



Farmington City Board of Adjustments

February 10, 2016



# FARMINGTON CITY

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## AGENDA BOARD OF ADJUSTMENT MEETING

February 10, 2016

Public Meetings at City Hall, 160 South Main  
Regular Session: 6:30 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

- (6:30) 1. Joe Sadler – Northland Investments (Public Hearing) – Applicant is requesting a variance on height restrictions for property located at 289 W. Bella Vista Court in an LR-F Zone. (BOA-1-16).

### 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, 2016

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Eric Anderson  
Associate City Planner



## Board of Adjustment Staff Report February 10, 2016

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### Item 1: Christensen Home Height Requirement Variance

Public Hearing:	Yes
Application No.:	BOA-1-16
Property Address:	289 West Bella Vista Court
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	LR-F (Large Residential – Foothill)
Area:	2.49 Acres
Number of Lots:	1
Property Owner:	Northland Investments, LLC
Agent:	Joe Sadler

Request: *Approval of a variance on the height requirement for a proposed home.*

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#### **Background Information**

The subject property is located at 289 West Bella Vista Court in an LR-F (Large Residential – Foothill Overlay) Zone. Section 11-11-070 of the Zoning Ordinance regulates building height in the LR zone, and sets the height for a main building at 27'. The front elevation of this building falls just below that requirement at a height of 26'. However, due to the severe topography of the lot that this home is proposing to be built, the rear elevation would have a walk-out basement and all three levels of the home would be exposed, and the height of the rear elevation is approximately 47' as it backs onto the Shepard Creek ravine. Because of the way building height is measured, the "high side" of the building is considered during building permit review. However, on a lot that has slope, there is a 10' allowance, taking the maximum building height to 37', if the measurement is taken from the "high side", as this is. The applicant is therefore requesting a variance for 10' additional height for the proposed home.

The Board of Adjustment's standards for variance are set forth in Section 11-5-108 of the Zoning Ordinance. According to the ordinance:

"The appeal authority may grant a variance only if:

- a) Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;
- b) There are special circumstances attached to the property that do not generally apply to other properties in the same zone;

- c) Granting a variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
- d) The variance will not substantially affect the general plan and will not be contrary to the public interest; and
- e) The spirit of the land ordinance is observed and substantial justice done.”

Establishing a hardship when addressing new construction can be difficult. However, in this case, because of the extreme topography from backing onto the Shepard Creek ravine, establishing a hardship due to the slope is reasonable. Additionally, when looking at the other homes in this neighborhood, large three story homes are very common, as most of the homes in the Shepard Heights subdivision are large. The height increase is only needed for the rear of the home, which does not face any public streets, but rather looks over a ravine with no roads or homes below it, and thus it would not impact other homes or residents in the area.

**Suggested Motion:**

Move that the Board of Adjustment approve a variance to increase the building height as outlined in the attached building elevations subject to all Farmington City Codes, Ordinances and Development Standards.

**Findings for Approval**

- 1. The severe topography is an unreasonable hardship and in order for the applicant to have the full enjoyment of their property and configure the house in the way that they need, the applicant will need a variance.
- 2. The height increase is only needed for the rear, which faces the Shepard Creek ravine and will not impact other homes or neighbors in the area.
- 3. A three story home is the standard in the Shepard Heights subdivision, meeting condition “c”.
- 4. The spirit of the general plan is being met and the requested building height will not negatively affect the feel of the neighborhood or the underlying zone.
- 5. The passerby will not notice the increase in height, because it is at the rear of the building.

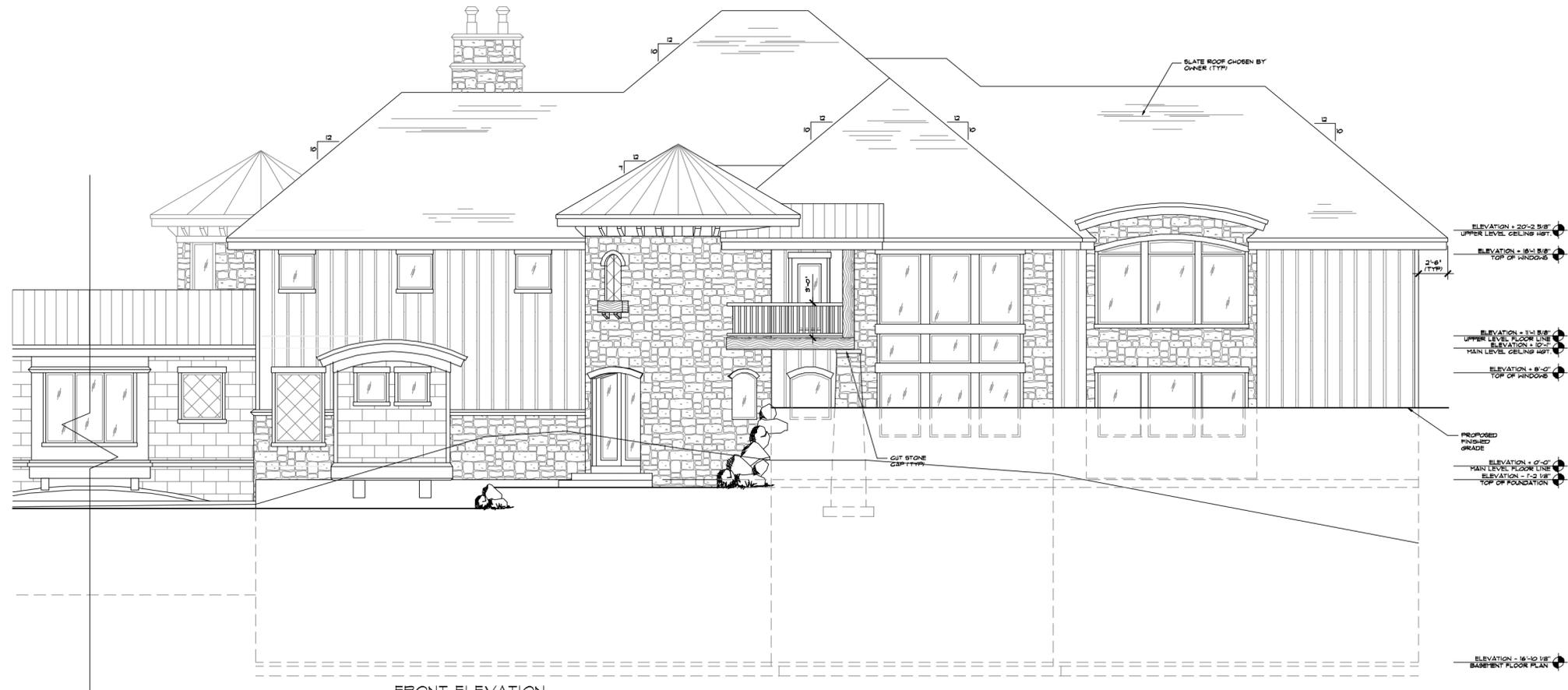
**Supplemental Information**

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

**Applicable Ordinances**

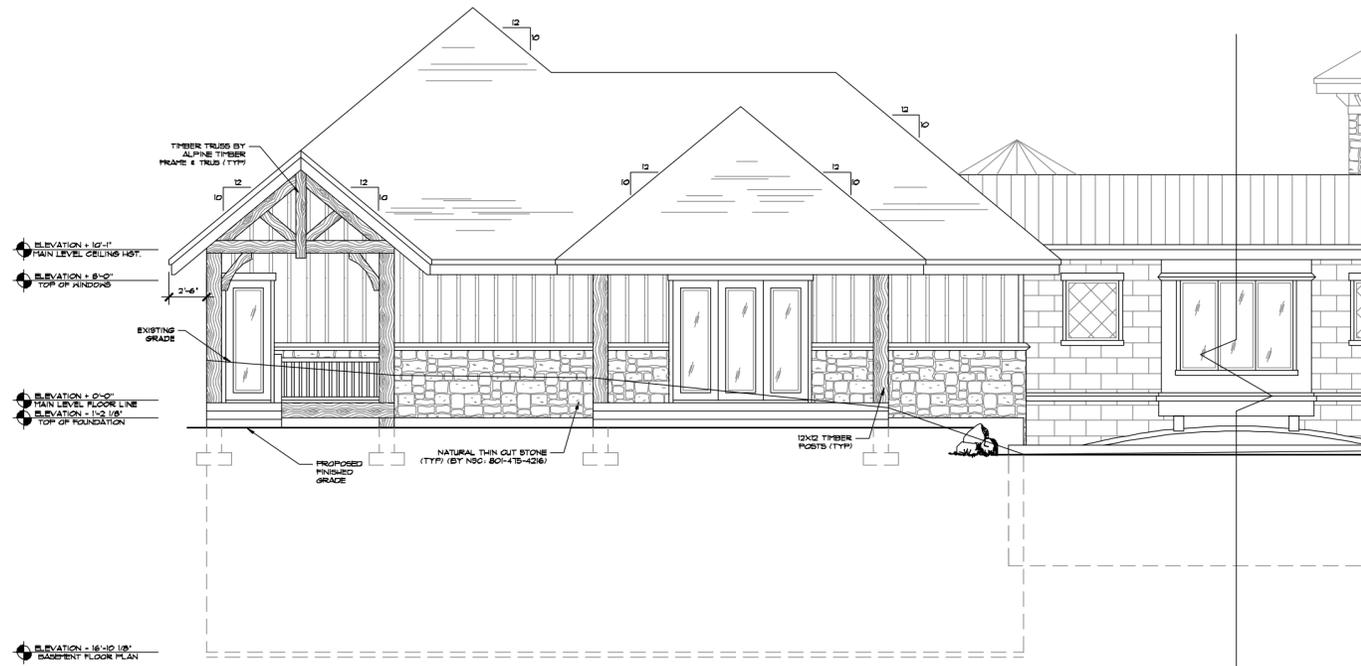
- 1. Title 11, Chapter 5 - Board of Adjustment
- 2. Title 11, Chapter 11 – Residential Zones





FRONT ELEVATION

SCALE: 1/4"=1'-0"



FRONT ELEVATION

SCALE: 1/4"=1'-0"

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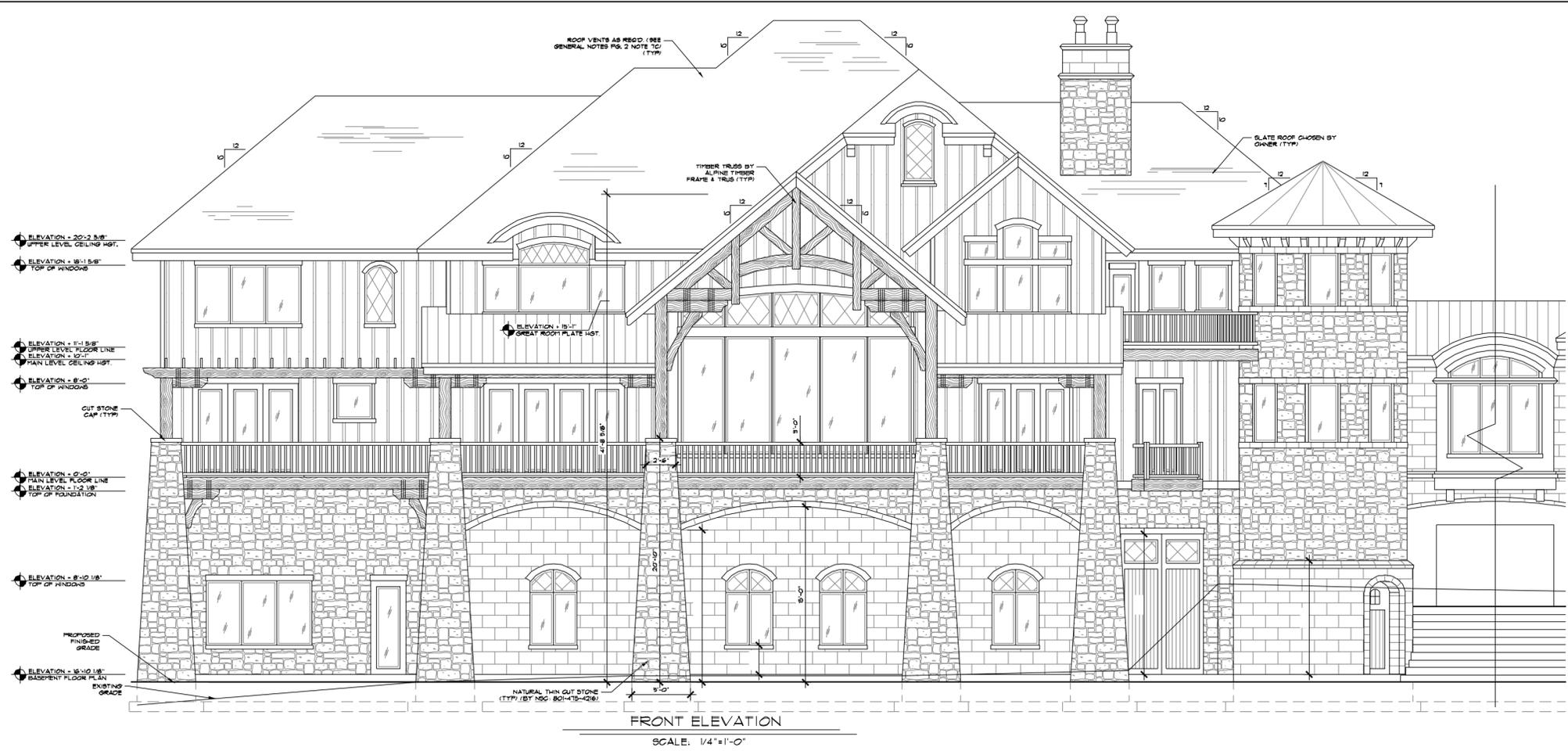
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SHEET TITLE:  
FRONT ELEVATIONS



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ISSUE DATE: XX/XX/2014  
PLAN NUMBER: ...  
SHEET NUMBER: 4 of 4



FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



REAR ELEVATION  
SCALE: 1/4" = 1'-0"

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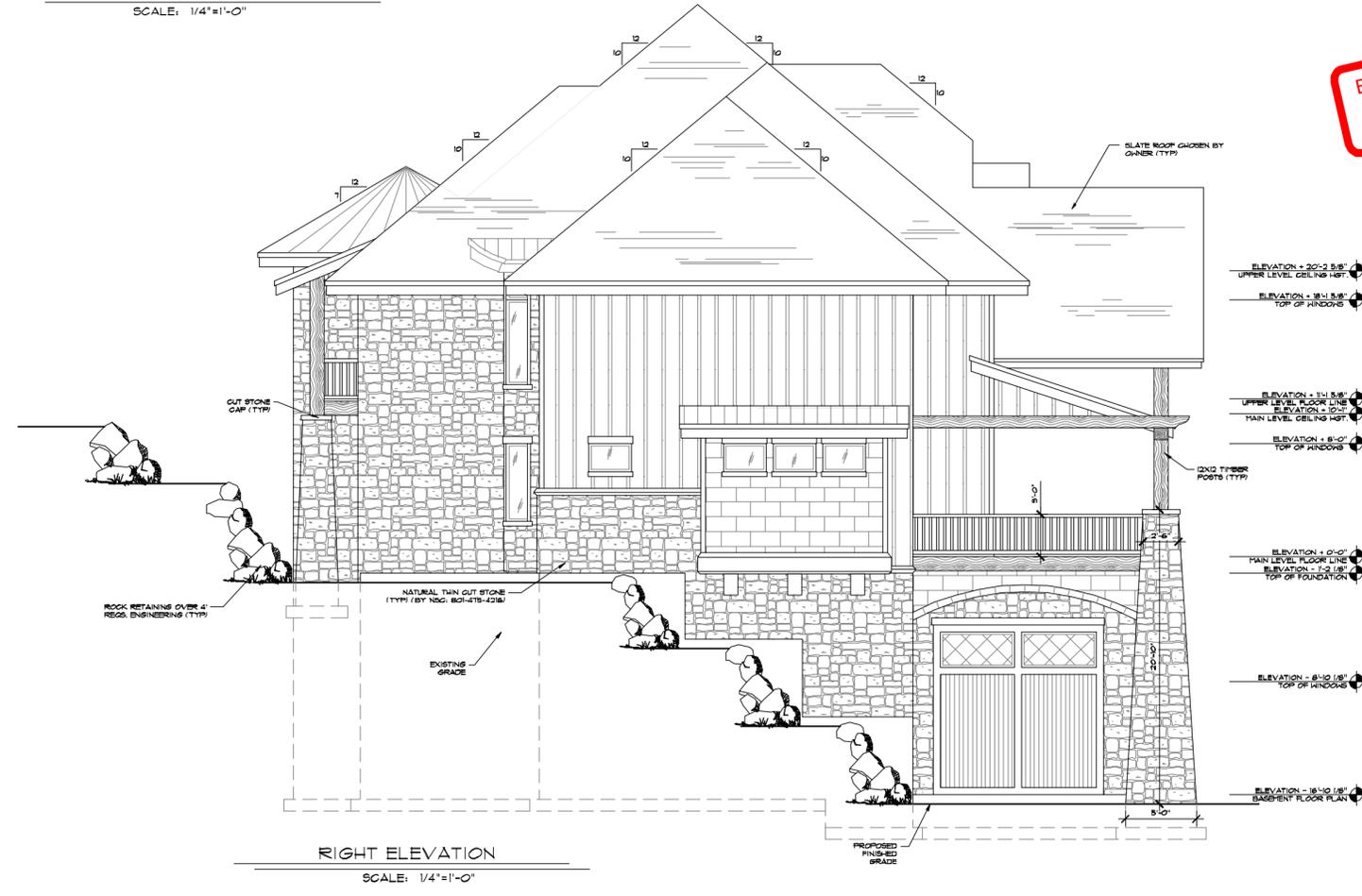
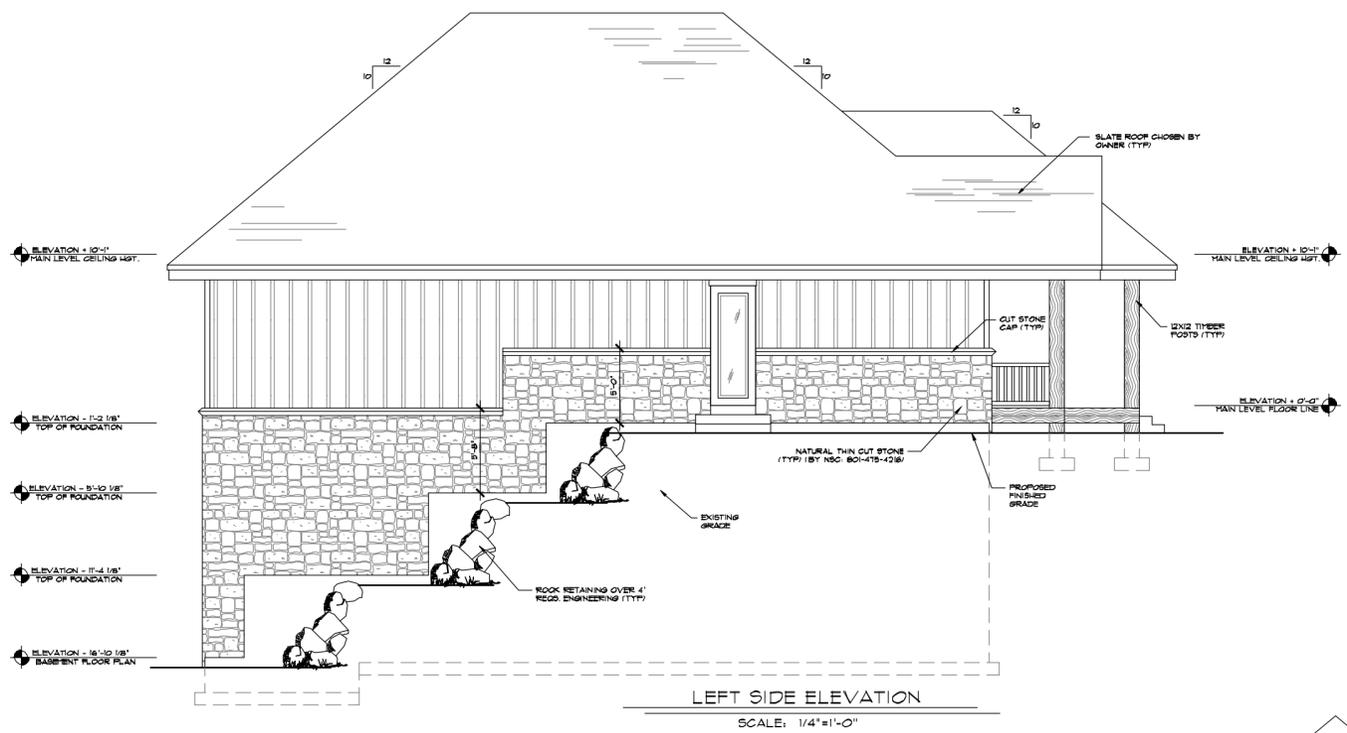
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SHEET TITLE: REAR ELEVATION

24X36 SHEET: 1/4" = 1'-0"  
12X18 SHEET: 1/8" = 1'-0"

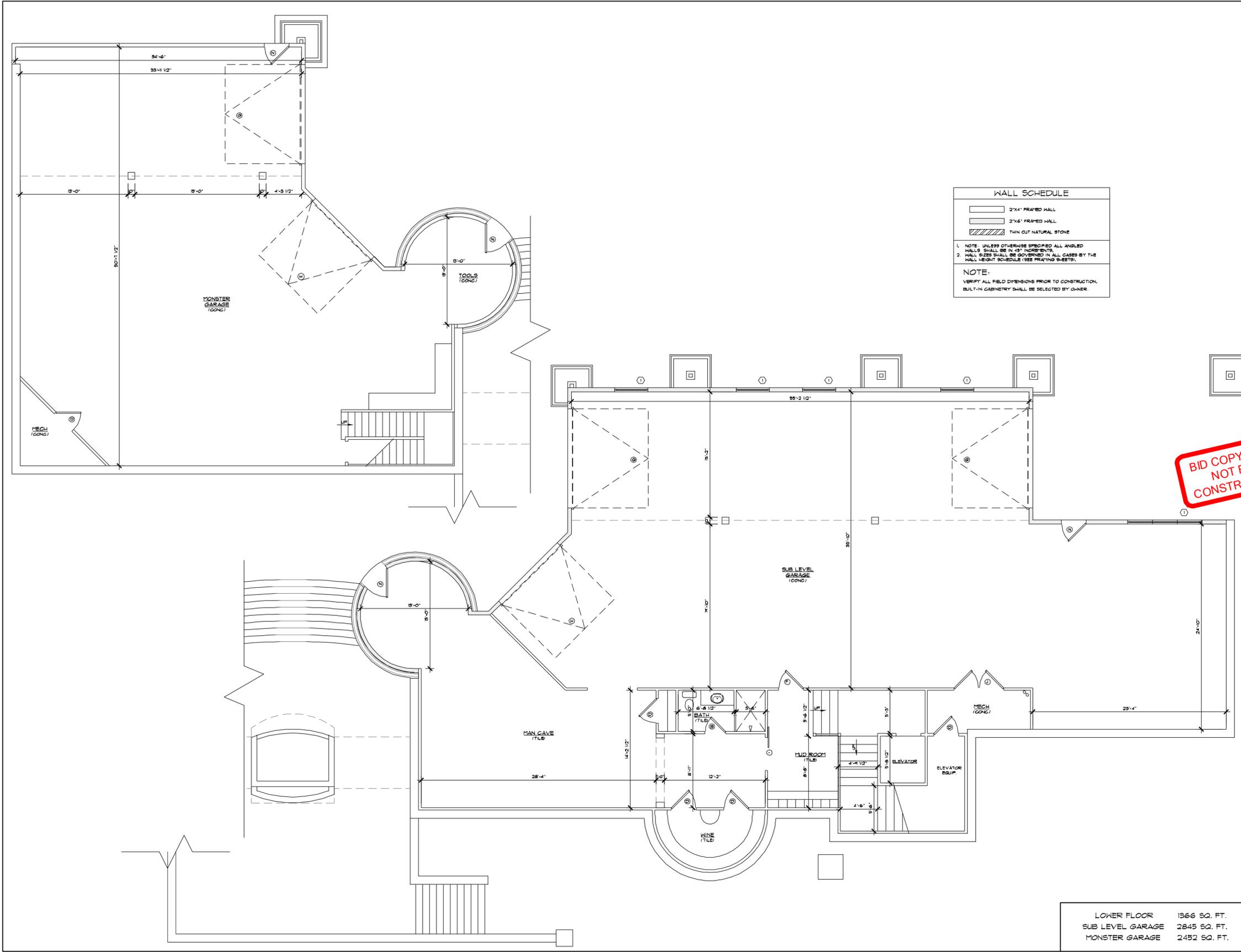
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PLAN NUMBER: ---  
SHEET NUMBER: 5 OF 11



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SHEET TITLE: SIDE ELEVATIONS  
 SHEET: 141 of 140  
 24X36 SHEET: 141 of 140  
 12X18 SHEET: 141 of 140  
 DRAWN BY: ---  
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 ISSUE DATE: XX/XX/2014  
 PLAN NUMBER: ---  
 SHEET NUMBER: 5 of 14



WALL SCHEDULE	
[Symbol]	2"x4" FRAMED WALL
[Symbol]	2"x6" FRAMED WALL
[Symbol]	THIN CUT NATURAL STONE

1. NOTE: UNLESS OTHERWISE SPECIFIED ALL ANGLED WALLS SHALL BE IN 48" INCREMENTS.  
 2. WALL SIZES SHALL BE GOVERNED IN ALL CASES BY THE WALL LEGIT SCHEDULE (SEE PRATTING SHEETS).

**NOTE:**  
 VERIFY ALL FIELD DIMENSIONS PRIOR TO CONSTRUCTION.  
 BUILT-IN CABINETRY SHALL BE SELECTED BY OWNER.

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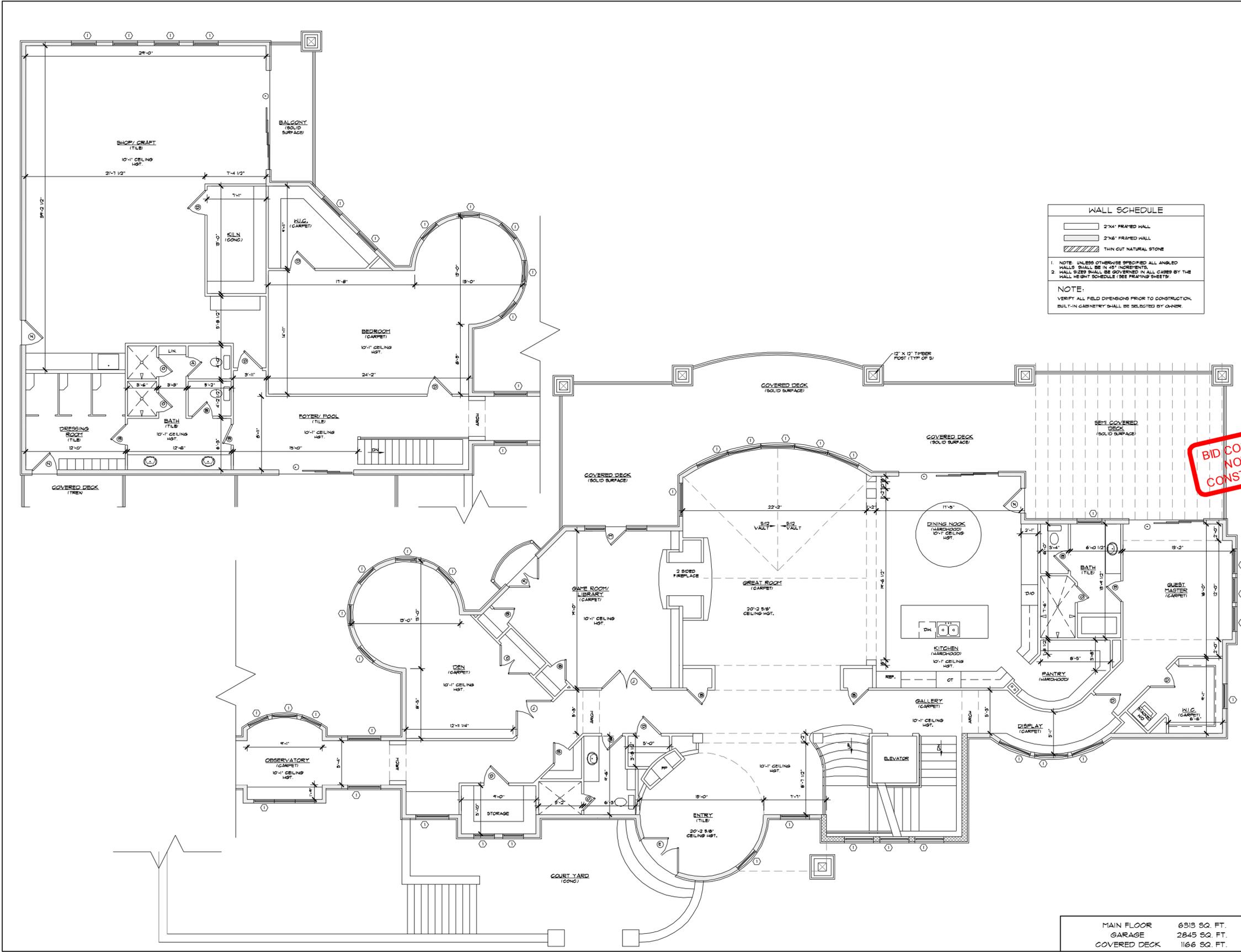
SHEET TITLE:  
**LOWER LEVEL FLOOR PLAN**

24x36 SHEET, 1/4" = 1'-0"  
 12x18 SHEET, 1/8" = 1'-0"

DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 ISSUE DATE: XX/XX/2014  
 PLAN NUMBER: \_\_\_\_\_  
 SHEET NUMBER: 8 of 11

LOWER FLOOR	1366 SQ. FT.
SUB LEVEL GARAGE	2845 SQ. FT.
MONSTER GARAGE	2452 SQ. FT.

CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS AND REQUIREMENTS AND REPORT TO ARCHITECT IMMEDIATELY IN WRITING. ARCHITECT SHALL BE NOTIFIED IMMEDIATELY IN WRITING OF ANY DISCREPANCIES OR OMISSIONS. ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.



**WALL SCHEDULE**

[Symbol]	2"x4" FRAMED WALL
[Symbol]	2"x6" FRAMED WALL
[Symbol]	THIN CUT NATURAL STONE

**NOTE:**  
 1. NOTE: UNLESS OTHERWISE SPECIFIED ALL ANGLED WALLS SHALL BE IN 45° INCREMENTS.  
 2. WALL SIZES SHALL BE GOVERNED IN ALL CASES BY THE WALL HEIGHT SCHEDULE (SEE FRAMING SHEETS).

**NOTE:**  
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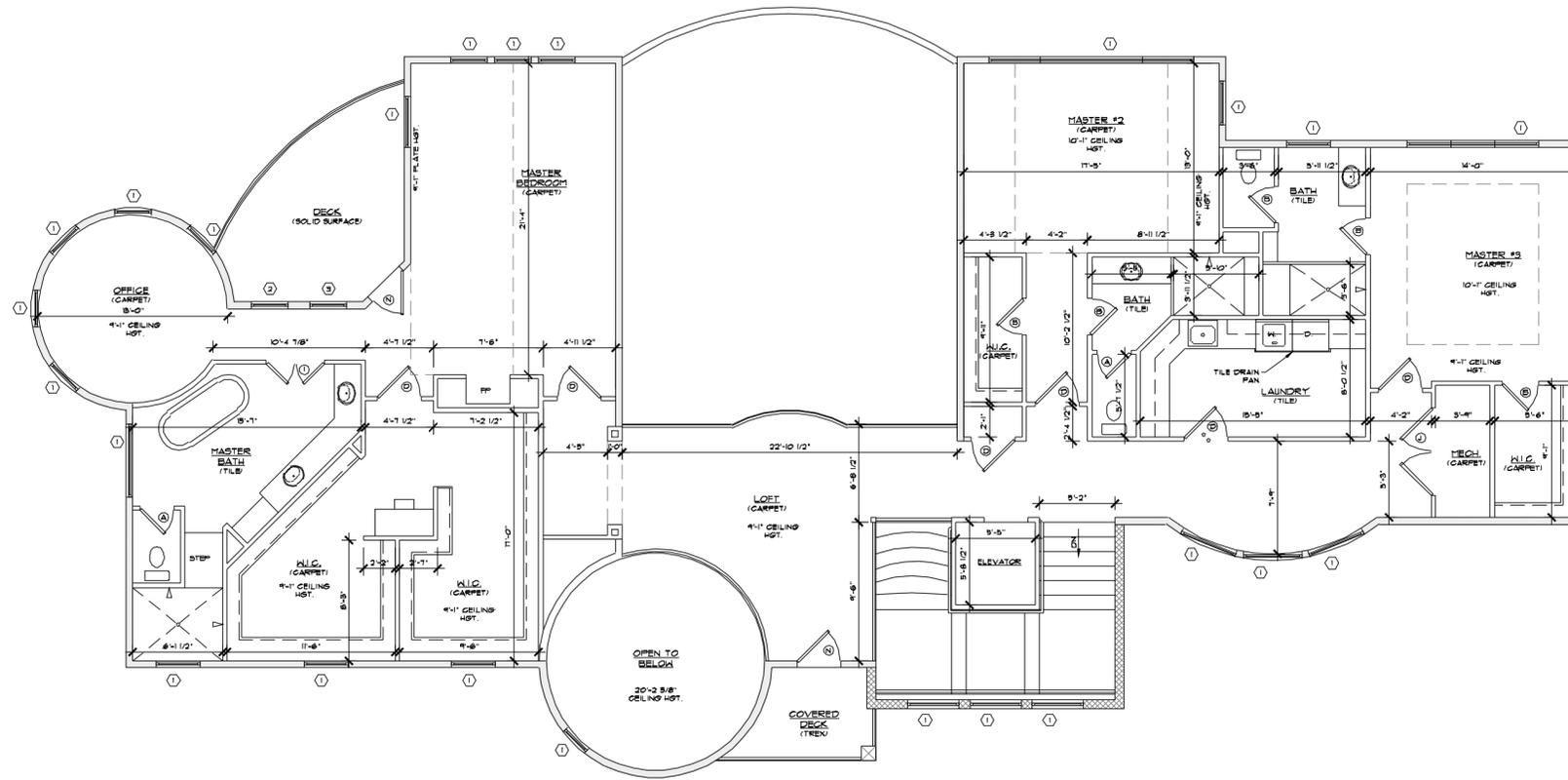
SHEET TITLE:  
**MAIN LEVEL FLOOR PLAN**

SCALE:  
 24000 SHEET: 1/4" = 1'-0"  
 12000 SHEET: 1/8" = 1'-0"

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 G.K.D. BY:  
 ISSUE DATE:  
 XX/XX/2014  
 PLAN NUMBER:  
 SHEET NUMBER:  
 10 OF 11

MAIN FLOOR 6315 SQ. FT.  
 GARAGE 2845 SQ. FT.  
 COVERED DECK 1166 SQ. FT.

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS AND DEPT. RECORDS FOR ALL UTILITIES PRIOR TO CONSTRUCTION. ALL UTILITIES SHALL BE PROTECTED AND NOT RELOCATED UNLESS APPROVED BY THE CITY ENGINEER. ALL UTILITIES SHALL BE DEEPENED TO THE FINISH FLOOR LEVEL UNLESS OTHERWISE SPECIFIED. ALL UTILITIES SHALL BE COVERED WITH APPROVED STAMPED HARD COPY DRAWINGS OF THE CITY ENGINEER. ALL UTILITIES SHALL BE COVERED WITH APPROVED STAMPED HARD COPY DRAWINGS OF THE CITY ENGINEER.



WALL SCHEDULE	
[Symbol]	2"x4" PRAVED WALL
[Symbol]	2"x6" PRAVED WALL
[Symbol]	THIN CUT NATURAL STONE
1. NOTE: UNLESS OTHERWISE SPECIFIED ALL ANGLED WALLS SHALL BE IN 48" INCREMENTS. 2. WALL SIZES SHALL BE GOVERNED IN ALL CASES BY THE WALL HEIGHT SCHEDULE (SEE FRAMING SHEETS).	
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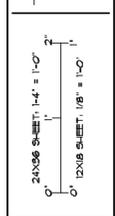
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SHEET TITLE:  
**UPPER LEVEL FLOOR PLAN**



DRAWN BY: ---  
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 ISSUE DATE: XX/XX/2014  
 PLAN NUMBER: ---  
 SHEET NUMBER: 12 OF 14

UPPER FLOOR 2700 SQ. FT.