

WESTERN WEBER COUNTY TOWNSHIP PLANNING COMMISSION

PLANNING MEETING AGENDA

August 14, 2012

5:00 p.m.

**Pledge of Allegiance*

**Roll Call:*

1. Minutes: Approval of the July 10, 2012 meeting minutes
2. Consent Agenda:
 - 2.1 LVG070212 Consideration and action for final approval of the Garden Acres Subdivision 1st Amendment Subdivision (1 Lot) within the Agricultural A-1 Zone located at approximately 3365 W 2100 N and a recommendation for the vacation of Lot 6 of Garden Acres (Richard & Sharon Maki, Applicants)
 - 2.2 LVM062912 Consideration and action for final approval of the Mark & Kenna Subdivision (2 Lots) within the Agricultural A-1 & A-2 Zone located at approximately 640 S 3600 W (Mark & Kenna Brown , Applicants)
3. Public Comments:
4. Planning Commissioner's Remarks:
5. Staff Communications:
 - 5.1. Planning Director's Report:
 - 5.2. Legal Counsel's Remarks:
6. Adjournment:

The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah. Work Session may be held in the Breakout Room.

No Pre-meeting will be held



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

Minutes of the Western Weber County Planning Commission held July 10, 2012, in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Doug Hansen, Chair; Wayne Andreotti; Brenda Meibos; Jannette Borklund; Ryan Judkins; Andrew Favero

Excused/Absent: John Parke

Staff Present: Jim Gentry, Asst. Planning Director; Ben Hatfield, Planner; Sean Wilkinson, Planner; Scott Mendoza, Planner; Chad Meyerhoffer, Engineering; Jeff Thomson, Legal Counsel; Kary Serrano, Secretary

Pledge of Allegiance

Roll Call:

1. **Minutes:** Approval of the June 12, 2012 meeting minutes

MOTION: Chair Hansen declared the meeting minutes approved with the noted corrections.

2. **Consent Agenda:**

- 2.1. **LVM042512:** Consideration and action on a request for final approval of the Maryann Estates Subdivision 1st Amendment (3 Lots) and a recommendation for the vacation of lot 6 of the Maryann Estates Subdivision within the Agricultural A-1 Zone located at approximately 497 S 4450 W and a recommendation of a deferral of curb, gutter, and sidewalk (Phil Hancock, Applicant)
- 2.4. **LVS060712:** Consideration and action on a request for preliminary and final approval of the Salt Creek Estates Subdivision (3 Lots) within the Agricultural A-2 Zone located at approximately 6436 W 1950 N including a deferral of curb, gutter, and sidewalk (Jeff W. Hales, Applicant)
- 2.5. **LVL053012:** Consideration and action for final approval of the Larkin Place Subdivision (3 Lots) within the Agricultural A-1 Zone located at approximately 5517 W 1150 S including a deferral of curb, gutter and sidewalk improvements (Rod Herrick, Applicant)
- 2.6. **LVT061912:** Consideration and action for final approval of the Taylor's Place Subdivision (1 Lot) within the Agricultural A-2 Zone located at approximately 1639 S 7500 W including a deferral of curb, gutter, and sidewalk improvements (Jared Taylor, Applicant)

MOTION: Commissioner Borklund moved to recommend to the County Commission to approve consent agenda items LVM042512, LVS060712, LVL053012, and LVT061912 subject to staff recommendations based on the findings that they meet all the criteria of the ordinance and the general plan. Commissioner Meibos seconded the motion. A vote was taken and Chair Hansen said the motion carried with all members present voting aye. Motion Carried (6-0)

Chair Hansen said that he wanted to declare conflict of interest on the following items LVF061210 and LVL061210 in that he has worked with the applicant and has had ex parte communication with others. He excused himself from the Commission Chambers and turned it over to Vice Chair Borklund so the items could be heard.

- 2.2. **LVF061210:** Consideration and action on a request for final approval of the Fenster Farm Subdivision Phase 1 (4 Lots) within the Agricultural A-2 Zone located at approximately 500 N 5500 W to include a deferral of curb, gutter, and sidewalk (Allan Karras, Applicant)
- 2.3. **LVL061210:** Consideration and action on a request for final approval of the Lisa Estates Subdivision Phases 1 & 2 (5 Lots) within the Agricultural A-2 Zone located at approximately 350 N 5500 W including a deferral of curb, gutter, and sidewalk (Allan Karras, Applicant)

Bill Ewell, 5550 W 300 N, asked what is the county going to do about the flooding, if they build homes are they building the homes up and how high, and if they are going to build the septic tanks above ground above the flood level? Chad Meyerhoffer replied there is best available data and have been working with good hydraulic data to determine that this area would be flooded, assuming that the water broke out up here and it gives the elevations. This is the data they Engineering has been using so basically what it's doing is taking out, when they do that hydraulic modeling, they take out that berm that may be along there, and use the natural grade is, completely taking out the berm in that area. That is correct to the elevation that may be, so let's say 4218 natural ground, and this particular home here would be about 4221.7, and there would be no basements. As for the septic tanks that would be from the Health Department, but from the information he received, they addressed that information on Section 41.6.

Bill Ewell asked that they were concerned what is going to happen when it does flood, if there are problems with the tanks, would it end up being the neighbor's responsibility, what's going to happen to the water. Jim Gentry replied that is really nothing that we can address it's really up to the Health Department, and we have received a letter from the Health Department, so it might be best if Mr. Ewell were to approach the Health Department on that issue. Vice Chair Borklund said that this would go to the County Commission eventually and it's not under our purview in any case.

Vice Chair Borklund asked what we're here is to determine is if it meets the subdivision ordinance, the general plan, and not anything else. All those other conditions need to be complied with Health Department and the Engineering Department before it can be recorded. Mr. Hatfield replied that is correct and we do have a letter from the Health Department from 2010 stating that these lots can have a septic tank.

Bill Ewell said that letter is from April 2010, before the flood, and is obsolete. Before this goes any further, this needs to be checked out, because he would not like to be living under sewage. Vice Chair Borklund replied that they might be able to request them to look at that under current conditions to see if it's been changed.

Ben Hatfield said an important issue here long before it actually develops, and the homeowners actually starts building and installing septic systems, this will be up for review by the Health Department.

Barry Hansen, 300 N 5500 W, referred to this septic system and he was not sure how this was going to work. He has a close neighbor with this new system, and his costs have risen 300% to install and it still doesn't work. Has the county made any provisions for the extra drain off water from storm sewer to go into this drain ditch on the west of the property when this does flood, have they made provisions for that? Vice Chair Borklund replied they will have to meet the requirements from the Engineering Department before it is recorded.

Barry Hansen asked if the county would be installing security fences around this new subdivision that is surrounded by hazardous waterways. Mr. Gentry replied if there is a requirement for high non-climbable fence to reduce that impact for those easement criteria for this property, depending on the distance. Mr. Hansen said in this case, he has three that fall under that criteria and one of them runs right through middle, the other runs through the north side, the other on the east side, and the one on the west has a drain ditch that probably doesn't meet the criteria but you have three that do.

Ben Hatfield asked for clarification on which subdivision was being addressed. Mr. Hansen replied both. Mr. Gentry replied he was sure that was more than 500 feet from these two lots. Mr. Hansen said this dark area there is an irrigation ditch that runs thru the middle of that, there's the Weber Ogden River that runs on the east, and an aqua duct that runs on the north. Mr. Gentry suggested that Mr. Hansen give a list of questions to the chairman and she will ask the engineer to come up and respond to your questions. Mr. Hansen asked the flooding near his location; part of the river bank is missing and has been for 14 months. The county has done nothing to replace it all along this section; there are multiple areas that need to be repaired, and has the county made any provisions to do that before these homes go in.

Commissioner Andreotti asked for clarification of the fence indicated by Mr. Hansen on the back of the Weber River and the other by the spillway. Barry Hansen replied the irrigation ditch runs right through there. Does the contractor, builder, or the developer have any plans to bury the irrigation ditch? Does the developer have any plans to change the course of this ditch? Is the county going to make sure that the water used on this ditch has adequate flow of water after he makes the changes?

Vice Chair Borklund asked Mr. Meyerhoffer to respond to these questions? Mr. Meyerhoffer replied the hazardous areas that they are looking would be the irrigation ditch coming through this area here, there is this channel right here that is an overflow channel, and there's the Weber River back here that carries more than 5 cubic feet per second. Those provisions in the ordinance does say if it's over 3 lots or within 500 feet of the homes, then it does need to be fenced or piped. Right now all that is being passed in Phase 1 and 2, is 4 lots if in the future phasing there may be some fencing requirements, depending if he is required to pipe or fence that ditch, and we would need a letter from the irrigation company to ensure that it is done with their specifications. The Emergency Water Shed Protection (EWSP), there is a project going through there now, which are going to do some bank stabilization, debris removal at the river. As for the areas that Mr. Hansen was talking about, he was not sure if it is going to be repaired or not, but they are working on the whole river and the consultants are going through the most critical areas trying to decipher which needs the immediate attention. This is federally funded with the EWSP and hopefully it will be done shortly.

Commissioner Judkin asked on the Little Weber River, a concern will be that this will be carrying a fairly significant amount of water most of the year and to address the irrigation ditch going through there, isn't that a prescribed right of right of way. Mr. Meyerhoffer replied as far as the development; if the developer was to continue to go through there, if there are other users on that ditch, they do have access and rights to that water, easements, and then the proper things would be required at the time the development continues, and in the future phases of this development. The applicant is proposing this pressurized irrigation and they will have their own pressurized easement for this subdivision.

Barry Hansen asked if there were not going to be any fencing around the ditches. Mr. Gentry replied if it carries greater than 5 CFS of water. The ordinances states park areas including streams or bodies of water shall remain unfenced, so if it's a river or stream it will remain unfenced, but if it's a ditch that carries 5 CFS, but fewer than four lots it's not going to be fenced. If it's further than 600 feet from the home, then it's not going to be fenced and it's not going to be required. In this case there are a total of 5 lots and it would apply because of 5 lots, unless it's 600 feet from the home.

Barry Hansen asked when the families move in here, they should address the fencing somehow whether they are going to fence that in or pipe that in, and there are a lot of questions on that. Vice Chair Borklund replied all of these questions need to be addressed before it gets recorded, before it goes to the County Commission, and this Planning Commission is just the recommending body for the County Commission.

Allan Karras, 5419 S 3275 W, Roy UT, applicant said that he wanted to address the septic systems, the house, they are going to rise up above the flood level and they obtained the information from FEMA to do that. To the best of their knowledge they will have the septic systems in the houses where they will not be in harm's way. Their plan is to contour the acre lots to the back of the lot, and it will be lower than the front of the lot where the homes and the septic will be. The septic is usually closer to the house, and typically it is 30-40 feet from the home. Fencing around the ditches are more than 600 feet to the ditch as previously mentioned, and they will conform to what the ordinances states. There is always concern with children, with water, and they will do the best they can to protect the people. They talked about the elevation, septic systems, concerns about the ditch, and he knew they gave an easement on the north part of this property, so there could be relief on the on the Little Weber last year.

Commissioner Andreotti asked about the drain ditch and assuming once you start building, the back part of that is still going to be farmed for awhile, so there is going to be some water that is going to runoff, is there going to be a management system for that. Mr. Karras replied that they will put an easement on the back of the lots so that so that any trailing of water can flow across the back. That is what their plan was and the easement would restrict anybody from putting their barn back there or anything substantial so it wouldn't be a blockage. They will put in the restrictive covenants that they can't change that grade or bring in fill to build it up. He takes great pride in subdivisions that he has done to make sure they put in drains and whatever is needed to make sure it is done right.

Bill Ewell said that channel that Mr. Meyerhoffer talked about, is overflow channel, that is 85 feet wide, the water that flows from that river is a discharge from seven reservoirs. Your engineer said they plan to fix this river bank, but they have heard those plans for 50-60 years, and have not seen any improvement of this river bank or any substantial part on the county's part to fix that bank. As a resident out there they have not heard any plans and during high water, it will flood because the bank is gone, it no longer exists. There are other locations where the bank will be none existent too.

Jim Gentry said Mr. Ewell needs to talk to the county engineer and address those questions with him. Vice Chair Borklund said that it probably needs to be out of the forum, because they really don't have any jurisdiction over that, this is something that Mr. Ewell should contact the county staff and sit with them and get his questions answered.

Commissioner Andreotti said that the technical requirements for approval come from the County Engineering, County Surveyors, Weber County Health Department, and the Fire District, so all of those agencies would have to be satisfied before it can be recorded. They have a chapter in the book that talks about zoning issues that's what this Planning Commission does. There are always concerns and issues like this, but if it meets the zoning criteria, and it's approved by these agencies, then the applicant would be able to pursue his development.

MOTION: Commissioner Meibos moved to recommend to the County Commission to approve consent agenda items LVF061210 and LVL061210 subject to staff recommendations and requirements. Commissioner Judkins seconded the motion. A vote was taken and Vice Chair Borklund said the motion carried with all members present voting aye.
Motion Carried (5-0)

Chair Hansen returned to the Commission Chambers and said that concluded all the consent agenda items.

3. Petitions, Applications and Public Hearings:

New Business:

- 3.1. ZTA-2012-06:** Consideration and action on a request to amend the Weber County Zoning Ordinance Chapter 32 (Signs) by creating new regulations for business signs in the RE-15 and RE-20 Zones (Washington Heights Church, Applicant)

Sean Wilkinson reviewed the staff report. In considering the proposed amendment, there are three questions that need to be answered. First, are the proposed amendments to the numbers and sizes of signs reasonable considering the proposed area frontage requirements? Second, should the proposed amendments be applied to other zones outside of RE15 and RE20? Third, are there any detrimental effects that may come from approving this amendment? Staff is recommending approval of these amendments, and the exact language that staff is proposing is in Exhibit B. Your decision should be made as a recommendation to the County Commission whether for or against.

Commissioner Judkins asked on this where it states that they have at least 20 acres and 500 feet of frontage on that highway. So that 20 acres would need to be a 20 acre parcel, they couldn't own one acre on the highway and 15 acres somewhere else and say they own the 20 acres, is that correct. Mr. Wilkinson replied that is correct it has to be one contiguous parcel.

Commissioner Borklund asked does this address LED signs or are they any signs. Mr. Wilkinson replied the signs are already listed in Exhibit B, the type of signs that are allowed are in the first column under type of sign. We are not proposing to amend that all of that would stay the same; they are just proposing the exception shown in red.

Commissioner Borklund asked if the church owned all of the property in the back or is there property that is not under their ownership. Any frontage they would have would not affect any other residential properties because they would be away from it. Mr. Wilkinson replied there is some property to the south that is owned by others but they own the majority of it. If this was amended, they would come back to us for a conditional use permit. That is correct and that exception would require this to be a conditional use, so the proposal would come back to the Planning Commission to show exactly what the signage is that is being proposed and you would approve the signage plan.

Chair Hansen asked if that 400 sq ft was adequate or reasonable for that kind of area. Mr. Wilkinson replied that is reasonable. In a commercial zone there would be much more than that allowed, but for a large church as this, that 400 sq ft is adequate and 150 sq ft maximum per sign, that would be 10x15 sign, is adequate to portray what is needed as far as advertizing or anything else.

Commissioner Favero asked if there is a neighboring property that didn't have access to frontage would they want to piggyback a sign along the highway along with what the church is proposing to do. Mr. Wilkinson replied that might be a problem because the ordinance prohibits off premise signs and that would have to be addressed at that time if they chose to pursue that.

Sam Barber, Executive Director of Washington Heights, said his only comment was the reason for the sign change was that they put up a new children center there and because they do have a large parcel there about 100,000 sq ft of facility with this new addition. When the parents pull in, they don't know where to take the children to that one center there, it gets really confusing for families to know where to take children there. What they are requesting is one 8x18 that would be on both sides of the building, not for advertising purposes but for directions on where to bring the children. One sign would be facing Hwy 89 several and the other faces Hill Air Force Base, so that's the purpose of the signs.

Chair Hansen said so you anticipate these to be directional signs to help the members you don't anticipate for these to be advertisement signs. Mr. Barber said no they are a static sign; it would be one backlit panel that says kids crossing and that's the name of the new building Kids Crossing. So beyond the building it will say Kids Crossing on one side and Kids Crossing on the other side.

MOTION: Commissioner Andreotti moved to recommend approval to the County Commission ZPA2012-06 as proposed in the amendments of Exhibit B. Commissioner Judkins seconded the motion.

DISCUSSION: Commissioner Favero said that his concern was they are changing the ordinance not just an exception. Given the specific criteria for this applicant, it works fine here but going forward in other areas in the county. You may remember the great North Ogden Sign that's been happening the last three or four years with various signage. Commissioner Borklund said what gives her comfort is that this is a conditional use and if it has any impact on the neighbors they can say no, though it may be hard to say no but that's the flip side of it. Commissioner Judkins said that moving forward with things and if there are people in the future that have a big enough lot and do meet the criteria that need these signs, this is a done deal for us now and not necessarily would be revisited. Commissioner Hansen said the opportunity now as a conditional use they can have up to 400 for the signage and that would be in place for future entities.

VOTE: A vote was taken and Chair Hansen said the motion carried with all members present voting aye. Motion Carried (6-0)

4. **Public Comments:** No public comments.
5. **Planning Commissioner's Remarks:** No planning commissioner's remarks.
6. **Staff Communications:**
- 6.1. **Planning Director's Report:** No Planning Director's report.
- 6.2. **Legal Counsel's Remarks:** Jeff Thomson said that the issues were handled effectively at this meeting.

Adjourn: Adjourn to the County Commission Chambers for a Work Session

7. **Work Session Agenda Items:**

WS.1. Update & Information: Agri-Tourism Ordinance

Scott Mendoza said this is the definition that exists in Chapter 1 of the zoning ordinance. What we do as a Planning Staff when someone comes in for any type of development whether it's a home, a property with a home already on it and they want a 8X10 shed, or for any reason they would issue a land use permit, they are suppose to do go through a checklist, to check to see if it a legal lot. Sometimes lots are divided, or subdivided, and sometimes these lots could be part of lot one. According to the rules they can't have part of a lot, they have to have a full lot at the time you approved it. There are other things that go into to making a Lot of Record, a legal lot, or a lawfully submitted lot. In thinking about Agri-Tourism, and when someone brings in an application with some level of development they will have to issue a land use permit and eventually a building permit. On their checklist, they will have to check off that it is a legal lot and what they will see are some agricultural fields that have been divided throughout the years and they may not be a legal lot.

These are parcels that are growing a product and that continues to happen, when someone builds a structure, especially a small café, or some other Agri-Tourism type use, so these are the ways that a parcel becomes a lot of record. That may not apply to a parcel that has Agri-Tourism operation on it, and what they need to do is make it possible for the farmer owner to become the lot of record a legal lot. On way to do that is through the subdivision process and he would like to do these four uses. He would need a building permit for this B&B Retreat; they are going to have to check off that it is a legal lot. This being a policy question, we could tell the farmer that he has to get a surveyor to survey his farm, prepare a subdivision plat, give it a lot number, and go through the process, make it a lot, turn from an agricultural parcel into a building lot, and then proceed to the County Commission, record it and it's all of lot one of their subdivision. In previous discussions about this we have decided not making it too difficult for the landowners. So the question tonight would be; what can we do to make his or her parcel of lot of record. The choices are; do a subdivision, time would be a factor, knowing that the Planning Commission has a concern about not making it too complicated for those that would be interested in this to pursue something like this.

Another option that we have is to go through a process and approve them as lots but exempt them from the plat requirement. State code offers counties the opportunity to approve a certain number of lots, the state allows up to ten lots, and we can approve them as lots without plats could approve them as record descriptions, and that seems to be better and easier. The best idea would be and he has been working with the attorney's office trying to understand the state code where it defines what a subdivision is. In the State Code it not only describes what it is but also what it is not. Under the County Land Use and Development Section 1727a-103 under definitions; it says, "A *bonafide division or partition of land by a deed or other instrument with a land use authority expressly approves in writing the division in anticipation of further land use approval that's on a parcel.*" So he went to our attorney's office, and asked Jeff Thomson who did the research, where he put together some information and helped us on this question. In definitions 27a1727-103; it says, "The land use authority can expressly allow the division of a parcel of land for a specific use and exempt the plat from plat requirements by deed or writing of the division in anticipation of further land use approvals. This under the

section of code that by definition they make it not a subdivision therefore it would be exempt from plat requirements. In the ordinance the land use authority (the Planning Commission and County Commission) can expressly override the plat requirement with an ordinance they have expressly approved Agri-Tourism in writing."

There are a couple of suggestions that we can do; one is that we redefine the Law of Record, and what the parcels are as they look today. He anticipates that are parcels that have been subdivided in the last few years, and they are still large parcels, and they want to do something on 20 acres, technically they couldn't issue a land use permit for some of those Agri-Tourism uses. But if we say that, that division is not a subdivision; due to the fact that state code authorizes us to override the plat requirements, we'll call that division a Lot of Record, a parcel this is subject of a land division where Weber County has expressly approved the division in anticipation of further of land use approval as conditioned upon and as authorized by the Weber County Zoning Ordinance. We would find that authorization in our written approval which is in Agri-Tourism Ordinance. There is a portion in the ordinance that has General Site Building Design Layout and this is where they have to have up to 20% developed and 80% of the farm has to remain agricultural.

Within this section, he is proposing that to add one more subsection: As you can see that #2 is a new standard; that would apply to all Agri-Tourism Operation and they have to be Lot of Record. So notwithstanding Title 26 of the Weber County Ordinance-Code otherwise known as the Weber County Subdivision Ordinance, a landowner who meets the standards, as set forth by this chapter, may develop an Agri-Tourism Operation and its associated uses. This excludes a single family dwelling, a B&B Dwelling, a B&B Farm Dwelling, B&B Farm Retreat and they can develop an Agri-Tourism operation as a Lot of Record. The policy question is do we make them subdivide or not, is the idea presented to you adequate, and do we call it not a subdivision as long as they conform to the chapter and they are twice as big as the area requirement that's in place in the zone. So in answer to this question, we don't want to make it complicated, we don't want to drive them away, we are looking for a means for a Lot of Record for Agri-Tourism. What he is trying to do is take this from the beginning to the absolute end. We are going to have all Agri-Tourism operations that are going to be subject to recording a development agreement on them, and that is going to act as a warning to everybody that we don't want this parcel subdivided, because there is Agri-Tourism on that. My plans are drafting that agreement too, so that once we have this ordinance in place, we are going to have an agreement that is ready to go.

WS.2. Adjourn: The meeting was adjourned at 7:10 p.m.

Respectfully Submitted,



Kary Serrano, Secretary
Weber County Planning



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final approval of Garden Acres Subdivision 1st Amendment (1 lot) and a recommendation for the vacation of lot 6 of Garden Acres Subdivision including all public utilities therein.

Agenda Date: Tuesday, August 14, 2012

Applicant: Dick Maki

File Number: UVL070212 and SubVac0712

Property Information

Approximate Address: 3365 West 2100 South

Project Area: 0.937 Acres

Zoning: Agricultural (A-1)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 15-077-0006

Township, Range, Section: T6N, R2W, Section 27

Adjacent Land Use

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

Staff Information

Report Presenter: Ben Hatfield
bhatfield@co.weber.ut.us
801-399-8766

Report Reviewer: SW

Applicable Ordinances

- Weber County Subdivision Ordinance
- Weber County Zoning Ordinance Chapter 5B (A-1 Zone)

Background

The applicant is requesting final approval of Garden Acres Subdivision 1st Amendment (1 lot) and a recommendation for the vacation of lot 6 of Garden Acres Subdivision located approximately at 3365 West 2100 South. The proposed project occupies 0.937 acres and consists of 1 lot. The owner of lot 6 wants to re-configure the lot boundary by reducing the width on the east side by 90 feet.

The vacation of the lot and recording of the amended subdivision plat will remove the lot line and establish a new one. The subdivision lies within the Agricultural (A-1) Zone, which requires a minimum area of 40,000 square feet per lot and a minimum lot width of 150 feet. This proposed lot meets the zoning requirements.

This lot has an existing home, so all of the improvements will be the same as the original subdivision, culinary water will continue to be provided by same provider.

Summary of Planning Commission Considerations

Does this Subdivision meet the applicable County Ordinance requirements?

Conformance to the General Plan

The subdivision conforms to the General Plan by meeting the outline of permitted land uses and requirements, and the requirements of the zone in which it is located.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Survey Department
- Requirements of the Weber County Health Department
- Requirements of the Weber Fire District
- An ordinance vacating lot 6 of Garden Acres Subdivision

Staff Recommendation

Staff recommends final approval of the amended subdivision plat subject to staff and other agency comments and recommendations. Staff also recommends the vacation of lot 6 of Garden Acres Subdivision.

Exhibits

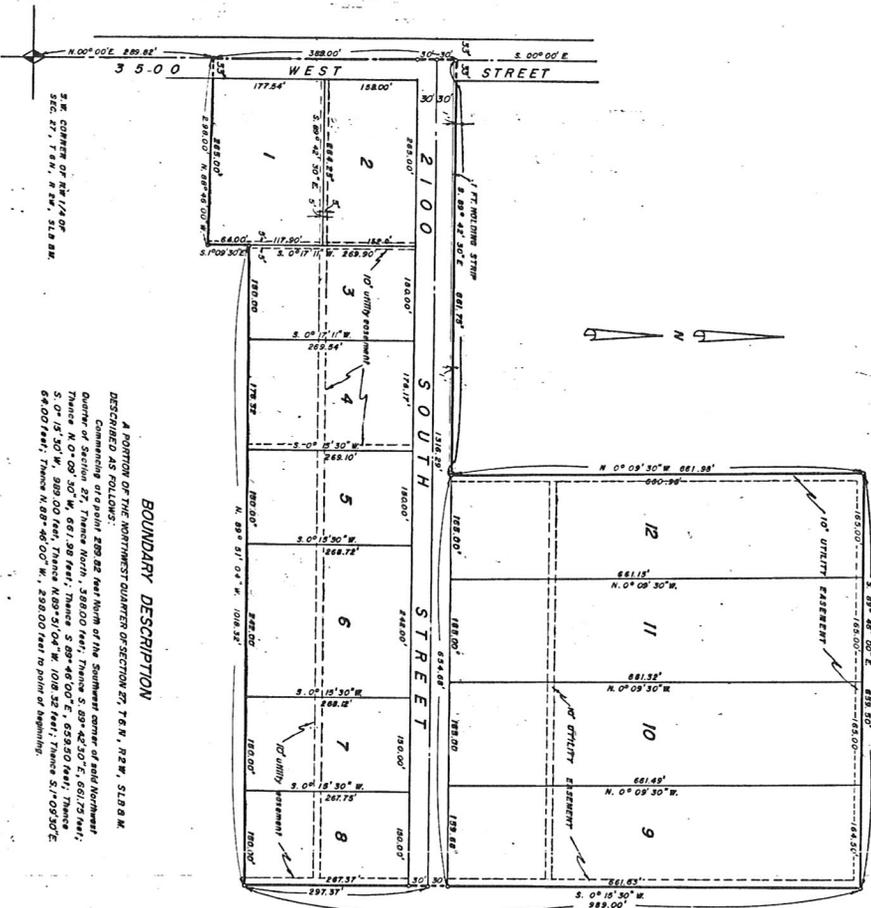
- A. Original Subdivision plat
- B. Amended Subdivision plat

Map 1



GARDEN ACRES SUBDIVISION

PART OF THE NW 1/4 OF SECTION 27 T.6N. R.2W. S1/8 M.
WEBER COUNTY, UTAH
MARCH, 1967
SCALE 1" = 100'



BOUNDARY DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 27, T.6N., R.2W., S1/8 M.
DESCRIBED AS FOLLOWS:
Commencing at point 289 82 feet North of the Southeast corner of said Northwest Quarter of Section 27, Thence North, 388.00 feet; Thence S. 89°-42'30" E., 561.73 feet; Thence N. 0°-00'30" W., 661.28 feet; Thence S. 89°-46'00" E., 632.30 feet; Thence S. 0°-19'30" W., 309.00 feet; Thence N. 89°-51'00" W., 100.32 feet; Thence S. 1°-09'30" E., 910.14 feet; Thence N. 89°-46'00" W., 528.00 feet to point of beginning.

OWNERS DEDICATION

The undersigned owners of the foregoing described tract of land do hereby set apart and dedicate, the same to the city, streets and utility easements as shown on the above and foregoing plat thereof, which is hereby made a part hereof, and the same shall be a part of the public domain of the State of Utah, and shall be held for the use and benefit of the public. The same shall be subject to the same laws, regulations and provisions of said tract or land designated on said plat as streets, the same to be used as public thoroughfares, and the same to be subject to the same laws, regulations and provisions of said tract or land designated on said plat as utility easements, the same to be used for the installation and of public utility service lines as may be authorized by WEBER COUNTY.

Blanche E. ... AND WIFE *Alma W. ...*

STATE OF UTAH COUNTY OF WEBER

SS On this 15th day of MARCH, 1967, Personally appeared before me the undersigned Notary Public, in and for said county of Weber in said State of Utah the signers of the above described deed, in number, who duly acknowledged to me that they signed it freely and voluntarily and for the uses and purposes therein mentioned.

John D. Reeve *John D. Reeve*
Notary Public Notary Public
MARCH 15, 1967
COMMISSION EXPIRES

ENGINEERS CERTIFICATION

I, JOHN D. REEVE, a registered professional engineer, and land surveyor in the State of Utah, do hereby certify that the foregoing plat of GARDEN ACRES SUBDIVISION, in Weber County, Utah, has been correctly drawn to the dimensions and in true and correct representation of the foregoing description of lands included in said subdivision, based on data compiled from records of the Weber County Recorder's Office and of a survey made on the ground.

John D. Reeve
JOHN D. REEVE
STATE ENGINEER

COUNTY SURVEYORS CERTIFICATE OF APPROVAL

I, the undersigned, have carefully investigated the lines of survey of the above plat and find that the same are correct and agree with the lines and monuments on record in the office and have by signature said plat this 15th day of MARCH, 1967.

Steve W. ...
Steve W. ...
COUNTY SURVEYOR

WEBER COUNTY PLANNING COMMISSIONS CERTIFICATE

The Weber County Planning Commission hereby certifies that the foregoing plat and dedication of GARDEN ACRES SUBDIVISION was approved by said Commission this 11th day of March, 1967.

...
CHAIRMAN

COUNTY ATTORNEYS CERTIFICATE OF APPROVAL

I, have examined the proposed plat of GARDEN ACRES SUBDIVISION and in my opinion, if consistent with the County Ordinance applicable thereto and now in force and effect.

...
COUNTY ATTORNEY

COUNTY COMMISSION APPROVAL & ACCEPTANCE

This is to certify that the plat and dedication of GARDEN ACRES SUBDIVISION in Weber County, Utah, as shown on the foregoing plat, is approved and accepted by the County Commission this 15th day of MARCH, 1967.

...
COUNTY COMMISSIONER



FILED AND RECORDED FOR
CLARENCE KILPATRICK
NOTARY PUBLIC, UTAH
15 MAR 15 1967
RUTH EAKES OLSEN
WEBER COUNTY RECORDER
Ruth Eakes Olsen



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and or action on a request for final approval for the Mark and Kenna Subdivision (2 lot).
Agenda Date: Tuesday, August 14, 2012
Applicant: Mark and Kenna Brown
File Number: UVC 062912

Property Information

Approximate Address: 640 South 3600 West, Ogden
Project Area: 3.37 acres
Zoning: A-1 and A-2
Existing Land Use: Agricultural and Residential
Proposed Land Use: Residential and Agricultural
Parcel ID: 15-045-0001
Township, Range, Section: 6N 2W Sec 16

Staff Information

Report Presenter: Ben Hatfield
bhatfield@co.weber.ut.us
801-399-8766
Report Reviewer: SW

Applicable Ordinances

- Weber County Subdivision Ordinance
- Weber County Zoning Ordinance Chapter 5 (A-1 Zone)
- Weber County Zoning Ordinance Chapter 6 (A-2 Zone)

Background

The applicant is requesting final approval of the Mark and Kenna Subdivision, located at 640 South 3600 West. This two lot subdivision is on 3.37 acres and is located in the A-1 and A-2 zones. These zones require a minimum of 40,000 square feet in area and a lot width of 150 feet per dwelling. Both lots exceed this requirement. There is an existing home on one lot and a future home will be built on the other lot. The lots frontage is on 3600 North.

Culinary water is provided by Taylor West Weber Water and wastewater treatment is provided by an individual septic tank. A new fire hydrant will be placed on 3600 West.

Summary of Planning Commission Considerations

- Does the subdivision meet the requirements of applicable Weber County ordinances?

Conformance to the General Plan

The proposed subdivision meets the requirements of applicable Weber County ordinances and conforms to the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Department
- Requirements of the Weber Fire District
- Requirements of the Weber County Health Department
- Requirements of the Weber County Surveyors Department

Staff Recommendation

Staff recommends final approval of the Mark and Kenna Subdivision based on its compliance with applicable Weber County Ordinances as explained in this staff report and subject to conditions required by the reviewing agencies.

Exhibits

- A. Proposed Plat for the Mark and Kenna Subdivision

Maps

Adjacent Land Use

North: Residential/Agricultural

South: Residential/Agricultural

West: Residential/Agricultural

East: Residential/Agricultural

Map 1



