



June 6, 2024

Board of Adjustment

Regular Meeting

Information Packet

PUBLIC NOTICE

The Grantsville City Board of Adjustment will hold a Regular Meeting at 6:00 p.m. on Thursday, June 6, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

AGENDA

1. Consideration of the variance request for Grantsville Land Use Ordinances 4.16 Clear View of Intersecting Streets, 4.17 Fences May Be Required, and 4.18 Maximum Height of Fences, Wall, and Hedges “Maximum Fence Height” for Melanie Brookman, located at 1204 N. Old Lincoln Hwy.
2. Consideration of the variance request for Grantsville Land Use Ordinance 15.1 Residential District R-1-21, “Maximum Building Coverage” for Julio Giron, located at 648 E. Cedar Ct.
3. Consideration of the variance request for Grantsville Land Use Ordinance 14.3 RR-5 Development Restrictions “Minimum Yard Setback” for Patrick Weber, located at 628 N. Warr St.
4. Adjourn.

Shelby Moore
Zoning Administrator
Grantsville City Community and Economic Development

Join Zoom Meeting
<https://us02web.zoom.us/j/88101612541>
Meeting ID: 881 0161 2541

In compliance with the Americans with Disability Act, Grantsville City will accommodate reasonable requests to assist persons with disabilities to participate in meetings. Requests for assistance may be made by calling City Hall (435) 884-3411 at least 3 days in advance of a meeting.

CERTIFICATE OF POSTING: This agenda was posted on the Grantsville City Hall Notice Boards, the State Public Notice website at www.utah.gov/pmn/index.html, and the Grantsville City website at www.grantsvilleut.gov. Notification was sent to the Tooele Transcript Bulletin.

AGENDA ITEM #1

Consideration of the variance request for Grantsville Land Use Ordinances 4.16 Clear View of Intersecting Streets, 4.17 Fences May Be Required, and 4.18 Maximum Height of Fences, Wall, and Hedges “Maximum Fence Height” for Melanie Brookman, located at 1204 N. Old Lincoln Hwy.



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

Phone: (435) 884-1674 • Fax: (435) 884-0426

Permit # 2024061

Board of Adjustment Staff Report for Melanie Brookman Fence Height Variance

Applicant Name: Melanie Brookman

Property Address: 1204 N Old Lincoln HWY

Parcel ID(s): 01-115-0-0034

Land Use Ordinance: Chapter 4.16 Qualifying Regulations

Prepared By: Shelby M

Meeting Date: June 6, 2024

Current Zone: A-10

Total Acreage: 7.98

Request Height: 8 ft.

Maximum Height Allowed: 3 ft.

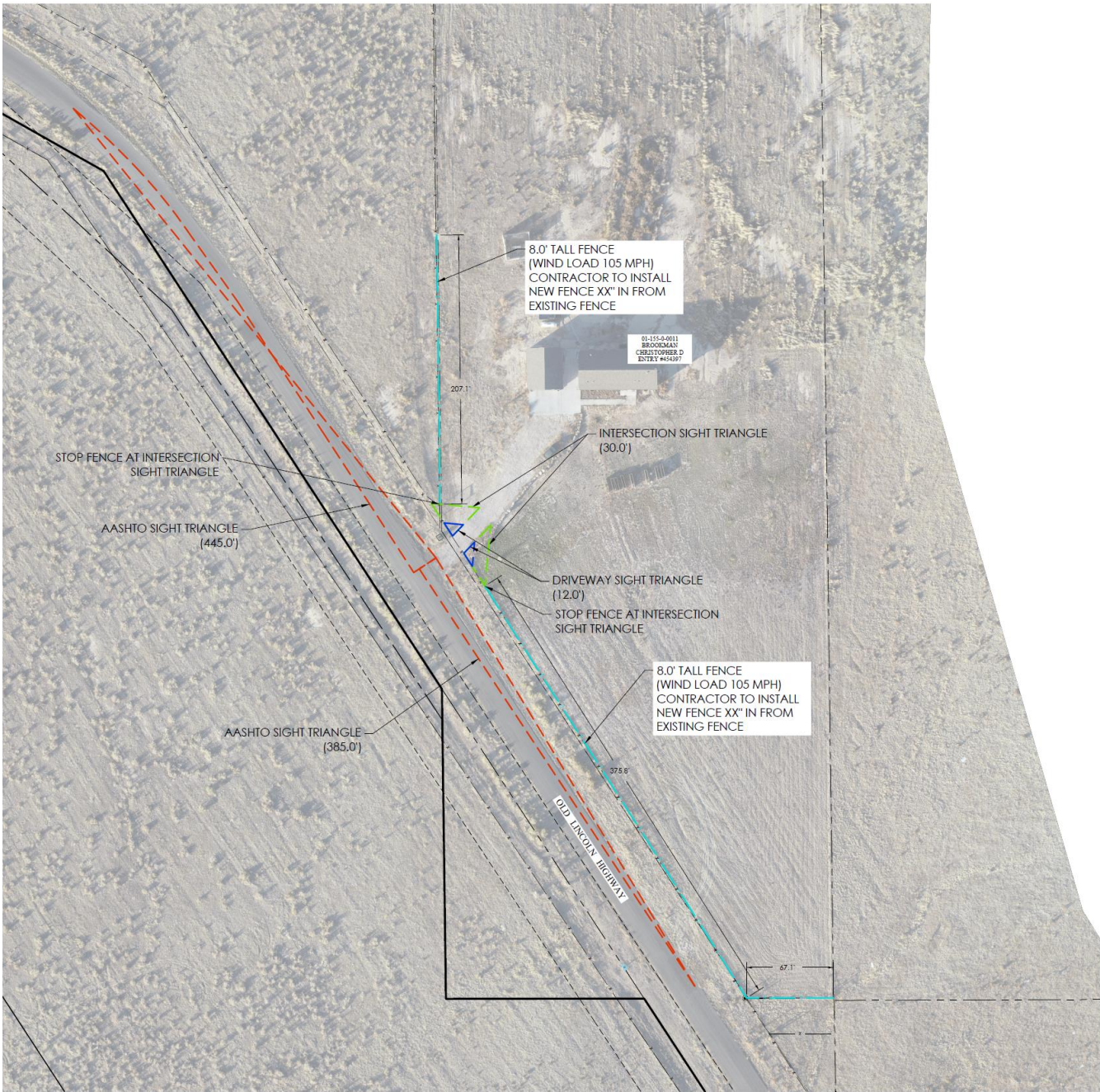
AGENDA:

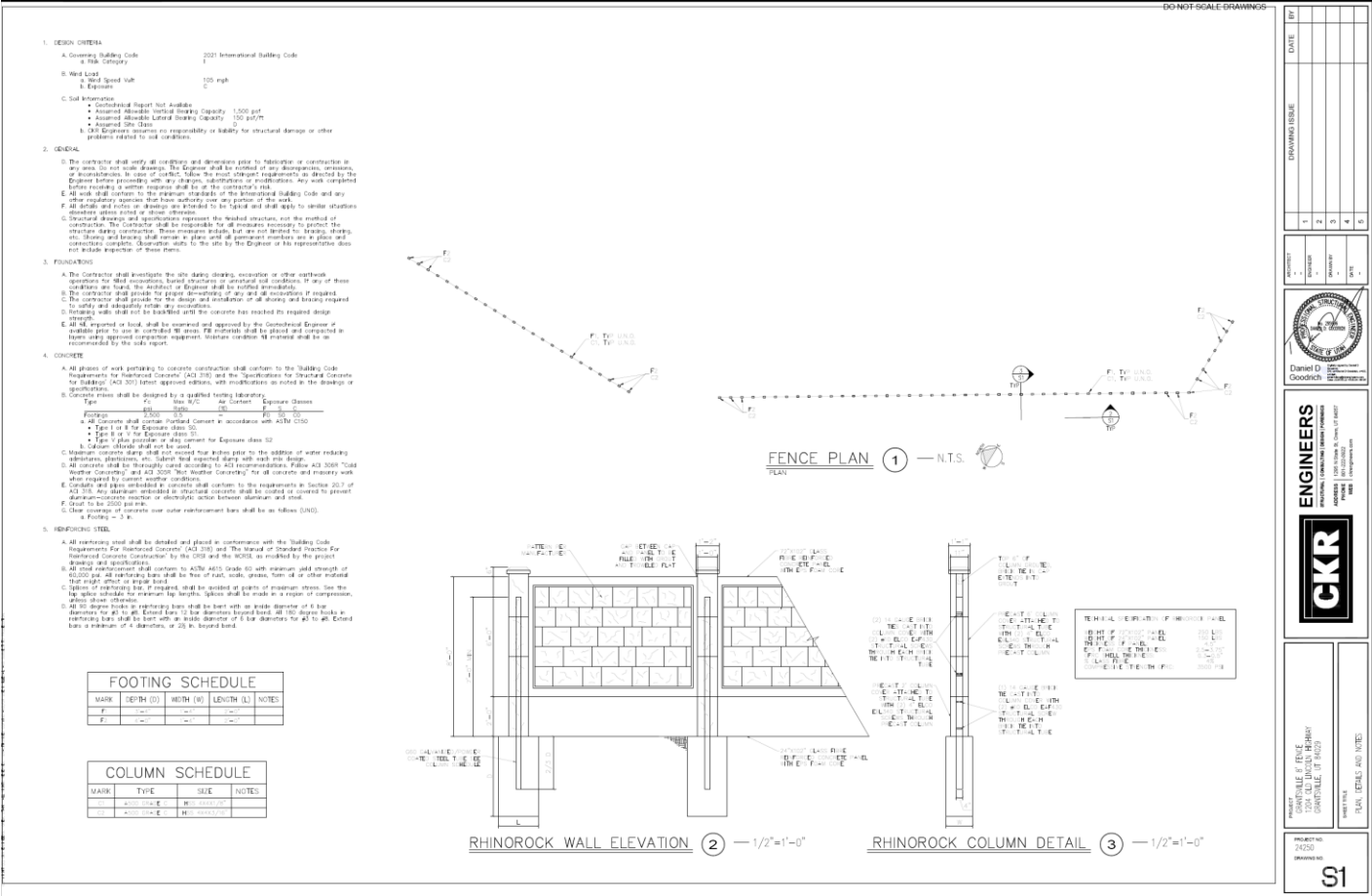
Consideration to approve the variance request for Grantsville Land Use Ordinance **4.16, 4.17, and 4.18** "Maximum Fence Height" for Melanie Brookman, located at 1204 N Old Lincoln HWY.

REQUEST:

The Board of Adjustment is holding a meeting for the variance request by Melanie Brookman, who is located at 1204 N Old Lincoln HWY. The request is for Spencer Connelly with LGI Homes to build an 8 foot perimeter fence around the property due to the building of homes across the applicant.

SITE & VICINITY DESCRIPTION





ZONE CONSIDERATIONS

4.16 Clear View Of Intersecting Streets

A. For the purpose of providing adequate vision of vehicular and pedestrian traffic, a clear-view area shall be maintained at the intersection of every street, whether public or private street. The clear-view provisions are considered life-safety standards and shall supersede any conflicting provisions of this Code.

B. No provision of this section shall be constructed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence wall, other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.

C. No obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the street property lines and line connecting them at points thirty feet (30') from the intersection of the street lines. Within that clear-view area, the following shall apply:

1. Solid fences, walls, signs, sight obscuring vegetation, and/or other sight obscuring devices shall not exceed three (3') feet in height above the level of the curb.
2. Open style fences shall not exceed four (4') feet in height above the level of the curb and front yard sold fencing shall not exceed three feet (3') in height.
3. Tree trunks shall not be located within the clear-view area, however, tree canopies may extend into the clear view area if they are trimmed at least seven (7) feet above the elevation of the sidewalk and eleven (11) feet above the elevation of the street. It is unlawful to allow any vegetation or other growth to black any traffic sign, traffic signal, street light, or other public safety device, regardless of whether it is located in a clear-view area or not.
4. No sight shall be allowed in the clear-view area unless it is specifically permitted in this Title and it is determined by the City Engineer that it is not a safety hazard.
5. No obstruction of any sort which interferes with the safety of pedestrians or traffic shall be allowed within the clear view area unless it is specifically permitted by this Title and it is determined by the City Engineer that it is not a safety hazard.

D. The clear view area for the intersection of a driveway and a street shall have no obstruction to view in excess of three feet (3') in height and shall be placed at any automobile access way within the triangular area formed of points twelve feet (12') along the property line and twelve feet (12') along the driveway line. The driveway clear view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked, and that accesses the rear yard, if it is determined by the City Engineer that the drive access is not a primary access.

E. Trees, shrubs that are located within the park strip must be thirty feet (30') from any traffic or street sign and must be pruned above the sidewalk seven feet (7') for pedestrian safety and above the road thirteen feet-six inches (13.6) for emergency and maintenance vehicles.

HISTORY

Repealed & Reenacted by Ord. [2021-03](#) on 2/3/2021

4.17 Fences May Be Required

When approved by the City Council, the Planning Commission may require the erection of fences as a prerequisite to approval of any project or to the granting of any building permit where, in the opinion of said Commission, this is necessary to protect life and property, or to prevent conflict of uses. Such fences shall be of a type and size necessary, in the opinion of the Planning Commission, to accomplish the above-stated purpose. View obscuring fences shall be installed by the property owner to block the view from the public right-of-way, or from neighboring properties whenever uses of land are found by the Planning Commission to be offensive, detracting, obnoxious, visually polluting or otherwise visually devaluing to the Community.

4.18 Maximum Height Of Fences, Wall, And Hedges

(1) Fences, walls, and hedges may be erected or allowed to the permitted building height in the district when located within the required buildable area. Fences, walls, and hedges may not exceed 6 feet in height within any required rear yard or interior side yard. No view-obscuring fence, wall or hedge exceeding 3 feet in height shall be erected or allowed closer to any street line than the required building setback line. Non-view-obscuring fences or walls may be erected to a maximum height of 4 feet within the front yard. For the purpose of this section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any 2 plants is and remain at least 5 feet.

(a) Where a fence, wall, or hedge is located along a property line separating 2 lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall, or hedge may be erected or allowed to the maximum height permitted on either side of the property line.

(b) All fence construction higher than six feet requires a building permit to be issued by the City Building Official.

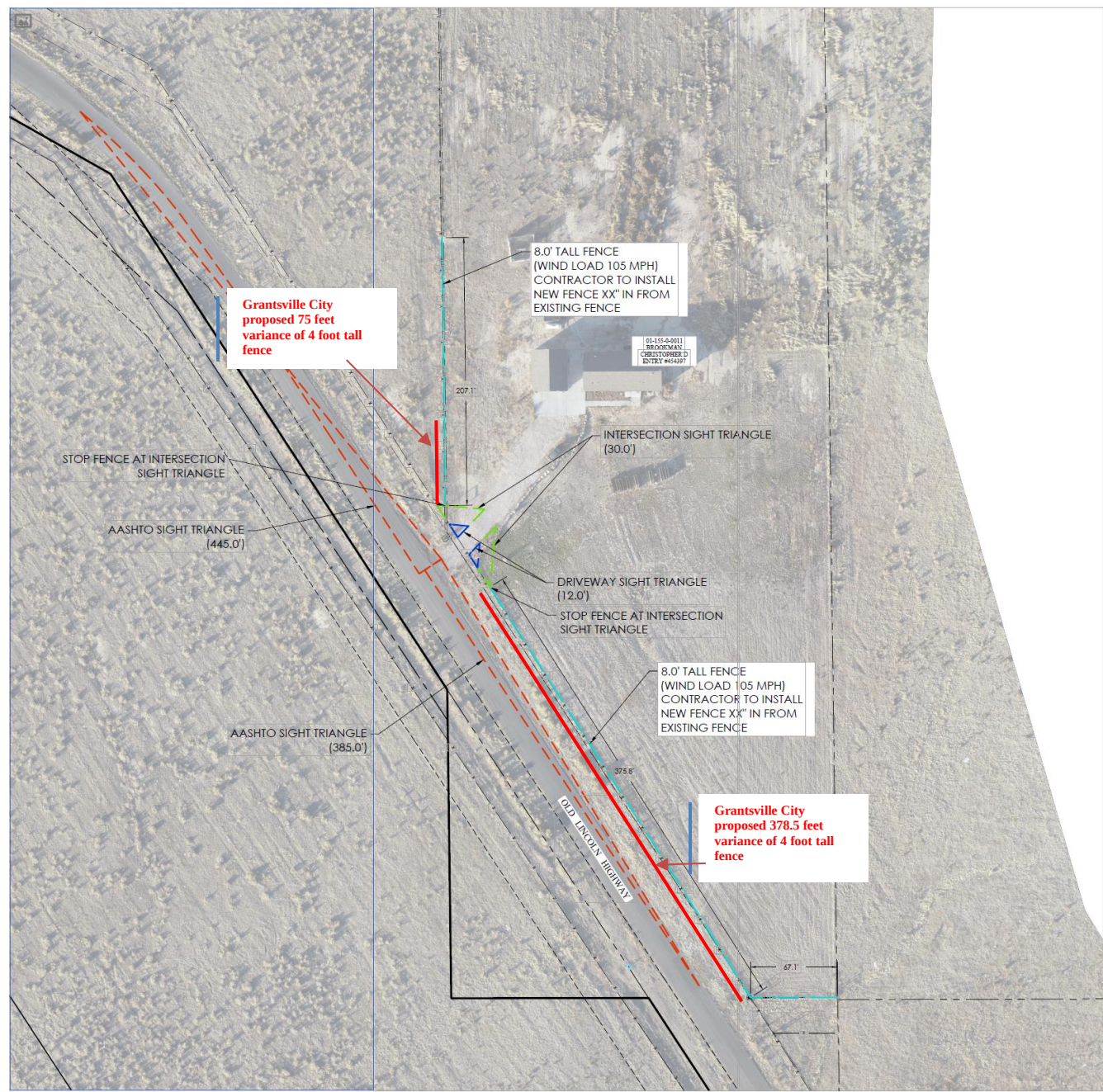
(c) There shall be no fence nor hedge within 3 feet of any fire hydrant.

Exceptions Requested:

Melanie Brookman request an exception to allow LGI Homes to construct an 8 ft. fence on the property. This construction will exceed the fence height requirement by 5 feet compared to the maximum allowed height of 3 feet.

PLANNING STAFF FINDINGS

After careful consideration, the Planning staff have determined that request to have an 8 ft. fence is not necessary and recommends that the ordinance of a 3 ft. fence is followed or a variance of no more than 4 ft. is allow along the 375.8 ft. proposed section of Old Lincoln HWY and 75 ft. starting from Old Lincoln HWY north towards the applicants house. See **exhibit A** for reference of recommendation.



AGENDA ITEM #2

Consideration of the variance request for Grantsville Land Use Ordinance 15.1 Residential District R-1-21, “Maximum Building Coverage” for Julio Giron, located at 648 E. Cedar Ct.

Community & Economic Development
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674



Permit # 2024062

Board of Adjustment Staff Report for Julio Giron – Maximum Building Coverage

Applicant Name: Julio Giron

Meeting Date: June 6, 2024

Property Address: 648 E. Cedar Ct.

Current Zone: R-1-21

Parcel ID(s): 22-050-0-0405

Total Acreage: 0.53

Land Use Ordinance: 15.1 Residential District R-1-21

Building Square FT: 2400 sqft

Prepared By: Shelby M and Jaina B

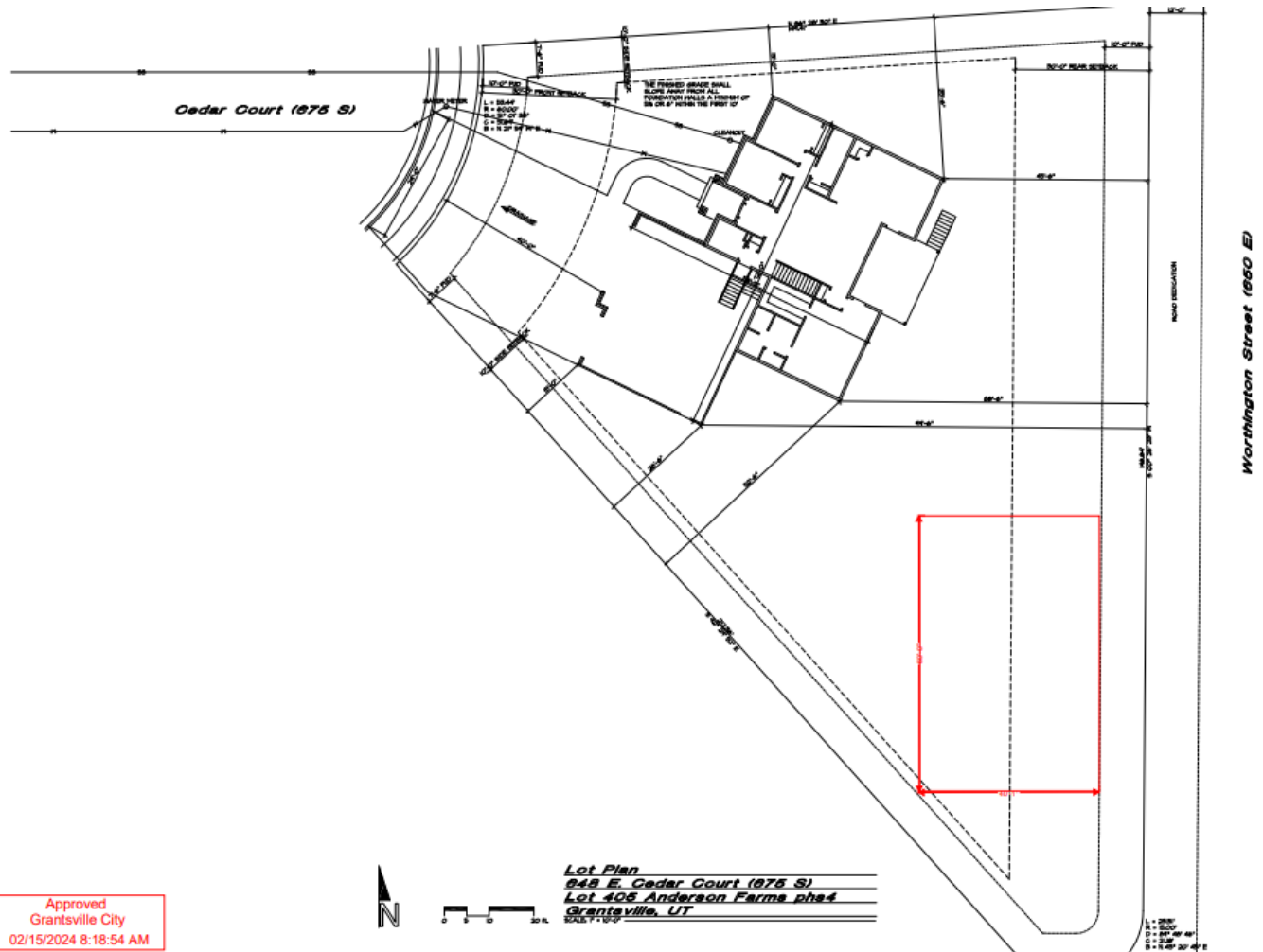
Maximum Coverage Allowed: 4617 sqft

AGENDA:

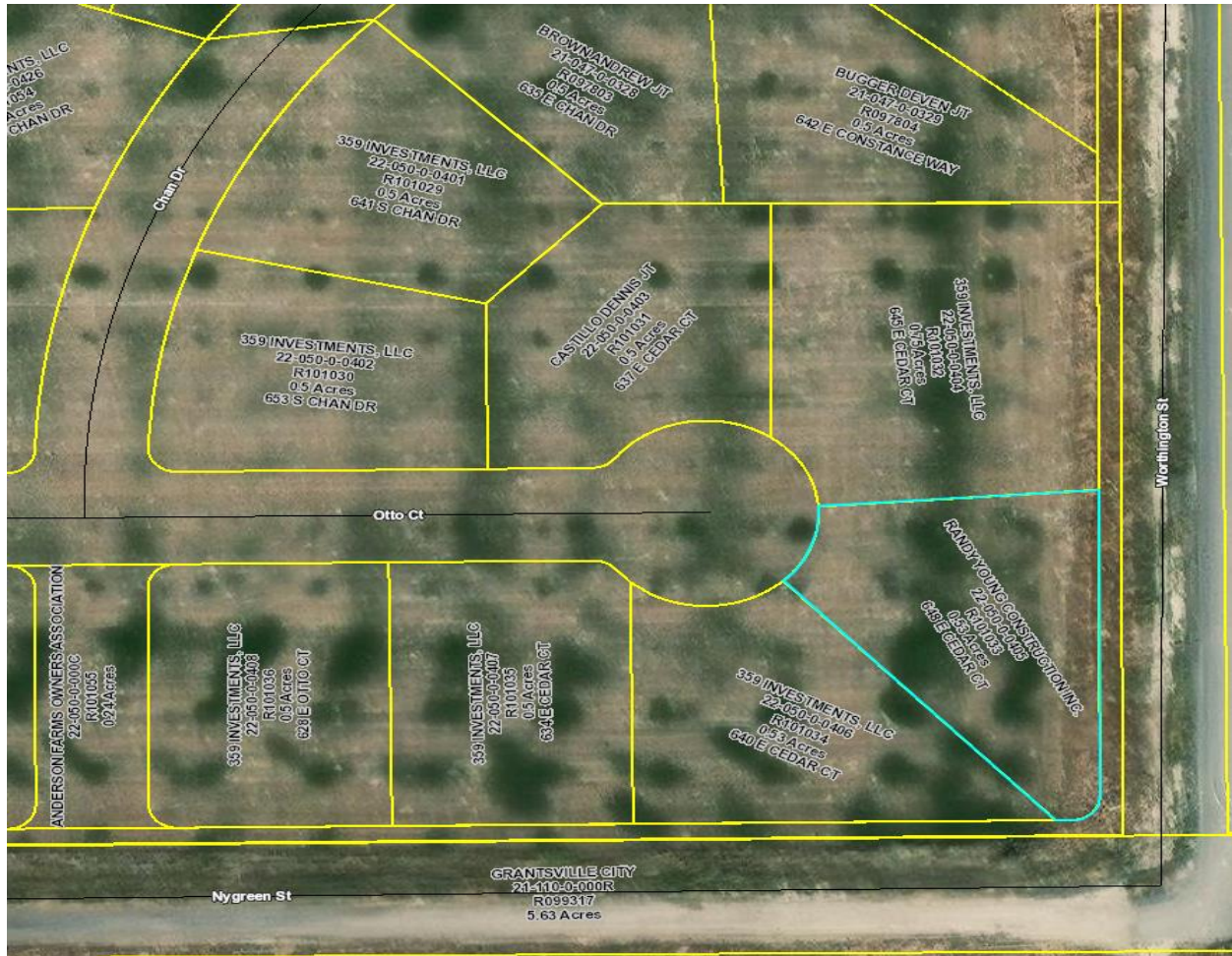
Consideration to approve the variance request for Grantsville Land Use Ordinance 15.1 Residential District R-1-21, “Maximum Building Coverage” for Julio Giron, located at 648 E. Cedar Ct.

REQUEST:

The Board of Adjustment is holding a meeting for the variance request by Julio Giron, who is under contract to purchase the home that is under construction, located at 648 E. Cedar Ct. A letter providing the current property owner’s consent for this permit has been provided. The request is for Julio Giron to build a 40x60 detached garage, which will put the lot’s building coverage 1,171.40 square feet over the maximum building coverage for this zoning designation.

SITE & VICINITY DESCRIPTION

Approved
Grantsville City
02/15/2024 8:18:54 AM



ZONE CONSIDERATIONS

15.1 Residential District R-1-21

(1) The purpose of the R-1-21 district is to promote environmentally sensitive and visually compatible development of lots not less than 21,780 square feet in size, suitable for rural locations. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character; to promote the safety, and well-being of present and future residents; and ensure the efficient expenditure of public funds.

Minimum Lot Size:21,780
sq. feet (1/2 acre)

Lots shall comply with Chapter 4: Supplementary and Qualifying Regulations – Section 4.5: Lots Standards and Street Frontage.

Minimum Frontage (at the property line on a public street or an approved private street)70
feet

Minimum Yard Setback Requirements:

Front Yard40
 feet. Rear Yard
30 feet Side
 Yard for Main Buildings5*/15 feet Side
 Yard (Amended 4/98)4 feet* Rear
 Yard for Accessory Buildings1 foot* On
 corner lots, 2 front yards and 2 side yards are required.

*Setback shall be as listed or match the easement width, whichever is greater

Maximum Building Height35 feet,
 or a basement and two (2) floors, whichever is less

Maximum Building Coverage20%

Letter of Permission:

Randy Young Construction INC
 474 west 3460 north Erda
 Fax 435-882-6200 phone 435-830-4776

Hello Ceaton , I give Julio and Camille Giron permission to pull a permit for a garage on 648E. Cedar Court lot 405. To start Construction after they have closed on the house. Any Questions Please call.

Thanks
 Randy

Anderson Ranch Regulations:

SECTION 3.04 – Prohibited Building/Uses. No trailer or other vehicle, tent, shack, garage, accessory building or out-building shall be used as a temporary or permanent residence. No noxious or offensive activities shall be conducted on an Lot nor shall anything be done or any use made thereon or thereof which may be or become an unreasonable annoyance or nuisance to the Occupant(s) of the other Lots within the Property by reason of unsightliness or the excessive emission of fumes, odors, glare, vibration, gases, radiation, dust, liquid water, smoke, or noise.

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Livestock, including horses, cattle, pigs, goats and sheep and also including exotic animals typically kept outdoors, as well as other agricultural or farm animals (such as ducks, chickens and geese) are prohibited .

SECTION 3.05 – Set-Backs. The Declarant has established building setbacks for the residences and structures, of Anderson Farms which are more restrictive than the applicable governmental requirements.

- The front building set-back line shall be thirty feet (30').
- Side yard set-backs for any garage, barn, out building, home or other structure shall be at least ten feet (10') or more (if Grantsville ordinances are more restrictive).
- Rear and side yard fencing shall be set-back a minimum of ten feet (10') from any street right-of-way.

Exceptions Requested:

Julio Giron request an exception to construct a 40x60 detached garage on the property. This construction will exceed the lot's building coverage by 1,171.40 square feet compared to the maximum allowed coverage for this specific zoning designation.

PLANNING STAFF FINDINGS

After careful consideration, the Planning staff have determined that the lot is situated within a Homeowners Association (HOA) area. It is important to note that the HOA has specific setback requirements that differ from those set by the City. The HOA does not have a mandates of a rear setback while the City's regulation stipulates a 4ft setback for any accessory building. However, it complies with the City's stipulated setback regulations and is not encroaching upon any utility easements.

The owners are requesting a Conditional Use Permit to have a home business to manufacture and store countertops.

AGENDA ITEM #3

Consideration of the variance request for
Grantsville Land Use Ordinance 14.3
RR-5 Development Restrictions
“Minimum Yard Setback” for Patrick
Weber, located at 628 N. Warr St.

Community & Economic Development
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674



Permit # 2024057

Board of Adjustment Staff Report for Patrick Weber – Setback Variance

Applicant Name: Patrick Weber

Meeting Date: June 6, 2024

Property Address: 628 N. Warr St.

Parcel ID(s): 01-061-0-0055

Current Zone: RR-5

Total Acreage: 5.32

Land Use Ordinance: 14.3 RR-5 Development Restrictions

Minimum Yard Setback: 20 feet

Prepared By: Shelby Moore

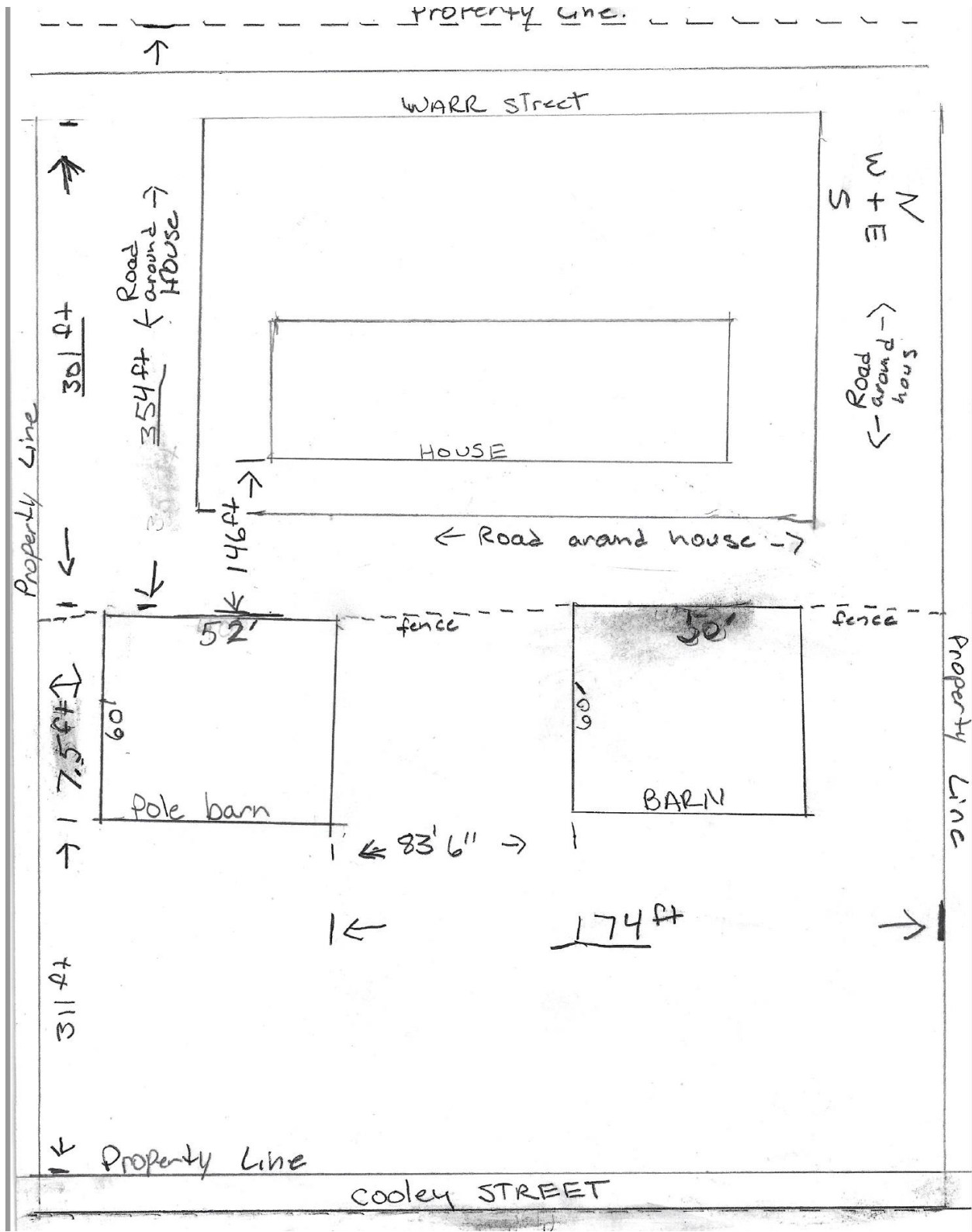
Requested Setback: 7.5 Feet

AGENDA:

Consideration to approve the variance request for Grantsville Land Use Ordinance **14.3 RR-5 Development Restrictions** “Minimum Yard Setback” for Patrick Weber, located at 628 N. Warr St.

REQUEST:

The Board of Adjustment is holding a meeting for the variance request by Patrick Weber, who is located at 628 N. Warr St. The request is for Patrick Weber to build a detached barn, which will put the barn past the minimum yard setback for this zoning designation.

SITE & VICINITY DESCRIPTION



ZONE CONSIDERATIONS

14.3 RR-5 Development Restrictions

The development restrictions in RR-5 zoning districts are as follows:

(1) Minimum Lot Size5 acres.

(2) Minimum Width at Front and Rear Setback165 feet.

(3) Minimum Frontage (at the property line on a public street or an approved private street)70 feet.

(4) Minimum Yard Setback Requirements:

Front Yard40 feet. Rear Yard50 feet Side Yard20 feet On corner lots, 2 front yards and 2 rear yards are required.

(5) Maximum Building Height35 feet, or a basement and two (2) floors, whichever is less

(6) Maximum Building Coverage10 percent

(7) Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Waste water disposal Culinary water facilities Street name signs Fire hydrants Street monuments

Exceptions Requested:

Patrick Weber request an exception to construct a detached pole barn on the property. This construction will exceed the lot's minimum yard setback compared to the allowed coverage for this specific zoning designation.

PLANNING STAFF FINDINGS

After careful consideration, the Planning staff have determined that the zoning for this lot does not have specific setback requirements for an accessory building that differs from the minimum yard setbacks set by the City. The City's regulation stipulates a 20 ft setback for the minimum yard. However, the barn is not encroaching upon any utility easements and meets other zoning setback requirements.

Planning staff recommends approval of this request since the zone does not have a specific setback for an accessory building.

AGENDA ITEM #4

Adjourn.