

CITY OF MOAB RESOLUTION NO. 17-2023

**A RESOLUTION APPROVING THE PRESERVE SUBDIVISION TRACT AMENDMENT PETITION
FOR PROEPRTY LOCATED AT 850 W BYRD AVE, MOAB, UT 84532**

WHEREAS, The following describes the intent and purpose of this resolution:

- a. Property Owner and Applicant, Dennis E. Byrd & Patricia Byrd, wish to amend the Preserve Subdivision Plat Tract B, to create Tract B1 and Tract B2, for the purposes of conveyance of property areas; and
- b. The Applicant submitted to the City of Moab the appropriate application petition and documents for review and approval of the proposed plat amendment as required in MMC Chapter 16 and Utah State Code 10-9a-608; and
- c. The property is located in the R-2 Single-Household and Two-Household Residential Zone, with the proposed future residential use allowed as a permitted use; and
- d. Owner, Dennis E. Byrd & Patricia Byrd, desire to amend Tract B 13631sf, 0.31 acres, into Tract B1 946 sf, 0.02 acres, and Tract B2 407 sf, 0.01 acres, for property parcel ID 01-0PRE-0077; and
- e. Utah State Code Section 10-9a-608-14 states that no public hearing is required for a petition that seeks to Subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition; Adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels joins in the petition, regardless of whether the lots or parcels are located in the same subdivision; On a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or Alter the plat in a manner that does not change existing boundaries or other attributes of lots within that subdivision that are not: Owned by the petitioner; or Designated as a common area; and The vacation, alteration or amendment is approved by the Moab City Council; and, An amended plat showing the vacation, alteration, or amendment is submitted, signed by the City Council and recorded in the office of the county recorder in which the land is located amend two or more of the petitioner fee owner's contiguous lots/ parcels; and
- f. Moab Municipal Code Section 16.08.050 allows the City Council to approve plat amendments at a public meeting without a public hearing.
- g. Following the consideration of the technical aspects of the pertinent code sections, the Moab City Council, pursuant to Resolution #17-2023, hereby finds, that the plat amendment, can meet or exceeds the pertinent code requirements.

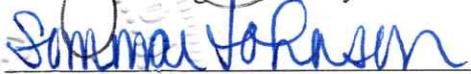
NOW, THEREFORE, BE IT RESOLVED BY THE MOAB CITY COUNCIL, the application for the Preserve Subdivision Tract Amendment Petition is hereby APPROVED.

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on May 9, 2023.

SIGNED:


Joeite Langianese, Mayor

ATTEST:


Sommar Johnson, Recorder

