

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

May 14, 2018
11:00am-12:00 p.m.

1. Consideration and action on final plat approval of John Porter Subdivision, a one lot subdivision consisting of approximately 3.25 acres.
2. *Adjournment*

The meeting will be held in the Weber County Planning Division Conference Room, Suite 240, in the Weber Center, 2nd Floor, 2380 Washington Blvd., Ogden, Utah unless otherwise posted



In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an alternative access request to use a private right-of-way as the primary access for the John Porter Subdivision.

Agenda Date: Wednesday, March 28, 2018

Applicant: John Porter

File Number: UVJ100417

Property Information

Approximate Address: 4794 E 2925 N, Eden, UT, 84310

Project Area: 3.206 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

- Title 101 General Provisions, Section 7, Definitions
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 104 (Zones) Chapter 6 (Agricultural Valley AV-3 Zone)
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 29 Flag lot access strip, private right-of-way, and access easement standards
- Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 31 Access to a lot/parcel using a private right-of-way or access easement

Background

The planning Division recommends approval of John Porter Subdivision, a one lot subdivision consisting of 3.206 acres and including the concurrent consideration and action of the John Porter Subdivision access via a private right of way request for lot 1. The proposed subdivision is located at approximately 4794 E 2925 N, Eden, UT and is in the AV-3 zone. The description of this lot is currently includes 3.206 acres. The lot will have access off of 2875 North, through a private right-of-way easement (entry # 2843440). The proposal meets the criteria for consideration of access by a private right of way, and the lot has adequate width, area, and setbacks, as required in the Uniform Land Use Code of Weber County (LUC). The requests for an alternative access and the preliminary subdivision process have been thoroughly vetted and have received comments and/or approvals from all the applicable review agencies.

Analysis

General Plan: The proposed subdivision adheres to the general plan by utilizing "subdivision tools that provide design and regulations that decrease the required subdivision infrastructure, such as a decreased right-of-way or road cross section, in exchange for meaningful voluntary reductions of development units. Such decreased infrastructure should be privately owned". (See page 15 in the 2016 Ogden Valley General Plan)

Zoning: The subject property is located in the Agricultural Valley (AV-3) Zone. The purpose of the agricultural zones in the LUC § 104-6-1 is:

"The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

Lot area, width, and yard regulations: The site development standards for the AV-3 zone require a minimum lot area of 3 acres and a minimum lot width of 150 feet. The proposal meets the minimum area and width per LUC § 104-6-6. The property is currently vacant; upon construction of the single family dwelling, the following minimum yard setbacks will be required:

Front yard: 30'

Side yard: 10 feet with total width of 2 side yards not less than 24 feet

Rear yard: 30'

Culinary and Sanitary sewage disposal: A feasibility letter from the Weber Morgan Health Department has been provided for the wastewater disposal systems and a water allotment has been granted by Weber Basin Water Conservancy District for the proposed subdivision. A test pit needs to be included on the final plat. The feasibility letter is dated July 13, 2017; this letter has an 18 month expiration date from the date it was issued.

Review Agencies: The proposed preliminary subdivision, including the concurrent consideration and action of the access via a private right of way, has been reviewed, but not yet approved, by the County Surveyor. Approval will be granted upon recording of a record of survey. The Weber County Engineer has granted conditional approval, contingent upon receipt of a deferral agreement to be recorded with the final mylar. Weber Fire District has reviewed and approved this subdivision with the following conditions:

"1. Fire Hydrant(s): If there is a waterline in the area that will support a hydrant, there must be a hydrant provided within 400 feet of the furthest most portion of a building or facility (see IFC 507.5.1). The maximum spacing between hydrants in a residential area is 500 ft.

2. Fire Flow: Fire flow for the subdivision shall be 1000 GPM.

3. Fire Suppression Systems: As per the Utah Fire Code Act, "R" occupancies built in accordance with the International Residential Code may require fire suppression systems if any of the following apply:

R Occupancy Built Under IRC Requirements

Structure is located in Urban-Wildland Interface Area May Require Fire Suppression

Public Water Distribution System With Hydrants Does Not Exist May Require Fire Suppression

Single Access Road With Grade Greater Than 10% For More Than 500 Linear Feet May Require Fire Suppression

Structure Is Larger Than 10,000 Square Feet (Total Floor Area Of All Floor Levels Within Exterior Walls Of Dwelling Unit) May Require Fire Suppression

Structure Is Larger Than Double The Average Size Of The Un-sprinklered Homes In The Subdivision (Total Floor Area Of All Floor Levels Within Exterior Walls Of Dwelling Unit). May Require Fire Suppression

Weber Fire District strongly encourages the builder/owner to provide a fire suppression system to protect the lives and property of the occupants. These systems have been proven to provide effective lifesaving functions. You are encouraged to visit <http://homefiresprinkler.org/>

to learn more. For more information, please contact the Fire Prevention Division at 801-782-3580.

4. Provide a temporary address marker at the building site during construction.

5. Fire Access via Driveways: Driveways serving no more than 5 residences shall have a minimum clear width of 16 feet with a minimum of 12 feet of drive-able surface (measured from face of curb to face of curb) and a vertical clearance of 13 foot 6 inches and shall be capable of supporting a 75,000 pound load. Driveways in excess of 150 feet shall be provided with turn-arounds. Driveways exceeding 200 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds. (See driveways- 2006 Wildland Urban Interface Code used as a reference for residential driveway requirements exceeding 150 feet in length). Roads and driveways shall also comply with City/County standards as applicable. In cases of differing requirements, contact the Fire Marshal for clarification.

6. Roads shall have a maximum grade of 10% unless specifically approved as outlined by the International Fire Code."

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

Public Notice: The required noticing for the preliminary subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements as outlined in LUC §106-1-6©.

Staff Recommendation

Staff recommends final approval of the John Porter Subdivision, a one lot subdivision including the concurrent consideration and action of the John Porter Subdivision access via a private right of way. This recommendation for approval is subject to all review agency requirements as well as the following conditions:

1. The test pit for the John Porter subdivision as well as all soil test requirements set forth by the Weber Morgan Health Department must be shown on the final plat.

This recommendation is based on the following findings:

1. Based on substantial evidence, it has been found that it is unfeasible or impractical to extend a street to serve such lot/parcel at this time, based on topographic, and property boundary conditions which limits typical access requirements in a unique way.

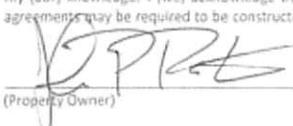
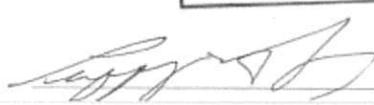
Exhibits

- A. Map of Location and Current Parcel Arrangement
- B. Application and Narrative
- C. Proposed Revision of Parcel Boundaries and Location of Alternative Access

Exhibit A-Location map and Current Parcel Arrangement



Exhibit B - 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		
Email Address 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		
Email Address 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		
Email Address 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)		 (Notary)	
Subscribed and sworn to me this <u>03</u> day of <u>October</u> , 20 <u>14</u> .			

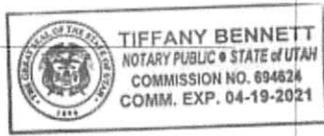
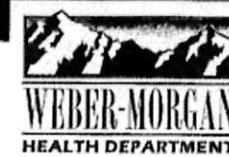


Exhibit D – Feasibility Letter

BRIAN W. BENNION, M.P.A., L.E.H.S.
Health Officer/Executive Director



July 13, 2017

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

RE: Brack Thompson Property, 1 Lot
4805 E. 2925 N., Eden
Parcel #22-021-0042

Gentlemen:

The plans and supporting information for the above-referenced subdivision have been reviewed.

Culinary water will be provided by the Wolf Creek Water District, an extension of an existing approved community water system. **A letter from the water supplier is required.**

Soil characteristics, percolation rates of 30 MPI, and anticipated ground water tables not to exceed 48 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.

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.

All subdivision plats submitted for review are to show the location of exploration pits and percolation tests. Key number or letter designation will be provided by this office along with logs of soil horizons and final percolation rates. Mylars submitted for signature without this information will be returned.

Each on-site individual wastewater disposal system must be installed in accordance with R317-501 through R317-513, 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,

Craig Jorgensen, LEHS
Wastewater Program Office

CJ/gk