




Project Memorandum

To Laura Oliver, Deputy Recorder
From Shay Stark, Contract City Planner
Date November 28, 2022
CC
Subject Burton Subdivision Amendment – Lot 1 – Plan Review



An application has been submitted to Elk Ridge City for to amend the Burton Subdivision Plat, affecting Lot #1 located at 660 East Park Drive. It is my understanding that the purpose of this plat amendment is to remove the horseshoe shaped driveway from the plat. The plat does not change any property boundaries.

Plat Review

Overall the plat matches the dimensions of the previous plat except there is one dimensional difference between the 2007 Burton Subdivision Plat and the proposed plat. The dimension is describing the location of Lot 1 with respect to the section corners used in both the proposed plat and the original 2007 subdivision plat. The difference in distance from the section line to the point of beginning has changed from 43.00 feet to 48.02 feet. The following may help explain this difference:

The 2007 Burton Subdivision Plat states the following:

NOTES:

In surveying this parcel It was evident that the Salem Hills Subdivision Plat "B" was in error, as this parcel was not in the location as described on the Subdivision Plat. This Plat, for Lot 3, was rotated and adjusted to match the Point of Beginning tie of the Salem Hills Subdivision Plat "D", which appeared to conform with existing fences and other evidence.

The surveyor of the Burton Subdivision rotated the outside lot boundary to match a "point of beginning" tie for Salem Hills Plat "D" as this seemed to fit the actual location of the boundary better than the tie description in Salem Hills Plat "B" (the lots originating plat). It is useful to tie a subdivision to the descriptions of the neighboring subdivisions as it helps someone researching the subdivisions easily understand how they tie together and if the location is accurate. In this case Salem Hills Plat "D" is used because it was a better fit that Salem Hills Plat "B" but the level of accuracy for Plat "D" may be no better than Plat "B". These two subdivisions were completed before the digital age and thus do not have the advantage of being able to easily double check closure and ties with section lines in a computer-generated model. The surveyor of the proposed amendment has the advantage of having the ability to physically survey the

actual locations of the section corners and the survey equipment automatically keeps track of where those locations are with respect to the actual lot corners that are again physically surveyed. Therefore, it is more likely that the 48.02-foot distance on the proposed plat amendment is more accurate than the previous distance derived from a survey tie in in Salem Hills Plat "D".

Purpose of Application

The applicant's purpose for eliminating the horseshoe has to do with their desire to place a larger house closer to the street within the 30-foot setbacks shown on the original Burton Subdivision plat. The applicant began construction of the home even as the city expressed concerns with the plan for the driveway and entrances. Their original plan essentially allowed for an elongated horseshoe across the front of the lot which would have met the purpose for the horseshoe shown on the plat to provide forward in forward out travel. The problem became that the house was constructed too high above the existing ground to allow the driveway entrances to be placed at street level at the city edge of right-of-way. The driveway slope then had to encroach into the city right-of-way with the slope ending at the existing edge of pavement. This meant that if the city were to make improvements such as widening the pavement adding curb and gutter and sidewalk or a trail the city would have to raise the street to match the driveway slope. In one case this would have been over two feet higher.

The applicant was directed to try to find a solution to correct this. It has taken several iterations to find a possible solution. The proposed solution seems to allow a single entrance at the east side of the property that meets the city street right-of-way at grade. This is assuming that the surveyors' elevations have been correctly interpreted by the architect that provided the site plan. That is said because the surveyors' elevations and contours have not been included in the site plan but provided separately and thus it is a matter of interpretation as to the correctness of the actual locations and elevations.

While the proposed layout does not have two entrances to the driveway it does have a widened turn area up against the house that would allow cars to turn around and thus enter and exit the driveway forward facing. A large RV or truck and trailer would still have to back in, but the large vehicles would be visible from a longer distance than a car and thus people would have time to slow down and react to the movement.

Recommendation

The original plat intent for forward in and out movements only is well intentioned as this lot sits on a curve at the top of a hill and thus visibility is a legitimate concern. The proposed driveway entrance and widened turn around area at the entrance as show in the proposed site plan is an attempt to provide the forward in forward out capability for smaller vehicles that are less visible.

If the Burton Subdivision Amendment is approved, based upon the proposed site layout, it is recommended that the approval stipulates that forward in forward out movements are required on all vehicles with the exception of large RV's and truck trailer combinations. This could even be written on the Plat amendment in a note such as: *"Due to limited visibility on the curve and the hill, Lot #1 requires forward in forward out vehicle movements."*

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