

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

November 3, 2021
4:00 to 5:00 p.m.

1. Minutes: October 28, 2021

2.1 File No: UVM07082021 Request for final approval of Myers Subdivision, a three-lot subdivision, located in the AV-3 and CV-2 zones. **Applicant Telford Meyers, Presenter Tammy Aydelotte**

Adjourn

The meeting will be held in Public Works Conference Room, in the Weber Center, 2nd Floor Suite240, 2380 Washington Blvd, Ogden Utah 84401



****Public comment may not be heard during administrative items. Please contact thePlanningDivision Project Manager at 801-399-8371 before the meeting if you have questions or comments regarding an item****

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8374

Minutes of October 20, 2021, Administrative Review Hearing, held in the Weber County Planning Division Office, 2380 Washington Blvd., Suite 240, Ogden UT, commencing at 4:00 p.m.

Staff Present: Rick Grover, Planning Director; Steve Burton, Principal Planner; Scott Perks, Planner; June Nelson, Secretary

1. Minutes approved from: October 12, 2021

2. 2.1 AAE 2021-07: Review and possible approval of a request for an access exception to allow two future lots to be accessed using a private access easement at approximately 4820 W 1600 S. **Applicant: Patrick Burns, Staff Presenter: Scott Perkes**

2.2 LVT092221: Review and possible final approval of the Twin Acres Subdivision, consisting of two lots at approximately 1820 W 1600 S. **Applicant: Patrick Burns, Staff Presenter: Scott Perkes**
Correction, the approximate address is 4820 W 1600 S.

The applicant is requesting final approval of Twin Acres Subdivision consisting of two residential lots (See **Exhibit A**). This subdivision is proposed as a connectivity-incentivized subdivision with lot areas ranging from 0.79 acres to 1.127 acres. As part of the connectivity incentive, staff requested that a half-width right-of-way be dedicated to extend a future 4825 West Street northwards to facilitate access to undeveloped land to the north and west. This half-width ROW will serve as a private access for the rearmost lot of the subdivision until such a time as the surrounding area is developed and the other half of the road is dedicated. Additionally, the applicant will need to enter into a deferral agreement for the proportionate cost of installing future roadway improvements within the half-width ROW.

The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with LUC.

The alternative access option was created as a means for landowners to provide access over, and across areas that restrict the construction of a standard County 66-foot right-of-way. Alternative access applications may be approved as long as the design standards can be implemented during the subdivision process, and the application meets the criteria in LUC §108-7-31(1)(c) which states:

Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions.

Given the parcel's location and surrounding parcel configurations, the applicant believes there to be "substantial evidence" that it would be impractical to extend a public road to serve this future subdivision.

Section 108-7-31 of the Land Use Code outlines the following condition that must be met as part of alternative access approval:

The landowner of record or authorized representative shall agree to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the county deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature.

The access easement must meet the design, safety, and parcel/lot standards outlined LUC §108-7-29(a) (b), and (c) prior to issuance of a certificate of occupancy on any home that will gain access from the access easement.

Staff worked with applicant to dedicate ½ width for future road. The road should meet the requirement standard. This subdivision has connectivite incentive that will allow for a smaller lot size.

Staff recommends final approval of Twin Acres Subdivision consisting of 2 lots, together with the associated Alternative Access Exception. This recommendation is subject to all review agency requirements, and the following conditions:

1. A deferral agreement for curb, gutter, sidewalks, and asphalt for the project's frontages along the existing 1600 South and future 4825 West Streets to be executed and recorded simultaneously with the final plat.
2. An Onsite Wastewater Disposal Systems Deed Covenant and Restriction shall be recorded simultaneously with the final plat.

ADMINISTRATIVE REVIEW MEETING

October 20, 2021

3. An unconditional final approval letter from Taylor West Weber Water District is required prior to the recording of the final plat. This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber County General Plan
2. The proposed subdivision complies with applicable county ordinances

Administrative final approval of Twin Acres Subdivision and the associated Alternative Access Exception 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: 10/20/2021 Approved by Steve Burton

Adjourn

Respectfully Submitted,

June Nelson

Lead Office Specialist



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Request for final approval of Myers Subdivision, a three-lot subdivision, located in the AV-3 and CV-2 zones.

Type of Decision: Administrative

Agenda Date: Wednesday, November 03, 2021

Applicant: **Telford Myers**

File Number: UVM07082021

Property Information

Approximate Address: 5910 E 1900 N, Eden, UT, 84310

Project Area: 12.00 acres

Zoning: Agricultural Valley (AV-3), Commercial Valley (CV-2)

Existing Land Use: Residential/Agricultural

Proposed Land Use: Residential

Parcel ID: 22-049-0040, 22-049-0041

Township, Range, Section: T7N, R1E, Section 35 SE

Adjacent Land Use

North: Agricultural	South: 1900 North St
East: Agricultural	West: Residential/Agricultural

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@co.weber.ut.us

Report Reviewer: RG

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 2 (AV-3 Zone)
- Weber County Land Use Code Title 104 (Zones) Chapter 20 (CV-2 Zone)

Background and Summary

The applicant is requesting final approval of Myers Subdivision, consisting of three lots, located at approximately 5910 E 1900 N, Eden in the AV-3 and CV-2 Zones. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with LUC.

Analysis

General Plan: The request is in conformance with the Ogden Valley General Plan as it is intended to preserve private property rights while also preserving the rural characteristics of the Valley.

Zoning: The subject property is located in the AV-3 zone, with lot 2 of the proposed subdivision showing in the CV-2 Zone. Single-family dwellings are a permitted use in the AV-3 Zone.

Lot area, frontage/width and yard regulations: In the LUC § 104-2-5, the AV-3 zone requires a minimum lot area of 3 acres for a single family dwelling and a minimum lot width of 150 feet. All lots in this proposed subdivision meet this requirement.

The following are setbacks for the AV-3 zone:

Front: 30'

Side: 20'

Rear: 30'

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in the LUC § 106-1, and the AV-3 zone standards in LUC § 104-2, as well as the CV-2 zone standards in LUC § 104-20. The proposed subdivision will dedicate sufficient right-of-way along 1900 North Street so as to meet the required half-width dedication for a 100' right-of-way.

Culinary water and sanitary sewage disposal: Weber-Morgan Health Department has performed the necessary soil testing to provide design requirements for on-site septic systems for each lot. A feasibility letter from Eden Waterworks has also been provided for culinary water. Eden Waterworks currently has no restrictions on using water shares for secondary purposes, however, Mr. Myers still needs to acquire additional shares to accommodate the three vacant lots he is proposing as part of this subdivision application. Eden Irrigation shares are currently being used for secondary purposes.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division and the Engineering Division. Weber Fire District has not yet reviewed this project. The Surveyor's Office will submit a review once a final proposed plat has been submitted. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Tax Clearance: There are no outstanding tax payments related to these parcels. The 2021 property taxes are not considered due at this time, but will become due in full on November 30, 2021.

Staff Recommendation

Staff recommends final approval of Myers Subdivision, consisting of three lots located at approximately 5910 E 1900 N, Eden. This recommendation is subject to all review agency requirements prior to recording of the subdivision and the following condition:

1. Parcel number 22-0449-0040 (CV-2) is brought into compliance through a subdivision application, and other requirements related to a compliant business license, prior to recording this subdivision.

This recommendation is based on the following findings:

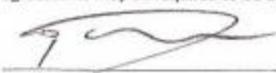
1. The proposed subdivision conforms to the Ogden Valley General Plan
2. The proposed subdivision complies with applicable county ordinances

Exhibits

- A. Application
- B. Proposed Subdivision Plat
- C. Feasibility Letters

Area Map

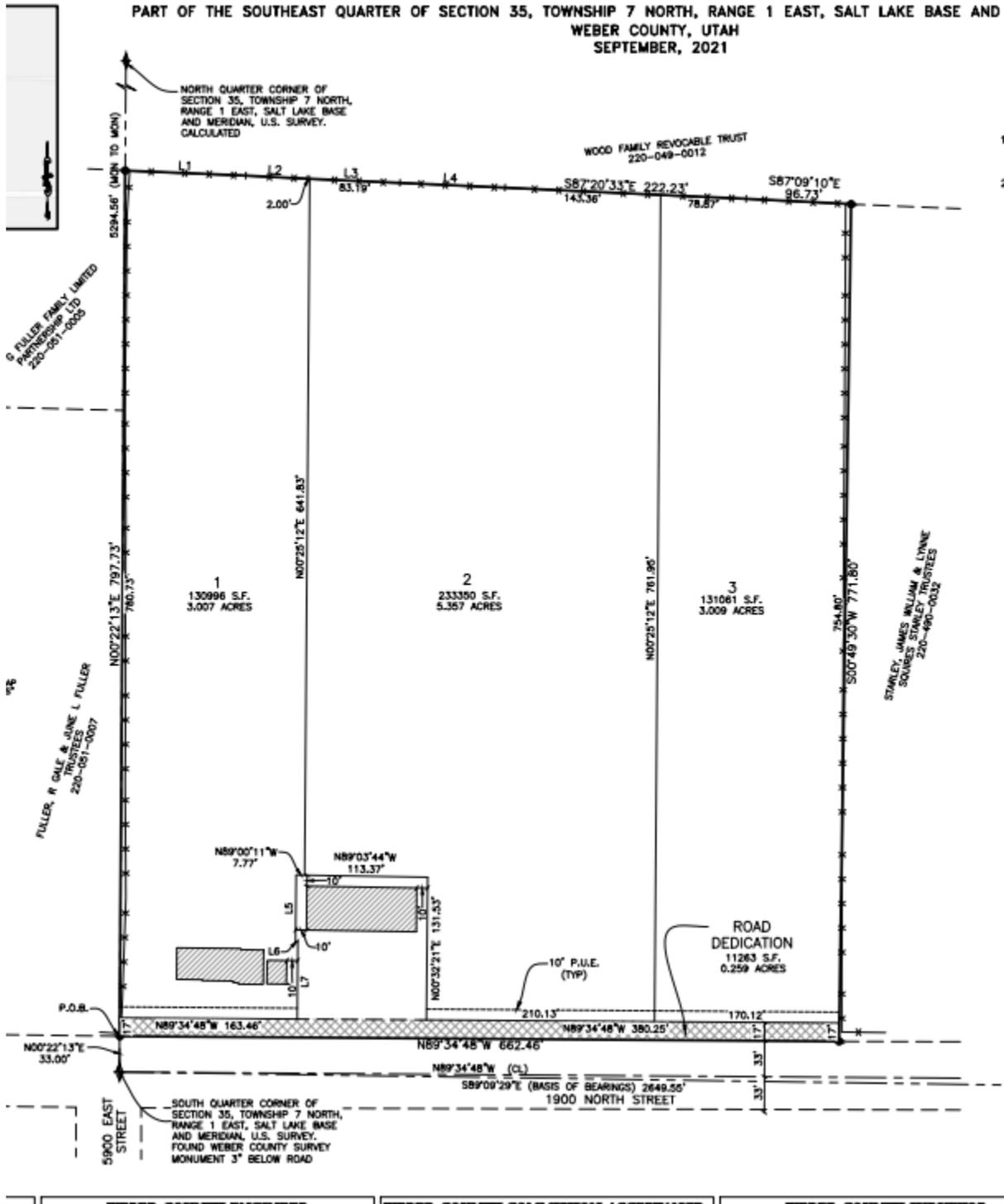


Weber County Subdivision Application			
All subdivisions submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd, Suite 240, Ogden, UT 84401			
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Subdivision and Property Information			
Subdivision Name Myers Subdivision		Number of Lots 4	
Approximate Address 5910 E 1900 N		Land Serial Number(s) 220490041 220490040	
Current Zoning AV-3	Total Acreage 12.0		
Culinary Water Provider Eden Water Works	Secondary Water Provider Eden Irrigation Company	Wastewater Treatment Onsite Septic	
Property Owner Contact Information			
Name of Property Owner(s) Telford R. Myers		Mailing Address of Property Owner(s) PO Box 1183, Eden, UT 84310	
Phone 303-551-2195	Fax		
Email Address telfordmyers@gmail.com	Preferred Method of Written Correspondence Email Fax Mail Email		
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) Telford R. Myers		Mailing Address of Authorized Person PO Box 1183, Eden, UT 84310	
Phone 3035512195	Fax		
Email Address telfordmyers@gmail.com	Preferred Method of Written Correspondence Email Fax Mail Email		
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer Reeve & Associates		Mailing Address of Surveyor/Engineer 5160 1500 W, Riverdale, UT 84405	
Phone (801) 621-3100	Fax		
Email Address thatch@reeve-assoc.com	Preferred Method of Written Correspondence Email Fax Mail Email		
Property Owner Affidavit			
<p>I (We), <u>Telford Myers</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>29th</u> day of <u>June</u> 20 <u>21</u>			

MYERS SUBDIVISION

Preliminary Plat 'Not To Be Recorded'

PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND WEBER COUNTY, UTAH
SEPTEMBER, 2021





5402 E 2200 N
PO BOX 13
EDEN, UT 84310
801-791-1772

edenwaterworks@gmail.com

June 21, 2021

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

Re: Telford Myers
5910 E 1900 N
Eden, UT 84310
Myers Property

Eden Water Works Company would like to inform you of the availability of water for the proposed property above. They currently have 2 shares/services to the property, however the line in front of the proposed property must be upgraded to 8" C900 pipe prior to additional shares/water services being provided to the Myers Property. Eden Water Works and Telford Myers have agreed that Telford will pay for the pipe and Eden Water Works will install the pipe to complete the upgrade as required.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Myers", written over a horizontal line.

Board of Trustees
Eden Water Works Company



INCORPORATED UNDER THE LAWS OF

THE STATE OF UTAH

No 000714

States 25



Eden Irrigation Company

CAPITOL STOCK \$3,269.80 SHARES

AND CERTIFIES THAT

Telford Myers
Twenty-eight (28) Shares of the Capital Stock of
Eden Irrigation Company, *Wilbur* *Wateral Hitch*
transferable only on the books of the Corporation by the holder hereon in
person or by Attorney upon surrender of this Certificate properly endorsed.



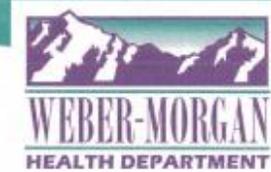
In Witness Whereof, the said Corporation, has caused this Certificate to be signed by its duly
authorized officers and to be sealed with the Seal of the Corporation
this *26th* day of *May*, A.D. 20*21*

Walter J. Nelson
PRESIDENT

Kurtz
SECRETARY

© 0001 21

June 18, 2021



Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Preliminary Subdivision **Determination**
Myers Subdivision, 4 lots
Parcel #22-049-0040 & 22-049-0041
Soil log #14980

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by Eden Water Works Improvement District, an approved water system. **A letter from the water supplier is required prior to issuance of a permit**

DESIGN REQUIREMENTS

Lot 1: An existing single-family residence is located on this proposed lot

Lot 2-4: Documented ground water tables not to exceed 60 inches, fall within the range of acceptability for the utilization of a Conventional Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption system is to be designed using a maximum loading rate of 0.65 gal/sq. ft. /day as required for a sandy loam, granular structure soil horizon.

ADDITIONAL REQUIREMENTS BEFORE MYLAR SIGNATURE

Before the final Mylar can be signed, the locations of the existing septic system servicing the existing home and shop must be provided for review to this office. The absorption trenches cannot cross property lines; they must maintained the required 5-foot separation to the proposed property line. If these requirements cannot be fulfill then the property line must be shifted or the absorption field must be altered to conform with this portion of Utah Administrative Code R317-4.

Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

The following items are required for a formal subdivision review; application, receipt of the appropriate fee, and a full sized copy of the subdivision plats showing the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. A subdivision review will not occur until all items are submitted. Mylars submitted for signature without this information will be returned

Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,


Summer Day, LEHS
Environmental Health Division
801-399-7160

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