

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
September 24, 2024**

Present: Chair Michele Hollist, Commissioner Laurel Bevans, Commissioner Steven Catmull, Commissioner Nathan Gedge, Commissioner Sam Bishop, City Manager Dustin Lewis, City Attorney Ryan Loose, City Planner Greg Schindler, City Recorder Anna Crookston, Deputy City Engineer Jeremy Nielson, Planner Miguel Aguilera, IS Systems Administrator Ken Roberts, IS Specialist Michael Erickson, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun

Others: Cheryl Diener, Jay & Dayle Sant, Dan Milar, Scott McKay, Elizabeth Oscheffsky, John Bess, Jim Kilstadt, Rob Fackrell, Marilyn Bashaw, Ivan Klonovich, Dale Zant

Absent: Commissioner Ray Wimmer

**6:30 P.M.**

**REGULAR MEETING**

**A. WELCOME AND ROLL CALL – *Chair Michele Hollist***

Chair Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting. She excused Commissioners Wimmer who was joining the meeting later.

**B. MOTION TO APPROVE AGENDA**

**Commissioner Bevans motioned to approve tonight’s agenda as published. Chair Hollist seconded the motion; vote was 5-0, unanimous in favor. Commissioner Wimmer was absent from the vote.**

**C. APPROVAL OF THE MINUTES**

**C.1.** August 27, 2024 - Planning Commission Meeting Minutes

**C.2.** August 27, 2024 – Planning Commission Training Meeting Minutes

**Commissioner Gedge motioned to approve the August 27, 2024 Planning Commission Meeting and Training Meeting Minutes as published. Chair Hollist seconded the motion; vote was 5-0, unanimous in favor. Commissioner Wimmer was absent from the vote.**

**D. STAFF BUSINESS - *None***

## **E. COMMENTS FROM PLANNING COMMISSION MEMBERS**

Commissioner Nathan Gedge shared he will be absent the second meeting in October.

## **F. SUMMARY ACTION – *None***

## **G. ACTION - *None***

## **H. LEGISLATIVE PUBLIC HEARINGS**

### **H.1. WHEADON ACRES LOTS 14 & 15A FLAG LOT OVERLAY REZONE**

Address: 10537 S 3010 W and 10555 S 3010 W

File No.: PLZBA202400056

Applicant: Gordon Milar Construction LLC

Commissioner Laurel Bevans shared she is actively involved in both items tonight, being financially compensated for both. As a result, she recused herself from both items tonight.

Planner Miguel Aguilera reviewed background information from the Staff Report and his prepared presentation (Attachment A).

Chair Hollist asked some basic questions about the requirements for the R-1.8 Zone, which staff responded to. She then asked how this change would affect the density for the entire subdivision and the ability of others to subdivide in the future.

Planner Aguilera responded that Wheadon Acres currently has 53 lots currently with a gross acreage of 34.27 acres, making the density about 1.54 units per acre. With this potential addition, the density would be still be under the limit of 1.8 units per acre. He also discussed the fencing requirements and the adjustments made, asking for regular fencing in lieu of animal rights for these lots. Staff discussed the fact that future owners will be made aware of this on their title documents and the development agreement for the lots that would be available to them. They could file to change the development agreement in the future to get those animal rights, but that would probably require masonry walls to be erected at that time.

Commissioner Nathan Gedge asked if the lot size calculations being presented tonight include the new flag lot roads.

Planner Aguilera responded the “flag pole” is included in the property boundaries. The flag pole in green belongs to lot 103, flag pole in purple belongs to the other lot.

Commissioner Gedge asked about any potential water issues, and if there are, would those be affected if this property is rezoned to four lots from the current two.

City Planner Greg Schindler responded that any water right issues, regardless of a rezone tonight, would be a private issue between property owners.

Commissioners and staff briefly discussed ADUs and their potential in the future with this rezone. Planner Schindler noted that zoning code would allow for all four lots to have a detached or internal ADU, also commenting that ADUs do not contribute to the density in the subdivision.

Commissioner Steven Catmull noted that it was mentioned the zone overrides Title 16 requirements, asking if that was applicable to all requirements.

Planner Aguilera responded the requirements unable to be met by these lots under Title 16 was that they are not twice the size of the average lot in the subdivision; due to that, they are not eligible to be subdivided into flag lots under Title 16. This is the reason the flag lot overlay zone was created, to allow a mechanism, in limited cases, to apply. The applicants still have to meet the density and lot size requirements.

Commissioner Catmull noted in 2018 a section under Lots and Parcels was passed, in regards to flag lots, noting that it was not the intention of the title to subdivide along the street. He asked if the city had any conversations around that, noting that there was a comment received prior to the meeting talking about this being along 3010 West; would staff characterize this as subdividing a flag lot along an established street, and could others in the same locations do the same.

Planner Aguilera responded this does have a connection to 3010 W, which is a public right-of-way, so he was unsure how to respond to the question since flag lots do need to have a connection which this creates.

Commissioner Gedge asked if 3010 W was one of the roads prohibited in the past, but can now be connected to with frontage for a flag lot.

Commissioner Catmull read from the code (16.04.160.D Lots and Parcels) “It is not the intent of this chapter to allow the proliferation of multiple flag lots along a given street within a subdivision; or change the zoning or character of a subdivision.” There is no definitive answer, but there appears to be four or so properties along 3010 W that could become flag lots, which might qualify. He then asked staff if, in their opinions, this could be considered a proliferation of flag lots if there were four in the future along that road.

Chair Hollist discussed the property that prompted that change in the past, they were very deep properties which could all potentially be divided into three lots. It was discussed at that time why they don’t just prepare for that in the beginning and run an official street through the back property. If this is allowed, and they are meeting the requirements, the commission is limited in what they can do unless there is a mitigating circumstance.

City Attorney Ryan Loose responded there are two answers. One, it is intent language, which is not really enforceable. However, he believes they are looking at the wrong things, as this flag lot is coming in under Title 17, not 16. The Title 17 rezone is applying, not the Title 16 development code. He then explained why this application is able to use Title 17 requirements and bypass some of the Title 16 requirements to legally do so. The commission is being asked tonight to decide whether or not to recommend the Title 17 requirements be applied to the property. The

second part of this, which would have to be approved conditionally and prematurely, to decide whether or not to apply it if it meets the requirements. Essentially, the commissioners need to decide whether they feel the zone that allows flag lots should be applied to this area or not.

Chair Hollist invited the applicant forward, he had nothing to add to the report given. Chair Hollist then opened the public hearing for comments, noting there was a handwritten note received prior to the meeting but it was anonymous with no identifying markers, and as such could not be considered for this item tonight (Attachment B).

**John Bess (Residents)** – I am the water master for the area, so I do have questions on the water. There is a return ditch down the back of what is being called a flag lot, that needs to remain. There are eight water shares on those lots, and I would like to know where those shares are going, who owns them, what lots they are assigned to. I find that when someone new, who has never been around irrigation water moves in to our little subdivision, there is always these huge issues. The new owners of the property will argue with me that they don't have to maintain that little return ditch or water because they don't have water, and that's not true; they have to. It always becomes sticky and I try not to cause problems over there, I try to be friends with everybody, but it becomes a real issue. We do need to make a stipulation where that water goes, who owns them, what lots they are assigned to, and that return ditch needs to remain there. The other question I have is that Mr. Milar, when he told everybody was he was going to do with the lot, is not exactly what is happening here, so I'd like to know what the four houses are. Is this for rental properties, four houses that will be sold and individually owned, etc. Are the front homes being torn down.

**Ivan Klonovich (Resident)** – I'm a resident of South Jordan for about 83 years, and my question is I don't really care about the four lots, 3010 West is what I'm concerned about. Curb, gutter and sidewalk, we don't want it. The breakaway fence stays up, that's exactly what I am interested in. If somebody wants to subdivide their lot, so be it, but the majority of us want that road no curb and gutter, no sidewalk.

**Elizabeth Oscheffsky (Resident)** – I live not far from these homes, been here about 20 years. A couple questions I have are with the water, as John talked about. I am a water user, and we had someone come in who has a rental property just south of me and they do not maintain the ditch and they claim they do not have to. However, under the state title 72 they are legally bound to. I used to work for the Department of Transportation with the right-of-way division, if you are familiar with water, water rights, and water easement, then you would understand what Title 72 is, most people who move in have no understanding of what that means. It is like curb and gutter, you are expected to take care of your park strip. I grew up by Liberty Park most of my youth, if you have a park strip you maintain it, and that's no different out here. That is a bit of a concern for me. The other concern I have is in changing that property to four different homes and people start doing that, there is a lot of children in our neighborhood and it creates an increase of cars, with people already driving down there pretty fast. We have small children in our neighborhood, they are not always watched. We have had some come close to being hit and it is a bit of a concern. We love having the breakaway fence, and I love that 3010 W does not have curb and gutter as most of us have ditches in the front of our property which is a problem when you try to install curb and gutter; how will I get water to my property, what do you maintain, etc. I would

like to hear those two items get addressed. I would prefer not to have each subdivision, which is beyond our control, divided and subdivided because that means it is going to increase and get really messy with people coming in and out.

**Dale Zant (Resident)** – My husband and I live across the street from the property to the west and just slightly north. It really caught my attention when it was brought up that these might be able to be subdivided into eight properties now. What we understood was that this would be the four regular and flag lots, and that they were planning to build maybe one house in the back, not a great huge change in population. That is very scary to think that many people would be there, again with all the extra traffic that's not a real wide street, parking is a problem, or would be anyway. There are several of us neighbors who are quite opposed to even having the subdivision done because we weren't aware there was a change made in 2020 that subdivisions could be made, I am not sure why that wasn't brought up to the individuals who live there. That was always our understanding when we signed our contract to live there 38 years ago, that there could be no subdividing of our acre or half acre lots; we have an acre lot. I am just really concerned and hope you will consider all our feelings as well as what is best for the city, income, and all those sorts of things. There is lots of room to the west where people can move, we like to keep our little quiet street just as it is, because that's why we moved there to have a quiet place to raise our children and now our grandchildren, have our horse and other animals that we have had one kind or another of at some time. We would like to keep it the same as it is.

Chair Hollist closed the public hearing. She clarified that this is not a subdivision for eight properties.

Planner Schindler added that this does not automatically create an ADU on each property, but each lot will have the opportunity to have an ADU on their property if desired as they meet the minimum size and are in a zone where that is allowed. This proposal is creating two more lots, and an ADU does not create additional lots, just potentially adds an additional unit inside or outside the home. The ADUs are limited in size, are required to provide onsite parking, and have many other rules that must be met.

Chair Hollist asked staff to address the water questions and what is and isn't the city's responsibility.

Deputy City Engineer Jeremy Nielson noted that since this is private property, not city utility, the city does not manage it. When the city is made aware of it, they ensure the applicant is also aware, and when plans are submitted staff ensures there is a ditch there. That leads to the city requiring letters from the ditchmaster where needed to ensure communication is there, but ultimately those issues are part of a private system and the responsibility of the property owners.

Chair Hollist asked about the money being set aside in the development agreement for the curb and gutter improvements, is that something that will be done right away.  
Engineer Nielson responded there is no timing on those improvements.

Commissioner Gedge asked if the two lots against the street were to develop now, would they be required to install things like the curb and gutter to today's standards, or could that be deferred for enforcement until the rest of the neighborhood decides to upgrade.

Engineer Nielson believes that could be deferred, and is up to the City Engineer's discretion. He also noted that 3010 W has about one car every two to three minutes during the peak times, which is a level of service A from city standards. With two additional homes it would probably still be in level of service A, and definitely still a quiet street.

Chair Hollist invited the applicant up, if willing, to share the plans for these lots to help ease neighbors' concerns.

**Daniel Milar** (Applicant) Sent an email prior to the meeting (Attachment C). He bought these two properties under different LLC's, but he owns both, at end of last year. His family lives just on the other side of crash gate in Bison Ridge, they really love the rural feel, his wife has always wanted it, and this was an opportunity for them to potentially build a home for themselves with kids in mind in the future. His wife's parents are here as well and they were looking for a way to create a setup where they can have options for places for kids and others to stay; that is their intent. He is also a builder, develops his own work and does his own building, but this is very much a personal project for him with very personal intent. If he was wearing a developer hat he would absolutely put in the fences and retain the animal rights because that would make the large lots more valuable. However, that is against what they want for the property, they want it to feel rural and open, to have those fences in-between contradicts the whole feel of the street. For the neighbors' information he pushed very hard to have the crash gate remain, he wants no curb, gutter or sidewalk; the whole feel is what they love about it and why they bought it in the first place. Their intent is to keep options for family purchasing in the future, and things like that, rather than trying to rely on an ADU and giving them something of ownership. They very much value the rural feel, want to take care of ditches, be good neighbors and maintain the look and feel of the neighborhood.

Commissioner Gedge noted this is the same zone, the R-1.8, since they are adding the flag lot overlay. From a zoning perspective it is not impacting any more, just allows the two additional units with the flag lots. There may be other novel ways to get additional lots in the future, but he is not overly concerned with the actual rezone change due to the addition of the flag lot overlay. The bigger concerns he has will be addressed in the next item, which he doesn't believe should be on the agenda tonight before knowing whether City Council is going to approve this application, especially with some of the concerns raised by the neighboring residents. He does wonder if it would be appropriate to table the next item because of those concerns, but he is in favor of forwarding a positive recommendation on this rezone with the addition of a flag lot overlay.

Commissioner Catmull noted that with the earlier comments, this is really about whether it is appropriate and compatible with the Title 17 Zone requirements. That doesn't guarantee a flag lot will happen, but leaves that option open. He is in favor of forwarding a positive recommendation for the rezone.

Chair Hollist asked about height, but staff indicated that height limits of new developments are not subject to limitation by current neighboring homes, which are mostly ramblers according to public in attendance; they are only required to follow the residential code which allows for up to 35 feet. She noted that she is always hesitant to change the characteristic of a rare neighborhood like this, but the applicant looks like they have been conscientious with the placement of the homes, and with doing two together with a single driveway, and she is inclined to support this one with a positive recommendation.

Commissioner Sam Bishop noted his family background is rural and when picturing this neighborhood and what they have planned, he believes it is compatible with everything surrounding it.

Commissioner Catmull asked staff whether the standard of review on the subdivision amendment (the next item) is inclusive of the flag lot Title 16 requirements.

Attorney Loose would have to look into that more, and he was inclined to recommend the same things as Commissioner Gedge, that the subdivision amendment be tabled and reviewed in the future since the zone has not been approved by City Council.

**Commissioner Gedge motioned the Planning Commission forward a positive recommendation to the City Council regarding approval of Resolution R2024-42, Approving the Wheadon Acres Subdivision Amendment Flag Lot Overlay Development Agreement, and Ordinance 2024-08-Z, Approving the Zone Change from Single-Family Residential R-1.8 to Single-Family Residential R-1.8 With the Flag Lot Overlay Zone for Lots 14 and 15A of the Wheadon Acres Subdivision.**

Commissioner Gedge asked to ensure City Council sees the commission's concerns regarding height, setbacks, etc., before they discuss this in their meeting.

**Chair Hollist seconded the motion.**

**Roll Call Vote**

**Yes – Commissioner Gedge**

**Yes – Chair Hollist**

**Yes – Commissioner Bishop**

**No – Commissioner Catmull**

**Recused – Commissioner Bevans**

**Absent – Commissioner Wimmer**

**Motion passes 3-1, with the no vote being Commissioner Catmull; Commissioner Bevans was recused for this item and did not vote, and Commissioner Wimmer was absent from the vote.**

Commissioner Catmull explained that he has concerns with the rest of the zone and it's development, the circulation of the streets, and the potential for a proliferation of flag lots in the area to fill out that subdivision to its capacity.

## **I. ADMINISTRATIVE PUBLIC HEARINGS**

### **I.1. WHEADON ACRES LOTS 14 & 15A SUBDIVISION AMENDMENT**

Address: 10537 S 3010 W and 10555 S 3010 W

File No.: PLPLA202400055

Applicant: Gordon Milar Construction LLC

Commissioner Gedge recommended tabling this item for Council's approval, allowing for a more appropriate discussion in the future.

Commissioners and staff discussed potential outcomes of this item, including tabling it for another date.

**Commissioner Gedge motioned to table Item I.1., Wheadon Acres Lots 14 & 15A Subdivision Amendment, to a future date after City Council's decision on Legislative Item H.1., Flat Lot Overlay Zone. Chair Hollist seconded the motion; vote was 4-0, unanimous in favor. Commissioner Bevans was recused from the vote, Commissioner Wimmer was absent from the vote.**

## **J. OTHER BUSINESS**

Bevans attended a North Logan Planning Commission meeting last week and with recent discussions about how South Jordan's Planning Commission meetings run, she was able to get some information from them on how they run their meetings and she brought that back for this commission to see (Attachment D).

Chair Hollist asked to add an item to the next agenda, discussion rules for 2025 Planning Commission meetings.

Commissioner Gedge noted that City Council asked the Planning Commission to review the discussion on short-term rentals from the last combined meeting and send their feedback to their elected representative.

Commissioner Bevans noted a discrepancy in a presentation from the combined meeting regarding short-term rentals, ADUs and how the city regulates them.

City Attorney Ryan Loose noted he would make those changes and ensure there were no other discrepancies.

## **ADJOURNMENT**



**Commissioner Gedge motioned to adjourn the September 24, 2024 Planning Commission Meeting. Chair Hollist seconded the motion. Vote was 5-0, unanimous in favor; Commissioner Wimmer were absent from the vote.**

**The September 24, 2024 Planning Commission Meeting adjourned at 6:54 p.m.**

**This is a true and correct copy of the September 24, 2024 Planning Commission minutes, which were approved on October 8, 2024.**

*September 24, 2024*

**Attachment A**



Planning Commission Meeting

# WHEADON ACRES LOTS 14 & 15A FLAG LOT OVERLAY

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## Rezone & Subdivision Amendment

10537 S 3010 W & 10555 S 3010 W

**Location Map**  
Wheadon Acres 14 & 15A  
South Jordan City





# Zoning Map

## Wheadon Acres 14 & 15A

### South Jordan City



# Zoning Map

## Wheadon Acres 14 & 15A

### South Jordan City



# Flag Lot Overlay Zone 17.130.060

- “The purpose of the Flag Lot Overlay Zone (FL) is to allow for the creation of a flag lot in an existing subdivision that does not meet the minimum area requirement in subsection 16.04.16oD of Title 16. The FL may be applied to an existing lot under unique circumstances as determined by the City Council...”
- Development agreement is required to have predictability as to how the lots will develop.
- The subject lot shall have a frontage of 125 feet along PRW.
- The lot’s underlying zone does not change.
- The subject lots will need to meet the lot size and density of the R-1.8 zone and be developed according to its development standards, except for the adjustments listed in the agreement.

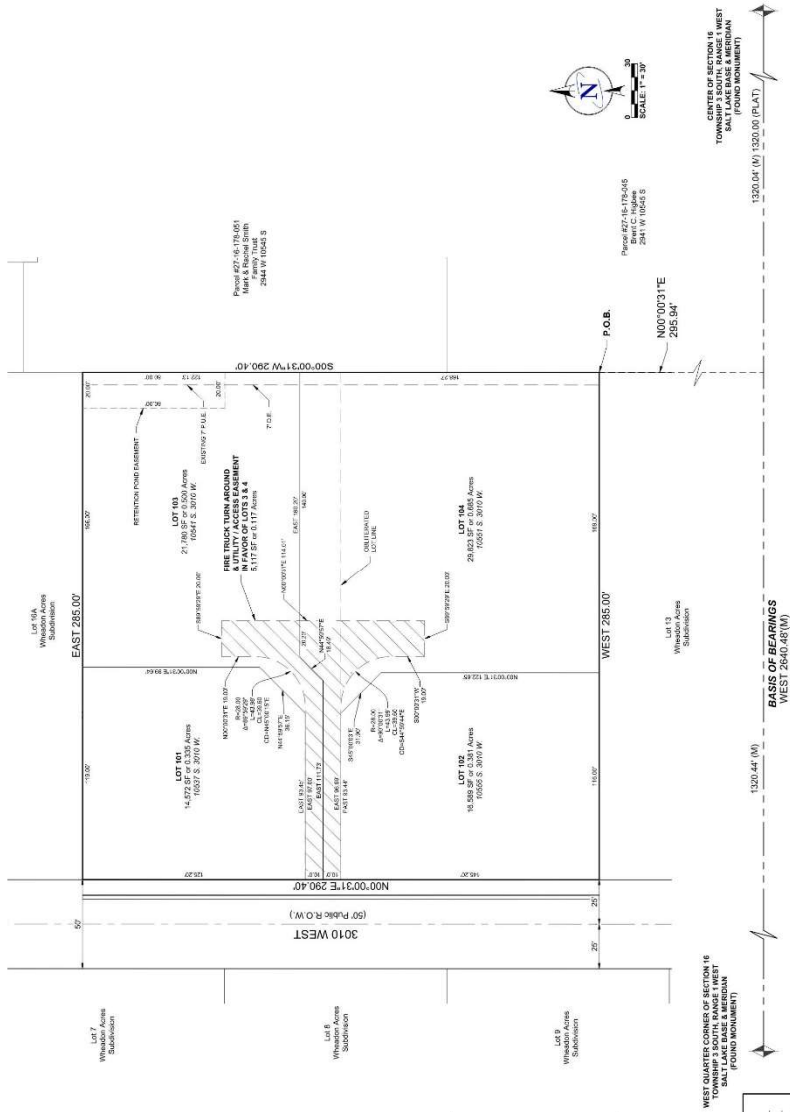


WHEADON ACRES LOTS 14 & 15A AMENDED  
FINAL PLAT

LOCATED IN THE NORTHWEST QUARTER OF  
SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE & MERIDIAN,  
SOUTH JORDAN, UTAH



VICINITY MAP 4-11



LEGEND

- SECTION CORNER (FOUND)
- STREET MONUMENT (FOUND)
- CENTERLINE
- BOUNDARY LINE
- SETBACK LINE
- MEASURED
- SET REBAR AND CAP (PROTERA)

GENERAL NOTES:

- THIS PLAT IS SUBJECT TO A PEXEL (PLANT EXCHANGE) AGREEMENT WITH SOUTH JORDAN CITY.

PUBLIC UTILITY APPROVAL

CENTURY INC.	DATE:
COMCAST	DATE:
COMMON ENERGY	DATE:
ROCKY MOUNTAIN POWER	DATE:
OTHER	DATE:

CITY ENGINEER

THIS PLAT AND THE ENGINEER HAS EXAMINED THE PLAT AND IT IS CORRECT IN ACCORDANCE WITH THE INFORMATION ON FILE IN HIS OFFICE.

SOUTH JORDAN CITY ENGINEER

SOUTH VALLEY SEWER DISTRICT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

HEALTH DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

OFFICE OF THE CITY ATTORNEY

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

CITY PLANNER

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

SOUTH JORDAN CITY MAYOR

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

SALT LAKE COUNTY RECORDER

RECORDED NO. \_\_\_\_\_ A.D. 20\_\_\_\_

STATE OF UTAH COUNTY OF SALT LAKE (RECORDED AND FILED)

DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

PL 1

SURVEYOR'S CERTIFICATE

I, \_\_\_\_\_, A PROFESSIONAL LAND SURVEYOR, LICENSE NO. 12411560, IN ACCORDANCE WITH TITLE 9A, CHAPTER 22, PROFESSIONAL ENGINEERS, HAVE CONDUCTED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBMITTED THE TRACT OF LAND INTO LOT 14 AND LOT 15A AMENDED.

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MEASURED ON THE GROUND AS SHOWN ON THIS PLAT.



ARMED ABSTON  
UTAH PROFESSIONAL LAND SURVEYOR  
LICENSE NO. 12411560

PROPERTY DESCRIPTION

A PARCELS OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE COUNTY, UTAH, BEING PART OF THE WHEADON ACRES SUBDIVISION, BEGINNING AT A POINT WEST 1252.54 FEET AND NORTH 07°03'17" EAST 285.94 FEET FROM THE CORNER OF LOT 14 AND LOT 15A AMENDED, THENCE ALONG THE SOUTHWEST CORNER OF LOT 14, WHEADON ACRES SUBDIVISION, RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2071755, THENCE ALONG LOT 14, AND POINT ALSO BEING ON THE EASTERN RIGHT-OF-WAY LINE OF 261.0 WEST STREET, CORNER OF LOT 14A OF SALT LAKE ACRES SUBDIVISION, THENCE ALONG THE NORTH LINE OF LOT 14A, SALT LAKE ACRES SUBDIVISION, TO THE CORNER OF LOT 14A, SALT LAKE ACRES SUBDIVISION, THENCE ALONG THE EAST LINE OF SALT LOTS 14 & 15A SOUTH 00°00'17" WEST 260.49 FEET TO THE POINT OF BEGINNING.

CONTAINS 81.74 ACRES OR 1.86 ACRES MORE OR LESS

OWNERS DEDICATION AND CONSENT TO RECORD

THE UNDERSIGNED, THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, TOGETHER WITH EASEMENTS AS SET FORTH HEREIN, TO BE KNOWN AS

WHEADON ACRES LOT 14 & 15A AMENDED

AND DO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL EASEMENT FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND STRUCTURES, AND FOR THE CONSTRUCTION AND OPERATION OF SUCH STRUCTURES, AND FOR THE SAME FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

OWNER

OWNER'S ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, \_\_\_\_\_, IN THE PRESENCE OF \_\_\_\_\_, A PERSONAL KNOWN TO ME, AND ACKNOWLEDGED TO ME THAT HE/SHE IS THE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, TOGETHER WITH EASEMENTS AS SET FORTH HEREIN, TO BE KNOWN AS

WHEADON ACRES LOT 14 & 15A AMENDED

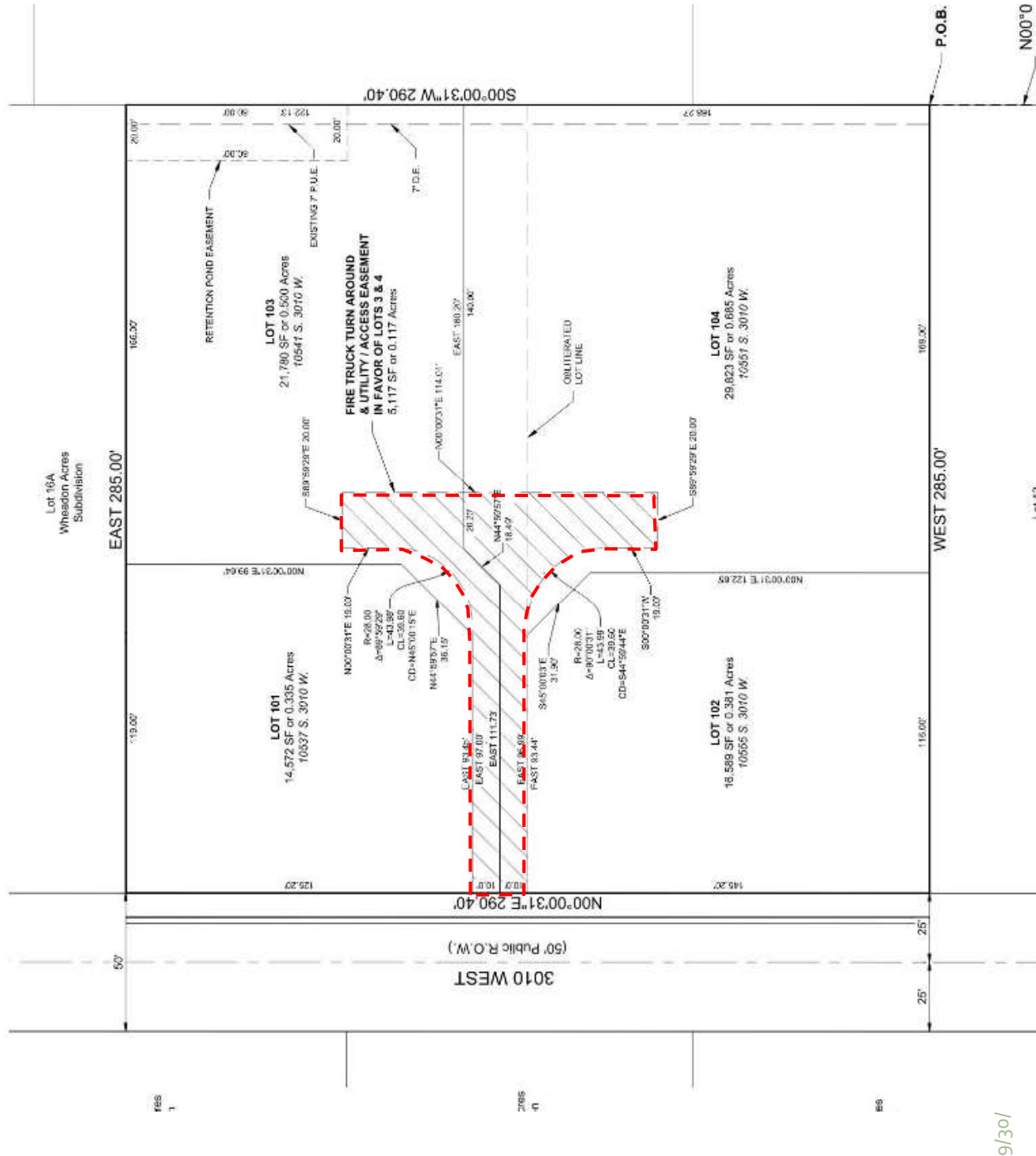
SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE COUNTY, UTAH, BEING PART OF THE WHEADON ACRES SUBDIVISION, RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2071755, THENCE ALONG LOT 14, WHEADON ACRES SUBDIVISION, RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2071755, THENCE ALONG LOT 14, AND POINT ALSO BEING ON THE EASTERN RIGHT-OF-WAY LINE OF 261.0 WEST STREET, CORNER OF LOT 14A OF SALT LAKE ACRES SUBDIVISION, THENCE ALONG THE NORTH LINE OF LOT 14A, SALT LAKE ACRES SUBDIVISION, TO THE CORNER OF LOT 14A, SALT LAKE ACRES SUBDIVISION, THENCE ALONG THE EAST LINE OF SALT LOTS 14 & 15A SOUTH 00°00'17" WEST 260.49 FEET TO THE POINT OF BEGINNING.



PL 1

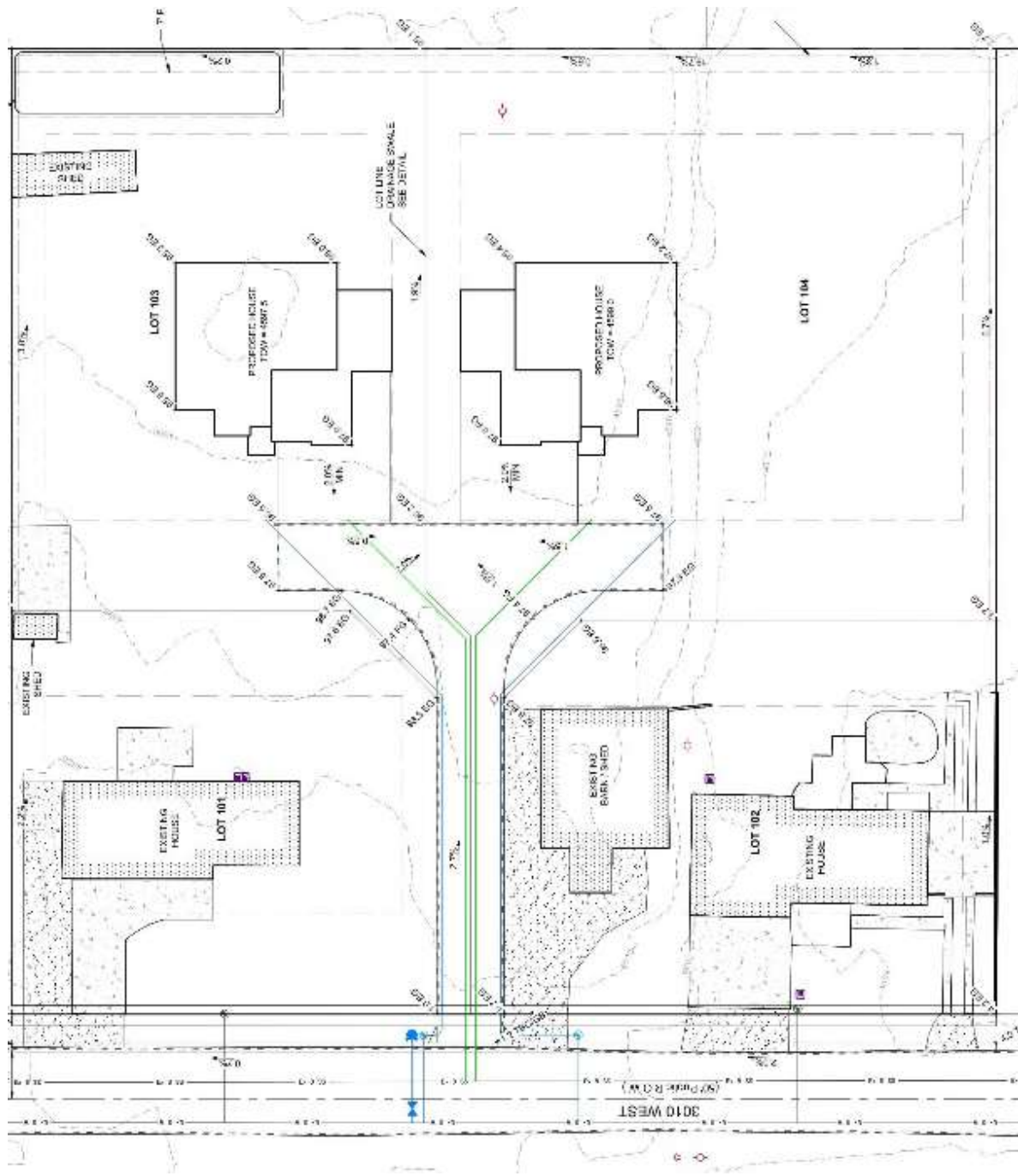






9/30/







Property of 3010 W  
Owners

CONCERNS RE: Sub Dividing on 3010 West

1. When did the city change their law to allow sub divide acreage on 3010 West?
2. Any stipulations for Wheaton Acres when originally organized?
3. Why residents of Wheaton Acres were not sooner notified of request to sub divide 2 acres on 3010 W. and the city council meeting?
4. A previous owner was told ~~no~~ yes he could subdivide. later, he went to a council meeting and was told he needed more property.
5. Another person talked to the city zoning and was told all property owners <sup>on 3010</sup> needed to sign an agreement and other stipulations and were told no in a rude manner.
6. How is it that MR. Mylar could build on 12 acres and not need more property?
7. Where is the transparency and consistency from city zoning.
8. Mr. Mylar's family has had contact with residents on ~~the~~ 3010 West and never revealed real intent of building on the 2 acres.
9. Not safe to have ~~more~~ TRAFFIC on 3010 W.



10. Children ride their toys

Playing with scooters and etc. in wheaten <sup>acres</sup>

11. ~~Don't want to~~ building Concern  
abt a 2 story house may be built &  
does not fit in with the ranch style homes  
& intrusive.

12 Will lose privacy because of height of house.

13 Happened on West side of 3010 with house at  
back of the acres on Alexander - lights at night  
trav. over fence - interfere with irrigation ditch &  
complain abt animals. These homes should have  
been ranch style -

14 Some residence are very angry -

Sony equipment to type not working -

Dan Milar  
Property Owner – Applicant  
04/02/2024

South Jordan City,

I am the owner of both properties located at 10537 S 3010 W (.95 acre) and 10555 S 3010 W (.95 acre), hereto within referred to as “the property(s)”. I currently reside about ¼ mile to the south in Bison Ridge. My family and I enjoy our neighborhood and community we have here and intend to be residents long into the future.

One aspect that particularly resonated with me when these two properties came up for sale is that I am already a neighbor and friend within this community and intend to keep all four lots of the property for my family. This personal investment demonstrates a genuine commitment to the well-being and prosperity of our neighborhood. All efforts will be to minimize impact on neighboring properties. This is achieved by properly maintaining the construction and development sites, providing oversight and being actively involved and available to neighbors should any issue arise. The impact is also minimized since all four directly affected lots will be owned and maintained by me.

Adding additional lots to the neighborhood and investing in the two existing homes will bring a greater value to the surrounding properties. Creating these two flag lots will also allow me to provide a home for my in-laws, build a new home for my family, and provides an investment in the future to build a fourth home as needed.

Thank you,

*Dan Milar*

Dan Milar



## **PUBLIC HEARING COMMENT FORM**

### **North Logan City**

Welcome to tonight's public hearing. We welcome your comments about this subject. All City Council & Planning Commission meetings are open to the public, but public hearings are a special time when, by legal requirement, the public is given the opportunity to express their opinion on certain subjects.

If you do not wish to speak at the hearing, please feel free to use this form to provide your opinion to the City Council or Planning Commission on the matter before them.

The public hearing will generally proceed as follows:

- A. Staff presentation – Provides the setting for discussion (usually one to two minutes).
- B. Sponsor presentation – The proponent of the action (usually one to two minutes).
- C. Public Comments – In order to allow many the opportunity to speak, the Mayor may designate a maximum time period, usually one or two minutes. Please be courteous and end your comments when asked to do so.
- D. If you wish to provide written comments alone or in addition to your oral comments, please fill out the form below and give it to a member of the staff. You may also attach any other written documentation.

***Guidelines for Speaking:***

- Please wait to be recognized before standing to speak.
- Please be brief and to the point. Avoid reading a long prepared written statement. Summarize the information and, if you have done so, provide the written comments for the City Council or Planning Commission to review in detail.
- Try not to restate points made by others.
- Please direct questions through the Mayor or Commission Chair rather than to other Council, Commission members or others in the audience.
- Please avoid confrontation and arguments. The Council/Commission want to hear your opinion, this is not a debate with others.

**Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Subject of the Public Hearing** \_\_\_\_\_

**Date** \_\_\_\_\_ **Your Telephone Number** \_\_\_\_\_

**Comments** \_\_\_\_\_

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***Use back of this page if more space is needed.***



September 24, 2024

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Cheryl Diener

10510 S 3010 W.

Jay & Dayle Sant

10500 S. 3010 W.

DAN MILAR

10696 BISON VIEW CV

SCOTT MCKAY

10555 S 3010 W

Elizabeth (Chendi)

10443 So. 3010 W.

John Bess

2816 W. 10545 S

Tom Blissett

10540 So 3010 W

Rob Fackrell

10594 S. 3010 W

Marilyn Bashaw

10501 So 3010 W

## Attachment E

**From:** [Cindy Valdez](#)  
**To:** [Diana Baun](#)  
**Subject:** FW: Proposed change to last meeting minutes  
**Date:** Tuesday, October 8, 2024 6:26:50 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image005.png](#)  
[image007.png](#)  
[image001.png](#)  
[image003.png](#)  
[image005.png](#)  
[image007.png](#)

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**Cindy Valdez | Deputy City Recorder | City of South Jordan**

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.254.3742 ext. 1279 | F: 801.254.3393



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**From:** Steven Catmull <[SCatmull@sjc.utah.gov](mailto:SCatmull@sjc.utah.gov)>  
**Sent:** Tuesday, October 8, 2024 4:39 PM  
**To:** Cindy Valdez <[CValdez@sjc.utah.gov](mailto:CValdez@sjc.utah.gov)>  
**Subject:** Re: Proposed change to last meeting minutes

Hi Cindy,

Here is the language I am going to propose we amend to the minutes in case it is agreed to.

Commissioner Catmull stated that the Flag Lot Overlay Zone code enforces all City Code requirements, except for lot size, unless modified or waived in the development agreement. He found no provisions in the agreement to prevent the spread of flag lots along a street. Both Commissioner Catmull and Ryan Loose agreed that enforcing intent language is challenging.

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**From:** Anna Crookston <[acrookston@sjc.utah.gov](mailto:acrookston@sjc.utah.gov)>  
**Sent:** Tuesday, October 8, 2024 2:47:13 PM  
**To:** Steven Catmull <[SCatmull@sjc.utah.gov](mailto:SCatmull@sjc.utah.gov)>  
**Cc:** Michele Hollist <[MHollist@sjc.utah.gov](mailto:MHollist@sjc.utah.gov)>; Cindy Valdez <[CValdez@sjc.utah.gov](mailto:CValdez@sjc.utah.gov)>  
**Subject:** RE: Proposed change to last meeting minutes

Hello Commissioner Catmull,

I have copied Cindy Valdez, Deputy Recorder who will be attending tonight's PC meeting. During the minute approval item please bring up your intent of what you wanted to say and that way we can enter it into the record of today's meeting minutes with the final approved minutes from the September 24, 2024 meeting. We will also attach your email with the modification request to reflect the modification made to the draft minutes.

Thank you,  
Anna

**Anna Crookston, CMC | City Recorder | City of South Jordan**

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.253.5203 Ext. 1404 | F: 801.254.3393



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**From:** Steven Catmull <[SCatmull@sjc.utah.gov](mailto:SCatmull@sjc.utah.gov)>  
**Sent:** Tuesday, October 8, 2024 1:39 AM  
**To:** Anna Crookston <[acrookston@sjc.utah.gov](mailto:acrookston@sjc.utah.gov)>  
**Cc:** Michele Hollist <[MHollist@sjc.utah.gov](mailto:MHollist@sjc.utah.gov)>  
**Subject:** Proposed change to last meeting minutes

Hi Anna,

I would like to propose a modification to the minutes from last meeting.

Starting around

*He then explained why this application is able to use Title 17 requirements and bypass some of the Title 16 requirements to legally do so. The commission is being asked tonight to decide whether or not to recommend the Title 17 requirements be applied to the property. The second part of this, which would have to be approved conditionally and prematurely, to decide whether or not to apply it if it meets the requirements. Essentially, the commissioners need to decide whether they feel the zone that allows flag lots should be applied to this area or not.*

I believe a good summary of my concerns that went with his comments would be something like this:

Commissioner Catmull said the Flag Lot Overlay Zone code says that all requirements of the City Code except the ability to have a flag lot because of lot size are in effect with the passing of this rezone except those modified or waived in the development agreement.

Commissioner Catmull saw no provisions in the developer agreement that would waive the effect described in the code to prevent proliferation of the flag lots along a street.

Commissioner Catmull and Ryan Loose agreed that intent language is a challenge to enforce.

This was about 30-35 minutes into the audio.

Thanks,

Commissioner Catmull

September 24, 2024

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Cheryl Diener

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