



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 Marriott Family Farm Subdivision.

Type of Decision: Administrative

Agenda Date: Wednesday, February 21, 2018

Applicant: Jennifer Marriott

File Number: UVM 011018

Property Information

Approximate Address: 5035 N 3300 E Liberty Utah 84310

Project Area: 5.5 acres

Zoning: Agricultural Valley (AV-3) Zone

Existing Land Use: Agricultural

Proposed Land Use: Residential

Parcel ID: 22-008-0002

Township, Range, Section: 7N 1E sec 18

Adjacent Land Use

North: Agricultural/Residential	South: Agricultural/Residential
East: Agricultural/Residential	West: Forest

Staff Information

Report Presenter: Felix Lleverino
 flleverino@co.weber.ut.us
 801-399-8767

Report Reviewer: RK

Applicable Ordinances

- Title 101-1-7 (Definitions)
- Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Title 106 (Subdivisions) Chapters 1-8

Background and Summary

The applicant is requesting approval of a one lot subdivision that will contain 5.5 acres that fronts directly on 3300 East Street. This one lot subdivision is being divided from a larger parent parcel that contains 24.4 acres. The remainder agricultural parcel that is not approved for development amounts to 17.50 acres.

This lot is located in the AV-3 Zone which requires a minimum lot width of 150 feet and a minimum area of 3 acres. Area fronting along 3300 East Street has already been dedicated as part of the future road widening to the County Standard 66 feet. Frontage distance along 3300 East measures 399.75 feet including an access restriction on the left fork of 3300 East Street and 5100 North Street (see Exhibit A). The remaining distance that the applicant may use for a driveway access measures 254.77 feet. Liberty Pipeline possesses an easement that is approximately 268 feet from the front property line adjacent to 3300 East Street.

Analysis

General Plan: This proposal is in conformity with Ogden Valley General Plan (OVGP) by encouraging low-density development that preserves open space and agricultural lands (see page 21 of the OVGP).

Zoning: The property is located in the AV-3 Zone. The purpose of this zone is stated in the LUC §104-6-1

"The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

Lot Area, Frontage Width and Yard Regulations: The area and width of lot 1 of Marriott Family Farm Subdivision have been shown to exceed the minimum required for the AV-3 Zone.

“Lot, frontage. The term *“frontage lot”* means all the property fronting or abutting one side of the street and/or right-of-way. No lot shall utilize any part of the temporary end or dead end of a street for *frontage*. At no point shall the *frontage* be less than 50 feet, and shall meet the lot width at the front yard setback.”

The Yard Regulations for the AV-3 zone are as follows:

Front: 30 feet

Side: 10 feet with a total of two side yards not less than 24 feet

Rear: 30 feet

This proposal will not create any encroachments into the required minimum yard setbacks.

Small Subdivision: The Weber County Land Use Code Title 101 defines “small subdivision” as “A subdivision consisting of five (5) or fewer lots and for which no streets will be created or realigned.” This subdivision consists of one lot and no new streets are being created or realigned. The Land Use Code (Subdivisions) also states “With the exception of small subdivisions, the preliminary plan/plat including the phasing plan shall be presented to the Land Use Authority, in this section Planning Commission, for their determination, based upon compliance with applicable ordinances.” Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Culinary Water: Liberty Pipeline (LPC) has provided a will serve letter that states the applicant must obtain 1.25 acres feet of water from Weber Basin Water Conservancy District with the following conditions:

1. The LPC must be shown as a joint owner of the water right.
2. The property owner must obtain an Exchange Application from the Utah State Engineer approving the diversion of Weber Basin water supply. The application must show LPC as a joint owner.
3. The owner must petition the board for a new hook-up. Upon approval, connection fees must be paid.

Sanitary System: Weber-Morgan Health Department has approved the placement of a Wisconsin Mound type septic system. The Health Department will sign the Mylar showing the location of exploration pits and percolation tests as well as documented soil horizons and percolation rates.

Review Agencies: The proposed subdivision has been reviewed by Surveying, Engineering, and Planning. These reviews have specific requirements that must be met prior to recording the final Mylar. The Weber County Fire Marshal has not posted a review yet.

Tax Clearance: The 2017 property taxes have been paid in full. The 2018 property taxes are due in full as of November 30, 2018.

Public Notice: The required notice for the 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 Recommendations

Staff recommends final approval of Marriott Family Farm Subdivision based on the following conditions:

1. The property owner will adhere to Liberty Pipeline Company’s conditions for a culinary water connection.
2. Prior to recording the final Mylar, all conditions required by Weber County reviewing agencies must be met.

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.

Administrative Approval

Administrative final approval of Marriott Family Farm 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: 2/21/18

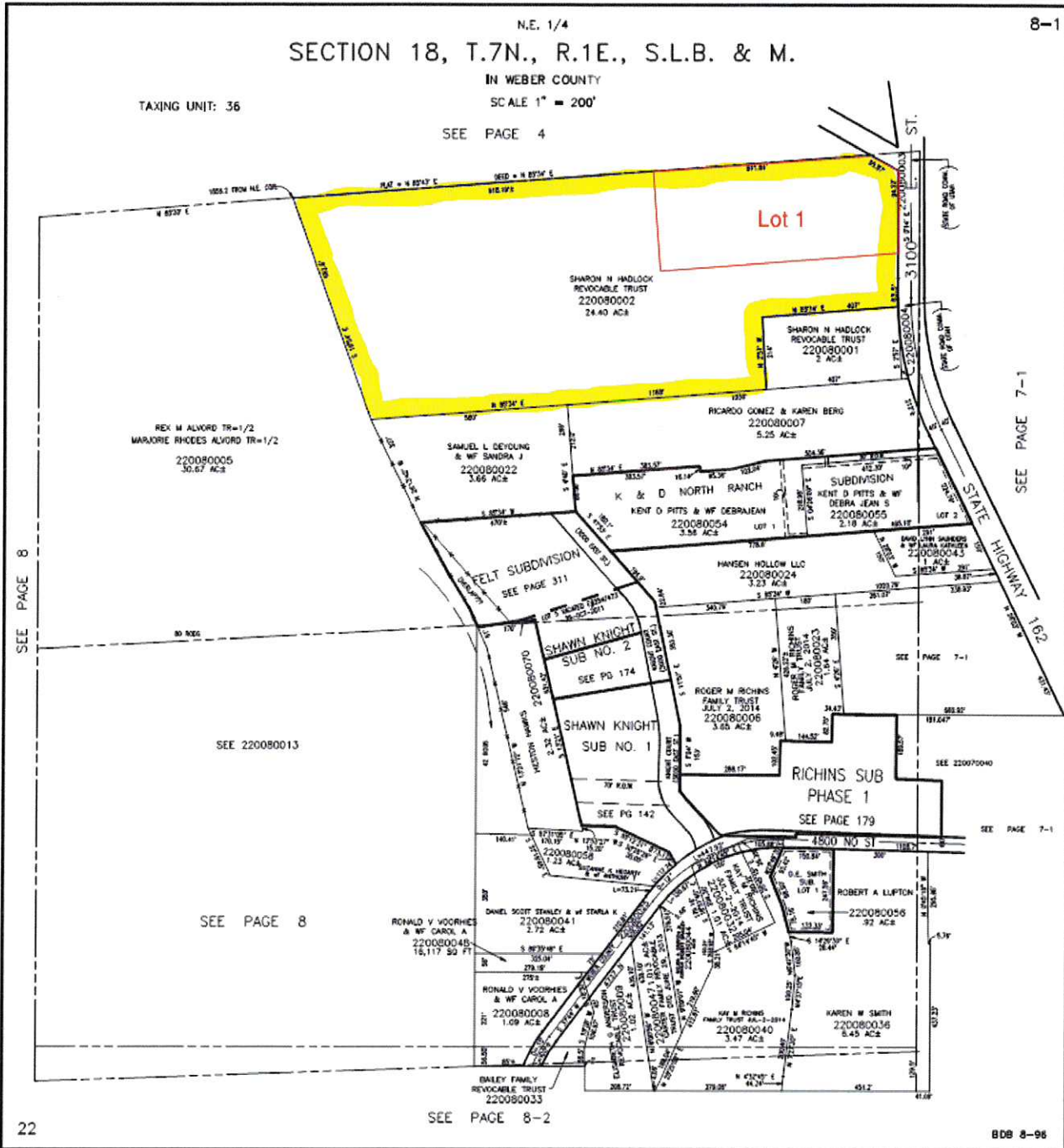

Rick Grover
Weber County Planning Director

Area Map



Exhibits

- A. Marriott Family Farm Subdivision Plat
- B. Current Recorder's plat
- C. Liberty Pipeline will-serve letter
- D. Health Department Feasibility Letter





Liberty Pipeline Company



PO Box 1200
Liberty, Utah 84310

801-745-2088
Jodi@Libertypipelinecompany.com

October 25, 2017

RE: Can serve letter for 22-008-0002

It is the policy of Liberty Pipeline Company ("Liberty") that all water service requirements must be met before Liberty will provide a Will-Serve letter to Weber County guaranteeing water service. Before Liberty can provide culinary water service to parcel ID 22-008-0002, the following steps must be completed:

1. The Property owner must obtain a water right contract with Weber Basin Water Conservancy District for 1.25 acre feet of water. Liberty must be shown as a joint owner of the water right. The Property owner must authorize Weber County to collect the annual assessment for the Weber Basin Water Conservancy District share through its taxing authority.
2. The Property owner must obtain an approved Exchange Application from the Utah State Engineer approving the diversion of the water available under the Weber Basin Water Conservancy District contract from the Liberty well for use on the Property. Liberty must be shown as a joint owner of the Exchange Application.
3. It is LPC's policy to allow 6 new hookups per year. The owner must petition the board for a new hook up and if it's approved then the Property owner must pay Liberty's connection fee of \$3,976.35, and impact fee of \$14,400.00. Upon payment of the connection fee, the Property owner will be granted one book entry share of Liberty Pipeline Company stock and will be a member of Liberty subject to all of the Company rules and regulations and will have one right to vote.

When these steps have been completed and the Property owner provides the appropriate documentation to Liberty, Liberty will prepare a Will-Serve letter to be submitted to Weber County.

At no time will the Property owner, contractor, plumber, or any other person use a "direct-connect" or "jumper" to gain access to Liberty water without fully satisfying the foregoing requirements. Such action constitutes theft and will be reported.

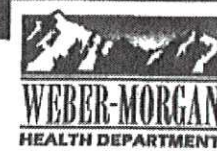
It is the understanding of Liberty that all water mains and laterals required to serve the Property have been constructed and dedicated to Liberty. Liberty will not install water mains or laterals to the Property nor will it install the service line from the water meter to the point of use. *[if the connection requires water line to be installed and dedicated to the Company this should be included in the steps to be completed].*

The Property owner remains solely responsible for meeting Weber County requirements for fire hydrants and other fire protection measures.

Jodi Davis
Secretary/Treasurer

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

November 13, 2017



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

RE: Jennifer Marriott
5035 N 3300 E (Field next to home-north side), Liberty
Parcel #22-008-0002
Soil log #14525

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by Liberty Pipeline 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

Test Pit#3-Anticipated ground water tables not to exceed 45 inches, fall within the range of acceptability for the utilization of a Wisconsin Mound 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 0.32 gal/sq. ft./day as required for the gravelly sandy loam, granular structure soil horizon.

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,

Craig Jorgensen, LEHS
Environmental Health Division
801-399-7160

CJ/gk

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