



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: A request for a public hearing to vacate 6300 East, located between Highway 39 and Pineview Reservoir.

Agenda Date: Tuesday, May 21, 2013

Applicant: Reese Howell

File Number: SV 01-13

Property Information

Approximate Address: 6300 East Highway 39

Project Area: 0.75 acres

Zoning: Commercial Valley Resort Recreation (CVR-1 Zone) and Shoreline (S-1 Zone)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 20-012-0020

Township, Range, Section: T6N, R1E, Section 13

Adjacent Land Use

North: Pineview

East: Residential

South: Hwy 39/Residential

West: Residential/Agricultural

Staff Information

Report Presenter: Ben Hatfield
bhatfield@co.weber.ut.us
801-399-8766

Report Reviewer: JG

Applicable Ordinances

- Zoning Ordinance chapter 9A Shoreline (S-1 Zone)
- Zoning Ordinance chapter 9C Commercial Valley Resort Recreational (CVR-1 Zone)

Background

The applicant is requesting to vacate any public right on 6300 East, located between Highway 39 and Pineview Reservoir. The applicant is an adjacent land owner and is developing condominium project called the Edgewater Beach Resort PRUD. The access to the condominiums (Phase 1) was built in 2005 based on a variance previously granted by UDOT. UDOT would like to limit the number and distance between access points which serve multiple units, and is requiring that there be only one access point for the project to Highway 39. There are currently no improvements (acceleration and deceleration lanes) on Highway 39 for 6300 East.

The project received a major redesign in 2012 which was focused around their own access point to the highway. Since the property was adjacent to 6300 East a secondary access point was designed. With this design road improvements (acceleration and deceleration lanes) and a redesigned entry will be built on Highway 39 for the project.

One home is served by the existing dirt road (6300 East) with the remainder agricultural land being in a conservation easement. It is proposed that this access will remain as a private drive for the residence at the end of this road. Any property owned by the developer (approximately 12 feet) underlying the private drive will be conveyed to the adjacent land owner.

The County Commission tabled this request after holding a public hearing on April 9, 2013. After having the location of the property lines marked by a surveyor, and allowing time for the neighbor to address any concerns, the applicant is again requesting approval of this vacation request.

Planning Commission Recommendation

On March 26, 2013 the Ogden Valley Planning Commission recommended approval of the vacation of 6300 East with the condition that:

“The appropriate amount of land (approximately 12 feet) is deeded to the adjacent land owner for the use of a private driveway for the existing home.”

Conformance to the General Plan

This vacation request will not have an impact on the General Plan. There is one home served by 6300 East with the rest of their property in a conservation easement.

Staff Recommendation

Staff recommends approval of the request to vacate 6300 East, because there are no further development potential needs for the road.

Exhibits

- A. Location Map
- B. Vacation Ordinance

Ordinance _____

An ordinance of Weber County vacating a portion of 6300 East Street

Whereas, 6300 East Street was first described and recognized as a public right-of-way on March 3, 1885 as recorded in Book "C" Pages 245 of the Weber County Clerks Records; and

Whereas, 6300 East Street no longer provides access to Huntsville Town, due to the location of Pineview Reservoir; and

Whereas, 6300 East Street consists of an unimproved 66 foot wide right-of-way; and

Whereas, 6300 East Street will no longer be maintained by Weber County; and

Whereas, vacating 6300 East Street will reduce maintenance costs; and

Whereas, The Ogden Valley Township Planning Commission, after appropriate notice, held a public hearing on March 26, 2013 unanimously recommended that the Weber County Board of Commissioners approve the vacation of 6300 East Street; and

Whereas, a public hearing was held by the Weber County Commission on May 21, 2013, after meeting appropriate notice requirements; and

Whereas, the vacation of 6300 East will not adversely affect the public health, safety, or welfare;

Now Therefore, the Weber County Board of Commissioners ordains and vacates the following:

See Exhibit A

Adopted and ordered published this ____ day of _____, 2013 by the Weber County Board of Commissioners,

Commissioner Bell	Voting _____
Commissioner Gibson	Voting _____
Commissioner Zogmaister	Voting _____

Kerry W. Gibson, Chair

ATTEST:

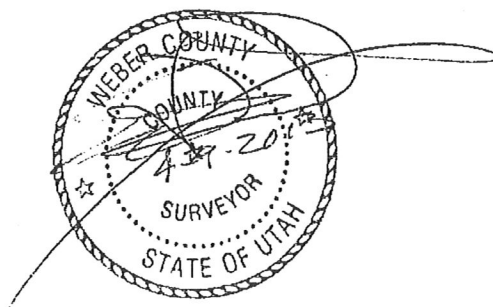
Ricky D. Hatch, CPA Weber County Clerk/Auditor

EXHIBIT A

Description for vacating a public road.

That part of a public road right-of-way located in Sections 13 and 14, Township 6 North, Range 1 East, Salt Lake Base and Meridian, which was surveyed and described by the Territorial County Surveyor and recognized by the Weber County Court in 1884 and 1885 and made of record in the Weber County Roads Book a copy of portions which are found in the Weber County Clerks Records in Book C beginning at page 245. The specific portion of this public road right-of-way being vacated is between the northerly right-of-way line of State Highway 39 and the property line of the United States of America as surveyed and monumented by the Weber County Surveyor and documented on record of survey number 3429 and as identified in deeds being recorded in book 548 page 586 and book 712 page 455 of the deed records of Weber County, Utah.

Also, a strip of land being shown and noted as Street Dedication along the west boundary line of the Edgewater Beach Resort Phase 1, a Condominium Plat, being part of the Southwest Quarter of Section 13, Township 6 North, Range 1 East, Salt Lake Base and Meridian, Weber County, Utah; said strip does not include any part of the dedication which was granted to increase the width of State Highway 39 on said condominium plat.



Ordinance _____ Summary

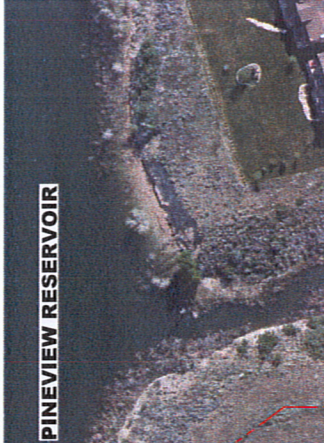
An Ordinance of Weber County vacating a public right-of-way (6300 East Street). Passed, adopted, and ordered published this ____ day of _____ 2013, by the Weber County Board of Commissioners with Commissioners Bell, Gibson, and Zogmaister voting aye. Copies of the complete ordinance may be reviewed in the Weber County Clerk/Auditor's office at 2380 Washington Blvd, Suite 320, Ogden, Utah.



**EDGEWATER BEACH RESORT
 6300 EAST ROAD VACATION**
 HUNTSVILLE, WEBER COUNTY, UTAH

Project Info.

Engineer:	JOHN P. REEVE, P.E.
Drafter:	J. FLETCHER
Date:	JANUARY 21, 2013
Name:	EDGEWATER ROAD VACATION
Number:	5926-01



PINEVIEW RESERVOIR

**EDGEWATER BEACH RESORT
 6300 EAST ROAD VACATION DESCRIPTION**

PART OF THE SOUTHWEST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN:

A 50 FOOT WIDE ROADWAY TO BE VACATED, BEING 25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT WHICH LIES 243.89 FEET NORTH 00°25'49" EAST AND 3.36 FEET NORTH 70°30'44" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY U-39 FROM THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING SOUTH 89°36'57" EAST BETWEEN SAID SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 13), AND RUNNING THENCE NORTH 00°09'59" EAST 670.12 FEET, MORE OR LESS TO THE SOUTH LINE OF THE PINEVIEW RESERVOIR AND TERMINATING.

PARCEL INFO:
 NO. 20-013-0020
 CELTIC BANK CORP.

PARCEL INFO:
 NO. 20-015-0004
 MARIAN F. MARTIN
 REVOCABLE TRUST

EDGEWATER BEACH RESORT
 PHASE 1

