



BOX ELDER COUNTY, UTAH COMMUNITY DEVELOPMENT DEPARTMENT

Phone: 435-734-2634 FAX 435-734-2728

APPLICATION

(Taken by appointment only 435-734-3316)

(Purple)

(Created 6-10-2010)

Special Provision Application ** (flag lot)		Filing Fee Received by _____
Date Filed _____	Planner's Initials _____	Current Zone _____
<i>(PLEASE call Tamara Wright 435-734-3316 for an appointment to turn in your application)</i>		

- Name of Applicant _____ Daytime Phone # _____
Mailing Address _____ City _____ State _____ Zip _____
- E-Mail address _____
- Name of Property Owner if other than Applicant _____
- Mailing Address _____ Phone # _____
- Name of person authorized by owner(s) to represent the owner(s) in this approval process
E-Mail _____
Mailing Address _____ City _____ State _____ Zip _____

- Special Provision (Flag Lot) use** _____
- Location of lot** _____
- Proposed Name of Flag Lot Subdivision** _____
- Special circumstances to warrant creation of Flag Lot** _____

- Name of Engineer/Surveyor _____ Daytime Phone # _____
- Mailing Address _____ City _____ State _____ Zip _____
- Assessor's Parcel No(s) _____ # of Acres _____

Applicant's
Signature _____ Date _____
(Owner's signature must be authorized if not submitting application in person)

Is this a permitted use in the current zone? _____
YES _____ NO _____

Planner's Signature

**** "Flag Lot" means a flag or L-shaped lot consisting of a staff portion contiguous with the flag portion, the staff portion having frontage on a dedicated county road or street.**

NOTICE:

All documents and information listed in the attached checklist for the approval requested must be submitted with this application or the application is incomplete.

The Planning Commission normally meets on the third Thursday of each month. Applicants will be notified of changes in meetings and meeting times. The Planning Staff will not officially accept a submittal until the conditions and necessary parts of each application procedure are completed. The Planning Commission will not review any submittal that was made less than 20 business days (3rd Thursday of previous month) prior to the scheduled meeting. Submittals are placed on a tentative agenda until necessary staff review has been completed.

I affirm that I have read and understand this application and that all representations made and material submitted with this application are true and correct to the best of my knowledge. The signature given below is certification that the owners of record have knowledge of and consent to the filing of this application and supporting data.

Ordinance 249 (adopted 2-6-2001, Provisions of the Land Use and Development Code to restrict Flag Lots within Box Elder County)

- 1) Flag lots. All flag lots shall be approved as a special provision to Box Elder County Land Use and Development Code by the Planning Commission in accordance with the following provisions:
 - a. All flag lots shall be approved as a special provision to the Land Use and Development Code by the Planning Commission. The Planning Commission may grant approval only if 1) the applicant makes written application for a flag lot on a form approved by the Planning Commission and pays the required fees at the time the application is submitted, 2) there are special circumstances attached to the property that do not generally apply to other properties in the same area and, 3) the Planning Commission specifically finds that all of the following conditions are met as to the proposed flag lot:
 - i. It is necessary, reasonable and feasible to allow the flag lot in the area;
 - ii. Approval of a flag lot in the area will not substantially affect the general plan;
 - iii. Approval of a flag lot in the area will not be contrary to the public interest;
 - iv. The staff of the flag lot has a minimum width of thirty (30) feet;
 - v. The staff of flag lot has a maximum length of two hundred fifty (250) feet.
 - vi. The flag lot, exclusive of the staff portion, meets all of the zoning requirements of a lot in the area in which it is located; or be a minimum of ½ acre in lot size, whichever is greater.
 - vii. The applicant for a flag lot has prepared a plan showing the location of fire hydrants to serve the flag lot and that plan has been approved by the County Fire Marshall.
 - b. Flag lots shall be approved only in subdivisions containing four (4) lots or fewer.
 - c. The staff portion of a flag lot shall be used only for ingress/egress. That staff portion shall be landscaped to be in harmony with other adjacent property and shall be improved by the installation of an improved hard surface such as concrete, asphalt or compacted road base with a dust prevention treatment.
 - d. All improvements to the flag lot, including installation of the hard surface and fire hydrants, shall be performed at the applicant's expense. No certificate of occupancy shall be issued for the proposed flag lot until the improvements are fully installed.
 - e. The Planning Commission may impose such additional requirements or conditions on the proposed flag lot as it deems necessary.
 - f. The Planning Commission may hold a public hearing on each flag lot application it receives. Notice of such hearings shall be give to property owners within a three hundred (300) foot radius of the proposed flag lot. The costs of such notices shall be paid by the applicant.

The following are the county requirements for subdivision approval:

1) **Conceptual review** (Article 6-1-120) A concept plan shall be required of all subdividers. Concept plan review provides the subdivider with an opportunity to consult with and receive assistance from the County regarding the regulations and design requirements applicable to the proposed subdivision of property. A concept plan shall be drawn to scale not smaller than 100 feet to the inch, and shall show a north arrow. The subdivider shall submit three (3) copies 24x36; and (1) copy 11'x17' of the proposed subdivision concept plan drawn to scale to the County Community Development Department. Before scheduling of the concept plan for review by the Planning Commission, the Community Development Department must receive letters form the entities providing water, sewer or septic tank, or fire suppression indicating there are no major problems with providing services to the development. A Public Hearing shall be scheduled before the Planning Commission for concept review/acceptance. The subdivider shall pay an application fee as provided in the Fee Schedule for concept review.

2) **Preliminary plan filing/approval** (Article 6-1-130) The purpose of the preliminary plat is to require formal preliminary approval of a subdivision as provided herein in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relation thereto shall in all respects, be in compliance with the

provisions of this Code and any other applicable County Ordinances. All required documentation shall be submitted at least twenty (20) business days (refer to submission deadline schedule) prior to the Planning Commission meeting. The subdivider shall pay an application fee as provided in the Fee Schedule for preliminary review. The Planning Commission shall review the submitted preliminary plat and determine compliance with the standards and criteria set forth in this Subdivision Ordinance and all other ordinance of Box Elder County. The Planning Commission may approve, approve subject to modification, or disapprove the submitted preliminary plat, and shall make findings specifying any inadequacy in the application, non-compliance with County regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the Planning Commission to evaluate the preliminary plat.

3) **Final Subdivision Approval (Planning Commission)** After the petitioner has received preliminary subdivision approval from the Planning Commission and development is in compliance with the provisions of the subdivision ordinance, the subdivider shall file an application for final plat approval with the County Community Development Department on a form prescribed by the County (refer to the schedule for submission deadline), together with three (3) copies of the proposed final plat and three (3) copies of the construction drawings. At the same time, the subdivider shall pay to the County the application fee for the subdivision as set forth in the Fee Schedule

- 4) Final Subdivision Approval (Box Elder County Commission)
- 5) County Recording



UTILITY CONTACTS

BEAR RIVER HEALTH DEPARTMENT	Mike Rhodes (northern)	435-257-3318 (Tremonton)
	Clayne Shakespear (southern)	435-734-0845 (Brigham City)
TELEPHONE COMPANIES	Frontier Communications	Bill Hull
	Qwest	Bill Squires
ROCKY MOUNTAIN POWER	Robert Weyland	800-526-3557 (developers)
		435-257-6703 (northern)
QUESTAR GAS		801-395-6734
WATER COMPANIES		
Division of Water Rights	Logan Office	435-752-8755
ACME Water	Curtis Christensen	435-279-8464
UKON	Brian Shaffer	435-458-3379
Thatcher-Penrose	Yale King	435-854-3626
Bothwell Water Company	Doug Newman	435-854-3854
	Byron Nelson	435-854-9656
West Corinne	Curtis Marble	435-744-2960
Crouse Creek	Jay Turner	435-747-7488
Bear River Water Conservancy	Voneene Jorgensen	435-723-7034
Honeyville	Emily (Honeyville City)	435-279-8425
Snowville	Gary Frandsen	435-872-8274
Deweyville	Howard Healy	435-257-7778
Perry City		435-723-6461
Mantua City	Tracy Thompson	435-734-2339
Plymouth	Kim Starr	435-458-2107
Howell	Craig Hawkes	435-471-2219
South Willard	Richard Day	435-734-2137
Riverside/North Garland	Craig Anderson	435-257-3617
BOX ELDER COUNTY FIRE MARSHALL	Greg Martz	435-734-3833 or 734-2831

Box Elder County Planning Department Fees shall be as follows:

- Site Plan Review Application Fee \$375.00 + **costs**
- Conditional Use Permit Application Fee \$375.00 + **costs**
- Application for Appeal to Board of Adjustment \$375.00
- Small Subdivision (2 lots) without Improvements
Application Fee and/or Flag Lot(s) \$375.00 + \$100.00 per lot/unit
- Subdivision: Concept Review Application Fee \$375.00 + \$10.00 per lot/unit
- Subdivision: Preliminary Approval Application Fee \$ 50.00 per lot/unit
- Subdivision: Final Approval Application Fee \$150.00 per lot/unit + **costs**
- General Plan Amendment \$450.00 + **costs**
- Zoning Map/Ordinance Amendment Application Fee \$450.00 + **costs**
- Minor Lot Line Adjustments \$175.00
- Administrative CUP (Home Occupation) \$ 25.00
- Land Use Development and Management Code \$ 0.25 per page
- General Plan \$ 0.25 per page
- 8 ½” x 11” Black and White Copies \$ 0.25 per page
- 8 ½” x 11” Color Copies \$ 2.00 per page

Costs = The (\$) amount beyond the application fee needed to cover the actual costs incurred by the County to review an application and inspect required improvements. The applicant will be notified of these costs in writing.

(Adopted 9-18-07)