

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 4/29/15	Fees (Office Use) \$225.00	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) Paul Fifield		Mailing Address of Property Owner(s) 400 Ogden Canyon & 398 Ogden Canyon	
Phone 801-393-6229	Fax		
Email Address pals-oc@comcast.net		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input checked="" type="checkbox"/> cell 801-721-9118	

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Same		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 398 and 400 Ogden Canyon	Land Serial Number(s) 20-028-0028 (Deckman) 20-028-0016 (Fifield)
Current Zoning FR-1	

Existing Measurements		Required Measurements (Office Use)	
16-A		16-B	
Lot Area 0.123	Lot Frontage/Width 50.17 91.59	Lot Size (Office Use) 1 Acre	Lot Frontage/Width (Office Use) 150 feet
Front Yard Setback 57.120	Rear Yard Setback 32.41	Front Yard Setback (Office Use) 30 feet	Rear Yard Setback (Office Use) 30 feet
Side Yard Setback 17.33	Side Yard Setback 7.0	Side Yard Setback (Office Use) 20 feet	Side Yard Setback (Office Use) 20 feet

Applicant Narrative

Please explain your request.

See submitted Narrative of 2004 Survey.

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.

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), _____, 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.

Paul Fifield
(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)

As owners of Lots 16A (Deckman) and 16B (Fifield) of the Hermitage Subdivision we are requesting an approval of a variance to the standards of the Weber County Land Use Code regarding setbacks (front, rear, and side), width, and area.

Although we respect the zoning standards that are being set within the community, we feel that there are circumstances found with these lots that are unique to the history of the homes and property. They are atypical to the zoning standards and existed in part prior to the establishment of these standards.

The homes on Lots 16A (1922) and 16B (1933) were first built and part of the original development of the Hermitage Hotel and Resort and were both on Lot 16. By 1966 the two homes had been separated roughly in half into two properties.

A survey was conducted of Lot 16A in 2001 prior to the sale of the home, in which showed the common lot line between the two lots to be through a portion of the home on Lot 16B. This was alarming to both owners who sought litigation to resolve the discrepancy. A separate surveyor was consulted, who worked with county officials in determining a resolution. The two owners eventually agreed to a Boundary Adjustment of Lot 16, Hermitage Subdivision in October of 2004. This new survey creatively adjusted the common lot line between the two homes trying to keep an equal distance from each homes.

Widths, setbacks, and lot areas were assumed based on the new configuration. The sale of the home was then conducted, and both parties have been satisfied with the arrangement for the past 11 years.

In the spring of 2015 the Weber County Planning Division staff researched Lot 16B and found no evidence resulting from our meetings of an approval from the Planning Division to reduce the area, width, and setbacks for these lots.

Thus we are requesting that due to the particular and unique circumstances of the properties, based on the historic and boundary conditions, a variance to the FR-1 Zone standards be considered. As owners we are satisfied with the current layout of our homes, yards, and access in regard to the reconfigured property boundaries.

Sincerely,

Paul Fifield Lot 16B

Andrew Deckman Lot 16A