



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for approval of a road dedication in the John Porter Subdivision, a one lot subdivision located at 4794 E 2925 N, Eden, UT, 84310.
Agenda Date: Tuesday April 17, 2018
Applicant: John Porter
File Number: UVJ100417 and AAE 2017-09

Property Information

Approximate Address: 4794 E 2875 N, Eden, UT, 84310
Project Area: 3.25 Acres
Zoning: Agricultural Valley Zone (AV-3)
Existing Land Use: Vacant
Proposed Land Use: Vacant/Residential
Parcel ID: 22-021-0042
Township, Range, Section: T7N, R1E, Section 27 SE

Adjacent Land Use

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

Staff Information

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

Applicable Land Use Codes

- 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, cul-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

- John Porter Subdivision received administrative approval on April 16, 2018.

Background and Summary

The 30 foot wide right-of-way currently includes a 25' private right of way easement (entry #2843440) that is maintained by the property owner. John Porter, owner and developer of John Porter Subdivision, has petitioned the county to accept the road dedication along 2875 North Street.

Analysis

General Plan: The proposal conforms to the Ogden Valley 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 (AV-3) 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 John Porter 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 “2875 North” 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 John Porter Subdivision, a one lot subdivision located at approximately 4794 East, 2875 North St, Eden. 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.

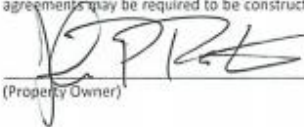


Exhibits:

- A. Subdivision Application
- B. Plat Map

Map 1



Exhibit A - Subdivision Application

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 John Porter Subdivision		Number of Lots 1	
Approximate Address 4794 E 2925 N. Eden		Land Serial Number(s) 220210042	
Current Zoning AV-3	Total Acreage 3.25		
Culinary Water Provider Well	Secondary Water Provider Wolf Creek	Wastewater Treatment Septic	
Property Owner Contact Information			
Name of Property Owner(s) M^cKay Dev Perry LLC		Mailing Address of Property Owner(s) 4102 S. 1900 W. Roy, Utah 84067	
Phone 801-710-4501	Fax		
EmailAddress john@focusservices.com		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) John Porter		Mailing Address of Authorized Person 3423 S. Hwy 66 Morgan UT 84050	
Phone 801-710-4501	Fax		
EmailAddress john@focusservices.com		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 Jason Felt - Great Basin Eng.		Mailing Address of Surveyor/Engineer 5746 S. 1475 E. Ogden, UT 84403	
Phone 801-394-4515	Fax		
EmailAddress jasonf@greatbasineng.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Owner Affidavit			
<p>I, <u>John Porter</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>			
 _____ (Property Owner)		_____ (Property Owner)	
Subscribed and sworn to me this <u>03</u> day of <u>October</u> , 20 <u>17</u> .			
		  _____ (Notary)	

