

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)	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) Doug Neilson		Mailing Address of Property Owner(s) 3744 Van Buren Ave. Ogden, UT 84403	
Phone 801-624-9077	Fax —	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address Douglasray15@gmail.com			

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) SAME		Mailing Address of Authorized Person	
Phone	Fax	Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address			

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 301 Ogden CYN Ogden, UT 84401	Land Serial Number(s) Parcel #: 20-030-0012 and 20-030-0011
Current Zoning FR1	

Existing Measurements		Required Measurements (Office Use)	
Lot Area 8,398.68	Lot Frontage/Width 147	Lot Size (Office Use)	Lot Frontage/Width (Office Use)
Front Yard Setback 30	Rear Yard Setback	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)
Side Yard Setback 11.45	Side Yard Setback 9	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)

Applicant Narrative

Please explain your request.

I am requesting a side yard variance on parcel 6 of the proposed Neilson Hermitage subdivision. I propose the East side yard set back be ~~8~~ 9 feet in addition to the North West side/rear setback to 11 feet. This will allow for adequate spacing for the proposed single family dwellings, Septic systems, and to give enough depth for the driveway to come off of Highway 39.

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.

Due to the sharp angle of the west corner of parcel 6, the shape of the lot is the main hardship. The wide frontage does not permit a substantial allowed reduction, given for the FR1 Zone. The rear setback is also a burden because of the unique shape. We propose to maintain the existing structures rear-side setback of 11 feet.

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:

Even with the increased space from eliminating one lot, the shape and depth created by the sharp angle provide an unreasonable shape and space in which to fit the footprint of a home.

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

The square footage of this property is larger than its neighbors. Granting the variance would allow the new dwelling to have the same setback that it already has on its west side and will be similar or even better than others nearby.

Variance Request (continued...)

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

For 30 plus years the neighborhood has dealt with these properties that attract vandalism, are eyesores to the area and are hazardous in general. This variance would allow us to make sense of the property by spacing 301, 303 and 305 aesthetically, while utilizing the square footage rationally.

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

Similar to my answer in #4 - receiving this variance would allow me to develop the property, beautify the area, increase surrounding property values and make this home functional and practical by doing what other homes in this area have already done - All without going to unreasonable lengths to accomplish it.

Property Owner Affidavit

I (We), Doug Neilson, 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)

(Property Owner)



Subscribed and sworn to before me this 10 day of May, 2020.

[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)



Receipt Number	134290
Receipt Date	05/06/2020
Receipt Time	04:57:42
Payment Method	CHECK

Received From:

Clerk: Morby, Ann

ITEM NO.	DESCRIPTION	AMOUNT
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Bill Number: 134290

1	ZONING FEES	\$600.00
	GL Account:25410000-432016-	-\$600.00
	GL Account:POOL-100101-	\$600.00

PAYMENT TYPE	QUANTITY	REFERENCE	AMOUNT
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CHECK	1	153 Dout Neilson	\$600.00
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Previous Balance \$600.00

Total Remitted \$600.00

Adjustments \$0.00

New Balance \$0.00