



Staff Report to the Weber County Board of Adjustment

Weber County Planning Division

Synopsis

Application Information

Application Request: 2nd UPDATE - Consideration and action on a request for an ~~11-foot variance from the side yard setback and a request for a~~ **15-foot** variance from the rear yard setback in the FR-1 zone.

Agenda Date: Thursday, November 4, 2021

Applicant: Doug Neilson, Owner

File Number: BOA 2020-04

Property Information

Approximate Address: 301 Ogden CYN, Ogden, Utah 84401

Project Area: 0.58 acres

Zoning: Forest Residential Zone (FR-1)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 20-030-0012, 20-030-0011, 20-030-0010, 20-030-0009, 20-030-0013x

Township, Range, Section: T6N, R1E, SW ¼ Section 18

Adjacent Land Use

North: Ogden River	South: USFS
East: Residential	West: Ogden River

Staff Information

Report Presenter: Scott Perkes
sperkes@co.weber.ut.us
801-399-8772

Report Reviewer: SB

Applicable Codes

- Weber County Land Use Code Title 102 (Administration) Chapter 3 (Board of Adjustment)
- Weber County Land Use Code Title 104 (Zones) Chapter 13 (Forest Residential FR-1 Zone)
- Weber County Land Use Code Title 108 (Standards) Chapter 12 (Noncomplying Structures, Nonconforming Uses, And Nonconforming Lots) Section 13 (Setback Requirements For Nonconforming Lots)

Background

The applicant has submitted a second UPDATED variance request for a rear yard setback on a nonconforming and irregularly shaped lot in the FR-1 Zone (see **Exhibit A**). This second updated request is for a **15-foot** variance from the rear yard setback to allow for a **15-foot** setback on a reconfigured one-lot subdivision. Previously the applicant had requested an 11-foot variance from the side yard setback as well as a 19-foot variance from the rear yard setback for one of the lots in a proposed 3-lot subdivision. These originally requested variances were granted by the Board of Adjustment during the June 11, 2020 meeting (see **Exhibit B**).

Following the approval of the side and rear yard setback variances, the applicant proceeded to plat the originally proposed 3-lot subdivision. However, during review of the subdivision, the Weber-Morgan Health Department found that only one 20,000 sq. ft. minimum lot size could be accommodated due to septic permitting constraints. Accordingly, the applicant reconfigured the property into a single lot, rather than 3 smaller lots. This one-lot subdivision was approved and recorded in August of 2021.

Since the original variance requests were granted under a three-lot subdivision configuration, the applicant has been asked by the Planning Division to resubmit an updated variance request to accommodate a reduced rear yard setback that will be needed to accommodate a single-family residence on the revised 1-lot subdivision. The applicant submitted an alternative request for just 19-foot variance to the rear-yard setback on the single-lot subdivision. This alternative request was tabled during the Board's September 16, 2021 meeting to allow the applicant to explore additional adjustments to the final placement of the proposed single-family home.

The applicant has since worked with their septic designer and pushed the home as far east as possible on the lot while still fitting the septic system components adjacent and in front of the home. This reconfiguration exercise allowed the home to be 15-feet away from the rear property line rather than the previous 11-feet.

Analysis

Per LUC 101-1-7, the newly reconfigured single lot of the proposed amended subdivision meets the definition of both a Nonconforming and Irregular Shaped Lot:

Lot, nonconforming. The term "nonconforming lot" means a lot or parcel that complied with lot standards in effect at the time of the lot's creation and, because of subsequent changes to the Land Use Code, does not conform to the current lot standards. Applicable standards include lot standards of the zone in which the lot is located, lot standards of the subdivision ordinance, and other lot standards of this Land Use Code.

Lot, irregular shaped. The term "irregular shaped lot" means any building lot whose boundaries are:

- 1. Comprised of three or more than four lot lines;*
 - 2. A lot in which the side lot lines are not radial or perpendicular to the front lot line; or*
 - 3. In which the rear lot line is not parallel to the front lot line.*
- Where an irregular shaped lot occurs, the interior angle of intercepting lot lines with an angle of 135 degrees or greater shall be considered the same lot line and yard designation. If the angle is less than 135 degrees, the yard designation shall be determined to be different and the applicable yard requirements would apply.*

Due to its nonconforming status and irregular shape, this lot is allowed a standard reduction in side yard setback requirements from the FR-1 zoning minimum of 20 feet. This reduction is calculated per the requirements of LUC 108-12-13 as follows:

Sec 108-12-13 Setback Requirements For Nonconforming Lots

A nonconforming lot that has a smaller width than is required for the zone in which it is located may be developed in a manner that does not exceed the following allowed reduction in side yard setbacks:

- (a) A nonconforming lot's actual width (v) may be divided by the current required frontage/width (w) in order to formulate a ratio or proportional relation (x). (Formula: "v" divided by "w" equals "x".)*
- (b) The ratio may then be multiplied by the current zone's side yard setback requirement (y) in order to establish a reduced setback (z). (Formula: "x" multiplied by "y" equals "z".)*
- (c) The reduced side yard setback is subject to the conditions listed below.*
 - (1) Under no circumstances shall an interior lot be allowed to reduce the side-yard setback requirement below five feet on one side and eight feet on the other.*
 - (2) Under no circumstances shall a corner lot be allowed to reduce the side-yard requirement below ten feet when the side yard fronts on a street.*

This code allowance helps a nonconforming lot with its side-yard setbacks only, and does not help with a reduction to rear-yard setbacks. Due to the unique shape of the lot (wide, but not very deep) the applicant is re-requesting that a variance of 15-feet from the rear setback be granted to facilitate the placement of a single-family residence.

Summary of Board of Adjustment Considerations

LUC §102-3 states that one of the duties and powers of the Board of Adjustment is to hear and decide variances from the requirements of the Weber County Land Use Code. In order for a variance to be granted it must be shown that all of the following criteria have been met:

- a. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Land Use Code.*
 - 1. In determining whether or not literal enforcement of the land use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.*
 - 2. In determining whether or not literal enforcement of the land use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.*

- b. *There are special circumstances attached to the property that do not generally apply to other properties in the same zone.*
 - 1. *In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.*
- c. *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.*
- d. *The variance will not substantially affect the general plan and will not be contrary to the public interest.*
- e. *The spirit of the land use ordinance is observed and substantial justice done.*

Staff's analysis and findings are discussed below:

- a. Literal enforcement of the Land Use Code would require an undesirable result. Literal enforcement of the 30-foot rear yard setback would require a building footprint that would be inefficient and would produce a structure that does not match neighboring development.
- b. The special circumstances that apply in this instance are due to the unique wide and shallow shape of the lot, that when standard zoning setbacks are applied, would create a hardship on the owner by preventing the placement a reasonable dwelling footprint on the property.
- c. Granting the variance would allow the owner to develop a reasonably consistent residence similar to adjacent property owners.
- d. The General Plan indicates that this area should be developed as is planned and zoned; thereby the variance and development is not contrary to any public interest.
- e. This variance request is not an attempt to avoid or circumvent the requirements of the County Land Use Code. The applicant has gone through the proper channels in re-applying for a variance. Granting this variance will improve the area through the reduction lots, additional lot and building separation, and consistent building setbacks.

Conformance to the General Plan

Preservation of open spaces and the development of single-family residences are supported by the Ogden Valley General Plan. The same are proposed through these variance requests and associated subdivision amendment.

Exhibits

- A. 2nd Updated 1-Lot Subdivision Variance Exhibit W/Septic System
- B. Planning Staff Report (June, 11 2020)

Location Map



**R317-4 OWS PLAN DESIGN
PACKED BED MEDIA - SDS**

NEILSON-HERMITAGE SUBDIVISION
Address: 2508 E Ogden Canyon Rd Ogden
Neilson-Hermitage Subdivision, Lot
#1
System Design #: WC-20-183-0001-0.5
Revision Date: 2021 Oct 2

Installation

Site Plan

Plan Dimensions Take Precedence over the Scale shown on Plans

Take **Depth** Measurements **Down Slope**

Take All Pipe Measurements at **Invert**

Field Verify all Setback Distances, Field Dimensions, and Existing Conditions

Minimum Setback Distances

UAC § R317-4-13 Table Two	
Tanks (to Foundation)	5 ft
Absorption System	5 ft
Open Water	50 ft
Groundwater Sources	50 ft

General System Requirements

Final Inspections

Health Authority May Inspect All Components in Relative Elevation Schedule before Backfilling

UAC R317-4-7 Construction and Installation

Install System in Accordance with OWS Rule and Regulatory Authority Special Requirements

Culinary Water Lines

Sleeve all Culinary Water Lines Crossing any Sewer Line in Solvent Welded Sch 40 Pipe at least Ten Feet beyond the Crossing

Use Solvent-Welded Sch 40 PVC Pipe Sewers at least Ten Feet beyond the Crossing of any Culinary Water Lines

Septic Tank Landscaping

Bring all Risers to the Surface per R317-4-6.7.F.1.a if Concrete or Asphalt Blocks Access

Absorption Area Landscaping

Add Additional Absorption Area per R317-4-6.14.B.4.h if Oxygen Flow to Absorption System Is Blocked

Water Softener Backwash

Divert Salt-Type Water Softener Backwash to an Appropriate Underground Absorption Area

Orengo Warranty

Water softener backwash from a salt-type water softener plumbed into the septic tank, or AX2x unit, will **void the system's warranty**.

Special Requirements

Culinary Water

Recommend moving the culinary water supply lines to a joint trench on the 303-305 boundary to provide maximum separation from both primary absorption systems.

Sewers

Building and Effluent Sewer

Install Cleanouts at least every: 100 ft
135°

Driving or Parking Areas:

- Bed in 12" inch minus gravel
- 4" Sch 40 PVC Pipe or better
- If Less than 30", Insulate Pipe (≥ 2"x16" Foamboard 6" above pipe)
- Install Traffic Rated Clean Out Access

Building Sewer

SDR 35 PVC Pipe or better 4"
or per UAC § R317-4-13 Table Four

Install Cleanout at Foundation

Install Ells after Cleanouts

Use 45 Degree Ells or less for all changes in direction

≥ ¼" per foot drop

Septic Tank

Septic Tank Size ≥1500 gallon

Required Septic Tank Cover 6-36"

Water Tightness Inspection

Fill Tanks 24 hours before Inspection
Backfill when Approved

If Conditions Require Shoring, Contact Regulatory Authority and Photograph

Minimize Tank Sidewall Coverage
Regulatory Authority May Require Tank Exposure during Inspection

Septic Tank Effluent Filter

Install Effluent Filter at Septic Tank Outlet

Effluent Sewer

SDR 35 PVC Pipe or better 4"
or per UAC § R317-4-13 Table Four

≥ 1/8" per foot drop **with filter**

Tank Risers

Cast-In or Bolt Down Risers
Seal Water-tight.
Extend all Required Risers to the Surface

Orengo AX-RT Pod Units

Orengo Installer Certification

Orengo distributors will only sell or authorize installations by Orengo certified installers.

Equipment Instructions

Follow Orengo AX-RT Installation Manual
NIM-ATX-AXRT-1

Anti-Flotation Device

Install Deadmen and Turnbuckles

Nitrogen Return Line

Install 1" Sch40 PVC Nitrogen Return Line from Pod Drain Line to Inlet of Septic Tank

Install 1" Grommet near bottom of Inlet Riser.
Anti-Siphon on Bottom Ell 1/8"

Effluent Distribution

Install Frazier Tee and Bottom Manifold

Distribution Device Riser

Bring Access Riser to Final Grade

Distribution Method

Install Double Closed Loop

Absorption System

Estimated Hydraulic Flow Rate 600 gpd
Hydraulic Loading Rate 0.9 (gpd/ft²)
Maximum Trench Depth 12"

Absorption System Placement

± 5 feet Change from Approved Design
Change from Approved Design will Require Permission of Designer and Health Authority

Absorption System Excavations

Install Shallow as Possible
Follow Contours on Sloping Sites

Excavate **Each** Trench or Bed Level

Trench Spacing ≥7 ft

Rake Smear or Compacted Surfaces

Protect from Surface Runoff
Install Absorption System ASAP

Absorption System Layout

May **Not** Increase or Decrease Number of Trenches if Retain Overall L_M

Observation Ports

Install Observation Ports on Outside Distal Corners

Diameters 4"
SDR35 PVC or better

Component Access

Install 10" Round Valve Covers for all 4" Pipe

Standard Trenches

Minimum Length of Trenches 156 ft

Drain Media Criteria

UAC §§ R317-4-2.34
Effective size ¾ - 2½"
Maximum #10 (or 2 mm) Sieve 2 %

Drain Media Minimum Depth
Under Pipe 6"
Over Pipe 2"

Distribution Pipe 4"
per UAC § R317-4-13 Table 4
Five o'clock and seven o'clock rows of ½" round holes at ~6" intervals

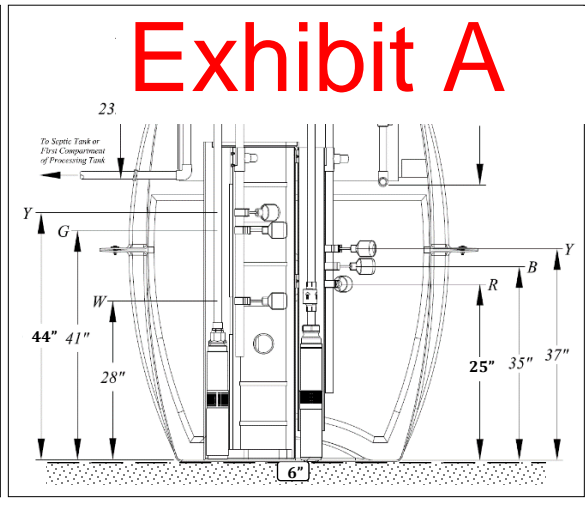
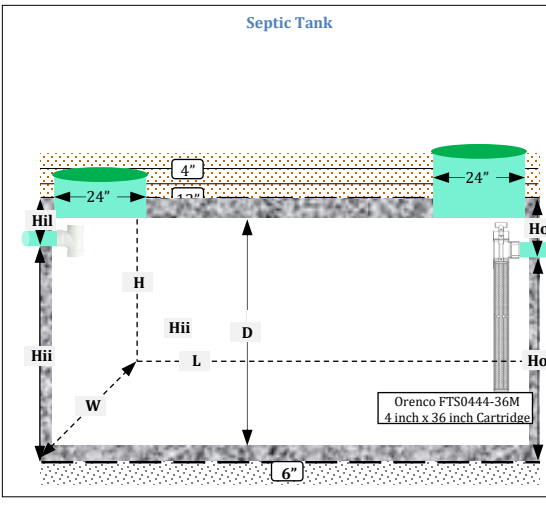
Barrier Material (UAC §§ R317-4-2.7)

Use Filter Fabric or Compacted Straw ≥4 oz/yd²
≥2"

Trench Cover

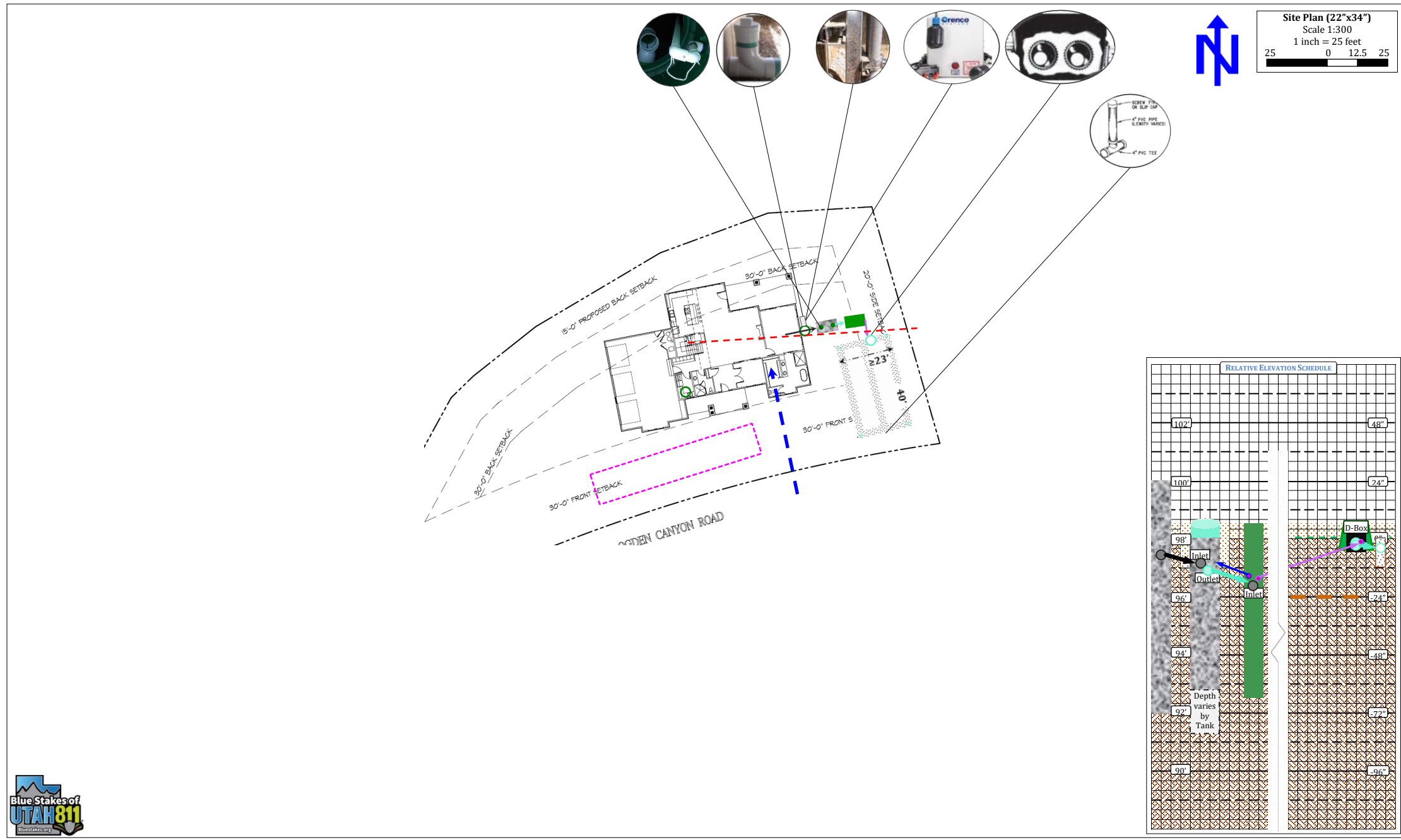
Top Soil Preferred
Backfill Slightly Mounded 2-3"

Tank	All measurements in inches													Gallons	
	L	W	H	Hil	Hol	Hol	Drop	D	Wall	Floor	Lid	ES	gpi	ES	
Orengo - Prelos Processor - DCPD - Sutherlin Oregon															
Prelos 1000	96	96	61	48	13	Force Main	-	61	0.4	0.4	0.4	20.0	220		
Orengo - AXRT Pod Tank - Fiberglass - Sutherlin Oregon															
AX2x-RT	102	64	72	44	28	32.5	39.5	11.5	72	0.3	0.3	0.3	8.0	500	
Oldcastle - Concrete - Ogden Utah															
1000 gallon	139	67	53	41	12	38	15	3	61	4	5	5	32.6	326	
1250 gallon	139	67	61	49	12	46	15	3	51	4	5	5	32.6	326	
1500 gallon	139	67	67	55	12	52	15	3	57	4	5	5	32.6	326	
Duracrete - Concrete - Salt Lake City Utah															
1000 gallon	112	56	70	55	15	51.5	18.5	3.5	61	3	4	5	22.9	309	
1250 gallon	126	60	70	55	15	52.5	17.5	2.5	61	3	4	5	28.1	351	
1500 gallon	130	68	68	55	13	51.5	16.5	3.5	59	3	4	5	33.3	383	
1750 gallon	127	66	75.5	63.5	12	61	14.5	2.5	66.5	3	4	5	31.4	298	
2500 gallon	151	80	82	68	14	65.5	16.5	2.5	72	4	5	5	44.6	513	
1000 gallon	68	68	78	-	-	-	-	-	66	4	6	6	15.6		
Duracrete - H-20 Concrete - Salt Lake City Utah															
2000 gallon	180	72	74	54	20	51.0	23.0	3.0	60	6	6	8	43.6	655	
3000 gallon	168	84	86	69	17	66.0	20.0	3.0	72	6	6	8	48.6	583	
Roth - RMT - HDPE - Syracuse New York															
1250 gallon	148	62	51	43	8	40	11	3.0	51	0.5	0.5	0.5	31.0	210	
1500 gallon	177	62	51	43	8	40	11	3.0	51	0.5	0.5	0.5	37.5	231	
Norwesco - Low Profile - HDPE - Tooele Utah															
1000 gallon	127	60	51	43	8	40.0	11.0	3.0	51	0.3	0.3	0.3	21.3	149	
1250 gallon	157	60	51	43	8	40.0	11.0	3.0	51	0.3	0.3	0.3	26.0	182	
1500 gallon	157	69	51	43	8	40.0	11.0	3.0	51	0.3	0.3	0.3	31.9	223	



KEY

- Potable Water
- Replacement Area
- Horizontal Setbacks
- GPZ
- Soil Test Pit
- Cover Soil
- Original Grade
- Undisturbed Native Soil
- Self-Compacting Gravel
- Building Sewer
- Septic/Pump Tank
- Effluent Sewer
- Control Panel
- Nitrogen Removal
- PBM
- Prelos Unit
- Force Main
- Pump to Gravity Device
- Barrier Material
- Standard Drain Media
- Scarified Soil
- Subsurface Drip Irrigation
- Observation Ports
- Round Valve Box
- Sewer Cleanouts
- Asphalt, Concrete



NEILSON-HERMITAGE SUBDIVISION
Address: 2508 E Ogden Canyon Rd Ogden
System Design #: WC-20-183-0001-0.5
Revision Date: 2021 Oct 2

Shupe Environmental Solutions Inc
P.O. Box 199, Huntsville, Utah 84317
DOP, Licensed Environmental Health Scientist
DWO, Certified Onsite Wastewater Level 3
DPL, Licensed Contractor

Carl R Shupe
801-934-3036
cshupe01@gmail.com

Control Panel

Install Control Panel within Sight of Pump Access Riser
Maximum Conduit from Riser **60 ft**
 Place on 12 Gauge Strut Bar or better
 Separation from Dwelling **≥0.5"**

Packed Bed Media Splice Box Wiring

Wire #1-2 16 Gauge
 Use Terminal Link #2
 Float #1 (On/Off) #3
 Float #2 (Override) #4
 Float #3 (Alarm) #5
 Common #6
 Wire #6 12 Gauge
 Pump Hot #6
 Pump Neutral #7

AX20-RT Recirculating Pump Settings

Minimum Recirculation Ratio Engineered 4:1
 Verify PDR = Design PDR (AX20-RT) 16 gpm

Override Float Settings

Forward HFR =	600 gpd
Filter Application Rate =	30.0 gpd/ft ²
Min Req'd Surface Area =	20.0 ft ²
AX20-RT =	20.0 ft ²

AX20-RT Pod				
Dose (cycle)	Cycles (day)	Cycling Rate	gpd	Ratio
13.3	288	5.0	3839	5.4 :1
13.3	225	6.4	2999	4.0 :1

Pump On Time = DV / PDR = 13.3 gal / 16 gpm = 50 sec
 Pump Off Time 5:34 min

On/Off Float Settings

Certified Service Provider to determine based on Occupancy or Actual HFR.
 Pump On Time = DV / PDR = 10 gal / 16 gpm = 38 sec
 Pump Off Time 29:22 min

Feasibility and Plan Review

PACKED BED MEDIA - PRESSURE TRENCH

Address: 2508 E Ogden Canyon Rd Ogden
 System Design #: WC-20-183-0001-0.5
 Revision Date: 2021 Oct 2

Alteration

These properties have existing dwellings with Approved OWS.

The dwelling on 305 is an existing building that will be remodeled.
 The dwellings at 301 and 303 will be demolished and replaced with a joint building of similar size.

Est Hydraulic Flow Rate (HFR) 600 gpd
 Single Family Dwelling three bedrooms, no basement, six people maximum sustained use

Feasibility Assessment Record

Hydraulic Loading Rate (HLR) 0.9 (gpd/ft²)
 Perc-based Rate q=2.35/√2.9+0.15 1.53 (gpd/ft²)
 HD Required Rate 0.9 (gpd/ft²)
 Soil Profile see WMHD
 Sandy Loam, granular 0-12"
 Loamy Sand 12-39"
 Gravelly Loamy Coarse Sand 39-70"
 Perc Rate 2.9 MPI

Max Absorption Trench Depth 12"
 Maximum Ground Water Design per WMHD 24"
 Absorption Area Max Ground Slope ≤1%

Flood Plain Zones

Flood Plain Zone See Map
 FEMA Designation Zone X
 Area of Minimal Flood Hazard 500 year



KEY

- Flood Plain Zone
- Absorption Area
- Groundwater Protection Zone 2
- ⊕ Non-Public Water Supply
- ⊕ 100 foot Groundwater Protection Zone
- ⊕ Soil Test Pit

Plan Review and Permitting

Wastewater Type Domestic
 Water Supply Ogden City Water
 Application Attached
 Soil Pit Location see WMHD

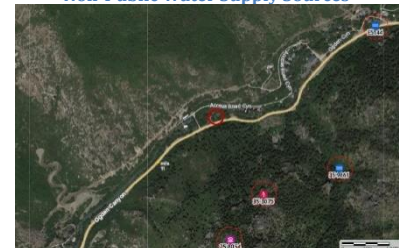
Lot Size and Dimensions

See Site Plan

Groundwater Protection Zones



Non-Public Water Supply Sources



The field verified wells are shown on the Site Plan

Design Requirements

Sewer & Septic Tank Details

Inlet Riser

Orengo: PRTA24, Tank Adapter 24"
 PRTA24BDKIT, Bolt Down Kit or Cast-In FLD24G, DuraFiber™ Access Lid 24"
 RR24xx As needed

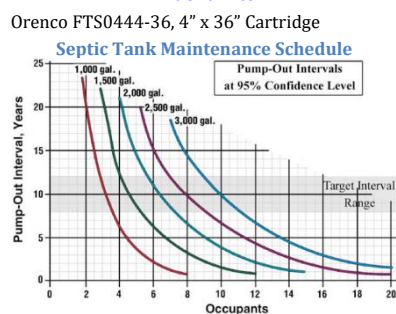
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 RR24xx As needed

Effluent Filter

Orengo FTS0444-36, 4" x 36" Cartridge

Septic Tank Maintenance Schedule



Orengo Equipment Purchase

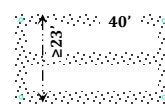
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 PO Box 3603, Logan, UT 84323

Absorption Trench System Details

Absorption Trenches

Sizing Criteria
 Effective Absorption Area (E_{AA}) = $\frac{HFR}{HLR}$
 = 600 gpd / 0.9 (gpd/ft²) = 666 ft²
 Reduction Factor (Packed Bed Media) 0.7
 E_{AA} x RF = 666 ft² x 0.7 = 466 ft²
 Width of Media (W_M) = 3 ft
 Length of Media (L_M) = $\frac{E_{AA}}{W_M}$
 = 466 ft² / 3 ft = 156 ft

Standard Trench



Chambered Trenches

Sizing Criteria
 Reduction Factor (None) 1.0
 L_M x RF = 156 ft x 1.0 = 156 ft

Disclaimer

Due to the variability of: site soils; wastewater; the personnel that conduct feasibility studies and review plans; building construction; and, OWS system installation, this design is not intended to be a guarantee or warranty, expressed or implied, regarding the future adequacy, performance, or condition of any installed system. The designer liability is limited to the value paid for this plan.

The drawings, plans, models, designs, specifications, reports, photographs, computer software, surveys, calculations and other data, including computer print-outs, contained in this Plan are the property of the designer. The Plan is made available for 2508 E Ogden Canyon Rd Ogden. The Plan may not be copied, reproduced, or distributed in any way or for any purpose without the consent of the designer.

The designer reserves the right to revise this document and to make changes in content as needed or as required by the local regulatory authority without obligation on the part of the designer to provide notification of such revision or change. The installer shall confirm they have the most current revision of this plan.

The designer is not responsible for the results of any changes to this plan without approval by the designer and the local health department. Any deviations shall be coordinated with the designer and local health department prior to proceeding with the related work concerning the deviation.

This design assumes installer experience or competency with the system shown herein. The designer shall not be held liable for any errors, omissions, or deficiencies in any form by the installer.

The installer shall read the notes and details in this plan.

All third party information provided including any plot plans, site plans, geographic maps, health department requirements and statements, is "as is" without any guarantee, representation, condition or warranty of any kind, either express, implied, or statutory.

Any location of utilities shown on this plan are approximate. The installer shall call the Blue Stakes utility locating company, 1-800-662-4111, for field location marking before excavating.

Orengo AX20-RT Pod Details

Hydraulic Flow Rate 600 gpd
AdvanTex Textile Filter Criteria
 Media AdvanTex
 Hydraulic Loading Rate ≤ 30 (gpd/ft²)
 Effective Application Area ≥ $\frac{HFR}{HLR} = 600 \text{ gpd} / 30 \left(\frac{\text{gpd}}{\text{ft}^2}\right) = 20 \text{ ft}^2$
AdvanTex Textile Filter Pod
 AdvanTex AX20-RT Textile Filter One
 Treatment Mode MODE3B
 Pump Discharge, N Reduction
 Emitter Flow Rate 8 gpm
 Emitters 2 (AX20-RT)
 Emergency Storage Gallons 500

High Head Discharge Pump

Orengo PF300511-CLK, 30 gpm Pump
 0.5 hp, 1Φ, 115 V, 11.8 Amps, 60 Hz
 Discharge Diameter 1.25"

Pump Control Panel

Orengo MVP-SSF1 HTSA PTRO DM, Electronic Series Pump
 Power Sources 2
 Building Power Panel
 Wired for Generator or Equivalent

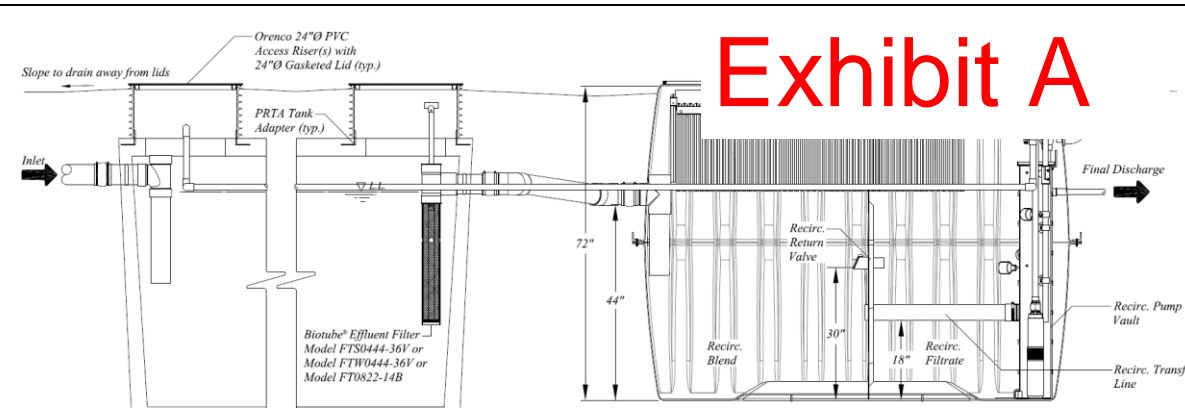
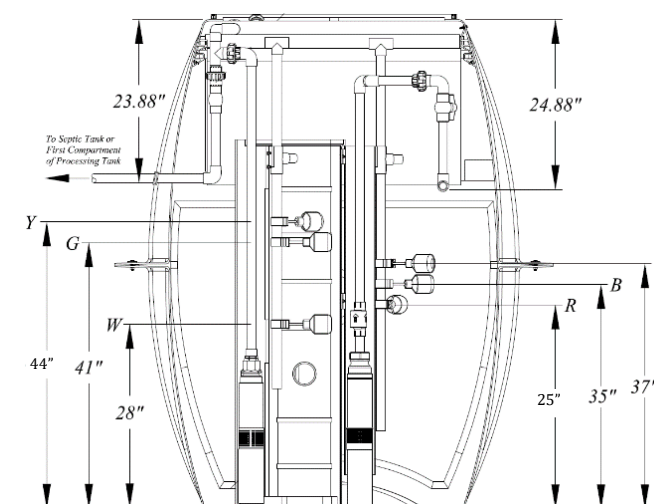
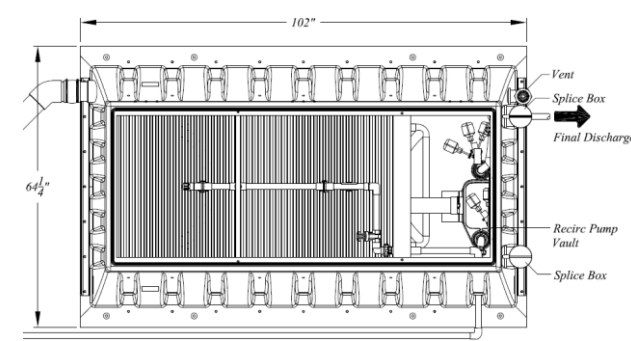


Exhibit A





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Weber County Planning Division

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- Weber County Land Use Code Title 108 (Standards) Chapter 12 (Noncomplying Structures, Nonconforming Uses, And Nonconforming Lots) Section 13 (Setback Requirements For Nonconforming Lots)

Background

The applicant has submitted variance requests for side and rear yard setbacks for a proposed nonconforming and irregularly shaped lot in the FR-1 Zone. The first request is for an 11-foot variance from the side yard setback of 20-feet to allow for a 9-foot side setback. The second request is a 19-foot variance from the rear yard setback of 30-feet to allow for an 11-foot rear setback. Both of these variances are requested to facilitate a reasonable single-family dwelling footprint on an amended Lot 6 of the Hermitage Block 10 subdivision (depicted as Lot 3 on the proposed subdivision amendment).

As indicated above, and in tandem with these variance requests, the applicant has also submitted a subdivision amendment application to reconfigure Lots 3, 4, 5, and 6 of the existing Hermitage Block 10 subdivision. The overall intent of these applications is to "allow for adequate spacing for the proposed single-family dwellings [301, 303, and 305], septic systems, and to give enough depth for the driveway to come off of Highway 39." (See **Exhibit A**, Variance Application). This will be done by eliminating Lot 5 of the existing subdivision and using its area and frontage to increase the remaining 3 lots' overall width and area. By doing so, these amendments will allow the remaining lots to be less nonconforming with current zoning standards and improve the overall spacing and configuration of the developable areas (see **Exhibit B** for the proposed subdivision plat).

Per LUC 101-1-7, Lot 3 of the proposed amended subdivision meets the definition of both a Nonconforming and Irregular Shaped Lot:

Lot, nonconforming. The term "nonconforming lot" means a lot or parcel that complied with lot standards in effect at the time of the lot's creation and, because of subsequent changes to the Land Use Code, does not conform to the current lot

standards. Applicable standards include lot standards of the zone in which the lot is located, lot standards of the subdivision ordinance, and other lot standards of this Land Use Code.

Lot, irregular shaped. The term "irregular shaped lot" means any building lot whose boundaries are:

1. Comprised of three or more than four lot lines;
2. A lot in which the side lot lines are not radial or perpendicular to the front lot line; or
3. In which the rear lot line is not parallel to the front lot line.

Where an irregular shaped lot occurs, the interior angle of intercepting lot lines with an angle of 135 degrees or greater shall be considered the same lot line and yard designation. If the angle is less than 135 degrees, the yard designation shall be determined to be different and the applicable yard requirements would apply.

Due to its nonconforming status and irregular shape, this lot is allowed a standard reduction in side yard setback requirements from the FR-1 zoning minimum of 20 feet. This reduction is calculated per the requirements of LUC 108-12-13 as follows:

Sec 108-12-13 Setback Requirements For Nonconforming Lots

A nonconforming lot that has a smaller width than is required for the zone in which it is located may be developed in a manner that does not exceed the following allowed reduction in side yard setbacks:

- (a) A nonconforming lot's actual width (v) may be divided by the current required frontage/width (w) in order to formulate a ratio or proportional relation (x). (Formula: "v" divided by "w" equals "x".)
- (b) The ratio may then be multiplied by the current zone's side yard setback requirement (y) in order to establish a reduced setback (z). (Formula: "x" multiplied by "y" equals "z".)
- (c) The reduced side yard setback is subject to the conditions listed below.
 - (1) Under no circumstances shall an interior lot be allowed to reduce the side-yard setback requirement below five feet on one side and eight feet on the other.
 - (2) Under no circumstances shall a corner lot be allowed to reduce the side-yard requirement below ten feet when the side yard fronts on a street.

The calculation results for the standard side yard setbacks on Lot 3 of the proposed amended subdivision are as follows:

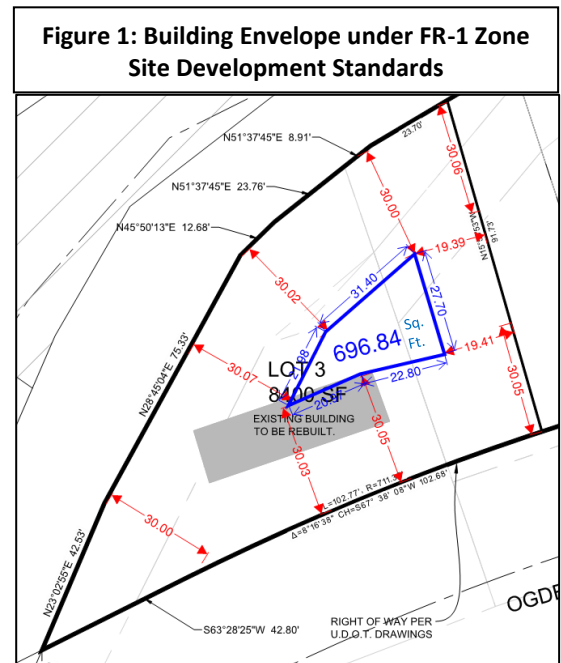
145.47' Actual Width
 145.47' / 150' (FR-1 zone minimum width) = 0.97 (Reduced side yard setback ratio)
 0.97 x 20' (FR-1 zone side yard setback minimum) = **19.4'** (reduced side yard setback)

The results of this ratio calculation indicate that the standard side-yard setback for Lot 3 would only be reduced by **0.6 feet**. This is primarily due to the large width of Lot 3. Whereas a nonconforming lot with a smaller width (such as the other two lots in the proposed subdivision) enjoy a much larger setback reduction due to a larger ratio between the actual lot width, and required lot width. For example, Lot 2 of the proposed subdivision is allowed a reduced side yard setback of 8.02 feet.

In summary, the standard side-yard reduction for nonconforming lots, in conjunction with the required rear and front yard setbacks in the FR-1 zone, is not enough to accommodate a reasonable building envelope on Lot 3 of the proposed amended subdivision. See **Figure 1** for the allowed building footprint (696.84 sq. ft.) under the current FR-1 site development standards and standard reduced side-yard setbacks:

The applicant's application narrative argues:

"Even with the increased space from eliminating one lot, the shape and depth created by the sharp angle [west side/rear property line junction] provide an unreasonable shape and space in which to fit the footprint of a home... granting the variances would allow the new dwelling to have the same setback that it already has [see existing structures] on its west side and will be similar or even better than others nearby."



Summary of Board of Adjustment Considerations

LUC §102-3 states that one of the duties and powers of the Board of Adjustment is to hear and decide variances from the requirements of the Weber County Land Use Code. In order for a variance to be granted it must be shown that all of the following criteria have been met:

- a. *Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Land Use Code.*
 1. *In determining whether or not literal enforcement of the land use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.*
 2. *In determining whether or not literal enforcement of the land use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.*
- b. *There are special circumstances attached to the property that do not generally apply to other properties in the same zone.*
 1. *In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.*
- c. *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.*
- d. *The variance will not substantially affect the general plan and will not be contrary to the public interest.*
- e. *The spirit of the land use ordinance is observed and substantial justice done.*

Staff's analysis and findings are discussed below:

- a. Literal enforcement of the Land Use Code would require an undesirable result. Literal enforcement of the 30-foot front yard setback and the 19.4-foot reduced side yard setback would require a building footprint that would be inefficient and would produce a structure that does not match neighboring development.
- b. The special circumstances that apply in this instance are due to the unique wide and shallow shape of the parcel, that when standard zoning setbacks are applied, would create a hardship on the owner by preventing the placement a reasonable dwelling footprint on the property.
- c. Granting the variance would allow the owner of the parcel to improve the overall subdivision proportions and building separation while also improving the nonconformance of the existing lots to better match current zoning dimensions.
- d. The General Plan indicates that this area should be developed as is planned and zoned; thereby the variance and development is not contrary to any public interest.
- e. This variance request is not an attempt to avoid or circumvent the requirements of the County Land Use Code. The applicant has gone through the proper channels in applying for a variance. Granting this variance will improve the area through the reduction of one lot, additional lot and building separation, and consistent building setbacks.

Conformance to the General Plan

Preservation of open spaces and the development of single-family residences are supported by the Ogden Valley General Plan. The same are proposed through these variance requests and associated subdivision amendment.

Staff Recommendation

Staff recommends approval of an 11-foot variance from the side yard setback and a 19-foot variance from the rear yard setback in the FR-1 zone. This recommendation is conditioned upon the approval of an associated subdivision amendment to the Hermitage Block 10 subdivision.

Exhibits

- A. Variance Application
- B. Current Hermitage Block 10 Subdivision Plat
- C. Proposed Subdivision Plat Amendment

Location Map 1



Weber County Board of Adjustment Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) Doug Neilson		Mailing Address of Property Owner(s) 3744 Van Buren Ave. Ogden, UT 84403	
Phone 801-624-9077	Fax —	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address Douglasray15@gmail.com			

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) SAME		Mailing Address of Authorized Person	
Phone	Fax	Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address			

Appeal Request

- A variance request:
- Lot area
 Yard setback
 Frontage width
 Other: _____
- An Interpretation of the Zoning Ordinance
- An Interpretation of the Zoning Map
- A hearing to decide appeal where it is alleged by appellant that there is an error in any order, requirement, decision or refusal in enforcing of the Zoning Ordinance
- Other: _____

Property Information

Approximate Address 301 Ogden CYN Ogden, UT 84401	Land Serial Number(s) Parcel #: 20-030-0012 and 20-030-0011
Current Zoning FR1	

Existing Measurements		Required Measurements (Office Use)	
Lot Area 8,398.68	Lot Frontage/Width 147	Lot Size (Office Use)	Lot Frontage/Width (Office Use)
Front Yard Setback 30	Rear Yard Setback	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)
Side Yard Setback 11.45	Side Yard Setback 9	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)

Applicant Narrative

Please explain your request.

I am requesting a side yard variance on parcel 6 of the proposed Neilson Hermitage subdivision. I propose the East side yard set back be ~~8~~ 9 feet in addition to the North West side/rear setback to 11 feet. This will allow for adequate spacing for the proposed single family dwellings, Septic systems, and to give enough depth for the driveway to come off of Highway 39.

Variance Request

The Board of Adjustment may grant a variance only if the following five criteria are met. Please explain how this variance request meets the following five criteria:

1. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Ordinance.
 - a. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 - b. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.

Due to the sharp angle of the west corner of parcel 6, the shape of the lot is the main hardship. The wide frontage does not permit a substantial allowed reduction, given for the FR1 Zone. The rear setback is also a burden because of the unique shape. We propose to maintain the existing structures rear-side setback of 11 feet.

Variance Request (continued...)

2. There are special circumstances attached to the property that do not generally apply to the other properties in the same zone.

a. In determining whether there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.

Please describe the special circumstances attached to the property that do not generally apply to the other properties in the same zone:

Even with the increased space from eliminating one lot, the shape and depth created by the sharp angle provide an unreasonable shape and space in which to fit the footprint of a home.

3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

The square footage of this property is larger than its neighbors. Granting the variance would allow the new dwelling to have the same setback that it already has on its west side and will be similar or even better than others nearby.

Variance Request (continued...)

4. The variance will not substantially affect the general plan and will not be contrary to the public interest.

For 30 plus years the neighborhood has dealt with these properties that attract vandalism, are eyesores to the area and are hazardous in general. This variance would allow us to make sense of the property by spacing 301, 303 and 305 aesthetically, while utilizing the square footage rationally.

5. The spirit of the land use ordinance is observed and substantial justice done.

Similar to my answer in #4 - receiving this variance would allow me to develop the property, beautify the area, increase surrounding property values and make this home functional and practical by doing what other homes in this area have already done - All without going to unreasonable lengths to accomplish it.

Property Owner Affidavit

I (We), Doug Neilson, 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.

[Signature]
(Property Owner)

(Property Owner)

Subscribed and sworn to before me this 10 day of May, 2020.


[Signature]
(Notary)

Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), _____, 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.

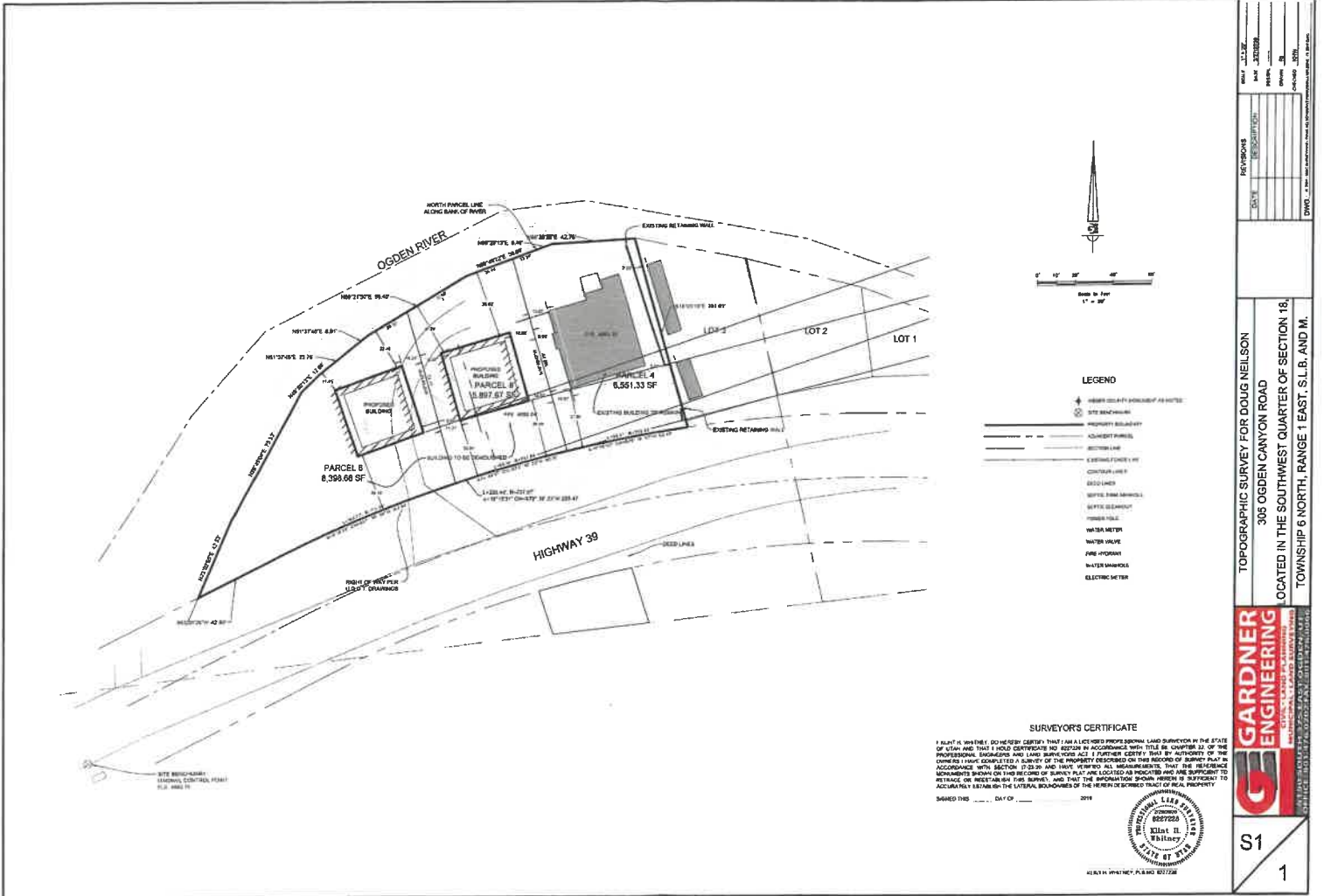
(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20____, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

(Notary)

Exhibit B



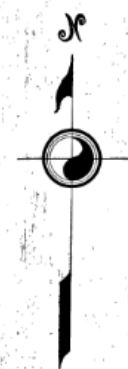
431- 5.10

SUBDIVISION OF BLOCK 10 OF THE HERMITAGE

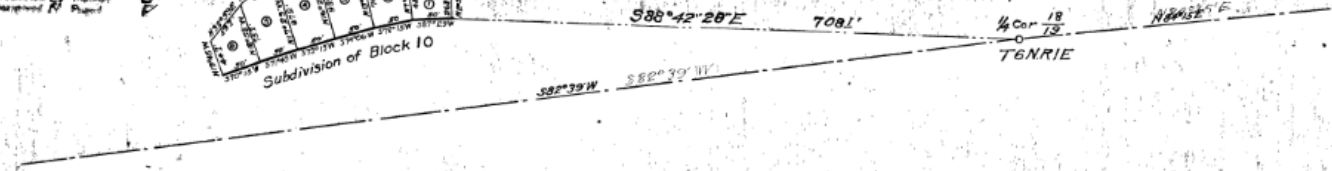
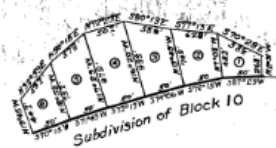
JUNE 1921 56

SCALE 1" = 100'

STATE OF UTAH
County of Weber
Filed for record in accordance with
Section 9, 10, 11, and 12 of Chapter 57
of the Compiled Laws of Utah, and by virtue
of the authority vested in me by the
said laws, I have caused this plat to be
recorded in the office of the County Clerk
of the County of Weber, Utah, on this
9th day of June, 1921.



Recorded Abstracted & Indexed
County of Weber



DESCRIPTION
A part of the SW 1/4 of Sec 18, T6N, R1E, Salt Lake Meridian, U.S. Survey, and shown on the map of "The Hermitage of Ogden Canyon" as block 10. Beginning at a point whence the 1/4 Cor between Sec 18 & 19, T6N, R1E, bears S88°42'28"E 708.1 feet and running thence by true courses and distances as shown above hereon thereby subdividing a part of said block 10 into six (6) lots.

CERTIFICATE OF SURVEY
I, John C. Brown, County Surveyor of Weber County, Utah, hereby certify that the courses and distances hereon shown are from field notes of a survey made by me and are correct to the best of my knowledge and belief.
John C. Brown
County Surveyor.

DEDICATION
STATE OF UTAH }
COUNTY OF WEBER }
We, Mary W. Wilson, Wm. W. Wilson, single, Harriet S. Wilson and Flora M. Wilson being all the owners of block 10, partially subdivided as shown above, do hereby reaffirm the dedication as set forth on "The Hermitage" plat in so far as it may affect whomsoever owns or may own any lot or part of lot as hereon shown as a subdivision of part of block 10.
In witness whereof we hereunto set our hands this ninth day of January 1922.

ACCEPTANCE
I hereby certify that the annexed plat was accepted by the Board of Commissioners of Weber County, Utah, on the 23rd day of January 1922.
In witness whereof I have hereunto set my hand and affixed my official seal.
Attest- Claude J. Mace
County Clerk.

Mary W. Wilson
Wm. W. Wilson
Harriet S. Wilson

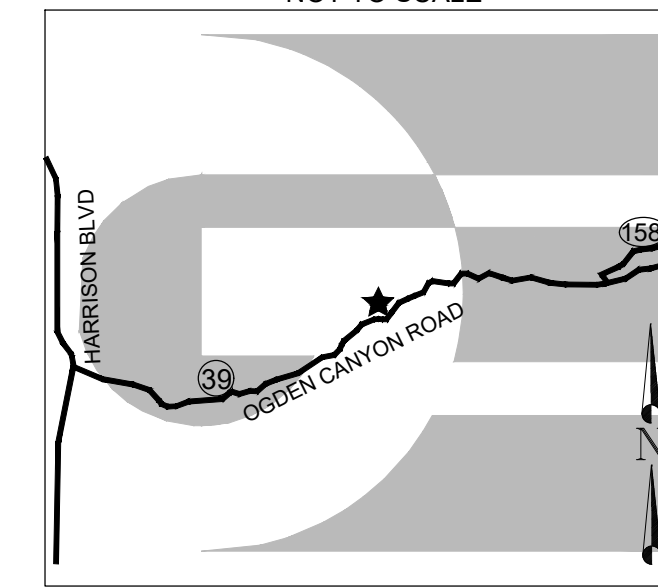
Personally appeared before me, this 13th day of January 1922, Harriet S. Wilson, one of the co-owners, who duly acknowledged that she signed the foregoing DEDICATION.
Heir Blackwell
Notary Public in and for the County of Los Angeles
State of California

Subscribed and sworn to before me, this 9th day of January 1922, by all of the above except Harriet S. Wilson.
John Q. Davis
Notary Public.
Residing at Ogden Utah.
My commission expires Dec. 13th 1922.

My commission expires Aug 14, 1924.

DOUG NEILSON SUBDIVISION
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18,
TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN,
WEBER COUNTY, UTAH
MAY 2020

VICINITY MAP
NOT TO SCALE



BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OGDEN CANYON ROAD BEING LOCATED NORTH 83°27'09" EAST 1513.72 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND NORTH 0°00'00" EAST 40.77 FEET; RUNNING THENCE NORTH 23°02'55" EAST 42.53 FEET; THENCE NORTH 28°45'04" EAST 75.33 FEET; THENCE 45°50'13" EAST 12.68 FEET; THENCE NORTH 51°37'45" EAST 23.76 FEET; THENCE NORTH 51°37'45" EAST 8.91 FEET; THENCE NORTH 59°21'50" EAST 59.40 FEET; THENCE NORTH 69°49'22" EAST 38.69 FEET; THENCE NORTH 69°25'13" EAST 8.40 FEET; THENCE NORTH 86°30'55" EAST 42.76 FEET; THENCE SOUTH 16°03'18" EAST 101.01 FEET TO SAID NORTHERLY RIGHT OF WAY LINE, THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOLLOWING TWO(2) COURSES (1) ALONG THE ARC OF A 707.87 FOOT RADIUS CURVE TO THE LEFT 226.44 FEET, HAVING A CENTRAL ANGLE OF 18°19'31" WITH A CHORD BEARING SOUTH 72°38'23" WEST 225.47 FEET, (2) SOUTH 63°28'25" WEST 42.80 FEET TO THE POINT OF BEGINNING. CONTAINING 20,848 SQUARE FEET OR 0.479 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS DOUG NEILSON SUBDIVISION IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS ___ DAY OF ___, 2020.



KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I, THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

DOUG NEILSON SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO WEBER COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY WEBER COUNTY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS ___ DAY OF ___, 2020.

BY: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

On this ___ day of ___, 2020, before me ___, A Notary Public, personally appeared DOUG NEILSON, Proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

STAMP

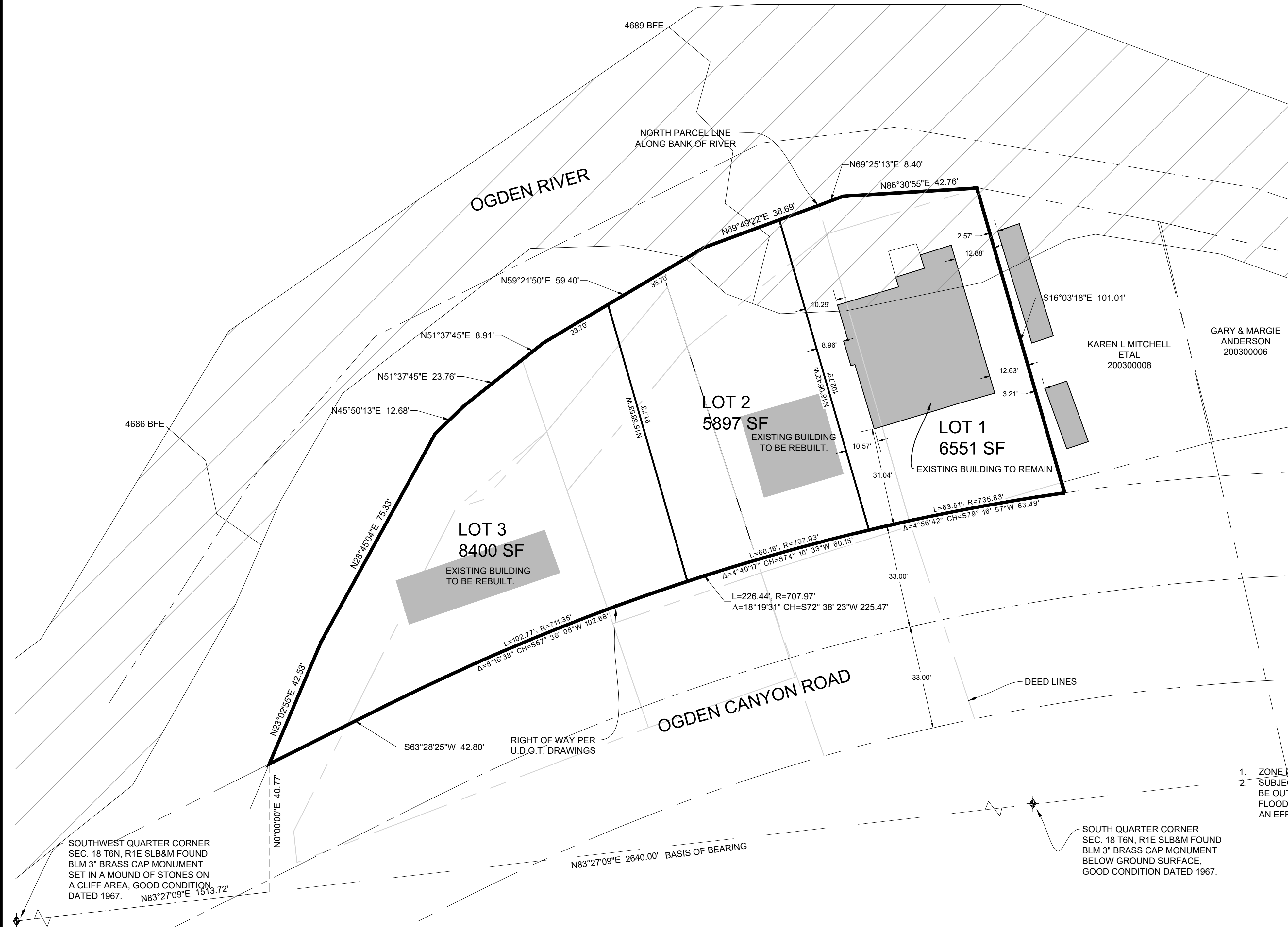
NOTARY PUBLIC

NOTES

- 1. ZONE (R-1) CURRENT YARD SETBACKS: FRONT: 20', SIDE: 8', REAR: 20'
2. SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE AE WITH BASE FLOOD ELEVATIONS (BFE) SHOWN HEREON. PER FEMA MAP NO. 49057C0432E WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A THREE LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY DOUGLAS NEILSON. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 83°27'09" EAST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE BOUNDARY WAS ALSO DETERMINED BY WARRANTY DEED WITH AN ENTRY NUMBER RECORDED AS 2933000 AND DEEDS OF ADJACENT PROPERTIES.



WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR 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 ___ DAY OF ___, 2020.

COUNTY SURVEYOR

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 EFFECT. SIGNED THIS ___ DAY OF ___, 2020.

COUNTY ATTORNEY

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS. SIGNED THIS ___ DAY OF ___, 2020.

COUNTY ENGINEER

WEBER COUNTY COMMISSION ACCEPTANCE

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 ___ DAY OF ___, 2020.

CHAIRMAN, WEBER COUNTY COMMISSION

WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION. SIGNED THIS ___ DAY OF ___, 2020.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER - MORGAN HEALTH DEPARTMENT

I DO HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITION FOR THIS SUBDIVISION HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS. SIGNED THIS ___ DAY OF ___, 2020.

DIRECTOR WEBER-MORGAN HEALTH DEPT.