

Notice of Violation

Case #: 230002

Date: 01/10/2023

Parcel: 06-017-B-0038

Property owner: Willow Springs LLC

Property owner mailing address: 783 Deer Hollow Rd, Tooele, UT 84074

Property address: Off Old Bauer Rd, Tooele, UT 84074

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Legal description: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN, THENCE ALONG THE WEST LINE OF SECTION 12, NORTH 00°28'26" EAST, A DISTANCE OF 2,614.56 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 12 AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST SECTION LINE NORTH 00°13'45" WEST, A DISTANCE OF 975.81 FEET; THENCE NORTH 89°52'28" EAST, A DISTANCE OF 3,506.37 FEET; THENCE SOUTH 04°46'50" WEST, A DISTANCE OF 3,538.01 FEET TO THE WESTERLY RIGHT OF WAY LINE OF BAUER ROAD (ENTRY NO. 357038); THENCE SOUTH 39°27'31" WEST ALONG SAID WESTERLY LINE, A DISTANCE OF 559.62 FEET TO THE CENTERLINE OF AN EXISTING DIRT ROAD; THENCE ALONG SAID CENTERLINE THE FOLLOWING TWO (2) COURSES; 1) THENCE NORTH 50°32'29" WEST, A DISTANCE OF 126.07 FEET; 2) THENCE NORTH 24°20'44" WEST, A DISTANCE OF 307.67 FEET TO THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°59'11" WEST ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 1,754.50 FEET; THENCE NORTH 00°00'39" WEST, A DISTANCE OF 1,849.15 FEET TO THE CENTERLINE OF AN EXISTING DIRT ROAD; THENCE ALONG SAID CENTERLINE THE FOLLOWING TWO (2) COURSES; 1) THENCE NORTH 45°47'57" WEST, A DISTANCE OF 556.30 FEET; 2) THENCE SOUTH 89°28'05" WEST, A DISTANCE OF 477.29 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N00°28'26"E ALONG SAID WEST LINE, A DISTANCE OF 381.72 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 12 AND THE POINT OF BEGINNING.
CONTAINS: 10,274,041 SQ.FT. / 235.859 AC. ± OUT OF 6-17-C-27 AND 6-17-B-35 FOR 2022 YEAR. 235.86 AC

Tooele County has found the property to be in violation of one or more of the codes listed below. Please have these violations remedied to prevent any further significant negative impact and ongoing nuisance that this illegal usage of the property has had on surrounding neighbors and the general community.

Violation:

27-1. Purpose. (1) The mining, quarry, sand, and gravel excavation zone (MG-EX) is a zoning district which allows and protects the mining, quarry, sand, and gravel excavation industry while protecting the environment. This zone is to assure that the operations of such sites do not impact adjoining uses, and are not encroached upon by surrounding non-compatible land uses.

(2) This chapter regulates the location, operations and reclamation of mining, quarries and gravel pits to provide safe conditions and protection of the environment in Tooele County. These regulations are to protect the owner, employees, and the public at large.

27-2. Permitted and conditional uses. (Mining, quarry, sand and gravel excavation zone)

The conditional use permit required by this chapter shall be obtained prior to the commencement of use of any sand or gravel pit, mine, or quarry within Tooele County. No presumption of approval shall be made regarding an application. All applications for conditional use permits are made to the Department of Engineering shall include all drawings, maps, specifications, statements and records as required by Chapters 7, 12 and this chapter. All applications that are incomplete upon submission shall be returned to the submitter. The land owner and operator shall be responsible to insure all conditions are complied with.

15-5-1. Codes and symbols. (1) In this part are uses allowed in the various districts as follows: (a) "permitted uses," indicated by a "P" in the appropriate column; or (b) "conditional uses," indicated by a "C" or "C1" in the appropriate column. (2) Conditional uses marked by "C" mean issuance by planning commission. Those marked by "C1" mean it may be approved administratively by the zoning administrator. (3) If a use is not allowed in a given district, it is either

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not named in the use list or it is indicated in the appropriate column by a dash, "-". (4) If a regulation applies in a given district, it is indicated in the appropriate column by an alphanumeric character that will show the linear feet, or square feet, or acres required, or by the letter "A." If the regulation does not apply, it is indicated in the appropriate column by a dash, "-". (Ord. 2005-30, 11/22/05)

Remedy action needed:

This property is zones MU-40 and does not allow the use for a gravel pit. The property must be zoned MG-EX and comply with all provision of chapter 27 of the Tooele County Land Use Code.

Deadline: 01/24/2023

Penalties:

A penalty of \$100.00/day will be issued if the property is not in compliance by the deadline date above and will continue to accrue each day the violation continues to exist. An administrative penalty of \$100.00 will be assessed amongst the other fees for any property found in violation after deadline. Any fees not paid when due will be placed on the parcel's tax rolls. Other consequences may include, but not limited to criminal prosecution, civil penalties, revocation of permits, recordation of the Notice of Violation, withholding any County permits, abatement of the violations, costs, administrative fees, and any other legal remedies. If abatement is necessary to bring the property into compliance all costs and penalties will be issued and due.

Compliance:

A compliance inspection is needed to bring the property into compliance. A courtesy inspection will be held 14 days on the deadline date listed in this notice, only if an inspection is not requested beforehand. If further inspections are required a responsible party shall pay reinspection fees at \$50 each.

An extension MAY be granted, if requested in writing before the deadline date provided in this notice. An extension request must include all the property and owner's information, reasoning as to why the property will not be in compliance by the deadline given and a requested extension period.

Hearing:

Any responsible person(s) of the property may, in writing, request an administrative hearing/appeal regarding this notice. The hearing must be filed with the Community Development Department within 10 days of the date of service of this notice. The appeal fee is \$250. Failure to request a hearing within the 10 days of this notice shall constitute a waiver of the right to an administrative hearing and challenge the action and shall not affect the validity of the recorded notice of violation.

Trish DuClos, COSS




Ordinance Enforcement and Zoning Administrator
 Tooele County
trish.duclos@tooeleco.org

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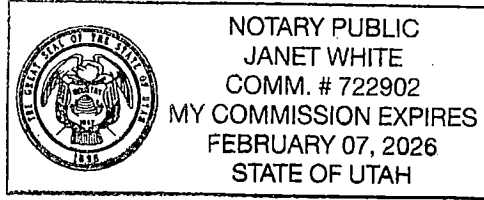
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Notary

STATE OF UTAH)

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County of Tooele)



On this 12 day of January 2023, James Tanner, Administrative Hearing Officer, personally appeared before me and acknowledged that he/she signed the above Notice and that the statements contained therein are true.

Feb 7, 2026
My Commission Expires

Janet White
Notary Public