

Dear Board of Adjustment,

I respectfully submit additional information to my request for Appeal of the Land Use Permit LUP64-2011.

In review of the Weber County Ordinances the intended use of the slaughterhouse and/or meat cutting processing operation which will prepare and provide for the sale of processed meat proposed by Rulon Kent Jones, Garett Kent Jones and Broadmouth Ranch ([www.utahelkhunt.com](http://www.utahelkhunt.com)) is not agricultural but is in fact a commercial business operation.

## *5B-1A Agriculture Preferred Use*

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*Agriculture is the preferred use in Agricultural Valley, AV-3. All agricultural operations shall be permitted at any time, including the operation of farm machinery and no agricultural use shall be subject to restriction because it interferes with other uses permitted in the zone.*

Though agricultural in nature, the proposed operation does not fit within the parameters of 5B-1A because it is clearly commercial. The generally stated purpose of the operation is to process the meat from the livestock sold as part of a private hunting business. This proposed extension of the Broadmouth Ranch ([www.utahelkhunt.com](http://www.utahelkhunt.com)) operation will combine a slaughterhouse and/or meat cutting, packaging, processing operation which will prepare and provide for the sale of processed livestock within and across state lines and is definitely a commercial to supplement the business of Rulon Kent Jones and Broadmouth ranch which should be aptly designated as commercial.

## *Commercial Valley Zones CV-1, CV-2*

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### *18-B1 Purpose and Intent*

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*The purpose of the Commercial Valley, CV-1 (Neighborhood), and Commercial Valley, CV-2 (General) Zones is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the Ogden Valley in unincorporated Weber County. It is also to separate into two zones, uses based upon the type of activity which are compatible and complementary, as well as intensity of land utilization and accessory use needs.*

### *18-B4 Special Regulations*

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1. Hereinafter specified Permitted and Conditional uses shall be allowed only when the following conditions are complied with:
  1. All uses shall be free from excessive odor, dust, smoke, or noise.
  2. In the CV-1 (neighborhood) Commercial Zone no entertainment, except recorded music shall be permitted in cafes, cafeterias, ice cream parlors, or restaurants.
1. A car wash shall be permitted subject to the following restrictions:
  1. Operation or use shall limited to the hours between 6:00 a.m. and 10:00 p.m. in CV-1 Zones only.
  2. There shall not be more than four washing bays for a manual spray car wash in CV-1 Zones only.
  3. Off-street vehicle storage required as follows:
    1. One bay car wash, four spaces in the approach lane
    2. Two bay car wash, three spaces in the approach lane for each wash bay
    3. Three or more bay car wash, two spaces in the approach lane for each wash bay

## M

|   | CV-1 | CV-2 |
|---|------|------|
| Manufacture of goods retailed on premises               | N    | C    |
| Meat Custom cutting and wrapping excluding slaughtering | N    | C    |
| Meat, fish and seafood store                            | P    | P    |

As Weber County has specifically designated Weber County Ordinance Commercial Valley Zones CV-1, CV-2, for the inclusion of businesses relating to meat custom cutting and wrapping in section 18-B5 Uses. This commercial operation is directly suited for location in the CV-1 and CV-2 zones.

The Jones have verbally advised me, as well as others, that the meat which is produced from this commercial operation will be provided, sold and/or delivered to clients which have procured the meat through sales of livestock and products from Broadmouth Ranch ([www.utahelkhunt.com](http://www.utahelkhunt.com)). Thus this

operation is to be used as an accessory to the commercial hunting enterprise of Rulon Kent Jones and/or Broadmouth Ranch and other entities associated with the afore mentioned.

## *5B-2 Permitted Uses*

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- 1. Accessory building or use customarily incidental to any permitted or conditional use*
- 2. Agriculture, agricultural experiment station; apiary; aviary; aquarium*
- 3. Animals or fowl kept for family food production as an accessory use*

As we understand a conditional Land Use permit has been granted due to Weber County Ordinance 5B-2-2 and in following the essence (is that the correct word) of the law that 5B-2-3 clearly states “Animals or fowl **kept for family food production as an accessory use**”

The commercial preparation, cutting, boxing and shipping of processed livestock within and across state lines is not within the essence of the ordinance nor in compliance with Ordinance 5B-2-3 specifically “Animals or fowl kept for family production.....”. The intended commercial preparation, cutting, boxing and shipping of processed livestock can in no way be considered an “accessory use”.

Ordinance 5B-2-8 clearly states “for produce grown on the premises only” Thus the Jones submission should be considered under the essence of this ordinance.

Ordinance 5B-2-10 clearly states “limited to sale of materials produced on premises and with no retail shop operation” Thus the Jones submission should be considered under the essence of this ordinance.

Ordinance 5B-2-14 clearly states “but not including privately owned commercial.....business” Thus the Jones submission should be considered under the essence of this ordinance.

## *5B-3 Permitted Uses Requiring Five (5) Ares Minimum Lot Area*

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- 1. Dairy farm and milk processing and sale provided at least fifty (50) percent of milk processed and sold is produced on the premises*
- 2. Farms devoted to the hatching, raising (including fattening as an incident to raising) of chickens, turkeys, or other fowl, rabbits, fish, frogs or beaver*
- 3. Fruit and vegetable storage and packing plant for produce grown on premises.*
- 4. The keeping and raising of not more than ten (10) hogs more than sixteen (16) weeks old, provided that no person shall feed any such hog any market refuse, house refuse, garbage or offal other than that produced on the premises.*

5. The raising and grazing of horses, cattle, sheep or goats as part of a farming operation, including the supplementary or full feeding of such animals provided that such raising and grazing when conducted by a farmer in conjunction with any livestock feed yard, livestock sales or slaughter house shall:

1. not exceed a density of twenty-five (25) head per acre of used and;
2. be carried on during the period of September 15 through April 15 only;
3. be not closer than two hundred (200) feet to any dwelling, public or semi-public building on an adjoining parcel of land; and,
4. not include the erection of any permanent fences, corrals, chutes, structures or other buildings normally associated with a feeding operation

The purpose of the proposed commercial operation does not comply Weber County Ordinance 5B-5-4 and 5B-5-5. The raised and grazed livestock providing for this business are in fact sold to individuals as per the terms and conditions on the Broadmouth Ranch website

<http://utahelkhunt.com/content/hunts.html> in which hunters are “Featuring 100% Guaranteed Elk Hunts!” at prices listed on the site.

| TYPE   | PRICE                      | INFORMATION                       |  |
|--|----------------------------|-----------------------------------|--|
| <b>Elk Hunts</b><br> | <a href="#">Trophy</a>     | \$5,900 plus \$488 license        | With our trophy hunt, we guarantee an opportunity up to a 340 class bull.  |
|  | <a href="#">Management</a> | \$3,900 plus license              | 5X6 Bull and 5X5 Bull  |
|  | <a href="#">Cow</a>        | \$1,900 plus license              |  |
|  | <a href="#">Free Range</a> | \$4,900 plus license              |  |
|  | <a href="#">Upgrades</a>   | Please <a href="#">contact us</a> | We also have elk hunts that we guarantee specific size bulls. For the hunter that would like to choose a particular class of bull, we have bulls up to 600 points. We do not over hunt our ranches and we are at 100% success for elk. |

The proposed commercial operation of Jones and Broadmouth Ranch may also be considered an agricultural feed yard operation as defined in Rulon Kent and Garet Kent Jones "Agricultural Description of Property". "Elk are bred, grazed, handled (vaccinated and ear tagged) and raised on the property. The handling facility and agricultural storage area is used to store hay, grain and other farm supplies. It is also used to bring elk into smaller area in the winter and be worked".

## Conditional Uses

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### 22C-1 Purpose and Intent

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*The purpose of this chapter is to establish standards for land uses listed in each zone as a conditional use, and to provide for a reasonable application, review, and approval process for land uses that are specified as "conditional."*

*Conditional uses are intended to allow greater flexibility by providing a wider variety of uses in a zone, while at the same time allowing conditions to be applied, due to their unique characteristics or potential impacts on surrounding uses. These may be appropriate only in certain locations and/or under specific conditions that mitigate potential impacts. If impacts cannot be mitigated, the conditional use may be deemed incompatible in some areas.*

### 22C-3 Review Procedure

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*Applications for a conditional use permit shall be submitted to the Planning Division.*

*1. An application shall include:*

- 1. A completed application form signed by the property owner or certified agent.*
- 2. An application fee. The payment of a partial application fee, or the submittal of plans for a pre-submittal review, does not constitute a complete application.*
- 3. A narrative addressing the Criteria of Issuance 22C-5,*
- 4. Detailed location map,*
- 5. Detailed building plans and site plans specifications shall be drawn to scale including electronic copies showing details and other applicable zoning requirements as which are outlined in Chapter 36 "Design Review" and Chapter 18C "Ogden Valley Architectural, Landscape and Screening Standards".*
- 6. Accompanying documents including water and waste water feasibility letters.*

7. *Any additional pertinent information needed to adequately describe the proposal.*
8. *A requirement that the applicant submit applicable impact studies or other technical studies regarding grading, drainage, traffic, geologic hazards, etc.*
9. *For those applications where no changes are proposed to an existing structure, the application requirements may be modified by the Planning Director.*

*In granting a Conditional Use Permit” applications are subject to Weber County Ordinance 22C. Quoting 22C-3 of the ordinance “Applications for a conditional use permit shall be submitted to the Planning Division.*

*1. An application shall include:”. The submission by the Rulon Kent and Garet Kent Jones does not include all the required items, specifically:*

*22C-3-1-5 – Detailed building plans and site plan specifications.....and other applicable zoning requirements as which are outlined in Chapter 36 “Design Review”*

*Citing Chapter 36 “Design Review”:*

## *36-1 Purpose*

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*The purpose and intent of design review by the Planning Commission is to secure the general purposes of this Ordinance and the master plan and to insure that the general design, layout and appearance of buildings and structures and the development of property shall in no case be such as would impair the orderly and harmonious development of the neighborhood or impair investment in and occupation of the neighborhood.*

*It shall not be the intent of this Chapter to restrict or specify the particular architectural design proposed or to specify the exterior detail or design, color, or materials proposed by the applicant, except as such detail is of such magnitude as to affect the general appearance and compatibility of the development with its surroundings or as guided by Chapter 18C, Ogden Valley Architectural and Landscape Ordinance.*

Weber County Ordinancd 36-1 Purpose “The purpose and intent of design review by the Planning commission.....” is “to insure that the general design, layout and appearance of buildings and structures and the development of property shall in no case be such as would impair the orderly and harmonious development of the neighborhood or impair investment in and occupation of the neighborhood.”

We the adjoining property owners and neighbor property owners in close proximity submit that the “appearance of buildings and structures and the development of the property” do impair the orderly

and harmonious development of the neighborhood and impair investment in and occupation of the neighborhood”.

22C-3-1-6 – “Accompanying documents including water and waste water feasibility letters”

22C-3-1-8 – “A requirement that the applicant submit applicable impact studies or other technical studies regarding grading, drainage, traffic, geologic hazards, etc.

## *36-2 Application and Review*

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*All applications for occupancy permits or building permits for all multi-family (over 8) dwellings, recreation resort uses, public and quasi-public uses, business, commercial and manufacturing buildings, structures and uses and their accessory buildings, shall be accompanied by architectural elevations and site development plans to scale, which shall show building locations, major exterior elevations, exterior building materials and color schemes, landscaping, prominent existing trees, ground treatment, fences, off-street parking, vehicle and pedestrian circulation, adjacent buildings, streets and property lines, and existing grades and proposed new grades. All plans shall be reviewed and approved by the Planning Commission with the exception that small buildings with a total footprint of less than 10,000 sq ft and a project area of less than one acre shall be reviewed and approved by the Planning Director after meeting the requirements of all applicable ordinances. All of the above required architectural and site development plans shall be reviewed and approved prior to the issuing of any land use, occupancy or building permit.*

*All documents submitted in the application shall be accompanied by a PDF file of the respective document. All plans (including but not limited to site plans, architectural elevations/renderings, etc), and subsequent submittals and revisions, shall be accompanied by a full scale set of PDF, DWF and JPEG files of the respective plans.*

According to Weber County Ordinance 36-2 Application and Review:

All applications for....business, commercial and manufacturing buildings, structures and uses and their accessory buildings, shall be accompanied by architectural elevations and site development plans to scale, which shall show building locations, major exterior elevations, exterior building materials and color schemes, landscaping, prominent existing trees, ground treatment, fences, off-street parking, vehicle and pedestrian circulation, adjacent buildings, streets and property lines, and existing grades and proposed new grades. All plans shall be reviewed and approved by the Planning Commission with the exception that small buildings with a total footprint of less than 10,000 sq ft and a project area of less

than one acre shall be reviewed and approved by the Planning Director after meeting the requirements of all applicable ordinances.

Additionally:

All documents submitted in the application shall be accompanied by a PDF file of the respective document. All plans (including but not limited to site plans, architectural elevations/renderings, etc), and subsequent submittals and revisions, shall be accompanied by a full scale set of PDF, DWF and JPEG files of the respective plans

Consideration prior to Conditional Land Use Permit is to be given to Weber County Ordinance 36-4 Considerations in Review of Applications, please see below:

### *36-4 Considerations in Review of Applications*

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*The Planning Commission and/or the Planning Director shall consider the following matters, and others when applicable, in their review of applications and where the plan is found deficient the plan design shall be amended or conditions imposed to mitigate such deficiencies when considering:*

- 1. Considerations relating to traffic safety and traffic congestion:*
  - 1. The effect of the development on traffic conditions on abutting streets*
  - 2. The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways*
  - 3. The arrangement and adequacy of off-street parking facilities to prevent traffic congestion*
  - 4. The location; arrangement, and dimensions of truck loading and unloading facilities. In the case of a commercial or industrial development which includes an on-site owner/employee residential use, all residential windows should face away from loading docks.*
  - 5. The circulation patterns within the boundaries of the development. In the case of a commercial or industrial development which includes an on-site owner/employee residential use, a separate ingress/egress may be required, depending on the size and/or type of use, and for any multiple use complex.*
  - 6. The surfacing and lighting of off-street parking facilities*
- 2. Considerations relating to outdoor advertising:*
  - 1. The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards, the blanketing of*



*adjacent property signs and the appearance and harmony with other signs and structures with the project and with adjacent development.*

*3. Considerations relating to landscaping:*

- 1. The location, height and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development, or to conceal storage areas, utility installations, or other unsightly development*
- 2. The planting of ground cover or other surfacing, such as bark or colored/natural gravel, as described in item G, to prevent dust and erosion and provide a visual break for the monotony of building materials, concrete and asphalt*
- 3. A minimum landscape space of 10% of the project area shall be provided with consideration of drought resistant and water conserving landscape materials, or as required by Chapter 18-C, Ogden Valley Architectural and Landscape Ordinance*
- 4. The number and type of mature and planted size of all landscape plantings*
- 5. The method of irrigation and approximate location of the water meter, point of connection, sprinkler and/or drip irrigation heads, and any blow-out or winterizing system. Water conserving methods, such as bubblers and drip systems and electronic timer devices are encouraged*
- 6. The location, type, and size of any existing trees over 4" caliper that are to be removed*
- 7. Landscape Standards. Plant sizes at the time of installations shall be as follows:*
  - 1. Deciduous trees shall have a minimum trunk size of two (2) inches caliper.*
  - 2. Evergreen trees shall have a minimum height of six (6) feet as measured from top of root ball.*
  - 3. All woody shrubs shall have a minimum height or spread of eighteen (18) inches, depending upon the plant's natural growth habit, unless otherwise specified. Plants in five (5) gallon containers will generally comply with this standard.*
  - 4. Vines shall be five (5) gallon minimum size.*
  - 5. Turf grass species, if used, shall be hardy to the local area. Application rates shall be high enough to provide even and uniform coverage within one (1) growing season. Turf areas, where erosion is expected to occur under normal conditions, such as drainage swales, berms and/or slopes greater than 30% shall be planted with sod or other deep-rooting, water conserving plants for erosion control and soil conservation.*
  - 6. Turf grass, if used, shall be limited to no more than 50% of the landscaping requirement.*

7. *Ground cover may consist of natural or colored gravel, crushed rock, stones, tree bark or similar types of landscaping materials.*
8. *Water conserving landscaping methods and materials are recommended and encouraged.*
8. *Plants used in conformance with the provisions of this section shall be hardy and capable of withstanding the extremes of individual site microclimates. The use of drought tolerant and native plants is preferred within areas appropriate to soils and other site conditions. All irrigated non-turf areas shall be covered with a minimum layer of three (3) inches of mulch to retain water, inhibit weed growth and moderate soil temperature. Non-porous material shall not be placed under mulch.*
9. *The owner of the premises shall be responsible for the maintenance, repair and replacement, within thirty (30) days of removal, of all landscaping materials on the site. In cases where the thirty (30) day time limit for replacement extends beyond the normal growing season, replacement shall be made at the beginning of the following growing season.*
4. *Considerations relating to buildings and site layout:*
  1. *Consideration of the general silhouette and mass of buildings including location of the site, elevations, and relation to natural plant coverage, all in relationship to adjoining buildings and the neighborhood concept.*
  2. *Consideration of exterior design and building materials in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on a street or streets, line and pitch of roofs, and the arrangements or structures on the parcel.*
5. *Considerations relating to utility easements, drainage, and other engineering questions:*
  1. *The provision within the development for adequacy of storm and surface water drainage and retention facilities and for utilities to and through the property*
6. *Considerations relating to prior development concept plan approval associated with any Rezoning Agreement, Planned Commercial or Manufacturing Rezoning or Planned Residential Unit Development Approval:*
  1. *Does any proposed phase or phasing sequence of an approved Concept or Preliminary Development Plan provide for logical workable independent development units that would function adequately if the remainder of the project failed to materialize?*
  2. *Is this plan or phase thereof a more detailed refinement of the approved concept plan?*
  3. *Are any modifications of a major nature that first need to follow the procedure for amending the approved concept plan?*

## 36-5 Conditions

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*Design approval may include such other conditions consistent with the considerations of this, and/or any other Chapter of the Weber County Zoning Ordinance, as the Commission or Planning Director deem reasonable and necessary under the circumstances to carry out the intent of the Zoning Ordinance.*

Consideration should be given to the following per Weber County Ordinance 36-5 Conditions:

Weber County Ordinance – Drinking Water Ordinance 41-1 Purpose and Intent, 41-2 Definitions, 41-3 Establishment of Drinking Water Source Protection Zones, 41-4 Identification of Public Water Systems and their Drinking Water Source Protection Zones, 41-5 Allowed Uses, 41-6 Prohibited Uses, 41-7 Sewers within Drinking Water Source Protection Zones and Management Areas, 41-8 Drinking Water Source Protection Requirements, 41-9 Transition, 41-10 Administration

### 41-1 Purpose and Intent

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*The purpose of this ordinance is to ensure the provision of a safe and sanitary drinking water supply to the residents of Weber County who receive water for culinary and domestic use from public water systems in the County by the establishment of drinking water source protection zones surrounding the wellheads and springs for all wells and springs used by public water systems in the County and by the designation and regulation of property uses and conditions that may be maintained within such zones.*

### 41-2 Definitions

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*When used in this ordinance, the following words and phrases shall have the meanings given in this Section:*

#### **Best Management Practices**

*A practice or combination of practices determined to be the most effective practicable means of conducting a land use activity to minimize the potential for becoming a pollution source (including technological, economic, and institutional considerations).*

#### **Design Standard**

*Established State or National Standards for the design, construction, placement, or maintenance of a potential contamination source to prevent discharges to the ground water. (See also “Secondary Containment”). A control that is implemented by a potential contamination source to prevent discharges to the groundwater. Spill protection is an example of a design standard.*

#### **Drinking Water Source Protection (DWSP) Zone**

*The surface and subsurface area surrounding a groundwater source of drinking water supplying a public water system through which contaminants are reasonably likely to move toward and reach such groundwater source.*

#### **Groundwater Source**

*Any well, spring, tunnel, adit, or other underground opening from or through which groundwater flows or is pumped from subsurface water-bearing formations.*

#### **Pollution Source**

*Point source discharges of contaminants to ground water or potential discharges of the liquid forms of "extremely hazardous substances" which are stored in containers in excess of "applicable threshold planning quantities" as specified in SARA Title III. Examples of possible pollution sources include, but are not limited to, the following: storage facilities that store the liquid forms of extremely hazardous substances, septic tanks, drain fields, class V underground injection wells, landfills, open dumps, landfilling of sludge and septage, manure piles, salt piles, pit privies, drain lines, and animal feeding operations with more than ten animal units.*

*The following definitions clarify the meaning of "pollution source:"*

#### **Animal Feeding Operation**

*A lot or facility where the following conditions are met: animals have been or will be stabled or confined and fed or maintained for a total of forty-five (45) days or more in any twelve (12) month period, and crops, vegetation forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more animal feeding operations under common ownership are considered to be a single feeding operation if they adjoin each other, if they use a common area, or if they use a common system for the disposal of wastes.*

#### **Animal Unit**

*A unit of measurement for any animal feeding operation calculated by adding the following numbers; the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over 55 pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.*

#### **Extremely Hazardous Substances**

*Those substances which are identified in the Sec. 302(EHS) column of the "TITLE III LIST OF LISTS - Consolidated List of Chemicals Subject to Reporting Under SARA Title III," (EPA 560/4-91-011). A copy of this document may be obtained from: Section 313 Document Distribution Center, P.O. Box 12505, Cincinnati, OH 41212.*

#### **Hazardous Waste**

*A waste with properties that make it dangerous or potential harmful to human health or to the environment.*

**Potential Contamination Source**

*Any facility or site, which employs an activity or procedure, which may potentially contaminate ground water. A pollution source is also a potential contamination source. Such term includes collection, treatment, storage and distribution facilities under control of the operator and used primarily in connection with the system. Additionally, the term includes collection, pretreatment or storage facilities used primarily in connection with the system but not under such control.*

**Sanitary Landfill**

*A disposal site where solid wastes, including put rescible wastes, or hazardous wastes, are disposed of on land by placing earth cover thereon.*

**Sanitary Sewer Line**

*A pipeline that connects a residence or other building with a sanitary sewer.*

**Septic Tank/Drain-field System**

*A system which is comprised of a septic tank and a drain field which accepts domestic wastewater from buildings or facilities for subsurface treatment and disposal. By their design, septic tank/drain field system discharges cannot be controlled with design standards.*

**Spring**

*The ground surface outlet of a natural underground spring including Spring collection and control boxes, valves, piping and other attachments.*

**Storm Water Infiltration Structure**

*A structure that is intended to discharge storm water so that it infiltrates groundwater.*

**Underground Storage Tanks**

*Underground tanks used for the storage of gas, oil, or other hazardous substances.*

**Wellhead**

*The physical structure, facility, or device at the land surface from or through which groundwater flows or is pumped from subsurface, water-bearing formations.*

**SARA Title III**

*The Superfund Amendment and Reauthorization Act section found in 40 CFR 300-302, pertaining to emergency response and right-to-know.*

**Source Protection Zone**

*Means the specified surface and subsurface area surrounding a ground-water source of drinking water supplying a Public Water Supply, through which contaminants are reasonably likely to move toward and reach such ground-water source. These zones shall have the approval of the*

*State of Utah, Division of Drinking Water as described in R309-600 Source Protection: Drinking Water Source Protection for Ground-Water Sources and as stated in Section 41-3.*

***Time of Travel Distance***

*The distance that groundwater will travel in a specified time. This distance is generally a function of the permeability and slope of the aquifer. Time of Travel is determined from hydrological studies and is approved by the State Department of Environmental Quality, Division of Drinking Water.*

***Public Water System***

*A system, either publicly or privately owned, providing water for human consumption and other domestic uses, which:*

- *Has at least 15 service connections, or*
- *Serves an average of at least 25 individuals daily at least 60 days out of the year.*

***Secondary Containment***

*A type of system that is used to provide release detection prevention, such as trays under containers, floor curbing or other systems designed to hold materials or liquids that may discharge from containers holding regulated substances. Examples include a double-walled tank, a double-walled integral piping system, or a single-walled tank or integral piping system that is protected by an enclosed concrete vault, liner, or an impervious containment area.*

I submit that the Jones are in violation of Weber County Ordinances 30-2 as they have commenced and continued construction prior to issuance of a written permit by the County Building Official.

Land Use Permit, Building Permit and Certificate of Occupancy

### *30-2 Building Permit Required*

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*Building Permits as specified by Weber County are required for any construction, alteration, repair, removal, or occupancy of any structure. Construction shall not be commenced, except after the issuance of a written permit by the County Building Official.*

### *30-4 Land Use Permit Required*

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*In order to verify zoning requirements and setbacks for permitted or conditional uses, no structure, including agricultural structures, shall be constructed, changed in use, or altered, as provided or as restricted in the Weber County Zoning Ordinance, until and unless a Land Use Permit is approved and issued by the Planning Director or designee.*

### *30-6 Permits to Comply with Ordinance*

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*The Building Official shall not grant a permit for the construction or alteration of any building or structure if such construction or alteration is in violation of any provision of this Ordinance; nor shall any County Official grant any permit or license for the use of any building or land if such use would be in violation of this Ordinance.*

### *30-7 Powers and Duties of Building Official*

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*It shall be the duty of the Building Official to inspect or cause to be inspected all setbacks of buildings in the course of construction or repair. The Building Official shall assist in the enforcement of all provisions of this Ordinance. The Building Official shall not issue any permit unless the plans of and for the proposed erection, construction, reconstruction, alteration and use fully conform to all zoning regulations.*