



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
isperkes@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: SEPT. 2, 2020


Rick Grover

Weber County Planning Director

Exhibits

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

Location Map 1



Exhibit A

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>7522 E 1400N HUNTSVILLE UT 84317</u>		Land Serial Number(s) <u>21-048-0009</u>
Current Zoning	Total Acreage	<u>21-005-0036</u>
Culinary Water Provider <u>EDEN WATER</u>	Secondary Water Provider <u>MOUNTAIN COUNCIL</u>	Wastewater Treatment

Property Owner Contact Information

Name of Property Owner(s) <u>TROY GREEN</u>		Mailing Address of Property Owner(s) <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	

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 DREHMAN, UT 84302</u>
Phone <u>435-723-3191</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

I (we), TROY GREEN VICTORIA GREEN 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.

Troy Green
(Property Owner)

Victoria Green
(Property Owner)

Subscribed and sworn to me this 9 day of July 2020.

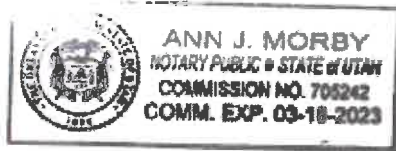
Authorized Representative Affidavit

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

Tony 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

