

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 4/9/14 | Fees (Office Use) \$225.00 | Receipt Number (Office Use) | File Number (Office Use) |
|--|-------------------------------|-----------------------------|--------------------------|

Property Owner Contact Information

| | | | |
|---|-----|--|--|
| Name of Property Owner(s) DAN MUSGRAVE (MECHEL) | | Mailing Address of Property Owner(s) 800 SO. 4100 W. OGDEN, UT. 84404 | |
| Phone 801-695-7125 | Fax | | |
| Email Address d.musgrave@ocae.org | | 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) Same | | Mailing Address of Authorized Person '' | |
| Phone | Fax | | |
| Email Address | | Preferred Method of Written Correspondence <input 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

| | |
|--|---|
| Approximate Address 708 So. 4100 W. OGDEN, UT. 84404 | Land Serial Number(s) 15046043 15046060 |
| Current Zoning | |

| Existing Measurements | | Required Measurements (Office Use) | |
|-----------------------------------|-----------------------------------|------------------------------------|---------------------------------|
| Lot Area 1 ACRE | Lot Frontage/Width 100' | Lot Size (Office Use) | Lot Frontage/Width (Office Use) |
| Front Yard Setback 103' | Rear Yard Setback 135' | Front Yard Setback (Office Use) | Rear Yard Setback (Office Use) |
| Side Yard Setback 10' | Side Yard Setback 27' | Side Yard Setback (Office Use) | Side Yard Setback (Office Use) |

Applicant Narrative

Please explain your request.

My GREAT, GREAT, GRANDFATHER AND GRAND MOTHER TRAVELED FROM LIVERPOOL ENGLAND IN THE MARTIN HANDCART COMPANY AND HOMESTEADED THIS EXISTING PROPERTY. IN 1856 THEY BUILT A LOG CABIN, AND IN 1890 THEY BUILT THE EXISTING HOME ON PARCEL #15046062 IN 1954 MY GRAND PARENTS BUILT THE HOME ON PARCEL 150460060. BOTH THESE HOMES WERE BUILT BEFORE ANY ZONING ORDINANCES. I WOULD REQUEST THERE BE AN EQUAL DIVISION OF THESE TWO HOMES, WHICH WOULD GIVE BOTH 100' FRONTAGE, AND THEREFORE REQUEST A VARIANCE ON THE FRONTAGE WIDTH OF EACH. EACH HOME WOULD STILL MEET THE 1 ACRE ZONING ORDINANCE.

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.

THIS VARIANCE WOULD NOT AFFECT THE COMPREHENSIVE PLAN AS BOTH HOMES WERE BUILT PRIOR TO ANY ZONING ORDINANCES. A HARDSHIP WOULD EXIST IF THESE TWO HOMES COULD NOT BE DIVIDED AS LEGAL LOTS, AS FAR AS LOANS, INSURANCE, AND LEGAL HABITATION. THE PIONEER HOUSE HAS VERY SIGNIFICANT HISTORICAL VALUE.

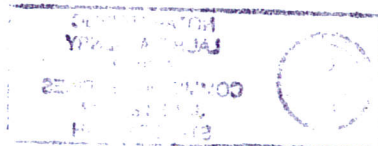
Variance Request (continued...)

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.

THE ZONING ORDINANCE TODAY'S REQUEST 150' FRONTAGE THESE TWO HOMES WOULD STILL HAVE 100' FRONTAGE AND EXIST ON 1-ACRE LOTS AND WOULD MEET ALL SIDE AND REAR SETBACKS.

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.

THERE ARE OTHER HOMES IN OUR AREA THAT WERE BUILT PRE-ZONING ORDINANCES THAT HAVE BEEN GRANTED FRONTAGE VARIANCES. GRANTING OF THIS VARIANCE IS ESSENTIAL TO PRESERVE THE HISTORICAL SIGNIFICANCE OF THIS PROPERTY, SIMILAR TO OTHER PROPERTIES IN THIS ZONE.



Variance Request (continued...)

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

BOTH THESE HOMES WERE BUILT PRE-ZONING ORDINANCE AND ARE NOT SELF-IMPOSED. ALL OTHER REQUIREMENTS HAVE BEEN MET.

Property Owner Affidavit

I (We), Dan Musgrave, 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.

Dan Musgrave
(Property Owner)

Michelle Musgrave
(Property Owner)

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

(Notary)

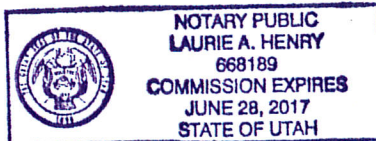
Authorized Representative Affidavit

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.

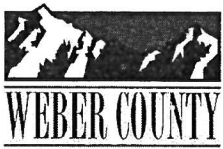
(Property Owner)

(Property Owner)

Dated this 10 day of April, 20 14, personally appeared before me Laurie Henry, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.



Laurie Henry
(Notary)



WEBER COUNTY CMS RECEIPTING SYSTEM
OFFICIAL RECEIPT

*** Save this receipt for your records ***

Date: 10-APR-2014

Receipt Nbr: 2949

ID# 19640

Employee / Department: ANGELA - 4181 - PLANNING
Monies Received From: DAN MUSGRAVE
Template: PUBLIC WORKS
Description: BOA

The following amount of money has been received and allocated to the various accounts listed below:

| | | | |
|-------------------------|----|-------|--------|
| Total Currency | \$ | _____ | .00 |
| Total Coin | \$ | _____ | .00 |
| Total Debit/Credit Card | \$ | _____ | .00 |
| Pre-deposit | \$ | _____ | .00 |
| Total Checks | \$ | _____ | 225.00 |
| Grand Total | \$ | ===== | 225.00 |

| Account Number | Account Name | Comments | Total |
|----------------------------|--------------|----------|--------|
| 2014-08-4181-3419-0550-000 | ZONING FEES | | 225.00 |
| TOTAL \$ | | | 225.00 |

Check Amounts

225.00

Total Checks: 1

Total Check Amounts: \$ 225.00

*** SAVE THIS RECEIPT FOR YOUR RECORDS ***