

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 3/19/14	Fees (Office Use) \$225.00	Receipt Number (Office Use) 2879	File Number (Office Use) 2014-4
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Property Owner Contact Information

Name of Property Owner(s) ZACH TANNER BLUESPRUCE INVESTMENTS LLC.		Mailing Address of Property Owner(s) 1744 E. 24th ST. OGDEN, UT. 84401	
Phone 801-391-8964	Fax		
Email Address AZTANNER@COMCAST-NET.		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) STAN BOOTH.		Mailing Address of Authorized Person 2451 OAK FOREST DR. LAYTON, UT. 84040.	
Phone 801-668-8008	Fax		
Email Address SB84321@aol.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

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FOR MIRADI

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 CORNER (S,W) 5950S WOODLAND DR. 2575 E. WOODLAND DR. OGDEN UT.	Land Serial Number(s) 070890010
Current Zoning R-20	84403

Existing Measurements		Required Measurements (Office Use)	
Lot Area 19,978 sqft.	Lot Frontage/Width 132'	Lot Size (Office Use)	Lot Frontage/Width (Office Use)
Front Yard Setback 30'	Rear Yard Setback 30'	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)
Side Yard Setback FACING STREET - 20'	Side Yard Setback 10' MIN W/ TOTAL	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)

OR 2 SIDE YARDS
NOT LESS THAN 24'

Variance Request (continued...)

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

Property Owner Affidavit

I (We), Bluegrass Investments LLC, 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.

H. Jack Tanner (partner)
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 19 day of MAR, 20 14

(Notary)

Authorized Representative Affidavit

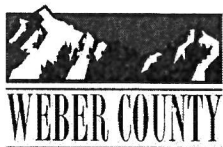
I (We), Bluegrass Investments LLC, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), STAN BOOTH, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in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

H. Jack Tanner LLC
(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)



WEBER COUNTY CMS RECEIPTING SYSTEM
OFFICIAL RECEIPT

*** REPRINT ***

Date: 19-MAR-2014

Receipt Nbr: 2879

ID# 19040

Employee / Department: ANGELA - 4181 - PLANNING
Monies Received From: ZACH TANNER
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
2014-08-4181-3419-0550-000	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 ***

VARIANCE REQUEST

TO; WEBER COUNTY BOARD OF ADJUSTMENTS

FROM; BLUE SPRUCE INVESTMENTS LLC.

APPLICANT NARRATIVE

The lot in question, on the corner of 5950 S Woodland Dr., is directly adjacent to the well known "ROCK IN THE MIDDLE OF THE ROAD". We are proposing a change to the radius of this corner, (see Woodland Estates Subdivision-Unit 2-2nd. Amendment), and dedicating 149 SqFt. to the county to make this cramped and unsafe roadway substantially safer for snow removal, vehicle passage and future curb, gutter & sidewalk for safer pedestrian travel (see exhibit A). We've consulted the County engineer with this proposal and he is supportive to this dedication of land as being a huge benefit to the public. This is certainly a unique situation, where else, in Weber Co., is there a giant boulder in the middle of the road substantially limiting safe and adequate usage. The dedication of land on the corner will not exceed 149 SqFt. but will make a substantial positive difference for the public.

We are asking for an overall variance that will not exceed 171 SqFt. This is to include the 149 SqFt. for the corner and an additional 22 sqft. , the small amount the lot is short of being a legal building lot.

VARIANCE REQUEST

Due to the special and UNIQUE circumstances of this "ROCK IN THE MIDDLE OF THE ROAD" and lot owner's willingness to dedicate 149 SqFt. to the county, which would allow more room for snow removal, vehicle passage, curb, gutter and sidewalk for safe pedestrian travel, the lot owner is requesting an overall variance to allow this reduced lot area as a legal building lot. This variance would be a huge benefit to the public and is supported by the County Engineer. By strictly adhering to the letter of the law would unquestionably cause an undue hardship to the lot owners who purchased the lot as a legal building lot and have been paying taxes as such ever since. The lot is easily large enough to accommodate most any house plans, certainly as well as any other 20,000 sq.ft. lot and well within parameters of current set backs.

Blue Spruce Investments Inc. are requesting a variance to the R-20 zoning their lot is in. They are asking the Board of Adjustments to allow their lot on the corner of 5950 S Woodland Dr to be considered a legal building lot. In doing so, they are offering to dedicate 149 sqft of their land to the county to create more space on the corner of 5950 S & Woodland Dr, (directly adjacent to THE ROCK IN THE MIDDLE OF THE ROAD)

The 5 criteria that needs to be met in order for the Board of Adjustments to grant a variance.

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. The unreasonable hardship associated with this particular lot is an inability to put a home on the lot due to the R-20 zoning. The circumstances peculiar to the property is the large rock in the middle of the road directly adjacent to the property. The applicant is offering to dedicate a portion of this lot, (not to exceed 149 SqFt.) directly adjacent to the rock, to the county, (see Woodland Estates Subdivision-Unit 2-2nd. Amendment). This extra surface area would give the county more, needed, room for snow removal, vehicle passage, future curb & gutter and sidewalk for safer pedestrian travel. The plan, supported by the Co. engineer, would substantially benefit the public and is unique to this particular property. It is the only lot that can offer these specific benefits to the neighborhood.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone.
 - a. This is obviously a unique situation. Where else in Weber Co. is there a massive boulder in the middle of the road that substantially restricts the passage of cars, bikes and pedestrians'.
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.
 - a. Absolutely, the right of home ownership. There is currently an offer in on the property and the buyers are very anxious to get started on building their home. They have plans that have been designed specifically for the property.
4. The variance will not substantially affect the general plan and will not be contrary to the public interest.
 - a. This variance we have requested will in no way substantially affect the general plan, on the contrary, it will greatly enhance the flow of the motorized travel, snow removal, pedestrian travel and general health and safety of the neighborhood. The general plan intended the lot to have a home on it and the variance will allow this.
5. The spirit of the land use ordinance is observed and substantial justice done.
 - a. The spirit of the land use ordinance will certainly be observed, that of being a residential lot with a home on it and substantial justice will be done in the fact that the whole community using this road will be much better served by having the extra space for the good and safety of the neighborhood.

EXHIBIT A
(3 photographs)

