



Staff Report for Subdivision Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for administrative approval of the Gregory Subdivision (1 Lot)
Agenda Date:	Tuesday, October 26, 2010
Applicant:	Douglas and Danna Gregory
File Number:	UVG 092910

Property Information

Approximate Address:	1285 South 9400 East
Project Area:	2.079 Acres
Zoning:	Forest Valley 3 Zone (FV-3)
Existing Land Use:	Agriculture
Proposed Land Use:	Residential Subdivision Lot
Parcel ID:	21-035-0031
Township, Range, Section:	T6N, R2E, Section 21

Adjacent Land Use

North:	Residential/Agriculture	South:	Residential/Agriculture
East:	Agriculture	West:	Residential/Agriculture

Staff Information

Report Presenter:	Sean Wilkinson swilkinson@co.weber.ut.us 801-399-8765
Report Reviewer:	JG

Applicable Ordinances

- Weber County Subdivision Ordinance
- Weber County Zoning Ordinance Chapter 12B (FV-3 Zone)
- Weber County Zoning Ordinance Chapter 28 (Noncomplying Structures and Nonconforming Uses and Parcels)

Background

The Gregory Subdivision is a 1 lot subdivision which will bring an existing 2.079 acre parcel into compliance with the Weber County Zoning Ordinance. Although the lot will not meet the 3 acre area requirement of the FV-3 Zone, the Weber County Zoning Ordinance (Chapter 28 Section 11.3) allows this subdivision to proceed with the 1 acre lot area requirement that was in place when the parcel was created. The resulting subdivision lot will be considered nonconforming which means it is legal, but it does not meet current zoning requirements. The existing agricultural structures on the parcel need to be shown on the plat or removed from the parcel.

There are no road improvements associated with this subdivision, but a 14 foot wide strip of property along the front boundary of the subdivision will be dedicated as County right-of-way for 9400 East. Culinary water is being provided by a private well and wastewater treatment is provided by a private septic tank. The private well has not been drilled yet, so a covenant acknowledging that the subdivision does not have water must be signed and recorded. A well protection easement has been established, but the easement crosses onto adjacent property. The adjacent property owner must grant an easement allowing this well protection area on their property.

This subdivision is considered a minor subdivision because it has fewer than 3 lots and no streets are being created or realigned. Minor subdivisions do not require approval from the Planning Commission or the County Commission based on the requirements of the Weber County Subdivision Ordinance Chapter 1 Section 8.3.5 which states:

“The Planning Director is delegated administrative authority to approve minor subdivisions if in his discretion there are no conditions which warrant its submittal to the Planning Commission. These subdivisions shall be offered for recording within 18 months, from the date of the submittal to the Planning office for processing. If the subdivision is not offered for

recording within this time frame, the subdivision proposal is void. A subdivision that is considered void will require a new submittal of the subdivision, with the appropriate fees to begin the subdivision process for the same parcel of land. If required by State Code, the Planning Director shall hold a public hearing or public meeting prior to approving the minor subdivision plat.”

Summary of Planning Director Considerations

- Does this subdivision meet the criteria to be considered a minor subdivision?
- Are there any conditions which warrant submittal to the Planning Commission?
- Does this subdivision meet the requirements of applicable Weber County Ordinances?

Conformance to the General Plan

This subdivision conforms to the General Plan by meeting the requirements of all applicable ordinances.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Survey Department
- Requirements of the Weber County Health Department
- Requirements of the Weber Fire District

Staff Recommendation

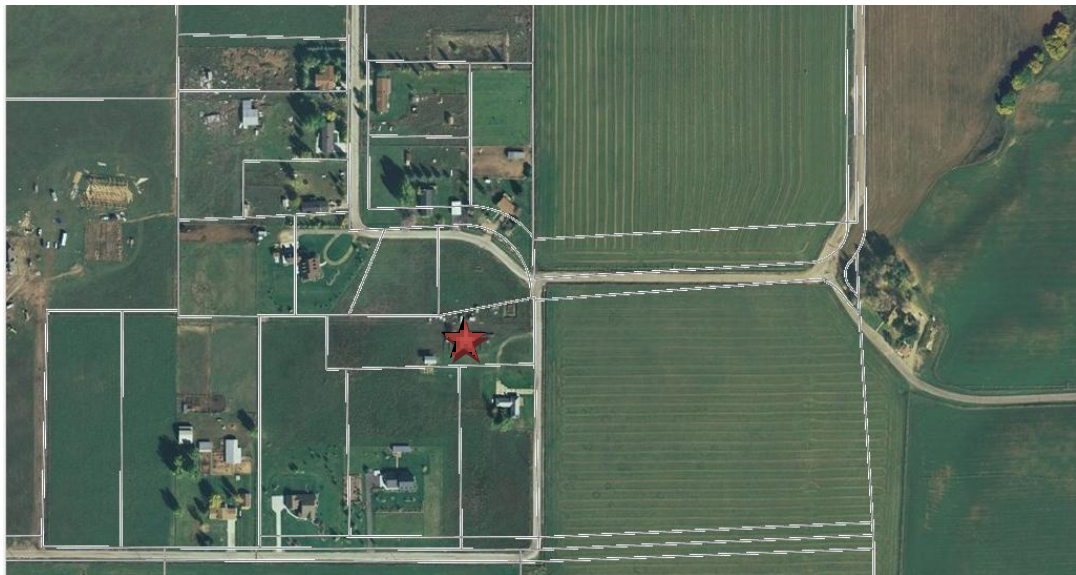
Staff recommends administrative approval of the Gregory Subdivision, subject to review agency requirements, based on the following reasons:

- The subdivision meets the requirements of the Weber County Subdivision Ordinance.
- The Subdivision meets the requirements of the Weber County Zoning Ordinance (Chapter 28 Section 11.3) which allows a nonconforming subdivision lot to be created.
- The subdivision meets the criteria to be considered a minor subdivision because it has only 1 lot and no streets are being created or realigned.
- There are no conditions or circumstances that require submittal to the Planning Commission and County Commission for review.

Exhibits

- A. Subdivision plat
- B. Review agency letters

Map 1



Map 2

