

MINUTES OF THE MEETING
OF THE BOARD OF ADJUSTMENTS
OF GARDEN CITY, UT

The Garden City Board of Adjustments held a meeting on April 27, 2021 at the Garden City Lakeview room, located at 69 N Paradise Parkway, Bldg. C. Board Chairman Scott Tolentino called the meeting to order at 5:30 p.m.

Board Members present:

Scott Tolentino
Emily Stocking
Barbara Turnbow
Martell Menlove

Others Present:

Steve Scoville
Penelope Harris
Kim Harris
Scott Huskinson
Dan Kurek

Roll Call

Scott Tolentino asked for a roll call of members present: **Board Member Stocking, Board Member Menlove and Board Member Turnbow.**

Variance requested by **Steve Scoville** for a variance on setbacks in order to build an addition to the existing residence. Location is 1292 S. Bear Lake Blvd. in Garden City, Utah.

Board Chairman Scott Tolentino called the meeting to order. He asked Steve Scoville to tell the Board about the variance he is asking for. **Mr. Scoville:** Based on the previous meeting (April 5, 2021) and the suggestions you made we took it to heart and made some adjustments. Before we were wanting to add on to the front of the existing storage garage and now we have decided not to do that and adjusted the design. On the portion of the addition on the other side, we would like to make the new building envelope line follows straight without any jogs. On the side that we are now proposing to not change, we are giving up about 19 square feet. And on this other side, we have reduced it from 43 square feet to 23 square feet on the addition.

Member Turnbow: My question is the same as last time which you didn't completely

answer. Is this an addition or are you knocking the building down. **Steve Scofield:** It is an addition. We are keeping the footprint and just want an addition on this one side. **Member Menlove:** Expansion is all within the setbacks. **Member Turnbow:** How come you didn't make it fit originally? **Kim Harris:** Needed just a few more feet to make it fit how we wanted it. We didn't feel like it was that big of a deal. **Member Turnbow:** It is still a variance even though minute. **Kim Harris:** So do you not grant any variances? **Member Turnbow:** Yes, we have allowed some variances. **Kim Harris:** That is what a board is for – to allow variances when applicable. **Chairman Tolentino:** I was looking at the draft minutes from last meeting and the neighbors had some privacy issue concerns and it looks like you have answered their questions. **Member Menlove:** My understanding is you are keeping the existing structure. Whether that is totally demolished and or some walls are salvaged or not, doesn't matter to us. **Chairman Tolentino:** That is correct. It is the footprint of the old building that we are concerned with. There are certain criteria's in our ordinances that state that you must meet all of these points. It is nonconforming, but within the existing footprint. Still need a variance for this small piece. **Member Turnbow:** So where is the hardship. **Steve Scofield:** Read answers to each of the five issues as to how they are meeting them. **Kim Harris:** As for as a hardship, we have limited space with only 50 feet of lakefront. We are trying to come up with a usable footprint that meets our needs. Our hardship is losing 2.5 feet out of 40 feet and that is significant. We wouldn't be here if I didn't feel like it would work any other way. **Member Turnbow:** I still don't feel like it is a hardship. **Chairman Tolentino:** We understand your request for the hardship. We appreciate the adjustments you have made – the give and take. There is still a variance to be dealt with. My opinion is you are willing to realign things and that shows good faith. **Member Menlove:** What is the hardship with moving the line into square? **Steve Scoville:** It affects the whole room and ruins the circulation and movement. Makes a corner in the living room that will be unusable. **Member Menlove:** If you did a complete demolition, wouldn't you be further ahead to move everything two feet to the west? **Steve Scoville:** We would be out of bounds. Just doesn't work for us. **Dan Kurek:** The Mayor is concerned with the property rights of home owners. He wants owners to be able to use their property, as long as it fits in the ordinance. These people are willing to give up some on one side to gain a little on the other side. That is good faith.

Chairman Tolentino: I am going to ask for a motion. **Member Menlove:** I would so move that we approve the request as noted on the most recent site plan (4/8/21) and note that the new addition will be attached to a nonconforming build. **Member Turnbow:** I second the motion. **Chairman Tolentino** asked for a roll call vote. **Member Turnbow:** Eye. **Member Stocking:** Eye. **Member Menlove:** Eye. **Chairman Tolentino:** The motion carries and your variance is accepted.

6:11 pm. Variance requested by **Scott Huskinson**. He is requesting a variance on setbacks. Location is 58 N. Bear Lake Boulevard in Garden City. **Board Chairman Scott Tolentino** invited Scott Huskinson to explain his variance request.

Scott Huskinson: Garden City Planning and Zoning approved this design but the issue is the porch. The problem is with the roofline. This design makes it much cleaner. Right now from the front of the house to the sidewalk is 22 feet and the set back is 20 feet. **Member Turnbow:** Crowding on this boulevard is a major problem. **Dan Kurek:** I have measured all the businesses in that area and there is no consistency in the setbacks. We (Planning and Zoning) are looking to re-adjust the setbacks on commercial properties. We suggested to Mr. Huskinson to come and apply for a variance while we work on changing ordinance. That would be quicker than waiting out the process. This proposal is for a 5 foot sidewalk and a 5 foot setback. So the awning would end five feet before the sidewalk. **Chairman Tolentino:** a patio will make it walkable. **Scott Huskinson:** And Utah Dept. of Transportation has no parking in front of us because of the crosswalk. **Chairman Tolentino:** The building is setback 22 feet, you want a 17 foot covered patio, so that would leave 5 and a half feet before the sidewalk. I see this as aligning with what the city wants.

Chairman Tolentino: I am now asking for a motion. **Member Turnbow:** I make a motion to approve this request as applied for. **Member Stocking** second. **Chairman Tolentino** asked for a roll call vote. **Member Turnbow:** Eye. **Member Stocking:** Eye. **Member Menlove:** eye. The request has been approved. Thank you for your time.

Miscellaneous Business: Oath of office for Martell Menlove. (Which was completed at the beginning of the meeting.)

Approval of minutes for this meeting held on April 27, 2021 will be prepared and mailed or emailed to each member of the Board of Adjustments. The Board Members will have 10 days to review the minutes and submit any corrections to the clerk. If after 10 days there are no changes, the minutes will stand as approved. If there are changes, the process will be followed until all of the changes are made and the Board Members are in agreement. Board Member Turnbow made the motion and Board Member Stocking seconded it. All in favor and the motion carried.

Motion of Adjournment made by Chairman Tolentino at 6:49 p.m.

APPROVED:

Scott Tolentino

Board President
Scott Tolentino

ATTEST:

Jammy Calder / KH

Assistant Clerk
Jamalyn E. Calder

