



## WEBER COUNTY PLANNING DIVISION

### Administrative Review Meeting Agenda Amended

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**July 05, 2017**  
**4:00-5:00 p.m.**

- 1. Consideration and action on an administrative application for final approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.37 acres. Applicant; Matthew and Julie Shupe.**
- 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 Subdivision Approval

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on an administrative application for final approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.37 acres.

**Type of Decision:** Administrative

**Agenda Date:** Wednesday, July 05, 2017

**Applicant:** Matthew & Julie Shupe, Owners

**File Number:** UVW 050117

### Property Information

**Approximate Address:** 4400 North 2900 East, Liberty, UT 84310

**Project Area:** 5.37 acres

**Zoning:** Forest Valley (FV-3) Zone

**Existing Land Use:** Vacant

**Proposed Land Use:** Residential

**Parcel ID:** 22-008-0075

**Township, Range, Section:** T7N, R1E, Section 18S

### Adjacent Land Use

<b>North:</b> Vacant Agricultural	<b>South:</b> Vacant Agricultural
<b>East:</b> North 2900 East	<b>West:</b> Vacant Agricultural

### Staff Information

**Report Presenter:** Tammy Aydelotte  
taydelotte@co.weber.ut.us  
801-399-8766

**Report Reviewer:** RK

## Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 14 (FV-3 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

## Background and Summary

The applicant is requesting approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.37 acres located at approximately 4400 N 2900 E, Liberty, UT, in the FV-3 Zone.

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

## Analysis

**General Plan:** The General Plan for Ogden Valley is intended to preserve private property rights while also preserving the rural characteristics of the Valley. This proposal conforms to the Ogden Valley General Plan.

**Zoning:** The subject property is located in the Forest Valley (FV-3) Zone. Single-family dwellings are a permitted use in the FV-3 Zone.

The proposed small subdivision complies with the site development standards of the FV-3 zone including minimum lot area of 3 acres and minimum lot width of 150 feet. The proposed lot is approximately 5.37 acres and has approximately 204.71 feet of frontage along 2900 East St.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in LUC §106-1, and the FV-3 zone standards in LUC §104-14. The proposed subdivision will not realign or create any new public streets. The proposal meets the criteria for "Small Subdivisions", as defined in LUC §101-1-7, and can be administratively approved per LUC §106-1-5(b)(1).

**Culinary water and sanitary sewage disposal:** Culinary water is provided by Liberty Pipeline, and sanitary sewer is provided by a private, onsite septic system. An "Onsite Wastewater Disposal Systems Deed Covenant and

Restriction” will be required to be recorded with the final subdivision Mylar to ensure adequate notice is provided to future property owners of the requirement for a private onsite septic system.

Review Agencies: To date, the proposed subdivision has been reviewed and approved by the County Engineer, the County Surveyor, as well as Weber Fire District. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Additional Design Standards: Additional standards and requirements from reviewing agencies, including the Weber County Engineering Division must be fulfilled before the recording of the final plat. There may be additional site preparation in conjunction with an approved building permit. The proposed subdivision does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Natural Hazards Overlay Area: The following geologic hazards have been identified in the attached report and are considered a low risk and unlikely for occurrence: Landslide, Alluvial Fan Flooding/Debris Flow, Rock Fall, Surface Fault Rupture, and Stream Flooding.

Tax Clearance: The 2016 taxes have been paid in full. The 2017 property taxes will be due in full on November 1, 2017.

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 small subdivision per noticing requirements outlined in LUC §106-1-6.

## Staff Recommendations

Staff recommends final approval of the Whispering Oaks Subdivision, a one lot subdivision consisting of 5.37 acres. This recommendation is subject to all review agency requirements and based on the following conditions:

1. An “Onsite Wastewater Disposal Systems Deed Covenant and Restriction” will be required to be recorded with the final subdivision Mylar to ensure adequate notice is provided to future property owners of the requirement for a private onsite septic system.
2. A “Natural Hazards Disclosure” document will be required to be recorded prior to receiving final occupancy to provide adequate notice of any geotechnical and geological recommendations to future property owners.

This recommendation is based on the following findings:

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

## Administrative Approval

Administrative final approval of the Whispering Oaks Subdivision 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.

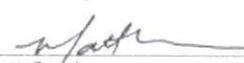
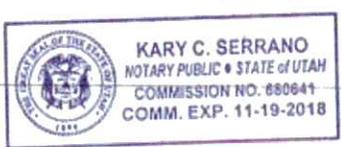
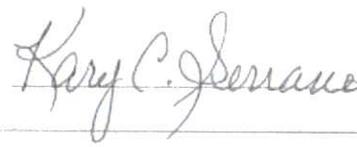
Date of Administrative Approval: \_\_\_\_\_

\_\_\_\_\_  
Rick Grover  
Weber County Planning Director

## Exhibits

- A. Subdivision Application
- B. Plat Map
- C. Area Map
- D. Feasibility Letters

# Exhibit A. Subdivision Application

<b>Weber County Subdivision Application</b>			
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)
<b>Subdivision and Property Information</b>			
Subdivision Name Whispering Oaks Subdivision			Number of Lots 1
Approximate Address 4400 N 2900 E Liberty, UT 84310		Land Serial Number(s) 22-008-0075	
Current Zoning FV-3	Total Acreage 5.25		
Culinary Water Provider Liberty Pipeline	Secondary Water Provider Liberty Pipeline	Wastewater Treatment Septic	
<b>Property Owner Contact Information</b>			
Name of Property Owner(s) Matthew and Julie Shupe		Mailing Address of Property Owner(s) 3930 N 3500 E Liberty, UT 84310	
Phone 801-791-4461	Fax none		
Email Address majshupe@gmail.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<b>Authorized Representative Contact Information</b>			
Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<b>Surveyor/Engineer Contact Information</b>			
Name or Company of Surveyor/Engineer Landmark Surveying, Inc		Mailing Address of Surveyor/Engineer 4646 S 3500 W West Haven, UT 84401	
Phone 801-731-4075	Fax none		
Email Address tyler@landmarksurveyutah.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<b>Property Owner Affidavit</b>			
I (We), <u>Matthew Shupe</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.			
			
(Property Owner)		(Property Owner)	
Subscribed and sworn to me this <u>27<sup>th</sup></u> day of <u>April</u> , 20 <u>17</u> .			
 <p><b>KARY C. SERRANO</b> NOTARY PUBLIC • STATE OF UTAH COMMISSION NO. 880641 COMM. EXP. 11-19-2018</p>		 (Notary)	

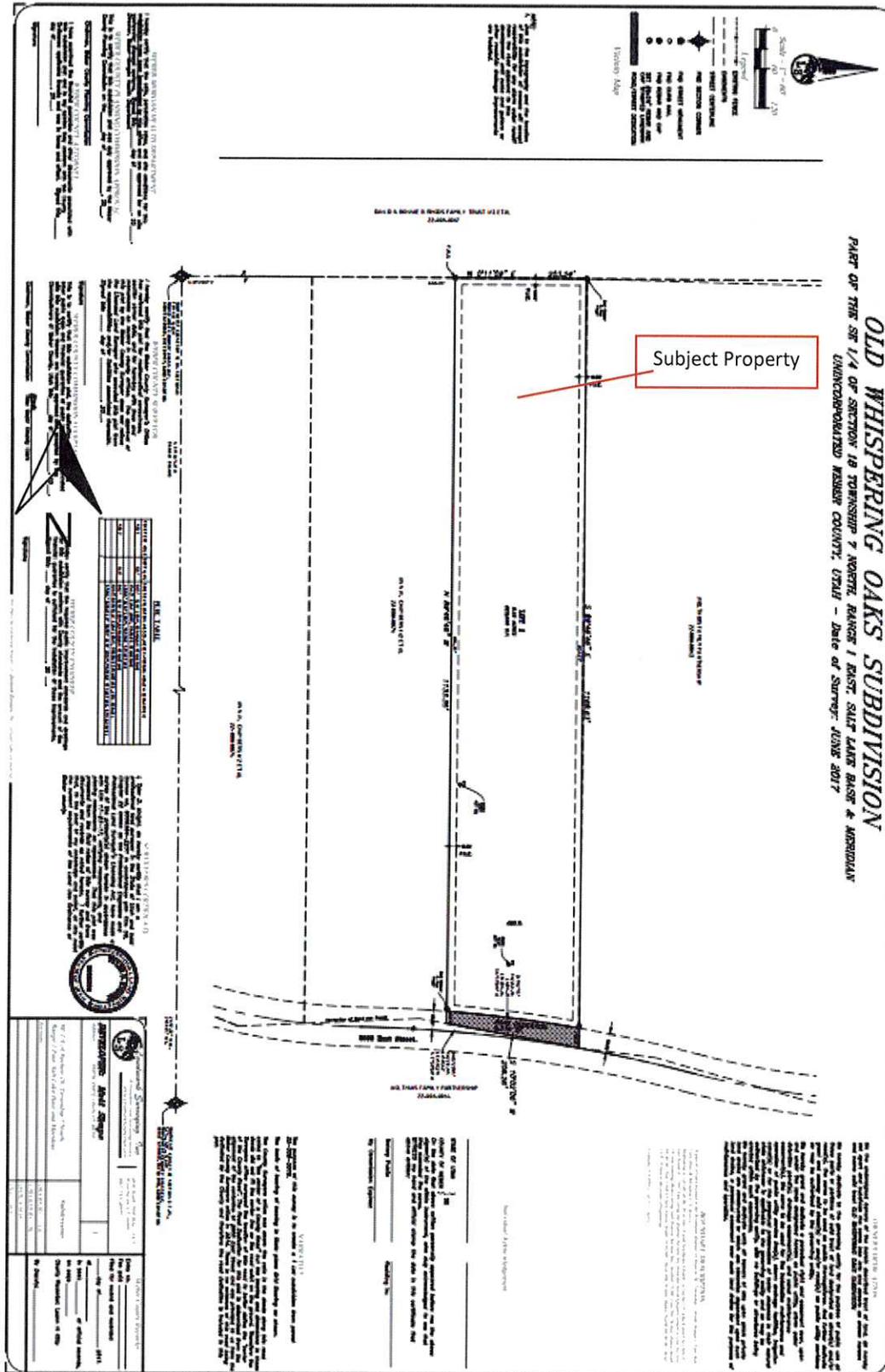


Exhibit C. Area Map



Exhibit D. Feasibility Letters



Liberty Pipeline Company

PO Box 1200  
801-745-2088

Eden, Utah 84310  
[jodi@libertypipelinecompany.com](mailto:jodi@libertypipelinecompany.com)  
[www.LibertyPipelineCompany.com](http://www.LibertyPipelineCompany.com)

05/01/2017

To whom it may concern;

This letter is to act as verification that culinary water is available from Liberty Pipeline Company for Tax ID 22-008-0075 owned by Matthew and Julie Shupe.

The fees required in order to hook up to Liberty Pipeline Co are:

Impact Fee: \$14,400.00  
Connection Fee: \$3976.50

Also, there is a Liberty Pipeline monthly usage base fee of \$30.00.

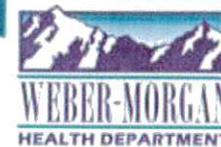
If further information or verification is needed, please call 801-745-2088.

Thank you,

A handwritten signature in black ink, appearing to read "Jodi Davis".

Jodi Davis  
LPC Bookkeeper

April 20, 2017



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

RE: Matthew Shupe Property  
Approximately 4400 N 2900 E  
Parcel #22-008-0075  
Soil log #14355

Gentlemen:

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

DESIGN REQUIREMENTS

The following work and resulting information has been gathered by the staff of the Weber-Morgan Health Department, provide by the property owner or his representatives; documented ground water in the area monitored remained below 36 inches throughout the 2016-2017 ground water season. The documented percolation test performed in association with soil exploration test pit#2 resulted in the stabilized percolation rates of 80 min/inch at a depth of 36 inches and 60 min/inch at a depth of 78 inches. The provided topographic contour map shown that the area evaluated has a 22%-25% slope this is also the buildable area. To receive a onsite wastewater treatment system permit all portions of both the State Administrative regulation R317-4 and the Weber Morgan Health Department Onsite Treatment System Regulation must be met.

Due to the following pertinent portion of those regulations R317-4.6.14.B.4.b and R317-4.2.52 our office believe that the only system that may be engineered to meet all regulatory requirement would be a Packed Bed Media pre treatment system with a drip irrigation trench limited to a depth of 24 inches. The application to be utilized in that design should be a 0.4 gal/day/ft<sup>2</sup> determined by the documented percolation rate of 80 min/inch in that soil horizon

R317-4.6.14.B.4.b Sloping Ground.

Absorption systems placed in 10% or greater sloping ground shall be designed so that there is a minimum of 10 feet of undisturbed earth measured horizontally from the bottom of the distribution line to the ground surface. This requirement does not apply to drip irrigation.

R317-4.2.52 Impervious strata" means a layer that prevents water or root penetration. In addition, it shall be defined as unsuitable soils or soils having a percolation rate slower than 60 minutes per inch for conventional systems.

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 subdivisions plats submitted for review are to show the location of exploration pits and percolation tests as well as the documented soil horizons and 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 R317-4, 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