



W2536278

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C201-167

EA 2536278 PG 1 OF 3
ERNEST D ROWLEY, WEBER COUNTY RECORDER
02-AUG-11 406 PM FEE \$4.00 DEP JKC
REC FOR: WEBER COUNTY PLANNING

ORDINANCE 201-11

An Ordinance of Weber County, rezoning property located at approximately 750 Ogden Canyon from Forest Residential (FR-1) to Commercial Valley Resort Recreation (CVR-1) for the purpose of expanding The Oaks restaurant and using existing and future cabins for nightly rentals.

Whereas, The Oaks restaurant is an established commercial business and a cultural and historical icon in the Ogden Canyon; and

Whereas, The Oaks cannot expand in the FR-1 zone as a nonconforming use; and

Whereas, The Oaks restaurant is not located in a commercial growth area established by the Ogden Valley General Plan, but conforms to the General Plan by meeting many of its other important goals and objectives; and

Whereas, the property owners have volunteered to place approximately 128 acres of property adjacent to The Oaks in a conservation easement which will protect sensitive lands, open space, and wildlife; and

Whereas, the property owners have volunteered to provide a future public trail easement on their property to connect with other trails in Ogden Canyon; and

Whereas, the proposed rezone is in the public interest because it will enhance recreational opportunities in Ogden Canyon, provide a future trail easement and permanently preserve 128 acres in Ogden Canyon; and

Whereas, the proposed rezone does not negatively impact the public health, safety, or welfare; and

Whereas, the Ogden Valley Township Planning Commission, after appropriate notice, held a public hearing on March 22, 2011 and unanimously recommended that the Weber County Board of Commissioners approve the proposed rezone; and

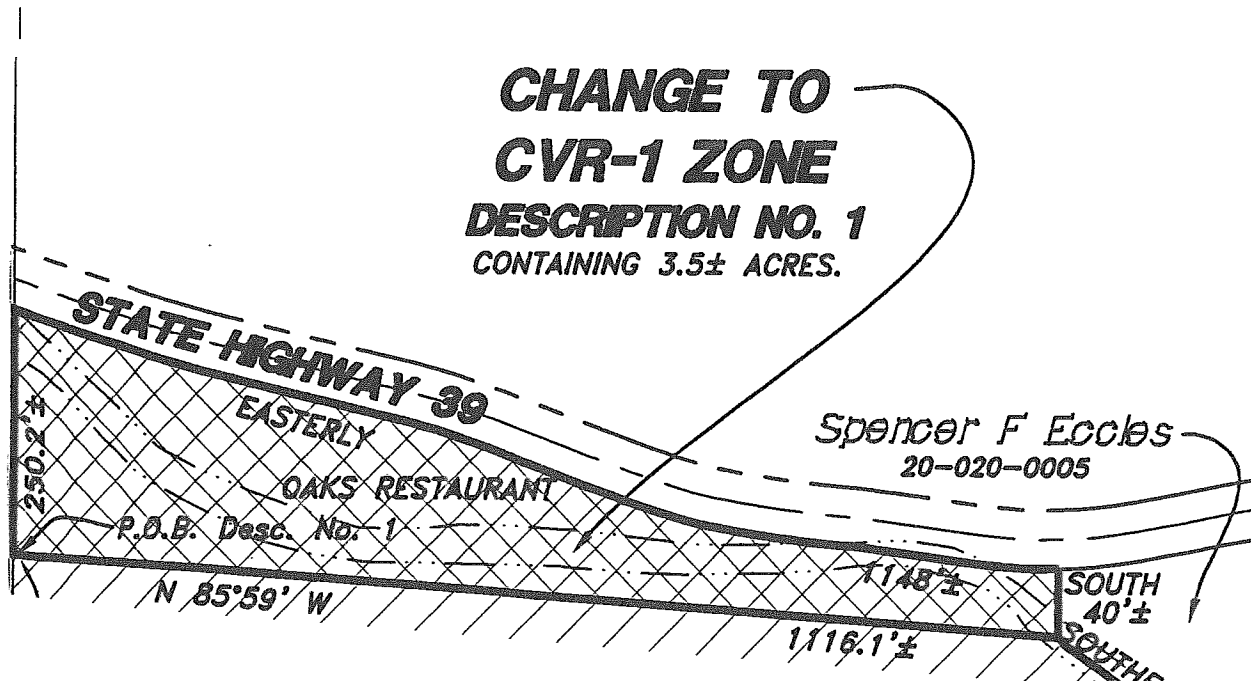
Whereas, the Weber County Board of Commissioners finds that the proposed rezone will comply with the goals and objectives of the Ogden Valley General Plan; and

Whereas, the Weber County Board of Commissioners, after appropriate notice, held a public hearing on August 2, 2011, to allow the general public to comment on the proposed rezone;

Now Therefore, the Weber County Board of Commissioners ordains that the following legal description is hereby rezoned from Forest Residential (FR-1) to Commercial Valley Resort Recreation (CVR-1):

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

**BEGINNING AT AT A POINT LOCATED NORTH 429.4 FEET FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; RUNNING THENCE NORTH 250.2 FEET MORE OR LESS ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTH RIGHT OF WAY LINE OF OGDEN CANYON HIGHWAY, STATE ROUTE NO. 39; THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE 1148 FEET, MORE OR LESS, TO A POINT 10 FEET NORTH, MORE OR LESS, FROM THE CENTER OF EAST END OF OGDEN CITY PIPELINE BRIDGE; THENCE SOUTH 40 FEET, MORE OR LESS, TO THE CENTER OF OGDEN RIVER; THENCE NORTH 85°59' WEST 1116.1 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 3.5 ACRES, MORE OR LESS.**



Passed, adopted, and ordered published this 27 day of August, 2011, by the Weber County Board of Commissioners

WEBER COUNTY BOARD OF COMMISSIONERS

By Jan M. Zogmaister
Jan M. Zogmaister, Chair

Commissioner Dearden	Voting	<u>aye</u>
Commissioner Gibson	Voting	<u>aye</u>
Commissioner Zogmaister	Voting	<u>aye</u>

ATTEST:

Ricky D. Hatch

Ricky D. Hatch, CPA

Weber County Clerk/Auditor