

Can only appeals IBC (International Bldg Code)
Appeal

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)	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) Kelly & Kristin Zaugg		Mailing Address of Property Owner(s) 3944 N 3175 W Farr West UT 84404	
Phone 801-814-3740	Fax		
Email Address krzaugg69@gmail.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) Zane Froerer Froerer & Miles Law Firm		Mailing Address of Authorized Person 2661 Washington Blvd. Suite 261 Ogden UT 84401	
Phone 801-621-2690	Fax		
Email Address zane.froerer@froererlaw.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 __ Other: _____
- 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 3946 N 3175 W (Property is on record as) 3928 N 3175 W Ogden UT 8440 (NOTE: The address given by the county is already an existing home/business)	Land Serial Number(s) Parcel # 193920002
Current Zoning A-1	

Existing Measurements		Required Measurements (Office Use)	
Lot Area	Lot Frontage/Width 0	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 construction be stopped on a lot located at approximately 3946 N 3175 W based on location in reference to other property addresses near this lot. Yet the lot in reference to was given the address of 3928 N 3175 W. by the county fairly recent. 3928 N is already an existing address with a home/business in this subdivision and has been an existing address more than 10 years with property tax records verifying this address already exists at a different location. Due to noncompliance with West Weber A-1 Codes and regulations, including but not limited to...

23-29-1 (2,3,4,5,6)

SWPPP 33-3-4 & 40-3-5

Along with No Signature of Approval on Weber County Stormwater Construction Activity Permit

We are also requesting Weber County to retract what has been allowed by Weber County against the County's A-1 Zoning Codes and regulations.

And also due to Bay View Ranchettes Association by laws as to the Trustees have to review requests by land owners in changes made to their property. Which also complies with an agreement between Bay View Association and Weber County that we would make sure the land owners followed the regulations set forth by the county.

Including but not limited to:

101-1-7 104-11-6 9 (a&b)

106-2-4 (c & d) 108-7-30

108-7-31 108-7-32

23-29-1 (2,3,4,5,6) 23-29-2 (5)

23-29-3 (1,2,3,**4) 23-30 (1,2,6)

23-31-1 (1) 23-31-2 (1)

23-32 (2)

Other issues have arose due to notices not being mailed out in a timely manor to property owners of interest or that live within 500 feet of property referred to. The address on referred property was not the address or close to the address on the property referring to of being altered without complying to ordinances for the area. Because of this, property owners that received the notices were misled into believing it wasn't something that would affect them. When said property owners realized the issue that was being imposed many of them contacted the county by phone, email or in person at the County Offices to try to resolve the issues, concerns and codes that would be violated, but they were neglected and dismissed by the parties in the county of interest in decision making regarding zoning ordinances, land use permits and building permits. This happened on multiple occasions. Most recently the county has approved a building permit and a land use permit for the construction of a residence and approved an alternate access across a private road. The alternate access was just recently constructed and otherwise no notice was properly sent out. Also the decision to allow the residence to begin construction before the private road was properly built and approved to Ordinances and Code is improper. The County made a legal error in permitting the subdivision, in approving the alternate access and in issuing the building permit and associated land use decisions.

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.

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:

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

Variance Request (continued...)

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

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

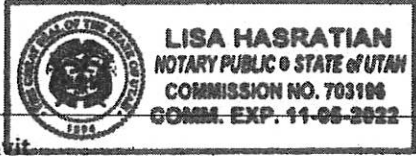
Property Owner Affidavit

I (We), Kristin Zaugg, 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.

Kristin Zaugg
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 21st day of May, 2019.



Lisa Hasratian
(Notary)

Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), _____, 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.

(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20____, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

(Notary)