

MINUTES OF THE DRAPER CITY APPEALS AND VARIANCE HEARING HELD ON THURSDAY, JANUARY 5, 2023 IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING: Tim Pack of Clyde, Sessions & Snow, Mike Houmand

STAFF PRESENT: Jennifer Jastremsky, Fred Aegerter, Spencer DuShane and Amie Salazar

Tim Pack, Appeals and Variance Hearing Officer, called the meeting to order at 9:31 a.m.

1. Action Item: Approve Appeals and Variance Hearing Officer Meeting Minutes for March 28, 2022 (Administrative Action)

Mr. Pack stated he has reviewed the minutes and sees that they are correct.

Mr. Pack APPROVED the minutes from March 28, 2022.

Mr. Pack then clarified with staff if there was anything else that needs to happen with the minute's approval. Jennifer Jastremsky, Planning Manager, confirmed that nothing else needed to happen.

2. Public Meeting: Houmand Garage Nonconforming Expansion

On the request of Mark Houmand for the expansion of a nonconforming detached garage on property located at 697 East 12500 South in the RA1 zone. Application ZVER-215-2022. Staff contact is Jennifer Jastremsky, 801-576-6328, jennifer.jastresky@draperutah.gov.

Mr. Pack introduced the second item on the agenda. He verified who was speaking for each party. Mark Houmand, applicant, confirmed he was present. Spencer DuShane, Assistant City Attorney, stated he will represent the City.

Mr. Pack stated he has reviewed the materials and the City's brief. He said he is inclined to grant the request. He then invited the applicant to speak to the request on the record.

Mr. Houmand stated he has lived in Draper all his life. He has about a half-acre of property. He was granted a permit to built a garage in 2005. At that time the setbacks were 3.5-feet. He knew at that time he would want to expand, but built what he could afford then. He wants to know add onto the garage by 26-feet and have it flush with the existing line so he can back anything into the garage. The new setback rule is 10-feet. That is not logical for him to proceed with the addition with that requirement.

Mr. Pack asked the applicant about the neighbor letter he submitted from the neighbor to the west of him? Mr. Houmand affirmed Angelique Jones would be directly impacted, and she has issued a statement that she is okay with the request.

Mr. Pack clarified if the garage will go along her property line. Mr. Houmand stated yes.

Mr. Pack asked about a letter from another neighbor. Mr. Houmand said that was from the neighbor across the street. Ken and Jean Westover. He has gotten their blessing. The street is a dead-end road and only sees a dozen cars come down the lane a day.

Mr. Pack asked about the purpose of the expansion. Mr. Houmand stated it is for storage, boat, four wheelers, and stuff.

Mr. Pack asked if the expansion of the garage, in the applicant's opinion, is compatible with the neighborhood and not detrimental to the community. Mr. Houmand responded absolutely. He said he wouldn't be here or do it if he thought it would be an issue with anybody. The elevation all stays the same as the existing building. Given the adjacent lot sizes it won't crowd anybody.

Mr. Pack asked about impact on value of surrounding homes. Mr. Houmand stated maybe an increase but he wouldn't expect any impact at all.

Mr. Pack asked if there was anything else the applicant would like to add. Mr. Houmand said no.

Mr. Pack asked Mr. DuShane if there was anything he wanted to say. Mr. DuShane said the City's statement speaks for itself. This is the kind of expansion that the City thinks is ideal for this kind of ordinance.

Mr. Pack stated he is going to grant the application and he will issue order today or tomorrow with findings.

Mr. Pack adjourned the meeting.

The meeting was adjourned at 9:38 a.m.