

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating an alignment for the continuation of 700 North Street and a connection to 3600 West Street. The Future Street and Transit Map of the General Plan indicates that the 700 North Street right-of-way width should be 80' wide, thereby requiring 40' of ROW dedication. However, it is the planning staff consensus that 33' of ROW dedication is appropriate and proportionate to the number of lots being developed.

Zoning: The subject property is located in an Agricultural Zone more particularly described as the A-2 zone. The purpose and intent of the Agricultural (A-2) zone is identified in the LUC §104-2-1 as:

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.

This property is currently being used for agriculture and is vacant. The applicant intends to build a home on lot one. And use the property for agricultural-related uses such as gardening and animal husbandry.

Lot area, frontage/width, and yard regulations: Each lot within the subdivision exceeds the A-2 zone minimum lot area of 40,000 sq. ft. and a minimum lot width of 150'.

Flood Plain: This property is not located in a FEMA Flood Plain and the site elevation is above 4,218'. The County Engineering Department requires a plat note stating:

"Due to the topography and the location of this subdivision all owners will accept responsibility for any stormwater runoff from the road adjacent to this property until curb and gutter is installed."

Sanitary sewage disposal: This property will be annexed and subsequently connected to the Central Weber Sewer District. It is anticipated that a connection to the sewer district may be accomplished with no major issues. However, it is the responsibility of the owner to install the utility lines under the district's specifications.

Culinary Water and secondary water: The culinary water for this development will be provided by the Taylor West Weber Water District. The will-serve letter states that a ½ share of Hooper or Wilson Irrigation water will be held in escrow until secondary water becomes available, once available, a ½ share for each lot will be used to connect to the pressurized secondary water.

Additional design standards and requirements: The applicant will be required by the Fire District to install a fire protection system for each home within this development.

Negotiations with the developer for the 33' ROW dedication for the alignment of 700 North Street have led to an additional request from the developer/prospective owner. Mr. Valentine is requesting that the sideyard setback is reduced from 20', which is the A-2 zoning minimum, to 15'. A reduction of this zoning standard will need to be included in an agreement between the developer and Weber County.

Review Agencies: The Weber Fire District will require an address sign at the beginning of the access road, a turn-around at the end of the access road, and that each home is equipped with its own fire suppression system. The Weber County Engineering Department has reviewed the proposal with several comments that will be addressed before recording the plat; a condition of approval has been added to ensure that all conditions of the Engineering Division will be met prior to recording.

Staff Recommendation

Staff recommends final plat approval of the Luxury at the Legends Subdivision based on the following conditions:

1. Prior to recording the final plat, a final will-serve letter from the Taylor West Weber Water District is submitted.
2. Annexation and the installation of the sewer utilities are complete or escrowed for before the subdivision plat may be recorded.
3. The County Engineering Department has received all the required documents and plan revisions needed.
4. The final plat indicates 33' of ROW dedication for the alignment of 700 North Street.
5. All County Surveyor comments are addressed.
6. The Weber County Commission will sign the subdivision plat, accepting the right-of-way dedication.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

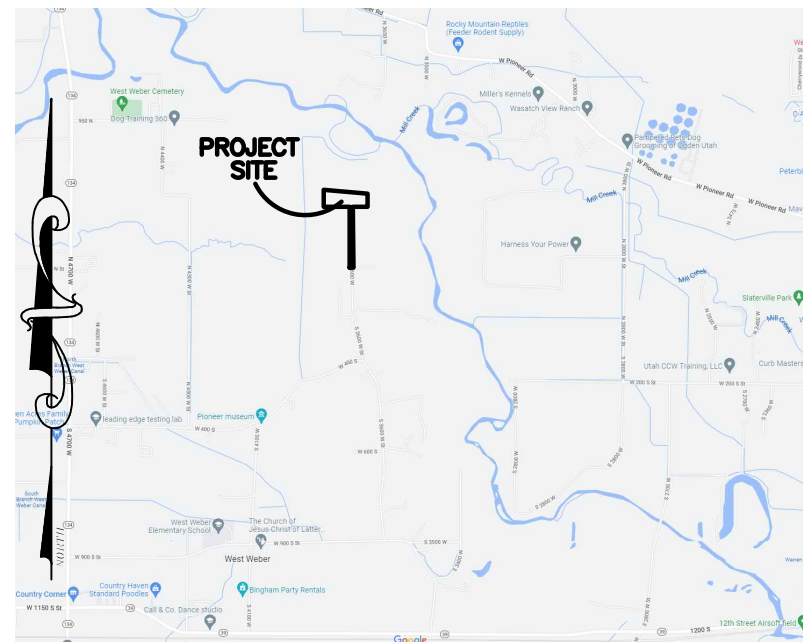
- A. Luxury at the Legends Subdivision Plat
- B. Taylor West Weber Water will-serve letter
- C. Central Weber Sewer District will-serve letter

Area Map



Exhibit A LUXURY AT THE LEGENDS

PART OF THE EAST HALF OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY
WEBER COUNTY, UTAH
JULY, 2023



VICINITY MAP
NOT TO SCALE

BASIS OF BEARINGS

A LINE BEARING SOUTH 89°15'28" EAST BETWEEN SAID CENTER AND WITNESS MONUMENT FOR THE EAST QUARTER OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WAS USED AS THE BASIS OF BEARINGS FOR THIS PLAT.

BOUNDARY DESCRIPTION

A PART OF THE EAST HALF OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 BEING LOCATED ALONG SAID SOUTH LINE SOUTH 89°15'28" EAST 300.32 FEET FROM THE CENTER QUARTER CORNER OF SAID SECTION 9; RUNNING THENCE NORTH 0°02'46" EAST 415.59 FEET; THENCE SOUTH 83°59'27" EAST 442.90 FEET; THENCE SOUTH 82°48'56" EAST 571.68 FEET; THENCE SOUTH 0°51'31" WEST 310.76 FEET TO SAID SOUTH LINE; THENCE ALONG SAID SOUTH LINE NORTH 89°15'28" WEST 391.46 FEET; THENCE SOUTH 0°48'41" WEST 1588.91 FEET; THENCE NORTH 89°03'30" WEST 29.82 FEET; THENCE NORTH 0°46'24" EAST 1588.80 FEET TO SAID SOUTH LINE; THENCE ALONG SAID SOUTH LINE NORTH 89°15'28" WEST 581.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.54 ACRES MORE OR LESS.

NARRATIVE

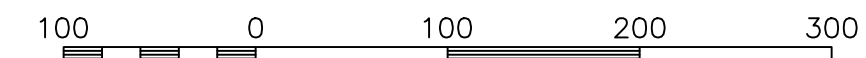
BRASS CAP MONUMENTS WERE FOUND FOR THE SOUTHEAST CORNER, THE SOUTH QUARTER CORNER AND CENTER OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. A BRASS CAP WITNESS MONUMENT WAS FOUND FOR THE EAST QUARTER CORNER OF SAID SECTION.

A RECORD OF SURVEY PREPARED BY GARDNER ENGINEERING FOR CARISA HIPWELL, DATED SEPTEMBER 13, 2021, AND FILED SEPTEMBER 17, 2021; A PROPERTY SURVEY PREPARED BY GREAT BASIN ENGINEERING FOR KENNETH HIPWELL, DATED DECEMBER 7, 2000, AND FILED DECEMBER 19, 2000; A PROPERTY SURVEY PREPARED BY LANDMARK SURVEYING, INC. FOR CLAUDE BLANCH, DATED NOVEMBER 25, 2005, AND FILED NOVEMBER 14, 2006; AND A SURVEY PLAT FOR BRENT HIPWELL SUBDIVISION PREPARED BY HANSEN & ASSOCIATES, INC. DATED MAY 5, 2022, AND FILED MAY 18, 2022 WERE USED AS REFERENCE FOR THIS SURVEY.

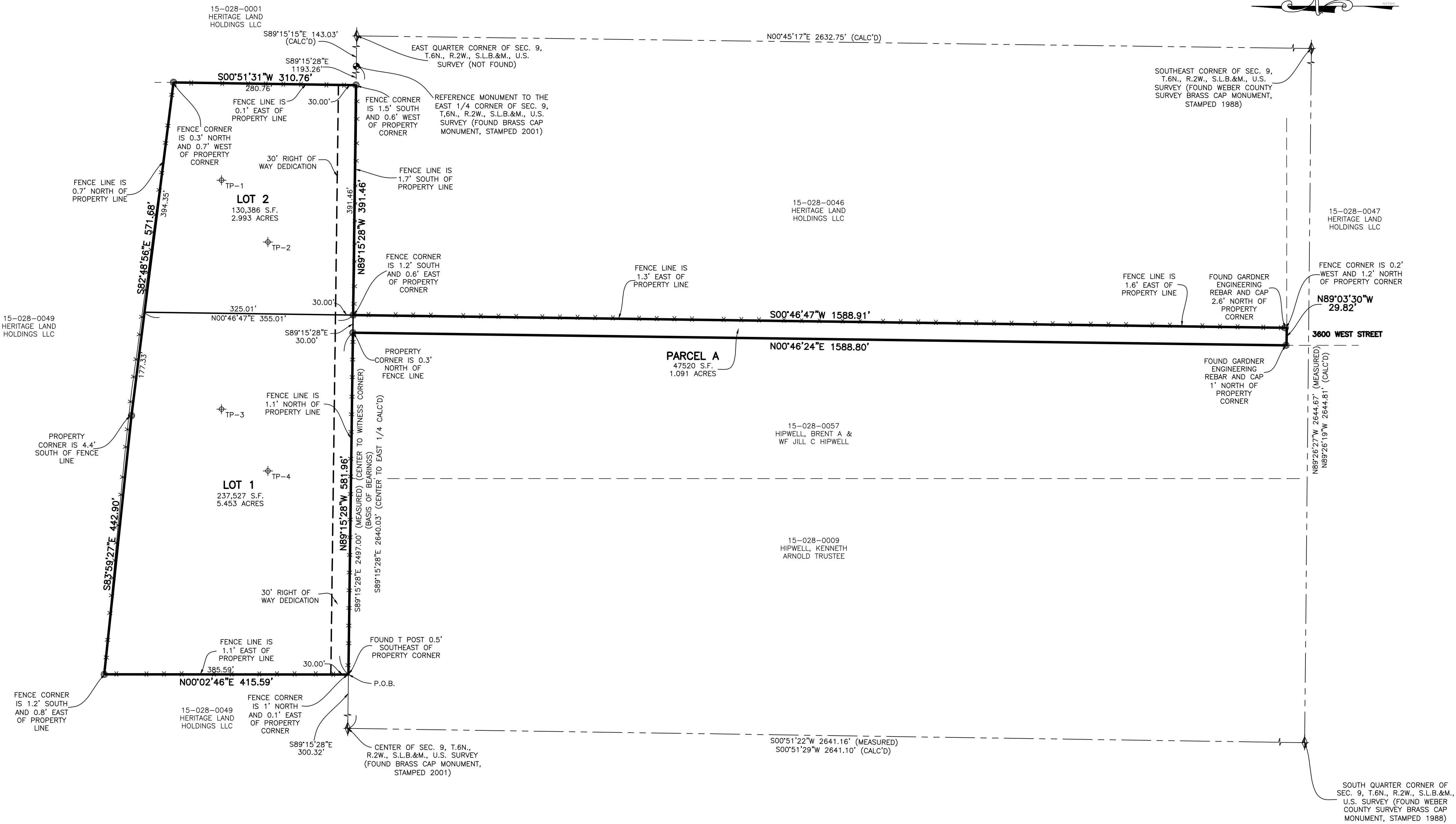
BOUNDARIES OF THE PARCELS WERE ESTABLISHED BY INFORMATION OF RECORD AND FOUND EVIDENCE OF OCCUPATION ON THE GROUND.

LEGEND

- = SECTION CORNER
- = FOUND GARDNER ENGINEERING REBAR
- = BOUNDARY LINE
- = LOT LINE
- = ADJOINING PROPERTY
- = SECTION TIE LINE
- = EXISTING FENCELINE
- = TEST PIT LOCATION



Scale: 1" = 100'

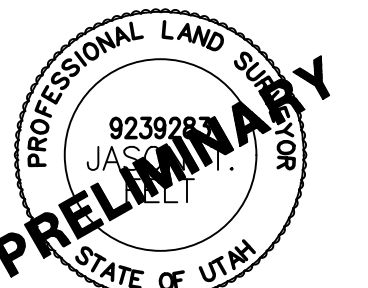


SURVEYOR'S CERTIFICATE

I, **JASON T. FELT**, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF **LUXURY AT THE LEGENDS** IN **WEBER COUNTY**, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE **WEBER COUNTY** RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND; I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF **WEBER COUNTY** CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20____.

9239283
UTAH LICENSE NUMBER



OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO ONE LOT AS SHOWN ON THE PLAT AND NAME SAID TRACT **LUXURY AT THE LEGENDS**, AND DO HEREBY DEDICATE PARCEL A TO WEBER COUNTY AS PUBLIC ACCESS AND FUTURE PUBLIC ROAD TO BE OWNED BY WEBER COUNTY AND MAINTAINED BY THE OWNER OF LOT 1.

SIGNED THIS _____ DAY OF _____, 20____.

RICHARD HIPWELL

CARISA HIPWELL

ACKNOWLEDGMENT

STATE OF UTAH)ss.
COUNTY OF _____)
ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ (AND) _____ SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF UTAH)ss.
COUNTY OF _____)
ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ (AND) _____ SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

Project Info.

Surveyor: J. FELT
Designer: N. ANDERSON
Begin Date: 7-10-2023
Name: LUXURY AT THE LEGENDS
Number: 8069-01
Revision: _____
Scale: 1"=100'
Checked: _____



WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION. SIGNED THIS _____ DAY OF _____, 20____.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER

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

WEBER 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 _____, 20____.

CHAIRMAN, WEBER COUNTY COMMISSION

ATTEST TITLE

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 _____, 20____.

WEBER 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 AFFECT. SIGNED THIS _____ DAY OF _____, 20____.

WEBER COUNTY ATTORNEY

WEBER-MORGAN HEALTH DEPARTMENT

I HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITIONS FOR THIS SUBDIVISION HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS. SIGNED THIS _____ DAY OF _____, 20____.

DIRECTOR, WEBER-MORGAN HEALTH DEPARTMENT

Weber County Recorder

Entry No. _____ Fee Paid _____
Filed For Record _____
And Recorded, _____
At _____ in Book _____
Of The Official Records, Page _____
Recorded For: _____
Weber County Recorder _____
Deputy: _____



**2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
801-731-1668
7/21/2023**

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that **Preliminary will serve** approval has been given and the Taylor West Weber Water District (the "District") has the capacity to provide **only** culinary water for 2 lots, for Cort Valentine. The approximate address is 700 N. 3600 W. West Weber (unincorporated Weber County). The District currently has a 6" water line currently on 3600 W. The District has enough water capacity to serve this proposed lot. The fire marshal must review the plans and determine where fire hydrants are needed. The District standards and specifications must be used in all installation procedures.

Requirements that need to be met for culinary water service:

- Plan review fee and recording fee= \$100 *per lot*
- Water rights impact fee= \$1,078.00 Per lot. This is the current rate and is subject to change based on future impact studies.
- Secondary Water= 1/2 share of Hooper or Wilson Irrigation water will need to be transferred into the District's name this share will be held by the District clerk until there is a pressurized secondary system available. Once a pressurized secondary water system becomes available the 1/2 share for each lot will be used to connect to the pressurized secondary water. An agreement will need to be signed and recorded for the i.e. purposes. *Per lot*
- Impact fee=\$8,585.00. This fee includes the cost of the meter. This is the current rate and is subject to change based on future impact studies. *Per lot*
- Connection fee=\$2,600.00 this includes the cost for parts. An asphalt and road rehabilitation cost will need to be assessed after the project is done to pay for the cost of the road repairs if needed. (An approved contractor may be hired to install the connection if desired (see below). *per lot*
- If desired a licensed contractor approved by the district may install the connection with parts specified in the district standards and under the supervision of the District.
- The District reserves the right to make or revise changes as needed or as advised by the District's engineer or the District's attorney.
- Construction water fee \$100 for the use of water during construction of the home. *per lot*

This is for subdivision preliminary approval only. Final subdivision approval shall not be permitted until approval is given by the District. All fees must be paid before final approval is given. Because fees may change this letter expires at the end of this calendar year.

Expires 12/31/2023

Sincerely,

Ryan Rogers

Taylor West Weber Water District - Manager

*Changes made
By Ryan Rogers
ON 10/13/23*



Exhibit C

August 17, 2023

Steve Burton
Weber County Planning Commission
2380 Washington Blvd #240, Ogden, UT 84401

SUBJECT: The Legends 15-028-0053
Sanitary Sewer Service
Will Serve Letter

Steve:

At the request of CC&A Inc, for The Legends of 2 residential lots located at approximate address of 3600 W 111 N. We require annexation into the district before service and offer the following comments regarding Central Weber providing sanitary sewer service.

1. At this time, Central Weber has the capacity to treat the sanitary sewer flow from this subdivision. The Inasmuch as system demand continuously changes with growth, this assessment is valid for three (3) years from the date issued on this letter.
2. If any connection is made directly into Central Weber's line the connection must be inspected by Central Weber while the work is being done. A minimum of 48-hour notice for inspection shall be given to Central Weber prior to any work associated with the connection.
3. Central Weber will not take ownership or responsibility for the condition, ownership or maintenance of the proposed sanitary sewer lines (gravity or pressure) or system that will be installed to serve this subdivision.
4. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. Central Weber's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allow to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

5. **The entire parcel of property to be served will need to be annexed into the District prior to any connection to the District's line.** This annexation must be complete before the sale of any lots in



the subdivision.

6. Impact fees will need to be paid to Central Weber Sewer Improvement District no later than the issuance of any building permits. Annexation Book 86 page 6.

If you have any further questions or need additional information, please let us know.

Sincerely,

Clay Marriott

Clayton Marriott

Digitally signed by Clayton
Marriott
DN: C=US,
E=Claym@centralweber.com,
O="CENTRAL WEBER SEWER
SEWER ", OU="CENTRAL WEBER
SEWER ", CN=Clayton Marriott
Reason: I am the author of this
document
Date: 2023.08.17
15:37:58-06'00'

Project Manager

CC: Chad Meyerhoffer, Weber County
Kevin Hall, Central Weber Sewer
Platinumholdings@att.net