

BOARD OF ADJUSTMENT MINUTES
February 9, 1999

Present: Vice-Chairman Verlon Duncan, Ron Barlow, Kevin Murray, Bud Neslen, Brent Wynn, Planning Director Blaine Gehring and Recording Secretary Connie Feil.

Absent: Gordon Thomas, Planning Commission Representative Al Hess and City Prosecutor J.C. Ynchausti.

Verlon Duncan welcomed all those present and had the Board Members introduce themselves.

Election of Chairman and Vice-Chairman for 1999.

Verlon Duncan opened the floor for nominations for Chairman. Bud Neslen made a motion to nominate Verlon Duncan for Chairman. Brent Wynn seconded the motion and voting was unanimous. Verlon Duncan made a motion to nominate Bud Neslen for Vice-Chairman. Kevin Murray seconded the motion and voting was unanimous.

Ron Barlow made a motion to approve the minutes for December 8, 1998 with one correction. Kevin Murray seconded the motion and voting was unanimous.

1. Consider granting a 10-foot variance to a required 30 foot front yard setback at 2993 S. Vista Circle, Justin Manning, applicant.

Justin and Lisa Manning, applicants, were present. Lisa Manning explained that they bought the home about six months ago. The home owners to the north have built a garage on the Manning's property. Access to the garage and a retaining wall holding the access is partially on the Manning's property. When the Mannings closed on the home, they were required to deed that portion of property to the owners on the north. The driveway and garage were built 35 to 40 years ago and these people have been using it all this time. The retaining wall is falling apart. The insurance company will cancel the policy if the wall is not repaired. There is a legal problem that will need to be taken care of. There is not enough room on the south side of the home to run a driveway, and nothing can be built on the north because of the problems created by the property owners on the north. In order to have a garage it will have to be built on the front of the home.

Blaine Gehring explained that technically, in this area, the front yard set back can be 25 feet. Most of the homes in this area are set back at 25 feet so the variance should be for 5 feet. This area has just recently been annexed into Bountiful from the County. Years ago the set back was only 25 feet. The Mannings are asking to build within 20 feet of the street and in some instances the ordinance will allow for it. The 20-foot set back will allow for a car to be parked off the driveway, back from the sidewalk without any encroachment on other vehicles.

There was a discussion among those present. Kevin Murray made a motion to grant a 10-foot

variance because it is obvious that the Mannings have a hardship with this location that cannot be solved without a variance. Bud Neslen seconded the motion and voting was unanimous.

Meeting adjourned at 7:25 P.M.