

Moab City Council Agenda Item

Kopell Lot Line Adjustment Petition

Meeting Date: August 10, 2021

Title: Consideration and Possible Approval of Moab City Resolution #30-2021 – A Resolution Approving the Lot Line Adjustment of property located at 374 W 200 S, and 396 W 200 S, Moab UT 84532.

Disposition: Discussion and Possible Action

Staff Presenter: Cory P. Shurtleff, Assistant Planner

Attachment(s):

- Exhibit 1: Moab City Resolution #30-2021
- Exhibit 2: Vicinity Map
- Exhibit 3: Recorded County Plat
- Exhibit 4: Draft Survey Plat
- Exhibit 5: State Code 10-9A-608
- Exhibit 6: Adjustment Area Detail

Options:

1. Approve with or without modifications; or
2. Continue or table item and give specific direction to the applicant and staff as to additional information needed; or
3. Deny Petition

Recommended Motion: I move that the Moab City Council approve Moab City Resolution #30-2021 – A Resolution Approving the Lot Line Adjustment of property located at 374 W 200 S, and 396 W 200 S, Moab UT 84532.

Applicant: Philip & Jeanette Kopell, Property Owner

Background:

Applicants, Philip & Jeanette Kopell, submitted the City of Moab Petition to Vacate, Alter, or Amend a Subdivision Plat, Utah State Code 10-9A-608(2)(a), on September 1, 2021, for the Lot Line Adjustment of a property line on 374 W 200 S, adjacent to property 396 W 200 S, owned by Kopell, Philip A Co-Trustee. On September 1, 2021, sufficient materials, in the form of a draft plat survey generated to show the Parcel Boundary Line Adjustment, and Parcel Legal Description, along with the signed and notarized petition were submitted to City Staff. On September 21, 2021, the petition application was officially submitted for review at the City Council Meeting held on September 28, 2021.

Project Summary:

Location: 374 & 396 West 200 South, Moab UT
Property Owner: Kopell, Philip A Trustee
Adjacent Owner: Kopell, Philip A Co-Trustee
Subject Parcel: #01-0001-0163
Adjacent Parcel: #01-0001-0257
Proposed Parcel1: 34,314 sf, 0.79 Acres
Proposed Parcel2: 318,940 sf, 7.32 Acres
Zoning: RA-1 Residential Agricultural Zone

Narrative Summary:

Applicants and Property Owners, Philip and Jeanette Kopell, submitted the Petition to Alter their parcel boundary at 374 West 200 South, adjacent to their other property at 396 West 200 South. This lot line adjustment would increase their 374 West property 40.42' to the north and allow for a 15' wide utility easement along the east boundary of the new adjustment area. The reason for this transfer of land was to include the existing corral within the adjustment area in the 374 west property.

Process:

Utah State Code Section 10-9A-608 (Attachment 4) addresses this situation:

10-9a-608-14 Unless a local ordinance provides otherwise, the public hearing requirement of Subsection (1)(c) does not apply and a land use authority may consider at a public meeting an owner's petition to vacate or amend a subdivision plat if:

a) The petition seeks to:

(...)

d) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision.

Moab Municipal Code (16.08.050) includes a public hearing exemption for an amended plat if owners of both parcels sign the petition. The City Council has the authority to approve the plat amendment at a public meeting without a public hearing.