

Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application for final plat approval Shannon

Bee Estates 1st Amendment comprising of a lot line adjustment between two existing

subdivided lots of record.

Type of Decision Administrative

Agenda Date: Wednesday, September 29, 2021 **Applicant:** Don White & Tony Rocco (Owners)

File Number: UVS072221

Property Information

Approximate Address: 3799 Nordic Valley Dr., Eden, Utah 84310

Project Area: 2.453 Acres

Zoning: Forest Valley (FV-3) Zone **Existing Land Use:** Residential/Vacant

Proposed Land Use: Residential

Parcel ID: 22-088-0012, 22-088-0011

Township, Range, Section: T7N, R1E, SE Quarter of Section 29

Adjacent Land Use

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

Staff Information

Report Presenter: Scott Perkes

sperkes@co.weber.ut.us

801-399-8772

Report Reviewer: RG

Applicable Ordinances

- Title 104 (Zones) Chapter 14 (FV-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 lots associated with this application (see **Exhibit A**) wish to perform a boundary line adjustment to reconfigure their shared side property line in a way that would leave both lots with unadjusted areas but improved street frontages with Nordic Valley Drive.

Both lots (#7 & 8) were considered to be legally non-conforming "Lots of Record" as they were created by the 1983 Shannon Bee Estates Subdivision (see **Exhibit B**), but do not meet the current FV-3 zoning minimum area of 3 acres. Per LUC Sec.

The owners previously exchanged quit claim deeds to effectuate the desired lot line adjustment. However this action unintentionally created two illegal lots because such a change is required to go through the subdivision amendment process (rather than quit claim deeds) in order to preserve the legal nonconforming status of the lots. This requirement is found in LUC Sec. 108-12-11(b) which reads as follows:

(b) 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.

Analysis

<u>General Plan</u>: 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."

Zoning: The property is located in the FV-3 Zone. The purpose of this zone is stated in the LUC §104-14-1

"The purpose of the Forest Valley Zone, FV-3 is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development."

While both of these lots are nonconforming to the current FV-3 site development standards, LUC Sec. 12-11(b), as provided in the section above, allows for amendments to be made pursuant to the minimum standards in effect at the time of its creation as long as the amendment does not create any new lots. The zoning that was applicable to this area when originally created in 1983 was Forest Residential (FR-1). FR-1 zoning required a minimum lot width of 150 feet and a minimum area of 1 acre. The amended lots, as proposed, exceed both these minimum standards.

<u>Small Subdivision</u>: 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.

<u>Culinary Water, Secondary Water, and Sewer Services</u>: 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. Waste water is served by on-site waste water treatment systems.

<u>Review Agencies</u>: With exception to the Weber-Morgan Health Department, 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.

Staff recommends that a formal review of the proposed subdivision will need to be conducted by the Weber-Morgan Health Department to verify that the proposed lot line adjustment does not result in the encroachment of existing septic system components on adjacent property.

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

Staff Recommendations

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

A formal review of the proposed subdivision will need to be conducted by the Weber-Morgan Health Department
to verify that the proposed lot line adjustment does not result in the encroachment of existing septic system
components on adjacent property.

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 Shannon Bee Estates 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.

Date of Administrative Approval:	
Rick Grover	
Weber County Planning Director	

Exhibits

- A. Shannon Bee Estates Subdivision 1st Amendment Plat
- B. Original Shannon Bee Estates Subdivision Plat (1983)

Area Map



FOUND PVC PIPI

LOT 11

63,301 S.F. 1.453 ACRES

–10' P.U.E.

N89°15'05"W (BASIS OF BEARINGS) 2632.06'

FOUND

60.00'

~10' P.U.E

AMENDING LOTS 7 AND 8 OF SHANNON BEE ESTATES

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY

WEBER COUNTY, UTAH SEPTEMBER, 2021

LOT 9, SHANNON BEE ESTATES

22-088-0009

DON & ROSEMARY WHITE FAMILY TRUST

10' P.U.E.—

REBAR

NORDIC VALLEY DRIVE

(PUBLIC STREET)

43,563 S.F.

1.000 ACRES

3645 E. 2750 N.

NORDIC VALLEY DRIVE

PVC PIPE

CURVE TABLE RADIUS ARC LENGTH CHD LENGTH TANGENT CHD BEARING DELTA

Exhibit A



VICINITY MAP NOT TO SCALE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE SOUTHEAST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SHOWN HEREON AS: N89°15'05"W

NARRATIVE

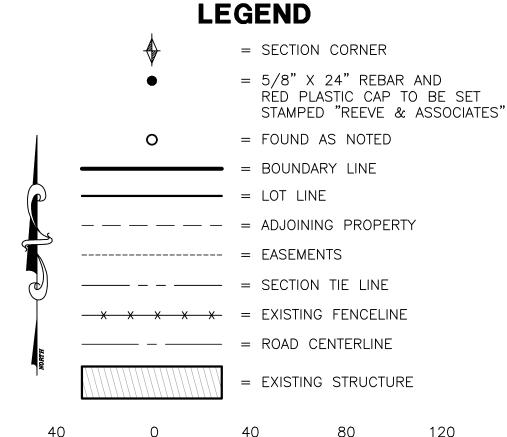
THE PURPOSE OF THIS PLAT IS TO AMEND LOT 7 AND 8 OF SHANNON BEE ESTATES AS SHOWN. THE BOUNDARY WAS DETERMINED USING A BEST FIT SOLUTION OF LOCAL FOUND PROPERTY MARKERS AS WELL AS EXISTING IMPROVEMENTS. THE BEARINGS FOR THE SUBDIVISION WERE LEFT AS REPRESENTED ON THE RECORDED PLAT OF SHANNON BEE ESTATES AND THE SECTION CORNERS WERE MEASURED FROM THAT BEARING BASE. ALL BOUNDARY AND LOT CORNERS TO BE SET WITH A 5/8" X 24" REBAR AND RED PLASTIC CAP STAMPED "REEVE & ASSOCIATES".

BOUNDARY DESCRIPTION

ALL OF LOTS 7 AND 8 OF SHANNON BEE ESTATES ACCORDING TO THE OFFICIAL PLAT THEREOF ON RECORD IN THE OFFICE OF THE WEBER COUNTY RECORDER BEING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEING MORE PARTICULARLY DESCRIBED AS

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF NORDIC VALLEY DRIVE, SAID POINT BEING N89°15'05"W 703.94 FEET AND N00°44'55"E 200.52 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF NORDIC VALLEY ROAD THE FOLLOWING FOUR (4) COURSES: (1) ALONG A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 340.96 FEET, AN ARC LENGTH OF 50.46 FEET, A DELTA ANGLE OF 08°28'47", A CHORD BEARING OF S71°16'41"W, AND A CHORD LENGTH OF 50.42 FEET; (2) ALONG A COMPOUND CURVE TURNING TO THE RIGHT WITH A RADIUS OF 292.00 FEET, AN ARC LENGTH OF 282.59 FEET, A DELTA ANGLE OF 55°26'56". A CHORD BEARING OF N76°45'36"W. AND A CHORD LENGTH OF 271.69 FEET; (3) ALONG A COMPOUND CURVE TURNING TO THE RIGHT WITH A RADIUS OF 143.89 FEET, AN ARC LENGTH OF 127.53 FEET, A DELTA ANGLE OF AND (4) NO1°44'02"E 115.48 FEET TO THE SOUTHERLY LINE OF LOT 9 OF SHANNON BEE ESTATES; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE (3) COURSES: (1) S88°15'50"E 60.00 FEET; (2) N49°38'08"E 128.67 FEET; AND (3) S63°47'27"E 219.15 FEET TO THE WESTERLY LINE OF LOT 6 OF SHANNON BEE ESTATES; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES: (1) S01°44'10"W 133.36 FEET; AND (2) S03°28'00"E 126.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 106,864 SQUARE FEET OR 2.453 ACRES MORE OR LESS.



Scale: 1" = 40'

DEVELOPER:

Don White 1200 Thrushwood Drive Logan, UT 84321

WEBER COUNTY PLANNING COMMISSION APPROVAL

NOTE

THIS SUBDIVISION, ALL OWNERS WILL ACCEPT

DUE TO THE TOPOGRAPHY AND THE LOCATION OF

RESPONSIBILITY FOR ANY STORM WATER RUNOFF

SOUTH QUARTER CORNER OF

SECTION 29, TOWNSHIP 7

NORTH, RANGE 1 EAST, SALT

LAKE BASE AND MERIDIAN,

FOUND BRASS CAP MONUMENT

DATED 2021 IN GOOD

CONDITION 6" BELOW GROUND

IN RING IN LID

/岩合 T7N R1E 名

PERMIT REQUIRED

FROM THE ROAD ADJACENT TO THIS PROPERTY

UNTIL CURB AND GUTTER IS INSTALLED

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION. SIGNED THIS _____, DAY OF _____, 20__.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

WEBER COUNTY ENGINEER

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH. SIGNED THIS _____,

CHAIRMAN, WEBER COUNTY COMMISSION

TITLE

WEBER COUNTY COMMISSION ACCEPTANCE

ATTEST

WEBER COUNTY SURVEYOR

29 28 32 33

SOUTHEAST CORNER OF

SECTION 29, TOWNSHIP 7

NORTH, RANGE 1 EAST, SALT

LAKE BASE AND MERIDIAN,

FOUND BRASS CAP MONUMENT

MARKED 1987 IN GOOD

CONDITION 2" ABOVE GROUND

HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.

SIGNED THIS _____, 20____,

WEBER COUNTY SURVEYOR RECORD OF SURVEY #

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT, AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND

SIGNED THIS _____, 20__.

WEBER COUNTY ATTORNEY

SURVEYOR'S CERTIFICATE

TREVOR J. HATCH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58. CHAPTER 22. PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT: AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS. AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF SHANNON BEE ESTATES 1ST AMENDMENT IN WEBER COUNTY UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY, CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____ 9031945

UTAH LICENSE NUMBER

SIGNED THIS _____, DAY OF _____, 20___.

WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME ___

FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

ANGELA HEPP

OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND. DO HEREB' SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT **SHANNON BEE ESTATES 1ST AMENDMENT**, AND DO HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY. WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

DON & ROSEMARY WHITE FAMILY TRUST BY: DON WHITE, TRUSTEE	TONY ROCCO HEPP

ACKNOWLEDGMENT

TATE OF UTAH)ss.			
OUNTY OF	_)			
N THE DA	AY OF	, 20, F	PERSONALLY APPEARE	D
EFORE ME, THE UNDER	RSIGNED NOTARY PUBLI	C,	(AND)	
SIG	NER(S) OF THE ABOVE	OWNER'S DEDICATI	ON AND CERTIFICATIO	N,

COMMISSION EXPIRES	NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF UTAH)SS. COUNTY OF)
ON THE DAY OF, 20, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, (AND)
BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE AND OF SAID CORPORATION AND THAT THEY
SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND

IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.



WEBER-MORGAN HEALTH DEPARTMENT

HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES,

AND SITE CONDITIONS FOR THIS SUBDIVISION HAVE BEEN

INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR

DIRECTOR, WEBER-MORGAN HEALTH DEPARTMENT

SIGNED THIS _____, 20___, 20___.

ON-SITE WASTEWATER DISPOSAL SYSTEMS.

COMMISSION EXPIRES

Project Info. N. ANDERSON

NOTARY PUBLIC

SHANNON BEE ESTATES 1ST AMENDMENT Number: 7465-01

Revision: 9-7-21 E.R. Scale:_____1"=40' Checked:____

Weber County Recorder _____ Filed For Record And Recorded, _____ At _____ In Book _____ Of The Official Records, Page

Recorded For:

Weber County Recorder

Exhibit B

SHANNON BEE ESTATES

PART OF S.E. I/4 SECTION 29 T-7-N, R-I-E, S.L.B.&M.

