



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action for final plat approval of Middle Fork Ranches 3rd Amendment
Type of Decision:	Administrative
Agenda Date:	Wednesday, September 02, 2020
Applicant:	Troy Green
File Number:	UVM071120

Property Information

Approximate Address:	7522 E 1400 N
Project Area:	5.87 total acres, 0.6 acres ROW dedication
Zoning:	Forest Valley 3 (FV-3), Agricultural Valley 3 (AV-3)
Existing Land Use:	Residential
Proposed Land Use:	Residential
Parcel ID:	21-048-0008, 21-005-0036
Township, Range, Section:	T6N, R2E, Section 6, SW

Adjacent Land Use

North:	Vacant	South:	Vacant Residential
East:	Vacant Residential	West:	Residential

Staff Information

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

Applicable Ordinances

- Title 104 Chapter 6, Agricultural Valley Zone
- Title 104, Chapter 14, Forest Valley Zone
- Title 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Natural Hazards Areas
- Title 108, Drinking Water Source Protection

Background and Summary

The applicants are requesting final approval of Middle Fork Ranches 3rd Amendment, consisting of one lot. The proposed Lot 25 was originally Lot 8 of the Middle Fork Ranches Subdivision. The proposed amendment adds Parcel 21-005-0036 into the subdivision boundary to widen the resulting lot. Additionally, this amendment serves to dedicate a full half-width right-of-way along the eastern property line for future roadway connectivity.

The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies a subdivision amendment as a “Small Subdivision” and can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots. The proposed subdivision amendment and lot configuration is in conformance with the current zoning requirements as well as the applicable subdivision requirements as required in the LUC.

Analysis

General Plan: The request is in conformance with the Ogden Valley General Plan as it is intended to preserve private property rights while also preserving the rural characteristics of the Valley.

Zoning: The northern third of the subject property is located in the Forest Valley Zone (FV-3). The southern two-thirds of the subject property are located in the Agricultural Valley 3 Zone (AV-3). The purpose and intent of these zones is described in LUC §104-6-1 & §104-14-1 as follows:

AV-3 Zone:

The AV-3 Zone is both an agricultural zone and a low-density rural residential zone. The purpose of the AV-3 Zone is to:

- (a) Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;*
- (b) Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and*
- (c) Direct orderly low-density residential development in a continuing rural environment.*

FV-3 Zone:

The purpose of the Forest Valley Zone, FV-3 is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance standards for both the AV-3 and FV-3 zones in LUC §104-6 & §104-14 respectively. The proposed subdivision is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations:

Both the AV-3 and FV-3 zones require a 3-acre minimum lot area and a minimum lot width of 150 feet. The amended lot will result in 5.914 acres in area and will have 311 feet of frontage on 1400 North Street.

Access: Access to this lot is provided by a 15-foot wide access easement across the northern boundary of Lot 21 as depicted on the Middle Fork Ranches First Amendment mylar. The current owner of Lot 21 has indicated that this easement hugs the fence line from west to east along its northern property line from 7425 East Street. This alignment has been disputed in the past between the owner of Lot 21 and the applicant which has resulted in a court ruling to clarify that this access easement is immediately adjacent to the existing fence line. This court ruling has been recorded as Entry #: 3065929.

Right-Of-Way Dedication: The eastern property line of this amended lot represents a regional connectivity corridor along a quarter section line. As such, the applicant has been required to dedicate a half-width right-of-way (33 feet) for a future county road. This dedication area is depicted on the final plat.

Natural Hazards Areas: The proposed subdivision is located in both a geologic hazard area and a FEME Flood Zone "AE". This AE Zone is determined by FEMA to be a High Risk Area and has been depicted on the plat along with base flood elevations.

As the existing lot already has a single-family home built, a geologic hazard assessment was not required for subdivision review. However, as a condition of approval, a "Natural Hazards Disclosure" document will be required to be recorded with the plat to provide adequate notice for future property owners that the lot is located within a geologic hazard area.

Stream Corridors: Per the Ogden Valley Sensitive Lands map, the subject property has a natural ephemeral stream that traverses through the already identified flood zone. Evidence of this stream is not readily visible on-site. As such, the determination of any high-water marks will need to be reviewed by the County engineer and 50-foot setbacks will need to be determined prior to the issuance of building permits on this lot.

Culinary water and sanitary sewage disposal: Feasibility letters were not required with the proposal as this lot has been previously platted.

Public Well-Head Protection Zones: The subject property is located within Zone 4 of a public well head protection zone. As such, any development on the lot is subject to LUC §108-18 (Drinking Water Source Protection)

Review Agencies: Prior to the subdivision being released for Mylar, all remaining review agencies comments will need to be addressed.

Tax clearance: The 2019 property taxes have been paid in full. The 2020 property taxes will be due in full on November 1, 2020.

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

Staff Recommendation

Staff recommends final approval of Middle Fork Ranches Third Amendment. This recommendation for approval is subject to all applicable review agency requirements and is 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 amendment conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision amendment complies with all previous approvals and the applicable County ordinances.

Administrative Approval

Administrative final approval of Middle Fork Ranches 3rd 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: _____


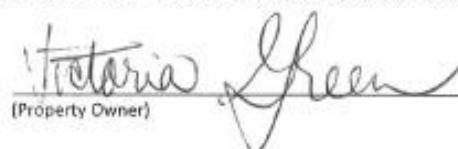
Rick Grover
Weber County Planning Director

Exhibits

- A. Subdivision Application
- B. Middle For Ranches 3rd Amendment Plat

Location Map 1



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 <u>MIDDLE FORK RANCHES</u>			Number of Lots
Approximate Address <u>7522E 1400N HUNTSVILLE UT 84317</u>		Land Serial Number(s) <u>21-048-0008</u>	
Current Zoning	Total Acreage	<u>21-005-0036</u>	
Culinary Water Provider <u>BOZEN WATER</u>	Secondary Water Provider <u>MOUNTAIN CANYON</u>	Wastewater Treatment	
Property Owner Contact Information			
Name of Property Owner(s) <u>TROY GREEN</u>		Mailing Address of Property Owner(s) <u>7522E 1400N HUNTSVILLE UT 84317</u>	
Phone <u>801-644-3196</u>	Fax		
Email Address <u>TROY@FROEGER.NET</u>		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) <u>TROY GREEN</u>		Mailing Address of Authorized Person <u>7522 E 1400N HUNTSVILLE, UT 84317</u>	
Phone <u>801-644-3196</u>	Fax		
Email Address <u>TROY@FROEGER.NET</u>		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 <u>HANSEN ASSOCIATES</u>		Mailing Address of Surveyor/Engineer <u>538 NORTH MAIN STREET BREHAM, UT 84302</u>	
Phone <u>435-723-3491</u>	Fax		
Email Address <u>ROGERS@HAJES.NET</u>		Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail	
Property Owner Affidavit			
<p>I (We) <u>TROY GREEN ; VICTORIA GREEN</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>9</u> day of <u>July</u> , 20 <u>20</u> .			

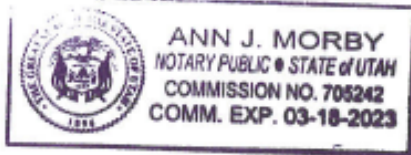
Authorized Representative Affidavit

I (We), Troy & Victoria Green, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s), Troy Green, 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.

Troy Green
(Property Owner)

Victoria Green
(Property Owner)

Dated this 9 day of July, 2020, personally appeared before me signer(s) of the Representative Affidavit who duly acknowledged to me that they executed the same.



Ann J. Morby
Notary

FINAL MIDDLE FORK RANCHES THIRD AMENDMENT

AMENDING LOT 8, MIDDLE FORK RANCHES SUBDIVISION
WEBER COUNTY, UTAH
A PART OF THE SOUTHWEST QUARTER OF SECTION 6,
TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN
JUNE 2020

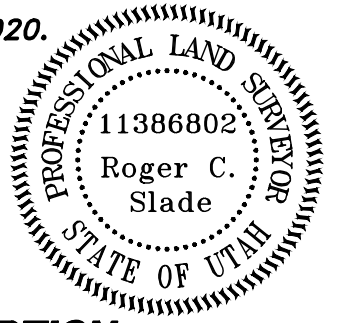
Exhibit B

SURVEYOR'S CERTIFICATE

I, ROGER C. SLADE, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT; AND I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND HAVE HEREBY AMENDED AND SUBDIVIDED SAID TRACT INTO ONE (1) LOT, KNOWN HEREAFTER AS MIDDLE FORK RANCHES THIRD AMENDMENT IN WEBER COUNTY, UTAH, AND HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE AND IS TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND, I FURTHER HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 2020.

ROGER C. SLADE, P.L.S.
UTAH LAND SURVEYOR LICENCE NO. 11386802



SUBDIVISION BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHEAST CORNER OF LOT 21, MIDDLE FORK RANCHES FIRST AMENDMENT, RECORDED AS ENTRY NO. 2785086 IN THE WEBER COUNTY RECORDER'S OFFICE ALSO BEING THE NORTHWEST CORNER OF LOT 8 MIDDLE FORK RANCHES, RECORDED AS ENTRY NO. 614116 LOCATED 2518.96 FEET NORTH 89°03'22" EAST ALONG THE EAST / WEST CENTER SECTION LINE AND 2.61 FEET SOUTH 0°05'00" WEST TO AN OLD 1/2" REBAR MARKING THE CENTER OF SAID SECTION 6 PER SAID MIDDLE FORK RANCHES AND 81.20 FEET NORTH 89°33'30" EAST FROM THE WEST QUARTER CORNER OF SAID SECTION 6;

RUNNING THENCE NORTH 89°33'30" EAST 281.40 FEET ALONG THE NORTH LINE OF SAID LOT 8 TO THE NORTHEAST CORNER OF TROY AND VICTORIA GREEN PROPERTY, TAX ID NO. 21-005-0036; THENCE ALONG THE BOUNDARY OF SAID GREEN PROPERTY THE FOLLOWING TWO (2) COURSES: (1) SOUTH 01°38'00" WEST 800.00 FEET; AND (2) NORTH 90°00'00" WEST 41.01 FEET TO THE EAST LINE OF SAID LOT 8; THENCE ALONG THE BOUNDARY OF SAID LOT 8 THE FOLLOWING FOUR (4) COURSES (1) SOUTH 00°22'27" WEST 22.69 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 1400 NORTH STREET; (2) NORTH 89°38'00" WEST 177.00 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE; (3) WESTERLY TO THE RIGHT ALONG THE ARC OF A 337.86 FOOT RADIUS CURVE, A DISTANCE OF 134.99 FEET, CHORD BEARS NORTH 78°11'15" WEST 134.09 FEET, HAVING A CENTRAL ANGLE OF 22°53'30" ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF SAID LOT 21; AND (4) NORTH 06°32'42" EAST 796.81 FEET ALONG THE EAST LINE OF SAID LOT 21 TO THE POINT OF BEGINNING. CONTAINING 257,630 SQUARE FEET OR 5.914 ACRES.

TOGETHER WITH A 15' WIDE RIGHT-OF-WAY ACROSS LOT 21, MIDDLE FORK RANCHES FIRST AMENDMENT, RECORDED AS ENTRY NO. 2785086.

OWNER'S DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART, AMEND AND SUBDIVIDE THE SAME INTO LOTS AS SHOWN HEREON AND NAME SAID TRACT MIDDLE FORK RANCHES THIRD AMENDMENT, AND DO HEREBY GRANT AND DEDICATE IN PERPETUITY, PURSUANT TO THE PROVISIONS OF 17-27A-607, UTAH CODE, WITHOUT CONDITION, RESTRICTION OR RESERVATION TO WEBER COUNTY, UTAH, ALL THOSE CERTAIN STRIPS OF SAID TRACT OF LAND UPON AND UNDER THE LANDS DESIGNATED HEREOF AS PUBLIC UTILITY EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS. WE ALSO DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES. WE HEREBY DECLARE THE PLAT NOTES SHOWN HEREON TO BE EFFECTIVE AND BINDING.

SIGNED THIS _____ DAY OF _____, 2020.

TROY GREEN

VICTORIA GREEN

ACKNOWLEDGMENT

STATE OF UTAH)
 §
COUNTY OF WEBER)

ON THIS _____ DAY OF _____, 2020, TROY GREEN AND VICTORIA GREEN, HUSBAND AND WIFE AS JOINT TENANTS, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF WEBER, IN THE STATE OF UTAH, THE SIGNERS OF THE ATTACHED OWNERS DEDICATION, TWO IN NUMBERS, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC

WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND
RECORDED _____
IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____, RECORDED
FOR _____
COUNTY RECORDER
BY: _____ DEPUTY

FOUND WEBER COUNTY BRASS CAP
WITNESS CORNER MONUMENT
1980 GOOD CONDITION 3" ABOVE GROUND

EAST QUARTER CORNER OF SEC. 6,
T. 6 N., R. 2 E., SLB&M
CALCULATED POSITION

WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION.
SIGNED THIS _____ DAY OF _____, 2020.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.
SIGNED THIS _____ DAY OF _____, 2020.

WEBER COUNTY ENGINEER

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 AFFECT
SIGNED THIS _____ DAY OF _____, 2020.

WEBER COUNTY ATTORNEY

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
SIGNED THIS _____ DAY OF _____, 2020.

CHAIRMAN, WEBER COUNTY COMMISSION

ATTEST

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THERewith.
SIGNED THIS _____ DAY OF _____, 2020.

WEBER COUNTY SURVEYOR

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO AMEND LOT 8, MIDDLE FORK RANCHES AND PROPERTY TAX ID NO. 21-005-0036 AND TO ESTABLISH AND SET THE PROPERTY CORNERS AS SHOWN AND DESCRIBED HEREON. THIS SURVEY WAS ORDERED BY TROY GREEN. THE CONTROL USED TO ESTABLISH THE PROPERTY CORNERS WAS MIDDLE FORK RANCHES (ENTRY NO. 614116), MIDDLE FORK RANCHES FIRST AMENDMENT (ENTRY NO. 2785086) AND ROS# 4581 ALONG WITH THE EXISTING WEBER COUNTY SURVEYOR MONUMENTATION SURROUNDING SECTION 6, TOWNSHIP 6 NORTH, RANGE 2 EAST, S.L.B.&M.

THE BASIS OF BEARING IS THE EAST / WEST CENTER SECTION LINE OF SAID SECTION WHICH BEARS NORTH 89°07'40" EAST, ROTATED TO MATCH THE BEARINGS SHOWN ON MIDDLE FORK RANCHES.

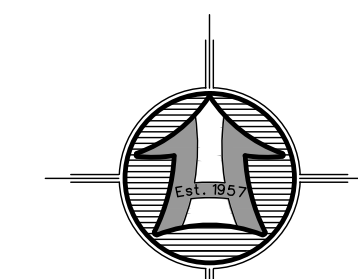
WEST QUARTER CORNER OF SEC. 6,
T. 6 N., R. 2 E., SLB&M
FOUND BLM BRASS CAP MONUMENT
1967 GOOD CONDITION 4" ABOVE GROUND

LOT 20
BARRIE MCKAY
21-142-0001

SIX H LIMITED PARTNERSHIP
21-005-0030

CENTER CORNER OF SEC. 6, T6N, R2E, SLB&M
FOUND OLD 1/2" REBAR AT OLD FENCE CORNER
ENTRY NO. 2785086 & ROS# 4581

- NOTES:
- 1 - ALL PUBLIC UTILITY EASEMENTS (P.U.E.) ARE 7.0 FOOT WIDE UNLESS OTHERWISE NOTED.
 - 2 - LOT 25 HAS A METERED CULINARY HOOKUP.
 - 3 - A PORTION OF THE SUBJECT PROPERTY FALLS WITHIN THE LIMITS OF FEMA ZONE AE PER FEMA FIRM MAP NO. 49057C0242F WITH AN EFFECTIVE DATE OF 06/02/2015.
 - 4 - ALL ELEVATIONS SHOWN ARE REFERENCED TO THE N.A.V.D. 88 DATUM.



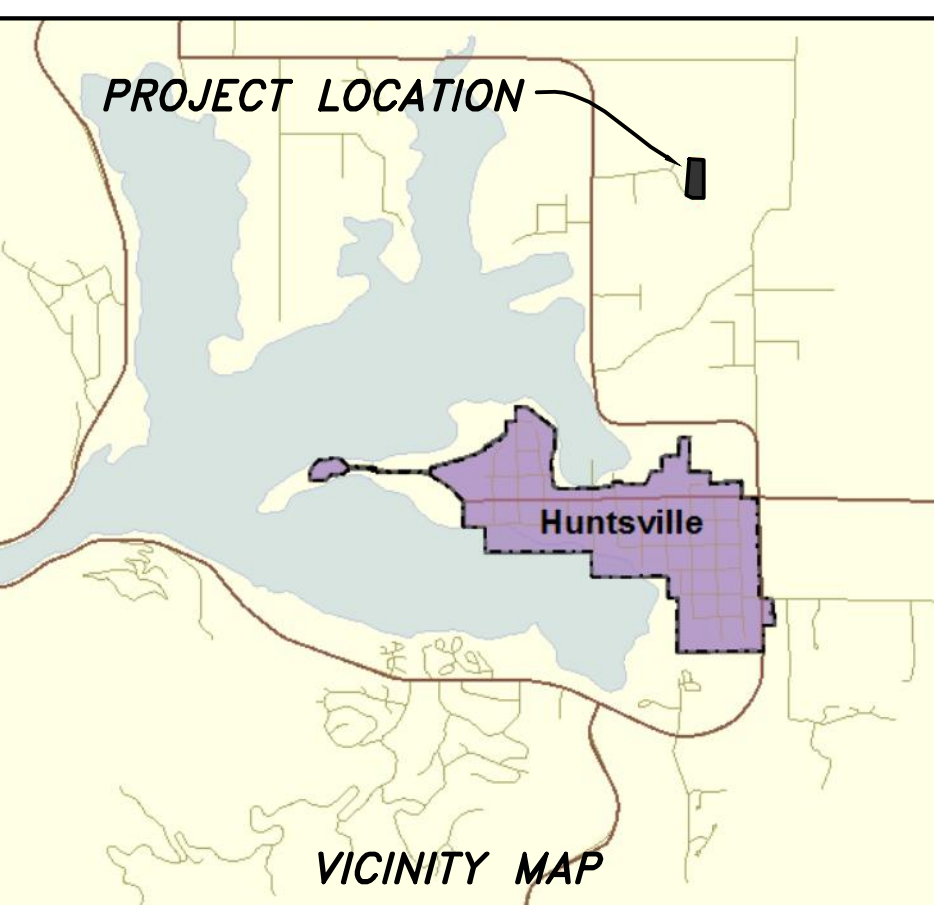
SCALE: 1" = 50'
0 50 100
Scale in Feet
(Data in Parentheses is Record)

LEGEND

- SUBJECT PROPERTY LINE
- - - SUBDIVISION BOUNDARY
- - - ADJOINING PROPERTY LINE
- - - PREVIOUS PROPERTY LINE
- - - CENTERLINE
- - - PUBLIC UTILITY EASEMENT (PUE)
- ▨ FEMA ZONE AE
- FENCE LINE
- WITNESS CORNER
- FOUND OLD 1/2" REBAR SET BY OTHERS
- SET 5/8"x24" REBAR WITH CAP
- SECTION CORNER

AGRICULTURAL NOTE

AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE 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 AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION



DEVELOPER:
TROY GREEN
7522 EAST 1400 NORTH
HUNTSVILLE, UTAH 84317
(801) 644-3196



HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main Street, Brigham, Utah 84302
Visit us at www.haies.net
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