

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

**August 21, 2019
4:00 to 5:00 p.m.**

1. **UVT071019:** Consideration and action on an administrative application for final approval of the Thirty-Three Hundred East Church Subdivision 1st Amendment, a one lot subdivision consisting of 3.55 acres.
2. **UVH071919:** Consideration and action for final subdivision approval of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 2, consisting of one lot.
3. **LVE061419:** Consideration and action on an administrative application, final approval of Elias Estates Subdivision phase 3 (1 lot).
4. **AAE2019-04:** Consideration and action on an administrative application an alternative access for a future two-lot subdivision, located off of 3175 West St, in Ogden.
5. **Adjournment**

The meeting will be held in the Weber County, Breakout Room, in the Weber Center, 1st 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 final approval of the Thirty-Three Hundred East Church Subdivision 1st Amendment, a one lot subdivision consisting of 3.55 acres.

Type of Decision: Administrative

Agenda Date: Wednesday, August 21, 2019

Owner: Corp of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints

Agent: Brian Bott – Bott Pantone Architects

File Number: UVT 071019

Property Information

Approximate Address: 4279 N 3300 E, Liberty, UT 84310

Project Area: 3.55 acres

Zoning: Agricultural Valley (AV-3)

Existing Land Use: Church

Proposed Land Use: Church with Expanded Parking Lot

Parcel ID: 22-183-0001, 22-007-0013

Township, Range, Section: T7N, R1E, Section 20 NW

Adjacent Land Use

North: Agricultural	South: Agricultural
East: 3300 East St	West: Residential

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@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 108 (Standards) Chapter 7 (Parking Lot Design and Maintenance)
- Weber County Land Use Code Title 106 (Subdivisions)

Background and Summary

The Planning Division is recommending approval of the request for approval of the Thirty-Three Hundred East Church Subdivision 1st Amendment, a one lot subdivision consisting of 3.55 acres (see Exhibit A). The property is located at approximately 4279 N 3300 E, Liberty, and is in the AV-3 zone. Any of the permitted or conditional uses listed in the AV-3 zone are allowed within the AV-3 zone boundaries.

The subject property is currently part of a subdivision, and is being amended to expand the existing parking lot by 50 stalls. The applicant would like to increase the size of the lot and has purchased an additional 0.55 acres from the adjacent property owner to the north. The applicant will enter into a deferral agreement with Weber County regarding the installation of sidewalk, curb and gutter in conjunction with recording the final subdivision Mylar. Applicant will also relocate utilities in the existing utility easement within a newly dedicated utility easement, per County Engineering.

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

A Design Review application is currently under review, to ensure compliance with standards outlined in LUC 108-8-7.

Analysis

General Plan: The 2016 Ogden Valley General Plan identifies the need to preserve private property rights while also preserving the rural characteristics of the Valley. This proposal conforms to the vision outlined in the 2016 Ogden Valley General Plan.

Zoning: The subject property is located in two zones. The northern portion of the property is zoned Agricultural Valley (AV-3) Churches are a permitted use in the AV-3 zone.

The purpose and intent of the AV-3 per the LUC§104-6-1 is:

“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.”

The proposed small subdivision complies with the site development standards of the AV-3 zone including the minimum lot area of three acres. The proposed lot is approximately 3.55 acres.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in LUC§106-1 through LUC§104-8, the AV-3 zone standards in LUC§104-6-6. The proposed subdivision will not create any new public or private streets. The proposal meets the criteria for “Small Subdivisions”, as defined in LUC§101-1-7, and can be administratively approved per LUC§106-1-5(b)(1).

Review Agencies: To date, the proposed subdivision has not yet been approved by the County Planning, Addressing, and the County Surveyor. Weber Fire District and County Engineering have approved this proposal. The Planning Division staff feels that the outstanding items are minor and the applicant will address review agency requirements prior to recording of the final mylar. A condition of approval has been added to staff’s recommendation to ensure that all review agency requirements are addressed and approved prior to this subdivision being recorded.

Additional Design Standards: The proposed subdivision does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report, additional standards and requirements are unnecessary at this time

Tax Clearance: The 2018 property taxes have been paid in full. The 2019 property taxes will be due in full on November 1, 2017.

Public Notice: A notice has been mailed not less than ten 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(b).

Staff Recommendations

Staff recommends final approval of the Thirty-Three Hundred East Church Subdivision 1st Amendment, a one lot subdivision consisting of 3.55 acres. This recommendation is subject to all review agency requirements and based on the following condition:

1. Deeds must be recorded, prior to recording of the final mylar, showing rightful ownership by the applicant of the addition to the parking lot.

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 the Thirty-Three East Church Subdivision 1st Amendment, a one lot 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, August 21, 2019

Rick Grover
Weber County Planning Director

Exhibits

- A. Plat
- B. Application

Area Map 1

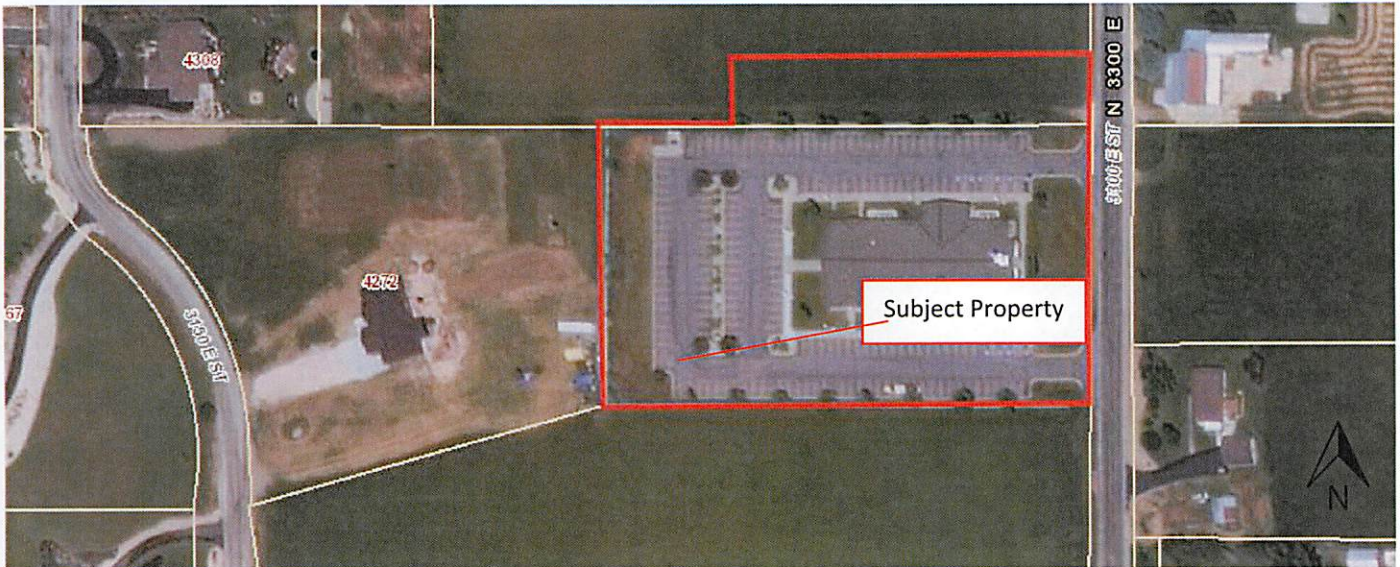

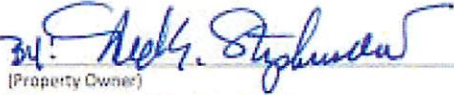


Exhibit B - Application

Weber County Subdivision Application			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401.			
Date Submitted / Completed 07.09.19	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name THIRTY-THREE HUNDRED EAST CHURCH SUBDIVISION 1ST AMENDMENT			Number of Lots 1
Approximate Address 4279 N. 3300 E. LIBERTY, UT		Land Serial Number(s) 221830001	
Current Zoning AV3	Total Acreage 3.553		
Culinary Water Provider EXISTING	Secondary Water Provider EXISTING	Wastewater Treatment EXISTING	
Property Owner Contact Information			
Name of Property Owner(s) CORP. OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF L.D.S.		Mailing Address of Property Owner(s) NED STEPHENSON UTAH NORTH P.M. OFFICE P.O. BOX 13328 OGDEN, UT 84412	
Phone 801-394-7509	Fax		
EmailAddress STEPHENSONNE@CHURCHOFJESUSCHRIST.ORG		Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) BOTT PANTONE ARCHITECTS - BRIAN BOTT		Mailing Address of Authorized Person 620 24th ST. OGDEN, UT 84401	
Phone 801-394-3033	Fax		
EmailAddress BRIAN@BP-ARCHITECTS.NET		Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer REEVE & ASSOCIATES (NATE)		Mailing Address of Surveyor/Engineer 5160 S. 1500 W. RIVERDALE, UT 84405	
Phone 801-621-3100	Fax		
EmailAddress NREEVE@REEVE-ASSOC.COM		Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Property Owner Affidavit			
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UT " CORPORATION SOLE			
I (We), <u>Jared Matheson - I</u> , depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.			
 _____ (Property Owner)		 _____ (Property Owner) PROJECT MANAGER	
Subscribed and sworn to me this <u>3</u> day of <u>July</u> , 20 <u>19</u>			

Authorized Representative Affidavit

I (We), Jane Morrison, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s), Scott Peterson, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]
(Property Owner)

BY: Scott Peterson
(Property Owner)
PROJECT MANAGER

Dated this 3 day of July, 2019, personally appeared before me signer(s) of the Representative Affidavit who duly acknowledged to me that they executed the same.



[Signature]
Notary



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for final subdivision approval of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 2, consisting of one lot.

Type of Decision: Administrative

Agenda Date: Wednesday, August 21, 2019

Applicant: Summit Mountain Holding Group, LLC

File Number: UVH071919

Property Information

Approximate Address: 7860 East Horizon Run

Project Area: 4.96 Acres

Zoning: Ogden Valley Destination and Recreation Resort Zone DRR-1

Existing Land Use: PRUD

Proposed Land Use: PRUD

Parcel ID: 23-151-0024, 23-151-0031

Township, Range, Section: T7N, R2E, Section 6

Adjacent Land Use

North:	Ski Resort/Resort Development	South:	Ski Resort/Resort Development
East:	Ski Resort/Resort Development	West:	Ski Resort/Resort Development

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@co.weber.ut.us
801-399-8794

Report Reviewer: RG

Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Standards, Chapter 8 Parking and Loading Space, Vehicle Traffic and Access Regulations

Development History

- Summit at Powder Mountain Phase 1 is an approved PRUD, consisting of 73 units, two lodges and approximately 14 with approximately 10 acres identified as "Open Space".
- Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests received preliminary subdivision approval in conjunction with the County Commission's approval of the original 154 unit Summit at Powder Mountain PRUD on April 9, 2013.
- An amendment to the PRUD to address minor design edits was heard and received a positive recommendation from the Ogden Valley Planning Commission on March 19, 2013 and received a final approval by the Weber County Commission on Tuesday, July 9, 2013.
- The Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests final subdivision application were heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013. The Weber County Commission granted final approval on January 21, 2014.
- The dedication plat for the Summit Eden Ridge Nests PRUD was recorded on January 23, 2014 and the dedication plats for Summit Eden Phases 1A through 1D were recorded on January 27, 2014.
- A time extension was granted by the Weber County Planning Director on October 16, 2014 for the Summit Eden Village Nests and was later reinstated as the Village Nests at Powder Mountain on December 29, 2015.
- Village Nests at Powder Mountain received final approval on February 2, 2016 and was recorded on February 5, 2016 as the Village Nests at Powder Mountain, a condominium plat.

- Summit Mountain Holding Group, LLC petitioned Weber County to rezone approximately 6,198 acres from the CVR-1, FV-3 and F-40 zones to the DRR-1 zone to enable them to proceed with their development in a manner that would be consistent with the proposed Master Plan that was presented to Weber County as part of the rezone application. The petition to rezone the development to the DRR-1 zone was heard and approved on January 13, 2015 by the Weber County Commission after receiving a unanimous recommendation for approval from the Ogden Valley Planning Commission on October 28, 2014. Weber County entered into Zoning Development Agreement Contract # C2015-6 and the contract was recorded on January 14, 2015 as Entry# 2717835.
- The applicant petitioned Weber County to amend certain areas within the Uniform Land Use Code of Weber County (LUC) to allow for some various resort development standards. The petition to amend the LUC was heard and approved by the Weber County Commission on May 24, 2016 as Ordinance 2016-4.
- An amendment to reduce the overlaying PRUD footprint from the original 594.23 acres to approximately 14 acres after holding a public meeting with the Ogden Valley Planning Commission on July 5, 2016 and receiving a unanimous approval from the Weber County Commission on July 19, 2016. The areas to remain under the existing Summit at Powder Mountain Phase 1 PRUD will be three of the previously approved and platted development areas and one future development area. The approved and platted developments to remain under the PRUD are the Summit Eden Ridge Nest PRUD, a 15 unit “Nest” development and the Village Nests at Powder Mountain, a 20 unit condominium development and the Horizon Neighborhood at Powder Mountain PRUD, a 26 unit “Nest” development. The future phase of the PRUD will be Spring Park at Powder Mountain, which has received conceptual approval as Lot 76 in the existing PRUD for a 12 unit “Nest” development and a lodge.
- Horizon Neighborhood at Powder Mountain PRUD Amendment 1 received a unanimous positive recommendation from the Ogden Valley Planning Commission on July 25, 2017.
- Horizon Neighborhood at Powder Mountain PRUD Amendment 1 received a County Commission Approval on August 1, 2017.

Summary and Background

The Weber County Planning Division recommends final subdivision approval of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 2. The existing subdivision is in the DRR-1 zone and currently consists of 30 “Nest” units, one lodge and four shared parking structures (see Exhibit A). The proposal includes relocating a building parcel in The Horizon at Powder Mountain, and dedicating the previous location of the parcel as common area.

The Horizon Neighborhood at Powder Mountain PRUD Subdivision is one of the four developments in the Summit at Powder Mountain Phase 1 PRUD, which was approved by the Weber County Commission on July 19, 2016. The Horizon Neighborhood at Powder Mountain PRUD, Amendment 2, due to the previous platting of this area, is being processed as a plat amendment and is being forwarded for final subdivision approval.

The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies subdivision amendments as a “Small Subdivision” that can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots. The proposed amendment meets the number of lots that can be administratively approved, therefore the plat amendment has been submitted for final approval to the Weber County Planning Director. The proposed subdivision amendment and lot configuration is in conformance with the current zoning, the approved PRUD and the Zoning Development Agreement Conceptual Land Use Plan (see Exhibit B) as well as the applicable subdivision requirements as required in the LUC.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related areas.

Zoning: The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

“The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land.”

Lot area, frontage/width and yard regulations: The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for a single family residential dwelling. The PRUD has been designed for individual ownership of the units and common ownership for the shared garages; due to the development being an approved PRUD, the development standards for a single family home or not applicable.

The plat identifies both common area throughout the development and limited common area surrounding each individual lot. The owners of the individual lots will be responsible for the maintenance, upkeep and repair of improvements in the limited common area appurtenant to the owner's lot. The parking structures and the lodge are amenities that will be utilized for the benefit of the residents of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 2.

The applicant has provided conceptual renderings and site layouts for the proposed amendment (see Exhibit A). The proposed lot configuration meets the area and width standards in the DRR-1 Zone. The proposal is in conformance with previous approvals and updates to the PRUD and the Zoning Development Agreement Contract# C2015-6.

Natural Hazards Overlay Zone: The proposed subdivision is located in a Zone "D" as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone "D" are typically areas in which no analysis of flood hazards has been conducted.

The proposed Horizon Neighborhood at Powder Mountain PRUD is located within a couple potential geologic hazardous units per the UGS published Ogden 30 x 60 Quadrangle map. The applicant has provided a letter from the engineering geologist and geotechnical engineer that are currently performing the investigation, stating:

"Based on our preliminary assessment, it does not appear that any of the structures will have to be moved, nor have we identified any 'no build' zones. Some or all of the structures may have to be constructed on deep foundations to mitigate potential soil creep; the location of areas impacted by soil creep will be delineated on the forthcoming geotechnical report.

A note on the plat will provide notice that the final geologic and geotechnical reports are on file with Weber County Planning Division. All site development will need to adhere to the recommendations of any reports and a "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

Additional design standards and requirements: The improvements for the public and private roadways have been installed during the previous phases of the Summit at Powder Mountain PRUD. The Horizon Neighborhood is designed to utilize shared pathways or boardwalks (covered and uncovered) for foot access to the individual units from the parking garages; which are arranged in a manor to provide safe ingress and egress to the site. The parking garages will provide 30 parking spaces for the tenants of the Horizon Neighborhood units.

The parking standards in the LUC §108-8-2 require a minimum of two parking spaces for single family residents; however, the required number of parking spaces may be adjusted by the planning commission if it's determined that *"unusual or unique circumstances or conditions relating to the operational characteristics of the use exist in a manner or to such a degree that such adjustment is equitable and warranted"* per LUC §108-8-5.

There may be additional site preparation in conjunction with an approved building permit. The proposed subdivision amendment does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Culinary water and sanitary sewage disposal: Powder Mountain Water and Sewer District has already committed to serving the lots in this subdivision (PRUD). Proof of a connect fee from Powder Mountain Water and Sewer District will be required to be submitted prior to receiving a building permit from Weber County.

Review Agencies: The Weber County Surveyor's Office has reviewed and made recommendations that will need to be addressed prior to recording the final Mylar. The Weber Fire District and Weber County Engineering have approved the proposal. A condition of approval has been included to ensure that all applicable review agencies requirements will be met prior to recording any future subdivisions within the amended PRUD.

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision amendment per noticing requirements outlined in LUC §106-1-6(c).

Planning Commission Recommendation

The Weber County Planning Division recommends approval of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 2. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

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 all previous approvals and the applicable County ordinances.
3. The proposed subdivision will not be detrimental to the 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.

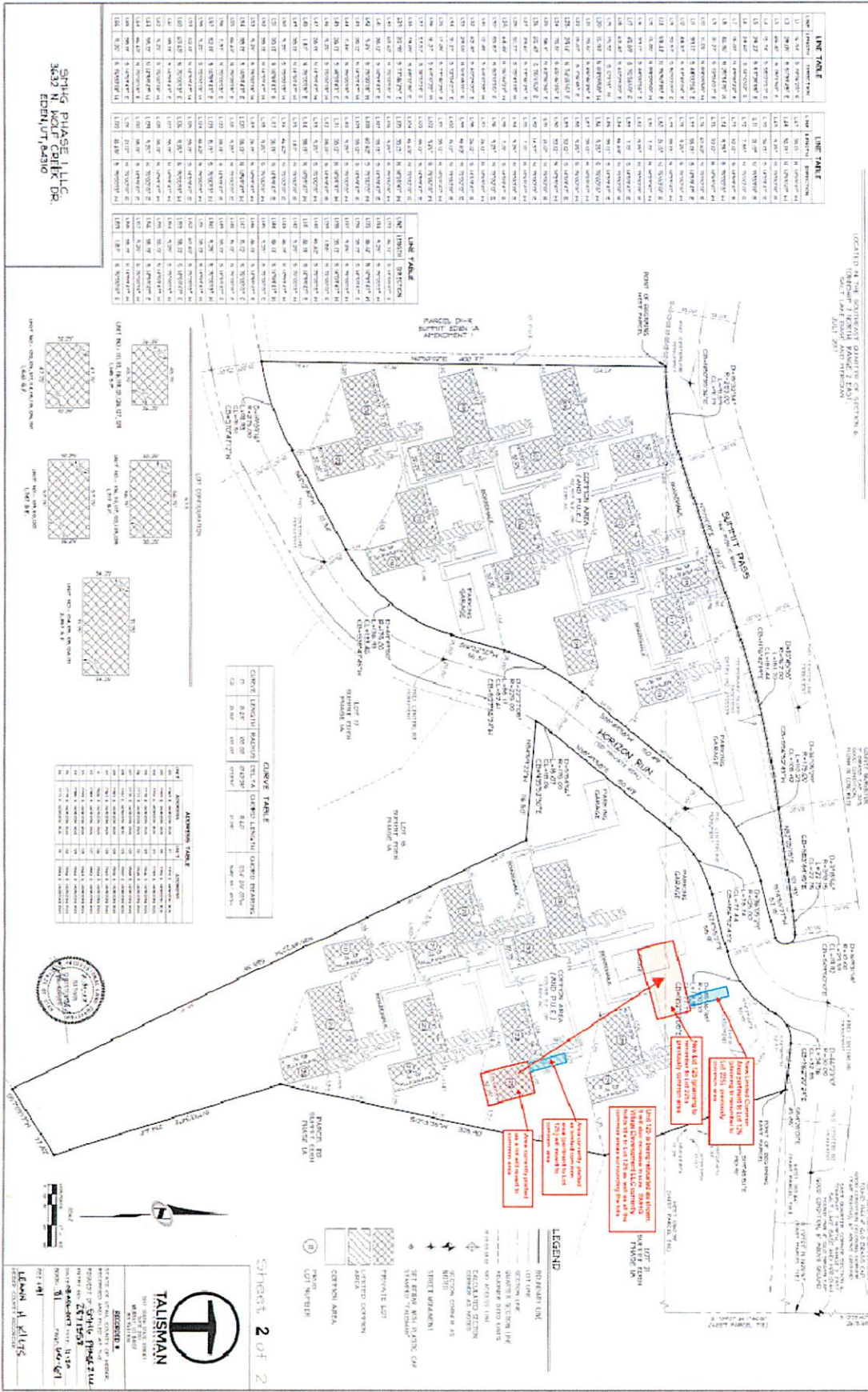
Exhibits

- A. The Horizon Neighborhood at Powder Mountain PRUD
- B. Architectural renderings for the Horizon Neighborhood

Location Map 1



HORIZON NEIGHBORHOOD AT POWDER MOUNTAIN PRUD, AMENDMENT 1
 AMENDING THE HORIZON NEIGHBORHOOD AT POWDER MOUNTAIN PRUD,
 AND LOT 120 OF THE SUMMIT EDEN PLACE 1A AMENDMENT 4



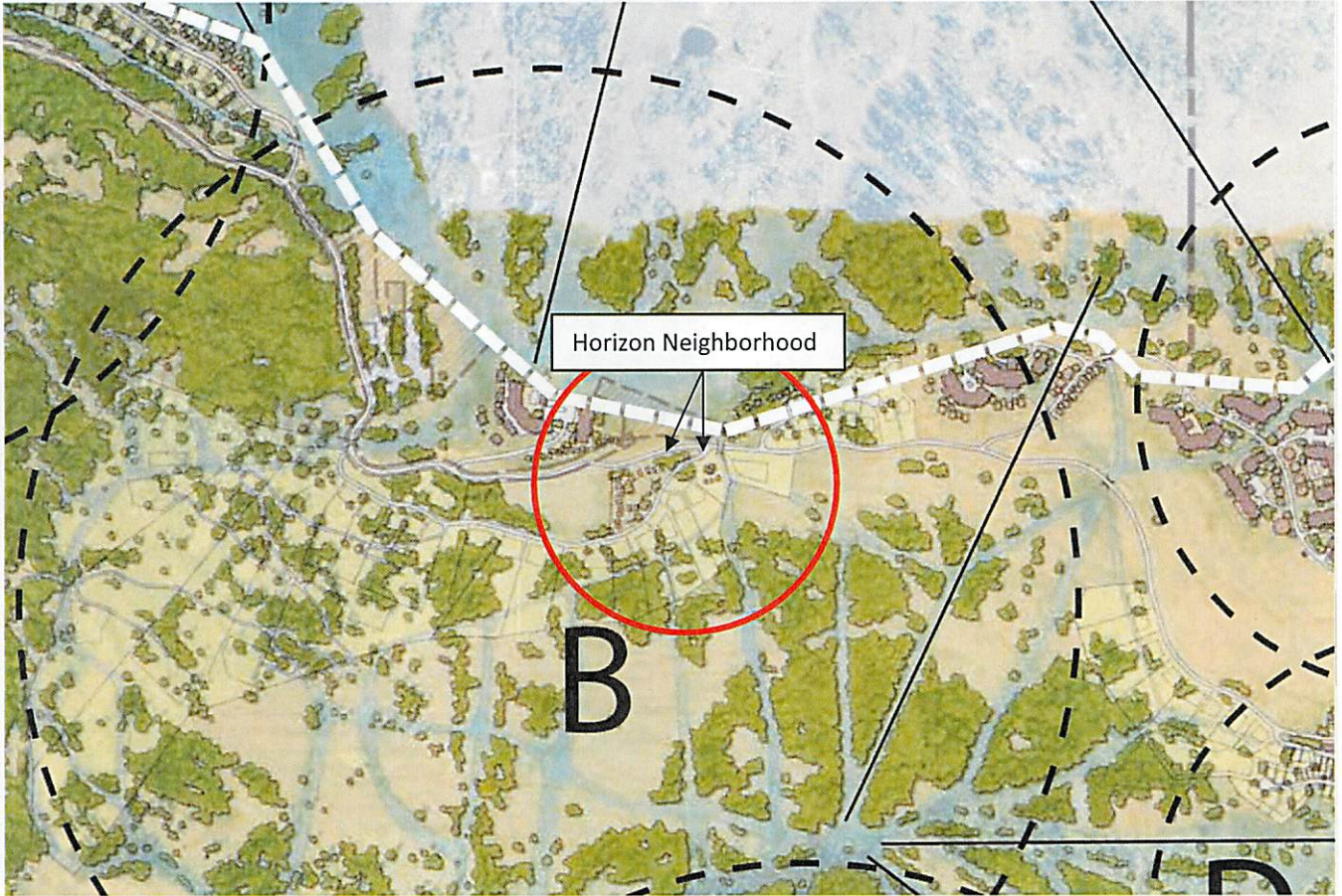
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CLAVE TABLE

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Exhibit B-Approved ZDA Conceptual Land Use Plan





Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application, final approval of Elias Estates Subdivision phase 3 (1 lot).

Agenda Date: Wednesday, August 21, 2019

Applicant: Mike Slater, agent, Allen Berrett, owner

File Number: LVE 061419

Property Information

Approximate Address: 2836 South 4300 West, Ogden UT

Project Area: 0.92 acres

Zoning: Agricultural (A-1) Zone

Existing Land Use: Agriculture

Proposed Land Use: Residential

Parcel ID: 15-090-0059

Township, Range, Section: T6N, R2W, Section 33

Adjacent Land Use

North: Residential/Agricultural	South: Residential
East: Agricultural	West: 4300 West St

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@co.weber.ut.us
801-399-8794

Report Reviewer: RG

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) Section 7
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (A-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Background

The applicant is requesting approval of Elias Estates Subdivision phase 3 (1 lot), located at approximately 2836 South 4300 West in the A-1 Zone. The proposed 0.92 acre lot within this subdivision meets the lot area and lot width requirements of this Zone, of 40,000 square feet in area and 150 feet in width. Access for the lot will be from 4300 West. The purpose of this subdivision is to further separate agricultural lands from a new lot. When doing this it will create a remainder agricultural parcel of 24.3 acres.

Culinary water service will be provided by Taylor West Weber Water. Secondary water will be provided by Hooper Irrigation. A private septic system will be used for waste water. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating large lots to maintain the country feel with land that has agricultural and livestock related uses.

Zoning: The subject property is located in an Agricultural Zone A-1 zone. The land use requirements for this zone are stated in the LUC§ 104-5 as follows:

"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: As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC 106 chapter 1, and the standards in A-1 zone (LUC 104-5). The proposed subdivision will not create any new public streets. The proposal meets the criteria for a "Small Subdivisions", as defined in LUC 101-7, and can be administratively approved per LUC 106-1-5(b)(1).

Lot area, frontage/width and yard regulations: In the LUC §104-5-7, the A-1 zone requires a minimum lot area of 40,000 square feet and a minimum lot width of 150'. The proposed subdivision is a one lot subdivision that fronts a county road identified as 4300 West Street.

The proposed subdivision will create a remainder parcel that is 24.3 acres which has been deemed to be a "bona fide agricultural division" and is allowed per LUC §106-1-8(3) which states:

"When a division of property leaves a remaining area of 5.00 acres or greater, the remaining parcel boundary and area, using record or measured information will be shown, on the subdivision plat with the note: "Remaining Agricultural Parcel, Not Approved For Development." The remaining parcel boundary need not be labeled with bearings or distances nor is a description of the remainder parcel required. Remaining parcels are not part of the subdivision".

Culinary water and sanitary sewage disposal: A letter from Taylor West Weber Water Improvement District has been provided granting preliminary approval. Secondary Water will be required from Hooper Irrigation. Applicant has submitted preliminary documents to Hooper Irrigation. Sanitary sewage disposal will be handled by an individual waste water treatment system; specifications are stated in the feasibility letter issued by the Weber County Health Department (See exhibit B). The Weber-Morgan Health Department has performed a percolation test and has granted approval for a septic system to be installed for the Elias Estates Subdivision Phase 3.

Review Agencies: The proposed subdivision has been reviewed by all applicable reviewing agencies. The Engineering Division has issued a conditional approval. Weber Fire District has issued an approval for the proposed subdivision.. To date, the proposed subdivision plat has not been approved by the County Surveyor.

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

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Staff Recommendations

Staff recommends final approval of the Elias Estates Subdivision Phase 1, a one lot subdivision. This recommendation is subject to all review agency requirements and based on the following conditions:

1. Final approval of culinary and secondary water must be provided to the County prior to recording the final Mylar.

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 Elias Estates Subdivision phase 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.

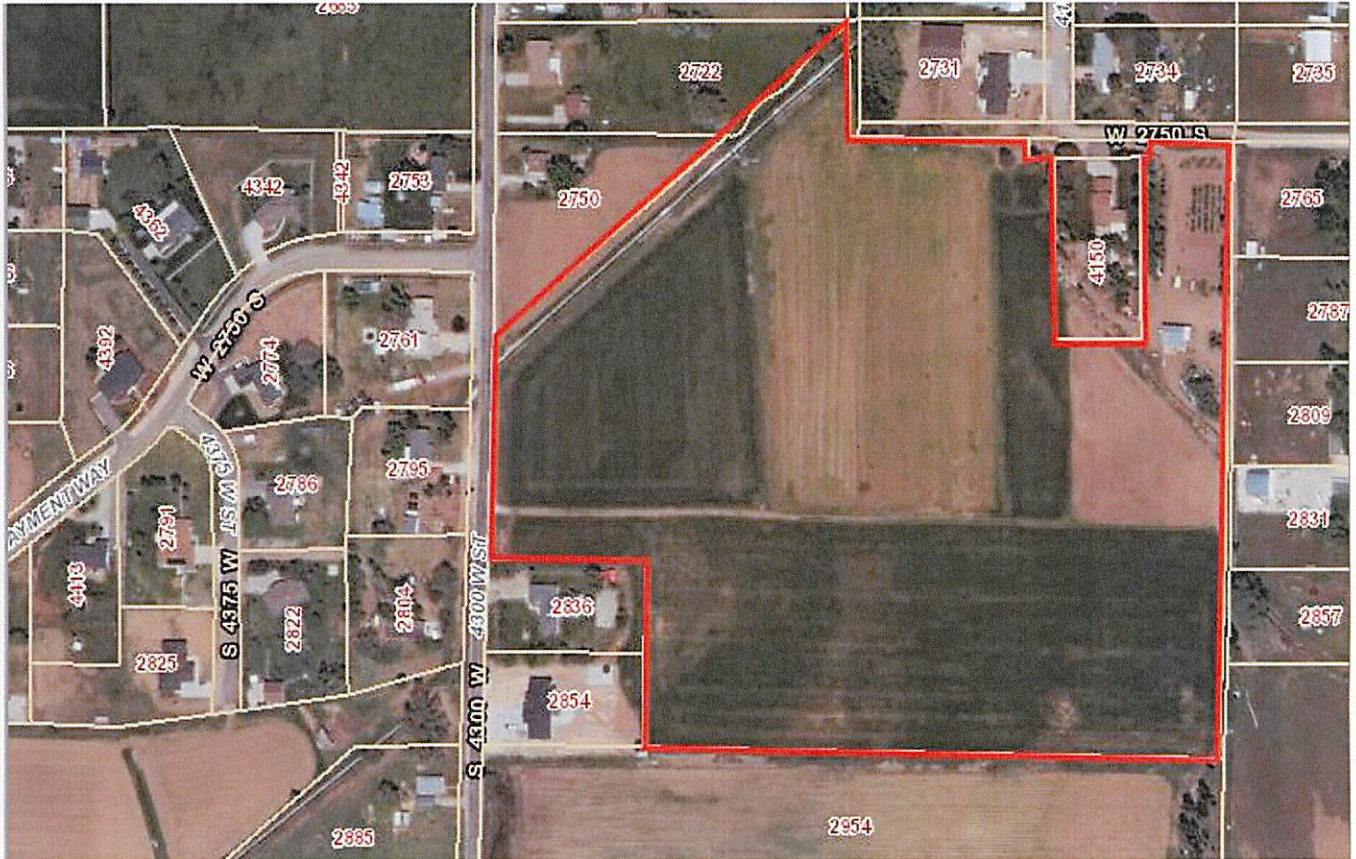
Date of Administrative Approval: **Wednesday, August 21, 2019.**

Rick Grover
Weber County Planning Director

Exhibits

- A. Application
- B. Subdivision Plat
- C. Water/Sewer Feasibility

Area Map



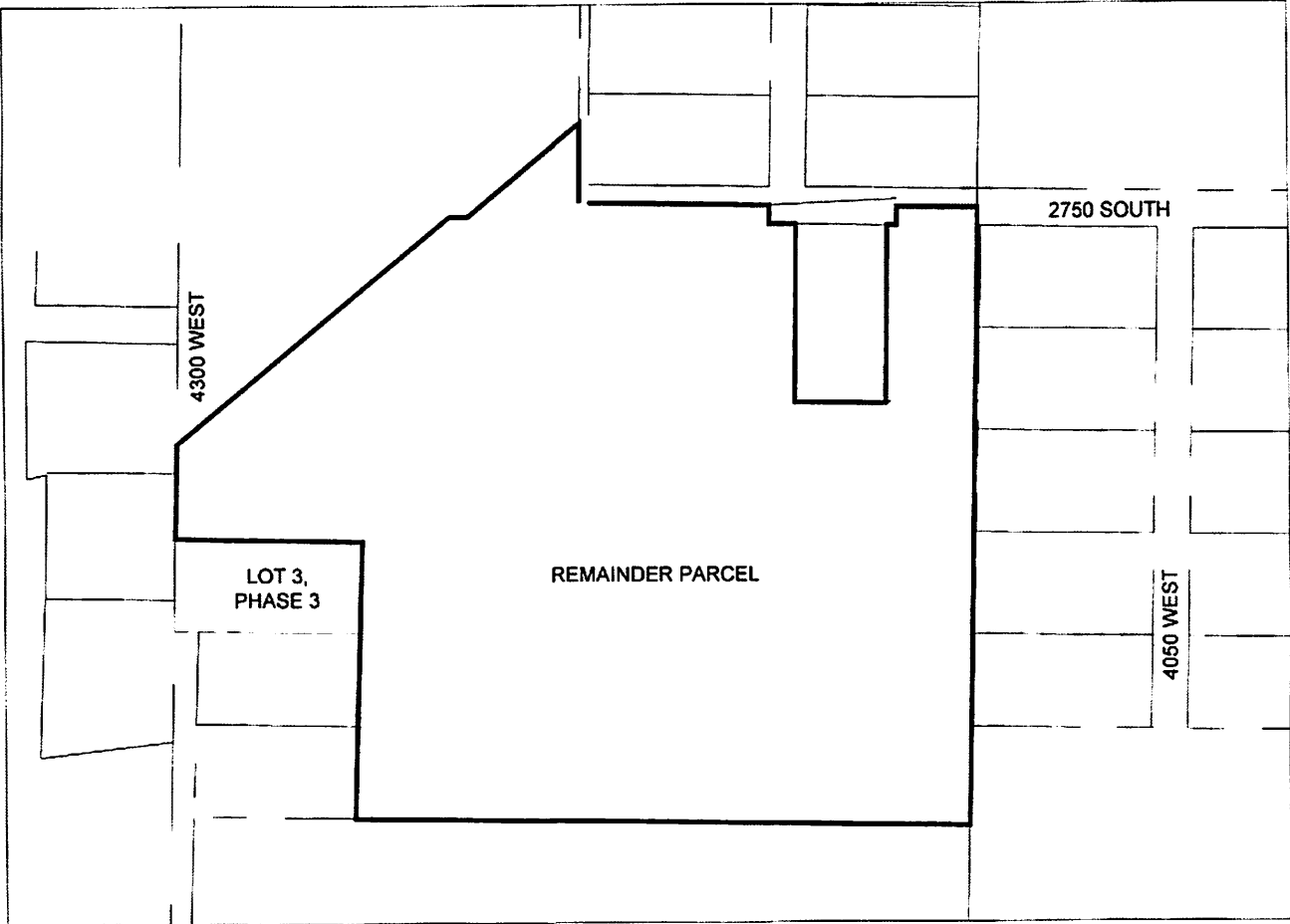
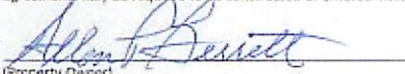


Exhibit A - Application

Weber County Subdivision Application			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd, Suite 240, Ogden, UT 84401			
Date Submitted / Completed 6/12/19	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name ELIAS ESTATES			Number of Lots 1
Approximate Address 2836 S 4300 W		Land Serial Number(s) 150900059	
Current Zoning A1	Total Acreage 0.96		
Culinary Water Provider TAYLOR WEST WEBER	Secondary Water Provider HOOPER IRRIGATION	Wastewater Treatment SEPTIC SYSTEM	
Property Owner Contact Information			
Name of Property Owner(s) ALLEN BERRETT		Mailing Address of Property Owner(s) 2750 S 4150 W OGDEN, UT 84401	
Phone (801) 388-8639	Fax		
Email Address apberrett@gmail.com		Preferred Method of Written Correspondence Email Fax <input checked="" type="radio"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) BROCK BALLIF		Mailing Address of Authorized Person 2750 S 4300 W OGDEN, UT 84401	
Phone (801) 866-5710	Fax		
Email Address brockballif@gmail.com		Preferred Method of Written Correspondence <input checked="" type="radio"/> Email Fax Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer GARDNER ENGINEERING		Mailing Address of Surveyor/Engineer 5150 S 375 E OGDEN, UT 84405	
Phone (801) 476-0066	Fax		
Email Address		Preferred Method of Written Correspondence Email Fax <input checked="" type="radio"/> Mail	
Property Owner Affidavit			
<p>I (We), <u>ALLEN BERRETT</u>, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.</p>			
 (Property Owner)		_____ (Property Owner)	
Subscribed and sworn to me this <u>12th</u> day of <u>June</u> , 20 <u>19</u> .			

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

May 17, 2019

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 and the District has the capacity to provide culinary water only for 1 lot for Broc Ballif at the approximate address of 2836 south 4300 west in Taylor, Utah.

Requirements:

- *Water rights fee = (\$4,363 per lot or current cost when paid)
- *Secondary water = Must connect to Hooper Irrigation pressurized system.
- *Connection /Impact fees will need to be paid by the lot owner (Impact fee \$5,228 per lot (or current cost when paid)+(\$1,596 for the connection if the district installs the connection) before building permits are issued.

BUILDING PERMITS SHOULD NOT BE ISSUED UNTIL FINAL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER. Final approval is subject to meeting all of the requirements of the District and all fees being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Ryan Rogers - Manager

Expires 12/08/19



April 24, 2019

Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Broc & Tiffany Ballif
2800 S 4300 W (Approx)
Parcel #15-090-0059
Soil log #14772

Gentlemen:

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on April 23, 2019. The exploration pit (s) is located at the referenced GPS coordinate and datum. The soil texture and structure, as classified using the USDA system, are as follows:

Exploration Pit #1 (UTM Zone 12T, Nad 83, 409245E 4563142N)
0-60" loamy fine sand, single grain structure

Ground water depth encountered at 24 inches below grade.

Exploration pits should be backfilled immediately upon completion to prevent a hazardous environment that may cause death or injury to people or animals.

DESIGN REQUIREMENTS

Culinary water will be provided by Taylor-West Weber Water Improvement District, an extension of an existing approved non-community water system. **A letter from the water supplier is required prior to issuance of a permit.**

Documented ground water tables not to exceed 12 inches, fall within the range of acceptability for the utilization of a Wisconsin Mound Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 0 inches. The absorption system is to be designed using a maximum loading rate of 0.35 gal/sq. ft./day as required for the loamy fine sand, single grain structure soil horizon.

Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

The following items are required for a formal **subdivision review**; application, receipt of the appropriate fee, and a full sized copy of the subdivision plats showing the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. A subdivision review will not occur until all items are submitted. Mylars submitted for signature without this information will be returned.

Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,

Brett Bunderson, LEHS
Environmental Health Division
801-399-7160
BB/eo



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an alternative access request to use a private right-of-way as the primary access for the rear lot of a future two lot subdivision.

Agenda Date: Wednesday, August 21, 2019

Applicant: William & Jana Colvell

File Number: AAE 2019-04

Property Information

Approximate Address: 3502 N 3175 W, Ogden, UT, 84404

Project Area: 2.58 Acres

Zoning: Agricultural Zone (A-1)

Existing Land Use: Vacant

Proposed Land Use: Vacant/Residential

Parcel ID: 19-010-0085

Township, Range, Section: T7N, R2W, Section 22

Adjacent Land Use

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

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@co.weber.ut.us
 801-399-8794

Report Reviewer: RG

Applicable Land Use Codes

- Weber County Land Use Code Title 104 (Zones) Chapter 15 (Agricultural A-1 Zone)
- Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 29 Flag lot access strip, private right-of-way, and access easement standards
- Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 31 Access to a lot/parcel using a private right-of-way or access easement

Background

The Planning Division is recommending approval of the request for an alternative access for the rear lot of a future two lot subdivision.

The property is in the Agricultural A-1 Zone located at approximately 4186 N 3175 W and is 2.58 acres. The private right-of-way is located just off 3175 West, of Section 16 of Township 7 North, Range 2 West.

Alternative access applications such as this are reviewed and approved administratively by the Weber County Planning Director. It is essential to note that this request is an administrative application and is not a variance or an exception to the standards and criteria outlined in the Uniform Land Use Code of Weber County (LUC). The request conceptually meets the standards as outline in LUC §108-7-29 and meets the criteria for the request as required in LUC §108-7-31.

Alternative access applications should be approved as long as the design standards can be implemented during the development process. The application meets the criteria in LUC §108-7-31(1)(b) which states:

“Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions.”

Analysis

General Plan: The General Plan for Western Weber is intended to preserve private property rights while also preserving the rural characteristics of the area. This proposal conforms to the Western Weber General Plan.

Zoning: The subject property is located in the Agricultural Zone more particularly described as the A-1 zone. The purpose and intent of the A-1 zone is identified in the LUC §104-5-1 as:

"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."

The application has been forwarded to the applicable review agencies and based on the limited criteria and conditions that govern alternative access application and after a thorough review of the applicant's proposal, staff feels that the applicant has provided adequate evidence to show that it is unfeasible or impractical to extend a street to serve such parcel due to topographic, or property boundary conditions. This determination is based on the review and analysis of the information provided by the applicant.

Prior to any further development considerations on this site, the applicant will have to provide a complete application that adheres to all Federal, State and County ordinances.

Review Agencies: *To date, the proposed alternative access has been approved by the Weber County Engineer. Weber Fire District has not yet approved this proposal. All review agency requirements must be addressed and completed prior to this alternative access being recorded.*

Tax Clearance: *The 2018 property taxes have been paid in full. The 2019 taxes are will be due in full November 30, 2019.*

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.*

Summary of Administrative Considerations

- Based on substantial evidence, has it been shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions

Staff Recommendation

Staff recommends approval of the request for an alternative access for a 30' x 269' private right-of-way as the primary access for the rear lot of a future two lot subdivision, subject to the following conditions:

1. That approval is based on the concept layout list as Exhibit C of the August 21, 2019 staff report.
2. That the future division of the land is in compliance with all relevant Weber County Land Use and Development ordinances.
3. That in the event evidence is presented that would prohibit the division of land (not otherwise listed in the Weber County Land Use and Development ordinances), this approval is void.
4. That this approval offers no explicit or implicit rights of access along any connected private streets, roads or rights of way serving access to the property.

This recommendation is based on the following findings:

1. Based on substantial evidence, it has been found that it is unfeasible or impractical to extend a street to serve such lot/parcel based on topographic, and property boundary conditions which limits typical access requirements in a unique way.

Administrative Approval

Administrative final approval of an alternative access as the primary access for parcel # 23-007-0003 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, August 19, 2019

Rick Grover
Weber County Planning Director

Exhibits

- A. Map of Location
- B. Application and Narrative
- C. Site Plan

Exhibit A-Location map

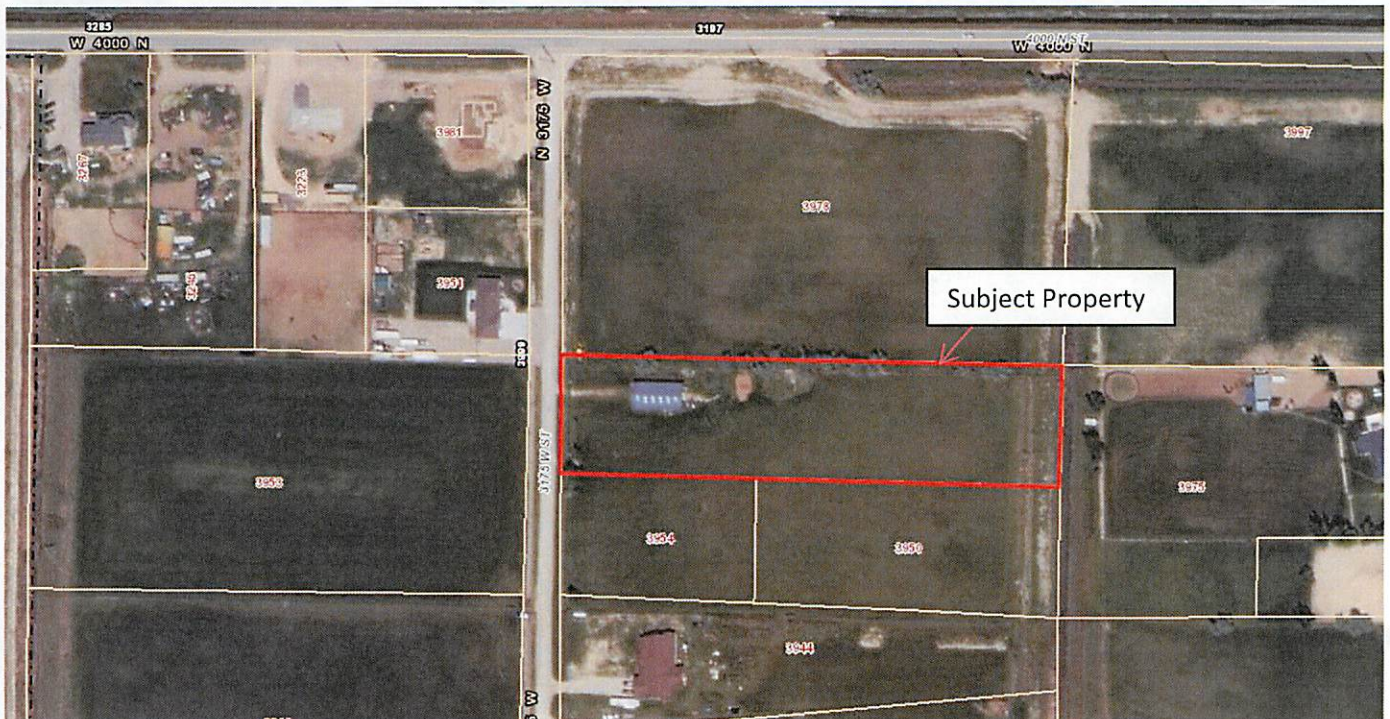


Exhibit B-Application & Narrative

Weber County Alternative Access Application			
Application submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted /Completed	Application Fee: \$350.00	Receipt Number (Office Use)	File Number (Office Use)
Application Type			
<input type="checkbox"/> Flag lot access strip <input checked="" type="checkbox"/> Access by Private Right of Way <input type="checkbox"/> Access at a location other than across the front lot line			
Property Owner Contact Information			
Name of Property Owner(s) <i>William Colvell</i>		Mailing Address of Property Owner(s) <i>3502 N 3900 W Ogden, UT 84404</i>	
Phone <i>389 3726 801 430 0374</i>	Fax		
Email Address (required) <i>Jana-Fred@hotmail.com</i>		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) <i>Jana Colvell</i>		Mailing Address of Authorized Person <i>3502 N 3900 W Ogden, UT 84404</i>	
Phone <i>801 430 0374</i>	Fax		
Email Address (required) <i>Jana Colvell 6@gmail.com</i>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Mail	
Property Information			
Project Name <i>FJ subdivision</i>		Total Acreage <i>2.5</i>	Current Zoning <i>A-1</i>
Approximate Address <i>4212 N 3175W</i>		Land Serial Number(s) <i>19-010-0035</i>	
Proposed Use <i>Legal access for 2 lot subdivision</i>			
Project Narrative			

Exhibit B-Application & Narrative

Basis for Issuance of Access to a lot/parcel at a location other than across the front lot line

Access to lots/parcels at a location other than across the front lot line may be approved as the primary access, subject to the following criteria:

Sec. 108-7-32. - Access to a lot/parcel at a location other than across the front lot line.

- (1) The applicant demonstrates that special or unique boundary, topographic, or other physical conditions exist which would cause an undesirable or dangerous condition to be created for property access across the front lot line.
- (2) It shall be demonstrated that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.

Please provide the following information to support your request for Access to a lot/parcel at a location other than across the front lot line:

- Attach proof that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.
- The landowner of record or authorized representative agrees to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the County deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature.

Property Owner Affidavit

I (We), William Colvell, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) understand that an approval of an alternative access application does not grant a legal right to access property that I(we) currently do not own.

William Colvell Property Owner _____ Property Owner

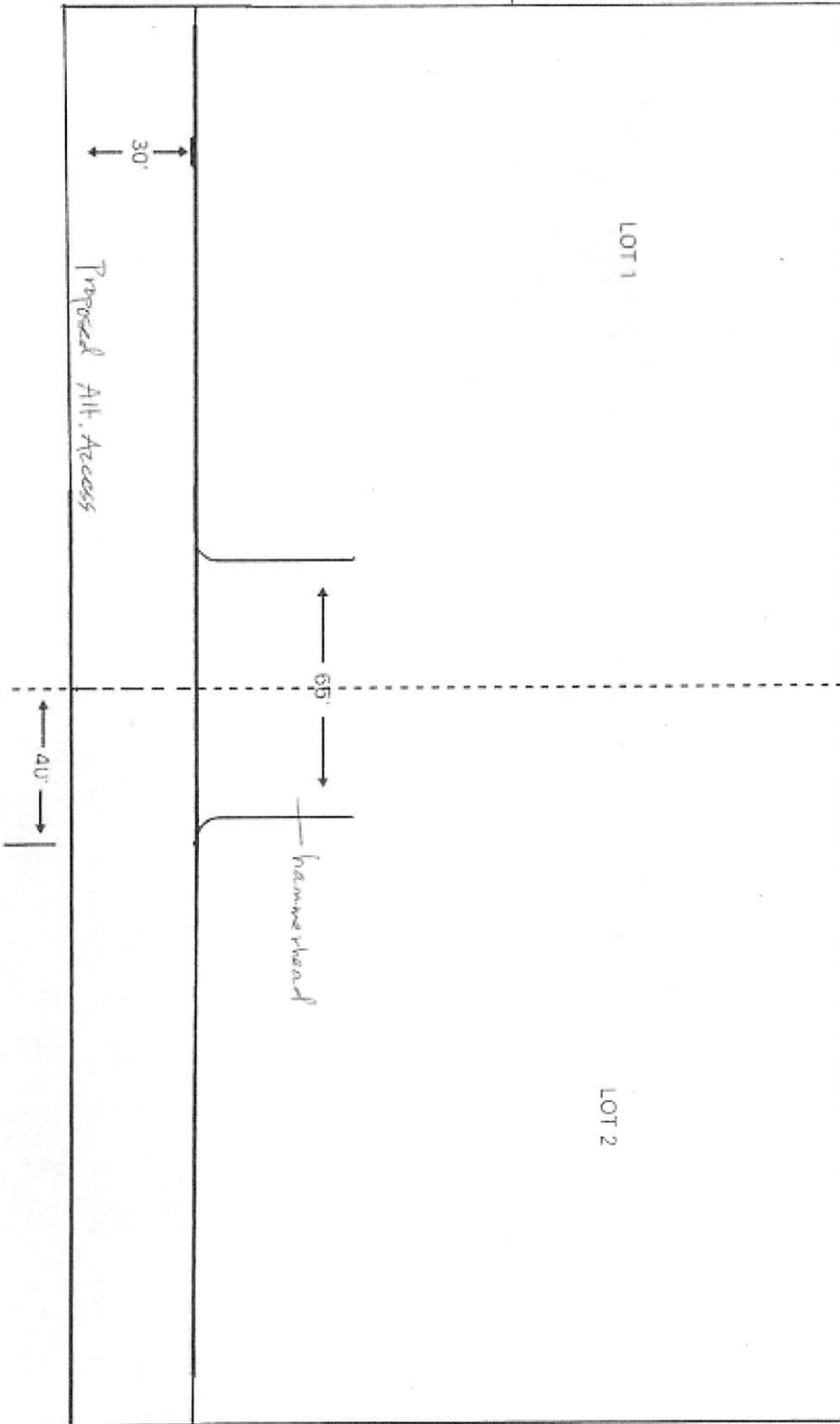
Subscribed and sworn to me this 26 day of June, 2019.

[Signature] Notary



Authorized Representative Affidavit

3175 W. St.



Future : FJ Subdivision Layout