



# Staff Report for Administrative Subdivision Approval

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on an administrative application for final approval of the Creager Subdivision No. 2, a small subdivision consisting of 3 lots containing approximately 5.27 acres per lot.

**Type of Decision:** Administrative

**Agenda Date:** Wednesday, January 11, 2017

**Applicant:** Verl and Gaye Creager

**File Number:** UVC 121616

### Property Information

**Approximate Address:** 1539 North 5900 E, Eden, UT 83410

**Project Area:** 16.44 acres

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

**Existing Land Use:** Agriculture

**Proposed Land Use:** Residential

**Parcel ID:** 20-002-0083

**Township, Range, Section:** T6N, R1E, Section 2

### Adjacent Land Use

<b>North:</b>	Agriculture Residential	<b>South:</b>	Vacant Residential
<b>East:</b>	5900 E	<b>West:</b>	Agriculture Residential

### Staff Information

**Report Presenter:** Steve Burton  
sburton@co.weber.ut.us  
801-399-8766

**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)

## Background and Summary

Verl and Gaye Creager are requesting approval of the Creager Subdivision No. 2, a small subdivision consisting of 3 lots containing approximately 5.27 acres per lot, located at approximately 1539 North 5900 East in Eden. The proposed subdivision is located within the Agriculture Valley (AV-3) Zone and the Shoreline (S-1) Zone (See Exhibit A) The proposed subdivision has access and adequate frontage along 5900 East.

Culinary water will be provided by Eden Waterworks Company and wastewater will be controlled by individual septic systems. Prior to Creager Subdivision No. 2 being finalized and recorded, all review agency requirements must be addressed and completed.

The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required in the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with the LUC.

## 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. As such, this proposed subdivision, in compliance with the Weber County Land Use Code, is in conformance with the Valley's General Plan.

Zoning: The subject property is located in the Agricultural Valley (AV-3) Zone and the Shoreline (S-1) Zone.

Lot area, frontage/width and yard regulations: In the LUC §104-6-6, the AV-3 zone requires a minimum lot area of 3 acres and a minimum lot width of 150'. In the LUC §104-10-4, the S-1 zone requires a minimum lot area of 5 acres and a minimum lot width of 300'. The portion of all 3 lots that fronts 5900 E is located within the AV-3 Zone and maintains the minimum lot width of 150'. All lots within the proposed subdivision maintain adequate lot area of 5 acres.

LUC § 104-1-4 outlines area requirements for parcels split by zone boundaries.

*The more restrictive zone is the zone which has the larger area requirement.*

*(1) Where a parcel that is split by a zone boundary contains at least two-thirds of the area required for a lot in the more restrictive zone, the area from the less restrictive zone can be used to meet the total area requirement for the more restrictive zone.*

*(2) Where a parcel that is split by a zone boundary contains less than two-thirds of the area required for a lot in the more restrictive zone, the home must be built in the less restrictive zone. The parcel area in the more restrictive zone can be used to meet area requirements in the less restrictive zone.*

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in LUC 106 chapter 1, and the AV-3 Zone standards in LUC 104-6-6, as well as the S-1 Zone standards in LUC 104-10. The proposed subdivision will not create any new public streets. The proposal meets the criteria for "Small Subdivisions", as defined in LUC 101-7, and can be administratively approved per LUC 106-1-5(b)(1).

Culinary water and sanitary sewage disposal: Feasibility letters have been provided for the culinary water and the sanitary sewer for the proposed subdivision. The culinary water for the proposed subdivision will be provided by Eden Water Works Company. The sanitary sewage disposal will be individual waste water treatment systems. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Review Agencies: To date, the proposed subdivision has not been reviewed by the Engineering Division or the Surveying Division. The applicant will need to submit a revised plat with all agencies conditions met prior to recording the final Mylar.

Additional Design Standards: The proposed subdivision does not require the realignment of or the creation of a new street system. Deferrals for curb and gutter, and sidewalk will be required as outlined in LUC 106-4-2 (e) and (f).

Tax Clearance: There are no outstanding tax payments related to this parcel.

Public Notice: A notice has been mailed not less than seven calendar days before final approval 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.

## Staff Recommendations

Staff recommends final approval of the Creager Subdivision No. 2, a small subdivision consisting of 3 lots containing approximately 5.27 acres each. This recommendation is subject to all review agency requirements and based on the following conditions:

1. A deferral agreement for curb and gutter, and sidewalks must be filed and recorded with the final Mylar.
2. An "Onsite Wastewater Disposal System Deed Covenant and Restriction to Run with the Land" must be filed and recorded with the final Mylar.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable county ordinances.
3. The proposed subdivision will not be detrimental to public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Administrative Approval

Administrative final approval of the Creager Subdivision No. 2 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: Wednesday, January 11, 2017.

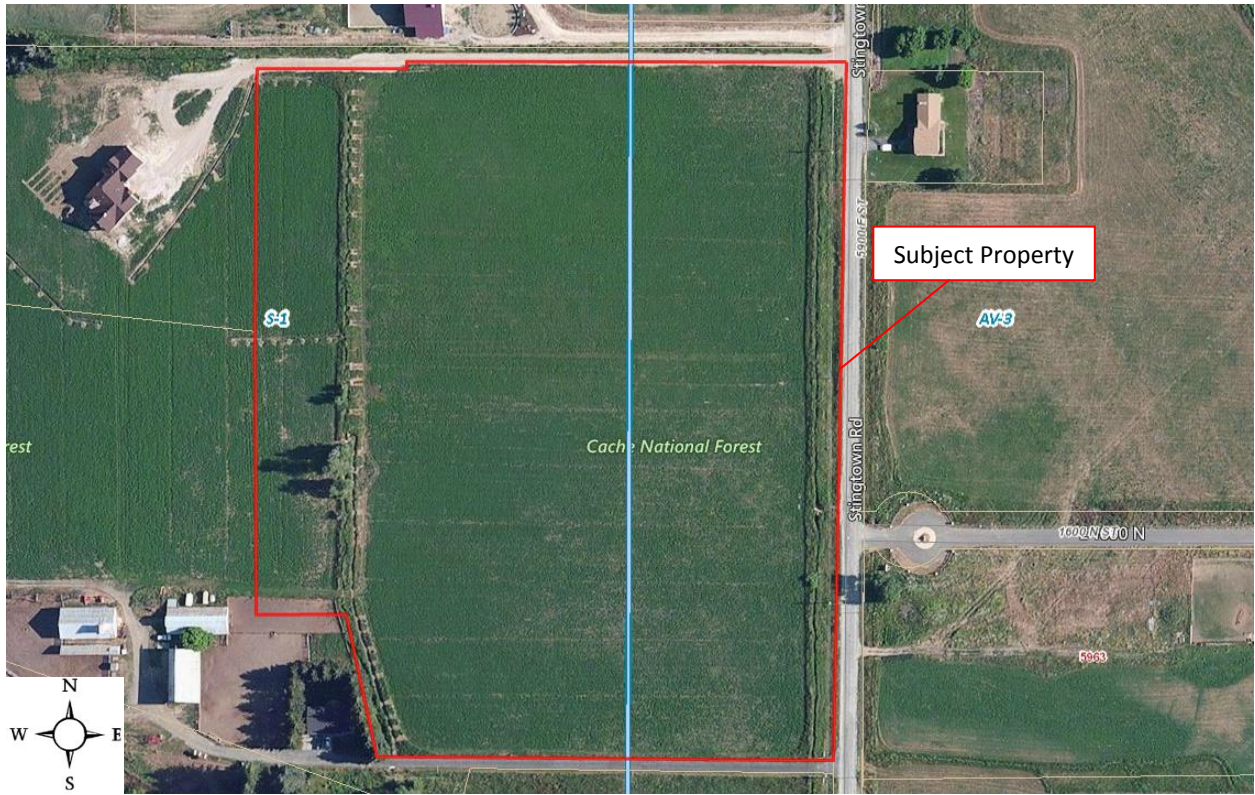
---

Rick Grover  
Weber County Planning Director

## Exhibits

- A. Plat Map
- B. Feasibility and Will Serve letter

## Area Map 1



Area Map 2

