



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on the application for final approval of Mario Lejtman Subdivision, located at 1500 N 6150 E, Eden.
Agenda Date: Wednesday, April 14, 2021
Applicant: Mario Lejtman
File Number: UVL031721

Property Information

Approximate Address: 1500 N 6150 E, Eden
Project Area: 30.43 acres
Zoning: S-1
Existing Land Use: Residential
Proposed Land Use: Residential
Parcel ID: 20-002-0078
Township, Range, Section: T6N, R1E, Section 02

Adjacent Land Use

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

Staff Information

Report Presenter: Steve Burton
sburton@co.weber.ut.us
801-399-8766
Report Reviewer: RG

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 10, Shoreline S-1 zone
- Title 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable

Background and Summary

This is a proposal for a one lot subdivision consisting of 30.43 acres and a remainder parcel of 49.830 acres. This proposed lot has existing frontage along two existing private streets, 6150 E and 6300 E.

The Weber County Land Use Code (LUC) §101-1-7 identifies a subdivision amendment of five or fewer lots as a "Small Subdivision" which can be administratively approved by the Planning Director. The proposed subdivision amendment and lot configuration are in conformance with the current zoning as well as the applicable subdivision requirements as required in the LUC.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by maintaining the existing density provided by the current zoning and existing approvals (2016 Ogden Valley General Plan, Land Use Principle 1.1).

Zoning: The subject property is located in the Shoreline (S-1) Zone. The purpose and intent of the Shoreline zone is identified in the LUC §104-10-1 as:

The objectives in establishing the Shoreline Zone S-1 are:

- *To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both public and private;*
- *To facilitate the conservation of water and other natural resources;*

- To reduce hazards from floods and fires;
- To preserve open space, natural scenic attractions, natural vegetation, and other natural features within the zone;
- To ensure adequate provision for water supply, domestic sewage disposal and sanitation.

The minimum lot size in the S-1 zone is five acres and the minimum lot width is 300 feet. Lot 1 is 30.43 acres and has 1315.33' of width along 6300 E.

Wastewater will be handled by an individual septic system. The applicant has provided a feasibility letter from the Weber Morgan Health Department that explains the design requirements. Culinary water will be provided by Eden Water Works. The will-serve letter from Eden Water Works references a requirement to provide proof of secondary water. The applicant's proof of secondary water and will serve letters are attached as **Exhibit B**.

Sensitive Lands: This subdivision is located within zone three of the public water source protection overlay. The use of single family dwellings is permitted within the overlay zone. Zone three does not restrict the use of septic systems for single family dwelling lots. The subdivision is not located in a floodplain or a geologic hazards area.

Review Agencies: The Weber County Engineering Division, the Weber County Surveyor's Office and Weber Fire District have reviewed the proposal. Prior to the subdivision being released for Mylar, all review agencies comments will need to be addressed.

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 subdivision per noticing requirements outlined in LUC §106-1.

Staff Recommendation

Staff recommends final approval of UVL031721, the Mario Lejtman Subdivision. This recommendation for approval is subject to all applicable review agency requirements.

This recommendation is based on the following findings:

1. The proposed subdivision amendment conforms to the Ogden Valley General Plan.
2. The proposed subdivision amendment complies with all previous approvals and the applicable County ordinances.

Administrative Approval

Administrative final approval of UVL031721 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: APRIL / 14 / 2021


 Weber County Planning Director

Exhibits

- A. Proposed amended plat
- B. Will serve and feasibility letters

Location Map 1





5402 E 2200 N

PO BOX 13

EDEN, UT 84310

801-791-1772

edenwaterworks@gmail.com

January 13, 2021

Weber Morgan Health Department
477 23rd Street
Ogden, UT 84401

Regarding: Mountain View Vista Subdivision Lot 1
Mario D Lejtman – Developer
Eden, UT 84310

To Whom It May Concern:

Please accept this letter as confirmation that subject to Share of Stock and applicable fees being paid, Eden Water Works Company will serve culinary water to the property stated above. This letter is only valid once proof of secondary water is sent into Eden Water Works Co.

If you have any questions or need further information you may contact the office at 801-791-1772.

Sincerely,

Board of Trustees
Eden Water Works Company



5402 E 2200 N
PO BOX 13
EDEN, UT 84310
801-791-1772

edenwaterworks@gmail.com

January 13, 2021

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

Re: Mountain View Vista Subdivision Lot 1
Mario D Lejtman - Developer
Eden, UT 84310

The Eden Water Works Company would like to inform you of the availability of water for the proposed property above. Shares of class "D" and "Commercial" stock in the Company are available for purchase.

It is mandatory that the following conditions be met:

1. Proof of secondary water rights assigned to property sent in to EWWC.
2. Purchase Eden Water Works Company share to include item #3.
3. Additional cost of replacement water from Weber Basin Water.
4. Pay applicable any additional fees.
5. **Prior to occupancy**, meter must be installed and tested. *Failure to do so will result in a \$50.00 fine for the first week and \$100.00/week thereafter. Jumpers are not allowed and fines will be imposed.*

Upon the purchase of stock and when these conditions are met and verified by a member of the Board of Trustees or its designated representative, the Board will be pleased to make the connection to the Company water system.

Sincerely,

Board of Trustees
Eden Water Works Company

© 1905 25



NO. 000706

INCORPORATED UNDER THE LAWS OF THE STATE OF UTAH

Shares 78.00

Eden Irrigation Company

CAPITOL STOCK \$3,269.80 SHARES

AND CERTIFIES THAT THE ESTIMATED VALUE OF THE SHARES OF THE CAPITAL STOCK OF THE EDEN IRRIGATION COMPANY AS SET FORTH IN THE LIST OF SHARES OF THE CAPITAL STOCK OF SAID COMPANY IS \$3,269.80

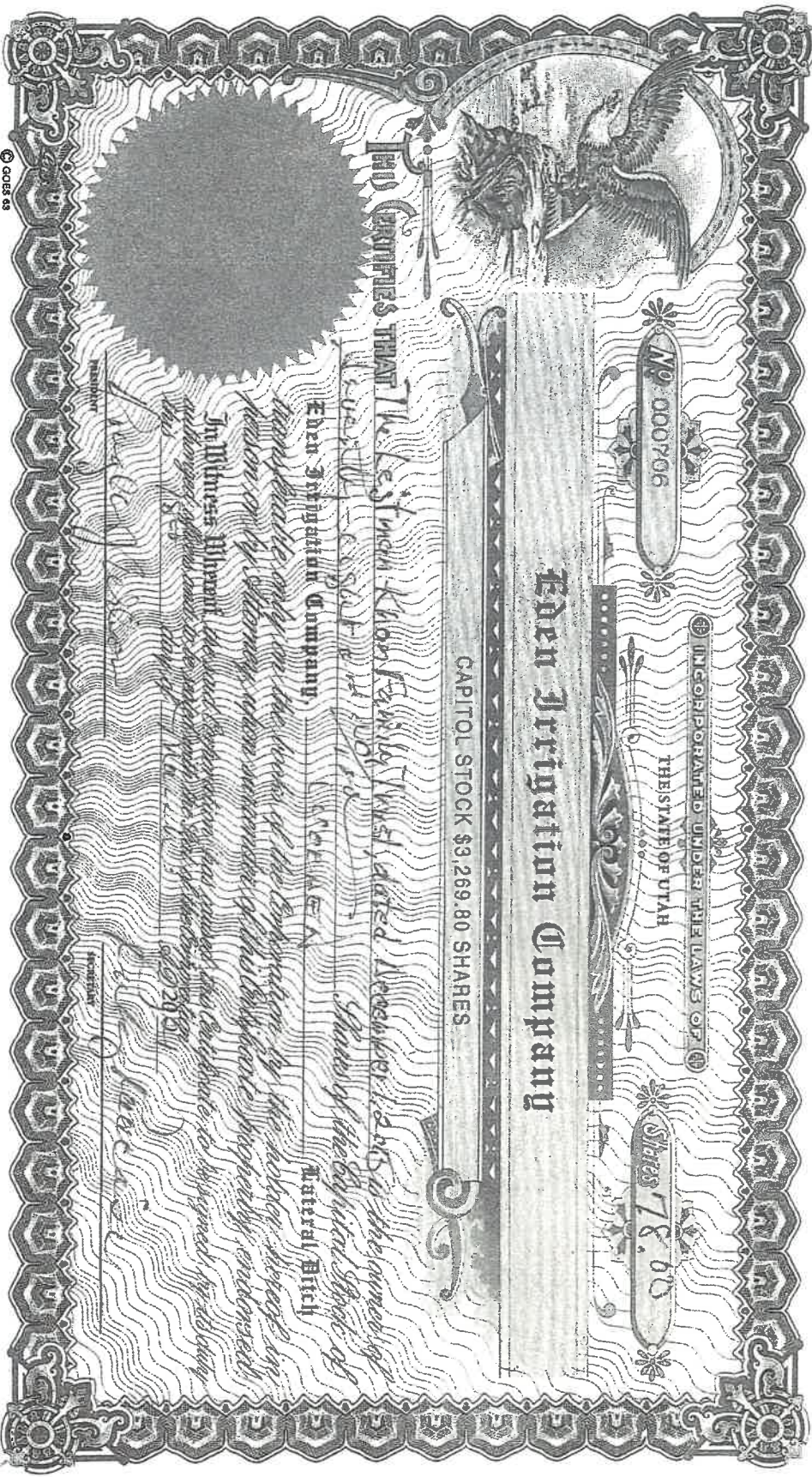
Eden Irrigation Company

Material Birch

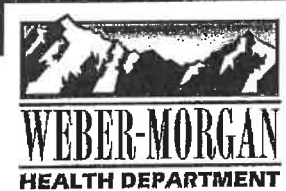
In Witness Whereof, the Board of Directors of the Eden Irrigation Company, at its regular meeting held at the City of Salt Lake City, Utah, on the 15th day of August, 1905, has caused this certificate to be signed by its duly authorized officers and its corporate seal to be hereunto affixed.

Secretary

Treasurer



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



August 14, 2020

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

RE: Pine Canyon Investment Properties (previously Harris Property)
Apprvgoxiematly 3350 N 3200 E, Liberty
Parcel #220230150
Soil log #13092 & 13289

The soil and percolation information for the above-referenced lot have been reviewed. The source of culinary water is unspecified at this time. It may be provided by an approved public water system or by a private well. The lot as a singular parcel would meet the minimum lot sizing and space requirement for either source of culinary water. If serviced by a private well. **The placement of the well is critical to provide the required 100-foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Anticipated ground water tables not to exceed 60 inches, fall within the range of acceptability for the utilization of a Conventional Treatment System as a means of wastewater disposal. Maximum trench depth is limited to 24 inches. The absorption field is to be designed using a maximum loading rate of 0.45 gal/sq. ft./day as required for the silty 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.

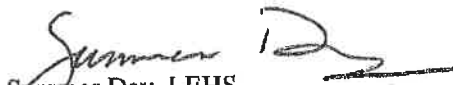
Subdivision:

Extensive site and soil work was completed on this parcel during the 2005 to 2006 timeframe. This work appears to have been completed in anticipation of subdividing the parcel. The soils throughout the parcel were classified consistently as silt loam, granular structure, suitable for a conventional system. 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,


Summer Day, LEHS
Environmental Health Division
801-399-7160

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org

from fatima

FIRST AMENDMENT
TO
SUBDIVISION IMPROVEMENT AGREEMENT

7/31/2018

THIS FIRST AMENDMENT TO SUBDIVISION IMPROVEMENT AGREEMENT (this "Amendment") is made to be effective as of date this Amendment is approved by the Weber County Commission (the "Effective Date") and is made by and between SMHG PHASE I LLC, a Delaware limited liability company, ("Developer") and Weber County, a body politic in the State of Utah ("County") with reference to the following:

RECITALS:

A. Developer and County are parties to that certain Subdivision Improvement Agreement (the "Improvement Agreement") for Horizon Neighborhood at Powder Mountain PRUD, dated as of August 15, 2016. Any undefined capitalized terms used in this Amendment shall have the same meanings ascribed to such terms in the Improvement Agreement.

B. Developer has redesigned the subdivision and as a result eliminated a number of Improvements subject to the Improvement Agreement. Accordingly, Developer and the County desire to amend Exhibit B to the Improvement Agreement and release a portion of funds from escrow to Developer as set forth in this Amendment.

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants set forth below, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, Developer and the County agree as follows:

AGREEMENT:

1. Recitals. The above recitals are an integral part of the agreement and understanding of Developer and County and are incorporated into this Amendment by this reference.

2. Exhibit B. Exhibit B of the Improvement Agreement shall be deleted in its entirety and replaced with the new Exhibit B attached to this Amendment as Exhibit A.

3. Security. Section 4 of the Improvement Agreement shall be deleted in its entirety and replaced with the following:

"To secure the performance of its obligations under this Agreement, Developer previously deposited an irrevocable deposit in Escrow of \$764,657.25. Developer subsequently redesigned the subdivision and as a result eliminated a number of the Improvements with a value of \$333,620.10. Accordingly, \$333,620.10 of Security shall be released to Developer within three (3) business days after the Effective Date of the First Amendment to this Agreement, or as soon as possible under the County's normal payment processes. The remainder of the original Escrow deposit is subject to the terms of this Agreement."

4. Effect of First Amendment. Except as expressly modified by this Amendment, all the terms and conditions of the Improvement Agreement shall remain in full force and effect. In the event