

Report by Damian Rodriguez

**Agenda Name:** *Proposed Expansion of a Nonconforming Use at 1468 Washington Blvd to add a storage shed*

**Petitioner/ Developer:** Gerald L, Stanley Jr  
1468 Washington Blvd  
Ogden, Utah 84404  
[Geraldstanley5@gmail.com](mailto:Geraldstanley5@gmail.com)

**Petitioner/ Developer's requested action:** *Approval of the expansion of the nonconforming use to add a 10' x 10' wood storage shed.*

### What Planning Commission Reviews

*Per ordinance 15-6-3.B & C, the Planning Commission is required to review any expansions of a nonconforming use. The Commission will need to make certain determinations in order to prevent any negative impacts to surrounding uses, the creation of additional nonconformities, or the increased intensity of the nonconforming use. The Commission will determine if site development standards would be met as much as possible, and the expansion will be contained to the subject property at 1468 Washington Blvd. The Planning Commission decision regarding the expansion of a nonconforming use is a **final action**.*

### Planning Commission's Determination for Action

**Possible findings based on the decision that the Commission determines appropriate**

1. **Approve subject to staff recommendations, finding that:**
  - *The expansion of the use would not adversely impact the surrounding properties more than the existing use;*
  - *The proposed expansion will be compatible with the surroundings, with staff's recommendation*
  - *The expansion will conform to all site development requirements as much as physically possible given existing site limitations, by implementing staffs recommendation*
  - *The proposed expansion shall not create new nonconformities or conditions of noncompliance; and*

- *The expansion of a nonconforming use would not extend beyond the original lot or tract of land.*
2. ***Approve the request with additional conditions, finding that:***
- *The expansion of the use would not adversely impact the surrounding properties more than the existing use with condition(s) of: (list conditions);*
  - *The proposed expansion will be compatible with the surroundings, with staff's recommendation*
  - *The site of the proposed expansion will conform to all site development requirements as much as physically possible given existing site limitations, by implementing staff's recommendation*
  - *The proposed expansion shall not create new nonconformities or conditions of noncompliance; and*
  - *The expansion of a nonconforming use would not extend beyond the original lot or tract of land.*
3. ***Deny the request, finding that:***
- *The expansion of the use would adversely impact the surrounding properties*
  - *The proposed expansion will not be compatible with the surroundings*

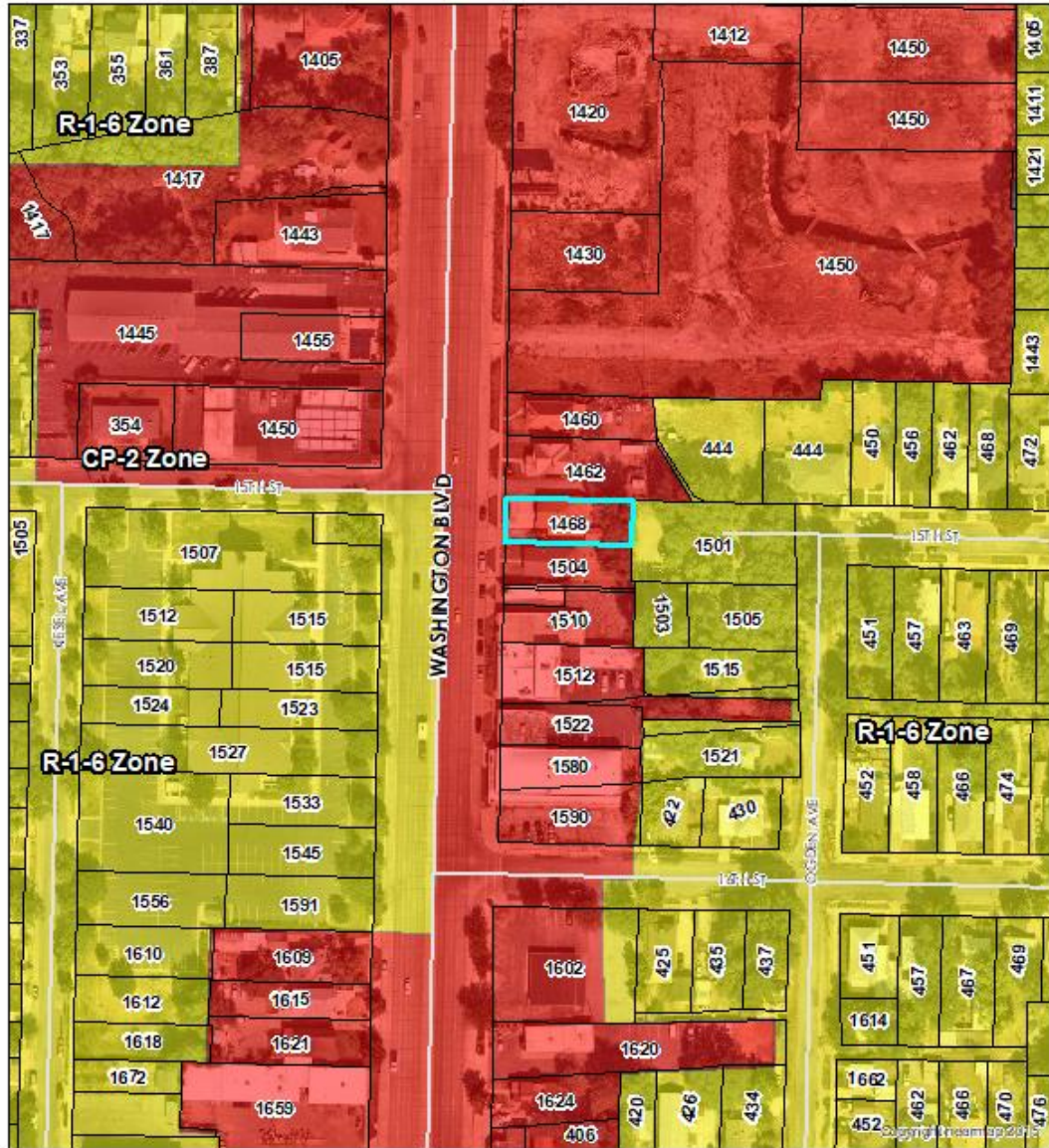
### ***Planning Staff's Recommended Action***

Staff recommends **approval** of the proposed expansion of the nonconforming use, subject to:

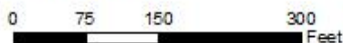
- *Obtaining a land use permit.*

Vicinity Map

Expansion of NCU at 1468 Washington Blvd



1 inch = 136.62 feet



## Description of Request

### Background

The current use of the property at 1468 Washington Blvd is legally nonconforming, as the property was developed for residential use prior to its zoning designation as community commercial (CP-2). The property has existing residential accessory buildings of a garage and residential style fencing.

### Proposal

The property owner now seeks a land use permit to add a 10' x 10', 6' tall barn style woodshed on the northeast corner of the lot. The proposed placement of said shed would be 7'6" from the rear property line and approximately 1' from the north side property line.

The purpose of the proposed shed will be for the storage of a lawn mower, hand tools, and other tools customary to single-family dwelling property maintenance.

## Factors for Consideration of Action

### NCU Expansion Requirements:

**1. The expansion of the use would not adversely impact the surrounding properties more than the existing use:**

The subject property is immediately adjacent to residential properties to the north, south, and east. A shed is a customary accessory building to single-family residential dwellings, and thus, would not adversely impact the surrounding properties which are currently used for single-family residential dwellings.

**2. The proposed expansion of the use is compatible with the surroundings:**

The proposed building will provide storage for the main use of the property and will be completely contained on the property and located behind the existing residential building. The structure is designed as a residential style shed.

**3. The expansion will conform to all site development requirements as much as physically possible given existing site limitations:**

*The proposed storage shed will not meet setback requirements per the Community Commercial (C-2, CP-2) Zone site development standards outlined in city ordinance 15-38-2, which mandates that a thirty-foot rear yard setback to be adhered to when the rear property line is adjacent to a residential or O-1 zone. The property to the rear of the subject property is zoned R-1-6. This rear yard setback standard is intended for commercial buildings which do not often have accessory buildings. This setback standard is not intended to provide the same restrictions to legally nonconforming residential accessory buildings. The rear yard setback for all single-family residential zones is 1' in most scenarios.*

*A land use permit will need to be obtained for the additions to the site. A building permit will not be required for the new storage shed since the are of said shed will not exceed 200 square feet.*

**5. The proposed expansion shall not create new nonconformities or conditions of noncompliance:**

*There will be no new nonconformities or conditions of noncompliance created by the addition of the proposed storage shed.*

**6. The expansion of the nonconforming use would not extend beyond the original lot or tract of land:**

*The proposed storage shed will be completely contained on the subject property.*

## Attachments

1. *Project Fact Sheet*
2. *Application*
3. *Proposed Site Plan*
4. *Proposed Storage Shed*
5. *County Plat*



*Attachment #1 Project Fact Sheet*

**PROPERTY INFORMATION**

*Property Address: 1468 Washington Blvd*

*Zone: CP-2*

*Community Plan: Canyon Road*

*Property Size: 0.15 Acres*

*Existing Use: Residential*

*Year of Development: 1906*


**PAST ACTIONS**

*Year 1906 – The property was developed with the existing building for residential use*

*April 2020 – A Land Use Permit was approved and issued for the installation of a fence in the backward of the home*

*December 2020 – A Building Permit was issued for the widening of the home's front door*

Attachment #2 Application



**Expansion or Nonconforming Use**

Ogden City Development Services  
2549 Washington Blvd. Suite 240  
Ogden, Utah 84401  
(801) 629-8930

JUNE 12<sup>TH</sup> DEADLINE  
 JULY 1<sup>ST</sup> MEETING  
 PLANNING@ogdencity.com

USECERT00268-2021

INVOICE 00021875

Please print legibly and complete all areas:

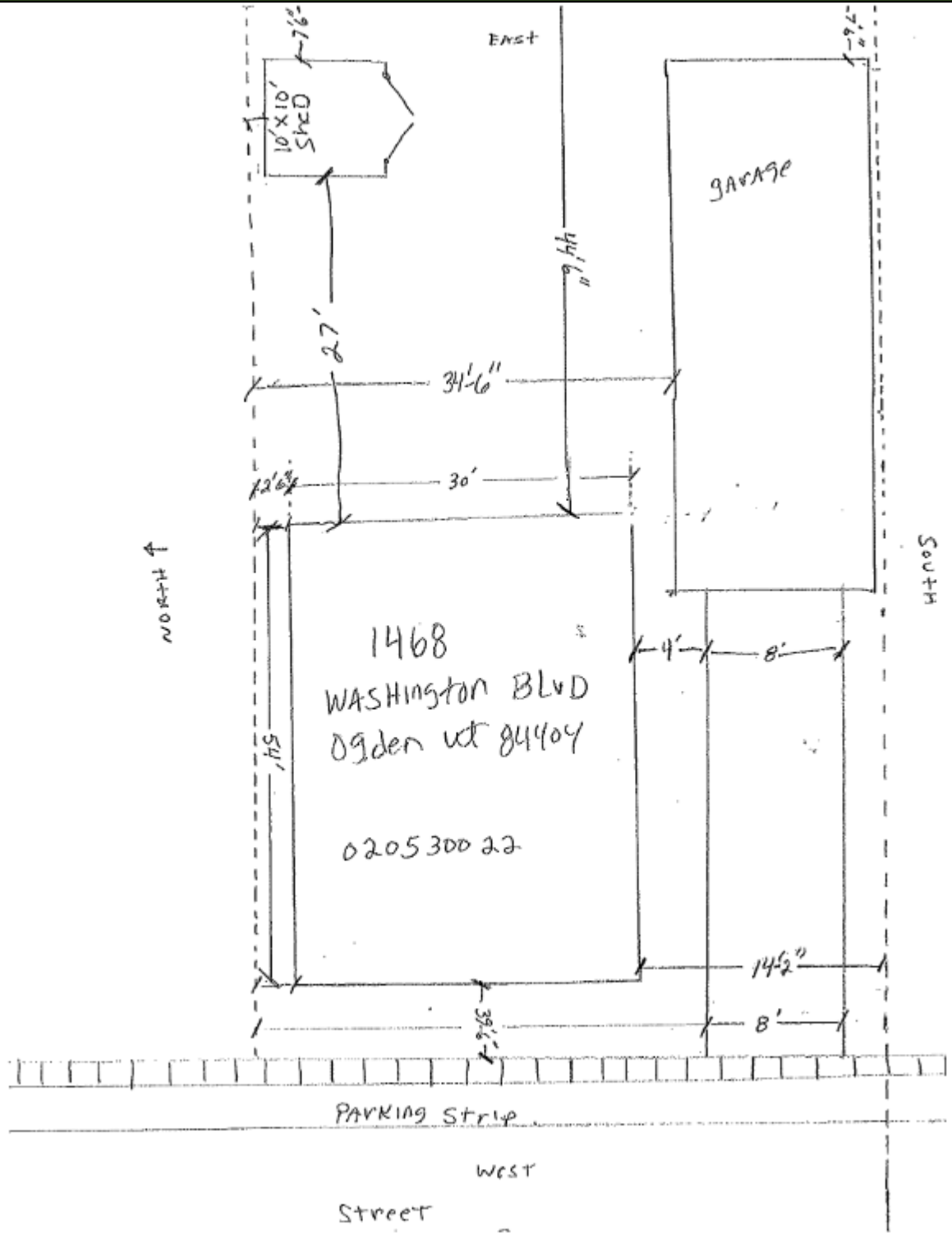
Project name: GERALD L. STANLEY JR 10X10 SHED / wood.	
Address: 1468 WASHINGTON BLVD.	
Applicant Name: GERALD L. STANLEY JR.	
Address: 1468 WASHINGTON BLVD.	City: Ogden State: vt Zip: 84404
E-mail: GERALDSTANLEY5@GMAIL.COM.	Phone: 385-240-8875.
Property Owner: GERALD L. STANLEY JR.	
Phone: 385-240-8875	E-mail: GERALDSTANLEY5@GMAIL.COM.
<b>Submittal Checklist</b>	
<input checked="" type="checkbox"/> Site Plan showing parking, landscaping, storm drainage, and distances from primary building to property line(s). <input type="checkbox"/> Elevations of the front, side and rear of the building. <input type="checkbox"/> Elevations showing any proposed or existing signs. <input checked="" type="checkbox"/> Current ownership plat from Weber County Recorder, available here: <a href="http://www3.co.weber.ut.us/psearch/index.php">http://www3.co.weber.ut.us/psearch/index.php</a> or at 2380 Washington Blvd., third floor. <input checked="" type="checkbox"/> Fee: \$150	
Previous use:	Proposed use:
How long has this building been vacant?	
Describe the proposed expansion: Put a wood SHED 10X10 in BACK yard.	
How would the proposed expansion be compatible with the surrounding area? need the Room to put Lawn mower + hand tools in.	

I have read the application and hereby certify that the information contained herein is correct to the best of my knowledge.

Gerald Lee Stanley Jr  
Owner's signature

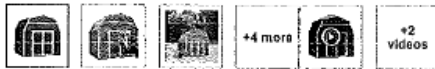
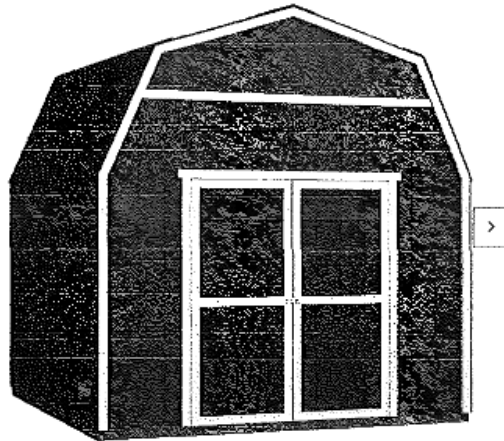
August 12, 2021  
(date)

Attachment #3 Proposed Site Plan





Attachment #4 Proposed Shed



\$1,699<sup>00</sup>

463

View 354

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\$284 / Month

Suggested payments with 6 month  
special financing

Learn how

\$1614<sup>05</sup>

OR Save 6% on eligible purchases

Learn how

Heavland 10-ft x 10-ft Rainier Gambrel Engineered Wood Storage Shed

Item # 428710101 (1616290)

Partial kit - rolling to arrive

64 in. extra-wide doors for easy access with lawn tractors

Bonus storage loft - 40% more storage space

1

+

Qty

Hurry, Low in Stock

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Buy This Now

Free Store Pickup  
3 Available at Ogden Lowe's  
Also (GDW) Bay 8

Delivery  
Available

OVERVIEW

This 10x10 barn style shed was designed to provide country charm and convenient storage at an incredible value. The included loft, a customer favorite, gives you plenty of overhead storage for seasonal items so you have leftover floor space for larger equipment. Tall 6' side walls give you plenty of vertical height for long-handled tools. Extra-wide 64" double doors make it easy to come in and out with ATV's, motorcycles, tractors, bicycles and more. The Rainier barn shed features a strong wooden frame that can be easily modified with shelves, hooks and other organization systems. Weather resistant siding provides worry free storage. All this is backed by an industry leading 10-year warranty.

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**Attachment #5 County Plat**

