

**Comments to South Weber City Planning Commission
for 06Jun22 Meeting
by Paul A. Sturm**

Public Comments

A) Agenda Item #4 -Packet Pages 7 to 14 of 41

4. Public Hearing & Action on Preliminary/Final Plat, Improvement Plans & Rezone Request for Belnap Estates (1 Lot Plat) (Parcel# 130360101 approx. .628 Acres from R-L to R-M) Located at approx. 7888 S 2600 E by Applicant: Tyker Belnap

- 1) I investigated this agenda item, prior to the Packet itself being available, to determine why the developer is making this request. My assumption was that the developer wants to subdivide and increase the number of lots since it is called **Belnap Subdivision** (Informed the word "Subdivision" is a SWC technicality term even for a single house.). I researched both SWC R-L and R-M zoning codes and the results are attached. (With Comments. - See Page 2)
- 2) Please Note that Page 10 of 41 in the Packet is **MISSING!!** The Page numbers go from 9 of 41 to 11 of 41. and is just a page numbering issue.
- 3) Packet Page 8 of 41 under Planning Review on PL2 of the Staff Summary **DOES NOT COMPLY** with the SWC code for R-M. (Reference the first paragraph in the Attachment for calculations.) Please reference SWC Code 10-5A-4: Building Lot Requirements (below):

10-5A-4: BUILDING LOT REQUIREMENTS:



A. Density: There shall be no more than 2.80 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 2.80 building lots per acre or less.

As cited in the Attachment, even .628 acres equals only 1.7584 lots.

- 4) Suggest that the Applicant try another rezoning request for a zone that better matches their intent for the number of lots they are trying to achieve for their subdivision.
- 5) The next question I have is how did the acreage suddenly go up from the Davis County Property Search number. This is the same thing that happened with the Lofts Project. The acreage suddenly went up and increased the number of units allowed under SWC Code C-O! At this rate, I guess the surface area of Davis County will continually increase!

B) Agenda Item #5 - Packet Pages 15 to 18 of 41

5. Public Hearing & Action on Rezone Request (approx. 2.91 Acres from C-H & A to R-P)
Located at approx. 7800 S 2700 E. Applicant: Phil Holland

(Note: Prior to starting this presentation Trevor Cahoon informed everyone that the Staff Summary contained an error in the acreage shown. This was addressed in Public Comment opening statement.)

- 1) My first question is why the Staff Summary Sheet for both Belnap Estates and "Manor Villas Subdivision" (Phil Holland) show the Gross Site area of 0.628 acres. It is highly unlikely that both of these properties are the same area to the third decimal place!! The Davis County Tax information included in the Packet shows only 2.90 acres and Agenda Item #6 text shows 2.91!
- 2) My next concern is the fact that this property is directly adjacent to Morty's Car Wash. The City will need to address several issues that were discussed and agreed upon during the Car Wash approval process, particularly noise, lighting, and hours of operation. SWC appears to be renegeing on the agreement with Scott Mortensen concerning potential hours of operation that would be addressed later depending on complaints received. This cannot happen with the details in the proposed Noise Ordinance pending consideration at the 14Jun22 City Council meeting, and the proposed Patio Homes proximity to the Car Wash with its obvious noise, lighting, and hours of operation issues that were previously approved by SWC.
- 3) Also, according to the drawing provided on Page 16 of 41, it appears that this development possibly does not comply with Paragraph C (Lot Width) of the R-P Zone. The minimum lot width is sixty-five (65) feet in the R-P Zone as shown below in Paragraph C. According to the drawing provided, it is possible that Lot #1 (63.85 or 61.90 feet), Lot #5 (60.38 or 77.55 feet), and others may or may not comply. The lots do comply with both Paragraphs A - Density ($4 * 2.90 = 11.6$ Lots and 11 are proposed) and Paragraph B - Lot Area (6,000 sf minimum) of the R-P Zone.

10-5P-4: BUILDING LOT REQUIREMENTS:



A. Density: There shall be no more than 4.0 dwelling units per acre contained within the boundaries of each phase of every development; except when previously completed phases of the same development have sufficiently low density so that the average is still no more than 4.0 dwelling units per acre.

1. Areas within a given development that contain land use easements purchased by the State of Utah for the purpose of protecting the health and safety of the citizens of Utah and assuring the continued operation of Hill Air Force Base as an active military base, shall not be utilized in density calculations.

B. Lot Area: There shall be a minimum of six thousand (6,000) square feet in each lot on which a single-family dwelling is located. Single-family dwellings shall each be located on a separate lot.

C. Lot Width: Each lot shall have a minimum width of sixty five feet (65'). (Ord. 17-16, 11-21-2017; amd. Ord. 2021-06, 5-25-2021; Ord. 2022-07, 4-12-2022)

Attachment

Comments on SWC Zone Code for R-M and R-L and Belnap Estates

0.628 acres On Application = 27,355.68 sf





Davis County Property Search shows 0.569 acres = 24,793 sf Which is correct??

Zone R-M = Minimum 9,000 SF per Lot = ~3 Lots at .628 acres with total sf if that is the **only** criteria, but **THIS IS NOT THE CASE** (Note: At 0.569 acres it is ~1.6 Lots)

SWC Code 10-5A-4, Paragraph A states that no more than 2.80 Lots per acre.

Even at 0.628 acres, only 1.7584 (**2.80 * 0.628**) Lots Are Allowed under Zone R-M!!

The 9,000 sf minimum **DOES NOT APPLY** because it is superceded by the 2.80 maximum !!

10-5A-4: BUILDING LOT REQUIREMENTS:    

A. Density: There shall be no more than 2.80 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 2.80 building lots per acre or less.

1. Areas within a given development that contain land use easements purchased by the State of Utah for the purpose of protecting the health and safety of the citizens of Utah and assuring the continued operation of Hill Air Force Base as an active military base, shall not be utilized in density calculations.

B. Lot Area: There shall be a minimum of nine thousand (9,000) square feet in each lot.

C. Lot Width:





1. A maximum of twenty five percent (25%) of all lots within any development phase may be a minimum of eighty feet (80') in width; and

2. A minimum of twenty five percent (25%) of all lots within any development phase shall be a minimum of one hundred feet (100') in width; and

3. The width of all lots within any development phase shall average a minimum of ninety feet (90') in width. (Ord. 2000-9, 7-11-2000; amd. Ord. 1505, 7-14-2015; Ord. 2021-06, 5-25-2021; Ord. 2022-07, 4-12-2022)

Zone R-L = 12,000 SF per Lot = ~2 Lots - SWC Code states no more than 1.45 Lots per acre.

0.628 acres = 0.9106 Lots Allowed!!

10-5D-4: BUILDING LOT REQUIREMENTS:    

A. Density: There shall be no more than 1.45 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.45 building lots per acre or less.

1. Areas within a given development that contain land use easements purchased by the State of Utah for the purpose of protecting the health and safety of the citizens of Utah and assuring the continued operation of Hill Air Force Base as an active military base, shall not be utilized in density calculations.

B. Lot Area: There shall be a minimum of twelve thousand (12,000) square feet in each lot.

C. Lot Width:

1. A maximum of twenty five percent (25%) of all lots within any development phase may be a minimum of eighty feet (80') in width; and

2. A minimum of twenty five percent (25%) of all lots within any development phase shall be a minimum of one hundred feet (100') in width; and

3. The width of all lots within any development phase shall average a minimum of ninety feet (90') in width. (Ord. 2000-9, 7-11-2000; amd. Ord. 15-05, 7-14-2015; Ord. 2021-06, 5-25-2021; Ord. 2022-07, 4-12-2022)

From: [Kevin Polson](#)
To: [Public Comment](#)
Subject: 7800 S 2700 E Rezone
Date: Friday, June 3, 2022 8:40:50 AM

Hello,

In regards to the rezone request submitted by Mr Holland, I have a few thoughts I wanted to express. The first being, it's difficult to take city authorities seriously on extreme drought conditions and the necessary restrictions, while they're also considering and approving every rezone request to higher density housing. I'm in no way trying to slam the door closed on other people wanting to live in our great city, but I am wondering at what point do we realize that we have limited natural resources? Wouldn't it be prudent to consider halting any high density rezone requests until we're out of the drought at the very least?

When my wife and I moved back to South Weber, we bought a 100 year old existing home and have worked hard to improve it's condition so our children could have a nice yard to play in, and a great community to be raised in. Now we're being told that we can't keep our grass green by the same people who continually approve higher and higher density rezones for more families to pack in and take showers, flush toilets, wash dishes, and do laundry.

Aside from the drought, why is it that the citizens of South Weber are asked to contribute thoughts on the General Plan (which takes quite some time for everyone to get through) for the city to then toss it out the window months later and do whatever they want anyway? The citizens have spoken I don't know how many times, and yet we're still sent notices about changes to land that we've already expressed opinions on. I know I don't own the land so I have very limited -if any- say in what happens with it, I just ask that our time isn't wasted with requests to comment on a general plan that's going to be ignored either way.

I understand that everyone wants in on the high density gravy train money, it's just a shame that so few landowners have any sort of respect for, or love for what South Weber has always been. I am an implant and yet it feels like I and so many others are the ones fighting to keep South Weber a great place for our kids. It's a shame that those who grew up here and enjoyed the great things about South Weber no longer seem to care about preserving it. My dream would be that we approve single family housing/low density zones that naturally foster a community of people who put roots down and want to build a life with us in this great city. If every vacant lot is going to end up as high density anyway, let's just approve them all now and get it over with because that's the path we're on anyway and it'll save everyone's time.

Kevin Polson
2590 E 7800 S