

PLANNING COMMISSION MEETING

March 15, 1984

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, March 15, 1984, at 7:00 p.m.

Members present: Jerry Wilde, Thomas Mower, Kent Newman,

Jay MacFarlane, Don Chase

Ex-officio: Denton Beecher, Jay Hirschi

Minutes of the February 16, 1984, meeting were mailed to all members, were approved by a motion made by Kent Newman and seconded by Jerry Wilde. All present voted in approval.

REQUEST BY VON CURTIS FOR VARIANCE TO ZONING ORDINANCE

Denton Beecher reported that Von Curtis asked for a variance to the zoning ordinance to be able to sell 5 of his eight acres and keep 3 acres on which his house is located. Mr. Beecher also reported that there have been others within this RR-5 zone who have asked for a similar variance, but in the past has been denied. Following a discussion during which it was concluded that the area zoned RR-5 was for the protection of those residing within the zone boundaries, and to allow individual variances would be in violation of their interests. A motion was made by Jay MacFarlane that, based upon the explanation made by Mr. Beecher, the request be denied because it is in violation of the zoning ordinance. Motion was seconded by Kent Newman. All those present voted in approval of the motion. It was requested that a letter be written to Von Curtis informing him of the decision of the Planning Commission.

APPLICATION FOR ZONE CHANGE

Barlow Briggs of Briggs Realty, John Peterson and associates, visited with the Planning Commission to get their approval on their Application For Amending The Zoning Ordinance. The application requested a zone change from RR-5 zone to CG zone for the property located near the Hot Springs on the South end of the County. The area to be changed is approximately 30 acres. Mr. Peterson said it is their desire to construct a 10,000 sq. ft. building to employ about 15 technical people. The building would be a headquarters and lab for the corporation. They would use non-hazardous materials in their lab work and there would be no safety hazards to the public. The building would be 136' X 72' located on the property with no contiguous neighbors. Interstate 15 is on the West, the Union Pacific Railroad on the East, the County line between Box Elder County and Weber County on the South and the State Road 126 on the North. He said there will be a high value use of the property and will not offend the morals or safety of the public. Kent Newman made a motion that the Application For Amending The Zoning Ordinance be approved and recommend to the County Commissioners that a hearing be held. Motion was seconded by Jay MacFarlane with all in approval.

APPLICATION AND INSPECTION FEES

Denton Beecher asked if the Planning Commission had considered his suggestion, as mentioned in the previous meeting, to charge a fee for applications and drawings submitted to them for consideration and approval. Those present expressed their approval of charging a fee, but only to the extent to offset costs and not as a revenue criteria.

Suggested and approved by the Commission that Denton Beecher prepare a workable recommendation for fees and report at the next Planning Commission meeting.

Meeting adjourned at 8:10 p.m.



GIRCA 1890'S

Box Elder County,

STATE OF UTAH

COMMISSIONERS

DON E. CHASE
GLEN R. CURTIS
JAMES J. WHITE

BRIGHAM CITY, UTAH 84302
OFFICERS

GLEN S. PIPE, COUNTY TREASURER
JAY R. HIRSCHI, COUNTY CLERK
ROBERT E. LIMB, COUNTY SHERIFF
MARIE G. KORTH, COUNTY RECORDER
JON J. BUNDERSON, COUNTY ATTORNEY
VON R. CURTIS, COUNTY ASSESSOR
DENTON BEECHER, COUNTY SURVEYOR
DORIS L. OLSEN, COUNTY AUDITOR



GIRCA 1980'S

March 16, 1984

Mr. Von Curtis
4620 N. Hwy. 69
Brigham City, Utah 84302

Dear Mr. Curtis:

During our Planning Commission meeting held March 15, 1984, Denton Beecher reviewed, with those members present, your desire to sell 5 of your 8 acres, leaving you with 3 remaining acres upon which your house is located.

The present Zoning Ordinance in your area requires a minimum lot size of 5 acres. If your request were allowed, the remaining 3 acres would be in violation. Since the present ordinance has been in effect, the Planning Commission has received other similiar requests, all of which have been denied.

Since approval would be in violation of the Zoning Ordinance, the Planning Commission has denied your request for a variance to create a lot size which would be below the minimum authorized by said ordinance.

Yours truly,
Planning Commission

Jerry Wilde
Chairman

APPLICATION FOR AMENDING THE
ZONING ORDINANCE

Fee Paid _____

Date: 3-8-84

I (we), the undersigned property owners, respectfully request that the
Zoning Ordinance be amended by Change to C-1 zone from RR-5

for the purpose of Constructing a research laboratory and office building

** The Planning Commission must review the request from the standpoint that
changes in the Zoning Ordinance cannot be made unless it is in the best interest
of the public generally and in conformity with the policies of the general or
specific Master Plan.

Please answer the following questions: (Attach additional sheet for statements,
if necessary.)

1. How is this proposal consistent with the policies of the general or specific
Master Plan? It uses property generally unsuitable for residential use
for its best and highest value use

2. How will this proposal promote the health, safety, morals, convenience, order,
prosperity, or welfare of the general public? It increases employment, and furnishes
technology for the improvement of many products.

3. Names of all owners of property in the proposed amendment area and signatures
of property owners as available (Planning Commission may require signatures of all
property owners showing approval of proposed change).

Name	Address	Phone	Approve	Disapprove
------	---------	-------	---------	------------

<u>Robert B Clay</u>	<u>728 W 3800 S</u>	<u>295-5194</u>	<u>✓</u>	
<u>Representing owners of Ogden Hot Springs Estate of W-A Clay</u>				

No other contiguous private ownerships. See plat.

VARIANCE PROCEDURE

BOARD OF ADJUSTMENTS

1. The Board of Adjustments is comprised of 5 members, each having a term of five years.

PROCEDURES

1. When a building permit has been denied, or the Planning Commission has made a specific decision, in writing, against an application for variance, the effected property owner may file, within 30 calendar days, a request to appear before the Board of Adjustment. The form "Appeal To Board Of Adjustment Of Box Elder County", must be filled out with all questions answered. The form should show, but not limited to, the following:
 - a. Brief description of why a variance will not detract from the overall purpose of zoning ordinance.
 - b. Names of adjoining property owners so notice can be given to those who may be effected by the variance. An application may include a petition signed by the neighbors in support of the application.
2. Upon receipt of application, the Board of Adjustment will set the date of hearing within two weeks following receipt of the application.
3. The Board of Adjustment must, within two weeks, after the hearing, reach a decision on the application. The concurring vote of four members of the board shall be necessary on any matter upon which it is required to pass.
4. The County Commissioners, by motion in minutes of March 13, 1984, have given the Board of Adjustment the authority to grant variances to the zoning ordinance within the perimeter of the law.

APPEAL TO BOARD OF ADJUSTMENT
OF
BOX ELDER COUNTY

OF THE DECISION OF BOX ELDER COUNTY'S PLANNING COMMISSION

Applicant's Name _____

Address _____

Telephone Number _____

Description and location of property to which variance is requested including names of adjoining property owners:

Description of request (interpretation, special exception, or a variance:

Description of why variance would not detract from overall purpose of zoning ordinance:

Signed by Applicant

Appeal No. _____ Date Received _____ Date of Hearing _____

Board of Adjustment action and reasons: _____

Chairman, Board of Adjustment

Date