



Weber County

Weber County Planning Division
webercountyutah.gov/planning
2380 Washington Blvd., Suite 240
Ogden, Utah 84401
Voice: (801) 399-8374
Fax: (801) 399-8862

Vacating Roads, Easements, and Subdivisions

Road vacation is a process governed by state law whereby Weber County considers whether to retain the public's interest in road rights of way, e.g., the right of the public to use an existing road or right of way.

There may be rights and interests of private individuals and utility companies that will remain, e.g., if utilities are located in the right of way, these easements will be retained. If approved, this can result in the vacated road becoming part of the abutting owners' property. Road vacation does not necessarily remove all encumbrances from the area vacated.

A pre-application meeting is required prior to application submittal; please call (801) 399-8374 to make an appointment. Date of pre-application review meeting: _____ Time: _____

- Staff member assigned to process application: Felix Lleverino

APPLICATION DEADLINE: Thirty (30) days prior to the applicable Planning Commission meeting

The Western Weber County Township Planning Commission holds their meetings on the 2nd Tuesday of the month.

The Ogden Valley Township Planning Commission holds their meetings on the 4th Tuesday of the month.

Fee Schedule

Fee Required _____

- Road, easement, and subdivision vacations
 - Planning Fee: \$385.00
 - Engineering Fee: \$115.00
 - Surveyor Fee: \$400.00 per plat; or 150 per ordinance

Application Submittal Checklist

The Planning Division will only accept complete applications with supporting documents as outlined below. Submitting an application does not guarantee that this application will be placed on the next Planning Commission agenda.

The following is required as part of the application form submittal:

- Complete Application Form
- A non-refundable fee made payable to Weber County (See *Fee Schedule*)
- Obtain signature of the owner(s) on the application and any authorized representatives
- Vacating a subdivision or phase of the subdivision, requires a petition signed by all lot owners requesting to vacate the subdivision (or phase of the subdivision), or a lot within the subdivision as per Utah Code 17-27a-608.4b. (As per Utah Code 17-27a-608.1b(ii), without the petition from all lot owners within the subdivision or phase of the subdivision, then a public hearing is required)
- Vacating easements will require approval from Weber County Engineering. Utility companies are notified of the vacation. If the utility company does not contest the vacations the easement will be vacated by legislative action.
- Vacating a road will require a letter of support from the Weber County Engineering and Surveying Department



Weber County

Approval Process

The Planning Division will forward a copy of the request to vacate to the review agencies for any comments. The Planning Commission will have to make a recommendation to the County Commission to vacate any subdivision or lot within a subdivision, with the recommendation given at the same time the Planning Commission makes a recommendation to approve an amended subdivision plat. This recommendation is then forwarded to the County Commission, who holds a public hearing to vacate a subdivision or a lot within the subdivision.

Vacating a road, easement, or subdivision requires an ordinance, approved by the County Commission.

For Your Information

The vacating application is online at the following Planning Division web site:

<https://webercountyutah.gov/planning/files.php>

Copies of the applicable Weber County Zoning Ordinances and other helpful information are also available at this web site.

Weber County Vacation Application

Application submittals will be accepted by appointment only. (801) 399 8374. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

| | | |
|---|-------------------|-----------------------------|
| Date Submitted / Completed 11-16-21 | Fees (Office Use) | Receipt Number (Office Use) |
|---|-------------------|-----------------------------|

Requesters Contact Information

| | | |
|--|----------|--|
| Name Daniel R. Mortensen | | Mailing Address P.O. Box 22 |
| Phone 801-917-9214 | Fax — | Eden, UT 84310 |
| Email Address DAN.MORTENSEN@SLCGOV.COM | | Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail |

Property Information

| | |
|--|---|
| Address 4883 E. 2875 N. Eden, UT 84310 | Land Serial Number(s) 221890001 |
| Vacation Request <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Road <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision Lot | Current Zoning AV3 |
| Subdivision Name Mountain View Estates No. 5 | Lot Number(s) 32 |

Project Narrative
Please see attached letter and documents.


Property Owner Affidavit

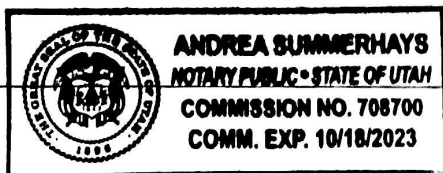
I (We), Daniel R & Alisa P. Mortensen, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.


 (Property Owner)


 (Property Owner)

Subscribed and sworn to me this 16th day of November, 2021.


 (Notary)



November 16th, 2021

Weber County Planning

Attention: Felix Lleverino

RE: Public Utility Easement Vacation

Hello Felix,

This letter is a follow up to our phone conversations and emails this past week. As stated, I recently had a pole barn built on my property. During the inspection process it was determined the building has encroached into the PUE on the south side of my property. According to a survey conducted by Land Mark Survey, the building corners are 9'6" from the property line. As per the construction plans the footing are 24" in diameter, which puts the underground piers 9' from the property line. This creates an 18" encroachment into the PUE on the south side of my property. As per the plat maps, my property has a 10' PUE, the neighboring property has a 5' PUE. I have been in contact with Mr. Stan Berniche about this issue and he directed me to contact your division.

The building started construction in the fall of 2020. I hired Beehive Builders for the construction. I was present for the final building inspection in late December 2020. During that inspection, I became aware the inspector was requiring a survey to verify the buildings distance from the property/PUE lines. At that same inspection, I was informed the inspector had made that request to my builder from the initial inspections; my builder did not share that information with me. Mr. Berniche has been great to work with and granted an extension on my permit. I was able to get a surveyor to document the building on the property during that time. The surveyor's letter and construction documents are attached to this letter. It should also be noted, soon after the December 2020 inspection, the project foreman (assigned to my building) was fired from Beehive Builders.

This past week I met with Mr. Dee Staples, President of Wolf Creek Irrigation Company. Wolf Creek has a water line in the PUE on the south side of my property. The water line was physically exposed this past week and Mr. Staples visited the site. Mr. Staples requested documents related to my construction and the encroachment. After consulting with Mr. Staples he provided a letter from his company regarding the encroachment, the letter is also attached. To the best of Mr. Staples and my knowledge Wolf Creek Irrigation is the only service provider in the PUE.

I am requesting the PUE on the south side of my property be reduced from 10' to 8', accommodating the building encroachment. Please let me know what steps I should take with your division and any if any additional information needed.

Thank you in advance for your time and consideration,

Daniel R. Mortensen, Property Owner, 4883 E. 2875 N. Eden, Ut. 84310





Landmark Surveying, Inc.

A Complete Land Surveying Service
www.landmarksurveyutah.com

4646 South 3500 West - #A-3
West Haven, Utah 84401
(801) 731-4075 Office

October 18, 2021

To: Whom it may concern

Attn:

From: Landmark Surveying

Subject: Dan Mortensen Shed building. Lot 32 Mountain View Estates No.5

This letter is written regarding the location of the recently build shed for Lot 32 Mountain View Estates No.5. Building corner locations have been surveyed with GPS equipment and have been found to be over 10' away from the side yard property line (northeasterly) and 9.5' away from the rear yard (southeasterly). These distances are in compliance with the required set back distances for the AV3 zone WCO 104-2-5(c)(2) & (3).

Tyler Knight,
Landmark Surveying Inc.

4248setback ltr.docx

RE:

Landmark Surveying, Inc. - A Complete Land Surveying Service

- Subdivision Design - City/County Approvals - Land Planning - Site Plans - Construction Surveying - FEMA Flood Insurance Surveys
- Boundary Consulting - Property Surveys - ALTA Surveys

Page 1 of 1

November 11th, 2021

Dee Staples
President
Wolf Creek Irrigation Company
P.O. Box 761
Eden, Utah 84310

To Whom It May Concern:

I am writing you concerning an encroachment in the public utility easement located at 4883 E. 2875 N. Eden, Utah 84310. I was informed by Daniel Mortensen (owner of the previously mentioned property) that a recently built pole style barn has encroached upon the public utility easement, located on the south side of the property. Wolf Creek Irrigation maintains a water supply line in the easement.

Mr. Mortensen has provided a surveyor letter and other supporting documents, detailing the encroachment. The water supply line has also been physically located on the property. Based on this information Wolf Creek Irrigation accepts the encroachment and does not believe it will negatively affect company operations.

Sincerely,

A handwritten signature in cursive script that reads "Dee Staples".

Dee Staples, President, Wolf Creek Irrigation Company
801-721-3730

PART OF THE SW 1/4, OF SECTION 27, T.7N., R.1E., S.L.B. & M.
MOUNTAIN VIEW ESTATES No. 5

IN WEBER COUNTY
SCALE 1" = 50'

TAXING UNIT: 28

SEE PAGE 21-1



SEE PAGE 21-1

SEE PAGE 21-1

← Subject Property

FOR COMPLETE ENG. DATA SEE ORIGINAL DEDICATION PLAT IN BOOK 54, PAGE 98 OF RECORDS.

SEE PAGE 21-1

10' UTILITY & DRAINAGE EASEMENTS EACH SIDE OF PROPERTY LINES AS INDICATED BY DASHED LINES EXCEPT AS OTHERWISE SHOWN.

FOR TAX PURPOSES ONLY



Land Use Permit

Weber County Planning Commission

2380 Washington Blvd. STE 240
Ogden, UT 84401
Phone: (801) 399-8791 FAX: (801) 399-8862
webercountyutah.gov/planning

Permit Number: LUP270-2020

Permit Type: Structure
Permit Date: 08/07/2020

Applicant

Owner

Name: Heidi Roberts
Business:
Address:
, UT
Phone: 8015137248

Name: Dan Mortensen
Business:
Address: 4883 W 2875 N
Eden, UT 84310
Phone: 8019179214

Parcel

Parcel: 221890001
Zoning: AV-3 **Area:** .9751 **Sq Ft:**
Address: 4883 E 2875 N EDEN, UT 84310

Lot(s): 32 **Subdivision:** Mtn View Est No 5
T - R - S - QS: 7N - 1E - 27 - SW

Proposal

Proposed Structure: SFD
Proposed Structure Height: 22
of Dwelling Units: 1
Off Street Parking Reqd:

Building Footprint: 1131
Max Structure Height in Zone: 25
of Accessory Bldgs: 1
***Is Structure > 1,000 Sq. Ft?** Yes
***If True Need Certif. Statement**

Permit Checklist

Access Type: Public Own Front
Greater than 4218 ft above sea level? Yes
Additional Setback Reqd. ? No
> 200 ft from paved Road? No
Culinary Water District:

Alternative Access File #
Wetlands/Flood Zone? No
Meet Zone Area Frontage? Yes
Hillside Review Reqd? No
Waste Water System:

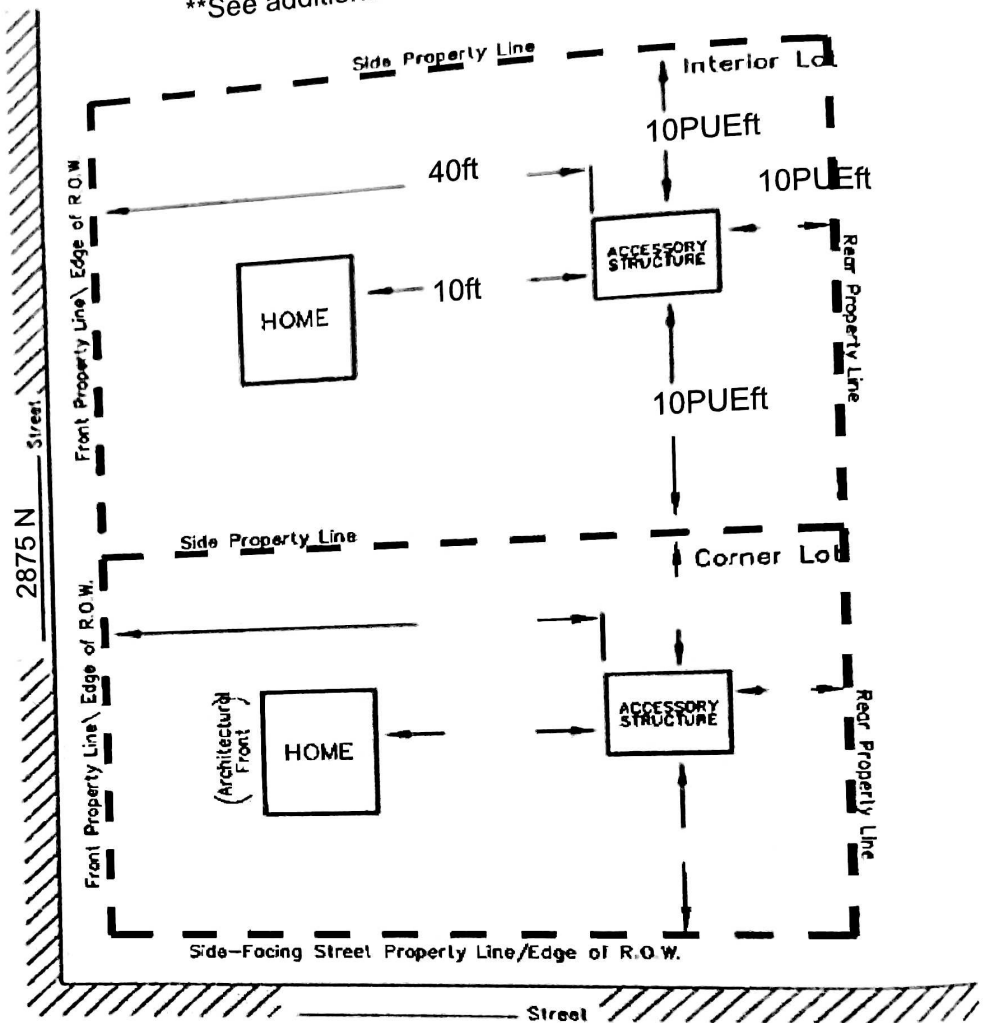
Comments

The plans for a large accessory structure display compliance with all applicable land use requirements. Be aware that that any footing or eaves may not encroach into the side and rear 10-foot public utility easement.



Land Use Permit

Structure Setback Graphic: Storage Shed, Detached Garage, Etc.
 See additional notes in the comments section



MINIMUM YARD SETBACKS Storage Shed, Detached Garage, Etc.

NOTICE FOR APPLICANT (Please Read Before Signing)

Proposals for the installation of an individual water supply and for a sanitary waste disposal system (septic tank) for any structure designed for human occupation must be approved by Weber County Health Department prior to installation.

Felix Lleverino

08/07/2020

Planning Dept. Signature of Approval

Date

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this land use will be complied with whether specified herein or not. I make this statement under penalty of perjury.

Contractor/Owner Signature of Approval

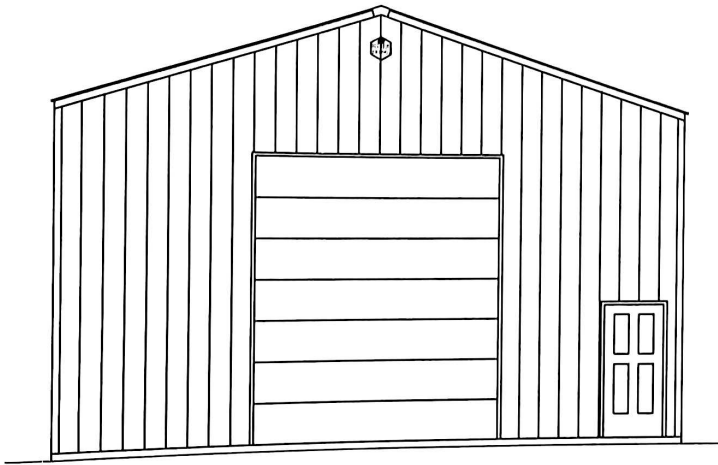
Date

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BEEHIVE BUILDINGS

DAN MORTENSEN BUILDING

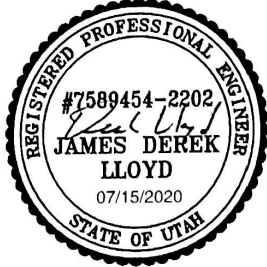

All work performed shall comply with the 2015 International Residential Code and the 2018 International Building Code as adopted and amended by the State of Utah.



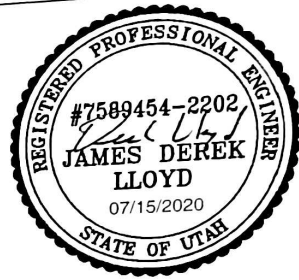
BUILDING SHELL PERMIT ONLY. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE A SEPARATE PERMIT.

REVIEWED FOR CODE COMPLIANCE
 KELLY A. JANIS
 WEBER COUNTY BUILDING DEPARTMENT

Kelly Janis 8-24-20

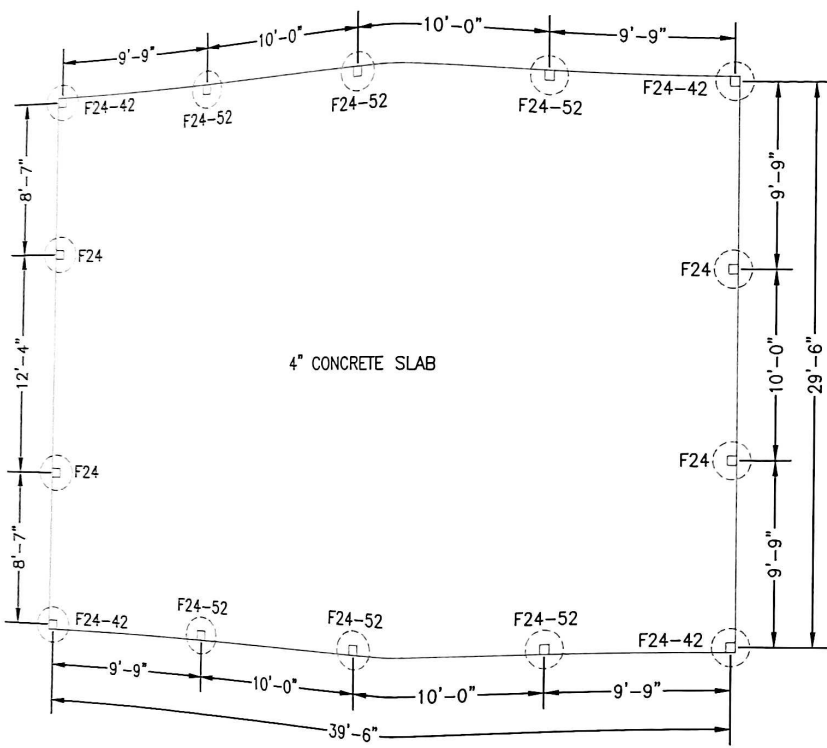
| ION | CONTRACTOR | | DRAWING INDEX | |  <p>ENGINEER STAMP</p> | | | | | | | | | | | | | | | | | |
|--------|--|--|--|--|---|--|-------|-------------|----|-------------|----|-----------------|----|------------|----|-----------|----|-----------|----|------------|----|--------------|
| | BEEHIVE BUILDINGS CONTACT: GARRETT NICHOLS GARRETT@BEEHIVEBUILDINGS.COM PHONE: 801-529-4222 | | DRAFTING & ENGINEERING MOUNTAIN POINT ENGINEERING CONTACT: DEREK LLOYD DEREK@MOUNTAINPOINTENGINEERING.COM PHONE: 801-450-5332  | | | <table border="1"> <thead> <tr> <th>SHEET</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>00</td> <td>COVER SHEET</td> </tr> <tr> <td>01</td> <td>FOUNDATION PLAN</td> </tr> <tr> <td>02</td> <td>FLOOR PLAN</td> </tr> <tr> <td>03</td> <td>ROOF PLAN</td> </tr> <tr> <td>04</td> <td>GIRT PLAN</td> </tr> <tr> <td>05</td> <td>ELEVATIONS</td> </tr> <tr> <td>06</td> <td>PANEL LAYOUT</td> </tr> <tr> <td>07-09</td> <td>DETAIL SHEETS</td> </tr> </tbody> </table> | SHEET | DESCRIPTION | 00 | COVER SHEET | 01 | FOUNDATION PLAN | 02 | FLOOR PLAN | 03 | ROOF PLAN | 04 | GIRT PLAN | 05 | ELEVATIONS | 06 | PANEL LAYOUT |
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| 07-09 | DETAIL SHEETS | | | | | | | | | | | | | | | | | | | | | |
| 0 S.F. | | | | | DATE 07/15/2020 | | | | | | | | | | | | | | | | | |

Builder



ENGINEER STAMP

EAST



4" CONCRETE SLAB

WEST

FOOTINGS ARE TO BEAR ON SUITABLE NATURAL SOIL OR PROPERLY COMPACTED AND TESTED STRUCTURAL FILL. IF BEARING ON FILL, COMPACTION TEST AND SOILS REPORT IS REQUIRED.

MINIMUM FROST DEPTH FOR ALL EXTERIOR CONTINUOUS AND SPOT FOOTINGS SHALL BE 40" BELOW FINISHED GRADE.

STEP FOOTINGS AS NECESSARY TO MAINTAIN THE MINIMUM REQUIRED FROST DEPTH. CONTACT ENGINEER OF RECORD FOR APPROVAL PRIOR TO MAKING ANY FOOTING OR FOUNDATION CHANGES.

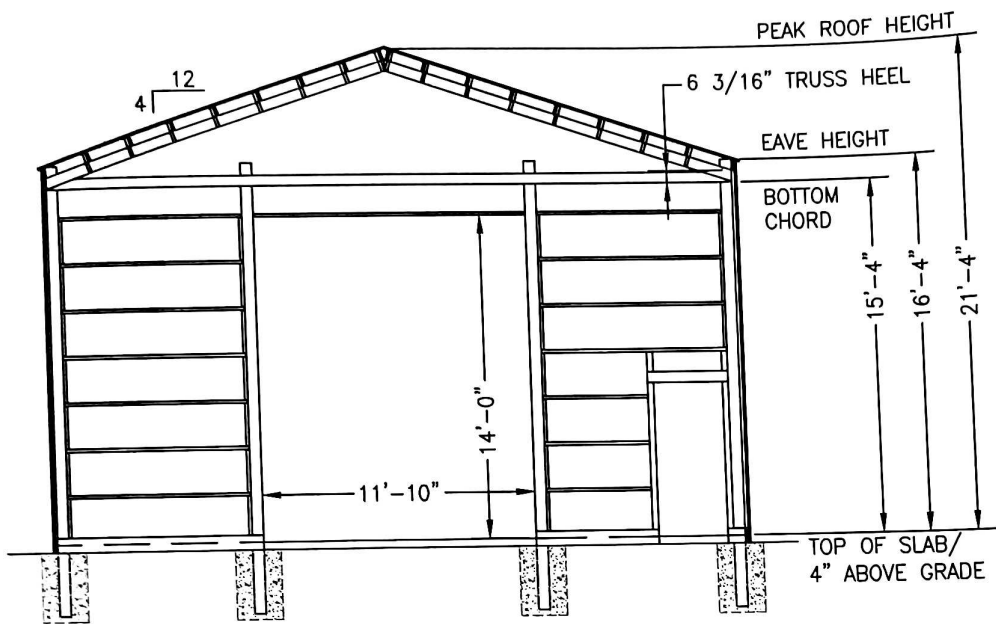
ANY WOOD IN CONTACT WITH CONCRETE SHALL BE DECAY RESISTANT.

SOUTH

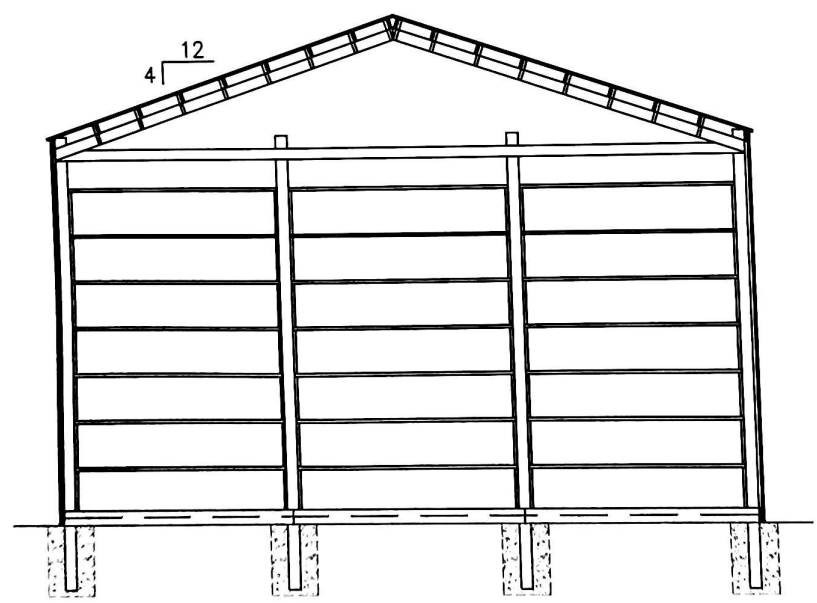
PIERS:

1. F24: 24" DIA x 40" DEEP CONCRETE PIER
2. F24-42: 24" DIA X 42" DEEP CONCRETE PIER
3. F24-52: 24" DIA X 52" DEEP CONCRETE PIER

REVIEWED FOR CODE COMPLIANCE
 KELLY A. JANIS
 WEBER COUNTY BUILDING DEPARTMENT



GABLE END GIRT WALL - NORTH



GABLE END GIRT WALL - SOUTH

2X6 DF-L #2 COMMERCIAL GIRTS
 (3" MAX) ON CENTER