



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action for final approval of Harper Estates, a two lot Subdivision including the concurrent consideration and action of the Harper access via a private right of way request for Lots 1 and 2 with the request to defer asphalt, curb, gutter, and sidewalk.
Application Type:	Administrative
Agenda Date:	Wednesday, October 11, 2017
Applicant:	Bret and Tamra Harper
Subdivision File Number:	LVH090517
Alternative Access File #:	AAE 2017-07

Property Information

Approximate Address:	1125 South 4100 West
Project Area:	2.22 Acres
Zoning:	A-1
Existing Land Use:	Residential/Agriculture
Proposed Land Use:	Residential
Parcel ID:	15-059-0019
Township, Range, Section:	Township 6 North, Range 2 West, Section 21

Adjacent Land Use

North:	Residential/Agriculture	South:	Residential/Agriculture
East:	Residential/Agriculture	West:	Residential/Agriculture

Staff Information

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

Applicable Ordinances

- Title 101 (General Provisions) Section 7 (Definitions)
- Title 102 (Administration) Chapter 1 (General Provisions) Section 2 (Planning Director Authority)
- Title 104 (Zones) Chapter 5 (Agricultural (A-1) Zone)
- Title 106 (Subdivisions) Chapter 1-8 as applicable
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 29 (Flag lot access strip, private right-of-way, and access easement standards)
- Title 108 (Standards) Chapter 18 (Drinking Water Source Protection)

Background and Summary

The applicants have submitted a request for final approval of Harper Estates Subdivision, a small subdivision consisting of two lots. The proposed subdivision will divide a 2.22 acre parcel and create two residential lots that are currently vacant. The application for a two lot subdivision includes the concurrent consideration and action on an application for access by a private right of way across the south side of lot 1, which fronts on 4100 West Street, and will provide access for lots 1 and 2. The private access will serve multiple purposes. In the immediate future it will be used as a private drive, and in the distant future, when the neighboring parcel to the south is developed, an additional 30 feet will be required to accommodate for a future 60 foot public right-of-way. The proposed subdivision conforms to both the zoning and subdivision requirements including adequate frontage and access along a dedicated private road. This proposal comes with a request to defer asphalt, curb, gutter and sidewalk. The owner has provided reasoning for approval of an alternative access, in that it is impractical to extend a street across the proposed lots 1 and 2 to serve both lots, and with a limited amount of frontage, and no possible way of obtaining more property from an adjacent land owner a private road will be ideal.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating one acres lots which will preserve the low density rural residential setting.

Zoning: The subject property is located in the Agricultural (A-1) Zone. The purpose and intent of the A-1 Zone is found in the LUC §104-5-1:

"The purpose of the A-1 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."

Small Subdivision: The Uniform Land Use Code of Weber County (LUC) §101 defines a "small subdivision" as "A subdivision consisting of three or fewer lots and for which no streets will be created or realigned". This subdivision consists of two lots and no new streets are being created or realigned. Based on these provisions, this subdivision qualifies for administrative approval as a small subdivision.

Lot area, width and yard regulations: Lot 1 will contain .92 acres and will be 356.97 ft. wide. Lot 2 will contain 1.30 acres and will be 314 ft. wide.

The site development standards for the A-1 Zone are as follows:

Minimum Lot Area: 40,000 sq. ft.
Minimum Lot Width: 150 Feet

The Yard Regulations for a single family dwelling in the A-1 zone are as follows:

Front: 30 feet
Sides: A minimum of 10 feet with a total of two side yards not less than 24 feet
Rear: 30 feet

There are no structures within lots 1 and 2. Lots 1 and 2 meet the minimum area and width requirements of the A-1 Zone.

Culinary water and sanitary sewage disposal: Culinary water will be supplied by Taylor West Weber Water. Sanitary sewer services will be provided by Central Weber Sewer Improvement District.

Review Agencies: Weber County Fire Marshal has approved this proposal with the safety conditions that the private access road meet the requirements of LUC §108-7-29. The Weber County Engineering Division has posted comments on the project, to which the applicant will be able to adequately address. Weber County Surveying has redlined the plat with specific correct/additions that will be addressed by a recently revised plat that has been submitted by the applicant.

Additional design standards and requirements: The alternative access application that is being considered concurrently with this subdivision application comes with conditions that the owner has agreed to and they are as follows:

1. It shall be demonstrated that legal access has been created and executed by way of an easement, right-of-way, or other instrument capable of conveying such right.
2. The land owner also agrees to pay a proportionate cost associated with developing a street if at any time in the future the County deems it necessary.

The applicant plans to utilize a gravel travel surface for the private access road. The plans for a gravel road have shown compliance with requirements stated in LUC § 108-7-29 (Private right-of-way standards).

1. The travel surface must be a minimum of 12 feet wide.
2. It must be capable of supporting a 7500 lbs vehicle on a year round basis.
3. A turnout measuring at least ten feet by 40 feet shall be provided adjacent to the traveled surface of the private right-of-way.
4. A turn-around at the home location shall have an inside turning radius of 30 feet and an outside turning radius of not less than 45 feet.
5. 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.

Tax clearance: Property taxes have been paid in full. There are no records of past delinquent tax history for either of 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 Recommendation

Staff recommends approval of Harper Estates Subdivision, a two lot subdivision, including the concurrent consideration and action of the Harper alternative access approval via a private right of way for Lots 1 and 2. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A condition of approval that the required agreements will be recorded with the final Mylar to ensure that if the county deems it necessary to have the landowner replace the private right-of-way/easement with a public right-of-way, the owner will pay a proportionate cost.
2. A Deferral Agreement for curb, gutter and sidewalk shall be entered into by the owners.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.

Administrative Approval

Administrative final approval of Harper Estates Subdivision, a two lot subdivision, including the concurrent consideration and action of the Harper alternative access approval via a private right of way for Lots 1 and 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: 10/11/17



Rick Grover
Weber County Planning Director

Exhibits

- A. Proposed Subdivision
- B. Will Serve/Feasibility Letters

Map 1



TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT
2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

May 10, 2017

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that preliminary approval has been given to provide culinary water only for a two lot subdivision at the approximate address of 1155 South 4100 West in West Weber, Utah.

Requirements per lot:

*Water rights fee = ¼ share of Hooper or Wilson Irrigation (in District's name) or a Weber Basin contract (\$2,902 or current cost when paid)

*Secondary water = ½ share of Hooper or Wilson Irrigation (in District's name) to be held by District for a pressurized system

*Hookup/Impact fee = \$6,824 (or current cost when paid)

Final approval will be subject to meeting all of the requirements of the District and all fees/shares being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Val Surrage - Manager

VS/sph

Expires 10/10/17



Central Weber Sewer Improvement District

May 16, 2017

Weber County Planning Commission
2380 Washington Blvd.
Ogden, Utah 84401-1473

Reference: Proposed Harper Lot 2 Subdivision
4100 West approx. 1000 South
Will Serve Letter

We have been asked review the possibility of providing sanitary sewer service for a proposed Harper Lot 2 Subdivision at 4100 West approx. 1000 South. (Tax ID# 15-059-0019) The Central Weber Sewer Improvement District (District) can accept the sanitary sewer discharge from this location. We add the following conditions that must be met prior to any connections being made.

1. The District does have a gravity flow sanitary sewer line at this location on 4100 West. We have the capacity to accept and treat the wastewater from this proposed subdivision. Details of the connection to the District's line must be reviewed and approved prior to any connection being made to the District's line.
2. The entire parcel of property to be served will need to be annexed into the District prior to any connection to the District's line. An annexation petition is available from the District's Office.
3. Impact Fees must be paid prior to any connection to the sanitary sewer. As of this date the District's sanitary sewer impact fee is \$2333 per equivalent residential unit (ERU).
4. The District must be notified for inspection if at any time connections are being made to the District's sanitary sewer lines. The District will NOT install, own and/or maintain any of the sanitary sewer lines being extended to serve this property.

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5. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction.. Central Weber's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allowed to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

If you have further questions or need additional information please do not hesitate to contact us.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT



Lance L. Wood, P. E.
General Manager

cc: Chad Meyerhoffer, Weber County Engineering
Bret Harper