



Weber County

Incoming Application Processing Form

Project Name: Clawson Variance
 Date Submitted: 5-6-2020 Zoning: AV-3 Received by: Steve B.
 Culinary Water Provider: N/A Secondary Water Provider: N/A Waste Water Provider: N/A

Project Type:

- | | |
|---|--|
| <input type="checkbox"/> Alternative Access | <input type="checkbox"/> Subdivisions: |
| <input checked="" type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Subdivision (Small/Amendment) |
| <input type="checkbox"/> Building Parcel Designation | <input type="checkbox"/> Subdivision-(Prelim/Final) |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Subdivision-Cluster |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Hillside Review | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Land Use Permit | <input type="checkbox"/> Zoning Development Agreement |
| | <input type="checkbox"/> Vacation |
| | <input type="checkbox"/> Other _____ |

Project Description: This is a variance application to the County's definition of "lot" to allow a building lot to be separated by UP&L Property.

Applicable Ordinances:

- | | | |
|--|--|---|
| <input type="checkbox"/> Accessory Apartments | <input type="checkbox"/> Nonconforming Buildings, Uses and Parcels | <input type="checkbox"/> Petitioner Requirements-Rezoning Procedure Development Agreement |
| <input type="checkbox"/> Airport Zones and Height Regulations | <input type="checkbox"/> Ogden Valley Architectural, Landscape and Screening Standards | <input type="checkbox"/> Planned Residential Unit Development |
| <input type="checkbox"/> Cluster Subdivision | <input type="checkbox"/> Ogden Valley Lighting | <input type="checkbox"/> Public Buildings and Public Utility Substations and Structures |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Ogden Valley Pathways | <input type="checkbox"/> Signs |
| <input type="checkbox"/> Drinking Water Source Protection | <input type="checkbox"/> Ogden Valley Sensitive Lands Overlay District | <input type="checkbox"/> Standards for Single Family Dwellings |
| <input type="checkbox"/> Hillside Development Review and Procedures and Standards | <input type="checkbox"/> Ogden Valley Signs | <input type="checkbox"/> Supplementary & Qualifying Reg |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Parking and Loading Space, Vehicle Traffic and Access Regulations | <input type="checkbox"/> Time Share |
| <input type="checkbox"/> Land Use Permit, Building Permit and Certificate of Occupancy | | <input type="checkbox"/> Zones & Districts |
| <input type="checkbox"/> Natural Hazards Overlay Districts | | |

Weber County Review Agencies:

- | | | |
|---|--|---|
| <input type="checkbox"/> Weber-Morgan Health Department-Drinking Water Division | <input type="checkbox"/> Weber County Economic Development Partnership | <input type="checkbox"/> Weber County School District-Transportation Division |
| <input type="checkbox"/> Weber-Morgan Health Department-Waste Water Division | <input checked="" type="checkbox"/> Weber County Engineering Division | <input type="checkbox"/> Weber County Sheriff |
| <input type="checkbox"/> Weber County Addressing Official | <input type="checkbox"/> Weber County GIS | <input type="checkbox"/> Weber County Special Events |
| <input type="checkbox"/> Weber County Animal Services | <input type="checkbox"/> Weber County CED | <input type="checkbox"/> Weber County Surveyor's Office |
| <input type="checkbox"/> Weber County Assessor's Office | <input checked="" type="checkbox"/> Weber County Planning Division | <input type="checkbox"/> Weber County Treasurer's Office |
| <input type="checkbox"/> Weber County Board of Adjustment | <input type="checkbox"/> Weber County Recorder's Office | <input checked="" type="checkbox"/> Weber Fire District |
| <input type="checkbox"/> Weber County Building Inspection | <input type="checkbox"/> Weber County Recreation Facilities | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Weber County Commission | <input type="checkbox"/> Weber County Roads Division | |

Outside Review Agencies:

- | | | |
|--|---|--|
| <input type="checkbox"/> Bona Vista Water Improvement District | <input type="checkbox"/> Ogden Valley Starry Nights | <input type="checkbox"/> Utah Department of Transportation |
| <input type="checkbox"/> Causey Estates Lot Owners Assoc. | <input type="checkbox"/> Powder Mountain Water & Sewer District | <input type="checkbox"/> Utah Division of Air Quality |
| <input type="checkbox"/> Central Weber Sewer Improvement | <input type="checkbox"/> Dominion Energy | <input type="checkbox"/> Utah Division of Drinking Water |
| <input type="checkbox"/> Cole Canyon Water Company | <input type="checkbox"/> Rocky Mountain Power | <input type="checkbox"/> WC3 |
| <input type="checkbox"/> Centurylink | <input type="checkbox"/> State of Utah Dept of Ag & Food | <input type="checkbox"/> Weber Pathways |
| <input type="checkbox"/> Eden Irrigation Company | <input type="checkbox"/> Taylor Geotechnical | <input type="checkbox"/> West Warren-Warren Water & Sewer |
| <input type="checkbox"/> Hooper Irrigation Company | <input type="checkbox"/> Taylor-West Weber Water District | <input type="checkbox"/> Wolf Creek Water and Sewer Improvement District |
| <input type="checkbox"/> Hooper Water Improvement District | <input type="checkbox"/> Uintah Highlands Water & Sewer Dist | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Nordic Mountain Water Inc. | <input type="checkbox"/> US Forest Service | |

Weber County Board of Adjustment Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed	Fees (Office Use) \$225.00	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) <i>Jack + Linda Clawson</i>		Mailing Address of Property Owner(s) 3641 N River Dr Eden UT 84310	
Phone 801-721-5280	Fax		
Email Address Sherri_clawson@hotmail.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Jason Peterson		Mailing Address of Authorized Person P O Box 60 Eden UT 84310	
Phone 801-745-3573	Fax 801-745-3577		
Email Address jason@petersonbuilders.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Appeal Request

- A variance request:
- ___ Lot area
 ___ Yard setback
 ___ Frontage width
 X ___ Other: 1 Lot seperated by UP+L Property
- An Interpretation of the Zoning Ordinance
- An Interpretation of the Zoning Map
- A hearing to decide appeal where it is alleged by appellant that there is an error in any order, requirement, decision or refusal in enforcing of the Zoning Ordinance
- Other: _____

Property Information

Approximate Address 3641 N River Dr Eden UT 84310		Land Serial Number(s) 21 015 0006	
Current Zoning AV-3			
Existing Measurements		Required Measurements (Office Use)	
Lot Area 13.39 Acres	Lot Frontage/Width	Lot Size (Office Use)	Lot Frontage/Width (Office Use)
Front Yard Setback	Rear Yard Setback	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)
Side Yard Setback	Side Yard Setback	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)

Applicant Narrative

Please explain your request.

We are requesting a variance for 1 lot of a 2 lot subdivision in Eden. The property is divided by Utah Power and Light where the high voltage transmission lines run across the valley. In working with the planners on the best options to be able to subdivide and have access to the property the proposed lots would be accessed by a new 150' dedicated county road at the expense of the owner. The second of the 2 lots needs to have part of its area on the other side of the UP&L property to have frontage on the new road and meet the acreage requirements. Because of this we are requesting a variance to allow for this lot to be allowed with the division because of the hardship created by the split created by the strip dividing the parcel.

The original parcel that is being subdivided has the same split and characteristics as the proposed new parcel would have. This variance would allow for this second lot which would meet all other requirement.

Variance Request

The Board of Adjustment may grant a variance only if the following five criteria are met. Please explain how this variance request meets the following five criteria:

1. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Ordinance.
 - a. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 - b. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.

The division of this property by Rocky Mountain Power creates a hardship under the ordinances related to subdividing property and would prohibit the owner from the same rights as other property owners in the same zone.

Variance Request (continued...)

2. There are special circumstances attached to the property that do not generally apply to the other properties in the same zone.

a. In determining whether there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.

Please describe the special circumstances attached to the property that do not generally apply to the other properties in the same zone:

The parcel that is proposed to be subdivided is split by property owned by Rocky Mountain Power for the transmission lines that run across the valley. This split is the same on the existing parcel as would exist on the new lot in order to get frontage on the new road and meet the acreage requirements.

3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

The variance is needed to allow the creation of this lot which meets all other requirements for this zone.

Variance Request (continued...)

4. The variance will not substantially affect the general plan and will not be contrary to the public interest.

This lot will comply with all requirements of the general plan and subdivision ordinances including size + frontage.

5. The spirit of the land use ordinance is observed and substantial justice done.

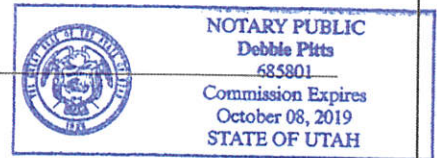
This variance would allow the owner to create this second lot accessed by the owner provided and dedicated road and be able to use the property in the same manner that all other property owners do in the same zone.

Property Owner Affidavit

I (We), Linda R. Clawson, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Linda R. Clawson
(Property Owner)

(Property Owner)



Subscribed and sworn to me this 4 day of February, 2019.

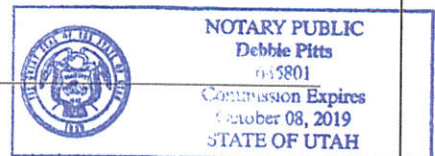
Debbie Pitts
(Notary)

Authorized Representative Affidavit

I (We) Linda R. Clawson, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), DAVID PETERSON, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Linda R. Clawson
(Property Owner)

(Property Owner)



Dated this 4 day of February, 2019, personally appeared before me Linda R. Clawson, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

Debbie Pitts
(Notary)