

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 <i>12/15/15</i>	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) <i>Richard J. Vance, Jeffrey M. Callahan, Colby Keddington</i>		Mailing Address of Property Owner(s) <i>1031 N. Coyote Run, Saratoga Springs, UT 84045 198 E. Bay View Circle, Saratoga Springs, UT 84045 6708 Cyclamen Drive, West Jordan, UT 84081</i>	
Phone <i>801-971-0131 801-230-1511 801-759-1151</i>	Fax <i>801-955-1393</i>	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <i>jcallahan83@hotmail.com rvance25@gmail.com rcolbyk@gmail.com</i>			

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 variance request:

Lot area
 Yard setback
 ___ Frontage width
 ___ Other: _____

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 <i>940 & 942 Ogden Canyon Ogden, UT 84401</i>	Land Serial Number(s) <i>200190003 200190004 200190005</i>
Current Zoning	

Existing Measurements		Required Measurements (Office Use)	
Lot Area <i>See plats</i>	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.

See explanation letter

Variance Request

The Board of Adjustment may grant a variance only if the following five criteria are met. Please explain how this variance request meets the following five criteria:

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. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

b. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.

See Letter attached

Variance Request (continued...)

2. There are special circumstances attached to the property that do not generally apply to the other properties in the same zone.

a. In determining whether there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.

Please describe the special circumstances attached to the property that do not generally apply to the other properties in the same zone:

See attached letters

3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

See attached letters

Variance Request (continued...)

4. The variance will not substantially affect the general plan and will not be contrary to the public interest.

See attached letters

5. The spirit of the land use ordinance is observed and substantial justice done.

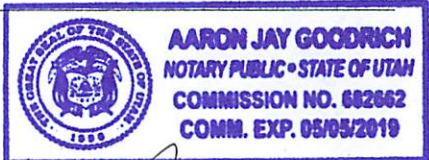
See attached letters

Property Owner Affidavit

I (We), Jeffrey M Callahan, Richard J Vance, and Colby Keddington 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]
(Property Owner)
[Signature]

[Signature]
(Property Owner)



Subscribed and sworn to me this 15th day of December, 20 15

[Signature]
(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)

Narrative)

Our request for variance(s) on our parcels, ID#200190003, ID#200190004, and ID#200190005 is for the sole purpose of recognizing the parcel as a valid approved lot so we can obtain a rebuild letter. Parcel ID#200190003 is owned by Jeffrey Callahan and Richard Vance. Parcels ID#200190004 and ID#200190005 are owned by Coldy Keddington. Currently they are considered to be the same property. We are not seeking a permit for improvements or additions. The intent of the rebuild letter is to allow a valid appraisal to be done and approved which is necessary to obtain a mortgage lien on the property. Our parcels are currently not recognized as their own parcels. They do not enjoy the same rights and privileges that the neighboring properties do. The use and purpose are the exact same as the other properties, but they are not legally recognized as so. Since construction in the 1920's, this community has passed through different ownership. Each new owner has done their own plats and surveys and have adjusted property lines and/or parcels to their liking. Reviewing the history of the area, there has never been any consistency in the surveys, plats, or parcel lines. We had a meeting with Charlie Ewert in the Weber County Planning Commission, and even he is confused with what is going on in this area. The Planning Commission has different information than the Recorder's Office, and the Assessor's Office has additional information that contradicts what the other two departments have. Granting of our variance will FINALLY bring clarity to the issues of this community. The intent of this variance is to recognize these homes and parcels as individual, independent parcels. We have responded to the five criteria necessary for a variance below. Please review them for more details.

Question 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.

Response 1)

Literal enforcement causes an unreasonable hardship on the property in such that we are unable to obtain a rebuild letter due to the property not being considered a valid parcel. The enforcement significantly reduces the value in the property as per the property can't obtain permits for improvements or repairs in the event of a loss or catastrophe. It will not be allowed to have mortgage liens taken against it which burdens the sale of the property and it would not be allowed to obtain permits to repair the structure if it were damaged. The adjoining properties in the community enjoy the right to being recognized as individual, approved parcels and therefore have the availability to obtain permits and/or rebuild letters. The neighboring properties are similar to this property and are used for the exact same purposes as our property. Granting the variance allows this property to enjoy all of the same rights the neighboring parcels do. Granting the variance will not affect the purpose of this zoning ordinance. The request is not to change anything on the property, but to merely legally recognize what currently exists on the property. In fact, it would be beneficial to the community as a whole.

Question 2) There are special circumstances attached to the property that do not generally apply to the other properties in the same zone.

Response 2)

As mentioned above, this property's circumstances are unique in that it is not recognized as it's on unique parcel. It is shared with two different homes that are owned independently. One is owned by Mr. Colby Keddington and the other by Mr. Jeffrey Callahan and Mr. Richard Vance. All of the property in this community had problems and concerns years ago with property lines, parcels, and zoning. For some reason, when the county approved a subdivision these two homes were not subdivided like the others. Therefore, it left the property in a unique situation unlike the neighboring parcels.

Question 3) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

Response 3)

Granting of the variance is essential to the enjoyment of this property so it has all of the same rights that as the remaining property in the neighborhood. The other property owners have the right to permits, rebuild letters, and have the ability to take mortgage liens against their properties when this property currently does not possess the same rights.

Question 4) The variance will not substantially affect the general plan and will not be contrary to the public interest.

Response 4)

The variance will not affect the general plan of the neighborhood and will not be contrary to the public interest. It will only allow the property the same rights that the other neighborhood properties currently enjoy. In fact, it might possibly benefit the public interest in the instance that the property value increases and the can have mortgage liens taken against it. This allows for more enjoyment for the homeowner which in turn increases pride of ownership which follows up with better care of the property. We have worked very hard on turning this home and property (which was an unsightly thing to see a few years ago) into a beautiful piece of land which benefits the community as a whole.

Question 5) The spirit of the land use ordinance is observed and substantial justice done.

Response 5)

The spirit of the land use ordinance will be observed and substantial justice will be done. The land will be granted all of the same rights as the neighboring property and the property is a beautiful addition to an already amazing community. It is a win/win for everyone.

WEBER COUNTY TAXPAYER REPORT

LSN: 20-019-0003

# ADDRESS:	UNIT #	CITY:	LOT #	SITE NAME:	BUSINESS NAME:	IMP #
1 940 OGDEN CYN		OGDEN		Wilcox Camp		

STATUS: **A** ACCT TYPE: **IMPROVED** TTL AC: **0.22** REG: **1** PPT: **117** NPPT: **117 - RECREATIONAL IMP**

I M P R O V E M E N T S

IMPROVEMENT	IMP COST TYP: Residential	QUALITY: Average
IMP#: 1	IMP DESC: CB	CONDITION: Average
	IMP SF: 1914	% COMPLETE: 100%

OCCUPANCY

OCC CODE: 111 OCC DESC: Sngl Fam Res ABST CODE: **RS** PCT CMPLT: 100%

BUILT AS IMP#: 1

CLASS:	STRY HGT: 8	BLT AS CODE: 91	SPRINKLER SF:	BLT AS#: 1
EXTERIOR: Frame Siding	BLTAS SF: 1914	BLT AS DESC: CB	ROOF COVER:	Formed Seam Metal
FOUNDATION: Conventional	YEAR BLT: 1935	HVAC TYP: Other	ROOF TYPE:	Gable
STORIES: 1.0	EFF YR BLT: 1984	HVAC %: 100%	FLOOR COVER:	Allowance

DETAILS

DETAIL TYPE:	DESCRIPTION:	UNITS:	QUALITY:	DESC DETACHED:
Appliance	Allowance	1	Semi-Modern	
Appliance	Fireplace Single	1	Metal Fireplace	
Fixture	Bath Full	1		
Garage	Attached	294		
Porch	Open Slab	24		
Porch	Wood Deck	240		
Rough In	Rough In	1		

ADD ONS

TYPE	CODE:	DESCRIPTION:	UNITS:	YEAR BUILT:	QUALITY:	%CMPLT:
Add On	1123	Storage - Shed	120	199	Average	100
Add On	1137	Masonry Trim	1			

A D D I T I O N A L I M P R O V E M E N T S

#: DESC: QUALITY: CONDITION: % C: ABST: CODE: BA DESC: CLS: EXTERIOR: HT: WT: LT: YB: EYB:

WEBER COUNTY TAXPAYER REPORT

LSN: 20-019-0004

#	ADDRESS:	UNIT #	CITY:	LOT #	SITE NAME:	BUSINESS NAME:	IMP #
1	942 W OGDEN CYN		OGDEN		Wilcox Camp		

STATUS: A ACCT TYPE: LAND TTL AC: 0.02 REG: 1 PPT: 999 NPPT: 999 - UNDEV

I M P R O V E M E N T S

A D D I T I O N A L I M P R O V E M E N T S

#:	DESC:	QUALITY:	CONDITION:	% C:	ABST:	CODE:	BA DESC:	CLS:	EXTERIOR:	HT:	WT:	LT:	YB:	EYB:
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WEBER COUNTY TAXPAYER REPORT

LSN: 20-019-0005

# ADDRESS:	UNIT #	CITY:	LOT #	SITE NAME:	BUSINESS NAME:	IMP #
1 946 OGDEN CYN		OGDEN		Wilcox Camp		

STATUS: **A** ACCT TYPE: **IMPROVED** TTL AC: **0.18** REG: **1** PPT: **117** NPPT: **997 - MULTIPLE RESIDENTIAL**

IMPROVEMENTS

IMPROVEMENT	IMP COST TYP: Residential	QUALITY: Average
IMP#: 1	IMP DESC: CB	CONDITION: Below Average
	IMP SF: 484	% COMPLETE: 100%

OCCUPANCY

OCC CODE: 111 OCC DESC: Sngl Fam Res ABST CODE: **RS** PCT CMPLT: 100%

BUILT AS						IMP#: 1
CLASS:	STRY HGT: 8	BLT AS CODE: 91	SPRINKLER SF:	BLT AS#: 1		
EXTERIOR: Frame Siding	BLTAS SF: 484	BLT AS DESC: CB	ROOF COVER: Formed Seam Metal			
FOUNDATION: Conventional	YEAR BLT: 1924	HVAC TYP: Other	ROOF TYPE: Gable			
STORIES: 1.0	EFF YR BLT: 1983	HVAC %: 100%	FLOOR COVER: Allowance			

DETAILS

DETAIL TYPE:	DESCRIPTION:	UNITS:	QUALITY:	DESC DETACHED:
Appliance	Allowance	1	Semi-Modern	
Appliance	Fireplace Single	1	Metal Fireplace	
Fixture	Bath Full	1		
Porch	Encl Solid Wall	48	Semi-Modern	
Rough In	Rough In	1		

ADD ONS

TYPE	CODE:	DESCRIPTION:	UNITS:	YEAR BUILT:	QUALITY:	%CMPLT:
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IMPROVEMENT	IMP COST TYP: Residential	QUALITY: Fair
IMP#: 2	IMP DESC: CB	CONDITION: Below Average
	IMP SF: 490	% COMPLETE: 100%

OCCUPANCY

OCC CODE: 111 OCC DESC: Sngl Fam Res ABST CODE: **RS** PCT CMPLT: 100%

BUILT AS						IMP#: 2
CLASS:	STRY HGT: 8	BLT AS CODE: 91	SPRINKLER SF:	BLT AS#: 1		
EXTERIOR: Frame Siding	BLTAS SF: 490	BLT AS DESC: CB	ROOF COVER: Composition Shingle			
FOUNDATION: Conventional	YEAR BLT: 1921	HVAC TYP: Other	ROOF TYPE: Gable			
STORIES: 1.0	EFF YR BLT: 1980	HVAC %: 100%	FLOOR COVER: Allowance			

DETAILS

DETAIL TYPE:	DESCRIPTION:	UNITS:	QUALITY:	DESC DETACHED:
Appliance	Allowance	1	Basic-Old/SY	
Appliance	Fireplace Single	1	METAL FP	
Fixture	Bath Full	1		
Porch	Open Slab	90		
Rough In	Rough In	1		

ADD ONS

TYPE	CODE:	DESCRIPTION:	UNITS:	YEAR BUILT:	QUALITY:	%CMPLT:
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ADDITIONAL IMPROVEMENTS

#: DESC: QUALITY: CONDITION: % C: ABST: CODE: BA DESC: CLS: EXTERIOR: HT: WT: LT: YB: EYB: