STAFF REPORT

To: Snyderville Basin Planning Commission
From: Kirsten Whetstone, MS, AICP
Date of Meeting: February 11, 2020
Type of Item: Plat Amendment – Public Hearing, Possible Action
Process: Administrative Review

Recommendation
Staff recommends the Planning Commission hold a public hearing, review the application, and consider approving the proposed plat amendment to Lot 1 of Quarry Mountain Ranch Amended Subdivision, to reconfigure the building envelope to accommodate construction of an outside swimming pool, patio area, grading and landscaping.

Project Description

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>Lot 1 Quarry Mountain Ranch Amended Subdivision Second Amendment</th>
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<tbody>
<tr>
<td>Applicant(s):</td>
<td>Don Sargent, DBS and Associates, LLC</td>
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<td>Property Owner(s):</td>
<td>Edward Bloomberg</td>
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<tr>
<td>Location:</td>
<td>4275 Quarry Mountain Road</td>
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<td>Zone District:</td>
<td>Rural Residential (RR)</td>
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<tr>
<td>Parcel Number and Size:</td>
<td>QMR-1-AM, 2.31 acres</td>
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<tr>
<td>Type of Process:</td>
<td>Administrative</td>
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<tr>
<td>Final Land Use Authority:</td>
<td>Snyderville Basin Planning Commission</td>
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Proposal
The applicant requests a second amendment to the Quarry Mountain Ranch Amended Subdivision plat (Exhibit A) to reconfigure a current platted building envelope for Lot 1. No change in size of the building envelope is proposed. The proposed amended building envelope extends to the setback line of the lot line between Lots 1 and 2 and does not encroach on the conservation easement, stream setback or FEMA flood plain area. No changes are proposed to the platted lot lines, easements, driveway location or roads. The applicant requests this amendment to accommodate an outdoor, in ground swimming pool with slide feature and associated patio area, grading and landscaping. There are existing houses on Lots 1 and 2.
Background
The Summit County Board of Commissioners (BCC) approved the Quarry Mountain Ranch Specially Planned Area (SPA) Development Agreement (DA) on August 24, 1998. The approval included 36 single-family lots on 208 acres. Community benefits included preservation of a view corridor through the project by placement of lots and building envelopes towards the outer edges of the corridor and by platting a conservation easement on approximately 50 acres. Easements for community trail linkages were also platted. The approved density was less than one (1) unit per five (5) acres, and therefore additional benefits such as affordable housing and transfers of development rights were not required.

The BCC amended the approval in 2003 to revise the common area and several building envelopes to be consistent with the original 1998 approval. The Quarry Mountain Ranch Amended Subdivision plat (Exhibit B) was recorded in September of 2003. The plat was subsequently amended to adjust lot lines and/or building envelopes for Lots 17-20, 24, 25, 30 and 36. The amended plat was recorded in May 2005. Plat note #3 of the Quarry Mountain Ranch Amended Subdivision states that “All structures, excluding barns as allowed in the Quarry Mountain Ranch DA, shall be located entirely within the designated building envelope.”
On April 23, 2013 the Snyderville Basin Planning Commission denied a request to amend a building envelope for Lot 24 that would have shifted it to the north, closer to the meadow view shed/conservation area. The owner of Lot 36 objected to the plat amendment with concerns that the view he had relied on when purchasing his lot would be impacted. The Commission did not find good cause for the amendment, found that there may be material injury to a neighboring property owner, and concluded that relocation of the building envelope would “place it too far from the periphery and too close to the conservation easement.”

Additionally, a lot line adjustment was approved to combine Lots 28 and 29 and adjust the location of the building envelope for the new Lot 29A. The lot line adjustment plat was recorded on March 17, 2015.

Analysis and Findings
Per Section 10-3-18. B, the Snyderville Basin Planning Commission is the land use authority for plat amendments that adjust building envelopes. As such, the Planning Commission may approve, approve with conditions, or deny an amendment to a recorded Subdivision Plat based upon written findings of fact, according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance:

Standard 1: If the land use authority 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 county manager or land use authority may vacate, alter or amend the plat, any portion of the plat, or any road or lot. **COMPLIES**

**Analysis:** Lot 1 consists of 2.31 acres with an identified building envelope of 31,198 square feet (0.716 acres). The applicant proposes to re-configure, but not increase the area of the building envelope to accommodate an outdoor (in-ground) swimming pool with 6’ tall slide feature, an associated patio area, landscaping, grading and fencing for enhanced privacy. See *Exhibit C*, applicant’s written request for this amendment and *Exhibit D*, proposed site plan.

Quarry Mountain Ranch Amended Subdivision plat note #3 requires that all structures shall be located within the platted building envelope. The Quarry Mountain Ranch Design Guidelines, included as Exhibit G to the Development Agreement, state that all structures, including paved recreational facilities such as pools and tennis courts, shall be constructed within the building envelope area. In ground swimming pools are considered structures. Therefore, the requested pool shall not be constructed unless it can be located within a platted building envelope.

No increase in the area/size of the building envelope is proposed with the plat amendment. The applicant requests approval to extend the current building envelope southward to the 12’ setback from the property line between Lots 1 and 2, increasing
the existing envelope by 2,410 sf on the south side. An equivalent 2,410 sf reduction of building envelope area is proposed on the east side of the lot, where the lot fronts Quarry Mountain Road.

The proposed building envelope does not encroach on any public utility easements or move closer to the Quarry Mountain conservation easement, the 100’ stream setback or the FEMA flood plain area. No changes are proposed to any platted lot lines, public utility easements, driveway easements or the location of any roads. No native vegetation will be removed, and the disturbance area will be landscaped per requirements of the Quarry Mountain Ranch Development Agreement.

The HOA has approved the plans for construction of the pool, patio, landscaping, grading and fencing as shown on the site plan (Exhibit D). Construction access across Lot 2 requires written consent of that property owner prior to issuance of a building permit.

Adjusting boundaries of the building envelope for Lot 1 as conditioned will not cause material injury to the public or any person, as the adjacent stream setback area and the Quarry Mountain Ranch conservation easement view corridor are not impacted by the proposed amendment. No native vegetation will be removed and additional landscaping and fencing elements are proposed to mitigate privacy issues for adjacent property owner.

**Standard 2:** No plat amendment shall be approved which results in an increase in density.

**COMPLIES**

**Analysis:** No increase of density, in terms of residential units, is proposed. Additionally, the building envelope area is not increased.

**Public Notice**
Notice of the public hearing was published in the Park Record on February 1, 2020, and a postcard was mailed to all property owners within 1,000 feet of the subject property. Notice of the hearing was also posted to the County website and the Utah Public Notice website. No public input was received at the time of this report.

**Recommendation**
Staff recommends the Planning Commission hold a public hearing, review the application and consider approving the proposed plat amendment for Lot 1 of the Quarry Mountain Ranch Amended Subdivision based upon the following Findings of Fact, Conclusions of Law and Conditions of Approval:

**Findings of Fact**
1. The property is located at 4275 Quarry Mountain Road within the Rural Residential (RR) zoning District.
2. The property is Lot 1 of the Quarry Mountain Ranch Amended Subdivision and consists of 2.31 acres. There is a platted building envelope of 31,198 square feet (0.716 acres) on Lot 1.
3. Edward Bloomberg is the listed fee title owner of Lot 1 Quarry Mountain Ranch Amended Subdivision (Parcel ID QMR-1-AM).
4. The property owner is represented by Don Sargent, the applicant.
5. The property is subject to the Quarry Mountain Ranch Specially Planned Area (SPA) Development Agreement (DA) and the Quarry Mountain Ranch SPA Plan Book of Exhibits, approved by the Board of Summit County Commissioners on August 24, 1998.
6. The property is subject to the Quarry Mountain Ranch Amended Subdivision, recorded on September 15, 2003.
7. Plat note #3 of the Quarry Mountain Ranch Amended Subdivision states that “All structures, excluding barns as allowed in the Quarry Mountain Ranch DA, shall be located entirely within the designated building envelope.”
8. In ground swimming pools are considered structures per the Snyderville Basin Development Code.
9. The applicant requests approval to extend the current building envelope southward to the 12’ setback from the property line between Lots 1 and 2, increasing the existing envelope by 2,410 sf on the south side. An equivalent 2,410 sf reduction of building envelope area is also proposed on the east side of the lot, where the lot fronts Quarry Mountain Road.
10. No change in total area/size of the building envelope is proposed from the current building envelope area of 31,198 square feet, as currently designated on the plat.
11. The proposed reconfigured building envelope extends to the setback line of the lot line between Lots 1 and 2 and does not encroach on the stream setback or FEMA flood plain areas.
12. Lot 1 is not encumbered with the platted Quarry Mountain Ranch conservation easement and the proposed building envelope does not encroach on, or move closer to, the conservation easement.
13. The proposed building envelope does not encroach on any public utility easements or move closer to the 100’ stream setback or the FEMA flood plain area identified on the plat.
14. No changes are proposed to any platted lot lines, public utility easements, driveway easements or the location of any roads.
15. No native vegetation will be removed and additional landscaping and fencing elements are proposed to mitigate privacy issues for adjacent property owner.
16. The applicant requests this amendment to accommodate an outdoor swimming pool with slide feature and associated patio area, grading and landscaping as approved by the Quarry Mountain Ranch Architectural Committee.
17. There are existing houses on Lots 1 and 2.
18. A previous plat amendment amending lot lines and building envelope areas for Lots 17-20, 24-25, 30 and 36 was approved by the Planning Commission and was recorded on May 5, 2005.
19. On April 23, 2013, the Snyderville Basin Planning Commission denied a request to amend a building envelope for Lot 24 that would have shifted it to the north, closer to the meadow view shed/conservation area. The owner of Lot 36 objected to the plat amendment with concerns that the view he had relied on when purchasing his lot would be impacted. The Commission did not find good cause for the amendment, found that there may be material injury to a neighboring property owner, and concluded that relocation of the building envelope would “place it too far from the periphery and too close to the conservation easement.”

20. A Lot Combination plat, recorded on March 17, 2015, combined Lots 28 and 29 into Lot 28A and amended the building envelopes.

Conclusions of Law

1. The plat amendment application complies with Standards 1 and 2 of the Snyderville Basin Development Code, Section 10-3-18. B, in that a) there is good cause for the plat amendment as the proposed building envelope does not encroach on, or move closer to the conservation easement and does not encroach on any public utility easements or move closer to the 100’ stream setback or the FEMA flood plain area and b) there is no increase of density.

2. The application is consistent with the Quarry Mountain Ranch SPA Development Agreement, approved on August 24, 1998 and Quarry Mountain Ranch Amended Subdivision, recorded on September 15, 2003.

Conditions of Approval

1. The final plat shall be recorded within one year of approval or this approval shall expire.

2. A building permit issued by the Summit County Building Department is required prior to commencing construction of the swimming pool, patio, landscaping and grading, that shall be consistent with the site plan dated 8.29.2019, as approved by the Quarry Mountain Ranch Architectural Review Committee.

3. The plat shall be recorded prior to issuance of the building permit.

4. At the time of building permit review, the proposed pool, pool cover method, fencing, patio area, lighting and landscaping shall be reviewed to ensure the health, safety and welfare of the public and wildlife.

5. All plat notes on the Quarry Mountain Ranch Amended Subdivision plat shall remain in effect with this amended plat.

Attachments:
Exhibit A – Proposed Amended Plat
Exhibit B – Existing Quarry Mountain Ranch Amended Subdivision plat
Exhibit C – Applicant’s narrative requesting a plat amendment
Exhibit D – Proposed Site Plan
Exhibit E – HOA approval letter
Exhibit F – Aerial photos of property
EXHIBIT A

COUNTY SUMMIT

Surveyor Certificate
I, Paul Ferry, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah and that I am authorized to do the work specified in this instrument. The work shown on this plat has been surveyed and monuments have been placed on the ground as shown hereon.

Located in the Northeast Quarter of Section 31, Township 1 South, Range 4 East, Salt Lake Base and Meridian Park City, Summit County, Utah

November 18, 2019

Found Rebar and Cap
Stamped “Alliance”
Found Rebar and Cap
Stamped “Dominion”

Boundary Description

Owner Dedication

In witness whereof ________ have hereunto set _______________ this ________ day of ____________________, 20 ______.  By: ____________________

Consent to Record

The undersigned lien holder hereby consents to the recordation of the plat.

The foregoing CONSENT to RECORD was acknowledged before me this ______ day of ____________________, 20 ______.  By: ____________________

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Lot 1 - Quarry Mountain Ranch Subdivision

Building Pad Adjustment Written Description

Background:

The subject property for the building pad adjustment is Lot 1 of the Quarry Mountain Ranch Subdivision. The property is located at 4275 Quarry Mountain Road, Park City, UT 84098. The parcel is 2.31 acres in size and is generally rectangular in configuration as shown on the attached Aerial Map.

Existing building pads were approved on each lot of the Quarry Mountain Ranch Subdivision and several have been modified for various reasons, including building expansions. The attached Building Pad Amendment Plat shows the existing and proposed building envelope lines. The resulting building pad amendment results in the same size of the pad being maintained.

Purpose of Building Pad Adjustment Request:

The proposed building pad adjustment for the subject Lot 1 is to accommodate the construction of a swimming pool on the property. As shown on the attached Building Pad Site Plan the existing building pad bisects the swimming pool which is proposed to be located adjacent to an existing gazebo and patio area and replace the existing water feature at the rear of the home.

Good Cause for Amending the Plat:

Given the existing conditions on the property site and surrounding area, the proposed building pad adjustment will not materially injure the public nor any person. The Quarry Mountain Ranch HOA has approved the proposed building pad adjustment as well as the immediate lot owner to the south closet to the pool location.

The building pad adjustment would enhance the property with an outdoor swimming pool associated with an existing gazebo and patio on the lot. The existing building pad configuration at the location of the proposed pool is unnecessary with the existing berming, landscape screening and separation from the adjacent home. The building pad amendment does not result in encroachment of the floodplain, view corridor or other easement areas within the subdivision. The building pad has also been reconfigured on the lot to maintain the existing size of the building pad area. The required 12-foot side yard property setback will also be maintained.

There is also an inconsistency in the DA for swimming pools and detached garages being in and out of the building pad. Compared to the impact of a horse barn, which is allowed outside the building pad, a swimming pool will have minimal impact. The size of the building pad on Lot 1 is smaller than most other building pads within the subdivision.
February 14, 2019

Bockholt Landscape Architecture  
750 Kearns Boulevard #230  
Park City, Utah 84060

RE: Quarry Mountain Ranch Lot 1 Final Design Submittal

Dear Applicant,

The Quarry Mountain Ranch Architectural Committee completed review of the Final Site and Architectural Plans for Lot 1, the Bloomberg Residence, dated January 17, 2019, and found the plans comply with the Quarry Mountain Ranch Design Guidelines and CC&R’s with conditions.

Site Plan:

The approved Landscape Plan shall be reviewed at time of 4 way inspection to determine if revisions to the plan are warranted.

It is understood that any disturbance on the adjacent Hardy Property due to the temporary construction access will be revegetated and is subject to approval by the Hardys.

At this time, an outdoor lighting plan has not been submitted for review. If any outdoor lighting is to be proposed, a lighting plan along with light fixture cut sheets will need to be submitted to the QMRAC for approval prior to installation.

Architecture:

The modification to the existing residence is approved.

Standard Conditions:

Any changes/modifications to the approved exterior materials, material colors and location must be reviewed and approved by the QMRAC prior to installation.

Any changes/modifications to the location and/or type of exterior light fixture must be reviewed and approved by the QMRAC prior to installation.

Any material changes to the QMRAC Approved Plan set as may be required to meet Summit County Building Permit review, shall be noted on the Plans and provided to the QMRAC at the time of the pre-construction meeting
Finally, a pre-construction meeting shall be scheduled with the QMRAC or a QMRAC representative prior to commencement of any site disturbance to review the placement of limits of disturbance fencing, construction phasing, and any required erosion control measures.

It is the recommendation of the Quarry Mountain Ranch Architectural Committee that the plans for Lot #1, the Bloomberg residence, are approved and shall be allowed to proceed to Summit County for building permit review.

Sincerely,

[Signature]

Pete Gillwald
Quarry Mountain Ranch AC

[Stamp: APPROVED
ARCHITECTURAL COMMITTEE
QUARRY MOUNTAIN RANCH]

[Signature]

DATE: 02-14-2019