



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for approval of a road dedication in the Berg Subdivision, a two lot subdivision located at 3156 West 1800 South, West Weber.

Type of Decision: Administrative

Agenda Date: April 17, 2018

Owner: Brent & Renee Wagstaff

Applicant Agent: Edward & Rebecca Berg

File Number: LVB011618

Property Information

Approximate Address: 3156 West 1800 South, Ogden, UT, 84401

Project Area: 2.287 Acres

Zoning: A-2 Zones

Existing Land Use: Residential/Agricultural

Proposed Land Use: Residential

Parcel ID: 15-060-0003

Township, Range, Section: Township 6 North, Range 2 West, Section 22

Adjacent Land Use

| | |
|---------------------------------------|---------------------------------------|
| North: Agricultural | South: 1800 South St. |
| East: Agricultural/Residential | West: Agricultural/Residential |

Staff Information

Report Presenter: **Tammy Aydelotte**
taydelotte@co.weber.ut.us
801-399-8794

Report Reviewer: RK

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) Chapter 1 (Section) 7 (Definitions)
- Weber County Land Use Code Title 106 (Subdivisions) Chapter 2 (Subdivision Standards) Section 2 (Street and alley widths, cud-de-sacs, easements)
- Weber County Land Use Code Title 108 Chapter 7 (Supplementary) Section 19 (Building on dedicated substandard streets or public by right of use roads)

Development History

- Berg Subdivision received administrative approval on April 16, 2018.

Background and Summary

The 33 foot wide right-of-way is currently a public right of way that is maintained by Weber County. Brent and Renee Wagstaff, the owners and developers of Berg Subdivision, have petitioned the county to accept the road dedication along 1800 South Street.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area.

Zoning: The subject property is located in the Agricultural (A-2) Zone which requires a 150 foot lot width.

Subdivision: The subdivision process identifies the need for each lot within a subdivision to have adequate lot width abutting a street and/or right-of-way. The lot width is measured at the frontage lot line and is defined in LUC §101-1-7 as:

“Lot, frontage. The term “frontage lot” means all the property fronting or abutting one side of the street and/or right-of-way. No lot shall utilize any part of the temporary end or dead end street for frontage. At no point shall the frontage be less than 50 feet, and shall meet the lot width at the front yard setback.”

The LUC §101-7-19 further requires that an applicant for a land use permit

“...for property which abuts and has access from a substandard dedicated street or public by right of use road, shall, as a condition of issuance of such permits, be required to dedicate, if the road is substandard in width, sufficient road right-of-way widening to meet county road standards or as recommended by the county engineer in situations that warrant an alternative width such as unusual topographic or boundary conditions.”

The Berg Subdivision is considered a “small subdivision” as defined in LUC §101-1-7 due to no new roads being created or realigned. However, there is a requirement to dedicate the portion of the property that falls within the public by use right of way known as “1800 South” to bring the substandard road up to County standards. The Planning Director has approved the subdivision; however, the County Commission is the only approval body for property that is being dedicated to Weber County.

The applicant has entered into an agreement approved by the Weber County Engineering Division to defer the sidewalk, curb, and gutter improvements for this development until a future time when Weber County deems it is necessary to install these improvements. The LUC §106-7-1 plainly states the language shall be included in the owner’s dedication. Berg Subdivision Road Dedication Plat contains the proper language for dedication of the right-of-way. A condition of approval has been made part of staff’s recommendations to ensure that all conditions of the applicable reviewing agencies are strictly adhered to.

Review Agencies: The road dedication plat has been reviewed and approved by the Weber County Surveyor’s Office, and the Weber County Engineering Division.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes will be due in full on November 30, 2018.

Staff Recommendation

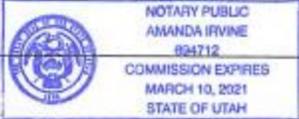
Staff recommends final approval of a road dedication in the Berg Subdivision, a two lot subdivision located at approximately 3156 West, 1800 South, West Weber. This recommendation for approval is subject to all applicable review agency requirements.

Recommendation for approval is based on the following findings:

1. The proposed road and storm drain easement dedication complies with applicable ordinances.
2. The proposed road dedication will not be detrimental to public health, safety, or welfare.
3. The proposed road dedication will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits:

- A. Subdivision Application
- B. Plat Map

| Weber County Subdivision Application | | | |
|--|--|--|--------------------------|
| All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401 | | | |
| Date Submitted / Completed | Fees (Office Use) | Receipt Number (Office Use) | File Number (Office Use) |
| Subdivision and Property Information | | | |
| Subdivision Name <u>Berg Subdivision</u> | | Number of Lots <u>2</u> | |
| Approximate Address <u>3156 W 1800 S Ogden UT 84401</u> | | Land Serial Number(s) <u>150600003</u> | |
| Current Zoning <u>A1</u> | Total Acreage <u>2.1</u> | | |
| Culinary Water Provider <u>Taylor West Weber</u> | Secondary Water Provider <u>Hooper Irrigation</u> | Wastewater Treatment <u>West Haven</u> | |
| Property Owner Contact Information | | | |
| Name of Property Owner(s) <u>Brent & Renee Wagstaff</u> | | Mailing Address of Property Owner(s) <u>3156 West 1800 South Ogden UT 84401</u> | |
| Phone <u>(801) 731-2674</u> | Fax | | |
| Email Address <u>graniegrut@gmail.com</u> | | Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail | |
| Authorized Representative Contact Information | | | |
| Name of Person Authorized to Represent the Property Owner(s) <u>Edward & Rebecca Berg</u> | | Mailing Address of Authorized Person <u>3156 West 1800 South Ogden UT 84401</u> | |
| Phone <u>(478) 952-4678</u> | Fax | | |
| Email Address <u>ebjaee6@gmail.com</u> | | Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail | |
| Surveyor/Engineer Contact Information | | | |
| Name or Company of Surveyor/Engineer <u>Tyler Knight Landmark Surveying</u> | | Mailing Address of Surveyor/Engineer <u>4676 South 3500 West West Haven UT 84401</u> | |
| Phone <u>(801) 731-4075</u> | Fax | | |
| Email Address <u>tyler@landmarksurveying.com</u> | | Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail | |
| Property Owner Affidavit | | | |
| <p>I (We), <u>Brent & Renee Wagstaff</u>, 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. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.</p> | | | |
| <u>Brent Wagstaff</u> (Property Owner) | | <u>Renee Wagstaff</u> (Property Owner) | |
| Subscribed and sworn to me this <u>4th</u> day of <u>January</u> , 20 <u>18</u> . | | | |
|  | | <u>[Signature]</u> (Notary) | |

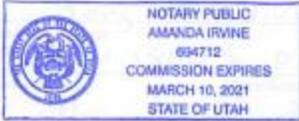
Authorized Representative Affidavit

I (We), Brent & Renee Wagstaff, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), Edward & Rebecca Berg, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Brent Wagstaff
(Property Owner)

Anna Renee Wagstaff
(Property Owner)

Dated this 4 day of January, 2018, personally appeared before me ~~Anna Renee & Brent Wagstaff~~, the signers of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.



Amanda Irvine
(Notary)

| | | |
|--|---|-----------------------|
| County State Property | County State Property | County State Property |
| <u>Taylor West Weber</u> | <u>Harper Ferguson</u> | <u>Wendy Haven</u> |
| Property Owner Contact Information | | |
| Name of Property Owner(s) | Mailing address of Property Owner(s) | |
| <u>Brent & Renee Wagstaff</u> | <u>3156 West 1800 South</u> | |
| Phone | City, State, ZIP | |
| <u>(801) 731-2074</u> | <u>Cody, UT 84401</u> | |
| Email Address | Preferred Method of Contact Communication | |
| <u>grunicrut@gmail.com</u> | <input checked="" type="checkbox"/> Email <input type="checkbox"/> Text <input type="checkbox"/> Mail | |
| Authorized Representative Contact Information | | |
| Name of Person Authorized to Represent the Property Owner(s) | Mailing address of authorized person | |
| <u>Edward & Rebecca Berg</u> | <u>3156 West 1800 South</u> | |
| Phone | City, State, ZIP | |
| <u>(435) 452-4678</u> | <u>Cody, UT 84401</u> | |
| Email Address | Preferred Method of Contact Communication | |
| <u>edjaee6@gmail.com</u> | <input checked="" type="checkbox"/> Email <input type="checkbox"/> Text <input type="checkbox"/> Mail | |
| Surveyor/Engineer Contact Information | | |
| Name or Company of Surveyor/Engineer | Mailing address of Surveyor/Engineer | |
| <u>Tyler Knight Landmark Surveying</u> | <u>4676 South, 3500 West</u> | |
| Phone | City, State, ZIP | |
| <u>(801) 731-4075</u> | <u>West Haven, UT 84401</u> | |
| Email Address | Preferred Method of Contact Communication | |
| <u>tyler@landmarksurveying.com</u> | <input checked="" type="checkbox"/> Email <input type="checkbox"/> Text <input type="checkbox"/> Mail | |

I (We), Brent & Renee Wagstaff, agree and say that I (we) own and are the owners of the property identified in the application and that the statements herein are true, the statements provided in the attached application and other exhibits are or are correct to the best of my (our) knowledge. I (we) acknowledge that during the application review process, I (we) may be administered with additional requirements, conditions and/or agreements that may be required to be completed or approved.

Brent Wagstaff
(Property Owner)

Anna Renee Wagstaff
(Property Owner)

