

**MINUTES OF THE
MEETING OF THE
BOARD OF ADJUSTMENTS OF
GARDEN CITY, UTAH**

The Garden City Board of Adjustments held a meeting Monday, April 18, 2022, at the Garden City Office located at 69 N. Paradise Parkway, Building B. Board Chairman Scott Tolentino called the meeting to order at 4:05 p.m.

Board Members Present:

Scott Tolentino, Chairman
Emily Stocking
Jennifer Casillas, by phone

Others Present:

Shalie Argyle
James Petersen

ROLL CALL:

Board Chair Tolentino called for a roll call of those present: Board Member Tolentino, Emily Stocking, Jennifer Casillas (by phone), James Petersen, and Shalie Argyle.

REQUEST FOR A VARIANCE FOR THE SETBACKS IN THE BUTTERCUP MOBILE HOME PARK, James Petersen

Board Chair Tolentino turned the time over to Mr. Petersen to explain what he is requesting. Mr. Petersen explained that he is asking for a variance for the front or rear setback. He owns two lots which have been encumbered. The property line curves in due to the corner of the road and only gives the north corner of his proposed home a 14.5-foot setback. The south corner of the home is setback 19 feet.

Board Member Stocking explains that the larger curves are for the mobile homes coming in so they have room to make the turns.

Mr. Petersen states that from the staked-out area he needs between 6 to 12 inches. He also mentions shifting back into the utility easement.

Board Member Tolentino asked if the house would fit if the home was rotated.

Board Member Tolentino went over the list of requirements to grant a variance. He is worried it would cause a snowball effect of others wanting to change setbacks and open the door for lawsuits where setbacks were denied. Board Member Tolentino is asking if there is any way to adjust the house so Mr. Petersen could meet the setback requirements.

Mr. Petersen said he spoke with the manufacture of the home to see if they could shave off the six inches. They are not able to customize the house and would need to choose another model and cut off 6 feet or 180 square feet off the house.

Board Member Tolentino asked for any comments.

Board Member Casillas mentions she had to make her house fit on her lot, which is in the same area.

Board Member Tolentino mentions the utility companies may be willing to allow Mr. Petersen to encroach on their easement.

Board Member Tolentino reads the 5 requirements to grant a variance.

Board Member Stocking mentions the road may not be paved as large as it should be.

Mr. Petersen says he was willing to spend the money for a variance meeting to do this the correct and legal way.

Board Member Tolentino is worried about setting a bad precedent. If the board allowed this variance there are others in the same area that may request setbacks for the same issue.

Board Member Stocking made the motion to deny the variance with the advice to go to the Appeals Board or the Utility Board to allow him to encroach the setbacks of the utility easement. Board Member Casillas seconded the motion. All in favor and the motion carried.

Board Member Tolentino asked if there were any more questions and thanked Mr. Petersen.

Board Member Tolentino would like it noted in the minutes that in the zoning ordinances, 11C-915 Coverage Regulations, "In no zone shall a building or group of buildings with their accessory buildings cover more than sixty (60%) percent of the area of the lot." Accessory buildings should not cover more the 25% of the rear yard.

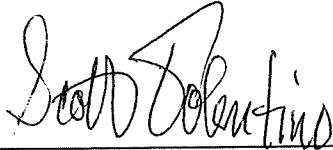
APPROVAL OF MINUTES:

Approval of minutes for this meeting held on April 18, 2022 will be prepared and mailed or e-mailed to each member of the Board of Adjustments. The Board Members will have ten days to review the minutes and submit any changes to the clerk. If after ten days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until all the changes are made and the Board Members are in agreement.

ADJOURNMENT:

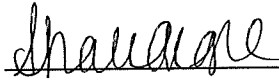
Board Member Stocking made the motion to adjourn the meeting at 4:40 p.m. Board Member Tolentino seconded the motion. All in favor and the motion carried.

APPROVED:



Scott Tolentino, Chairman

ATTEST:



Shalie Argyle, Assistant Town Clerk

