



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application, final approval of Gibson Dairy Subdivision (1 lot) including a recommendation for a deferral of curb, gutter, and sidewalk.

Agenda Date: Tuesday, June 17, 2014

Applicant: Dick Gibson & Mary Fowers

File Number: LVG 041814

Property Information

Approximate Address: 4288 West 1800 South

Project Area: 34,214.67 square feet

Zoning: Agricultural (A-1)

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 15-057-0038

Township, Range, Section: T6N, R2W, Section 21

Adjacent Land Use

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

Staff Information

Report Presenter: Steve Parkinson
sparkinson@co.weber.ut.us
801-399-8768

Report Reviewer: JG

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) Section 7
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (A-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Type of Decision

- **Administrative Decisions:** When the Planning Director is acting as the land use authority, he is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Director if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting final approval of Gibson Dairy Subdivision consisting of one (1) lot, located at approximately 4288 West 1800 South in the Agricultural A-1 Zone. The parcel meets the lot width requirements for this zone, however it currently only has 34,237.5 square feet, which is 5,762.5 square feet short of the required lot area of 40,000 square feet.

This parcel was created between 1966 & 1976, having approximately 52,272 square feet of lot area. In 1976, it appears that this parcel (see exhibit B) dedicated approximately 15,000 square feet by way of a quit claim deed to Weber County, for Right-of-Way (parcel 15-057-0025) cutting the parcel to 36,960 square feet. Then in 2007, a boundary line agreement with the property to the north established a new property line based on an existing fence location and eliminated an overlap in deed descriptions. This action reduced the parcel area by 2,745.32 square feet on the County Recorder maps, but it was not a typical division of land as it was a correction of overlapping deeds.

Therefore, the parcel complies with 108-12-11 (3) which states:

- (3) "Parcels not meeting current zoning as to area and/or frontage/width requirements which:

- a) Were created prior to July 1992 changes to Utah Code; and
- b) Met area and frontage/width requirements for the zone in which they were created at the time they were created;

may submit an application for subdivision approval provided they meet all other requirements...”

The parcel also complies with 108-12-11 (4) which states:

- (4) “Lots/parcels which are subject to subsections (1), (2), or (3) of this section, and have boundary descriptions that fall within a roadway, shall be allowed to develop with the lot/parcel area that remains after dedicating land for the roadway, as required by the Weber County Land Use Code.

The only difference between this subdivision and others that are using this section is the road dedication has already occurred, rather than occurring as part of the subdivision process.

Culinary water service will be provided by Taylor West Weber Water Improvement District. Wastewater treatment will be provided by Central Weber Sewer Improvement District. No additional fire hydrants are required for this lot. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

There is currently no existing curb, gutter or sidewalk along the north side of 1800 South or on either side of 4300 West, but there is on the south side of 1800 South up to the SE corner of 4300 West and 1800 South where it continues southward along 4300 West.

Currently the parcel is vacant and the current owner wants to sell the property as a buildable lot.

Summary of Administrative Considerations

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

The Weber County Land Use Code Title 101 defines “small subdivision” as “A subdivision consisting of five (5) or fewer lots and for which no streets will be created or realigned.” This subdivision consists of only one lot and no streets are being created or realigned. The Land Use Code (Subdivisions) also states “With the exception of small subdivisions, the preliminary plan/plat including the phasing plan shall be presented to the Land Use Authority, in this section the Planning Director, for their determination, based upon compliance with applicable ordinances.” Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Conformance to the General Plan

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

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber-Morgan Health Department
- Requirements of the Weber Fire District
- Requirements of the Weber County Surveyor’s office

Administrative Approval

Administrative final approval of Gibson Dairy Subdivision is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report, including, deferment of curb, gutter, and sidewalk.

Date of Administrative Approval: June 17, 2014

Sean Wilkinson
Weber County Planning Director

Exhibits

- A. Subdivision Plat
- B. Parcel Map

Location Map

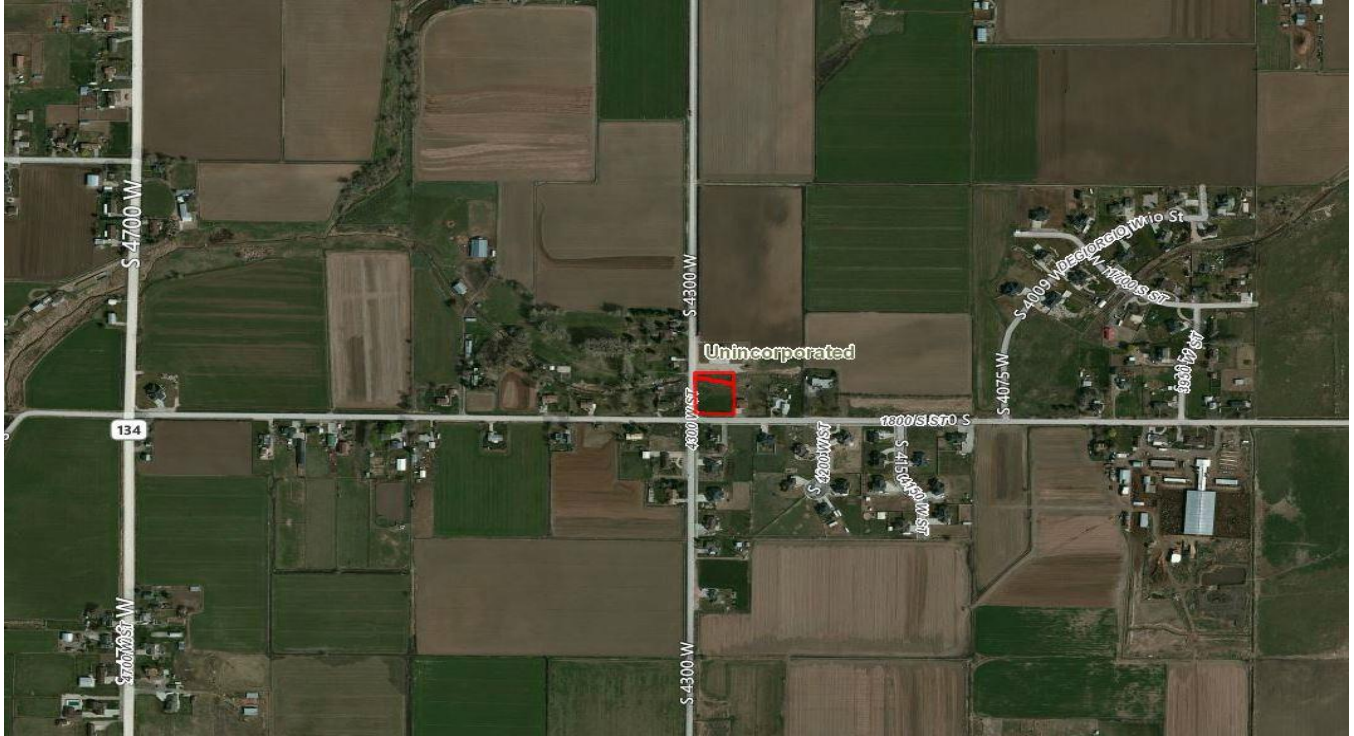
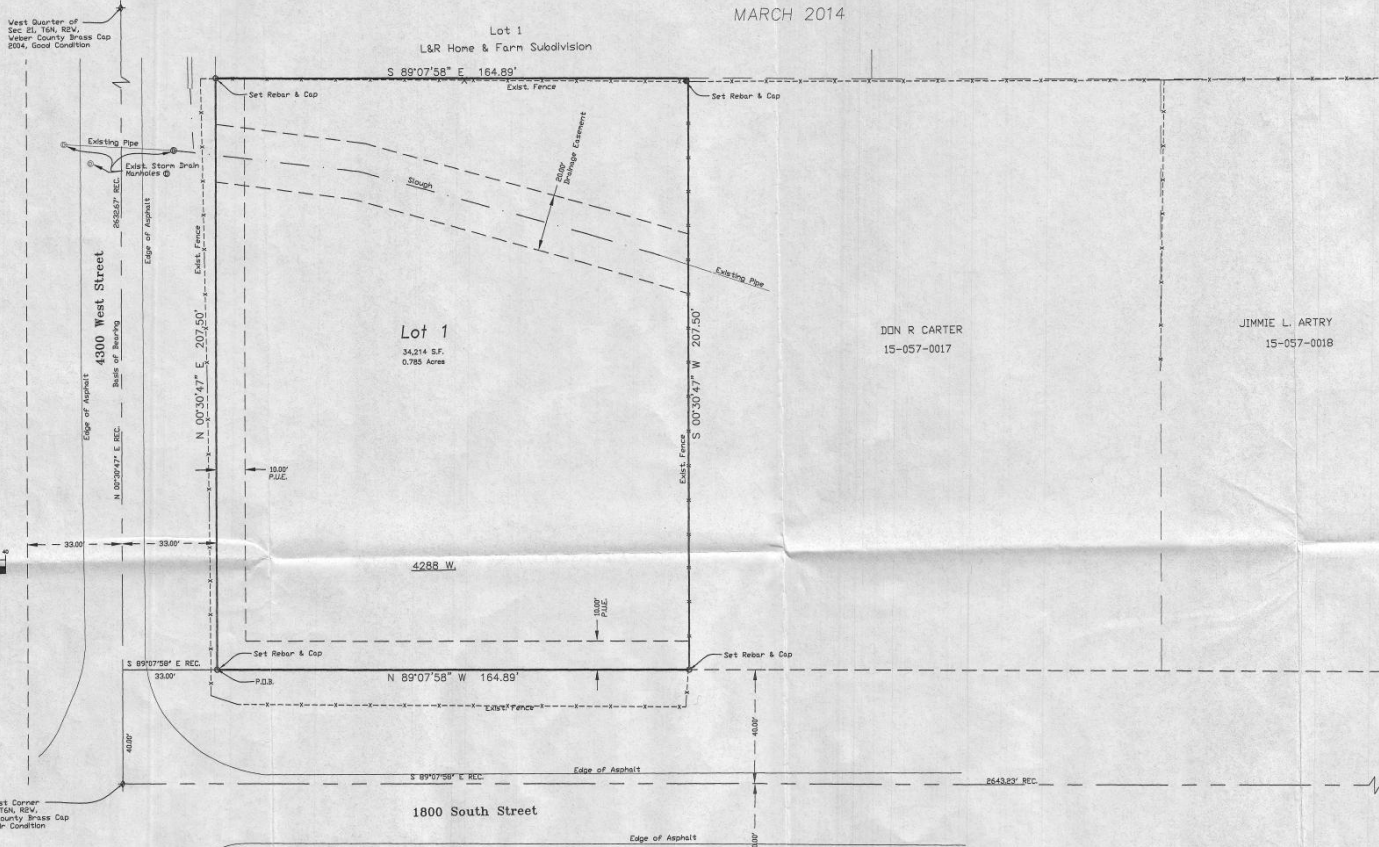


Exhibit A - Subdivision Plat

GIBSON DAIRY SUBDIVISION

A PART OF THE SW 1/4 OF SEC. 21 T.6N., R.2W., S.L.B.&M.
WEBER COUNTY, UTAH
MARCH 2014



SURVEYORS CERTIFICATE
I, DALLAS K. BUFFARD, HOLDING LICENSE NUMBER 167594 IN ACCORDANCE WITH TITLE 58, CHAPTER 52, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 58-2-2(1) AND HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS AS REPRESENTED ON THE PLAT.
I DO ALSO HEREBY CERTIFY THAT THIS PLAT OF A SUBDIVISION IN WEBER COUNTY, UTAH, HAS BEEN CORRECTLY DRAWN TO SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE FOLLOWING DESCRIPTION OF LANDS INCLUDED IN SAID SUBDIVISION, BASED ON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDERS OFFICE, WEBER COUNTY SURVEYORS OFFICE AND OF A SURVEY MADE ON THE ORIGINAL.

SIGNED THIS _____ DAY OF _____ 20__

OWNERS DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND DEDICATE THE SAME INTO LOTS AND STREETS AS SHOWN HEREON AND NAME SAID TRACT "GIBSON DAIRY SUBDIVISION" AND HEREBY RESOLVE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC HIGHWAYS FOR EVER AND RESOLVE TO PERPETUALLY HOLD AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREIN AS PUBLIC UTILITY, STORM WATER RETENTION PONDS, PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREIN AS PUBLIC UTILITY, STORM WATER RETENTION PONDS, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE, INDETERMINATE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____ 20__

Mary K. Fowers - Trustee

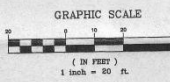
ACKNOWLEDGMENT

STATE OF UTAH,)
COUNTY OF WEBER,)
DO hereby certify that on this _____ day of _____ 20__ personally appeared _____ IN MY PRESENCE, WHO BELIEVES TO BE THE UNDERSIGNED NOTARY PUBLIC, THE SIGNERS OF THE ABOVE OWNERS DEDICATION, AND THEY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC _____

BOUNDARY DESCRIPTION

Part of the Southwest Quarter of Section 21, Township 6 North, Range 2 West, Salt Lake Base & Meridian, US Survey.
Beginning at the intersection of the North right of way of 1800 South Street and the East right of way of 4300 West Street, and going North and East 4288 feet along the section line and South 89°07'58" East 33.00 feet to East 4300 West Street, and going North and East along North 00°30'47" East 807.00 feet along East right of way of 4300 West Street to the South boundary of the GIBSON DAIRY Subdivision as shown in the Weber County Recorder's Office, thence along said South boundary the South 89°07'58" East 164.89 feet, thence South 00°30'47" West 807.00 feet to the side North 89°07'58" West 164.89 feet to the point of beginning.
Contains 0.785 Acres



- EXISTING FENCE
- SET 5/8" x 24" REBAR WITH CAP STAMPED 167594
- FOUND REBAR & CAP

AGRICULTURAL NOTE
The purpose of this survey was to create an approved Weber County 1st subdivision. The County is aware of this parcel does not meet the minimum acre requirements and have instructed the property owner to proceed with the subdivision application.
Basis of Bearing is as shown between the Southwest Corner and the West 1/4 corner monuments and is State Plane Grid Bearing as published by Weber County Surveyors Office.
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 MONUMENTS AND SO CALLED AGRICULTURAL USE SHALL BE SUBJECT TO RESTRICTION ON THE BASIS THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

WEBER COUNTY SURVEYOR
I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYORS OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY RECORDS. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSEE LAND SURVEYOR WHO CREATED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.
SIGNED THIS _____ DAY OF _____ 20__

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

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 _____ 20__

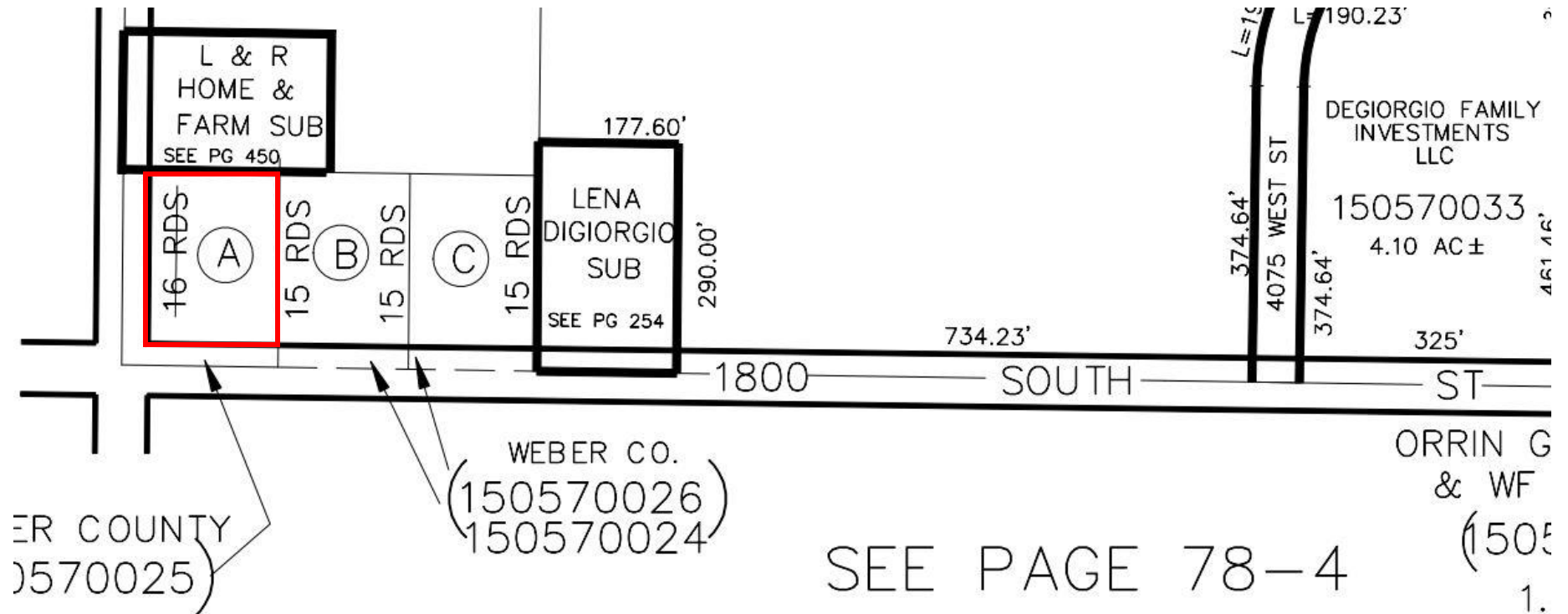
WEBER COUNTY ATTORNEY
I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.
SIGNED THIS _____ DAY OF _____ 20__

WEBER COUNTY SUBMISSION ACCEPTANCE
THIS IS TO CERTIFY THAT THIS SUBMISSION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAITS AND FINANCIAL GUARANTEE BY PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS _____ DAY OF _____ 20__

TITLE CHAIRMAN, WEBER COUNTY COMMISSION
ATTEST: _____

<p>LANDMARK SURVEYING INC. A COMPLETE LAND SURVEYING SERVICE 4646 S. 2000 W. 400' - WEST HAVEN, UTAH 84401 PHONE 801-731-4275 FAX 801-731-9536</p>		<p>WEBER COUNTY RECORDER</p>	
<p>CLIENT: GIBSON DAIRY</p>		<p>ENTRY # _____ FEE _____</p>	
<p>LOCATION: PART OF SEC. 21, T6N., R2W., S.L.B.&M. WEST WEBER, WEBER COUNTY, UTAH</p>		<p>FILED FOR RECORD & RECORDED THIS _____ DAY OF _____ 20__</p>	
<p>SURVEYED: MARCH 2014</p>		<p>AT _____ IN BOOK _____ OF _____ PAGE _____</p>	
<p>REVISIONS: _____</p>		<p>WEBER COUNTY RECORDER</p>	
<p>DRAWN BY: TKC</p>		<p>BY _____</p>	
<p>CHECKED BY: MBP</p>		<p>DEPUTY</p>	
<p>DATE: 03-14-14</p>		<p>FILE: 3410</p>	

Exhibit B - Parcel Map



<p>(A) GIBSON DAIRY L.C. 150570038 33,977 SQ FT</p>	<p>(B) DON R CARTER & WF JANICE 150570017 10 RDS X 16 RDS</p>	<p>(C) JIMMIE L AUTRY & WF PARLEEN K 150570018 10 RDS X 15 RDS</p>
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