



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application for approval of the Yellow Rose Garden Subdivision with and access by private right-of-way, consisting of three lots and located at approximately 1850 North 5500 East, Eden.

Type of Decision: Administrative

Agenda Date: Wednesday, October 05, 2016

Applicant: Clay Christensen

File Number: UVY 072216

Property Information

Approximate Address: 1850 North 5500 East Eden, Utah 84310

Project Area: 16.11 acres

Zoning: Agricultural Valley (AV-3) Zone, Shoreline Zone (S-1)

Existing Land Use: Agriculture

Proposed Land Use: Residential

Parcel ID: 20-002-0032

Township, Range, Section: 6N 1E Section 02

Adjacent Land Use

North: Residential	South: Reservoir
East: Residential	West: Reservoir

Staff Information

Report Presenter: Felix Lleverino
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 801-399-8767

Report Reviewer: RK

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Weber County Land Use Code Title 104 (Zones) Chapter 10 (S-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 108 Chapter 7, Sec 29 and 31

Background and Summary

The applicant would like to split this 16.11 acre parcel into three 5.5 acre lots. This parcel is partially in a Shoreline Zone and Agricultural Valley Zone. Access by private right-of-way will be granted across lot 3 in favor of lot 2. Lots one and three have frontage on Pineview-Eden Highway. Each lot in this subdivision will maintain the minimum area and width requirements for both AV-3 and S-1 Zones.

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 and S-1 Zones. The purpose of these zone are stated in the LUC §104-6-1 and

“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.”

“The S-1 Zone has been established as a district in which the primary use of the land is for farming and for recreational purposes. In general, this zone covers the portion of the unincorporated area of the county which is occupied by Pineview Reservoir and shores adjacent thereto.”

Lot Area, Frontage Width and Yard Regulations: The proposed lots within this subdivision meet the minimum lot area stated in the LUC § 104-10-1 Shoreline Zone. The minimum lot width of 300 feet and the minimum lot area of 5 acres are required for dwelling or use.

Sec. 108-7-29- Flag lot access strip, private right-of-way, and access easement standards

- c) *The improved travel surface of the flag lot access strip, private right-of-way, or access easement shall be a minimum of 12 feet wide if the access serves fewer than five dwellings, and a minimum of 20 feet wide if the access serves five or more dwellings.*
- d) *The improved road surface of the flag lot access strip, private right-of-way, or access easement shall be capable of supporting a minimum weight of 75,000 pounds.*

2. Safety Standards

- a) *The lot address shall be displayed in a prominently visible location at the street entrance to the flag lot access strip, private right-of-way, or access easement.*

Sec. 108-7-31- Access to a lot/parcel using a private right-of-way or access easement

Lots/parcels which do not have frontage on a street, but which have access by a private right-of-way or access easement may, under certain circumstances, use a private right-of-way or access easement as the primary access. Approval is subject to the applicant demonstrating compliance with the following criteria and conditions:

- c) *Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions.*

Culinary Water and Sanitary Sewage Disposal: The proposed subdivision will be served by Eden Water Works Company for culinary water. Percolation test pits for each lot have been completed for the installation of a private septic system. The Vause family owns 80.44 shares of Secondary water that will be provided by Eden Irrigation Company.

Review Agencies: The proposed subdivision has been reviewed by Engineering, Surveying, Fire, and Planning offices. Before the final Mylar is to be recorded, the conditions stated in the agency reviews must be met.

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).

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 subdivision consists of three 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.

Staff Recommendations

Staff recommends final plat approval of Yellow Rose Garden Subdivision consisting of three lots. This recommendation is based on the following conditions:

1. Prior to recording the final Mylar, all conditions required by Weber County reviewing agencies must be met.
2. The improved travel surface must be at least 12 feet wide and be capable of supporting a minimum weight of 75,000 pounds
3. The Lot address shall be displayed in prominently visible location at the street entrance to lot 2.

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 Yellow Rose Garden 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.

Date of Administrative Approval: October 5, 2016


 Rick Grover
 Weber County Planning Director

Exhibits

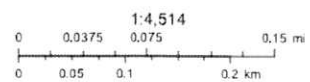
- A. Amended Subdivision Plat
- B. Subdivision Plat

Area Map



September 27, 2016

-  Parcels
- Street Labels
- Parcel Address



Weber County

