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WILLARD CITY PLANNING COMMISSION
RE-ZONE APPLICATION

Application Date

Assessor Parcel Number * 02-046-0094

Romero Construction, Inc
Applicant
Abelardo Sergio Romero
P O Box 94
Mailing Address
Willard, Utah 84340

Parcel Legal Description*

A-5 Present Zone

Commercial / C-G Proposed Zone

4352254781
Phone Number
4352250188
Cell Phone

This completed application, must be submitted at least 15 days prior to the April or October Planning Commission meeting and be accompanied by:

1) Proof of ownership.*

2) Non-refundable application fee of $125.00.

3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent . (See reverse of this form for required Applicant's Affidavit.)

4) List of all property owners within 1/4 mile of the parcel.*

5) Map (Assessor's Plat* or suitable drawing) of the proposed re-zone area, annotated to show the location and boundaries of the parcel to be re-zoned.

6) If a subdivision is planned, supply sketch of possible subdivision, to show compatibility with existing and planned infrastructure, with emphasis on roads, water supply and other utilities.

* Available at the office of the Box Elder County Registrar, 01 South Main Street, Brigham, Utah, 84302

Project Summary

(Please use additional pages as necessary to adequately address the answers.)

1. Location Map (showing nearest cross streets):

   See attachment

2. Site Address/Description:

   So Side of 750 N Between Main St and 200 W

3. Parcel Number(s):

   02-046-0094

4. Current and Proposed Zoning by parcel number and area in acres:

   Current A-5 Proposed CG

5. Road Access Provided: Hwy 89 Willard, Utah

6. Utility Plan:

   N/A

7. Reason for the requested change: Build

8. Impacts (financial and other) of the change to surrounding properties and the city as a whole:

   None

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Romero Construction, Inc. Abelardo Sergio Romero, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at _____ in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Abelardo & Sergio
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 18th day of October 2019

ERIN L. LYONS
NOTARY PUBLIC • STATE of UTAH
COMMISSION NO 702579
COMM EXP 10-21-2022

Erin L Lyons
Notary Public

Residing in Box Elder County
My commission expires: October 21, 2022

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) Abelardo Romero Sergio Romero, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED Abelardo Romero
Property Owner(s)

Subscribed and sworn before me this 18th day of October 2019

ERIN L. LYONS
NOTARY PUBLIC • STATE of UTAH
COMMISSION NO 702579
COMM EXP 10-21-2022

Erin L Lyons
Notary Public

Residing in Box Elder County
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Box Elder County Web Map



Box Elder County Webmap
October 31, 2019

0 0.003 0.006 0.012 0.018 0.024 mi
0 0.00325 0.0065 0.013 0.0195 0.026 mi
1:1,128

Box Elder County
Cities
Mile Markers
Freeway Exits

UDOT Keeping Utah Moving
Access Management Program

CONDITIONAL ACCESS PERMIT

GENERAL INFORMATION			
Issuance Date	Region	Project Name	OLP Application ID
8/11/2019	Region 1	(19-058) Romero Construction	95595
Physical Address	City	Permit Type	Access Use Type
~110 W 750 N	WILLARD	Temporary	Commercial
PERMITEE INFORMATION			
Property Owner Name	Primary Contact	Primary Phone	Email
Nathan Braegger	Nathan Braegger	(435) 225-6762	nathan.braegger@gmail.com

LOCATION, WIDTH, AND ACCESS CATEGORY INFORMATION					
State Route	Milepost Marker	DD Center Latitude	DD Center Longitude	Access Width	Access Category
0315	1.6			40	7 - Community Rural
0315	1.6	41.4224703	-112.0388690	40	7 - Community Rural
0315	1.576	41.4224796	-112.0393389	40	7 - Community Rural

A Conditional Access Permit is hereby authorized subject to the Utah Department of Transportation's (the Department's) Access Management Rule (Utah Administrative Code R-930-6), the Utility Accommodation Rule (Utah Administrative Code R930-7), the Standard Specifications for Road and Bridge Construction, and any terms, conditions, and limitations set forth herein. Per Utah Administrative Code R930-6-8(6)(g), a Conditional Access Permit shall expire if the access construction is not completed within twelve (12) months of the issuance date as identified at the top left of this document.

By carrying out the activities authorized by this approval the permittee and the permittee's successors in interests and/or assigns agree to accept all terms, conditions, and, limitations, of the approval including any attachments submitted with the Conditional Access Permit Application. In addition, the permittee certifies they will comply with all applicable regulations, properly control and warn the public of said work to prevent accident, and shall defend, indemnify and hold harmless the Department from all damages arising out of any and all operations performed during construction and operation of said access. Per Utah Administrative Code R930-6-8(5)(e), the permittee understands any intentional misrepresentation of existing or future conditions or of information requested for the application for the purposes of receiving a more favorable determination is sufficient grounds for permit revocation. The access allowed under this permit creates a license to only access a state highway to the extent provided in the permit. The access may be closed, modified or relocated by UDOT if, at any time, UDOT determines in its sole discretion that safety, efficiency or other reasons so require. UDOT will not be liable for any costs, losses or damages resulting from UDOT's review and comments on the submitted plan sets for a Conditional Access Permit.

This conditional access permit does NOT allow construction or other activities within a state right-of-way. An encroachment permit must be separately applied for and issued before any construction within a state right-of-way may commence. Work on UDOT's right-of-way is seasonally restricted from October 15 to April 15. Work is not allowed on the right-of-way during the AM/PM peak traffic hours of 6:00 A.M. to 9:00 A.M. and 3:30 P.M. to 6:00 P.M. Some exceptions to this A.M./P.M. peak travel work restriction may be permissible for low AADT routes in rural areas. Any such exception requires special Region approval and must be explicitly stated on the approved encroachment permit.

Authorizing Name (printed)	Rodger Genereux	Authorizing Name (signed)	

TERMS, CONDITIONS, AND LIMITATIONS

1. A copy of this permit must be posted in a conspicuous location and be available for immediate review at the location of the permitted activity. No exceptions.
2. This agreement and/or permit is UDOT approval only. The permittee is responsible for obtaining clearances, authorizations, or permits from railroads, private property owners, other utility owners, and other government agencies as may also be required.
3. By the accepting this permit, the permittee acknowledges the hazardous nature of conducting activities within the right-of-way and assumes full responsibility in the event of an accident or other incident involving death, injury, or damages to any party resulting from the permittee's authorized use of the right-of-way.
4. All work performed under this permit must be in accordance with UDOT approved plans and standard drawings unless otherwise stated in writing.
5. The primary function of the highway is for transportation purposes. All other highway purposes are subordinate to this primary purpose. By conducting the activities authorized by this permit, the permittee agrees to timely prosecute the permitted activities in a manner that minimizes transportation-related impacts including but not limited to; ensuring overall site safety as an overarching priority, and by applying systematic efforts to minimize, or shorten, the project schedule.
6. UDOT may cancel, suspend, or revoke this permit due to:

   A) Non-compliance with the permit provisions including terms, conditions, and limitations

B) Deviating from the approved permit provisions without written authorization
C) Misrepresentation(s) discovered on the originating application, or associated documents
D) Adverse weather or traffic conditions
E) Concurrent transportation construction or maintenance operations in conflict with the permit
F) Any condition deemed unsafe for workers or for the traveling public
G) Any other condition that arises where work stoppage may be warranted for cause

In the event of a cancellation, suspension, or revocation the permittee shall promptly terminate occupancy of the right-of-way.

7. At all times the permittee and all activities authorized under this permit will comply with all applicable federal and state constitutions, law, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
8. Use current edition of UDOT standard drawings for traffic control. Use Utah MUTCD standards for traffic control elements not shown in UDOT standard drawings. Traffic control must be maintained at the encroachment site for the entire encroachment period.
9. Before constructing the access connection authorized by this conditional access permit, an encroachment permit must be secured first.
10. The permittee agrees to maintain the permitted access in a professional workmanlike manner, free from physical defects including but not limited to potholes or other similar substandard conditions for the life of the permit. The permit holder's maintenance-related responsibilities shall extend to UDOT's edge of asphalt where said permitted access physically connects to UDOT's main traveled way and shall be guaranteed in perpetuity. Failure to properly maintain said private access point shall be grounds for permit revocation and for the closure of the permitted access point.