



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application, final approval of Bitton Subdivision (1 lot) including a recommendation for a deferral of curb, gutter, and sidewalk.

Agenda Date: Wednesday, April 09, 2014

Applicant: Chris & Jennifer Bitton

File Number: LVB 011514

Property Information

Approximate Address: 1710 South 7500 West

Project Area: 2 acres

Zoning: Agricultural (A-3)

Existing Land Use: Agricultural

Proposed Land Use: Residential

Parcel ID: 10-040-0007

Township, Range, Section: T6N, R3W, Section 26

Adjacent Land Use

North: Agricultural	South: Agricultural
East: Agricultural	West: Agricultural

Staff Information

Report Presenter: Steve Parkinson
sparkinson@co.weber.ut.us
801-399-8768

Report Reviewer: JG

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) Section 7
- Weber County Land Use Code Title 104 (Zones) Chapter 8 (A-3 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Type of Decision

- **Administrative Decisions:** When the Planning Director is acting as the land use authority, he is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Director if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting final approval of Bitton Subdivision consisting of one (1) lot, located at approximately 1710 South 7500 West in the A-3 Zone. The subdivision meets the area and lot width requirements for this Zone. The 2 acre parcel is being subdivided off a larger parcel (152 acres). The owner would like to build a home on the lot.

Culinary water service will be provided by West Warren – Warren Water Improvement District, and a private septic system is approved for waste. No additional fire hydrants are required for this lot. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

There is currently no existing curb, gutter or sidewalk along 7500 West, in any direction, nor is there any sidewalk leading towards the West Weber elementary school. The school district has listed that all students are eligible for busing.

Currently there is a large shed that will be within this proposed subdivision, it is within what will be the front yard set-back of the new parcel. Because the building has been around for several decades, staff has determined that it qualifies as a “non-complying structure”, the building may remain but will not be able to be expanded upon. If it is removed voluntarily it loses all it is rights.

Summary of Administrative Considerations

- Does this subdivision meet the requirements of the Weber County Land Use Code?

The Weber County Land Use Code Title 101 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 only one lot and no streets are being created or realigned. The Land Use Code (Subdivisions) also states “With the exception of small subdivisions, the preliminary plan/plat including the phasing plan shall be presented to the Land Use Authority, in this section Planning Director, for their determination, based upon compliance with applicable ordinances.” Based on these requirements, this subdivision qualifies for administrative approval as a small subdivision.

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber-Morgan Health Department
- Requirements of the Weber Fire District

Administrative Approval

Administrative final approval of Bitton Subdivision 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, including, deferment of curb, gutter, and sidewalk.

Date of Administrative Approval: Wednesday, April 9, 2014

Sean Wilkinson
Weber County Planning Director

Exhibits

- A. Subdivision Plat

Location Map

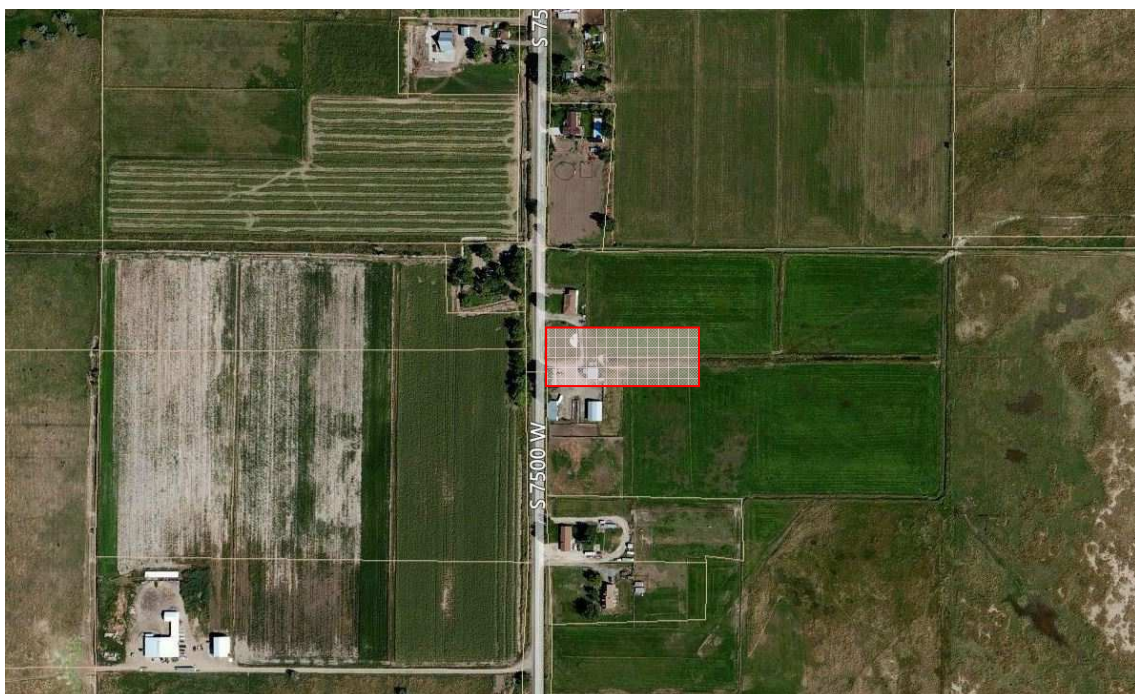
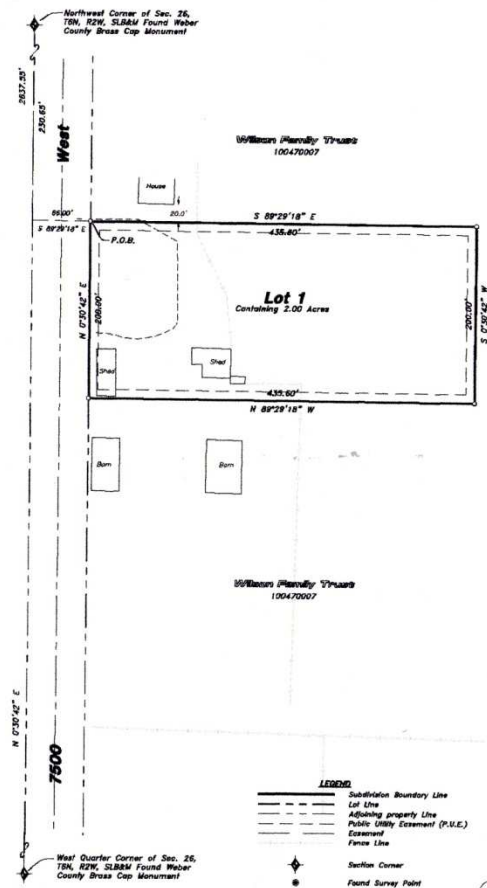


Exhibit A - Subdivision Plat

Bitton Subdivision Weber County, Utah A Part of the Northwest Quarter of Section 26, Township 6 North, Range 3 West, Salt Lake Base & Meridian December 2013



SURVEYOR'S CERTIFICATE

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 26, Chapter 22, Professional Engineers and 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 Subdivided said Tract into One (1) Lot, Inver Hereafter as Bitton Subdivision in Weber County, Utah, and has been Correctly Drawn to the Designated Scale and is True and Correct Representation of the Herein Described Lots Included in said Subdivision, Based Upon Data Compiled from Records in the Weber County Recorder's Office and from said Survey made by me 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 _____, 2013.

K. Greg Hansen P.L.S.
Utah Land Surveyor License No. 187818

BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 6 NORTH, RANGE 3 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF 7000 WEST STREET LOCATED 230.65 FEET SOUTH 00°30'42" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER AND 66.00 FEET SOUTH 89°29'18" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 26; RUNNING THENCE SOUTH 89°29'18" EAST 435.60 FEET; THENCE SOUTH 00°30'42" WEST 300.00 FEET; THENCE NORTH 89°29'18" WEST 435.60 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 00°30'42" EAST 200.00 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 2.000 ACRES.

NARRATIVE

The Purpose of this Survey was to Establish and set the Property Corners of the One Lot Subdivision as Shown and described hereon. The Control used to Establish the Property Corners was the Existing Weber County Survey Monumentation Surrounding Section 26, Township 6 North, Range 3 West, S.L.B.M. The Scale of bearing is the West Line of the Northwest Quarter of said Section which bears South 0°30'42" East, Utah North, State Plane, Calculated N.A.D.83 Bearing.

OWNER'S DEDICATION AND CERTIFICATION

Know all men by these presents that we, the undersigned Owners of the above described tract of land having caused the same to be subdivided into a lot and streets, as shown on this plat and name said tract Bitton Subdivision and hereby dedicate, grant and convey, in perpetuity, pursuant to the provisions of 10-9a-607, Utah code, without condition, restriction or reservation to Weber County, Utah, all those parts or parcels of said tract of land designated as streets the same to be used as public thoroughfares forever and also dedicate to Weber County those certain strips or easements used for the installation, maintenance and operation of public utility service for public utility and drainage purposes as shown hereon. The same to be filed and drainage as may be authorized by the governing Authority. In witness we have here unto set our signature this _____ day of _____, 2013.

TRUST ACKNOWLEDGMENT

State of Utah
County of _____

On this _____ day of _____, 20____

Trustee for the ~~successor~~ trust, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signers of the attached owners dedication, _____ in numbers, who duly acknowledged to me they signed it freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

Notary public

WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

RECORDED _____ FILED FOR RECORD AND _____

RECORDS PAGE _____ OF OFFICIAL _____

RECORDED FOR _____

COUNTY RECORDER

BY: _____ DEPUTY

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 Guarantees is Sufficient for the Installation of these Improvements.

Signed this _____ Day of _____, 2013.

Weber County Engineer

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 _____, 2013.

Chairman, Weber County Planning Commission

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 of any time including the operation of farm machinery and no allowed agriculture use shall be subject to restriction or that it interferes with activities of future residents of this subdivision

WEBER COUNTY ACCEPTANCE

This is to Certify that this Subdivision Plat, the Dedication of Streets and other Public Ways and Financial Guarantees of Public Improvements Associated with this Subdivision, These are Hereby Approved and Accepted by the Commissioners of Weber County Utah

Signed this _____ Day of _____, 2013.

Chairman, Weber County Commission

WEBER COUNTY SURVEYOR

I hereby certify that the Weber County Surveyor's Office has reviewed this Plat for Mathematical Correctness, Section Corner Data, and for Harmony with the Lines and Monuments on Record in County Offices. 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 _____, 2013.

Weber County Surveyor

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 Therein and now in Force and Effect

Signed this _____ Day of _____, 2013.

Weber County Attorney

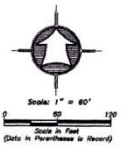
WEBER-MORGAN HEALTH DEPARTMENT

I hereby certify that the Solid, Particulate Matter, and Site Conditions for this Subdivision have been Investigated by this Office and are Approved for On-Site Wastewater Disposal Systems.

Signed this _____ Day of _____, 2013.

Weber-Morgan Health Department

12-23-212 13-3-212412 11/15/13



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