

BOARD OF ADJUSTMENT MINUTES

June 14, 1994

Present: K. D. Simpson, Paul Summers, Vedon Duncan, Dean Thurgood; Kathi Izatt, Planning Commission Representative; Russell Mahan, City Attorney; Blaine K Gehring, Planning and RDA Director, Shirley Chevalier, Recording Secretary

Absent: Chairman Kirk Heaton - The meeting was chaired by K. D. Simpson.

The minutes of May 10, 1994 were unanimously approved as written.

Petition No. Steven Covey, 2049 South Bountiful Boulevard

Permission to construct a single family dwelling on 30% slope. Ordinance allows no building on 30% slope or greater. Permission to construct a single family dwelling with a 15 ft. front yard setback. Ordinance allows a 20 ft. front yard setback in the Foothill Overlay Zone if it meets certain criteria as defined in Chapter 4, 14-4-109 Yard Requirements of the Bountiful Zoning Ordinance.

When Bountiful City was considering the Foothill Ordinance in 1976-77, this subdivision, Maple Hills No. 2 Plat A, was being considered for approval at the same time. Rather than wait for the Foothill Ordinance to take effect, the subdivision was approved with all of the conditions, as part of the motion, that eventually became the Foothill Ordinance. The ordinance was new, the topography surveys were not as accurate as they could have been, and staff probably did not know totally what to look for, so a couple of building lots were approved that did not have the required square footage for the building pads. There is no disclaimer on this plat to indicate to a buyer that he might have a problem.

The lot being considered now would have had more building space had the home on the lot next to it not been put in the wrong place forcing that owner to purchase part of this property and apply for a variance on the frontage. This would explain the situation which now applies to Mr. Covey's property.

Vedon Duncan made a motion to approve the variance to allow the 15 ft. front yard setback, and to allow the variance for the 30% slope for Steven Covey's Petition No. 94-6; Russell Mahan suggested the motion limit the variance to provide for what has been proposed so that an alternate plan is not used which digs deeper into the hill; Vedon Duncan amended his motion to include that statement; seconded by Dean Thurgood; motion approved unanimously.

Petition No. 94- Mark Cummings, 2067 South Bountiful Boulevard

Permission to construct a single family dwelling on 30% slope. Ordinance allows no building on 30% slope or greater. Permission to construct a single family dwelling with a 15 ft. front yard setback. Ordinance allows a 20 ft. front yard setback in the Foothill Overlay Zone if it meets certain criteria as defined in Chapter 4, 14-4-109 Yard Requirements of the Bountiful Zoning Ordinance.

As mentioned earlier, this lot has the same circumstances as the previous lot that was just granted a variance (Petition 94-6). Mr. Cummings said he bought the property and began working to design a home that would fit. He now proposes to sell the lot. The new owners will build a 1500 sq. ft. home. They could build with a 20 ft. front yard setback so they will not need a variance to allow a 15 ft. front yard setback.

Kathi Izatt made a motion to approve the variance on the 30% slope for the Cummings application and that the home that is built will be within the building pad that is shown on the plat map; seconded by Dean Thurgood; motion unanimously approved.

Meeting adjourned at 7:45 PM.

Frances Spencer resigned her post on the Board effective immediately. Kirk Heaton's term expires June 30, 1994. Vedon Duncan and Dean Thurgood, currently serving as alternates, have been permanently appointed to fill the vacancies left by Mrs. Spencer and Mr. Heaton. Michael Sant, 1235 East 1650 South, and Sydnie Shurtliff, 1046 South 1550 East, have been appointed as alternates. Members of the Board will elect a new Chairman and Vice Chairman at the July 12, 1994 meeting.