

Ordinance 2021-014

AN ORDINANCE APPROVING THE APPLICATION AND AUTHORIZING THE REZONING OF PARCEL 02-115-0027 LOCATED IN THE GENERAL AREA OF 1070 S 400 E PROVIDENCE UTAH. PER CITY COUNCIL AND PETITIONERS AGREEMENT WHICH WAS ESTABLISHED DURING CITY COUNCIL MEETING ON AUGUST 18TH 2021, PARTIES AGREE TO REZONE 02-115-0027 FROM AN AGRICUTURAL ZONE (AGR) TO A SINGLE-FAMILY TRADITIONAL

WHEREAS UCA § 10-3-701 states, “except as otherwise specifically provided, the governing body of each municipality shall exercise its legislative power through ordinances.” and

WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of the City and its present and future inhabitants and businesses.

WHEREAS Applicant Jabaa LLC on behalf of owner Bryon and Bonnie Summers have applied and are requesting that Parcel 02-115-0027, which is currently zoned as Agricultural, be rezoned to Single Family High. During City Council on August 18th 2021, parties agreed to amend this ordinance. Parties agreed that parcel 02-115-0027 will be zoned as Single-Family Traditional and not Single-Family High per petition.

Parcel Legal Description: **BEG 5 CHS & 59 RDS W OF PT 2030.6 FT S OF NE COR SW/4 SEC 14 T 11N R 1E (SD POB BEING 2257.9 FT S & 1 RD E FROM SE COR NW/4 NW/4 SD SEC 14) & TH S 400 FT ALG E LN OF ST TO PT 10 RDS N OF S PROVIDENCE CORP LIMITS TH S 89*55'50" E 330 FT TH E 105.6 FT TO PT 1.052 FT N & 876.899 FT W OF E/4 COR SW/4 SW/4 SEC 14 TH N 400 FT TO PT S 0.528 FT & E 435.6 FT FROM BEG TH N 89*55'50" W 105.6 FT TH W 330 FT TO BEG CONT 4.0 AC**

WHEREAS Providence City’s Planning Commission gave the following recommendation per their public hearing held June 28th 2021, in regards to the rezoning of this parcel.

- The Providence City Planning Commission held a public hearing on June 28th 2021. The purpose of the public hearing was to provide an opportunity for anyone interested to comment on the proposed application for the rezoning of Parcel 02-115-0027 located in the general area of 1070 S 400 E Providence Utah.
- On June 28th, 2021 the Planning Commission took the following action:
Motion to propose that the City Council reject the rezoning of 02-115-0027 that has been proposed to rezone it from Agricultural to Single Family High Density: —Motion M Fortune, Second — B Marble
Vote:
Yea: K Alder, M Fortune, B Marble, R Perry, R Cecil

44 *Nay:*
45 *Abstained:*
46 *Excused: C. Chambers*

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48 THEREFORE be it resolved by the Providence City Council:

49 • The request to rezone parcel 02-115-0027 shall be granted per City Council and parties
50 agreement established during City Council meeting held August 18th 2021. Parcel 02-
51 115-0027 which is currently a AGR zone shall be rezoned to a SFT zone.

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53 • This resolution shall become effective immediately upon passage.

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55 Passed by vote of the Providence City Council this 18th day of August 2021.

56 Council Vote:

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58 Eck, Kristina	(X) Yes	() No	() Excused	() Abstained	() Absent
59 Kirk, Carrie	() Yes	(X) No	() Excused	() Abstained	() Absent
60 Paulsen, Joshua	() Yes	() No	() Excused	() Abstained	(X) Absent
61 Sealy, Jeanell	(X) Yes	() No	() Excused	() Abstained	() Absent
62 Speth, Brent	(X) Yes	() No	() Excused	() Abstained	() Absent

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65 Signed by Mayor John Drew this 19th day of AUGUST 2021

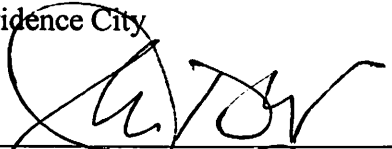
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67 Providence City

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John Drew, Mayor

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73 Attest:

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Ty Cameron, City Recorder

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