



**PARK CITY MUNICIPAL CORPORATION
APPEAL PANEL MEETING
SUMMIT COUNTY, UTAH
MARSAC MUNICIPAL BUILDING
May 6, 2024**

MEMBERS IN ATTENDANCE: Adam Strachan, Esteban Nunez, Matthew Day

EX OFFICIO: Rebecca Ward, Planning Director; Spencer Cawley, Planner II; Jaron Ehlers, Planning Technician; Todd Godfrey, Attorney; Mark Harrington, Senior City Attorney; Jacob Klopfenstein, Planning Administrative Assistant

1. ROLL CALL

Chair Adam Strachan called the Appeal Panel Meeting to order at 5:00 p.m.

2. PUBLIC COMMUNICATIONS

There were no public communications.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Mr. Nunez reported that he and the appellant were at the same brokerage a few years ago. They are no longer at the same brokerage. This will not impact his decision on the appeal.

4. REGULAR AGENDA

- A. Appeal of 2685 Meadow Creek Drive Final Action** – The Appeal Panel will Review an Appeal of the Final Action Taken by the Planning Commission on March 13, 2024, Approving the Smith Subdivision Parcel B Amended Plat (PL-24-06003) Amending the Smith Subdivision to Shift the Existing Building Pads Out of the Wetlands to Maintain the Sensitive Land Overlay and Amend the Driveway Easement to be Entirely on Parcel B Within the Estate Zoning District and Sensitive Land Overlay. PL-24-06078

Chair Strachan reported that the only item on the Appeal Panel Meeting agenda is an appeal of the Final Action for 2685 Meadow Creek Drive. The Appellant, Bob Theobold, asked that the record include information about the Planning Commission Meeting. The Chair recused herself without explanation. The Chair Pro Tempore also disclosed during that meeting. He questioned some of the decisions made at that time. Mr. Theobold explained that he is in the middle of a lawsuit with the City and with the Chair of the Planning Commission for failure to comply and failure to enforce. Mr. Theobold clarified that this appeal is not part of the lawsuit. After hearing the disclosure, the Appeal Panel felt it was possible to remain fair and impartial.

Planner II, Spencer Cawley, reported that on March 13, 2024, the Planning Commission held a public hearing and unanimously approved the Smith Subdivision First Amended Plat to:

- Shift the house and barn building pads on 2685 Meadow Creek Drive (Parcel B), a vacant lot, to reflect an updated wetland determination;
- Relocate a driveway easement that crossed 2647 Meadow Creek Drive to access 2685 Meadow Creek Drive entirely to 2685 Meadow Creek Drive.

The Planning Commission's standard of review during the Plat Amendment process includes consideration of compliance with the zoning district and any underlying approvals. It also requires a finding of good cause and a finding that no public street, right-of-way, or easement has been vacated or amended. Planner Cawley shared the good cause definition from Land Management Code ("LMC") § 15-15-1. The Appeal Panel has the authority to determine the correctness of the Planning Commission's interpretation and application of the plain meaning of the land use regulations and to interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application. The appellant has the burden of proof to demonstrate that the Commission erred in approving the Smith Subdivision First Amended Plat. Planning Technician, Jaron Ehlers, shared a map with Parcel A and Parcel B.

The existing Smith Subdivision was reviewed. Technician Ehlers explained that the yellow represents Parcel B while the green and purple represent Parcel A. He clarified that the purple portion was originally in Lot 6 of the Willow Ranch Subdivision and remains zoned Estate, like Parcel B. The green area is zoned Single Family. The utilities and site plan submitted by the applicant shows the old driveway easement and the newly proposed driveway easement. The green section shows the wetlands that were found in the preliminary delineation. A hatched area was placed around it to show the 50-foot setback under the Sensitive Land Overlay regulations. It also shows the shifting of the house and barn building pad. On March 13, 2024, the Planning Commission approved the Smith Subdivision First Amended Plat. Technician Ehlers stated:

- The house and barn building pads were relocated as well as the driveway easement;
- The Planning Commission imposed nine Conditions of Approval;
- The Planning Commission found there was good cause as it "resolves existing issues and non-conformities, specifically by moving the building pads out of the wetlands setbacks and by moving the Parcel B driveway easement exclusively onto Parcel B as well as bringing a potential driveway into compliance with PCFD requirements."
- It was determined that there were no public easements or right-of-ways vacated.

Chair Strachan asked what happens if the Army Corps comes back and the wetland delineation is greater in scope and size than the Sensitive Land Overlay compared to what was originally proposed. Technician Ehlers explained that in that case, there would need to be a return to the Planning Commission for approval to shift the building pads. Chair Strachan believed there needs to be compliance with both the Army Corps delineation and the Sensitive Land Overlay. This was confirmed. It was explained that the 50-foot setbacks associated with the Sensitive Land Overlay are determined by that delineation report. Chair Strachan turned the time over to the appellant.

Mr. Theobold stated that he was here because there were several violations and misinterpretations of the code. He noted that references were made to the building pad, but it is not just the building pad. Mr. Theobold explained that the limits of disturbance are being moved. He added that within the limits of disturbance, there is a building pad area. All of the lots were

dictated by the Army Corps of Engineers. That property was 81% wetlands, and the Army Corps of Engineers dictated the building pads in conjunction with the City and issued permits to fill impound wetlands for Lots 1 and 2. All of the other lots were built on uplands. He agrees with the applicant that it appears that was a mistake from the Army Corps of Engineers initially and it needs to be moved, but he reiterated that this is not just a building pad. The language being used is important.

Chair Strachan asked if Mr. Theobold wanted the building pad to remain in the currently platted location. This was denied. Mr. Theobold understands that it needs to be moved, but it needs to be identified that the limits of disturbance are being moved, not a building pad. There is a difference between the LMC and the Covenants, Conditions, and Restrictions ("CC&Rs"). Chair Strachan wanted to understand whether he wanted what is now referred to as the building pad to be different or if it should simply be called the limit of disturbance area. Mr. Theobold felt it should be identified as the limits of disturbance. There has been no mention of that language in any of the documentation or planning efforts. It is important to use correct and accurate language.

Mr. Theobold shared a document he wrote, titled, "Response to Planning Department's "Opinion" of Rationale for Sauna Building Permit, November 9, 2021." He explained that this is nearly an identical situation to the current appeal. The red text in the document indicates his responses to the opinions expressed by the Planning Department. Appeal Panel Members took a moment to read the document. Mr. Theobold stated that the sauna is on Lot 4. He took time to discuss the Willow Ranch Subdivision. All of the lots have limits of disturbance delineated on them. This was a case where the Homeowner's Association ("HOA") illegally voted to allow one of the owners to build a sauna outside the limits of disturbance, which is not permitted. He appealed that decision and won. Mr. Theobold stated that this is a similar situation, which is the reason he shared it.

Chair Strachan asked if there are any limits of disturbance identified on the applicant lot. Mr. Theobold explained that every lot has limits of disturbance identified. There was testimony from the developer during the sauna case to confirm that the limits of disturbance were provided on every lot. This was dictated by the City. Back in 1993, the City stated that there will be limits of disturbance because the Army Corps said there will be since there is 81% wetlands in the area.

Mr. Day asked about the different sections shown on the map. He wanted to know if Mr. Theobold believed those are limits of disturbance rather than building pads. Mr. Theobold asked those present to review the plat. The limits of disturbance are located in the bottom left portion of the plat. There are limits of disturbance for Lots 1, 2, 6, and 7. As for Lots 3, 4, and 5, those are smaller lots, but they also have limits of disturbance. This was a point of contention previously. Staff thought that Lots 3, 4, and 5 were just setbacks, but those are limits of disturbance. That information can be found in the CC&Rs, which are referenced in the Conditions of Approval.

Mr. Nunez believed he was saying that the Planning Commission erred in its decision because of what is in the CC&Rs. Mr. Theobold stated that it is because of what is in the Conditions of Approval. He is often told that the City will not enforce CC&Rs, but that is true unless the CC&Rs are specifically referenced by a Condition of Approval or by a plat. At that point, the City is enforcing the plat or Conditions of Approval and not the CC&Rs. Mr. Nunez believed the issue Mr. Theobold has is that what was approved is outside the current limit of disturbance and therefore should have gone through the CC&Rs. Mr. Theobold denied this. He clarified that the Planning Commission did not call it limits of disturbance and it is an important distinction.

Mr. Day wondered whether Mr. Theobold would have an issue with the area being moved over if it was referred to as a limit of disturbance rather than a building plat. Mr. Theobold reiterated the importance of using the correct terminology, because how something is identified matters. Mr. Day asked about the size of the building pad within the limit of disturbance. Mr. Theobold explained that more specific information is included in the submitted materials. The red outline shown is 4,000 square feet, which is the building pad. It needs to fit within the limits of disturbance.

Mr. Day believed the appellant was stating that the plat does not lay out where the building pad is located and only lays out the limits of disturbance. Mr. Theobold confirmed this. Mr. Day noted that there is a 4,000-square-foot pad. Mr. Theobold explained that the rest of the limits of disturbance can contain a swimming pool, tennis court, and so on. However, outside of that, there cannot be anything added. Mr. Day understood that and asked about the other large neighboring pads. He wanted to know if those building pads have historically all been limited to under 4,000 square feet or if those are larger. Mr. Theobold noted that the information is on the plat. He reported that in the 1990s, the owner of Lot 2 wanted to build a larger house, so there was a Plat Amendment to increase the limits of disturbance. That owner went to the Army Corps of Engineers and received approval for that in 1999. There is documentation to confirm this.

If the Staff and Appeal Panel agree that this is a building pad only, it will impact every other lot in the subdivision and will set a precedent. Mr. Theobold expressed concerns about how this will impact future development. It is critical to make a distinction between a building pad and the limits of disturbance. He continued to review the "Response to Planning Department's "Opinion" of Rationale for Sauna Building Permit, November 9, 2021," document with those present. The black text is from Staff and the red text is his response. He reviewed some of the responses. Mr. Theobold discussed the importance of surveying the area. The Army Corps was very serious about the wetlands and so was the City in 1993. Mr. Theobold referenced equestrian lots and setbacks. He stressed the importance of looking at Exhibit F of the CC&Rs, as referenced in the Conditions of Approval. Staff at that time was not diligent and focused on expedience instead.

Chair Strachan suggested that the appellant focus on the lot in question as there is a limited amount of time to present information. He understands the reasoning behind the sauna document that has been shared but noted that the current appeal relates to the Planning Commission decision on 2685 Meadow Creek Drive. Mr. Theobold argued that the Planning Commission erred on the decision, because of the references to a building pad rather than to limits of disturbance. Chair Strachan confirmed that he understood the argument made by the appellant

Mr. Theobold shared the Notice of Final Action for the Willow Ranch Subdivision. It stated that action was taken by the Planning Commission on January 27, 1993, and action was taken by the City Council on January 28, 1993. He read the following language from the document:

- Information shall be included on the plat regarding the following:
 - House and barn building pads, sizes, and heights;
 - Wildlife corridors;
 - Fire sprinkling.
- Prior to plat recordation, the City Council, City Attorney, and City Engineer shall have reviewed and approved the plat and accompanying Animal Management Plan. The Animal Management Plan shall include restrictions on the number of horses, grazing, fencing, and uses within the wildlife corridor.

- Prior to plat recordation, the Community Development Department and City Attorney shall have reviewed and approved the CC&Rs, which shall include restrictions on architecture and use.

Mr. Theobold explained that this is not a typical subdivision with typical CC&Rs. It is recognized to have wetlands. It cannot be defined by the LMC. There have to be special considerations in this case, and there are. Unfortunately, the applicant deleted the CC&Rs in their entirety. It is impossible to look at the internal documents submitted and know what is going on. The City says that they do not enforce CC&Rs, but the Conditions of Approval need to be enforced. The planners need to at least look at the CC&Rs. He asked whether the information that he submitted to the Appeal Panel was reviewed. Chair Strachan confirmed that all of the documents were read.

Mr. Theobold read definitions from one of the documents submitted. The reference to “barn limits of disturbance area” is only included in the CC&Rs. He believed the City should review the CC&Rs since it is part of the Conditions of Approval. Another definition included in the document was for “floor area.” The CC&Rs changed the floor area and it is now referenced as living area as opposed to the previously referenced floor area. He read the following language:

- Limits of Disturbance Area shall mean the area within each lot which is the outer limit of the area which may be disturbed by construction activity. The maximum size of the Limits of Disturbance Area for each lot is shown in Exhibit F of this declaration. For an equestrian lot, the lawful creation and maintenance of ponds, diversions, canals, and other irrigation structures and their appearances shall not be subjected to the Limits of Disturbance Area calculations. For a lot, the Barn Limits of Disturbance Area shall mean the area designated as such on the plat, and as shown on Exhibit F hereof. Each lot owner will be required to comply with the terms and conditions of the permit issued by the Army Corps of Engineers relating to wetlands mitigation and restoration. A copy of the permit is attached as Exhibit H to this declaration.

Mr. Theobold stated that the applicant and the Chair of the Planning Commission deleted the CC&Rs and deleted this provision. Mr. Nunez wondered whether Mr. Theobold was suggesting that the existence of the wetlands would not be known because the HOA deleted something. Mr. Theobold confirmed this. Mr. Nunez pointed out that in the report from Staff, it stated that the approval could not go through unless there was another survey. Mr. Theobold stated that the Planning Staff did not recognize wetlands until he brought up the issue two years ago. Mr. Nunez noted that the presentation from Staff mentioned that the wetlands are on record and there will be a survey by the Army Corps of Engineers. He is confused about the assertion that there is no record. Mr. Theobold explained that this area does not show up on the wetland maps in the City. Mr. Nunez pointed out that the Appeal Panel is only here to consider the applicant lot.

Mr. Theobold believed that if the CC&Rs do not state that there are wetlands, any new buyer on any lot will not be aware of this issue. Chair Strachan pointed out that there would be clarity about that based on the zoning map, as it is in the Sensitive Land Overlay. Additionally, there are the Army Corps of Engineers determinations to consider as well. Mr. Theobold stated that the Army Corps put the wetlands notification in the CC&Rs for a reason and that information was deleted.

Chair Strachan asked about the newly proposed area for the limits of disturbance. If that is placed where the applicant desires, he wants to understand whether the appellant would consider that inside or outside of the wetlands area. Mr. Theobold was not certain. He explained that he does

not have a problem with moving it, since it is in wetlands, but it should be called limits of disturbance instead of building pad and there should be clarity about the meaning of the definition.

Mr. Nunez referenced the CC&Rs that were rescinded or deleted. It seems that Mr. Theobold wants the Appeal Panel to make a decision based on what is outlined in the CC&Rs, but the Planning Commission made a determination based on the LMC. Mr. Nunez asked for a specific legal case where there is a precedent to illustrate that originally recorded CC&Rs would supersede the decision of the Planning Commission that was based on the LMC. He did not see that in the documentation provided and believed a point of clarification was needed to make a decision. Mr. Theobold explained that he has spoken with the Ombudsman about this matter. He reported that there is precedent in Park City, but it is for plat notes and not CC&Rs.

Mr. Theobold stated that he is willing to file for an Ombudsman review for the issue of CC&Rs. Mr. Day pointed out that the Ombudsman normally takes four or five months to issue an opinion. Mr. Theobold explained that the Ombudsman is aware of the issue and has an interest because it could impact a lot of cases. He is not sure how long it will take for the review to be done.

Charles Pearlman introduced himself as counsel for the applicant. He stated that the Staff presentation was clear. Nothing the appellant has brought up points to how the LMC was not complied with. Additionally, nothing that was shared pointed out how the decision was arbitrary, capricious, or illegal, which is the standard for overturning a land use decision. The Planning Commission record provided plenty of substantial evidence for the decision made. The appellant has failed to make the proper argument against that decision. Ultimately, what was disclosed by the appellant at the beginning of the meeting seems to be what this appeal is about. Mr. Theobold does not care whether the plat is amended to move the building pad or limit of disturbance from one location to another. In fact, the appellant stated that there is good cause if the environmental study shows that it should be moved. The real reason for this appeal is because the appellant wants the Appeal Panel to issue a decision that states the City should have enforced the CC&Rs so that determination can be used in his lawsuit against the City and Planning Commission Chair.

Chair Strachan asked that the arguments made remain specific to the appeal and whether the LMC was inappropriately or incorrectly applied by the Planning Commission. Mr. Pearlman shared the plat the Appeal Panel looked at earlier. He pointed out the references to house building pad, which is very straightforward. The Planning Commission relied on this record and it provides substantial evidence that this is a building pad. The characterization of a building pad the appellant made was inaccurate. The building pad is an area in which building can occur. The house may be limited to a 4,000-square-foot floor plan, but it can be built anywhere within the building pad, which is much larger. There was a mischaracterization of what a building pad is.

Mr. Pearlman shared the plat that was amended and pointed out that it also references the building pad. Throughout the documents and materials, there are references to the building pad. The appellant continues to reference a previous Board of Adjustment decision that was granted a few years ago, but that decision is actually why the Appeal Panel was created. The City decided that it was necessary to have a panel with more expertise because the view was that the decision made was inappropriate. Chair Strachan asked that the discussions focus on the appeal.

Mr. Day asked for clarification about the limits of disturbance versus house building pad and the various other terms used. Mr. Pearlman explained that limits of disturbance is the area that can be disturbed during construction. A building pad is the area in which someone can actually construct something. When there is a platted building pad, there is a 10-foot area around it that

constitutes the limits of disturbance. Regarding the statement from the appellant that the CC&Rs are relevant here and that there was a special approach taken, that statement is baseless. Mr. Pearlman noted that he has represented developers in the past and has done CC&Rs for developers. The City always wants to see the CC&Rs before the plat is approved. However, every single one of the CC&Rs allows for amendments. He has never seen CC&Rs that state it is not possible to amend them. Referencing a document does not mean it cannot be amended.

Chair Strachan asked Staff to respond to the comments made by the applicant and appellant. Planner Cawley explained that the question before the Appeal Panel is whether the Planning Commission incorrectly applied the standards in the LMC to this application for a Plat Amendment. For an application within the Sensitive Land Overlay, there is a requirement that there be a map delineating all wetlands established by using the 1987 Federal Manual for Identifying and Delineating Jurisdictional Wetlands, as amended. Any other Plat Amendment in the subdivision would have to go through this process. Discussions were had about the setbacks.

Attorney, Todd Godfrey, explained that the land remains within the Sensitive Land Overlay. Any land use application has to go through the full Sensitive Land Overlay review. Once that has been done, if a Building Permit comes in and it is outside of the setback for the wetland delineation, there is no further Sensitive Land Overlay process required other than what was required for the original platting of the lot. Planner Cawley confirmed the information shared.

Planner Cawley reported that the Willow Ranch Subdivision contains four equestrian lots and three single-family lots. There is also a 10.29-acre open space lot, which is Lot A and is subject to a conservation easement and owned by the City. There are eight lots total in the subdivision. That is immaterial to whether the Commission erred in approving the Plat Amendment for the Smith Subdivision and does not implicate the standard of review as it relates to good cause.

The Planning Commission also correctly applied the Sensitive Land Overlay requirements regarding wetlands, requiring an updated wetlands determination to evaluate the proposed changes to platted elements. Amending building pads for the single-family dwelling and barn, and evaluating the relocated driveway based on a 1993 Army Corps wetland determination, as the appellant argues, would be contrary to the LMC. The appellant fails to allege an incorrect application of the LMC. The Planning Commission followed the Sensitive Land Overlay process.

The following information was shared by Staff with the Appeal Panel:

- The Army Corps Preliminary Jurisdiction Determinations and Aquatic Resources Determinations do not determine whether any specific governmental body has authority over those wetlands;
- The determination has a limited lifespan of five to ten years;
- The appellant claims the City must be bound to the 1993 CC&Rs regarding wetlands. However, wetlands shift, which the updated determination confirms. The Planning Commission did not err in approving the Plat Amendment to shift the building pads in compliance with the Sensitive Land Overlay requirements;
- The Planning Commission correctly established the regulations for the Smith Subdivision First Amended Plat;
- The appellant fails to allege an incorrect application of the LMC and appears to be concerned with future permits and applications;

- The Planning Commission approved amendments to the existing restrictions on the existing plat - no more, no less;
- Single-Family Dwelling and Barn Building Pads carry forward and add relevant Willow Ranch Subdivision plat notes.

The appellant argues there is not a distinction between building pad and limits of disturbance, but that is not the case. The misunderstanding of the appellant is evident, as they incorrectly associate the Willow Ranch Subdivision equestrian lots with the single-family lots. The Willow Ranch Subdivision equestrian lots, including Lot 6, have a building pad for a single-family dwelling and a building pad for a barn. Regarding limits of disturbance and building pads, the following information was shared:

- The 1992 LMC and current LMC provide different definitions for limits of disturbance and building pads;
- On both the Willow Ranch and Smith Subdivision plats, it is plainly stated that they are building pads;
- The Willow Ranch limits of disturbance table are not tied to a geographic area beyond the specific lot;
- The 2022 Board of Adjustment decision applies to a different type of lot with different regulations specified on the plat.

The Board of Adjustment determination of Lot 5 (Single-Family lot) does not apply to Lot 6 (Equestrian lot). The Board of Adjustment does not have the authority to review Plat Amendments. It was clarified that The Board of Adjustment only reviews Final Action to determine whether the Land Use Authority erred. The Board of Adjustment determination is not relevant to the Planning Commission or Appeal Panel review. Additionally, the Planning Commission is not tasked with reviewing CC&Rs. The LMC states: "The City does not enforce private restrictive covenants, nor shall any such covenant have the effect of modifying the regulations herein."

The appellant argues the CC&Rs are City business because of the 1993 Final Action Letter language:

- Prior to plat recordation, the Community Development Department and City Attorney shall have reviewed and approved the CC&Rs, which shall include restrictions on architecture and use;
- Staff shall revise the language in the CC&Rs regarding accessory apartments to limit the unit square footage so as to preclude the construction of duplexes, ensure adequate parking, restrict nightly rentals, and require entrance from the main structure.

These conditions required City review of the CC&Rs prior to the original plat recordation. No conditions require the City to re-review the CC&Rs at any future date, nor does it prohibit the HOA from amending the CC&Rs pursuant to Utah Code. The appellant fails to argue that the CC&Rs are relevant to the Planning Commission's review of the proposal to shift the single-family dwelling building pad and barn building pad. There was no allegation that the Plat Amendment application violates some provision of the LMC, as applicable to the good cause standard. The Planning Commission found the Plat Amendment complied with the LMC and there was good cause for the Plat Amendment. It was noted that the Planning Commission found compliance with the Estate, Sensitive Land Overlay, and Subdivision Procedure Chapter of the LMC.

Staff recommends that the Appeal Panel review the appeal of the Planning Commission's approval of the Smith Subdivision First Amended Plat, conduct a public hearing, and consider denying the appeal and affirming the Planning Commission's decision based on the Findings of Fact and Conclusions of Law in the Draft Final Action Letter.

Planning Director, Rebecca Ward, shared the Willow Ranch Subdivision map and pointed out the legend. As outlined by Planner Cawley and Technician Ehlers, this is a very restrictive and detailed plat, with 18 plat notes. The legend clearly shows what is a building pad for a house and what is a building pad for a barn. Additionally, there is a table that shows the limits of disturbance. Within the barn building pad and the house building pad, there is maximum square footage for the home and the barn. Depending on where that is constructed within the building pad, there are further limits of disturbance. The Commission found good cause to take what is clearly platted as a house and barn building pad and shift it to comply with the updated wetlands delineation.

Chair Strachan noted that the appellant now has an opportunity to rebut any of the new issues raised. Mr. Theobold clarified that he did not state that there is a limitation of 4,000 square feet, but that is the footprint if there are two stories. He asked for clarification about the comments made by Mr. Pearlman related to the Appeal Panel being formed because of the Board of Adjustment decision. Chair Strachan stated that it is not relevant to the current appeal.

Mr. Theobold asked what the limits of disturbance chart meant on the plat. Chair Strachan clarified that this is not a question-and-answer session. This is the time when there is a rebuttal of the points raised. Mr. Theobold stated that there has not been a declaration of what it means or where the definition can be found. He reiterated his earlier arguments about the term limits of disturbance and noted that the Conditions of Approval state that the CC&Rs are included.

Chair Strachan opened the public hearing.

Gerry Hall explained that he is one of the other owners of the Willow Ranch Subdivision. He wanted to rebut some of the comments made by Mr. Theobold. The CC&Rs have not been deleted but have been amended. The limits of disturbance references in the CC&Rs have also not been deleted, but amendments were made. An amendment of CC&Rs that are 30 years old is normal and that was done a handful of years ago. The wetlands notification requirements have not been deleted from the CC&Rs and the notification requirement exists within the 1992 Army Corps permit itself. Future owners need to be notified of the wetlands. Mr. Hall discussed the limits of disturbance. In the original 1993 CC&Rs, there were a number of allowed uses outside of the building pads, such as ponds, irrigation ditches, and irrigation structures. The definition of building pad and limits of disturbance in 1993 is different than the definition and application now.

When the Smith Subdivision was resubdivided in the late 1990s, the limits of disturbance area reference was dropped. Lot 2 was also re-platted in 1999. The limits of disturbance reference was changed from "limits of disturbance" to "impacted area," and specifically references building footprints. Mr. Hall pointed out the different lots on a map of the area. He acknowledged that there was some confusion. In the plat that the Planning Commission approved, there is no real reference to the Willow Ranch HOA. It says Smith Subdivision. That could be an issue in the future.

Paul Caraher stated that he is the owner of Lot 6. A lot of time has been spent ensuring that the Sensitive Land Overlay requirements are met. He appreciates the Appeal Panel for taking the

time to address this appeal. He also wanted to thank the Planning Commission for their thorough review of the application. Mr. Caraher hoped the Appeal Panel will uphold the decision.

Will Lang informed the Appeal Panel that he owns Lot 7 and shared a 1,000-foot boundary with Lot 6 to the south. He asked that the Appeal Panel rule in favor of the applicant.

There were no further comments. The public hearing was closed.

The Appeal Panel discussed the information that was shared. Mr. Day has not seen enough compelling evidence that the Planning Commission erred in the decision. He has not been swayed by the argument about limits of disturbance versus building pad. It seemed clear on the plat that it is a house-building pad, so he is inclined to deny the appeal. Mr. Nunez stated that based on what was presented, he is also inclined to deny the appeal. The burden of proof was not met, which is something that the appellant is required to do in any appeal. Chair Strachan agreed with the other Appeal Panel members. The standard for a Plat Amendment is good cause and moving out of the wetlands area is good cause to move the place of construction. He noted that Staff prepared a Draft Final Action Letter. He looked it over earlier and thought it was accurate, but noted that it could be reviewed in more detail and returned to Staff if desired. Mr. Day thought it was appropriate to review what was drafted after the decision was made.

It was determined that the Appeal Panel will review the Draft Final Action Letter. Discussions were had about whether or not there should be a motion made for the record. Attorney Godfrey preferred that there be a motion on the record to state that the appeal is denied and that the letter will be reviewed by the Appeal Panel before being returned to Staff for finalization.

MOTION: Matthew Day moved to DENY the appeal of 2685 Meadow Creek Drive Final Action. Mr. Nunez seconded the motion.

VOTE: Adam Strachan-Aye; Matthew Day-Aye; Esteban Nunez-Aye. The motion passed with the unanimous consent of the Appeal Panel.

Following the vote to deny the appeal, Chair Strachan reiterated that the Draft Final Action Letter will be reviewed and revised by Appeal Panel members before being sent back to Staff.

5. ADJOURNMENT

MOTION: Adam Strachan moved to adjourn.

The meeting adjourned at approximately 6:28 p.m.

$\Delta = 05^{\circ}05'05''$
 $R = 855.00'$
 $L = 75.88'$

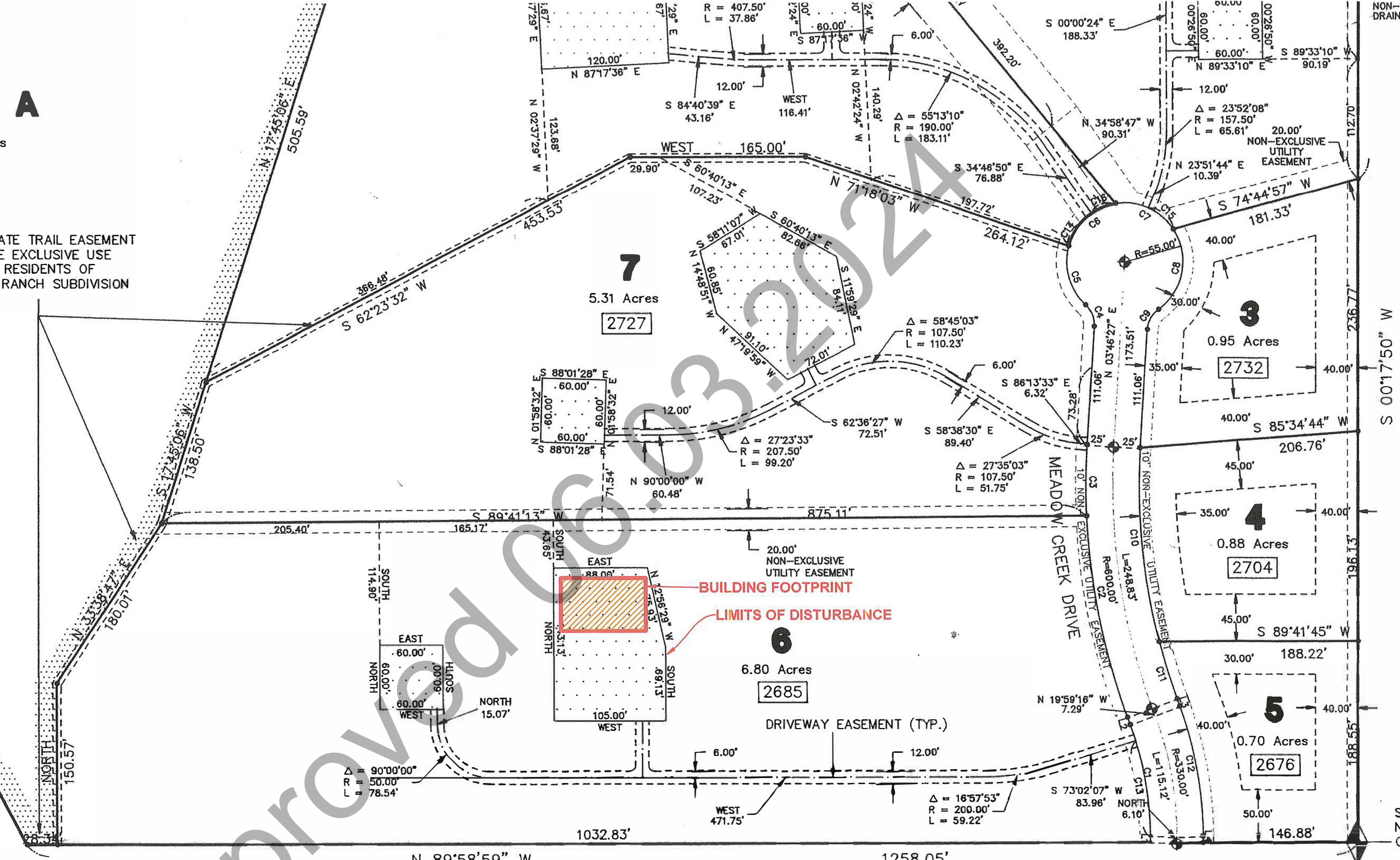
LOT A

10.29 Acres

8' PRIVATE TRAIL EASEMENT FOR THE EXCLUSIVE USE OF THE RESIDENTS OF WILLOW RANCH SUBDIVISION

Railroad Right-of-Way
 $N 28^{\circ}16'38'' W$
 $694.96'$

LIMITS OF DISTURBANCE



$N 89^{\circ}58'59'' W$

1258.05'

McLeod Creek Subdivision

LOT	BUILDING AREA (sq. ft.)	BARN AREA (sq. ft.)	TOTAL (sq. ft.)
LOT 1	14,000	3600	17,600
LOT 2	14,000	3600	17,600
LOT 6	14,400	3600	18,000
LOT 7	14,400	3600	18,000
	TOTAL		71,200



NORTH
 SCALE: 1" = 100'

$\Delta = 05^{\circ}05'05''$
 $R = 855.00'$
 $L = 75.88'$

LOT A

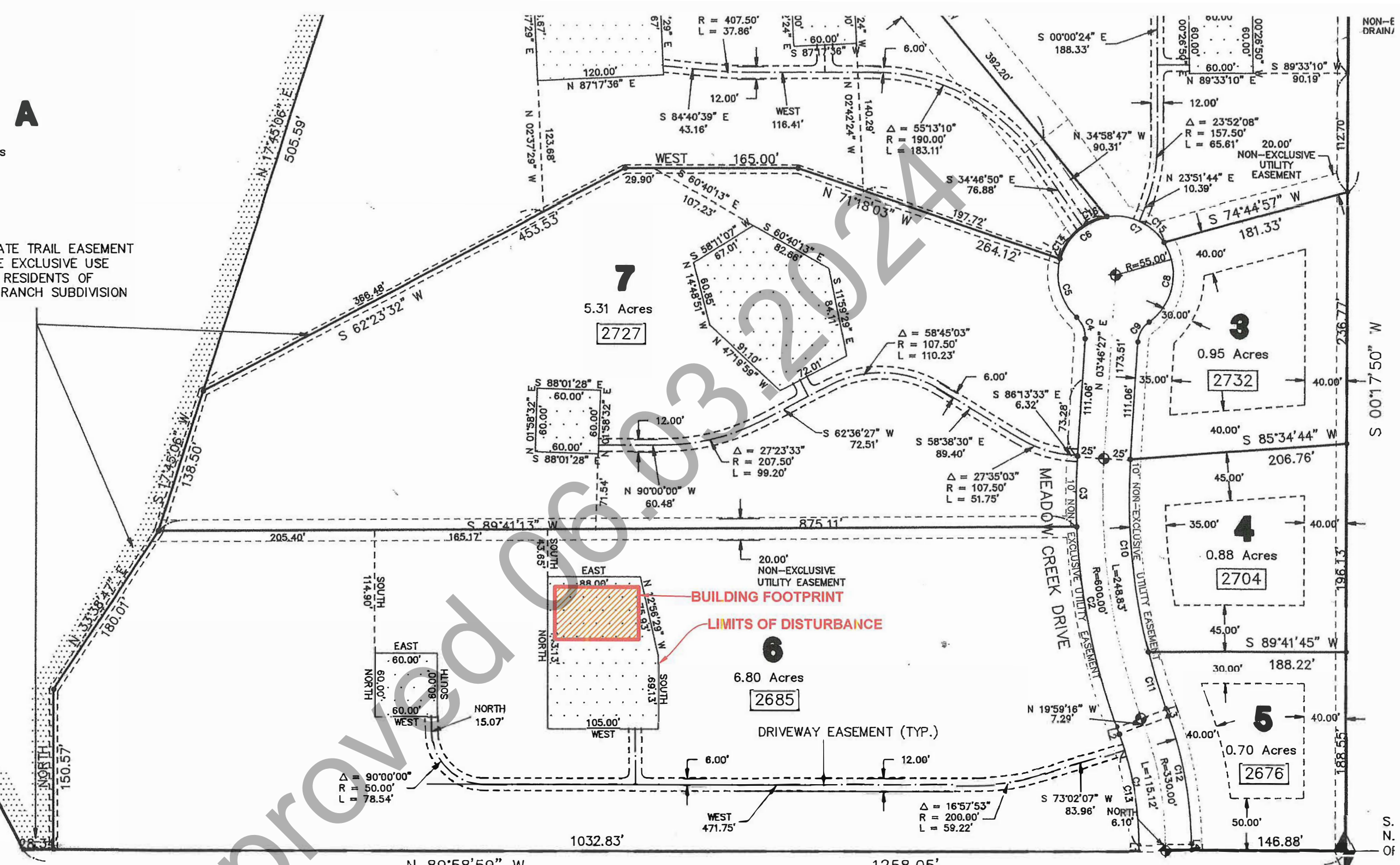
10.29 Acres

8' PRIVATE TRAIL EASEMENT FOR THE EXCLUSIVE USE OF THE RESIDENTS OF WILLOW RANCH SUBDIVISION

Railroad Right-of-Way
N 28°16'38" W

LIMITS OF DISTURBANCE

LOT	BUILDING AREA (sq. ft.)	BARN AREA (sq. ft.)	TOTAL (sq. ft.)
LOT 1	14,000	3600	17,600
LOT 2	14,000	3600	17,600
LOT 6	14,400	3600	18,000
LOT 7	14,400	3600	18,000
	TOTAL		71,200



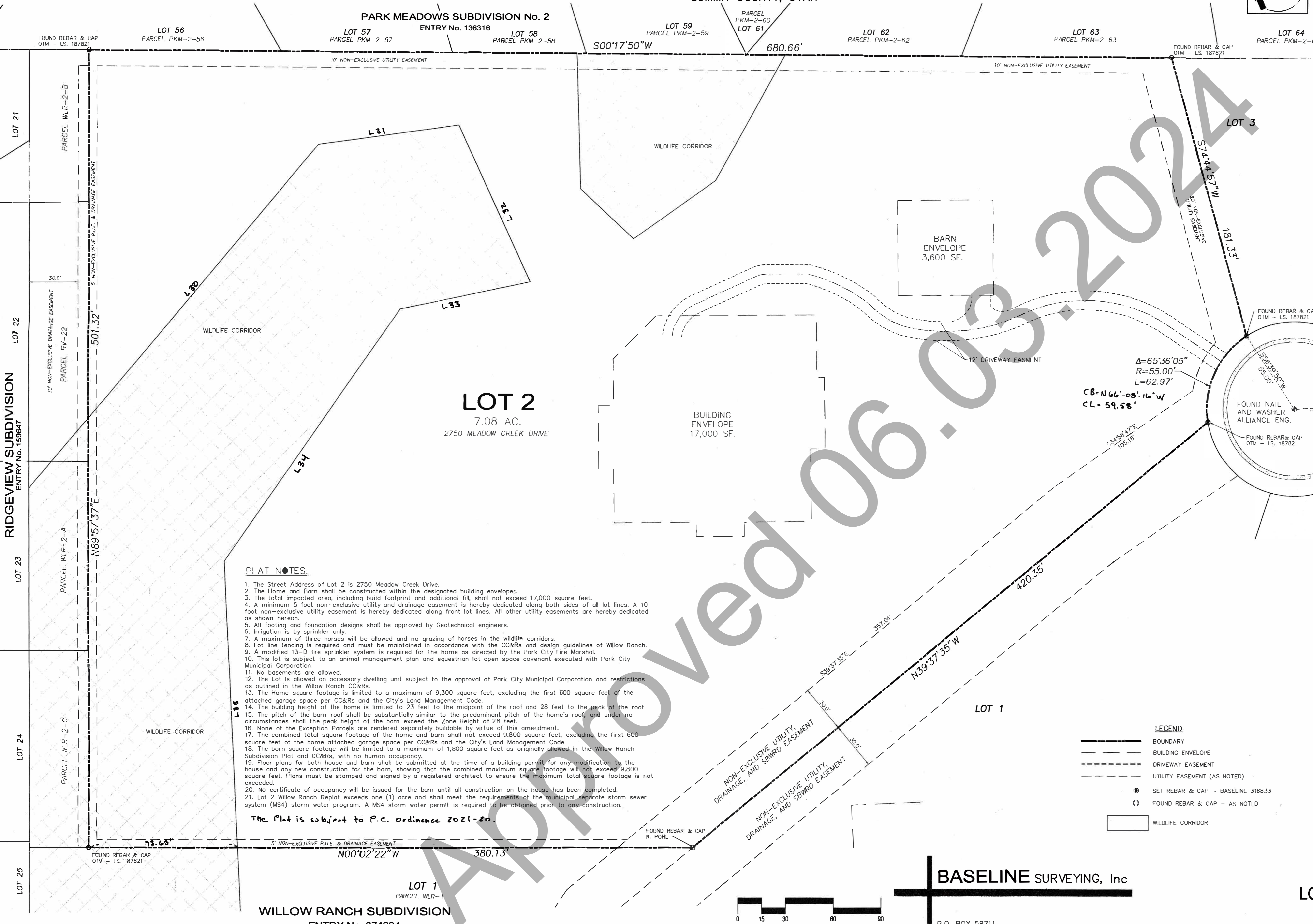
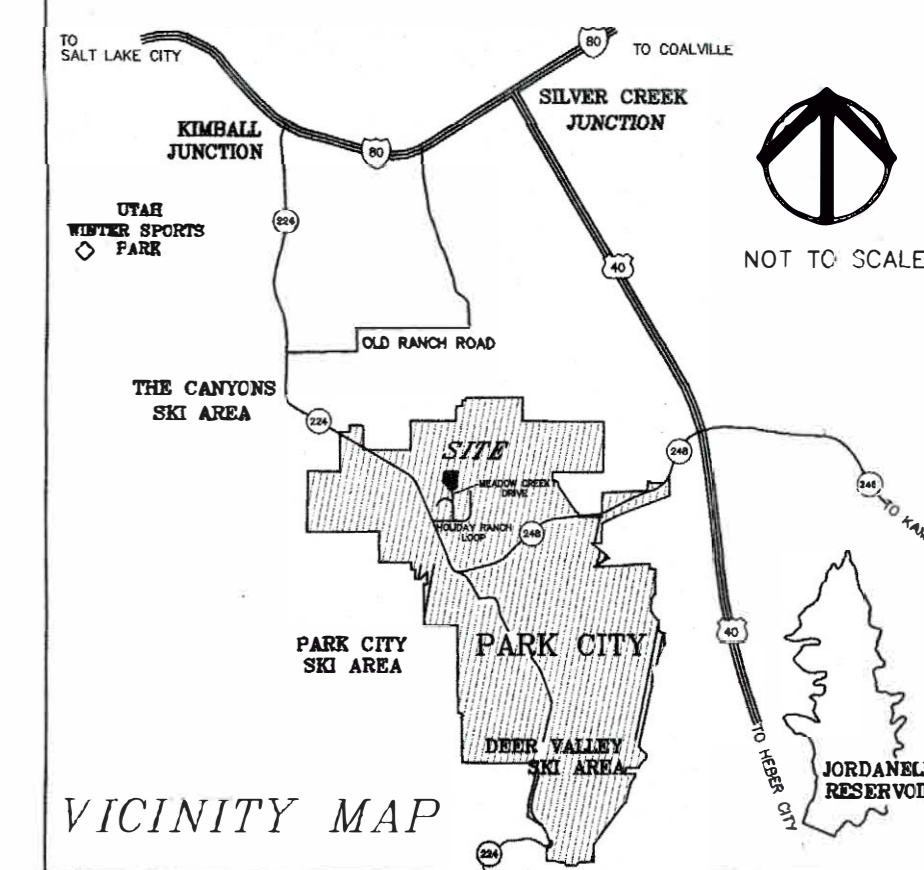
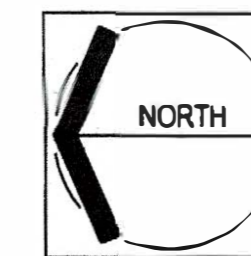
McLeod Creek Subdivision



NORTH
SCALE: 1" = 100'

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE:
I, RUSSELL E. CAMPBELL, DO HEREBY CERTIFY THAT I AM A LICENSE PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE No. 316833 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LICENSING ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH MINIMUM STANDARDS AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREON IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY, AND THAT THIS PLAT OF

IN SUMMIT COUNTY, UTAH HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS OF THE SUMMIT COUNTY RECORDER'S OFFICE.

R. Campbell
Russell E. Campbell
Date: 7/16/21

- PLAT NOTES:**
- The Street Address of Lot 2 is 2750 Meadow Creek Drive.
 - The Home and Barn shall be constructed within the designated building envelopes.
 - The total impacted area, including build footprint and additional fill, shall not exceed 17,000 square feet.
 - A minimum 5 foot non-exclusive utility and drainage easement is hereby dedicated along both sides of all lot lines. A 10 foot non-exclusive utility easement is hereby dedicated along front lot lines. All other utility easements are hereby dedicated as shown hereon.
 - All footing and foundation designs shall be approved by Geotechnical engineers.
 - Irrigation is by sprinkler only.
 - A maximum of three horses will be allowed and no grazing of horses in the wildlife corridors.
 - Lot line fencing is required and must be maintained in accordance with the CC&Rs and design guidelines of Willow Ranch.
 - A modified 13-0 fire sprinkler system is required for the home as directed by the Park City Fire Marshal.
 - This lot is subject to an animal management plan and equestrian lot open space covenant executed with Park City Municipal Corporation.
 - No basements are allowed.
 - The Lot is allowed an accessory dwelling unit subject to the approval of Park City Municipal Corporation and restrictions as outlined in the Willow Ranch CC&Rs.
 - The Home square footage is limited to a maximum of 9,300 square feet, excluding the first 600 square feet of the attached garage space per CC&Rs and the City's Land Management Code.
 - The building height of the home is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof.
 - The pitch of the barn roof shall be substantially similar to the predominant pitch of the home's roof, and under no circumstances shall the peak height of the barn exceed the Zone Height of 28 feet.
 - None of the Exception Parcels are rendered separately buildable by virtue of this amendment.
 - The combined total square footage of the home and barn shall not exceed 9,800 square feet, excluding the first 600 square feet of the home attached garage space per CC&Rs and the City's Land Management Code.
 - The barn square footage will be limited to a maximum of 1,800 square feet as originally allowed in the Willow Ranch Subdivision Plat and CC&Rs, with no human occupancy.
 - Floor plans for both house and barn shall be submitted at the time of a building permit for any modification to the house and any new construction for the barn, showing that the combined maximum square footage will not exceed 9,800 square feet. Plans must be stamped and signed by a registered architect to ensure the maximum total square footage is not exceeded.
 - No certificate of occupancy will be issued for the barn until all construction on the house has been completed.
 - Lot 2 Willow Ranch Replat exceeds one (1) acre and shall meet the requirements of the municipal separate storm sewer system (MS4) storm water program. A MS4 storm water permit is required to be obtained prior to any construction.

The Plat is subject to P.C. Ordinance 2021-20.

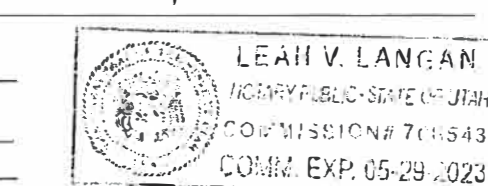
LEGAL DESCRIPTION Entry No. 1139975, Book 2593 at Page 1517:
Lot 2, WILLOW RANCH REPLAT SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office, Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD
I, THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN HEREIN AND NAME SAID TRACT.

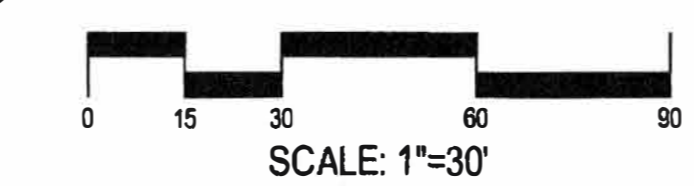
LOT 2 WILLOW RANCH REPLAT FIRST AMENDED
AND DO HEREBY DEDICATE, GRANT AND CONVEY TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE MAINTENANCE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH.

Signed this 20 day of July, 2021.
Sarah Hall
BY: CRESHLEY VERTICAL, LLC, a Utah limited liability company

ACKNOWLEDGMENT
State of Utah
County of Summit
The foregoing was acknowledged before me this 20 day of July, 2021 by
Sarah Hall
Heath V. Long
Notary Public
Residing at Summit County
My commission expires: 2/29/2021



BASELINE SURVEYING, Inc
P.O. BOX 58711
Salt Lake City, UT 84158
(801) 209-2152

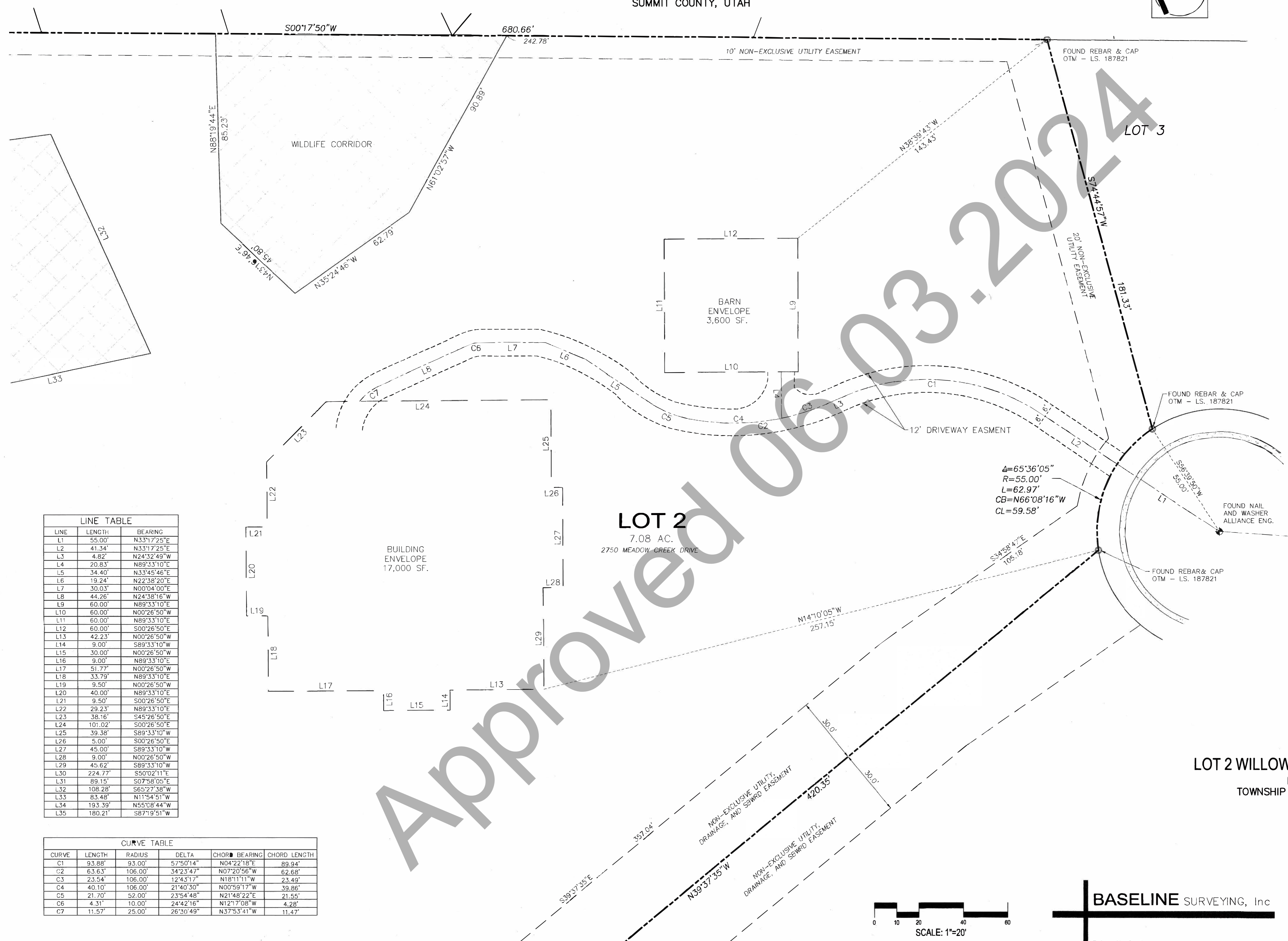
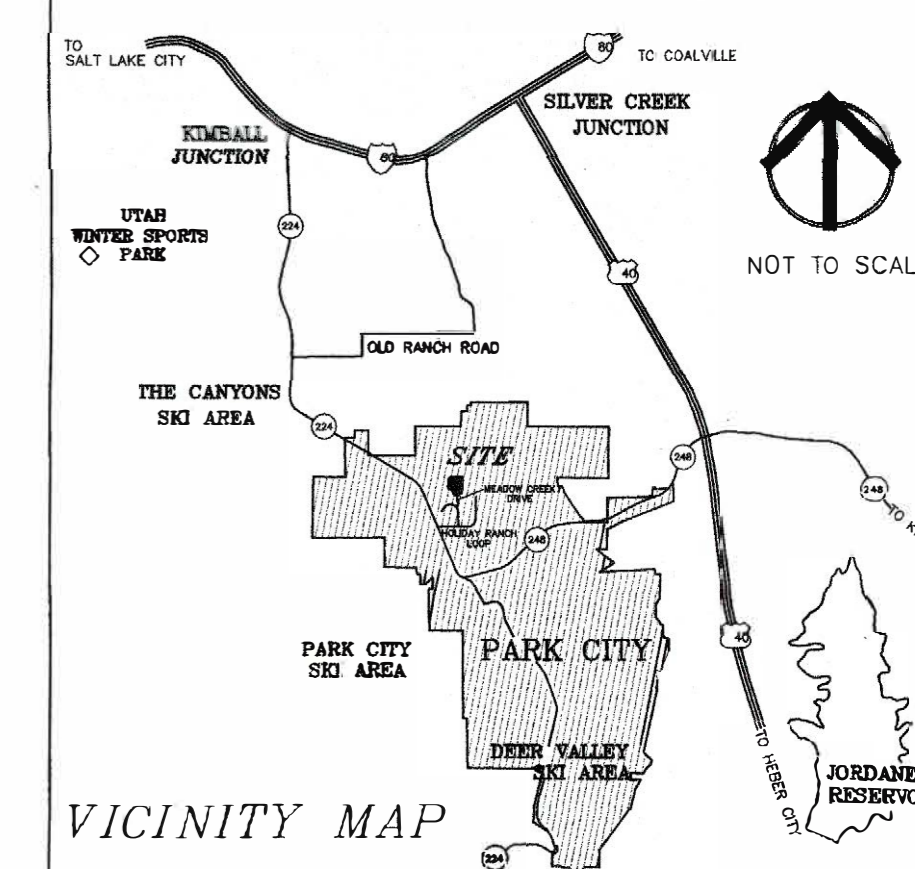
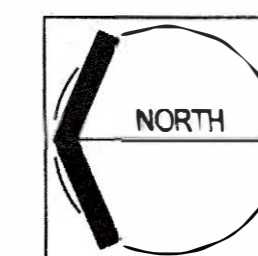


LOT 2 WILLOW RANCH REPLAT FIRST AMENDED
LOCATED IN SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M
SUMMIT COUNTY, UTAH
SHEET 1 of 2

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 20th DAY OF July 2021 <i>[Signature]</i> BY: S.B.W.R.D.	PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED THIS 20th DAY OF January 2022 <i>[Signature]</i> BY: JEFF WARD GIS DIRECTOR THE SUMMIT COUNTY PUBLIC SAFETY ANSWERING POINT	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 17th DAY OF Aug 2021 <i>[Signature]</i> CHAIR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS REVIEWED BY PARK CITY COUNCIL THIS 18th DAY OF January 2022 <i>[Signature]</i> MICHELLE KELLY PARK CITY RECORDER	ENGINEER'S CERTIFICATE I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT REVIEWED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH AVAILABLE INFORMATION ON FILE IN THIS OFFICE. Jan 10 2022 <i>[Signature]</i> PARK CITY ENGINEER	COUNCIL APPROVAL AND ACCEPTANCE APPROVED THIS 18th DAY OF January 2022 ON BEHALF OF THE PARK CITY COUNCIL <i>[Signature]</i> MAYOR	APPROVAL AS TO FORM APPROVED AS TO FORM ON THIS 13th DAY OF January 2022 <i>[Signature]</i> PARK CITY ATTORNEY	RECORDED ENTRY NO. 118178D FEE: 102.00 STATE OF UTAH COUNTY OF SUMMIT DATE: 1-20-2022 TIME: 10:51 AM RECORDED AND FILED AT THE REQUEST OF: REAL ADVANTAGE TITLE <i>[Signature]</i> COUNTY RECORDER
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LOT 2 WILLOW RANCH REPLAT FIRST AMENDED

LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



LINE TABLE

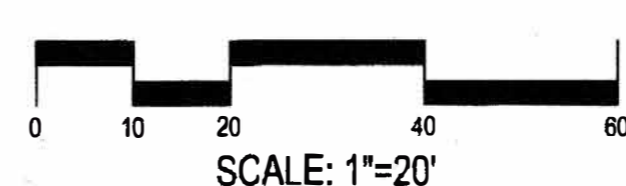
LINE	LENGTH	BEARING
L1	55.00'	N33°17'26\"E
L2	41.34'	N33°17'25\"E
L3	4.82'	N24°32'49\"W
L4	20.83'	N89°33'10\"E
L5	34.40'	N33°45'46\"E
L6	19.24'	N22°38'20\"E
L7	30.03'	N00°04'00\"E
L8	44.26'	N24°38'16\"W
L9	60.00'	N89°33'10\"E
L10	60.00'	N00°26'50\"W
L11	60.00'	N89°33'10\"E
L12	60.00'	S00°26'50\"E
L13	42.23'	N00°26'50\"W
L14	9.00'	S89°33'10\"W
L15	30.00'	N00°26'50\"W
L16	9.00'	N89°33'10\"E
L17	51.77'	N00°26'50\"W
L18	33.79'	N89°33'10\"E
L19	9.50'	N00°26'50\"W
L20	40.00'	N89°33'10\"E
L21	9.50'	S00°26'50\"E
L22	29.23'	N89°33'10\"E
L23	38.16'	S45°26'50\"E
L24	101.02'	S00°26'50\"E
L25	39.38'	S89°33'10\"W
L26	5.00'	S00°26'50\"E
L27	45.00'	S89°33'10\"W
L28	9.00'	N00°26'50\"W
L29	45.62'	S89°33'10\"W
L30	224.77'	S50°02'11\"E
L31	89.15'	S07°58'05\"E
L32	108.28'	S65°27'38\"W
L33	83.48'	N11°54'51\"W
L34	193.39'	N55°08'44\"W
L35	180.21'	S87°19'51\"W

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	93.88'	93.00'	57°50'14\"	N04°22'18\"E	89.94'
C2	63.63'	106.00'	34°23'47\"	N07°20'56\"W	62.68'
C3	23.54'	106.00'	12°43'17\"	N18°11'17\"W	23.49'
C4	40.10'	106.00'	21°40'30\"	N00°59'17\"W	39.86'
C5	21.70'	52.00'	23°54'48\"	N21°48'22\"E	21.55'
C6	4.31'	10.00'	24°42'16\"	N12°17'08\"W	4.28'
C7	11.57'	25.00'	26°30'49\"	N37°53'41\"W	11.47'

- LEGEND**
- BOUNDARY
 - BUILDING ENVELOPE
 - DRIVEWAY EASEMENT
 - UTILITY EASEMENT (AS NOTED)
 - SET REBAR & CAP - BASELINE 316833
 - FOUND REBAR & CAP - AS NOTED
 - ▭ WILDLIFE CORRIDOR

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED
LOCATED IN SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M
SUMMIT COUNTY, UTAH



BASELINE SURVEYING, Inc
P.O. BOX 58711
Salt Lake City, UT 84158 (801) 209-2152

RECORDED
ENTRY NO. 01181780
PLAT PAGE 1/1
01/20/2022 10:59:26 AM B: 2718 P: 1582
BASELINE SURVEYING, INC. SUMMIT COUNTY RECORDER
FEE: 102.00 BY REAL ADVANTAGE TITLE
COUNTY RECORDER

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of the herein described tract of land, to be known hereafter as the LOT 2 WILLOW RANCH REPLAT, do hereby certify that we have caused this Lot Line Amendment Plat to be prepared, and we, John Thompson and Diana J. Thompson, husband and wife as joint tenants, hereby consent to the recordation of this Lot Line Amendment Plat.

ALSO, the owners or their representative, hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set their hands this 27th day of October, 1999.

John Thompson
John Thompson
Owner

Diana J. Thompson
Diana J. Thompson
Owner

ACKNOWLEDGEMENT

State of Utah:
County of Summit:

On this 27th day of October, 1999, John Thompson and Diana J. Thompson personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, John Thompson and Diana J. Thompson acknowledged to me that they are the owners of the herein described tract of land and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Mary L. Peacock
Notary Public

My commission expires: 8-28-2002



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that by authority of the owner(s), I have prepared this Record of Survey map of LOT 2, WILLOW RANCH SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat.

John Demkowicz
John Demkowicz
Date 10-21-99



BOUNDARY DESCRIPTION

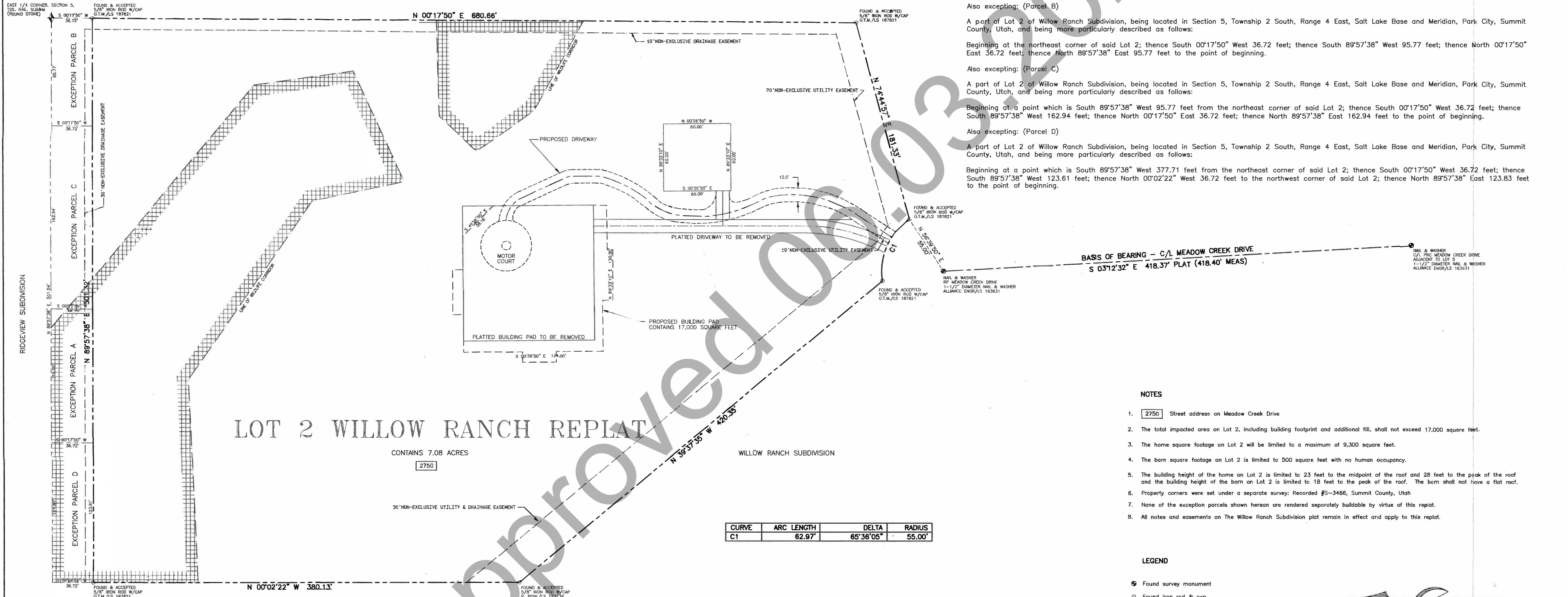
PARCEL #1
LOT 2, WILLOW RANCH SUBDIVISION, according to the official plat thereof on file and of record in the Summit County Recorder's Office. Less and excepting the following described parcels: (Parcel A)

A part of Lot 2 of Willow Ranch Subdivision, being located in Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah, and being more particularly described as follows:
Beginning at a point which is South 89°57'38" West 258.71 feet from the northeast corner of said Lot 2; thence South 00°17'50" West 36.72 feet; thence South 89°57'38" West 119.00 feet; thence North 00°17'50" East 36.72 feet; thence North 89°57'38" East 119.00 feet to the point of beginning.

Also excepting: (Parcel B)
A part of Lot 2 of Willow Ranch Subdivision, being located in Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah, and being more particularly described as follows:
Beginning at the northeast corner of said Lot 2; thence South 00°17'50" West 36.72 feet; thence South 89°57'38" West 95.77 feet; thence North 00°17'50" East 36.72 feet; thence North 89°57'38" East 95.77 feet to the point of beginning.

Also excepting: (Parcel C)
A part of Lot 2 of Willow Ranch Subdivision, being located in Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah, and being more particularly described as follows:
Beginning at a point which is South 89°57'38" West 95.77 feet from the northeast corner of said Lot 2; thence South 00°17'50" West 36.72 feet; thence South 89°57'38" West 162.94 feet; thence North 00°17'50" East 36.72 feet; thence North 89°57'38" East 162.94 feet to the point of beginning.

Also excepting: (Parcel D)
A part of Lot 2 of Willow Ranch Subdivision, being located in Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah, and being more particularly described as follows:
Beginning at a point which is South 89°57'38" West 377.71 feet from the northeast corner of said Lot 2; thence South 00°17'50" West 36.72 feet; thence South 89°57'38" West 123.61 feet; thence North 00°02'22" West 36.72 feet to the northwest corner of said Lot 2; thence North 89°57'38" East 123.83 feet to the point of beginning.



LOT 2 WILLOW RANCH REPLAT

CONTAINS 7.08 ACRES
[2750]

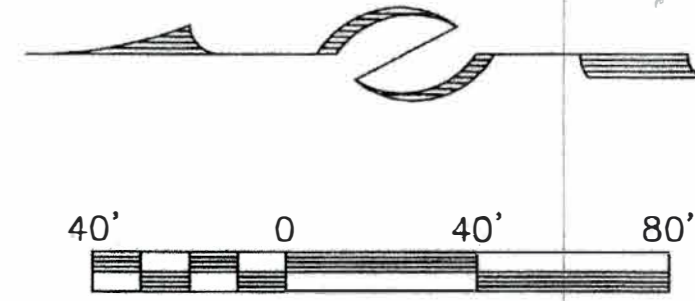
CURVE	ARC LENGTH	DELTA	RADIUS
C1	62.97'	65°36'05"	55.00'

NOTES

- [2750] Street address on Meadow Creek Drive
- The total impacted area on Lot 2, including building footprint and additional fill, shall not exceed 17,000 square feet.
- The home square footage on Lot 2 will be limited to a maximum of 9,300 square feet.
- The barn square footage on Lot 2 is limited to 500 square feet with no human occupancy.
- The building height of the home on Lot 2 is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof and the building height of the barn on Lot 2 is limited to 18 feet to the peak of the roof. The barn shall not have a flat roof.
- Property corners were set under a separate survey: Recorded #S-3466, Summit County, Utah
- None of the exception parcels shown hereon are rendered separately buildable by virtue of this replat.
- All notes and easements on The Willow Ranch Subdivision plat remain in effect and apply to this replat.

LEGEND

- Found survey monument
- Found iron rod & cap



LOT 2 WILLOW RANCH REPLAT

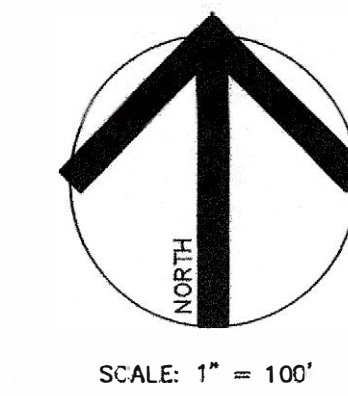
LOCATED IN SECTION 5
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LOT LINE AMENDMENT PLAT

<p>(435) 649-9467</p> <p>Alliance Engineering Inc.</p> <p>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</p> <p>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	<p>SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS <u>29th</u> DAY OF <u>OCTOBER</u>, 1999 A.D.</p> <p>BY <i>[Signature]</i> S.B.S.I.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS <u>29th</u> DAY OF <u>NOVEMBER</u>, 1999 A.D.</p> <p>BY <i>[Signature]</i> CHAIRMAN</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>27th</u> DAY OF <u>OCTOBER</u>, 1999 A.D.</p> <p>BY <i>[Signature]</i> PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS <u>1st</u> DAY OF <u>NOVEMBER</u>, 1999 A.D.</p> <p>BY <i>[Signature]</i> PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS <u>3</u> DAY OF <u>JUNE</u>, 1999 A.D.</p> <p>BY <i>[Signature]</i> PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS <u>3rd</u> DAY OF <u>JUNE</u>, 1999 A.D.</p> <p>BY <i>[Signature]</i> MAYOR</p>	<p>JOB NO.: 14-5-98 FILE: Z:\wil\dwg\sr\plat98\140598p.dwg</p> <p><u>11-551979</u> RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <u>Equity Title</u> DATE <u>11-3-99</u> TIME <u>8:54</u> BOOK <u>---</u> PAGE <u>---</u></p> <p><u>53100</u> FEE <i>[Signature]</i> RECORDER</p>
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WILLOW RANCH SUBDIVISION

A PART OF THE NORTH HALF OF SOUTHEAST QUARTER
OF SECTION 5, T. 2S, R. 4E,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SCALE: 1" = 100'

LOT	CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
6	C1	305.00	106.40	105.86	N 09°59'38" W	19°59'18"
6	C2	195.00	192.71	191.95	S 11°09'16" E	17°39'59"
7	C3	625.00	66.49	66.46	S 00°43'35" W	06°05'43"
7	C4	25.00	22.39	21.65	N 21°53'06" W	51°19'04"
7	C5	55.00	60.50	57.49	S 16°02'01" E	63°01'14"
1	C6	55.00	62.96	59.58	S 48°16'10" W	65°35'25"
2	C7	55.00	62.96	59.58	N 68°08'18" W	65°35'25"
3	C8	55.00	84.89	76.71	N 10°52'29" E	88°26'64"
3	C9	25.00	22.39	21.65	S 29°25'59" W	51°19'04"
4	C10	575.00	182.74	181.97	S 05°19'50" E	18°12'33"
3	C11	575.00	55.72	55.70	S 17°12'41" E	05°33'09"
5	C12	355.00	123.84	123.21	N 09°59'38" W	19°59'16"
6	C13	305.00	90.31	89.98	N 08°28'56" W	16°57'53"
1	C14	55.00	24.32	24.12	S 28°08'33" W	25°19'54"
2	C15	55.00	31.48	31.05	N 49°44'25" W	32°47'43"
1	C16	55.00	24.81	24.60	S 68°08'36" W	25°50'51"

LINE	DIRECTION	DISTANCE
L1	S 00°00'00" E	6.09'
L2	N 19°59'16" W	7.29'
L3	S 19°59'16" E	7.29'
L4	N 00°00'00" E	6.10'

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into a public street and lots, together with easements as set forth on the attached plat, hereafter to be known as Willow Ranch Subdivision.

Also the owner hereby dedicates to Summit County, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Park City Municipal Corporation a non-exclusive easement over the utility and drainage easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

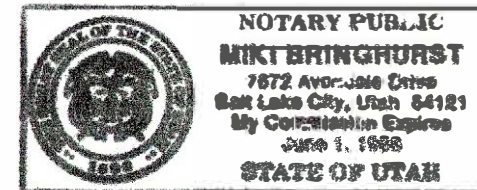
Executed this 12th day of FEBRUARY, 1993.
Richard Dudley - President

Richard Dudley
Willow Ranch Development Inc., a Utah corporation

ACKNOWLEDGEMENT

State of Utah)
County of Summit)
On the 12th day of February, 1993 personally appeared before me, Richard Dudley, who, being by me duly sworn, did say that he is the President of Willow Ranch Development Inc., a Utah Corporation and that within and forgoing Owner's Dedication and Consent to Record, was signed on behalf of said Corporation and said Richard Dudley acknowledged to me that said Corporation executed the same.

Richard Dudley
Notary Public My commission expires: 1/6/96



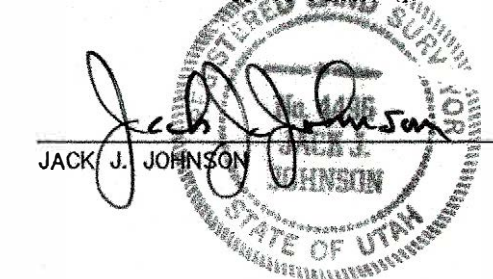
LEGAL DESCRIPTION

Beginning at the East Quarter Corner of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence along the East line of the North half of the Southeast Quarter of said Section 5, South 0°17'50" West 1338.83 feet to the Southeast Corner of the North half of the Southeast Quarter of said Section 5, said point also being the Northeast Corner of McLeod Creek Subdivision as recorded; thence along the South line of the North half of the Southeast Quarter of said Section 5, said South line also being the North line of said McLeod Creek Subdivision, North 89°58'59" West 1258.05 feet to a point on the Easterly most line of a 50 foot wide railroad right-of-way, thence along said railroad right-of-way the following two (2) calls: 1) North 28°16'38" West 694.98 feet to a point of a 855.00 foot radius curve to the left; thence 2) along the arc of said curve 75.88 feet thru a central angle of 05°05'05"; thence North, 387.86 feet; thence South 79°53'25" East 262.94 feet; thence North 82°51'53" East 140.99 feet; thence South 88°02'27" East 185.69 feet; thence North 60°24'25" East 345.20 feet; thence North 26°38'08" East 153.78 feet to a point on the center section line of said Section 5, said point also being on the south line of Ridgeview Subdivision as recorded; thence North 89°57'38" East along said center section line and said subdivision line 679.64 feet to the POINT OF BEGINNING.

Contains: 41.48 acres of land, more or less.

SURVEYOR'S CERTIFICATE

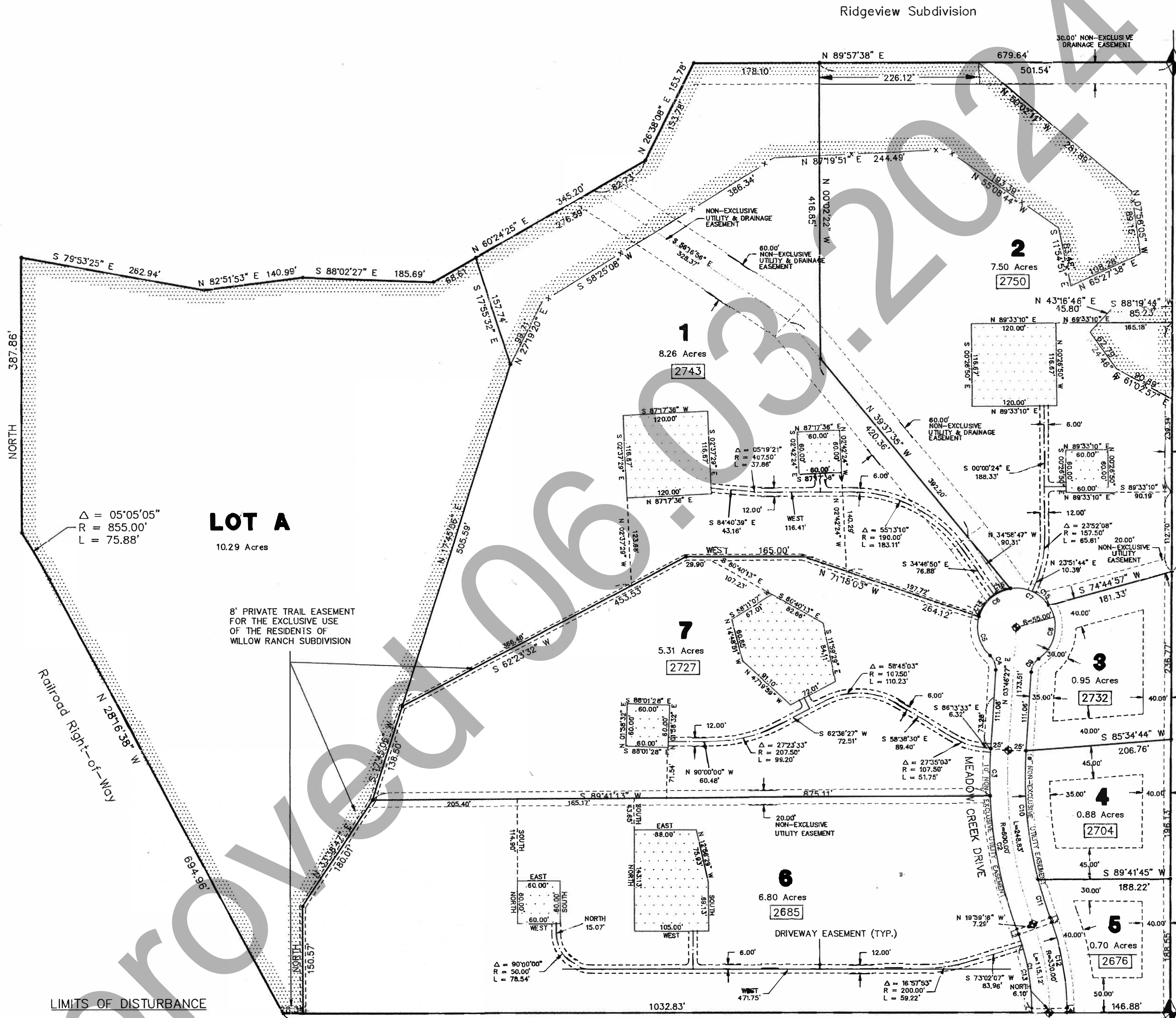
I, JACK J. JOHNSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4496 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON. I FURTHER CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN MADE IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.



February 12, 1993
DATE:

LIMITS OF DISTURBANCE

LOT	BUILDING AREA (sq. ft.)	BARN AREA (sq. ft.)	TOTAL (sq. ft.)
LOT 1	14,000	3600	17,600
LOT 2	14,000	3600	17,600
LOT 6	14,400	3600	18,000
LOT 7	14,400	3600	18,000
TOTAL			71,200



- NOTES:**
- BUILDINGS SHALL BE CONSTRUCTED WITHIN THE LIMITS OF SHOWN BUILDING PADS.
 - ON LOTS 1 AND 2, THE TOTAL IMPACTED AREA, INCLUDING BUILDING FOOTPRINT AND ADDITIONAL FILL, SHALL NOT EXCEED 14,000 SQUARE FEET.
 - A 5 FOOT NON-EXCLUSIVE UTILITY AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG BOTH SIDES OF ALL LOT LINES.
 - A 10 FOOT NON-EXCLUSIVE UTILITY EASEMENT IS HEREBY DEDICATED ALONG FRONT LOT LINES.
 - ALL FOOTING AND FOUNDATION DESIGNS SHALL BE APPROVED BY GEOTECHNICAL ENGINEERS.
 - IRRIGATION IN ALL LOTS BY SPRINKLER ONLY.
 - ON LOTS 1, 2, 6, AND 7 A MAXIMUM OF THREE HORSES WILL BE ALLOWED AND NO GRAZING OF HORSES IN THE WILDLIFE CORRIDORS.
 - OWNERS OF LOTS 1, 2, 6, AND 7 ARE REQUIRED TO INSTALL AND MAINTAIN LOT LINE FENCING IN ACCORDANCE WITH THE C.C.&R. AND DESIGN GUIDELINES OF WILLOW RANCH.
 - HOME SQUARE FOOTAGES WILL BE LIMITED TO A MAXIMUM OF 8,000 SQUARE FEET ON LOTS 1, 2, 6, AND 7 AND 4400 SQUARE FEET ON LOTS 3, 4, AND 5.
 - BARN SQUARE FOOTAGES WILL BE LIMITED TO A MAXIMUM OF 1,800 SQUARE FEET WITH NO HUMAN OCCUPANCY.
 - BUILDING HEIGHTS OF HOMES AND BARN WILL BE LIMITED TO 23 FEET TO MIDPOINT OF ROOF AND 28 FEET TO PEAK OF ROOF.
 - HOMES ON LOTS 1, 2, 6, AND 7 WILL BE REQUIRED TO INSTALL MODIFIED 13-D FIRE SPRINKLER SYSTEMS AS DIRECTED BY THE PARK CITY FIRE MARSHALL.
 - LOTS 1, 2, 6, AND 7 ARE SUBJECT TO AN ANIMAL MANAGEMENT PLAN AND EQUESTRIAN LOT OPEN SPACE COVENANT EXECUTED WITH THE PARK CITY MUNICIPAL CORPORATION.
 - NO BASEMENTS ARE ALLOWED.
 - PRIOR TO OCCUPANCY OF ANY HOUSE, ITS DRIVEWAY MUST BE PAVED.
 - PARK CITY MUNICIPAL CORPORATION DOES NOT NORMALLY FLOW SNOW WITHIN A SUBDIVISION UNIL 50% OF THE LOTS HAVE BEEN BUILT UPON.
 - NO BUILDING PERMITS WILL BE ISSUED UNIL MEADOW CREEK DRIVE HAS BEEN PAVED. EXCAVATION AND FOOTING/FOUNDATION PERMITS WILL BE ISSUED PRIOR TO PAVING OF MEADOW CREEK DRIVE.
 - LOTS 1, 2, 6, AND 7 ARE ALLOWED AN ACCESSORY DWELLING UNIT SUBJECT TO THE APPROVAL OF PARK CITY MUNICIPAL CORPORATION AND RESTRICTIONS AS OUTLINED IN THE WILLOW RANCH C.C.&R.s.

LEGEND

- HOUSE BUILDING PAD
- BARN BUILDING PAD (60' x 60')
- WILDLIFE CORRIDOR
- ADDRESS
- STREET MONUMENT

PARK CITY SUMMIT COUNTY CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 28TH DAY OF FEBRUARY A.D. 1993 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

Paula A. Deane
MAYOR
Anita L. Sheldon
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 25th DAY OF FEBRUARY A.D. 1993.

Orin W. Olfson P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 22nd DAY OF February A.D. 1993.

B. Wells
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 22nd DAY OF February A.D. 1993.

Jack J. Johnson
CITY ATTORNEY

RECORDED

No. 374694
STATE OF UTAH,
COUNTY OF SUMMIT.
RECORDED AND FILED AT THE REQUEST OF:
Coalition Title
Date: 02-26-93
Time: 11:15 AM
Fee: 722.00

Alan Spitzer
COUNTY RECORDER

THE JACK JOHNSON COMPANY

1910 Prospector Avenue • Park City, Utah 84060
(801) 645-9000 • fax (801) 649-1620

PLOTTED: JANUARY 22, 1993