



Staff Report to the Planning Division For a Time Extension Request

Weber County Planning Division

Synopsis

Application Information

Application Request: A request for a one-year time extension of The Reserve at Crimson Ridge Cluster Subdivision Phase 2C.

Type of Decision: Administrative

Agenda Date: Tuesday, May 14, 2024

Applicant: Steve Fenton

File Number: LVF 071520

Property Information

Approximate Address: 1250 N 5200 E, Eden, UT

Project Area: 26.68 acres

Zoning: Forest Valley (FV-3) Zone

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 20-003-0020

Township, Range, Section: T6N, R1E, Section 3

Adjacent Land Use

North: Forest/Residential	South: Residential
East: Pine view Reservoir	West: Forest

Staff Information

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

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 14 Forest Valley (FV-3 Zone)
- Weber County Land Use Code Title 106 (Subdivision) Chapter 1 (General Provisions) Section 7 (Time Limitations)

Development History

- Harbor View Estates was granted preliminary approval on September 22nd, 2020.
- Harbor View Estates was granted final approval on February 23rd, 2021.
- The Weber County Planning Division granted a time extension for Harbor View Estates, The Reserve at Crimson Ridge Phases 2A, 2B, and 2C on February 17th 2022.
- The Reserve at Crimson Ridge Cluster Subdivision Phase 2C Amendment was administratively approved by the Planning Director on May 17th, 2023.

Analysis

The applicant is requesting a one-year time extension from the Planning Director for The Reserve at Crimson Ridge Phase 2C. The developer's justification stem from the lengthy Army Corp of Engineers permitting process and the abnormally wet 2022-2023 winter and spring season.

According to LUC §106-1-7 (c), The planning director may grant a one-time extension for final approval, for a maximum of one year.

"Time limitation for plat recordation. A subdivision plat shall be recorded in the Office of the County Recorder within one year of final approval by the Land Use Authority. After that, the plat shall have no validity. Subdivisions with multiple phases must record a new phase within one year from the date the previous phase being recorded until the subdivision is completed or the plat shall have no validity. The planning director may grant a one-time extension for final subdivision approval, for a maximum of one year.

A multiple phase subdivision may receive only one-time extension, not one time extension per phase. One additional time extension may be granted if the hardship is determined to be a county caused delay.”

Administrative Approval

Administrative approval for a one-time, one-year time extension for The Reserve at Crimson Ridge Cluster Subdivision Phase 2C, is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable Weber County Land Use Codes.

Date of Administrative Approval: May 14, 2024. Effective date: May 18th, 2024.



Rick Grover
Weber County Planning Director

Exhibits

- A. Subdivision Time Extension Request

Location Map



B & H INVESTMENT PROPERTIES, LLC

110 West 1700 North
Centerville, UT 84014
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May 8, 2023

Weber County Planning Division
Attn. Rick Grover
230 Washington Blvd., Ste. 240
Ogden, UT 84401

Re: Crimson Ridge Phase 2C

As the Owners of the above referenced subdivision we would request an extension of time to complete improvements and record the Crimson Ridge Phase 2C subdivision plat. This delay is due to the complications of working with the Army Corps of Engineers (ACOE), time needed to remove the unauthorized work and the extremely wet water year in 2022-2023.

When we started the permitting process with the ACOE for a stream crossing in Phase 2C we learned that the previous developer had not contacted the ACOE and that no permit for any crossing had ever been filled with, let alone approved by, the ACOE. Upon further investigation, it was determined that the previous developer of Phase 1 submitted construction plans that were approved and recorded by Weber County in 2006 which clearly show the pipe crossing without any permitting requirement. This is in violation of Weber County's own standards as well as those of the ACOE.

In 2021 we filed for a permit with the ACOE which detailed the unauthorized work done by the previous developer and the proposed two stream crossings for Phase 2C. However, after waiting 16 months for some action by the ACOE we determined we needed to revise the plans for Phase 2C to eliminate the unauthorized crossing and proceed with a lower crossing only. We met with the Planning Department Director and staff on 3/8/23 to discuss how we might proceed. During that meeting it was agreed that we could change the road into a roundabout by replacing the upper crossing with a footbridge for connectivity. This would minimize the wetland disturbance and simplify the ACOE permitting process. However, because the planning department determined these changes would require a new final approval, we applied for and received a new Final Approval on 5/18/23.

We received approval from the ACOE on 5/31/23 based on the new plans. However, because of the extremely wet year in 2022-23 we needed to wait until

August when the intermittent stream dried out to begin work. In August we began to remove and remediate the unauthorized work which took several months. Afterwards we installed a new lower stream crossing. This work was completed in April, 2024. Finally, with the crossing in place we are able to begin work on the installation of improvements for Phase 2C.

Based on the complications of having to remove an approved stream crossing and the delay caused by the extremely wet water year of 2022-2023 we would like to request an extension to complete the installation of improvements for Phase 2C and recording of the plat.

Thanks

A handwritten signature in blue ink, appearing to read "S. Fenton".

Steven Fenton
B&H Investment Properties, LLC