which
will interfere with the City's use, maintenance and operation of the street.
In witness whereof _____ have hereunto set this _____ day
of _____, A.D. 20_____.

ACKNOWLEDGMENT

STATE OF UTAH
County of Salt Lake } S.S.

On the _____ day of _____, A.D. 20
, personally appeared before me, the undersigned Notary Public, in and for
said County of Utah in said State of Utah, the signer() of the above
Owner's dedication, _____ in number, who duly acknowledged to me
that _____

signed it freely and voluntarily and for the uses and purposes therein
mentioned.

My commission expires: _____ Notary Public Residing in Salt Lake
County

QUESTAR GAS

ROCKY MOUNTAIN POWER

QUEST

COMCAST CABLE



Draper Office:
12401 South 450 East
(801) 571-9414
Fax: (801) 571-9449

Riverview Office:
5440 South 1700 West
(801) 773-1191
Fax: (801) 773-0091

CONSULTING ENGINEERS AND SURVEYORS
www.gilsonengineering.com

WATER PRO

Approved this _____ day
of _____
A.D. 20_____ by Water Pro

Water Pro _____ Date _____

CITY ATTORNEY

Approved this _____ day
of _____
A.D. 20_____ By the City
Attorney: _____

City Attorney _____ Date _____

CITY MAYOR

Approved this _____ day
of _____ A.D. 20_____

City Recorder _____ Date _____

City Mayor _____ Date _____

COUNTY HEALTH DEPARTMENT

Approved this _____ day
of _____
A.D. 20_____ by the County
Health Department.

County Health Dept. _____ Date _____

DRAPER CITY PUBLIC WORKS

Approved this _____ day
of _____
A.D. 20_____ By Draper City
Public Works.

Dir. Draper City Pub. Wks. Date _____

SOUTH VALLEY SEWER
IMPROVEMENT DISTRICT

Approved this _____ day
of _____
A.D. 20_____ By Salt Lake
County Sewage Imp. Dist.

South Valley Sew. Dist Date _____

CITY PLANNING COMMISSION

Approved this _____ day
of _____
A.D. 20_____ By the Draper
City Planning Commission.

Chmn. Draper City P. C. Date _____

CITY ENGINEER

I hereby certify that I have had
this plat examined by this
office and it is correct and in
accordance with the information
on file and is hereby approved.

City Engineer _____ Date _____

RECORDED #

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ SALT LAKE COUNTY RECORDER

ORDINANCE NO. 901

AN ORDINANCE VACATING A CERTAIN PORTION OF THE 1030 EAST RIGHT-OF-WAY, LOCATED WITHIN DRAPER CITY, STATE OF UTAH, ALSO KNOWN AS THE 1030 EAST STREET VACATION.

WHEREAS, the City was dedicated a segment of the 1030 East right-of-way as a part of the Wildflower Park Subdivision; and

WHEREAS, that segment of 1030 East has never had connectivity with any other segments of nearby streets; and

WHEREAS, that segment of 1030 East has never been developed or constructed to resemble or function as a street; and

WHEREAS, that segment of 1030 East provides no frontage or access to any adjoining property; and

WHEREAS, by vacating this portion of dedicated right-of-way the City can receive benefit from the dedication of land to complete the 13400 South right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH:

Section 1. Street Right-of-Way Vacation. The following described portion of street right-of-way located at 1030 East between 13400 South and approximately 13380 South within Draper City, Salt Lake County, State of Utah, and as further depicted in Exhibit "A" attached hereto, is hereby vacated:

BEGINNING AT A POINT LOCATED SOUTH 0°07'18" WEST 77.51 FEET FROM THE NORTHEAST CORNER OF LOT 13, WILDFLOWER PARK, ACCORDING TO THE PLAT THEREOF, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 86°00'00" EAST 65.81 FEET; THENCE SOUTH 122.48 FEET; THENCE NORTH 87°12'32" WEST 65.99 FEET; THENCE NORTH 0°07'18" EAST 123.86 FEET TO THE POINT OF BEGINNING, AS DEPICTED ON THE WILDFLOWER PARK SUBDIVISION PLAT AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

0.186 AC (8,103 SQ. FT.) MORE OR LESS

Section 2. Effect of Vacation. The vacation herein shall operate as a relinquishment of the City's fee in the vacated street and the ownership of the property shall revert to S. Craig Bonham and Draper Irrigation Company as identified as dedicators for the Wildflower Park Subdivision and, pursuant to Section 10-9a-609.5(5) Utah State Code (U.C.A.), the legislative body's vacation of the right-of-way described herein that has been dedicated to public use operates to the extent to which it is vacated as a revocation of the acceptance of and the relinquishment of the municipality's fee in the vacated right-of-way and may not be construed to impair any right-of-way or easement of any lot owner or the franchise rights of any public utility.

Section 3. Severability Clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective upon adoption and the recordation of a plat to the affect described in this Ordinance with the Office of the Salt Lake County Recorder.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS _____ DAY OF _____, 2009.

ATTEST:

DRAPER CITY

City Recorder

By: _____
Mayor

1030 EAST RIGHT-OF-WAY VACATION EXHIBIT

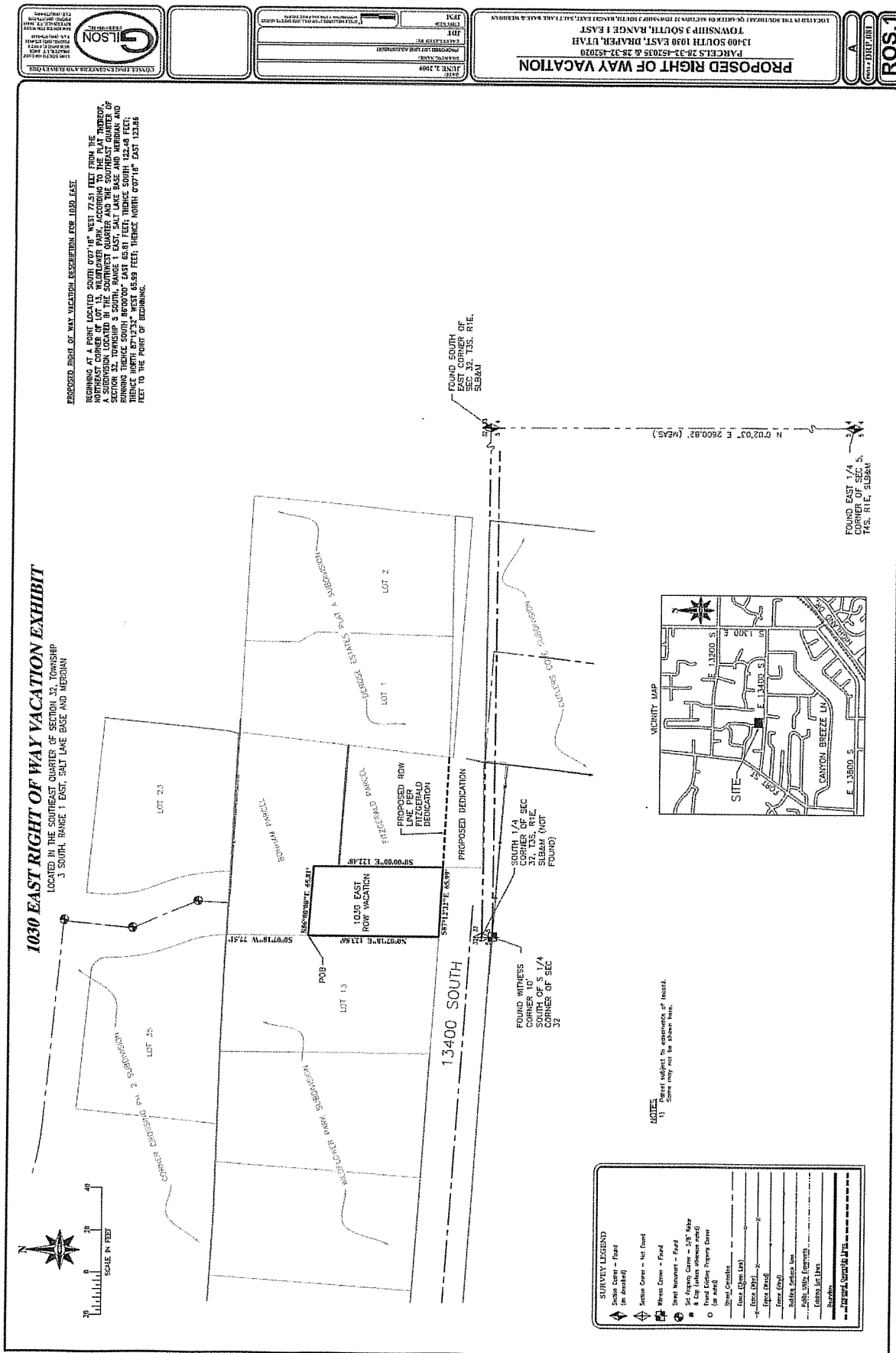
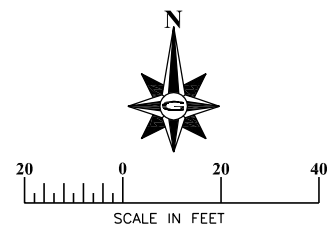


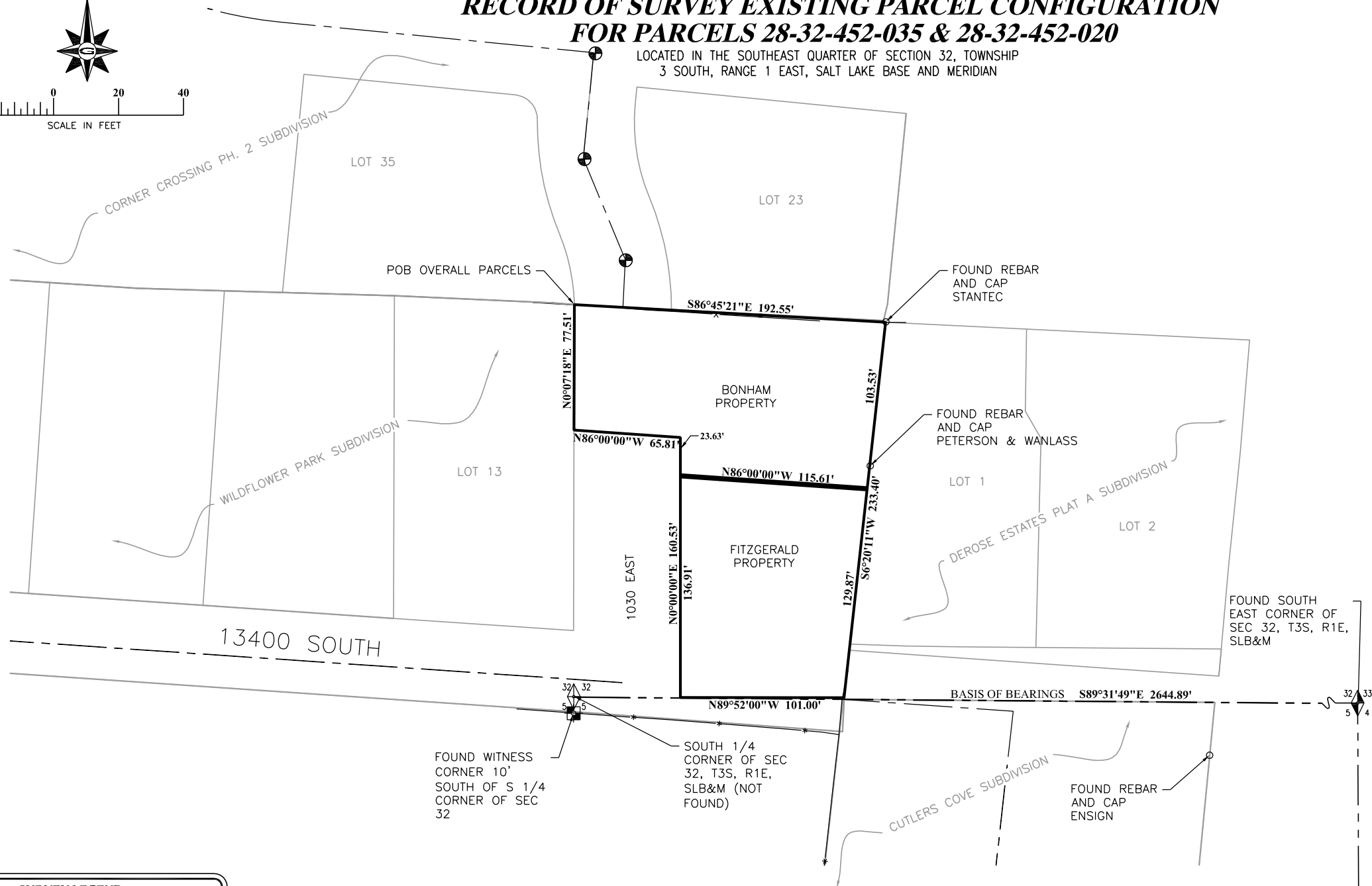
EXHIBIT B

**PROPOSED LOT LINE ADJUSTMENT
BEFORE AND AFTER DRAWINGS**



RECORD OF SURVEY EXISTING PARCEL CONFIGURATION FOR PARCELS 28-32-452-035 & 28-32-452-020

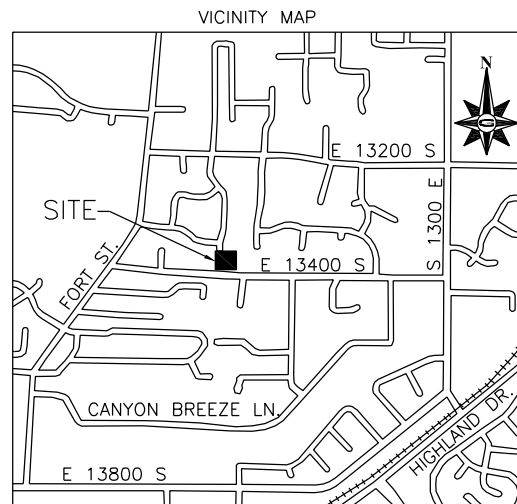
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP
3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN



SURVEY LEGEND	
	Section Corner - Found (as described)
	Section Corner - Not Found
	Witness Corner - Found
	Street Monument - Found
	Set Property Corner - 5/8" Rebar & Cap (unless otherwise noted)
	Found Existing Property Corner (as noted)
	Street Centerline
	Fence (Chain Link)
	Fence (Wire)
	Fence (Wood)
	Fence (Vinyl)
	Building Setback Line
	Public Utility Easements
	Existing Lot Lines
	Boundary
	Proposed Ownership Lines

NOTES

- 1) Parcel subject to easements of record.
Some may not be shown here.



FOUND EAST 1/4
CORNER OF SEC 5,
T4S, R1E, SLB&M

SURVEYOR'S CERTIFICATE

I, JOSH F. MADSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152657 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER I HAVE MADE A SURVEY OF THE PROPERTY DESCRIBED HEREON, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

JOSH F. MADSEN, P.L.S
NO. 5152657

NARRATIVE

THIS SURVEY WAS REQUESTED BY DRAPER CITY TO LOCATE AND PREPARE RIGHT OF WAY VACATION DOCUMENTS FOR 1030 EAST (TURNAROUND AREA), PREPARE RIGHT OF WAY DEDICATION DESCRIPTIONS OF THE FITZGERALD PARCEL IN THE 13400 SOUTH ALIGNMENT, AND TO ADJUST THE COMMON BOUNDARY LINE BETWEEN FITZGERALD AND BONHAM PARCELS AFTER THE VACATION OF RIGHT OF WAY AND THE DEDICATION OF ADDITIONAL RIGHT OF WAY BY FITZGERALD. THE RECORD FITZGERALD PARCEL DID NOT FIT VERY BETWEEN THE RECORDED SUBDIVISIONS ADJACENT ON THE EAST AND WEST OF THE PARCEL, NOR DID THE DESCRIPTION MATHEMATICALLY CLOSE.

THE BASIS OF BEARINGS FOR THIS SURVEY IS SOUTH 89°31'49" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 32 AS MEASURED FROM THE SOUTH QUARTER AND THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SLBM. (FOUND SALT LAKE COUNTY BRASS CAP MONUMENT FOR THE SOUTHEAST CORNER AND THE SOUTH QUARTER LOCATION PER THE TIE DIMENSION TO THE WITNESS CORNER FOR THE SOUTH QUARTER CORNER. THE PARCEL CORNERS WILL BE STAKED ON THE GROUND AFTER THE RIGHT OF WAY IS VACATED, AND THE ADDITIONAL RIGHT OF WAY IS DEEDED TO THE CITY.

RECORD DESCRIPTION FOR FITZGERALD PARCEL

COMMENCING NORTH 89°52' WEST, 2472.75 FEET FROM THE SOUTHEAST CORNER OF SECTION 32, T3S, R1E, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 6° EAST, 145 FEET; THENCE NORTH 86° WEST, 132 FEET; THENCE SOUTH, 165 FEET; THENCE SOUTH 89°52' EAST, 101.25 FEET TO THE POINT OF BEGINNING. CONTAINING 0.43 ACRES.

SUBJECT TO EASEMENTS OF RECORD.

RECORD DESCRIPTION FOR BONHAM PARCEL

BEGINNING AT THE NORTHEAST CORNER OF LOT 13, WILDFLOWER PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 87°23'06" EAST TO THE NORTHWEST CORNER OF THE CUTLER PROPERTY AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED MARCH 20, 1995 AS ENTRY NO. 6043028 IN BOOK 7118 AT PAGE 1961 OF OFFICIAL RECORDS; THENCE SOUTH 6° WEST TO THE NORTHEAST CORNER OF THE FITZGERALD PROPERTY AS DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED MAY 20, 1977 AS ENTRY NO. 2946762 IN BOOK 4491 AT PAGE 1122 OF OFFICIAL RECORDS; THENCE NORTH 86° WEST 132 FEET TO THE NORTHWEST CORNER OF SAID FITZGERALD PROPERTY; THENCE SOUTH TO A POINT ON WILDFLOWER PARK; THENCE NORTH 86° WEST 65.812 FEET; THENCE NORTH 00°07'18" EAST 77.511 FEET TO THE POINT OF BEGINNING.

OVERALL AS SURVEYED DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF LOT 13, WILDFLOWER PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 86°45'21" EAST 192.55 FEET TO THE NORTHWEST CORNER OF LOT 1, DEROSE ESTATES PLAT A SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF; THENCE SOUTH 6°20'11" WEST 233.40 FEET ALONG THE WEST LINE OF LOT 1, DEROSE ESTATES PLAT A SUBDIVISION TO A POINT ON WILDFLOWER PARK SUBDIVISION, THENCE ALONG THE BOUNDARY OF WILDFLOWER PARK SUBDIVISION THE FOLLOWING FOUR COURSES: NORTH 89°52'00" WEST 101.00 FEET; THENCE NORTH 160.53 FEET; THENCE NORTH 86°00'00" WEST 65.81 FEET; THENCE NORTH 0°07'18" EAST 77.51 FEET TO THE POINT OF BEGINNING. contains 40,073 sq ft. EXCLUDING THE 1030 EAST PUBLIC RIGHT OF WAY.

CONSULTING ENGINEERS AND SURVEYORS

12401 SOUTH 450 EAST
DRAPER, UT 84028
BUILDING C UNIT 2
PH 801-571-9494
FAX: (801) 571-9449
5440 SOUTH 1700 WEST
RYTERDALE, UT 84405
PH 801-571-9494
FAX: (801) 773-9091

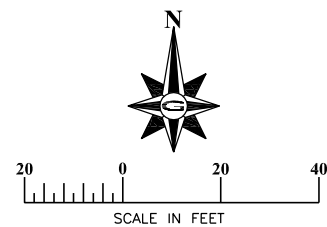
GILSON
ENGINEERS INC.

DATE: JUNE 2, 2009
DRAWING NAME:
CALCULATED BY: JDT
CHECKED BY: JFM

1"=60' HORIZONTAL; 1"=120' VERTICAL; SEE SHEETS ADJACENT
ACCORDING TO THE PLAT SIZE SHEETS

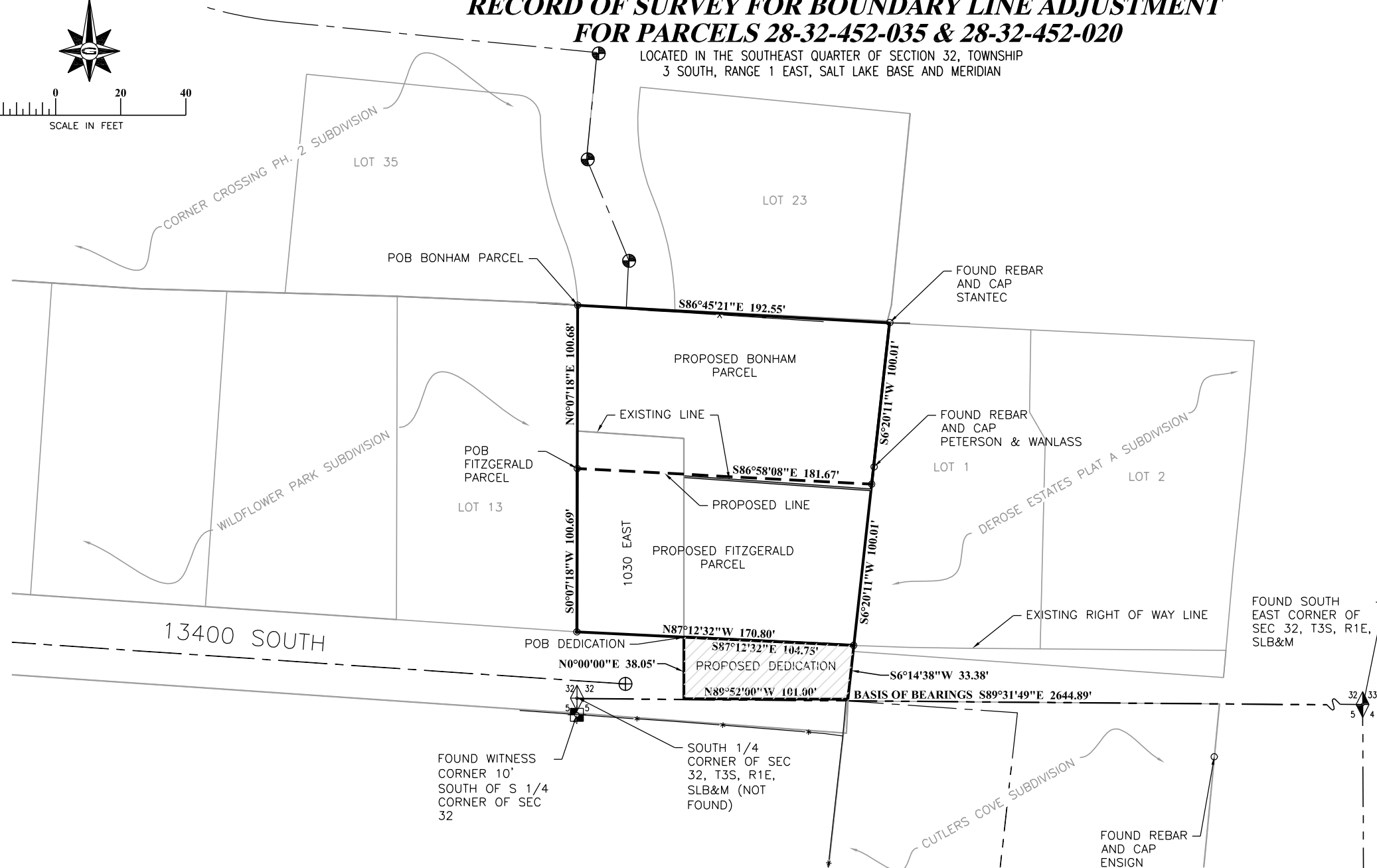
RECORD OF SURVEY
PARCELS 28-32-452035 & 28-32-452020
13400 SOUTH 1030 EAST, DRAPER, UTAH
TOWNSHIP 3 SOUTH, RANGE 1 EAST
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32 TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

A
PROJ. # DRP.081
ROS.1



RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT FOR PARCELS 28-32-452-035 & 28-32-452-020

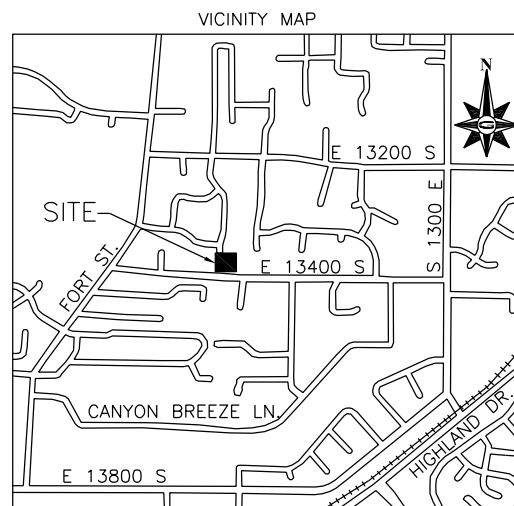
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP
3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN



SURVEY LEGEND	
	Section Corner - Found (as described)
	Section Corner - Not Found
	Witness Corner - Found
	Street Monument - Not Found
	Street Monument - Found
	Set Property Corner - 5/8" Rebar & Cap (unless otherwise noted)
	Found Existing Property Corner (as noted)
	Street Centerline
	Fence (Chain Link)
	Fence (Wire)
	Fence (Wood)
	Fence (Vinyl)
	Building Setback Line
	Public Utility Easements
	Existing Lot Lines
	Boundary
	Proposed Ownership Lines
	PROPOSED DEDICATION

NOTES

- 1) Parcel subject to easements of record.
Some may not be shown here.



SURVEYOR'S CERTIFICATE

I, JOSH F. MADSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152657 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER I HAVE MADE A SURVEY OF THE PROPERTY DESCRIBED HEREON, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

JOSH F. MADSEN, P.L.S.
NO. 5152657

NARRATIVE

THIS SURVEY WAS REQUESTED BY DRAPER CITY TO LOCATE AND PREPARE RIGHT OF WAY VACATION DOCUMENTS FOR 1030 EAST (TURNAROUND AREA), PREPARE RIGHT OF WAY DEDICATION DESCRIPTIONS OF THE FITZGERALD PARCEL IN THE 13400 SOUTH ALIGNMENT, AND TO ADJUST THE COMMON BOUNDARY LINE BETWEEN FITZGERALD AND BONHAM PARCELS AFTER THE VACATION OF RIGHT OF WAY AND THE DEDICATION OF ADDITIONAL RIGHT OF WAY BY FITZGERALD. THE RECORD FITZGERALD PARCEL DID NOT FIT VERY BETWEEN THE RECORDED SUBDIVISIONS ADJACENT ON THE EAST AND WEST OF THE PARCEL, NOR DID THE DESCRIPTION MATHEMATICALLY CLOSE.

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PROPOSED DESCRIPTION FOR FITZGERALD PARCEL

BEGINNING AT THE SOUTHEAST CORNER OF LOT 13, WILDFLOWER PARK, ACCORDING TO THE PLAT THEREOF, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 0°07'18" EAST 100.69 FEET ALONG THE EAST LINE OF LOT 13, WILDFLOWER PARK; THENCE SOUTH 86°58'08" EAST 181.67 FEET TO THE WEST LINE OF LOT 1, DEROSE ESTATES PLAT A; THENCE SOUTH 6°20'11" WEST ALONG THE WEST LINE OF LOT 1, DEROSE ESTATES PLAT A 100.01 FEET; THENCE NORTH 87°12'32" WEST 170.75 FEET TO THE POINT OF BEGINNING.

CONTAINS 17,658 sq ft, 0.41 ACRES

PROPOSED DESCRIPTION FOR BONHAM PARCEL

BEGINNING AT THE NORTHEAST CORNER OF LOT 13, WILDFLOWER PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 86°45'21" EAST 192.55 FEET TO THE NORTHWEST CORNER OF LOT 1, DEROSE ESTATES PLAT A SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF; THENCE SOUTH 6°20'11" WEST ALONG THE WEST LINE OF LOT 1, DEROSE ESTATES PLAT A SUBDIVISION 100.01 FEET; THENCE NORTH 86°58'08" WEST 181.67 FEET TO A POINT ON THE EAST LINE OF LOT 13, WILDFLOWER PARK; THENCE N 0°07'18" EAST ALONG THE EAST LINE OF LOT 13, WILDFLOWER PARK 100.68 FEET TO THE POINT OF BEGINNING

CONTAINS 18,748 sq ft, 0.43 ACRES

PROPOSED FITZGERALD DEDICATION DESCRIPTION

BEGINNING AT A POINT LOCATED SOUTH 0°07'18" WEST 201.37 FEET, AND SOUTH 87°12'32" EAST FROM THE NORTHEAST CORNER OF LOT 13, WILDFLOWER PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 87°12'32" EAST 104.81 FEET; THENCE SOUTH 6°20'11" WEST 33.39 FEET; THENCE NORTH 89°52'00" WEST 101.00 FEET; THENCE NORTH 38.05 FEET TO THE POINT OF BEGINNING. contains approx 3,667 sq ft.

FOUND EAST 1/4
CORNER OF SEC 5,
T4S, R1E, SLB&M

CONSULTING ENGINEERS AND SURVEYORS
12401 SOUTH 400 EAST
DRAPER, UT 84028
BUILDING CODE UNIT 2
PHONE: (801) 571-9494
FAX: (801) 571-9499
5440 SOUTH 1700 WEST
RIVERDALE, UT 84405
PHONE: (801) 773-9091
FAX: (801) 773-9091
GILSON
ENGINEERING INC.

DATE: JUNE 2, 2009
DRAWING NAME: PROPOSED LOT LINE ADJUSTMENT
CALCULATED BY: JDT
CHECKED: JFM

PROPOSED LOT LINE ADJUSTMENT

PARCELS 28-32-452035 & 28-32-452020
13400 SOUTH 1030 EAST, DRAPER, UTAH
TOWNSHIP 3 SOUTH, RANGE 1 EAST
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32 TOWNSHIP 3 SOUTH RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

A
PROJ. # DRP.081
ROS.1

EXHIBIT C

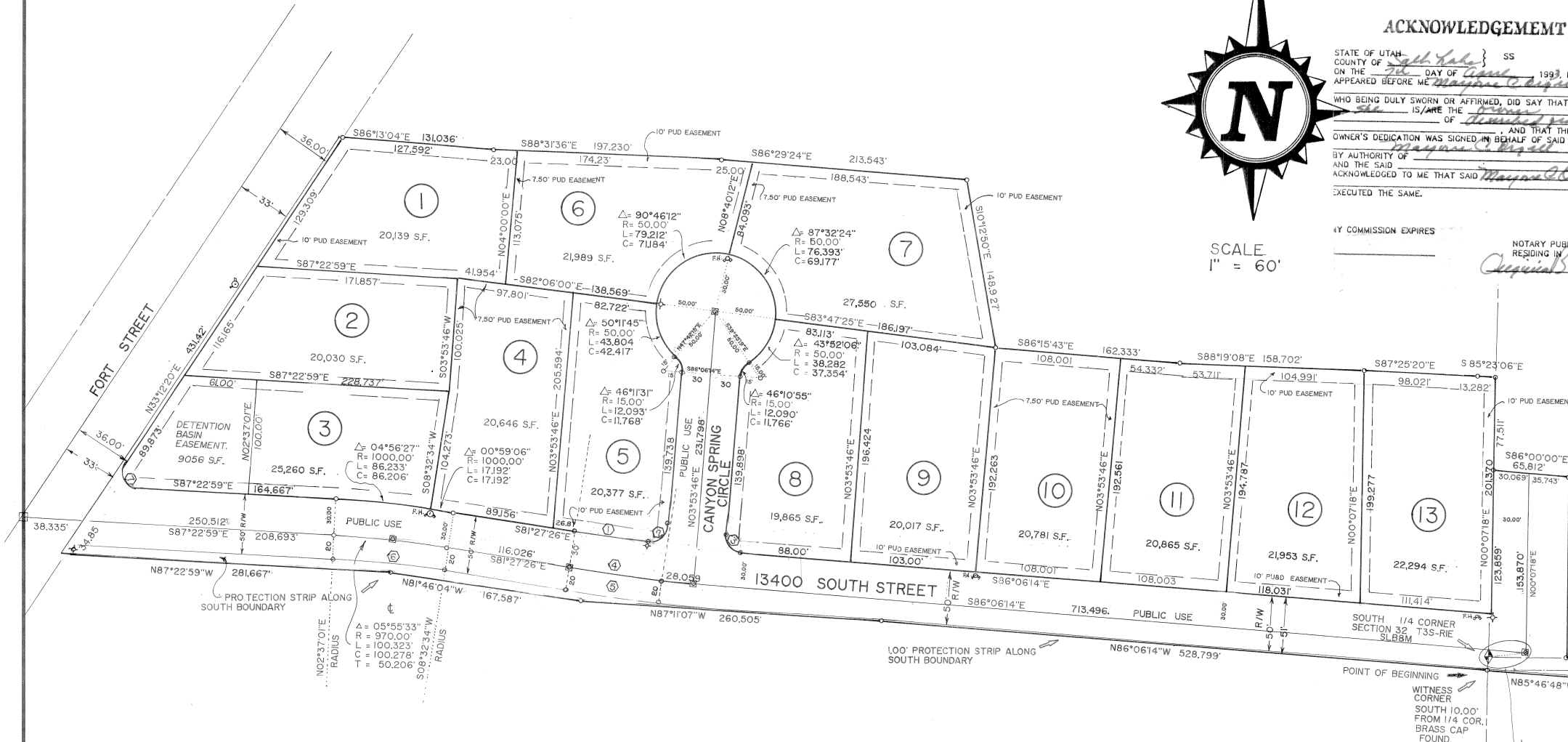
RECORDED WILDFLOWER PARK SUBDIVISION

IMPORTANT NOTICE

Many areas in Draper have ground water problems due to a seasonally high (fluctuating) water table. Approval of this plat does not constitute representation by the City that building at any specified elevation will solve ground water problems. Solution of these problems is the sole responsibility of the permit applicant and property owner.

WILDFLOWER PARK

LOCATED IN THE SOUTH HALF OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 EAST AND THE NORTH HALF OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
DRAPER CITY, SALT LAKE COUNTY, UTAH



ACKNOWLEDGEMENT

STATE OF UTAH } SS
COUNTY OF Salt Lake }
ON THE 2nd DAY OF April, 1993, PERSONALLY
APPEARED BEFORE ME Wayne H. Ballard
WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT
IS/ARE THE OWNER OF Wildflower Park
AND THAT THE WITHIN
OWNER'S DEDICATION WAS SIGNED IN BEHALF OF SAID
BY AUTHORITY OF Wayne H. Ballard
AND THE SAID
ACKNOWLEDGED TO ME THAT SAID Wayne H. Ballard
EXECUTED THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

- ☒ MONUMENTS TO BE SET
- ☒ FIRE HYDRANTS REQUIRED
- ☒ STREET LIGHTS REQUIRED
- ☐ PUBLIC UTILITY AND DRAINAGE EASEMENTS
- ☐ FRONT LOT LINE EASEMENT IS 10.00'
- ☐ BOUNDARY EASEMENTS ARE 10.00'
- ☐ INTERIOR LOT LINE EASEMENT IS 7.5'

ACKNOWLEDGEMENT

STATE OF UTAH } SS
COUNTY OF Salt Lake }
ON THE 2nd DAY OF April, 1993, PERSONALLY
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ACKNOWLEDGED TO ME THAT SAID Wayne H. Ballard
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MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

ACKNOWLEDGEMENT

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OWNER'S DEDICATION WAS SIGNED IN BEHALF OF SAID
BY AUTHORITY OF Wayne H. Ballard
AND THE SAID
ACKNOWLEDGED TO ME THAT SAID Wayne H. Ballard
EXECUTED THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

SURVEYOR'S CERTIFICATE

I, Jack L. DeMass, do hereby certify that I am a Registered Land Surveyor and that I hold license No. 3552 as prescribed under the laws of the State of Utah. I further certify 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 into lots, streets, and easements as shown and that this plat is true and correct.

BOUNDARY DESCRIPTION

Beginning at a point South, 3.845 feet and West, 2644.883 feet from the Southeast Corner of Section 32, Township 3 South, Range 1 East, Salt Lake Base and Meridian; said point also being the witness corner for the South Quarter Corner of Section 32 and located 10.00 feet South of said Quarter Corner; Running thence N86°06'14"W, 528.799 feet; thence N87°11'07"W, 260.505 feet; thence N81°46'04"W, 167.587 feet; thence N87°22'59"W, 281.667 feet; thence N33°12'20"E, 431.420 feet; thence S86°13'04"E, 131.036 feet; thence S88°31'36"E, 197.230 feet; thence S86°29'24"E, 213.543 feet; thence S10°12'50"E, 148.927 feet; thence S86°15'43"E, 162.333 feet; thence S88°19'08"E, 158.702 feet; thence S87°25'20"E, 98.021 feet; thence S85°23'06"E, 13.282 feet; thence S00°07'18"W, 77.511 feet; thence S86°00'00"E, 65.812 feet; thence South, 160.534 feet; thence S89°52'00"E, 101.25 feet; thence S03°08'30"W, 21.896 feet; thence N85°46'48"W, 166.50 feet to the point of beginning.

Contains 380,091 Square Feet or 8.7257 Acres (13 lots)

January 28, 1993

Jack L. DeMass
R.L.S. No. 3552
State of Utah
REVISED MARCH 30, 1993

OWNERS DEDICATION

Know all men by these presents that we, all of the undersigned owners of all the property described in the surveyor's certificate hereon and shown on this plat, have caused the same to be subdivided into lots, streets, and easements to be known as **WILDFLOWER PARK** and do hereby dedicate for the 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 hand this
7TH day of APRIL A.D. 1993.

ROBERT H. BALLARD, TRUSTEE Wayne H. Ballard
Wayne H. Ballard
Wayne H. Ballard
Wayne H. Ballard

ACKNOWLEDGEMENT

STATE OF UTAH } SS
COUNTY OF Salt Lake }
ON THE 2nd DAY OF April, 1993, PERSONALLY
APPEARED BEFORE ME Wayne H. Ballard
WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT
IS/ARE THE OWNER OF Wildflower Park
AND THAT THE WITHIN
OWNER'S DEDICATION WAS SIGNED IN BEHALF OF SAID
BY AUTHORITY OF Wayne H. Ballard
AND THE SAID
ACKNOWLEDGED TO ME THAT SAID Wayne H. Ballard
EXECUTED THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

WILDFLOWER PARK

LOCATED IN THE SOUTH HALF OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 EAST AND THE NORTH HALF OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
DRAPER CITY, SALT LAKE COUNTY, UTAH



PLANNING COMMISSION
APPROVED THIS 2nd DAY OF April, A.D. 1993 BY THE DRAPER CITY PLANNING COMMISSION.
Don Davis
CHAIRMAN, DRAPER CITY PLANNING COMMISSION

DRAPER IRRIGATION COMPANY
APPROVED THIS 2nd DAY OF April, A.D. 1993.
Wayne H. Ballard
DRAPER IRRIGATION COMPANY

SEWER DISTRICT NO. 1
APPROVED THIS 2nd DAY OF April, A.D. 1993.
William C. Korman
DIRECTOR, SEWER DISTRICT NO. 1

ENGINEER'S CERTIFICATE
APPROVED AS TO COMPLIANCE WITH DRAPER CITY ORDINANCE.
April 1, 1993 David P. Wilding
DATE DRAPER CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 2nd DAY OF April, A.D. 1993.
Michael J. Mayhew
DRAPER CITY ATTORNEY

DRAPER CITY MAYOR
PRESENTED TO THE DRAPER CITY MAYOR THIS 16th DAY OF April, A.D. 1993
AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
Wayne H. Ballard
ATTEST, DRAPER CITY CLERK MAYOR, DRAPER CITY

RECORDED # 5481502
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
DRAPER CITY
DATE 4-23-93 TIME 2:51 PM BOOK 93-4 PAGE 66
FEE \$27.00
DEPUTY SALT LAKE COUNTY RECORDER

93-4-66

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD
ON THURSDAY, JULY 09, 2009 IN THE DRAPER CITY COUNCIL CHAMBERS**

“This document, along with the digital recording, shall constitute the complete minutes for this Planning Commission meeting.”

PRESENT: Chairperson Bill Rappleye, Planning Commissioners Leslie Johnson, Kent Player, Fred Lowry Jr., Marsha Vawdrey, and Drew Gilliland. Alternate Members Ryan Clerico and Jeff Head were also in attendance.

ABSENT: Commissioner Brent Anderson

STAFF PRESENT: Doug Ahlstrom, Carolyn Prickett, Margaret Pahl, Dennis Workman, Mindy Dansie, Jim Bolser, Dan Boles and Angie Olsen (Deputy Recorder)

ALSO PRESENT: Dana Jackson, Marci Duke, K.C. Bills, Bob Simons, Paul Heiner, Katy Jensen, Sherri Smith, Corey Timothy, and Bruce Thorpe, et.al.

Study Meeting:

[6:16:30 PM](#)

- a. Study Business Items: The commissioners reviewed the applications for the business meeting and addressed questions to staff members.

9.0 Staff Reports

[6:37:35 PM](#)

- 9.1 Margaret Pahl advised the Planning Commission that there are currently some minor subdivisions that staff is trying to decide whether they will be brought to the Planning Commission or handled administratively. She reported on a potential applicant who has approached the City regarding the possibility of turning the former Ferguson plumbing building at Galena Hills Boulevard and 12300 South into a doggie day care. She also reported some text amendments are currently scheduled for the July 23, 2009 Planning Commission meeting. Discussion was held about the subdivisions that request deferrals.

Business Meeting:

Chairperson Rappleye called the meeting to order at: [7:01:11 PM](#)

1.0 Approval of minutes from the April 9, 2009 and April 23, 2009 Planning Commission meetings.

[7:42:37 PM](#)

- 5.12 A roll call vote was taken with Commissioners Vawdrey, Player, Lowry, Johnson, and Gilliland voting in favor. The motion carried and the conditional use home occupation permit was approved.

[7:43:13 PM](#)

- 6.0 **Public Hearing: On the request of K.C. Bills representing Amsource, for approval of a modification to an existing Conditional Use Permit, on an approximately 5.672 acre site located at approximately 280 East 12300 South. (Application # PLN-2009-0057).**

[7:43:44 PM](#)

- 6.1 **Staff's Presentation:** Dan Boles gave staff's presentation of the proposed modification to an existing conditional use permit with the aide of a PowerPoint presentation and his Staff Report dated June 30, 2009. He said the limit on restaurants in the existing CUP was set at 12,300 square feet. The request is for an additional 2,000 square feet. The results of a parking study were reviewed.

[7:47:56 PM](#)

- 6.2 **Applicant's Presentation:** K.C. Bills, representing Amsource, said the condition originally made sense but now the parking seems to be overestimated.

[7:48:38 PM](#)

- 6.3 Chairperson Rappleye opened the public hearing; there were no comments and the public hearing was closed.

[7:48:50 PM](#)

- 6.4 Commissioner Gilliland moved to approve the modification to an existing Conditional Use Permit Request by K.C. Bills, representing Amsource, application JS-2009-0146, based on the findings and subject to the conditions listed in the Staff Report dated June 30, 2009. Commissioner Player seconded the motion.

[7:49:41 PM](#)

- 6.5 A roll call vote was taken with Commissioners Vawdrey, Johnson, Player, Lowry, and Gilliland voting in favor. The motion carried and the conditional use permit was approved.

[7:50:21 PM](#)

- 7.0 **Public Hearing: On the request of Draper City for approval of a Subdivision Plat Amendment and Right-Of-Way Vacation of a portion of 1030 East, located at 1030 East 13400 South. (Application # PLN-2009-0056).**

[7:50:40 PM](#)

- 7.1 **Staff's Presentation:** Jim Bolser gave staff's presentation of the proposed plat amendment and right-of-way vacation with the aide of a PowerPoint presentation

and his staff report dated June 30, 2009. He noted that the right-of-way has not been developed. He said the property being vacated will revert to the previous property owners. If the vacation is approved, the plat must be amended to show the change. As the process continues, the city will eventually receive dedication of property for the continuation of 13400 South and the property owners will have buildable lots.

[8:01:43 PM](#)

7.2 Chairperson Rappleye opened the public hearing; there were no comments and the public hearing was closed.

[8:01:53 PM](#)

7.3 **Commissioner Vawdrey moved to forward a positive recommendation to the City Council for the Wildflower Park Subdivision 1030 East Right-Of-Way Vacation and Plat Amendment request by Draper City, application PLN-2009-0056, based on the findings listed in the Staff Report dated June 30, 2009. Commissioner Lowry seconded the motion.**

[8:02:54 PM](#)

7.4 **A roll call vote was taken with Commissioners Gilliland, Johnson, Vawdrey, Player, and Lowry voting in favor. The motion carried. A positive recommendation will be forwarded to the City Council.**

[8:03:26 PM](#)

8.0 **Public Hearing: On the request of Draper City for approval of a Text Amendment regarding revisions to the terms of the Municipal Code for Temporary Use and Special Events. (Application # PLN-2009-0055).**

[8:03:43 PM](#)

8.1 **Staff's Presentation:** Jim Bolser gave staff's presentation of the proposed Text Amendment with the aide of a PowerPoint presentation and his Staff Report dated June 30, 2009. He said the request is to amend the entire section of the municipal code. Issues have been identified and changes have been recommended for ease in administration. Mr. Bolser reviewed the proposed text amendment.

[8:13:59 PM](#)

8.2 Commissioner Player asked who administers this section of the code and was told that Jerrilyn Billings (temporary uses and special events), Erica Hawks (liability and risk management), Nancy Bishop (business licenses) and Kasie Hall (code enforcement) are responsible for administration of various aspects.

[8:15:50 PM](#)

8.3 Chairperson Rappleye opened the public hearing; there were no comments and the public hearing was closed.

**MINUTES OF THE DRAPER CITY COUNCIL STUDY MEETING HELD ON
TUESDAY, JULY 21, 2009 IN THE DRAPER CITY COUNCIL CHAMBERS,
1020 EAST PIONEER ROAD, DRAPER, UTAH.**

“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”

PRESENT: Mayor Darrell Smith, Councilmembers Stephanie Davis, Jeff Stenquist, Alan Summerhays, Bill Colbert and Troy Walker.

STAFF PRESENT: Layne Long, Doug Ahlstrom, David Dobbins, David Decker, Troy Wolverton, Andy Hall, Mac Connole, Tracy Norr, Danyce Steck

ALSO PRESENT: Bruce Baird, Craig & Shelly Densley, Joan H., Gerry York, Frank & Shanna Maylett, Ruth Colbert, Joe Levi, Erik and Alike Willis, Aaron and Colleen DeRose, Sandy Shelton, Barbara Howard, Sue Brown, Clark Aposhian, Troy Olson, Dave Mast

STUDY MEETING

6:03 PM

A motion was made by Councilmember Davis to meet in a closed meeting to discuss litigation, property acquisition and the character and professional competence or physical or mental health of an individual. The motion was seconded by Councilmember Summerhays and carried unanimously.

**APPEALS BOARD MEETING – Craig Densley Appeal of Planning Commission
Amendment to Conditional Use Permit (CUP) for Corner Canyon Academy
(continued from July 14, 2009).**

6:30:50 PM

1.0 Mayor Smith called the hearing to order. City Attorney Doug Ahlstrom reminded the council of the process and items to be considered for the appeal.

6:34:15 PM

1.1 Mr. Densley said the business needs to comply by all the state, local and city rules and buffer zones.

6:34:50 PM

1.2 Bruce Baird, counsel for Corner Canyon Academy (CCA), thanked the council for allowing the continuation. He reviewed the definition of substantial evidence from the state code and said the appellant should show what the error of the Planning Commission is and to explain why the evidence in record is not enough to support the Planning Commission’s decision. He said this is an expansion of a conditional use which must be approved if there are any conditions imposed or proposed that can mitigate any substantial negative harm. He said there are no

- 6.5 A motion was made by Councilmember Stenquist to adopt Ordinance #909. The motion was seconded by Councilmember Walker.**

[8:04:57 PM](#)

- 6.6 A roll call vote was taken with Councilmembers Stenquist, Walker, Davis, Colbert, and Summerhays voting in favor. The motion carried.**

- 7.0 Public Hearing – Ordinance No. 901, Wildflower Park Subdivision Plat Amendment and 1030 East Right of Way Vacation. Staff Presentation by Jim Bolser.**

8:07:03 PM [8:05:39 PM](#)

A short break was taken.

[8:12:07 PM](#)

- 7.1 Jim Bolser explained the application is amend a plat to vacate a piece of right of way which has not been developed. Using a PowerPoint presentation, he showed the location of the subject property. He pointed out the improvements on 13400 South. He said the vacation of the portion of right-of-way is for the eventual exchange of property to complete the right of way ownership for 13400 South. He explained the process for vacating the plat as well as future dedications. Mr. Bolser said the Planning Commission recommends approval of the plat amendment and vacation.

[8:18:17 PM](#)

- 7.2 Mayor Smith opened the public hearing.

[8:18:27 PM](#)

- 7.3 Aaron DeRose, 1030 East 10100 South, just went through development process on the lot to the east. He said he was told that 13400 was a Level 2 priority, expected to be completed in 6-15 years. He asked if this will change that anticipated schedule. Mr. Bolser said the direction to the staff was to secure the property. A change to the timeline would be an amendment to the Transportation Master Plan and Capital Improvement Plan. Councilmember Colbert said priorities could change at any time. Councilmember Summerhays said this action is for the council to live up to an agreement made with the Fitzgeralds several years ago. Mr. DeRose asked if curb, gutter and sidewalk will be required for the entire length of 13400 South if the road is pushed through. Councilmember Davis said normally when roads are connected improvements are required. She said this project was not included in the current budget. Mayor Smith said it would be based on priorities. Mr. DeRose asked about access to the back lot. Mr. Bolser pointed out the access for the lot.

[8:23:58 PM](#)

- 7.4 Darwin Fitzgerald, 2535 West 12630 South, asked if curb and gutter would be required for an unimproved lot. The council discussed the timing for improvements, and said David Decker could answer the question.

[8:26:18 PM](#)

- 7.5 Colleen DeRose, 1031 East 10100 South, said there is an issue that she has with Draper. She said the curb, gutter and sidewalk is \$30,000, \$6,000 for the sewer, and \$40,000 to get a subdivision developed. She said her personal feeling is that a developer of a subdivision should be required to put in the improvements but a single property owner should not. She feels the city should put in the improvements.

[8:28:31 PM](#)

- 7.6 No other comments were given and the public hearing was closed.

[8:28:39 PM](#)

- 7.7 **A motion to suspend rules was made by Councilmember Stenquist and seconded by Councilmember Summerhays.**

[8:28:48 PM](#)

- 7.8 **The motion carried by unanimous voice vote.**

[8:28:54 PM](#)

- 7.9 **A motion to approve Ordinance #901 was made by Councilmember Stenquist and seconded by Councilmember Walker.**

[8:29:31 PM](#)

- 7.10 **A roll call vote with Councilmembers Stenquist, Walker, Summerhays, Colbert, and Davis voting in favor. The motion carried.**

8.0 Action Item – Settlement Agreement with South Mountain LC.

[8:29:53 PM](#)

- 8.1 David Dobbins reviewed the history of the discussion and options that could be pursued to settle the lawsuit. One option was using county funds to help purchase the property for open space. He said the property is part of the South Mountain Master Planned Development. There is a development agreement governing that project. There are four remaining phases to be developed subject to resolving engineering and geologic issues. The city never received studies to determine if the landslide areas can be developed. Using a PowerPoint presentation, he showed the property that has been dedicated or was purchased by the city and the area that is subject to the development agreement. There are 76 acres of non-entitled open space and 33 acres of developable areas. The county has asked for a conservation easement on all the property that was being dedicated to the city. The county is providing \$2.75 million to assist in the purchase of the 109 acres in

Corner Wood Drive

