

ORDINANCE NO. 2007-10

AN ORDINANCE APPROVING AN APPLICATION FOR CHANGE OF ZONING OF PROPERTY IN THE CITY OF WENDOVER, TOOELE COUNTY, UTAH.

RECITALS

1. Pursuant to U.C.A. §10-9-401, et seq., the City of Wendover is authorized to establish and amend zoning rules and regulations;
2. Pursuant to U.C.A. §10-9-403, the City of Wendover is authorized to make amendments to the number, shape, boundaries and area of any zoning district and to otherwise amend any other provision of the City's zoning ordinance;
3. Jorge E. Montes is the owner of property within the City, and has applied for a zoning change of certain of its property from R-3 (Residential) to C-2 (Commercial);
4. Jorge E. Montes has followed all applicable procedures required by law, including without limitation review and approval by the City Planning Commission, meeting applicable public notice periods, and other related matters;
5. The City has provided the required public notice of the zone change proposed by Jorge E. Montes and has held the public hearing required by law.
6. The City Council believes it is in the best interest of the City and its residents and businesses that the zone change request of Jorge E. Montes be granted.

BE IT ORDAINED BY THE WENDOVER CITY COUNCIL:

Section No. 1. Zone Change Approved. The application for zone change filed by Jorge E. Montes with the City on or about August 28, 2007 is hereby approved.

Section No. 2. Property Affected. The description of the property (hereinafter the "Real Property") affected by this ordinance is set forth in the Petition for Amending Wendover City Zoning Map, attached to this ordinance for said Exhibit "A" being made part hereof by this reference.

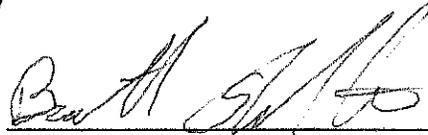
Section No. 3. Change of Zone. On the effective date of this ordinance, the zoning of the Real Property shall be changed from R-3 (Residential) to C-2 (Commercial).

Section No. 4. Severability Clause. The provision of this Ordinance are severable. If any provision of this Ordinance is held invalid or unenforceable for any

reason, said invalidity or unenforceability shall not affect any other provision of this Ordinance or its application under a different circumstance.

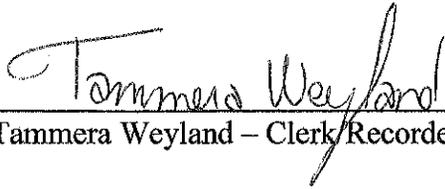
Section No. 5. Effective Date. This Ordinance shall become effective 20 days after publication or posting or 30 days after final passage, whichever is earlier.

**PASSED AND ADOPTED BY THE WENDOVER CITY COUNCIL THIS
26TH DAY OF SEPTEMBER, 2007**



BRETT SHELTON – MAYOR

ATTEST:



Tammera Weyland – Clerk/Recorder

EXHIBIT "A"

**COPY OF JORGE E. MONTES
PETITION FOR AMENDING WENDOVER CITY
ZONING MAP**

PETITION FOR AMENDING
WENDOVER CITY ZONING MAP

DATE: 8/28/07

I (WE), THE UNDERSIGNED PROPERTY OWNER(S), DO RESPECTFULLY
REQUEST THAT THE WENDOVER ZONING MAP BE AMENDED AS
FOLLOWS:

ADDRESS OF PROPERTY TO BE REZONED:

318 VINTA AVE.

PROPOSED USE OF REZONED PROPERTY:

REZONING:

FROM RESEDENCIAL TO COMERCIAL

PROPERTY OWNER(S) SIGNATURE

ADDRESS

TELEPHONE NO.

Jorge E. Montes

P.O. Box 150106
ELY NV. 89305

775-289-4239

Neil Peterson

P.O. Box 201
Montello, NV
89830

775-776-2500

NOTE: THIS PETITION MUST BE ACCOMPANIED BY A FILING FEE OF
\$150 (CHECKS SHOULD BE PAYABLE TO WENDOVER CITY) AND BY A
LOCATION MAP WHICH DELINEATES THE PROPERTY TO BE REZONED.
THE MAP SHOULD BE A SCALE NOT LESS THAN 200 FEET PER LINEAL
INCH.

**JORGE E. MONTES
REAL PROPERTY
DESCRIPTION**

Lot 7, block 8, Wendover Plat "A". Containing 0.209 Acres more or less.

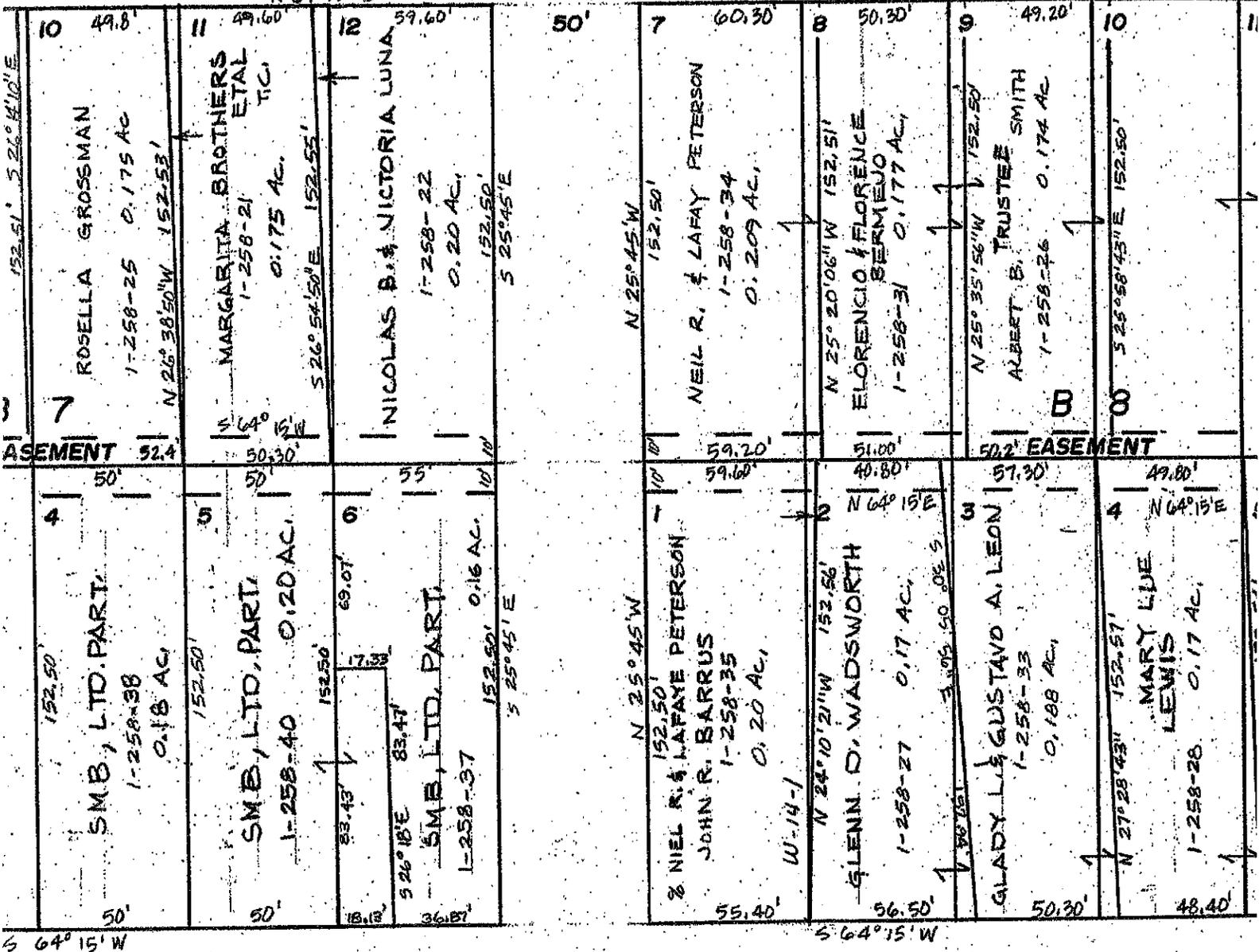
**JORGE E. MONTES
REAL PROPERTY
MAP
LOCATION
2007**

WENDOVER

JORGE E. MONTES AREA
TO BE REZONED

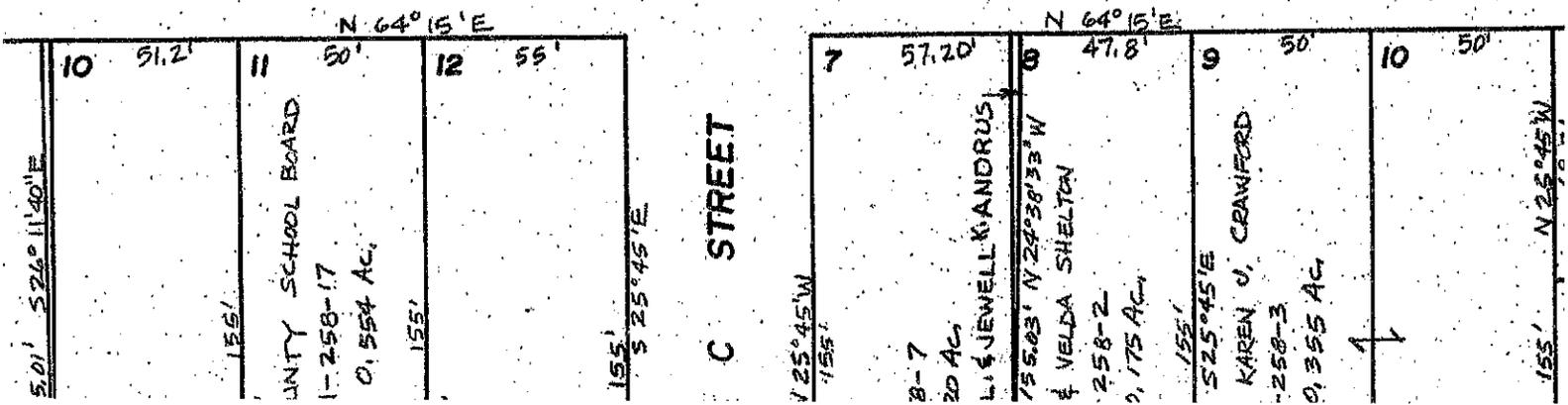
THIRD STREET

STREET



SECOND STREET

STREET



C STREET