



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 Musgrave-Bitton Subdivision (2 lots) including a recommendation for a deferral of curb, gutter, and sidewalk.

Agenda Date: Wednesday, October 29, 2014

Applicant: Dan Musgrave

File Number: LVD 0918-2014

Property Information

Approximate Address: 708 South 4100 West

Project Area: 1.99 acres

Zoning: Agricultural (A-1)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 15-046-0060 and 15-046-0062

Township, Range, Section: T6N, R2W, Section 16

Adjacent Land Use

| | |
|---------------------------|----------------------------|
| North: Residential | South: Agricultural |
| East: Agricultural | West: Residential |

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767

Report Reviewer: SW

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (A-1 Zone)

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 Musgrave-Bitton Subdivision (2 lots), located at approximately 708 South 4100 West in the A-1 Zone. The subdivision lots meet the area requirement and both lots received a 50 foot lot width reduction by the Board of Adjustment (BOA 2014-06). The home on the south (708 South [15-046-0062]) originally had a small dwelling built around 1856 and according to county records it was torn down and a new home was built around 1910. This home exists today. In 1953 the dwelling to the north was built (706 South [15-046-0060]). Both dwellings were built on one tract of land prior to any zoning requirements. A deferral agreement for curb, gutter, and sidewalk needs to be signed and recorded. With the deferral, the Engineering Division wants the grade brought up to a foot below the edge of asphalt and a drainage swale constructed and maintained. A note needs to be added to the plat stating: "Due to the topography and the location of this subdivision all owners will accept responsibility for any storm water runoff from the road adjacent to this property until curb and gutter is installed." Easements for the existing ditches need to be shown.

Homes are located on each of the lots and are currently receiving water services, and the wastewater is being done with septic systems.

Summary of Administrative Considerations

- Does this subdivision meet the requirements of the Weber County Subdivision and Zoning Ordinances?

The Weber County Land Use Code Title 106 (Subdivisions) defines "small subdivision" as "A subdivision consisting of five or fewer lots and for which no streets will be created or realigned." This subdivision consists of only two lots 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 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 Fire District
- All improvements need to be either installed or escrowed for prior to recording of the subdivision

Administrative Approval

Administrative final approval of Musgrave-Bitton Subdivision (2 lots), located at approximately 708 South 4100 West 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. A deferral agreement for curb, gutter, and sidewalk needs to be signed and recorded. The administrative hearing was held on Wednesday, October 29, 2014 with no public comments.

Date of Administrative Approval: October 29, 2014



Sean Wilkinson
Weber County Planning Director

Exhibits

- A. Subdivision plat
- B. Location map