



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for approval of Opheikens Subdivision, consisting of one lot.

Type of Decision: Administrative

Agenda Date: Wednesday, March 28, 2018

Applicant: Brian Opheikens

File Number: LVO 012318

Property Information

Approximate Address: 718 N 4700 W, Ogden

Project Area: 6 acres

Zoning: Agricultural (A-2) Zone

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 15-027-0107

Township, Range, Section: T6N, R2W, Section 8

Adjacent Land Use

North: Agriculture	South: Agriculture
East: Agriculture	West: Agricultural

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 7, Agricultural (A-2 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Background and Summary

The applicant is requesting final approval of Opheikens Subdivision, consisting of one lot, for which no road dedication will be made due to the lot having frontage along a state highway. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by 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 proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area.

Zoning: The subject property is located in the Agricultural (A-2) Zone. Single-family dwellings are a permitted use in the A-2 Zone.

Lot area, frontage/width and yard regulations: In the LUC §104-7-6, the A-2 zone requires a minimum lot area of 40,000 square feet for a single family dwelling and a minimum lot width of 150'. Lot 1 maintains adequate lot area at 6 acres and has approximately 315' of frontage along 4700 West.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in LUC §106-1, and the A-2 zone standards in LUC §104-7. The proposed subdivision will not create any new public streets. The proposal meets the criteria for "Small Subdivisions", as defined in LUC §101-7, and can be administratively approved per LUC §106-1-5(b)(1).

Culinary water and sanitary sewage disposal: Feasibility letters have been provided for the culinary water and the sanitary sewer for the proposed subdivision. The culinary water for the proposed subdivision will be provided by Taylor West Weber Water Improvement District. The sanitary sewage disposal will be an individual waste water treatment system.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division, Engineering Division, and Surveyor's Office along with the Weber Fire District. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Additional Design Standards: The applicant has provided an access permit from the Utah State Department of Transportation in order to access the lot off of 4700 W. Any requirement for curb, gutter, and sidewalk will be enforced by UDOT, as stated in LUC §106-4-2(e) and (f).

Tax Clearance: There are no outstanding tax payments related to this parcel. The 2018 property taxes are not considered due at this time but will become due in full on November 30, 2018.

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 Opheikens Subdivision, a one lot subdivision located at approximately 718 N 4700 W. This recommendation is subject to all review agency requirements and based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with applicable county ordinances.

Administrative Approval

Administrative final approval of Opheikens 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: Wednesday, March 28, 2018



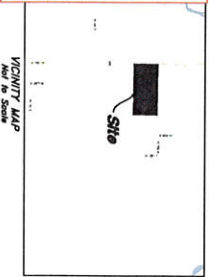
Rick Grover
Weber County Planning Director

Exhibits

- A. Final subdivision plat
- B. Feasibility letters
- C. UDOT access permit

Area Map 1





Opheikens Subdivision

A part of the Southeast 1/4 of Section 8, T6N, R2W, S1B&M, U.S. Survey
Weber County, Utah
March 2018

SURVEYOR'S CERTIFICATE

I, Andy Hubbard, do hereby certify that I am a Professional Land Surveyor in the State of Utah, and I hold Certificate No. 63429201 in accordance with Title 48, Chapter 2, Part 1, Section 2-201, Utah Code. I have completed a survey of the property described herein, and I have prepared a plat of the subdivision shown hereon. The subdivision shown hereon is a part of the Opheikens Subdivision in Weber County, Utah, and it has been correctly drawn in the designated scale and is a true and correct representation of the actual conditions of the property as surveyed. The subdivision, based on data compiled from records in the Weber County Recorder's Office, monuments have been found or placed as represented on this plat.

Signed this _____ day of _____, 2018.

Andy Hubbard

BOUNDARY DESCRIPTION

A part of the Southeast Quarter of Section 8, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, West Weber, Weber County, Utah.
Beginning of a point located 1758.25 feet North 89°21'57" West along the Outer Section line and 70.00 feet South 0°10'01" West from the East Quarter of 89°21'57" West 829.25 feet to the East right of any line of 4700 West Street (S&M-134) Thence North 0°02'1" East 315.00 feet along said East line. Thence South 0°23'59" East 829.73 feet to the point of beginning.
Contains: 6,000 acres

OWNER'S DEDICATION

We, the undersigned owners of the herein described tract of land, hereby set apart and dedicate the same into the public use, and do hereby reserve as public utility, storm water detention ponds drainage easements and good and convenient access to the same to be used for the maintenance, protection and for the preservation of water channels by the natural state whichever is structure being created within such easements, and some said land Opheikens Subdivision.
Signed this _____ day of _____, 2018.

Brian Opherkens
Dyanne Opherkens

ACKNOWLEDGMENT

This plat was prepared by me, the undersigned, on this _____ day of _____, 2018, in accordance with the provisions of the Utah Public Commissioned Survey Act.
Commission Number: _____
Commission Expires: _____
Patti Norma

MARRIAGE

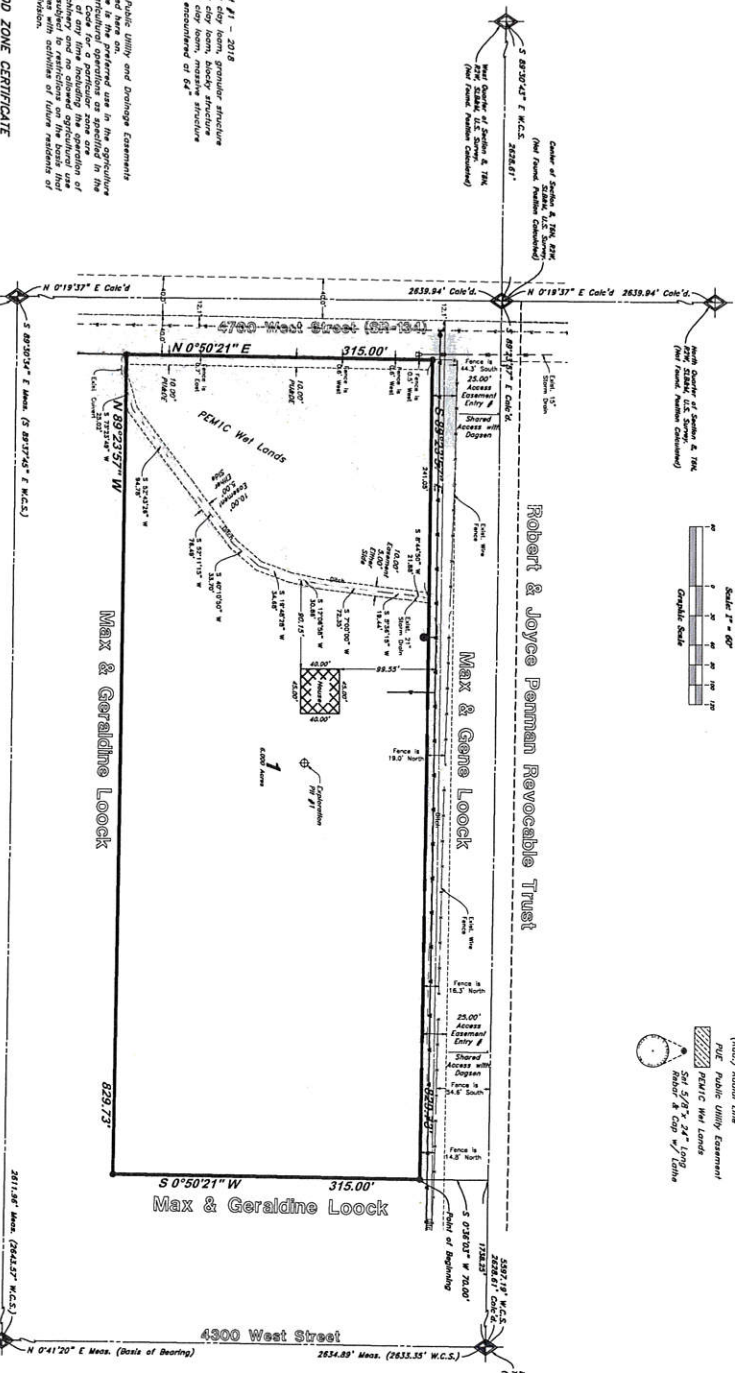
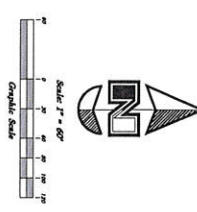
This Subdivision was requested by Mr. Brian Opherkens for the purpose of subdividing the existing ground to better accommodate future plans for the property, located at the East Quarter and South Quarter corner of Section 8, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, Partitions for the Center of the Southeast Quarter of said Section 8, now then subdivided from these portions, 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, Partitions for the Center of the Southeast Quarter of said Section 8, now then subdivided from these portions, 24. A Record of Survey for Robert Penman Dated April 22, 2008 and filed November 24, 2008 and filed August 04, 1989 were used as references for this plat. August 16, 1989 Quarter One bearing South 0°41'20" East between the Southeast Corner and East Corner of the same were monumented as depicted on this drawing.

WEBER-MORGAN HEALTH DEPARTMENT

I hereby certify that the said, partition other, and the conditions for this subdivision have been reviewed and approved by the health department and the wastewater disposal system. Signed this _____ day of _____, 2018.

Webster-Morgan Health Department

NAME	DATE	RECORDS
WEBER COUNTY RECORDER		
WEBER COUNTY RECORDER		
WEBER COUNTY RECORDER		



- Notes:**
1. 12' wide Public Utility and Drainage Easements
 2. Agriculture is the preferred use in the agricultural zone. Agricultural operations as specified in the zoning code are permitted in the agricultural zone. The use of any other use including the operation of any machinery and no other agricultural use is prohibited. The use of any other use including the operation of any machinery and no other agricultural use is prohibited. The use of any other use including the operation of any machinery and no other agricultural use is prohibited.

FLOOD ZONE CERTIFICATE
The property lies within Zone X (moderate) Flood Hazard Area. Flood Hazard Zone X (moderate) Flood Hazard Area. Flood Hazard Zone X (moderate) Flood Hazard Area. Flood Hazard Zone X (moderate) Flood Hazard Area.

ENGINEER
Great Basin Engineering, Inc.
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DEVELOPER
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A PROFESSIONAL CORPORATION
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WWW.GBENGINEERING.COM

WEBER COUNTY ENGINEER
I hereby certify that the required public information has been provided to the public in accordance with the provisions of the Utah Public Commissioned Survey Act. Signed this _____ day of _____, 2018.

WEBER COUNTY PLANNING COMMISSION APPROVAL
This is to certify that this subdivision plat was approved by the Weber County Planning Commission. Signed this _____ day of _____, 2018.

WEBER COUNTY SURETYOR
I have reviewed the plat and the subdivision information and certify that the same is a true and correct representation of the actual conditions of the property as surveyed. Signed this _____ day of _____, 2018.

WEBER COUNTY ATTORNEY
I have reviewed the plat and the subdivision information and certify that the same is a true and correct representation of the actual conditions of the property as surveyed. Signed this _____ day of _____, 2018.

WEBER COUNTY RECORDER
I hereby certify that the said, partition other, and the conditions for this subdivision have been reviewed and approved by the health department and the wastewater disposal system. Signed this _____ day of _____, 2018.

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT
2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

January 22, 2018

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that ***preliminary*** approval has been given to provide culinary water only for one lot for Brian Opheikens at the approximate address of 718 North 4700 West in West Weber, Utah.

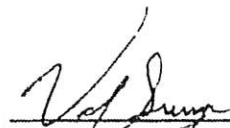
Requirements:

- *Water rights fee = \$4,363 (or current cost when paid)
- *Secondary water = 1/2 share of Hooper Irrigation (in District's name) to be held by District for a pressurized system
- *Hookup/Impact fee = \$6,824 (or current cost when paid)

Final approval will be subject to meeting all of the requirements of the District and all fees/shares being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Val Surrage - Manager

VS/sph

Expires 07/22/18

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

November 7, 2017



Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Brian Opheikens
Approx -718 N 4700 W
Parcel #15-027-0013
Soil log #14599

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by Taylor West Weber Water Improvement District, an extension of an existing approved non-community water system. **A letter from the water supplier is required prior to issuance of a permit**

DESIGN REQUIREMENTS

Documented ground water tables not to exceed 24 inches, fall within the range of acceptability for the utilization of an At-Grade Treatment System as a means of wastewater disposal. Maximum trench depth is limited to 0 inches. The absorption field is to be designed using a maximum loading rate of 0.4 gal/sq. ft./day as required for the silty clay loam, massive structure soil horizon with a documented percolation rate of 53 minutes per inch.

Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

All subdivisions plats submitted for review are to show the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. Mylars submitted for signature without this information will be returned.

Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,

Tiffany Stauffer, LEHS
Environmental Health Division
801-399-7160

TS/gk



GENERAL INFORMATION

Issuance Date	Region	Project Name	OLP Application ID
3/12/2018	Region 1	(17-081) Brian Opheikens Property	80253
Physical Address	City	Permit Type	Access Use Type
718 South 4700 West	WEST WEBER	New	Residential

PERMITEE INFORMATION

Property Owner Name	Primary Contact	Primary Phone	Email
Geraldine Looch	Andy Hubbard	(801) 394-4515	andyh@greatbasineng.com


LOCATION, WIDTH, AND ACCESS CATEGORY INFORMATION

State Route	Milepost Marker	DD Center Latitude	DD Center Longitude	Access Width	Access Category
0134	5.4			32	5 - Reg. Priority Urban

A Conditional Access Permit is hereby authorized subject to the Utah Department of Transportation's (the Department's) Access Management Rule (Utah Administrative Code R-930-6), the Utility Accommodation Rule (Utah Administrative Code R930-7), the Standard Specifications for Road and Bridge Construction, and any terms, conditions, and limitations set forth herein. Per Utah Administrative Code R930-6-8(6)(g), a Conditional Access Permit shall expire if the access construction is not completed within twelve (12) months of the issuance date as identified at the top left of this document.

By carrying out the activities authorized by this approval the permittee and the permittee's successors in interests and/or assigns agree to accept all terms, conditions, and, limitations, of the approval including any attachments submitted with the Conditional Access Permit Application. In addition, the permittee certifies they will comply with all applicable regulations, properly control and warn the public of said work to prevent accident, and shall defend, indemnify and hold harmless the Department from all damages arising out of any and all operations performed during construction and operation of said access. Per Utah Administrative Code R930-6-8(5)(e), the permittee understands any intentional misrepresentation of existing or future conditions or of information requested for the application for the purposes of receiving a more favorable determination is sufficient grounds for permit revocation. The access allowed under this permit creates a license to only access a state highway to the extent provided in the permit. The access may be closed, modified or relocated by UDOT if, at any time, UDOT determines in its sole discretion that safety, efficiency or other reasons so require. UDOT will not be liable for any costs, losses or damages resulting from UDOT's review and comments on the submitted plan sets for a Conditional Access Permit.

This conditional access permit does NOT allow construction or other activities within a state right-of-way. An encroachment permit must be separately applied for and issued before any construction within a state right-of-way may commence. Work on UDOT's right-of-way is seasonally restricted from October 15 to April 15. Work is not allowed on the right-of-way during the AM/PM peak traffic hours of 6:00 A.M. to 9:00 A.M. and 3:30 P.M. to 6:00 P.M. Some exceptions to this A.M./P.M. peak travel work restriction may be permissible for low AADT routes in rural areas. Any such exception requires special Region approval and must be explicitly stated on the approved encroachment permit.

Authorizing Name (printed)	Rodger Genereux	Authorizing Name (signed)	
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TERMS, CONDITIONS, AND LIMITATIONS

1. The access allowed under this permit creates a license to only access a state highway to the extent provided in the permit. The access may be closed, modified or relocated by UDOT if, at any time, UDOT determines in its sole discretion that safety, efficiency or other reasons so require. This conditional access permit does not allow construction or other activities within a state right-of-way; and an encroachment permit must be separately applied for and issued before any construction within a state right-of-way may commence.
2. Licensee must do all work in accordance with UDOT approved plans.
3. An inspector may be required at permittee's expense, with 48 hours notice. By accepting this permit, I agree to pay for inspection fees.
4. Licensee is responsible for repairing and/or restoring any portion of the roadway damaged during construction.
5. Licensee must restore shoulder of highway to its original or better condition. Including reseeding, replacing sidewalk, fencing, pipe, culverts or signs removed or damaged during construction and any other roadway features.
6. The permit holder agrees to maintain the permitted access in a professional workmanlike manner, free from physical defects including but not limited to pot holes or other similar substandard conditions for the life of the permit. The permit holder's maintenance-related responsibilities shall extend to UDOT's edge of asphalt where said permitted access physically connects to UDOT's main traveled way and shall be guaranteed in perpetuity. Failure to properly maintain said private access point shall be grounds for permit revocation and for the closure of the permitted access point.
7. Permit Holder will comply with all applicable environmental laws.
8. Before Commencing work on the State highway, the contractor who is awarded the project must have a performance bond on file with UDOT, and obtain an



encroachment permit from the REGION Permits office.