



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 Pelican Bluff Subdivision 1 st Amendment (a one lot subdivision).
Type of Decision	Administrative
Agenda Date:	Wednesday, July 25, 2018
Applicant:	Shawn Clegg
File Number:	UVP 051418

Property Information

Approximate Address:	5405 E 2200 N Eden, Utah 84310
Project Area:	3 acres
Zoning:	Agricultural Valley (AV-3) Zone
Existing Land Use:	Vacant agricultural
Proposed Land Use:	Residential
Parcel ID:	22-264-0001
Township, Range, Section:	T7N, R1E, Section34

Adjacent Land Use

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

Staff Information

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

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 is requesting approval for a one-lot subdivision amendment to Pelican Bluff Subdivision. This proposal would reconfigure the shape of lot 1 while maintaining the required minimum lot width and area. In compliance with Weber County Subdivision Code. The applicant is required to vacate the remaining portion of lot 1 in order to avoid creating an illegal lot. The vacation of the remaining portion of lot 1 of Pelican Bluff Subdivision is a legislative action therefore required to be executed by ordinance that will be taken before the County Commission for approval. In successive order the following documents will be recorded to avoid creating an illegal division:

1. Pelican Bluff Subdivision 1st Amendment plat will be recorded.
2. The ordinance to vacate a portion of lot 2 of Pelican Bluff Subdivision will be recorded.
3. A deed will be recorded that will bring the remaining portion of lot 1 into the adjacent property to the East.

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

General Plan: The Ogden Valley General Plan encourages residential and agricultural development within specified zones.

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 of Pelican Bluff Subdivision 1st Amendment is proposed to be a three-acre lot with 216 feet of frontage along 2200 North. The proposal meets minimum lot area and lot width of the AV-3 Zone.

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.”

Culinary Water: Eden Water Works Company will provide culinary water for this proposal.

Secondary Water: Eden Irrigation Company will provide secondary water to this subdivision.

Sanitary System: The Health Department has approved the placement of an on-site 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 the recording of the Mylar.

Subdivision Vacation: Pelican Bluff Subdivision 1st Amendment does not cover the entire original subdivision, thereby leaving a remainder parcel that will be vacated by ordinance (see Exhibit D). This vacation is a legislative action thereby requiring approval from the County Commission.

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 Pelican Bluff Subdivision 1st Amendment a one lot subdivision. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. The vacation ordinance shall be recorded at the time of recording the final Mylar.
2. A deed will be recorded that will bring the remaining portion of lot 1 into the adjacent property to the East.

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 Pelican Bluff 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: 7/5/18

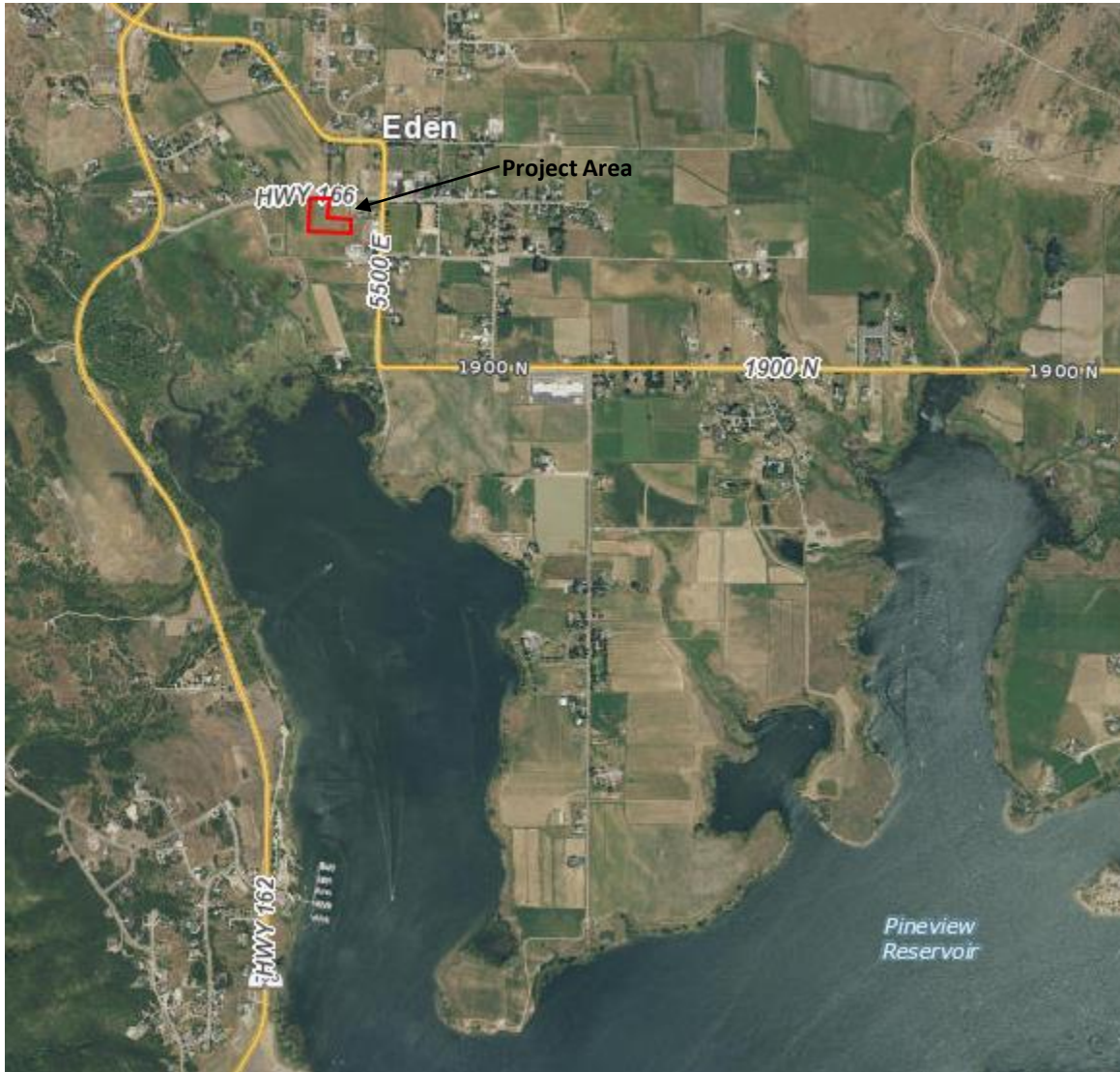


Rick Grover
Weber County Planning Director

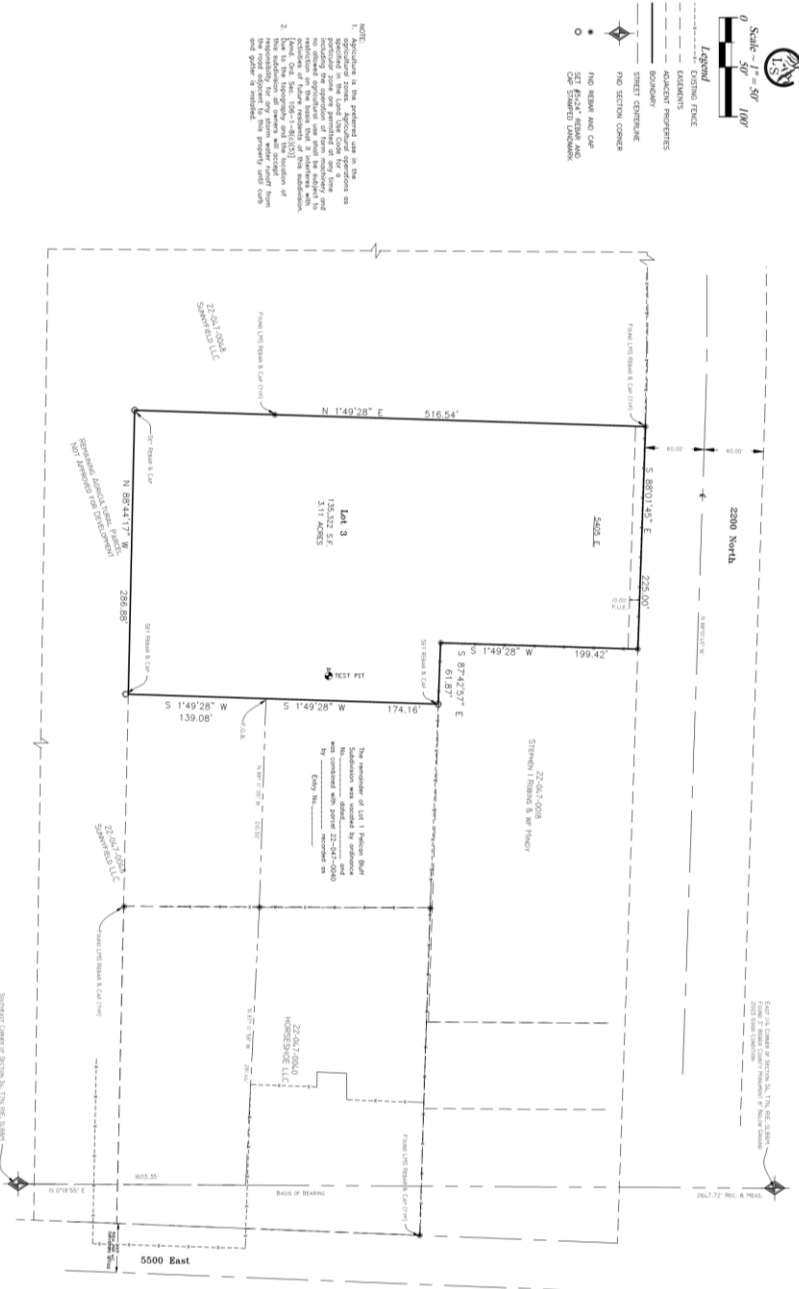
Exhibits

- A. Proposed Pelican Bluff Subdivision 1st Amendment Plat
- B. Original Pelican Bluff Subdivision Plat
- C. Records Plat
- D. Vacating Ordinance

Area Map



PELICAN BLUFF SUBDIVISION 1ST AMENDMENT
 PART OF THE SE 1/4 OF SECTION 34 TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
 WEBER COUNTY, UTAH - FEBRUARY 2018



Legend

- EASEMENT
- BOUNDARY
- ADJACENT PROPERTIES
- STREET EASEMENT
- FINO SECTION CORNER
- FINO RESUM AND CAP
- SET BACK REMAIN AND SET BACK DIMENSION

Scale - 1" = 50'
 Scale - 1/4" = 100'

NOTE:
 1. Agriculture is the preferred use in the subdivision in the Utah State Code for a residential use. The subdivision is not intended to be used for agriculture.
 2. This subdivision is shown as a record of the survey and does not constitute a warranty of title or a promise of any kind.

WEBER-MORGAN HEALTH DEPARTMENT
 I, hereby certify that the subdivision complies with the health department requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat.
 Signed this _____ day of _____, 2018.

WEBER COUNTY SURVEYOR
 I, hereby certify that the Weber County Surveyor's Office has reviewed the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat.
 Signed this _____ day of _____, 2018.

WEBER COUNTY ENGINEER
 I, hereby certify that the Weber County Engineer's Office has reviewed the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat.
 Signed this _____ day of _____, 2018.

SUBDIVISION CERTIFICATE
 I, the State Engineer of Utah, do hereby certify that the subdivision as shown on the plat meets the requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat.
 Signed this _____ day of _____, 2018.

Applicant	Designator: Shawn Chang	Address:
Subdivision	SE 1/4 of Section 34, Township 7 North, Range 1 East, Salt Lake Base and Meridian	
Proposed Use		
Map No.		
Scale		

OWNERS' DECLARATION
 We, the undersigned, representing the owners of the land shown on the plat, do hereby declare that the subdivision as shown on the plat meets the requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat.
 Signed this _____ day of _____, 2018.

Limited Liability Company Acknowledgment
 I, the undersigned, do hereby acknowledge that the subdivision as shown on the plat meets the requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat.
 Signed this _____ day of _____, 2018.

HISTORY SIGNATURES
 I, the undersigned, do hereby acknowledge that the subdivision as shown on the plat meets the requirements for the subdivision as shown on the plat and that the subdivision meets the minimum requirements for the subdivision as shown on the plat.
 Signed this _____ day of _____, 2018.

REMARKS
 The purpose of this survey is to create Lot 1 of Parcel BHP Subdivision as shown on the plat.

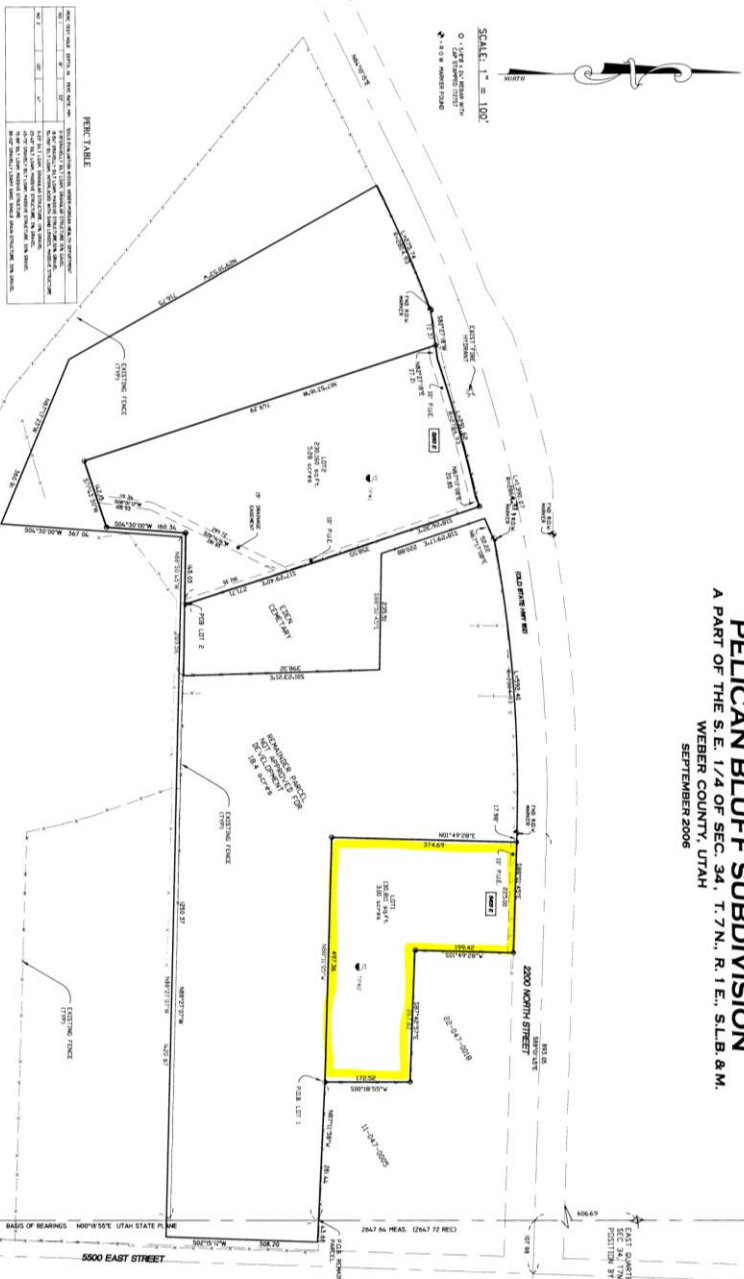
NARRATIVE
 The purpose of this survey is to create Lot 1 of Parcel BHP Subdivision as shown on the plat.

Printed Name: **SHAWN CHANG**
 Surveyor No: **2261**
 Address: **1234 5th St, Salt Lake City, UT 84143**

64-61

PELICAN BLUFF SUBDIVISION A PART OF THE S. E. 1/4 OF SEC. 34, T. 7N., R. 1E., S1.B. & M. WEBER COUNTY, UTAH SEPTEMBER 2006

SCALE: 1" = 100'
0" = 0' 0" 0" 0"
1" = 100' 0" 0" 0"
1" = 100' 0" 0" 0"



PERMITS TABLE

NO.	DATE	ISSUED	BY	REMARKS
1	09/15/06	09/15/06	09/15/06	09/15/06
2	09/15/06	09/15/06	09/15/06	09/15/06
3	09/15/06	09/15/06	09/15/06	09/15/06
4	09/15/06	09/15/06	09/15/06	09/15/06
5	09/15/06	09/15/06	09/15/06	09/15/06
6	09/15/06	09/15/06	09/15/06	09/15/06
7	09/15/06	09/15/06	09/15/06	09/15/06
8	09/15/06	09/15/06	09/15/06	09/15/06
9	09/15/06	09/15/06	09/15/06	09/15/06
10	09/15/06	09/15/06	09/15/06	09/15/06

AGRICULTURAL NOTE
This is a preliminary plan for the proposed subdivision. The purpose of this plan is to show the general location of the proposed lots and the proposed streets. The plan is not intended to be used for any other purpose. The plan is subject to the approval of the local government and the state of Utah.

WEBER COUNTY HEALTH DEPARTMENT
WEBER COUNTY PLANNING COMMISSION APPROVAL
WEBER COUNTY ENGINEER
WEBER COUNTY SURVEYOR

WEBER COUNTY COMMISSION ACCEPTANCE
WEBER COUNTY ATTORNEY

WEBER COUNTY ENGINEER
WEBER COUNTY SURVEYOR

DRAINAGE NOTE
NARRATIVE
The drainage of the subject property is shown on the attached map. The drainage is shown as follows: ...

WEBER COUNTY ENGINEER
WEBER COUNTY SURVEYOR

OWNER'S DECLARATION
I, the undersigned, being the owner of the above described property, do hereby certify that the above described property is being subdivided for the purpose of ...

ACKNOWLEDGMENT
I, the undersigned, being the owner of the above described property, do hereby certify that the above described property is being subdivided for the purpose of ...

BONAVANT DESCRIPTION
A PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 1 EAST, S1.B. & M. ...

OWNER'S RECORDS

NO.	DATE	ISSUED	BY	REMARKS
1	09/15/06	09/15/06	09/15/06	09/15/06
2	09/15/06	09/15/06	09/15/06	09/15/06
3	09/15/06	09/15/06	09/15/06	09/15/06
4	09/15/06	09/15/06	09/15/06	09/15/06
5	09/15/06	09/15/06	09/15/06	09/15/06
6	09/15/06	09/15/06	09/15/06	09/15/06
7	09/15/06	09/15/06	09/15/06	09/15/06
8	09/15/06	09/15/06	09/15/06	09/15/06
9	09/15/06	09/15/06	09/15/06	09/15/06
10	09/15/06	09/15/06	09/15/06	09/15/06

64-61

PART OF THE SE.1/4, OF SECTION 34, T.7N., R.1E., S.L.B. & M.
PELICAN BLUFF SUBDIVISION

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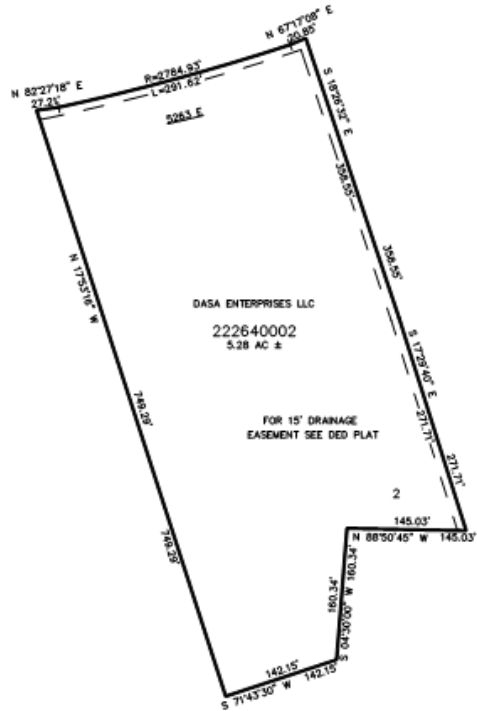
TAXING UNIT: 28

IN WEBER COUNTY
SCALE 1" = 100'

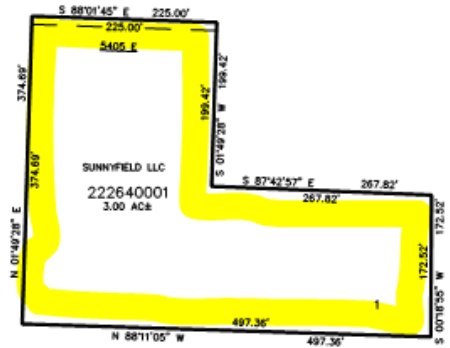
SEE PAGE 47

2200 NORTH STREET

SEE PAGE 47



SEE PAGE 47



SEE PAGE 47

SEE PAGE 47

10' UTILITY & DRAINAGE EASEMENTS EACH
SIDE OF PROPERTY LINES AS INDICATED
BY DASHED LINES EXCEPT AS OTHERWISE
SHOWN.

FOR COMPLETE ENG DATA SEE
ORIGINAL DEDICATION PLAT IN
BOOK 64, PAGE 61 OF RECORDS.

Ordinance _____

An ordinance of Weber County vacating a portion of Lot 1 of Pelican Bluff Subdivision

Whereas, the Pelican Bluff Subdivision is described in a plat named "Pelican Bluff Subdivision," recorded in the Weber County Recorder's Office on September 13, 2006, as Entry number _____; and

Whereas, Sunnyfield LLC, the owner of Lot 1 of Pelican Bluff Subdivision, has requested the vacation of a portion of Lot 1 in order to convey that portion to a neighboring land owner, to help accommodate a septic system on the neighboring property; and

Whereas, Sunnyfield LLC will replace the vacated land with other land that will be transferred into the subdivision from an adjacent parcel also owned by Sunnyfield LLC, to ensure that Lot 1 retains the required minimum acreage for the zone; and

Whereas, the Weber County Engineering Department has been notified and has provided written approval of the vacation of a portion of Lot 1 of the Pelican Bluff Subdivision; and

Whereas, the Board of County Commissioners finds that the proposed vacation of a portion of Lot 1 of the Pelican Bluff Subdivision will not substantially affect the Ogden Valley General Plan or the safety and welfare of the general public; and

Whereas, the Board of County Commissioners finds that no public street, right-of-way, or easement is being vacated or amended through this action; and

Whereas, the Board of County Commissioners finds that there is good cause for the vacation;

Now Therefore, the Board of County Commissioners of Weber County ordains as follows:

The following portion of Lot 1 of the Pelican Bluff Subdivision, which is described in Entry number ____ of the Weber County Recorder's Office, is hereby vacated from the subdivision:

A part of the Southeast Quarter of Section 34, Township 7 North, Range 1 East, Salt Lake Base & Meridian, U.S. Survey: Beginning at a point being 1603.35 feet North 0°18'55" East along the Section line and 281.44 feet North 87°11'58" West from the Southeast corner of said Section 34; running thence North 88°11'05" West 210.50 feet; thence North 1°49'28" East 174.15 feet; thence South 87°42'57" East 205.95 feet; thence South 0°18'55" West 172.52 feet to the point of beginning.

Contains 36,094 s.f. or 0.83 acres

This Ordinance shall be effective 15 days after publication in the Standard Examiner.

Adopted and ordered published this ____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____

James H. "Jim" Harvey, Chair

Commissioner Ebert voted _____

Commissioner Harvey voted _____

Commissioner Jenkins voted _____

State of Utah)

ss:

County of Weber)

On the _____ day of _____, 20____ personally appeared before me _____
_____, the signer of the within instrument, who duly acknowledged to me that he executed the same.

My Commission Expires:

Notary Public

SUMMARY OF WEBER COUNTY ORDINANCE NO. _____

SUMMARY OF AN ORDINANCE OF WEBER COUNTY VACATING A PORTION OF LOT 1 OF PELICAN BLUFF SUBDIVISION

On [_____], the Board of County Commissioners of Weber County adopted Ordinance No. _____, which vacates a portion of Lot 1 of Pelican Bluff Subdivision.

Commissioners _____ voted in favor of this ordinance.

Commissioner _____ voted against this ordinance.

The complete text of the ordinance is available at the Weber County Clerk/Auditor's Office at 2380 Washington Blvd., Ogden, Utah.