

# **Staff Report to the County Commission**

Weber County Planning Division

# **Synopsis**

**Application Information** 

**Agenda Item:** VAC2023-01 A public hearing to consider and take action on a request to vacate a 7 foot

public utility easement located on lot 9 of Willow Greene Estates subdivision.

**Type of Decision:** Administrative

Agenda Date: Tuesday August 1, 2023

Applicant: Clint Martin File Number: VAC2023-01

**Property Information** 

Approximate Address: 2028 Jennifer Dr
Project Area: 0.29 acres
Zoning: R-2
Existing Land Use: Residential

Proposed Land Use: Residential Parcel ID: 07-367-0009

**Adjacent Land Use** 

North:ResidentialSouth:ResidentialEast:ResidentialWest:Residential

**Staff Information** 

**Report Presenter:** Steve Burton

sburton@webercountyutah.gov

801-399-8766

Report Reviewer: RG

### **Applicable Ordinances**

■ Title 104, Zones, Chapter 12, R2 Zone

Title 106, Subdivisions, Chapters 1-8 as applicable

#### **Background and Summary**

This application was accepted for review on June 6, 2023. The applicant desires to vacate a 7 foot public utility easement located on the rear property line of Lot 9 of the Willow Greene Estates Subdivision located at 2028 Jennifer Drive, Ogden. The proposal has been approved by the County Engineering Division and the County Surveying Department. There are no documented utilities in the area proposed to be vacated. The following is an analysis of the proposal as it relates to the general plan and Utah State code for easement vacations.

# **Analysis**

<u>General Plan:</u> The easement that is proposed to be vacated does not contain any utilities and the proposal is not contrary to the general plan.

<u>Utah State Code</u>: Utah State Code 17-27a-609.5(3) states that, after holding a public hearing, the legislative body may approve an ordinance vacating a public easement if the legislative body finds that:

- (a) Good cause exists for the vacation; and
- (b) Neither the public interest nor any person will be materially injured by the vacation.

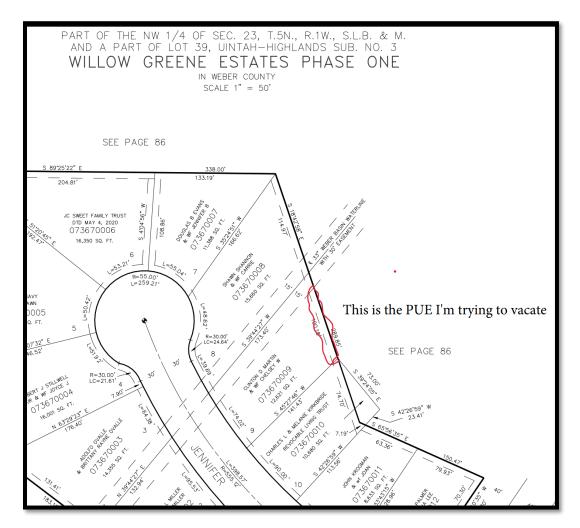
Public notice has been provided in accordance with 17-27a-208, including mailing notice to affected entities...

#### **Staff Recommendation**

Staff recommends that the commission approve the proposed vacation ordinance, vacating the 7 foot public utility easement located along the rear property line of lot 9, Willow Greene Estates Subdivision. The recommendation for approval is based on the following findings.

This recommendation is based on the following findings:

- 1. Good cause exists for the vacation; and
- 2. Neither the public interest nor any person will be materially injured by the vacation.



# **Location Map**

