

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

May 31, 2018
04:00pm-5:00 p.m.

1. Consideration and action on an alternative access request to create a private right-of-way as the primary access for a future 1 lot subdivision.
2. Consideration and action on the Silver Bell Estates No. 1, 4th Amendment, a one lot subdivision consisting of 1.39 acres.
3. Consideration and action on Hessel-Hatton Subdivision, 2nd Amendment, a 1-lot subdivision consisting of 8.5931 acres. The subdivision name will be changed, with recording of the final plat, to Mark and Susan Lackey Subdivision.
4. *Adjournment*

The meeting will be held in the Weber County, Breakout Room, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah unless otherwise posted



In compliance with the American 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 create a private right-of-way as the primary access for a future 1 lot subdivision.

Agenda Date: Thursday, May 31, 2018

Applicant: Allen Franke

File Number: AAE 2018-02

Property Information

Approximate Address: 585 S 3600 W, Ogden

Project Area: 12 acres

Zoning: Agricultural Zone (A-1)

Existing Land Use: Agriculture

Proposed Land Use: Residential/Agriculture

Parcel ID: 15-045-0064

Township, Range, Section: T6N, R2W, Section 16

Adjacent Land Use

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

Staff Information

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

Report Reviewer: SB

Applicable Land Use Codes

- Title 104 (Zones) Chapter 5 (Agricultural Zone)
- Title 106 (Subdivisions)
- 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

The applicant is requesting approval to create a private access road to provide access to a future home located on a 12-acre lot. If this application for an alternative access by private right-of-way is approved, the owner will apply for a one lot subdivision. The parcel amounts to 12 acres in area and will remain dominantly open farmland for crop production. The Franke's now have 34.33 feet of frontage of which the Franke's are willing to participate in the dedication of a half width when the property owner to the south is ready to develop. After several meetings with Weber County Staff, it has been determined that at this time it is not feasible or practical to require the owner to dedicate nor construct 66-foot right-of-way because the Franke's do not have enough frontage on 3600 West Street, it is not practical to require full dedication for one single-family dwelling within one residential lot, and the property owner to the south does not wish to participate at this time.

The alternative access option was created as a means for landowners to provide access over, and across areas that restrict the construction of a standard County 66-foot right-of-way. Alternative access applications should be approved as long as the design standards can be implemented during the subdivision process, and the application meets the criteria in LUC §108-7-31(1)(c) which states:

Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions.

Analysis

This application has been forwarded to the applicable review agencies and after a thorough review of the applicant's proposal, staff feels that a private right-of-way that will provide access to farmland and one single family dwelling is an appropriate usage of the alternative access option. It has also been stated by the applicant that "The Franke's will sign an agreement to provide their portion of (33 feet) of the 66' ROW."

If this proposal is approved, the applicant will be required to ensure that the following design standards are met for the private right of way, as outlined in LUC §108-7-29(1):

(1) Design standards.

- a. The flag lot access strip, private right-of-way, or access easement shall be designed and built to a standard approved by the county engineer. The improved road surface does not require hard-surface paving, i.e., concrete or asphalt, but the improvements shall meet the following standards.
- b. The flag lot access strip shall have a minimum width of 20 feet and a maximum width of 30 feet. A private right-of-way or access easement shall have a minimum width of 16 feet and a maximum width of 50 feet. The private right-of-way and access easement width standards may be modified by the Weber Fire District in conjunction with the county engineer on a case-by-case basis.
- c. The improved travel surface of the flag lot access strip, private right-of-way, or access easement shall be a minimum of 12 feet wide if the access serves fewer than five dwellings, and a minimum of 20 feet wide if the access serves five or more dwellings.
- d. The improved road surface of the flag lot access strip, private right-of-way, or access easement shall be capable of supporting a minimum weight of 75,000 pounds.
- e. A turnout measuring at least ten feet by 40 feet shall be provided adjacent to the traveled surface of the flag lot access strip, private right-of-way, or access easement (private access) if the private access is greater than 200 feet in length. The turnout shall be located at the approximate midpoint of the private access if its length is between 200 and 800 feet. If the private access length is greater than 800 feet, turnouts shall be provided at least every 400 feet thereafter. These standards may be modified by the Weber Fire District in conjunction with the county engineer on a case-by-case basis.
- f. The flag lot access strip, private right-of-way, or access easement shall have a maximum grade of ten percent. This standard may be modified by the Weber Fire District in conjunction with the county engineer on a case-by-case basis; however, the maximum grade shall not exceed 15 percent.
- g. The flag lot access strip, private right-of-way, or access easement shall have a minimum vertical clearance of 14.5 feet.
- h. No buildings, structures, or parking areas are allowed within the flag lot access strip, private right-of-way, or access easement.
- i. New bridges, including decking and culverts, shall be capable of supporting a minimum weight of 75,000 pounds. For existing bridges, a currently certified engineer statement of load-bearing capabilities must be submitted to the county engineer and the Weber Fire District for review.
- j. The flag lot access strip, private right-of-way, or access easement shall have a minimum inside travel-way radius of 26 feet, outside travel-way radius of 45 feet, and outside clear zone radius of 50 feet on all curves, particularly switchbacks. The width of the access may need to be increased to accommodate these standards.
- k. Water and sewer lines located within the flag lot access strip, private right-of-way, or access easement require written notification from the agencies providing such services.

(2) Safety standards.

- a. The lot address shall be displayed in a prominently visible location at the street entrance to the flag lot access strip, private right-of-way, or access easement.
- b. A turn-around area shall be provided at the home location to allow firefighting equipment to turn around. This area shall be a year-round surface capable of supporting fire equipment (a minimum inside turning radius of 30 feet and an outside turning radius of not less than 45 feet).
- c. A fire hydrant or other suppression method may be required by the fire district.

- d. A site plan showing the location of the home, any proposed access roads, and driveways, along with the location of and distance to the nearest fire hydrant (if available) shall be submitted to the fire district for review.
- e. Conditions may be imposed by the land use authority to ensure safety, accessibility, privacy, etc., to maintain or improve the general welfare of the immediate area.

(3) Lot/parcel standards.

- a. The lot/parcel shall meet all minimum yard and area requirements of the zone in which it is located.
- b. Buildings shall be set back a minimum of 30 feet from the end of the flag lot access strip, private right-of-way, or access easement.
- c. The lot/parcel shall meet the minimum lot width requirement for the zone in which the lot is located at the end of the access strip.
- d. The lot/parcel shall have a flag lot access strip, private right-of-way, or access easement constructed in conformance with subsections (1), (2), and (3) of this section prior to the issuance of land use permits or building permits.

If approved, compliance with the design, safety standards, and lot/parcel standards has been added as a condition of approval to ensure the standards are met.

In addition to demonstrating compliance with the applicable design and safety standards, the applicant will also be required to file an agreement with the County, in which the applicant 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, as outlined in LUC §108-7-31(2)(b).

Staff Recommendation

Staff recommends approval of the application to create a private right-of-way that will provide access to farm ground and a future single-family dwelling based on the following conditions:

1. All County reviewing agency requirements shall be met.
2. The private road shall comply with the design, safety, and parcel/lot standards of the alternative access.
3. The applicant will enter into an alternative access agreement that shall be recorded.

Approval is based on the following findings:

1. At this time, it is not feasible to extend a county right-of-way due to the access strip not having sufficient width.
2. The Franke's are willing to enter into an agreement to provide their portion of the area and are willing to pay the proportionate costs associated with a public right-of-way.
3. The immediate plan to apply for a one lot subdivision with one single family dwelling is minimal and does not justify a standard 66-foot right-of-way.

Administrative Approval

Administrative final approval of Hipwell Alternative Access to create a private road that would serve as an access to farm ground and one single-family dwelling.

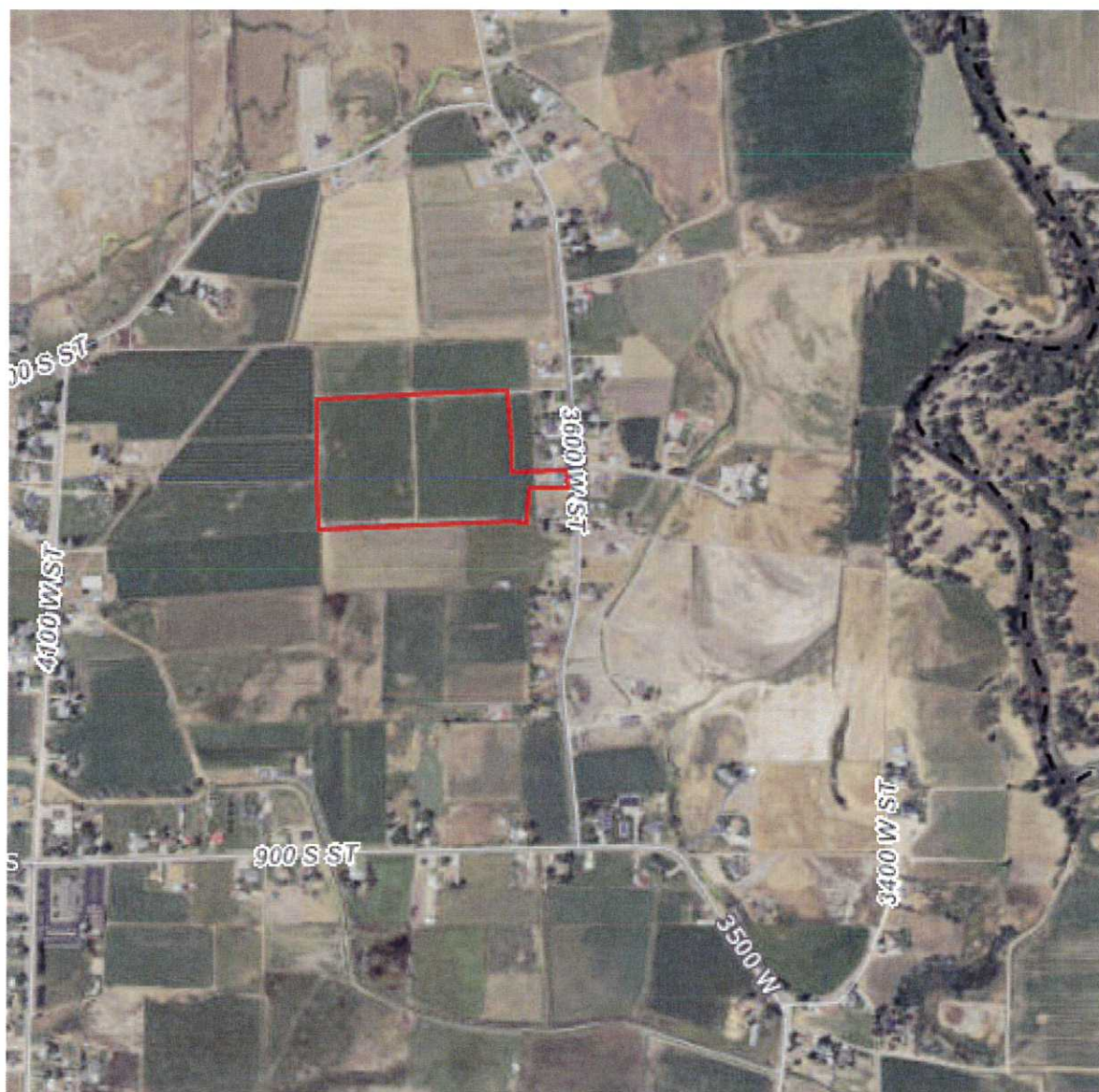
Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits

- A. Application
- B. Concept Plan
- C. Narrative
- D. Warranty Deed that divides land

Property Map



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 checked="" 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>Alan + Cynthia Franke</i>		Mailing Address of Property Owner(s) <i>3392 N. 2575 W. Ogden, Utah 84404</i>	
Phone <i>801-644-9630</i>	Fax		
Email Address (required) <i>frankess@juno.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>HipWell Estates Subdivision</i>		Total Acreage <i>11.96 acres</i>	Current Zoning <i>A-1</i>
Approximate Address <i>555 S. 3600 W.</i>		Land Serial Number(s) <i>15-045-0064</i>	
Proposed Use <i>Agricultural and Residential</i>			
Project Narrative <i>See attachments</i>			

Basis for Issuance of Flag lot access strip

The land use authority shall determine whether or not it is feasible or desirable to extend a street to serve a parcel(s) or lot(s) at the current time, rather than approving a flag lot.

Sec. 108-7-30. - Flag lots

- (a) Criteria to be used in determining feasibility or desirability of extending a street shall include, but not be limited to topography, boundaries, and whether or not extending a road would open an area of five acres or more in Western Weber County and ten acres or more in the Ogden Valley for development.
- (b) The lot area exclusive of the access strip shall be a minimum of three acres.
- (c) Each lot shall access a street by means of its own fee title access strip. Successive stacking of lots on the same access strip is not permitted.
- (d) No access strip shall exceed 800 feet in length.
- (e) A maximum of two flag lot access strips may be located adjacent to each other.
- (f) No flag lot shall be allowed which proposes to re-subdivide or include within it (including the access strip) any portion of an existing lot in a recorded subdivision. No subdivision shall be vacated, re-subdivided, or changed in order to meet the requirements of this section.

Please provide information to support your request for a flag lot access strip outlining how the request meets the criteria listed above.

Basis for Issuance of Access by Private Right of Way

Lots/parcels which do not have frontage on a street, but which have access by a private right-of-way or access easement may, under certain circumstances, use a private right-of-way or access easement as the primary access. Approval is subject to the applicant demonstrating compliance with the following criteria and conditions:

Sec. 108-7-31. - Access to a lot/parcel using a private right-of-way or access easement:

Criteria.

- a. The lot/parcel is a bona fide agricultural parcel that is actively devoted to an agricultural use that is the main use; or
- b. The lot/parcel is a bona fide agricultural parcel that is actively devoted to an agricultural use that is the main use and is the subject parcel of an approved agri-tourism operation; or
- c. Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions.

Conditions.

- a. It shall be demonstrated that the agricultural parcel or other lot/parcel has appropriate and legal access 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; and
- b. 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.

Please provide the following information to support your request for access to a lot/parcel using a private right-of-way or access easement:

- ☐ Attach proof to this application that the agricultural parcel or other lot/parcel has appropriate and legal access 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.

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.

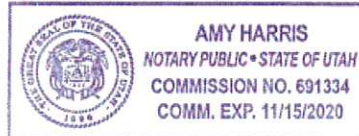
Property Owner Affidavit

I (We), Alan & Cynthia Franke, 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.

Alan Franke Property Owner Cynthia Franke Property Owner

Subscribed and sworn to me this 30th day of April, 2018.

[Signature] Notary



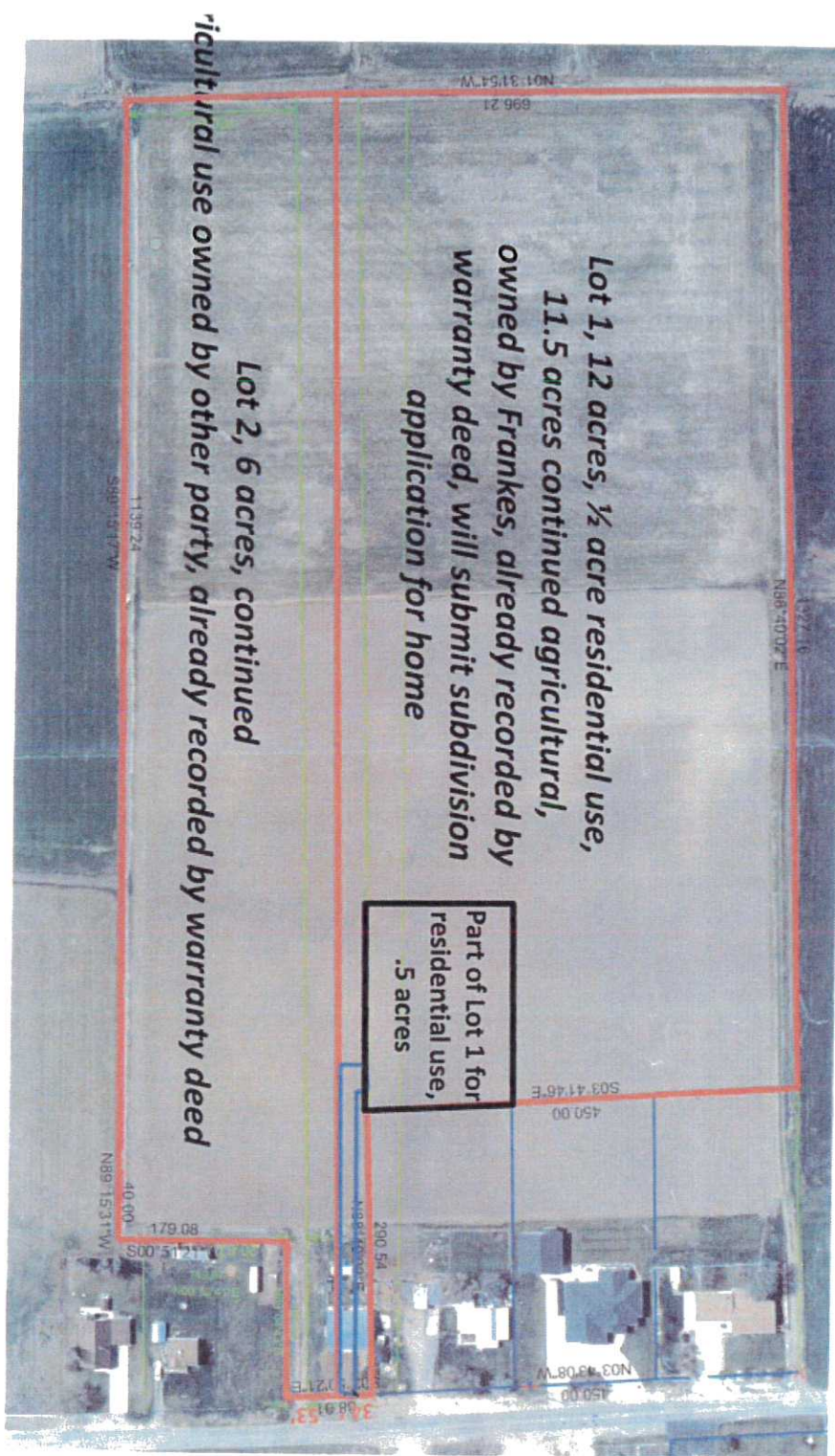
Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized 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 our agent in matters pertaining to the attached application.

_____ Property Owner _____ Property Owner

Dated this _____ day of _____, 20____, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

_____ Notary



Hipwell Estates concept plan **Land serial # 15-045-0064**

Memo

Amended application, Hipwell Estates Subdivision alternative access

Date: April 30, 2018

Regarding: Amended Request for alternative access to proposed one lot subdivision at approximately 555 South 3600 West, Ogden Utah 84401.

Applicant: Alan Franke and Cynthia Franke, 3392 North, 2575 West, Ogden, Utah 84404, 801-644-9630, frankes5@juno.com

To: Weber County Planning Department, 2380 Washington Boulevard, Suite 240, Ogden Utah, 84401

Request

Mr. and Mrs. Franke would like approval from Weber County for a private driveway access to create a single residential lot on a parcel which is approximately 12 acres. Access to a public Street would be accomplished by using an alternative private drive way connecting to 3600 West. The intent is to allow construction of a single family home to be built in the future. A formal application for a residential subdivision for the new lot will be submitted this summer. The majority of the acreage (approximately 11 acres) will continue to be used as agriculture. The private access would be 12 to 20 feet in width and improved to specifications required by Weber County.

Reasons for the Request

1. The original request for a private drive submitted in March, 2018 indicated that the Frankes would have sufficient frontage on 3600 West to dedicate a 66' ROW. For this reason, the County Engineering Staff felt the 66' ROW should be dedicated and the private drive should be denied.

Prior to the administrative review meeting, the Frankes discovered that they would only be given 34' of frontage on 3600 West. Consequently, they no longer would have sufficient frontage to create the 66' ROW. They requested that their item be pulled from the agenda so an amended application could be created and submitted.

2. Ordinance LUC §108-7-31(1)(c) indicates a full developed right of way should be provided unless the following can be shown:

Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions.

Since submitting the original application, Mr and Mrs. Franke have discovered that property boundary conditions on the property have changed. In order to accommodate the other party being given property, Mrs Franke's Father (Lavar Hipwell) has changed the amount of property being given to the Franks. Consequently, the Franks will have less frontage property to create the required ROW. **The Franks will now have only 34.4' of frontage on 3600 West.** There is not sufficient property to create the full 66' ROW required. The Franks are requesting approval for a private drive for a single home. The other party and Mr. Hipwell have already recorded the warranty deed transferring ownership of the other part of the property to the other party.

3. The original application included a private drive for 3 new homes. However, since the County has indicated the full 66' ROW would be required, the other two parties wanting to build homes have decided to not build at this time. Further, The other property owner does not wish to participate in dedicating or developing the 66' ROW required by the County at this time.
4. The Franks will sign an agreement to provide their portion(33 feet) of the 66' ROW in the future. However, another party owns the remainder of the property needed for the 66' ROW. A copy of the recorded deed describing the property given to the Franks has been attached to show how much frontage the Franks own.
5. The majority of the property owned by the Franks will continue to be used as farm land. Only enough property to provide the private drive and to build the home and provide landscaping around the home will be in residential use.

WHEN RECORDED, MAIL TO:
 Alan and Cynthia Franke
 3392 N 2575 South
 Ogden, Utah 84404



W2918044

EH 2918044 PG 1 OF 1
 LEANN H KILTS, WEBER COUNTY RECORDER
 30-APR-18 429 PM FEE \$10.00 DEP JKC
 REC FOR: ALAN FRANKE

Warranty Deed

Weber County Affecting Tax ID. No.15-045-0064

Lavar Jay Hipwell, with Full Rights of Survivorship, Grantor, of Ogden, County of Weber, State of Utah, hereby CONVEYS AND WARRANTS to Alan W. and Cynthia A. Franke, Grantee, of Ogden, County of Weber, State of Utah, for the sum of TEN (\$10.00) dollars, and other good and valuable considerations, the following described parcel of land in Weber County, State of Utah, to-wit:

A parcel of land, being part of an entire tract of property recorded as Entry No. 2480293 in the Weber County Recorder's Office, All of Lot 12 & part of Lot 13, Section 16, T. 6 N., R. 2 W., S.L.B&M. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest Corner of said Lot 12 and running thence North 87°57' East 1036.80 feet, thence South 4° 27' East 450 feet, thence North 87° 57' East 323.40 Feet, thence South 4° 27' thence East 33.97 feet more or less, thence South 88° 57' 1378.55 feet to the west Boundary of Lot 13, thence North 2° 15' West 482.7 feet to the point of beginning at the northwest corner of said lot 12. The above parcel contains 11.96 acres or 520,977 Square feet.

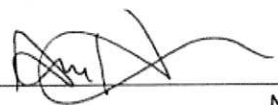
Subject to the right of way for 3600 West Street.

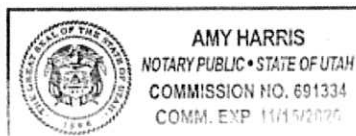
WITNESS, the hand of said Grantor, this 30th day of April, A.D. 20 18.

STATE OF Utah)
) ss.
 COUNTY OF Weber)


 Grantor, Lavar Jay Hipwell
 with Full Rights of Survivorship

On the date first above written personally appeared before me,
Lavar Jay Hipwell, with Full Rights of Survivorship, the signer of the within and foregoing instrument, who duly acknowledged to me that they executed the same.


 Notary Public





Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a the Silver Bell Estates No. 1, 4th Amendment, a one lot subdivision
Type of Decision: Administrative
Agenda Date: Thursday, May 31, 2018
Applicant: Cori and Jase Anderson – Owners
File Number: UVG090817

Property Information

Approximate Address: 3635 E Nordic Valley Way, Eden, UT, 84310
Project Area: 1.39 Acres
Zoning: FV-3 Zone
Existing Land Use: Residential
Proposed Land Use: Residential
Parcel ID: 22-035-0011
Township, Range, Section: Township 7 North, Range 1 East, Section 32

Adjacent Land Use

North: Nordic Valley Drive	South: Residential
East: Residential	West: Vacant/Agricultural

Staff Information

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

Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 106, Chapter 2, Subdivision Standards.
- Title 106, Subdivisions, Chapter 1-8 as applicable

Development History

- 6/30/1961: Received application for Silver Bell Estates Subdivision, creating 175 legal lots (see Exhibit A).
- 11/29/2005: Request for Combination recorded to include, for tax purposes only, lot 38 and the southeasterly 67.5 feet of lot 37, Silver Bell Estates No. 1, Weber County, Utah.
- 9/8/2017: Received subdivision application for Silver Bell Estates #1, 4th Amendment, to include both lot 38 and the southeasterly 67.5 feet of lot 37, of Silver Bell Estates No. 1, Weber County Utah (see Exhibit B).

Background and Summary

The Planning Division recommends final approval of the Silver Bell Estates No. 1, 4th Amendment, a small subdivision consisting of one lot currently known as Lot 38 and the southeasterly 67.5 feet of Lot 37 in the Silver Bell Estates No. 1(see Exhibit A). The proposed subdivision is located at approximately 3635 E Nordic Valley Way, Eden, UT 84310 and is in the FV-3 Zone.

The proposed Lot 126 will consist of 1.39 acres. The proposed subdivision amendment is the result of a lot combination, for tax purposes only, that took place in November 2005. The subdivision and lot configurations were established at a time prior to the establishment of zoning in the Ogden Valley, and are therefore considered conforming to lot size standards in the FV-3 zone. The proposed subdivision meets all other applicable subdivision requirements as required in the Uniform Land Use Code of Weber County, Utah (LUC).

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing residential areas.

Zoning: The subject property is located in the Ogden Valley Forest Valley Zone more particularly described as the FV-3 zone. The purpose and intent of the FV-3 zone is identified in the LUC §104-6-1 as:

"The purpose of the Forest Valley Zone, FV-3 is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development."

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC Title 106, and the standards in the FV-3 zone in LUC Title 104 Chapter 14. Small subdivisions as defined in LUC §101-1-7 can be administratively approved per LUC §106-1-5(b)(1). The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. The proposed subdivision is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: The FV-3 Zone has a minimum lot area of 150 feet and a minimum lot width of 3 acres per LUC §104-14-5 for a single family residential dwelling. The proposed lot has approximately width/frontage of 202.5 feet. There is an existing residential dwelling on the lot; therefore the following development standards have been reviewed as part of the subdivision process to ensure that the existing structures will not become nonconforming (see Exhibit B). If additional structures are to be constructed the following standards will need to be addressed upon submittal for a building permit (accessory use – small accessory buildings):

- Front yard setback: 30 feet
- Side yard setback: 20 feet
- Rear yard setback: 10 feet
- Accessory building height: 25 feet

The proposed lot configuration meets the width standards in the FV-3 Zone. The lot does not have adequate area for the FV-3 zone; however, per LUC §108-12-11(2):

"Any lot legally platted within the bounds of a subdivision that was created pursuant to the standards of the zoning code and subdivision code in effect at the time of its creation, but no longer complies due to subsequent changes to these codes, may be amended pursuant to the minimum standards in effect at the time of its creation. The amendment shall not create any new lots. An amended plat shall be required."

The proposed lot meets this requirement and is considered a legal nonconforming lot (see Exhibit A).

Review Agencies: The Weber Fire District has reviewed and approved the proposed subdivision amendment. To date, the Weber County Engineering Division has reviewed, but not yet approved, the proposed subdivision amendment. The Weber County Surveyor's office has not yet reviewed the proposal. All review agency requirements, will need to be met prior to recording the mylar for this subdivision amendment.

Additional design standards and requirements: There may be additional site preparation in conjunction with an approved building permit. The proposed subdivision does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes are not considered due at this time but will become due in full on November 30, 2018.

Public Notice: The required noticing for the subdivision plat amendments 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).

Staff Recommendation

Staff recommends final approval of the Silver Bell Estates No. 1, 4th Amendment, a one lot subdivision consisting of the existing Lot 38, and the southeasterly 67.5 feet of Lot 37 in Silver Bell Estates No. 1. This recommendation for approval is subject to all applicable review agency requirements and is based on the following findings:

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

Administrative Approval

Administrative final plat approval of Silver Bell Estates No. 1, 4th Amendment, a one lot subdivision consisting of the existing Lot 38, and the southeasterly 67.5 feet of Lot 37 in Silver Bell Estates No. 1, is hereby granted based upon its compliance with the Uniform Land Use Code of Weber County, Utah. This approval is subject to the requirements of applicable review agencies and is based on the findings listed in this staff report.

Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

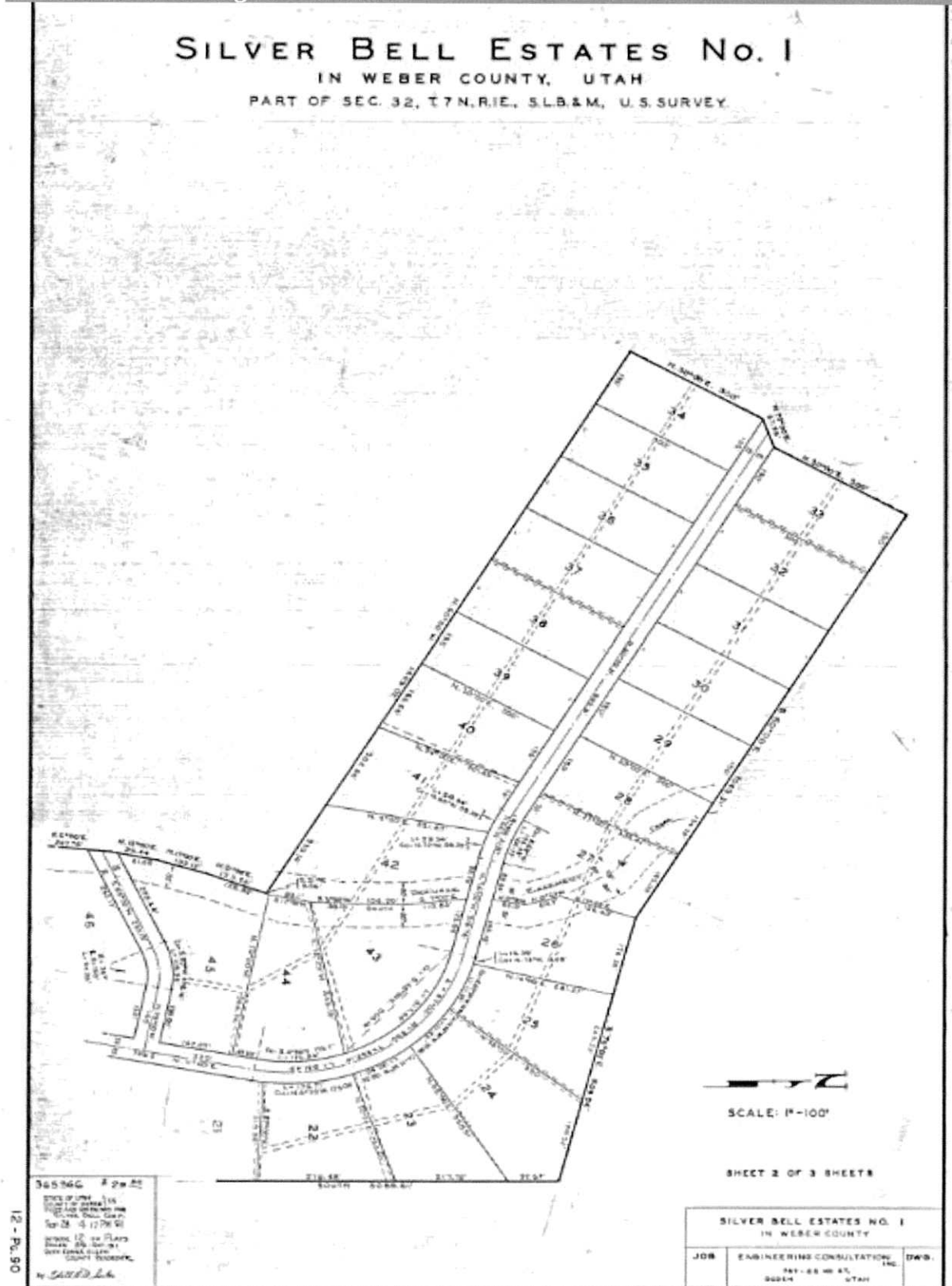
Exhibits

- A. Original Subdivision Plat
- B. Proposed Subdivision Plat

Map 1

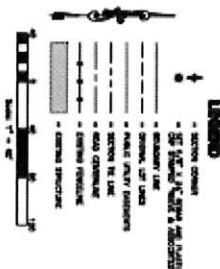


Exhibit A: Plat of Original Subdivision



SILVER BELL ESTATES NO. 1, 4TH AMENDMENT

ADJACENT ALL OF LOT 37 AND THE SOUTHWESTLY 67.5 FEET OF LOT 32, BLVDER HILL ESTATES NO. 1
PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, S&T L&B B&S AND MERRILL, N.T. SURVEY
BENEFIT COUNTY, UTAH
NOVEMBER, 2017

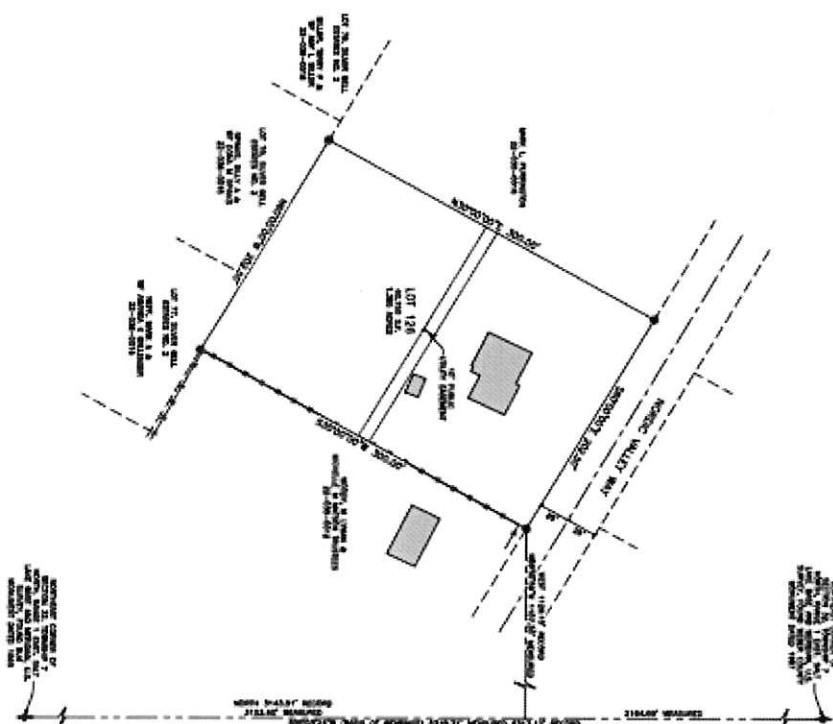


SALES BY TYPE

THE PUMPING OF THIS FLUID IS TO OCCUR IN A SERIES OF STEPS. FLUID IS FIRST PULSED INTO THE PUMP BY DISCHARGE AIR, BY LETTING THE DISCHARGE VALVE OPEN FOR 10 SECONDS. ALL DISCHARGE CONNECTIONS MUST BE OPEN. A 3/4" x 24" PUMP AND PUMPING CYCLE EXAMPLE: "WELL & MOUNTAIN".

[illegible]

NO DISCOUNT FOR MONDAY EVENING. THE PUBLIC MUST PURCHASE THE CORNED BEEF WELL IN ADVANCE. THE CORNED BEEF WILL BE AVAILABLE FROM 7:00 AM TO 10:00 PM ON MONDAY EVENING, MAY 1.



<p>FINANCIAL COMPANY INFORMATION</p> <p>NAME OF FINANCIAL COMPANY: _____</p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____</p> <p>DATE OF REPORT: _____</p>	<p>FINANCIAL COMPANY INFORMATION</p> <p>NAME OF FINANCIAL COMPANY: _____</p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____</p> <p>DATE OF REPORT: _____</p>	<p>FINANCIAL COMPANY INFORMATION</p> <p>NAME OF FINANCIAL COMPANY: _____</p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____</p> <p>DATE OF REPORT: _____</p>	<p>FINANCIAL COMPANY INFORMATION</p> <p>NAME OF FINANCIAL COMPANY: _____</p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____</p> <p>DATE OF REPORT: _____</p>
---	---	---	---

[illegible]

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-108
INSTRUCTIONS

1. Fill in type of contract or purchase order.
2. Fill in number of contract or purchase order.
3. Fill in date of contract or purchase order.
4. Fill in name of contracting agency.
5. Fill in name of contractor.
6. Fill in address of contractor.
7. Fill in city and state of contractor.
8. Fill in zip code of contractor.
9. Fill in name of buyer.
10. Fill in title of buyer.
11. Fill in office of buyer.
12. Fill in telephone number of buyer.
13. Fill in fax number of buyer.
14. Fill in e-mail address of buyer.
15. Fill in internet address of buyer.

[illegible][illegible]

Reeve
Associates, Inc.
10000 Wilshire Blvd., Suite 1000
Beverly Hills, CA 90210
Tel: 310/276-0000
Fax: 310/276-0001
Web: www.reeveassociates.com

What's Going On?
 Every day, we have a lot of people who are looking for a job. They are looking for a job that will pay them well, that will give them a good chance of advancement, and that will give them a good chance of making a difference in the world. They are looking for a job that will give them a good chance of making a difference in the world.



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on Hessel-Hatton Subdivision, 2nd Amendment, a 1-lot subdivision consisting of 8.5931 acres. The subdivision name will be changed, with the recording of the final plat, to Mark and Susan Lackey Subdivision.

Agenda Date: TBD

Applicant: Mark & Susan Lackey

File Number: UVH040918

Property Information

Approximate Address: 5900 East Old Snow Basin Road, Eden, UT, 84310

Project Area: 8.5931 Acres

Zoning: Forest Valley Zone (FV-3)

Existing Land Use: Vacant

Proposed Land Use: Vacant/Residential

Parcel ID: 20-035-0084

Township, Range, Section: T6N, R1E, Section 23 SE

Adjacent Land Use

North:	Residential	South:	Vacant Residential
East:	Vacant Residential	West:	Old Snow Basin Road

Staff Information

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

Report Reviewer: RK

Applicable Land Use Codes

- Title 101 General Provisions, Section 7, Definitions
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 104 (Zones) Chapter 14 (Forest Valley FV-3 Zone)

Background

8/18/1994: Dedication Plat recorded for Hesselgesser-Hatton Subdivision.

10/24/2016: A small portion of the Hesselgesser-Hatton Subdivision was deeded to Dutson Subdivision.

2/16/2017: Notice of Non-Compliance recorded by Weber County Planning Division.

4/9/2018: Subdivision application submitted.

Analysis

General Plan: The proposed subdivision adheres to the general plan by utilizing "subdivision tools that provide design and regulations that decrease the required subdivision infrastructure, such as a decreased right-of-way or road cross section, in exchange for meaningful voluntary reductions of development units. Such decreased infrastructure should be privately owned". (See page 15 in the 2016 Ogden Valley General Plan)

Zoning: The subject property is located in the Forest Valley (FV-3) Zone. The purposed of the forest zones in the LUC § 104-14-1 is:

"The purpose of the Forest Valley Zone, FV-3 is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development."

Lot area, width, and yard regulations: The site development standards for the FV-3 zone require a minimum lot area of 3 acres and a minimum lot width of 150 feet, except the width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up on one-third provided the lot has the required lot width at a distance of 70 feet back from the front lot line. The proposal meets the minimum area and width per LUC § 104-14-5.

The property is currently vacant; upon construction of the single family dwelling, the following minimum yard setbacks will

be required:

Front yard: 30'

Side yard: 20'

Rear yard: 30'

Culinary and Sanitary sewage disposal: A feasibility letter from the Weber Morgan Health Department has been provided for the wastewater disposal systems and a water allotment has been granted by Weber Basin Water Conservancy District for the proposed subdivision. A test pit needs to be included on the final plat. The feasibility letter is dated July 13, 2017; this letter has an 18 month expiration date from the date it was issued.

Natural Hazards: This lot is currently located in a natural hazard area, as defined in Weber County's Land Use Code. As such, a geologic hazards assessment report, as well as a geotechnical reconnaissance will be required (LUC §108-22-3), when a building permit application is submitted for this lot. The lot shall be recorded with a final mylar showing a designation of 'N' following the lot number (Ex: Lot 2-N). This indication of the lot's location in a natural hazard area will notify property owners of the need for additional reports required for future development of this parcel. A note recorded on the final mylar will also indicate this (see conditions of approval at bottom of this report).

Review Agencies: The proposed subdivision amendment has been reviewed, but not yet approved, by the County Surveyor. Approval will be granted upon recording of a record of survey. The following review agencies have approved this project: Weber County Engineering, Weber Fire District, as well as the Weber County Treasurer's Office.

Tax Clearance: The 2017 property taxes have been paid in full. The 2018 property taxes will be due in full November 30, 2018.

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

Staff Recommendation

Staff recommends final approval of the Hesselgesser-Hatton Subdivision, 2nd Amendment, a one lot subdivision. This recommendation for approval is subject to all review agency requirements as well as the following conditions:

1. The test pit for the Hesselgesser-Hatton Subdivision, 2nd Amendment, as well as all soil test requirements set forth by the Weber Morgan Health Department must be shown on the final plat.
2. Plat note number 5 must be amended to state the following: "Lot(s) _____ is (are) located within a natural hazard study area, as defined in Weber County's Land Use Code. A natural hazard study and report will be required, as provided by the Land Use Code, prior to any building or development."
3. The current lot number may be used, as the subdivision name will be changed, with the recording of the final plat, to Mark and Susan Lackey Subdivision; the lot number shall be followed by the letter 'N' (Ex: Lot 2-N) to indicate its location within a natural hazards study area.

This recommendation for approval is subject to all applicable review agency requirements and is based on the following findings:

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

Administrative Approval

Administrative final plat approval of Bud's Place Subdivision, a two lot subdivision consisting of approximately 5.53 acres, 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 is based on the findings listed in this staff report.

Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits

- A. Map of Location and Current Parcel Arrangement
- B. Subdivision Application
- C. Proposed Plat

Exhibit A-Location map and Current Parcel Arrangement



Exhibit B-Subdivision Application

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 <u>March 30, 2018</u>	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name <u>Hesselgesser - Hutton Subdivision (Amendment #1)</u>		Number of Lots <u>1</u>	
Approximate Address <u>5900 East Old Snowbasin Road</u>		Land Serial Number(s) <u>Now parcel # 20-035-0084</u> <u>Was Parcel # 20-035-0037</u>	
Current Zoning <u>Agricultural Land</u>	Total Acreage <u>~ 7.9 Acre</u>		
Culinary Water Provider <u>Private Well</u>	Secondary Water Provider	Wastewater Treatment	
Property Owner Contact Information			
Name of Property Owner(s) <u>Mark and Susan Lackey</u>		Mailing Address of Property Owner(s) <u>30 Ridge Crest Drive</u> <u>Fleetwood, PA 19522</u>	
Phone <u>610 944 1167</u> <u>484-256-5146 cell</u>		Fax <u>-</u>	
Email Address <u>mlackey@globaladvancedmetals.com</u>		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		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 <u>Landmark Surveying, Inc.</u>		Mailing Address of Surveyor/Engineer <u>Ernest D. Rowley</u> <u>4646 South 3500 West # A-3</u> <u>West Haven UT 84401</u>	
Phone <u>801-731-4075</u>		Fax	
Email Address <u>er_nest@landmarksurveyutah.com</u>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			
I (We) <u>Mark and Susan Lackey</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.			
<u>Mark Lackey</u> (Property Owner)		<u>Susan Lackey</u> (Property Owner)	
Subscribed and sworn to me this <u>30th</u> day of <u>March</u> , 20 <u>18</u>			
Commonwealth of Pennsylvania - Notary Seal Rhonda L. Farrier, Notary Public Berks County My commission expires February 10, 2022 Commission number 1222012 <u>Rhonda L. Farrier</u> (Notary)			

Exhibit C – Hesselgesser-Hatton Subdivision 2nd Amendment Plat

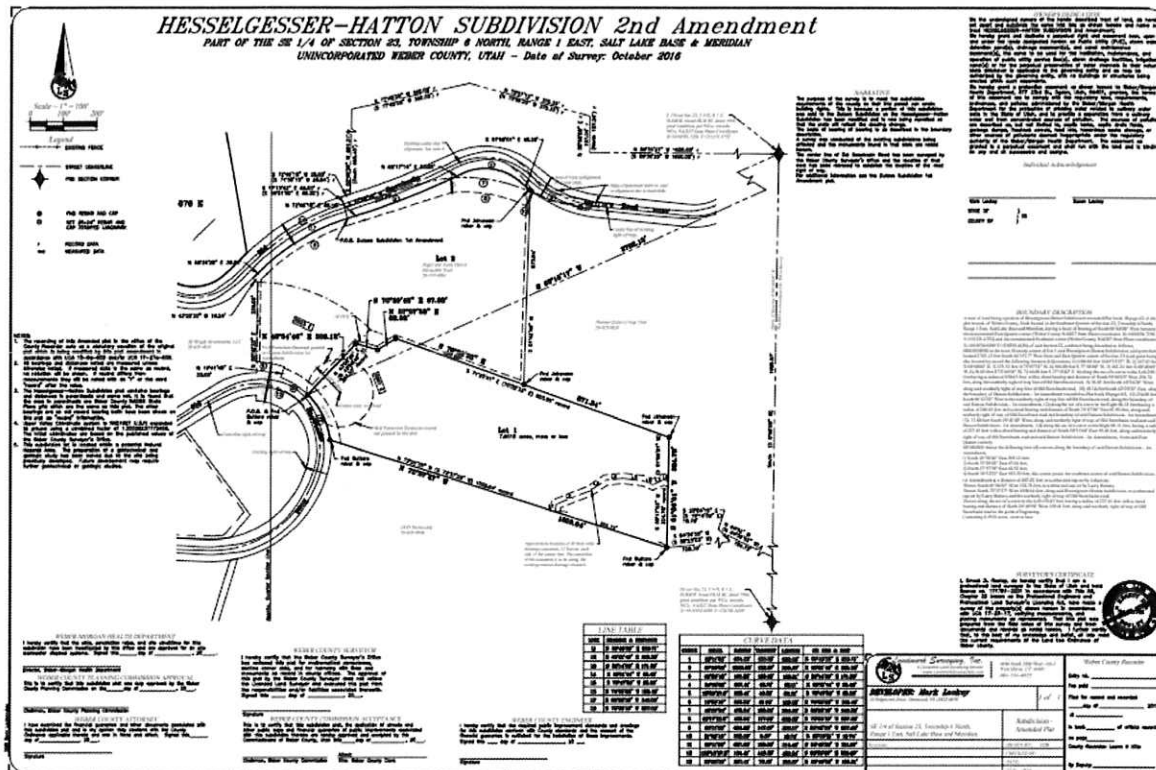
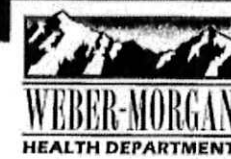


Exhibit D - Feasibility Letter

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



July 13, 2017

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

RE: Brack Thompson Property, 1 Lot
4805 E. 2925 N., Eden
Parcel #22-021-0042

Gentlemen:

The plans and supporting information for the above-referenced subdivision have been reviewed.

Culinary water will be provided by the Wolf Creek Water District, an extension of an existing approved community water system. **A letter from the water supplier is required.**

Soil characteristics, percolation rates of 30 MPI, and anticipated ground water tables not to exceed 48 inches, fall within the range of acceptability for the utilization of a Conventional Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches.

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 subdivision plats submitted for review are to show the location of exploration pits and percolation tests. Key number or letter designation will be provided by this office along with logs of soil horizons and final 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 R317-501 through R317-513, 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,

Craig Jorgensen, LEHS
Wastewater Program Office

CJ/gk