



Weber County

Weber County Planning Division
www.co.weber.ut.us/planning
2380 Washington Blvd., Suite 240
Ogden, Utah 84401-1473
Voice: (801) 399-8791
Fax: (801) 399-8862

Board of Adjustment Review

The Board of Adjustment convenes as necessary to review applications for variances, deviations, interpretation, and special exceptions as outlined below.

A pre-application meeting is required prior to application submittal; please call (801) 399-8791 to make an appointment. Date of pre-application review meeting: 6/2/11 Time: 2:30 PM

- Staff member assigned to process application: Sean Wilkinson

APPLICATION DEADLINE: Thirty (30) days prior to the applicable Planning Commission meeting

The Board of Adjustment meets on the 2nd and 4th Thursdays of the month as needed.

Application Submittal Checklist

The Planning Division will only accept complete applications with supporting documents as outlined below. Submitting an application does not guarantee that your application will be placed on the next Board of Adjustment agenda.

The following is required as part of the application form submittal:

- Complete Application Form
- A non-refundable fee made payable to Weber County (see *Fee Schedule* below)
- Obtain signature of the owner(s) on the application and any authorized representatives
- All documents submitted in the application shall be accompanied by a PDF file of the respective document. All plans (including but not limited to site plans, architectural elevations/renderings, etc), and subsequent submittals and revisions, shall be accompanied by a full scale set of PDF files of the respective plans.
- A narrative explaining your request and if your request involves one of the three item listed below; how the request meets the requirements for: (see *Review Criteria*)
 - A. Variance
 - B. Flag Lot
 - C. Special exception

Fee Schedule

Property Zoning AV-3 Fee Required \$225

- Board of Adjustment Review \$225

Duties and Powers of the Board of Adjustment

In addition to any other powers given by State law or the Weber County Zoning Ordinance Chapter 29, Board of Adjustment, upon the timely filing of an appeal, within 15 days, from the date of the final decision being appealed, after proper notice and Public Hearing, the Board of Adjustment shall have the following powers:



1. Lots not having frontage on a street as required by this ordinance, but having access to such street by means of fee title access strips may be approved as "Special Exceptions" by the Board of Adjustment in any zone, provided that:
 - A. The Board of Adjustment determines that it is not feasible or desirable to extend a street to serve such lot or lots at that time. Criteria to be used in determining feasibility or desirability of a street shall include, but not be limited to, topography, boundaries, and/or an area in which a road would not open an area of 5 acres or more for development.
 - B. The access strip shall have a minimum width of 20 ft., a maximum width of 30 ft., a maximum grade of 15%, and a minimum vertical clearance of 14.5 ft.
 - C. The area of the access strip shall not be included within the minimum lot area requirement.
 - D. The lot shall meet all minimum yard and area requirements of the zone in which it is located, exclusive of the access strip.
 - E. Buildings shall be setback a minimum of 30 feet from any property line and 30 feet from the extension of the flag lot access strip. The depth of the front yard shall be the distance between the front line of the building and the property line or nearest line of the access strip, which the building faces.
 - F. The lot address shall be displayed in a prominently visible location at the street entrance to the access strip.
 - G. Each lot shall access a street by means of its own access strip. Successive stacking of lots on the same access strip is not permitted.
 - H. No building, structure or parking is allowed in the access strip, which is to be used solely as access to the lot.
 - I. The Board of Adjustment shall impose such other conditions to ensure safety accessibility, privacy, etc. to maintain or improve the general welfare of the immediate area.
 - J. No access strip shall exceed 800 feet in length.
 - K. A maximum of two flag lot access strips may be adjacent to each other.
 - L. A minimum turnout measuring at least 10 feet by 30 feet be provided adjacent to the traveled surfaces of the access strip at a maximum distance of 200 feet from the public street.
 - M. A turn-around area be provided at the home location to allow firefighting equipment to turn around. This area shall be a year round surface, capable of supporting fire equipment (a minimum inside turning radius of 30 feet and an outside turning radius of not less than 45 feet.)
 - N. Bridges, including decking and culverts shall be capable of supporting a minimum 20-ton weight capacity.
 - O. Switchback turns in sloped areas shall have a minimum 75-foot radius.
 - P. Road surfaces on private access ways shall have a minimum 12-foot finished road surface capable of supporting a 20-ton weight capacity with a surface approved by the County Engineer.
 - Q. A fire hydrant or other suppression method MAY be required by the Fire Chief.
 - R. The home location shall be shown on a plan submitted to the Fire District.
2. No flag lot shall be allowed which proposes to re-subdivide or include within it (including the access strip) any portion of an existing lot in a recorded subdivision.
3. The lot area exclusive of the access strip shall be a minimum of 3 acres.
4. The flag lot shall meet the minimum lot width requirements for the zone in which the lot is located, at the end of the access strip.



3. Each appeal, filed in proper form shall be placed upon the calendar of the Board and shall be heard in the order in which they appear on the calendar, unless advanced for hearing by order of the Board for good cause shown. The calendar of cases to be heard shall be posted in five days before the meeting at which the hearing is scheduled.
4. A Letter or Decision or any other action of the Board shall be sent to the applicant informing him/her that the minutes of such meeting are available at the Planning Commission Office upon the Board's approval of the minutes. The minutes shall contain findings as the basis for the Board's decision or action and the vote of each member of the Board, those absent being so marked.

Review Criteria

In exercising the above-mentioned powers, such Board may, in conformity with the provisions of the law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken; provided, that before any variance may be granted it shall be shown that:

1. 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.
2. Special circumstances attached to the property covered by the application, which do not generally apply to the other property in the same zone.
3. That because of said special circumstances, property covered by application is deprived of privileges possessed by other property in the same zone; and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.
4. That the condition and/or circumstances are not considered economic or self-imposed hardships.

For Your Information

This application can be filled out online at the following Planning Division web site: www.co.weber.ut.us/planning
Copies of the applicable Weber County Zoning Ordinances and other helpful information are also available at this web site.

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 6-2-11	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) PAMELA CROCKETT		Mailing Address of Property Owner(s) PO BOX 508 HUNTSVILLE, UT 84317	
Phone 801 745-6505	Fax 801 745.6009		
Email Address pam@taxteamusa.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) PAM CROCKETT OR LONNIE CROCKETT		Mailing Address of Authorized Person SAME AS ABOVE	
Phone 801 745.5662	Fax 801 745.6009		
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: _____
- 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
- 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 8007 E 600S HUNTSVILLE, UT 84317	Land Serial Number(s) 210260065 210260094
Current Zoning AV3	

Existing Measurements		Required Measurements (Office Use)	
Lot Area 7.17	Lot Frontage/Width Right of way	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)

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), Pamela Crockett, 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.

Pamela Crockett

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 2 day of June, 2011,

(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)

STATEMENT OF PAMELA CROCKETT

June 3, 2011

This statement from Pamela Crockett is for requesting an audience with the Board of Adjustments on an issue that has arisen from an appraisal done on my property located at 8007 East 600 South, Huntsville, UT 84317.

The appraiser, Mr. Benjamin Preisler, contacted the Weber County Zoning Department and spoke with official Mr. Ben Hatfield who stated that my property was considered illegal because the property does not meet the frontage requirements. This was a complete shock to me as I've owned this property since May of 1995, 16 years.

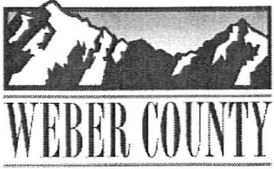
I immediately contacted the Weber County Zoning Department and spoke with Mr. Sean Wilkinson and Mr. Ben Hatfield. Mr. Wilkinson did extensive research on my property and concluded that I need to go in front of the Board of Adjustments and have a review done on this property to bring it into compliance with zoning laws in the County of Weber, Utah.

I'm asking for a special exception for access by a private right of way. The property boundary conditions that warrant this exception are:

- I don't own the property in front of mine that controls the frontage on 500 South in Huntsville, Utah
- My property, with research done by Mr. Wilkinson, shows it has been this way since 1972, using an established easement from the frontage property
- My home was built in 1969 and whoever built the home should have had a building permit at that time.

Respectfully yours,


Pamela Crockett



Weber County Public Works Department Official Receipt

Receipt Date 02-JUN-11

02:52:29 PM

Description BOA APPLICATION

From Client PAMELLA CROCKETT

CHECK 225

Total Received: 225

Empl Id / Receipt Nbr: SW - 20939

Signature

*** Please Retain This Receipt For Your Personal Records ***