



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final approval of Silver Bell Estates No. 1, 3rd Amendment Lots 51 and 53 and a request to vacate Lots 51 and 53 of Silver Bell Estates No. 1

Agenda Date: Tuesday, January 29, 2013

Applicant: Kenneth and Debra Wright

File Number: UVS 072312 and SUBVAC 09-12

Property Information

Approximate Address: 3804 East 2050 North

Project Area: 3.35 Acres

Zoning: Forest Valley 3 (FV-3)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 22-032-0015 and 22-033-0015

Township, Range, Section: T7N, R1E, Section 32

Adjacent Land Use

North: Residential	South: Residential
East: Residential	West: Forest

Staff Information

Report Presenter: Sean Wilkinson
swilkinson@co.weber.ut.us
801-399-8765

Report Reviewer: JG

Applicable Ordinances

- Weber County Subdivision Ordinance
- Weber County Zoning Ordinance Chapter 12-B (FV-3 Zone)
- Weber County Zoning Ordinance Chapter 28 (Noncomplying Structures and Nonconforming Uses/Parcels)

Background

Silver Bell Estates No. 1, 3rd Amendment Lots 51 and 53 is an amended subdivision which is replacing the original Lots 51 and 53 in Silver Bell Estates No. 1. Both lots have single family dwellings with existing culinary water and wastewater services. All of the review agency requirements have been completed. As part of this amendment the boundary lines between Lots 51 and 53 will be adjusted, making Lot 51 larger and Lot 53 smaller. This type of boundary line adjustment is allowed by Chapter 28 Section 11.6 of the Zoning Ordinance, which states:

“A subdivision which has been approved and recorded or submitted prior to a change in zoning requiring larger lots, may adjust the lot boundaries within the subdivision subject to:

1. No lot within the subdivision shall be smaller than the original zoning requirement allowed at the time the subdivision was created.
2. The lot/frontage width is not reduced below existing zoning requirements.
3. No new lots or parcels are created.
4. An amended subdivision plat is required.”

These requirements have been met in the following ways:

1. Prior to the change in zoning in the Ogden Valley from one acre to three acres, these lots were located in an FR-1 Zone which required a minimum lot area of one acre. The proposed amendment reduces Lot 53 from 1.48 acres to 1.02 acres, which meets the minimum lot area requirement.
2. Both of the lots meet the 150 foot lot width requirement of the FV-3 Zone.
3. There are no new lots being created as part of this subdivision boundary amendment.
4. An amended subdivision plat has been submitted for approval.

As part of the subdivision amendment process, Lots 51 and 53 of Silver Bell Estates No. 1 will be vacated. The lot vacation process officially removes from record the existing legal descriptions of the lots that are being replaced by the amended subdivision. This process helps keep the chain of title clear and helps prevent errors created by potential use of the former legal descriptions. The Ogden Valley Planning Commission recommended approval of this vacation on August 28, 2012.

Summary of County Commission Considerations

- Does the subdivision meet the applicable Weber County Subdivision and Zoning Ordinance requirements?

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Planning Commission Recommendation

- The Ogden Valley Planning Commission recommended unanimous final approval of the amended subdivision and the vacation of Lots 51 and 53 of Silver Bell Estates No. 1 on August 28, 2012.

Staff Recommendation

Staff recommends final approval of Silver Bell Estates No. 1, 3rd Amendment Lots 51 and 53, based on its compliance with applicable Subdivision and Zoning Ordinance requirements. This recommendation includes the vacation of Lots 51 and 53 of Silver Bell Estates No. 1.

Exhibits

- A. Silver Bell Estates No. 1 3rd Amendment Lots 51 and 53 Subdivision Plat
- B. Silver Bell Estates No. 1 Subdivision Plat
- C. Draft Vacation Ordinance

Location Map

