



Weber County Planning Division
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Weber County Board of Adjustment
NOTICE OF DECISION

March 23, 2018

Phil Hancock
5120 S 375 E STE A
Ogden, Utah, 84401

Case No.: BOA 2018-01

You are hereby notified that your request for a 20'4" variance to the front yard setback and an 8' variance to the side-yard setback for the construction of a Public Utility Substation was approved by the Weber County Board of Adjustment in a public hearing held on March 22, 0218 after due notice to the general public and specifically to adjacent property owners.

The Boards decision was based on the following findings:

- a. Literal enforcement of the Land Use Code would require an undesirable result. Literal enforcement of the 30-foot front yard setback and the 10-foot side yard setback would require redesigning of the detention pond and relocation of the already in place utility lines.
- b. The special circumstances that apply in this instance are due to the shape of the parcel and the canal to the north.
- c. Granting the variance would allow the owner of the parcel to build a pump house that is necessary to protect the equipment from the weather and vandalism. As well as providing private secondary water to the owners of the Henry Flats Home Owner's Association.
- d. The General Plan indicates that this area should be developed as is planned and zoned; thereby the variance and development is not contrary to any public interest.
- e. This variance request is not an attempt to avoid or circumvent the requirements of the County Land Use Code. The applicant has gone through the proper channels in applying for a variance. Granting this variance will be justified by adhering to the construction drawings that were approved in unison with the subdivision plat.

The approval of a Board of Adjustment Case is issued to the owner of the land as signed on the application and is valid for a period of time not longer than 18 months from the date of the Board decision or until an ordinance amendment changes the conditions upon which the decision was made. The issuance of a building permit for development stated in the Board of Adjustment case application constitutes full use of the variance or other benefit applied for.