



Staff Report to the Weber County Planning Division

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for approval of Circle N Subdivision 1st Amendment, a two-lot subdivision.
Application type:	Administrative
Agenda Date:	Wednesday, July 08, 2020
Applicant:	Earl Demorest, Owner
File Number:	UVC 2020-12

Property Information

Approximate Address:	3302 E 3350 N Liberty
Project Area:	9.62 Acres
Zoning:	Agricultural Valley 3 (AV-3)
Existing Land Use:	Vacant
Proposed Land Use:	Residential
Parcel ID:	22-354-0003
Township, Range, Section:	T7N, R1E, Sections 29 NW

Adjacent Land Use

North:	Agricultural/Residential	South:	3350 North St.
East:	Agricultural/Residential	West:	Agricultural/Residential

Staff Information

Report Presenter:	Tammy Aydelotte taydelotte@webercountyutah.gov 801-399-8794
Report Reviewer:	RG

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 6 (Agricultural Valley Zone, AV-3)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)

Background and Summary

Circle N Subdivision was approved May 2, 2018, and recorded May 25, 2018. The applicant is requesting approval of a subdivision amendment, creating an additional lot from lot 3 of Circle N Subdivision. Each lot will be configured to have access from 3350 N Street. These parcels will preserve the rural character of the surrounding area while creating one 3 acre lot and one 6.62 acre lot.

As part of the approval process, the proposal has been reviewed against the current Uniform Land Use Code of Weber County, Utah (LUC), and the standards of the AV-3 zone found in LUC chapter 104-6. The following section is a brief analysis of this project against current land use regulations.

Analysis

General Plan: This two-lot subdivision is in harmony with the Ogden Valley General Plan by preserving the rural character of the Valley as found on page 4 of the 2016 Ogden Valley General Plan.

Zoning: The property is located in the AV-3 Zone. The purpose of this zone is stated in the LUC §104-6-1.

“The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.”

AV-3 Zone Site development standards: Minimum lot area within the AV-3 Zone is 3 acres with a width of 150 feet. Each lot within this proposal complies with AV-3 Zone site development standards.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

Secondary Water: Secondary water will be provided by Weber Basin Improvement District. A letter from the Utah Department of Natural Resources, Division of Drinking Water Rights states that the owner has the right to the 1-acre-foot of water per year for the irrigation of .1833 acres of land (see Exhibit C).

Culinary Water: Weber-Morgan Health Department has provided the applicant with a permit to dig a private well for this residential lot.

Sanitary System: Weber-Morgan Health Department has prepared a letter stating the feasibility for each lot within this proposal to install an at-grade septic system.

Review Agencies: The Weber County Fire District has conditionally approved this proposal with conditions and comments that must be read and adhered to. Weber County Engineering, Surveying, and Planning Departments have posted their reviews and have specified additional requirements and revisions that will need to be addressed prior to recording the final Mylar.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes are due in full as of November 30, 2018.

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed small subdivision per noticing requirements outlined in LUC §106-1-6(c).

Planning Division Recommendation

Staff recommends final approval of Circle N Subdivision, consisting of 3 lots, with right-of-way area to be dedicated on 3350 North Street. This recommendation is based on the following conditions:

1. Prior to recording the final Mylar, all applicable Weber County reviewing agency requirements shall be met.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with the applicable County codes.

Administrative Approval

Administrative final approval of Circle N Subdivision 1st Amendment, consisting of 2 lots, 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.

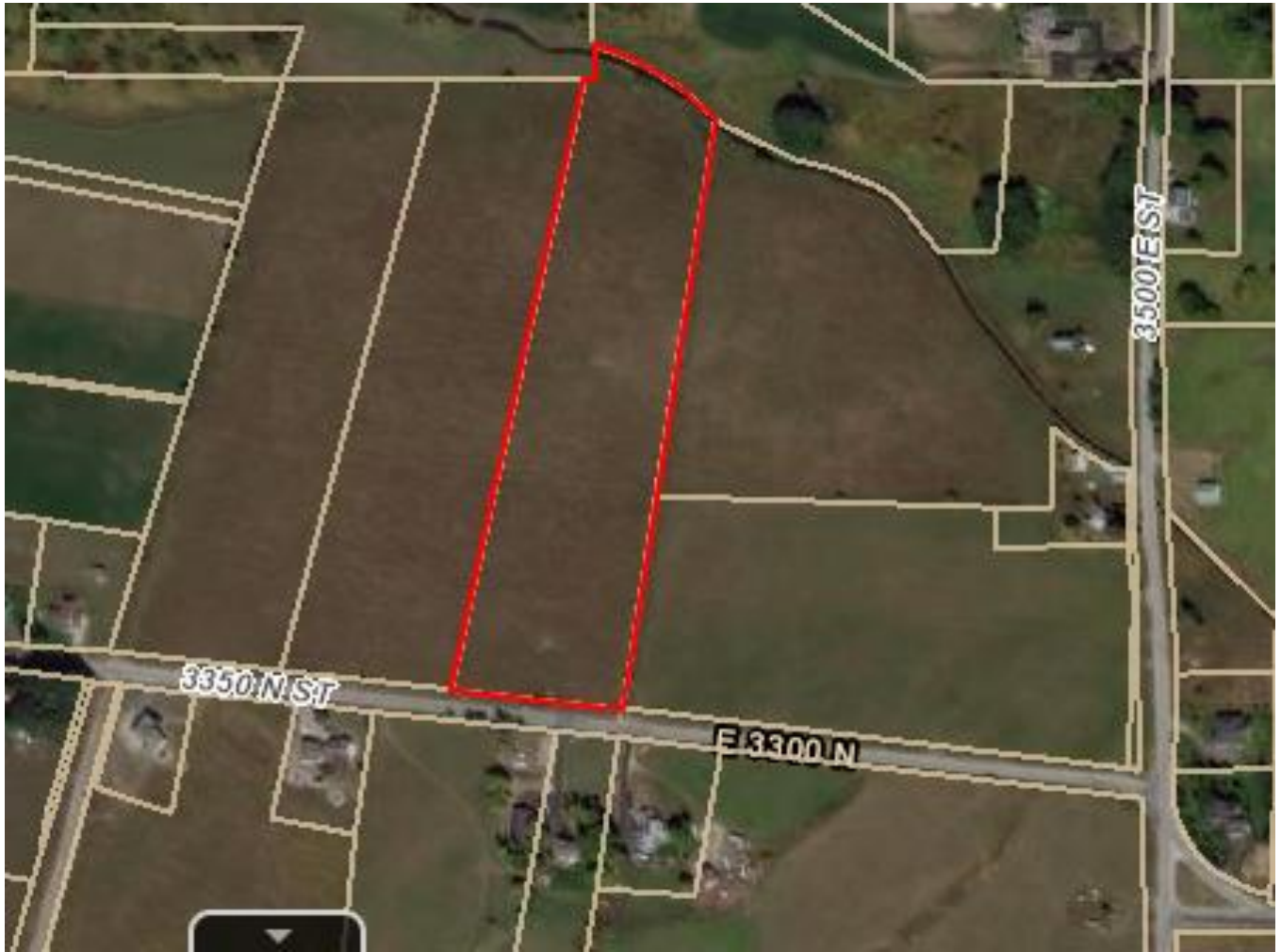
Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits

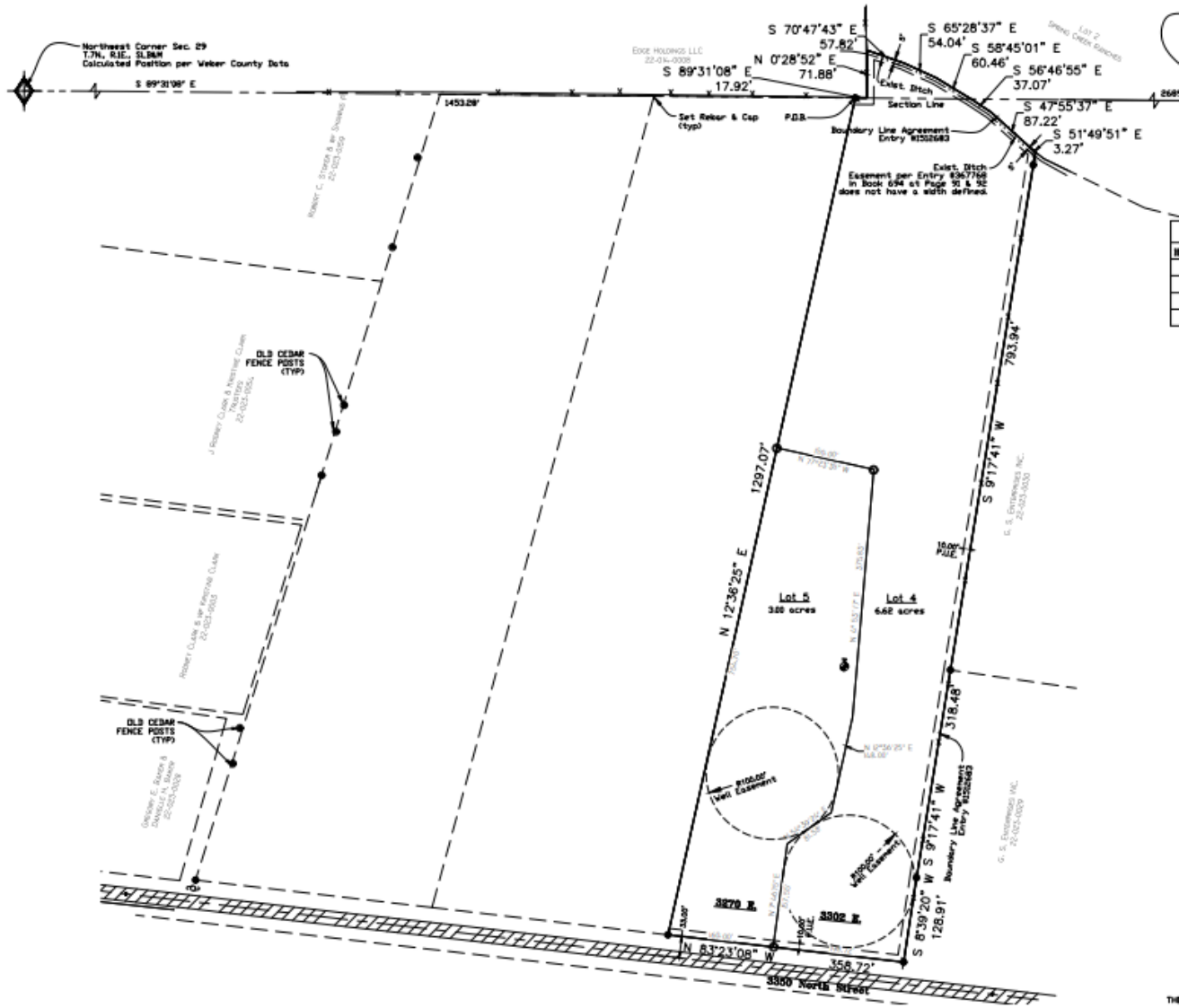
- A. Circle N Subdivision Plat
- B. Application
- C. Feasibility Letter/State Engineer Approval

Area Map



CIRCLE N SUBDIVISION 1st AMENDMENT

PART OF THE NW 1/4 OF SECTION 29 TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
UNINCORPORATED WEBER COUNTY, UTAH - MAY 2018



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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)
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Subdivision and Property Information

Subdivision Name Circle "N" Subdivision Lot # 3		Number of Lots
Approximate Address 3302 E 3350 N		Land Serial Number(s) # 22-354-0003
Current Zoning	Total Acreage 9.62	
Culinary Water Provider none	Secondary Water Provider Pine Canyon Ditch	Wastewater Treatment

Property Owner Contact Information

Name of Property Owner(s) Earl & Loni Demorest		Mailing Address of Property Owner(s) 1529 Hilde Dr Fruit Heights UT 84037	
Phone 801 410 6505	Fax 801 295 8896	Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Email Address earl@carpenterspaper.net			

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Earl Demorest		Mailing Address of Authorized Person 1529 Hilde Dr Fruit Heights UT 84037	
Phone 801 410 6505	Fax 801 295 8896	Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Email Address earl@carpenterspaper.net			

Surveyor/Engineer Contact Information

Name or Company of Surveyor/Engineer Landmark Survey (Tyler)		Mailing Address of Surveyor/Engineer 4646 S 3500 W H-3 West Haven UT	
Phone 801 731 4075	Fax	Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Email Address tyler@landmarksurveyutah.com			

Property Owner Affidavit

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.

Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s), _____, 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 out agent in matters pertaining to the attached application.

Henry S Demas
(Property Owner)

Uriah S. Brown A
(Property Owner)

Dated this 4th day of May, 2025, personally appeared before me signer(s) of the Representative Affidavit who duly acknowledged to me that they executed the same.

Megan M Hadley
Notary



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

January 28, 2020



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

RE: Preliminary Subdivision **Determination**
Circle N Subdivision 1st Amendment, 2 lots
Parcel #22-354-0003
Soil log #14602 & 14811

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by a private well. **The placement of the well is critical so as to provide the required 100 foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Lot 4 & 5: Anticipated ground water tables not to exceed 60 inches, fall within the range of acceptability for the utilization of a Conventional Treatment System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption field is to be designed using a maximum loading rate of 0.45 gal/sq. ft./day as required for the gravelly sandy clay loam, massive structure soil horizon with a documented percolation rate ranging from 6.2-16.0 minutes per inch.

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.

All subdivisions plats submitted for review **are to show the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates.** 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,

A handwritten signature in black ink, appearing to read "Summer Day".

Summer Day, LEHS
Environmental Health Division
801-399-7160

APPLICATION FOR EXCHANGE OF WATER

STATE OF UTAH

Rec. by _____

Fee Reqd \$ 150.00

Receipt # _____

For the purpose of obtaining permission to make an exchange of water in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Laws of Utah (Sec.73-3-20, Utah Code Annotated, 1953).

EXCHANGE: (X936RCOX) BASE: 35-827 CONTRACT/STOCK#: 14545
COUNTY TAX ID: 22-354-0003

1. NAME: George & Vivian Demorest
ADDRESS: 1529 Hilda Dr
Fruit Heights, UT 84037

2. Filed: Priority:

***** CURRENT RIGHT *****

3. RIGHT EVIDENCED BY:
U.S. Bureau of Recl. & Contract with Weber Basin Water Conservancy District under 35-827 (A27608)

4. FLOW: 3.0 acre-feet
SOURCE: Pineview Reservoir
COUNTY: Weber

5. POINT OF DIVERSION -- SURFACE:
(1) N 1,699 ft. E 603 ft. from SW corner, Section 16, T 6N, R 1E, SLBM
Diverting Works: Pineview Reservoir
Source: Ogden River

6. NATURE OF USE: PERIOD OF USE:
OTHER: Irrigation, domestic, municipal, industrial, power & stockwatering. Supplement. Jan 1 to Dec 31

***** PROPOSED EXCHANGE *****

7. FLOW: 3.0 acre-feet PERIOD OF USE: Jan 1 to Dec 31
SOURCE: Underground Water Wells (new)
COUNTY: Weber COMMON DESCRIPTION: Liberty

8. POINTS OF EXCHANGE -- UNDERGROUND:
(1) S 605 ft. W 1,322 ft. from NW corner, Section 29, T 7N, R 1E, SLBM
Diameter of Well: 8 ins. Depth of Well: 100 to 300 feet
(2) S 874 ft. W 1,213 ft. from NW corner, Section 29, T 7N, R 1E, SLBM
Diameter of Well: ins. Depth of Well: 100 to 300 feet

Continued on Next Page

Exchange

9. POINT(S) OF RELEASE: PERIOD OF USE: Jan 1 to Dec 31
 FLOW: 3.0 acre-feet
 ***Location of Release Point(s) is the SAME as Point(s) of Diversion in CURRENT RIGHT above

10. WATER USE INFORMATION:

IRRIGATION: from Apr 1 to Oct 31. SOLE SUPPLY: 0.5600 acres
 STOCKWATER: from Jan 1 to Dec 31. SOLE SUPPLY: 15.0000 units
 DOMESTIC: from Jan 1 to Dec 31. SOLE SUPPLY: 2.0000 families

PLACE OF USE: (which includes all or part of the following legal subdivisions:)

		Northwest Quarter				Northeast Quarter				Southwest Quarter				Southeast Quarter				Section
		NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	Totals
RS	TOWN RANGE SEC																	0.5600
SL	7N 1E 29E	1.0.5600																Group Total: 0.5600

EXPLANATORY

Contract Date: Jan 3, 2020

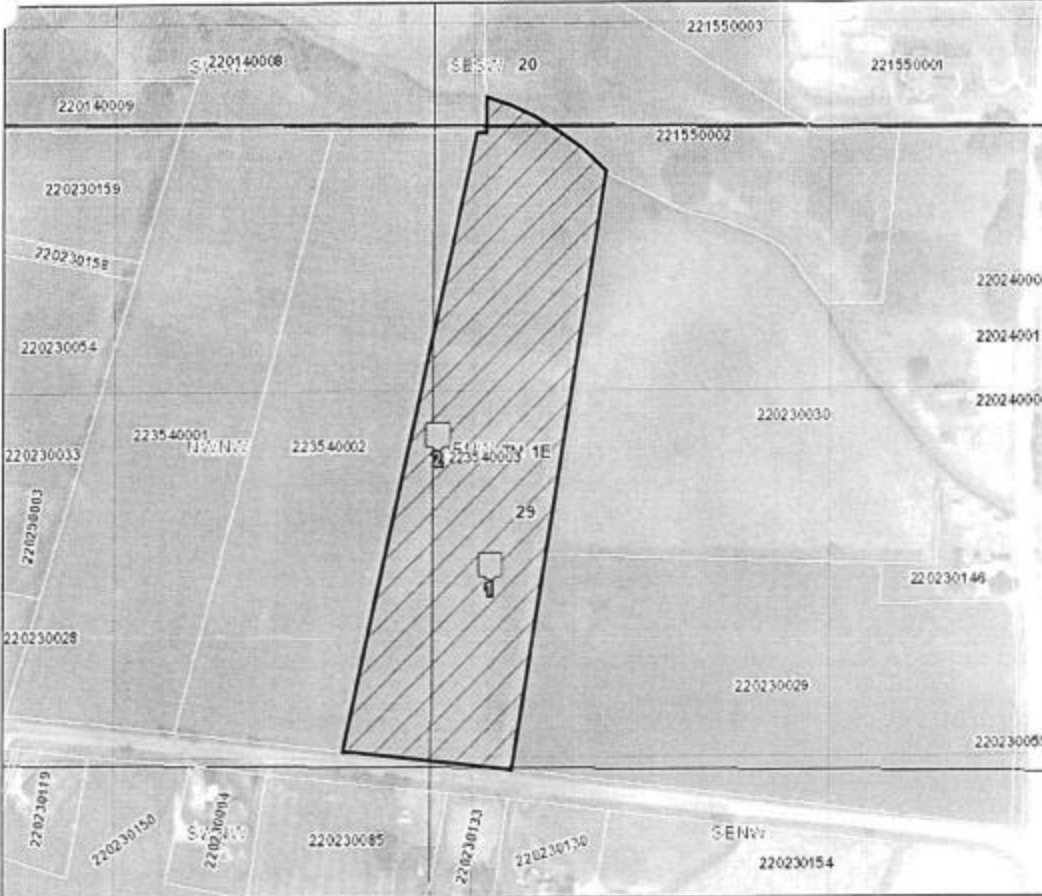
 If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its proper officer, or in the name of the partnership by one of the partners, and the names of the other partners shall be listed. If there is more than one applicant, a power of attorney, authorizing one to act for all should accompany the application.

 The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, including maps and other attached documents, at the time filing, rests with the applicant(s).

George Demorest 1/24/2020
 George Demorest

Vivian Demorest
 Vivian Demorest

Utah Water Right Exchange Map



Legend

-  Place of use
-  Point of diversion

- (1) S 874 ft, W 1213 ft, from N4 cor, Sec 29, T 7N, R 1E, SL B&M (UTM-83: 427343, 4574659.9)
- (2) S 605 ft, W 1322 ft, from N4 cor, Sec 29, T 7N, R 1E, SL B&M (UTM-83: 427309.7, 4574741.6)

George Demarest

I/we _____, hereby acknowledge that this map was prepared in support of Application _____. I/we hereby submit this map as a true representation of the facts shown thereon to the best of my/our knowledge and belief.

George Demarest

Applicant(s)

Date

1/24/2020