



# Staff Report for Administrative Subdivision Approval

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	Consideration and action on an administrative application for approval of Wilson Estates Subdivision 2nd Amendment Lots 6 and 7 located at approximately 5612 N North Fork Road.
<b>Type of Decision</b>	Administrative
<b>Agenda Date:</b>	Wednesday, October 26, 2016
<b>Applicant:</b>	Brad Willson
<b>File Number:</b>	UVW 072216

### Property Information

<b>Approximate Address:</b>	5612 N North Fork Road Liberty, Utah 84310
<b>Project Area:</b>	8.26 acres
<b>Zoning:</b>	Agricultural Valley (AV-3) Zone
<b>Existing Land Use:</b>	Single Family Dwelling
<b>Proposed Land Use:</b>	Residential
<b>Parcel ID:</b>	22-322-0001, 22-322-0002
<b>Township, Range, Section:</b>	7 North 1 East Section 7

### Adjacent Land Use

<b>North:</b>	Agricultural	<b>South:</b>	Agricultural
<b>East:</b>	Agricultural	<b>West:</b>	Residential

### Staff Information

<b>Report Presenter:</b>	Felix Lleverino flleverino@co.weber.ut.us 801-399-8767
<b>Report Reviewer:</b>	RG

## Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

## Background and Summary

The applicant, Brad Willson, who has proposed an amendment to re-establish property corners to a lot 4 and 5 of Willson Estates Subdivision 1<sup>st</sup> Amendment (see Exhibit B). The second amendment to the Willson Estates Subdivision (see Exhibit A) shows an increased is area granted to lot 7 making it 5.26 acres which would qualify this lot as an agricultural exempt parcel containing 5.25 acres or more. A lot of this size would allow for a home to be built on lot seven while maintaining the status of an agricultural parcel. This boundary line adjustment will bring the size of lot 6 down to 3 acres, which maintains the legal area and width required for the Agricultural Valley 3 acre zone (AV-3).

## Analysis

**General Plan:** The General Plan for Ogden Valley is intended to preserve private property rights while also preserving the rural characteristics of the Valley.

**Zoning:** The property is located in the AV-3 Zone. The purpose of this zone is stated in the LUC §104-6-1

*“The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.”*

**Lot Area, Frontage Width and Yard Regulations:** The proposed lots within this subdivision meet the minimum lot area of 3 acres. The minimum lot width for the AV-3 zone is 150 feet. It has been shown that this proposal exceeds the minimum by containing the width of 433.58 feet for lot 6 and 420.55 feet for lot 7.

The proposed Subdivision plat amendment will maintain minimum structure set-backs stated in the LUC § 104-6-6. The proposed lot line adjustment does not negatively affect any of the structures within the subdivision area.

The Weber County Land Use Code Title 101 defines "small subdivision" as "An amended subdivision consisting of five (5) or fewer lots and for which no streets will be created or realigned." This amended subdivision consists of only two lots and no new 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 Commission, for their determination, based upon compliance with applicable ordinances." Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Culinary Water and Sanitary Sewage Disposal: A private septic system will be placed to serve the needs for lot 7. Lot 6 is currently being served by an existing septic system.

Review Agencies: The proposed subdivision has been approved by all County reviewing agencies.

Tax Clearance: There is no record of past delinquent tax history and no outstanding tax bills on these parcels.

Public Notice: The required notice for the subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed small subdivision per noticing requirements outlined in LUC 106-1-6(c).

## Staff Recommendations

Staff recommends final plat approval of Willson Estates Subdivision 2<sup>nd</sup> Amendment consisting of two lots. This recommendation is based on the following conditions:

1. Prior to recording the final Mylar, all conditions required by Weber County reviewing agencies shall be met.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with the applicable County ordinances.
3. Will not be detrimental to the public health, safety, or welfare.
4. Will not deteriorate the environment of the natural landscape within the subdivision or the surrounding properties.

## Administrative Approval

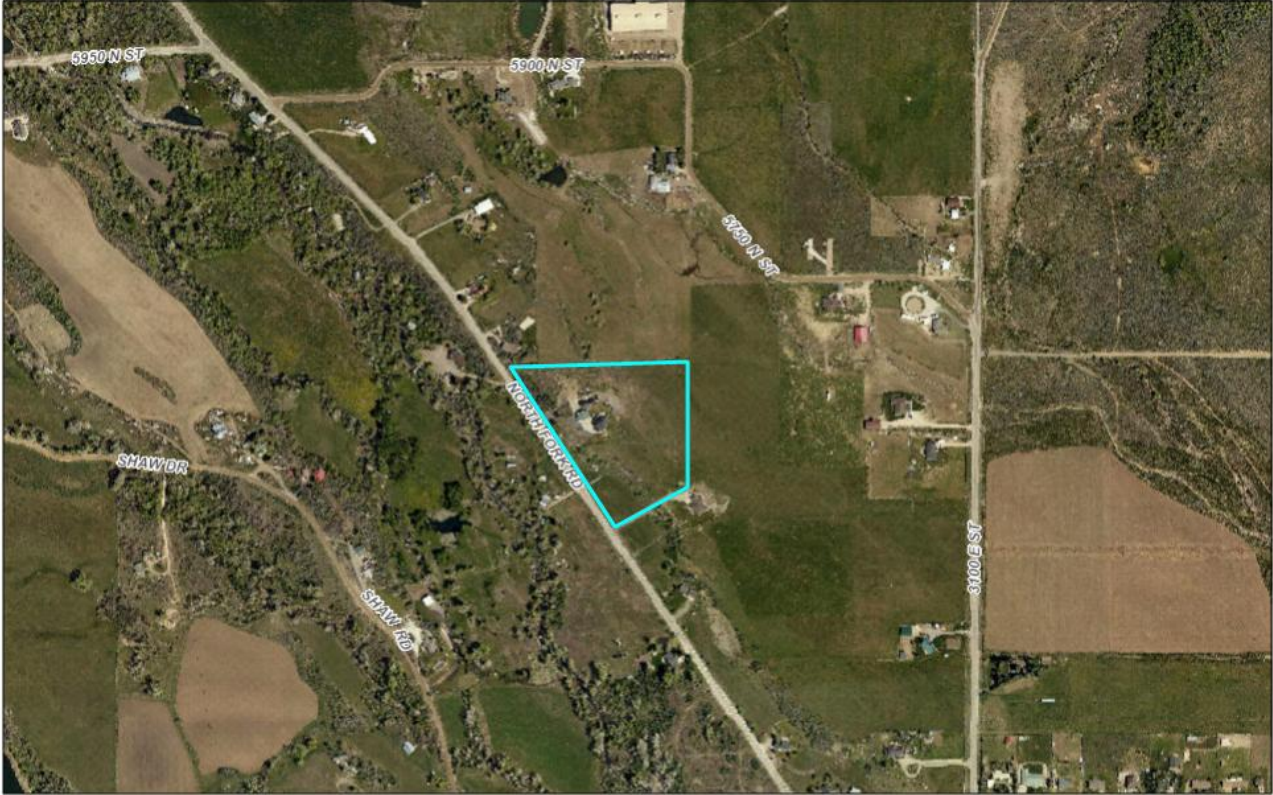
Administrative final approval of Willson Estates Subdivision 2<sup>nd</sup> Amendment, is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: October 26, 2016

  
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Rick Grover  
Weber County Planning Director

## Exhibits

- A. Amended Subdivision Plat
- B. Willson Estates Subdivision 1<sup>st</sup> Amendment





PL-5L

### Wilson Estates Subdivision First Amendment

Weber County, Utah  
Township 7 North, Range 1 East, Split Lake Base & Meridian  
April 2014

**WEBER COUNTY SURETOR**

These are the boundaries of the Wilson Estates Subdivision and this is a correct and true copy of the same as the same was filed with the County Clerk's Office on the 12th day of June 2014. The boundaries of the Wilson Estates Subdivision are shown on the map hereto attached and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

**WEBER-MORGAN HEALTH DEPARTMENT**

These are the boundaries of the Wilson Estates Subdivision and this is a correct and true copy of the same as the same was filed with the County Clerk's Office on the 12th day of June 2014. The boundaries of the Wilson Estates Subdivision are shown on the map hereto attached and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

**WEBER COUNTY ATTORNEY**

These are the boundaries of the Wilson Estates Subdivision and this is a correct and true copy of the same as the same was filed with the County Clerk's Office on the 12th day of June 2014. The boundaries of the Wilson Estates Subdivision are shown on the map hereto attached and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

**WEBER COUNTY ENGINEER**

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**WEBER COUNTY PLANNING COMMISSION APPROVAL**

These are the boundaries of the Wilson Estates Subdivision and this is a correct and true copy of the same as the same was filed with the County Clerk's Office on the 12th day of June 2014. The boundaries of the Wilson Estates Subdivision are shown on the map hereto attached and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

**HANSEY & ASSOCIATES, INC.**  
0-1841-D-14-10-001-0001-0001  
1841-D-14-10-001-0001-0001  
1841-D-14-10-001-0001-0001  
1841-D-14-10-001-0001-0001

**SURVEYOR'S CERTIFICATE**

I, K. Doug Peterson, of Weber County, Utah, a duly Licensed Professional Land Surveyor, and my assistants, have surveyed and reduced to writing the boundaries of the Wilson Estates Subdivision, as shown on the map hereto attached, and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

**OWNER'S DEDICATION AND CERTIFICATION**

I, K. Doug Peterson, of Weber County, Utah, a duly Licensed Professional Land Surveyor, and my assistants, have surveyed and reduced to writing the boundaries of the Wilson Estates Subdivision, as shown on the map hereto attached, and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

**TRUST ACKNOWLEDGMENT**

On this 12th day of June, 2014, the undersigned, K. Doug Peterson, of Weber County, Utah, a duly Licensed Professional Land Surveyor, and my assistants, have surveyed and reduced to writing the boundaries of the Wilson Estates Subdivision, as shown on the map hereto attached, and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

**WEBER COUNTY RECORDS**

These are the boundaries of the Wilson Estates Subdivision and this is a correct and true copy of the same as the same was filed with the County Clerk's Office on the 12th day of June 2014. The boundaries of the Wilson Estates Subdivision are shown on the map hereto attached and the same are the boundaries of the Wilson Estates Subdivision as the same were shown on the map hereto attached.

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