MINUTES OF THE COTTONWOOD HEIGHTS APPEALS HEARING OFFICER MEETING HELD THURSDAY, JULY 13, 2023, AT 5:00 P.M. AT COTTONWOOD CITY HALL IN THE CITY COUNCIL WORKROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH.

ATTENDANCE

Present: Paxton Guymon, Appeals Hearing Officer
Shane Topham, City Attorney
Michael Johnson, Community and Economic Development Director
Samantha DeSeelhorst, Senior City Planner
Ian Harris, Associate Planner/Sustainability Analyst
Maria Devereux, Deputy City Recorder

1.0 Public Meeting

1.1 Welcome and Acknowledgements.

Appeals Hearing Officer, Paxton Guymon called the meeting to order at 5:00 p.m.

1.1.1 Ex Parte Communications or Conflicts of Interest to Disclose.

There were no ex parte communications or conflicts of interest disclosed.

2.0 Business Items.

2.1 (Project AHO-23-005) – Consideration and Potential Action on a Request from Alma and Kodi Gilgen for an Expansion of a Non-Conforming Structure (Home Addition) located at 1646 East Staker Way.

Associate Planner/Sustainability Analyst, Ian Harris presented the Staff Report and stated that the above request is for the expansion of a non-conforming structure located at 1646 East Staker Way. The subject property is .17 acres in size or 7,400 square feet, which is below the minimum required zoning for the existing R-1-8 Zone. The applicants are seeking to construct an addition to their home that includes a full second story and an eight-foot expansion of the west side yard footprint. A site plan rendering was displayed. Mr. Harris confirmed that the current square footage will increase from 2,100 to 3,500 square feet. Staff found that the proposed expansion of a non-conforming structure introduces no significant impact given that the second-story addition is within the 35-foot height limit. Removal of the rear shed will reduce the current five-foot setback to 13 feet.

Senior City Planner, Samantha DeSeelhorst reported that the existing shed was in place prior to the City's incorporation and removal would bring the property closer into conformity. The proposal does not impose any closer to the remaining property line but has technically expanded the amount of square footage that is non-conforming. Officer Guymon confirmed that the applicant was not opposed to the removal of the existing shed.

Hearing Officer Guymon reviewed the Staff Report and acknowledged that the applicant followed the proper procedure.

Hearing Officer Guymon approved the request for a non-conforming structure, subject to the following:

Findings:

1. ***The proposal will not negatively affect the health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of the City because the use is the same as currently exists.***

2. ***The proposal will not create any additional congestion on the streets or roads.***

3. ***The proposal will not create a fire safety issue.***

4. ***The proposal will not affect airflow or block natural light from adjoining properties by conforming with all height regulations.***

5. ***The proposal will have no apparent negative effect on the City's tax base.***

6. ***The proposal will not place any type of unreasonable burden upon neighboring properties.***

7. ***The proposal is in keeping with the intent of the Cottonwood Heights Zoning Ordinance.***

Conditions:

1. ***The existing attached storage structure shall be removed prior to final inspection of any permitted work on the property.***

2. ***The scope of approval only pertains to the plans shown in the applicant's submission, nothing more or in addition to.***

3. ***All other standards listed in §19.26 shall be followed.***

3.0 Consent Agenda

3.1 Approval of Appeals Hearing Officer Meeting Minutes from July 13, 2023.

Hearing Officer Guymon APPROVED the minutes of the July 13, 2023, meeting after the following process is met. The Recorder will prepare the minutes and email them to the hearing officer. The Hearing Officer will have five days to review the minutes and provide any changes to the recorder. If, after five days there are no changes, the minutes will stand approved. If

there are changes, the process will be followed until the changes are made and the Hearing Officer is in agreement, at which time the minutes shall be deemed approved.

4.0 Adjournment

The Appeals Hearing Officer Meeting adjourned at approximately 5:15 P.M.

I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Appeals Hearing Officer Meeting held Thursday, July 13, 2023.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____