

ORDINANCE 16-08

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits, including the establishment of zones, the boundaries of which are shown on the Zoning Map of Hyrum City; and

WHEREAS, Section 17.04.040 allows Title 17 of the Hyrum City Municipal Code, the Zoning Ordinance, including the Zoning Map, to be amended by the City Council following fourteen days' notice and a public hearing; and

WHEREAS, the City Council, upon the recommendation of the Planning Commission, has determined there is a need to revise the Zoning Map of Hyrum City, Utah.

NOW, THEREFORE, following a public hearing as required by Section 17.04.040, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING THE ZONING MAP OF HYRUM CITY, UTAH BY REZONING PROPERTY AT 467 SOUTH 100 WEST FROM RESIDENTIAL R-2 TO RESIDENTIAL AGRICULTURAL RA.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. ZONING CHANGE. The following described real property located in Hyrum City, Cache County, Utah which is currently zoned Residential R-2, is hereby rezoned to Residential Agricultural RA:

Parcel 01-064-0050

Lot 2 Glen Petersen Minor Subdivision 1.19 Acres - PT BLOCK 7 PLAT B J G WILSON'S ANNEX TO HYRUM CITY - Also beginning at the southeast corner of Lot 1 of said subdivision and thence North 88°18'03" West 86.71 feet thence North 2°21'18" East 53 feet more or less to point 151.5 feet South 1°41'57" West of said line of 400 South street thence South 88°18'03" East 85 feet more or less to point 151.5 feet South 1°41'57" West of point South 88°18'03"

East 241.09 feet from Northwest Corner of Lot 5 said Block 7 thence South 1°41'57" West 53 feet more or less to beginning containing .11 acres. Containing 1.30 acre in all.

2. ZONING MAP AMENDMENT. The Zoning Map of Hyrum City is hereby amended to reflect the changes authorized herein.

3. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

4. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

5. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 6th day of October, 2016.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____

City Council Meeting
October 6, 2016
Petersen Rezone R-2 to R2-A

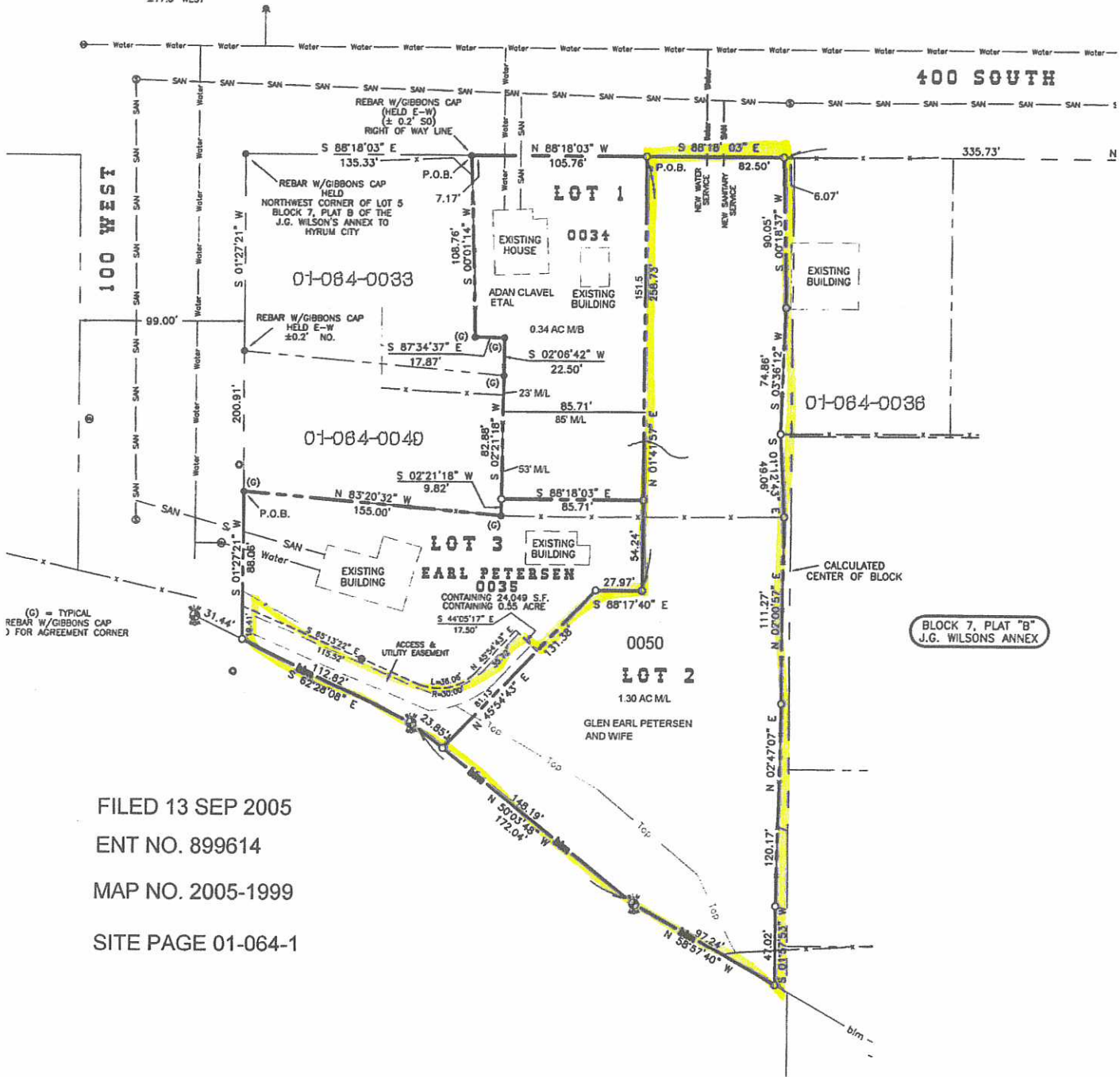
Tracie & Glen Petersen are requesting a rezone of their 1.3-acre parcel of property from the current R-2 Zoning to R-A Zoning. They are requesting the rezone to allow for a kennel license. A kennel license is allowed in the R-A zone as a conditional use. If a rezone is approved they would then be required to apply for a conditional use for the kennel license. They are wanting to breed and sell dogs from this location. A notice of the public hearing was sent to the property owners around this property. The Planning Commission held a public hearing. Four residents spoke in favor. We also received one written letter in support. The Planning Commission discussed their concern of setting a precedence for this type of rezone. The Planning Commission doesn't want this to open it up to having this be a way to get around the kennel license restrictions. The Planning Commission, after discussing this, voted to recommend approval because of the following reasons, neighborhood support, lot is larger and somewhat isolated, and that the Petersen's dogs are small dogs that are kept in the house.

SCALE: 1" = 40'

IRON PIN
±1.3' SOUTH
±17.5' WEST

REBAR W/PETERSON CAP
±1.0' NORTH
NOT VERIFIED E-W

HELD FENCE CORNER
FOR N-S LOCATION



BLOCK 7, PLAT "B"
J.G. WILSONS ANNEX

FILED 13 SEP 2005
 ENT NO. 899614
 MAP NO. 2005-1999
 SITE PAGE 01-064-1

SE
NE

Section 5 Township 10 North Range 1 East

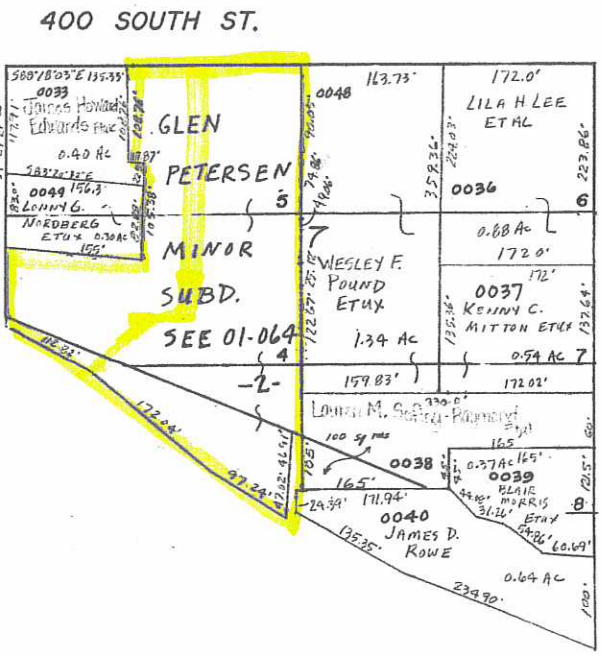
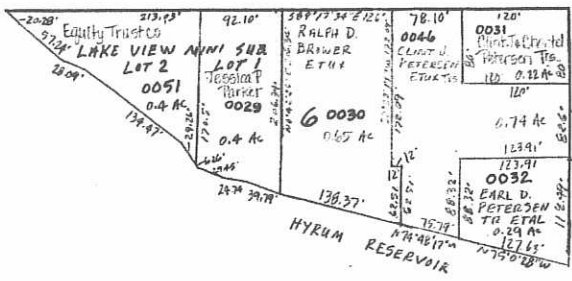
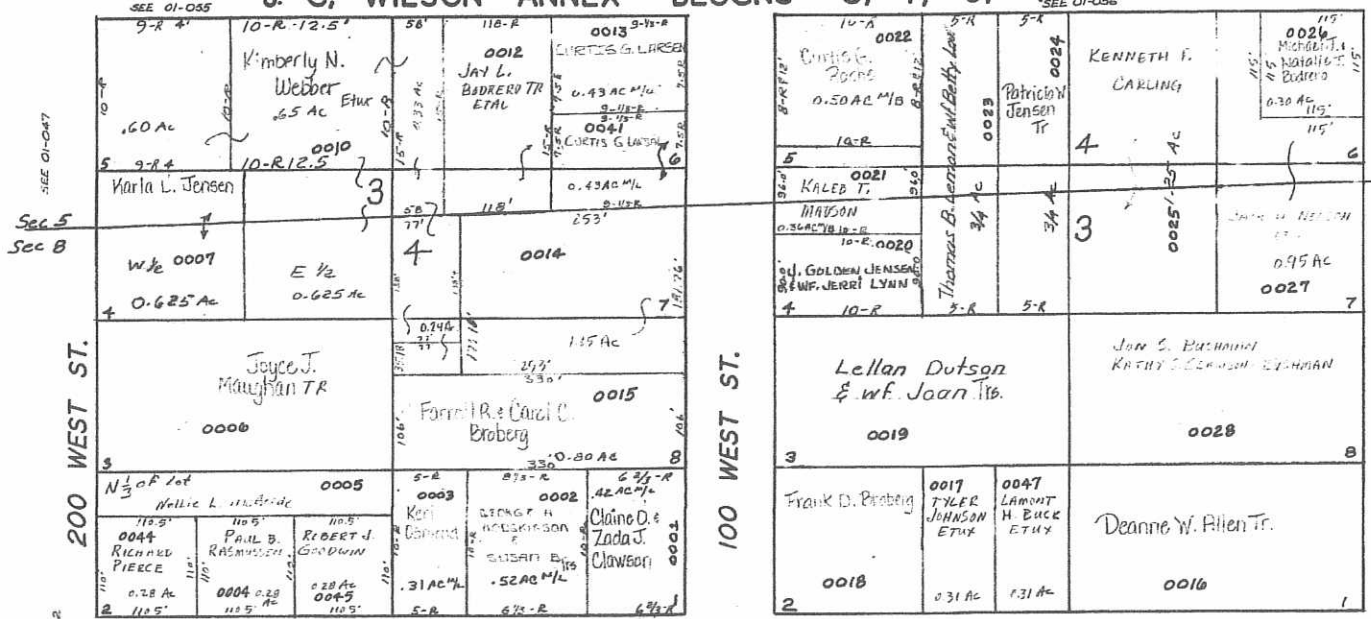
01-064
-1-

Scale 1 Inch = 100'

TAX UNIT 03

PLAT B BLOCK 3, 4 300 SOUTH ST.

J. G. WILSON ANNEX BLOCKS 3, 4, 6, 7 HYRUM CITY



01-062

01-063 -1-

SEE 01-065 -2-

CENTER ST.

Legal Description

For 01-064-0050

Owner : PETERSEN, GLEN E & TRACIE R TRS

Effective : 1/4/2007

LOT 2 GLEN PETERSEN MINOR SUBD CONT 1.19 AC M/B

PT BLK 7 PLAT B J G WILSON'S ANNEX TO HYRUM CITY

ALSO: BEG AT SE COR LT 1 SD SUBD & TH N 88°18'03" W 85.71 FT TH N 2°21'18" E 53 FT M/L TO PT 151.5 FT S 1°41'57" W OF S LN OF 400 S ST TH S 88°18'03" E 85 FT M/L TO PT 151.5 FT S 1°41'57" W OF PT S 88°18'03" E 241.09 FT FROM NW COR LT 5 SD BLK 7 TH S 1°41'57" W 53 FT M/L TO BEG CONT 0.11 AC CONT 1.30 AC IN ALL