



WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

**December 9, 2020
3:00 to 5:00 p.m.**

Join Zoom Meeting:

<https://us02web.zoom.us/j/82206600553>

1. **AAE 2020-09 - Consideration and action on a request for an access exception, for a future three-lot subdivision, located at approximately 3280 Hwy 162, Eden, UT, 84310. Presenter Tammy Aydelotte**
2. **LVV 102820 - Consideration and action on final approval of Vanderheide Subdivision, a parcel combination to create one 30,141 square foot residential lot; Staff Presenter: Felix Lleverino**
3. **LVM100820: Consideration and action for final plat approval of the Moose Mountain Subdivision, a two-lot subdivision. Applicant: Austin Beus; Staff Presenter: Scott Perkes**
4. **AAE2020-05: Consideration and action on an alternative access request for a private access easement to provide primary access to one lot in a future two-lot subdivision. Applicant: Kyle & Julayne Stoker; Staff presenter: Scott Perkes**
5. **LVS082420: Consideration and action for final approval of the Stoker Subdivision 1st Amendment, a two-lot subdivision. Applicant: Kyle & Julayne Stoker; Staff Presenter: Scott Perkes**

The regular meeting will be held VIRTUALLY via Zoom Video Conference. Please access this VIRTUAL meeting by navigating to the following web/ink in a web browser:

<https://us02web.zoom.us/j/82206600553>

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791





Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an alternative access request to use a private right-of-way as the primary access for three future lots.
Agenda Date: Wednesday, December 09, 2020
Applicant: John Gally (Owner)
File Number: AAE 2020-09

Property Information

Approximate Address: 3280 Hwy 162, Eden, UT 84310
Project Area: 40.95 Acres
Zoning: Agricultural Valley (AV-3)
Existing Land Use: Residential
Proposed Land Use: Residential
Parcel ID: 22-022-0047
Township, Range, Section: T7N, R1E, Section 28 NW

Adjacent Land Use

North: North Fork River/Residential
East: Residential
South: Hwy 162
West: Residential

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@co.weber.ut.us
801-399-8794
Report Reviewer: RG

Applicable Land Use Codes

- Title 104 (Zones) Chapter 6 (Agricultural Valley (AV-3) Zone)
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 29 (Flag lot access strip, private right-of-way, and access easement standards)
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 31 (Access to a lot/parcel using a private right-of-way or access easement)

Background and Summary

The applicant has submitted a request for alternative access exception to provide access to a lot in a future three-lot subdivision. Feasibility for water and sewer/septic will be required with a subdivision application. This parcel is not located in a geohazard study area.

Analysis & Summary of Administrative Considerations

Applicant has indicated some unique boundary conditions that would make the agricultural use difficult with an alternative layout for a potential subdivision.

Staff Recommendation

Staff recommends approval of the request for an alternative access for a 769-foot access easement as the primary access for two lots in a future subdivision, subject to all review agency requirements and the following condition:

As a condition of approval, and Per LUC Sec. 108-7-31:

- 1) *"The landowner of record or authorized representative shall agree to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the county deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder*

and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature.”

To satisfy this condition, the applicant will be required to sign and record an “Alternative Access Agreement”, at the time in which an associated subdivision plat is recorded, that includes language requiring dedication of, and installation of a county road stubbed to the northern boundary, should additional lots be created in addition to what is shown on the submitted site plan. The intent of this condition is to eventually extend Rivers Edge Road south to Hwy 162.

This recommendation is based on the following finding:

1. Based on substantial evidence, it has been found that it is unfeasible or impractical to extend a street to serve such lot/parcel based on topographic, and property boundary conditions which limit typical access requirements in a unique way.

Administrative Approval

Administrative final approval of AAE 2020-09 to create a private road that would serve as an access to three future residential lots.

Date of Administrative Approval: _____

Rick Grover
Planning Director

Exhibits

- A. Application and Narrative
- B. Site Plan

Property Map



Exhibit A: Application and Narrative

Weber County Alternative Access Application			
Application submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted /Completed	Application Fee: \$350.00	Receipt Number (Office Use)	File Number (Office Use)
Application Type			
<input type="checkbox"/> Flag lot access strip <input type="checkbox"/> Access by Private Right of Way <input type="checkbox"/> Access at a location other than across the front lot line			
Property Owner Contact Information			
Name of Property Owner(s) <i>John Gally</i>		Mailing Address of Property Owner(s) <i>P.O. Box 447</i>	
Phone <i>801-678-0159</i>	Fax <i>801-886-3477</i>	<i>Eden Ut 84310</i>	
Email Address (required) <i>Jgally@gsllogisticsinc.com</i>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address (required)		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Information			
Project Name <i>John Gally Subdivision</i>		Total Acreage <i>40 +</i>	Current Zoning
Approximate Address <i>3280 Hwy 162</i>		Land Serial Number(s)	
Proposed Use <i>Housing</i>			
Project Narrative <i>we need to have a ^{private} access point for the 2 lots</i>			

Basis for Issuance of Access to a lot/parcel at a location other than across the front lot line

Access to lots/parcels at a location other than across the front lot line may be approved as the primary access, subject to the following criteria:

Sec. 108-7-32. - Access to a lot/parcel at a location other than across the front lot line.

(1) The applicant demonstrates that special or unique boundary, topographic, or other physical conditions exist which would cause an undesirable or dangerous condition to be created for property access across the front lot line.

(2) It shall be demonstrated that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.

Please provide the following information to support your request for Access to a lot/parcel at a location other than across the front lot line:

- Attach proof that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.
- The landowner of record or authorized representative agrees to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the County deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature.

Property Owner Affidavit

I (We), John Galy, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) understand that an approval of an alternative access application does not grant a legal right to access property that I(we) currently do not own.

John Galy _____ Property Owner _____
 Subscribed and sworn to me this 15 day of Oct, 2020
Angela Martin _____ Notary



Authorized Representative Affidavit

Narrative: Access for Private Right of Way

John Gally Subdivision

Topography limitations for road advancement:

- Currently there is a flood plain limitation due to where the Irrigation water flows across the highway – this limitation will be eliminated as we will be tubing and moving the irrigation to a pond at the Northeast corner of lot 2.
- There are no other limitations that are known.
- Lot 3 has a current entrance that has been used for well over 50 years that will service the cattle operation and will be utilized for ranch access for lot 3.

Impact to Streams and Irrigation:

- The current stream flow for irrigation will be diverted to tubes that flow on the East side of Property 2, to a pond, thus moving toward a more efficient watering system that is sprinkled instead of ditch flows.
- The river that flows through the middle of the property has flowed for many years and feeds many downstream farms and ranches; we will add a boxed culvert for the private entrance to lot 3 thus not interrupting any of the river flow.
- There is a stream that flows to the East of lot 2 that supports the winter runoff and flood control for Weber County. This water way will not be impacted by development of either lot 2 or 3 and will remain as it currently exists.

Property Boundary Conditions:

- The current property is completely fenced and will be surveyed so that all boundaries will be clearly marked.
- The private property to the West is currently owned by myself and my wife thus the development of lots 1 and 2 will not have an effect on the proposed project.
- The property to the East and North of lots 1 and 2 is currently owned by myself and my wife and is registered as Green space with Weber County and is part of our ranch area.

In conclusion, lots 1 and 2 will have a private gated entrance that will egress from highway 162 and into lots 1 and 2 by nearly 45 feet and 30 feet wide, this we are doing for heightened safety for the 2 property owners. Both private driveways will be maintained by the residents. We respectfully request that the County approve our application so that we can proceed with the development.

Regards,

John Gally



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on final approval of a parcel combination to create one 30,141 square foot residential lot.

Type of Decision: Administrative

Agenda Date: Wednesday, December 09, 2020

Applicant: Judith Vanderheide, owner

File Number: LVV 102820

Property Information

Approximate Address: 2873 Osmond Drive, Uintah, UT

Project Area: .691 acres

Zoning: Residential Estates (RE-20) Zone

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 07-099-0032, 07-099-0034

Township, Range, Section: T5N, R1W, Section 24

Adjacent Land Use

North: Residential	South: Residential
East: Residential	West: Residential

Staff Information

Report Presenter: Felix Lleverino
 flleverino@co.weber.ut.us
 801-399-8767

Report Reviewer: RG

Applicable Ordinances

- Title 101 (General Provisions) Section 7 (Definitions)
- Title 104 (Zones) Chapter 3 (RE- 20 Zone)
- Title 106 (Subdivisions)

Background and Summary

The applicant is requesting final approval of a one-lot subdivision plat to combine parcels 07-099-0032 and 07-099-0034, thereby creating a .69-acre or 30,141 sq ft lot. The property is located in the unincorporated areas of Uintah Highlands that is zoned RE-20.

The proposed subdivision and lot configuration are in conformance with the applicable zone and subdivision requirements as required in the LUC.

The following section is a brief synopsis of the review criteria and conformance with the LUC:

Analysis

General Plan: The Vanderheide Subdivision is in harmony with the Southeast Master Plan. The Master plan map includes this area as a residential “very low” density development area, 1-2 dwelling units per acre. Lot 1 of Vanderheide Subdivision is .69 acres.

Zoning: The property is located in the RE-20 Zone. The purpose of this zone is stated in the LUC §104-3-1 as follows:

“The major purpose of the RE-15 and RE-20 Zones is to provide and protect residential development at a low density in a semi-agricultural or rural environment. It is also to provide for certain rural amenities on larger minimum lots, in conjunction with the primary residential nature of the zone.”

This subdivision consists of one lot and no new streets are being created or realigned. Based on these provisions, this subdivision qualifies for administrative approval as a small subdivision. The proposed parcel combination by dedication plat, with the recommended conditions listed in this staff report, is in conformance with the county code.

Lot Area, Frontage Width and Yard Regulations: Lot 1 of Vanderheide Subdivision will contain 30,141 square feet with a width of 175.5 ft. The site development standards for the RE-20 Zone are 20,000 sq. ft. and the minimum lot width is 100 feet; therefore, the proposed lot meets the lot area and width of the RE-20 Zone. The existing home conforms to the minimum yard regulations for a single-family dwelling in the RE-20 zone which are as follows:

- Front: 30
- Sides: 10 feet with a total of two side yards less than 24 feet.
- Rear: 30 feet

Easements: There are no public utility easements or private easements within the property.

Culinary Water and Sanitary Water: Uintah Highlands Improvement District is currently serving this property with culinary and sanitary needs.

Secondary Water: Weber Basin Water Conservancy District is currently serving this property with secondary water for irrigation purposes.

Review Agencies: Weber County Fire District has approved this parcel combination. The Weber County Engineering Division and Weber County Surveying Division have posted comments that will be resolved by a revised plan.

Tax Clearance: The 2019 property taxes have been paid in full.

Public Notice: Noticing requirements, according to LUC 106-1-6(c), have been met by mailing notices to all property owners of record within 500 feet of the subject property.

Staff Recommendations

Staff recommends final plat approval of Vanderheide Subdivision, consisting of one lot. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. The owner will enter into a Deferral Agreement for curb, gutter, and sidewalk for future improvement along Osmond Drive.

The following findings are the basis for Staff's recommendation:

1. The proposed subdivision conforms to the Southeast Master Plan.
2. The proposed subdivision complies with the applicable County codes.

Administrative Approval

Administrative final approval of Vanderheide Subdivision is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

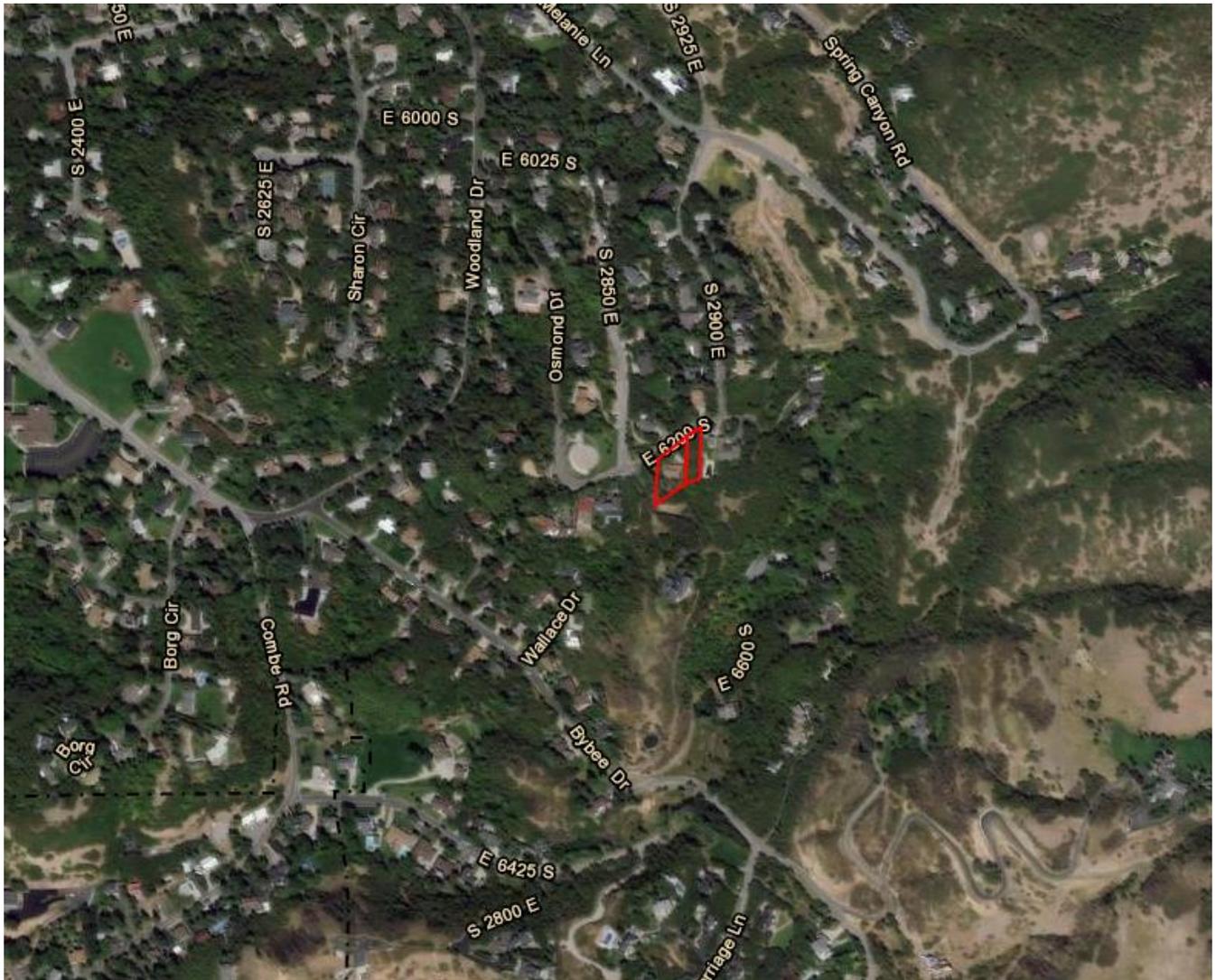
Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits

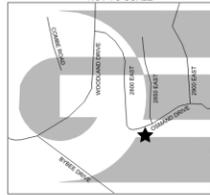
- A. Vanderheide Subdivision
- B. Current Recorders Plat
- C. Application

Area Map



VANDERHEIDE SUBDIVISION
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24,
 TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,
 WEBER COUNTY, UTAH
 OCTOBER 2020

VICINITY MAP
 NOT TO SCALE



BOUNDARY DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OSMAND DRIVE BEING LOCATED SOUTH 1°22'22" WEST 128.85 FEET AND NORTH 89°20'00" EAST 184.18 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION, RUNNING THENCE ALONG THE SOUTH LINE OF OSMAND DRIVE FOLLOWING TWO (2) COURSES: (1) NORTH 52°27'16" EAST 31.97 FEET; (2) ALONG THE ARC OF A 119.66 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 19°24'31" WITH A CHORD BEARING NORTH 62°18'04" EAST 32.38 FEET; THENCE SOUTH 7°24'23" WEST 199.62 FEET; THENCE SOUTH 74°21'04" WEST 55.67 FEET; THENCE SOUTH 95°32'09" WEST 133.63 FEET TO THE NORTH EASTERN CORNER OF A BOUNDARY LINE OF PROXIMATE SUBDIVISION; THENCE ALONG SAID NORTH EASTERN BOUNDARY LINE FOLLOWING TWO (2) COURSES: (1) ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE TO THE RIGHT 8.95 FEET, HAVING A CENTRAL ANGLE OF 7°48'29" WITH A CHORD BEARING NORTH 61°37'03" WEST 6.64 FEET; THENCE NORTH 7°24'29" EAST 170.69 FEET TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 54°29'50" EAST 143.32 FEET TO THE POINT OF BEGINNING, CONTAINING 30.141 SQUARE FEET OR 0.691 ACRES.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 36, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAN, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREFTER TO BE KNOWN AS VANDERHEIDE SUBDIVISION, IN ACCORDANCE WITH SECTION 17-25-17 AND HAVE VERIFIED ALL MEASUREMENTS THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS _____ DAY OF _____, 2020.



OWNER'S DEDICATION

I, THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAN AND NAME SAID TRACT:

VANDERHEIDE SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO WEBER COUNTY, UTAH ALL THOSE PORTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER UPON AND UNDER THE LANDS DESIGNATED ON THE PLAN AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICH EVER IS APPLICABLE AS MAY BE AUTHORIZED BY WEBER COUNTY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____, 2020.

RALPH P. VANDERHEIDE REVOCABLE TRUST, DATED THE 9TH DAY OF AUGUST, 1990

BY RALPH P. VANDERHEIDE, TRUSTEE

JUDITH H. VANDERHEIDE REVOCABLE TRUST, DATED THE 3RD DAY OF AUGUST, 1990

BY JUDITH H. VANDERHEIDE, TRUSTEE

ACKNOWLEDGEMENT

STATE OF UTAH)
 COUNTY OF WEBER)
 On this _____ day of _____, 2020, personally appeared before me RALPH P. VANDERHEIDE, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the TRUSTEE of RALPH P. VANDERHEIDE REVOCABLE TRUST, DATED THE 9TH DAY OF AUGUST, 1990, and that said document was signed by him/her in behalf of said Trust by Authority of its Bylaws, or (Resolution of its Board of Directors), and said RALPH P. VANDERHEIDE acknowledged to me that said Trust executed the same.

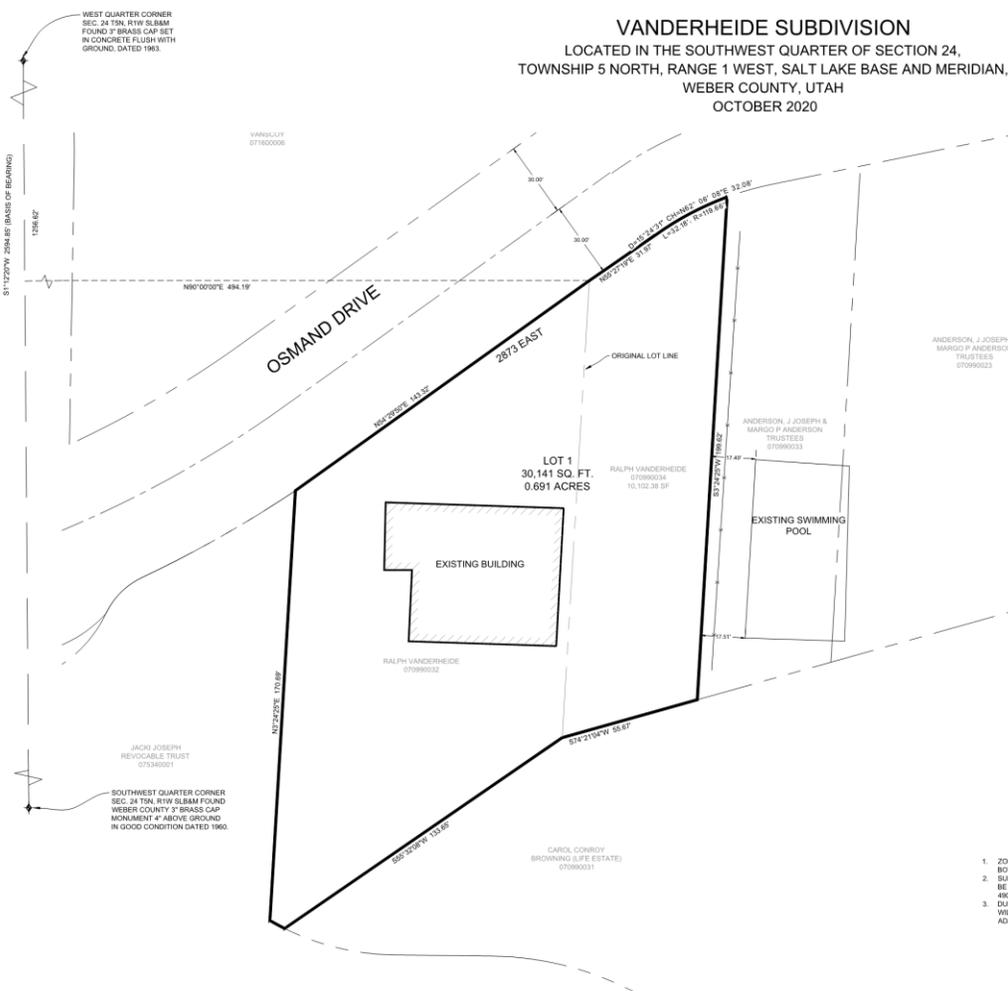
STAMP NOTARY PUBLIC
 ACKNOWLEDGEMENT

On this _____ day of _____, 2020, personally appeared before me JUDITH H. VANDERHEIDE, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the TRUSTEE of JUDITH H. VANDERHEIDE REVOCABLE TRUST, DATED THE 3RD DAY OF AUGUST, 1990, and that said document was signed by him/her in behalf of said Trust by Authority of its Bylaws, or (Resolution of its Board of Directors), and said JUDITH H. VANDERHEIDE acknowledged to me that said Trust executed the same.

STAMP NOTARY PUBLIC
 ACKNOWLEDGEMENT

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A SINGLE LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY RALPH VANDERHEIDE. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON THE BASIS OF BEARING IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS SOUTH 1°12'00" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING.



<p>WEBER COUNTY SURVEYOR</p> <p>HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAN AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE ARE SATISFIED. THE APPROVAL OF THIS PLAN BY THE WEBER COUNTY SURVEYOR DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION ON THIS PLAN. THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAN FROM THE RESPONSIBILITY AND UNDER THE ASSOCIATED THEREWITH.</p> <p>SIGNED THIS _____ DAY OF _____, 2020.</p> <p>_____ COUNTY SURVEYOR</p>	<p>WEBER COUNTY ATTORNEY</p> <p>I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAN AND IN MY OPINION, THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THEREIN AND NOW IN FORCE AND EFFECT.</p> <p>SIGNED THIS _____ DAY OF _____, 2020.</p> <p>_____ COUNTY ATTORNEY</p>	<p>WEBER COUNTY ENGINEER</p> <p>HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND CHANGES TO THE SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.</p> <p>SIGNED THIS _____ DAY OF _____, 2020.</p> <p>_____ COUNTY ENGINEER</p>	<p>WEBER COUNTY COMMISSION ACCEPTANCE</p> <p>THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAN, THE DEDICATION OF STREETS AND OTHER PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREAS, ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.</p> <p>SIGNED THIS _____ DAY OF _____, 2020.</p> <p>_____ CHAIRMAN, WEBER COUNTY COMMISSION</p>	<p>WEBER COUNTY PLANNING COMMISSION APPROVAL</p> <p>THIS IS TO CERTIFY THAT THIS SUBDIVISION IS IN FULL ACCORDANCE WITH THE WEBER COUNTY PLANNING COMMISSION.</p> <p>SIGNED THIS _____ DAY OF _____, 2020.</p> <p>_____ CHAIRMAN, WEBER COUNTY PLANNING COMMISSION</p>
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STAMP NOTARY PUBLIC

DEVELOPER: RALPH VANDERHEIDE, 207 E OSMAND DRIVE, OGDEN 84403

GARDNER ENGINEERING
 CIVIL - LAND PLANNING
 MUNICIPAL - LAND SURVEYING
 15 S 3100 SOUTH FRENCH AVENUE, OGDEN, UT 84403
 OFFICE: 801-476-0202 FAX: 801-476-0066

COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

FILED FOR AND RECORDED _____

AT _____ IN BOOK _____ OF OFFICIAL RECORDS, PAGE _____ RECORDED _____

FOR _____

COUNTY RECORDER _____

BY _____

S.W. 1/4

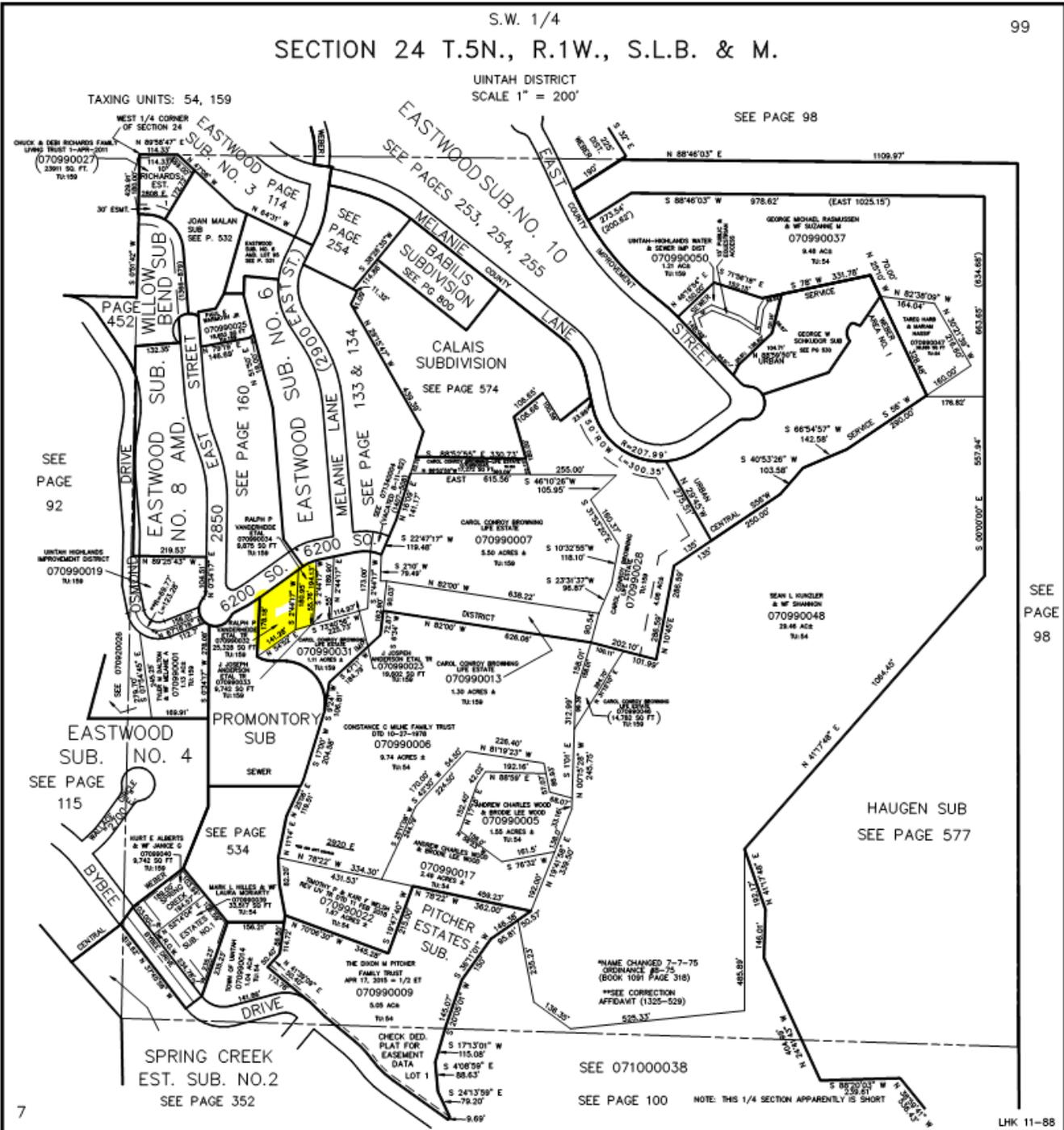
99

SECTION 24 T.5N., R.1W., S.L.B. & M.

UINTAH DISTRICT
SCALE 1" = 200'

SEE PAGE 98

TAXING UNITS: 54, 159



SEE PAGE 92

SEE PAGE 115

SEE PAGE 534

SEE 071000038

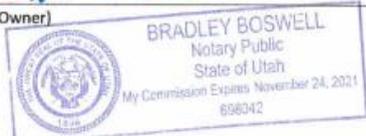
SEE PAGE 100

NOTE: THIS 1/4 SECTION APPARENTLY IS SHORT

SEE PAGE 98

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LHK 11-88

Weber County Subdivision Application			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name Eastwood Subdivision		Number of Lots 2	
Approximate Address 2873 Osmond Drive Ogden, UT 84403		Land Serial Number(s) Parcel #'s: 070990032, 070990034	
Current Zoning RE-20	Total Acreage 0.81		
Culinary Water Provider Uintah City	Secondary Water Provider Weber Basin Water Conservancy	Wastewater Treatment	
Property Owner Contact Information			
Name of Property Owner(s) Judith Vanderheide		Mailing Address of Property Owner(s) 2873 Osmond Drive Ogden, UT 84403	
Phone 801-479-8977	Fax		
Email Address judykeyesheide@gmail.com		Preferred Method of Written Correspondence X Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) Mark Hilles		Mailing Address of Authorized Person 543 25th Street Ogden, UT 84401	
Phone 801-388-6052	Fax		
Email Address mark@mountainwestarchitects.com		Preferred Method of Written Correspondence X Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer Tyler Neilson		Mailing Address of Surveyor/Engineer 5150 S 375 E Washington Terrace, UT 84405	
Phone 801-476-0202	Fax		
Email Address tyler@gecivil.com		Preferred Method of Written Correspondence X Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			
<p>I (We), _____, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.</p>			
<p><u>Judith H. Vander Heide</u> (Property Owner)</p>		<p><u>Bradley B. Boswell</u> (Property Owner)</p>	
<p>Subscribed and sworn to me this <u>15</u> day of <u>October</u>, <u>2020</u></p>			
			
		<p><u>[Signature]</u> (Notary)</p>	

Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), MARK HILLES, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

Justin H. Vandenberg

(Property Owner)

Stephen J. VanderHeide

Dated this 15 day of October, 2020, personally appeared before me Bradley Boswell, the signers of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.



(Notary)

Bradley Boswell



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for final plat approval of the Moose Mountain Subdivision, a two-lot subdivision.

Type of Decision: Administrative

Agenda Date: Wednesday, December 09, 2020

Applicant: Austin Beus, Owner

File Number: LVM100820

Property Information

Approximate Address: 2528 E 5950 S, Ogden UT

Project Area: 1.27 acres

Zoning: Residential Estate (RE-20)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 07-731-0003 (now dead), 07-731-0004 & 07-731-0005

Township, Range, Section: T5N, R1W, Section 23, NE 1/4

Adjacent Land Use

North:	Residential	South:	Residential
East:	Residential	West:	Residential

Staff Information

Report Presenter: Scott Perkes
sperkes@co.weber.ut.us
801-399-8772

Report Reviewer: RG

Applicable Ordinances

- Title 104 (Zones) Chapter 3 (RE-15 & RE-20)
- Title 106 (Subdivisions)

Background and Summary

The applicant is requesting final approval of Moose Mountain Subdivision, a two-lot subdivision located at approximately 2528 E 5950 S, Ogden, in the RE-20 zone (see **Exhibit A**).

The proposed final subdivision plat (see **Exhibit B**) depicts the existing Lot 101 of the Woodland Estates Subdivision Unit 2 1st Amendment being split into two single-family residential lots (Lots 1 & 2). Lot 1 will contain the existing single-family home (built in 1960), and Lot 2 is being created for a future single-family home. Both lots will be taking access off of the existing 5950 South Street. The existing home on Lot 1 will continue to be in compliance with the yard setbacks of the RE-20 zone following the creation of the second lot. Both lots meet the RE-20 zoning minimums for area and width.

Analysis

General Plan: The proposal conforms to the West Central Weber General Plan by encouraging development within the existing residential areas.

Zoning: The subject property is located in the Residential Estate RE-20 zone. The land use requirements for this zone are stated in the LUC§ 104-3 as follows:

The major purpose of the RE-15 and RE-20 Zones is to provide and protect residential development at a low density in a semi-agricultural or rural environment. It is also to provide for certain rural amenities on larger minimum lots, in conjunction with the primary residential nature of the zone.

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC Title 106 (Subdivisions), and the RE-20 Zone standards listed in LUC 104-3-7. Small Subdivisions, as defined in LUC 101-7, can be administratively approved per LUC 106-1-5(b)(1).

Lot area, frontage/width, and yard regulations: In the LUC §104-3-7, the RE-20 zone requires a minimum lot area of 20,000 sq. ft. and a minimum lot width of 100' for single-family dwelling lots.

Each lot within the proposed Moose Mountain Subdivision meets the minimum acreage and width requirements of the RE-20 zone.

Culinary water and sanitary sewage disposal: Uintah Highlands Improvement District will provide culinary water and sanitary sewer to each lot (see **Exhibit C**). Lot 1 is already developed with a single-family home and will not require additional water or waste water connections.

Secondary water: The Weber Basin Water Conservancy District has issued a will-serve letter to provide secondary water the additional lot being created (see **Exhibit D**).

Review Agencies: Planning, Engineering, Surveying, Addressing, and Weber Fire, have reviewed the proposed subdivision. Minor revisions to the dedication plat may be required prior to recording the plat in order to satisfy all agency review comments.

Public Notice: Public notice was sent by mail to all property owners within 500 feet of the subject property.

Staff Recommendations

Staff recommends final approval of the Moose Mountain Subdivision. This recommendation is subject to all review agency requirements and based on the following conditions:

1. The owner is required to enter into a deferral agreement for sidewalk along the frontage of 5950 South Street.
2. A Declaration of Deed Covenant Concerning Provision of Irrigation Water will be required for Lot 2 at the time of recording.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable county ordinances.

Administrative Approval

Administrative final approval of Moose Mountain Subdivision is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

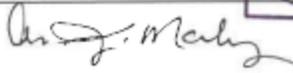
Date of Administrative Approval: _____.

Rick Grover
Weber County Planning Director

Exhibits

- A. Subdivision Application
- B. Subdivision plat
- C. Uintah Highlands Improvement District Will-Serve Letter
- D. Weber Basin Water Conservancy District Will-Serve Letter

Exhibit A

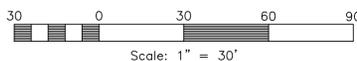
Weber County Subdivision Application			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name <i>Moose Mountain</i>		Number of Lots <i>2</i>	
Approximate Address <i>2528 E 5950 S</i>		Land Serial Number(s) <i>07-731-0003</i>	
Current Zoning <i>Residential</i>	Total Acreage <i>.459</i>		
Culinary Water Provider <small>Utah Highlands Improvement District</small>	Secondary Water Provider <i>Weber Water Basin</i>	Wastewater Treatment <small>Utah Highlands Improvement District</small>	
Property Owner Contact Information			
Name of Property Owner(s) <i>Austin Jay Beus</i>		Mailing Address of Property Owner(s) <i>2530 E 5950 S Ogden UT 84403</i>	
Phone <i>801-941-2232</i>	Fax		
Email Address <i>austinbeus@gmail.com</i>		Preferred Method of Written Correspondence Email Fax Mail E-mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) <i>Austin Jay Beus</i>		Mailing Address of Authorized Person <i>2530 E 5950 S Ogden UT</i>	
Phone <i>8019412232</i>	Fax		
Email Address <i>austinbeus@gmail.com</i>		Preferred Method of Written Correspondence Email Fax Mail E-mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer <i>Reeves and Associates Inc</i>		Mailing Address of Surveyor/Engineer <i>5160 South 1500 West Riverdale, UT 84405</i>	
Phone <i>801-621-3100</i>	Fax		
Email Address <i>thatch@reeve-assoc.com</i>		Preferred Method of Written Correspondence Email Fax Mail E-mail	
Property Owner Affidavit			
<p>I (We), _____, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.</p>			
 _____ (Property Owner)		_____ (Property Owner)	
Subscribed and sworn to me this <i>7</i> day of <i>Oct</i> , 20 <i>20</i>		 	

MOOSE MOUNTAIN SUBDIVISION

AMENDING LOT 101 OF WOODLAND ESTATES SUBDIVISION - UNIT 2 1ST AMENDMENT
 PART OF THE NORTHEAST QUARTER OF SECTION 23, T.5N., R.1W., S.L.B.&M., U.S. SURVEY
 WEBER COUNTY, UTAH
 AUGUST, 2020

LEGEND

- = SET 5/8"X24" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES"
- = FOUND AS NOTED
- ⊙ = FOUND RIGHT-OF-WAY MONUMENT
- X = SET NAIL AND WASHER
- = BOUNDARY LINE
- = LOT LINE
- - - = EASEMENTS
- - - = ADJOINING PROPERTY
- - - = ROAD CENTERLINE
- x x x = EXISTING FENCE LINES
- = EXISTING CURB AND GUTTER
- ▨ = EXISTING BUILDINGS
- ▨ = EXISTING PAVEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT



FOUND STREET MONUMENT SET BY WEBER COUNTY AT THE INTERSECTION OF 2550 EAST STREET AND WOODLAND DRIVE, IN GOOD CONDITION

FOUND STREET MONUMENT SET BY WEBER COUNTY AT THE INTERSECTION OF WOODLAND DRIVE AND 5950 SOUTH STREET IN GOOD CONDITION

LOT 99

LOT 100

LOT 101
 PARCEL #07-731-0003
 55457 S.F.

LOT 1
 35456 S.F.
 0.814 ACRES

LOT 2
 20001 S.F.
 0.459 ACRES



VICINITY MAP
 NO SCALE

NOTE

THIS PROPERTY IS SUBJECT TO A PERPETUAL EASEMENT IN FAVOR OF THE PROPERTY TO THE NORTH AS SET FORTH IN THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED AS ENTRY # 2647992. THE EXHIBIT DRAWING ON THE SAID DOCUMENT IS NOT LEGIBLE.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE LINE BETWEEN THE FOUND STREET MONUMENT IN 5950 SOUTH AND THE FOUND STREET MONUMENT AT THE INTERSECTION OF 5950 SOUTH AND WOODLAND DRIVE, SHOWN HEREON AS: S38°53'55"W

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO AMEND LOT 101 OF WOODLAND ESTATES SUBDIVISION - UNIT 2, TO CREATE 2 LOTS. THE BOUNDARY WAS ESTABLISHED BY RETRACING THE SUBDIVISION PLAT WOODLAND ESTATES SUBDIVISION - UNIT 2 1ST AMENDMENT. ALL BOUNDARY CORNERS AND LOT CORNERS WERE SET WITH A 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES".

BOUNDARY DESCRIPTION

ALL OF LOT 101, WOODLAND ESTATES SUBDIVISION, UNIT 2, 1ST AMENDMENT AS PER THE OFFICIAL PLAT ON RECORD IN THE OFFICE OF THE WEBER COUNTY RECORDER, RECORDED AS ENTRY NO. 2501347, BOOK 71, PAGE 78.

CURVE TABLE

#	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	254.48'	142.83'	140.97'	S61°11'01"W	32°09'31"

DEVELOPER

AUSTIN BEUS
 2530 E. 5950 S.
 OGDEN, UTAH 84403

SURVEYOR'S CERTIFICATE

I, **TREVOR J. HATCH**, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF **MOOSE MOUNTAIN SUBDIVISION** IN **WEBER COUNTY, UTAH**, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE **WEBER COUNTY** RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF **WEBER COUNTY**, CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20____.

9031945
 UTAH LICENSE NUMBER



OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT **MOOSE MOUNTAIN SUBDIVISION**, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION POND, DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____, 20____.

ACKNOWLEDGMENT

STATE OF UTAH)ss.
 COUNTY OF _____)
 ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ (AND) _____ SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF UTAH)ss.
 COUNTY OF _____)
 ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ (AND) _____ BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE _____ AND _____ OF SAID CORPORATION AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

Project Info.

Surveyor: T. HATCH
 Designer: E. ROCHE
 Begin Date: 08-27-20
 Name: MOOSE MOUNTAIN SUBDIVISION
 Number: 7497-01
 Revision: 10-20-20
 Scale: 1"=30'
 Checked: _____



5160 S 1500 W, RIVERDALE, UTAH 84405
 TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-associates.com

WEBER COUNTY ATTORNEY
 I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT, AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND AFFECT.
 SIGNED THIS _____ DAY OF _____, 20____.

 WEBER COUNTY ATTORNEY

WEBER COUNTY PLANNING COMMISSION APPROVAL
 THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION.
 SIGNED THIS _____ DAY OF _____, 20____.

 CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER
 I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

 WEBER COUNTY ENGINEER

WEBER COUNTY COMMISSION ACCEPTANCE
 THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.
 SIGNED THIS _____ DAY OF _____, 20____.

 CHAIRMAN, WEBER COUNTY COMMISSION

 ATTEST TITLE

WEBER COUNTY SURVEYOR
 I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.
 SIGNED THIS _____ DAY OF _____, 20____.

 WEBER COUNTY SURVEYOR

Weber County Recorder
 Entry No. _____ Fee Paid _____
 _____ Filed For Record
 And Recorded, _____
 At _____ in Book _____
 Of The Official Records, Page _____
 Recorded For: _____

 _____ Deputy.

Uintah Highlands Improvement District

2401 East 6175 South
Ogden, UT 84403-5344
Phone: 801-476-0945
Fax: 801-476-2012
uhid1@qwestoffice.net

August 5, 2020

Subdivision Planner
Weber County Planning and Engineering
2380 Washington Blvd.
Ogden, Utah 84401

Re: Proposed Lot Subdivision - Parcel 07-731-0003
Service available for Culinary Water and Sanitary Sewer within Uintah Highlands Improvement District.

Officials of the Uintah Highlands Improvement District, have been contacted about the proposed lot subdivision for the property owned by Austin J. Beus parcel 07-731-0003, which is located within the boundaries of the District.

Culinary Water and Sanitary Sewer services are available for an additional lot in the Woodland Estates Subdivision, Unit 2.

Uintah Highlands Improvement District does not provide secondary water and has no jurisdiction over secondary water. A secondary water source needs to be available for outside use since Uintah Highlands rules and regulations state the following:

NOTE: Rules and Regulations section 4.1.4 states, Use of District water for secondary irrigation use on lawns and gardens or outside use is *strictly prohibited*. (See complete Rules and Regulations for full explanation.)

Detailed plans for building must be submitted and approved and all fees must be paid before a commitment to serve is granted and before construction begins.

This commitment is made expressly subject to the condition that the Developer of the building lot shall be required to comply with all applicable development procedures of the District, including, without limitation, the Developer shall agree to construct all water and sewer system improvements in strict conformance with and subject to the Uintah Highlands Improvement District current 'Public Works Standards', and to abide by all applicable rules and regulations of the District, as the same currently exist, or as they may be amended from time-to-time.

Dated this 5th day of August, 2020.

UINTAH HIGHLANDS IMPROVEMENT DISTRICT

By: 
Blaine Brough, District Manager



WEBER BASIN WATER CONSERVANCY DISTRICT

2837 East Highway 193 • Layton, Utah 84040 • Phone (801) 771-1677 • SLC (801) 359-4494 • Fax (801) 544-0103

September 29, 2020

Tage I. Flint
General Manager/CEO

Board of Trustees:

Dee Alan Waldron
President
Morgan County

Kym O. Buttschardt
Weber County

Jay V. Christensen
Weber County

Kerry W. Gibson
Weber County

Marlin K. Jensen
Weber County

P. Bret Milburn
Davis County

John Petroff Jr.
Davis County

Paul C. Summers
Davis County

Dave Ure
Summit County

Mr. Austin Beus
2530 East 5950 South
Ogden, Utah 84403

**RE: Will Serve Letter for Woodland Estates Subdivision - Unit 2
Amendment 6 - THIS IS NOT A FINAL APPROVAL - FINAL
SUBMITTAL REQUIRED**

Dear Mr. Beus:

The District will provide secondary water to the proposed lot to be subdivided from existing Weber County Parcel 07-731-0003, at 2530 East 5950 South in Ogden, provided that the following requirements are met.

1. The referenced property which will be subdivided has an existing allotment of secondary water that is sufficient to fully allocate both lots resulting from the subdivision. No additional water will be required.
2. Prior to a new secondary water connection being installed, a formal engineering review will need to be performed by the District. This review will determine the location of the new connection and whether there are any other special conditions.
3. Prior to a new secondary water connection being installed, an inspection fee of \$450.00 will need to be paid to the District. This fee covers the District's time for inspection of the new connection, as well as the costs to provide and install a 1-inch meter for the connection. All construction costs to install the new secondary connection will be the responsibility of the Developer.
4. A Takeover Agreement will need to be signed by the new lot owner prior to the new connection being installed. This Takeover Agreement states that, upon the successful completion of a one-year warranty period, the District agrees to assume ownership of, and responsibility for, the new connection.

If you have any questions, please contact Riley Olsen of our office.

Sincerely,

Scott W. Paxman, PE
Assistant General Manager/CTO

SWP/RO/dh
E-16



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on both an alternative access exemption and final approval of the Stoker Subdivision 1st Amendment, a two-lot subdivision.

Type of Decision: Administrative

Agenda Date: Wednesday, December 09, 2020

Applicant: Kyle & Julayne Stoker, owners

File Number: AAE2020-05 & LVS082420

Property Information

Approximate Address: 4271 W 3600 N, Ogden UT

Project Area: 6.637 acres

Zoning: Agriculture (A-2) Zone

Existing Land Use: Residential/Agriculture

Proposed Land Use: Residential, Residential

Parcel ID: 19-173-0001 & 19-009-0072

Township, Range, Section: T7N, R2W, Section 21, SW 1/4

Adjacent Land Use

North: Agriculture/Residential	South: Agricultural
East: Agricultural/Residential	West: Agricultural/Residential

Staff Information

Report Presenter: Scott Perkes
sperkes@co.weber.ut.us
801-399-8772

Report Reviewer: RG

Applicable Ordinances

- Title 104 (Zones) Chapter 7 (A-1 Zone)
- Title 106 (Subdivisions)
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 29 (Flag Lot Access Strip, Private Right-of-Way, and Access Easement Standards)
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 31 (Access to a Lot/Parcel Using a Private Right-of-Way or Access Easement)

Background and Summary

The applicant is requesting final approval of an alternative access exemption to provide an access easement to one of the lots being created by also requested final approval of Stoker Subdivision 1st Amendment, a two-lot subdivision located at approximately 4271 W 3600 N, Ogden in the A-2 zone (see **Exhibits A & B**).

The proposed final subdivision plat (see **Exhibit C**) depicts a 33' X 973.50' or 32,867 square foot area being dedicated to the public right-of-way for the future extension of 2800 West Street. This ROW dedication area will also serve as the alternative access for Lot 3 until such a time in which 2800 West Street is connected and fully improved.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by preserving the rural character of Western Weber County by creating large lots.

Zoning: The subject property is located in an Agricultural Zone A-2 zone. That land use requirements for this zone are stated in the LUC§ 104-7 as follows:

The A-2 Zone is both an agricultural zone and a low-density rural residential zone. The purpose of the A-2 Zone is to designate moderate-intensity farming areas where agricultural pursuits and the rural environment should be promoted and preserved where possible.

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC Title 106 (Subdivisions), and the A-2 Zone standards listed in LUC 104-7-6. Small Subdivisions, as defined in LUC 101-7, can be administratively approved per LUC 106-1-5(b)(1).

Lot area, frontage/width, and yard regulations: In the LUC §104-7-6, the A-2 zone requires a minimum lot area of 40,000 sq. ft. and a minimum lot width of 150'.

Each lot within the proposed Stoker Subdivision 1st Amendment meets the minimum acreage and width requirements of the A-2 zone.

Alternative Access Exemption: The applicant is requesting approval of an alternative access exemption to provide access to Lot 3 of the proposed Stoker Subdivision 1st Amendment. As indicated above, the proposed final subdivision plat depicts a 33' X 973.50' or 32,867 square foot area being dedicated to the public right-of-way for the future extension of 2800 West Street. This ROW dedication area will also serve as the alternative access for Lot 3 until such a time in which 2800 West Street is connected and fully improved.

In order for an alternative access exemption to be granted, the applicant must meet one of the criteria listed under Sec. 108-7-31(a) of the Land Use Code. In this instance, the applicant is arguing that it is currently *"impractical to extend a street to serve such lot/parcel"* given the fact that only 1 lot is needing access at this time, and that the location and configuration of the parcel being subdivided is far removed from other adjacent property requiring access to be stubbed.

As a condition of approval for an alternative access exemption, and per Sec. 108-7-31(b)(2), the applicant will be required to enter into a Building on a Private Right-of-Way/Access Easement Equitable Servitude and Covenant at the time of subdivision plat recording.

Culinary water and sanitary sewage disposal: Bona Vista Water Improvement District will provide culinary water to each lot (see **Exhibit D**). The Weber-Morgan Health Department has provided a Septic Feasibility letter for Lot 3 of the proposed Stoker Subdivision 1st Amendment (see **Exhibit E**). Lot 2 is already developed with a single-family home and will not require additional water or waste water connections.

Secondary water: The applicant owns 100 shares in the Plain City Irrigation Canal Company. Plain City Irrigation Canal Company has also provided a will-serve letter (see **Exhibit F**).

Review Agencies: Planning, Engineering, Surveying, Addressing, Weber Fire, and the Weber-Morgan Health Departments have reviewed the proposed subdivision. Minor revisions to the dedication plat will be required prior to recording the plat in order to satisfy all agency review comments.

Public Notice: Public notice was sent by mail to all property owners within 500 feet of the subject property.

Staff Recommendations

Staff recommends final approval of the Stoker Subdivision 1st Amendment, a two-lot subdivision. This recommendation is subject to all review agency requirements and based on the following conditions:

1. The owner is required to enter into a deferral agreement for curb, gutter, and sidewalk for frontages along 3600 North and the future 2800 West.
2. The owner is required to enter into a Building on a Private Right-of-Way/Access Easement Equitable Servitude and Covenant pursuant to Title 108-7-31(b)(2).
3. The alternative access road and turn-around shall be designed to meet the Fire Marshall's requirements as well as those listed in Title 108-7-29.
4. A Declaration of Deed Covenant Concerning Provision of Irrigation Water will be required for Lot 3 at the time of recording.

5. An Onsite Wastewater Disposal Systems Deed Covenant & Restriction will be required for Lot 3 at the time of recording.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable county ordinances.

Administrative Approval

Administrative final approval of Stoker Subdivision 1st Amendment is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: _____.

Rick Grover
Weber County Planning Director

Exhibits

- A. Alternative Access Exemption Application
- B. Subdivision Application
- C. Subdivision plat
- D. Bona Vista Water Will-Serve Letter
- E. Septic Feasibility Letter
- F. Plain City Irrigation Canal Company Will-Serve Letter

Map

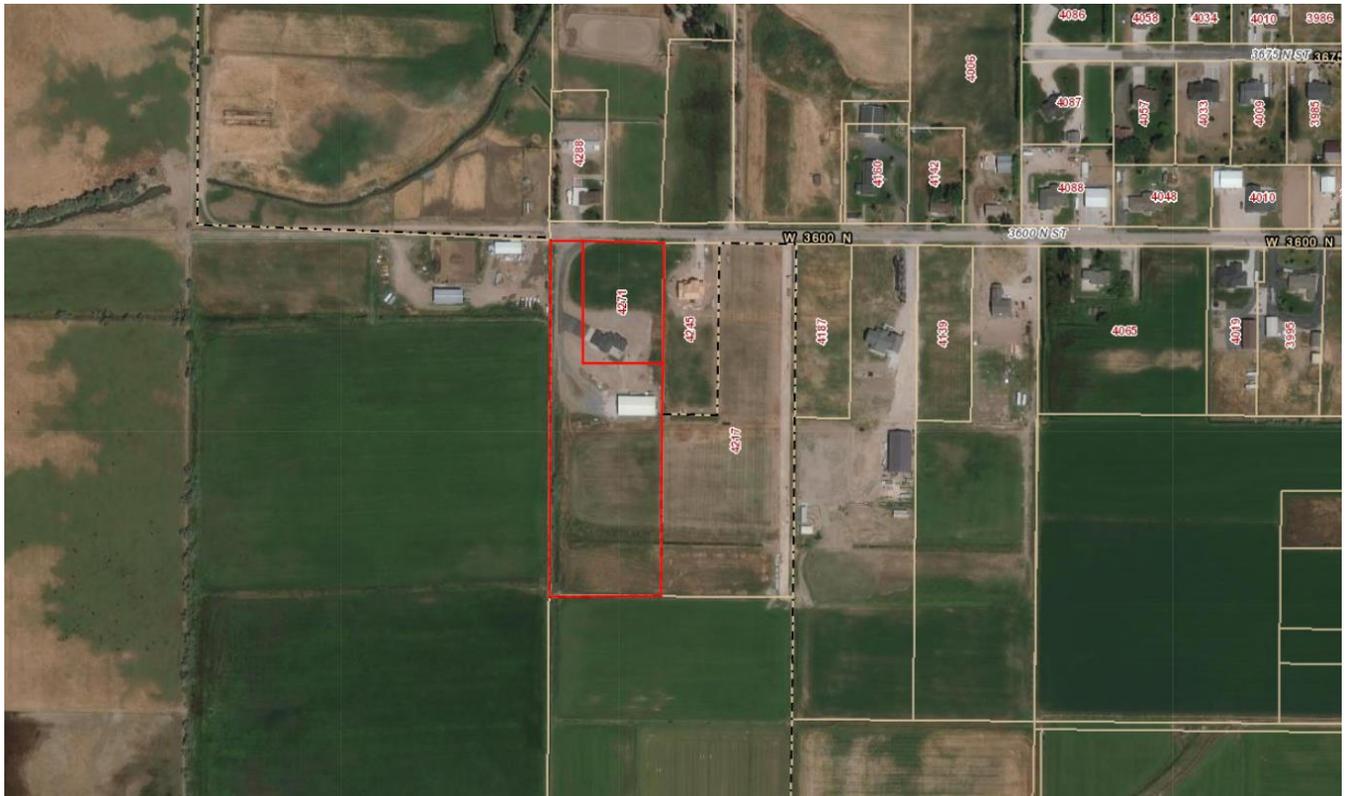


Exhibit A

Weber County Subdivision Application			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name <i>Stoker Subdivision</i>		Number of Lots <i>2</i>	
Approximate Address <i>4271 W. 3600 N.</i>		Land/Serial Number(s) <i>19-173-0001</i> <i>19-009-0072</i>	
Current Zoning	Total Acreage <i>6.09</i>		
Culinary Water Provider <i>Buena Vista Water</i>	Secondary Water Provider <i>Plain City Irrigation</i>	Wastewater Treatment <i>Septic Tank</i>	
Property Owner Contact Information			
Name of Property Owner(s) <i>Kyle S. and Julayne M. Stoker</i>		Mailing Address of Property Owner(s) <i>4271 W. 3600 No</i> <i>Plain City Ut. 84404</i>	
Phone <i>801-916-9155</i>	Fax <i>801-731-6607</i>		
Email Address <i>julstoker@gmail.com</i>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer <i>Andy Hubbard</i> <i>Great Basin Engineering</i>		Mailing Address of Surveyor/Engineer	
Phone <i>801-394-4515</i>	Fax		
Email Address <i>andyh@greatbasineng.com</i>		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			
I (We) <u><i>Kyle S and Julayne M. Stoker</i></u> depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.			
 (Property Owner)		 (Property Owner)	
Subscribed and sworn to me this <u><i>4th</i></u> day of <u><i>Jan</i></u> , 20 <u><i>18</i></u>			
		 (Notary)	
LYNETTE SINGLETON Notary Public • State of Utah Commission # 689468 My Commission Expires May 11, 2020			

Exhibit B

Weber County Alternative Access Application			
Application submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted /Completed 1/4/2018	Application Fee: \$350.00	Receipt Number (Office Use)	File Number (Office Use)
Application Type			
<input type="checkbox"/> Flag lot access strip <input type="checkbox"/> Access by Private Right of Way <input type="checkbox"/> Access at a location other than across the front lot line			
Property Owner Contact Information			
Name of Property Owner(s) Kyle S and Julayne M. Stoker		Mailing Address of Property Owner(s) 4271 W. 3600 No. Plain City, Ut. 84404	
Phone 801-916-9135	Fax 801-731-6607	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address (required) julstoker@gmail.com.			
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax	Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address (required)			
Property Information			
Project Name Stoker Subdivision		Total Acreage 6.09	Current Zoning
Approximate Address 4271 W. 3600 N.		Land Serial Number(s) 19-173-0001, 19-009-0012	
Proposed Use Flag lot with aq building and building lot.			
Project Narrative			



Bona Vista Water Improvement District

2020 West 1300 North, Farr West, Utah 84404

Phone (801) 621-0474 Fax (801) 621-0475

August 24, 2020

To Whom it May Concern:

RE: **AVAILABILITY LETTER** – 2973 North 4200 West

The development is located at approximately 2973 North 4200 West in unincorporated Weber County consisting of 1 lots.

This letter is **ONLY** to state that the above named project is in the boundaries of the Bona Vista Water Improvement District and water will **ONLY** be available under the following conditions:

- The property is annexed into the District, if necessary.
- The subdivision utility plan is reviewed and approved by the District.
- Review fees are paid to the District.
- Proof of Secondary Water is provided to the District.

The non-refundable fee for the plan review is \$450 plus \$75 per lot. We consider this fee to be minimal and is only to cover the cost of review by the District administration, inspectors, and the District Engineer. Only the phase in consideration is guaranteed service, and the plan review is good only for a period of one year from the date of the will serve letter, if not constructed.

Furthermore, the District's responsibility is to provide flow and pressure to the development. The Developer and his Engineer are responsible to provide proper flow and pressure throughout the development. This may require some over-sizing within the development, as determined by the District.

This letter is the first of two letters that will be issued for this development. Following the acceptance of the above conditions the District will issue the "Will Serve" letter.

This subdivision, like all other subdivisions, must have a secondary water system for all outside irrigation usage. Prior to the District accepting connection fees, the owner or developer must furnish proof of secondary. If you have any questions please call 801-621-0474, ext 207.

Sincerely,

Matt Fox
Assistant Manager

Board of Directors

Ronald Stratford, Chairman – Unincorporated Area
Scott VanLeeuwen, Co-Chairman – Marriott/Slaterville
Z. Lee Dickmore – Farr West
Michelle Tait – Harrisville
Jon Beesley – Plain City

Management

Blake Carlin, Manager
Matt Fox, Assistant Manager
Marci Doolan, Office Manager

BRIAN W. BENNION, M.P.A., L.E.H.S.
Health Officer/Executive Director



August 17, 2020

Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Kyle Stoker
4271 W 3600 N Plain City, UT
Parcel #19-009-0072
Soil log #15027

Gentlemen:

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on August 17, 2020. The exploration pit is located at the referenced GPS coordinate and datum. The soil texture and structure, as classified using the USDA system, are as follows:

Exploration Pit #1 (UTM Zone 12T, Nad 83, 409412 N 4575629 E)
0-22" Fine Sandy Loam (Near Fine Loamy Sand), Granular/Weak Massive Structure
22-46" Fine Sandy Loam, Massive Structure, Many Red Mottles Below 22"

Exploration pits should be backfilled immediately upon completion to prevent a hazardous environment that may cause death or injury to people or animals.

DESIGN REQUIREMENTS

Culinary water will be provided by Bona Vista Water District, an existing approved community water system. **A letter from the water supplier is required prior to issuance of a permit.**

Documented ground water tables not to exceed 24 inches, fall within the range of acceptability for the utilization of an At-Grade Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 0 inches. The absorption system is to be designed using a maximum loading rate of 0.4 gal/ft²/day as required for the fine sandy loam, massive structure soil horizon.

Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

The following items are required for a formal **subdivision review**; application, receipt of the appropriate fee, and a full sized copy of the subdivision plats showing the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. A subdivision review will not occur until all items are submitted. Mylars submitted for signature without this information will be returned

Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,

Ryan Klinge
Environmental Health Division
801-399-7160

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org

Exhibit F

Perkes, Scott

From: Jul Stoker <julstoker@gmail.com>
Sent: Tuesday, September 22, 2020 11:11 PM
To: Perkes, Scott; Matt Fox; Brady Boren
Subject: [EXTERNAL]Fwd: Fw: will - serve document

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Will-Serve letter from Plain City Irrigation to Bona Vista Water



Grandchildren rock my world!

Jul Stoker

----- Forwarded message -----

From: Jay Christensen <jayde4131.com@outlook.com>
Date: Tue, Sep 22, 2020 at 11:28 AM
Subject: Fw: will - serve document
To: julstoker@gmail.com <julstoker@gmail.com>

Sent from Windows Mail

From: chrij@Compassminerals.com
Sent: Tuesday, September 22, 2020 8:03 AM
To: jayde4131.com@outlook.com

September 22, 2020

Plain City irrigation Canal Company

To whom it may concern :

This letter is written as a will- serve document on behalf of Julayne and Kyle Stoker to verifying that they are a stockholder in the Canal Company and own water stock in the canal company, the Plain City Irrigation Canal Company will deliver their water stock to their private ditch from the companies canal on a regular scheduled basis for the duration of the irrigation season.

Jay Christensen

Plain City Irrigation Canal Company