



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application access exception for two flag lots at approximately 1050 South 7900 East.

Agenda Date: Tuesday, July 15, 2014

Applicant: Dale Satterthwaite

File Number: AE 2014-03

Property Information

Approximate Address: 1050 South 7900 East

Project Area: 7 acres

Zoning: Forest Valley FV-3

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 21-034-0008

Township, Range, Section: T6N, R2E, Section 20

Adjacent Land Use

North: Residential	South: Residential/Vacant
East: Residential	West: Vacant

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767

Report Reviewer: SW

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 14 Forest Valley (FV-3 Zone).
- Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Sections 23-29. (Flag Lot Access Strip, Private Right-of-Way, and Access Easement Standards) and 23-3 (Flag Lot)0.

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 proposing two Flag Lots as part of a 5-lot subdivision located at approximately 1050 South 7900 East and zoned Forest FV-3, which requires 3 acres excluding the area in the flag lot stem. The Flag Lot stem for Lot 1 will be 319 feet long and 20 feet wide. The stem for Lot 5 will be 484 feet long and 20 feet wide.

The property has frontage along 7900 East (Burley Lane), with the northern part of the property bound by a branch of the South Fork River. To the south is Cottonwood Lane, a private street upon which the home owners will not grant access to the this property owner. The properties to the east have homes currently built on using the private road. The property owner could make long and narrow lots from 7900 East, but the flag lots would allow the other lots to have wider frontage.

Review Criteria

- 23-29. Flag Lot Access Strip, Private Right-of-Way, and Access Easement Standards**
- A. Design standards.

1. The flag lot access strip, private right-of-way, or access easement shall be built to a standard approved by the County Engineer. The improved road surface does not require hard-surface paving, i.e., concrete or asphalt, but the improvements shall meet the following standards.
2. The flag lot access strip, private right-of-way, or access easement shall have a minimum width of 20 feet and a maximum width of 30 feet.
3. The improved area of the flag lot access strip, private right-of-way, or access easement shall be a minimum of 12 feet wide if the access is under 150 feet in length, and a minimum of 20 feet wide if the access is 150 feet or greater in length.
4. The improved road surface of the flag lot access strip, private right-of-way, or access easement shall be capable of supporting a minimum weight of 75,000 pounds.
5. A minimum turnout measuring at least 8 feet by 30 feet shall be provided adjacent to the traveled surface of the flag lot access strip, private right-of-way, or access easement at a maximum distance of 200 feet from the public street.
6. The flag lot access strip, private right-of-way, or access easement shall have a maximum grade of 15%. However, Fire District approval is required for any access that exceeds a grade of 10%.
7. The flag lot access strip, private right-of-way, or access easement shall have a minimum vertical clearance of 14.5 feet.
8. No buildings, structures, or parking areas are allowed within the flag lot access strip, private right-of-way, or access easement.
9. Bridges, including decking and culverts shall be capable of supporting a minimum weight of 75,000 pounds.
10. Switchback turns in sloped areas shall have a minimum 75-foot radius.
11. Water and sewer lines located within the flag lot access strip, private right-of-way, or access easement require written notification from the agencies providing such services.

B. Safety standards.

1. The lot address shall be displayed in a prominently visible location at the street entrance to the flag lot access strip, private right-of-way, or access easement.
2. A turn-around area shall be provided at the home location to allow firefighting equipment to turnaround. This area shall be a year round surface capable of supporting fire equipment (a minimum inside turning radius of 30 feet and an outside turning radius of not less than 45 feet.)
3. A fire hydrant or other suppression method may be required by the Fire District.
4. The home location shall be shown on a plan submitted to the Fire District.
5. Conditions may be imposed by the Land Use Authority to ensure safety, accessibility, privacy, etc. to maintain or improve the general welfare of the immediate area.

C. Lot/parcel standards

1. The lot/parcel shall meet all minimum yard and area requirements of the zone in which it is located.
2. Buildings shall be set back a minimum of 30 feet from the end of the flag lot access strip, private right-of-way, or access easement.
3. The lot/parcel shall meet the minimum lot width requirement for the zone in which the lot is located at the end of the access strip.
4. The lot/parcel shall have a flag lot access strip, private right-of-way, or access easement constructed in conformance with Section 23-28 prior to the issuance of Land Use Permits or Building Permits.

D. Expiration

1. Flag lot access strips, private rights-of-way, and access easements which have been approved by the Land Use Authority are valid for 18 months from the date of approval.

23-30. Flag Lots

1. The Land Use Authority shall determine whether it is feasible or desirable to extend a street to serve a lot(s)/parcel(s) or lots at the current time, rather than approving a flag lot. Criteria to be used in determining feasibility or desirability of extending a street shall include, but not be limited to topography, boundaries, and whether or not extending a road would open an area of five (5) acres or more in Western Weber County and ten (10) acres or more in the Ogden Valley for development.
2. The lot area exclusive of the access strip shall be a minimum of 3 acres.
3. Each lot shall access a street by means of its own fee title access strip. Successive stacking of lots on the same access strip is not permitted.
4. No access strip shall exceed 800 feet in length.

5. A maximum of two flag lot access strips may be located adjacent to each other. No flag lot shall be allowed which proposes to re-subdivide or include within it (including the access strip) any portion of an existing lot in a recorded subdivision. No subdivision shall be vacated, re-subdivided, or changed in order to meet the requirements of this section.

Summary of Considerations

Does the proposal meet the requirements of the Zoning Ordinance?

Can the proposal meet the conditions of the ordinance by requiring the property owner to record an easement for a future road and a covenant requiring the owner to participate in the cost of the construction of the road?

Staff Findings: As part of the application review and agency review process, staff has determined that the following requirements of the Weber County Zoning Ordinance Chapter 23 (Supplementary and Qualifying Regulations) Sections 29 and the Weber County Subdivision Ordinance Chapter 2 Subdivision Standards have been complied with:

The Land Use Authority shall determine whether or not it is feasible or desirable to extend a street to serve a lot(s)/parcel(s) or lots at the current time, rather than approving a flag lot. Criteria to be used in determining feasibility or desirability of extending a street shall include, but not be limited to topography, boundaries, and whether or not extending a road would open an area of five (5) acres or more in Western Weber County and ten (10) acres or more in the Ogden Valley for development.

The property has frontage along 7099 East (Burley Lane), with the northern part of the property bound by a branch of the South Fork River. To the south is Cottonwood Lane, a private street upon which the home owners will not grant access to the road. The properties to the east have homes currently built using the private road. The property owner could make long and narrow lots from 7900 East, but the flag lots would allow the other lots to have wider frontage. Each lot will have little over 3-acres.

There are other requirements that have not been completed, but will be required as part of the subdivision and during the construction of the home.

Conformance to the General Plan

Local streets are not included as part of General Plans

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber Fire District
- Completing and recording the subdivision
- Meeting the design criteria listed above

Administrative Approval

Administrative approval of the access exception for two flag lots is hereby granted based upon its compliance with the Weber County Land Use Code. A road would not open up 10 acres or more in the Ogden Valley and the boundary conditions of the river, the private road, and the homes to the east of the property make a new road unnecessary. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report. The administrative hearing was held on July 15, 2014 with no public comments.

Date of Administrative Approval: July 16, 2014


Sean Wilkinson
Weber County Planning Director

Exhibits

1. Applicant Narrative
2. Future development
3. Proposed flag lot stems
4. Location map