



Staff Report to the County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for preliminary plan approval of Fall Widow Subdivision Phase 2
Type of Decision:	Administrative
Agenda Date:	Tuesday, September 27, 2016
Applicant:	Cliffton Bell
File Number:	LVS062415

Property Information

Approximate Address:	120-292 South 7900 West, West Warren, UT
Project Area:	26.59 Acres
Zoning:	A-2
Existing Land Use:	Residential/Agricultural
Proposed Land Use:	Residential
Parcel ID:	10-037-0034
Township, Range, Section:	Township 6 North, Range 3 West, Section 15

Adjacent Land Use

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

Staff Information

Report Presenter:	Ronda Kippen rkippen@co.weber.ut.us 801-399-8768
Report Reviewer:	SM

Applicable Ordinances

- Title 101, General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 7, Agricultural (A-2) Zone
- Title 106, Subdivisions, Chapters 1, 2, 4, 7, & 8

Summary and Background

The Western Weber Planning Commission has forwarded a positive recommendation for preliminary approval of the Fall Widow Subdivision Phase 2, based on the findings and conditions outlined in this report. The proposed subdivision is located at approximately 120-292 South 7900 West Ogden, UT and is in the A-2 zone (see Exhibit A). The proposed subdivision has been reviewed by the Western Weber Planning Commission on two separate proposals. The first proposal received a positive recommendation on November 10, 2015 for a seven lot subdivision and the second proposal received a positive recommendation on March 8, 2016 for a five lot subdivision. Both of the proposed subdivision designs conformed to both the zoning and subdivision requirements including adequate lot width, lot area, frontage and access along an existing and future dedicated county road with the exception of the maximum allowable block length and terminal street length standards.

The applicant submitted a request to have further discussion on the November 10th decision based on the existing ground elevation falling below the building moratorium of 4,215 feet. However, the applicant missed the 15 day deadline to appeal the recommendation made by the Planning Commission and without a significant change to the proposal, the preliminary plan could not be forwarded to the Planning Commission for reconsideration of this standard or to the County Commission to vary this standard.

The applicant submitted a change request for preliminary plan approval of the Fall Widow Subdivision Phase 2 on January 20, 2016 and reduced the overall lots in the proposed subdivision from seven to five. The revised preliminary plan

received a positive recommendation from the Western Weber Planning Commission on March 8, 2016 subject to the conditions of approval outlined in this staff report.

As part of the preliminary plan requirements and approval procedure, the preliminary plan must be presented to the Planning Commission for their recommendation. As part of the subdivision review process, the proposal has been reviewed against the current subdivision ordinance and the standards in the A-2 zone. If the Planning Commission's recommendation is not appealed to the County Commission within 15 days of the Planning Commission's recommendation, then the Planning Commission's recommendation shall stand as the County's decision on preliminary approval. The applicant has appealed the Planning Commission's recommendation and is asking the County Commission to vary the block length and terminal street standards that are required in the LUC §106-2 (see Exhibit C for Appeal Request, Exhibit D for Notice of Decision, Exhibit E for the draft PC minutes from the November 10, 2015 and March 8, 2016 meetings and Exhibit F for the County Commission minutes from the March 29, 2016 meeting).

The County Commission is the appeal board for the subdivision ordinance in cases where unusual topographical or other exceptional conditions exist per LUC §106-1-2. Exceptional conditions that shall not be made part of an appeal consideration are conditions related to financial, economic, or self-imposed. The applicant is appealing the condition of approval which will require the final improvement plans and final plat to reflect the required stubbed roadways to the adjacent north and east properties (owned by TK Swan Land LTD parcel# 10-037-0002 and Meibos parcel# 10-037-0021) along the northern boundary of the parent parcel of the proposed subdivision.

The County Commission heard the applicant's appeal on March 29, 2016 and tabled the item giving direction to the applicant and staff to see if a mutual agreement could be met in a manner that would support the Uniform Land Use Code of Weber County, Utah (LUC) and not become a financial burden for the applicant. After multiple meetings with the applicant, staff and the legal division, the application is being forwarded to the County Commission for approval of the applicant's revised proposal based on these discussions. The applicant's new proposal is based on the original subdivision layout which consisted of seven lots with road dedication extending to the North, East and West subdivision boundaries (see Exhibit A). The applicant has agreed to install 9,024 square feet of roadway improvements to provide adequate frontage for the individual subdivision lots (see Exhibit B). The remaining portion of the 41,976 square feet of dedicated road way will be left unimproved due to it being found that the literal enforcement of this standard is not roughly proportional in extent when compared to the cost of the exaction and the public expense to address the impact. Additional infrastructure will be required to be installed for the Fall Widow Subdivision Phase 2 (see Exhibit B) including additional storm drainage improvements and the expansion of the water line running along 7900 West.

The proposed application has been reviewed against certain standards in the LUC and the following is staff's evaluation of the request.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating larger lots which will preserve the openness of the area and maintain the rural atmosphere.

Zoning: The subject property is located in an Agricultural Zone more particularly described as the A-2 zone. The purpose of the Agricultural (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."

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, based on the recommended conditions, 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-2 zone requires a minimum lot area of 40,000 sq ft for a single family dwelling and a minimum lot width of 150 feet. The A-2 zone allows for additional permitted and conditional uses that require, at a minimum, 2 acres and up to 5 acres with a minimum lot width of 300 feet. The proposed subdivision will not qualify for any of the permitted uses requiring a 5 acre minimum due to insufficient lot width for these uses.

The proposed subdivision is a seven lot subdivision that fronts a county road identified as 7900 West. Additional road dedication will take place upon recording the final plat to provide the adequate frontage and access for Lot 10 & 11. The current configuration of the property is primarily agricultural; however, the adjacent properties are primarily residential with an accessory use of agriculture. The proposed lots have over 2 acres in the A-2 zone and

conform to the required lot area, frontage and width development standards of the A-2 zone for the permitted and conditional uses requiring a minimum of 2 acres as found in LUC §104-7.

Flood Plain: The proposed subdivision is located in the FEMA Flood Plain Zone “X” which is an area of minimal flood hazard and has been determined by FEMA to be outside of the 500 year flood level. The buildable portion of the site is at or above the elevation of 4,215 feet in elevation. Weber County has adopted a policy that restricts all construction below the elevation of 4,215 feet based on the 1986 lake level of 4,212 feet with consideration of a possible 3 foot wave action. The building moratorium requires that all land under the elevation of 4,218 feet shall be subject to review by the Planning Commission before a land use or building permit is issued. The review of this subdivision by the Planning Commission will meet this requirement to ensure that the plat map provides adequate information regarding the building moratorium below the elevation of 4,215 feet.

A note has been placed on the plat to provide adequate notice to future property owners of the potential for flooding and the need to address the following requirements during the building permit process:

1. No building shall take place on land which does not have at least 20,000 square feet on contiguous land area at 4215 finished land elevation or above.
2. Lowest habitable finished floor of any building or structure shall be at elevation 4216 or higher.
3. A septic tank drain field shall be at least 2 feet above the highest anticipated ground water level and the finished grade of ground surface shall be at least 4 feet above the anticipated high ground water level for which 3 feet must be native soil.
4. No basements shall be permitted.
5. Lowest part of building footings shall be at least 2 feet above the highest anticipated ground water level.
6. If using private culinary water well of less than 200 feet deep, the well shall be grouted for depth of at least 18 feet below the ground surface and the top of the well casing must be above the 4216 elevation.
7. These restrictions shall apply to all residential, industrial and commercial structures but not to agricultural buildings.

Culinary water and sanitary sewage disposal: Will serve and feasibility letters have been provided for the culinary water and wastewater disposal systems for the proposed subdivision (see Exhibit G). The culinary water for the proposed subdivision will be provided by West Warren-Warren Water Improvement District. Prior to final plat approval by the Planning Commission, a capacity assessment letter and a construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be required. Per the feasibility letter regarding the wastewater disposal systems, the seven lot subdivision will need to install Wisconsin Mound Onsite Wastewater Systems on each individual lot and will need to meet all requirements of the Weber-Morgan Health Department for all onsite wastewater system improvements.

Street and Block Standards: Additional infrastructure will be required to be installed for the Fall Widow Subdivision Phase 2 including additional drainage improvements and approximately 9,024 square feet of property will be dedicated to Weber County which will extend 7900 West approximately 68.29 feet upon recording the final plat (see Exhibit A).

The preliminary plan requirements and approval procedures include a review of the proposed road connectivity plan showing how future roads can connect to provide circulation to future neighborhoods. Per LUC §106-2-1(a) *“the street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it.”* In areas of flat land where topography presents no development barriers, minor terminal streets or cul-de-sacs proposed in subdivisions shall have a maximum length of 650 feet to the beginning of the turnaround and block lengths shall at a maximum be 1,300 feet with a minimum block length of 500 feet. During the preliminary approval in 2006 of Fall Widow Subdivision Phase 1, the applicant removed the lot located to the north of Lot 4 in order to reduce the maximum block length below 1,300 feet as measured from an uninstalled and undedicated future roadway identified in the Barbara Flats Subdivision (see Exhibit H). Currently 7900 West terminates at approximately 3,983 feet from the intersection with 900 South and the applicant has developed 18 lots along 7900 West, including the seven additional proposed lots. The proposed street expansion will increase the terminal street length to approximately 4,052 feet (see Exhibit I).

The applicant has revised the preliminary plans based on discussion with staff to address the maximum block length as measured from a 60' easement for a future road identified on Lot 1 of the Barbara Flats Subdivision (see Exhibit H). This future roadway on Lot 1 of the Barbara Flats Subdivision has not been formally dedicated to Weber County; therefore, the overall proposed block length remains at 4,052 feet.

The Planning Division, County Engineering Division and Weber County Fire District all recommend that the applicant dedicate the required stubbed roadways to the adjacent property owners located to the north of the proposed subdivision and to the further most east boundary of the proposed subdivision along the northern boundary of the parcel# 10-037-0034, which is the parent parcel for the proposed subdivision, in order to provide safe vehicular ingress/egress and to enable future development.

If the County Commission agrees that a variation or exception is warranted in relation to these subdivision standards based on staff's analysis that the literal enforcement of this standard is not roughly proportionate when compared to the cost of the exaction and the public expense to address the impact, such a variation or exception can be made by the County per LUC §106-1-2 which states:

"In cases where unusual topographical or other exceptional conditions exist, variations and exceptions from this title may be made by the county commissioners, the appeal board for the subdivision ordinance, after a recommendation by the planning commission."

Additional design standards and requirements: The proposed subdivision is relatively flat. There may be additional site preparation in conjunction with an approved building permit. The applicant will be required to install the improvements prior to the recordation of the final plat or provide the County with a cash bond for 110% of the total cost of the proposed improvements. The applicant will need to work diligently with the Weber County Engineering Division and the Weber County Fire District to ensure the required improvements meet the applicable standards and regulations. With the exception of the recommended conditions identified in this staff report, additional standards and requirements are unnecessary at this time.

Review Agencies: The proposed subdivision has been reviewed by the Weber County Engineering Division and the Weber County Surveyor's Office. Both review agencies have outstanding conditions that will need to be addressed prior to submitting the final plat proposal. The Weber Fire District has reviewed and conditionally approved the proposal. A condition of approval has been added to ensure that all conditions of the review agencies will be addressed prior to final plat submittal.

Tax clearance: The 2015 property taxes have been paid in full. The 2016 property taxes are due in full as of November 1, 2016.

Planning Commission Recommendation

The Western Weber Planning Commission recommended preliminary plan approval on March 8, 2016 for Fall Widow Subdivision Phase 2, consisting of five lots (the WWPC recommended preliminary plan approval on November 10, 2015 for the seven lot proposal which included the same conditions of approval). This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
2. The final improvement plans and final plat shall reflect the required stubbed roadways to the adjacent north and east properties (owned by TK Swan Land LTD parcel# 10-037-0002 and Meibos parcel# 10-037-0021) along the northern boundary of the parent parcel of the proposed subdivision.
3. The four acre remnant parcel will need to be absorbed into the proposed subdivision by either increasing the size of the individual lots or by adding a sixth lot to the subdivision or combined with the agricultural parcel# 10-037-0036 located to the west of the proposed subdivision.

This recommendation 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 applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

5. There is no exceptional condition topographically that would allow for a variance from the subdivision ordinances.

Staff's Recommendation

The Planning Division recommends preliminary plan approval of the revised proposal for the Fall Widow Subdivision Phase 2, consisting of seven lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
2. The final subdivision plat and improvement drawings will be submitted based on the revised proposal included in this staff report as Exhibit A & B.

This recommendation is based on the following findings:

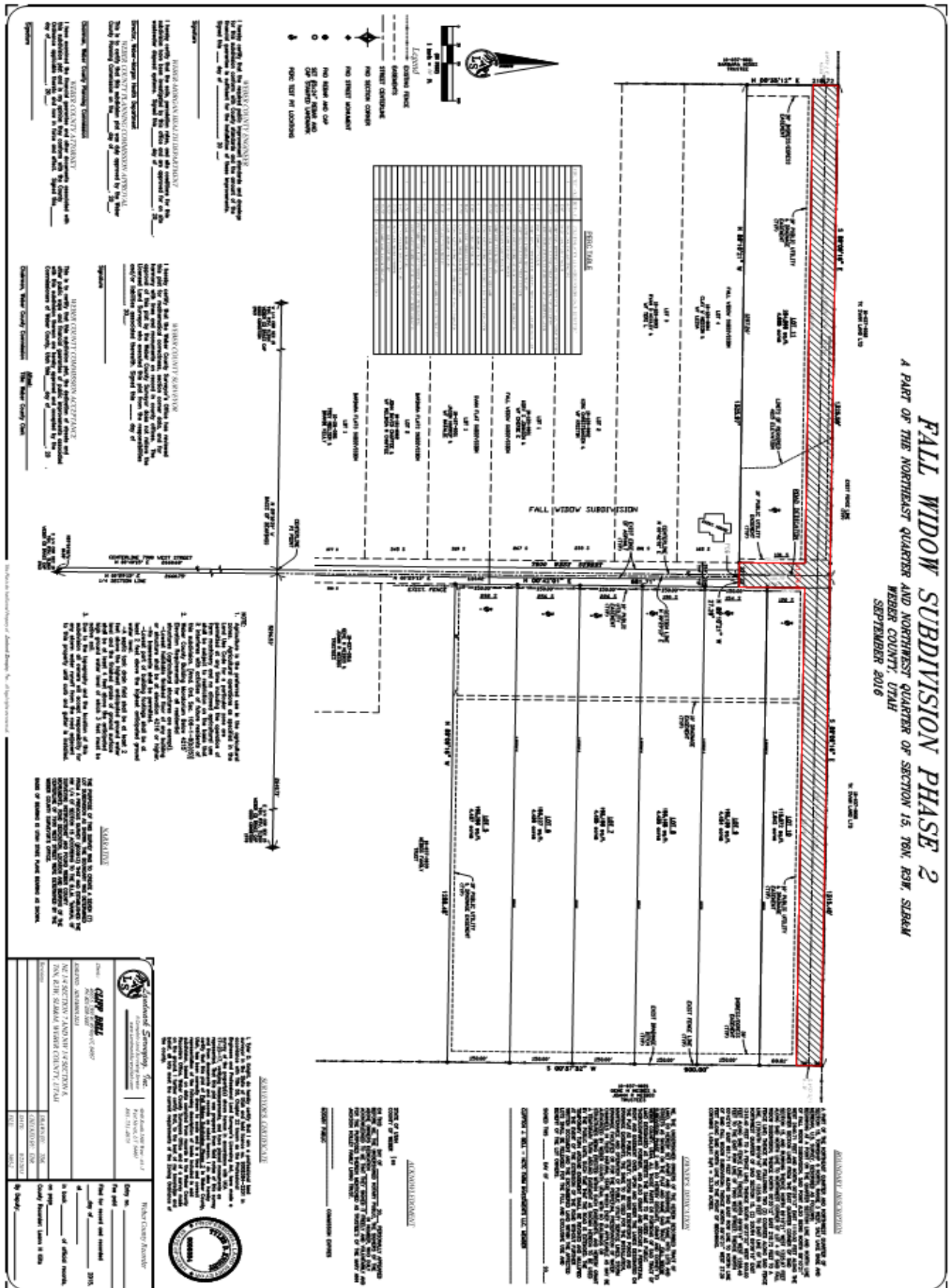
1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.
5. There is no exceptional condition topographically that would allow for a variance from the subdivision ordinances.
6. The literal enforcement of the standard to install all improvements within the dedicated road way is not roughly proportionate when compared to the cost of the exaction and the public expense to address the impact.

Exhibits

- A. Revised Proposed Preliminary Plan
- B. Revised Proposed Improvement Drawings
- C. Appeal Request
- D. Notice of Decision
- E. PC draft minutes 3/8/16 & 11/10/15
- F. CC minutes 3/29/16
- G. Reconsideration request
- H. Culinary and Wastewater Feasibility Letters
- I. Block Length

Map 1





FALL WIDOW SUBDIVISION PHASE 2
 A PART OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 15, T8N, R3W, S16&W
 WEBER COUNTY, UTAH
 SEPTEMBER 2016

LAND
 1. The land shown on this map is the land owned by the applicant and is the same land as shown on the map of the subdivision filed for record in the office of the county clerk of Weber County, Utah, on the _____ day of _____, 2016.

LAND
 1. The land shown on this map is the land owned by the applicant and is the same land as shown on the map of the subdivision filed for record in the office of the county clerk of Weber County, Utah, on the _____ day of _____, 2016.

LAND
 1. The land shown on this map is the land owned by the applicant and is the same land as shown on the map of the subdivision filed for record in the office of the county clerk of Weber County, Utah, on the _____ day of _____, 2016.

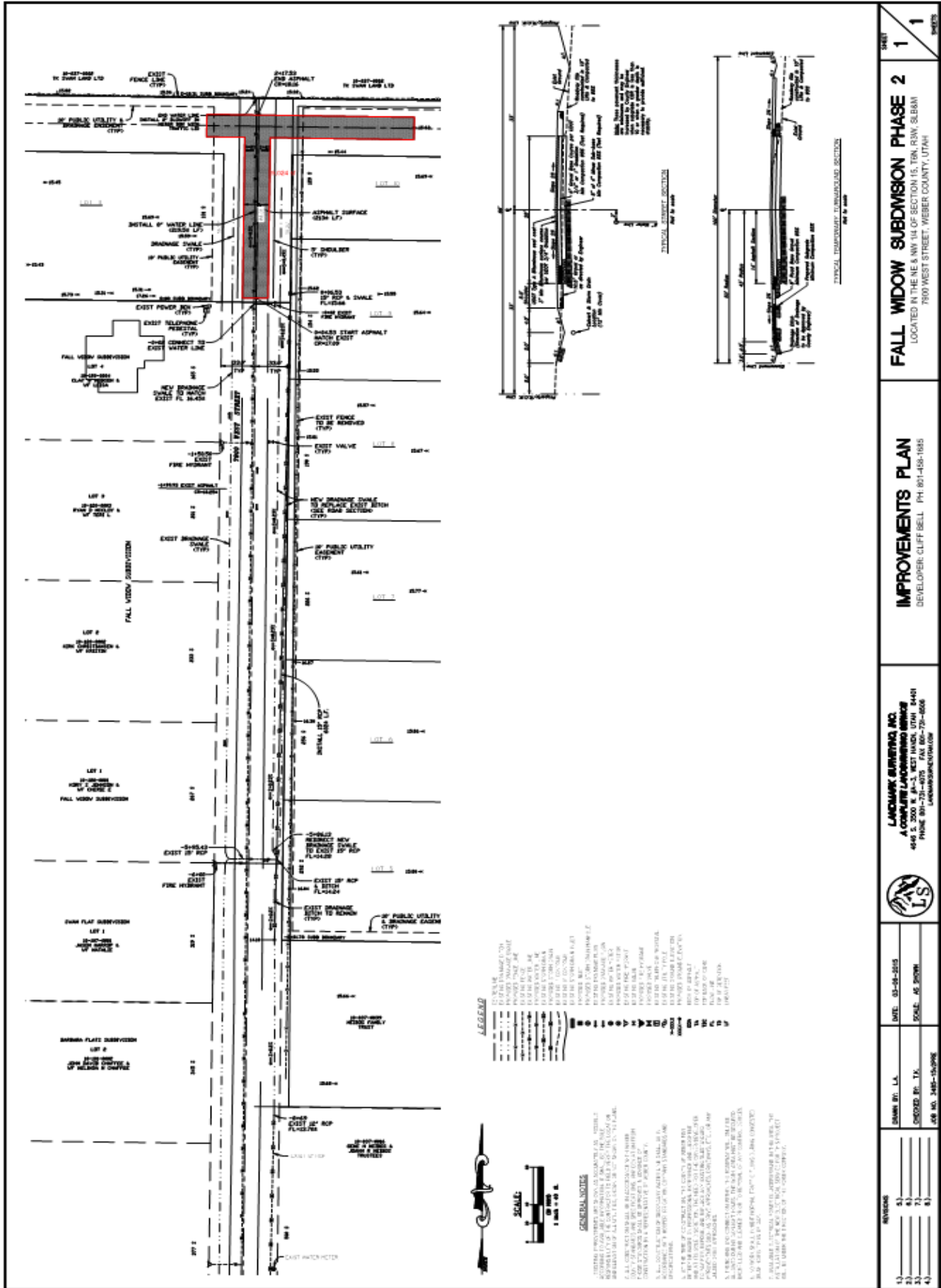
LAND
 1. The land shown on this map is the land owned by the applicant and is the same land as shown on the map of the subdivision filed for record in the office of the county clerk of Weber County, Utah, on the _____ day of _____, 2016.

Standard Surveyors, Inc.
 2015
 10000 W 10000 N, Suite 100
 Ogden, Utah 84403
 Phone: (435) 799-1111
 Fax: (435) 799-1112
 Website: www.standard-surveyors.com

Standard Surveyors, Inc.
 2015
 10000 W 10000 N, Suite 100
 Ogden, Utah 84403
 Phone: (435) 799-1111
 Fax: (435) 799-1112
 Website: www.standard-surveyors.com

Standard Surveyors, Inc.
 2015
 10000 W 10000 N, Suite 100
 Ogden, Utah 84403
 Phone: (435) 799-1111
 Fax: (435) 799-1112
 Website: www.standard-surveyors.com

Exhibit B-Proposed Improvement Drawings



SHEET
1
1

FALL WIDOW SUBMISSION PHASE 2
LOCATED IN THE NE & NW 1/4 OF SECTION 15, T8N, R3W, S8&M
7800 WEST STREET, WEBER COUNTY, UTAH

IMPROVEMENTS PLAN
DEVELOPER: CLIFF BELL PH: 801-458-1885

LAKOWSK SURVEYING, INC.
A COMPLETE LAND SURVEYING SERVICE
4440 S. 2000 W. #4-1, WEST HANCO, UTAH 84401
PHONE 801-731-4075 FAX 801-731-4008
LANDSURVING@COMCAST.NET



DATE: 03-26-2015
SCALE: AS SHOWN

DRAWN BY: L.A.
CHECKED BY: T.A.
JOB NO. 2485-10-000

REVISION	DATE	BY
1.		
2.		
3.		
4.		

LEGEND

- EXISTING IMPROVEMENTS
- PROPOSED IMPROVEMENTS
- EXISTING CURB
- PROPOSED CURB
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING DRIVE
- PROPOSED DRIVE
- EXISTING UTILITY
- PROPOSED UTILITY
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING RIGHT-OF-WAY
- PROPOSED RIGHT-OF-WAY
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- EXISTING LOT
- PROPOSED LOT
- EXISTING CORNER
- PROPOSED CORNER
- EXISTING MONUMENT
- PROPOSED MONUMENT
- EXISTING SURVEY
- PROPOSED SURVEY

GENERAL NOTES

1. ALL IMPROVEMENTS ARE TO BE ACCORDING TO THE UTILITY RECORDS AND THE UTILITY LOCATOR.
2. THE UTILITY LOCATOR IS TO BE USED TO LOCATE ALL UTILITIES AND TO BE KEPT ON THE PROJECT AT ALL TIMES.
3. THE UTILITY LOCATOR IS TO BE USED TO LOCATE ALL UTILITIES AND TO BE KEPT ON THE PROJECT AT ALL TIMES.
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10. THE UTILITY LOCATOR IS TO BE USED TO LOCATE ALL UTILITIES AND TO BE KEPT ON THE PROJECT AT ALL TIMES.

Exhibit C- Appeal Request

BELL BUILT HOMES

To Weber County:

Cliff Bell the applicant for Fall Widow Sub. Phase 2 wishes to appeal the decision of the subdivisions to remove the roads and right of ways extending to the north and going east along property. If u have any questions please call me at 801-458-1685

Thanks Cliff



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

Western Weber Planning Commission
NOTICE OF DECISION

HCTC Farms
c/o Clifton Bell
587 South 7900 West
Ogden, UT 84404

November 11, 2015

Case No.: LVF062415

You are hereby notified that your preliminary subdivision application "Fall Widow Subdivision Phase 2" located at approximately 120-292 South 7900 West, West Warren, UT, was heard and approved by the Western Weber Planning Commission in a public meeting held on November 10, 2015, after due notice to the general public. The approval was granted subject to the following conditions:

1. A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
2. The final improvement plans and final plat shall reflect the required stubbed roadways to the adjacent east property (owned by Meibos parcel# 10-037-0021) and west property (owned by Higgs parcel# 10-037-0011) along the northern boundary of the subdivision.
3. Requirements of the Weber County Engineering Division
4. Requirements of the Weber-Morgan Health Department
5. Requirements of the Weber Fire District
6. Requirements of the Weber County Surveyor's Office
7. Requirements of the Weber County Recorder

This recommendation 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 applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision 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 rkippen@co.weber.us.ut or 801-399-8768.

Respectfully,

Ronda Kippen

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.



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

Western Weber Planning Commission
NOTICE OF DECISION

HCTC Farms
c/o Clifton Bell
587 South 7900 West
Ogden, UT 84404

March 14, 2016

Case No.: LVF062415

You are hereby notified that your preliminary subdivision application "Fall Widow Subdivision Phase 2" located at approximately 120-292 South 7900 West, West Warren, UT, was heard and approved by the Western Weber Planning Commission in a public meeting held on March 8, 2016, after due notice to the general public. The approval was granted subject to the following conditions:

1. A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
2. The final improvement plans and final plat shall reflect the required stubbed roadways to the adjacent north and east properties (owned by TK Swan Land LTD parcel# 10-037-0002 and Meibos parcel# 10-037-0021) along the northern boundary of the parent parcel of the proposed subdivision.
3. The four acre remnant parcel will need to be absorbed into the proposed subdivision by either increasing the size of the individual lots or by adding a sixth lot to the subdivision or combined with the agricultural parcel# 10-037-0036 located to the west of the proposed subdivision.
4. Requirements of the Weber County Engineering Division
5. Requirements of the Weber-Morgan Health Department
6. Requirements of the Weber Fire District
7. Requirements of the Weber County Surveyor's Office
8. Requirements of the Weber County Recorder

This recommendation 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 applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.
5. There is no exceptional condition topographically that would allow for a variance from the subdivision ordinances.

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 kippen@co.weber.us.ut or 801-399-8768.

Respectfully,

Ronda Kippen
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.

Exhibit E- PC Minutes from March 8, 2016

Minutes of the Western Weber County Planning Commission held on March 08, 2016, in the Weber County Commission Chambers, 2380 Washington Blvd., Ogden UT

Members Present: Mark Whaley, Jannette Borklund, Wayne Andreotti, Roger Heslop
Member Excused: Lance Greenwell, John Parke, Michael Slater
Staff Present: Rick Grover, Planning Director; Jim Gentry, Principal Planner; Ronda Kippen, Planner; Chris Crockett, Legal Counsel; Iris Hennon, Zoning Enforcement Officer, Sherri Sillitoe, Secretary

*Pledge of Allegiance

*Roll Call

No Exparte Communication was expressed.

1. Administrative Items:

1. LV5062416 Consideration and action on a request for preliminary plan approval of Fall Widow Subdivision Phase 2, located at approximately 120-292 South 7900 West, West Warren – Clifton Commissioner Bell, Applicant

Ronda Kippen presented a staff report and indicated that the proposed subdivision conforms to both the zoning and subdivision requirements including adequate lot width, lot area, frontage and access along an existing and future dedicated county road with the exception of the maximum allowable block length and terminal street length standards. Additional infrastructure will be required to be installed for the Fall Widow Subdivision Phase 2, including additional drainage improvements and approximately 4,508 square feet of property, has been proposed to be dedicated to Weber County along with the expansion of 7900 West upon recording the final plat. This plan is revised from the previous plan that was reviewed in November 2015.

During the preliminary approval in 2006 of Fall Widow Subdivision Phase 1, the applicant removed the lot located to the north of Lot 4 in order to reduce the maximum block length below 1,300 feet as measured from an uninstalled and undedicated future roadway identified in the Barbara Flats Subdivision. Currently 7900 West terminates at approximately 3,833 feet from the intersection with 900 South and the applicant has developed 18 lots along 7900 West, including the five additional proposed lots.

The applicant would like to appeal this decision to the County Commission if the Planning Commission feels that an exception is warranted in relation to the subdivision standards. Such a variance or exception can be made by the County Commission only after receiving a recommendation from the Planning Commission per LUC §106-1-1 which states: "In cases where unusual topographical or other exceptional conditions exist, variations and exceptions from this title may be made by the county commissioners, the appeal board for the subdivision ordinance, after a recommendation by the planning commission." The code states that the Planning Commission's recommendation will stand as the preliminary approval if not appealed within 15 days of date of decision.

Staff recommends preliminary plan approval of Fall Widow Subdivision Phase 2, consisting of five lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
2. The final improvement plans and final plat shall reflect the required stubbed roadways to the adjacent north and east properties (owned by TK Swan Land LTD parcel# 10-037-0002 and Meibos parcel# 10-037-0021) along the northern boundary of the parent parcel of the proposed subdivision.

The other thing that creates a problem is that currently the proposed subdivision will create a remnant parcel of 4.4 acres and there is a remnant parcel of 6 acres left over from Phase 1. The applicant has proposed that he would just combine the two to be above the five-acre remnant parcel requirement per the Weber County Land Use Code. By

Western Weber Planning Commission

March 08, 2016

requiring this property to be stubbed to the north, the applicant will not be able to combine the remnant parcel and will need to include the four-acre parcel in the rest of the lots. He could increase the sizes, etc., and whatever that designs ends up being, it would be brought back to the Planning Commission as an update so they will know what staff is taking forward. We are trying to provide future road connectivity.

3. The four acre remnant parcel will need to be absorbed into the proposed subdivision by either increasing the size of the individual lots or by adding a sixth lot to the subdivision or combined with the agricultural parcel# 10-037-0036 located to the west of the proposed subdivision. The remaining recommendations 4-8 are listed in the staff report

Commissioner Borklund asked if the remnant parcel has enough square footage to be a lot. Ronda Kippen replied yes. They will gain frontage off of this new road and there is two acres there.

Cliff Bell indicated that some of this is a surprise as they have been working things out. He believes that people want to be out in Western Weber County in the open spaces and they do not want roads going out there. He understands the point of connectivity but as he has talked to his neighbor Ike Swann about the piece to the north of him and Gene Miebos about the piece to the east, they have both indicated that they do not have any consideration for developing until sewer comes in. This is not the typical subdivision where as a developer he is thinking that he has to turn as much land as he can to make it work. People that go out there do not want that. He is trying to fit a niche where they have some open spaces. The rights of ways have already been established and he would like to know where they are on 7500 West and on 6700 West and as far as 4700 West which is five to six miles away. There is not the overall on the lands where they have those easements created. Why would the county want to put in more roads that they have to maintain for over 100 years and as a burden to the taxpayers? It will take many years for the sewer to be there. Gene Miebos approached him this week about putting another house on his property and he wants him to leave the back open behind and create the easement on Barbara Flats Subdivision to connect all the pieces there. He has developed other subdivisions and he gets the concept of having to put in roads where the density warrants it. He would petition the Planning Commission to decide that there is a different situation out here where it is out in the open. They don't get their roads plowed for two days and they are okay with that. He asked the Planning Commission to look at this particular situation and not look at putting roads and let them go forward.

Commissioner Borklund asked if the county decided not to put in the roads now, the county would have to pay to do so in the future at their own expense. Ronda Kippen replied she is correct and it would require eminent domain. Their job is to look out for the safety and welfare of the community. Due to the concerns of the narrow width of the road, the condition of the road, the ingress and egress; based upon that question, direction was given for staff to look at how many of the homes on 7900 West had deferral agreements. They only found one subdivision, Cliff Flats Phase 2 (1 lot), that had deferral agreements out of 16 homes that have been recently developed along that road only one of them had a deferral agreement that would contribute to the cost of the future road expansion

Commissioner Borklund asked if there was any topographical exception in this case, and Mrs. Kippen replied no, not that she has been able to find.

MOTION: Commissioner Borklund moved to recommend preliminary approval plan approval of Fall Widow Subdivision Phase 2 subject to the findings that the proposed subdivision conforms to the Western Weber General Plan, with the recommended conditions, the proposed subdivision complies with applicable County ordinances, the proposed subdivision will not be detrimental to the public health, safety, or welfare or will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses. The motion is subject to the staff listed conditions that:

1. A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
2. The final improvement plans and final plat shall reflect the required stubbed roadways to the adjacent north and east properties (owned by TK Swan Land LTD parcel# 10-037-0002 and Meibos parcel# 10-037-0021) along the northern boundary of the parent parcel of the proposed subdivision.

Western Weber Planning Commission

March 08, 2016

3. The four acre remnant parcel will need to be absorbed into the proposed subdivision by either increasing the size of the individual lots or by adding a sixth lot to the subdivision or combined with the agricultural parcel# 10-037-0036 located to the west of the proposed subdivision.
4. Requirements of the Weber County Engineering Division
5. Requirements of the Weber-Morgan Health Department
6. Requirements of the Weber Fire District
7. Requirements of the Weber County Surveyor's Office
8. Requirements of the Weber County Recorder

Also, that there is no exceptional condition topographically that causes them that they can vary what the ordinance requirements are. Commissioner Andreotti seconded the motion. A vote was taken and Chair Whaley indicated that the motion was unanimous with Commissioners Borklund, Andreotti, Heslop, and Chair Whaley voting aye.

1.2. SPE2016-01 Discussion and action on a conceptual sketch plan endorsement request for the Barrow Land and Livestock Cluster Subdivision, located at approximately 6835 West 900 South – Dan and Justin Barrow, Applicants

Ronda Kippen indicated that she will let the applicant discuss what their vision is for the area. This is not a public hearing but they can accept public comment if they want to. Chris Crockett, Legal Counsel, replied that is correct that the Planning Commission can accept public comment if they want to. Ronda Kippen indicated that she did not send out any notices for this but will for preliminary approval.

Chair Whaley said this is a new concept for them. He is anxious to see how this works out. Their objective of allowing a sketch plan endorsement was to eliminate some of the effort and time and expense that go into a final application. Ronda Kippen indicated that they will ask the applicant if the new tool was helpful as they go through the process.

Ronda Kippen indicated that the applicant has submitted a conceptual sketch plan for a 13 lot cluster subdivision for review and endorsement by the Planning Commission as required in the Uniform Land Use Code of Weber County (LUC). The subject property is zoned A-1/A-2 and is currently 12.89 acre agricultural parcel. The right of way is 2.62 acres; developable area will be 10.27 acres, open space will be 4.14 acres. Base density is 11.18 lots and they are asking for a 16.3% bonus density based on 10% being granted for the purpose and intent meeting the purpose and intent of a cluster subdivision, 20% for street trees and lighting (which will come in at preliminary approval time), and then 15% for providing public access to open space. There are 13 lots proposed.

The conceptual sketch plan process is meant to be a discussion item between the applicant and the Planning Commission without any previous reviews nor recommendations by the Planning Division Staff. The required application, vicinity map and subdivision plan were attached to the staff report as Exhibit A.

Ronda Kippen indicated that she included the vicinity map in the staff report. It is a split zoning between the A-1 and A-2 Zoning.

Commissioner Borklund asked if the lights have to be street lights, and Ronda Kippen indicated that they do not want to create anything where they have a lot of light pollution, but they have to make it a safe, walkable area.

Justin Barrow indicated that they didn't know how the process works, but they would like to have some type of approval document tonight as his sketch plan endorsement. He didn't know how this process works.

Chair Whaley indicated that they were told some information in their pre-meeting and he wondered if the Barrows wanted to further comment. Chair Whaley asked if there was anyone in the audience that would like to comment on this agenda item. No public comment was made for this proposal.

Commissioner Borklund asked if the open space was the area on one side of the road and then around the outside, and Justin Barrow indicated that she is correct. They have a masterplan of all of their properties and with this plan they want to go with a cowboys and Indians theme. Some of the street names they would request may be to that

Exhibit E- PC Minutes from November 10, 2015

Minutes of the Western Weber County Planning Commission held on November 10, 2015, in the Weber County Commission Chambers, 2380 Washington Blvd., Ogden UT

Members Present: Mark Whaley, Vice Chair, Wayne Andreotti, Lance Greenwell, Roger Heslop, Michael Slater, John Parke
Member Excused: Jannette Borklund
Staff Present: Jim Gentry, Principal Planner; Charles Ewert, Principal Planner; Scott Mendoza, Principal Planner;
Sherri Sillitoe, Secretary

*Pledge of Allegiance

*Roll Call

Chair Borklund was excused.

No Exparte Communication was expressed.

1. Approval of the Minutes of October 13, 2015 Meeting

Vice Chair Whaley declared the October 13, 2015 meeting minutes approved as amended, noting that neither Commissioner Andreotti nor Greenwell were in attendance at the meeting.

2. Administrative Items:

2.1. LVS062415 Consideration and action on a request for preliminary plan approval of Fall Widow Subdivision Phase 2, 120-292 South 7900 West, West Warren – Clifton Bell, Applicant

Ronda Kippen presented a report and indicated that the proposed subdivision Phase 2 includes 7 lots. Fall Widow Subdivision Phase 1 will utilize the existing infrastructure that was installed as part of the Fall Widow Subdivision Phase 1 that was approved and recorded July 9, 2007. Additional infrastructure will be required to be installed for the Fall Widow Subdivision Phase 2 including additional drainage improvements and approximately 13,969.55 square feet of property will be dedicated to Weber County along with the expansion of 7900 West upon recording the final plat.

The proposed subdivision is located in the FEMA Flood Plain Zone "X" which is an area of minimal flood hazard and has been determined by FEMA to be outside of the 500 year flood level. The buildable portion of the site is at or above the elevation of 4,215 feet in elevation. No basements are allowed in this area, and they will be on the Warren-West Warren Improvement District for culinary water.

Ms. Kippen called attention to the block length. The subdivision is at the end of a 4,052 ft. road.

At this point the Planning Division, Fire Marshall and Engineering Division are recommending that there be an access road. There is a substantial amount of things that are recommended to be taken care of before final approval is given. At this point, the County Engineer believes this proposed phase meets the standards for Preliminary Approval.

Staff recommends preliminary plan approval of Fall Widow Subdivision Phase 2, consisting of seven lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

- A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
- The final improvement plans and final plat shall reflect the required stubbed roadways to the adjacent east property (owned by Meibos parcel# 10-037-0021) and west property (owned by Higgs parcel# 10-037-0011) along the northern boundary of the subdivision.

And subject to all other staff and agency requirements.

These conditions are based on the findings that are in the staff report.

Western Weber Planning Commission

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Commissioner Heslop asked that if the final plat reflects stub road right of way requirements, does that meet the block length requirements between 900 S and the stub road, or does there need to be additional stubs throughout the area in order to meet that requirement. Commissioner Heslop Ronda Kippen replied that from 900 S. to the beginning of Barbara Flats would be unaccounted and we would not have any stub accesses through there. There is a stub from Barbara Flats. From Barbara Flats to the end of the property it meets the 1300 ft. requirement.

Commissioner Heslop said on the building lot on the north end of the east side of the road, it shows 150 ft. frontage on 7900 S. but if they have to put in a dedicated right of way for a stub road, will that property meet the frontage requirements as far as being able to build on it. Ronda Kippen replied that it does; they consider this as a corner lot which has two frontages. During the development process, we would consider the entire width of lot 6 to be the frontage. The yard that is located next to 7900 S. would be considered a side yard, the rear would be abutting lot 7 and then the other side yard would be abutting Meibos' property so it would not eliminate one of the seven lots.

Cliff Bell, the applicant, gave a history of the issue. He met with the committee in April and there was only one mention of the road, and Jim Gentry indicated that it did not fall within the 1,300 ft., so the requirement was not mentioned. On November 5th, he received an email approving it but indicating that the stub road was required east and west. He expressed his concern that it is not logical to require the stub road. He presented an example of the roads in the area and indicated that he believes due to the moratorium, it is not logical to require the stub roads in that area. He does not believe it makes sense to have a right of way to go that far.

Christopher Crockett asked Mr. Commissioner Bell if he could provide a copy of his presentation documents to them for the record.

Christopher Crockett indicated that it is not a public hearing and the planning commissioners are not required to take public comment.

Eldon Davis, 7090 W 900 S., asked the width of roads going into subdivisions. Ronda Kippen indicated that for collector streets it is 66 ft. and for main arterial roads it is 80 ft. The County Engineers are changing that 66 ft. to a 50 or 60 ft. width. Mr. Davis asked how much of that needs to be paved, and Scott Mendoza indicated that it is either 24 ft. or 26 ft. Mr. Davis indicated that as we develop that the road from 7900 W., the pavement is 20 ft. wide for the first ¼ mile and if you are coming off 7500 W. you cannot make the turn if you have a farm tractor that is 13 or 14 ft. wide or other large piece of equipment because of the width. This issue should be looked at as a County because a school bus could not make the turn coming or going into the development. The road was not designed for development; it is just a farm road. He believes more stub roads are needed.

Commissioner Greenwell asked if there is current a school bus that goes down that road. Eldon Davis replied yes and that there is a turnaround at the end.

Mike Swann 1600 750 N in Kaysville owns the property north of the proposed subdivision. He questioned whether the road goes all the way and Ronda Kippen indicated that the proposal shows the stub road going to the end of Mr. Swann's property. The proposal is that the turn around that is being proposed on their property and the stub road would also be on their property.

Commissioner Heslop indicated that his concern is the width of the road. There is a drain ditch on the side and it is a sharp drop. That is a concern especially because that is the only road in and out.

Scott Mendoza indicated that the concern is a valid one and they would be willing to take the question to the County Engineering Office. They will also have to check and see if there are any deferrals taken in that area. The deferral is a document that is signed by the original property owner and it states that that when development warrants improvement of the road, the County can call in those deferrals and the property owner would be responsible for the cost of those road improvements.

Commissioner Andreotti said in his opinion they should stay with the 1,300 ft. until they change the rules that they operate under. He is not comfortable with changing the width of the road.

Western Weber Planning Commission

November 10, 2015

Commissioner Slater indicated that he believes the concern for future development if you have too long a road at a narrow width such as with emergency access. He believes maybe they should look to widen the road and look to the future.

Vice Chair Whaley indicated that staff has addressed the issue of the road lengths and with the recommend conditions, staff recommends leaving the block lengths at 1,300 ft.

Vice Chair Whaley called for a motion, but indicated that no motion was brought forward. Chris Crockett indicated that they will have to take some type of action, but they need to base it on findings and give a reason.

Ronda Kippen indicated that in their pre-application meeting on March 09, 2015 she took meeting notes of the things that were discussed such as the property zoning and lot size, culinary water, septic feasibility, block length 1,300 stub streets, 4216 ft. elevation to bring up the road way and drainage easements along the southern lot line. The reason why the stub roads didn't come up during the reviews was because it is a planning commission decision. The code states that where there is not a master plan, it was up to the Planning Commission to consider whether stub roads are needed.

Vice Chair Whaley indicated that in staff's presentation and reviews, it appears that the proposed development meets the requirements.

Commissioner Heslop stated that if they adopted this and the 1,300 block length are they imposing on the property owner to the north the responsibility for the stub roads going in because of the 1281 short of 20 .ft. which from the previous right of way on Barbara Flats Subdivision to the back of the property so it would put the responsibility to the Swan property.

Mrs. Kippen indicated that it is shy of 19 ft. and if they don't get the stub road at this point, it would put the responsibility on the Swan property. Chris Crockett read LUC Section 106 (2) (3) read the maximum block length section in the code.

Vice-Chair Whaley indicated that since no one wanted to take action and Chris Crockett indicated that action is required.

Commissioner Slater clarified the lot dimensions. Ronda Kippen said if he met the 1,300 sq. ft. requirement, they would be half way to the next block length. Commissioner Slater indicated that he would be okay to approve the 1,300 sq. ft. if they address the road width. Mrs. Kippen said that we can go back and look and see if any deferral agreements that went with any of the adjacent properties and if the county deems it necessary at this point, they would call in the deferrals.

MOTION: Commissioner Slater moved to recommend to the County Commission that Preliminary Plan Approval is given to a request for preliminary plan approval of Fall Widow Subdivision Phase 2, 120-292 South 7900 West, West Warren – Clifton Bell, Applicant subject to all staff and agency requirements as presented. Commissioner Parke seconded the motion. A vote was taken and the motion carried with Commissioners Andreotti, Greenwell, Heslop, Slater, Parke, and Vice Chair Whaley voting "aye." Motion Carried (6-0).

3. **Public Comment for Items not on the Agenda** - None

4. **Remarks from Planning Commissioners**

5. **Planning Director Report** - None

6. **Remarks from Legal Counsel** – None

7. **Adjourn**

There being no further business, the meeting was adjourned at 5:49 p.m.

Respectfully Submitted,

Sherri Sillitoe, Secretary
Weber County Planning Division

3. **PRELIMINARY PLAN APPROVAL OF FALL WIDOW SUBDIVISION PHASE 2 (APPROX. AT 120-292 S 7900 W)**

Ronda Kippen, with Weber County Planning Division, showed a power point presentation.

Approximately 4,508 square feet of property is proposed to be dedicated to the county along the north side of the subdivision with the expansion of 7900 West upon recording of the final plat. This is to extend the street length so there is adequate frontage and for temporary turn-around areas. Preliminary requirements and approval procedures include that in areas of flat land where topography presents no development barriers, minor terminal streets or cul-de-sacs proposed in subdivisions shall have a maximum length of 650 feet to the beginning of the turnaround, and block lengths shall, at a maximum, be 1,300 feet with a minimum block length of 500 feet. Mr. Bell is appealing the requirement that the final improvement plans and final plat reflect the required stubbed roadways to the adjacent north and east properties (owned by TK Swan & Meibos, respectively). He asked the County Commission to vary the block length and terminal street standards required by the County Code.

The Planning Commission recommended preliminary approval of Phase 2, currently consisting of 5 lots, subject to the conditions of approval in the staff report, including that final improvement plans/final plat reflect the required stubbed roadways to the adjacent north properties in order to adhere to the county's current standards and to allow future development for adjacent property owners. County code states that where unusual or topographical or other exceptional conditions exist, variations and exceptions from this title may be made by the County Commission after recommendation from the Planning Commission. The Planning Commission and County Planning Division did not feel there were any topographical or exceptional circumstances to vary the required lot length standard.

Mr. Bell has developed 18 lots along 7900 W., including the 5 subject lots. The proposed street expansion would increase the terminal street length to approximately 3,912 feet. Currently, 7900 W. terminates at about 3,833 feet from the intersection with 900 S. During the preliminary 2006 approval, Mr. Bell removed a lot to the north of lot 4 in an attempt to reduce the maximum block length below 1,300 feet as measured from an uninstalled/undedicated future roadway identified in the Barbara Flats Subdivision. He initially submitted Phase 2 as a 7-lot subdivision but has removed two lots to stay under the 1,300 ft. block length. However, county code requires connectivity to adjacent property. The county has asked for connection to the north and east properties.

Ms. Kippen had previous discussions with County Engineering, County Road Department, County Planning and the Fire District and they all recommend that the applicant install the required stubbed roadways to the adjacent properties. This would leave a remnant parcel of less than five acres, which would need to be incorporated into the adjacent lot or made into an additional lot, which can occur with the stub street.

Chair Gibson asked about the double dotted line running at the back of the lots and Ms. Kippen said that it is the developable area, which can be developed but they need to bring in imported material to bring up the elevation. He asked about the requirement for the road to go to the next property and Ms. Kippen said that this is according to county code. Currently, there is a 60 ft. future right-of-way identified on the Barbara Flats Subdivision and a house is being constructed right on the 60 ft. line with no additional setback requirements, which is problematic. The intent of the code is to create roadway connectivity. By implementing block lengths, the stubbed roads to the east and west would allow for future development.

The applicant has been able to develop almost the entire block (for 18 lots) without having put in any road improvements thus far. Mr. Bell is the one utilizing the majority of the area. Typically, the developers are responsible to put in the improvements. If Mr. Bell does not put in the improvements, he puts that responsibility onto the next person who develops along there.

Chair Gibson expressed concern about making one developer responsible to put in this access. Commissioner Bell noted that he is not related to the applicant. He and Chair Gibson expressed concern with the huge cost for Mr. Bell for the long road. Ms. Kippen stated that it is the developers' responsibility to pay for the development; they are required to stub to the adjacent property. Commissioner Bell finds it difficult to see why the applicant should be responsible to put in the road when he does not want to develop the last lot there. He said that if the applicant developed that final lot, he could then put the street in or set up a protection strip. Ms. Kippen said that the applicant could request to dedicate a future right-of-way or have a protection strip at the end of each stubbed street, and if adjacent property owners come forth with development, they would work out the details with him. She stated that a major concern is that Mr. Bell could bring another request for a 1-lot subdivision to bring it past the 1,300 lot length, and again it may be said that economically it does not make sense to require him to build the road for one lot. At this time, there are 18 lots and the proverbial can has been kicked down the road to the point that he is now at the end of his development without having put in any east and west stub streets. There are already houses on his earlier development.

Commissioner Ebert asked if it is common practice throughout the county to follow this code when putting in similar subdivisions and Ms. Kippen responded that it is. He said that the five lots are at the end of a larger development, and at the end of that larger development the county is asking the developer to put in the requirements; Ms. Kippen concurred. If this developer does not develop the road, the taxpayers will bear that cost or the adjacent property owners. Commissioner Bell asked if there had been any such approved variances in the past and Ms. Kippen was not aware of any, except for some P.R.U.D. developments. Ms. Kippen stated that the Planning Commission's primary concern was safe ingress/egress for the intersection at 900 S. and 7900 W., which is very narrow and is not up to county standards.

Chair Gibson and Commissioner Bell reiterated their concerns with the cost to the applicant to put in the long road and Christopher Crockett, Deputy County Attorney, read a code section regarding varying from code which stated that the County Commission may vary the standards in cases where unusual topographical or other exceptional conditions exist, and the following are not considered exceptional conditions, such as financial, economic, or self imposed. Mr. Crockett stated that if there is going to be a variance, they need to find the reason to vary from the maximum 1,300 block length, where there is now a street that is nearly 4,000 feet without any road. Chair Gibson asked for the code requiring installing the road and Ms. Kippen read that section which states that the street arrangements must be such to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it, and that the maximum length of a terminal street shall be no more than 650 feet to the beginning of the turnaround and block lengths shall be a maximum of 1,300 feet. Commissioner Bell asked if a dirt road could be installed and Ms. Kippen said that is a question for Engineering but it does have to uphold emergency/Fire District standards. Commissioner Ebert said that according to the ordinance there is no finding allowing the variance and if the ordinance is not correct for western Weber County, then it needs to be amended. He spoke to the need to follow the current ordinance. Chair Gibson concurred and reiterated that he is concerned with putting the burden on one developer. Mr. Crockett cautioned about the importance to follow code. He noted that the ordinance does not define what exceptional conditions are.

Mr. Bell wished to clarify that the dotted lines on the rear of the lots was an easement which he created for a ditch to divert the irrigation water into the start of the drain ditch, which starts at the end of that street at 7900 W. He stated that the home that is under construction has maintained the 60 ft. right-of-way for the existing road that will go west. He said that Mr. Meibos told him a few weeks ago that he wants to put one more lot on the south side of the incoming subdivision, which would leave 60 feet, so as to not block his access. Mr. Bell has spoken with Mr. Swan who is concerned with his access being blocked with the road running east and west. Mr. Bell said that Mr. Swan had indicated to him that it will be some time before he develops. He also said that Mr. Swan would split his road to go to 7500 W. and 8300 W. going east and west and would construct houses on both sides and that would give the connectivity. Mr. Bell said that he had put in half of the road and that he has not blocked future development. He referenced three area roads that go a few miles without east-west stub roads. He said that no one in the community has spoken against the project.

Chair Gibson recommended tabling this item for the next meeting, which is in two weeks.

**WEST WARREN-WARREN WATER IMPROVEMENT DISTRICT
5783 WEST 950 NORTH
WARREN, UTAH 84404
801-731-1702**

June 10, 2015

On behalf of: Cliff Bell

To Whom it May Concern:

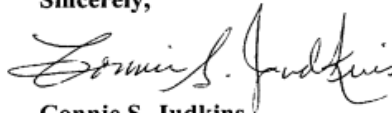
The West Warren-Warren Water Improvement District will supply culinary water to the Fall Widow Subdivision (phase two, seven lots) located at the approximate address of 200 N 7900 W in West Warren, Utah.

The Water is available upon request and payment of all applicable impact and connection fees and is due prior to service installation.

The amount owing is \$3,700.00 for each connection and impact fee.

Should you have questions or concerns, please contact the district clerk at 801-731-1702 after 9:00 AM weekdays or on weekends.

Sincerely,



Connie S. Judkins
District Clerk

RJ/csj

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



January 21, 2015

Cliff Bell
587 S 7900 W
Ogden, UT 84404

RE: Proposed subdivision: Fall Widow Phase 2
Parcel #10-037-0034

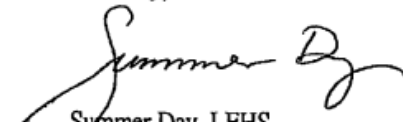
Mr. Bell.

After a review of the water table data collected for the following subdivisions: Barbara Flats, Swan Flats, Fall Widow Phase 1, and Cliff Flats it appears that the water data collected in 1999 on parcel #10-037-0020 is within 600 feet of the proposed 7 lot subdivision. The seven lot subdivision may be permitted for the installation of Wisconsin Mound Onsite Wastewater Systems with respect to water table; a soil evaluation is required on each individual lot before the lots are deemed feasible for the installation of an onsite wastewater system.

To be within the 600 foot parameter the wastewater system must be installed within the front yards of the home. The wastewater system must also maintain 100 feet separation from open water, thus requiring any ditches between 7900 W and the home to be pipes or filled for the properties to forgo additional water table monitoring.

Water table monitoring data collected during the feasibility study of the aforementioned subdivisions support the use of the 1999 water table data for the proposed subdivision. If you have any further questions you may contact this office.

Sincerely,


Summer Day, LEHS
Environmental Health Division

EDUCATE | ENGAGE | EMPOWER

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



1438 West 2550 South
Ogden, Utah 84401

April 9, 2015

Cliff Bell
cliffbell@readytek.net

RE: 6025318 Fall Widow Phase 2


Dear Mr. Bell:

Rocky Mountain Power will supply power to property located at or near 200 S 7900 W, Ogden, UT, with the following provisions:

- Applicant will apply for power by calling 1-888-221-7070
- Applicant or Developer will supply a signed, approved recorded property plat map with lot numbers, addresses, and section corners identified if applicable.
- Residential and Commercial Developer will supply an electronic copy of the subdivision by e-mail, (Auto-cad version 2011), to the estimator assigned to the project.
- Residential Subdivision Developer will pay all costs which are non-refundable above the \$750.00 per lot allowance according to line extension tariff, regulation 12.
- All single lot applicants will be subject to the line extension rules and regulation 12.
- Applicant is responsible to sign a contract after job is approved by Rocky Mountain Power management, and pay any associated costs before work can be scheduled or materials ordered.
- Rocky Mountain Power engineering review may be required and may be subject to additional charges according to our filed line extension tariff, regulation 12.

If you have any questions regarding these provisions, please feel free to call me at 801-629-4428.

Respectfully,


Ellen Anderson
Journeyman Estimator
Rocky Mountain Power
Ogden Operations

April 7, 2015

BELL BUILT HOMES
WEBER COUNTY, UTAH

Dear Cliff Bell:

Re: Natural Gas Service Availability Letter

Natural gas can be made available to serve the FALL WIDOW SUB #2 development when the following requirements are met:

1. Developer provides plat maps, drawings, construction schedules, average size of homes, units, and/or buildings that will be served by natural gas, and any and all other relevant information regarding commercial and residential uses, including but no limited to, proposed natural gas appliances (number and type of appliances per unit, homes, building).
2. Review and analysis by Questar Gas' Engineering and/or Pre-Construction Department to determine load requirements. System reinforcement requirements and estimated costs to bring natural gas to the development.
3. Address

Upon completion of Questar Gas' review of the development's natural gas requirements, agreements will be prepared, as necessary, for high pressure, intermediate high pressure and/or service line extensions required to serve the development. These service extensions must be paid in advance.

To accommodate your construction schedule and provide cost estimates to you, please contact me at your earliest convenience.

Sincerely,



Robert Comeau
Pre-Construction Representative

Exhibit I- Block Lengths

