



Farmington City Board of Adjustments

February 9, 2017



F A R M I N G T O N C I T Y

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM MELLOR
CORY RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

AGENDA **BOARD OF ADJUSTMENT MEETING**

February 9, 2017

Public Meetings at City Hall, 160 South Main
Regular Session: 6:00 p.m.

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Planning Department prior to noon the day before the meeting.)

VARIANCE APPLICATION

- (6:00) 1. Troy Wasserman (Public Hearing) – Applicant is requesting approval for a side yard setback variance for property located at 734 North 2000 West in an AE (Agriculture Estates) zone. (BOA-1-17).

OTHER BUSINESS

2. Motion to Adjourn

Please Note: Board of Adjustment applications may be tabled by the Board if: 1. additional information is needed in order to take action on the item; OR 2. if the Board feels there are unresolved issues that may need additional attention before the Board is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Board members. The Board may carry over Agenda items, scheduled late in the evening and not heard to the next regularly scheduled meeting.

Posted February 3, 2017

Eric Anderson
City Planner



Board of Adjustment Staff Report February 9, 2017

Item 1: Wasserman Accessory Building Side Setback Variance

Public Hearing: Yes
Application No.: BOA-1-17
Property Address: 734 North 2000 West
General Plan Designation: RRD (Rural Residential Density)
Zoning Designation: AE (Agriculture Estates)
Area: .31 Acres
Number of Lots: 1
Property Owner: Troy Wasserman
Agent: Troy Wasserman

Request: *Approval of a variance on the side setback requirement for a proposed accessory building.*

Background Information

The applicant desires to build a shop that encroaches in the eastern side yard of his home located at 2000 West 734 North. On July 19th the City Council approved a Zone Text Amendment to Section 11-10-040(8)(c) as follows:

“A detached garage, or other architecturally compatible structure as approved by the Planning Commission after a public hearing is heard, may be located in the side yard of a lot providing that a separation is maintained from the residence in compliance with applicable building codes, and all front and side setbacks are provided as specified in Section 11-10-040, and the rear setback is specified in Section 11-10-040(8)(a). In no event shall an accessory building encroach into the front yard beyond the nearest corner of the main building.”

The applicant is therefore required to obtain Planning Commission approval to site the accessory building in the side yard before construction can commence; that approval was received from the Planning Commission on January 5, 2017.

However, the proposed accessory building must meet all setback requirements of the underlying zone, as set forth in Section 11-10-040, which in this case is 10'. The applicant is requesting a reduction of that setback requirement, because the applicant states that the building will not fit on the property unless a variance is granted. Staff worked with the applicant towards a 25% variance; the reason for this

is the ordinance allows up to a 25% variance of the required setback to be handled administratively by staff. Therefore, the applicant can receive up to a 2.5' setback reduction from staff; any setback variance above 2.5' in this zone would have to go in front of the Board of Adjustments. The applicant is showing a 2.5' variance on the side setback, however, as a matter of practice, before granting approval of the variance, staff requires that all potentially impacted neighbors give their consent for the variance. When the Planning Commission approved the accessory building to be in a side yard, they outlined which four neighbors had to release their consent. The applicant received three of the four letters, but one neighbor denied the request. Staff was therefore not comfortable approving this variance administratively and required that this variance request be heard and reviewed by the Board of Adjustments.

The existing lot is oddly shaped because it is at the top of a cul-de-sac. Only a portion (approximately 40%) of the shop is proposed to encroach in the side yard and the majority will be located to the rear of the building. As the shop will be sited in a side yard that has ample room for an accessory building, and the proposed building will be sited behind the front façade of the home, staff is recommending approval of this item.

Suggested Motion:

Move that the Board of Adjustment approve a variance to reduce the side setback requirement to 7.5' as outlined in the attached site plan subject to all Farmington City Codes, Ordinances and Development Standards.

Findings for Approval

1. The irregular shape of the lot is a hardship and because of the topography of the site, there is a limited area where the footprint of the accessory building will fit.
2. The reduction of the side setback request is minimal and will have little adverse impact on the adjacent properties.

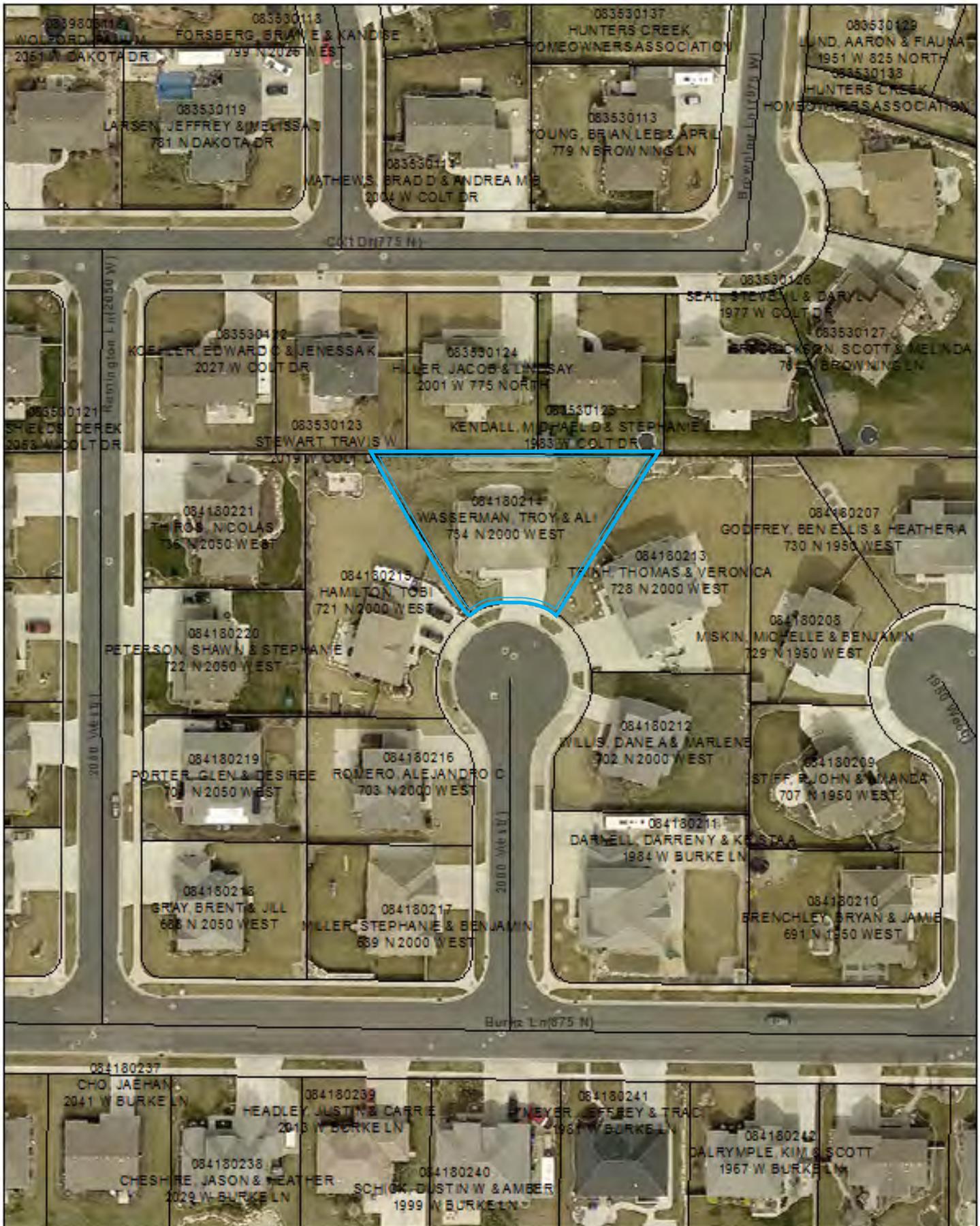
Supplemental Information

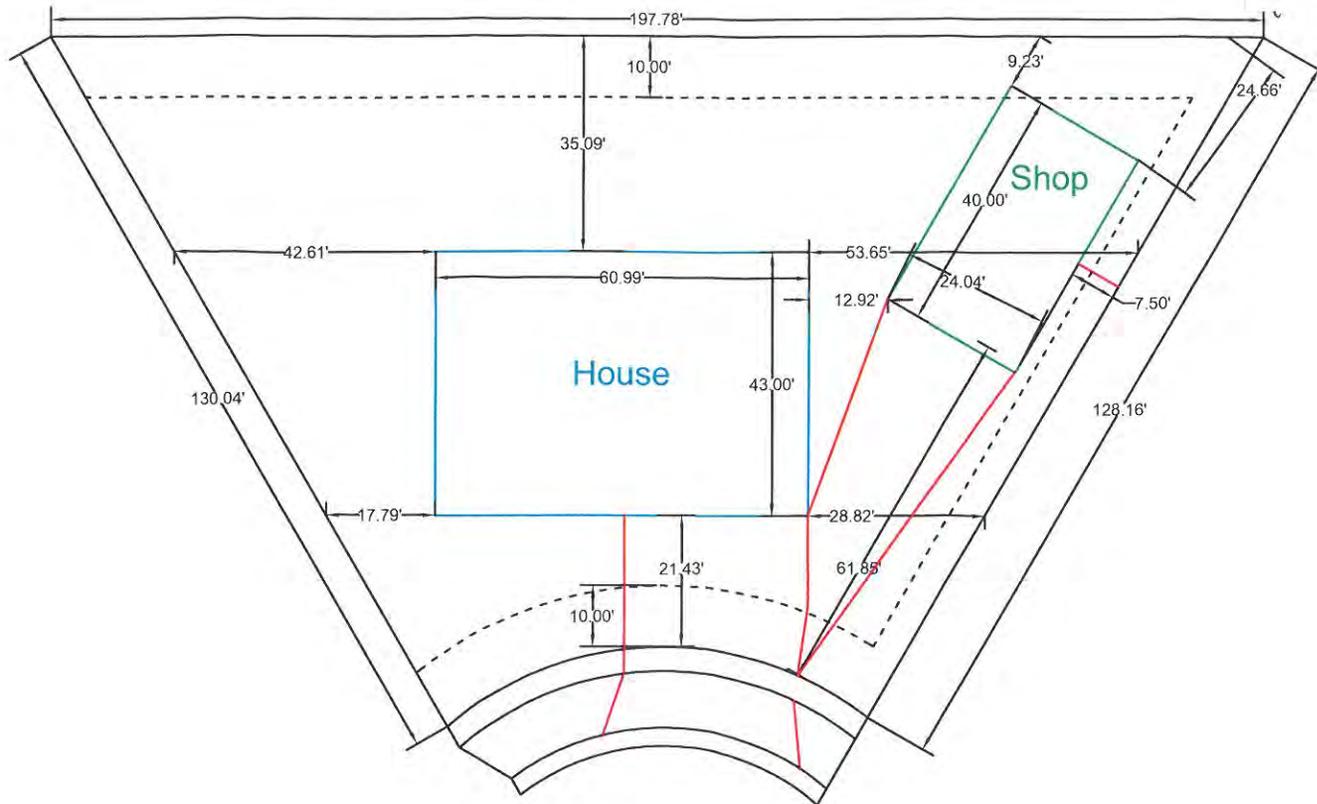
1. Vicinity Map
2. Site Plan
3. Proposed Building Elevations

Applicable Ordinances

1. Title 11, Chapter 5 - Board of Adjustment
2. Title 11, Chapter 10 – Agriculture Zones

Farmington City





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|--------------------|--|-----------|----------|
| A | HOUSE AND GARAGE DETAILS. | MJ | 11/30/16 |
| DATE | DESCRIPTION | BY | CHK |
| CONSTRUCTION ISSUE | | | |
| CLIENT | Troy Wasserman 734W 2000W FARMINGTON, UT PLOT 214 | | |
| DRAWN BY | Javelin Inspection 3733 ROSE SPRINGS ROAD ERDA, UT | | |
| PROJECT | 734 W 2000W FARMINGTON, UT PLOT 214 | | |
| TITLE | PLOT DETAILS FOR NEW CONSTRUCTION | | |
| SCALE: AS SHOWN | DATE | DESIGNER | CHECKER |
| 1"=20' | 11/30/16 | MJ | MJ |
| PROJECT NO. | ISSUE NO. | REVISIONS | |
| 24567 | A3/248 | A | |



