

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

April 16, 2018
1:00-2:00 p.m.

1. Consideration and action on final plat approval of Berg Subdivision, a two lot subdivision.
2. Request for approval of a 25 foot right of way easement as an alternative access to John Porter Subdivision, a one lot subdivision located at approximately 4794 E 2925 N, Eden.
3. Request for final approval of John Porter subdivision, a one lot subdivision located at approximately 4794 E 2925 N, Eden.
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 final plat approval of Berg Subdivision, a two lot subdivision.
Type of Decision: Administrative
Agenda Date: April 16, 2018
Owner: Brent & Renee Wagstaff
Applicant Agent: Edward & Rebecca Berg
File Number: LVB011618

Property Information

Approximate Address: 3156 West 1800 South, Ogden, UT, 84401
Project Area: 2.287 Acres
Zoning: A-2 Zones
Existing Land Use: Residential/Agricultural
Proposed Land Use: Residential
Parcel ID: 15-060-0003
Township, Range, Section: Township 6 North, Range 2 West, Section 22

Adjacent Land Use

North: Agricultural
East: Agricultural/Residential
South: 1800 South St.
West: Agricultural/Residential

Staff Information

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

Applicable Ordinances

- Weber County Land Use Code Title 106, Subdivisions, Chapter 1-8 as applicable
- Weber County Land Use Code Title 104 (Zones) Chapter 7 (A-2 Zone)
- Weber County Land Use Code Title 108, Flag Lot Access, Chapter 7

Development History

- Received application for Berg Subdivision 1/16/2018, a two lot subdivision consisting of 2.287 acres.
- Approved a request for an Alternative Access, located approximately 3176 West, 1800 South 9/29/2016.

Background and Summary

The Planning Division recommends final approval of the Berg Subdivision, a small subdivision consisting of two lots (see Exhibit A). The proposed subdivision is located at approximately 3156 W 1800 S Ogden, in the A-2 zone.

The proposed subdivision will consist of 2.86 acres. With the recommended conditions the proposed subdivision and lot configuration meets all other applicable subdivision requirements as required in the Uniform Land Use Code of Weber County (LUC).

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area.

Zoning: The subject property is located in the Agricultural Zone more particularly described as the A-2 zone. The purpose and intent of the A-2 zone is identified in the LUC §104-7-1 as:

"The purpose of the A-2 Zone is to designate farming areas where agricultural pursuits and the rural environment should be promoted and preserved."

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, and the standards in the A-2 zone in LUC §104-7. 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 following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: The A-2 Zone has a minimum lot area or a minimum lot width requirement per LUC §104-7-6 for a single family residential dwelling. The following development standards will be reviewed upon submittal for a building permit:

- Minimum lot area: 40,000 square feet
- Minimum lot width: 150 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
- Maximum average building height: 35 feet

The proposed lot configuration meets the area and width standards in the A-2 Zone.

Review Agencies: The Weber Fire District and the Weber County Surveyor's office have approved the subdivision, with the Weber County Engineer offering a conditional approval. The proposal will be required to comply with all review agency requirements prior to recording the final mylar.

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; however, the proposal does include the dedication of a portion of 1800 South. The dedication of the public right of way will have to be reviewed and accepted by the Weber County Commission prior to recording the Mylar. 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 in full on 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 plat approval of Berg Subdivision, a two lot subdivision consisting of approximately 2.287 acres. This recommendation for approval is subject to all applicable review agency requirements.

Recommendation for approval is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.

Administrative Approval

Administrative final plat approval of Berg Subdivision, a two lot 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 is based on the findings listed in this staff report.

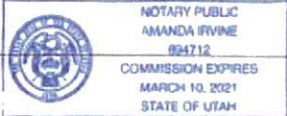
Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits:

1. Subdivision Application
2. Alternative Access Approval – Notice of Decision & Permanent Easement
3. Annexation Plat
4. Proposed Plat & Site Plan w/ Frontage

Exhibit 1 Subdivision Application

Weber County Subdivision Application			
<small>All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401</small>			
<small>Date Submitted / Completed</small>	<small>Fees (Office Use)</small>	<small>Receipt Number (Office Use)</small>	<small>File Number (Office Use)</small>
Subdivision and Property Information			
<small>Subdivision Name</small> Berg Subdivision			<small>Number of Lots</small> 2
<small>Approximate Address</small> 3156 W 1800 S Ogden UT 84401		<small>Land Serial Number(s)</small> 150600003	
<small>Current Zoning</small> A1	<small>Total Acreage</small> 2.1		
<small>Culinary Water Provider</small> Taylor West Weber	<small>Secondary Water Provider</small> Hooper Irrigation	<small>Wastewater Treatment</small> West Haven	
Property Owner Contact Information			
<small>Name of Property Owner(s)</small> Brent & Renee Wagstaff		<small>Mailing Address of Property Owner(s)</small> 3156 West 1800 South Ogden UT 84401	
<small>Phone</small> (801) 731-2674	<small>Fax</small>	<small>Preferred Method of Written Correspondence</small> <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<small>Email Address</small> graniegrut@gmail.com		<small>Preferred Method of Written Correspondence</small> <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
<small>Name of Person Authorized to Represent the Property Owner(s)</small> Edward & Rebecca Berg		<small>Mailing Address of Authorized Person</small> 3156 West 1800 South Ogden UT 84401	
<small>Phone</small> (478) 952-4678	<small>Fax</small>	<small>Preferred Method of Written Correspondence</small> <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<small>Email Address</small> ebjaee6@gmail.com		<small>Preferred Method of Written Correspondence</small> <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Surveyor/Engineer Contact Information			
<small>Name or Company of Surveyor/Engineer</small> Tyler Knight Landmark Surveying		<small>Mailing Address of Surveyor/Engineer</small> 4676 South 3500 West West Haven UT 84401	
<small>Phone</small> (801) 731-4075	<small>Fax</small>	<small>Preferred Method of Written Correspondence</small> <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<small>Email Address</small> tyler@landmarksurveying.com		<small>Preferred Method of Written Correspondence</small> <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			
<p>I (We) <u>Brent & Renee Wagstaff</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>Brent Wagstaff</u> (Property Owner)</p>		<p><u>Renee Wagstaff</u> (Property Owner)</p>	
<p>Subscribed and sworn to me this <u>4th</u> day of <u>January</u>, 20<u>18</u></p>			
		<p><u>Amanda Irvine</u> (Notary)</p>	

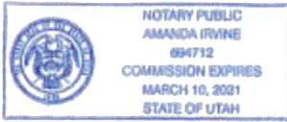
Authorized Representative Affidavit

I (We) Brent & Renee Wagstaff, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s) Edward & Rebecca Berg, 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.

Brent Wagstaff
(Property Owner)

Renee Wagstaff
(Property Owner)

Dated this 4 day of JANUARY, 2018, personally appeared before me ~~Edward & Rebecca Berg~~ Anna Renee & Brent Wagstaff, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.



Amanda Irvine (Notary)



Weber County Planning Division
www.co.weber.ut.us/planning_commission
2380 Washington Blvd., Suite 240
Ogden, Utah 84401-1473
Voice: (801) 399-8791
Fax: (801) 399-8862

Weber County Planning Division
NOTICE OF DECISION

September 29, 2016

Edward & Rebecca Berg

Case No.: AE0816

You are hereby notified that the Berg Family Alternative Access application, located approximately 3176 West 1800 South UT, was heard and approved by the Weber County Planning Division in a public meeting held on September 29, 2016. After due notice to the public, approval was granted.

This recommendation is based on the following findings:

1. The proposed access conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed access complies with applicable ordinances.
3. The proposed access will not be detrimental to the public health, safety, or welfare.
4. The proposed access will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

The next step in the process is to ensure complete compliance with the above listed conditions of approval. This letter is intended as a courtesy to document the status of your project. If you have further questions, please contact me at flleverino@co.weber.us.ut or 801-399-8767.

Respectfully,

Felix Lleverino

Weber County Planner II

The decision of the Planning Commission may be appealed to the County Commission by filing such appeal within 15 days after the date of the meeting.

WHEN RECORDED, RETURN TO:
[grantee]

PERMANENT EASEMENT

Trust
Tax Serial No.

Brent William Wagstaff & ReNee Wagstaff, Trustees of the **Brent and ReNee Wagstaff Family Trust**, GRANTOR(s), of Weber County, State of Utah, hereby Grant(s) and Convey(s) to Ed Berg, GRANTEE(s) of Weber County, State of Utah, for the sum of Ten Dollars (\$10.00) and/or other good and valuable consideration(s), the following a perpetual easement for the purpose of ingress and egress described as follows:

DESCRIPTION

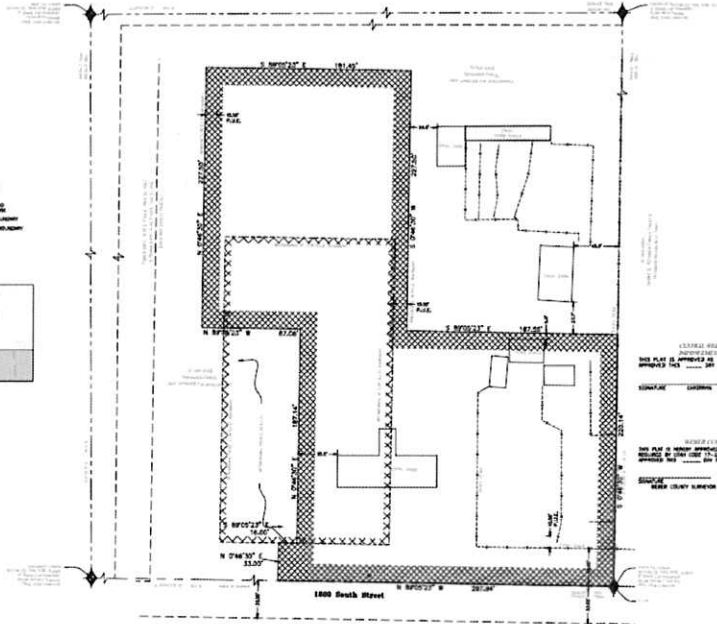
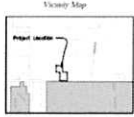
See EXHIBIT A attached hereto and made a part hereof.

NOW THEREFORE, for valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the easement as described above, the Grantor(s) hereby covenants and agrees as follows:

1. The access easement as granted to the Grantee(s), shall run with the land and shall be binding upon all parties claiming by, through or under the Grantor/Grantee including, but not limited to, their purchasers, successors, assigns, unless relinquished in writing.
2. The terms of this Grant of Easement represent the final and complete understanding of the Grantor/Grantee with respect to the issues described herein. Said terms supersedes all prior verbal and written representations, discussions and understandings between the Grantor/Grantee.

**BOUNDARY ADJUSTMENT OF CENTRAL WEBER SEWER IMPROVEMENT DISTRICT
WITHDRAWAL RESOLUTION # , ANNEXATION RESOLUTION #**

SHOWING THE ADJUSTMENT TO DISTRICT BOUNDARY IN ACCORDANCE WITH UCA-10-2-419 LOCATED IN
PART OF THE SW 1/4 OF SECTION 22 TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASIN & MERIDIAN
UNINCORPORATED WEBER COUNTY, UTAH - FEBRUARY 2018



WITHDRAWAL RESOLUTION
 A resolution of the Board of Trustees of the City of Layton, Utah, to withdraw the City of Layton from the Central Weber Sewer Improvement District, effective February 1, 2018.

ANNEXATION RESOLUTION
 A resolution of the Board of Trustees of the City of Layton, Utah, to annex the portion of the Central Weber Sewer Improvement District located in the SW 1/4 of Section 22, Township 8 North, Range 2 West, Salt Lake Basin & Meridian, Unincorporated Weber County, Utah, to the City of Layton, effective February 1, 2018.

WARRANTY
 The City of Layton warrants that the boundary of the district shown on this plat is correct and that the City of Layton has the right to exercise its jurisdiction over the area shown on this plat.

REVISIONS
 1. Date of original plat: 02/01/18
 2. Date of this revision: 02/01/18
 3. Description of changes: Boundary adjustment and street layout changes.

<p>Professional Engineer Seal State of Utah License No. 12345 Name: [Name]</p>	<p>City of Layton Mayor: [Name] City Clerk: [Name]</p>
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Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for final subdivision approval of the John Porter Subdivision and an alternative access request to use a private right-of-way as the primary access for the John Porter Subdivision.

Agenda Date: Wednesday, March 28, 2018

Applicant: John Porter

File Number: UVJ100417 and AAE 2017-09

Property Information

Approximate Address: 4794 E 2925 N, Eden, UT, 84310

Project Area: 3.25 Acres

Zoning: Agricultural Valley Zone (AV-3)

Existing Land Use: Vacant

Proposed Land Use: Vacant/Residential

Parcel ID: 22-021-0042

Township, Range, Section: T7N, R1E, Section 27 SE

Adjacent Land Use

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

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

Background

The Planning Division recommends approval of John Porter Subdivision, a one lot subdivision consisting of 3.25 acres and including the concurrent consideration and action of the John Porter Subdivision access via a private right of way request for Lot 1. The proposed subdivision is located at approximately 4794 E 2925 N, Eden, UT and is in the AV-3 zone. Access to the subdivision will be gained off of 2925 North, through a 25' private right of way that crosses the entire southern portion of the subdivision. The private right of way will provide access and frontage for the subdivision. The proposal meets the criteria for consideration of access by a private right of way, and the lot has adequate width, area, and setbacks, as required in the Uniform Land Use Code of Weber County (LUC). The requests for an alternative access and the preliminary subdivision process have been thoroughly vetted and have received comments and/or approvals from all the applicable review agencies.

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 Agricultural Valley (AV-3) Zone. The purpose of the agricultural zone in the LUC § 104-6-1 is:

Staff Recommendation

Staff recommends final approval of the John Porter Subdivision, a one lot subdivision including the concurrent consideration and action of the John Porter Subdivision access via a private right of way. This recommendation for approval is subject to all review agency requirements as well as the following conditions:

1. The test pit for the John Porter subdivision as well as all soil test requirements set forth by the Weber Morgan Health Department must be shown on the final plat.
2. All required agreements will be recorded with the final Mylar to ensure that 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 the subdivision.

This recommendation is based on the following findings:

1. Based on substantial evidence, it has been found that it is unfeasible or impractical to extend a street to serve such lot/parcel at this time, based on topographic, and property boundary conditions which limits typical access requirements in a unique way.
2. The proposed subdivision conforms to the 2016 Ogden Valley General Plan.
3. With the recommended conditions, the proposed subdivision complies the applicable County ordinances.

Administrative Approval

Administrative final approval of the John Porter Subdivision, a one lot subdivision including the concurrent consideration and action of the John Porter Subdivision access via a private right of way, 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. Map of Location and Current Parcel Arrangement
- B. Application
- C. Proposed Revision of Parcel Boundaries and Location of Alternative Access
- D. Feasibility Letter

Exhibit A-Location map and Current Parcel Arrangement

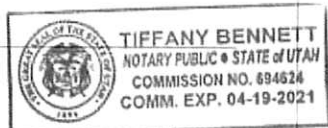
Exhibit B-Subdivision Application

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	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name John Porter Subdivision		Number of Lots 1	
Approximate Address 4794 E 2925 N Eden		Land Serial Number(s) 220210042	
Current Zoning AV-3	Total Acreage 3.25		
Culinary Water Provider Well	Secondary Water Provider Wolf Creek	Wastewater Treatment Septic	
Property Owner Contact Information			
Name of Property Owner(s) Mc Kay Dev Perry LLC		Mailing Address of Property Owner(s) 4102 S. 1900 W. Roy, Utah 84067	
Phone 801-710-4501	Fax		
Email Address john@focusservices.com		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) John Porter		Mailing Address of Authorized Person 3423 S. Hwy 66 Morgan UT 84050	
Phone 801-710-4501	Fax		
Email Address john@focusservices.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer Jason Felt - Great Basin Eng		Mailing Address of Surveyor/Engineer 5746 S. 1475 E. Ogden, UT 84403	
Phone 801-394-4515	Fax		
Email Address jasonf@greatbasineng.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			

~~John Porter~~ **John Porter** depose and say that [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.

[Signature]
(Property Owner)

(Property Owner)

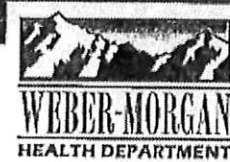


Subscribed and sworn to me this 03 day of October 2014

[Signature]

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