



## Staff Report to the Weber County Commission

Weber County Planning Division

### Synopsis

#### Application Information

<b>Application Request:</b>	Consideration and action on a request for final approval of Willson Estates 1st Amendment and a request to vacate Lot 1 of Willson Estates including all public utility easements
<b>Agenda Date:</b>	Tuesday, April 29, 2014
<b>Applicant:</b>	Brad and Jami Willson
<b>File Number:</b>	UVW121013 and SUBVAC 2013-13

#### Property Information

<b>Approximate Address:</b>	5626 North Fork Road
<b>Project Area:</b>	8.26 acres
<b>Zoning:</b>	Agricultural Valley (AV-3)
<b>Existing Land Use:</b>	Residential
<b>Proposed Land Use:</b>	Residential
<b>Parcel ID:</b>	21-297-0001
<b>Township, Range, Section:</b>	T7N, R1E, Section 7

#### Adjacent Land Use

<b>North:</b>	Residential	<b>South:</b>	Residential
<b>East:</b>	Agricultural	<b>West:</b>	Residential

#### Staff Information

<b>Report Presenter:</b>	Steve Parkinson sparkinson@co.weber.ut.us 801-399-8768
<b>Report Reviewer:</b>	JG

### Applicable Codes

- Weber County Land Use Code Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

### Background

Willson Estates 1<sup>st</sup> Amendment is an amended subdivision which is replacing Lot 1 in Willson Estates. The subdivision meets the area and lot width requirements of the AV-3 zone. The owner is further dividing the property for one additional lot. This new lot will have access from North Fork Road. There is an existing home on what will become Lot 1 (5.26 acres) while Lot 2 (3.00 acres) is currently vacant.

Culinary water will be provided by Liberty Pipeline and wastewater treatment services will be by private septic system. The Engineering Division, Weber-Morgan County Health Department, and Fire District have responded with approvals.

As part of the subdivision amendment process, Lot 1 of Willson Estates including the public utility easements, will be vacated. The amended subdivision plat showing the new lots and public utility easements will then be recorded. The lot vacation process officially removes from record the existing legal descriptions of the lots that are being replaced by the amended subdivision. This process helps keep the chain of title clear and helps prevent errors created by potential use of the former legal descriptions.

### Summary of County Commission Considerations

- Does the subdivision meet the applicable requirements of the Weber County Land Use Code?

## Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Codes conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

## Planning Commission Recommendation

The Ogden Valley Planning Commission unanimously recommended final approval of Willson Estates 1<sup>st</sup> Amendment and the vacation of Lot 1 of Willson Estates including all public utility easements on January 28, 2014.

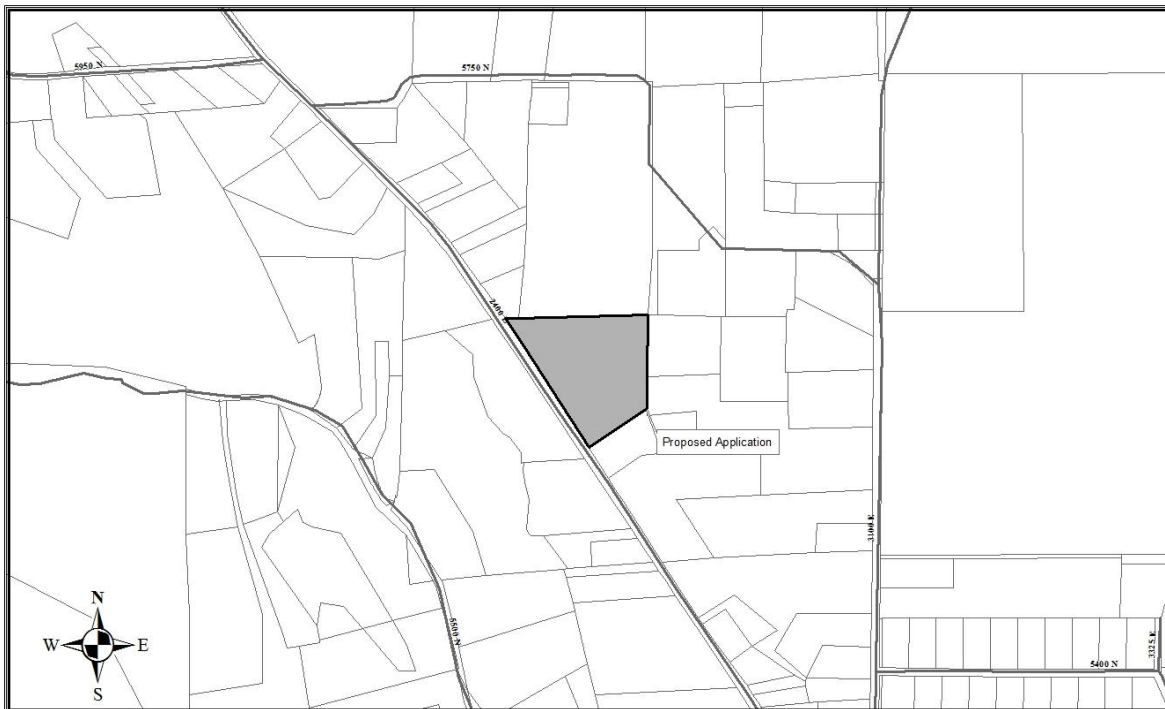
## Staff Recommendation

Staff recommends final approval of Willson Estates 1<sup>st</sup> Amendment and approval of the request to vacate Lot 1 of Willson Estates including all public utility easements.

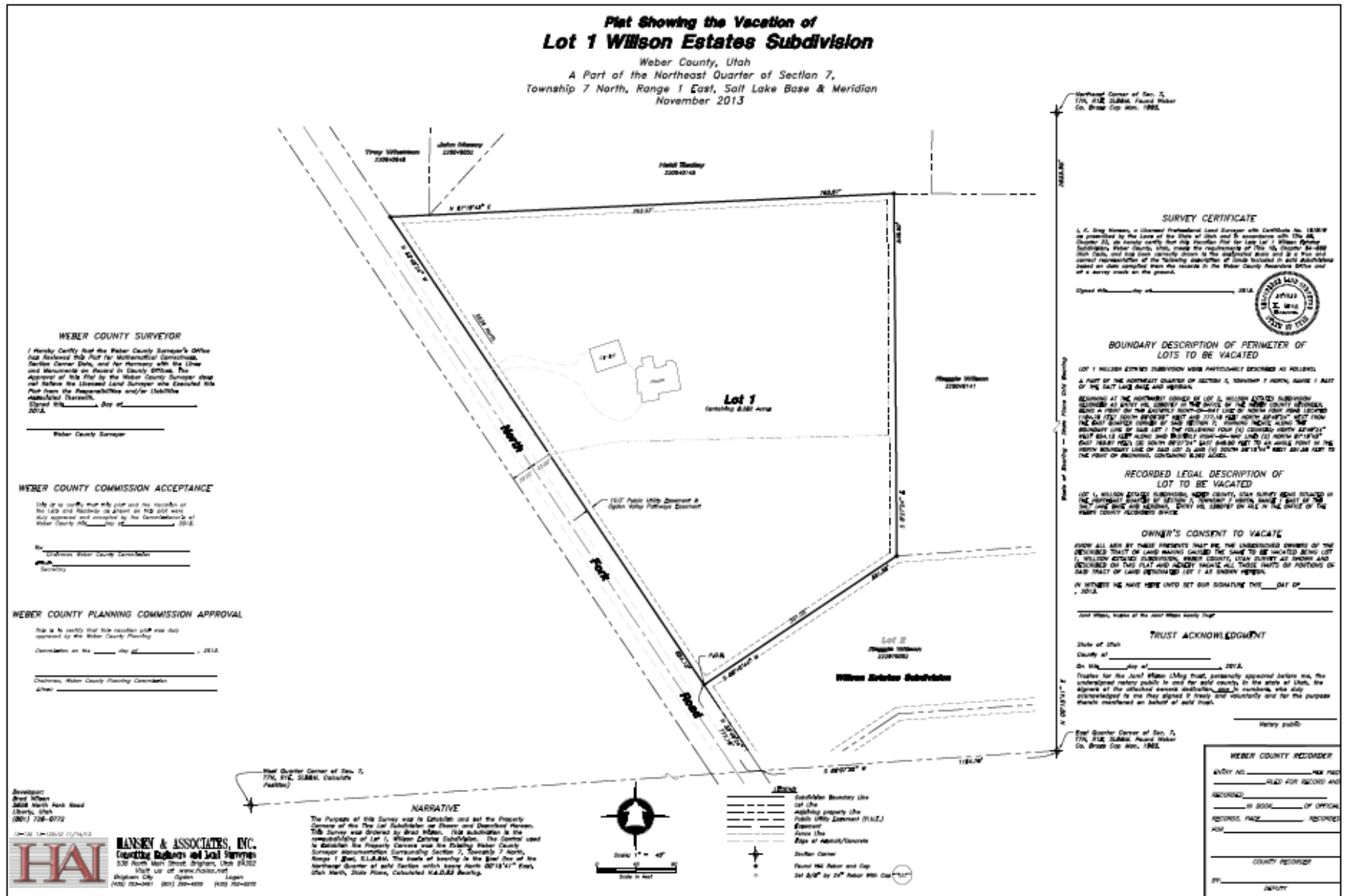
## Exhibits

- A. Willson Estates Plat (to be vacated)
- B. Willson Estates First Amendment
- C. January 28, 2014 Ogden Valley Planning Commission Minutes
- D. Draft Vacation Ordinance

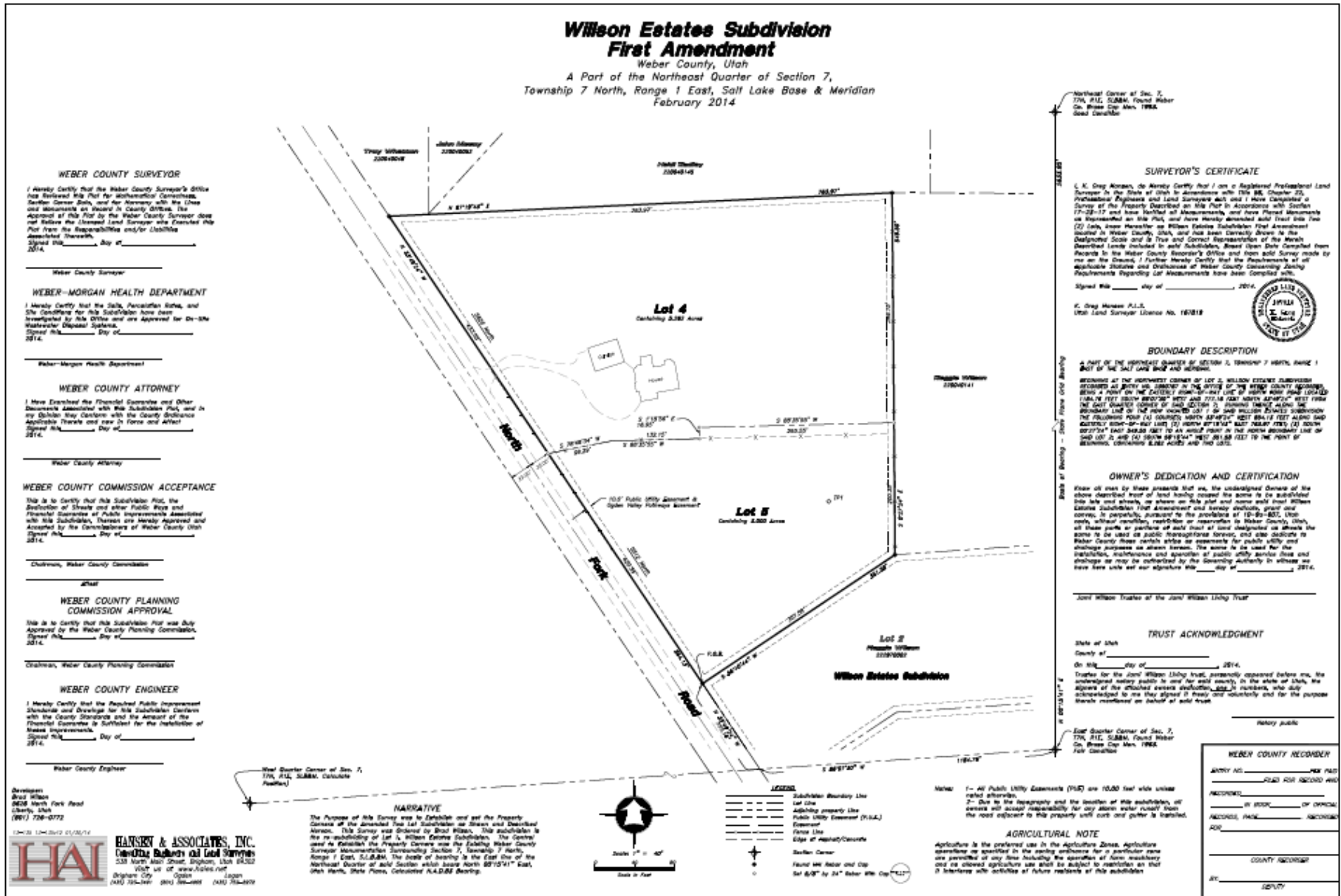
## Location Map 1



**Exhibit A - Willson Estates Subdivision Plat (to be vacated)**



# Exhibit B - Willson Estates Subdivision First Amendment Plat



OGDEN VALLEY TOWNSHIP

JANUARY 28, 2014

Minutes of the Ogden Valley Commission Regular Meeting held January 28, 2014, in the Weber County Commission Chambers, 1<sup>st</sup> Floor, commencing at 5:00 p.m.

*Present:* Pen Hollist, Chair; Ann Miller; John Howell; Greg Graves; Laura Warburton; Kevin Parson; Will Haymond

*Absent/Excused:*

*Staff Present:* Sean Wilkinson, Planning Director; Jim Gentry, Planner; Scott Mendoza, Planner; Ben Hatfield, Planner; Steve Parkinson, Planner; Chris Allred, Legal Counsel; Kary Serrano, Secretary

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- **Pledge of Allegiance**
  - **Roll Call:** Chair Hollist declared that all seven Planning Commission members were present.

1. **Minutes:** Approval of the December 03, 2013 and December 17, 2013 meeting minutes

Chair Hollist declared the meeting minutes of December 03, 2013 and December 17, 2013 approved as written.

Chair Hollist asked if any member had ex parte communications they would like to declare. No ex parte communications were declared.

2. **Consent Agenda:**

**2.1. UVR112513:** Consideration and action on an administrative application, final approval of Phase 1 of The Ridge Townhomes at Wolf Creek PRUD, 8 Units, a Condominium project located at approximately 3400 North Moose Hollow Drive within the Forest Residential (FR-3) Zone. (Capon Capital, Applicant; John Lewis, Agent)

**2.2. UVW121013:** Consideration and action on an administrative application, final approval of Willson and Willson Subdivision located at 5626 North Fork Road within the Agricultural Valley (AV-3) Zone. (Brad Wilson, Applicant)

**MOTION:** Commissioner Parson moved to approve Consent Agenda Items UVR112513 and UVW121013. Commissioner Miller seconded. A vote was taken and Chair Hollist indicated that the motion carried 7-0.

3. **Petitions, Applications and Public Hearings**

3.1. **Administrative Items**

a. **New Business**

**1. ZMA 2013-04** Consideration and action on ZMA 2013-04 to rezone property located at approximately 156 North and State Road 158 (extending from Ogden City water treatment plant, easterly to the Pineview caretaker's house) from the Forest 40 (F-40) Zones to the Forest Residential-1 (FR-1) Zone. (David M Clapier, Applicant)

Scott Mendoza said the applicant is requesting approval to rezone property located at approximately 156 North and State Road 158 (extending from the mountain side, located north of the Ogden City water treatment plant, easterly to the Pineview caretaker's house) from its existing Forest-40 Zone to the Forest Residential-1 Zone. The applicant's goal is to put the FR-1 zoning designation in place because he feels that the FR-1 Zone's development standards are more compatible with the three existing privately owned parcels within the proposed rezone area. The two parcels owned by the applicant are currently vacant; however, in the future the applicant would like to have the option to develop or sell the subject property as a home site. There were "grandfathered" rights associated with the property until 1991. In 1991, a deeded division of the applicant's property and sale of approximately .33 acres to the adjacent Ogden River Water Users Association property disqualified the parcel as a "lot of record" or legal lot. By allowing the zoning to be changed, the landowners would be able to build a single-family dwelling on this property. Staff has determined that this rezone request meets the criteria found in Chapter 5 of Title 102. Staff recommends that the Planning Commission recommends approval to the County Commission with the following provisions: The proposal is not subject to a Zoning Development Agreement. The proposal is limited to one single-family dwelling. The subject property may develop in a manner consistent and in compliance with the Forest Residential-1 (FR-1) Zone standards.

Commissioner Warburton asked for clarity on staff's recommendations where it states, "the proposal is limited to one single-family dwelling, and would that be one in addition to the already existing property. Scott Mendoza replied the caretaker's home would be one home within the rezone area, and step one in the future if the applicant is able to take

**Ordinance No.** \_\_\_\_\_

**An Ordinance of Weber County vacating Lot 1 of Willson Estates Subdivision including all public utility easements**

**Whereas**, Brad and Jami Willson, have petitioned to vacate Lot 1 of Willson Estates located in Weber County, Utah; and

**Whereas**, the aforementioned owners of said property desire a change in their property boundary by dividing Lot 1 of Willson Estates (8.26 acres) into two (2) lots consisting of 5.26 acres and 3.0 acres respectively; and

**Whereas**, the amended subdivision will be known as Willson Estates 1st Amendment; and

**Whereas**, a public hearing was held by the Ogden Valley Planning Commission on January 28, 2014, after meeting applicable notice requirements; and

**Whereas**, no public comments were made during the public hearing held by the Ogden Valley Planning Commission on January 28, 2014; and

**Whereas**, the Ogden Valley Planning Commission unanimously recommended approval of the vacation of Lot 1 of Willson Estates; and

**Whereas**, the Weber County Board of Commissioners considered the vacation of Lot 1 Willson Estates in a public meeting on April 29, 2014; and

**Whereas**, the vacation of Lot 1 of Willson Estates will not affect the general welfare, safety, health and convenience of the residents of the County;

**Now Therefore**, the Weber County Board of Commissioners, ordains and vacates the following:

**All of Lot 1 of Willson Estates including all public utility easements**

Adopted and Ordered published this \_\_\_\_ day of \_\_\_\_\_, 2014 by the Weber County Board of Commissioners

Commissioner Gibson	Voting	_____
Commissioner Bell	Voting	_____
Commissioner Zogmaister	Voting	_____

\_\_\_\_\_  
Kerry W. Gibson, Chair

ATTEST:

\_\_\_\_\_  
Ricky Hatch, CPA Weber County Clerk/Auditor