



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

October 18, 2018

To: City Council via Planning Commission
From: Community Development Department
Subject: Mosher Annexation (R-1-20) Zone
11465 and 11467 E. Oberland Road
[Lone Peak, Community#27]

ANEX-09-18-5489
Approximately 0.89
acres

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

BACKGROUND

Philip Mosher is requesting to annex a certain contiguous unincorporated area, totaling approximately 0.89 acres, located at approximately 11465 South and 11467 South Oberland Road (Approximately 2900 East) in Salt Lake County, Utah. The area under consideration for annexation contains two parcels, with two property owners.

Mr. Mosher and his neighbor to the north (Mr. Benns) did a lot line adjustment recently, through Salt Lake County, which created the smaller parcel. The primary dwelling for Mr. Benns (owner of smaller parcel) is already within Sandy City. The larger parcel, owned by Mr. Mosher, has two homes on the same property. Both property owners have consented to the proposed annexation.

The subject properties are bordered by Sandy City on the north, west, and south.

ANALYSIS

The annexation is being considered by the City for the following reasons:

1. The area is **contiguous** to the Sandy City boundary (north, west, and south sides).
2. The properties are located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing **water, fire service and emergency medical service** to this area.
4. The City can provide a high level of other **municipal services** to these properties.

General Plan

Portions of the **Sandy City General Plan** which relate to this application are as follows:

p.43 *Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized.*

p.44 *Require proposed zoning changes to be in harmony with established neighborhoods.*

Zoning

The current Salt Lake County zoning on these properties is R-1-43, one acre lots. There are a number of different zoning districts near these parcels. To the north is PUD (1.45), the parcel to the east (within Sandy City) is zoned R-1-40, to the south is R-1-40A, and the west is PUD(2).

In general, when Sandy City annexes a property into the City from Salt Lake County we have always been sensitive to what the property was zoned in the County. In most cases we have been able to zone property to a comparable zone as we annex them into the City. As we have done this we have taken into account the existing properties that are adjacent to the area being annexed and try to assure that the annexed area is compatible with the existing area.

There are two homes on the larger parcel, which does not meet current standards for the zoning district in which it is currently located in. The applicant has indicated to staff that he intends to create separate lots for each home through our subdivision process. Therefore, Staff is proposing to annex the subject properties into the City with R-1-20 zoning district.

STAFF RECOMMENDATION

It is recommended that the Planning Commission send a positive recommendation to the City Council that the Mosher Annexation be approved and zoned R-1-20 based upon the following findings:

1. The area is **contiguous** to the Sandy City boundary (north, west, and south sides).
2. The properties are located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing **water, fire service and emergency medical service** to this area.
4. The City can provide a high level of other **municipal services** to these properties.
5. The R-1-20 zone is appropriate for these parcels based upon current land use.

Planner:



Brian McCuiston
Planning Director

Reviewed by:



James Sorensen
Community Development Director

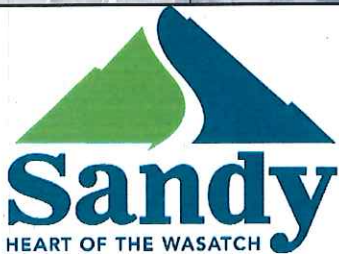
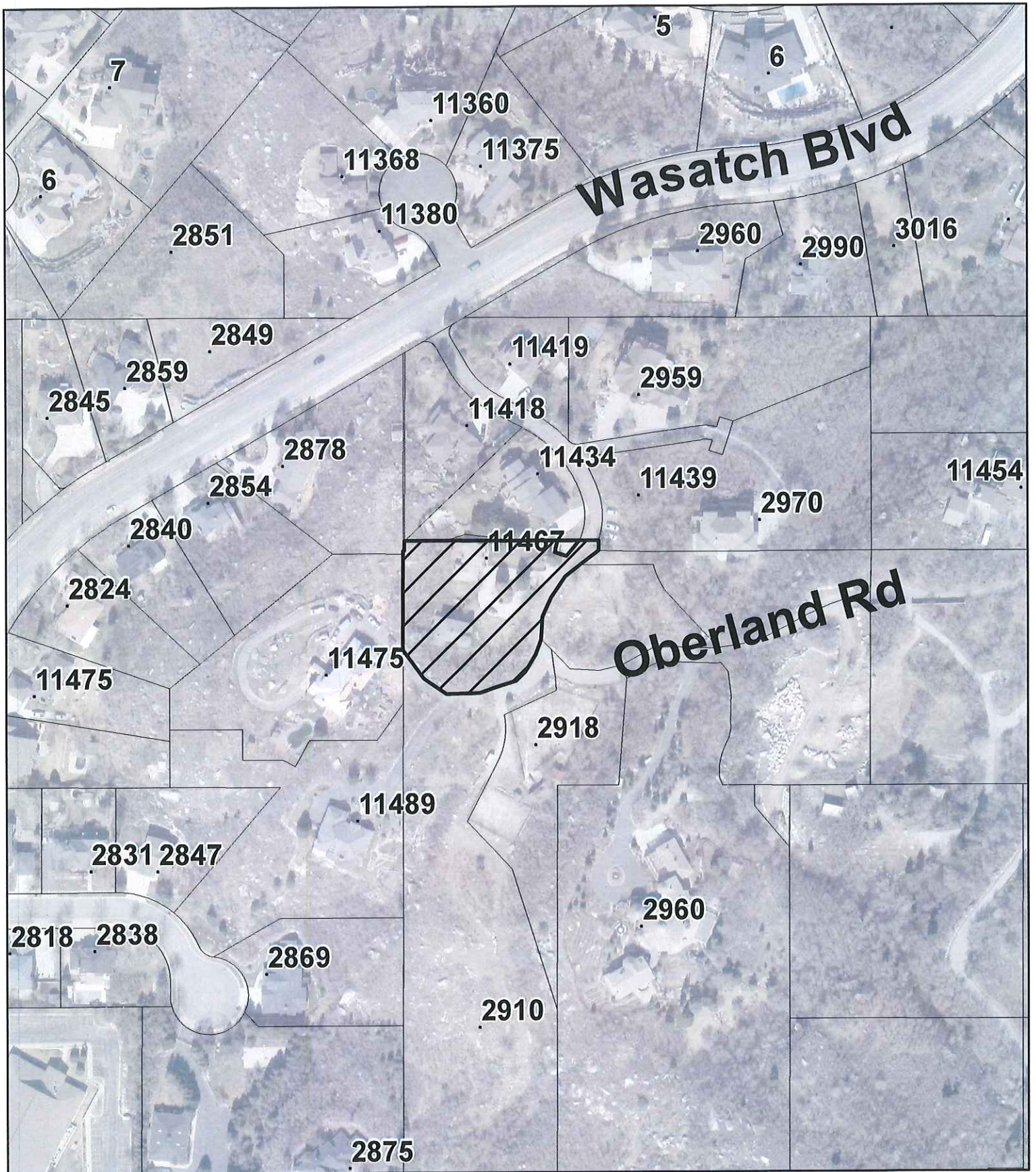
Legal Review:



Darien Alcorn
City Attorney

Mosher Annexation

<u>Property Owner</u>	<u>Sidwell Number</u>	<u>Market Value (2018)</u>	<u>Acres</u>
Mosher, Charity and Phil	28-23-326-006	\$664,400	.98
Benns, Rychardz	28-23-326-007	\$2,800	.01

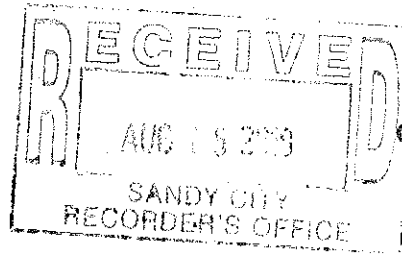


**Mosher Annexation
ANNEX-09-18-5489
11467 Oberland Rd.**

*PRODUCED BY THE COMMUNITY DEVELOPMENT DEPARTMENT
WADE SANNER, PLANNER*

Date: 8/15/18

Attn: Brian McCuiston
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070



RECEIVED
AUG 15 2018
SANDY CITY
COMMUNITY DEVELOPMENT

My name is Philip Mosher.

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at :

11467 Oberland Rd - 84092

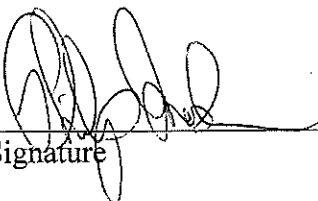
This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at : 801-865-3000

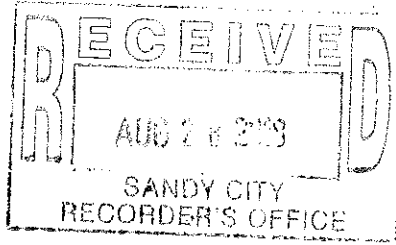
Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.



Signature

Signature



RECEIVED
AUG 28 2018
SANDY CITY
COMMUNITY DEVELOPMENT

Date: 8/24/18

Attn: Brian McCuiston
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

My name is Ryckardz Bennis

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at :

11434 JOG LAND RD

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at : 801-509-3776

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.


Signature

Signature

**FINAL LOCAL ENTRY PLAT
MOSHER
ANNEXATION TO SANDY CITY**

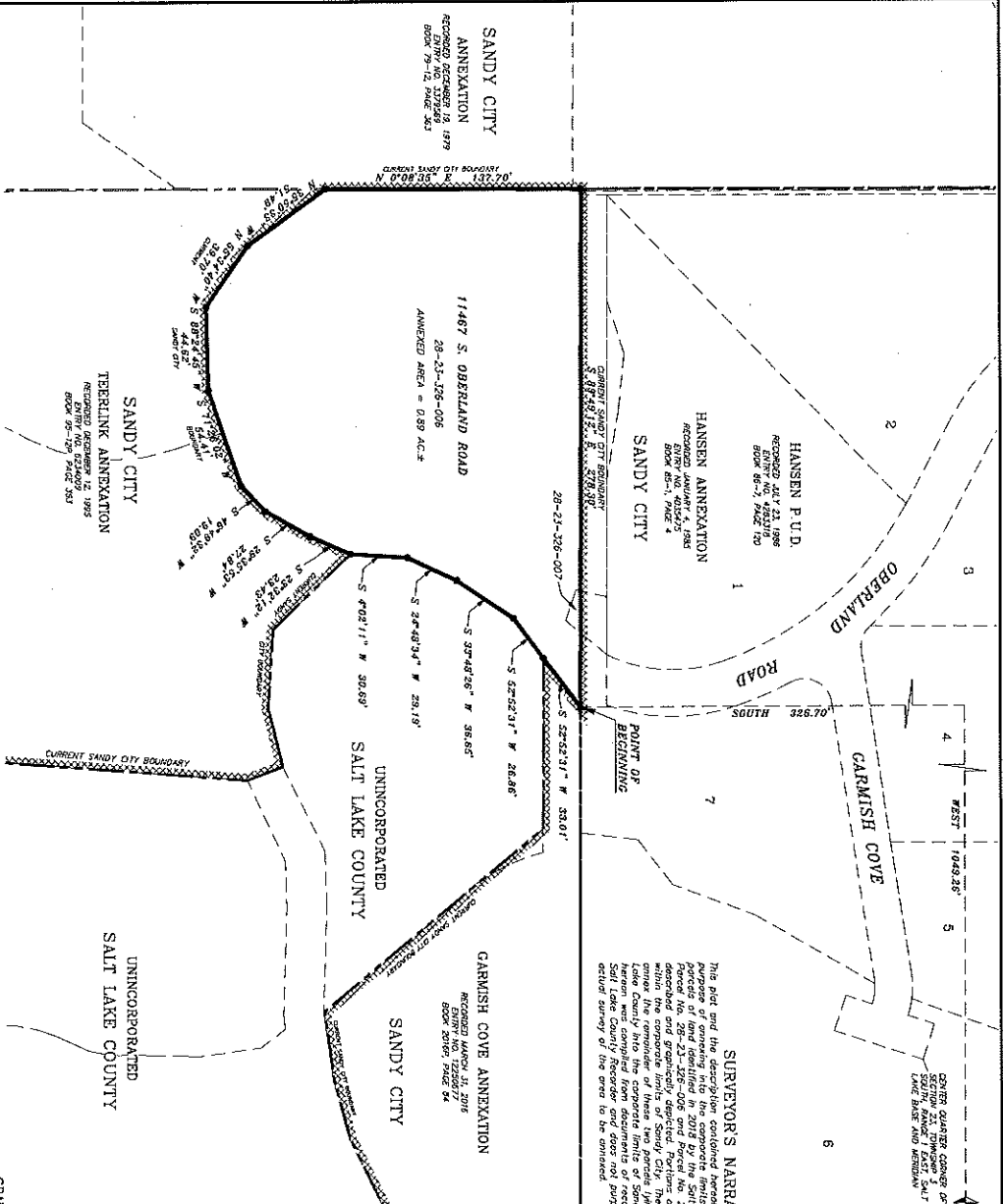
MOSHER ANNEXATION DESCRIPTION

This portion of a parcel of land depicted by the Salt Lake County Assessor for the year 2018 as Parcel No. 28-23-326-006 described in that certain Warranty Deed recorded July 26, 2017 as Entry No. 12582516 in Book 10581 of Pages 5059-5070 in the office of the Salt Lake County Recorder, which does not lie within the current Sandy City boundary, and the portion of said parcel No. 28-23-326-007 described in that certain Warranty Deed recorded July 26, 2017 as Entry No. 12582517 in Book 10581 of Pages 5071-5072 in the office of the Salt Lake County Recorder, which does not lie within the current Sandy City boundary, situate in the Southwest Quarter of Section 21, Township 3 South, Range 1 East, Salt Lake Base and Meridian, being further described as follows:

- Beginning at the Southwest Corner of Lot 7, HANSEN P.U.D., recorded July 23, 2016 as Entry No. 12582515 in Book 10581 of Pages 5073-5074 in the office of the Salt Lake County Recorder, said point, also being on the current Sandy City boundary as established by a previous annexation to Sandy City recorded January 4, 1985 as Entry No. 4025475 in Book 65-1 of page 4 in the office of said Salt Lake County Recorder, said point also being the Point of Beginning of the current Sandy City boundary, and the following four (4) courses:
- (1) South 52°32'31" West 28.86 feet;
 - (2) South 31°48'26" West 56.65 feet;
 - (3) South 24°48'34" West 29.19 feet; (4) South 4°02'11" West 30.69 feet to a point on the current Sandy City boundary established by the TEBERLINK ANNEXATION of said City, recorded January 12, 1985 as Entry No. 4025476 in Book 65-1 of page 5 in the office of said Salt Lake County Recorder, and the following seven (7) courses:
 - (1) South 21°19'12" West 21.63 feet; (2) South 29°15'53" West 23.84 feet;
 - (3) South 46°39'32" West 19.09 feet; (4) South 77°26'02" West 54.41 feet;
 - (5) South 89°24'45" West 44.82 feet; (6) North 55°34'40" West 39.70 feet;
 - (7) North 35°00'37" West 51.49 feet to intersect the westerly line of the Northwest Quarter of the Southwest Quarter of said Section 21 and the current Sandy City boundary established by a previous annexation to Sandy City, recorded December 19, 1979 as Entry No. 3379589 in Book 79-12 of Page 583 in the office of said Salt Lake County Recorder, thence along said line North 09°52'55" East 112.72 feet to a point on the current Sandy City boundary established by a previous annexation to Sandy City recorded as Entry No. 4025475, South 89°49'17" East 270.30 feet to the Point of Beginning.

The plat and the description contained herein have been prepared for the purpose of annexing into the corporate limits of Sandy City portions of two parcels of land, Parcel No. 28-23-326-006 and Parcel No. 28-23-326-007, as herein described and graphically depicted. Portions of these two parcels already lie within the corporate limits of Sandy City. The result of this annexation will be to add the unincorporated portions of said parcels to the corporate limits of Sandy City. The information shown herein was compiled from documents of record found in the office of the Salt Lake County Recorder, and the accuracy of the same is not guaranteed by the actual survey of the area to be annexed.

SURVEYOR'S NARRATIVE



SURVEYOR'S CERTIFICATION

I, Nolan C. Harbstock, a Professional Land Surveyor, license number 7115, do hereby certify that this is a true and correct copy of the original plat, in accordance with Section 17-23-202, was made by me and my staff, and that the same is a true and correct representation of said Final Local Entry Plat.

NOLAN C. HARBSTOCK, PROFESSIONAL LAND SURVEYOR



**FINAL LOCAL ENTRY PLAT
MOSHER**

ANNEXATION TO SANDY CITY
PROPERTY SITUATE IN
THE SOUTHWEST QUARTER OF SECTION 23,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.

SALT LAKE COUNTY SUPERVISOR	Approved this _____ day of _____, A.D. 2018, _____ Mayor of the City of Sandy, Utah, as a Final Local Entry Plat by the Salt Lake County Surveyor.	ENGINEER'S CERTIFICATE	I, _____, a duly Licensed Professional Engineer, do hereby certify that this is a true and correct copy of the original plat, in accordance with Section 17-23-202, was made by me and my staff, and that the same is a true and correct representation of said Final Local Entry Plat.	SANDY CITY APPROVAL	Approved this _____ day of _____, A.D. 2018, _____ Mayor of the City of Sandy, Utah, as a Final Local Entry Plat by the Salt Lake County Surveyor.	SALT LAKE COUNTY	Recorded by _____, County Clerk of Salt Lake, Nevada and _____, County Clerk of Salt Lake, Utah, on this _____ day of _____, A.D. 2018.
DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE

LEGEND

- SECTION CORNER MONUMENT (NOT SHOWN)
- ANGLE POINT IN ANNEXATION BOUNDARY (NOT LANKED)
- PREVIOUS ANNEXATION BOUNDARY
- CURRENT SANDY CITY BOUNDARY
- BOUNDARY OF ANNEXED AREA
- LOT OR PARCEL LINES

PREPARED BY:
NOLAN C. HARBSTOCK
SANDY CITY ENGINEER
SANDY UTAH 84070
PHONE: 801-568-2855

RECORDED SEPTEMBER 6, 2018

MOSHER ANNEXATION DESCRIPTION

That portion of a parcel of land designated by the Salt Lake County Assessor for tax year 2018 as Parcel No. 28-23-326-006 described in that certain Warranty Deed recorded July 26, 2017 as Entry No. 12582516 in Book 10581 at Pages 5069-5070 in the office of the Salt Lake County Recorder, which does not lie within the current Sandy City boundary AND that portion of a parcel of land designated by the Salt Lake County Assessor for tax year 2018 as Parcel No. 28-23-326-007 described in that certain Warranty Deed recorded July 26, 2017 as Entry No. 12582517 in Book 10581 at Pages 5071-5072 in the office of the Salt Lake County Recorder, which does not lie within the current Sandy City boundary, situate in the Southwest Quarter of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian, being further described as follows:

Beginning at the Southwest Corner of Lot 7, HANSEN P.U.D., recorded July 23, 1986 as Entry No. 4283318 in Book 86-7 of plats at Page 120 in the office of the Salt Lake County Recorder, said point also being on the current Sandy City boundary as established by a previous annexation to Sandy City recorded January 4, 1985 as Entry No. 4035475 in Book 85-1 of plats at Page 4 in the office of said Salt Lake County Recorder, said point also being the Point of Beginning of the GARMISH COVE ANNEXATION to Sandy City, recorded March 31, 2016 as Entry No. 12250677 in Book 2016P of plats at Page 84 in the office of said Salt Lake County Recorder, said point lies West 1049.26 feet and South 326.70 feet from the Center Quarter Corner of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian as established by said HANSEN P.U.D.; thence along said current Sandy City boundary as established by said GARMISH COVE ANNEXATION, South 52°52'31" West 33.01 feet; thence departing from said current Sandy City boundary and along the easterly boundary of said parcel of land designated as Parcel No. 28-23-326-006 the following four (4) courses:

(1) South 52°52'31" West 26.86 feet; (2) South 33°48'26" West 36.65 feet;
(3) South 24°48'34" West 29.19 feet; (4) South 4°02'11" West 30.69 feet to a point on the current Sandy City boundary established by the TEERLINK ANNEXATION to Sandy City, recorded December 12, 1995 as Entry No. 6234009 in Book 95-12P of plats at Page 353 in the office of said Salt Lake County Recorder; thence along said current Sandy City boundary and the southerly boundary of said Parcel 28-23-326-006 the following seven (7) courses:

(1) South 23°32'12" West 23.43 feet; (2) South 29°35'53" West 27.84 feet;
(3) South 46°49'32" West 19.09 feet; (4) South 71°26'02" West 54.41 feet;
(5) South 88°24'45" West 44.62 feet; (6) North 55°34'40" West 39.70 feet;
(7) North 35°50'33" West 51.49 feet to intersect the westerly line of the Northeast Quarter of the Southwest Quarter of said Section 23 and the current Sandy City boundary established by a previous annexation to Sandy City, recorded December 19, 1979 as Entry No. 3379569 in Book 79-12 at Page 363 in the office of said Salt Lake County Recorder; thence along said line, North 0°08'35" East 137.70 feet, more or less, thence along said current Sandy City boundary established by said previous annexation to Sandy City recorded as Entry No. 4035475, South 89°49'12" East 278.30 feet to the Point of Beginning.

The above-described area contains approximately 0.89 acre.

MOSHER ANNEXATION DESCRIPTION-ABBREVIATED VERSION

Portions of two parcels of land, situate in the Southwest Quarter of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian, being further described as follows:

Beginning at the Southwest Corner of Lot 7, HANSEN P.U.D. which lies West 1049.26 feet and South 326.70 feet from the Center Quarter Corner of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian as established by said HANSEN P.U.D.;

thence South 52°52'31" West 59.87 feet; thence South 33°48'26" West 36.65 feet;

thence South 24°48'34" West 29.19 feet; thence South 4°02'11" West 30.69 feet;

thence South 23°32'12" West 23.43 feet; thence South 29°35'53" West 27.84 feet;

thence South 46°49'32" West 19.09 feet; thence South 71°26'02" West 54.41 feet;

thence South 88°24'45" West 44.62 feet; thence North 55°34'40" West 39.70 feet;

thence North 35°50'33" West 51.49 feet; thence North 0°08'35" East 137.70 feet;

thence South 89°49'12" East 278.30 feet to the Point of Beginning.

The above-described area contains approximately 0.89 acre.