



Staff Report to the Weber County Planning Division

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final approval of Doug Harbertson Subdivision, consisting of one lot.

Agenda Date: Wednesday, March 09, 2022

Applicant: Guy Harbertson, Representative

File Number: LVD012722

Property Information

Approximate Address: 2280 N 6700 W

Project Area: 46.8 Acres

Zoning: Agricultural (A-2)

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 19-057-0062

Township, Range, Section: T7N, R3W, Section 36

Adjacent Land Use

North:	Residential/Agricultural	South:	Agricultural
East:	Residential/Agricultural	West:	Residential/Agricultural

Staff Information

Report Presenter: Felix Lleverino
flleverino@co.weber.ut.us
801-399-8767

Report Reviewer: RG

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 2 (Agricultural A-2)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)

Background and Summary

The applicant is requesting approval of a subdivision that proposes to divide off one 40,095 square foot lot from a 46.87-acre parcel. The Doug Harbertson Subdivision fronts on an existing public right-of-way and fully built road called 6700 West Street. The Weber County Transportation Plan indicates that the 6700 West ROW will be widened to 100 feet. A 50' ROW dedication is required, and the County Commission shall sign the plat.

This proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the A-2 Zone found in LUC §104-2. The following section is a brief analysis of this project against current land use regulations.

Analysis

General Plan: This proposal conforms to the Western Weber General Plan by encouraging residential properties that may also pursue agriculturally related uses.

Zoning: The property is located in the A-2 Zone. The purpose of this zone is stated in the LUC §104-2.

“The A-2 Zone is both an agricultural zone and a low-density rural residential zone. 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.”

Site Development Standards: Lots created in the A-2 Zone are required to comply with site development standards for the A-2 Zone. The lot within this proposal exceeds the minimum standards concerning lot area and width.

Small Subdivision: “The Land Use Authority for preliminary plan/plat approval of a small subdivision is the Planning Division Director LUC §106-2-5.30 (c)”. Area dedication to the public right of way 6700 West Street shall be approved by the County Commission.

Right-of-Way Connectivity: Opportunities for roadway connectivity are explored for all development proposals following LUC 106-1-4 (7) and 106-2-3. The Doug Harbertson Subdivision does not propose to build new roads. However, it is required to dedicate area to an existing public ROW called 6700 West Street.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

Culinary Water: West Warren Water District has voted to approve the culinary will-serve, with conditions that shall be fulfilled before home construction begins. See Exhibit C for the district’s conditions of approval.

Irrigation Water: The owner has provided proof of secondary water shares for this property.

Sewer Services: The owner has provided a preliminary Subdivision Determination from the Weber-Morgan Health Department stating that the soils within lot one of this development fall within the range of acceptability for the placement of a packed bed media system with an at-grade or drip irrigation absorption field (See Exhibit E).

Review Agencies: The Weber County Fire District has posted approval conditional upon the possibility of requiring the installation of a new hydrant when the homesite location is proposed. Weber County Planning, Engineering, and Surveying have submitted comments that will be addressed by a revised subdivision plat and a written response to a series of questions.

Staff Recommendation

Staff recommends the final approval of Doug Harbertson Subdivision. Approval is based on completing all county review agency requirements and completion of the following conditions:

1. West Warren Water District conditions are fulfilled before the home construction begins.
2. The owner shall enter into an irrigation water covenant that requires the appropriate shares remain with the subdivided building lot.
3. The subdivision plat displays the appropriate area to be dedicated to 6700 West Street. This requirement is under the direction of the Weber County Engineering Department
4. The owner enters into a Deferral Agreement for the curb, gutter, and sidewalk.
5. The County Commission shall sign the dedication plat accepting the area dedicated to 6700 West Street.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.

Administrative Approval

Administrative final approval of the Doug Harbertson Subdivision is hereby granted after displaying conformity with applicable zoning and subdivision standards. This approval is subject to all Weber County review agency requirements and the conditions of approval stated within this planning staff report.

Date of Administrative Approval: _____

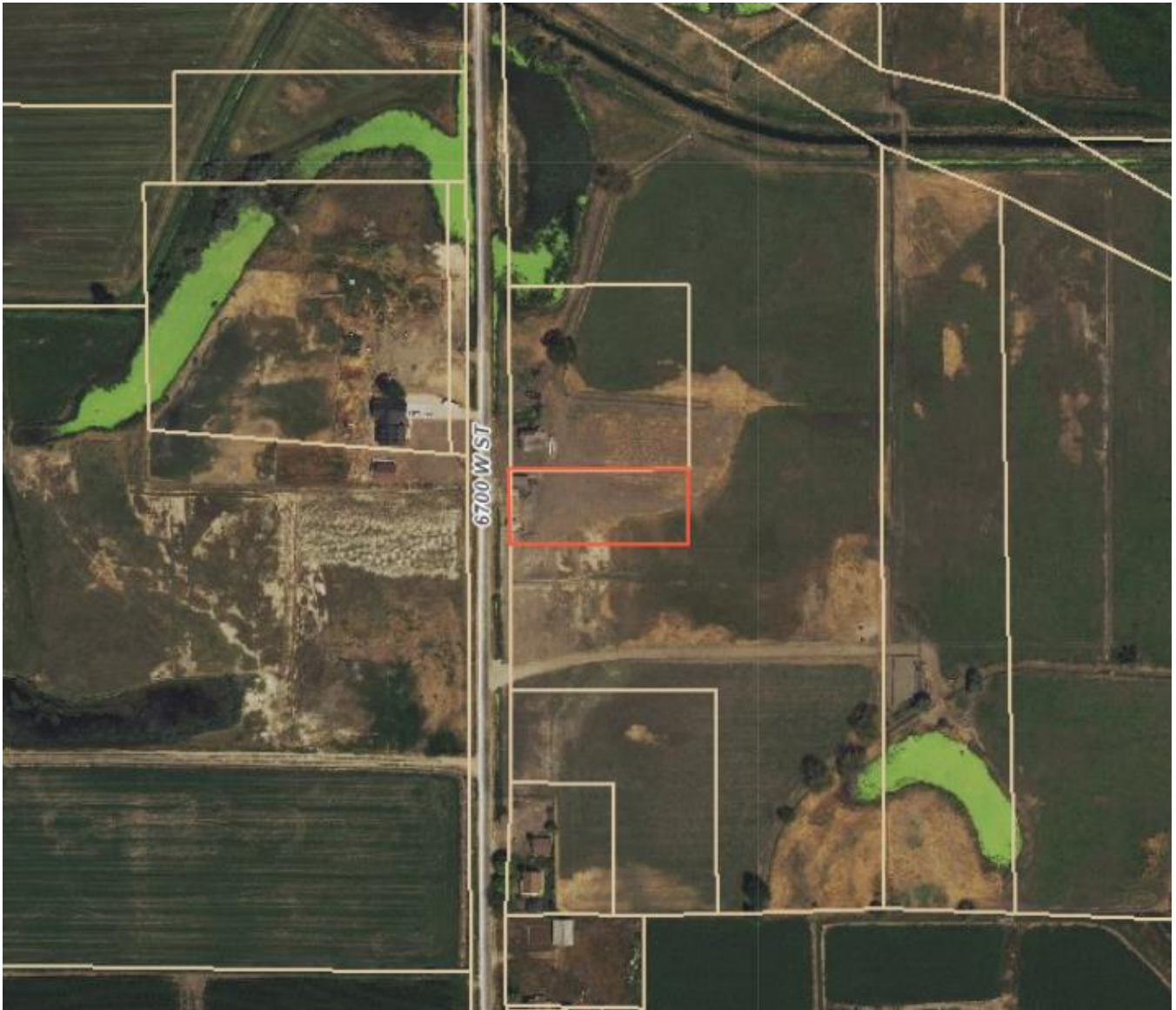
Rick Grover

Weber County Planning Director

Exhibits

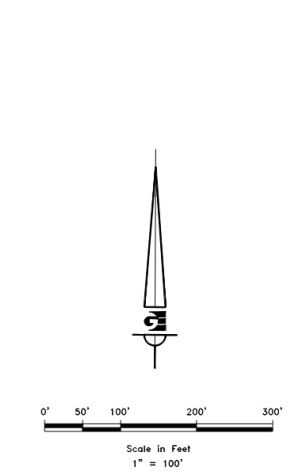
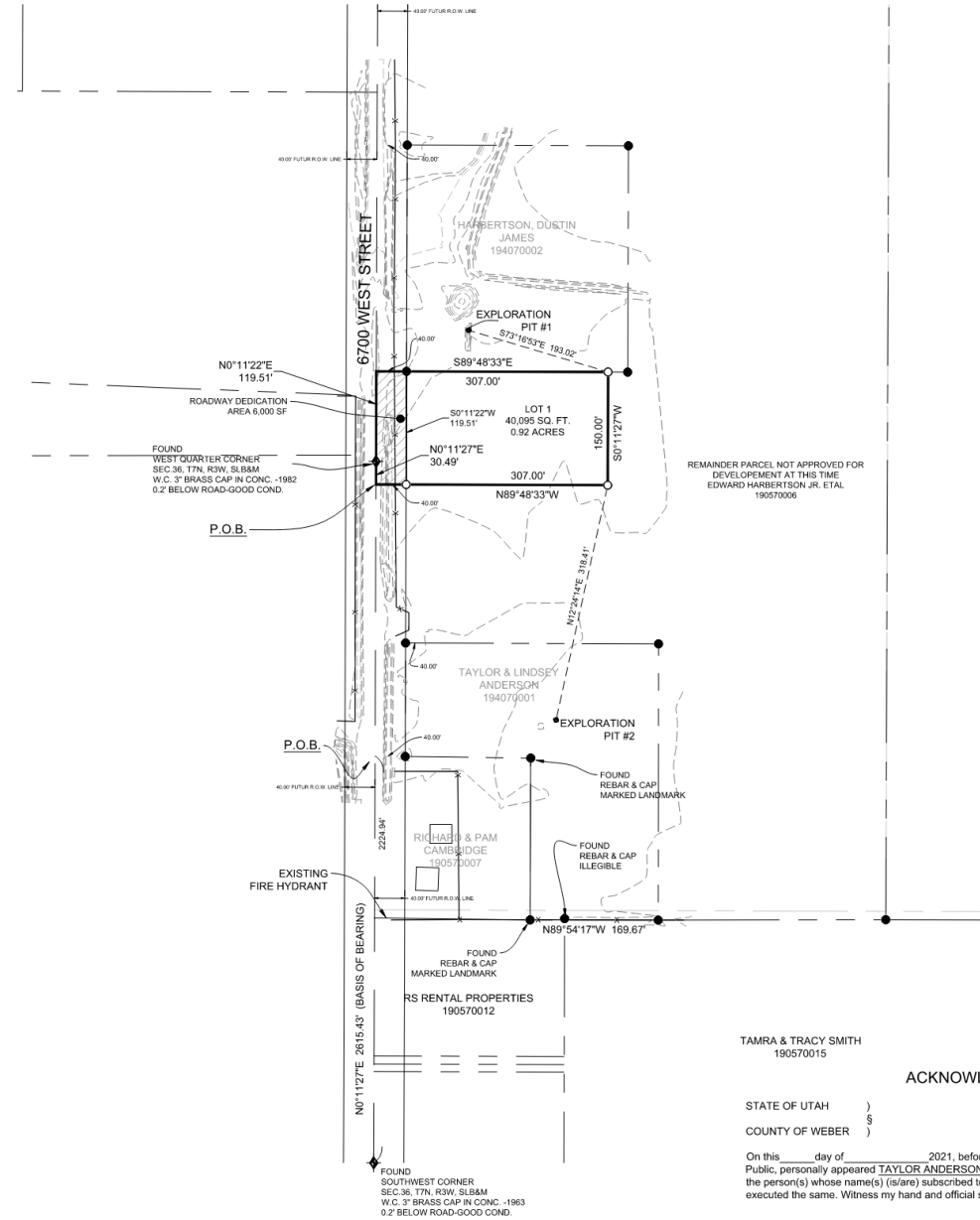
- A. Doug Harbertson Subdivision plat
- B. Current Recorders Plat
- C. Culinary Final will serve letter
- D. Proof of irrigation water shares
- E. Septic Feasibility

Area Map

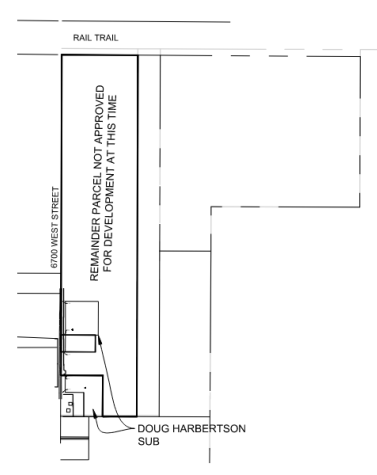


DOUG HARBERTSON SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 7 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN,
WEBER COUNTY, UTAH
SEPTEMBER 2021



- LEGEND**
- ◆ WEBER COUNTY MONUMENT AS NOTED
 - SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
 - FOUND REBAR AND CAP MARKED GARDNER ENGINEERING (UNLESS OTHERWISE NOTED)
 - SUBDIVISION BOUNDARY
 - - - LOT LINE
 - - - ADJACENT PARCEL
 - - - SECTION LINE
 - - - EASEMENT
 - - - EXISTING FENCE LINE



PARTS OF LOT 4 "PLAT OF SECTION 36" LOCATED IN THE WEST HALF OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION; RUNNING THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION NORTH 0°11'22" EAST 119.51 FEET; THENCE SOUTH 89°48'33" EAST 307.00 FEET; THENCE SOUTH 0°11'27" WEST 150.00 FEET; THENCE NORTH 89°48'33" WEST 307.00 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER NORTH 0°11'27" EAST 30.49 FEET TO THE POINT OF BEGINNING. CONTAINING 46,095 SQUARE FEET OR 1.06 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 HARBERTSON 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 _____, 2021.

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 HARBERTSON SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO WEBER COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS ROADWAY DEDICATION, 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, AND ALSO DEDICATE TO WEBER COUNTY A SLOUGH EASEMENT FOR DRAINAGE AND RUNOFF, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS AND FOR THE PERPETUAL PRESERVATION OF DRAINAGE IN ITS NATURAL STATE OR AS AUTHORIZED BY WEBER COUNTY.

SIGNATURE _____ DATE: _____
EDWARD H. HARBERTSON, JR. AS TO AN UNDIVIDED 3/6THS INTEREST

SIGNATURE _____ DATE: _____
STACEY LEE ADAMS AS TO AN UNDIVIDED 1/6TH INTEREST

SIGNATURE _____ DATE: _____
DOUGLAS JAMES HARBERTSON AS TO AN UNDIVIDED 1/6TH INTEREST

SIGNATURE _____ DATE: _____
GUY PAUL HARBERTSON AS TO AN UNDIVIDED 1/6TH INTEREST

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

On this _____ day of _____, 2021, before me _____, A Notary Public, personally appeared _____, 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.

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

On this _____ day of _____, 2021, before me _____, A Notary Public, personally appeared _____, 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.

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

On this _____ day of _____, 2021, before me _____, A Notary Public, personally appeared _____, 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.

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

On this _____ day of _____, 2021, before me _____, A Notary Public, personally appeared _____, 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.

SOIL NOTES

EXPLORATION PIT #1 EVALUATION #14817
0-16" LOAM, GRANULAR STRUCTURE
16-36" LOAMY FINE SAND, SINGLE GRAIN
36-77" SILTY CLAY LOAM, MASSIVE STRUCTURE
OBSERVED GROUNDWATER TABLE 77"
DOCUMENTED GROUNDWATER TABLE 12"

NOTES

EXPLORATION PIT #2 (WASTE WATER SITE AND SOILS EVALUATION #14818)
0-15" LOAM, GRANULAR STRUCTURE
15-40" SILTY CLAY LOAM, BLOCKY STRUCTURE
46-62" SILT LOAM, BLOCKY STRUCTURE
OBSERVED GROUNDWATER TABLE 62"
DOCUMENTED GROUNDWATER TABLE 12"

- ZONE (A-2) CURRENT YARD SETBACKS: FRONT-30' // SIDE-10' TOTAL WIDTH OF 2 SIDE YARDS NOT LESS THAN 24' // REAR-30'
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA MAP NO. 49057C0175E WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.
- DUE TO THE TOPOGRAPHY AND THE LOCATION OF THIS SUBDIVISION ALL OWNERS WILL ACCEPT RESPONSIBILITY FOR ANY STORM WATER RUNOFF FROM THE ROAD ADJACENT TO THIS PROPERTY UNTIL CURB AND GUTTER IS INSTALLED.
- THE REMAINDER AGRICULTURAL PARCEL IS NOT APPROVED FOR DEVELOPMENT.

AGRICULTURAL NOTE:
AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

ACKNOWLEDGEMENT

TAMRA & TRACY SMITH
190570015

STATE OF UTAH)
COUNTY OF WEBER)

On this _____ day of _____, 2021, before me _____, A Notary Public, personally appeared TAYLOR ANDERSON, 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 _____

WEBER COUNTY SURVEYOR
I 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 _____ DAY OF _____, 2021.

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 _____, 2021.

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 _____, 2021.

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 THERON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.

SIGNED THIS _____ DAY OF _____, 2021.

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 _____, 2021.

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 _____, 2021.

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A 1 LOT SUBDIVISION WITH REMAINDER PARCEL AS SHOWN AND NOTED HEREON. SEE RECORD OF SURVEY #6129, SURVEY WAS ORDERED BY DOUG HARBERTSON. THE BASIS OF BEARING IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 3 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 00°11'27" EAST WEBER COUNTY, UTAH NORTH, HAD 83 STATE PLANE GRID BEARING. WARRANTY DEED RECORDED AS ENTRY NUMBER 2915375, DEEDS OF ADJOINING PROPERTIES, THE PLAT OF SECTION 36 BOOK 6 PAGE 71 AND EXISTING FENCE LINES WERE USED TO DETERMINE BOUNDARY LOCATION.

DEVELOPER: TRIPLE H EXCAVATION 1659 S 1900 W WEST HAVEN, UT 84401 801-436-3779	S1 1	COUNTY RECORDER ENTRY NO. _____ FEE PAID _____ FILED FOR AND RECORDED _____ AT _____ IN BOOK _____ OF OFFICIAL _____ RECORDS, PAGE _____, RECORDED _____ FOR _____ COUNTY RECORDER _____ BY: _____
 CIVIL - LAND PLANNING MUNICIPAL - LAND SURVEYING 5150 SOUTH 375 EAST OGDEN, UT OFFICE: 801-476-0202 FAX: 801-476-0066		

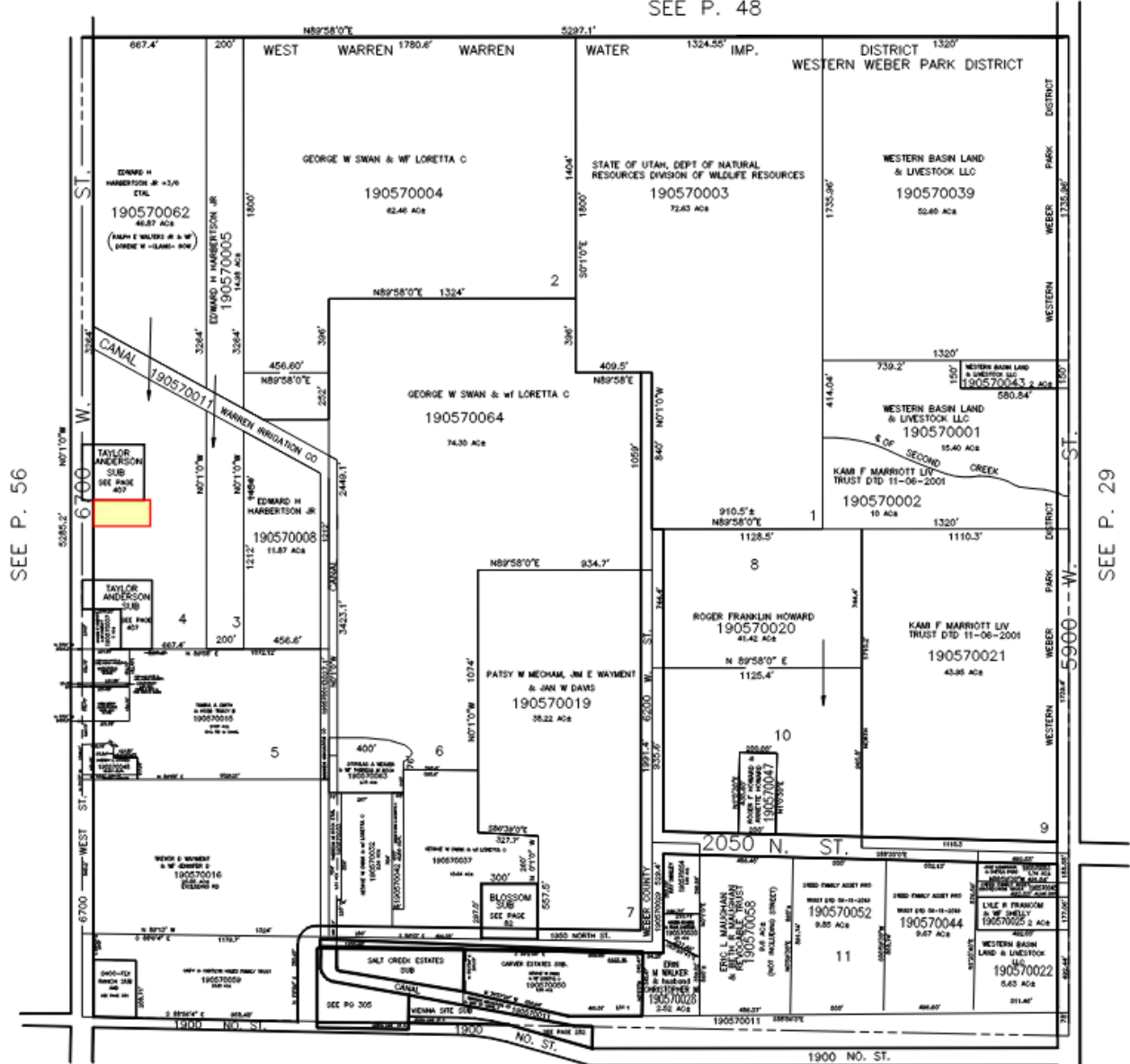
R:\2021 - 1482 SURVEY\2142 - DOUG HARBERTSON\DOUG HARBERTSON SURVEY\FIG\DOUG HARBERTSON.DWG

SECTION 36, T.7N.,R3W., S.L.B.&M.

IN WEBER COUNTY
SCALE 1" = 400'

TAXING UNIT: 531

SEE P. 48



SEE P. 56

SEE P. 29

SEE BOOK 10, P. 28-3

SEE BOOK 10, P. 28

West Warren-Warren Water Improvement District
1561 S. 7500 W.
Ogden, UT 84404
801-259-7614
westwarrenwtr@gmail.com

March 4, 2022

To Whom It May Concern:

RE: CULINARY WATER WILL-SERVE LETTER FOR Doug and Guy Harbertson

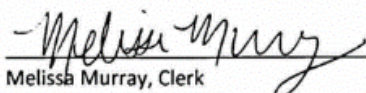
This proposed residence is located at 2280 N. 6700 W. and consists of 1 residence on 1 acre, parcel # 19-057-0062 The West Warren-Warren Water Improvement District (hereafter the District) will supply culinary water to this proposed residence.

Doug and Guy Harbertson have provided proof of secondary water. The board has voted and approved CULINARY WATER WILL-SERVE LETTER for the future use on said property, contingent upon the following conditions:

- The Weber Basin Water Rights Impact Fee must be paid for each unit of service prior to issuance of this will-serve letter and prior to commencement of construction, to enable the purchase of sufficient water to service the district. Failure to pay said fee will result in measures halting construction. PAID
- The Capital Facilities Impact Fee and Connection fee Without Existing Service Lateral or Connection Fee With Existing Service Lateral, must be paid prior to installation of a meter and water connection lines and materials. Per the water district's contract with Weber Basin, no water can be delivered until all fees have been paid.
- Any amendments to the original plat or the plan for the secondary water system will need a new approval by the water board at a monthly meeting.
- All water lines, materials and installations must be done to the specification of the WWWWID board, and must be inspected by the board chairman, or his designee, along with any necessary bacterial testing required by the state.
- A deposit of \$100.00 for metered water to be used during construction, must be paid prior to the commencement of construction. PAID

Should you have clerical questions or comments, please contact the district clerk. Please direct questions regarding water systems, materials, etc., to (801-791-7368) Randy Giordano, Chairman of the WWWWID Board. This letter expires 1 year from the day it is issued.

Sincerely,



Melissa Murray, Clerk
West Warren-Warren Water Improvement District

INCORPORATED UNDER THE LAWS OF THE STATE OF UTAH

NUMBER
N^o 2288



SHARES
- 8 -

Warren Irrigation Company, Est. 2014

CAPITAL STOCK IN SHARES
"PAR VALUE" \$25.00 EACH

This Certifies that GSD LLC (AKA GUY, STACEY, DOUG HARBERSON) is the registered holder of (8) EIGHT Shares of Warren Irrigation Company

transferable only on the books of the Corporation by the holder hereof in person or by Attorney upon surrender of this Certificate properly endorsed.

In Witness Whereof, the said Corporation has caused this Certificate to be signed by its duly authorized officers and its Corporate Seal to be hereunto affixed this 8th day of JANUARY A.D. 2019

Jaffrey W. Hales
Secretary



Gay L. Hales
President



\$25.00
NON-PROFIT

BRIAN COWAN, MPH, LEHS
Health Officer/Executive Director



January 11, 2022

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

RE: Preliminary Subdivision **Determination**
Doug Harbertson Subdivision, 1 Lot
Parcel #19-057-0062
Soil log #15255

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by West Warren-Warren Water Improvement District, an approved public water system. **A letter from the water supplier is required prior to issuance of a permit.**

DESIGN REQUIREMENTS

Lot 1: Documented ground water tables not to exceed 12 inches, fall within the range of acceptability for the utilization of a Packed-Bed Media Treatment System with an At-Grade or Drip Irrigation absorption field 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/ft²/day as required for the silty clay loam, massive structure soil horizon with a documented percolation rate of 80 MPI.

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

EDUCATE | ENGAGE | EMPOWER