



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 Story Farm Subdivision, consisting of 2 lots.

Type of Decision: Administrative

Agenda Date: Wednesday, July 26, 2017

Applicant: C. Brad Story

File Number: UVS 060817

Property Information

Approximate Address: 3192 N Hwy 162, Liberty

Project Area: 9.24 acres

Zoning: Agricultural Valley (AV-3) Zone

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 22-022-0175, 22-022-0077

Township, Range, Section: T7N, R1E, Section 28

Adjacent Land Use

North: Residential	South: Residential
East: Residential	West: 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 106 (Subdivisions)

Development History

An application for Story Farm Subdivision (with the same lot configuration) expired on October 30, 2015 due to the application not meeting Health Department requirements.

Background and Summary

The applicant is requesting final approval of Story Farm Subdivision, consisting of two lots, located at approximately 3192 N Highway 162, Liberty in the AV-3 Zone. The proposal meets the area and lot width requirements of the AV-3 Zone. The proposed subdivision will not create any new building lots as there are existing homes on lots 1 and 2. Culinary water will be provided by a shared well and wastewater will be controlled by individual septic systems.

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 request is in conformance with the Ogden Valley General Plan as it is intended to preserve private property rights while also preserving the rural characteristics of the Valley.

Zoning: The subject property is located in the Agriculture Valley (AV-3) Zone. Single-family dwellings are a permitted use in the AV-3 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'. Lot 1 maintains adequate lot area at 6.24 acres and has 268' of frontage along Highway 162. Lot 2 is 3 acres in size and has 150' of frontage along Highway 162.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in LUC §106-1, and the AV-3 zone standards in LUC §104-6. 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: An existing well located on Lot 1 provides culinary water to both of the existing dwellings. The Weber Morgan Health Department is requiring that the final Mylar indicates the location of the existing culinary well and the well protection area on Lot 1. If the well protection area encroaches into Lot 2, a restrictive easement must be recorded in conjunction with the final Mylar. Wastewater is controlled by individual septic systems on each lot. The applicant is working with the Health Department to ensure that all health regulations are met with this proposal. The location of the existing onsite wastewater absorption fields/septic drain fields must be shown on the final Mylar to ensure a five foot separation distance to all property lines. An “Onsite Wastewater Disposal Systems Deed Covenant and Restriction To Run With the Land” must be recorded with the final Mylar. A condition of approval has been added to staff’s recommendation to ensure that these items are addressed on the final Mylar.

Review Agencies: All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Additional Design Standards: The applicant will be required to file a deferral agreement for sidewalk, curb, and gutter as outlined in LUC § 106-4-2 (e) and (f). Both of the existing homes are located outside of the 75' setback for the year round stream located on the property, as shown on the final plat (see Exhibit A).

Tax Clearance: There are no outstanding tax payments related to these parcels.

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 Story Farm Subdivision consisting of two lots, located at approximately 3192 N Highway 162, Liberty in the AV-3 Zone. This recommendation is subject to all review agency requirements and is based on the following conditions:

1. A deferral for curb, gutter, and sidewalk will be required to be recorded with the final Mylar as outlined in LUC §106-4-2 (e) and (f).
2. The location of the existing culinary well and a well protection area must be located on the final Mylar. If the well protection area encroaches into Lot 2, a restrictive easement must be recorded in conjunction with the final Mylar.
3. An “Onsite Wastewater Disposal Systems Deed Covenant and Restriction To Run With the Land” must be 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.

Administrative Approval

Administrative final approval of Story Farm 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.

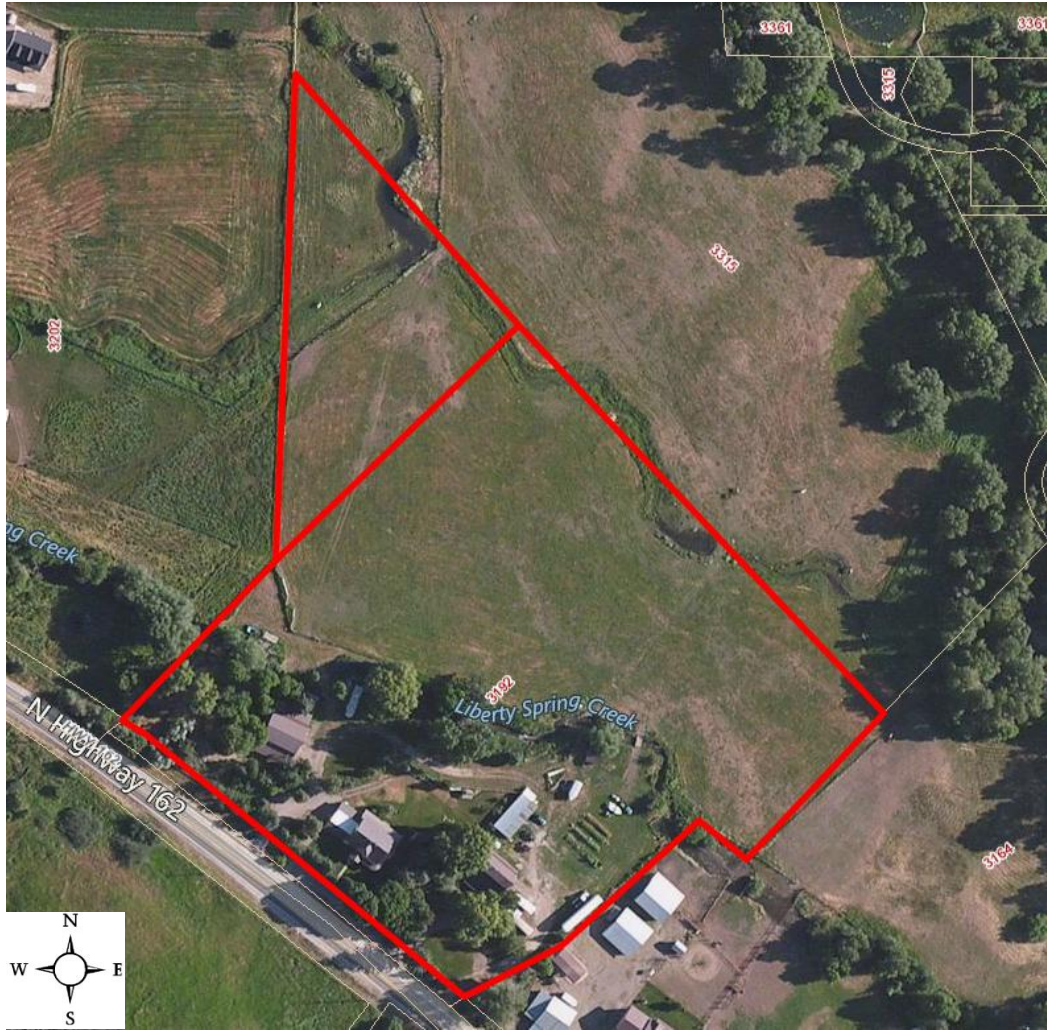
Date of Administrative Approval: Wednesday, July 26, 2017.

Rick Grover
Weber County Planning Director

Exhibits

- A. Final Subdivision Plat

Area Map 1

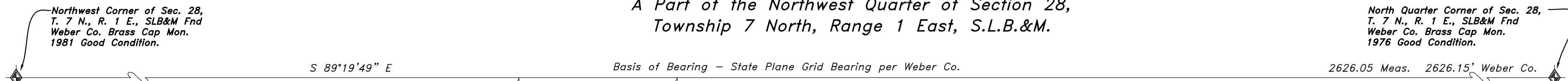


Story Farm Subdivision

Weber County, Utah

A Part of the Northwest Quarter of Section 28,
Township 7 North, Range 1 East, S.L.B.&M.

Exhibit A



SURVEYOR'S CERTIFICATE

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Act; and I have completed a survey of the property described on this plat in accordance with Section 17-23-17 and have verified all measurements, and have placed monuments as represented on this plat, and have hereby subdivided said tract into one (1) lot, know hereafter as Story Farm Subdivision in Weber County, Utah, and has been correctly drawn to the designated scale and is true and correct representation of the herein described lands included in said subdivision, based upon data compiled from records in the Weber County Recorder's Office and from said survey made by me on the ground, I further hereby certify that the requirements of all applicable statutes and ordinances of Weber County concerning zoning requirements regarding lot measurements have been complied with.

Signed this _____ day of _____, 2017.

K Greg Hansen Utah Land Surveyor Licence No. 167819



BOUNDARY DESCRIPTION

A part of the Northwest Quarter of Section 28, Township 7 North, Range 1 East of the Salt Lake Base and Meridian. Beginning at an existing fence corner being a point on the Northeastly Right-of-Way Line of State Highway 162 Located South 89°19'49" East 1406.32 Feet along the North line of said Northwest Quarter and South 00°00'00" East 2002.08 Feet from the Northwest Corner of said Northwest Quarter; Running Thence along said fence line the following two (2) courses: (1) North 44°20'46" East (North 45° East by record) 256.74 Feet; and (2) North 02°44'05" East (North 01°31' East by record) 460.99 Feet to the southwest corner of the Spencer Ferrin Subdivision; Thence South 49°45'45" East 932.43 Feet along the south boundary line of said Spencer Ferrin Subdivision to the existing fence line accepted as the existing Property Line established by Boundary Line Agreement, Entry No. 2692286, Recorded June 24, 2014 in the files of the Weber County Recorder; Thence along said Boundary Line Agreement and fence line the following four (4) courses: (1) South 46°24'18" West 265.13 Feet; (2) North 59°48'17" West 78.85 Feet; (3) South 47°03'23" West 179.42 Feet; and (4) South 59°13'16" West 154.60 Feet to said Northeastly Right-of-Way Line of State Highway 162; Thence along said Northeastly Right-of-Way Line the following two (2) courses: (1) North 51°59'25" West 418.93 Feet; and (2) Along the arc of a 2897.90 Foot Radius Curve to the Left 73.94 Feet, Having a Central Angle of 01°27'43", Chord Bears North 52°43'17" West 73.94 Feet to the point of beginning. Containing 9.24 Acres.

Subject a 30.00 Foot wide Ingress and Egress Easement along the west boundary line of the above described parcel of land recorded as Entry No. 2657083 in the file of Weber County Recorder's office.

OWNER'S DEDICATION AND CERTIFICATION

Know all men by these presents that we, the undersigned Owners of the above described tract of land having caused the same to be subdivided into lots as shown on this plat and name said tract Story Farm Subdivision and hereby dedicate, grant and convey, in perpetuity, pursuant to the provisions of 10-9a-607, Utah code, without condition, restriction or reservation to Weber County, Utah, all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever, and also dedicate to Weber County those certain strips or easements for public utility and drainage purposes as shown hereon. The same to be used for the installation, maintenance and operation of public utility service lines and drainage as may be authorized by the Governing Authority in witness we have here unto set our signature this _____ day of _____, 2017.

William C. Story _____ Dixie R. Story _____

ACKNOWLEDGMENT

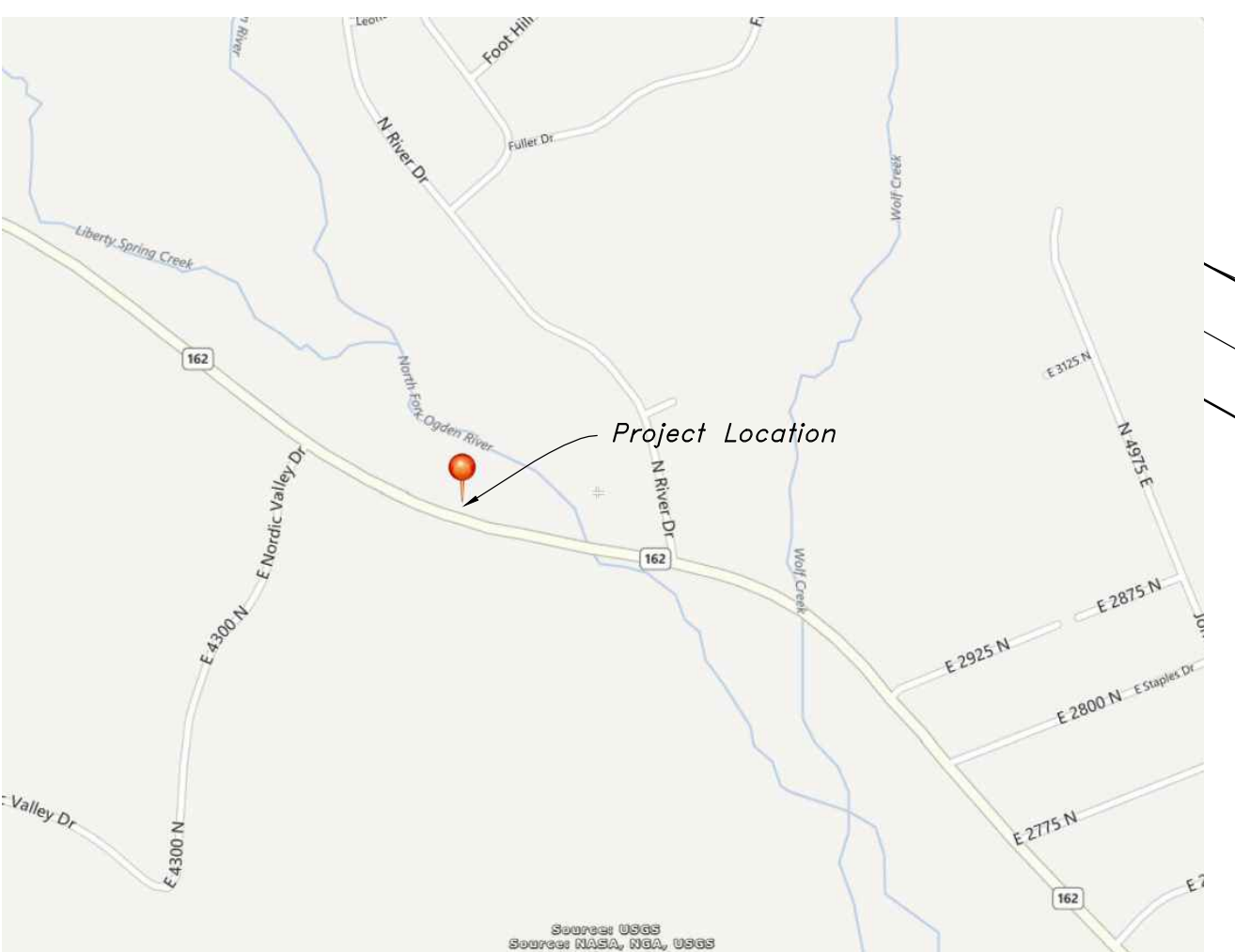
State of Utah
County of _____
On this _____ day of _____, William C. Story and Dixie R. Story, Husband and Wife as Joint Tenants, Personally Appeared before me, the Undersigned Notary Public in and for said County of _____, in the State of Utah, the Signers of the Attached Owners Dedication, two in Numbers who duly Acknowledged to me they Signed it Freely and Voluntarily and for the Purpose Therein Mentioned.

Notary Public

NARRATIVE

The purpose of this survey was to establish and set the property corners of the parcels as shown and described hereon creating a two (2) lot subdivision. The survey was ordered by Chuck and Brad Story. The R-O-W Lines for Highway 162 were established using the UDOT R-O-W drawings, existing R-O-W fence lines and the Marcum Subd. to the east and the Liberty Meadows Subd. to the west. The control used to establish the property corners was the existing Weber County Survey Monumentation surrounding Section 28, T7N, R1E, SLB&M. The basis of bearing is the North line of the Northwest Quarter of said Section which bears South 89°19'49" East, Utah North, State Plane, Calculated N.A.D.83 Bearing.

Vicinity Map



WEBER COUNTY PLANNING COMMISSION APPROVAL

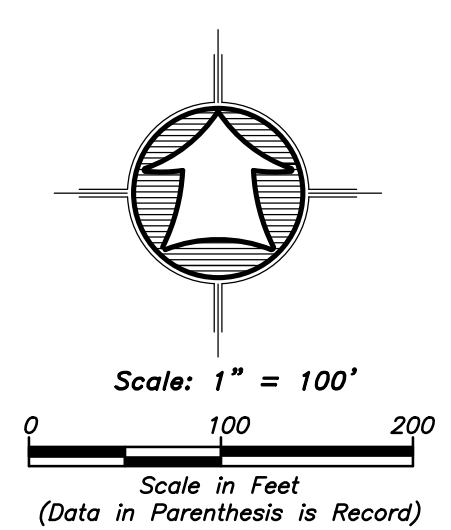
This is to certify that this Subdivision Plat was Duly Approved by the Weber County Planning Commission. Signed this _____ Day of _____, 2017

Chairman, Weber County Planning Commission

WEBER COUNTY ENGINEER

I hereby certify that the Required Public Improvement Standards and Drawings for this Subdivision Conform with the County Standards and the Amount of the Financial Guarantee is Sufficient for the Installation of these Improvements. Signed this _____ Day of _____, 2017

Weber County Engineer



AGRICULTURAL NOTE

Agriculture is the preferred use in the Agriculture Zones. Agriculture operations as specified in the zoning ordinance for a particular zone are permitted at any time including the operation of farm machinery and no allowed agriculture use shall be subject to restriction on that it interferes with activities of future residents of this subdivision

WEBER COUNTY COMMISSION ACCEPTANCE

This is to certify that this Subdivision Plat, the Dedication of Streets and other Public Ways and Financial Guarantee of Public Improvements Associated with this Subdivision, Thereon are hereby Approved and Accepted by the Commissioners of Weber County Utah Signed this _____ Day of _____, 2017

Chairman, Weber County Commission

Attest

WEBER COUNTY SURVEYOR

I hereby certify that the Weber County Surveyor's Office has Reviewed this Plat for Mathematical Correctness, Section Corner Data, and for Harmony with the Lines and Monuments on Record in County Offices. The Approval of this Plat by the Weber County Surveyor does not Relieve the Licensed Land Surveyor who Executed this Plat from the Responsibilities and/or Liabilities Associated Therewith. Signed this _____ Day of _____, 2017

Weber County Surveyor

WEBER COUNTY ATTORNEY

I have examined the financial guarantee and other documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto and now in force and effect. Signed this _____ Day of _____, 2017

Weber County Attorney

WEBER-MORGAN HEALTH DEPARTMENT

I hereby certify that the Soils, Percolation Rates, and Site Conditions for this Subdivision have been Investigated by this Office and are Approved for On-Site Wastewater Disposal Systems. Signed this _____ Day of _____, 2017

Weber-Morgan Health Department

WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND RECORDED _____ IN BOOK _____ OF OFFICIAL RECORDS, PAGE _____ RECORDED FOR _____ COUNTY RECORDER BY: _____ DEPUTY

HAI HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main Street, Brigham, Utah 84302
Visit us at www.haies.net
Brigham City Ogden Logan
(435) 723-3491 (801) 399-4905 (435) 752-8272 (435) 655-5660

Developer:
Brad Story
3192 No. Hwy 162
Eden, Utah 84310
(435) 655-5660