

Staff Report for Administrative Review

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final approval of Warren Estates Subdivision

consisting of 3 lots.

Type of Decision: Administrative

Agenda Date: Wednesday, March 29, 2023

Applicant: Derrick Oman, Owner

File Number/s: LVW090821

Property Information

Approximate Address: 550 N. 5500 W. Unincorporated Weber County

Project Area: 10.131 acres

Zoning: Agricultural (A-2)

Existing Land Use: Agriculture

Proposed Land Use: Residential

Parcel ID: 15-024-0004

Township, Range, Section: T6N, R2W, Section 7 SE

Adjacent Land Use

North: Residential South: Weber River Spillway/Agriculture

East: Weber River/Agriculture West: Agriculture

Staff Information

Report Presenter: Tammy Aydelotte

taydelotte@webercountyutah.gov

Report Reviewer: SB

Applicable Land Use Codes

Title 106 (Subdivisions)

- Title 104 (Zones) Chapter 2 (Agricultural Zones)
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations)

Background and Summary

11/16/2021 – Western Weber Planning Commission approval of the access exception request that is mentioned in this staff report, and preliminary approval of this project as a 7-lot subdivision. The applicant has since re-submitted this as a 3-lot subdivision, with the approved access exception to access lots 2 and 3 from 5350 West Street, with an emergency access along the southern boundaries of Lots 1 and two from 5500 West Street.

The applicant is requesting final approval for Warren Estates Subdivision consisting of 3 lots in the A-2 zone.

The proposed subdivision (see **Exhibit A**) and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with LUC.

Analysis

<u>General Plan:</u> The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area.

<u>Zoning:</u> The subject property is located in the A-2 Zone, and is a standard subdivision (LUC 106-2-4.20). Single-family dwellings are a permitted use in the A-2 Zone.

<u>Lot area, frontage/width and yard regulations:</u> In the LUC § 104-2, the A-2 zone requires a minimum lot area of 40,000 square feet for a single family dwelling and a minimum lot width of 150 feet.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in the LUC § 106-1, and the A-2 zone standards in LUC § 104-2. The proposed subdivision will be accessed by a private access easement (approved 11/16/2021) due to the limited depth available to provide a county-standard right-of-way.

<u>Alternative Access Exemption:</u> The alternative access option was created as a means for landowners to provide access over, and across areas that restrict the construction of a standard County 66-foot right-of-way. Alternative access applications should be approved as long as the design standards can be implemented during the subdivision process, and the application meets the criteria in LUC §108-7-31(1)(c) which states:

Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or **property boundary conditions**.

The applicant has already received approval for their access exception request, however, an access easement from 5500 West Street, for emergency purposes only, shall be shown on the final plat.

<u>Culinary and Secondary Water</u>: West Warren-Warren Water Improvement District has provided a preliminary culinary water will-serve letter for 7-lots (see **Exhibit B**). Mountain View Irrigation has provided a final will-serve letter for pressurized secondary water to the subdivision (see **Exhibit C**).

As a condition of approval, unconditional final approval letters for a 3-lot subdivision will need to be provided by both West Warren-Warren Water Improvement District and Mountain View Irrigation.

<u>Sanitary Sewage Disposal:</u> Sanitary sewage will be accommodated by on-site waste water disposal systems (septic). The property underwent wastewater site and soils evaluation back in 1997 (see **Exhibit D**). Prior to final approval, the applicant will need to provide a current Feasibility Letter from the health department that references each of the 3 lots.

<u>Review Agencies:</u> To date, the Planning Division, Engineering Division, and Weber Fire District have reviewed the proposed subdivision. All review agency requirements including the surveyor's office must be addressed and completed prior to this subdivision being forwarded for final approval.

As a condition of final approval, the Engineering Division have requested to have the southern boundary of the subdivision fenced with a no-climb fence to protect the adjacent Weber River flood channel. This fence line is shown on the proposed plat document.

As a condition of final approval, the Fire Marshal has asked that there be no parking along at least one side of the access easement. Planning staff recommend that no-parking signs be installed along the no-climb fence that will be installed along the southern boundary line. The fire marshal has also indicated that fire hydrants will need to be installed at a spacing of no more than 500' apart. These hydrants will need to be installed or escrowed for prior the recording of the final plat mylar.

<u>Tax Clearance:</u> There are no outstanding tax payments related to the subject parcel.

Staff Recommendation

Staff recommends final approval of Warren Estates Subdivision. This recommendation is subject to all review agency requirements, and the following conditions:

- 1. Prior to final approval, the applicant will need to provide a current Feasibility Letter from the health department that references each of the 3 lots.
- 2. An improvement deferral agreement will need to be signed and recorded concurrently with the final plat mylar for curb, gutter, sidewalk, and asphalt for the subdivision's frontage with 5500 West.
- 3. Unconditional final approval letters will need to be provided by both West Warren-Warren Water Improvement District and Mountain View Irrigation for a 3lot subdivision prior to recording the final plat mylar.
- 4. A no-climb fence along the southern boundary of the subdivision to protect the adjacent Weber River flood channel will need to be installed or escrowed for prior to recording the final plat mylar.

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 applicable county ordinances

Exhibits

- A. Warren Estates Subdivision plat
- B. Culinary Water Will-Serve Letter
- C. Secondary Water Will-Serve Letter
- D. Septic Feasibility Documentation

Area Map



EET 1 OF 1

WARREN ESTATES SUBDIVSION

PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, US SURVEY WEBER COUNTY, UTAH FEBRUARY, 2023

VICINITY MAP

SOIL TEST PIT INFORMATION

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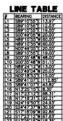
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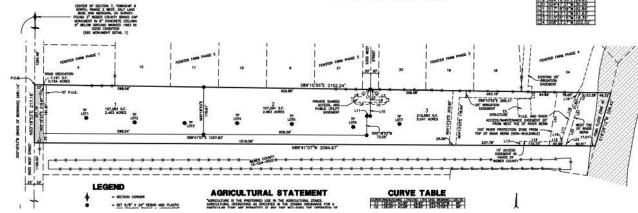
G 441,319 SQUARE FEET OR 10.131 ACRES MORE OR LESS.

NARRATIVE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE CENTER OF SECTION 7 AND THE SOUTH QUARTER CONNER OF SECTION 7, TOWNSHIP 6 NOTTH, SANGE 2 WEST, SALT LAVE BASE AND MOREOUN, U.S. SERVEY, SHOWN HISBOOK AS SOCIETY.





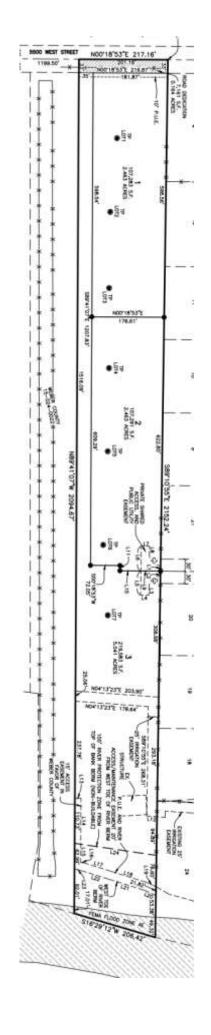


Exhibit B - Culinary Water Will-Serve Letter

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

10/10/2022

To Whom It May Concern:

RE: CULINARY WATER WILL-SERVE LETTER FOR Warren Estates c/o Derrick Oman

This proposed development is located approximately 510 N. 5500 W. in Warren, UT, Weber County, Parcel #150-240-004 and consists of 7 lots. The West Warren-Warren Water Improvement District (hereafter the District) will supply culinary water to this proposed development.

Derrick Oman has presented the board with proof of secondary water from the Mountain View Irrigation and will have a pressurized system according to the District's standards. The board has voted and approved CULINARY WATER WILL-SERVE LETTER for the future use on said property, contingent upon the following conditions:

- 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.
- All water lines, materials and installations must be done to the specification of the WWWID 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.

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 WWWID Board. This letter expires 1 year from the day it is issued.

Sincerely,

Melissa Murray, Clerk

West Warren-Warren Water Improvement District

Exhibit C - Secondary Water Will-Serve Letter

MT VIEW IRRIGATION

5238 W 2150 N

OGDEN, UT 84404

11-8-2022

To: Whom it May Concern

Re: Warren Estates Subdivision

Dear Sirs,

Mt. View Irrigation has the capacity to serve secondary water to the 7 lot Warren Estates Subdivision. The owner of the subdivision has completed the development agreement, which includes a provision to provide the needed water shares to supply the project and approval of plans for the pipelines and laterals. Before final approval and building permits can be issued, the improvements must be installed, inspected and approved by Mt View Irrigation, as-built plans must be submitted and any notices required are to be filed with the County Recorder. Upon completion of these items, Mt. View Irrigation will deliver pressurized secondary water to the project. Please note that proof of payment of the secondary water connection fee is to be submitted before a building permit is issued. Each lot owner will become shareholders in the company and will be bound by its By-laws

Signed

Kami Marriott

Lame Manuel

Secretary

Exhibit D - Septic Feasibility Documentation

December 1, 2021

Derrick Oman 1990 N 2000 W Farr West, Utah 84404

RE: Wastewater Site and Soils Evaluation #15306

> 510 N 5500 W Warren, UT Parcel # 15-024-0004

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on December 1, 2021. The exploration pit(s) is located at the referenced GPS coordinate and datum. The soil texture and structure, as classified using the USDA system, are as follows:

Exploration Pit #Lot 1 (UTM Zone 12 Nad 83 0406831 E 4569091 N) 0-22" 22-37" Loam, Granular Structure, sand size medium to fine Clay Loam, Massive Structure, sand size fine,

37-64" Silt Loam (near silty clay loam), Massive Structure, sand size fine, Groundwater Encountered at time of soil evaluation at 58" below grade

Lot1: Conduct the required percolation test so that the bottom of the percolation test hole is at 30 inches deep from the original grade.

Exploration Pit #Lot 2 (UTM Zone 12 Nad 83 0406886 E 4569086 N) Loam, Granular Structure, sand size medium to fine 0-15" 15-23" Fine Sandy Loam, Massive Structure, sand size fine, dense, Mottles common below 19" Silt Loam (near silty clay loam), Massive Structure, sand size fine, Mottles common 23-40" 40-72" Clay Loam, Massive Structure, sand size fine, Mottles common

Lot2: Conduct the required percolation test so that the bottom of the percolation test hole is at 30 inches and 46 inches deep from the original grade.

Exploration Pit #Lot 3 (UTM Zone 12 Nad 83 0406943 E 4569085 N) 0-11" Silt Loam, Granular Structure, sand size fine 11-26" Silt Clay Loam, Massive Structure, sand size very fine 26-79" Silt Clay, Massive Structure, sand size very fine Groundwater Encountered at time of soil evaluation at 79" below grade 26-79"

Lot 3: Conduct the required percolation test so that the bottom of the percolation test hole is at 18 inches and 36 inches deep from the original grade.

Exploration Pit #Lot 4 (UTM Zone 12 Nad 83 0406831 E 4569091 N) 0-15"

Loam, Granular Structure, sand size medium to fine Silty Clay Loam, Massive Structure, sand size fine, Mottles few below 46 inches, perc? 15-49"

Fine Sandy Loam, Massive Structure, sand size fine, Mottles common perc.

Lot 4: Conduct the required percolation test so that the bottom of the percolation test hole is at 28 inches deep from the original grade.

Exploration Pit #Lot 5 (UTM Zone 12 Nad 83 0407065 E 4569084 N)

0-17" Fine Sandy Loam (near sandy clay loam), Granular Structure, sand size fine, dense

17-48" Silt Clay Loam, Massive Structure, sand size fine, Mottles common 48-62" Clay Loam, Massive Structure, sand size fine, Mottles common

Lot 5: Conduct the required percolation test so that the bottom of the percolation test hole is at 30 inches deep from the original grade.

Exploration Pit #Lot 6 (UTM Zone 12 Nad 83 0407135 E 4569081 N) Loam, Granular Structure, sand size medium to fine 0-10"

10-30" Clay Loam, Massive Structure, sand size fine

30-52" Silty Loam (near silty clay loam), Massive Structure, sand size fine, Mottles common

52-65" Fine Sandy Loam, Massive Structure, sand size fine, Mottles common

Lot 6: Conduct the required percolation test so that the bottom of the percolation test hole is at 24 inches deep from the original grade.

Exploration Pit #Lot 7 (UTM Zone 12 Nad 83 0407187 E 4569084 N)

0-13" 13-42" Loam, Granular Structure Silt Clay Loam, Massive Structure, sand size fine, Mottles common 42-61" Clay Loam, Massive Structure, very fine sands and high silt content

Lot:7 Conduct the required percolation test so that the bottom of the percolation test hole is at 30 inches deep from the original grade.

Exploration pits should be backfilled immediately upon completion to prevent a hazardous environment that may cause death or injury to people or animals.

Due to the soil types existing on this property, the final readings of the percolation tests will need to be witnessed by a representative from the Health Department. Please make the percolation tester aware of the requirement so that arrangements can be made. Test results will not be accepted if this requirement is not met.

Percolation tests may be completed by any individual on the enclosed list. The stabilized percolation test results are to be submitted to this office for review prior to the recommendation for further development to the appropriate planning agency or prior to the issuance of a wastewater disposal permit.

Monitoring of the maximum ground water table is required in the location of the above listed exploration pits. Please complete the enclosed application for maximum ground water table monitoring and return it along with the appropriate fees. The wells should be constructed in accordance with the enclosed diagram in order to provide the most accurate water table readings possible.

If you have any further questions, contact this office at your convenience.

Sincerely,

Summer Day, LEHS III, Program Manager Environmental Health Division 801-399-7160

WEBER-MORGAN DISTRICT HEALTH DEPARTMENT DIVISION OF ENVIRONMENTAL HEALTH 2570 Grant Ave., Ogden, Utah 84401 399-8381

APPLICATION FOR INDIVIDUAL WASTEWATER SITE AND SOILS EVALUATION

	CONTRACTOR OF THE CONTRACTOR O
Fee Paid Fee Owing	Date of Soil Log Soil Log No. 1406
	East Side
Site Address Approx 550 N 5500	Land Serial No.
Subdivision	Lot No.
Owner Dax Kelson	Phone w 364 407/
Mailing Address 116 N Main N	orth Salt City 84054
Nater Supply Taylor west weigh	Proposed No. Bedrooms 3
Completed evaluation is to be [] mailed []	held for pick-up M left on site.
Signature Roger Welk	check on oct 13 02 14 MAP on ball
SOIL PROFILE	SITE EVALUATION Date By
	Depth of Test Hole
	Depth of Perc Test
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	Monitoring Well Required () yes () no
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	EH01/06

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Roger Wilde 2396 West 5650 South Roy, Utah 84067 (801)773-2257

Randy Wilde 227 South 500 West Brigham City, Utah 84302 (435)723-0891

Percolation Test and Soil Exploration Results

Name of	Developer	/ Develop	ment Do	rothy Mit	chel/ K	elson	Date 1016-97
Develope	rs Addres	s302	s. 590	W. War	ren		Phone Number 731-6655
ocation (of Property	y Appro	x 550 N	. 5500 W.	(road	north of sl	ugh)
lame of l	Person(s)	Performin	g Test(s)	Roger Wil	.de		
	¥1 1	Total Depth 4	2" р			th to Water 6 * +	
INITIAL DEPTH TO WATER	TIME BEGAN	FINAL CEPTH TO WATER	TIME ENDED	DISTANCE WATER DROPPED	ELAPSED TIME IN MINUTES	PERCOLATION RATE IN MINUTES/INCH	COMMENTS
8불"	2:05pm	101"	2:15	1 3/4"	10		Test pit and perc
8 <u>1</u> "	2:15	9 7/8"	2:25	1 3/8"	10		located at rear of property, approx
8 <u>1</u> "	2:25	9 3/4"	2:35	1 1/4"	10		700 feet from road (5500 W.).
8½"	2:35	9½"	2:45	1"	10		No water in test pit, 6' deep.
8½" 8½"	2:45 2:55	9½" 9½"	2:55 3:05	1"	10 10	10 MPI	Soil damp below 32"
est Hole		Total Depth of Hole		riod of Time	Depth Table	to Water	on sidewalls.
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NAME	ADDRESS	.						_	-			Almon
		2	-		_	2/20	2/22	2/23	2/27	3/6	3/11	3/14
M.PARKER	400 N 6700 W					41"	12"	10"	8"	13"	22"	16"
GAGE/GFA	300 N 6700 W (N) 1	1				2"	1"	2"	2"	1"	2*	0"
	2					5"	10"	12"	13"	15"	100	-
	3	1				15"	15"	14"	17"	21"	18"	11"
	4					36"	19.5	16"	16"	21"	28"	17*
	(S) 5					23"	13.5	12"	9"	13"	27"	16"
MIVAS	300 S 6700 W							1.2	15"	19"	23"	10"
PILARCZK.	700 S 7500 W								>42"	39"	39"	40"
HANSEN	1010 S 7500 W								1/2"	3/7 20"	3"	0"
D.MITCHIL.	300 N 5555 W			-					3/5	3/7 6.5"	13"	1
Flants (350 N 5555 W									3"	11"	
PENMAN	800 N 4700W (E)					44"			37"	>40"	>39"	1
	(W	4.				45"			36"	39"	43"	
M. TOREY	1000 N 4500W (E)							>61"	>71"	3/5 >56"	>59"	
*	(Ĉ)	-	.,					>60"	>66"	3/5 >64"	>64"	
	(W)							>60"	>63"	>60"	>504	
h.	780 N 4400 W					42"		24"	19"	17"	>59" 22"	
52.000	800 N 4400 W								34"	19"	22"	