



AMERICAN FORK CITY  
BOARD OF ADJUSTMENT AGENDA  
06/12/2024

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT**

**NOTICE** is hereby given that the Board of Adjustment of American Fork City, Utah will meet on Wednesday, June 12, 2024, at the American Fork City Public Works Complex, 275 East 200 North, American Fork, at 6:00 p.m. The items listed below will be discussed, and anyone interested is invited to participate and provide a comment.

**BOARD OF ADJUSTMENT MEETING**

1. Call to Order
2. Approve Minutes from previous meetings (12.14.2022 and 03.13.2019)
3. SCHEDULED ITEMS

Scott Dent has submitted an application for a review and action on a request for a variance for a property located at 45 North 300 West, American Fork, Utah 84003.

4. Other Business

**ADJOURNMENT**

5. Adjourn

To send public comments to Board of Adjustments members, email [mwhite@americanfork.gov](mailto:mwhite@americanfork.gov).

Melissa White  
Development Project Coordinator  
Development Services  
American Fork City

Dated May 05.22.2024

## BOARD OF ADJUSTMENT

## American Fork City

March 13, 2019 • 6:30 PM

American Fork Public Works • 275 East 200 North • American Fork UT 84003

Board Members Present: Michael Privett, Scott Olson, Karen Tiberius and Ron Morrill

Absent:

City Staff Present: Dan Rojas, Chief Building Official

Lisa Halversen, Public Works Administrative Assistant

Cherylyn Egner, Legal Counsel

Others present: David and Jeanette Albers, applicants

## BOARD OF ADJUSTMENT MEETING

## 1. Call to Order

This meeting of the Board of Adjustment of American Fork City, having been properly noticed, was called to order at 6:34 p.m.

2. Approval of minutes from October 12, 2016.

**MOTION:** Scott Olson moved to approve the minutes from October 12, 2016. Seconded by Ron Morrill.

Yes - Michael Privett  
Ron Morrill  
Scott Olson

Abstain - Karen Tiberius

## Motion passes.

## SCHEDULED ITEMS

3. #19-001 Request for a special exception to the setback requirements for an existing non-conforming building for the David and Jeanette Albers property located at 479 East 200 North

## Applicant Presentation:

42 The applicants David and Jeanette Albers requested a special exception to the setback ordinance  
43 17.4.205.E.1.d. The applicants are requesting an exception in order to add on to their home at 479 East 200  
44 North along the east side of the property. Although the property has enough depth to meet the current  
45 ordinance of the required 30 ft setback, the applicants want their home setback at 25 ft to match the existing  
46 structure. The home is currently considered an existing non-conforming building with a 25 ft rear setback.  
47 They are asking for a 4ft exception to make the existing home line up with the addition. The rear setback  
48 will be at 25.6 ft instead of 30 ft.

50 Mr. Olson asked Mr. Rojas if he has any issues with the setbacks on the garage side. Mr. Rojas replied that  
51 the proposal falls within the range of required side setbacks. The issue is the rear setbacks. He said the

52 property owners have room to make the addition within that rear range also, but they don't want to.  
53 Mr. Olson started the discussion by saying that since it's an old home with a non-conforming setback, he  
54 doesn't see any harm in allowing the rest of the home to be at the same rear line. Ms. Egner says that from  
55 a legal standpoint, a variance has to meet definition of hardship in order to be approved.

56  
57 Ms. Tiberius referred to question 3- does it meet a hardship requirement- she said her personal view doesn't  
58 necessarily override the legal restrictions. She understands why they don't want to put the addition in the  
59 front, she has many years of building experience, but she can't think of a hardship reason that is not  
60 economic, aesthetic or self-imposed.

61  
62 Mr. Albers indicated that the cost of doing the addition while allowing for 30 ft setbacks would be  
63 prohibitive, it would require a new roof and many other costs. He doesn't think that 4 ft would make a  
64 difference to the city.

65  
66 Mr. Olson said that he thinks it would be an unreasonable hardship to deny this application. They would  
67 merely be making the rest of the home match up to the existing non-conforming status. Mike Privett also  
68 agreed that he thinks he could find that there is an unreasonable hardship. Ms. Egner instructed  
69 commissioners to make sure the minutes and the record reflect what the hardship is. The variance may not  
70 legally be approved for economic, self-imposed, or aesthetic reasons.

71  
72 Ms. Tiberius felt like this is an aesthetic situation and that words, laws and zoning code have meaning. She  
73 said that the board's instructions are that they must meet certain criteria, they can't make decisions just to  
74 make people happy. Mr. Olson repeated that the existing home is non-conforming and he feels like that is  
75 a good reason for granting a variance.

76  
77 Mr. Albers asked what the purpose of setbacks are, he's building in Lehi and the older properties have a 16  
78 ft setback requirement. Why do the American Fork setbacks need to be 30 ft? Even with the approved  
79 variance, he would have a 25 ft setback. The commissioners gave setback reasons of density, water  
80 retention, buffering, and conformance with a city's master plan.

81  
82 Mr. Privett responded that he feels it is the board's duty to grant variances if they feel it's proper. Ms.  
83 Tiberius said that a variance could only be granted if the reason was found to be hardship that is not  
84 aesthetic, economic or self-imposed.

85  
86 Mr. Albers stated that he doesn't want to move, they want to stay in the neighborhood. The neighbors are  
87 ok with the addition, one neighbor wants to do something similar. He doesn't feel there are any good reasons  
88 to require the 30 ft setbacks. How would those extra 4 ft benefit the city in any way?

89  
90 Ms. Tiberius suggested that maybe this isn't the appropriate body, maybe the city council needs to look at  
91 reducing the setback requirements. Ms. Egner asked that a decision be made by using the criteria given.  
92 Mr. Rojas said that code requirements have changed over the years, they are not set in stone.

93  
94 **Board Discussion:**

95  
96 In order to grant a variance, the Board must find that all conditions for approval are met as stipulated by  
97 Utah State law. The board reviewed the following conditions:

98  
99 1. Would granting the variance change the intended use of the property? The consensus was no  
100

101 2. Are there special circumstances attached to the property that do not generally apply to other  
102 properties in the same district? Yes, the existing non-conforming home is the special  
103 circumstance

104

105 3. Do circumstances in condition (2) cause an unreasonable hardship on the applicant, denying use  
106 of the property, that others in the same district enjoy or that he/she has a right to expect? This  
107 question was the one where there were the most differences and mixed opinions. Ms. Tiberius  
108 couldn't get to yes because of the economic, aesthetic and self-imposed rule. She asked for  
109 objective standards, not subjective reasoning. Others felt that the hardship rule would be  
110 justifiable because of the existing non-conforming status.

111

112 4. Is the variance essential to a substantial property right? No

113

114 5. Will granting the variance substantially affect the goal of the General Plan or be contrary to the  
115 public interest? No

116

117 6. Is the 'spirit' of the zoning ordinance observed and is the Board being fair to all involved? Yes

118

119 After discussion, the board was not comfortable with approving this special exception. There was further  
120 discussion about the legal ramifications of tabling this application. It was suggested that applicants argue  
121 their case in front of the city council and ask for a change in setback requirements for existing non-  
122 conforming properties.

123 **MOTION: Ms. Tiberius moved to table this request for a special exception to the setback  
124 requirements for the Albers property located at 479 East 200 North.** Seconded by Mr. Olson.

127 Yes - Michael Privett  
128 Ron Morrill  
129 Scott Olson  
130 Karen Tiberius

131 Motion passes.

132 Other Business

133 None

134 ADJOURNMENT

135 5. Adjourn.

136 A motion was made by Ms. Tiberius to adjourn. Mr. Olson seconded the motion. It was unanimously  
137 approved. The meeting was adjourned at 7:35p.m.

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145  
146  
147  
148  
149  
150 Lissa Halversen  
Public Works Administrative Assistant

## BOARD OF ADJUSTMENT

## American Fork City

December 14, 2022 • 6:00 PM

American Fork Public Works • 275 East 200 North • American Fork UT 84003

Board Members Present: Michael Privett, Scott Williamson, Mary Street, Bridgette Nelson, Reid Shelley

City Staff Present: Dan Loveland, Chief Building Official  
Melissa White, Public Works Administrative Assistant

Others present: Jaime Ostler, Applicant

## BOARD OF ADJUSTMENT MEETING

## 1. Call to Order

This meeting of the Board of Adjustment of American Fork City, having been properly noticed, was called to order at 6:00 p.m.

2. Approve Minutes from 09.14.2022 and 03.13.2019.

## MOTION:

**Scott Williamson motioned to approve the 09.14.2022 minutes. Mary Street seconded the motion.**

Aye

Michael Privett  
Scott Williamson  
Mary Street  
Bridgette Nelson  
Reid Shelley

## Motion passes.

Michael.Privett requested to approve the 03.13.2019 meeting minutes at the next meeting to give the board members more time to review the minutes.

Aye -

Michael Privett  
Scott Williamson  
Mary Street  
Bridgette Nelson  
Reid Shelley

## Motion passes

### 3. Vote for the New Chairperson

Scott Williamson motioned to appoint Mary Street as the Chairperson. Mike Privett seconded the motion.

Aye -

Michael Privett  
Scott Williamson  
Mary Street  
Bridgette Nelson

53 Reid Shelley  
54  
55 Motion passes.  
56

57 4. Scheduled Items  
58

59 Jaime Ostler has submitted an application for a review and action on a request for a variance  
60 on a proposed nonconforming lot of record for a property at 235 West Pacific Drive.

61 **Applicant Presentation:**  
62

63 Dan Loveland stated that Ms. Ostler was requesting a variance on her property for a two-family dwelling.  
64

65 Ms. Ostler: I would like to do a duplex. It's zoned R4-7500 which is a nonconforming lot of record, so I  
66 changed it to a conforming lot of record so I could actually do something it. In 2014 I got divorced and it  
67 was part of the divorce agreement along with the 4-plex. I want to be able to do something with it that it's  
68 zoned for.  
69

70 Dan Loveland: There was a variance granted in 2014 for a single-family dwelling. \*Ms. Ostler confirmed.  
71 \* For all the Board members, there was a highlighted section in the staff report that noted that this is a non-  
72 conforming lot of record which dictates what the Board of Adjustment can or cannot do. If you go to section  
73 B in the notes it states, "The Board of Adjustment shall not have the authority to approve a dwelling  
74 having two or more dwelling units on a parcel which does not fully comply with the requirements  
75 applicable thereto." In order for this to be a two-family dwelling as defined by our municipal code  
76 it has to meet all the requirements of the zone to be able to approve that.  
77

78 **Board Discussion:**  
79

80 Michael Privett: \*Addresses Ms. Ostler. \* This is what I understood from the packet. I'm sorry, our hands  
81 are kind of tied in this.  
82

83 Jaime Ostler: Is this because it was a nonconforming lot of record?  
84

85 Dan Loveland: Yes, and it still is.  
86

87 Jaime Ostler: It was changed in 2014.  
88

89 Dan Loveland: A variance was given for a single-family dwelling. It's still a nonconforming lot. That's  
90 why there was a variance granted for a single-family dwelling because they could rule on that as well. But  
91 for a two or more family dwelling, they can't. It must meet the requirements. That is in our municipal code.  
92

93 Jaime Ostler: What will happen with the housing shortage? Will the code be changing? I know cities are  
94 starting to change zonings. I was talking with Dan Rojas, and he was showing me different floor plans that  
95 I can put on that lot. I'm curious if the zoning will change or if you are open to changing any of that. We  
96 need to be able to use our property. There's not enough homes for everybody that wants to live in Utah.  
97

98 Dan Loveland: I haven't heard of any zone changes at this point. I know they're working on a code rewrite  
99 for the municipal code. Most of the rewrite is to cover things in the municipal code that are a gray area so  
100 it's easier to understand for everyone.  
101

102 Jaime Ostler stated her disappointment.  
103  
104 Michael Privett: If you wanted to, your next option could be to solicit a zone change to the Planning  
105 Commission for a multi-family type zone.  
106  
107 Mr. Privett and Ms. Ostler have a brief discussion on how to start the zone change process through the city.  
108  
109 Mary Street: The issue is it's a nonconforming lot. What makes it nonconforming? Is it the width as it's  
110 only 60-feet wide?  
111  
112 Dan Loveland: Yes. The requirements for a two-family are a minimum of 12,000 square feet. 90-foot width  
113 and 100-foot depth are the minimums.  
114  
115 The Board held a brief discussion about the size of Ms. Ostler's lot and the missing requirements to meet a  
116 two-family dwelling.  
117  
118 Scott Williamson: There are a couple of criteria it misses; it doesn't have nearly enough frontage with 58  
119 feet. There's not nearly enough square footage in it.  
120  
121 Jaime Ostler: What about [Mr. Privett's] idea of changing the zone? There is a 4-plex right next to it.  
122  
123 Mary Street: The zone also has minimum area and width requirements. To permit that is a matter of  
124 changing not only the zoning designation but what the requirements in the zone are. That effect would be  
125 city-wide, not just your location.  
126  
127 Scott Williamson: I do not think American Fork City has a zone that that lot will fit two homes on.  
128  
129 Jaime Ostler: That is probably not an option.  
130  
131 Mary Street: It is currently zoned for a single-family home. \*Mr. Loveland confirmed. \*  
132  
133 Jaime Ostler: It is, but I do not understand what the difference is. What if I put a basement in a regular  
134 home? What is the difference between that and a duplex?  
135  
136 Scott Williamson: Those aren't always allowed, either. There are criteria they have to meet if you want to  
137 do that.  
138  
139 Jaime Ostler: They told me the criteria in 2014. I want to know what the difference is between me having  
140 a basement apartment in a home, versus [a duplex].  
141  
142 Scott Williamson: There are ordinances in place to protect you and the people living there. If they don't  
143 conform, they don't conform. That means it wouldn't be allowed in that same place [a duplex] either.  
144  
145 Jaime Ostler: I already know what I can do with a single-family home; I can rent out the basement. It's  
146 already been approved. \*Mr. Loveland confirmed. \* But what I'm saying is if I can live on the main level  
147 and rent out my basement, what is the difference between having that and a duplex?  
148  
149 Scott Williamson: I don't think it meets the criteria for that either.  
150  
151 Jaime Ostler: It does.  
152  
153 Dan Loveland: A duplex is defined as a two-family dwelling. That is the issue. The city allows for people

154 to have an accessory apartment to help people out with that provision. In a stacked duplex you have two  
155 separate units. You have what's called a floor-ceiling assembly which is a fire-rated assembly that separates  
156 the main level from the basement level, and they do not communicate. Whereas an accessory apartment is  
157 basically a basement you can rent out. It has to communicate between levels.

158  
159 Michael Privett: Typically it has to have access to the upstairs. That's really where the difference is.  
160

161 Mary Street: Are there any changes in the lot width or lot size?

162  
163 Dan Loveland: It's still defined as a two-family dwelling so it would still need to meet these criteria.

164  
165 Jaime Ostler: When it came through in 2014, Dan Rojas said I could rent out my basement as long as I lived  
166 on the main level.

167  
168 Dan Loveland: Yes, and that is defined as an accessory apartment. Yes, you can do that. There are some  
169 conditions that have to be met with an accessory apartment.

170  
171 Jaime Ostler: What are those conditions?

172  
173 Dan Loveland: There must be off-street parking, there are some addressing requirements.

174  
175 Jaime Ostler: Off-street parking for both vehicles? \*Mr. Loveland confirmed. \*

176  
177 Reid Shelley: A separate entry.

178  
179 Dan Loveland: As an owner-occupied, you must make sure it communicates with the main level. You can't  
180 rent out the main level and the basement. We do have a handout for an accessory apartment out there.

181  
182 Jaime Ostler: Thank you. This was my last shot.

183  
184 Mary Street: The good news is that you still have something you can do with your property.

185  
186 Jaime Ostler: Yes. Thank you for your time and consideration.

188  
189 MOTION:

190  
191 **Scott Williamson moved to deny a variance for property located at 235 West Pacific Drive in the**  
192 **R4-7500 zone because it does not meet the criteria for city ordinances.**

193  
194 **Seconded by Bridgette Nelson.**

195  
196 Aye - Michael Privett  
197  
198 Scott Williamson  
199 Mary Street  
200 Bridgette Nelson  
201 Reid Shelley

202  
203  
204  
205 The motion was denied.

## 2. Other Business

206

207 None

208

209

210 5. Adjourn.

211

212 A motion was made to adjourn by Mike Privett. Bridgette Nelson seconded the motion. It was  
213 unanimously approved. The meeting was adjourned at 6:17p.m.

214

215

216 Melissa White  
217 Public Works Administrative Assistant

Unapproved

**AGENDA TOPIC:** Review and action on a variance for property located at 45 North 300 West in the R3-7500 zone.

BACKGROUND INFORMATION			
Location:		45 North 300 West	
Applicants:		MJ Tribe Properties	
Existing Land Use:		Residential Low Density	
Proposed Land Use:			
Surrounding Land Use:	North	Residential Low Density	
	South	Residential Low Density	
	East	Residential Low Density	
	West	Residential Low Density	
Existing Zoning:			
Proposed Zoning:			
Surrounding Zoning:	North	R3-7500	
	South	R3-7500	
	East	R3-7500	
	West	R3-7500	
Land Use Plan Designation:		Residential Low Density	

### Background

To grant a variance, all conditions must be met. To deny a variance, you only need to be lacking on one condition.

1. Would granting the variance change the intended use of the property?

**NO**

2. Are there special circumstances attached to the property that do not generally apply to other properties in the same zone?

**YES, this is a non-conforming lot.**

3. Do those circumstances in (2) cause an unreasonable hardship on the applicant, denying use of the property, that others in the same zone enjoy or that he/she has a right to expect?

*YES, it is technically a self-imposed hardship because they chose to tear the existing house down. However, Section 17.1.508 2. Allows for a possible variance.*

4. Is the variance essential to a substantial property right possessed by other property owners?

**YES**

5. Will granting the variance substantially affect the goals of the general plan or be contrary to the public interest?

**NO**

6. Is the spirit of the land use zoning ordinance observed and is the Board being fair to all involved?

**YES**

#### Section 17.2.303 Powers of Board

The Board of Adjustment shall have the following powers:

- A. The power to grant variances from the terms of the land use ordinances, subject to compliance with the terms and conditions set forth herein and the provisions of Section 10-9a-702, Utah Code.
- B. The power to hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the administrative official in the enforcement of this code, subject to compliance with the terms and conditions of this code and the provisions of Sections 10-9a-703 through 10-9a-708, Utah Code Annotated, 1953, as amended.

#### Section 17.4.301 R3-7500 Residential Zone

- A. Intent. The R3-7500 residential zone has been established for the purpose of providing a place where one, two, three and four-family dwellings and planned unit developments can be constructed. Commercial and industrial uses are not permitted.

B. Permitted uses. The following buildings, structures, and uses of land shall be permitted upon compliance with the applicable requirements of this code:

1. One-family dwellings (conventional, construction and manufactured housing), and two-family dwellings (conventional construction only), all subject to the provisions of Section 17.5.129.
2. Customary residential accessory buildings and structures.
3. The growing of field crops and fruit.
4. Utility lines.
5. Home occupations subject to provision of Section 17.5.123 of this code.
6. Public and parochial schools and grounds.
7. Public agency and parks and playgrounds.
8. Churches; not including temporary revival tents or buildings.
9. Household pets.
10. Fences, walls, and hedges.
11. hospitals
12. Accessory apartments subject to the requirements of Section 17.5.134 of this code.
13. Household pets
14. Fences, walls and hedges

D. Lot area, depth, and width requirements. The minimum area, width, and depth requirements for a zoning lot within the zone shall be as follows:

Use	Minimum Area (in sq ft)	Minimum Width (at minimum setback line)	Depth of Lot (in ft.)
One-family dwellings	7,500	75	100
Two-family dwellings	12,200	90	100
Three-family dwellings	17,000	100	100
Four-family dwellings	20,000	110	100
Churches	2 acres	250	None

#### Section 17.1.508 Nonconforming Lots of Record

A. In all zones wherein one-family dwelling are listed as a permitted use, a one-family dwelling may be constructed on any lot or parcel of land, even though such lot or parcel does not comply with the area, width, or depth requirements for one-family dwellings within the zone, subject to a determination by the zoning administrator that the lot complies with all of the following:

1. The lot or parcel qualifies as a nonconforming lot of record (existed as a separately described parcel on the records of the county recorder prior to

the effective date of the ordinance) and the parcel does not constitute an illegal subdivision lot.

2. Except that any nonconforming lot having a width of less than sixty feet (as measured at the minimum front setback line) or a depth less than ninety feet shall require prior approval by the board of adjustment before issuance of a building permit.
3. One-family dwellings are listed as a permitted use in the present zone; and
4. All setbacks, height, access, building size, utility and special provision requirements of the existing zone and all applicable supplementary regulations can be met.

B. The authorization in this paragraph B shall be applicable only in the instance of one-family dwellings. The Board of Adjustment shall not have the authority to approve a dwelling having two or more dwelling units on a parcel which does not fully comply with the requirements applicable thereto.

## **FINDINGS OF FACT**

Section 17.1.508, this non-conforming lot of record is for a single-family residence. Paragraph A 3. Clearly shows all setback requirements are required to be met. The submitted site plan shows a violation of side set back requirements. If the Board is to grant a variance it can grant it on the condition that the required minimum setbacks shall be met. The minimum required side setback is 8' the site plan shows 6'.



## APPLICATION TO APPEAR BEFORE THE BOARD OF ADJUSTMENT

Scott.redent@gmail.com

Date: 5-14-2024

Phone Number: (801) 787-4876 (Scott Dent)

Property Owner: MJ Tribe Properties

Mailing Address: 70 N. 100 E. Lehi, Utah 84043

Address of Subject Property: 45 North 300 West

Zone of Property: R3-7500

Signature of Property Owner: John

### TYPE OF REQUEST:

I, (we), the above-stated applicant(s), hereby make application to the Board of Adjustment of American Fork City, Utah, for one of the following: (Check the provision that describes the type of request).

- 1. An error in an order, requirement, decision or determination made in the enforcement of the Land Use Ordinance.
- 2. An interpretation of the Land Use Ordinance text or boundary line.
- 3. A variance in the specific terms of the ordinance (requests for variance are generally limited to requirements relating to lot dimensions, building setbacks, lot area and/or size of building). The board is not authorized to issue use variances.
- 4. A special exception to the ordinance (a use which the terms of the ordinance specifically authorizes or requires the action of the Board).
- 5. Photos of the property.

### SUMMARY OF REQUEST:

Please attach a sheet describing in detail the specific action requested under this application including reasons you feel qualify for granting your request. Please identify the specific section(s) of the Ordinance applicable to the issue.

### EXPLANATION AND SUPPORTING DOCUMENTATION:

State the facts fully. A plot plan, to scale, must be attached showing the location of the property with existing and proposed Buildings on the lot/parcel (please indicate what is existing and what is proposed). You should also include the buildings on adjacent lots that may be affected by the variance.

DATE RECEIVED: 5/14/24 BY: John REQUEST: \_\_\_\_\_

Dear Members of the American Fork City Board of Adjustments,

I am writing to formally request a variance concerning the frontage requirement as outlined in the American Fork City Ordinance for my property located at 45 North 300 West. The property in question is currently zoned as R3-7500, which mandates a minimum frontage of 75 feet. Unfortunately, my lot only possesses a 59-foot frontage, which was established prior to the enactment of the current ordinance.

Historically, this lot was occupied by a single-family residence constructed in 1946. Over the years, the condition of the house deteriorated to the point where it became uninhabitable, necessitating its demolition. Our intention is to construct a new single-family residence on this lot, which aligns with the property's original use and the current zoning designation. However, the pre-existing condition of the lot's frontage presents a challenge in meeting the current ordinance requirements.

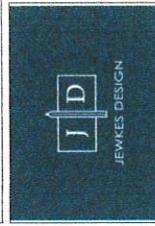
The granting of this variance is essential due to the following reasons:

1. **Historical Use and Intent:** The property has been used as a single-family residence since 1946. Our proposed construction will continue this use, maintaining the residential character of the neighborhood.
2. **Undue Hardship:** The current ordinance's frontage requirement was established after the original house was built. Enforcing this requirement on our lot, which was compliant with regulations at the time of its initial development, creates an undue hardship. The variance would alleviate this hardship without compromising the intent of the ordinance.
3. **No Detriment to Public Welfare:** Granting this variance will not adversely affect the public welfare or impair the purpose and intent of the zoning regulations. The new residence will conform to all other zoning requirements and enhance the neighborhood's aesthetic and property values.
4. **Consistency with Neighborhood:** The proposed single-family residence is consistent with the surrounding properties, most of which also predate the current ordinance. Granting this variance will ensure continuity and uniformity within the neighborhood.

In light of these points, I respectfully request that the American Fork City Board of Adjustments grant the variance for the frontage requirement. This will allow us to proceed with our plans to build a new, compliant single-family residence that upholds the historical use and intended zoning of the property.

Sincerely,

Keith Jenkins



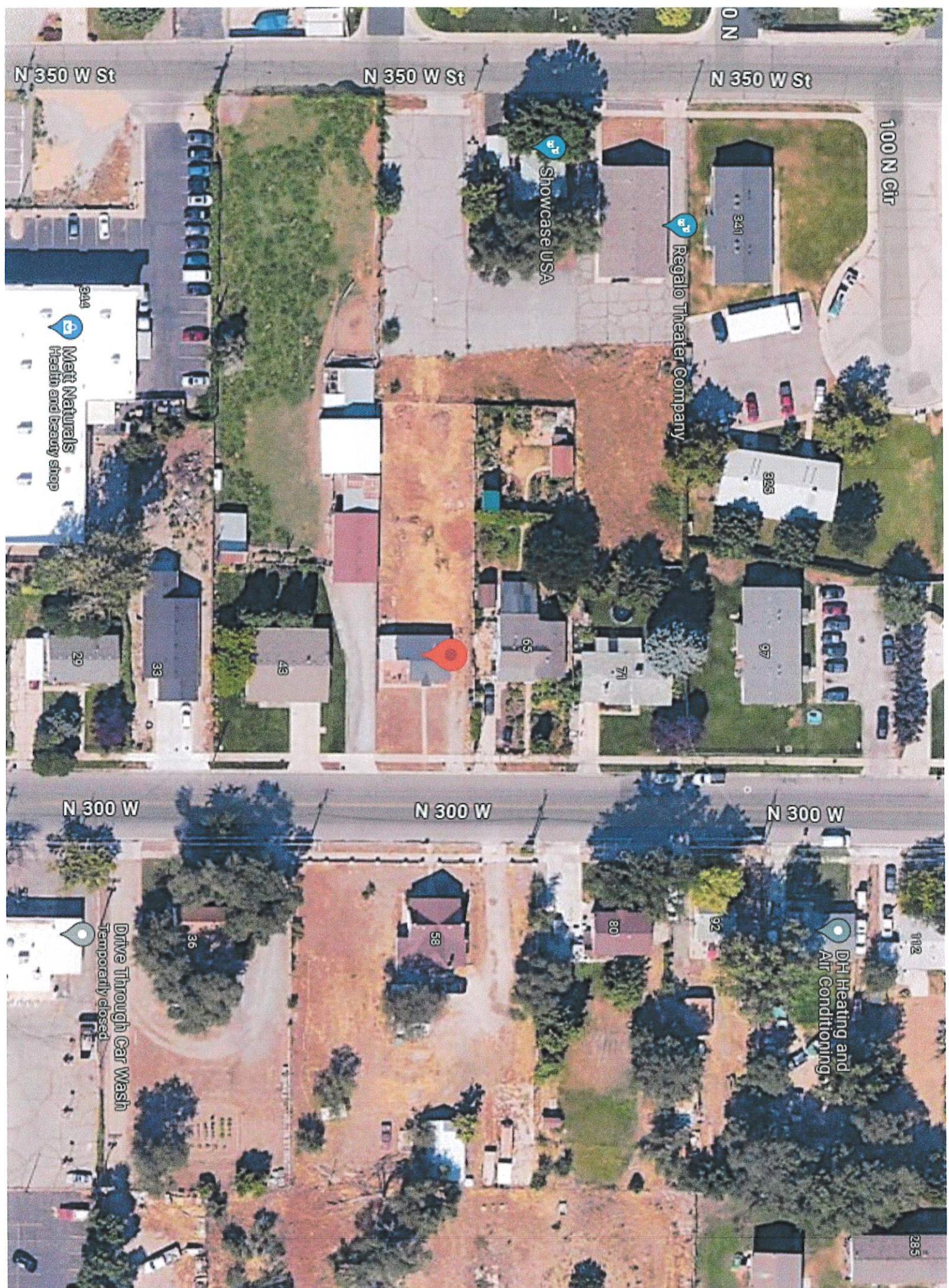
Jenkins Home

## SITE PLAN

C201

12 x 18 (paper size)

LOT INFO	
Address	45 N. 300 W.
City	American Fork, UT
Subdivision	N/A
Lot #	N/A





# Jenkins Home

45 N. 300 W.

SHEET INDEX

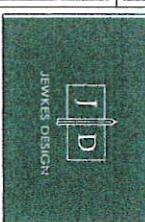


45 N. 300 W.

Design Criteria (see engineering)																			
<p><b>Owner:</b></p> <p>Jewkes Design Kieran Borman 512-328-1548 kieran@jewkesdesign.com</p>																			
<p><b>Designer:</b></p> <p>Jewkes Design Kieran Borman 512-328-1548 kieran@jewkesdesign.com</p>																			
<p><b>Contractor:</b></p> <p>RC Dent Scott Dent 801-767-4878 scott.dent44@gmail.com</p>																			
<p><b>Structural Engineer:</b></p>																			
<p><b>Interior Designer:</b></p>																			
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<p><b>Jenkins Home</b></p> <p>Builder must confirm all dimensions, site conditions, and measurements prior to construction. Plans and documents are the property of Jewkes Design. Any reuse or reproduction in part or in whole without written permission from Jewkes Design is not an authorized or legitimate.</p>																			
<p>Project 2033-242 26 January 2024</p>																			
<p><b>C101</b></p>																			

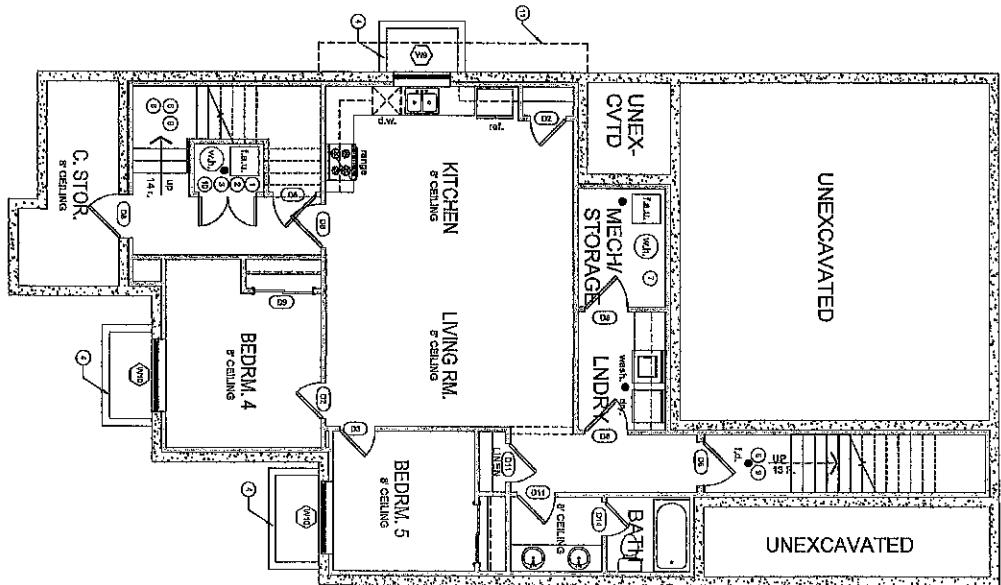
Upper Level Floor Plan

Main Level Floor Plan



**COVER SHEET**





COMPLETE SCHEDULE ON C103

LOWER LEVEL DOOR SCHEDULE

NAME	WIDTH	HEIGHT
D2	2'-6"	8'-8"
D3	2'-6"	8'-8"
D6	3'-0"	8'-8"
D8	3'-0"	8'-8"
D9	4'-0"	8'-8"
D11	2'-8"	8'-8"
D13	4'-0"	8'-8"
D14	2'-4"	8'-8"

COMPLETE SCHEDULE ON C103

LOWER LEVEL WINDOW SCHEDULE

NAME	WIDTH	HEIGHT	HEAD HEIGHT
W9	4'-0"	3'-8"	7'-0"
W10	5'-0"	4'-0"	7'-0"

LOWER LEVEL SF	
Living Space (Floor SF)	12' x 13' (gross 48')
Storage (Floor SF)	12' x 38' (gross 480')

LOWER LEVEL FLOOR PLAN	
Project 2023-242	45 N. 30th St.

25 January 2024

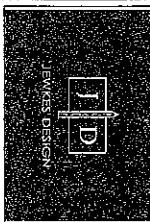
American Park, UT

45 N. 30th St.

SHEET NOTES

Comments

- Exterior combustion air is req'd as per IRC
- 2' step down into mech. m.
- Static steps are req'd for water feature as per IRC
- Window wells w/ metal grates covering 3' x 6' area. Wells must provide 3'-0" clear space to wall
- 36 min. guardrail is req'd as per IRC. W/rails as per owner
- A tile pan & back drain is req'd for washer & other
- Stairwell is req'd from the roofing at top start to the roofing at stair as per IRC
- Stairwell is req'd from the roofing at top start to the roofing at bottom as per IRC
- Contractor to provide flue as required
- Line of vs above



Jenkins Home

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45 N. 30th St.

Utah

### SHEET NOTES

#	Comments
1	Square opening w/ casing as per owner.
3	1-hole slab w/ backflow preventer and non-freeze valve to be installed at front and rear of home as per IFC.
4	Custom back system as per owner.
5	A transom is req'd from the room at top start to the opening of the bottom stair as per IFC.
6	36" min. clearance is req'd as per IFC.
7	Provide gas meter as per code.
8	A/C unit is not per to be installed as per code. Unit is to be installed as per manufacturer specs.
9	Provide power meter as per code.
10	Provide concrete slab 4" to drops as per IFC.
11	Plumbing, water, vacuum, and other penetrations through garage fire wall to be w/ metal piping.
12	Layer 5" type X 5" per. Ins. @ dg. 1" houses walls are to be rock-wool per IFC.
13	Outside all exterior doors
14	Door from garage to house to be metal, 20 min. fire-rated w/ self-closing hinges as per IFC.
15	17' 15" wide curb is required in garage per IFC.
16	Door from garage to house to be metal, 20 min. fire-rated w/ self-closing hinges as per IFC.
17	10' 10" timber column w/ frame as per IFC.
18	10' 10" timber column w/ frame as per IFC.
19	10' 10" timber column w/ frame as per corner.
20	Line of ceiling transition above.

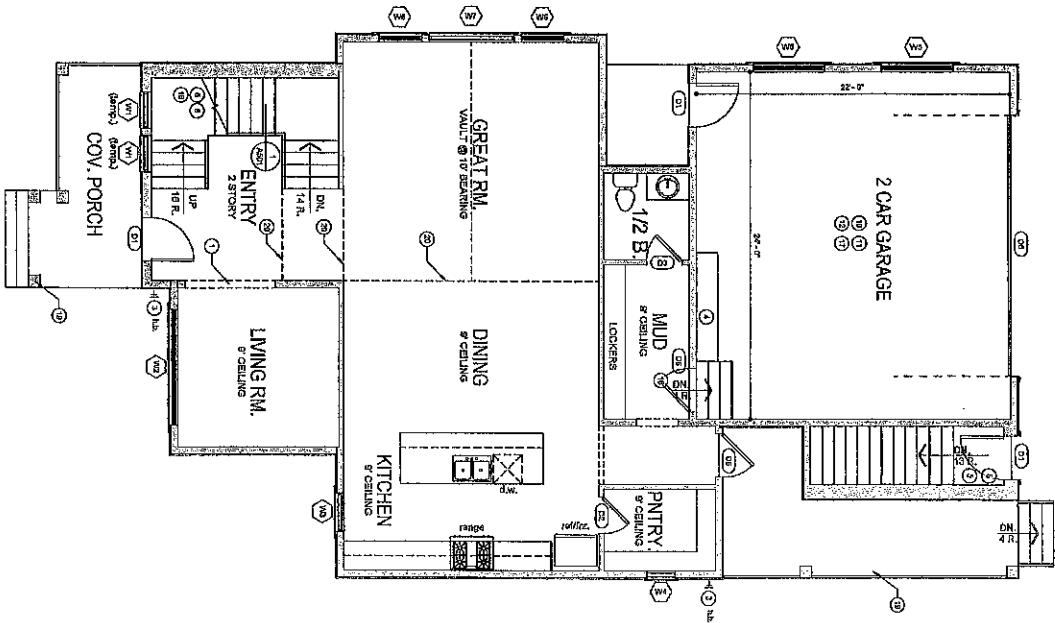
### COMPLETE SCHEDULES ON C103

MAIN LEVEL DOOR SCHEDULE		
NAME	WIDTH	HEIGHT
D1	3'-0"	8'-0"
D2	2'-6"	8'-0"
D3	2'-6"	8'-0"
D5	18'-0"	8'-0"
D6	3'-0"	8'-0"

MAIN LEVEL WINDOW SCHEDULE		
NAME	WIDTH	HEIGHT
W1	2'-5"	4'-0"
W2	3'-0"	6'-0"
W3	2'-8"	6'-0"
W4	2'-0"	2'-0"
W5	5'-0"	5'-0"
W6	3'-0"	6'-0"
W7	6'-0"	8'-0"

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MAIN LEVEL SP
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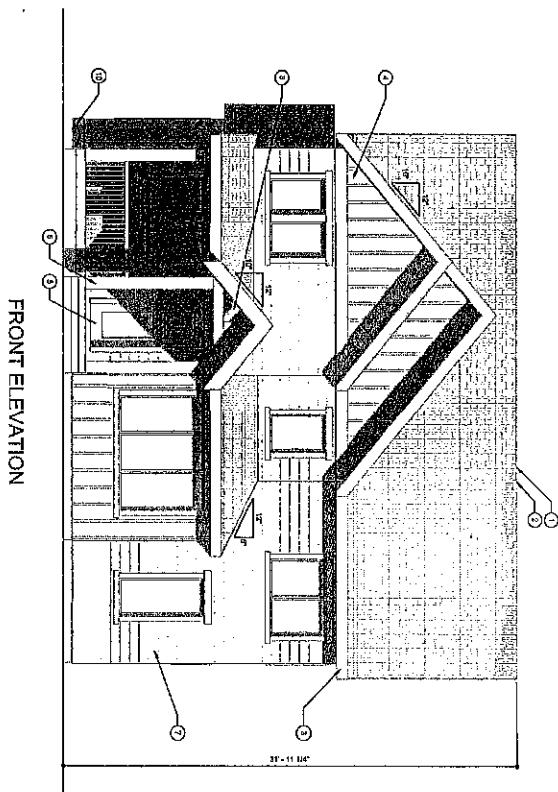
MAIN LEVEL SP
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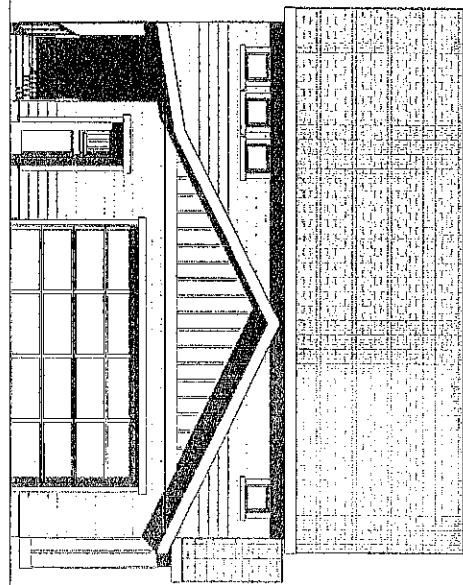


### SHEET NOTES

#	Comments.
1	Air ventillation to be provided by soffit, ridge, & J-vents equal to 1/300 of attic space as per IBC
2	Class A* architectural asphalt composition shingles as per IBC
3	10' reach w/ vehicle sign as per owner
4	Vertical board & batten siding as per owner
5	Doors & windows as per floor plans and schedules. Styles as per owner
6	10' X 10' timber column w/ finish as per owner
7	Horizontal siding as per owner
8	Custom decorative timbers as per owner
10	10' Hardie board trim w/ style and color as per owner



FRONT ELEVATION



REAR ELEVATION



LEWIS DESIGN

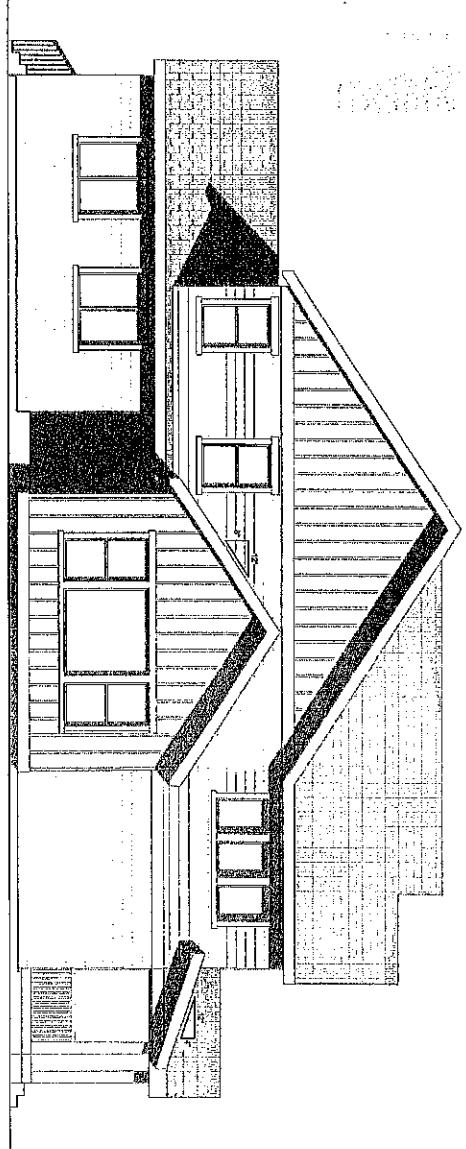
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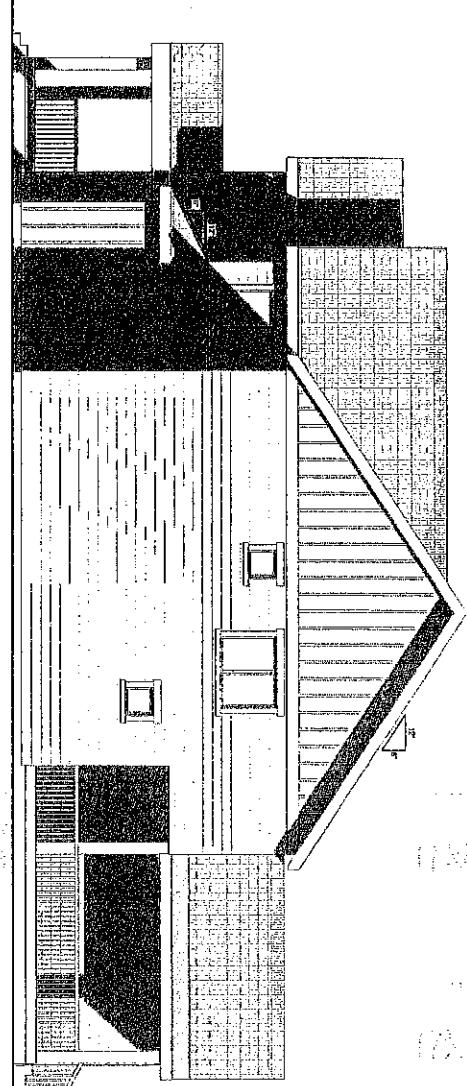
Project #2022-24C  
26 January 2024  
American Park LUT  
A201  
(2 x 6 Gypcrete 2x6)  
Scale: 1/4" = 1'-0"

FRONT & REAR ELEVATIONS

LEFT ELEVATION



RIGHT ELEVATION



SHEET NOTES  
see A201 for notes

Jenkins Home	
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Project 2023-242	45 N. 301 W.
18 January 2024	American Print U+
12 x 18 (paper size)	Scale: 1/2" = 1'-0"
22 x 36 (plotter size)	Scale: 1/4" = 1'-0"

LEFT & RIGHT ELEVATIONS

# AMERICAN FORK CITY BOARD OF ADJUSTMENT

## VARIANCE WORKSHEET

In order to grant a variance, ALL CONDITIONS MUST BE MET. In order to deny a variance, you only need to be lacking on ONE condition.

(1) Would granting the variance change the intended use of the property?

The answer must be NO.

*Explanation: A variance may never change the use of the given zoning. Such a change can only be accomplished through an amendment to the zoning ordinance. For example, a Board of Adjustment cannot grant a variance to: Allow a commercial use in a residential zone; allow an apartment in a single-family zone; provide for any use that does not appear as a permitted use for the zone.*

Findings of Fact No

(2) Are there special circumstances ATTACHED TO THE PROPERTY that do not generally apply to other properties in the same zone?

The answer must be YES.

*Explanation: There must be something ABOUT THE PROPERTY that is unusual. This may include a geographic feature such as a steep slope, or a stream. There may be a legal right-of-way, or an approved platted lot that is irregularly shaped, or be a legal non-conforming lot that no longer meets minimum requirements.*

Findings of Fact Yes

(3) Do those circumstances in (2) cause an unreasonable hardship on the applicant, denying use of the property, that others in the same zone enjoy or that he/she has a right to expect?

The answer must be YES.

*Explanation: By definition, a hardship may not be economical, esthetic, or self-imposed. In other words, it cannot be a hardship if it will merely add value, look better, or be more convenient. In addition, if the hardship was created by the applicant, it cannot be considered a legal hardship. An example would be "I have a hardship because I would have to tear down the garage..." Such is not a hardship because the applicant apparently built the garage illegally, and has therefore created the hardship.*

Findings of Fact Yes

(4) Is the variance essential to a substantial property right possessed by other property owners?

The answer must be YES.

*Explanation: If the applicant can accomplish his/her needs without a variance, you may not grant a variance. The most difficult part of this requirement is defining the term "substantial." What may be a substantial right in one neighborhood may not be in another. Find out what one is "expected" to have in this neighborhood. Ask: "How necessary is this specific request to the enjoyment of the property?" The expansion of a little old house for a laundry room may be a more substantial right than the addition of a playroom or an extra bedroom. This is one where you will be expected to use good and fair judgement.*

Findings yes  
of \_\_\_\_\_  
Fact \_\_\_\_\_

(5) Will granting the variance substantially affect the goals of the general plan or be contrary to the public interest?

The answer must be NO.

*Explanation: Again, you must define what constitutes a substantial affect. Rule of thumb is: If others will say, "Who the heck let them do that?" There is probably a negative substantial affect and the variance should not be granted. Likewise, if granting the variance will negatively impact the neighbor's property values, the variance should be denied.*

Findings no  
of \_\_\_\_\_  
Fact \_\_\_\_\_

(6) Is the "spirit" of the land use (zoning) ordinance observed and is the Board being fair to all involved?

The answer must be YES.

*Explanation: Like the previous two questions, this requires good judgement on the part of the Board. In addition, it requires that the Board understand the intent and spirit of the land use (zoning) ordinance. If the variance would allow a major violation of the intent of the ordinance, differ from the character of the underlying zone, or appear to be out of place, the variance should not be granted.*

Findings yes  
of \_\_\_\_\_  
Fact \_\_\_\_\_