



W3347178

ORDINANCE NUMBER 2024-~~15~~-20

AN ORDINANCE AMENDING THE WEBER COUNTY ZONING MAP TO REZONE THE WINSTON PARK SUBDIVISION, APPROXIMATELY 40 ACRES, FROM THE A-1 ZONE TO THE R1-15 ZONE

SW

WHEREAS, the Weber County Board of Commissioners has adopted a zoning map for the unincorporated areas of Weber County; and

WHEREAS, the Weber County Board of Commissioners has received an application to amend the zoning designation on property located at approximately 3667 West, 1800 South in unincorporated Weber County; and

WHEREAS, State Code Section 17-27a-503 provides for the amendment of a zone district or land use regulation; and

WHEREAS, State Code Section 17-27a-503 requires an amendment to a zone district or land use regulation to first receive a recommendation from the planning commission; and

WHEREAS, After a public hearing on February 13, 2024, the Western Weber Planning Commission forwarded a recommendation to the Weber County Board of Commissioners regarding this zone district amendment; and

WHEREAS, After reviewing the planning commission's recommendation and the Western Weber General Plan, and in consideration of the applicant's proposed voluntary public contributions and amenities accepted by Weber County Board of Commissioners by means of the associated development agreement, the Weber County Board of Commissioners desires to rezone the subject property from the A-1 zone to the R1-15 zone; and

WHEREAS, The Parties mutually understand that the Weber County Board of Commissioners is not obligated to rezone the project, but desires to do so as a result of the applicant's voluntary contributions as set forth in the associated development agreement, without which the County would not realize the full benefits of this decision and would not rezone the Property; and

WHEREAS, the Winston Park Subdivision plat, recorded in the Office of the County Recorder on July 12, 2022, dedicates to Weber County a perpetual right and easement over certain parcels in order to ensure those parcels remain open and undeveloped and

WHEREAS, As part of this zone district amendment and the considerations provided by virtue of the associated development agreement, the Weber County Board of Commissioners desire to release the County's interest in the perpetual right and easement;

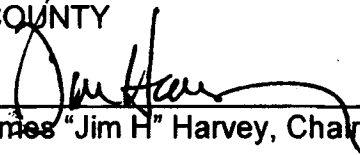
NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Weber County Zoning Map to change the zoning designation, as more precisely described in the attached exhibits, from the A-1 zone to the R1-15 zone. The graphic representation of the rezone is included and incorporated herein as Exhibit A. A written description of the rezone is included as Exhibit B. In the event there is conflict

between the two, the legal description shall prevail. In the event the legal description is found by a licensed surveyor to be invalid or incorrect, the corrected legal description shall prevail as the description herein, if recommended by the County Surveyor, provided that the corrected legal description appropriately bounds the subject property and fits within the correct legal description of surrounding properties. The Weber County Board of Commissioners hereby release the County's interest in the perpetual right and easement on parcels in the Winston Park Subdivision that was for ensuring those parcels remain open and undeveloped.

This ordinance shall become effective fifteen (15) days after publication or on the day the development agreement between Singletree Acres, LLC and Weber County is recorded, whichever is later.

Passed, adopted, and ordered published this 20th day of August, 2024, by the Weber County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By 
James "Jim H" Harvey, Chair

Commissioner Harvey voted Aye
Commissioner Bolos voted Aye
Commissioner Froerer voted Aye

ATTEST:


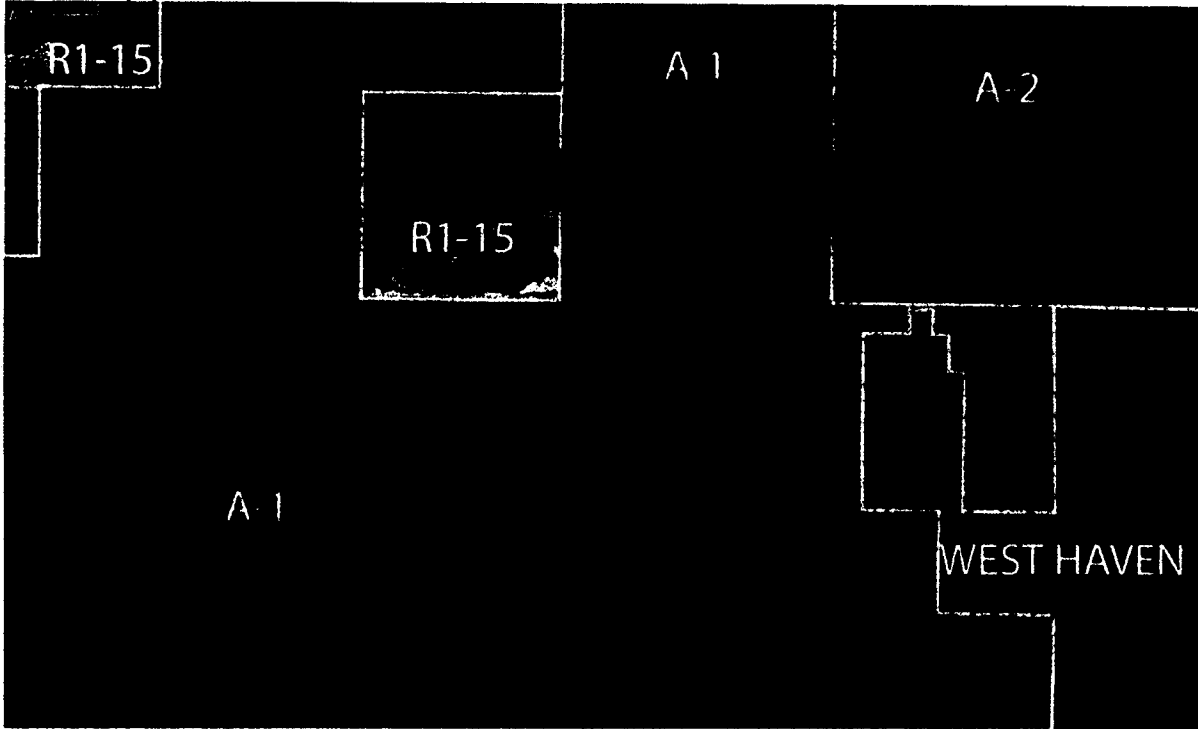
 11.5.2024
FOR: Ricky Hatch, CPA
Weber County Clerk/Auditor



Exhibit A

Graphic Representation of the Property and the Rezone

Zone map prior to rezone:



Zone map after rezone:

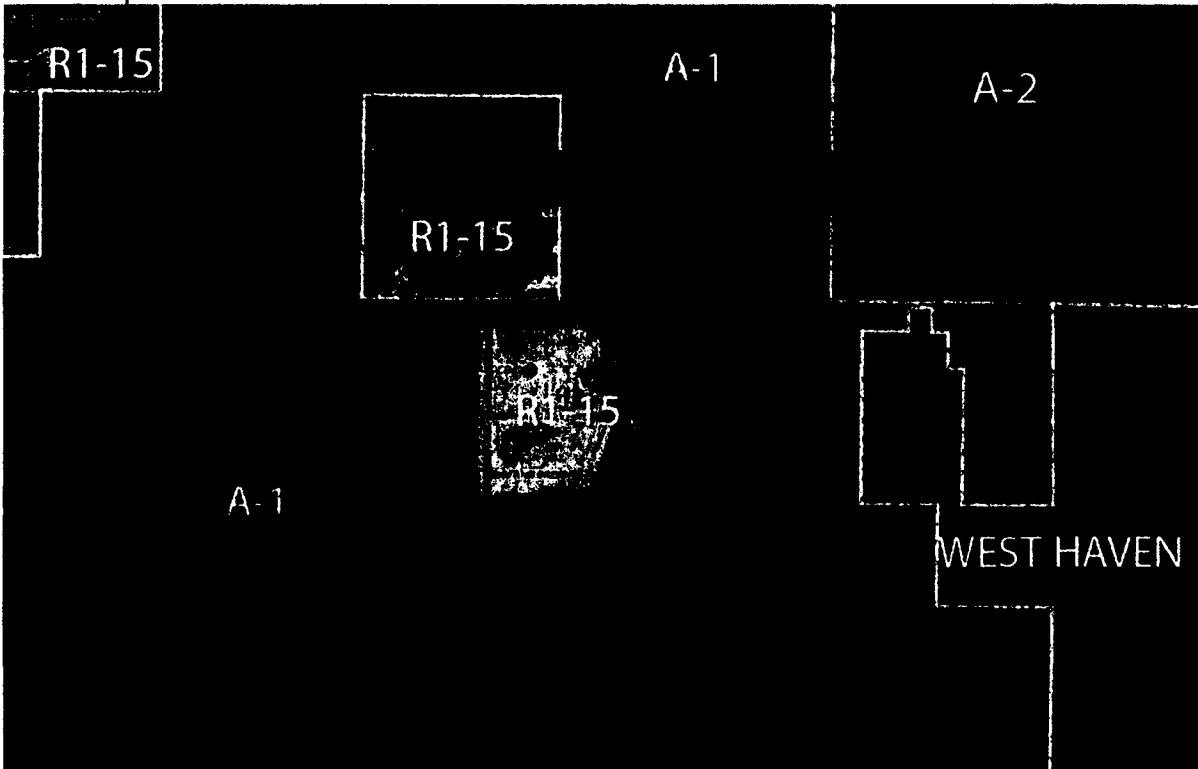


Exhibit B

Written Description of Rezone to R1-15 Zone

BOUNDARY DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. SAID TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING FENCE LINE EXTENDED DEFINED AS THE WESTERLY BANK OF A SLOUGH, SAID POINT BEING NORTH 89°15'08" WEST ALONG THE QUARTER SECTION LINE 152.35 FEET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE BEGINNING AT A POINT ON THE EXISTING FENCE LINE EXTENDED DEFINED AS THE WESTERLY BANK OF A SLOUGH, SAID POINT BEING NORTH 89°15'08" WEST ALONG THE QUARTER SECTION LINE 152.35 FEET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID EXISTING FENCE AND WESTERLY BANK OF SAID SLOUGH THE FOLLOWING SEVEN (7) COURSES: 1) SOUTH 38°02'07" WEST 414.75 FEET; 2) SOUTH 37°51'05" WEST 188.07 FEET; 3) SOUTH 38°06'04" WEST 513.12 FEET; 4) SOUTH 43°27'51" WEST 42.80 FEET; 5) SOUTH 39°10'43" WEST 191.74 FEET; 6) SOUTH 41°15'28" WEST 152.02 FEET; 7) SOUTH 33°50'24" WEST 167.55 FEET TO POINT ON A BOUNDARY LINE AGREEMENT RECORDED AS ENTRY NO. 3184075 AT THE OFFICE OF THE WEBER COUNTY RECORDER; THENCE NORTH 88°46'49" WEST 814.57 FEET ALONG SAID BOUNDARY LINE AGREEMENT; THENCE NORTH 00°41'23" EAST 1318.75 FEET TO THE QUARTER SECTION LINE; THENCE SOUTH 89°15'08" EAST ALONG SAID QUARTER SECTION LINE 1830.36 FEET TO THE POINT OF BEGINNING.

CONTAINS 40.152 ACRES, MORE OR LESS