

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

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|---|-------------------------------|-----------------------------|--------------------------|
| Date Submitted / Completed 3/7/16 | Fees (Office Use) \$225.00 | Receipt Number (Office Use) | File Number (Office Use) |
|---|-------------------------------|-----------------------------|--------------------------|

Property Owner Contact Information

| | | | |
|--|-----|--|--|
| Name of Property Owner(s) Jim & Ally Depiano | | Mailing Address of Property Owner(s) 97 WEST RIDGE ROAD STOWE, UT 05672 | |
| Phone | Fax | | |
| Email Address glibbz97@gmail.com, jimdepiano@hotmail.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) JOE SADIAR | | Mailing Address of Authorized Person 1523 E SKYLINE DR. SUITE B OGDEN UT 84405 | |
| Phone 801-476-1860 | Fax | | |
| Email Address joe@habitationsrdg.com | | Preferred Method of Written Correspondence <input checked="" 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

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|--|-----------------------------------|---|---------------------------------|
| Approximate Address 6706 E. 6675 N. EDEN | | Land Serial Number(s) 22-110-0011 | |
| Current Zoning | | | |
| Existing Measurements | | Required Measurements (Office Use) | |
| Lot Area 9,505 SQ FT | Lot Frontage/Width ~87' | 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 24 COMB 10 MIN | Side Yard Setback ← | Side Yard Setback (Office Use) | Side Yard Setback (Office Use) |

Applicant Narrative

Please explain your request.

WE ARE REQUESTING A 12' FRONT SETBACK FROM THE PROPERTY LINE DUE TO A HARDSHIP ON THE LOT OF A STEEP SLOPE AND MOST IMPORTANTLY THERE IS A TRAIL/SKI RUN BASEMENT CROSSING THIS LOT WHICH REALLY CREATES AN ISSUE WITH BOTH THE DEPTH OF THE ALLOWABLE BUILDABLE AREA, THE GRADING, AS THE SKI RUN HAS BEEN BUILT UP & CAUSES ADDITIONAL DRAINAGE ISSUES FOR THE HOME. WE ARE REQUESTING A SHALLOWER FRONT SETBACK TO ALLOW THE HOME TO DRAIN, BE A DECENT DEPTH HOME & GIVE US A BIT OF SPACE OFF OF THE SKI RUN BUFFER.

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.

IN THIS PARTICULAR AREA THE DISTANCE FROM THE PROPERTY LINE FORWARD TO THE EDGE OF THE ROAD IS FURTHER THAN TYPICAL, AVG. APPX. 15' WEBER COUNTY PLANNING HAS MENTIONED THE FRONT SETBACK IS TO ASSIST & ALLOW FOR OFF STREET PARKING BESIDES THOSE AREAS ENCLOSED. WITH 15' IN FRONT OF THE PL & ANOTHER 12' FRONT SETBACK WE WILL HAVE ~ 27' OF OFF STREET/DRIVEWAY PARKING.

STRICT ADHERANCE TO THE FRONT SETBACK IN THIS AREA W/ THE SKI RUN IN THE REAR WOULD LIMIT THE DEPTH OF THE HOME TO APPX 30' WHICH REALLY DOESN'T ALLOW FOR A DECENT HOME DEPTH. THE STEEP SLOPE OF THE LOT ALSO CREATES A PARTICULAR HARDSHIP AS WE PUSH TO THE 25' FRONT SETBACK WE ARE AT ~16' ABOVE THE ELEVATION OF THE ROAD. IF WE CAN BRING THAT DOWN & SINK THE HOME OUR DRIVEWAY GRADE IS STEEP BUT MANAGEABLE. AS THE HOME GOES BACK THE SKI RUN CLIMBS STEEPER IN ELEVATION & CAUSES ADDITIONAL ISSUES W/ DRAINAGE & GRADING & BUFFER FROM SKIERS. ALLOWING THE SMALLER SETBACK ALLOWS THE HOME SPACE FOR DRAINAGE & RETENTION TO OCCUR AWAY FROM THE HOME.

WITH THE HOME BACK 25' ON THE STD. SETBACK & ANOTHER 15' FROM THE ROAD WE AT 40' FROM THE ROAD COULDN'T GET A DRIVEWAY TO FUNCTION WITH THE 16' OF RISE THAT OCCURS IN THE GRADE.

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.

VERY STEEP GRADE BUT MOST IMPORTANTLY NONE OF THE OTHER PROPERTIES HAVE THE SKI RUN CUTTING RIGHT THROUGH THEIR BUILDABLE AREA. ALL OTHER PROPERTIES CONTAINING THE EASEMENT FOR THE SKI RUN CONTAIN THE RUN INSIDE OF THEIR ROAD SETBACK NOT AFFECTING THEIR BUILDABLE AREA.

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.

PREVIOUSLY STATED W/ THE SKI RUN EASEMENT & ENCROACHMENT PROVIDING THE GREATEST AMOUNT OF HARDSHIP SPECIFICALLY & INDIVIDUALLY WITH THIS LOT.

Variance Request (continued...)

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

THE SKI RUN IS DEFINITELY NOT SELF IMPOSED & ACTUALLY ENCRUSCHES BEYOND ITS EASEMENT TOWARDS THE BUILDABLE AREA. WERE THE SKI RUN SIMILAR IN ITS POSITION TO THE OTHER LOTS BEING WITHIN THEIR REAR SETBACKS WE COULD COMPLY WITH THE CURRENT FRONT SETBACK & HAVE ENOUGH DEPTH FOR THE HOME IN THE STANDARD BUILDABLE AREA.

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.

(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)

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.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____, 20 _____.

(Notary)

Authorized Representative Affidavit

I (We), James Depiano, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), Joe Sadler and/or Alison Young, 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.

James Depiano
(Property Owner)

(Property Owner)

Dated this 26th day of Feb, 20 16, personally appeared before me James G. Depiano, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

Alison A Kaiser
(Notary)
my term expires 2/19/2019