



WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

February 21, 2018

4:00-5:00 p.m.

1. Consideration and action on an administrative application for final approval of Marriott Family Farm Subdivision. Applicant; Jennifer Marriott.
2. Consideration and action on a request for approval of MWT Estates, a one lot subdivision. Applicant; Matthew Eric Toliver.
3. Consideration and action on the Drysdale Subdivision, a one lot subdivision consisting of 1 acre in the A-1 Zone. Applicant; Kirk Nelson
4. *Adjournment*

The meeting will be held in the Weber County Planning Division Conference Room, Suite 240, in the Weber Center, 2nd 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 Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application for final approval of Marriott Family Farm Subdivision.

Type of Decision: Administrative

Agenda Date: Wednesday, February 07, 2018

Applicant: Jennifer Marriott

File Number: UVM 011018

Property Information

Approximate Address: 5035 N 3300 E Liberty Utah 84310

Project Area: 5.5 acres

Zoning: Agricultural Valley (AV-3) Zone

Existing Land Use: Agricultural

Proposed Land Use: Residential

Parcel ID: 22-008-0002

Township, Range, Section: 7N 1E sec 18

Adjacent Land Use

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

Staff Information

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

Report Reviewer: RK

Applicable Ordinances

- Title 101-1-7 (Definitions)
- Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Title 106 (Subdivisions) Chapters 1-8

Background and Summary

The applicant is requesting approval of a one lot subdivision that will contain 5.5 acres that fronts directly on 3300 East Street. This one lot subdivision is being divided from a larger parent parcel that contains 24.4 acres. The remainder agricultural parcel that is not approved for development amounts to 17.50 acres.

This lot is located in the AV-3 Zone which requires a minimum lot width of 150 feet and a minimum area of 3 acres. Area fronting along 3300 East Street has already been dedicated as part of the future road widening to the County Standard 66 feet. Frontage distance along 3300 East measures 399.75 feet including an access restriction on the left fork of 3300 East Street and 5100 North Street (see Exhibit A). The remaining distance that the applicant may use for a driveway access measures 254.77 feet. Liberty Pipeline possesses an easement that is approximately 268 feet from the front property line adjacent to 3300 East Street.

Analysis

General Plan: This proposal is in conformity with Ogden Valley General Plan (OVGP) by encouraging low-density development that preserves open space and agricultural lands (see page 21 of the OVGP).

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."

Lot Area, Frontage Width and Yard Regulations: The area and width of lot 1 of Marriott Family Farm Subdivision have been shown to exceed the minimum required for the AV-3 Zone.

"Lot, frontage. The term *"frontage lot"* means all the property fronting or abutting one side of the street and/or right-of-way. No lot shall utilize any part of the temporary end or dead end of a street for *frontage*. At no point shall the *frontage* be less than 50 feet, and shall meet the lot width at the front yard setback."

The Yard Regulations for the AV-3 zone are as follows:

Front: 30 feet

Side: 10 feet with a total of two side yards not less than 24 feet

Rear: 30 feet

This proposal will not create any encroachments into the required minimum yard setbacks.

Small Subdivision: The Weber County Land Use Code Title 101 defines "small subdivision" as "A subdivision consisting of five (5) or fewer lots and for which no streets will be created or realigned." This subdivision consists of one lot and no new streets are being created or realigned. The Land Use Code (Subdivisions) also states "With the exception of small subdivisions, the preliminary plan/plat including the phasing plan shall be presented to the Land Use Authority, in this section Planning Commission, for their determination, based upon compliance with applicable ordinances." Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Culinary Water: Liberty Pipeline (LPC) has provided a will serve letter that states the applicant must obtain 1.25 acres feet of water from Weber Basin Water Conservancy District with the following conditions:

1. The LPC must be shown as a joint owner of the water right.
2. The property owner must obtain an Exchange Application from the Utah State Engineer approving the diversion of Weber Basin water supply. The application must show LPC as a joint owner.
3. The owner must petition the board for a new hook-up. Upon approval, connection fees must be paid.

Sanitary System: Weber-Morgan Health Department has approved the placement of a Wisconsin Mound type septic system. The Health Department will sign the Mylar showing the location of exploration pits and percolation tests as well as documented soil horizons and percolation rates.

Review Agencies: The proposed subdivision has been reviewed by Surveying, Engineering, and Planning. These reviews have specific requirements that must be met prior to recording the final Mylar. The Weber County Fire Marshal has not posted a review yet.

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 notice for the 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).

Staff Recommendations

Staff recommends final approval of Marriott Family Farm Subdivision based on the following conditions:

1. The property owner will adhere to Liberty Pipeline Company's conditions for a culinary water connection.
2. Prior to recording the final Mylar, all conditions required by Weber County reviewing agencies must 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 ordinances.

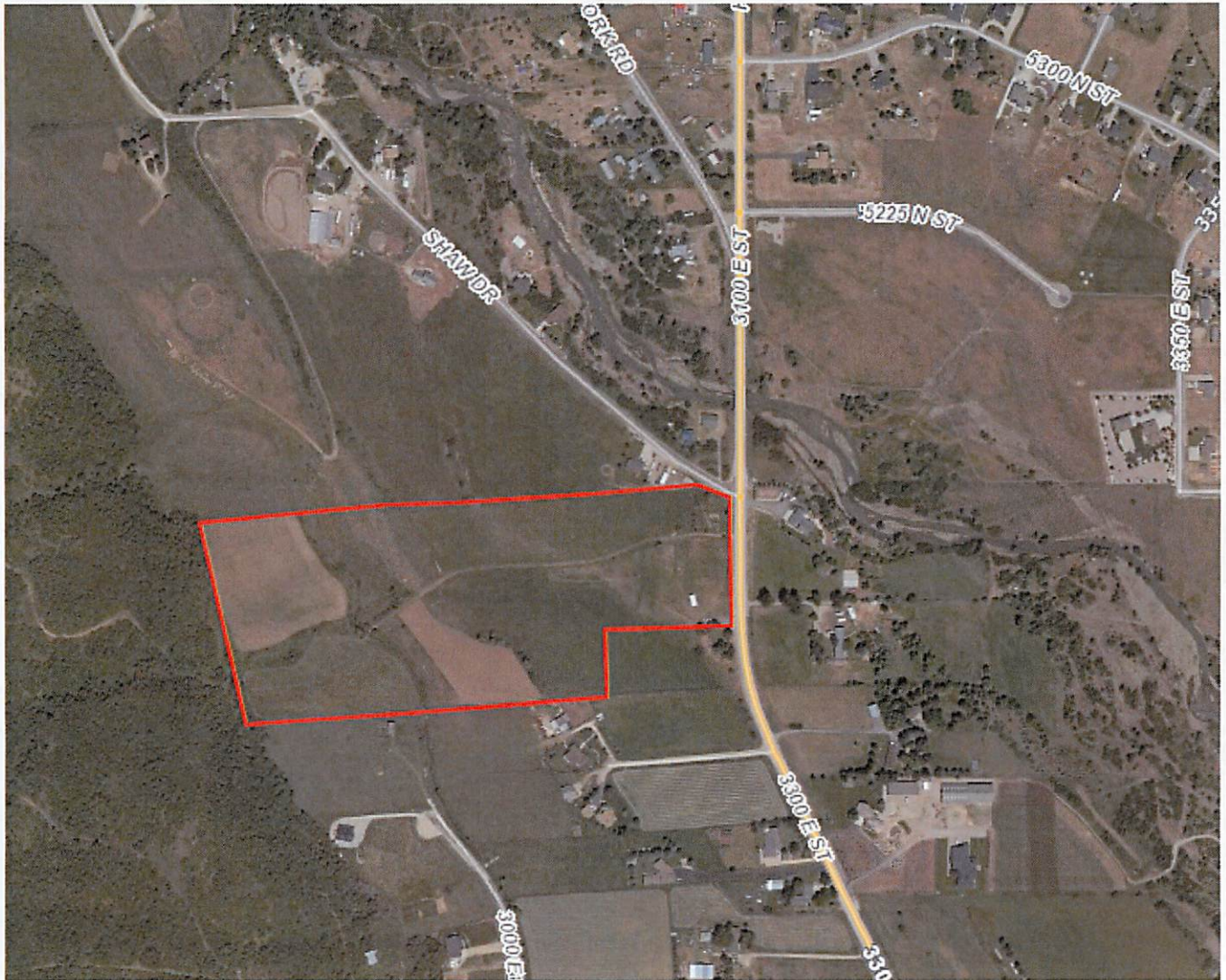
Administrative Approval

Administrative final approval of Marriott Family Farm 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

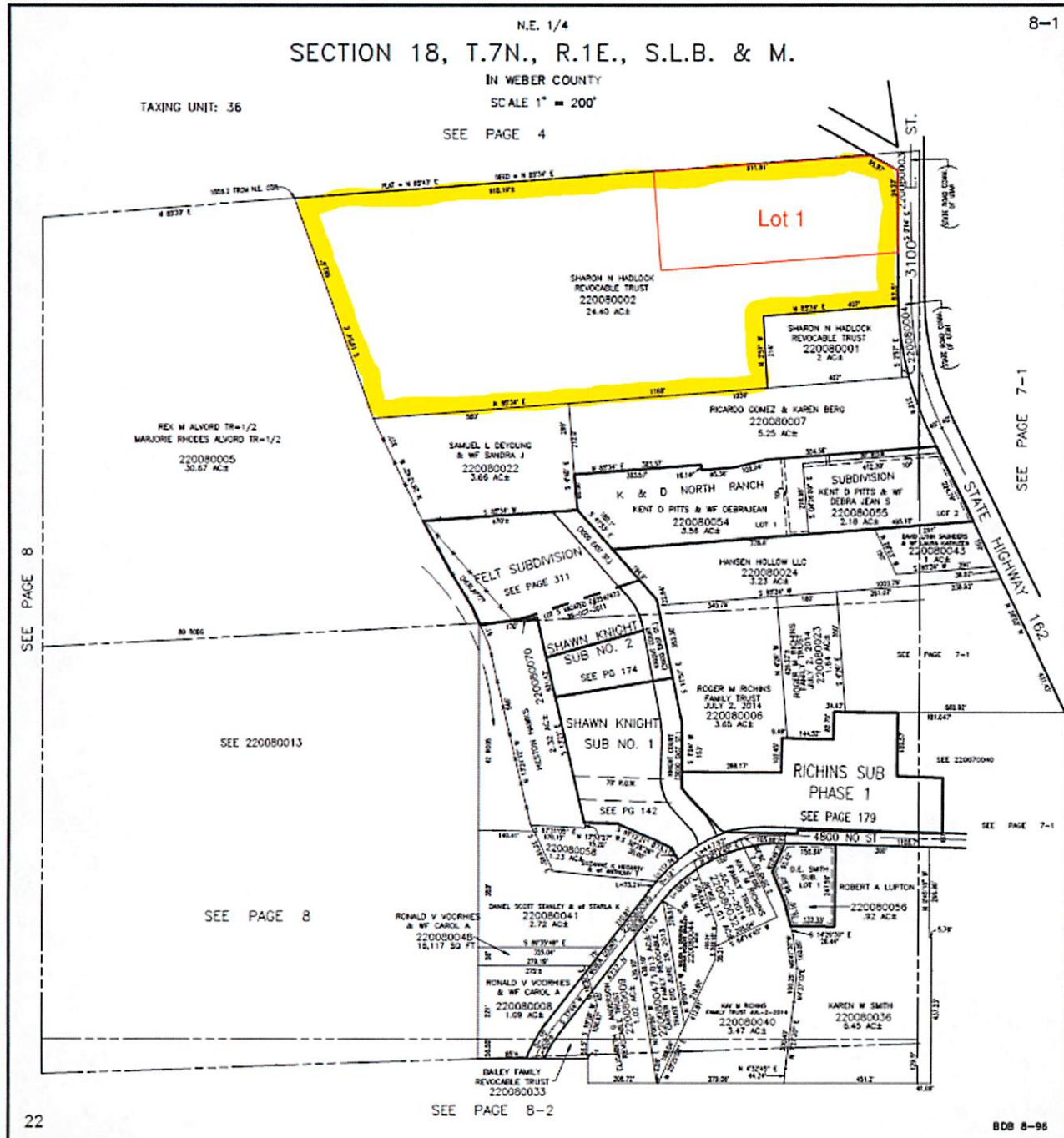
Area Map



Exhibits

- A. Marriott Family Farm Subdivision Plat
- B. Current Recorder's plat
- C. Liberty Pipeline will-serve letter
- D. Health Department Feasibility Letter

[illegible]





Liberty Pipeline Company



PO Box 1200
Liberty, Utah 84310

801-745-2088
Jodi@Libertypipelinecompany.com

October 25, 2017

RE: Can serve letter for 22-008-0002

It is the policy of Liberty Pipeline Company ("Liberty") that all water service requirements must be met before Liberty will provide a Will-Serve letter to Weber County guaranteeing water service. Before Liberty can provide culinary water service to parcel ID 22-008-0002, the following steps must be completed:

1. The Property owner must obtain a water right contract with Weber Basin Water Conservancy District for 1.25 acre feet of water. Liberty must be shown as a joint owner of the water right. The Property owner must authorize Weber County to collect the annual assessment for the Weber Basin Water Conservancy District share through its taxing authority.
2. The Property owner must obtain an approved Exchange Application from the Utah State Engineer approving the diversion of the water available under the Weber Basin Water Conservancy District contract from the Liberty well for use on the Property. Liberty must be shown as a joint owner of the Exchange Application.
3. It is LPC's policy to allow 6 new hookups per year. The owner must petition the board for a new hook up and if it's approved then the Property owner must pay Liberty's connection fee of \$3,976.35, and impact fee of \$14,400.00. Upon payment of the connection fee, the Property owner will be granted one book entry share of Liberty Pipeline Company stock and will be a member of Liberty subject to all of the Company rules and regulations and will have one right to vote.

When these steps have been completed and the Property owner provides the appropriate documentation to Liberty, Liberty will prepare a Will-Serve letter to be submitted to Weber County.

At no time will the Property owner, contractor, plumber, or any other person use a "direct-connect" or "jumper" to gain access to Liberty water without fully satisfying the foregoing requirements. Such action constitutes theft and will be reported.

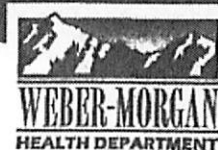
It is the understanding of Liberty that all water mains and laterals required to serve the Property have been constructed and dedicated to Liberty. Liberty will not install water mains or laterals to the Property nor will it install the service line from the water meter to the point of use. *[If the connection requires water line to be installed and dedicated to the Company this should be included in the steps to be completed].*

The Property owner remains solely responsible for meeting Weber County requirements for fire hydrants and other fire protection measures.

Jodi Davis
Secretary/Treasurer

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

November 13, 2017



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

RE: Jennifer Marriott
5035 N 3300 E (Field next to home-north side), Liberty
Parcel #22-008-0002
Soil log #14525

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by Liberty Pipeline Water Improvement District, an extension of an existing approved non-community water system. **A letter from the water supplier is required prior to issuance of a permit**

DESIGN REQUIREMENTS

Test Pit#3-Anticipated ground water tables not to exceed 45 inches, fall within the range of acceptability for the utilization of a Wisconsin Mound Treatment System as a means of wastewater disposal. Maximum trench depth is limited to 0 inches. The absorption field is to be designed using a maximum loading rate of 0.32 gal/sq. ft./day as required for the gravelly sandy loam, granular 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.

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,

Craig Jorgensen, LEHS
Environmental Health Division
801-399-7160

CJ/gk

EDUCATE | ENGAGE | EMPOWER

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



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 MWT Estates, a one lot subdivision.
Agenda Date: Wednesday, February 21, 2018
Applicant: Matthew Eric Toliver, owner
File Number: UVM 110317

Property Information

Approximate Address: 6045 East Old Snowbasin Road
Project Area: 9.859 Acres
Zoning: Forest Valley 3 (FV-3)
Existing Land Use: Vacant
Proposed Land Use: Residential
Parcel ID: 20-035-0039
Township, Range, Section: T6N, R1E, Sections 23

Adjacent Land Use

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

Staff Information

Report Presenter: Felix Lleverino
fleverino@co.weber.ut.us
801-399-8767
Report Reviewer: RK

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 14 (Forest Valley Zone, FV-3)
- Title 104 (Zones) Chapter 28 (Ogden Valley Sensitive Lands Overlay District)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)
- Title 108 (Standards) Chapter 14 (Hillside Development Review Procedure and Standards)
- Title 108 (Standards) Chapter 18 (Drinking Water Source Protection)
- Title 108 (Standards) Chapter 22 (Natural Hazard Areas)

Development History

Alternative Access approval was granted on March 8, 2017, after the applicant has shown that the private access road will meet all the criteria for an access by private right of way. The report is available at the Weber County Planning Office under file number AAE 2017-01.

Background and Summary

The applicant is requesting approval of a one lot subdivision that will gain access from Old Snowbasin Road and will utilize a 50-foot access easement that provides a means to access properties that are well removed from Old Snowbasin Road. The prior private access road had a width of 10 feet. The applicant has recently improved an existing dirt road by bringing it up to County Standards and widening it to a 12-foot travel surface, which will serve as the primary access to a 9.8-acre parcel. The access road length is approximately 1,166 feet. The property is located in the Forest Valley FV-3 Zone at approximately 6045 East Old Snowbasin Road.

As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the FV-3 zone found in LUC §104-14. The following section is a brief analysis of this project against current land use regulations.

Analysis

General Plan: This proposal is in conformity with Ogden Valley General Plan (OVGP) by encouraging low-density development that preserves open space (see page 21 of the OVGP).

Zoning: The property is located in the FV-3 Zone. The purpose of this zone is stated in the LUC §104-14-1.

"The purpose of the Forest Valley Zone, FV-3 is to provide an 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."

Small Subdivision: "The planning Director is delegated administrative authority to approve small subdivisions if in his discretion there are no conditions which warrant its submittal to the planning commission LUC §106-1-8 (f))." This proposal qualifies as a small subdivision consisting of three or fewer lots for which no new streets are being created or realigned.

Drinking Water Source Protection Zone: This proposal is located within a Drinking Water Source Protection Zone #3. The prohibited uses within these zones may be found in LUC §108-18-6. The intention of the landowner is to build a home and pursue residential type uses which are permitted.

Natural Hazards: A Geotechnical and Geologic Hazard Investigation has been prepared by IGES Dated July 19, 2017, with the Project Number 02489-001. Page 17 the investigation states that "Based on the subsurface conditions encountered at the site, it is our opinion that the subject site is suitable for the proposed development, provided that the recommendations presented in this report are implemented into the design and construction of the project." The report stated that there are two types of hazard with a rating of "moderate to high" that exist on the site, the first of which is Landslide/mass movement, and second is Debris-flow and flooding that applies to the private road/driveway that crosses both drainages and may be subject to occasional flooding events (see page 13 of the report). Both Landslide/mass movement and Debris-flow and flooding are not present within the proposed building site.

Building Site: The applicant has provided a slope analysis showing where the buildable area is located (see Exhibit B). There will be a buildable area placed within the lot where all construction is required to stay within. There will also be a note placed on the plat for purchasers of the lot stating that development shall take place only within such designated areas. This requirement comes from LUC§106-1-8 (c)(4)(b).

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

Sensitive Lands: There are two natural ephemeral streams that will be crossed during the construction of the private access road. Daren Rasmussen from State of Utah Dam Safety and Stream Alteration Division of Water Rights has provided information regarding the need for a stream alteration permit (see Exhibit F). "No Stream Alteration permit is required for the East and Middle Fork segments of Smith Creek (Weber County)."

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.

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 provided a feasibility letter showing two test pit locations are within the range of acceptability for utilization of a packed bed media system. Included within the soil report is a paragraph mentioning that this proposal will not be granted final approval until that site meets the requirement of having at least 20,000 square feet of buildable area with a slope of less than 25 percent. However, the Geologic Report does not recommend excavation on the site until the time of construction. Being sensitive to that recommendation, "The property owner has been granted consideration at this time, on the time frame to complete the grading, due to supplemented information supplied by Hansen and Associates, Inc letter dated July 18, 2017, in which the erosion concerns associated with the construction are outlined." There is a suitable location that is relatively flat and will contain an area that will achieve the 20,000 sq ft. area requirement for the drain field." Once grading is complete, the Health Department will require a post grading slope map and calculation to ensure that the drain field is compliant.

Review Agencies: The Weber County Fire District has conditionally approved this proposal with a requirement that the applicant submits a written response to a series of questions. Weber County Planning Division and Weber County Engineering Department have submitted reviews that will need to be addressed by a revised subdivision plat.

Public Notice: Noticing was provided to all property owners of record within 500 feet of the subject property.

Staff Recommendation

Staff recommends final plat approval of MWT Estates, consisting of 1 lot. 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.
2. The applicant will provide to the Health Department with a post grading slope map.
3. The following note regarding buildable area shall be placed on the plat:
 - "All construction is to take place within the designated buildable area."

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 MWT Estates, consisting of 1 lot, 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. MWT Estates Subdivision Plat
- B. Slope Analysis
- C. Current Recorders Plat
- D. Health Department feasibility letters
- E. Letter from Hansen and Associates concerning septic system and excavation
- F. State of Utah Dam Safety and Stream Alteration Division of Water Rights letter
- G. Stream alteration waiver

Area Map



PART OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 1 EAST
SALT LAKE BASIN AND MERIDIAN, U.S. SURVEY
DISTRICT OF HUNTSVILLE, WEBER COUNTY, UTAH
JANUARY, 2018



Boundary Description

SECTION 10, TOWNSHIP 33 NORTH, RANGE 1 EAST, SALT LAKE BASIN AND NEARBY U.S. SURVEY SECTION BETWEEN AS 109°40'46" WEST STATE HIGHWAY 63 PER BUTTE COUNTY SURVEY

[illegible][illegible][illegible]

ALL THE UNDEVELOPED PORTIONS OF THE HEREIN DESCRIBED TRACT OF LAND, TO WIT: THE
 ABOUT AND SITUATION OF THE SAME INTO A LOT AS SHOWN ON THE PLAN AND HAVE SAID
 TRACT MAP 202-282855-0000

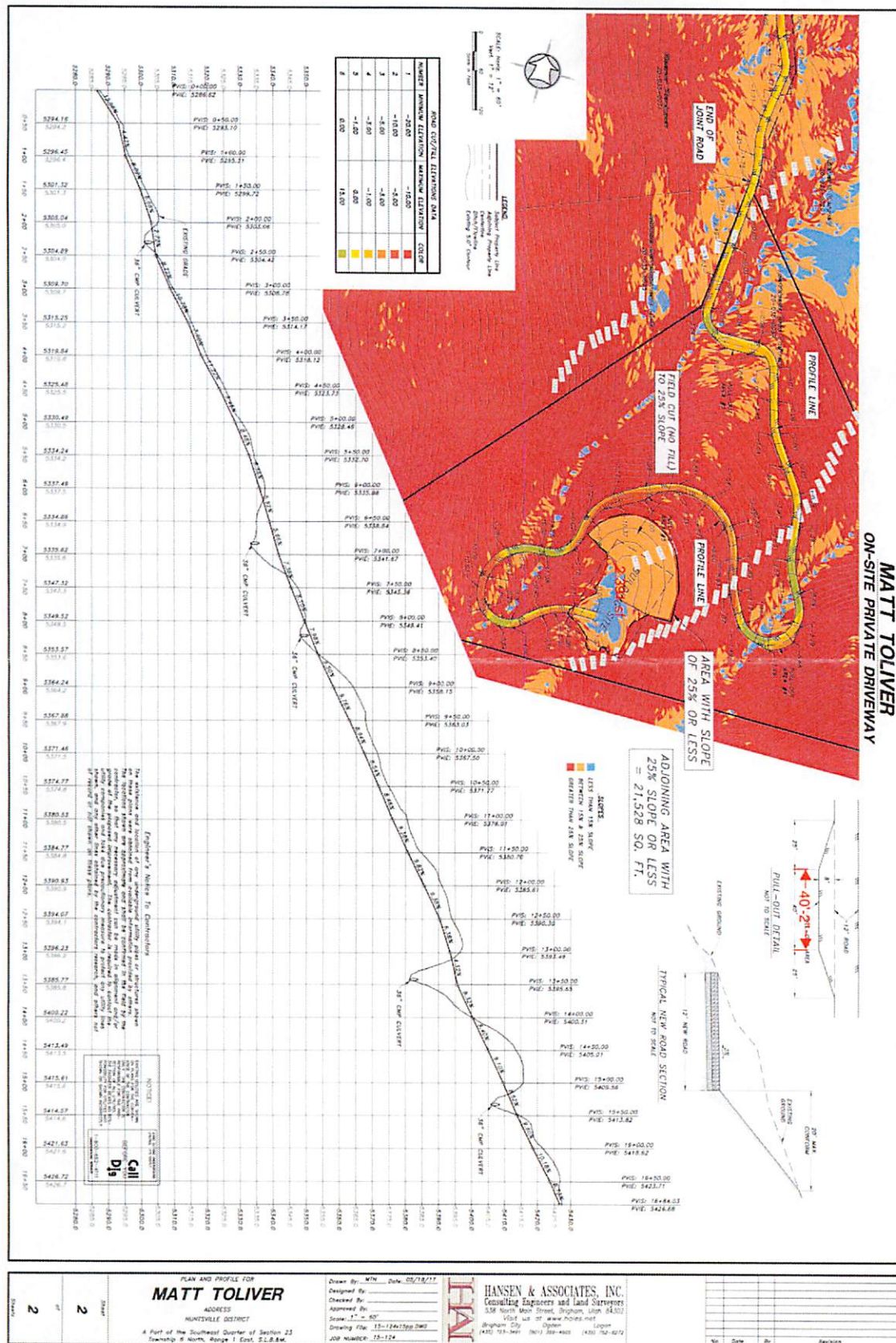
2024-07-24 15:05 DAY OF JULY 20

DATE OF INFO: 105
COUNTRY OF ORIGIN: 105
ON THE DATE OF: 70
PERSONALLY ADVISED: (b6)
REPORT OF THE INVESTIGATOR: (b6)
SUBJECTS OF THE ABOVE COVERED LITERATURE AND INFORMATION, AND BEING TO BE DELIVERED AND COMMITTED TO ME
FOR THE COPIES OF THE INFORMATION

START OF UTM }
COUNT OF }
ON THE DATE OF 20- SPECIALLY MARKED
BETWEEN 441, THE DISTANCE FROM
THE END OF THE OLD ROAD, AS INDICATED IN THE
AND THE DISTANCE FROM THE END OF THE OLD
THE ABOVE CHANGING OF THE DISTANCE FROM THE
THE ABOVE CHANGING OF THE DISTANCE FROM THE

Name: _____
 Date: _____
 Page: _____
 Chapter: _____
 Section: _____
 Topic: _____
 Subtopic: _____
 Objective: _____
 Learning Outcomes: _____
 Assessment: _____
 Reflection: _____
 Signature: _____
 Date: _____

[illegible][illegible]



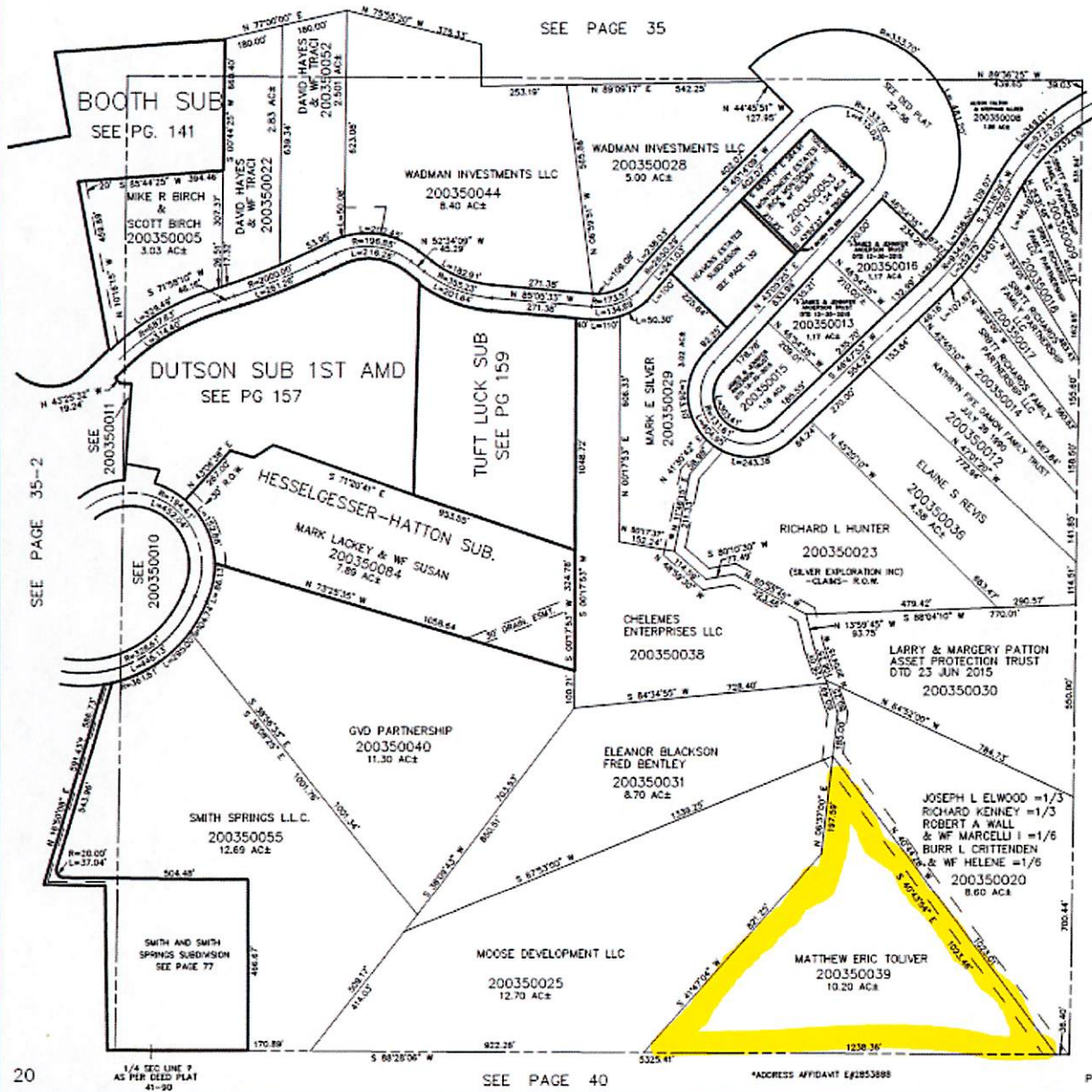
35-1

S.E. 1/4
SECTION 23, T.6N., R.1E., S.L.B. & M.
HUNTSVILLE DISTRICT

TAXING UNIT: 58

SCALE 1"=200'

SEE PAGE 35



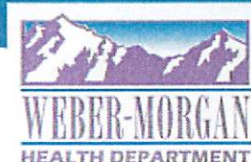
20

SEE PAGE 40

*ADDRESS AFFIDAVIT E#2853888

PW 2-97

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



October 11, 2017

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

RE: Matt Toliver Property
Approximately 5025 Old Snowbasin Road, Huntsville UT
Parcel #200350039
Soil log #14382

Gentlemen:

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on June 24, 2016. The exploration pit (s) 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 #TP lot 1 (UTM Zone 12T, Nad 83, 433024E 4565331N)
0-12" clay loam, granular structure, 3% gravel
12-53" clay loam, massive structure, mottling, 5% gravel
53-90" silty clay loam, massive structure, mottling

Exploration Pit #TP lot 2 (UTM Zone 12T, Nad 83, 433048E 4565321N)
0-17" clay loam, granular structure
17-57" clay loam, massive structure, mottling
57-78" silty clay loam, massive structure, mottling

Percolation test in the area of the soil test pits were witnessed by members of the Weber-Morgan Health Department Staff on September 28, 2017. The resulting percolation test results in the clay loam, massive Structure horizon were 90 minute per inch.

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 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.

Documented ground water tables not to exceed 17-22 inches, fall within the range of acceptability for the utilization of a Packed Bed Media Wastewater Disposal System followed by a Drip Irrigation absorption 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/sq. ft. /day as required for the clay loam, massive structure soil horizon. The site of the absorption system is limited to within 50 feet of the area evaluated for water table and soil feasibility

Additional Items of clarification:

At the time of this feasibility letter the site does not meet the minimum requirement established in the Weber-Morgan Health Department Onsite Wastewater Treatment System Regulation section 4.39, which requires that a minimum lot size shall consist of 20,000 square feet of contiguous buildable area with a slope less than 25

EDUCATE | ENGAGE | EMPOWER

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

percent. **Final approval of the onsite wastewater system will not be granted until the site meets this requirement.** In addition to the normal onsite wastewater installation inspection our offices will require a post grading slope map and calculation of contiguous area with 25% or less for review, and onsite verification of the graded site. The property owner has been granted consideration at this time, on the time frame to complete the grading, due to supplemented information supplied by Hansen and Associates, Inc letter dated July 18, 2017 in which the erosion concerns associated with construction are outlined.

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.

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,



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

Enclosure: Hansen and Associates, Inc letter dated July 18, 2017



Hansen and Associates, Inc.
Consulting Engineers & Land Surveyors

July 18, 2017

Brian Cowan
Weber County Environmental Health Department

Re: Toliver - 20,000 SF Building Area

Dear Brian,

This letter is submitted for the purpose of a variance to Section 4.19 regarding a 20,000 SF building pad aspect for the Toliver property in the Snow Basin area. The 10.2 acre parcel is known as tax id# 20-035-0039 and has some significant slopes with a rather singular area for a building site. The following items follow the Code variance section (attached).

- (4.19 D): This section speaks to a 20,000 SF lot size minimum. The understanding is that the applicant needs a variance for a temporary situation where the building site area with slopes less than 25% does not currently achieve a 20,000 SF footprint. An irony is that the drainfield system will be located far below the house at a relatively flat location - such would seem to be the more pertinent septic system element. The current building site area has a footprint of approximately 16,000 SF at a slope less than 25%. The variance request is not seeking a traditional request for a waiver of an item but rather just for timing. A professional geologist has declared that it "recommends that the building pad not be dozed until you are ready for construction (letter attached)." As part of the site grading at the appropriate time, grading activities will achieve the 20,000 SF building site parameter. There are erosion-inducing aspects if the site is graded prematurely, or at too late of a time this season. The request is not to be removed from the requirement but that a timing allowance be granted where the fulfillment of the 20,000 SF parameter is wisely coordinated with the actual pad development.
- (4.19 D-1): Actual pertinent septic system design will comply with R317-4.
- (4.19 D-2): The lot has existed prior to November 27, 2006.
- (4.19 D-3a): Technical justification letter by a Professional Geologist is attached.
- (4.19 D-3b): The variance matter has nothing to do with treatment technology.
- (4.19 D-3c): The singular building site precludes other site location options.
- (4.19 D-3d): Statement of hardship: To grade an area at this time in an area that has a very limited building window is environmentally (from an erosion control perspective) unwise. The desired cabin/house is slated for construction next year as processing hurdles have precluded this building season.
- (4.19 D-4): The applicant's request is justified in that the variance actually makes the site less of a risk by reducing the erosion-enhancing nature of an excavation project left unattended for a period of time.
- (4.19 D-5): The deed or covenant restriction in this case is immaterial in regards to the variance request, which speaks solely to a timing request for grading a building pad site. Domestic wastewater will be properly disposed of in the distant on-site leachfield area.
- (4.19 D-6): The opportunity to be heard regarding this variance request is appreciated.

538 North Main Street Brigham City, UT 84302 (435)723-3491

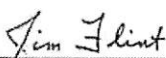
(4.19 D-7): It is understood that there may be requirements or conditions imposed per the variance request.

Please feel free to contact me should you have any questions.

Thank you for your time and consideration.

Respectfully,

Hansen & Associates, Inc.



Jim Flint, Project Engineer



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director State Engineer/Division Director

ORDER OF THE STATE ENGINEER

For Exchange Application Number 35-13214 (E5655)

Exchange Application Number 35-13214 (E5655) in the name of Matthew Eric Toliver, was filed on February 1, 2017, to exchange 1.00 acre-foot (af) of water as evidenced by Water Right Numbers 35-7397 (A10989) and 35-827 (A27608) owned by the U.S. Bureau of Reclamation and a contract (Number 73291 associated with Tax I.D. Number 20-035-0039) for its use with Weber Basin Water Conservancy District. The 1.00 acre-foot of water is to be released from Pineview Reservoir and, in lieu thereof, 1.00 acre-foot of water will be diverted from a well located North 105 feet and West 755 feet from the SE Corner of Section 23, T6N, R1E, SLB&M (8-inch well, 100-500 feet deep). The water is to be used for the irrigation of 0.1833 acre from April 1 to October 31 and year-round, indoor, domestic requirements of 1.00 equivalent domestic unit. The water is to be used in all or portion(s) of Sections 23, 25, & 26, T6N, R1E, SLB&M.

Notice of the exchange application was published in the Standard Examiner on February 9 and 16, 2017. No protests were received.

It is the opinion of the State Engineer that this exchange application can be approved without adversely affecting existing rights. The applicant is put on notice that diligence must be shown in pursuing the development of this application, which can be demonstrated by the completion of the project as proposed in the exchange application.

It is, therefore, **ORDERED** and Exchange Application Number 35-13214 (E5655) is hereby **APPROVED** subject to prior rights and the following conditions:

1. The basis for this exchange right is a contract between the applicant and Weber Basin Water Conservancy District. This contract must be maintained for this exchange to remain valid. No water may be withdrawn under this application if a contract is not in effect.
2. Total diversion under this exchange application is limited to 1.00 acre-foot (af) of water per year for the irrigation of 0.1833 acre (0.55 af) from April 1 to October 31 and year-round, indoor, domestic requirements of 1.00 equivalent domestic unit (0.45 af).
3. Section 73-5-4 of the Utah Code provides that "...a person using water in this state, except as provided by Subsection (4), shall construct or install and maintain controlling works and a measuring device at: (a) each location where water is diverted from a source; and (b) any other location required by the State Engineer." In the event that the State Engineer or an authorized representative is required to administer and/or distribute your water right, you will be notified in writing. At

ORDER OF THE STATE ENGINEER

Exchange Application Number

35-13214 (E5655)

Page 2

that time, if you have not already installed an adequate measuring device, you will be required to do so by a specific deadline. Instruction will also be given concerning any monitoring of your water diversion. Failure to comply could result in an order to cease the use of water and/or the revocation of this approval.

4. This approval is limited to the rights to divert and beneficially use water and does not grant any rights of access to, or use of land or facilities not owned by the applicant.
5. As noted, this approval is granted subject to prior rights. The applicant shall be liable to mitigate or provide compensation for any impairment of or interference with prior rights as such may be stipulated among parties or decreed by a court of competent jurisdiction.
6. The water being exchanged shall be released from Pineview Reservoir into Ogden River as called for by the river commissioner.

The applicant is strongly cautioned that other permits may be required before any development of this application can begin and it is the responsibility of the applicant to determine the applicability of and acquisition of such permits. Once all other permits have been acquired, this is your authority to develop the water under the above referenced application which under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water must be put to beneficial use and proof must be filed on or before June 30, 2022, or a request for extension of time must be acceptably filed; otherwise the application will be lapsed.

When the work is complete, an Affidavit of Beneficial Use may be submitted by an applicant without hiring a proof professional if it qualifies under statute. An affidavit qualifies if all of the following criteria are met:

- The water right is associated with a residence, either full- or part-time. (NOTE: Any irrigation or stock use on the affidavit must be associated with the residence.)
- The water use is for a quarter acre of irrigation or less.
- The water use is for the watering of ten head of livestock (or equivalent) or less.
- The water use does not include any uses in addition to the three listed above.

Under the authority of Section 73-3-20 of the Utah Code, the applicant is required to submit a proof of diversion and beneficial use of water upon 60 days notification by the State Engineer. The proof shall be in the same form and contain the same elements as required for appropriation or permanent change of water under Section 73-3-16 of the Utah Code Annotated.

ORDER OF THE STATE ENGINEER

Exchange Application Number

35-13214 (E5655)

Page 3

Proof of beneficial use is evidence to the State Engineer that the water has been fully placed to its intended beneficial use. By law, it must be prepared by a registered engineer or land surveyor, who will certify to the location, uses and extent of your water right.

Upon the submission of proof as required by Section 73-3-16, Utah Code, for this application, the applicant must identify every source of water used under this application and the amount of water used from that source. The proof must also show the capacity of the sources of supply and demonstrate that each source can provide the water claimed to be diverted under this right as well as all other water rights which may be approved to be diverted from those sources.

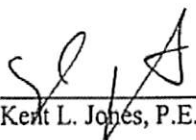
Failure on your part to comply with the requirements of the applicable statutes may result in the lapsing of this exchange application.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership. Additionally, if ownership of this water right or the property with which it is associated changes, the records of the Division of Water Rights should be updated. For assistance in updating title to the water right please contact the Division at the phone number below.

Your contact with this office, should you need it, is with the Weber River/Western Regional Office. The telephone number is 801-538-7240.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Order. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Order, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 14th day of June, 2017.


Kent L. Jones, P.E., State Engineer

Matt Toliver

From: Daren Rasmussen <darenrasmussen@utah.gov>
Sent: Thursday, April 20, 2017 3:41 PM
To: Matt Toliver
Cc: Daren Rasmussen
Subject: Re: Matt Toliver parcel pics up on old Snowbasin road.

Matt,

From the information, aerials, & photos that I have received and that the location is near the top of the respective drainages lacking defined bed & banks, it is determined that no State Stream Alteration Permit is required for the East and Middle Fork segments of Smith Creek (Weber County) on your property (near the coordinates Latitude/Longitude NAD83 -111.79838318684078 41.23666292561443 and Latitude/Longitude NAD83 -111.79940510847541 41.23664275558006).

*-Daren Rasmussen, State Engineer's Office, State of Utah Dam Safety & Stream Alterations
Division of Water Rights - Department of Natural Resources*

www.WaterRights.Utah.gov / 801-538-7377 office / 801-244-1748 mobile / DarenRasmussen@Utah.gov

Messages to and from this email address may be considered public records and thus subject to Utah GRAMA requirements.
If message is encrypted, you can contact me for any further clarification.

On Thu, Apr 20, 2017 at 1:53 PM, Matt Toliver <matt@modellinen.com> wrote:

Hi Daren.

Thanks for taking the time and talking with me today. I'll send a couple of e-mails with pictures of Smith Creek in various locations along my entire property. As you can see there really is no channel. My parcel number is 20-035-0039 so you could locate where I'm at. The county wants me to either get a letter from you or someone I guess you can put in touch with before they would approve a driveway into my property. Please let me know what you think and thanks again for your help. If you have any further questions please let me know at this e-mail or my phone is [1-801-430-1024](tel:1-801-430-1024).

Thanks

Matt Toliver



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on the Drysdale Subdivision, a one lot subdivision consisting of 1 acre in the A-1 zone.

Type of Decision: Administrative

Agenda Date: Wednesday, February 21, 2018

Applicant: Fred and Jean Drysdale – Owners

File Number: LVD120117

Property Information

Approximate Address: 1604 S 4700 W, UT, 84310

Project Area: 0.92 Acres

Zoning: A-1 Zone

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 15-054-0069

Township, Range, Section: Township 6 North, Range 2 West, Section 20

Adjacent Land Use

North:	Agricultural	South:	1800 S
East:	Residential	West:	Residential

Staff Information

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

Report Reviewer: RK

Applicable Ordinances

- Title 106, Chapter 2, Subdivision Standards.
- Title 106, Subdivisions, Chapter 1-8 as applicable

Development History

- 12/1/2017: Received application for Drysdale Subdivision Phase 2, creating 1 legal lot.
- 9/18/2007: Drysdale Subdivision, consisting of 1 lot recorded.

Background and Summary

The Planning Division recommends final approval of the Drysdale Subdivision Phase 2. The proposed subdivision is located at approximately 1604 S 4700 W, West Weber, UT 84401 and is in the A-1 zone. The proposed subdivision will consist of .92 acres. 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 West Weber General Plan by encouraging development within the existing residential areas.

Zoning: The subject property is located in the West Weber Agricultural Zone more particularly described as the A-1 zone. The purpose and intent of the A-1 zone is identified in the LUC §104-5-1 as:

"The purpose of the A-1 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."

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 A-1 zone in LUC Title 104 Chapter 5. Small subdivisions as defined in LUC §101-7 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 A-1 Zone has a minimum lot area or a minimum lot width requirement per LUC §104-14-5 for a single family residential dwelling. This lot has current frontage of approximately 202.5 feet, as well as an existing residential dwelling, therefore the following development standards will be reviewed upon submittal for a building permit (accessory use – small accessory buildings):

- Minimum lot area: 40,000 square feet
- Front yard setback: 30 feet
- Side yard setback: 10 feet with total width of 2 side yards not less than 24 feet
- Rear yard setback: 30 feet
- Main building height: 35 feet

The proposed lot configuration meets the width standards in the A-1 Zone.

Review Agencies: The Weber Fire District has reviewed and approved the proposed subdivision. To date, the Weber County Engineering Division has reviewed, and conditionally approved, the proposed subdivision. The Weber County Surveyor's office has also reviewed and approved the proposal. All review agency requirements, will need to be met prior to recording the mylar for this subdivision.

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 will be due 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).

Staff Recommendation

Staff recommends final approval of the Drysdale Subdivision Phase 2, a small subdivision consisting of 1 lot, This recommendation for approval is subject to all applicable review agency requirements, and based on the following conditions:

1. The approval, by the County Commission, of the dedication of a 33' right of way, along the entire Lot 2 frontage on 1800 South (see exhibit B).
- 2.

This recommendation is based on the following findings:

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

Administrative Approval



Administrative final plat approval of Silver Bell Estates No. 1, 4th Amendment, a small subdivision consisting of lot 38, to include as well as the southeasterly 67.5 feet of lot 37 in Silver Bell Estates No. 1, 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. Subdivision Application
- B. Proposed Subdivision Plat
- C. Soil Feasibility & Water Will Serve Letters

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 <u>Drysdale Subdivision</u>		Number of Lots <u>1</u>	
Approximate Address <u>East of 4700 W on 1800 S Taylor</u>		Land Serial Number(s) <u>15-054-0069</u>	
Current Zoning <u>A-1</u>	Total Acreage <u>1</u>		
Culinary Water Provider <u>Taylor-West Weber</u>	Secondary Water Provider	Wastewater Treatment	
Property Owner Contact Information			
Name of Property Owner(s) <u>Fred & Jean Drysdale</u>		Mailing Address of Property Owner(s) <u>1650 S. 4700 W. Ogden, UT 84401</u>	
Phone <u>801-644-6731</u>	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <u>jean.drysdale@mcn.com</u>			
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) <u>Kirk Nelson</u>		Mailing Address of Authorized Person <u>2336 S. 2975 W. West Haven, UT 84401</u>	
Phone <u>801-388-7894</u>	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <u>KirkNelson4@hotmail.com</u>			
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer <u>Landmark Surveying Inc.</u>		Mailing Address of Surveyor/Engineer <u>4646 S. 3500 W. #3 West Haven, UT 84401</u>	
Phone <u>801-731-4075</u>	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <u>tyler@landmarksurveyutah.com</u>			
Property Owner Affidavit			
<p>I (We), <u>Jean Marie Drysdale - Trustee</u> <u>Fred R. Drysdale - Trustee</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.</p> <p><u>Jean Marie Drysdale, Trustee</u> <u>Fred R. Drysdale, Trustee</u> (Property Owner) (Property Owner)</p> <p>Subscribed and sworn to me this <u>20</u> day of <u>Nov</u>, 20<u>17</u></p>			
		 (Notary)	

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

November 6, 2017

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that preliminary approval has been given to provide culinary water only for one lot for Kirk and Erin Nelson at the approximate address of 4500 West 1800 South in Taylor, Utah.

Requirements:

- *Water rights fee = \$4,363 or current cost when paid)
- *Secondary water = ½ share of Hooper Irrigation (in District's name) to be held by District for a pressurized system
- *Hookup/Impact fee = \$6,824 (or current cost when paid)

Final approval will be subject to meeting all of the requirements of the District and all fees/shares being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Val Surrage - Manager

VS/sph

Expires 05/06/18

November 01, 2017



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

RE: Kirk Nelson
East of 4700 W on 1800 S, Taylor
Parcel #15-054-0069
Soil log #14578

Gentlemen:

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on October 31, 2017. The exploration pit (s) 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, 408816 E 4565408 N)
0-15" Sandy loam, granular structure
15-45" Loamy fine sand, single grain structure

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 Taylor-West Weber Water Improvement District, an extension of an existing approved non-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 0.65 gal/sq. ft. /day as required for the sandy loam, granular 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.

All subdivision 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,

Brett Bunderson, LEHS
Environmental Health Division
801-399-7160

BB/gk

EDUCATE | ENGAGE | EMPOWER

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

Exhibit C: Soil Feasibility & Water Will Serve Letters

Authorized Representative Affidavit

Jean Marie Drysdale - Trustee
I (We), Fred R. Drysdale - Trustee, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s) Kirk Nelson & Erin Nelson, 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.

Jean Marie Drysdale, trustee
(Property Owner)

Fred R. Drysdale trustee
(Property Owner)

Dated this 30 day of Nov, 2017, personally appeared before me Jean Marie Drysdale & Fred Drysdale, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

[Signature]
(Notary)

