



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on an administrative application for final plat approval of Keith Hill Subdivision 1st Amendment comprising of a lot line adjustment between two existing lots of record
Type of Decision	Administrative
Agenda Date:	Wednesday, August 12, 2020
Applicant:	Keith Hill
File Number:	UVK070820

Property Information

Approximate Address:	5350 N. Hwy 162, Eden, Utah 84310
Project Area:	5.808 Acres
Zoning:	Agricultural Valley (AV-3) Zone
Existing Land Use:	Single Family Dwelling
Proposed Land Use:	Residential
Parcel ID:	22-047-0037, 22-047-0017
Township, Range, Section:	T7N, R1E, SE Quarter of Section 34

Adjacent Land Use

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

Staff Information

Report Presenter:	Scott Perkes sperkes@co.weber.ut.us 801-399-8772
Report Reviewer:	RG

Applicable Ordinances

- Title 104 (Zones) Chapter 6 (AV-3 Zone)
- Title 106 (Subdivisions)
- Title 101 (General Provisions) Section 7 (Definitions)
- Title 108 (Standards) Section 12 (Noncomplying Structures, Nonconforming Uses, And Nonconforming Lots)

Background and Summary

The owners of the two properties associated with this application (see Exhibit A) wish to perform a boundary line adjustment to reconfigure their properties in a way that would reduce the size of one lot (22-047-0017) and expand the size of the other (22-047-0037) (see Exhibit B). Both existing properties are currently considered a "Lot of Record". Parcel 22-047-0037 is Lot 1 of the Keith Hill Subdivision, recorded in 1996 (see Exhibit C). At exactly one acre in size, this lot is considered legally nonconforming due to being smaller than the current AV-3 zone minimum of 3 acres. Parcel 22-047-0017 meets the definition of a "Lot of Record" due to being created in its current configuration prior to 1992 and contains a lawfully permitted single-family dwelling (1967) (see Exhibit D).

Analysis

General Plan: This lot line adjustment between two lots of record is in harmony with the Ogden Valley General Plan by implementing creative designs that preserve natural, agricultural and open spaces within the valley.

Lot Line Adjustment:

County's definition of a "Lot Line Adjustment" is as follows:

"The term "lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record. An amended plat is required to do a lot line adjustment."

While the two subject properties are considered “Lots of Record”, they are not two lots within an existing subdivision. That said, staff believes that the intent of the Lot Line Adjustment definition applies in this circumstance as two consenting owners of adjoining lots of record wish to relocate their shared property boundary and have submitted an amended plat to do so. Additionally, no new lots or development rights would be created by this adjustment.

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.”

The current AV-3 Zone requires the following site development standards for single-family dwelling lots:

Minimum Lot Area:	3 Acres
Minimum Lot Width:	150 Feet
Front-Yard Setbacks:	30 Feet
Side-Yard Setbacks (Interior Lot):	10 Feet with total width of 2 side yards not less than 24 feet.
Rear-Yard Setbacks:	30 Feet

Per LUC Sec 108-12-11 (2), Lot One of the Keith Hill Subdivision (Parcel 22-047-0037) meets the definition of a Nonconforming Lot of Record:

“Any lot legally platted within the bounds of a subdivision that was created pursuant to the standards of the zoning code and subdivision code in effect at the time of its creation, but no longer complies due to subsequent changes to these codes, may be amended pursuant to the minimum standards in effect at the time of its creation. The amendment shall not create any new lots. An amended plat shall be required.”

Lot one of the Keith Hill Subdivision (Parcel 22-047-0037) falls short of the current AV-3 site development standards due to being only one acre in size. However, it may be amended as long as it does not fall below the minimum standards in effect at the time of its creation. When created in 1996, the zoning minimums for this property were one acre in area and 150 feet of width. The proposed lot line adjustment would cause this lot to be 4.778 acres in size and 360 feet wide. Thereby allowing it to come into conformance with current AV-3 zoning standards.

On the other hand, Parcel 22-047-0017 (4.92 acres of area & 284 feet of width) is currently considered to be a conforming lot of record due to exceeding the minimum site development standards in the AV-3 zone. However, the proposed lot line adjustment would leave this lot with exactly one acre in area and 150 feet of width. These dimensions match the minimum zoning standards at the time of its creation (November of 1982).

Following the proposed lot line adjustment, the existing structures will be left with enough setback area (front, side, and rear) to meet current setback requirements of the AV-3 zone.

Small Subdivision: The Weber County Land Use Code (§101-1-7) defines “small subdivision” as “A subdivision consisting of five (5) or fewer lots and for which no streets will be created or realigned.” This subdivision consists of two existing lots and no new streets are being created or realigned. Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Culinary Water, Secondary Water, and Sewer Services: Eden Water Works and Eden Irrigation Co. have provided connections and service to the two existing lots. This service will continue following the plat amendment.

Review Agencies: The proposed subdivision has been reviewed by all County Reviewing agencies. Various agencies have remaining review comments that will need to be addressed prior to recording of the final plat mylar.

Clearance: There is no record of past delinquent tax history and no outstanding tax bills on 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 Recommendations

Staff recommends final plat approval of the Keith Hill Subdivision 1st Amendment consisting of two lots. This recommendation is subject to all applicable review agency requirements and is based on the following conditions:

1. A deed will need to be recorded at the same time of the final plat transferring ownership of the land being swapped as part of this lot line adjustment.

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 Keith Hill 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: _____

Rick Grover
Weber County Planning Director

Area Map

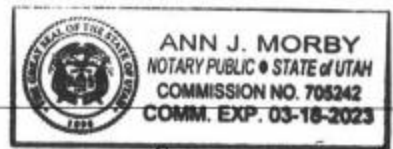


Exhibits

- A. Subdivision Application
- B. Keith Hill Subdivision 1st Amendment Plat
- C. Original Keith Hill Subdivision Plat (1996)
- D. 1992 Recorders Plat

Exhibit A: Subdivision 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	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name <i>Keith Hill Subdivision 1st Amendment</i>			Number of Lots <i>1</i>
Approximate Address <i>5350 N. Hwy 162, Eden, UT</i>		Land Serial Number(s) <i>22-047-0037</i> <i>22-047-0017</i>	
Current Zoning <i>AV-3</i>	Total Acreage <i>5.808</i>		
Culinary Water Provider <i>Eden Water Works</i>	Secondary Water Provider <i>Eden Irrigation Co.</i>	Wastewater Treatment <i>Septic System</i>	
Property Owner Contact Information			
Name of Property Owner(s) <i>Keith & Wendee Hill, Jenn Hill, revocable Trust</i>		Mailing Address of Property Owner(s) <i>Keith Hill</i> <i>P.O. Box 837</i> <i>Eden, UT 84310</i>	
Phone <i>801-341-8958</i>	Fax		
Email Address <i>keith@webermud.org</i>		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)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence Email Fax Mail	
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer <i>Wasatch Civil Consulting Engineering</i>		Mailing Address of Surveyor/Engineer <i>1150 S. Depot Drive suite 225</i> <i>Ogden, UT. 84404</i>	
Phone <i>801-775-9191</i>	Fax		
Email Address <i>matthew@wasatchcivil.com</i>		Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Property Owner Affidavit			
I (We), _____, 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.			
<i>Keith Hill</i> _____ (Property Owner)		_____ (Property Owner)	
Subscribed and sworn to me this <i>6</i> day of <i>July</i> , 20 <i>20</i> .			



Ann J. Morby

KEITH HILL SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, T 7 N, R 1 E, SLB&M

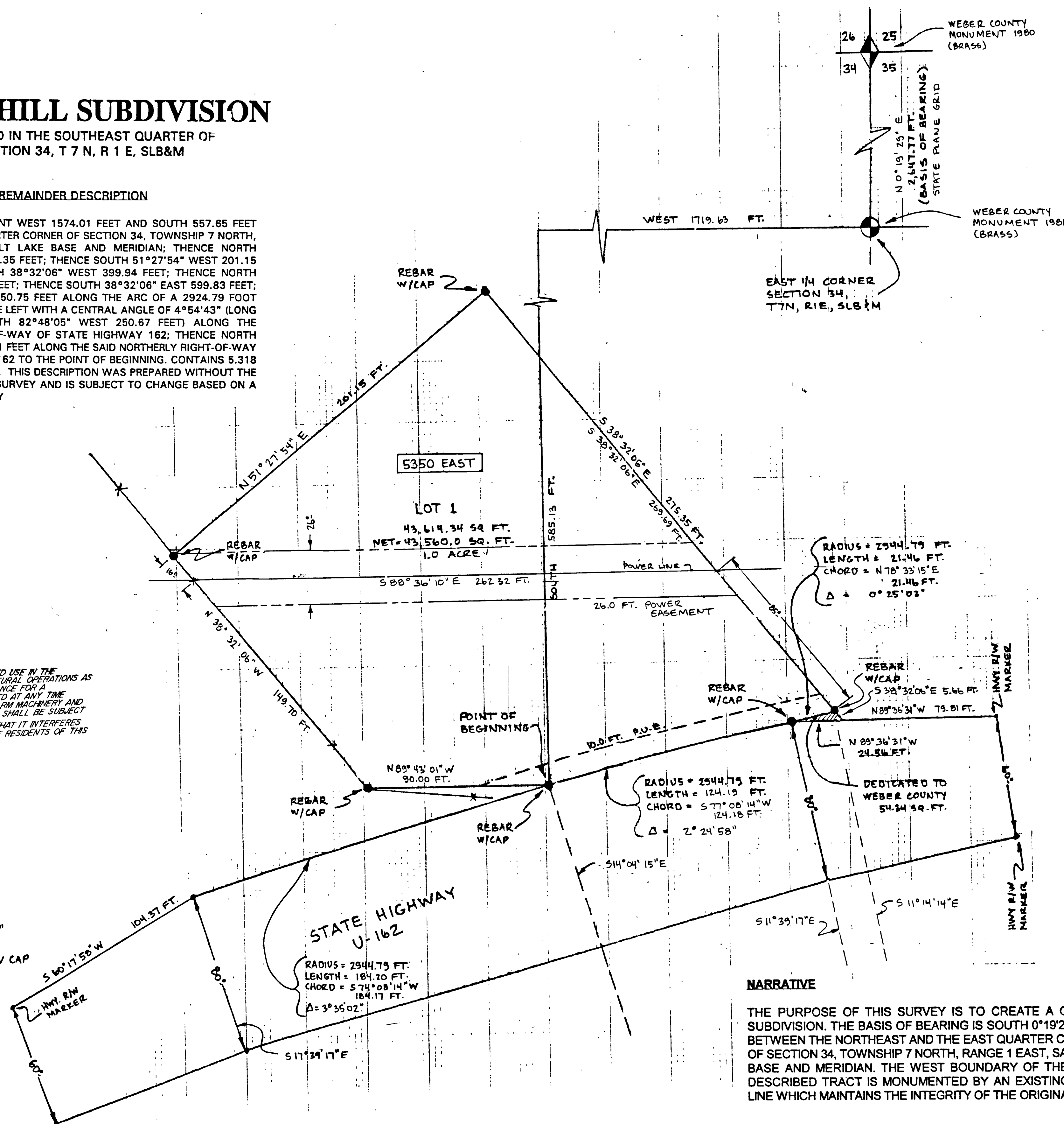
REMAINDER DESCRIPTION

BEGINNING AT A POINT WEST 1574.01 FEET AND SOUTH 557.65 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 38°32'06" WEST 275.35 FEET; THENCE SOUTH 51°27'54" WEST 201.15 FEET; THENCE NORTH 38°32'06" WEST 399.94 FEET; THENCE NORTH 79°40' EAST 541.64 FEET; THENCE SOUTH 38°32'06" EAST 599.83 FEET; THENCE WESTERLY 250.75 FEET ALONG THE ARC OF A 2924.79 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 4°54'43" (LONG CHORD BEARS SOUTH 82°48'05" WEST 250.67 FEET) ALONG THE NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 162; THENCE NORTH 89°36'31" WEST 79.81 FEET ALONG THE SAID NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 162 TO THE POINT OF BEGINNING. CONTAINS 5.318 ACRES MORE OR LESS. THIS DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF A FIELD SURVEY AND IS SUBJECT TO CHANGE BASED ON A FUTURE FIELD SURVEY

NORTH
SCALE
1" = 30'

AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURAL ZONES. AGRICULTURAL OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURAL USE SHALL BE SUBJECT TO RESTRICTION ON THE BASIS THAT IT INTERFERES WITH THE ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

MOORE
149039
5/8" x 24"
REBAR
W/ YELLOW CAP



NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO CREATE A ONE LOT SUBDIVISION. THE BASIS OF BEARING IS SOUTH 0°19'29" WEST BETWEEN THE NORTHEAST AND THE EAST QUARTER CORNERS OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. THE WEST BOUNDARY OF THE ABOVE DESCRIBED TRACT IS MONUMENTED BY AN EXISTING FENCE LINE WHICH MAINTAINS THE INTEGRITY OF THE ORIGINAL DEED.

SURVEYOR'S CERTIFICATE

Exhibit C

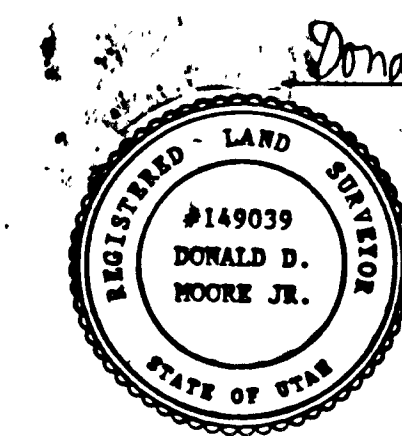
I, DONALD D. MOORE, JR., DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 149039, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS KEITH HILL SUBDIVISION, AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WEST 1719.63 FEET AND SOUTH 585.13 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°43'01" WEST 90.00 FEET TO AN EXISTING FENCE LINE; THENCE NORTH 38°32'06" WEST 149.70 FEET ALONG SAID FENCE LINE; THENCE NORTH 51°27'54" EAST 201.15 FEET; THENCE SOUTH 38°32'06" EAST 275.35 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 162; THENCE SOUTH 89°36'31" WEST 24.56 FEET; THENCE WESTERLY 124.19 FEET ALONG THE ARC OF A 2,944.79 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 2°24'58" (LONG CHORD BEARS SOUTH 77°08'14" WEST 124.18 FEET) ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 162 TO THE POINT OF BEGINNING. CONTAINS 1.00 ACRE.

I FURTHER CERTIFY THAT THE LOT MEETS THE FRONTAGE, WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCE.

10/28/96
DATE



Donald D. Moore, Jr.
DONALD D. MOORE, JR.
REGISTERED LAND SURVEYOR

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED TO BE HEREAFTER KNOWN AS THE

KEITH HILL SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF I/WE HAVE HEREUNTO SET MY/OUR HAND(S) THIS 31 DAY OF October A.D., 1996.

Jean O Hill only successor of trust

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF SALT LAKE }

ON THE 31 DAY OF October A.D., 1996, PERSONALLY APPEARED BEFORE ME *Jean O Hill*

WHO, BEING DULY SWORN, DID SAY THAT HE/SHE/THEY ARE THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, AND ACKNOWLEDGED TO ME THAT IT WAS SIGNED FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

Sherrill Sillitoe
NOTARY PUBLIC

WEBER-MORGAN HEALTH DEPARTMENT

HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITIONS FOR THIS SUBDIVISION HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS.

Signed this 31st day of October, 1996.

Director, Weber-Morgan Health Department

Morgan

WEBER COUNTY RECORDER

ENTRY # 1488782 FEE \$ 20.00

FILED FOR RECORD AND RECORDED THIS 4 DAY OF NOVEMBER, 1996 AT 3:27 PM BOOK 43 OF

PAGE 43
DOUG CROFTS

WEBER COUNTY RECORDER
BY *Carrie Warner*
DEPUTY RECORDER

REVISED 10/28/96

WEBER COUNTY ENGINEER

HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.
SIGNED THIS 30th DAY OF October, 1996
Curt Christensen
Signature

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT. SIGNED THIS DAY OF 19__

Signature

WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE 31st DAY OF October, 1996

Craig L. Duhon
Signature
for the Commission

WEBER COUNTY SURVEYOR

HEREBY CERTIFY THAT I HAVE INVESTIGATED THE LINES OF THE SURVEY OF THE FOREGOING PLAT AND THE LEGAL DESCRIPTION OF THE LAND DESCRIBED THEREIN, AND FIND THEM TO BE CORRECT AND TO ACCRUE WITH THE LINES AND MONUMENTS ON RECORD IN THIS OFFICE.
SIGNED THIS 30th DAY OF October, 1996

Donald D. Moore, Jr.
Signature
for the Surveyor

WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS DAY OF 19__

ATTEST
TITLE: CHAIRMAN, WEBER COUNTY COMMISSION

S.E. 1/4

47

SECTION 34, T.7N., R.1E., S.L.B.&M.

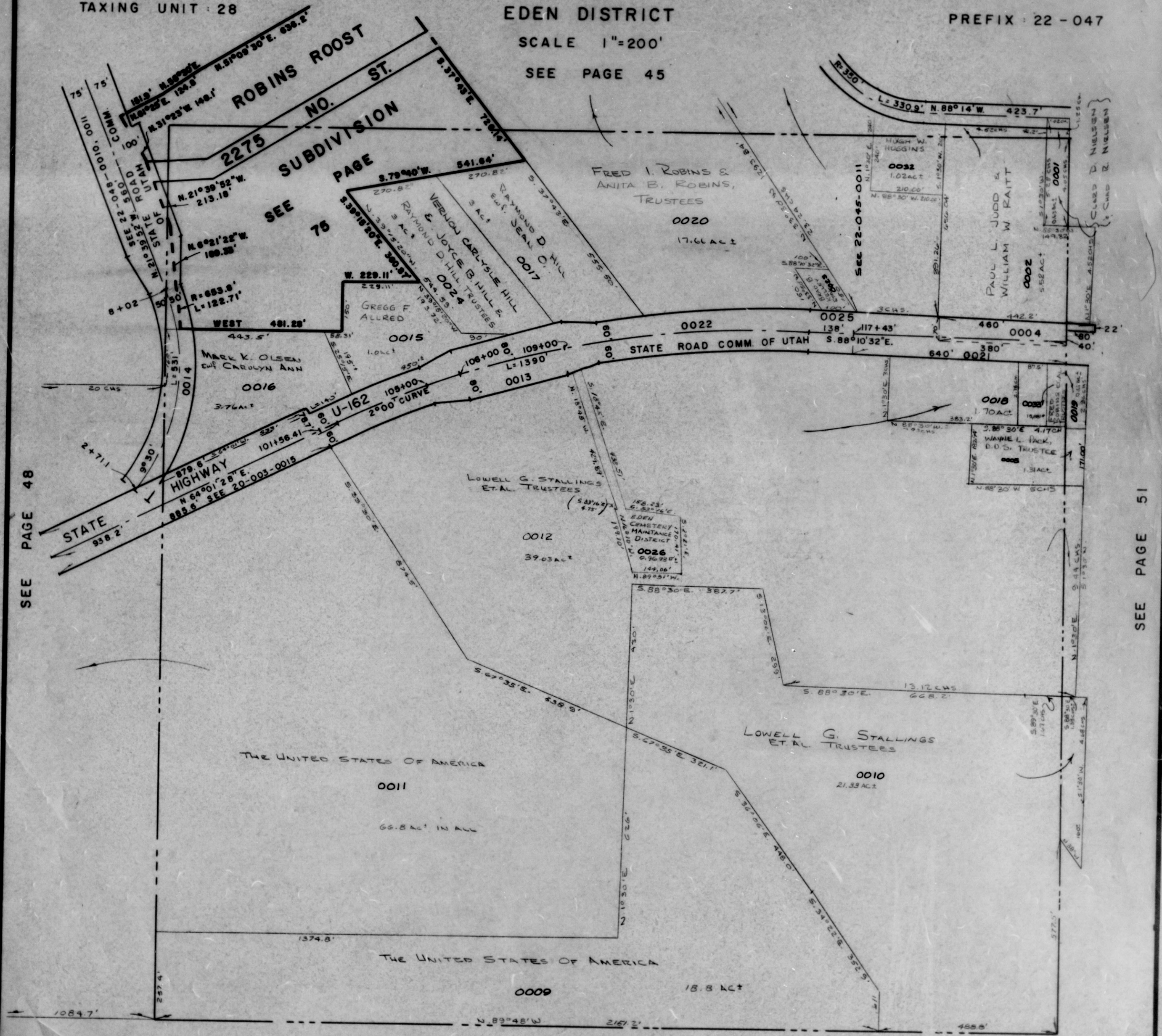
TAXING UNIT: 28

EDEN DISTRICT

PREFIX: 22-047

SCALE 1"=200'

SEE PAGE 45



SEE PAGE 48

SEE PAGE 51