

Amended



ORDINANCE NO. 2004 8

AN ORDINANCE AMENDING SECTION 3-10, FRONTAGE ON AN APPROVED PUBLIC STREET REQUIRED, EXCEPTIONS, OF THE UTAH COUNTY ZONING ORDINANCE

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF UTAH ORDAINS AS FOLLOWS:

ENT 69120:2004 PG 1 of 3
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2004 Jun 17 8:35 am FEE 0.00 BY SB
RECORDED FOR UT COUNTY COMMUNITY DEV

Part I:

Utah County Zoning Ordinance, Section 3-10-A hereby amended to read as follows:

A. For adequate access by emergency vehicles and local occupants, the frontage of each lot used as a site for a dwelling, commercial establishment, manned industrial plant or other facility occupied by humans, shall abut on an official state road, or city street which has been paved under the direction of the unit of government having jurisdiction, and from which frontage such facility gains vehicular and pedestrian access **exclusively and entirely** across the subject lot. There are **seven** exceptions to the frontage requirement:

Part II:

Utah County Zoning Ordinance, Section 3-10-A-7, shall have a new exception no. 7 to read as follows:

7. In the M&G-1, CE-1 and CE-2 Zones, the vehicular and pedestrian access must be gained from the frontage, but need not be exclusively and entirely across the subject lot, if the Zoning Administrator finds that all of the following conditions are met:

- a. because of the topography, the construction of an access from the frontage to the facility, exclusively and entirely across the subject lot, would require excessive cuts and fills; and
- b. because of the topography, the construction of an access from the frontage to the facility, exclusively and entirely across the subject lot, would require an access of excessive length; and
- c. the owner of the property on which the portion of the access which falls outside of the subject lot is located, has granted to the owner of the subject lot, and to the subject lot owner's heirs, successors, and assigns, a written permanent perpetual easement, in a

form acceptable to the Zoning Administrator, which complies with all requirements for a legal access, which is appurtenant to the subject lot, and which easement has been recorded in the office of the Utah County Recorder; and

- d. the access driveway must be designed and constructed using engineering standards for a minimum of "H-20" loading in accordance with A Policy of Geometric Design of Highways and Streets (1990 edition) American Association of State Highways and Transportation Officials (AASHTO) or its equivalent counterpart in subsequent editions. A road maintenance agreement must be entered into guaranteeing that the owner of the subject lot will maintain the access driveway in a condition to allow vehicular access during all periods of occupancy.

Part III:

Insert pages reflecting the above amendments, including a title page which bears the enactment date of this ordinance, are hereby ordered to be filed in the three copies of the Utah County Zoning Ordinance which are on file with the Utah County Clerk-Auditor.

Part IV:

If any of the sections, sentences, clause or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdictions, such shall not affect or invalidate the remaining portion contained herein.

Part V:

This ordinance shall take effect: 1) sixteen (16) days after it is passed, or 2) after it has been published, whichever date is later.

PASSED and ordered published this 25th day of May, 2004.

UTAH COUNTY COMMISSION



Steve White, Chair

VOTE



Jerry D. Grover
Jerry D. Grover, Commissioner

Excused
Gary R. Herbert, Commissioner

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ATTEST:
KIM T. JACKSON
County Auditor/Clerk

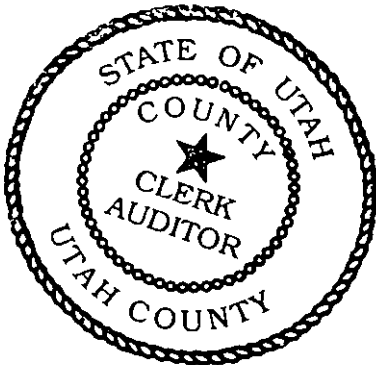
APPROVED AS TO FORM:
KAY BRYSON,
County Attorney

By: Linda Strickland
Deputy

By: E. Kent Smith
Deputy

Date of Publication: once only, as soon as possible

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PROOF OF PUBLICATION

from

The Daily Herald

STATE OF UTAH } SS.
Utah County }

**NOTICE TO CREDITORS AND
ANNOUNCEMENT OF APPOINTMENT**
IN THE MATTER OF THE ESTATE OF
JOANNAH BETH IVIE GARDNER, Deceased.

Case No. 048400188
Martin Eastwood, whose address is 297 North
300 West, Pleasant Grove, Utah 84062, has been
appointed Personal Representative of the
above-named Decedent.

Creditors of the above estate are hereby notified
to present their claims to the attorney for the
Personal Representative or to the Clerk of the Utah
County District Court on or before the 24 day of
August, 2004.

Dated this 20th day of May, 2004.
WITT MORLEY & ANDERSON, P.C.
/s/ C. Val Morley,
110 So. Main
Pleasant Grove, Ut. 84062

Legal Notice 103415 Published in The Daily Herald
May 24, 31; June 7, 2004.

NOTICE
ORDINANCE NO. 2004-8 ADOPTED BY THE
BOARD OF COUNTY COMMISSIONERS OF
UTAH COUNTY, UTAH ON MAY 25, 2004,
AMENDING SECTION 3-10, FRONTGATE ON AN
APPROVED PUBLIC STREET REQUIRED EX-
CEPTIONS OF THE UTAH COUNTY ZONING
ORDINANCE.

A COMPLETE COPY OF THE ORDINANCE IS
AVAILABLE AT THE COUNTY CLERK/AUDI-
TOR'S OFFICE, COMMISSIONER STEVE
WHITE AND COMMISSIONER JERRY D. GRO-
VER VOTED IN FAVOR OF THE ORDINANCE.
COMMISSIONER GARY R. HERBERT WAS EX-
CUSED FROM THE VOTE.
Legal Notice 105437, Published in The Daily Herald
May 31, 2004.

I, Gayleen Wilson, being first duly sworn
depose and say that I am the Legal Billing
Clerk of the Daily Herald, a newspaper
of general circulation, published seven
times each week at Provo, Utah, County of
Utah; that the notice attached hereto,
#105437-NOTICE ORDINANCE NO., and which
is a copy, was published in said newspaper
the first publication having been made on
the 31st day of May, 2004, and the
last on the 31st day of May, 2004;
that said notice was published in the
regular and entire issue of every number
of the paper during the period and times
of publication, and the same was
published in the newspaper proper
and not in the supplement.

Gayleen Wilson

Subscribed and sworn before me
this 31st day of May, 2004.

Denise K. White Notary Public

Residence: Orem
My commission expires February, 2007

