



**Weber County**

**Incoming Application Processing Form**

Project Name: Carton Residence variance to the  
Date Submitted: 2-16-2017 Zoning: FR-3 Received by: Felix

**Project Type:**

- Alternative Access
- Board of Adjustment
- Building Parcel Designation
- Conditional Use Permit
- Design Review
- Hillside Review
- Land Use Permit
- Subdivisions:
  - Subdivision (Small/Amendment)
  - Subdivision-(Prelim/Final)
  - Subdivision-Cluster
- Zoning Text Amendment
- Zoning Map Amendment
- Zoning Development Agreement
- Vacation
- Other \_\_\_\_\_

Project Description: A variance application to reduce the front yard set-back from 25' to 15'.

**Applicable Ordinances:**

- Accessory Apartments
- Airport Zones and Height Regulations
- Cluster Subdivision
- Design Review
- Drinking Water Source Protection
- Hillside Development Review and Procedures and Standards
- Home Occupation
- Land Use Permit, Building Permit and Certificate of Occupancy
- Natural Hazards Overlay Districts
- Nonconforming Buildings, Uses and Parcels
- Ogden Valley Architectural, Landscape and Screening Standards
- Ogden Valley Lighting
- Ogden Valley Pathways
- Ogden Valley Sensitive Lands Overlay District
- Ogden Valley Signs
- Parking and Loading Space, Vehicle Traffic and Access Regulations
- Petitioner Requirements-Rezoning Procedure Development Agreement
- Planned Residential Unit Development
- Public Buildings and Public Utility Substations and Structures
- Signs
- Standards for Single Family Dwellings
- Supplementary & Qualifying Reg
- Time Share
- Zones & Districts

**Weber County Review Agencies:**

- Weber-Morgan Health Department-Drinking Water Division
- Weber-Morgan Health Department-Waste Water Division
- Weber County Animal Services
- Weber County Assessor's Office
- Weber County Board of Adjustment
- Weber County Building Inspection
- Weber County Commission
- Weber County Economic Development Partnership
- Weber County Engineering Division
- Weber County GIS
- Weber County CED
- Weber County Planning Division
- Weber County Recorder's Office
- Weber County Recreation Facilities
- Weber County Roads Division
- Weber County School District-Transportation Division
- Weber County Sheriff
- Weber County Special Events
- Weber County Surveyor's Office
- Weber County Treasurer's Office
- Weber Fire District
- Other \_\_\_\_\_

**Outside Review Agencies:**

- Bona Vista Water Improvement District
- Causey Estates Lot Owners Assoc.
- Central Weber Sewer Improvement
- Cole Canyon Water Company
- Eden Irrigation Company
- Hooper Irrigation Company
- Hooper Water Improvement District
- Nordic Mountain Water Inc.
- Ogden Valley Starry Nights
- Powder Mountain Water & Sewer District
- Questar Gas Company
- QWEST
- Rocky Mountain Power
- Taylor Geotechnical
- Taylor-West Weber Water District
- Uintah Highlands Water & Sewer District
- US Forest Service
- Utah Department of Transportation
- Utah Division of Air Quality
- Utah Division of Drinking Water
- WC3
- Weber Pathways
- West Warren-Warren Water & Sewer
- Wolf Creek Water and Sewer Improvement District
- Centurylink
- Other \_\_\_\_\_

# 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	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) AUGIE AND LAUREN CARTON		Mailing Address of Property Owner(s) 62 TAN VAT ROAD RUMSON, NJ 07760	
Phone (917) 445-6193	Fax		
Email Address AUGIELAND@GMAIL.COM, LAKLAIN@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) CARSON YOUNG		Mailing Address of Authorized Person SOLITUDE BUILDERS PO Box 529 Eden, UT 84310	
Phone (801) 452-5020	Fax		
Email Address CWY185@HOTMAIL.COM		Preferred Method of Written Correspondence <input checked="" 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 6784 ASPEN DRIVE LOT 35 - POWDER MOUNTAIN WEST	Land Serial Number(s) 22-110-0004
Current Zoning <b>FR-3</b>	

Existing Measurements		Required Measurements (Office Use)	
Lot Area 9004 SQ. FT.	Lot Frontage/Width 87'-7"	Lot Size (Office Use)	Lot Frontage/Width (Office Use)
Front Yard Setback 25'-0" PER ZONING	Rear Yard Setback 30'-0"	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)
Side Yard Setback 9'-0"	Side Yard Setback 9'-0" (8'-0" MIN., 18'-0" TOTAL SIDE	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)

**Applicant Narrative**

Please explain your request.

We are requesting a front setback variance from 25'-0" feet to 15'-0" feet.

PLEASE SEE ATTACHED SITE PLAN AND SITE PHOTOS, SHEET A-2.1

**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.

We believe that this request will not substantially affect the comprehensive plan of zoning in Weber County. We are simply requesting a 15'-0" foot front setback (reduced from 25'-0" per the FR3 zone district) which will allow for a home to be built on the rocky site without excessive excavation or blasting.

We believe that the imposition of the 25'-0" setback is unnecessary to carry out the general purpose of the comprehensive plan.

PLEASE SEE ATTACHED SITE PLAN AND SITE PHOTOS, SHEET A-2.1

**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.

This lot has several special circumstances:

- a. Lot 35 has a rock outcropping on the west side near Alpine Drive that would be difficult to excavate. Because of this rock outcropping, we are planning to locate the new home on the other (east) side of the lot.
- b. The north side of Alpine Drive adjacent to the Lot 35 rises 10 feet from Aspen Drive to the south property line of Lot 35. The significant grade change of this hillside occurs in the right-of-way of Aspen Drive. Note that the edge of Aspen Drive is 10 to 14 feet from the south property line of Lot 35. It appears that the road was aligned to stay below this rocky hillside.
- c. Lot 35 is a shallow lot in the north-south direction, which is additionally encumbered by the ski easement, which turns to the east on Lot 35. The ski easement becomes very wide in location, as wide as 25'-5" at the turn. The ski easement protrudes into the buildable area of the lot on the north side where there is a 30'-0" rear setback.

PLEASE SEE ATTACHED SITE PLAN AND SITE PHOTOS, SHEET A-2.1

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.

The rock outcropping, the steep hillside rising above Aspen Drive in the right-of-way, and the wide ski easement on the north side of the lot make for a limited area within which to build on Lot 35. This is a deprivation of the privileges in that it severely limits the buildable area on the lot. Granting a front setback variance is essential to allowing this lot to be buildable in a similar way to surrounding lots in the subdivision.

PLEASE SEE ATTACHED SITE PLAN AND SITE PHOTOS, SHEET A-2.1

**Variance Request (continued...)**

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


The aforementioned special circumstances are a result of the platting of Lot 35 and the construction of Aspen Drive on the far south side of the right of way. These are not economic or self-imposed hardships, rather they are physical challenges that create hardship for building a single-family home.

PLEASE SEE ATTACHED SITE PLAN AND SITE PHOTOS, SHEET A-2.1


**Property Owner Affidavit**

I (We), AUGIE and LAUREN CARTON, 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)

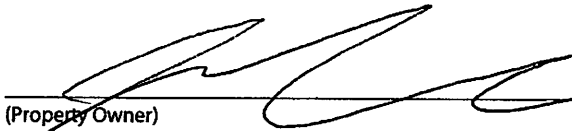
  
(Property Owner)

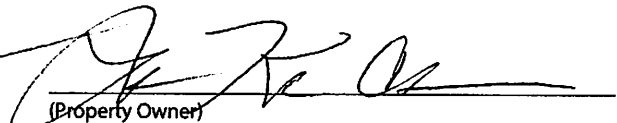
Subscribed and sworn to me this 13<sup>th</sup> day of February, 20 17.

  
(Notary)

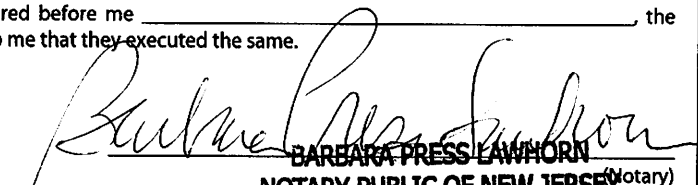
**Authorized Representative Affidavit**

I (We), AUGIE and LAUREN CARTON, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), CARSON 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.

  
(Property Owner)

  
(Property Owner)

Dated this 13<sup>th</sup> day of February, 20 17, personally appeared before me \_\_\_\_\_ the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

  
BARBARA PRESS LAWHORN  
NOTARY PUBLIC OF NEW JERSEY (Notary)  
MY COMMISSION EXPIRES NOVEMBER 20, 2017



**Weber County Corporation**

Weber County  
2380 Washington Blvd  
Ogden UT 84401

Customer Receipt	
Receipt Number	36465

Receipt Date	02/16/17
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Received From:  
SOLITUDE BUILDERS

Time: 14:09  
Clerk: amartin

Description	Comment	Amount
ZONING FEES	BOA	\$225.00

Payment Type	Quantity	Ref	Amount
CHECK		1005	

AMT TENDERED: \$225.00

AMT APPLIED: \$225.00

CHANGE: \$0.00