

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 8.28.13	Fees (Office Use) \$225.00	Receipt Number (Office Use)	File Number (Office Use)
--	--------------------------------------	-----------------------------	--------------------------

Property Owner Contact Information

Name of Property Owner(s) Tracy + Sherie Frehner		Mailing Address of Property Owner(s) 48 S. 100 East Brigham City, UT 84302	
Phone 801-628-4045	Fax 435-734-0103		
Email Address Sherie@mesa-ae.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)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Appeal Request

- 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
- 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
- Other: _____

Property Information

Approximate Address 1306 N. Maple Dr. Huntsville, UT		Land Serial Number(s) 210850005	
Current Zoning F-5 and F-40			
Existing Measurements		Required Measurements (Office Use)	
Lot Area 2.995 Acre	Lot Frontage/Width	Lot Size (Office Use)	Lot Frontage/Width (Office Use)
Front Yard Setback 75'-0"	Rear Yard Setback 50'-0"	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)
Side Yard Setback 40'-0"	Side Yard Setback 40'-0"	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)

Applicant Narrative

Please explain your request.

Lot 101 Green Hills Subdivision, Huntsville is zoned FS and F40. The F40 zoning boundary requires a
75' front setback
50' rear setback
40' side yard setback

We are requesting a variance of
65'-0" on front setback
30'-0" on side setback (north)

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.

With the current F40 setbacks required, there is not enough square footage available to put a dwelling on this lot. This creates an unreasonable hardship to build a single family dwelling, which is the general purpose of the plan. You will note from the attached topographical survey, the extreme slope of this lot dictates a home to be located on the upper NE location of the property which is zoned F40. See sheet C1 attached outlining the FS and F40 setbacks on the property.

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.

All other building lots below Lot 101 are zoned F5, and all other lots are larger than Lot 101. The F40 zoning line crosses the NE portion of the property therefore, not giving the same requirements as the rest of the subdivision. We are then deprived of adequate buildable space to place a home on this lot.

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.

Granting of this variance enables us to enjoy the same privileges as the rest of the subdivision. This variance is essential in order to place a home on this lot. See the attached proposed site plan from the Architect.

Variance Request (continued...)

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

The hardships described are not self-imposed. As described, the hardships of building on this property is a result of the zoning requirements.

Property Owner Affidavit

I (We), Tracy - Sherie Frehner, 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.

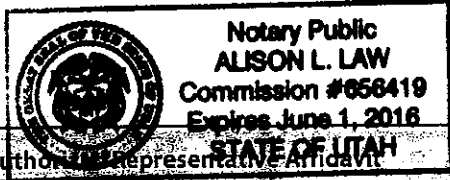
[Signature of Tracy - Sherie Frehner]

(Property Owner)

[Signature]

(Property Owner)

Subscribed and sworn to me this 27 day of August, 2013



[Signature of Alison L. Law]

(Notary)

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)