



## WEBER COUNTY PLANNING DIVISION

### Administrative Review Meeting Agenda

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December 14, 2016

4:00-5:00 p.m.

1. *Consideration and action for final subdivision approval of The Ridge Townhomes PRUD Phase 3A, consisting of 4 units.*
2. *Consideration and action on an administrative application for final approval of the Silver Town Subdivision, a one lot subdivision with alternative access by a flag lot access.*
3. *Consideration and action on an administrative application for approval of the Eden Hills Cluster Subdivision Number 3, 1st Amendment.*
4. *Consideration and action on an administrative application for approval of the Durfee Creek Estates No. 2C A Cluster Subdivision 1st Amendment. This lot has the property address of 6762 North 2275 East Liberty.*
5. *Consideration and action on an administrative application for approval of the Langeland Subdivision Lot 1. This lot has the property address of 6266 East Quail Lane.*
6. *An applicant request for approval of Gibson Hill Subdivision 1st Amendment. A request to remove from the plat a 60' public utility easement located in the south west corner of Lot 1.*
7. *Adjournment*

*The meeting will be held in the Weber County Planning Division Conference Room, Suite 240, in the Weber Center, 2nd Floor, 2380 Washington Blvd., Ogden, Utah unless otherwise posted*



*In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791*



# 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 Eden Hills Cluster Subdivision Number 3, 1st Amendment.

**Type of Decision:** Administrative

**Agenda Date:** Wednesday, December 14, 2016

**Applicant:** Steven M. Reynolds

**File Number:** UVL 082616

### Property Information

**Approximate Address:** 3415 and 3401 N Foothill Lane Eden, Utah 84310

**Project Area:** (Lot 82 30,047 Sq ft) (Lot 83 33,073 Sq ft)

**Zoning:** Agricultural Valley (AV-3) Zone

**Existing Land Use:** Single Family Dwelling

**Proposed Land Use:** Residential

**Parcel ID:** 22-074-0007, 22-074-0008

**Township, Range, Section:** Township 7N, Range 1E, Section 28

### Adjacent Land Use

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

### Staff Information

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

**Report Reviewer:** RG

## Applicable Ordinances

- Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Title 106 (Subdivisions)
- Title 108 (Cluster) Chapter 3 (Lot Development Standards)
- Title 101 (General Provisions) Section 7 (Definitions)

## Background and Summary

This amendment to an already approved subdivision has been requested by Edwin Rahrer who is the owner lots 50 & 51. Edwin Rahrer would like to re-establish boundary lines that would bring the existing home into compliance with the minimum yard setbacks within a cluster subdivision. The two lots within this subdivision will be re-numbered to 82 and 83. The original Eden Hills Subdivision was legally platted in a time when zoning allowed for this lot density, thereby creating what are termed as "legal" non-conforming lots. Lots 82 and 83 of the Eden Hills Subdivision No. 3 1<sup>st</sup> Amendment have frontage on Foothill Lane, a public right of way. Lot number 82 will have the area of 30,047 sq ft and lot number 83 will have 33,073 sq ft. The width of lot 82, measured at the lot line fronting Foothill lane, is 153 feet 6 inches, and the width of lot 83 will be 114 feet 6 inches. A result of this boundary line adjustment lot number 82 will be increased by 1,547 sq ft.

## Analysis

General Plan: This lot line adjustment within Eden Hills Cluster Subdivision Number 3 is in harmony with the Ogden Valley General Plan by implementing creative designs that preserve natural, agricultural and open spaces within 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

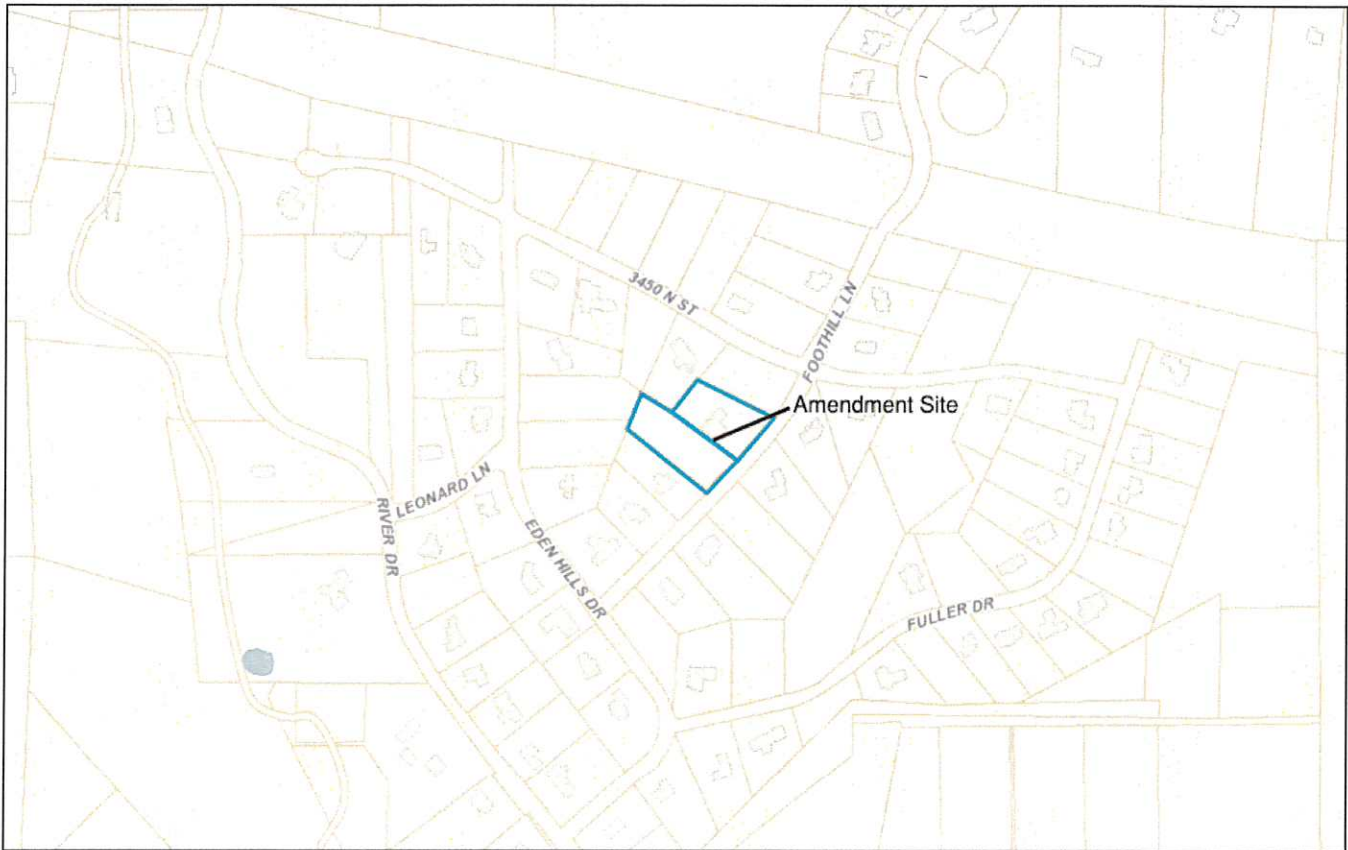
## Administrative Approval

Administrative final approval of Eden Hills Subdivision 1<sup>st</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: December 14, 2016

  
Rick Grover  
Weber County Planning Director

## Area Map



## Exhibits

- A. Eden Hills Subdivision No. 3 1<sup>st</sup> Amendment Plat
- B. Original Eden Hills Subdivision No. 3 Plat
- C. Recorders Plat
- D. Wolf Creek Water and Sewer Letters

*“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 area and width of lot 82 and 83 meets or exceeds minimum required for a cluster type subdivision within the AV-3 Zone. LUC 108-3-7

The Yard Regulations for the AV-3 zone within a cluster subdivision are as follows:

- Front: 20 feet
- Side: 8 feet
- Rear: 20 feet

The Minimum width and area for the AV-3 Zone within a cluster subdivision are as follows:

- 80 feet in width
- 6,000 Sq ft in area

This proposal, to adjust the lot line between two lots of the same owner, adheres to minimum width and area regulations.

Lot of Record Non-Conforming: Title 108-12-11 (2) states:

*“Any lot legally platted within the bounds of a subdivision that was created pursuant to the standards of the zoning code and subdivision code in effect at the time of its creation, but no longer complies due to subsequent changes to these codes, may be amended pursuant to the minimum standards in effect at the time of its creation. The amendment shall not create any new lots. An amended plat shall be required.”*

Small Subdivision: The Weber County Land Use Code (§101-1-7) defines “small subdivision” as “A subdivision consisting of five (5) or fewer lots and for which no streets will be created or realigned.” This subdivision consists of one lot and no new streets are being created or realigned. Stated in the Land Use Code (Title 106-1-5(b),(1)) “With the exception of small subdivisions, the preliminary plan/plat, including the phasing plan, shall be presented to the land use authority who, for the purposes of this section, shall be the planning commission, for their review and decision in compliance with applicable ordinances.” Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Culinary Water, Secondary Water, and Sewer Services: Wolf Creek Water and Sewer Improvement District has provided a letter stating lots 50 and 51 of the original Eden Hills Subdivision will be supplied with culinary water, irrigation water, and sewer services.

Review Agencies: The proposed subdivision has been reviewed by all County Reviewing agencies. After looking over the subdivision plat and supporting documents, the project has been approved by all reviewing agencies. The Engineering Division has posted their approval based on the following condition:

*“It does not look like this property owner installed a culvert prior to installing the driveway. The homeowner should be aware that this can cause water issues with this lot and the road in front. Should this become an issue the property owner will need to install a culvert.”*

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

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

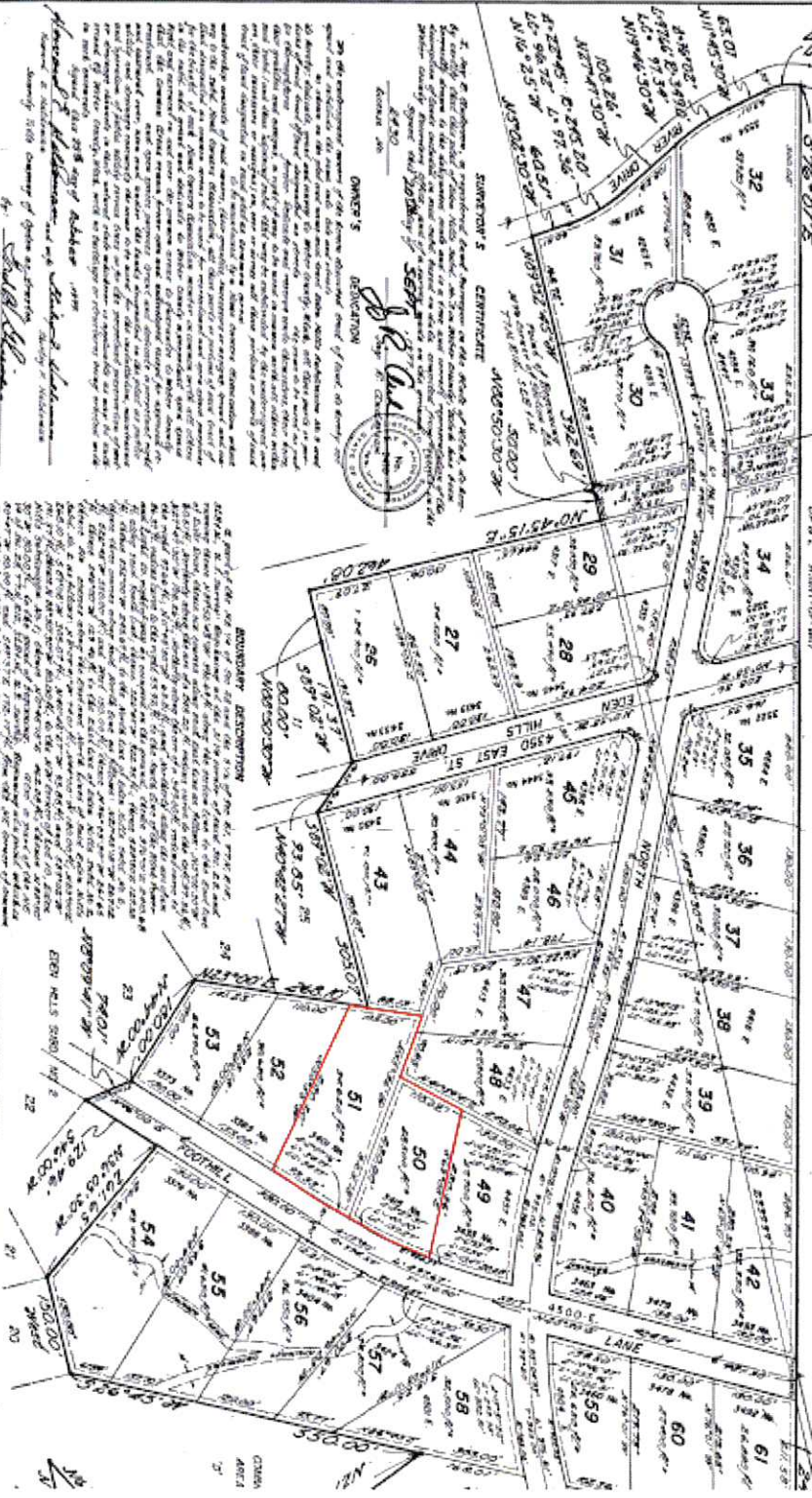
Staff recommends final plat approval of the Eden Hills Subdivision 1<sup>st</sup> Amendment consisting of two lots. This recommendation for approval is based on the proposal meeting all yard setbacks and subdivision requirements.

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.



EDEN HILLS SUBDIVISION NO. 3  
A CLUSTER TYPE SUBDIVISION  
A PART OF THE SIZE OF SECTION 21, AND THE NE¼ OF SECTION 28, 77N, 10E, SLB&M, U.S. SURVEY  
WEBER COUNTY, UTAH



1/4 mile distance from utility...  
OWNER'S DECLARATION

OWNER'S DECLARATION  
I, the undersigned, owner of the above described land of record, do hereby declare that the plat shown hereon is a true and correct plat of the same as shown on the ground and as shown on the plat hereon. I am a resident of the County of Weber, State of Utah, and am qualified to execute the same.



ACKNOWLEDGEMENT  
I, the undersigned, Clerk of the County of Weber, State of Utah, do hereby certify that the above described land is the property of the owner thereof and that the same has been lawfully conveyed to the owner thereof by the owner thereof and that the same is not subject to any other claims or encumbrances of record.

WEBER COUNTY ATTORNEY  
I, the undersigned, Attorney at Law for the County of Weber, State of Utah, do hereby certify that the above described land is the property of the owner thereof and that the same has been lawfully conveyed to the owner thereof by the owner thereof and that the same is not subject to any other claims or encumbrances of record.

WEBER COUNTY ENGINEER  
I, the undersigned, Engineer for the County of Weber, State of Utah, do hereby certify that the above described land is the property of the owner thereof and that the same has been lawfully conveyed to the owner thereof by the owner thereof and that the same is not subject to any other claims or encumbrances of record.

PART OF THE S. 1/2 OF SEC. 21 & N.E. 1/4 OF SEC. 28, T.7N., R.1E., S.L.B. & M.  
EDEN HILLS SUBDIVISION NO. 3

LOTS 39-42, 48-61

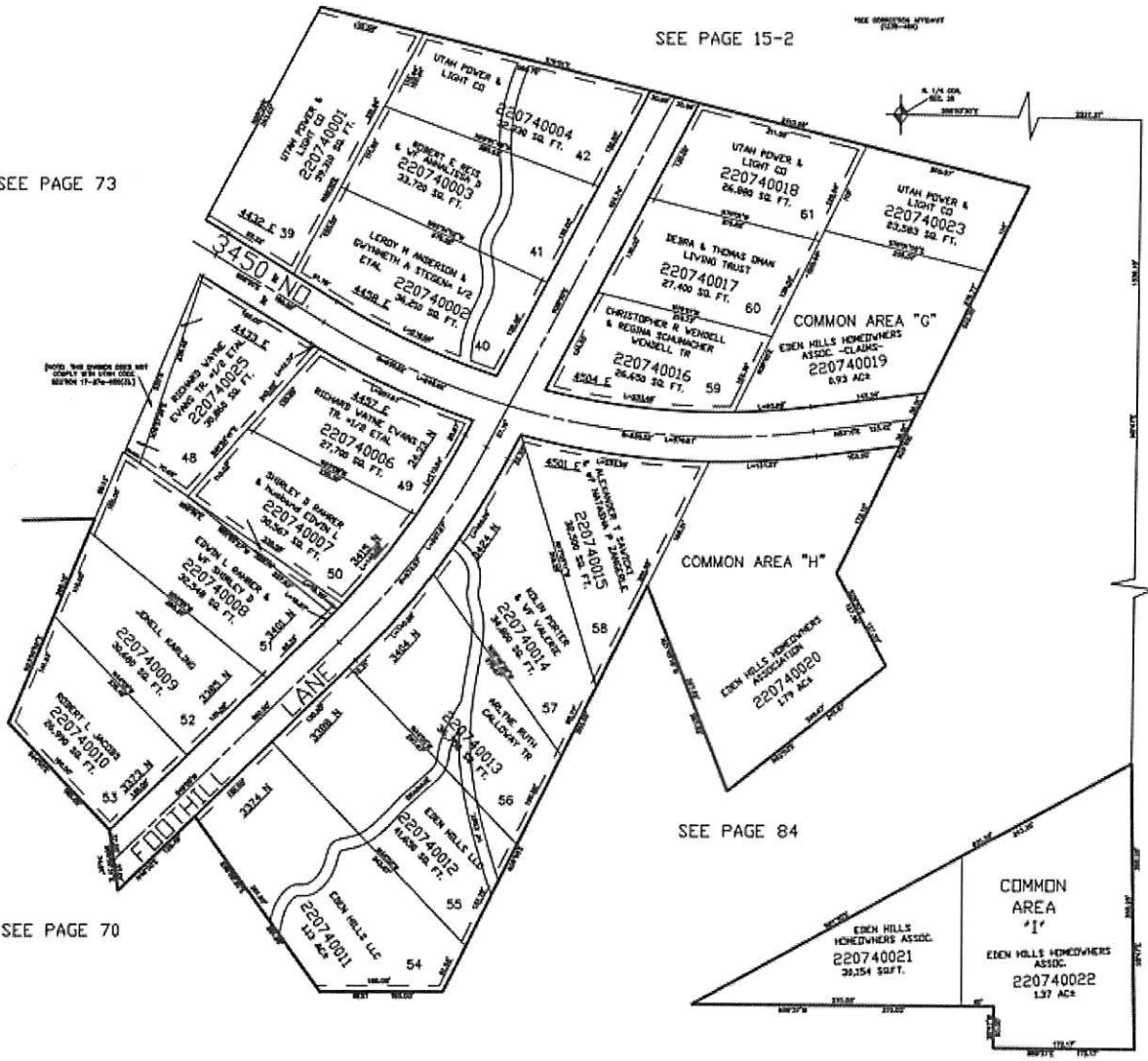
IN WEBER COUNTY

SCALE 1" = 100'

TAXING UNIT: 317

SEE PAGE 15-2

SEE PAGE 73



SEE PAGE 70

SEE PAGE 84



Weber County

RE: Wolf Creek Water and Sewer Improvement District services to Address(s):

Lot #50 Eden Hills Subdivision 3415 N. Foothill Lane Eden, Utah

To whom it may concern,

This letter confirms that Wolf Creek Water and Sewer Improvement District has determined it will provide culinary water, irrigation water and sewer services to the above referenced address(s).

Except for scheduled maintenance and construction, power failures, natural disasters, and unforeseen circumstances, water and sewer services will be provided in accordance with applicable federal, state and local statutes, laws, rules, regulations, ordinances and standards.

Culinary water, Irrigation water and Sewer services to the above lot(s) are subject to and contingent on the following:

1. Compliance with the Wolf Creek Water and Sewer Improvement District policies and procedures as those policies and procedures may change from time to time;
2. Natural fluctuations in water supplies;
3. Subsequent decisions and regulation by local government, the Utah State Engineer, Utah Division of Water Resources, the United States Department of the Interior, or any other applicable governmental agency.
4. Payment of hook up costs and standard billings for service. Failure to pay these costs and billings will result in temporary suspension and/or permanent cessation of service.

As recipient of said service, you agree to the above terms and to the terms set forth in the Wolf Creek Water and Sewer Improvement District policies and procedures as those policies may change from time to time. If you have any questions regarding the contents of this letter, please contact Annette Ames (801) 745-3435.

**Wolf Creek Water and Sewer Improvement District**

  
Annette Ames, Controller/Recorder

Date: 8/22/16





Weber County

RE: Wolf Creek Water and Sewer Improvement District services to Address(s):

Lot #51 Eden Hills Subdivision 3401 N. Foothill Lane Eden, Utah

To whom it may concern,

This letter confirms that Wolf Creek Water and Sewer Improvement District has determined it will provide culinary water, irrigation water and sewer services to the above referenced address(s).

Except for scheduled maintenance and construction, power failures, natural disasters, and unforeseen circumstances, water and sewer services will be provided in accordance with applicable federal, state and local statutes, laws, rules, regulations, ordinances and standards.

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**Wolf Creek Water and Sewer Improvement District**

  
Annette Ames, Controller/Recorder

Date: 8/22/16