



# Staff Report for Administrative Subdivision Approval

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on an administrative application, final approval of Rogers Subdivision, consisting of 1 lot. This subdivision includes road dedication.

**Agenda Date:** Wednesday, February 17, 2021

**Applicant:** Zack Rogers, owner

**File Number:** LVR11232020

### Property Information

**Approximate Address:** 618 N 4700 W, Ogden UT, 84404

**Project Area:** 6.000 acres

**Zoning:** Agricultural (A-2) Zone

**Existing Land Use:** Agriculture

**Proposed Land Use:** Residential

**Parcel ID:** 15-027-0111

**Township, Range, Section:** T6N, R2W, Section 08 SE

### Adjacent Land Use

<b>North:</b> Residential	<b>South:</b> Agricultural
<b>East:</b> Agricultural	<b>West:</b> 4700 West St.

### Staff Information

**Report Presenter:** Tammy Aydelotte  
taydelotte@webercountyutah.gov  
801-399-8794

**Report Reviewer:** RG

## Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) Section 7
- Weber County Land Use Code Title 104 (Zones) Chapter 7 (A-2 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

## Background

The applicant is requesting approval of Rogers Subdivision (per County Surveyor's office, name will need to be changed), consisting of one lot, located at approximately 618 N 4700 W, Ogden UT, 84404, in the A-2 Zone. The proposed 5.928 acre lot within this subdivision meets the lot area and lot width requirements of this zone, of 40,000 square feet in area and 150 feet in width. Access for the lot will be from 4700 West St. The purpose of this subdivision is to further separate agricultural lands from a new lot.

Culinary water service will be provided by Taylor West Weber Water. Secondary water will be provided by Hooper Irrigation. Final approval from Taylor West Weber will need to be shown prior to recording the final plat. Weber-Morgan Health Department has issued feasibility for a septic system. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

## Analysis

**General Plan:** The proposal conforms to the Western Weber General Plan by creating large lots to maintain the country feel with land that has agricultural and livestock related uses.

**Zoning:** The subject property is located in an Agricultural Zone A-2 zone. The land use requirements for this zone are stated in the LUCS 104-5 as follows:

*"The purpose of the A-2 Zone is to designate moderate-intensity farming areas where agricultural pursuits and the rural environment should be promoted and preserved where possible."*

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

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 and a minimum lot width of 150'. The proposed subdivision is a one lot subdivision that fronts a state road identified as 4700 West Street. An access permit from UDOT will be required prior to recording this subdivision. 3,150 square feet (312' x 10') of road will be dedicated along 4700 West Street.

Culinary water and sanitary sewage disposal: A letter from Taylor West Weber Water Improvement District has been provided granting final approval. Secondary Water will be required from Hooper Irrigation. Sanitary sewage disposal will be handled by an onsite septic system, a feasibility letter for which has been submitted with this application.

Review Agencies: The proposed subdivision has been reviewed, but not yet approved by Engineering, and the County Surveyor. Weber Fire District has reviewed and approved this application.

Tax Clearance: There are no outstanding tax payments related to this parcel.

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.

### 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.

### Staff Recommendations

Staff recommends final approval of Rogers Subdivision (to be re-named prior to recording), consisting of one lot, including road dedication. This recommendation is subject to all review agency requirements and based on the following conditions:

1. An access permit from UDOT is required prior to recording this subdivision.
2. A signed deed covenant and restriction to run with the land, for septic systems, must be recorded with the final plat.
3. A signed deferral agreement must be recorded with the final plat.

This recommendation 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 applicable county ordinances.

### Administrative Approval

Administrative final approval of Rogers 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, February 17, 2021.**

  
Rick Grover  
Weber County Planning Director

### Exhibits

- A. Application
- B. Subdivision Plat
- C. Water/Septic Feasibility

Area Map



**Exhibit A - Application**

Weber County Subdivision Application			
<b>All subdivision submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401</b>			
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
<b>Subdivision and Property Information</b>			
Subdivision Name <b>Rogers subdivision</b>		Number of Lots <b>1</b>	
Approximate Address <b>618 N. 4700 W.</b>		Land Serial Number(s) <b>150270111</b>	
Current Zoning	Total Acreage <b>6 acres</b>		
Culinary Water Provider <b>Taylor West-Weber Water</b>	Secondary Water Provider <b>Hooper Irrigation</b>	Wastewater Treatment <b>Septic</b>	
<b>Property Owner Contact Information</b>			
Name of Property Owner(s) <b>Zack and Lacie Rogers</b>		Mailing Address of Property Owner(s) <b>PO Box 277 Honeyville, UT 84314</b>	
Phone <b>801-391-4433</b>	Fax <b>801-648-4701</b>	Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Email Address <b>lacej@comcast.net</b>			
<b>Authorized Representative Contact Information</b>			
Name of Person Authorized to Represent the Property Owner(s) <b>Steven Barker</b>		Mailing Address of Authorized Person <b>2476 W Taylor Rd Farr West, UT 84404</b>	
Phone <b>801-726-9971</b>	Fax	Preferred Method of Written Correspondence Email    Fax    Mail	
Email Address			

**Surveyor/Engineer Contact Information**

Name or Company of Surveyor/Engineer		Mailing Address of Surveyor/Engineer	
Phone	Fax	Preferred Method of Written Correspondence Email      Fax      Mail	
Email Address			

**Property Owner Affidavit**

I (We), Lacie and Zack Rogers, 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.

Lacie Rogers  
\_\_\_\_\_  
(Property Owner)

Zack Rogers  
\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this 28 day of October, 2020

**Authorized Representative Affidavit**

I (We), Lacie & Zack Rogers, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s), Steven Barker, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Zack Rogers  
\_\_\_\_\_  
(Property Owner)

Lacie Rogers  
\_\_\_\_\_  
(Property Owner)

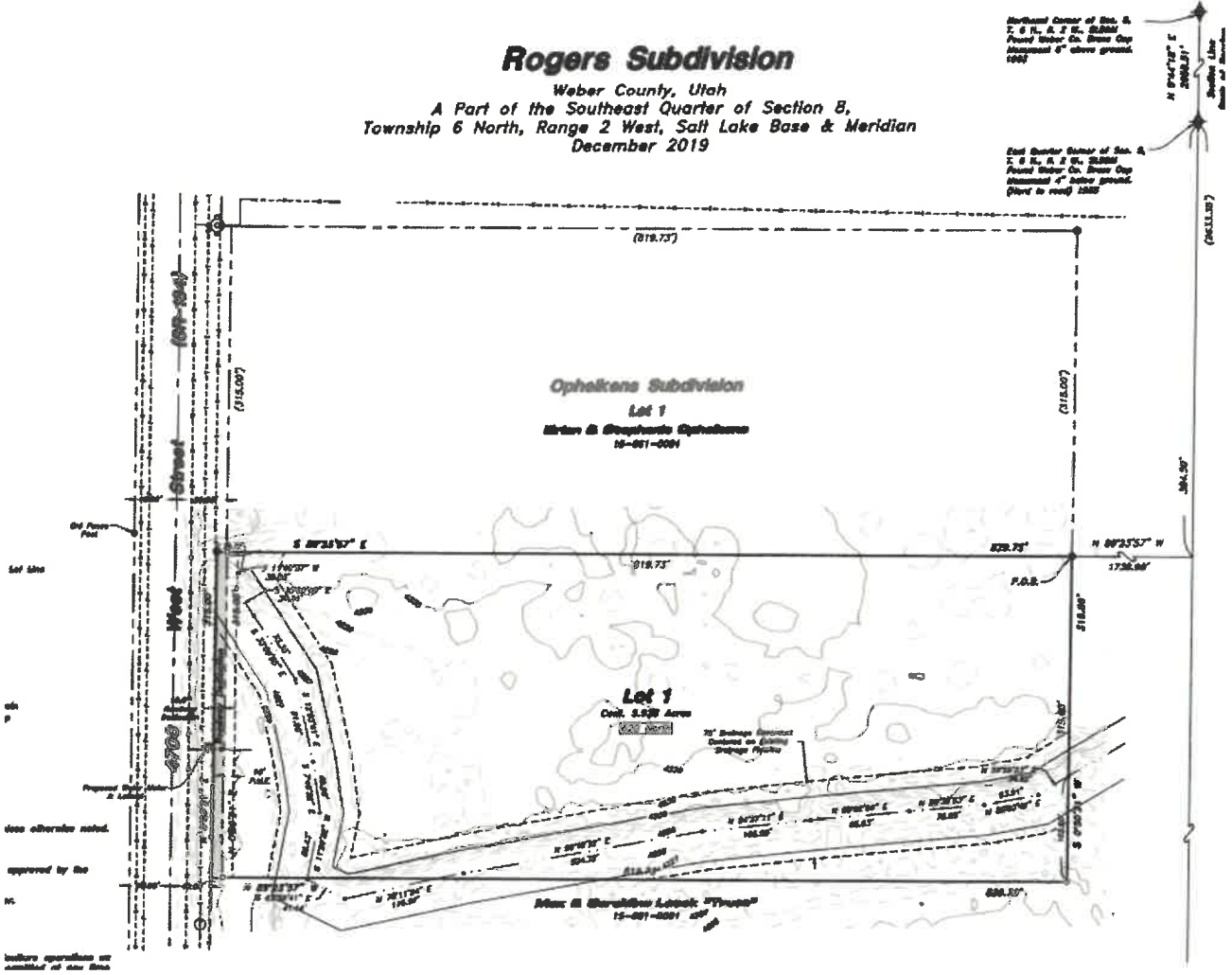
Dated this 28 day of October, 2020, personally appeared before me signer(s) of the Representative Affidavit who duly acknowledged to me that they executed the same.

Jake Rinees  
\_\_\_\_\_  
Notary



### Rogers Subdivision

Weber County, Utah  
 A Part of the Southeast Quarter of Section 8,  
 Township 6 North, Range 2 West, Salt Lake Base & Meridian  
 December 2019





2815 WEST 3300 SOUTH  
WEST HAVEN, UTAH 84401  
801-731-1668

2/5/2021

Weber County Planning Commission  
2380 Washington Boulevard  
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that ***Final*** approval has been given and the District has the capacity to provide culinary water only for 1 lot for Zach and Lacie Rogers at the approximate address 618 N. 4700 W. West Weber, Utah.

Requirements that have been met:

- Water rights fee = \$4,363.00 per lot (paid).
- Secondary Water = Taylor West Weber Water is holding 1 share of Hooper Irrigation in Taylor West Weber Waters name. This share will be held until a pressurized secondary system becomes available. When pressurized secondary is available the share will be returned and the owner of the above noted property will need to connect to the pressurized system.
- Impact Fees = \$5,228.00 (paid).

Requirement that will need to be paid for the installation of the connection.

- Connection Fee = \$1,730.00 per lot plus the cost of asphalt and road work if applicable.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Rogers", is written over a light blue horizontal line.

Ryan Rogers – Manager  
Taylor West Weber Water Improvement District

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



June 16, 2020

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

RE: Zack & Lacie Rogers  
P.O. Box 277  
Parcel #15-027-0111  
Soil log #14962

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 approved 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 32 inches, fall within the range of acceptability for the utilization of an At-Grade Wastewater 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. The drainfield should be installed in the area where the percolation test was performed.

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.

The following items are required for a formal subdivision review; application, receipt of the appropriate fee, and a full sized copy of the subdivision plats showing the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. A subdivision review will not occur until all items are submitted. 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,

Ryan Klinge  
Environmental Health Division  
801-399-7160

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phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | [www.webermorganhealth.org](http://www.webermorganhealth.org)





### GENERAL INFORMATION

Issuance Date	Region	Project Name	OLP Application ID
2/10/2020	Region 1	(19-093) Rogers Subdivision	99566
Physical Address	City	Permit Type	Access Use Type
N/A	WEST WEBER	New	Residential

### PERMITEE INFORMATION

Property Owner Name	Primary Contact	Primary Phone	Email
Geraldine Loock	Lacie Rogers	(801) 391-4433	lacej@comcast.net

### LOCATION, WIDTH, AND ACCESS CATEGORY INFORMATION

State Route	Milepost Marker	DD Center Latitude	DD Center Longitude	Access Width	Access Category
0134	5.4			20	5 - Reg. Priority Urban
0134	5.4	41.2693593	-112.0923159	20	5 - Reg. Priority Urban
0134	5.4	41.2693593	-112.0923159	20	5 - Reg. Priority Urban
0134	5.399	41.2693447	-112.0923161	20	5 - Reg. Priority Urban
0134	5.378	41.2690458	-112.0923187	20	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

**Special Limitations:** Ensure that the gate to the south is removed as part of this access.

1. A copy of this permit must be posted in a conspicuous location and be available for immediate review at the location of the permitted activity. No exceptions.
2. This agreement and/or permit is UDOT approval only. The permittee is responsible for obtaining clearances, authorizations, or permits from railroads, private property owners, other utility owners, and other government agencies as may also be required.
3. By the accepting this permit, the permittee acknowledges the hazardous nature of conducting activities within the right-of-way and assumes full responsibility in the event of an accident or other incident involving death, injury, or damages to any party resulting from the permittee's authorized use of the right-of-way.
4. All work performed under this permit must be in accordance with UDOT approved plans and standard drawings unless otherwise stated in writing.
5. The primary function of the highway is for transportation purposes. All other highway purposes are subordinate to this primary purpose. By conducting the activities authorized by this permit, the permittee agrees to timely prosecute the permitted activities in a manner that minimizes transportation-related impacts including but not limited to; ensuring overall site safety as an overarching priority, and by applying systematic efforts to minimize, or shorten, the project



schedule.

6. UDOT may cancel, suspend, or revoke this permit due to:
- A) Non-compliance with the permit provisions including terms, conditions, and limitations
  - B) Deviating from the approved permit provisions without written authorization
  - C) Misrepresentation(s) discovered on the originating application, or associated documents
  - D) Adverse weather or traffic conditions
  - E) Concurrent transportation construction or maintenance operations in conflict with the permit
  - F) Any condition deemed unsafe for workers or for the traveling public
  - G) Any other condition that arises where work stoppage may be warranted for cause

In the event of a cancellation, suspension, or revocation the permittee shall promptly terminate occupancy of the right-of-way.

- 7. At all times the permittee and all activities authorized under this permit will comply with all applicable federal and state constitutions, law, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
- 8. Use current edition of UDOT standard drawings for traffic control. Use Utah MUTCD standards for traffic control elements not shown in UDOT standard drawings. Traffic control must be maintained at the encroachment site for the entire encroachment period.
- 9. Before constructing the access connection authorized by this conditional access permit, an encroachment permit must be secured first.
- 10. The permittee agrees to maintain the permitted access in a professional workmanlike manner, free from physical defects including but not limited to potholes 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.