

## WEBER COUNTY PLANNING DIVISION

### Administrative Review Meeting Agenda

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**July 05, 2017**  
**4:00-5:00 p.m.**

1. **Consideration and action on an administrative application for final approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.25 acres. Applicant; Matthew and Julie Shupe.**
2. ***Adjournment***

*The meeting will be held in the Weber County Planning Division Conference Room, Suite 240, in the Weber Center, 2nd Floor, 2380 Washington Blvd., Ogden, Utah unless otherwise posted*



*In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791*



# Staff Report for Administrative Subdivision Approval

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on an administrative application for final approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.25 acres.

**Type of Decision:** Administrative

**Agenda Date:** Wednesday, July 05, 2017

**Applicant:** Matthew & Julie Shupe, Owners

**File Number:** UVW 050117

### Property Information

**Approximate Address:** 4400 North 2900 East, Liberty, UT 84310

**Project Area:** 5.25 acres

**Zoning:** Forest Valley (FV-3) Zone

**Existing Land Use:** Vacant

**Proposed Land Use:** Residential

**Parcel ID:** 22-008-0075

**Township, Range, Section:** T7N, R1E, Section 18S

### Adjacent Land Use

<b>North:</b>	Vacant Agricultural	<b>South:</b>	Vacant Agricultural
<b>East:</b>	North 2900 East	<b>West:</b>	Vacant Agricultural

### Staff Information

**Report Presenter:** Tammy Aydelotte  
taydelotte@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)

## Background and Summary

The applicant is requesting approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.37 acres located at approximately 4400 N 2900 E, Liberty, UT, in the FV-3 Zone.

The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements of 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:** The General Plan for Ogden Valley is intended to preserve private property rights while also preserving the rural characteristics of the Valley. This proposal conforms to the Ogden Valley General Plan.

**Zoning:** The subject property is located in the Forest Valley (FV-3) Zone. Single-family dwellings are a permitted use in the FV-3 Zone.

The proposed small subdivision complies with the site development standards of the FV-3 zone including minimum lot area of 3 acres and minimum lot width of 150 feet. The proposed lot is approximately 5.37 acres and has approximately 204.71 feet of frontage along 2900 East St.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in LUC §106-1, and the FV-3 zone standards in LUC §104-14. The proposed subdivision will not realign or create any new public streets. The proposal meets the criteria for "Small Subdivisions", as defined in LUC §101-1-7, and can be administratively approved per LUC §106-1-5(b)(1).

Culinary water and sanitary sewage disposal: Culinary water is provided by Liberty Pipeline, and sanitary sewer is provided by a private, onsite septic system. An "Onsite Wastewater Disposal Systems Deed Covenant and Restriction" will be required to be recorded with the final subdivision Mylar to ensure adequate notice is provided to future property owners of the requirement for a private onsite septic system.

Review Agencies: To date, the proposed subdivision has been reviewed and approved by the County Engineer, the County Surveyor, as well as Weber Fire District. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Additional Design Standards: Additional standards and requirements from reviewing agencies, including the Weber County Engineering Division must be fulfilled before the recording of the final plat. There may be additional site preparation in conjunction with an approved building permit. The proposed subdivision does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Natural Hazards Overlay Area: The proposed subdivision is located in a Zone "D" as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone "D" are typically areas in which no analysis of flood hazards has been conducted.

The following geologic hazards have been identified in the attached report and are considered a low risk and unlikely for occurrence: Landslide, Alluvial Fan Flooding/Debris Flow, Rock Fall, Surface Fault Rupture, and Stream Flooding.

Tax Clearance: The 2016 taxes have been paid in full. The 2017 property taxes will be due in full on November 1, 2017.

Public Notice: A notice has been mailed not less than seven calendar days before final approval 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.

## Staff Recommendations

Staff recommends final approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.37 acres. This recommendation is subject to all review agency requirements and based on the following conditions:

1. An "Onsite Wastewater Disposal Systems Deed Covenant and Restriction" will be required to be recorded with the final subdivision Mylar to ensure adequate notice is provided to future property owners of the requirement for a private onsite septic system.
2. A "Natural Hazards Disclosure" document will be required to be recorded prior to receiving final occupancy to provide adequate notice of any geotechnical and geological recommendations to future property owners.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable county ordinances.
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 general area so as to negatively impact surrounding properties and uses.

## Administrative Approval

Administrative final approval of the Whispering Oaks Subdivision is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: \_\_\_\_\_

\_\_\_\_\_  
Rick Grover  
Weber County Planning Director

- A. Subdivision Application
- B. Plat Map
- C. Area Map
- D. Feasibility Letters

# Exhibit A. Subdivision Application



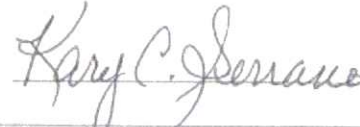
<b>Weber County Subdivision Application</b>			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
<b>Subdivision and Property Information</b>			
Subdivision Name Whispering Oaks Subdivision			Number of Lots 1
Approximate Address 4400 N 2900 E Liberty, UT 84310		Land Serial Number(s) 22-008-0075	
Current Zoning FV-3	Total Acreage 5.25		
Culinary Water Provider Liberty Pipeline	Secondary Water Provider Liberty Pipeline	Wastewater Treatment Septic	
<b>Property Owner Contact Information</b>			
Name of Property Owner(s) Matthew and Julie Shupe		Mailing Address of Property Owner(s) 3930 N 3500 E Liberty, UT 84310	
Phone 801-791-4461	Fax none		
Email Address majshupe@gmail.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail		
<b>Authorized Representative Contact Information</b>			
Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address	Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail		
<b>Surveyor/Engineer Contact Information</b>			
Name or Company of Surveyor/Engineer Landmark Surveying, Inc		Mailing Address of Surveyor/Engineer 4646 S 3500 W West Haven, UT 84401	
Phone 801-731-4075	Fax none		
Email Address tyler@landmarksurveyutah.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail		
<b>Property Owner Affidavit</b>			
I (We), <u>Matthew Shupe</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.			
		_____ (Property Owner)	
Subscribed and sworn to me this <u>27<sup>th</sup></u> day of <u>April</u> , 20 <u>17</u> .			
		 (Notary)	



Exhibit C. Area Map



Exhibit D. Feasibility Letters



Liberty Pipeline Company



PO Box 1200  
801-745-2088

Eden, Utah 84310  
[Jodi@LibertyPipelineCompany.com](mailto:Jodi@LibertyPipelineCompany.com)  
[www.LibertyPipelineCompany.com](http://www.LibertyPipelineCompany.com)

05/01/2017

To whom it may concern;

This letter is to act as verification that culinary water is available from Liberty Pipeline Company for Tax ID 22-008-0075 owned by Matthew and Julie Shupe.

The fees required in order to hook up to Liberty Pipeline Co are:

Impact Fee: \$14,400.00  
Connection Fee: \$3976.50

Also, there is a Liberty Pipeline monthly usage base fee of \$30.00.

If further information or verification is needed, please call 801-745-2088.

Thank you,

A handwritten signature in black ink, appearing to read "Jodi D." with a stylized flourish.

Jodi Davis  
LPC Bookkeeper





June 15, 2016

Matthew Shupe  
3930 N 3500 E  
Liberty, UT 84310

RE: Wastewater Site and Soils Evaluation #14355  
4400 N 2900 E, Liberty  
Parcel # 22-008-0060

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on June 13, 2016. The exploration pit is located on the enclosed plat developed during the site evaluation along with the assigned numerical code for each exploration pit. The soil horizons, required percolation depths, actual and anticipated maximum ground water tables have been logged as follows:

Exploration Pit #2 (UTM Zone 12 Nad 83 0426300 N 4576769 E)  
0-12" Clay loam, granular structure  
12-65" Gravelly Clay loam, massive structure, 20% gravel  
65-144" Gravelly Sandy Clay loam, massive structure, 35% gravel

Exploration pits should be backfilled immediately upon completion of percolation testing to prevent a hazardous environment that may cause death or injury to people or animals.

If you would like to pursue further investigation, conduct the required percolation test so that the bottom of the percolation test hole is at **36 & 78 inches** deep from the original grade.

Percolation tests may be completed by any individual on the enclosed list. The stabilized percolation test results are to be submitted to this office for review prior to the recommendation for further development to the appropriate planning agency or prior to the issuance of a wastewater disposal permit.

Due to the soil types existing on this property the final readings of the percolation tests will need to be witnessed by a representative from the Health Department. Please make the percolation tester aware of the requirement so that arrangements can be made. Test results will not be accepted if this requirement is not met.

Monitoring of the maximum ground water table is required in the location of the above listed exploration pits. Please complete the enclosed application of maximum ground water table monitoring and return it along with the appropriate fees. The wells should be constructed in accordance with the enclosed diagram in order to provide the most accurate water table readings

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phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | [www.webermorganhealth.org](http://www.webermorganhealth.org)

possible. Each group of monitoring wells can be for an area not exceeding 600 feet or approximately a 3 acre area.

Provide evidence that 20,000 sq. ft. of contiguous buildable area with a slope of less than 15-25 % is available.

If you have any further questions, contact this office at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian Cowan".

Brian Cowan, LEHS  
Environmental Health Division  
801-399-7160

BC/gk