



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on final plat approval of Berg Subdivision, a two lot subdivision.
Type of Decision: Administrative
Agenda Date: April 16, 2018
Owner: Brent & Renee Wagstaff
Applicant Agent: Edward & Rebecca Berg
File Number: LVB011618

Property Information

Approximate Address: 3156 West 1800 South, Ogden, UT, 84401
Project Area: 2.287 Acres
Zoning: A-2 Zones
Existing Land Use: Residential/Agricultural
Proposed Land Use: Residential
Parcel ID: 15-060-0003
Township, Range, Section: Township 6 North, Range 2 West, Section 22

Adjacent Land Use

North: Agricultural	South: 1800 South St.
East: Agricultural/Residential	West: Agricultural/Residential

Staff Information

Report Presenter: **Tammy Aydelotte**
 taydelotte@co.weber.ut.us
 801-399-8794

Report Reviewer: RK

Applicable Ordinances

- Weber County Land Use Code Title 106, Subdivisions, Chapter 1-8 as applicable
- Weber County Land Use Code Title 104 (Zones) Chapter 7 (A-2 Zone)
- Weber County Land Use Code Title 108, Flag Lot Access, Chapter 7

Development History

- Received application for Berg Subdivision 1/16/2018, a two lot subdivision consisting of 2.287 acres.
- Approved a request for an Alternative Access, located approximately 3176 West, 1800 South 9/29/2016.

Background and Summary

The Planning Division recommends final approval of the Berg Subdivision, a small subdivision consisting of two lots (see Exhibit A). The proposed subdivision is located at approximately 3156 W 1800 S Ogden, in the A-2 zone.

The proposed subdivision will consist of 2.86 acres. With the recommended conditions the proposed subdivision and lot configuration meets all other applicable subdivision requirements as required in the Uniform Land Use Code of Weber County (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 Zone more particularly described as the A-2 zone. The purpose and intent of the 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.”

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, and the standards in the A-2 zone in LUC §104-7. Small subdivisions as defined in LUC §101-7 can be administratively

approved per LUC §106-1-5(b)(1). The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. 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 has a minimum lot area or a minimum lot width requirement per LUC §104-7-6 for a single family residential dwelling. The following development standards will be reviewed upon submittal for a building permit:

- Minimum lot area: 40,000 square feet
- Minimum lot width: 150 feet
- Front yard setback: 30 feet
- Side yard setback: 10 feet with total width of 2 side yards not less than 24 feet
- Rear yard setback: 30 feet
- Maximum average building height: 35 feet

The proposed lot configuration meets the area and width standards in the A-2 Zone.

Review Agencies: The Weber Fire District and the Weber County Surveyor’s office have approved the subdivision, with the Weber County Engineer offering a conditional approval. The proposal will be required to comply with all review agency requirements prior to recording the final mylar.

Additional design standards and requirements: 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; however, the proposal does include the dedication of a portion of 1800 South. The dedication of the public right of way will have to be reviewed and accepted by the Weber County Commission prior to recording the Mylar. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes will be due in full on November 30, 2018.

Public Notice: The required noticing for the final subdivision plat approval has been mailed 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(c).

Staff Recommendation

Staff recommends final plat approval of Berg Subdivision, a two lot subdivision consisting of approximately 2.287 acres. This recommendation for approval is subject to all applicable review agency requirements.

Recommendation for approval 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 all previous approvals and the applicable County ordinances.

Administrative Approval

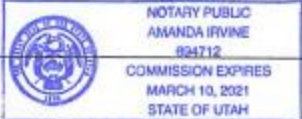
Administrative final plat approval of Berg Subdivision, a two lot subdivision, is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and is based on the findings listed in this staff report.

Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits:

1. Subdivision Application
2. Alternative Access Approval – Notice of Decision & Permanent Easement
3. Annexation Plat
4. Proposed Plat & Site Plan w/ Frontage

Weber County Subdivision Application			
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)
Subdivision and Property Information			
Subdivision Name <u>Berg Subdivision</u>		Number of Lots <u>2</u>	
Approximate Address <u>3156 W 1800 S Ogden UT 84401</u>		Land Serial Number(s) <u>150600003</u>	
Current Zoning <u>A1</u>	Total Acreage <u>2.1</u>		
Culinary Water Provider <u>Taylor West Weber</u>	Secondary Water Provider <u>Hooper Irrigation</u>	Wastewater Treatment <u>West Haven</u>	
Property Owner Contact Information			
Name of Property Owner(s) <u>Brent & Renee Wagstaff</u>		Mailing Address of Property Owner(s) <u>3156 West 1800 South Ogden UT 84401</u>	
Phone <u>(801) 731-2674</u>	Fax		
Email Address <u>graniegrut@gmail.com</u>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) <u>Edward & Rebecca Berg</u>		Mailing Address of Authorized Person <u>3156 West 1800 South Ogden UT 84401</u>	
Phone <u>(478) 952-4678</u>	Fax		
Email Address <u>ebjaee6@gmail.com</u>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer <u>Tyler Knight Landmark Surveying</u>		Mailing Address of Surveyor/Engineer <u>4676 South 3500 West West Haven UT 84401</u>	
Phone <u>(801) 731-4075</u>	Fax		
Email Address <u>tyler@landmarksurveying.com</u>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			
<p>I (We), <u>Brent & Renee Wagstaff</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. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.</p>			
<u>Brent Wagstaff</u> (Property Owner)		<u>Renee Wagstaff</u> (Property Owner)	
Subscribed and sworn to me this <u>4th</u> day of <u>January</u> , 20 <u>18</u> .			
		<u>[Signature]</u> (Notary)	



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

Weber County Planning Division
NOTICE OF DECISION

September 29, 2016

Edward & Rebecca Berg

Case No.: AE0816

You are hereby notified that the Berg Family Alternative Access application, located approximately 3176 West 1800 South UT, was heard and approved by the Weber County Planning Division in a public meeting held on September 29, 2016. After due notice to the public, approval was granted.

This recommendation is based on the following findings:

1. The proposed access conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed access complies with applicable ordinances.
3. The proposed access will not be detrimental to the public health, safety, or welfare.
4. The proposed access 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 fileverino@co.weber.us.ut or 801-399-8767.

Respectfully,

Felix Lleverino

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.

WHEN RECORDED, RETURN TO:
[grantee]

PERMANENT EASEMENT

Trust
Tax Serial No.

Brent William Wagstaff & ReNee Wagstaff, Trustees of the **Brent and ReNee Wagstaff Family Trust**, GRANTOR(s), of Weber County, State of Utah, hereby Grant(s) and Convey(s) to Ed Berg, GRANTEE(s) of Weber County, State of Utah, for the sum of Ten Dollars (\$10.00) and/or other good and valuable consideration(s), the following a perpetual easement for the purpose of ingress and egress described as follows:

DESCRIPTION

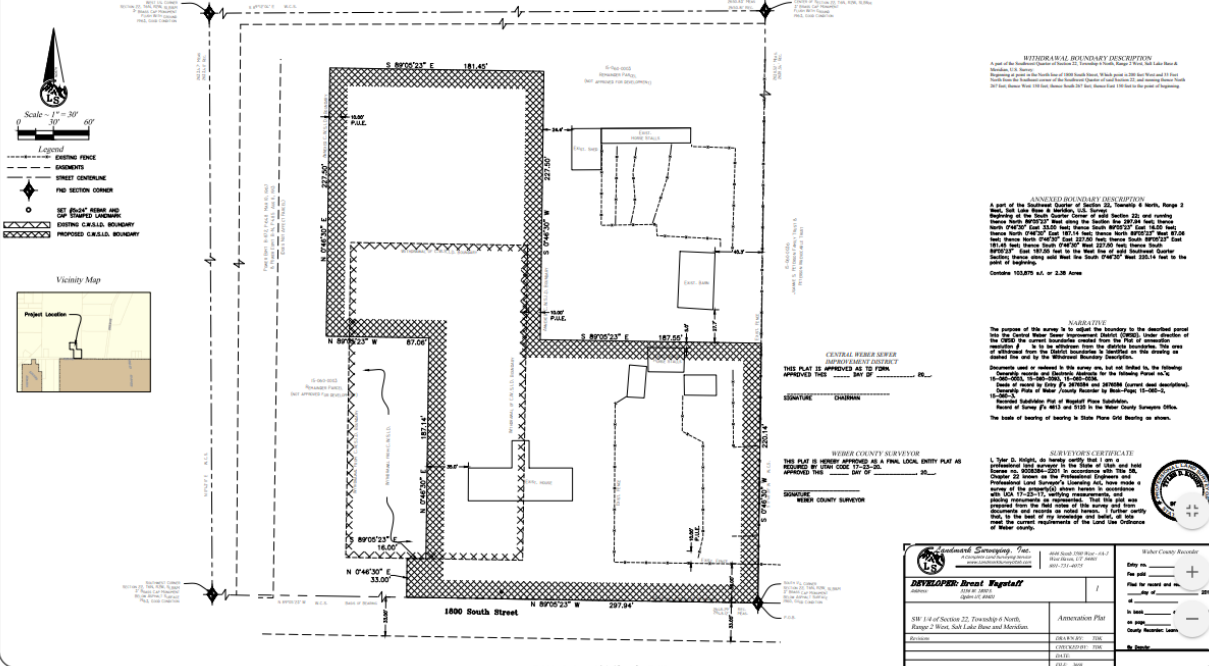
See EXHIBIT A attached hereto and made a part hereof.

NOW THEREFORE, for valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the easement as described above, the Grantor(s) hereby covenants and agrees as follows:

1. The access easement as granted to the Grantee(s), shall run with the land and shall be binding upon all parties claiming by, through or under the Grantor/Grantee including, but not limited to, their purchasers, successors, assigns, unless relinquished in writing.
2. The terms of this Grant of Easement represent the final and complete understanding of the Grantor/Grantee with respect to the issues described herein. Said terms supersedes all prior verbal and written representations, discussions and understandings between the Grantor/Grantee.

**BOUNDARY ADJUSTMENT OF CENTRAL WEBER SEWER IMPROVEMENT DISTRICT
WITHDRAWAL RESOLUTION # _____, ANNEXATION RESOLUTION # _____**

SHOWING THE ADJUSTMENT TO DISTRICT BOUNDARY IN ACCORDANCE WITH UCA-10-2-419 LOCATED IN
PART OF THE SW 1/4 OF SECTION 22 TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
UNINCORPORATED WEBER COUNTY, UTAH - FEBRUARY 2016



WITHDRAWAL BOUNDARY DESCRIPTION
A part of the boundary of the Central Weber Sewer Improvement District (CWSID), under Chapter 22 of the Utah Code, 1953, as amended, located in the SW 1/4 of Section 22, Township 6 North, Range 2 West, Salt Lake Base & Meridian, Unincorporated Weber County, Utah, as shown on the attached map.

ANNEXED BOUNDARY DESCRIPTION
A part of the boundary of the Central Weber Sewer Improvement District (CWSID), under Chapter 22 of the Utah Code, 1953, as amended, located in the SW 1/4 of Section 22, Township 6 North, Range 2 West, Salt Lake Base & Meridian, Unincorporated Weber County, Utah, as shown on the attached map.

NARRATIVE
The purpose of this survey is to adjust the boundary of the Central Weber Sewer Improvement District (CWSID), under Chapter 22 of the Utah Code, 1953, as amended, located in the SW 1/4 of Section 22, Township 6 North, Range 2 West, Salt Lake Base & Meridian, Unincorporated Weber County, Utah, as shown on the attached map.

SURVEYOR'S CERTIFICATE
I, _____, Surveyor, do hereby certify that this plat is a true and correct copy of the original plat as recorded in the office of the County Clerk of Weber County, Utah, on this _____ day of _____, 2016.

<p>Professional Surveying, Inc. Professional Surveying License 1000 North 1000 West, Suite 100 P.O. Box 1000 Cedar Breaks, UT 84202</p>		<p>Webb County Records File No. _____ File for and on _____ 2016</p>
<p>APPROVED: Brent Rignall Date of Survey: _____</p>		<p>In _____ City Recorder, Utah</p>
<p>SW 1/4 of Section 22, Township 6 North, Range 2 West, Salt Lake Base and Meridian.</p>		<p>Annexation Plat BY SURVEYOR: _____ DATE: _____</p>

