



# Staff Report to the Administrative Subdivision Approval

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on an administrative application for final approval of Bailey Acres Cluster Subdivision Phase 1 2nd Amendment

**Agenda Date:** Wednesday, October 29, 2014

**Applicant:** Richard & Natalie Buck, Michael Lattin

**File Number:** UVB082614

### Property Information

**Approximate Address:** 3194 East 4650 North

**Project Area:** Liberty

**Zoning:** AV-3

**Existing Land Use:** Residential

**Proposed Land Use:** Residential

**Parcel ID:** 22-144-0002 & 22-144-0003

**Township, Range, Section:** Township 7 North, Range 1 East, Section 17

### Adjacent Land Use

<b>North:</b> Residential	<b>South:</b> Residential
<b>East:</b> Residential/Agriculture	<b>West:</b> Residential/Agriculture

### Staff Information

**Report Presenter:** **Ronda Kippen**  
rkippen@co.weber.ut.us  
801-399-8768

**Report Reviewer:** JG

## Applicable Ordinances

- Weber County Land Use Code Title 101, Chapter 7 Definitions
- Weber County Land Use Code Title 104, Chapter 6 Agricultural Valley (AV-3) Zone
- Weber County Land Use Code Title 106, Subdivisions
- Weber County Land Use Code Title 108, Chapter 3 Cluster Subdivisions

## Background

The owners of the Lots 1 & 2 of the existing subdivision known as “Bailey Acres Cluster Subdivision Phase 1” are requesting approval to amend the subdivision plat to reconfigure the common lot line between their lots. The proposed amendment is located at approximately 3194 East 4650 North Liberty, UT and is in the AV-3 Zone. The proposed amended lots within the subdivision meet the zoning and subdivision requirements including the lot width and lot area requirements of the Weber County Land Use Code (WCLUC) §108-3 for cluster subdivisions. The proposed subdivision amendment will allow for the owner of the proposed Lot 52 to build a RV Pad along the east property line.

The culinary water for this subdivision is provided by Liberty Pipeline Company and secondary water service is provided by Liberty Irrigation Association. Weber County manages the sewer service for this subdivision. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

## Analysis

The Weber County Land Use Code (WCLUC) §101-1-7 has identified a small subdivision as:

*The term “Small Subdivision” means:*

...

(2) An amended subdivision consisting of five or fewer lots and for which no streets will be created or realigned; “

The proposed amendment consists of a two lot subdivision with no streets being created or realigned, therefore, meeting the definition of a "Small Subdivision". The original subdivision was initially reviewed and approved as a "Cluster Subdivision" which is a permitted use in the AV-3 Zone. The proposed amendment has been reviewed against the original approval of the "Bailey Acres Cluster Subdivision Phase 1" (see Exhibit "A") to ensure that the original regulations and standards have been adhered to.

The following is a brief synopsis of the review criteria and conformance with the WCLUC.

Lot area regulations: The AV-3 zone in the WCLUC §104-6-6 requires a minimum lot area of 3 acres with a minimum lot width of 150'. The Cluster Subdivision chapter of the WCLUC allows for a reduction in the minimum lot area required for a lot in a subdivision provided that the provisions of the WCLUC §106 & 108 are met. The lot regulations for all cluster subdivisions require a minimum of 60 percent of any cluster subdivision to be preserved as permanent open space and a minimum lot area in a cluster subdivision to be 10,000 square feet. The proposed amendment does not modify or decrease any of the open space that was originally approved as part of the "Bailey Acres Cluster Subdivision Phase 1" and the lot area of both parcels exceed the required 10,000 square feet therefore meeting all area regulations of the Code.

Width, yard and height regulations: Yard and height regulations are the same as the zone in which the cluster subdivision is located except as for the minimum lot width which may be reduced below the width normally required in the zone in which the cluster subdivision is located. In the Agricultural Zones, a minimum frontage of 100 feet is required. Both parcels have adequately demonstrated conformance with the yard regulations of the AV-3 zone and the minimum frontage regulations of the Cluster Subdivision as found in WCLUC §108-3-4.

Additional design standards and requirements: The proposal amends an interior lot line (see Exhibit "B") which does not significantly alter the original approved design standards that were designed and platted in conformance with the goals and objectives of the County's General Plan.

Owner association required: The County Recorder may require that the applicant record a statement that the original CC&R's are still in effect for the amended subdivision. A condition that the proposal meets the requirements of the County Recorder has been made part of the recommended conditions of approval.

Tax clearance: The 2013 property taxes have been paid in full. The 2014 property taxes will be due in full on November 1, 2014.

Public Notice: A notice has been mailed not less than seven calendar days before final approval to all property owners of record within 500 feet of the subject property regarding the proposed subdivision amendment.

## Conformance to the General Plan

The proposal conforms to the Ogden Valley General Plan by encouraging development with the existing community areas and promoting cluster developments which allows Valley residents to enjoy living in the area because of its rural lifestyle and small town atmosphere.

## Staff Recommendation

Staff recommends final plat approval of Bailey Acres Cluster Subdivision Phase 1 2nd Amendment. This recommendation for approval is subject to all review agency requirements and based on the findings and conditions of approval as listed below:

1. The proposed use conforms to the Ogden Valley General Plan.
2. The proposed use complies with applicable County ordinances.
3. The proposed use will not be detrimental to the public health, safety, or welfare.
4. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Conditions of Approval

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

## Administrative Approval

Administrative final approval of Bailey Acres Cluster Subdivision Phase 1 2nd Amendment 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.

Date of Administrative Approval: Thursday, October 30, 2014

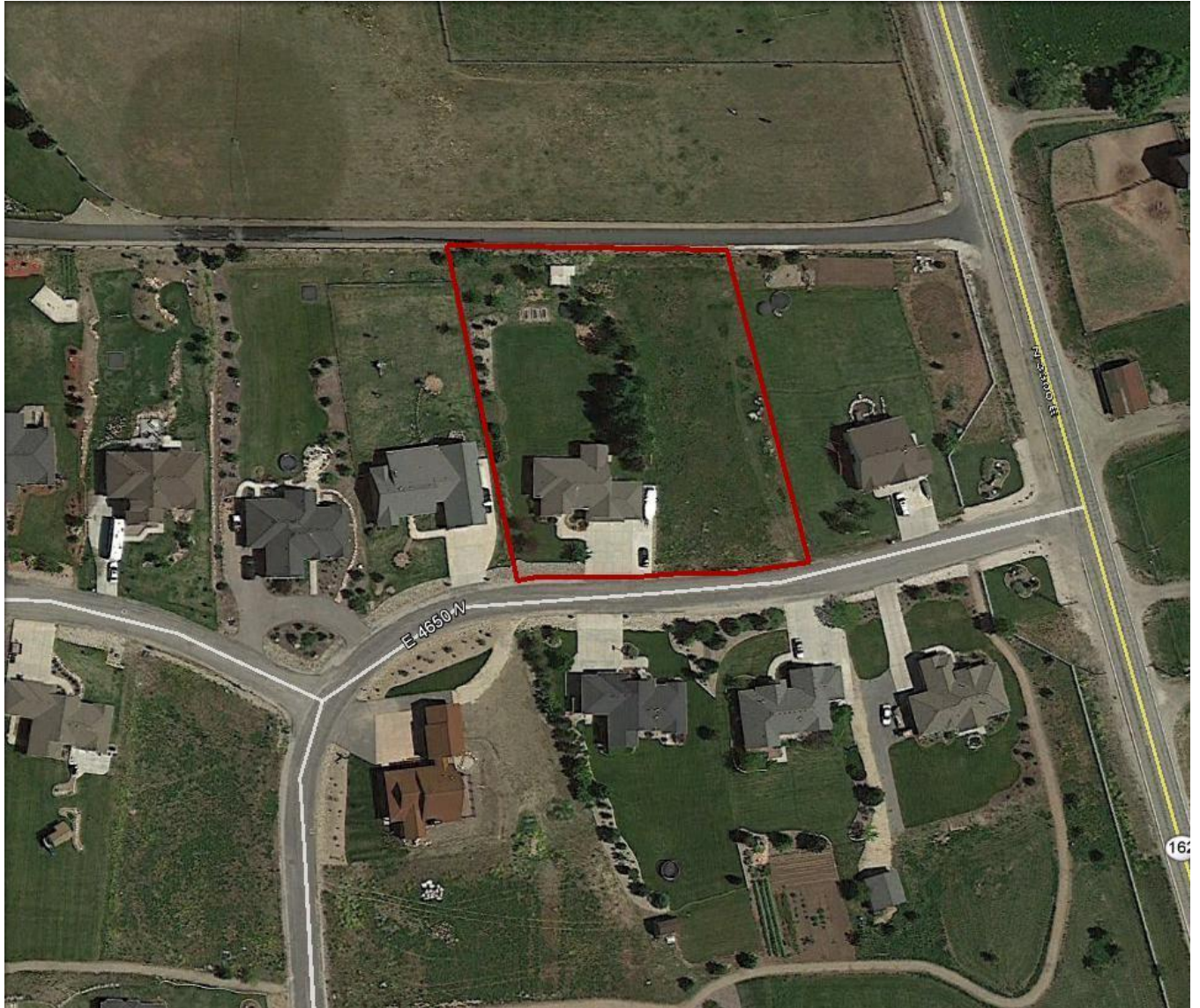
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Sean Wilkinson  
Weber County Planning Director

## Exhibits

- A. Original Subdivision Plat
- B. Proposed Subdivision Amendment

Map 1





Map 2

