

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

**February 17, 2021
4:00 to 5:00 p.m.**

Join Zoom Meeting

<https://us02web.zoom.us/j/83093734488>

1. UVH011121 - Consideration and action on a request for approval of Higuera Subdivision, a one-lot Subdivision, *Presenter Felix Lleverino*
2. Consideration and action on an administrative application, final approval of Rogers Subdivision, consisting of 1 lot. This subdivision includes road dedication, *Presenter Tammy Aydelotte*
3. Request for final approval of Summerset Farms Subdivision Phase 4, consisting of 3 lots, *Presenter Tammy Aydelotte*

The regular meeting will be held VIRTUALLY via Zoom Video Conference. Please access this VIRTUAL meeting by navigating to the following web/ink in a web browser:

Meeting ID: [83093734488](https://us02web.zoom.us/j/83093734488)

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





Staff Report to the Weber County Planning Division

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for approval of Higuera Subdivision, a one lot subdivision.
Agenda Date:	Wednesday, February 17, 2021
Applicant:	Raymond and Chelsey Higuera, owner
File Number:	UVH011121

Property Information

Approximate Address:	5389 N 3325 E, Liberty
Project Area:	6.05 Acres
Zoning:	Agricultural Valley 3 (AV-3)
Existing Land Use:	Vacant
Proposed Land Use:	Residential
Parcel ID:	22-005-0036
Township, Range, Section:	T7N, R1E, Section 8

Adjacent Land Use

North:	Vacant	South:	Residential
East:	Vacant	West:	Residential

Staff Information

Report Presenter:	Felix Lleverino fleverino@co.weber.ut.us 801-399-8767
Report Reviewer:	RG

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 6 (Agricultural Valley, AV-3)
- Title 104 (Zones) Chapter 9 (Forest Zones)
- Title 104 (Zones) Chapter 28 (Ogden Valley Sensitive Lands Overlay District)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)

Development History

On July 23, 2019, Mr. Higuera requested that the Planning Division research this parcel to determine whether it is buildable. When the research was complete, it was determined non-buildable. As a means to qualify this property as a buildable lot, the parcel of real property would need to identify as a lot on a subdivision plat.

Background and Summary

The applicant is requesting approval of a one lot subdivision that will gain access from 3325 East Street, a public right-of-way. A section of land that is 3' by 191' is dedicated to the public right-of-way as requested by the County Engineering Department. 3325 East Street meets the standard for a public road according to the County Engineering Department.

The front half of the property is within the AV-3 zone and the rear half is within the F-5 zone.

Weber County Engineering has identified an intermittent stream that runs through the property that requires a 50' stream corridor set-back. The property also contains a flood zone that is largely within the 50' stream corridor set-back area. If the owner wishes to create a stream crossing, the County Engineer would require a professionally engineered stream crossing.

As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the FV-3 zone found in LUC §104-14. The following section is a brief analysis of this project against current land use regulations.

Analysis

General Plan: This proposal conforms with Ogden Valley General Plan (OVGP) by encouraging low-density development that preserves open space (see page 21 of the OVGP).

Zoning: The property is located in the AV-3 Zone. The purpose of this zone is stated in the LUC §104-6-1.

"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."

The rear portion of the property is located within the F-5 Zone.

"The forest zones intend to protect and preserve the natural environment of those areas of the county that are characterized by mountainous, forest or naturalistic land, and to permit development compatible to the preservation of these areas."

This property complied with AV-3 and F-5 site development standards.

Small Subdivision: "The planning Director is delegated administrative authority to approve small subdivisions if in his discretion there are no conditions which warrant its submittal to the planning commission LUC §106-1-8 (f))." This proposal qualifies as a small subdivision consisting of three or fewer lots for which no new streets are being created or realigned.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level. The subdivision plat depicts a flood zone "A" that is mostly with the stream corridor (see Exhibit A).

Sensitive Lands: The Weber County Sensitive Lands Map indicates the presence of an ephemeral stream that runs across the property. The required 50' stream corridor setback line is depicted on the plat where no structures may be placed. If the owner wishes to construct a crossing, the Weber County Engineering Department requires that a licensed engineer designs the river crossing and that the plans are approved by County Engineering.

Culinary Water: Culinary and secondary water will be sourced from a private well that has been permitted by the State Engineer but yet to be drilled.

Sanitary System: Weber-Morgan Health Department has provided a letter stating that the groundwater tables fall within a range of acceptability for the placement of a wastewater disposal system.

Review Agencies: The Weber County Fire District has approved this proposal conditional upon the placement of a fire hydrant or a fire suppression system may be required. The latest plat addresses Planning, Engineering, and Surveyor's comments. The applicant has submitted a separate subdivision application to the Weber-Morgan Health Department. It is anticipated that the Health Department will approve the final plat that shows the well protection area, test pit location, and soil horizons.

Tax Clearance: The 2020 property taxes have been paid in full. The 2021 property taxes are due in full as of November 30, 2021.

Public Notice: Noticing was provided to all property owners of record within 500 feet of the subject property.

Staff Recommendation

Staff recommends final plat approval of Higuera Subdivision, consisting of 1 lot. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. The owner shall enter into the Deferral Agreement for curb gutter and sidewalk.
2. The area dedicated to the public ROW shall be presented and accepted by the County Commission.
3. If a stream crossing is built, the plans to construct the crossing shall be approved by the County Engineering Department.

The following findings are the basis for the Planning Staff's recommendations:

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

Administrative Approval

Administrative final approval of Higuera Subdivision, consisting of 1 lot, 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.

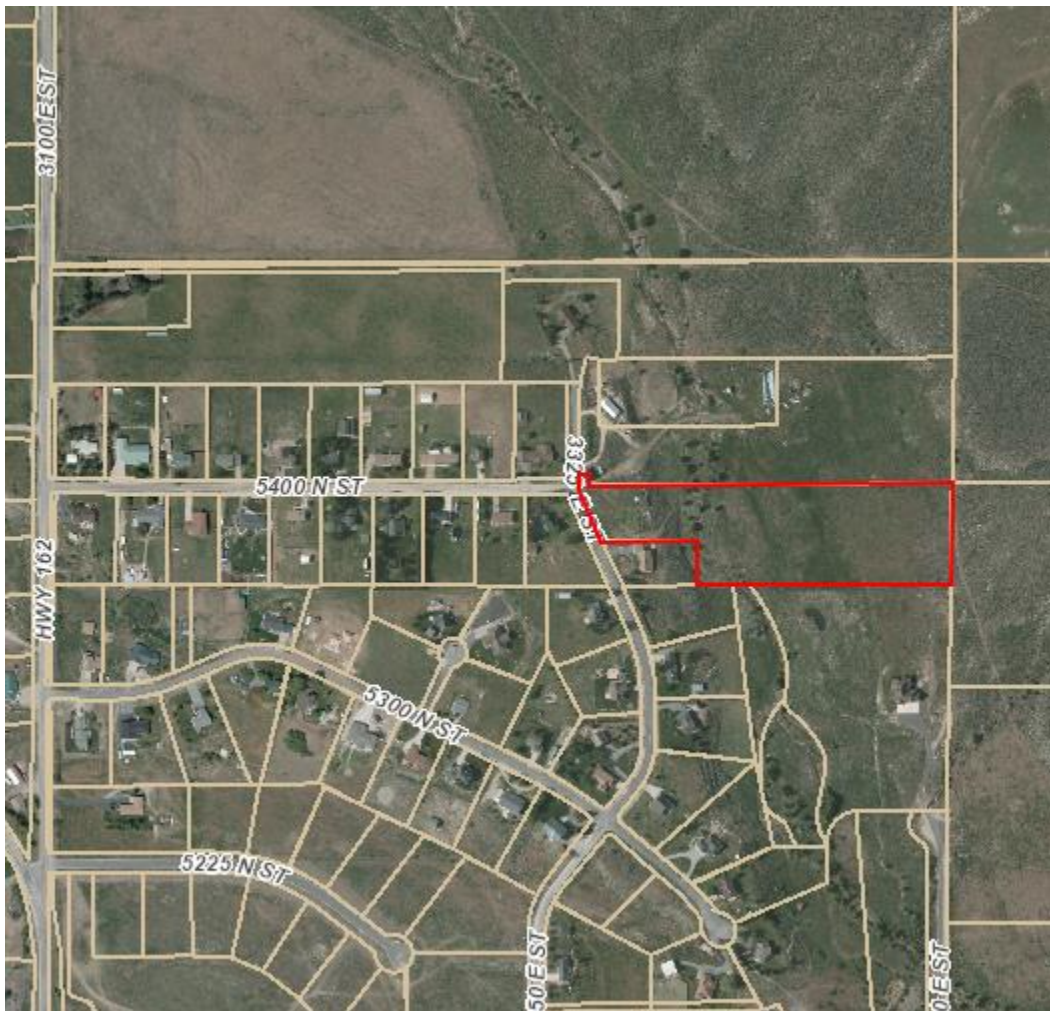
Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits

- A. Higuera Subdivision Plat
- B. Higuera Subdivision Plat with Contour lines
- C. Current Recorders Plat
- D. Health Department feasibility letter
- E. Well permit

Area Map



Scale - 1" = 60'

0 60 120

Legend

- EXISTING FENCE
- - - EASEMENTS (as labeled or granted)
- STREET CENTERLINE
- ◆ FND SECTION CORNER
- ◆ CALC SECTION CORNER
- FND STREET MONUMENT
- FND CURB NAIL
- FND REBAR AND CAP
- SET #5x24" REBAR AND CAP STAMPED LANDMARK
- RECORD DATA
- MEASURED DATA

HIGUERA SUBDIVISION

PART OF THE SW 1/4 OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
UNINCORPORATED WEBER COUNTY, UTAH - NOVEMBER 2020

OWNERS DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into Lots as shown or noted hereon and name said tract HIGUERA SUBDIVISION.

We hereby grant and convey a perpetual right and easement over, upon and under the lands designated herein as Public Utility Easement (PUE), storm water detention/retention pond(s), drainage easement(s), and canal maintenance easement(s), the same to be used for the installation, maintenance and operation of public utility service line(s), storm drainage facilities, irrigation canal(s) or for the perpetual preservation of water channels in their natural state whichever is applicable to the governing entity and on may be authorized by the governing entity, with no buildings or structures being erected within said easements without authorization of the governing entity.

Individual Acknowledgment

IN WITNESS WHEREOF, the hand of said Grantor(s), this ____ day of _____, 20__.

RAYMOND E. HIGUERA CHELSEY P. HIGUERA

STATE OF UTAH SS

COUNTY OF WEBER

WHEREAS, the foregoing instrument was acknowledged, subscribed, and sworn before me on the date first above written and personally appeared before me the above named signers of the within instrument, who duly acknowledged to me that they executed the same.

THEREFORE, as a Notary Public commissioned in Utah, Witness my hand and official seal.

Notary Signature: _____ My Commission Expires: _____
(print name below signature)

BOUNDARY DESCRIPTION

A part of the southwest corner of Section 8, Township 7 North, Range 1 East, Salt Lake Base and Meridian, beginning at a point which is 1492.50 feet North 9°45'17\"/>

NARRATIVE

The purpose of this survey is to create a one (1) lot subdivision as shown.

Documents used to aid in this survey:

1. Weber County Plat 22-003 (current and prior years).
2. Deeds of record as found in the Weber County Recorder's Office for parcels 012-009-00017, 21-009-00031, 21-009-00036.
3. Plats of Record: 21-003 Liberty Bell Ranchettes Subdivision Phase 1, 21-009 Willow Creek Subdivision Phase 1, 21-100 Willow Creek Subdivision Phase 2, 22-003 Liberty Bell Ranchettes Subdivision Phase 2, 27-010 Saddleback Range.
4. Record of Survey's: #3406, #4076, #4723, #5118.

Record descriptions were related and adjusted to fit existing evidences. Original Deed descriptions for subject parcel has over a ten foot closure error which has been resolved in this survey. West property lines have been established by deed and found street monuments for 3450 North Street and 3300 East Street. North, East and South lines are established by deed, neighboring survey plats and found fence line and rebar and cap evidences.

Basis of bearing is state plane grid from monument as shown.

WEBER COUNTY COMMISSION ACCEPTANCE

This is to certify that this subdivision plat, the dedication of streets and other public ways and financial guarantees of public improvements associated with this subdivision thereon are hereby approved and accepted by the Commission of Weber County, Utah this ____ day of _____, 20__.

Chairman, Weber County Commission Title: Weber County Clerk

WEBER-MORGAN HEALTH DEPARTMENT

I hereby certify that the soils, percolation rates, and site conditions for this subdivision have been investigated by this office and are approved for on site wastewater disposal systems. Signed this ____ day of _____, 20__.

Director, Weber-Morgan Health Department

WEBER COUNTY PLANNING COMMISSION APPROVAL

This is to certify that this subdivision plat was duly approved by the Weber County Planning Commission on the ____ day of _____, 20__.

Chairman, Weber County Planning Commission

WEBER COUNTY ATTORNEY

I have examined the financial and legal documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto now in force and effect. Signed this ____ day of _____, 20__.

Signature _____

WEBER COUNTY SURVEYOR'S CERTIFICATE

I hereby certify that the Weber County Surveyor's Office has reviewed this plat and all conditions for approval by this office have been satisfied. The approval of this plat by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith.

Signed this ____ day of _____, 20__.

Weber County Surveyor

WEBER COUNTY ENGINEER

I hereby certify that the required public improvement standards and drawings for this subdivision conform with County standards and the amount of the financial guarantee is sufficient for the installation of these improvements.

Signed this ____ day of _____, 20__.

Signature

SURVEYOR'S CERTIFICATE

I, Tyler D. Knight, do hereby certify that I am a professional land surveyor in the State of Utah in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Act; and hold certificate no. 9008384-2201 as prescribed by the laws of this State. That I have made a survey of the property(s) shown hereon in accordance with UCA 17-25-17. That this plat was prepared from the field notes of this survey and from documents and records as noted hereon. Monuments have been placed as represented on the plat.

Landmark Surveying, Inc.
A Complete Land Surveying Service
www.LandmarkSurveying.com

4046 South 2500 West, 4th J
West Haven, UT 84401
801-731-4075

DEVELOPER: Ray Huguera
Address: 4752 E. 3900 N. Eden UT 84302

SW 1/4 of Section 8, Township 7 North,
Range 1 East, Salt Lake Base and Meridian.

Subdivision

Drawn BY: JN
Checked BY: JN
DATE: 11/19/2020
FILED: 4105

Webster County Recorder

Entry no. _____

Filed for record and recorded
____ day of _____, 20__

at _____ of official records,
on page _____

County Recorder: Leann H. Killa

By Deputy _____
File paid _____

This Plat is the Intellectual Property of Landmark Surveying, Inc. All legal rights are reserved.

SECTION 8, T.7N., R.1E., S.L.B. & M.

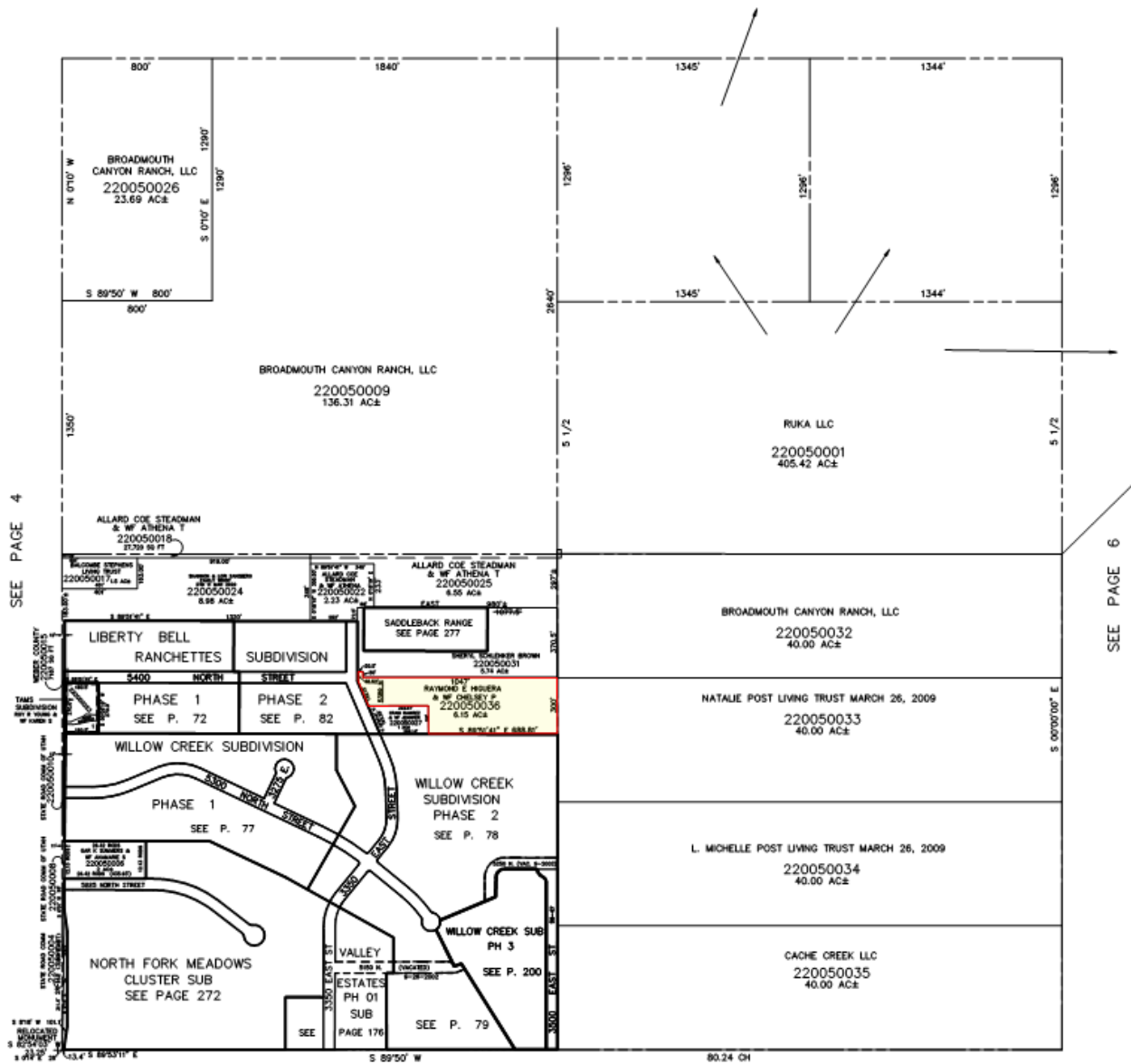
IN WEBER COUNTY

SCALE 1" = 400'

SEE PAGE 2

TAXING UNIT: 36

5



22

BDB 8-96

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



August 13, 2019

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

RE: Raymond Higuera
5366 N 3325 E (Approx.), Huntsville
Parcel #22-005-0036
Soil log #14868

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by a private well. **The placement of the well is critical so as to provide the required 100 foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Anticipated ground water tables not to exceed 48 inches, fall within the range of acceptability for the utilization of a Pack-Bed Media Treatment System as a means of wastewater disposal. Maximum trench depth is limited to 24 inches. The absorption field is to be designed using a maximum loading rate of 0.90 gal/sq. ft./day as required for the gravelly coarse loamy sand, single grain structure soil horizon.

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,

Craig Jorgensen, LEHS
Environmental Health Division
801-399-7160

CJ/gk

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

ORDER OF THE STATE ENGINEER

For Exchange Application Number 35-13729 (E6053)

OCT 7 2020

Exchange Application Number 35-13729 (E6053) in the names of Raymond and Chelsey Higuera was filed on July 27, 2020, to exchange 1.00 acre-foot of water, as evidenced by Water Right Number 35-827 (A27608) owned by the U.S. Bureau of Reclamation and a contract (Number 29569 associated with Tax I.D. Number 22-005-0036) for its use with Weber Basin Water Conservancy District (WBWCD). The 1.00 acre-foot of water is to be released from Pineview Reservoir and, in lieu thereof, 1.00 acre-foot of water will be diverted from: (1) Well - North 1911 feet and West 652 feet from the S $\frac{1}{4}$ Corner of Section 8, T7N, R1E, SLB&M (6-inch well, 100-500 feet deep). The water is to be used for the irrigation of 0.1833 acre from April 1 to October 31; and year-round, indoor, domestic requirements of 1.00 equivalent domestic unit (EDU). The water is to be used in all or portion(s) of Section 8, T7N, R1E, SLB&M.

Notice of the exchange application was published in the Standard Examiner on August 20 and 27, 2020. No protests were received.

It is the opinion of the State Engineer that this exchange application can be approved without adversely affecting existing rights. The applicants are put on notice that diligence must be shown in pursuing the development of this application, which can be demonstrated by the completion of the project as proposed in the exchange application.

It is, therefore, **ORDERED** and Exchange Application Number 35-13729 (E6053) is hereby **APPROVED** subject to prior rights and the following conditions:

- 1) The basis for this exchange right is a contract between the applicants and WBWCD. This contract must be maintained for this exchange to remain valid. No water may be withdrawn under this application if a contract is not in effect.
- 2) Total diversion under this exchange application is limited to 1.00 acre-foot of water per year for the irrigation of 0.1833 acre (0.55 acre-foot) from April 1 to October 31; and year-round, indoor, domestic requirements of 1.00 EDU (0.45 acre-foot).
- 3) The applicant shall maintain controlling works and a metering device as required by Section 73-5-4 of the Utah Code.
- 4) The water being exchanged shall be released from Pineview Reservoir into Ogden River as called for by the river commissioner.

ORDER OF THE STATE ENGINEER
Exchange Application Number
35-13729 (E6053)
Page 2

The applicants are strongly cautioned that other permits may be required before any development of this application can begin and it is the responsibility of the applicants to determine the applicability of and acquisition of such permits. Once all other permits have been acquired, this is your authority to develop the water under the above referenced application which under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water must be put to beneficial use and proof must be filed on or before October 31, 2025, or a request for extension of time must be acceptably filed; otherwise, the application will be lapsed. This approval is limited to the rights to divert and beneficially use water and does not grant any rights of access to, or use of land or facilities not owned by the applicants.

When the work is complete, an Affidavit of Beneficial Use may be submitted by an applicant without hiring a proof professional if it qualifies under statute. An affidavit qualifies if all of the following criteria are met:

- The water right is associated with a residence, either full- or part-time. (NOTE: Any irrigation or stock use on the affidavit must be associated with the residence.)
- The water use is for a quarter acre of irrigation or less.
- The water use is for the watering of ten head of livestock (or equivalent) or less.
- The water use does not include any uses in addition to the three listed above.

As noted, this approval is granted subject to prior rights. The applicants shall be liable to mitigate or provide compensation for any impairment of or interference with prior rights as such may be stipulated among parties or decreed by a court of competent jurisdiction.

Under the authority of Section 73-3-20 of the Utah Code, the applicants are required to submit a proof of diversion and beneficial use of water upon 60 days notification by the State Engineer. The proof shall be in the same form and contain the same elements as required for appropriation or permanent change of water under Section 73-3-16 of the Utah Code Annotated.

Proof of beneficial use is evidence to the State Engineer that the water has been fully placed to its intended beneficial use. By law, it must be prepared by a registered engineer or land surveyor, who will certify to the location, uses and extent of your water right.

Upon the submission of proof as required by Section 73-3-16, Utah Code, for this application, the applicants must identify every source of water used under this application and the amount of water used from that source. The proof must also show the capacity of the sources of supply and demonstrate that each source can provide the water claimed to be diverted under this right as well as all other water rights, which may be approved to be diverted from those sources.

SCANNED RC

ORDER OF THE STATE ENGINEER
Exchange Application Number
35-13729 (E6053)
Page 3

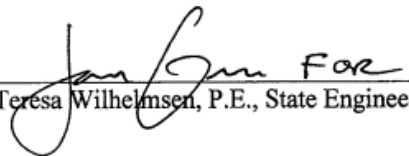
Failure on your part to comply with the requirements of the applicable statutes may result in the lapsing of this exchange application.

It is the applicants' responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership. Additionally, if ownership of this water right or the property with which it is associated changes, the records of the Division of Water Rights should be updated. For assistance in updating title to the water right, please contact the Division at the phone number below.

Your contact with this office, should you need it, is with the Weber River/Western Regional Office. The telephone number is 801-538-7240.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or for judicial review with the appropriate District Court. A Request for Reconsideration must be filed in writing with the State Engineer within 20 days of the date of this Order. The written request shall be filed in-person, by mail, or electronically. If the request is filed electronically it shall be submitted to: waterrights@utah.gov, which is the authorized general email for the Division. However, a Request for Reconsideration is not a prerequisite to filing for judicial review. A petition for judicial review must be filed within 30 days after the date of this Order or, if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 7 day of October, 2020.


Teresa Wilhelmsen, P.E., State Engineer

SCANNED RC

ORDER OF THE STATE ENGINEER

Exchange Application Number

35-13729 (E6053)

Page 4

Mailed a copy of the foregoing Order this 7 day of October, 2020 to:

Raymond and Chelsey Higuera
4752 E 3900 N
Eden UT 84310

Weber Basin Water Conservancy District
2837 East Highway 193
Layton UT 84040

Cole Panter, River Commissioner
PO Box 741
OGDEN UT 84402

Division of Water Rights
Distribution Section
c/o Susan Odekirk
OGDEN RIVER

BY: Doralee Cannon
Doralee Cannon, Applications/Records Secretary

SCANNED RC



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on an administrative application, final approval of Rogers Subdivision, consisting of 1 lot. This subdivision includes road dedication.
Agenda Date:	Wednesday, February 17, 2021
Applicant:	Zack Rogers, owner
File Number:	LVR11232020

Property Information

Approximate Address:	618 N 4700 W, Ogden UT, 84404
Project Area:	6.000 acres
Zoning:	Agricultural (A-2) Zone
Existing Land Use:	Agriculture
Proposed Land Use:	Residential
Parcel ID:	15-027-0111
Township, Range, Section:	T6N, R2W, Section 08 SE

Adjacent Land Use

North:	Residential	South:	Agricultural
East:	Agricultural	West:	4700 West St.

Staff Information

Report Presenter:	Tammy Aydelotte taydelotte@webercountyutah.gov 801-399-8794
Report Reviewer:	RG

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) Section 7
- Weber County Land Use Code Title 104 (Zones) Chapter 7 (A-2 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Background

The applicant is requesting approval of Rogers Subdivision (per County Surveyor's office, name will need to be changed), consisting of one lot, located at approximately 618 N 4700 W, Ogden UT, 84404, in the A-2 Zone. The proposed 5.928 acre lot within this subdivision meets the lot area and lot width requirements of this zone, of 40,000 square feet in area and 150 feet in width. Access for the lot will be from 4700 West St. The purpose of this subdivision is to further separate agricultural lands from a new lot.

Culinary water service will be provided by Taylor West Weber Water. Secondary water will be provided by Hooper Irrigation. Final approval from Taylor West Weber will need to be shown prior to recording the final plat. Weber-Morgan Health Department has issued feasibility for a septic system. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating large lots to maintain the country feel with land that has agricultural and livestock related uses.

Zoning: The subject property is located in an Agricultural Zone A-2 zone. The land use requirements for this zone are stated in the LUC§ 104-5 as follows:

"The purpose of the A-2 Zone is to designate moderate-intensity farming areas where agricultural pursuits and the rural environment should be promoted and preserved where possible."

Small Subdivision: As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC 106 chapter 1, and the standards in A-1 zone (LUC 104-7). The proposed subdivision will not create any new public streets. The proposal meets the criteria for a “Small Subdivisions”, as defined in LUC 101-7, and can be administratively approved per LUC 106-1-5(b)(1).

Lot area, frontage/width and yard regulations: In the LUC §104-7-6, the A-2 zone requires a minimum lot area of 40,000 square feet and a minimum lot width of 150’. The proposed subdivision is a one lot subdivision that fronts a county road identified as 4700 West Street. 3,150 square feet (312’ x 10’) of road will be dedicated along 4700 West Street.

Culinary water and sanitary sewage disposal: A letter from Taylor West Weber Water Improvement District has been provided granting final approval. Secondary Water will be required from Hooper Irrigation. Sanitary sewage disposal will be handled by an onsite septic system, a feasibility letter for which has been submitted with this application.

Review Agencies: The proposed subdivision has been reviewed, but not yet approved by Engineering, and the County Surveyor. Weber Fire District has reviewed and approved this application.

Tax Clearance: There are no outstanding tax payments related to this parcel.

Public Notice: Noticing requirements, according to LUC 106-1-6(c), have been met by mailing notices out to all property owners of record within 500 feet of the subject property.

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Staff Recommendations

Staff recommends final approval of Rogers Subdivision (to be re-named prior to recording), consisting of one lot, including road dedication. This recommendation is subject to all review agency requirements and based on the following conditions:

1. A signed deed covenant and restriction to run with the land, for septic systems, must be recorded with the final plat.
2. A signed deferral agreement must be recorded with the final plat.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable county ordinances.

Administrative Approval

Administrative final approval of Rogers 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: **Wednesday, February 17, 2021.**

Rick Grover
Weber County Planning Director

Exhibits

- A. Application
- B. Subdivision Plat
- C. Water/Septic Feasibility

Area Map

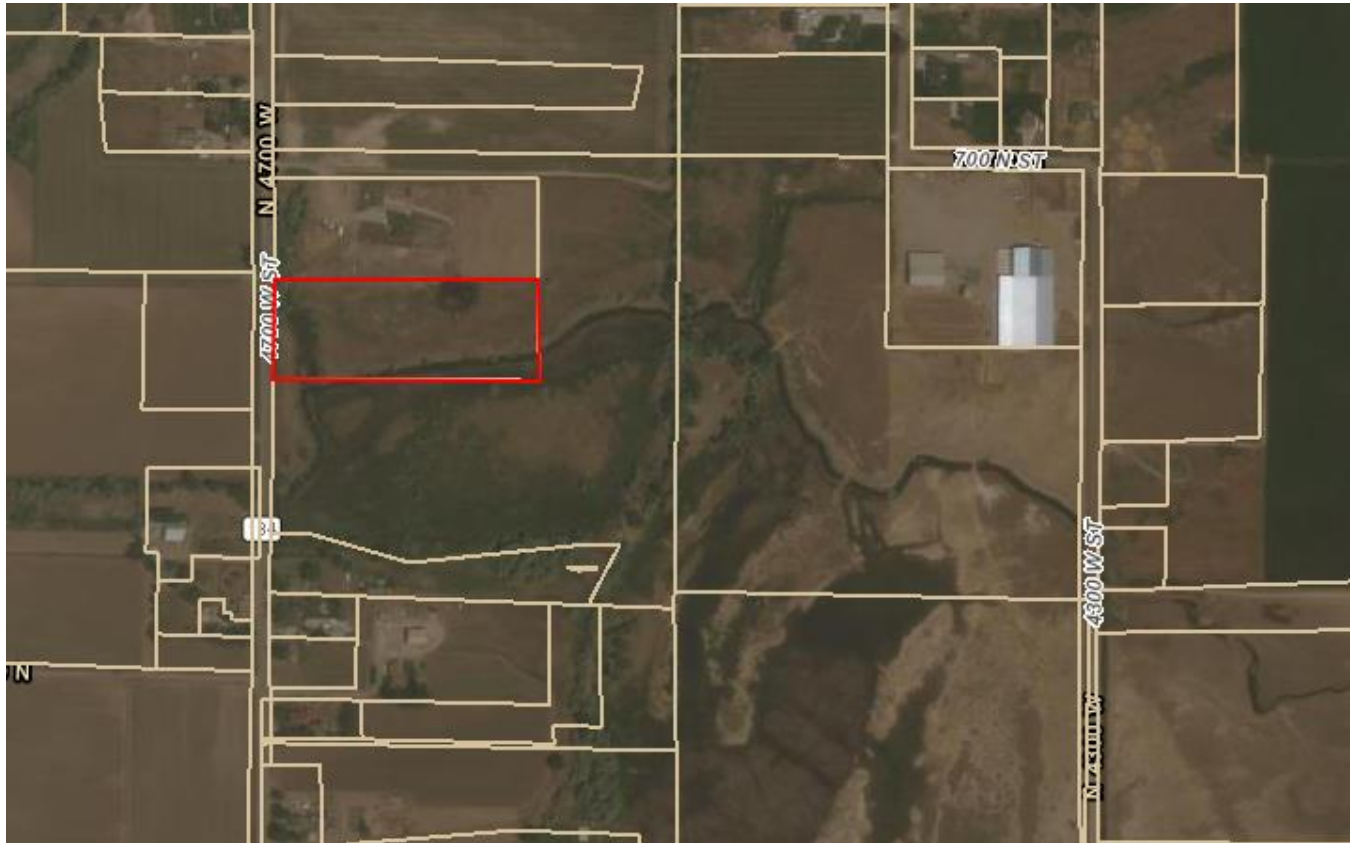


Exhibit A - Application

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 Rogers Subdivision		Number of Lots 1	
Approximate Address 618 N. 4700 W.		Land Serial Number(s) 150270111	
Current Zoning	Total Acreage 6 acres		
Culinary Water Provider Taylor West-Weber Water	Secondary Water Provider Hooper Irrigation	Wastewater Treatment Septic	
Property Owner Contact Information			
Name of Property Owner(s) Jack and Lacie Rogers		Mailing Address of Property Owner(s) PO Box 277 Honeyville, UT 84314	
Phone 801-391-4433 801-648-4701	Fax		
Email Address lacej@comcast.net	Preferred Method of Written Correspondence <input checked="" type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail		
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) Steven Barker		Mailing Address of Authorized Person 2476 W Taylor Rd Farr West, UT 84404	
Phone 801-726-9971	Fax		
Email Address	Preferred Method of Written Correspondence <input type="radio"/> Email <input type="radio"/> Fax <input type="radio"/> Mail		

Surveyor/Engineer Contact Information

Name or Company of Surveyor/Engineer		Mailing Address of Surveyor/Engineer
Phone	Fax	
Email Address		Preferred Method of Written Correspondence Email Fax Mail

Property Owner Affidavit

I (We), Lacie and Zack Rogers, 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.

Lacie Rogers
(Property Owner)

Zack Rogers
(Property Owner)

Subscribed and sworn to me this 28 day of October, 2020.

Authorized Representative Affidavit

I (We), Lacie & Zack Rogers, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s), Steven Barker, 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.

Zack Rogers
(Property Owner)

Lacie Rogers
(Property Owner)

Dated this 28 day of October, 2020 personally appeared before me signer(s) of the Representative Affidavit who duly acknowledged to me that they executed the same.

Jake Rhee
Notary

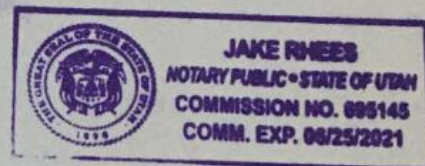


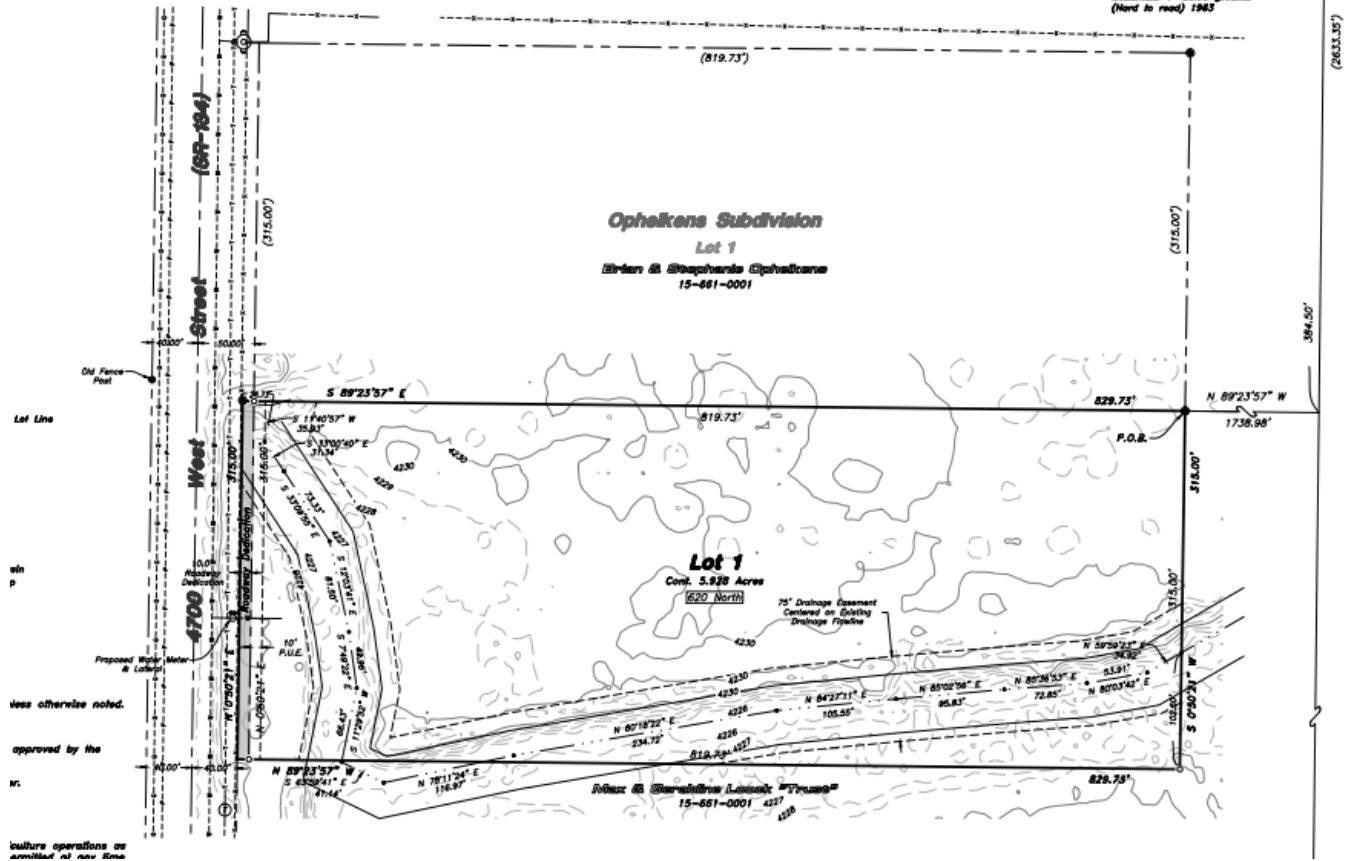
Exhibit B - Proposed Plat

Rogers Subdivision

Weber County, Utah
 A Part of the Southeast Quarter of Section 8,
 Township 6 North, Range 2 West, Salt Lake Base & Meridian
 December 2019

Northeast Corner of Sec. 8,
T. 6 N., R. 2 W., S. 18 E.
Found Weber Co. Brass Cop
Monument 6" above ground.
1963

East Quarter Corner of Sec. 1
T. 6 N., R. 2 W., SLSBM
Found Weber Co. Brass Cop
Monument 4" below ground.
(Hard to read) 1963





2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
801-731-1668
2/5/2021

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that ***Final*** approval has been given and the District has the capacity to provide culinary water only for 1 lot for Zach and Lacie Rogers at the approximate address 618 N. 4700 W. West Weber, Utah.

Requirements that have been met:

- Water rights fee = \$4,363.00 per lot (paid).
- Secondary Water = Taylor West Weber Water is holding 1 share of Hooper Irrigation in Taylor West Weber Waters name. This share will be held until a pressurized secondary system becomes available. When pressurized secondary is available the share will be returned and the owner of the above noted property will need to connect to the pressurized system.
- Impact Fees = \$5,228.00 (paid).

Requirement that will need to be paid for the installation of the connection.

- Connection Fee = \$1,730.00 per lot plus the cost of asphalt and road work if applicable.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Rogers".

Ryan Rogers – Manager
Taylor West Weber Water Improvement District



June 16, 2020

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

RE: Zack & Lacie Rogers
P.O. Box 277
Parcel #15-027-0111
Soil log #14962

Gentlemen:

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

DESIGN REQUIREMENTS

Documented ground water tables not to exceed 32 inches, fall within the range of acceptability for the utilization of an At-Grade Wastewater Treatment System as a means of wastewater disposal. Maximum trench depth is limited to 0 inches. The absorption field is to be designed using a maximum loading rate of 0.4 gal/sq. ft./day as required for the silty clay loam, massive structure soil horizon. **The drainfield should be installed in the area where the percolation test was performed.**

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,

Ryan Klinge
Environmental Health Division
801-399-7160

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request:	Request for final approval of Summerset Farms Subdivision Phase 4, consisting of 3 lots.
Agenda Date:	Wednesday, February 17, 2021
Applicant:	Bob Favero, owner
File Number:	LVS07302020

Property Information

Approximate Address:	2267 S 3500 W, Ogden, UT, 84401
Project Area:	4.838 acres
Zoning:	Agricultural (A-1) Zone
Existing Land Use:	Agriculture/Residential
Proposed Land Use:	Residential
Parcel ID:	15-078-0046, 15-078-0163, 15-078-0164, 15-078-0040
Township, Range, Section:	T6N, R2W, Section 28 SE

Adjacent Land Use

North:	Residential/Agricultural	South:	Agricultural
East:	3500 West St	West:	Residential

Staff Information

Report Presenter:	Tammy Aydelotte taydelotte@webercountyutah.gov 801-399-8794
Report Reviewer:	RG

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) Section 7
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (A-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Background

The applicant is requesting approval of Summerset Farms Phase 4 Subdivision consisting of three lots, located at approximately 2267 S 3500 W, Ogden, UT, 84401, in the A-1 Zone. The proposed 4.838 acre lot within this subdivision meets the lot area and lot width requirements of this zone, of 40,000 square feet in area and 150 feet in width. Access for the lot will be from 3500 West St. The purpose of this subdivision is to further separate agricultural lands from a new lot.

Culinary water service will be provided by Taylor West Weber Water. Sewer services will be provided by Central Weber Sewer. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating large lots to maintain the country feel with land that has agricultural and livestock related uses.

Zoning: The subject property is located in an Agricultural Zone A-1 zone. The land use requirements for this zone are stated in the LUC§ 104-5 as follows:

“The purpose of the A-1 Zone is to:

- 1. Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;*
- 2. Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and*
- 3. Direct orderly low-density residential development in a continuing rural environment.”*

Small Subdivision: As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC 106 chapter 1, and the standards in A-1 zone (LUC 104-5). The proposed subdivision will not create any new public streets. The proposal meets the criteria for a “Small Subdivisions”, as defined in LUC 101-7, and can be administratively approved per LUC 106-1-5(b)(1).

Lot area, frontage/width and yard regulations: In the LUC §104-5-7, the A-1 zone requires a minimum lot area of 40,000 square feet and a minimum lot width of 150'. The proposed subdivision is a one lot subdivision that fronts a county road identified as 3500 West Street.

Culinary water and sanitary sewage disposal: A letter from Taylor West Weber Water Improvement District has been provided granting final approval. Secondary Water will be required from Hooper Irrigation. Sanitary sewage disposal will be handled by Central Weber Sewer.

Review Agencies: The proposed subdivision has been reviewed, but not yet approved by Engineering, and the County Surveyor. Weber Fire District has reviewed and approved this application.

Tax Clearance: There are no outstanding tax payments related to this parcel.

Public Notice: Noticing requirements, according to LUC 106-1-6(c), have been met by mailing notices out to all property owners of record within 500 feet of the subject property.

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, pathways, and other issues which are discussed in the General Plan.

Staff Recommendations

Staff recommends final approval of Summerset Farms Phase 4 Subdivision, consisting of three lots. This recommendation is subject to all review agency requirements and based on the following conditions:

1. A pathway easement, that shows connection to a future pathway in Phase 3, must be shown on the final plat.
2. A signed deferral agreement for curb, gutter, and sidewalk, must be recorded with the final plat.
3. A signed deferral agreement for the pathway, must be recorded with the final plat.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable county ordinances.

Administrative Approval

Administrative final approval of Summerset Farms Subdivision Phase 4 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: **Wednesday, February 17, 2021.**

Rick Grover
Weber County Planning Director

Exhibits

- A. Application
- B. Subdivision Plat
- C. Water/Septic Feasibility

Area Map



Exhibit A - 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 <u>Summerset Farms Phase 4</u>		Number of Lots <u>3</u>	
Approximate Address <u>2967 So 3500 W</u>		Land Serial Number(s) <u>15-078-0046</u>	
Current Zoning <u>A-1</u>	Total Acreage		
Culinary Water Provider <u>Taylor West Weber</u>	Secondary Water Provider <u>Hooper/Wilson</u>	Wastewater Treatment <u>Weber central/sewer</u>	
Property Owner Contact Information			
Name of Property Owner(s) <u>Robert Favero</u>		Mailing Address of Property Owner(s) <u>8049 Bluff Ridge Dr. Syracuse, UT 84075</u>	
Phone <u>801 644 3706</u>	Fax <u>—</u>	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <u>robert1favero@hotmail.com</u>			
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) <u>Robert Favero</u>		Mailing Address of Authorized Person	
Phone <u>801 644 3706</u>	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <u>robert1favero@hotmail.com</u>			
Surveyor/Engineer Contact Information			
Name or Company of Surveyor/Engineer <u>Andy Hubbard Great Basin Engineering</u>		Mailing Address of Surveyor/Engineer	
Phone	Fax	Preferred Method of Written Correspondence Email Fax Mail	
Email Address			
Property Owner Affidavit			
I (We) <u>Robert Favero</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.			
<u>Robert L. Favero</u> (Property Owner)			
Subscribed and sworn to me this <u>29th</u> day of <u>July</u> , 20 <u>20</u>			

Exhibit B – Proposed Plat

A Lot Averaging Subdivision

2200 South Street

100



Abstract



from the company.

...and certify that the required public

Abstract

-

www.bellandhowell.com

collaborative plan, the

County Star

THE RESULTS

11/11/2019 11:58:58 AM

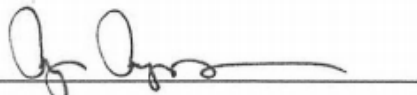
TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
May 29, 2020

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that Final approval of the Summerset Farms subdivision is accepted by Taylor West Weber Water. The water lines have been installed and tested. The water services have been completed to a point that building permits may be issued. Blow off assemblies have also been completed to a point that building permits may be issued. Before meters are set the proper lids must be installed and the blow off assemblies must be completed to Taylor Weber Water Standards. The valves boxes must be raised and collared after asphalt is installed as well. **BEFORE ALL ESCROW FUNDS ARE RELEASED TAYLOR WEST WEBER WATER WILL DO A FINAL INSPECTION** and verify all items meet the district standards.

Sincerely, 

TAYLOR WEST WEBER WATER IMP. DISTRICT
Ryan Rogers – Manager