



Staff Report to the Weber County Planning Division

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for approval Franke Estates 1st Amendment consisting of 2 lots that access from a private drive.

Agenda Date: Wednesday, January 15, 2020

Applicant: Allen Franke, Owner

File Number: LVF 121119

Property Information

Approximate Address: 595 S 3600 West

Project Area: 2.18 Acres

Zoning: Agricultural (A-1)

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 15-687-0001

Township, Range, Section: T6N, R2W, Section 16

Adjacent Land Use

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

Staff Information

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

Report Reviewer: RG

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 5 (Agricultural A-1)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)

Development History

On May 31, 2018, alternative access approval was granted for file number (AAE 2018-2) to create a private drive for one residential lot.

On April 19, 2019, Franke Estates Subdivision was recorded.

On September 5, 2019, alternative access approval was granted for file number (AAE 2019-06) to extend a private drive for an additional lot.

Background and Summary

The applicant is requesting approval of a two-lot subdivision that occupies an area of 2.18-acres for the purpose of creating two residential properties. Access to the properties will be via a private road that accesses from 3600 West Street, a public right-of-way.

As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the A-1 Zone found in LUC §104-5. The following section is a brief analysis of this project against current land use regulations.

Analysis

General Plan: This proposal conforms to the Western Weber General Plan by encouraging residential properties that may also pursue agriculturally related uses.

Zoning: The property is located in the A-1 Zone. The purpose of this zone is stated 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."

Site Development Standards: Lots created in the A-1 Zone are required to comply with site development standards for the A-1 Zone. This proposal exceeds the minimum standards with regard to lot area and width.

Small Subdivision: "The Planning Director is delegated administrative authority to approve small subdivisions if in his discretion there are no conditions which warrant its submittal to the planning commission LUC §106-1-8 (f)." This proposal qualifies as a small subdivision consisting of three or fewer lots for which no new streets are being created or realigned.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

Culinary Water: Taylor West Weber Water Improvement District has provided a letter stating that it will serve the needs for domestic use only and that proof of secondary water must be provided prior to applying for a residential connection.

Irrigation Water: The owners will provide proof that they possess sufficient water shares. As a condition of a culinary water connection, Taylor West Weber Water Improvement District requires a ½ share transferred to the District's name.

Sewer Services: Weber-Morgan Health Department has provided a feasibility letter stating that water table monitoring and soil evaluations have been completed.

Review Agencies: The Weber County Fire District has approved this proposal. Weber County Planning, Engineering, and Surveying have submitted comments that will be addressed by a revised subdivision plat and a written response to a series of questions.

Public Notice: Noticing was provided to all property owners of record within 500 feet of the subject property.

Staff Recommendation

Staff recommends preliminary and final plat approval of Franke Estates 1st Amendment, a proposal to create an 11.8-acre residential lot. This recommendation is based on the following conditions:

1. The owner shall enter into a Deferral Agreement that is be recorded with the final Mylar.
2. The Alternative Access Agreement is to be signed and recorded with the final Mylar.
3. The owner must enter into a Declaration of Deed Covenant to Run with the Land Concerning the Provision of Irrigation Water

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.

Administrative Approval

Administrative final approval of Franke Estates 1st Amendment, consisting of 2 lots, 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: 1/15/20

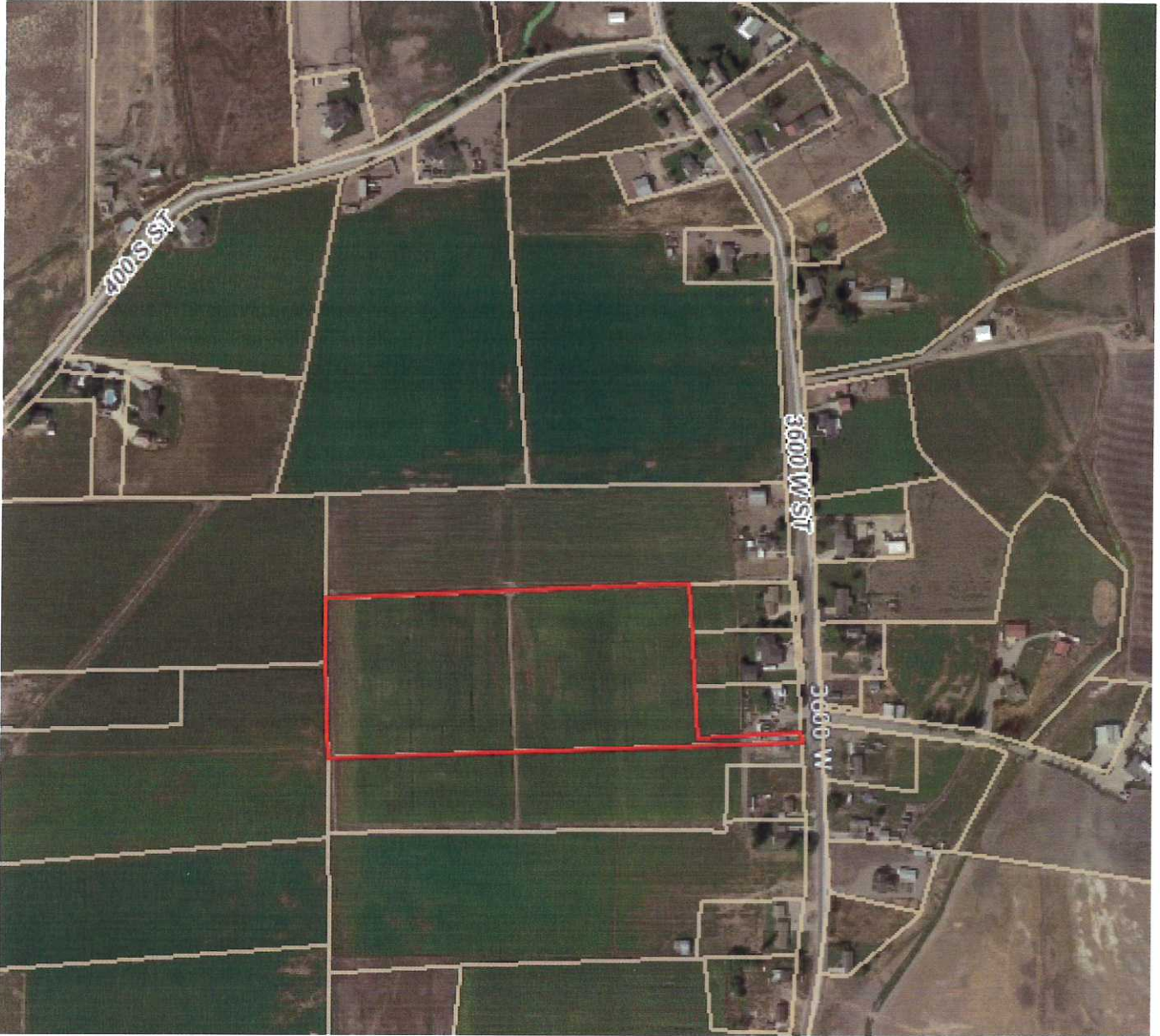


Rick Grover
Weber County Planning Director

Exhibits

- A. Franke Estates 1st Amendment Dedication plat
- B. Current Recorders Plat
- C. Taylor West Weber Water Will-serve Letter
- D. Health Department Feasibility Letter

Area Map



WEBER COUNTY HEALTH DEPARTMENT
The Health Department has reviewed this plat and certifies that the public health aspects of the subdivision have been properly considered and approved by this office and as approved by the Director, Weber-Kaysen Health Department.

Director, Weber-Kaysen Health Department

WEBER COUNTY PLANNING COMMISSION APPROVAL
This is to certify that the subdivision plat was duly approved by the Planning Commission on this _____ day of _____, 20____.

Chairman, Weber County Planning Commission

WEBER COUNTY ATTORNEY
I have examined the subdivision plat and other documents on which this subdivision plat is based and I am satisfied that the plat is in conformity with the laws and ordinances of this county and that the same are in conformity with the laws and ordinances of this state.

Signed this _____ day of _____, 20____.

WEBER COUNTY SHERIFF
This is to certify that the subdivision plat is in conformity with the laws and ordinances of this county and that the same are in conformity with the laws and ordinances of this state.

Signed this _____ day of _____, 20____.

WEBER COUNTY COMMISSION ACCEPTANCE
This is to certify that the subdivision plat is in conformity with the laws and ordinances of this county and that the same are in conformity with the laws and ordinances of this state.

Signed this _____ day of _____, 20____.

WEBER COUNTY ENGINEER
I have reviewed the subdivision plat and other documents on which this subdivision plat is based and I am satisfied that the plat is in conformity with the laws and ordinances of this county and that the same are in conformity with the laws and ordinances of this state.

Signed this _____ day of _____, 20____.

WEBER COUNTY RECORDER
Every Number _____ Fee \$_____
Filed for Record and Recording this _____ day of _____, 20____ at _____, Utah
By _____ Deputy County Recorder

ALAN W. AND CYNTHIA A. FRANK
3382 N. 2575 S. OGDEN, UT 84404
DEVELOPER

FRANKE ESTABDS FIRST AMENDMENT SUBDIVISION
AMENDING LOT 1
A PART OF THE SOUTHEAST QUARTER OF SECTION 16
T. 6 N., R. 2 W., S. 1 B.M.
WEBER COUNTY, UTAH
NOVEMBER 2019

SCALE 1:100
0 50 100 FEET

SURVEYOR'S CERTIFICATE

I, DARRYL C. PATTERSON, DO HEREBY CERTIFY THAT I AM REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF UTAH AND THAT I HAVE PERSONALLY CONDUCTED THIS SURVEY AND THAT I AM A MEMBER OF THE SURVEYING SOCIETY OF UTAH AND THE SURVEYING SOCIETY OF AMERICA. I HAVE BEEN LICENSED BY THE BOARD OF PROFESSIONAL SURVEYORS AND I HAVE BEEN LICENSED IN THE STATE OF UTAH SINCE _____.

I HAVE PERSONALLY CONDUCTED THIS SURVEY AND I HAVE PERSONALLY CHECKED THE ACCURACY OF THE MEASUREMENTS AND CALCULATIONS SHOWN ON THIS PLAT. I HAVE ALSO CHECKED THE ACCURACY OF THE MEASUREMENTS AND CALCULATIONS SHOWN ON THIS PLAT. I HAVE ALSO CHECKED THE ACCURACY OF THE MEASUREMENTS AND CALCULATIONS SHOWN ON THIS PLAT.

SIGNED AND PLACED THESE HANDS AND SEAL OF OFFICE ON THIS _____ DAY OF _____, 20____.

DARRYL C. PATTERSON
REGISTERED PROFESSIONAL SURVEYOR
NO. _____

OWNERS' DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO hereby dedicate and reserve to the public use and enjoyment of the people of the State of Utah the easements, rights and interests herein described, to be held in trust for the people of the State of Utah and to be enjoyed by the people of the State of Utah forever.

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO hereby dedicate and reserve to the public use and enjoyment of the people of the State of Utah the easements, rights and interests herein described, to be held in trust for the people of the State of Utah and to be enjoyed by the people of the State of Utah forever.

BOUNDARY DESCRIPTION

ALL OF LOT 1 OF THE FRANK ESTABDS FIRST AMENDMENT SUBDIVISION ACCORDING TO THE OFFICIAL RECORD OF SAID SUBDIVISION, BEING SECTION 16, T. 6 N., R. 2 W., S. 1 B.M., WEBER COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

METES AND BOUNDS DESCRIPTION

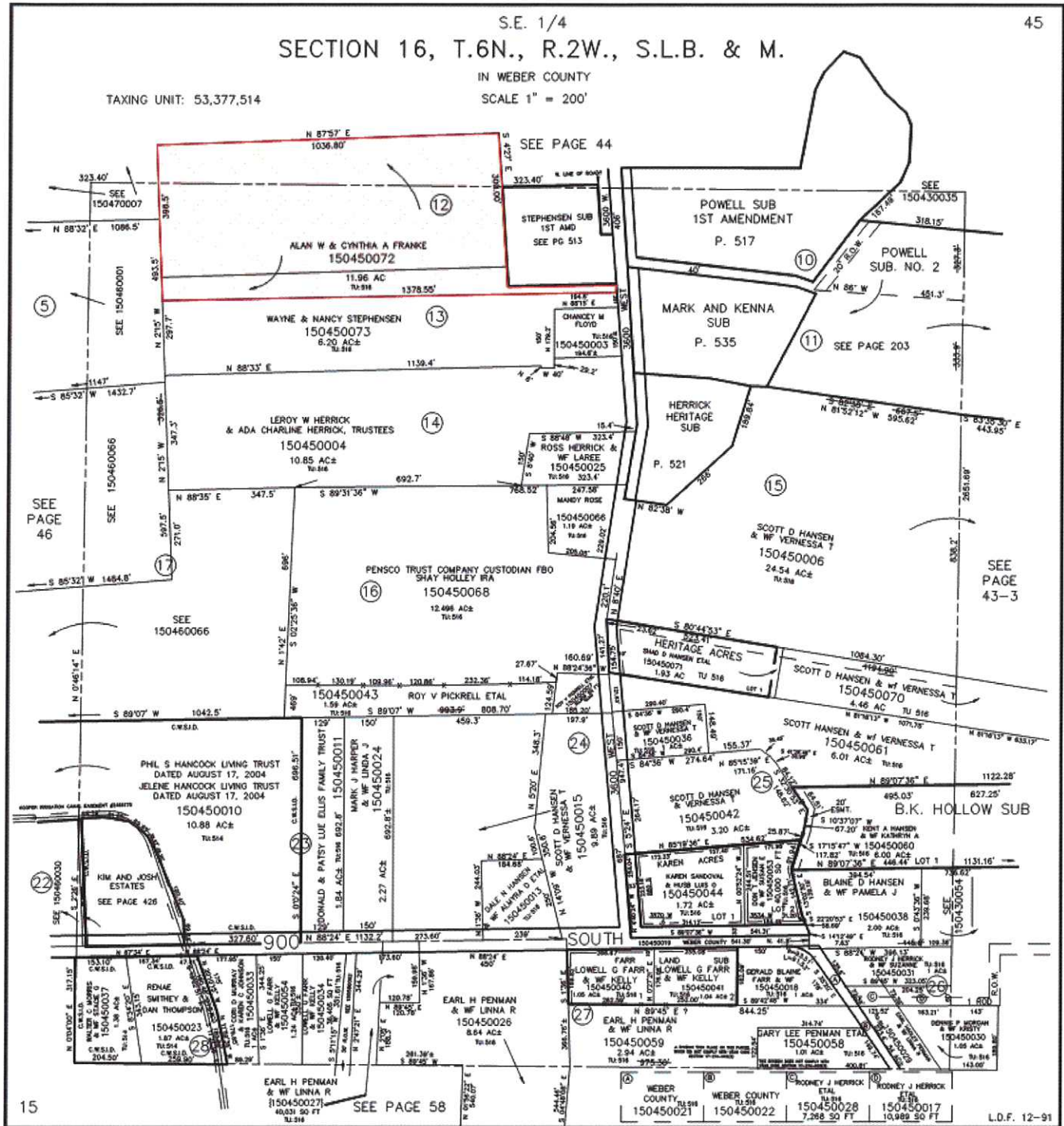
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SECTION 16, T. 6 N., R. 2 W., S. 1 B.M., WEBER COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NARRATIVE

THE SURVEY OF THE SOUTHWEST QUARTER OF SECTION 16, T. 6 N., R. 2 W., S. 1 B.M., WEBER COUNTY, UTAH, WAS CONDUCTED BY DARRYL C. PATTERSON, REGISTERED PROFESSIONAL SURVEYOR, ON _____, 20____. THE PURPOSE OF THIS SURVEY WAS TO DIVIDE SAID QUARTER INTO TWO LOTS, LOT 1 AND LOT 2, AND TO RECONSTRUCT THE BOUNDARIES OF SAID QUARTER AND LOTS. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACTS AND RULES OF THE STATE OF UTAH AND THE SURVEYING SOCIETY OF UTAH AND THE SURVEYING SOCIETY OF AMERICA. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACTS AND RULES OF THE STATE OF UTAH AND THE SURVEYING SOCIETY OF UTAH AND THE SURVEYING SOCIETY OF AMERICA.

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TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
 WEST HAVEN, UTAH 84401
 November 26, 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 one lot at Franke Estates Lot #2 in a unincorporated section of Weber County called West Weber, Utah.

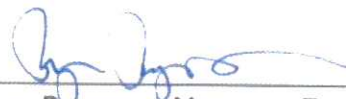
Requirements:

- *Plan review fee \$25
- *Water rights fee = (\$4,363 per lot or current cost when paid)
- *Secondary water = Must transfer a 1/2 share of water to Taylor West Weber Water. Certificate must be in districts name and with district clerk before water is turned on.
- *Impact fees will need to be paid by the lot owner (Impact fee \$5,228).
- *The current water line needs to be extended approx. 150'-200'. Tested and connected by the developer and must meet district specs. Installation of a fire hydrant may need to be installed as instructed by the fire marshal.
- *Cost for the water meter is \$375 plus \$100 for water use during construction.

SUBDIVISION 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. This letter expires six months from the day it is issued.

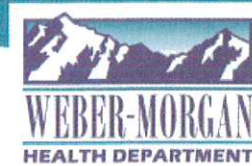
Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Ryan Rogers – Manager Expires 5/26/2020

BRIAN W. BENNION, M.P.A., L.E.H.S.
Health Officer/Executive Director



November 7, 2019

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

RE: Alan Franke
598 S 3600 W
Parcel #15-687-0001
Soil log #14755

Gentlemen:

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on November 5, 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 #2 (UTM Zone 12 Nad 83 0410377 E 4567682 N)
0-15" Fine Sandy Loam, Granular Structure
15-24" Fine Sandy Loam, Blocky Structure
24-45" Fine Sandy Loam, Weak Massive Structure

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.**

Anticipated ground water tables not to exceed 36 inches, fall within the range of acceptability for the utilization of an Conventional Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 12 inches. The absorption system is to be designed using a maximum loading rate of 0.5 gal/sq. ft. /day as required for the fine sandy loam, blocky 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.

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,


Summer Day, LEHS
Environmental Health Division
801-399-7160
SD/gk

EDUCATE | ENGAGE | EMPOWER

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