



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: A public hearing to consider and take action on a request to vacate a public utility easement located along the side property line of Lot 14, Snowflake Subdivision, Phase 3

Agenda Date: Tuesday, May 4, 2021

Applicant: Chuck Kofoed

File Number: EV 2021-02

Property Information

Approximate Address: 4382 Snowflake Circle

Project Area: 1.457 acres

Zoning: FV-3 Zone

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 22-186-0003

Township, Range, Section: T7N, R1E, Section 15

Adjacent Land Use

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

Staff Information

Report Presenter: Steve Burton
sburton@webercountyutah.gov
801-399-8766

Report Reviewer: RG

Background and Summary

The applicant has proposed to vacate a 10 foot public utility easement along the north property line of lot 14 of Snowflake Subdivision 3, in Eden. The only utility that is known to be within this easement is the sewer line. The applicant is working with Powder Mountain Water and Sewer Improvement District to re-align the sewer line. The purpose of this amendment is to allow the owner to build a detached accessory building closer to the north property line. Notice has been mailed to affected entities, as required by Utah Code §17-27a-609.5.

Summary of County Commission Considerations

The County Commission will need to determine if there will be any detrimental impacts caused by vacating the proposed public utility easements. Utah Code §17-27a-609.5 states that *“The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if the legislative body finds that:*

- (a) good cause exists for the vacation; and*
- (b) the public interest or any person will not be materially injured by the proposed vacation.*

Conformance to the General Plan

Vacating the identified easement is not anticipated to have a negative effect the Ogden Valley General Plan.

Staff Recommendation

Staff recommends approval of the request to vacate the public utility easement along the north side property line of lot 14, Snowflake Subdivision Phase 3. This recommendation for approval is subject to all review agency requirements and is based on the following conditions:

1. The ordinance to vacate the public utility easement will be recorded in the office of the Weber County Recorder.

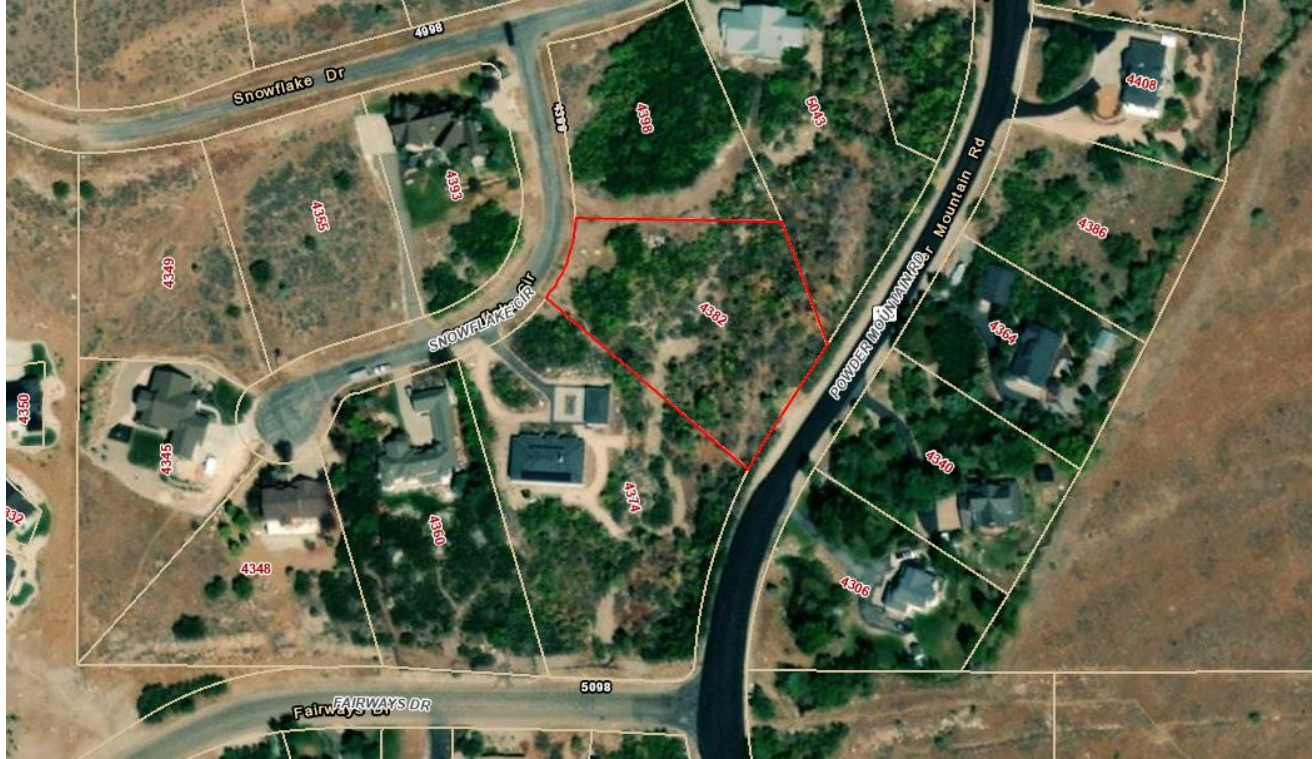
The recommendation is based on the following findings:

1. Vacating the proposed public utility easement will not have a negative effect on the Ogden Valley General Plan.
2. Based on the proposed subdivision amendment, good cause exists to vacate the easement.
3. The public interest or any person will not be materially injured by the proposed vacation.

Exhibits

- A. Easement Vacation Application with Narrative
- B. Proposed Vacation Ordinance
- C. Future Easement Location Exhibit

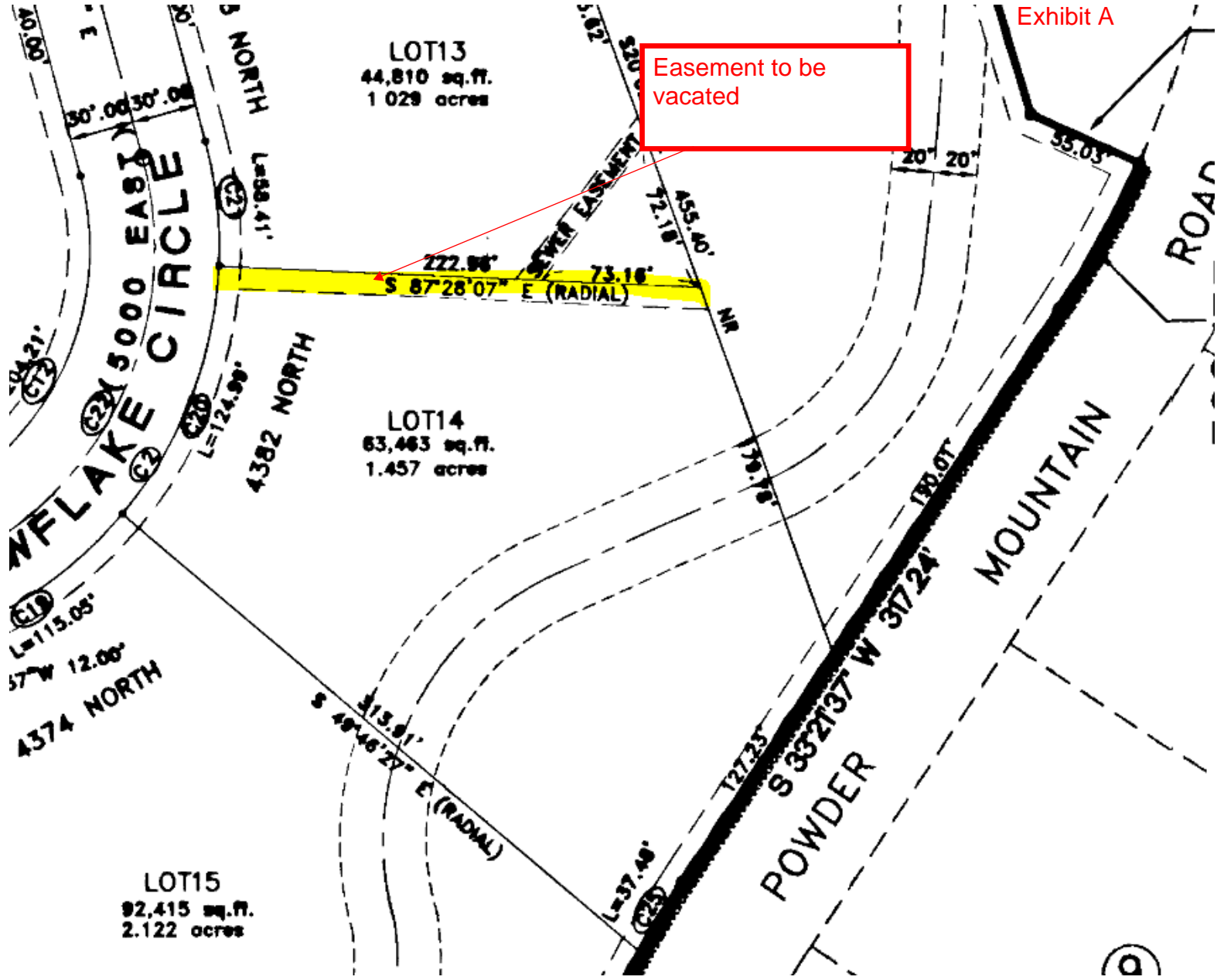
Location Map



To facilitate our building project, we are reconfiguring the north boundary of 4382 Snowflake (lot 14) and moving a sewer pipe as well. We also own Lot 13. There is a public utility easement wherein the current pipe sits, on the border of lots 13 and 14. No other utilities are there. We plan to adjust the easement accordingly, keeping it aligned with the new north boundary of lot 14...basically to provide continued access by the sewer district to a manhole that is in the back of the property, where no structures will ever be built. The new easement will still be 10' wide, like the current easement.

4382 Snowflake Circle and 4398 Snowflake Circle
Eden, UT, 84310

Charles Kofoed
801-560-3784
cjkofoed@msn.com



Easement to be vacated

LOT 13
44,810 sq. ft.
1.029 acres

LOT 14
63,463 sq. ft.
1.457 acres

LOT 15
92,415 sq. ft.
2.122 acres

WELAKE CIRCLE
5000 EAST
NORTH
4382 NORTH
4374 NORTH

POWDER MOUNTAIN ROAD

ORDINANCE NO. _____

**AN ORDINANCE OF WEBER COUNTY VACATING
A PUBLIC UTILITY EASEMENT IN THE SNOWFLAKE SUBDIVISION PHASE 3**

WHEREAS, the Owner has filed a petition to vacate a 10 foot public utility easement along the north side property line of lot 14, Snowflake Subdivision Phase 3, as described in Exhibit A of this ordinance; and

WHEREAS, after providing proper public notice, a public hearing was held before the Weber County Commission on _____, 2021, regarding the vacation of the public utility easement; and

WHEREAS, Weber County’s Engineering Department has been notified and has provided written approval of the vacation of the portion of the public right-of-way; and

WHEREAS, the Commission finds that good cause exists to vacate the portion of public right-of-way, and that it will not substantially affect the Ogden Valley General Plan, and that neither the public interest nor any person will be materially injured;

NOW THEREFORE, the Board of County Commissioners of Weber County vacates the portion of public utility easement, as described in Exhibit A of this ordinance.

Adopted and ordered published this _____ day of _____, 2021.

Weber County Commission

By _____
James H. Harvey, Chair

Commissioner Froerer Voted _____
Commissioner Harvey Voted _____
Commissioner Jenkins Voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk

Exhibit A

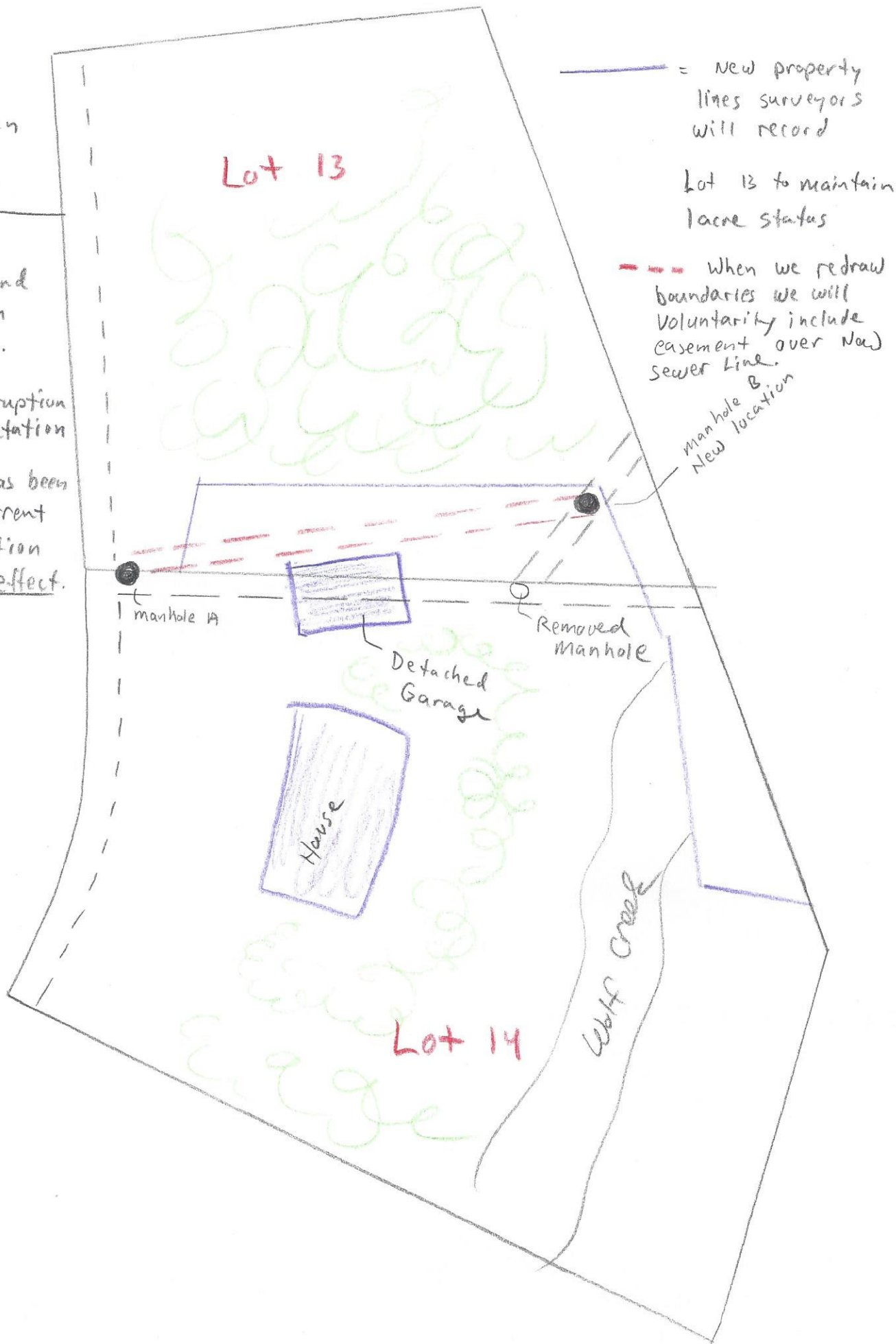
The 10 foot public utility easement located along the northern property line of Lot 14, Snowflake
Subdivision Phase 3

Kofoed Snowflake Lots 14 & 13
Utility Easement Vacation

Exhibit C

Proposed
Building Plan
Why Easement
Vacation

- ① To Facilitate building home and garage/loft on same property.
- ② Minimize disruption to Natural vegetation
- ③ Sewer pipe has been moved, so current easement location of no useful effect.



———— = New property lines surveyors will record

Lot 13 to maintain acre status

--- = When we redraw boundaries we will voluntarily include easement over new sewer line.
Manhole B New location

Lot 13

Lot 14

Wolf Creek

Manhole A

Removed Manhole

Detached Garage

House