

Weber County Conditional Use Permit Application

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

Date Submitted / Completed

6/25/2013

Fees (Office Use)

Receipt Number (Office Use)

File Number (Office Use)

CUP 2013-18

Property Owner Contact Information

Name of Property Owner(s)

THERESA Ellis-Anglesey

Mailing Address of Property Owner(s)

P.O. Box 1160
Eden, UT 84310

Phone

801.745.9490

Fax

—

Email Address (required)

TellisNo1@gmail.com

Preferred Method of Written Correspondence



Email



Fax



Mail

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)

Mailing Address of Authorized Person

Phone

Fax

Email Address

Preferred Method of Written Correspondence



Email



Fax



Mail

Property Information

Project Name

Total Acreage

Current Zoning

Approximate Address

Land Serial Number(s)

Proposed Use

Project Narrative

SEE ATTACHED

Basis for Issuance of Conditional Use Permit

Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.

See attached documents

That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

see attached documents

Property Owner Affidavit

I (We), Theresa Ellis Anglesey, 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.

Theresa Ellis Anglesey
(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)

Property Information 3230 North River Drive, Eden, UT 84310

Mailing address: PO Box 1160, Eden, UT 84310

Owner: Theresa Ellis-Anglesey

Project Name: Home sharing

Proposed use: Sharing home and second kitchen and expenses with others (rental): I am proposing to have a special use permit to use part of my basement space for extra people to share the living space in my home.

Narrative

22C-4 Criteria for Issuance of Conditional Use Permit

1. There are no anticipated detrimental effects of this proposed conditional use. There are no late night parties allowed on the premises.

2. Proposed use to comply with the regulations and conditions in the Zoning Ordinances: 42-2 1.) The apartment has common walls, roof and common floor with the principal dwelling. The interior stairs that lead upstairs is closed off by a door. The outward appearance is similar in design of the principal dwelling. There is only one mailbox and one set of utilities on the property.

2.) The floor area of the shared living space is approximately 651 square feet, and has only 2 bedrooms.

3.) The apartment is located inside main dwelling and has a walkout basement entrance.

4.) The apartment has one separate external door access located on the side of main dwelling toward the rear.

5.) The apartment has a full bath, electric panel with separate disconnect, separate phone service and kitchen facilities.

6.) There is a cement pad and asphalt double wide driveway for two additional designated parking spaces, with additional off-street parking.

42-3 The owner occupies the principal dwelling premises at all times.

42-4 See photographs included.

42-5 Owner understands the intent of affordable housing in Weber County.

With regard to the Special Permit DR 2010-07 for Lodestar Productions and Business License #2084, see the documentation for Special Conditional use for teaching clientele in the home.

It is labeled on the Basement as "Lodestar teaching area". The access door for walkout basement is also used by sharing guests (renter). The living area is not shaded on the basement plot. There has rarely been any need for visiting clientele to ever park in off street areas. There has never been very much traffic from the music students as most are meeting infrequently and meet one on one, for short periods of time.



December 7, 2010

ENGINEERING/
BUILDING INSPECTION

Curtis Christensen
County Engineer



Building Inspections
(801) 399-8374

Business License
(801) 399-8374

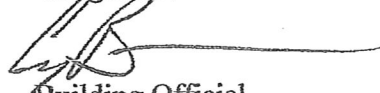
Engineering
(801) 399-8371

Re: Lodestar Productions DR 2010-07

After a review of the application the following will need to be considered in the approval of a business license. The 2009 International Building Code will only allow for 20 occupants in this area this will include students, teachers, parents, etc.

Please feel free to contact me with any Questions

Craig Browne



Building Official
Weber County

Engineering/
Building Inspection
2380 Washington Blvd., Ste. 240
Ogden, Utah 84401-3113
(801) 399-8371
FAX (801) 399-8862



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Weber County Planning Division

Design Review Notice of Approval

Design Review Case Number: DR 2010-07
Applicant: Theresa Ellis
Date Submitted: 09/23/2010
Administrative Hearing Date: 11/21/2010
Land Serial Number: 22-068 - 0001
Approximate Address: 3230 North River Drive, Eden
Planning Division Staff Review: Iris Hennon

Background

The applicant is requesting approval of a home occupation providing music lessons and classes with visiting clientele in the home. Home occupations with visiting clientele are allowed as permitted uses in the AV-3 Zone. Chapter 31 of the Weber County Zoning Ordinance allows the Planning Director to grant administrative approval of home occupations with visiting clientele if the proposed use complies with the standards and requirements of the Zoning Ordinance.

The proposed music classes are located in the basement of a single family dwelling at 3230 North River Drive lot one of Eden Hills Subdivision.. The music classes will occupy approximately 400 square feet in the dwelling. Two classes are taught weekday afternoons and on an occasional evening for performance . progress reports for the families of students participating in the program. Each class will have no more than 6-10 students and lasts for one hour.

There are no signs or other exterior or interior alterations associated with this home occupation and it does comply with applicable standards and requirements, including adequate off-street parking. Chapter 34 (Home Occupation) requires home occupations with visiting clientele to provide adequate off-street parking for the intended use. Based on the maximum class size of 6-10 students, staff has determined that at least four (4) off-street parking spaces should be provided. This number accounts for students who may car pool or walk.

The Weber County Building Inspection Division has a concern with the number of children in the home and has recommended a maximum of eight (8) children at one time. Otherwise, the home would have to meet the Americans with Disabilities Act (ADA) standards and a change of occupancy would be required. Upon contacting the applicant with staff's concerns about this issue, this application was put on hold and Ms. Theresa Ellis Anglesey, submitted an application on September 23rd to supplement the location of

Firefly Music Academy to her home 3230 North River Drive she will take any children over the allowable use (8) students, and parking will be split between both homes, the parking congestion will no longer be an issue Ms. Anglesey will only use the driveway and concrete pad not the meadow for off street parking. The Weber Fire District is requiring a ZA10BC fire extinguisher for this use.

Planning Division Review

- **Are the applicable requirements of the Weber County Zoning Ordinance Chapter 34 (Home Occupations) complete?**

As part of the application review and agency review process, staff has determined that the applicable requirements of the Weber County Zoning Ordinance Chapter 34 (Home Occupations) have been complied with and are complete including:

- The occupation is limited to persons who actually reside on the premises.
 - The occupation does not require interior or exterior alterations and has retained the general character and appearance of a residential dwelling.
 - The home occupation does not include more than 400 square feet.
 - The occupation does not use any space in an attached or unattached garage, accessory building, yard or any space on the premises outside of the dwelling.
 - The occupation is only operated on a part time basis and complies with the hours of operation.
- **Are review agency conditions and requirements complete?**

This Home Occupation Design Review Application was reviewed by four County agencies. The following review agency conditions of approval must be addressed prior to issuance of a business license:

Weber County Engineering Division: No comments.

Weber Fire District: A ZA10BC fire extinguisher is required in the home.

Weber County Building Inspection Division: A building permit for a change of occupancy is required if total occupancy of the dwelling exceeds eight individuals.

Weber County Health Department: No comments.

- **Are additional conditions or requirements necessary for approval of this Design Review?**

Based on site inspections and review agency comments, staff has determined that there are no additional conditions or requirements necessary for approval of this Design Review other than those listed above. All of the review agency requirements must be followed and completed prior to a business license being issued.

Public Works Department
Receipts Retrieval

INSP190

Enter Receipt Nbr:

*** Press Up or Down Arrow to Retrieve Next or Prior Receipt ***

Receipt Nbr: 20120

Receipt Date: 23-Sep-2010

Check Nbr: 2737

Check: \$120.00

Currency:

Coin:

Employee ID: CDB NAME NOT ON TABLE

Credit Card:

Received From: LODESTAR PRODUCTIONS INC

Total Amount Received: \$120.00

Description: BUSINESS LICENSE AND ZONING

Receipt Amount: \$120.00

***** Account Number *****

						Description	Amount
2010	01	3210	4241	0000	000	BUSINESS LICENSE	\$35.00
2010	01	3419	4181	0550	000	ZONING FEES	\$85.00

Accounts Total \$120.00

Date Deposited: 24-SEP-2010

Cancel - Start Again

Exit (Esc.)

Planning Division Findings

- The application was deemed complete on October 25, 2010.
- The requirements of Chapter 34 (Home Occupation) have been complied with as listed previously.
- Staff has visited the site and inspected the driveway for parking feasibility.
- Staff has determined that no additional conditions or requirements are necessary beyond the Weber Fire District and Weber County Building Inspection requirements.

Based upon the findings listed above, Design Review 2010-07 is hereby approved.

Date of Design Review Approval: November 19, 2010

Robert O. Scott
Weber County Planning Director

Exhibits

- A. Aerial view of home and driveway.



Weber County

CHECK #
0792

Weber County Planning Division
www.co.weber.ut.us/planning
2380 Washington Blvd., Suite 240
Ogden, Utah 84401-1473
Voice: (801) 399-8791
Fax: (801) 399-8862

Conditional Use Permit Application

A conditional use application is required for conditional uses listed in the Weber County Zoning Ordinance zone regulations. This Conditional Use application identifies submittal requirements and processes for each desired conditional use.

22C-2. Conditional Use Permit

A Conditional Use Permit shall be required for all uses listed as Conditional Uses in the zoning regulations.

The applicant of a conditional use proposal shall be the recorded owner(s) or an authorized agent. The applicant must demonstrate that the contemplated use is compatible with the zoning ordinance standards and that the use would be essential or desirable to the public convenience or welfare in that area, that it will not impair the integrity and character of the surrounding property, or that the use can be made compatible by imposing conditions. These conditions may include, but are not limited to, the size, shape, location and topography of the site, the hours and days of operation, how to minimize environmental impacts such as noise and air pollution, location of vehicle access points, outdoor lighting, landscaping standards, fencing, water and wildlife protection, etc.

A pre-application meeting is required prior to application submittal; please call (801) 399-8791 to make an appointment. Date of pre-application review meeting: _____ Time: _____

- Staff member assigned to process application: _____

APPLICATION DEADLINE: Thirty (30) days prior to the applicable Planning Commission meeting

The Western Weber County Township Planning Commission holds their meetings on the 2nd Tuesday of the month.

The Ogden Valley Township Planning Commission holds their meetings on the 4th Tuesday of the month.

Application Submittal Checklist

The Planning Division will only accept complete applications with supporting documents as outlined below. Submitting an application does not guarantee that this application will be placed on the next Planning Commission agenda.

The following is required as part of the application form submittal:

- ☐ Complete Application Form
- ☐ A non-refundable fee made payable to Weber County (See *Fee Schedule*)
- ☐ Obtain signature of the owner(s) on the application and any authorized representatives
- ☐ 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 files of the respective plans.



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- ☐ A site plan showing details and other requirements as outlined in the Weber County Zoning Ordinance Chapter 22C (Conditional Uses) Chapter 36 (Design Review), Chapter 24 (Parking and Loading Spaces), Chapter 25 (Motor Vehicle Access) Chapter 18C (Architectural, Landscape and Screening Design Standards).
- ☐ Written information demonstrating how the proposed conditional use permit meets the criteria found in 22C-4 and other review criteria (see *Review Criteria*).
- ☐ Culinary water and waste water letter

Fee Schedule

Property Zoning AV3 Fee Required 225

- Conditional Use Permit (Buildings less than 5,000 sq. ft.) in any Forest, Shoreline, Agricultural, Residential, Mobile Home Park, Gravel, Commercial, or Manufacturing Zone \$225
- Conditional Use Permit (Buildings 5,000 sq. ft. or greater) in any Forest, Shoreline, Agricultural, Residential, Mobile Home Park, Gravel, Commercial, or Manufacturing Zone \$225 + \$15 per 1,000 sq. ft.
- Conditional Use Permit for Planned Residential Unit Development (P.R.U.D.) \$500
- Conditional Use Amendments \$125

Purpose and Intent of Conditional Uses

The purpose and intent of Conditional Uses is to provide for additional review of uses to ensure compatible integration with the surrounding area.

Review Criteria

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use based on findings of fact with respect to each of the following criteria found in the Weber County Zoning Ordinance 22C-5-1-5 as follows:

22C-4. Criteria for Issuance of Conditional Use Permit

The Planning Commission shall not authorize a Conditional Use Permit unless evidence is presented to establish:

1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.
2. That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.



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Appeal Process

The decision of the Planning Commission may be appealed to the County Commission by filing such appeal within 15 days after the date of the decision of the Planning Commission.

The County Commission may uphold or reverse the decision of the Planning Commission and impose any additional conditions that it may deem necessary in granting an appeal. The decision of the County Commission shall be final.

For Your Information

Other Weber County Zoning Ordinance chapter requirements may apply to this Conditional Use as determined in the pre-application meeting.

Unless there is substantial action under a Conditional Use permit within a maximum period of one (1) year of its issuance, the Conditional Use Permit shall expire. The Planning Commission may grant a maximum extension of six (6) months under exceptional circumstances. Upon expiration of any extension of time granted by the Planning Commission, or failure to complete all conditions and requirements of the Conditional Use Permit within an eighteen (18) month period of time, the approval for the Conditional Use Permit shall expire and become null and void.

When an approved Conditional Use has been discontinued and/or abandoned for a period of one (1) year, the Conditional Use Permit becomes null and void. In order to restore the Conditional Use, a new application shall be filed for review and consideration by the Planning Commission.

This application can be filled out online at the following Planning Division web site: www.co.weber.ut.us/planning. Copies of the applicable Weber County Zoning Ordinances and other helpful information are also available at this web site.



WEBER COUNTY CMS RECEIPTING SYSTEM
OFFICIAL RECEIPT

cms314a
Page 1 of 1

*** Save this receipt for your records ***

Date: 26-JUN-2013

Receipt Nbr: 1952

ID# 12866

Employee / Department: ANGELA - 4181 - PLANNING

Monies Received From: THERESA ELLIS ANGLESEY

Template: PUBLIC WORKS

Description: CUP

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 ***