

Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Consideration and action on an administrative application for final plat approval of Keith Hill Application Request:

Subdivision 1st Amendment comprising of a lot line adjustment between two existing lots of

record

Type of Decision

Agenda Date:

Administrative Wednesday, August 12, 2020

Applicant:

Keith Hill

File Number:

UVK070820

Property Information

Approximate Address:

5350 N. Hwy 162, Eden, Utah 84310

Project Area:

5.808 Acres

Zoning:

Agricultural Valley (AV-3) Zone

Existing Land Use:

Single Family Dwelling

Proposed Land Use:

Residential

Parcel ID:

22-047-0037, 22-047-0017

Township, Range, Section: T7N, R1E, SE Quarter of Section 34

Adjacent Land Use

North:

Residential

South:

Agricultural

East:

Residential/Agricultural

West:

Residential/Agricultural

Staff Information

Report Presenter:

Scott Perkes

sperkes@co.weber.ut.us

801-399-8772

Report Reviewer:

RG

Applicable Ordinances

- Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Title 106 (Subdivisions)
- Title 101 (General Provisions) Section 7 (Definitions)
- Title 108 (Standards) Section 12 (Noncomplying Structures, Nonconforming Uses, And Nonconforming Lots)

Background and Summary

The owners of the two properties associated with this application (see Exhibit A) wish to perform a boundary line adjustment to reconfigure their properties in a way that would reduce the size of one lot (22-047-0017) and expand the size of the other (22-047-0037) (see Exhibit B). Both existing properties are currently considered a "Lot of Record". Parcel 22-047-0037 is Lot 1 of the Keith Hill Subdivision, recorded in 1996 (see Exhibit C). At exactly one acre in size, this lot is considered legally nonconforming due to being smaller than the current AV-3 zone minimum of 3 acres. Parcel 22-047-0017 meets the definition of a "Lot of Record" due to being created in its current configuration prior to 1992 and contains a lawfully permitted singlefamily dwelling (1967) (see Exhibit D).

Analysis

General Plan: This lot line adjustment between two lots of record is in harmony with the Ogden Valley General Plan by implementing creative designs that preserve natural, agricultural and open spaces within the valley.

Lot Line Adjustment:

County's definition of a "Lot Line Adjustment" is as follows:

"The term "lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record. An amended plat is required to do a lot line adjustment."

While the two subject properties are considered "Lots of Record", they are not two lots within an existing subdivision. That said, staff believes that the intent of the Lot Line Adjustment definition applies in this circumstance as two consenting owners of adjoining lots of record wish to relocate their shared property boundary and have submitted an amended plat to do so. Additionally, no new lots or development rights would be created by this adjustment.

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."

The current AV-3 Zone requires the following site development standards for single-family dwelling lots:

Minimum Lot Area:

3 Acres

Minimum Lot Width:

150 Feet

Front-Yard Setbacks:

30 Feet

Side-Yard Setbacks (Interior Lot): 10 Feet with total width of 2 side yards not less than 24 feet.

Rear-Yard Setbacks:

30 Feet

Per LUC Sec 108-12-11 (2), Lot One of the Keith Hill Subdivision (Parcel 22-047-0037) meets the definition of a Nonconforming Lot of Record:

"Any lot legally platted within the bounds of a subdivision that was created pursuant to the standards of the zoning code and subdivision code in effect at the time of its creation, but no longer complies due to subsequent changes to these codes, may be amended pursuant to the minimum standards in effect at the time of its creation. The amendment shall not create any new lots. An amended plat shall be required."

Lot one of the Keith Hill Subdivision (Parcel 22-047-0037) falls short of the current AV-3 site development standards due to being only one acre in size. However, it may be amended as long as it does not fall below the minimum standards in effect at the time of its creation. When created in 1996, the zoning minimums for this property were one acre in area and 150 feet of width. The proposed lot line adjustment would cause this lot to be 4.778 acres in size and 360 feet wide. Thereby allowing it to come into conformance with current AV-3 zoning standards.

On the other hand, Parcel 22-047-0017 (4.92 acres of area & 284 feet of width) is currently considered to be a conforming lot of record due to exceeding the minimum site development standards in the AV-3 zone. However, the proposed lot line adjustment would leave this lot with exactly one acre in area and 150 feet of width. These dimensions match the minimum zoning standards at the time of its creation (November of 1982).

Following the proposed lot line adjustment, the existing structures will be left with enough setback area (front, side, and rear) to meet current setback requirements of the AV-3 zone.

Small Subdivision: The Weber County Land Use Code (§101-1-7) 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 two existing lots and no new streets are being created or realigned. Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Culinary Water, Secondary Water, and Sewer Services: Eden Water Works and Eden Irrigation Co. have provided connections and service to the two exiting lots. This service will continue following the plat amendment.

Review Agencies: The proposed subdivision has been reviewed by all County Reviewing agencies. Various agencies have remaining review comments that will need to be addressed prior to recording of the final plat mylar.

<u>Clearance</u>: There is no record of past delinquent tax history and no outstanding tax bills on these parcels.

Public Notice: Noticing requirements, according to LUC 106-1-6(c), have been met by mailing notices out to all property owners of record within 500 feet of the subject property.

Staff Recommendations

Staff recommends final plat approval of the Keith Hill Subdivision 1st Amendment consisting of two lots. This recommendation is subject to all applicable review agency requirements and is based on the following conditions:

1. A deed will need to be recorded at the same time of the final plat transferring ownership of the land being swapped as part of this lot line adjustment.

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 Keith Hill Subdivision 1st Amendment, 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 1.

Date of Administrative Approval:

Rick Grover

Weber County Planning Director

Area Map



Exhibits

- A. Subdivision Application
- B. Keith Hill Subdivision 1st Amendment Plat
- C. Original Keith Hill Subdivision Plat (1996)
- D. 1992 Recorders Plat

	Weber County Sub	division Applica	tion
All subdivisions submitt.	als will be accepted by appointment only	. (801) 399-8791. 2380 Washingt	on 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 Warne Keith Hill	Subdivision 1st	Amerdment	Number of Lots
Approximate Address 5350 N Hay	162 Eda VT	Land Serial Number(s) 2.2 - 047 - 00	37
Current Zoning AV-3	Total Acreage 5.808	22-047-0	717
Culinary Water Provider Edes Water Wa	secondary Water Provide Eden Ir	Amendment LandSerialNumber(s) 22-047-0037 22-047-0017 rovider Irrigation Co. Septic System	
Property Owner Contact I			
Name of Property Owner(s) Keith & Warder Hill reverable Trust Phone 201-3-11-8758 Fax		Mailing Address of Property Corner(s) Keith Hill Po Box 337 Ede, UT 84310	
Keith & Webermad.org		Preferred Method of Written Correspondence	
Authorized Representative		1.4	
Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence Email Fax Mail	
Surveyor/Engineer Contact	t Information		
Name or Company of Surveyor/Engineer Washatas Civil Consulting Engineerin		Mailing Address of Surveyor/Engineer 11505. Depot Prive Swite 225 20 les, UT. 84404	
801-)75-9191 Fax		Poles, UT. 84404	
mail Address mail Address mail Address mail Address mail Address		Preferred Method of Written Correspondence (Email Fax Mad	
Property Owner Affidavit			
my (our) knowledge. I (we) acknowledge of the agreements may be required to be **Link** Hill [Property Owner]	ntained, the information provided in the att wedge that during the subdivision review	rached plans and other exhibits are process, it may be determined the (Property Owner)	ANN J. MORBY NOTARY PUBLIC © STATE of UTAH COMMISSION NO. 705342

a sy-maly





