

# Oakley City City Council Staff Report



## FINAL PLAT: PUBLIC HEARING

### Belly Acres Subdivision Amended

**Applicant:** Ed Sorenson/Kathy Lyne Jones, Dale and Joni Hatch, and Brad and Sherrie Georgi

**To:** Oakley City Council  
**From:** Stephanie Woolstenhulme, City Planner  
**Date of Meeting:** November 8, 2023  
**Type of Item:** Final Plat – Possible Action  
**Process:** Legislative Review

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**RECOMMENDATION:** Staff recommends that City Council approve the Belly Acres Subdivision Amended Plat as presented with conditions of approval below.

## PROJECT DESCRIPTION

**Project Name:** Belly Acres Subdivision Amended  
**Applicant(s):** Ed Sorenson/Kathy Lyne Jones, Dale and Joni Hatch, and Brad and Sherrie Georgi  
**Property Owner(s):** Ed Sorenson/Kathy Lyne Jones, Dale and Joni Hatch, and Brad and Sherrie Georgi  
**Location:** ~ 4580 N. SR 32  
**Parcel Number(s):** BELLY-1, BELLY-2, BELLY-3, and OT-103  
**Size:** 32.37 acres  
**Zone District:** Village Mixed-use and CR-2 – Community Residential 2. 2 building rights per 1 acre.  
**Adjacent Land Uses:** Residential/Agricultural  
**Existing Uses:** Residential/Pasture

## PROPOSAL:

The applicant wishes to further subdivide the Belly Acres Subdivision. Currently, the Belly Acres Subdivision consists of 3 lots (BELLY-1: 31.37 acres, BELLY-2: .5 acres, BELLY-3: .5 acres.) Applicant wishes to add 3 additional lots – total of 6 lots in subdivision. This subdivision is not for development but for division of assets. While 3 of the proposed lots could have a home built on them (3 lots already have primary dwellings present,) it is more likely that further subdivision of this land will occur in the future. Property has access to municipal utilities, but specific installation is not being addressed.

## FINDINGS OF FACT

1. Located at approximately 4580 N. SR 32
2. Property is in Village Mixed-use and CR-2 zoning. 2 development rights per 1 acre.
3. Water – Oakley City water
4. Sewer – Oakley City sewer

## CONCLUSIONS OF LAW

1. This type of development is allowed in VM and CR-2 Zones.
2. City Council must find that neither the public nor person are materially injured by the proposed subdivision.

## ITEMS TO NOTE:

1. 0.39 acres to be vacated from subdivision (around OT-91.) Vacated land will then be absorbed to OT-31 via separate transaction. OT-91 will become .52 acres.
2. Hatch lot line adjusted. Hatch on owner dedication of plat. Land transaction to be handled after recordation of plat.
3. Land exchange between subdivision and Georgi property. 2 small fragments of land vacated from subdivision. 3 small fragments of Georgi land brought into subdivision. Georgi on owner dedication of plat. Land transactions will be handled by after recordation of plat.
4. Private road access on southern portion of land.
  - a. *30' private road and 10' public utility easement. Woolstenhulme have access via private road as well.*

## CONDITIONS OF APPROVAL:

1. 10' public utility easements around all lots
2. 16' ditch easements
3. Weber River Overflow Drainage – 40' easement (20' each side of center point – low point)
4. Plat note 3 includes “extend.” *Utilities shall have the right to install, maintain, operate and extend...*
5. Plat note stating “Any future development, further subdivision, or non-agricultural use of parcels will require all subdivision and/or development improvements, including access, utility infrastructure, and fire protection.”
6. Plat note stating “This subdivision includes formerly irrigated properties. As such, any nonagricultural development constructed over or added to this subdivision in the future, including possible re-subdividing actions, must deed to Oakley City water rights or agricultural irrigation shares in an acceptable quantity that can fully service the residential units and/or commercial development(s) in its final form. Permission from any relevant irrigation company will also be provided to enable the City to better file change or exchange application(s) to convert the water rights or agricultural water shares to municipal type uses within its established service boundaries and as withdrawn from any or all approved points of diversion of Oakley City. Water rights and irrigation company shares must be properly deeded to the City before building permits or development approvals can be finalized.”
7. Plat subject to minor changes related only to the vacations and inclusions of subdivision as required by Summit County for recording purposes.

## CITY ENGINEER COMMENTS:

Comments from Dominion Engineer have been addressed on current plat.

## CITY PUBLIC WORKS COMMENTS –

No concern.

## SOUTH SUMMIT FIRE

No concern.

## CITIZEN COMMENT/QUESTION

None received.

**RELATED CITY CODE**

13-4-2 Community Residential  
13-4-14 Village Mixed-Use  
13-9-8-F. Irrigation Ditch Easements.

**ATTACHMENTS TO THIS REPORT**

1. Final Plat

The City Council is empowered to recommend additional and reasonable improvements to mitigate any detrimental effects to surrounding property and residents and to safeguard the general welfare of the future inhabitants of the subdivision.



GRAPHIC SCALE

0 1/4 1/2 3/4 1

1 inch = 1/4 mile

Compass rose showing cardinal and ordinal directions.

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