

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 May 7, 2013	Fees (Office Use) \$225.00	Receipt Number (Office Use) 1842	File Number (Office Use) BDA 2013-06
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Property Owner Contact Information

Name of Property Owner(s) Larry & Denise Montgomery		Mailing Address of Property Owner(s) 7869 E. 1300 N. Huntsville, Utah 84317	
Phone 801-430-2905 or 801-430-6385	Fax		
Email Address dmontgomery@colwc.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) Larry & Denise Montgomery		Mailing Address of Authorized Person 7869 E. 1300 N. Huntsville, Utah 84317	
Phone 801-430-2905 or 801-430-6385	Fax		
Email Address dmontgomery@colwc.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: _____
- A Special Exception to the Zoning Ordinance:
 __ Flag Lot __ Access by Private Right-of-Way __ Access at a location other than across the front lot line
- 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 7869 E. 1300 N. Huntsville, Utah 84317	Land Serial Number(s) 21-005-0033
Current Zoning Residential	

Existing Measurements		Required Measurements (Office Use)	
Lot Area 1.16 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.

I am currently the owner of a flag lot that equals 1.16 acres in Huntsville, Utah. According to the Planning Commission, our frontage is located on the North side of our house, which is the entrance to our garage. We would like to build a separate garage on what we thought was the "back of our house/property". We have been told that we must build 30 feet in from the property line. If we build 30 feet from the property line, the building will be too close to our septic leach lines. The leach lines are located where they are, because Ray and Mary from Weber County told us they must be placed there. If we put the building in front of what we consider the front of our house, it will block our front windows and doors, not to mention it would look totally out of place compared to other homes in the neighborhood. We are asking to only be required to build 15 feet from the property line in order to avoid being too close to the leach lines and to build it in the most logical place on the property and to help keep the integrity of the neighborhood.

Variance Request

Explain how the variance will not substantially affect the comprehensive plan of zoning in the County and that adherence to the strict letter of the ordinance will cause unreasonable hardships, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan.

Please see attached.

Variance Request (continued...)

List the special circumstances attached to the property covered by the application which do not generally apply to the other property in the same zone.

Please see attached.

Based upon the previously stated special circumstances, clearly describe how the property covered by this application is deprived of privileges possessed by other properties in the same zone; and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other properties in the same zone.

Please see attached.

Variance Request (continued...)

Explain how the previously listed special circumstances are not considered to be economic or self-imposed hardships.

Please see attached.

Property Owner Affidavit

I (We), _____, 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.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____, 20 _____,

(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)

Board Of Adjustment

Variances from the requirements of the Weber County Zoning Ordinance

1. (a & b) The road in front of our house runs north & south, as well as east & west & then back to north & south. The entrance to access our home from the road enters from the section of the road that runs east & west. We built our home so that it would face the west, which faces the first section of the road that runs north & south. We did not put our house facing where our entrance is because it would look out of place in the neighborhood. No one would want to look at the side of a house from the main road. All of the houses that are in line with our home face the west. We are the owners of the property in front of our house all the way to the road and we are the owners of the property behind our house all the way to the canal. Please see photos attached.

My sister, Linda Knowles, owns the property north of my house and my sister, Julie Lund, owns the property to the south of my house. They both agree with me that the most logical placement for the garage would be located 15 feet from the property line on the side where Linda Knowles lives.

2. This property is all located in the Montgomery Ranch, LLC, in which I am part owner. My mother, brother, and two sisters are part owners as well. They are also the owners of the houses that are around my house.

2. (a) Other properties in the neighborhood do not have to enter their property from the side of their homes. They enter directly from the road into the front of their homes. Because our property is a flag lot, we must enter from the side of our house. Our house was built facing the west to keep the uniformity of the neighborhood.

3. Other property owners in the area have a place to store all of their belongings in order to eliminate everything being stored outside on their property. We are asking for the right to do the same. We want to avoid our property from being an eyesore to the others in our neighborhood.

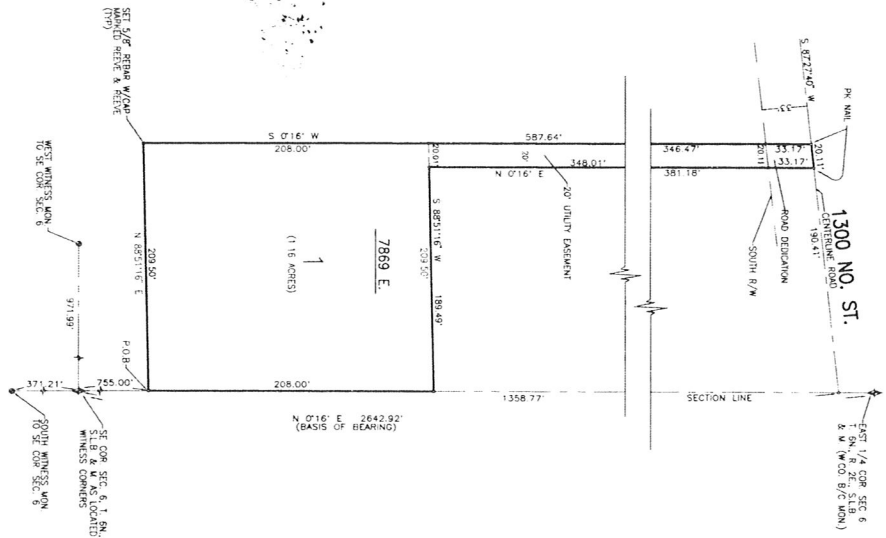
4. By granting the variance to only require a 15 foot setback, it would place the location of the garage in the most logical place and not destroy the uniformity of the neighborhood and the locations of the buildings or garages on their properties.

5. We are trying to adhere as much as we can to the ordinance in order to not violate the spirit and intent of the ordinance.

MONTGOMERY RANCH

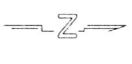
PART OF THE SE 1/4 OF SEC 6, T. 6N., R. 2E., S.L.B. & M., U.S. SURVEY

WEBER COUNTY, UTAH
SEPT., 1993



BOUNDARY DESCRIPTION

A PART OF THE SE 1/4 OF SEC. 6, T. 6N. R. 2E. S.L.B. & M. IS DESCRIBED AS BEING BEGINNING AT A POINT N 0°16' E. 750.00 FEET FROM THE SE COR. OF SECTION 6 AND R 2E. S.L.B. & M. THENCE N 0°16' E. 2080 FEET TO THE CENTERLINE OF 1300 NO. ST. THENCE S 82°27'46\"/>



REEVE & REEVE, INC.
CIVIL AND ENVIRONMENTAL ENGINEERING
LAND SURVEYING
DODGE UTAH

WEBER COUNTY PLANNING COMMISSION
APPROVED BY THE WEBER COUNTY PLANNING COMMISSION
ON THE 23RD DAY OF OCTOBER 1993
For *Mark C. Banks*

WEBER COUNTY SUPERVISOR
I HEREBY CERTIFY THAT I HAVE CAREFULLY INVESTIGATED THE LINES
UNLESS OTHERWISE NOTED AND THAT THE LINES CORRECTLY REPRESENT
ACCEPT WITH THE LINES AND DIMENSIONS AS SHOWN IN THIS SURVEY
STATED THIS 20TH DAY OF SEPTEMBER 1993
Mark C. Banks

WEBER COUNTY ACCEPTANCE
THIS IS TO CERTIFY THAT THIS PLAN AND AFFIDAVIT OF THIS
OFFICE COUNTY UTAH AND APPROVED BY THE COMMISSION
AFFECTS
19

WEBER COUNTY ATTORNEY
I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND
PLANNING REGULATIONS HAVE BEEN COMPLIED WITH DATED THIS 20TH DAY OF
1993

WEBER COUNTY ENGINEER
I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND
PLANNING REGULATIONS HAVE BEEN COMPLIED WITH DATED THIS 20TH DAY OF
1993
Carl Christian

SURVEYOR'S CERTIFICATE

I, John P. Reeve, A REGISTERED PROFESSIONAL SURVEYOR
IN THE STATE OF UTAH DO HEREBY CERTIFY THAT THIS PLAN OF
SUBDIVISION COUNTY UTAH WAS BEING MADE DIRECTLY TO THE
REGISTERED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF
UPON WHICH CONSIDERED CHANGES INCLUDE IN THE SUBDIVISION MADE
RECORDERS OFFICE AND FROM A SURVEY MADE BY ME ON THE GROUND
STATIONED AND DIMENSIONS OF THE PROPERTY AS ALL APPLICABLE
REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED
WITH AND THE LOTS MEET THE STATE DEVELOPMENT STANDARDS FOR
THE DATE IN WHICH THE DATE OF VOUCHER STANDARDS FOR

OWNER'S DEDICATION AND CERTIFICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF
LAND, DO HEREBY DEDICATE AND AGREE TO HOLD THE TRACT AS
STREETS, AS SHOWN ON THIS PLAN, AND HAVE SAID TRACT INTENTIONALLY
MARKED SUB PARCELS 1 AND HEREBY DEEDICATE GRANT AND CONVEY TO
THE PUBLIC THE TRACT OF LAND SHOWN AS STREETS, THE SAME TO BE USED AS
PUBLIC HIGHWAYS, AND AGREE TO MAINTAIN AND OPERATE THE SAME AS
PUBLIC HIGHWAYS FOR THE PURPOSES AS SHOWN HEREON, THE SAME TO BE
USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC
UTILITY LINES AND SERVICES, AS SHOWN ON THIS PLAN, AND TO HOLD THE
UTILITY OF THE COUNTY AND SERVICE AS CAN BE AUTHORIZED BY
THE UNDERSIGNED HEREBY CERTIFY THAT THIS SUBDIVISION HAS MET
ALL THE REQUIREMENTS OF WEBER COUNTY ORDINANCES.

SIGNED THIS 19TH DAY OF May 1993
John P. Reeve
James H. Montgomery

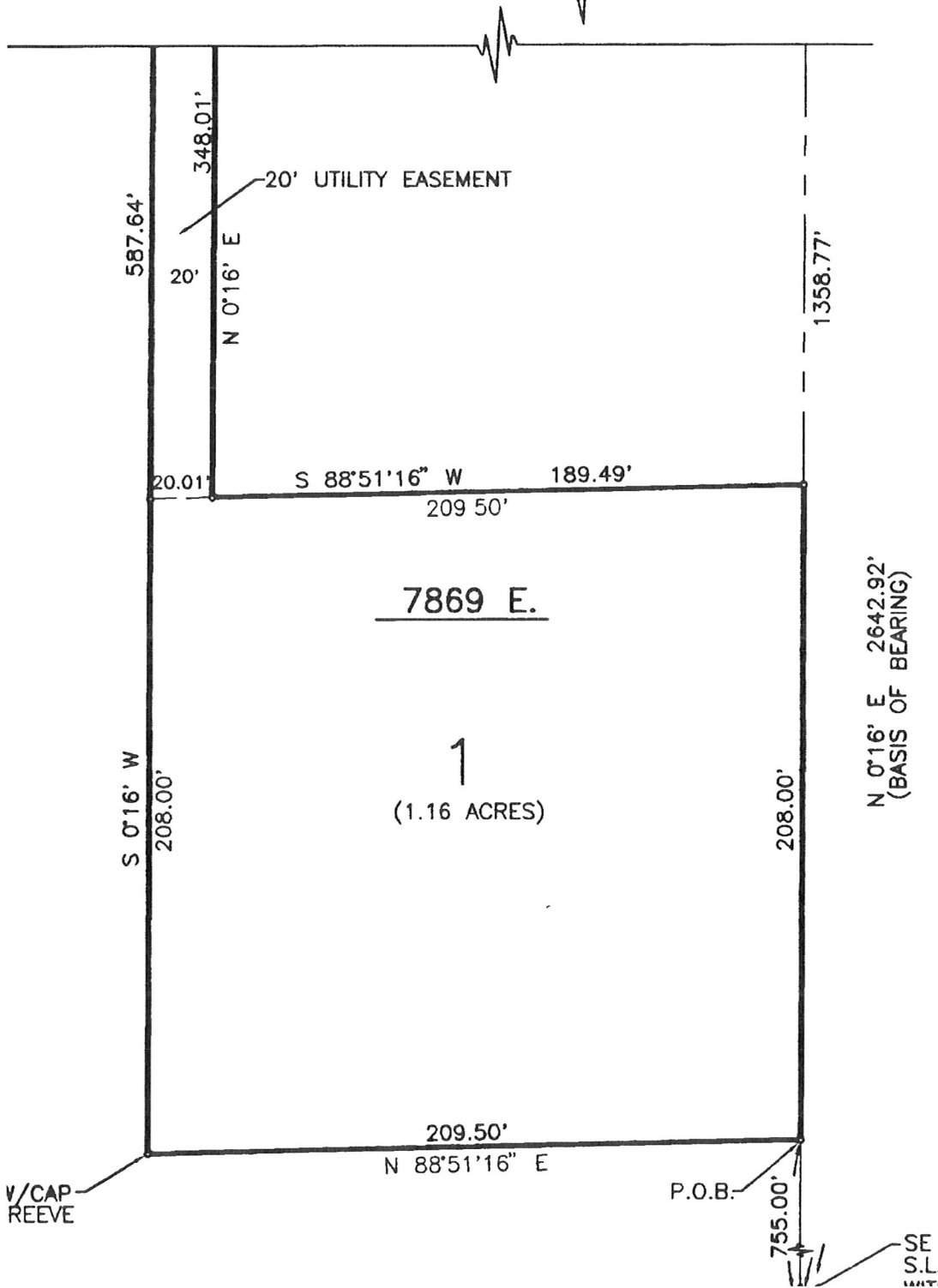
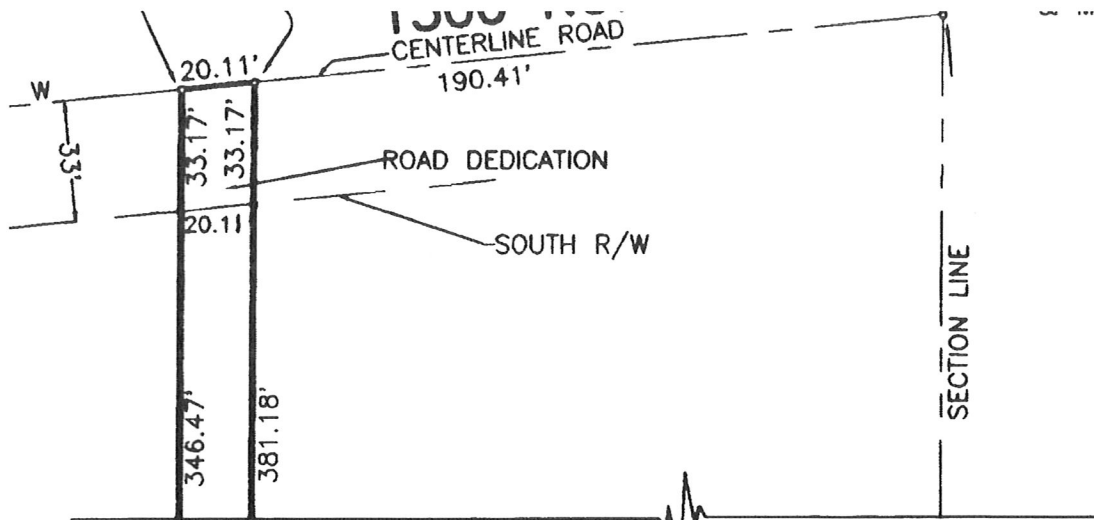
ACKNOWLEDGEMENT

STATE OF UTAH 35
COUNTY OF UTAH 35
ON THE 19TH DAY OF May 1993, PERSONALLY APPEARED
before me, the undersigned Notary Public, James H. Montgomery
(OWNER) and John P. Reeve (SURVEYOR), who being duly sworn, acknowledged to me that they are
the owners and grantors of said description and that the
contents hereof are true and correct and that they are
voluntarily and in behalf of said subdivision for the purposes
herein mentioned.

NOTARY PUBLIC
STATE OF UTAH
COUNTY OF UTAH
I, James H. Montgomery, Notary Public,
do hereby certify that the above described
instrument was acknowledged before me on the date
herein mentioned.

WEBER COUNTY RECORDER

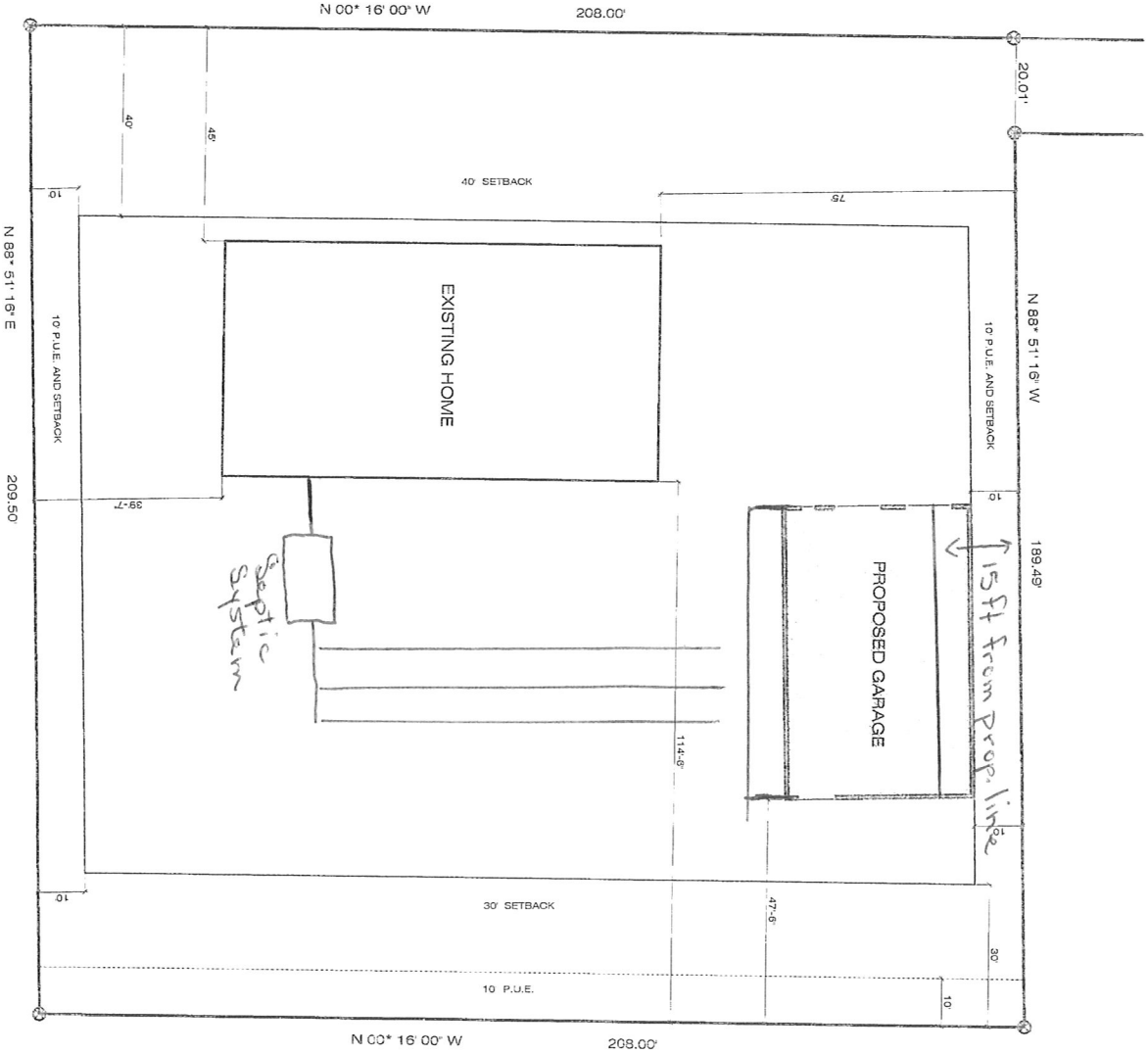
WEBER COUNTY RECORDER
I HEREBY CERTIFY THAT I HAVE RECEIVED THE ORIGINAL
COPY OF THIS PLAN AND HAVE FILED THE SAME IN BOOK 37 OF THE OFFICIAL
RECORDS FOR 1993
Dated this 23RD DAY OF OCTOBER 1993
By Debra A. Goff
Debra A. Goff, Recorder
Weber County, Utah



200 NORTH

SITE PLAN NOTES:

- IF A LAND DRAIN HAS BEEN INSTALLED TO THE LOT, IT SHALL EXTEND TO THE BUILDING AND CONNECT TO A FOOTING DRAINAGE SYSTEM. (I.R.C. R405.1)
- INSURE 5% SLOPE (6" VERTICAL IN 10' HORIZONTAL) AWAY FROM BUILDING FOR PROPER DRAINAGE. (I.R.C. R405.1)
- BERMS OR SWALES MAY BE REQUIRED ALONG PROPERTY LINES TO PREVENT STORM WATER FROM FLOWING TO ADJACENT PROPERTIES / LOTS
- ALL STORM WATER, DIRT, AND DEBRIS SHALL BE CONTAINED ON-SITE DURING CONSTRUCTION
- DIVERT SURFACE DRAINAGE TO APPROVED COLLECTION AREAS OR AS INDICATED ON APPROVED SITE PLAN
- CURB, GUTTER, SIDEWALK AND STREET SHALL BE MAINTAINED FREE OF MUD, DIRT, AND CONSTRUCTION MATERIALS AND DEBRIS EACH DAY PER CITY ORDINANCE
- DEBRIS BARRIERS TO BE PLACED AND MAINTAINED AROUND ANY STORM DRAIN INLET ADJACENT TO OR IMMEDIATELY DOWNSTREAM FROM SITE DURING CONSTRUCTION
- FIXTURES THAT HAVE FLOOD LEVEL RIMS LOCATED BELOW THE ELEVATION OF THE NEXT UPSTREAM MANHOLE COVER OF THE PUBLIC SEWER SERVING SUCH FIXTURES SHALL BE PROTECTED FROM BACK FLOW OF SEWAGE BY INSTALLING AN APPROVED BACKWATER VALVE. FIXTURES ABOVE THIS ELEVATION SHALL NOT DISCHARGE THROUGH THE BACKWATER VALVE. ACCESS REQUIRED. (IRC P3008.1)
- CONSTRUCTION TRAFFIC AND PARKING MAY NOT BLOCK TRAFFIC WITHOUT PERMITS
- CONSTRUCTION SITE MUST BE KEPT IN A NEAT MANNER. NO DEBRIS OUTSIDE OF DUMPSTER



LOT # 1

MONTGOMERY RANCH
7869 EAST 1300 NORTH
EDEN, UTAH

AREA:
1.16 ACRES
BUILDING DIMENSIONS:
40' X 60'



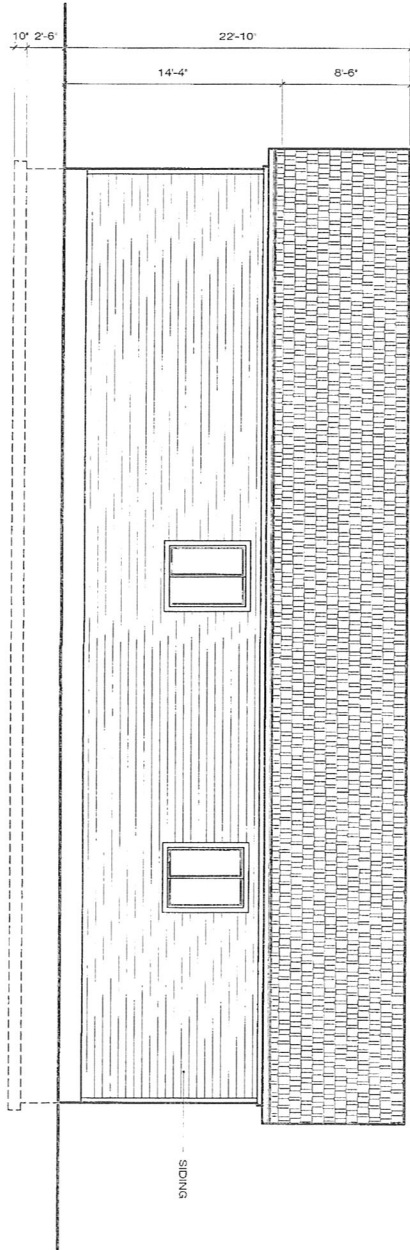
SHEET: SITE PLAN
SCALE: 1" = 20'



PROJECT:	LOT # 1, MONTGOMERY RANCH 7869 EAST 1300 NORTH, EDEN, UTAH
CLIENT:	ELOY GARCIA

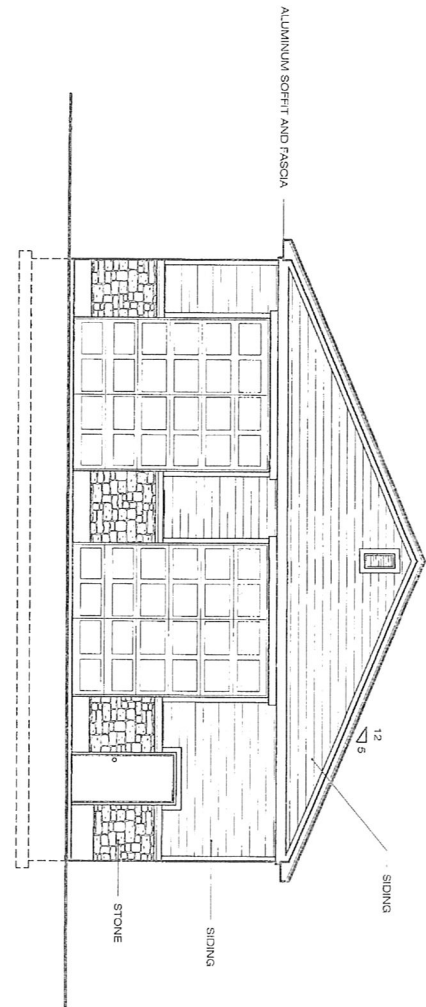
DATE:	5.1.2013
PROJECT ID:	10-101
PLAN:	NAME / ID

THESE PLANS ARE ISSUED FOR THE CONSTRUCTION OF ONE BUILDING LISTED IN THE PROJECT AREA ON EACH SHEET. PLEASE REPORT UNAUTHORIZED USE.



SIDE ELEVATION

SCALE: 1/8" = 1'-0"



FRONT ELEVATION

SCALE: 1/8" = 1'-0"

SHEET: FRONT ELEVATION
SCALE: 1/8" = 1'-0"

PROJECT: EDEN GARAGE
7869 EAST 1300 NORTH, EDEN, UTAH

CLIENT: ELOY GARCIA

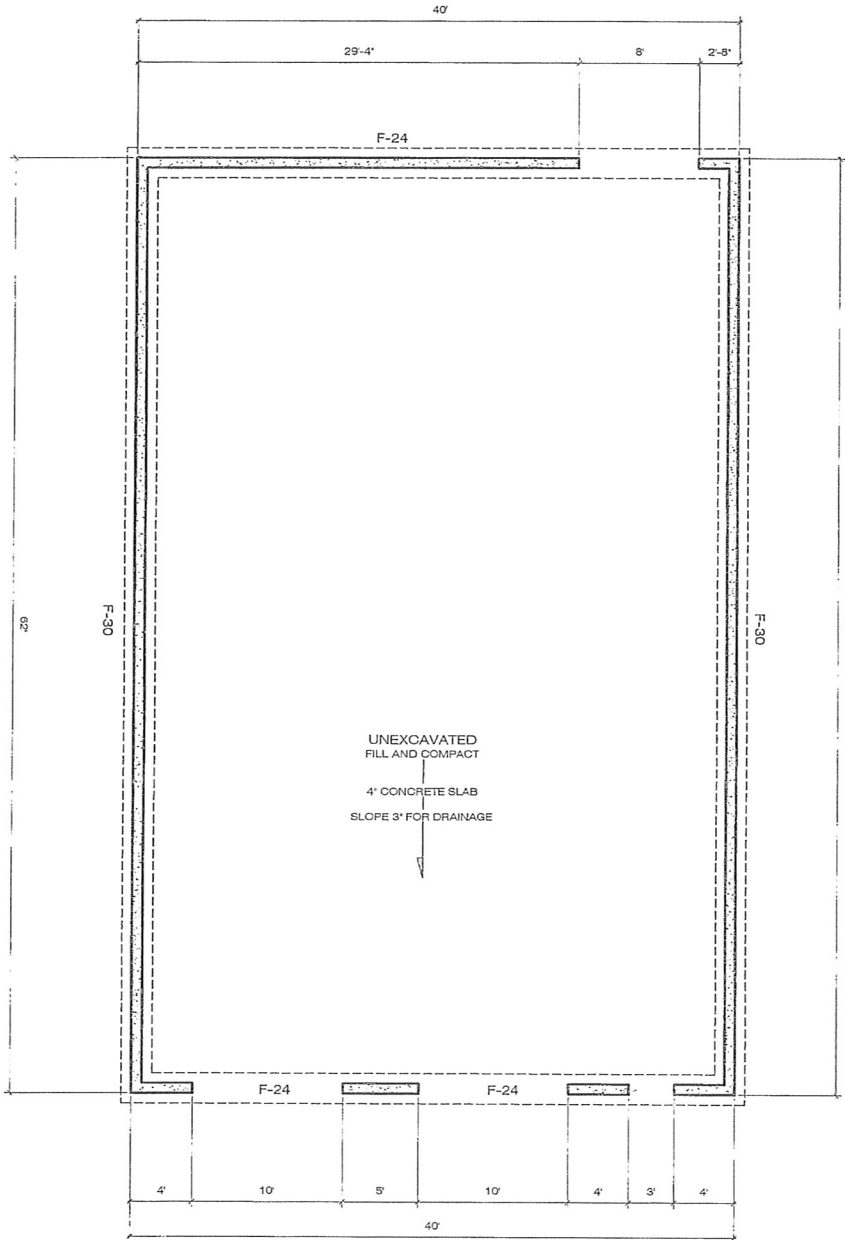
DATE: 5.1.2013

PROJECT ID: 10-101

PLAN: NAME / ID

THESE PLANS ARE ISSUED FOR THE CONSTRUCTION OF ONE BUILDING LISTED IN THE PROJECT AREA ON EACH SHEET. PLEASE REPORT UNAUTHORIZED USE.

FOUNDATION NOTES:
 6" CONCRETE FOUNDATION WALLS (TYP.)
 ALL HOLDOWN STRAP DIMENSIONS GIVEN ARE TO THE CENTER OF THE STRAP
 SEE PAGES 8, 8-1, 8-2, 8-3 FOR SPECIFIC FOUNDATION DETAILS AND ENGINEERING REQUIREMENTS
 ENSURE 36" FROST COVERAGE TO BOTTOM OF FOOTING PER IRC AND LOCAL CODES
 APPLY APPROVED WATERPROOFING SYSTEM ON FOUNDATION WALLS PRIOR TO BACKFILLING (CONCRETE ENCASED ELECTRODE (UFER) REQUIRED)



FOOTING / FOUNDATION PLAN

SCALE: 1/8" = 1'-0"

SHEET: FOOTING AND FOUNDATION
 SCALE: 1/8" = 1'-0"



PROJECT: EDEN GARAGE
 7869 EAST 1360 NORTH, EDEN, UTAH
CLIENT: ELOY GARCIA

DATE: 5.1.2013
PROJECT ID: 10-101
PLAN: NAME / ID

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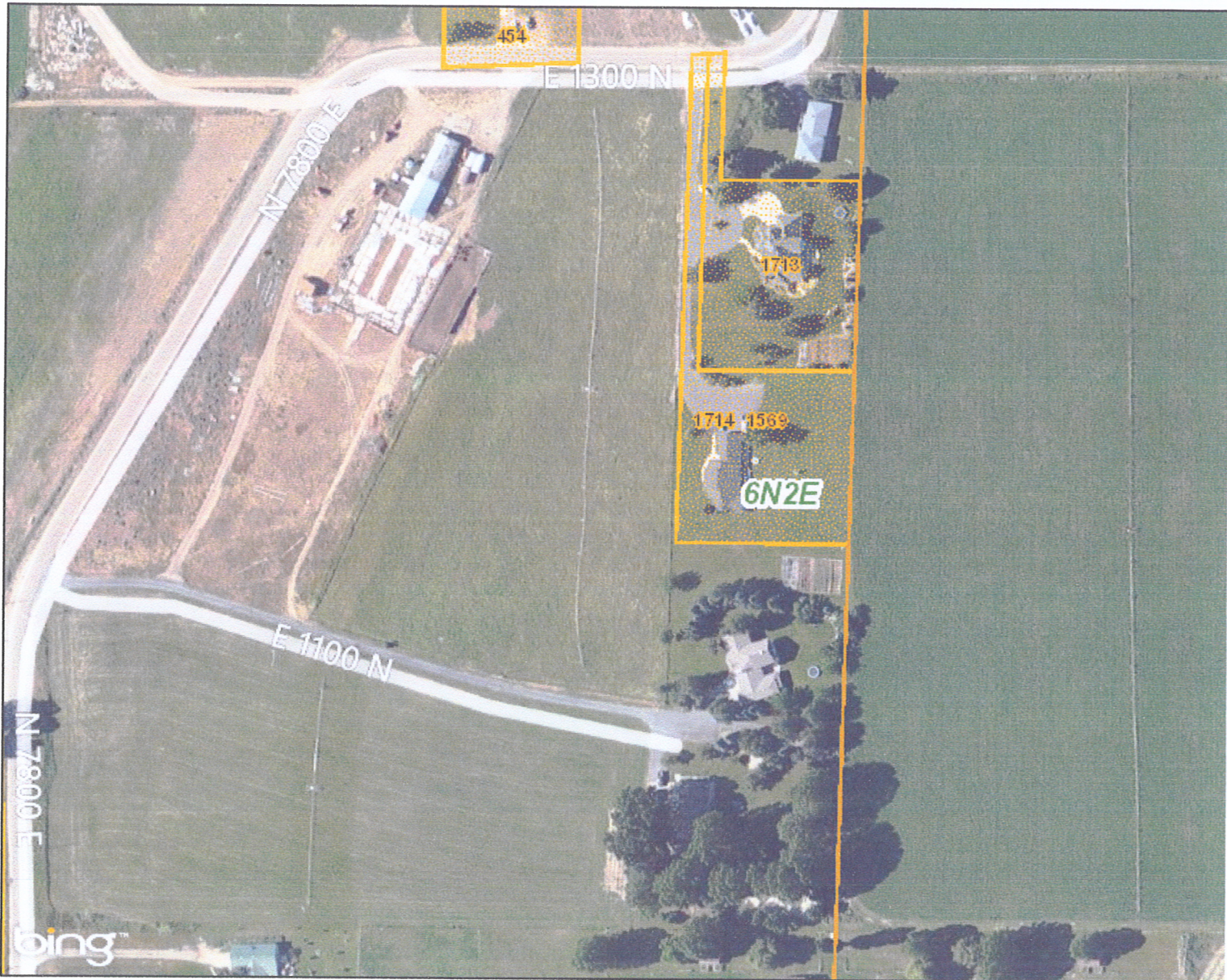
THESE PLANS ARE ISSUED FOR THE CONSTRUCTION OF ONE BUILDING LISTED IN THE PROJECT AREA ON EACH SHEET. PLEASE REPORT UNAUTHORIZED USE.















Google earth

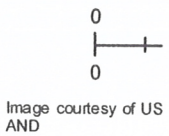


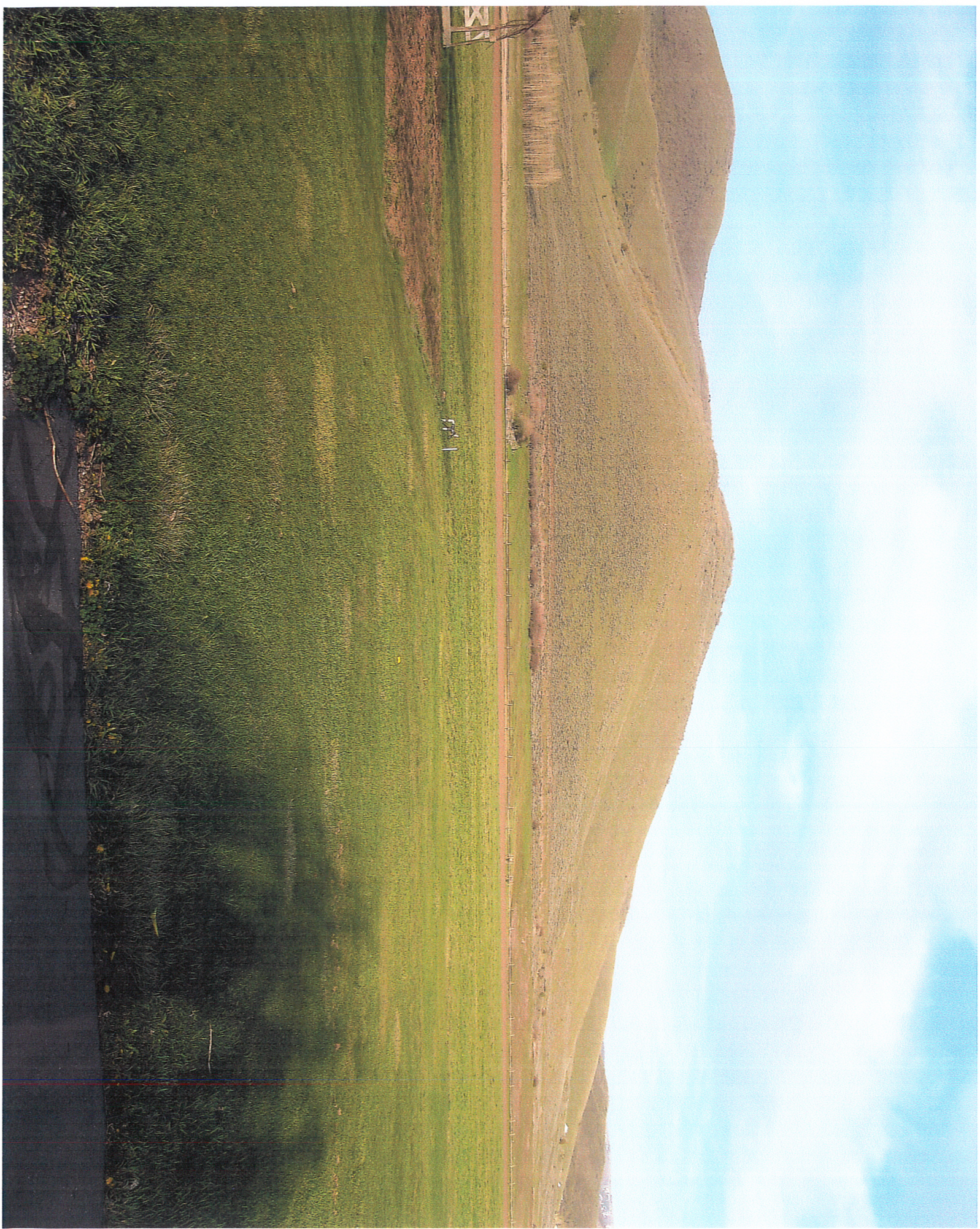
Larry and Denise Montgomery



April 2, 2013

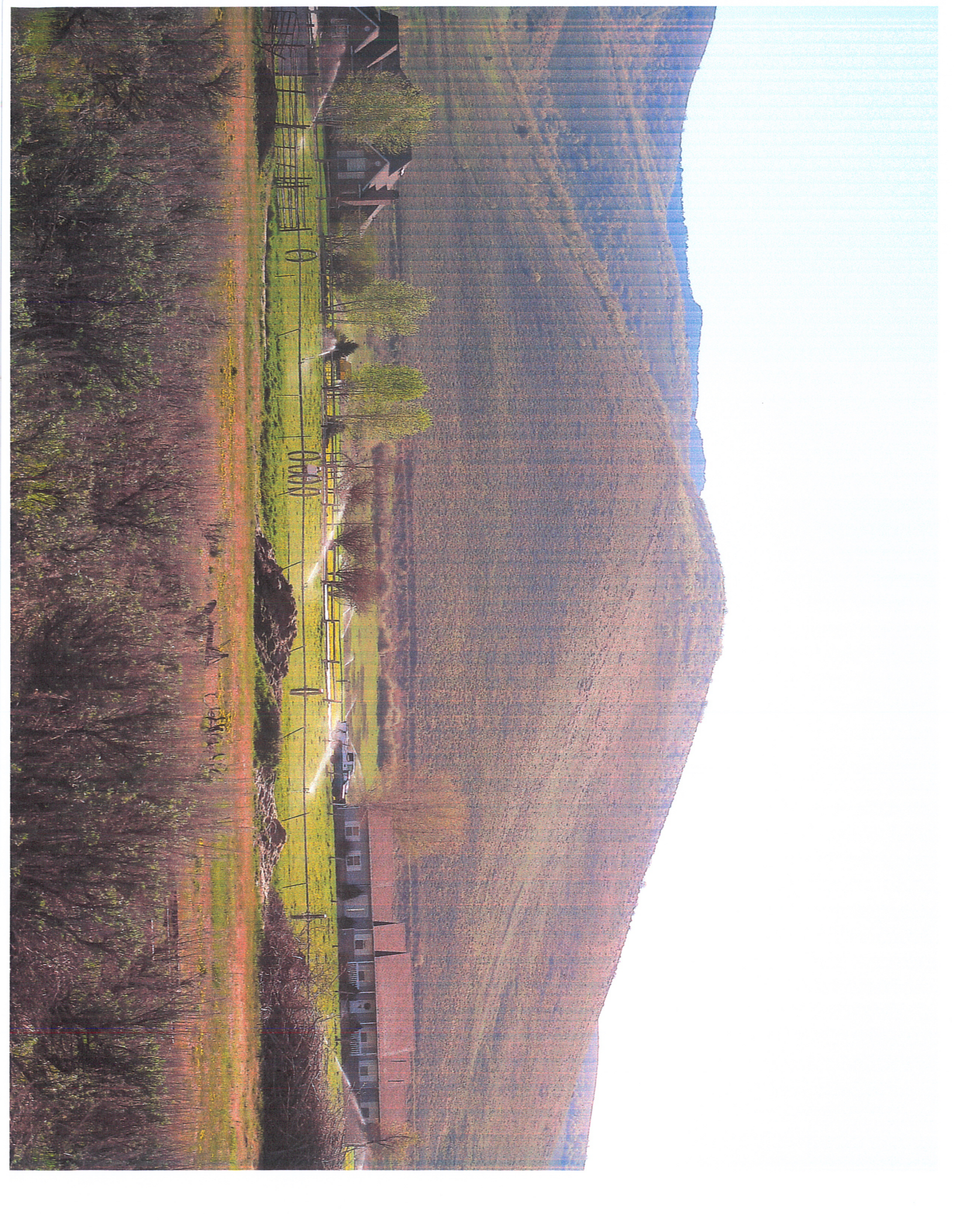
- | | | | | | | | |
|---|------------------|---|------------------------|---|---------------|---|----------------|
|  | Benchmarks |  | Surveyed Section Lines |  | Property Area |  | Corridor Point |
|  | Section Corners |  | Property Point |  | Utility Line |  | Corridor Line |
|  | Street Monuments |  | Property Line |  | Utility Area |  | Corridor Area |

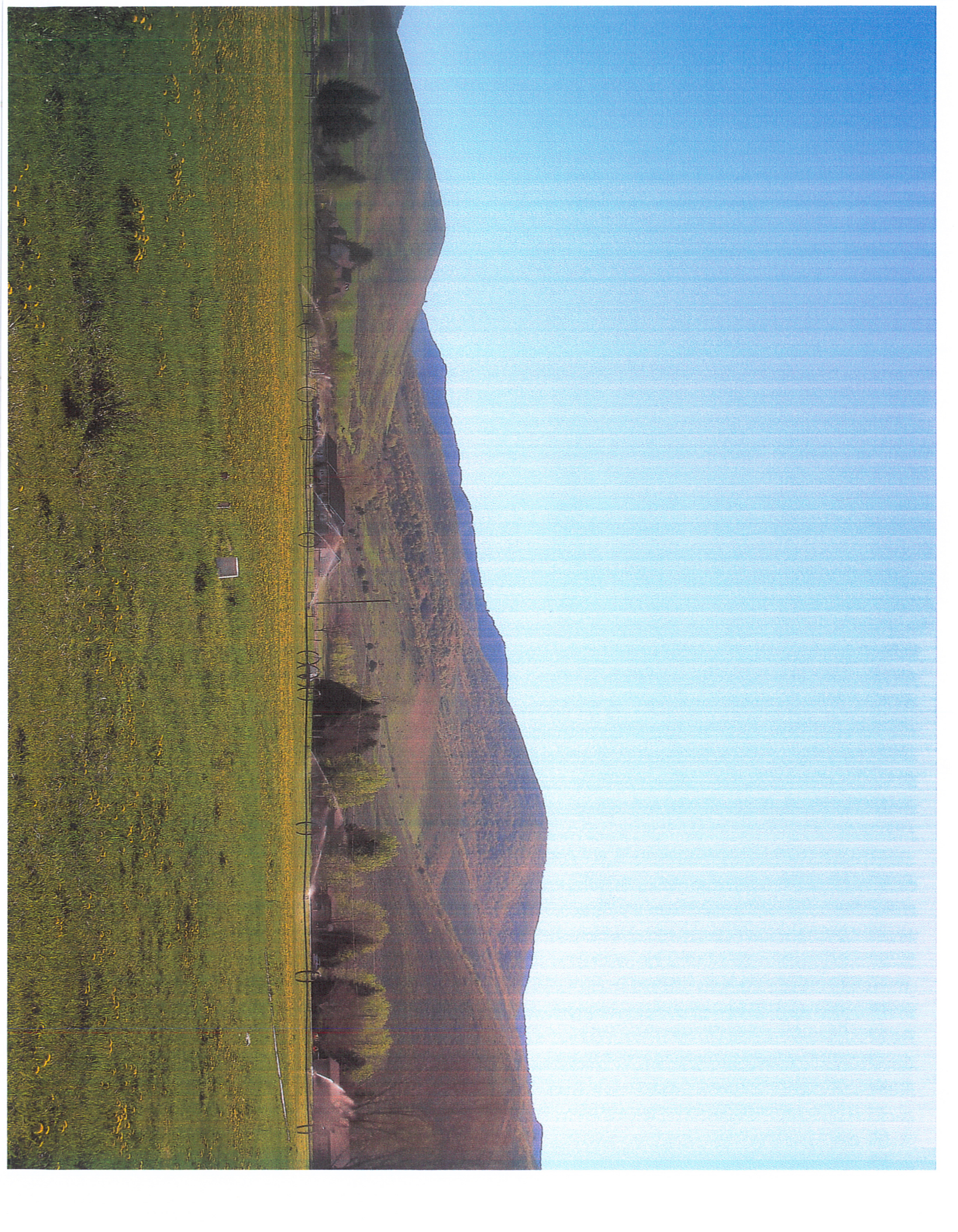




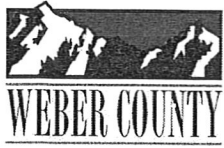












WEBER COUNTY CMS RECEIPTING SYSTEM OFFICIAL RECEIPT

*** REPRINT ***

Date: 10-MAY-2013

Receipt Nbr: 1842

ID# 11792

Employee / Department: ANGELA - 4181 - PLANNING
Monies Received From: DENISE MONTGOMERY
Template: PUBLIC WORKS
Description: BOA

The following amount of money has been received and allocated to the various accounts listed below:

Total Currency	\$	_____	.00
Total Coin	\$	_____	.00
Total Debit/Credit Card	\$	_____	.00
Pre-deposit	\$	_____	.00
Total Checks	\$	_____	225.00
Grand Total	\$	=====	225.00

Account Number	Account Name	Comments	Total
2013-08-4181-3419-0550-000	ZONING FEES		225.00
TOTAL \$			225.00

Check Amounts

225.00

Total Checks: 1

Total Check Amounts: \$ 225.00

*** SAVE THIS RECEIPT FOR YOUR RECORDS ***