



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on an administrative application for approval of the Lakeside View Subdivision 1st Amendment.
Type of Decision	Administrative
Agenda Date:	Wednesday, March 08, 2017
Applicant:	Judy Reeves
File Number:	UVL 092216

Property Information

Approximate Address:	1034 N 7100 E Huntsville, Utah 84317
Project Area:	3 acres
Zoning:	Agricultural Valley (AV-3) Zone
Existing Land Use:	Residential
Proposed Land Use:	Residential
Parcel ID:	21-137-0002
Township, Range, Section:	T6N, R2E, Section 7

Adjacent Land Use

North:	Agricultural	South:	Agricultural/Residential
East:	Agricultural	West:	Agricultural

Staff Information

Report Presenter:	Felix Lleverino flleverino@co.weber.ut.us 801-399-8767
Report Reviewer:	SM

Applicable Ordinances

- Title 101 (General Provisions) Chapter 1 Section 7 (Definitions)
- Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Title 106 (Subdivisions)
- Title 108 (Standards) Chapter 18 (Drinking Water Source Protection Zones)

Background and Summary

The applicant received approval to vacate all of Lot 2 of the Lakeside View Subdivision on February 21, 2017 by the Weber County Commission after holding a public hearing on January 24, 2017 and receiving a unanimous positive recommendation from the Ogden Valley Planning Commission. The approval to vacate all of Lot 2 in the Lakeside View Subdivision was conditioned upon the vacating ordinance being recorded with a subdivision amendment which will create Lot 3 of the Lakeside View Subdivision 1st Amendment. This condition is in place to ensure that the lot remains compliant with the Weber County Code.

The applicant is now requesting final approval of the Lakeside View Subdivision 1st Amendment, which will result in reducing the existing 13.825 acre lot to a three acre lot, and create a remnant agricultural parcel. The remnant agricultural parcel will consist of 10.8 acres and be identified as a "Remnant Parcel Not approved for Development" on the final plat. Remnant parcels are allowed per LUC §106-2-4(g) as long as the parcel is five contiguous acres or larger. The proposed Lot 3 meets the minimum area and lot width requirements of the AV-3 Zone.

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in Title 106, and the development standards in the AV-3 zone in LUC §104-6-6. The proposed subdivision amendment is in conformance with county code.

Analysis

The following is a brief synopsis of the review criteria and conformance with the LUC.

General Plan: The remaining agricultural parcel to the rear will become open land not approved for development there by conforming to the Ogden Valley General Plan by preserving the rural characteristics of the Valley. Creation of the proposed Lot 3 will maintain quality open area on a large lot intended for residential use.

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: Lot 3 is proposed to be a three acre lot with approximately 209.70 feet of frontage along 7100 East. The proposal meets minimum lot area and lot width of the AV-3 Zone.

The lot has been reviewed to ensure that the existing home and structures on the lot comply with the development standards in the AV-3 zone which are as follows:

Front: 30 feet

Side: 10 feet with a total of two side yards not less than 24 feet

Rear: 30 feet

Small Subdivision: The LUC §101-1-7 defines a "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 amendment consists of one lot and no streets are being created or realigned; therefore, the proposal meets the definition of a "Small Subdivision" and can be forwarded to the Planning Director as a "Small Subdivision."

Ground Water: This proposal is located in a drinking water source protection zone 4 which has a 15-year groundwater time of travel to the well head. In addition to the uses stated in the AV-3 Zone, the following uses shall be allowed in the zone 4 drinking water protection zones:

(4) Zone Four.

- a. Use of single- or multiple-family residential dwellings, commercial, or institutional uses established on or after the effective date of the ordinance from which this chapter is derived.
- b. The tilling of the soil and the raising of crops provided that the use of fertilizers and pesticides is accomplished within applicable federal, state, and/or local requirements.
- c. The pasturing of livestock provided all forage is raised on the pastured area.

The following uses shall not be allowed in the zone 4 drinking water protection zones:

(4) Zone Four.

- a. Surface use, storage, or dumping of hazardous waste or material, expressly including industrial or commercial uses of agricultural pesticides (except when such pesticides are used in farming applications within strict compliance of the manufacturer's recommendations of use, subject to inspection by local officials).
- b. Sanitary landfills.
- c. Hazardous waste or material disposal sites.

Culinary Water: The proposed lot 3 of Lakeside View Subdivision 1st Amendment will be served by an existing private well.

Sanitary System: The three acre lot has an existing functional septic system.

Review Agencies: The applicable County reviewing agencies have posted reviews to this proposal. Comments from Surveying, Engineering, and Planning Departments are minimal, and can be adequately addressed prior to recording of the Mylar.

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

Public Notice: Noticing requirements, according to LUC 106-1-6(c), have been met by mailing notices out to all property owners of record within 500 feet of the subject property.

Staff Recommendations

Staff recommends final plat approval of Lakeside View Subdivision 1st Amendment consisting of one lot. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. The owner of the proposed lot 3 shall enter into a Deferral Agreement for curb, gutter and sidewalk that is to be recorded with the final Mylar.
2. The vacation ordinance shall be recorded at the time of recording the final Mylar.

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.

Administrative Approval

Administrative final approval of Lakeside View Subdivision 1st 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: 3/8/17

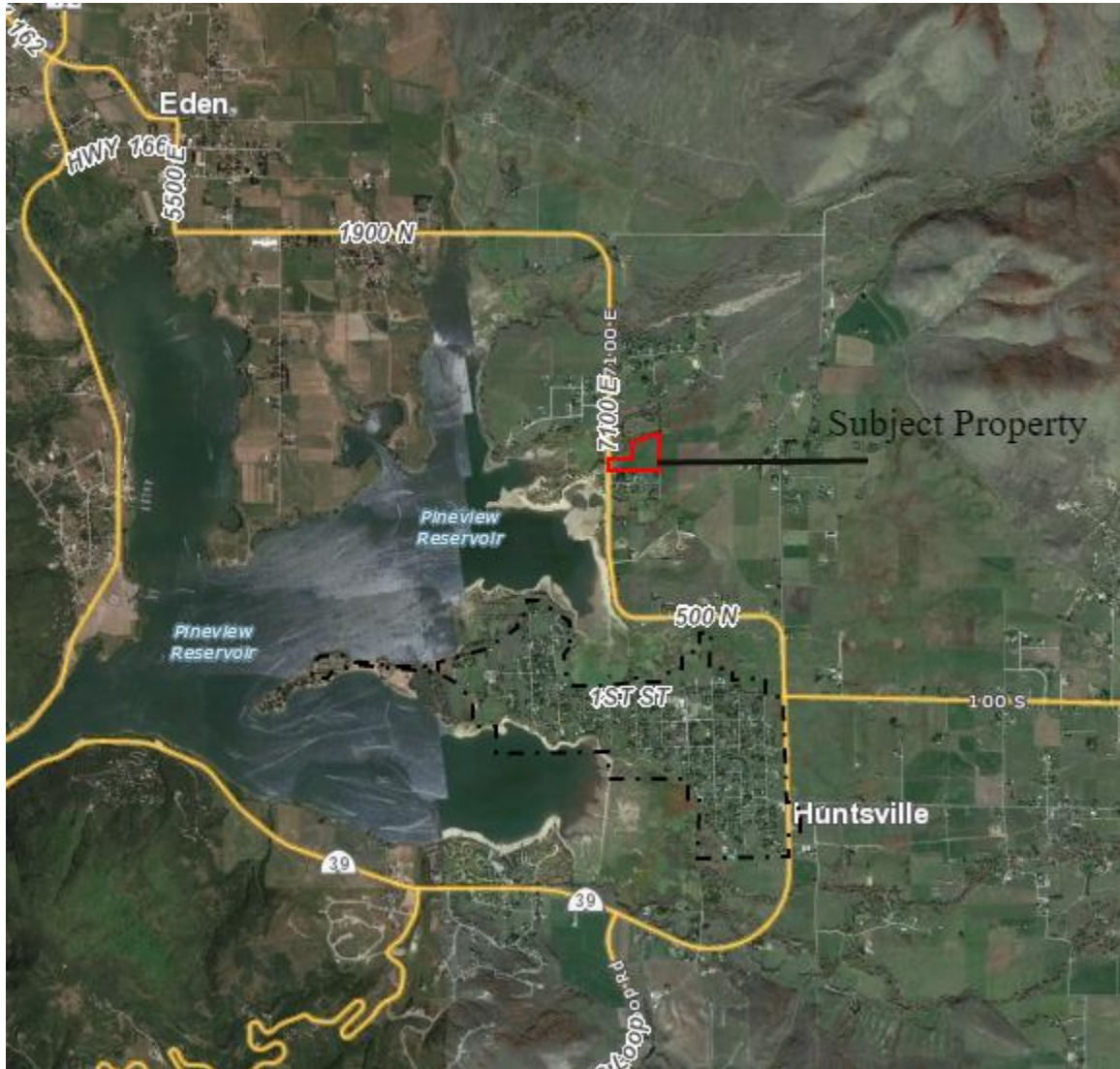


Rick Grover
Weber County Planning Director

Exhibits

- A. Proposed Lakeside View Subdivision 1st Amendment Plat
- B. Original Lakeside View Subdivision Plat
- C. Recorders Plat
- D. Subdivision application
- E. Weber-Morgan Health Department Letter of Feasibility
- F. Vacating Ordinance

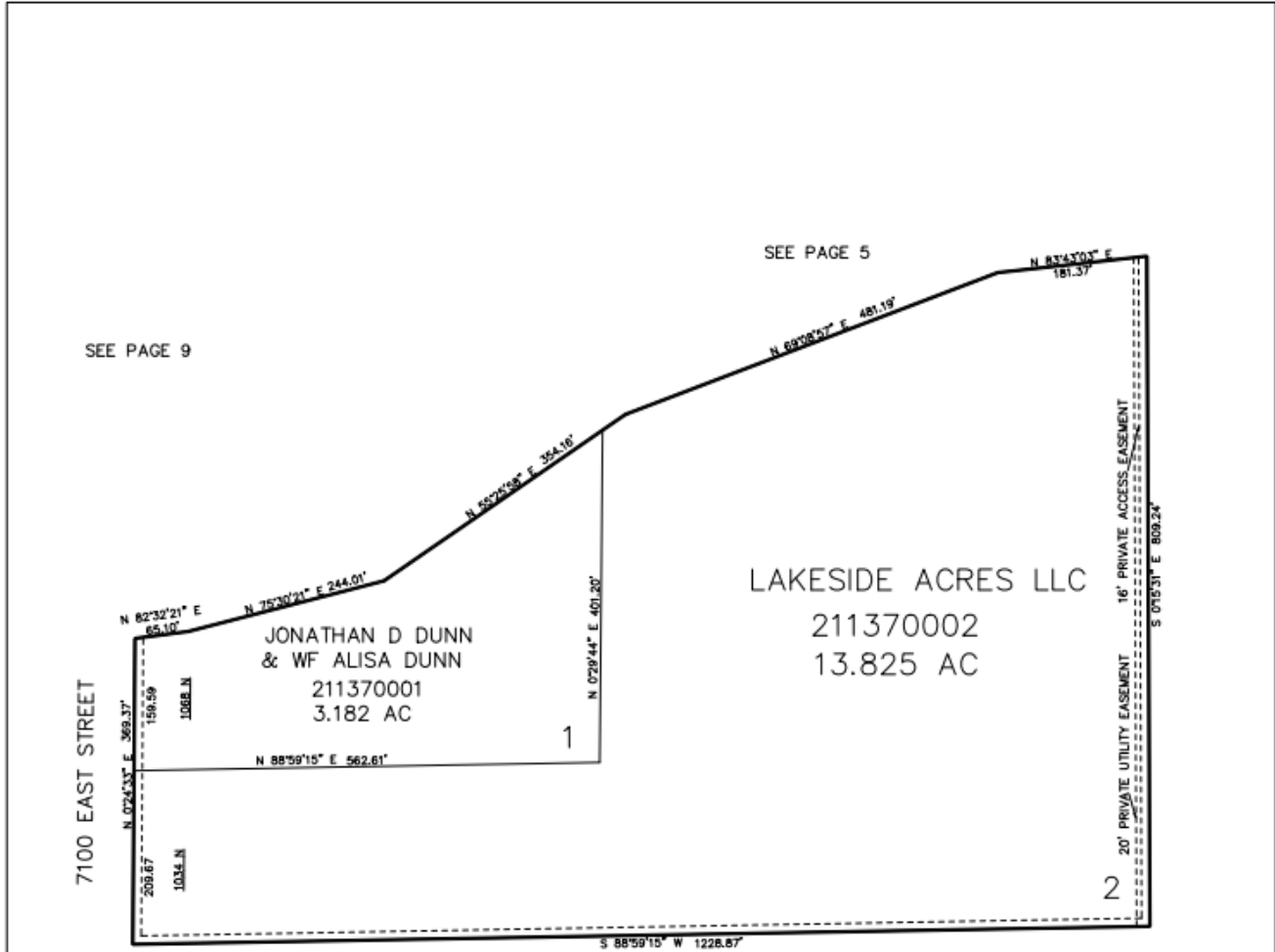
Area Map




PART OF THE SW. 1/4, OF SECTION 6 AND THE NW. 1/4, OF SECTION 7, T.6N., R.2E., S.L.B. & M.
LAKESIDE VIEW SUBDIVISION

TAXING UNIT: 318

IN WEBER COUNTY
SCALE 1" = 100'



Weber County Subdivision Application			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted / Completed 9-22-2016	Fees (Office Use) 600.00	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name Lake Side View Subdivision 1st Amendment			Number of Lots 2
Approximate Address 1034 N 7100 E Huntsville, UT 84317		Land Serial Number(s) 21-137-0001 21-137-0002	
Current Zoning AV-3	Total Acreage 13.824		
Culinary Water Provider Well - Private	Secondary Water Provider	Wastewater Treatment Septic	
Property Owner Contact Information			
Name of Property Owner(s) Lakeside View Acres		Mailing Address of Property Owner(s) 1034 N 7100 E Huntsville, Utah 84317	
Phone 801-254-0330	Fax		
Email Address JL13GrandsReeves@gmail.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) Judy Reeves		Mailing Address of Authorized Person 1034 N. 7100 E Huntsville, Utah 84317	
Phone 801-254-0330	Fax		
Email Address JL13GrandsReeves@gmail.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer Reeve + Associate		Mailing Address of Surveyor/Engineer 5160 W 1500 S. Riverdale, Utah 84405	
Phone 801-621-3100	Fax 801-621-2666		
Email Address ogden@reeve-assoc.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			
<p>I (We), <u>Judy L. Reeves</u>, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.</p>			
<p><u>Judy L. Reeves</u> (Property Owner)</p>			
<p>Subscribed and sworn to me this <u>22</u> day of <u>September</u>, 20<u>16</u>.</p>			
			<p><u>Kary C. Serrano</u> (Notary)</p>

BRIAN W. BENNION, M.P.A., L.E.H.S.
Health Officer/Executive Director



September 16, 2016

Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Lakeside View Subdivision, 2 lots
1034 N & 1068 N. 7100 E. Huntsville
Parcel #21-137-0001 & 21-137-0002

Gentlemen:

The plans and supporting information for the above-referenced subdivision have been reviewed.

Culinary water will be provided by a private shared well. The placement of the well is critical so as to provide the required 100 foot protection zone. The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Soil characteristics, percolation rates of 50 MPI, and anticipated ground water tables not to exceed 48 inches, fall within the range of acceptability for the utilization of a Conventional Wastewater Disposal System. A maximum hydraulic loading rate of 0.50gal/sq.ft./day and trenches limited to 18 inches shall be used for system design.

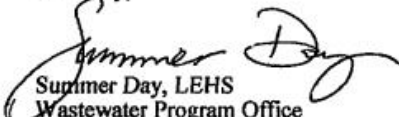
Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

All subdivision plats submitted for review are to show the location of exploration pits, soil profiles and percolation test results. Key number or letter designation will be provided by this office along with logs of soil horizons and final percolation rates. Mylars submitted for signature without this information will be returned.

Each on-site individual wastewater disposal system must be installed in accordance with R317-501 through R317-513, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,


Summer Day, LEHS
Wastewater Program Office
Weber-Morgan Health Department
801-399-7160

Ordinance 2017-3

An ordinance of Weber County vacating all of Lot 2 of Lakeside View Subdivision

Whereas, Judy Reeves, the owner of Lot 2 of Lakeside View Subdivision, has requested the vacation of Lot 2 of Lakeside View Subdivision and

Whereas, after providing proper public notice, a public hearing was held by the Ogden Valley Planning Commission on January 24, 2017 regarding the vacation of Lot 2 within the Lakeside View Subdivision; and

Whereas, the Weber County Engineering Department has been notified and has provided written approval of the vacation of Lot 2 of the Lakeside View;

Whereas, the vacation of Lot 2 of the Lakeside View Subdivision will not substantially affect the Ogden Valley General Plan, safety, and welfare of the general public;

Now Therefore, the Weber County Board of Commissioners vacates the following:

All of Lot 2 of the Lakeside View Subdivision as platted and recorded in the Weber County Recorder's Office, and further described as follows:

ALL OF LOT 2, LAKESIDE VIEW SUBDIVISION, WEBER COUNTY, UTAH

Adopted and ordered published this 21 day of February, 2017 by the Weber County Board of Commissioners,

Commissioner Ebert	Voting <u>aye</u>
Commissioner Gibson	Voting <u>aye</u>
Commissioner Harvey	Voting <u>aye</u>


James Ebert, Chair

ATTEST:


Ricky D. Hatch, CPA Weber County Clerk/Auditor