



# Staff Report to the Weber County Planning Division

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on a request for approval of the Jeff Burton Subdivision, a single-lot subdivision.

**Agenda Date:** Wednesday, October 18, 2023

**Applicant:** Jeff Burton, owner

**File Number:** UVJ082823

### Property Information

**Approximate Address:** 4180 E 4100 N, Liberty

**Project Area:** 3 Acres

**Zoning:** Forest Valley 3 (FV-3)

**Existing Land Use:** Vacant

**Proposed Land Use:** Residential

**Parcel ID:** 22-015-0107

**Township, Range, Section:** T7N, R1E, Section 21

### Adjacent Land Use

<b>North:</b> Vacant grassland	<b>South:</b> Residential
<b>East:</b> Vacant grassland	<b>West:</b> Vacant grassland

### Staff Information

**Report Presenter:** Felix Lleverino  
flleverino@co.weber.ut.us  
801-399-8767

**Report Reviewer:** RG

## Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 14 (Forest Valley Zone, FV-3)
- Title 104 (Zones) Chapter 28 (Stream Corridors, Wetlands, And Shorelines)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)

## Background and Summary

The applicant is requesting approval for a one-lot subdivision that fronts directly on 4100 North Street in Liberty, which is a county public right-of-way. The subdivision of the property will create one residential lot separated from a larger remaining parcel that is 35.56 acres. The land is currently vacant with a gentle rise northward from 4100 North Street.

Weber County will begin building a road that will connect 4100 North Street eastward through to the Wolf Creek area. The roadway fronting this single-lot subdivision is complete with the exception of a pathway on the north side of 4100 North Street. The paved pathway improvement would be within the 80' public ROW, for which, the Jeff Burton Subdivision plat dedicates the appropriate amount of area to 4100 North Street.

As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the FV-3 zone found in LUC §104-14. The following section is a brief analysis of this project against current land use regulations.

## Analysis

General Plan: This proposal is in conformity with the Ogden Valley General Plan (OVGP) by encouraging low-density development that preserves open space (see page 21 of the OVGP).

Zoning: The property is located in the FV-3 Zone. The purpose of this zone is stated in the LUC §104-14-1.

*“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.”*

Small Subdivision: Section 101-2-20 defines a small subdivision as:

- a) A subdivision that has nine or fewer lots;
- b) An amended subdivision that has nine or fewer lots; or
- c) A final subdivision phase that has nine or fewer lots, which has a valid preliminary approval by the planning commission and meets all conditions of preliminary approval, including proposed street layouts and phasing plan.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

Culinary Water: A private well will serve the culinary and secondary water needs of this lot. The well approval letter from the Weber-Morgan Health Department is attached as Exhibit C. Any outdoor watering limitation imposed by the Weber Basin Water District will need to be stated on the final plat.

Sanitary System: The owner has obtained a septic permit from the Weber-Morgan Health Department that is included as Exhibit B.

Review Agencies: The Weber County Fire District has posted approval of the Jeff Burton Subdivision with further requirements to come at the time of building permit. The Weber County Engineering Department requires a deferral agreement for curb gutter and sidewalk and that the subdivision plat has a note added. Weber County Planning Division and Surveyors Office have posted reviews that will be addressed by a revised plat.

## Staff Recommendation

Staff recommends final approval of Jeff Burton Subdivision, a single-lot subdivision. The following conditions are part of the Planning Staff’s recommendation:

1. The subdivision plat shall meet all Weber County reviewing agency requirements prior to recording.
2. The owner enters into a deferral agreement for the curb, gutter, and sidewalk.
3. The County Commission Chair will sign the final plat accepting road area dedication.

The following findings are the basis for the planning staff’s recommendation:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with the applicable County codes.

## Exhibits

- A. Jeff Burton Subdivision Plat
- B. Septic Permit
- C. Well Approval from the Health Department

# Area Map

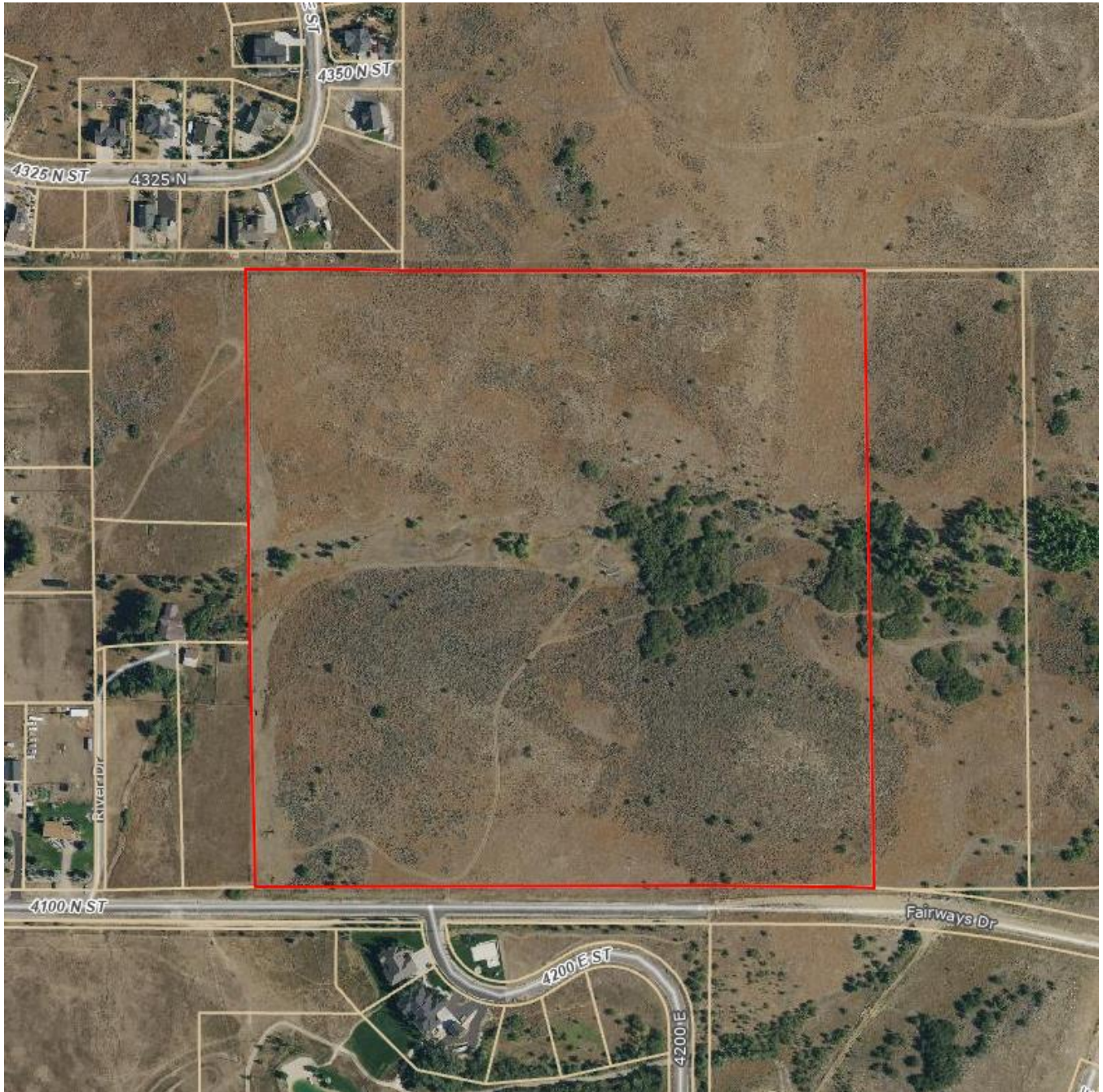
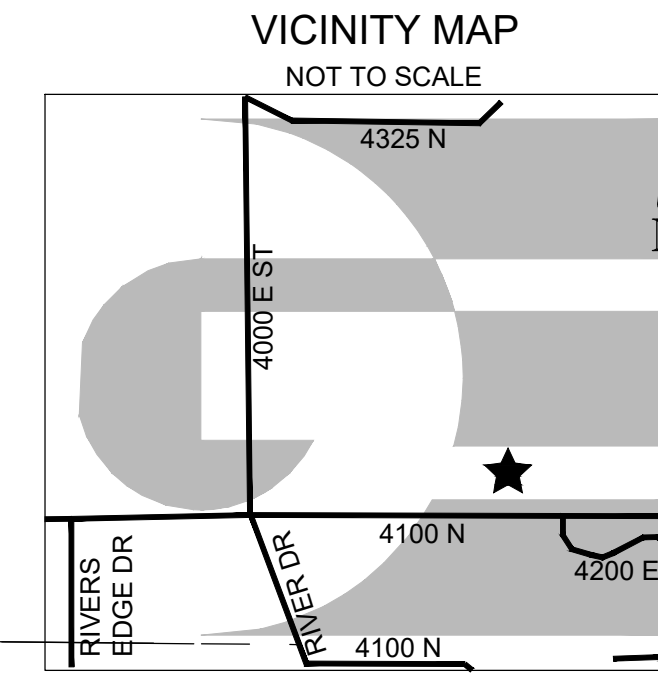


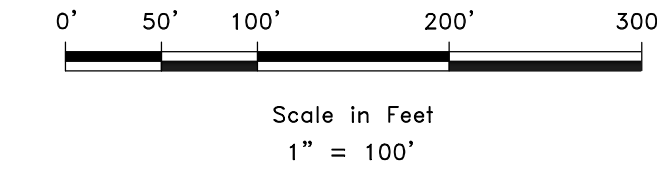
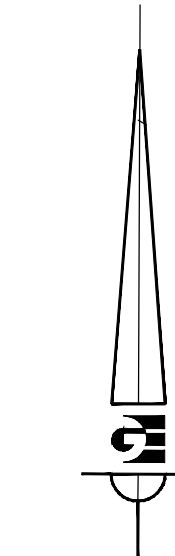
Exhibit A

JEFF BURTON SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 21,
TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN,
WEBER COUNTY, UTAH
FEBRUARY 2021



BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 4100 NORTH STREET BEING LOCATED SOUTH 0°22'21" WEST 1302.35 FEET AND NORTH 90°00'00" EAST 1664.15 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 21; RUNNING THENCE NORTH 0°31'59" EAST 373.54 FEET; THENCE SOUTH 89°28'59" EAST 356.49 FEET; THENCE SOUTH 0°31'42" WEST 373.61 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 89°28'18" WEST 356.52 FEET TO THE POINT OF BEGINNING. CONTAINING 3.057 ACRES MORE OR LESS.



LEGEND

- WEBER COUNTY MONUMENT AS NOTED
SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
SUBDIVISION BOUNDARY
LOT LINE
ADJACENT PARCEL
SECTION LINE
EASEMENT
EXISTING FENCE LINE
ROADWAY DEDICATION 2496 SF
EXISTING WATER LINE
EXISTING IRRIGATION LINE
EXISTING STORM DRAIN
EXISTING SANITARY SEWER
EXISTING OVERHEAD POWER
EXISTING GAS LINE
EXISTING WATER METER
EXISTING WATER MANHOLE
EXISTING FIRE HYDRANT
EXISTING WATER VALVE
EXISTING STORM MANHOLE
EXISTING CATCH BASIN
EXISTING SEWER MANHOLE

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS JEFF BURTON SUBDIVISION IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY. THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS \_\_\_ DAY OF \_\_\_, 2021.



KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

JEFF BURTON SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO WEBER COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY WEBER COUNTY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS \_\_\_ DAY OF \_\_\_, 2021.

BY: \_\_\_\_\_

ACKNOWLEDGEMENT

STATE OF UTAH )
COUNTY OF WEBER )
On this \_\_\_ day of \_\_\_, 2021, personally appeared before me \_\_\_\_\_, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the \_\_\_\_\_ of MOUNTAIN DREAMS LLC, and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said \_\_\_\_\_ acknowledged to me that said "Corporation executed the same.

NOTARY PUBLIC \_\_\_\_\_

NOTES

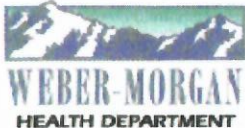
- 1. ZONE FV3 CURRENT YARD SETBACKS: FRONT 30 FEET; SIDE 20 FEET; REAR 30 FEET.
2. SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA MAP NO. 49057C0228F WITH AN EFFECTIVE DATE OF JUNE 02, 2015.

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A ONE LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY JEFF BURTON. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS SOUTH 0°22'21" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE RIGHT-OF-WAY OF 4100 NORTH STREET WAS ESTABLISHED BY HONORING THE PROJECTED RIGHT-OF-WAY DEDICATION OF THE 4100 NORTH ROAD DEDICATION.

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...
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 EFFECT.
WEBER COUNTY ENGINEER: I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.
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.
WEBER COUNTY PLANNING COMMISSION APPROVAL: THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION.
WEBER - MORGAN HEALTH DEPARTMENT: I DO HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITION FOR THIS SUBDIVISION HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS.

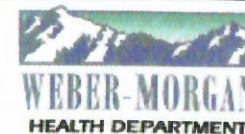
DEVELOPER: JEFF BURTON 801-791-4214
COUNTY RECORDER: ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_
FILED FOR AND RECORDED \_\_\_\_\_
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_\_\_ RECORDED FOR \_\_\_\_\_ COUNTY RECORDER BY: \_\_\_\_\_
GARDNER ENGINEERING CIVIL - LAND PLANNING MUNICIPAL - LAND SURVEYING
5150 SOUTH 875 EAST OGDEN, UT OFFICE: 801.476.0202 FAX: 801.476.0066



**PERMIT TO CONSTRUCT AN ONSITE WASTEWATER TREATMENT SYSTEM**

**ISSUED BY THE WEBER-MORGAN HEALTH DEPARTMENT**

**477 23rd Street, OGDEN, UTAH 84401**



Permit No.: **W102151**

Issued: **November 22, 2022**

Expires: **November 22, 2023**

This is to certify that **BRIGHAM BURTON** is hereby issued a permit to install an onsite wastewater treatment system for the property with the Property Identification Number **22-015-0107** with the following specifications and provisions:

Approximate construction site address: **4180 E 4100 N, LIBERTY**

Lot: **0** of the **N/A** subdivision in **Weber** county Utah.

Water supply will be provided by: **WELL (PRIVATE)**.

Type of System will be **ABSORPTION FIELD** with an absorption area of **2250** Sq. Ft.

Septic tank capacity must be at least **1750** gallons. System is designed for a **6** bedroom home.

Maximum depth of trench bottoms must be limited to **18** inches from original ground surface.

**\*\*\* IMPORTANT - PLEASE READ CAREFULLY \*\*\***

**SIZED FOR MAXIMUM WATER USAGE OF 900 GPD.**

**MAXIMUM DEPTH TO BOTTOM OF TRENCH FROM ORIGINAL GROUND SURFACE IS 18".**

**THREE FOOT MAXIMUM BACKFILL OVER SEPTIC TANK.**

**INSTALL IN DESIGNATED LOCATION.**

**INSTALL ACCORDING TO CONSTRUCTION PLANS REVIEWED BY THIS OFFICE.**

**WATER TIGHTNESS TEST REQUIRED. TANK MUST BE FULL AT TIME OF INSPECTION.**

**Please provide the permit number and address when requesting the final inspection or any additional information regarding this system.**  
**Final inspection to be completed prior to any backfilling of installed system.**

This permit may be revoked or altered if the site is found to be in a flood hazard or other geologic hazard area. This permit is based on minimum design standards, and in no case does it guarantee against the failure of the installed system. The performance of the installed system is affected by many other factors, such as operation, maintenance, wastewater contents, etc., not addressed by the standards.

*Summer Day/Go*

BRIAN COWAN, MPH, LEHS  
Health Officer/Executive Director



November 2, 2022

Brigham Burton  
3203 E 4650 N  
Eden, UT 84310

RE: **Private Well Approval at:**  
4100 E 4100 N  
Liberty, UT 84310  
Parcel #22-015-0086

The application for approval of the above referenced well has been submitted for review to determine conformance to the Weber-Morgan District Health Department Regulations for Installation and Approval of Nonpublic Water System Serving 1-14 Connections.

The following have been submitted:

1. The Water Right Number: E6153 (35-13867)
2. Well driller license #920
3. The well is 205 feet deep with a "Bentonite Chip 3/8"" seal to a depth of 30 feet.
4. The well yields 30 GPM with a 14-foot drawdown in 1 hrs.
5. The water samples for the partial inorganic analysis were submitted to Chemtech-Ford Laboratories on September 27, 2022. The water analysis was satisfactory.
6. A bacteriological water sample was collected by staff of this department on September 27, 2022 the resulting bacteriological test was found to be present for Total Coliform. The well was re-chlorinated and then resample November 2, 2022. The water analysis was satisfactory
7. This is not a shared well.

The required 100-foot protection zone around the well must be kept free from any septic tank absorption systems, garbage dumps, hazardous and toxic material storage or disposal sites, feedlots and other concentrated sources of pollution. We would recommend that a bacteriological sample be collected and submitted for analysis on an annual basis.

Based on compliance with the above requirements, the Health Department considers this an approved well for culinary purposes.

Please contact our office at (801) 399-7160 if you have further questions.

Sincerely,



Summer Day, LEHS III, Program Manager  
Division of Environmental Health