



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on an administrative application for approval of the Dutson Subdivision 1st Amendment, amending Lot 1 and vacating a right-of-way, located at approximately 5923 Snow Basin Road.
Type of Decision	Administrative
Agenda Date:	Wednesday, February 08, 2017
Applicant:	Roger Dutson
File Number:	UVD123016

Property Information

Approximate Address:	5923 Snow Basin Road, Huntsville, Utah 84317
Project Area:	8.59 acres
Zoning:	Forest Valley (FV-3) Zone
Existing Land Use:	Residential
Proposed Land Use:	Residential
Parcel ID:	20-035-0042
Township, Range, Section:	6N, 1E, 23

Adjacent Land Use

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

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RK

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 14 (FV-3 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 108 (Standards) Chapter 22 (Natural Hazards Area)

Background and Summary

Roger Dutson is requesting approval of the Dutson Subdivision 1st Amendment, a one lot subdivision of 8.59 acres, located at 5923 Snow Basin Road, Huntsville, in the FV-3 zone. The proposed subdivision will combine the recently vacated portion of the Old Snow Basin Road with the original Lot 1 as Lot 2. A separate application for the vacation of the right-of-way was approved by the Weber County Commission on January 3, 2017 with the following conditions:

1. The applicant will submit an application for a plat amendment for all of Lot 1 in the Dutson Subdivision to combine the 1.6069 acre parcel with the existing 6.9 acre lot.
2. The ordinance to vacate the subject property will be recorded with the Weber County Recorder's Office in conjunction with the Dutson Subdivision plat amendment.

The proposed subdivision amendment and lot configuration are in conformance with the applicable zoning and subdivision requirements as required in the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with the LUC.

Analysis

General Plan: This request is in conformance with the General Plan for Ogden Valley, as it is intended to preserve private property rights while also preserving the rural characteristics of the Valley.

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

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

Lot Area, Frontage Width and Yard Regulations: The proposed lot within this subdivision meets the minimum lot area of 3 acres and the minimum lot width of 150 feet.

The proposed plat amendment will maintain the minimum structure set-backs stated in the LUC § 104-14-5.

The Weber County Land Use Code Title 101 defines “small subdivision” as “An amended subdivision consisting of five (5) or fewer lots and for which no streets will be created or realigned.” This amended subdivision consists of only one lot and no new streets are being created or realigned. This subdivision qualifies for administrative approval as a small subdivision.

Culinary Water and Sanitary Sewage Disposal: An existing single-family dwelling is located within the 1 lot subdivision and uses a private well for culinary water and individual septic system for sewage disposal.

Natural Hazards: The proposed subdivision amendment is located within a geologic hazards area of Weber County, however, a geologic reconnaissance study will not be required with the proposal because a home already exists on the property, and no additional lots are being created. The LUC §108-22-4(b) states:

“When a natural hazard report is not required, but where the parcel is located within a natural hazard study area, notice that the parcel is located within such an area shall be recorded running with the land and noted on the subdivision plat (if applicable), and shall be written in a form satisfactory to the county engineer and county attorney.”

A condition of approval that a "Natural Hazards Disclosure" will be added to the subdivision plat and a document will be required to be recorded to provide adequate notice of the natural hazard study area for future property owners.

Review Agencies: During the review process, one area of concern was brought up by the Planning, Engineering, and Surveying Divisions. The concern was that the proposed amended plat has included a portion of a lot from another subdivision (Hesselgesser-Hatton Subdivision). To address this concern, the applicant has included an agreement with the owner of Lot 1 of the Hesselgesser-Hatton Subdivision, wherein the lot owner agrees that Lot 1 of the Hesselgesser-Hatton Subdivision will need to be amended before the lot can be considered legal and eligible for a single-family dwelling.

A notice will be recorded against Lot 1 of the Hesselgesser-Hatton Subdivision, stating that said lot is not approved for development and that prior to issuance of land use permits, the subdivision will require an amended plat to be properly completed.

Before the final Mylar is to be recorded, the conditions stated in the agency reviews must be met.

Tax Clearance: There is no record of past delinquent tax history and no outstanding tax bills on these parcels

Public Notice: The required notice for the amended subdivision plat approval has been mailed at least ten calendar days before the public meeting to all property owners of record within 500 feet of the subject property per noticing requirements outlined in LUC 106-1-6(c).

Staff Recommendations

Staff recommends final approval of Dutson Subdivision 1st Amendment consisting of one lot. This recommendation is subject to all review agency requirements and based on the following conditions:

1. A “Natural Hazards Disclosure” will be added to the subdivision plat and a document will be required to be recorded to provide adequate notice of the natural hazard study area for future property owners.
2. A notice will be recorded against Lot 1 of the Hesselgesser-Hatton Subdivision, stating that said lot is not approved for development and that prior to issuance of land use permits, the subdivision will require an amended plat to be properly completed.

This recommendation is based on the following findings:

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

3. The proposed subdivision will not be detrimental to public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the natural landscape within the subdivision or the surrounding properties.

Administrative Approval

Administrative final approval of Dutson Subdivision 1st Amendment, 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.

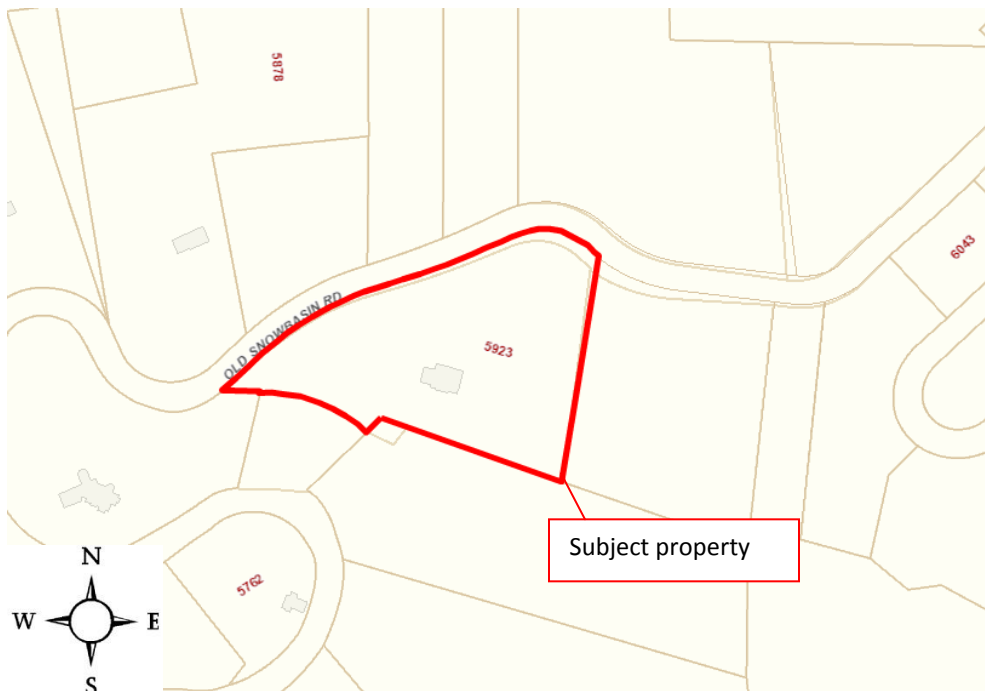
Date of Administrative Approval: February 8, 2017

Rick Grover
Weber County Planning Director

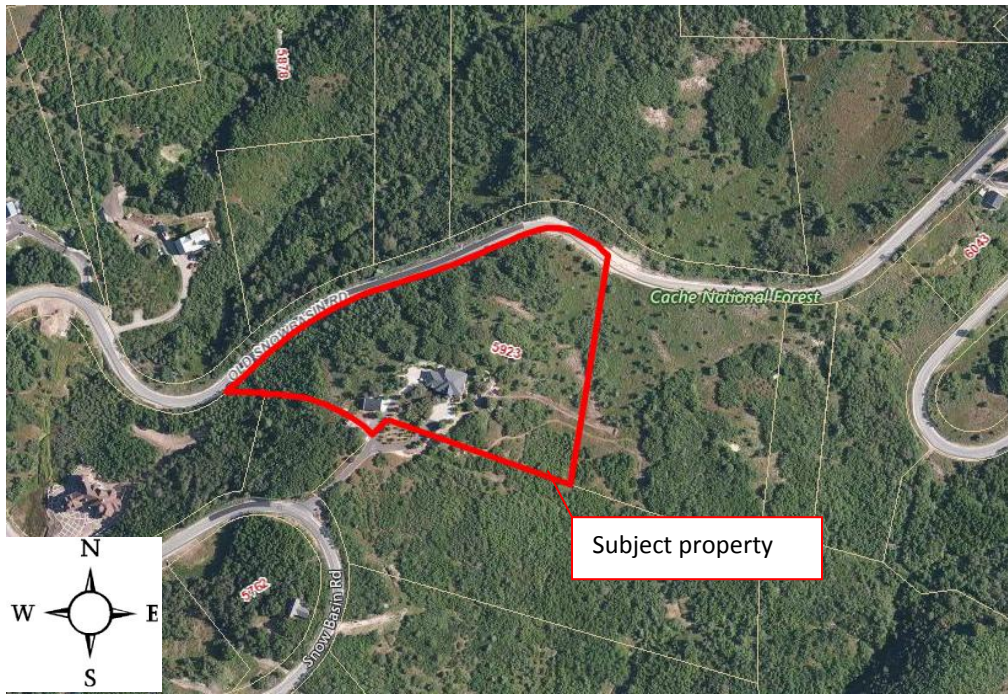
Exhibits

- A. Amended Subdivision Plat
- B. Subdivision Plat

Map 1



Map 2



Subject property