



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Meeting Agenda Board of Adjustment

Thursday, February 11, 2021

5:15 PM

On-line Meeting

Meeting procedures are found at the end of this agenda.

Electronic Meeting

Board of Adjustment Chairman Statement

In accordance with, Utah Code 52-4-207(4) Open and Public Meeting Act, I have determined that to protect the health and welfare of Sandy citizens, an in person Board of Adjustment meeting, including attendance by the public and the Board of Adjustment is not practical or prudent.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Sandy City Council Chambers.

The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic.

It is my intent to safeguard the lives of Sandy residents, business owners, employees and commission members by meeting remotely through electronic means without an anchor location.

Community Development staff are hereby authorized and directed to include a copy of the above notice with each Board of Adjustment agenda.

Tyler Brown, Chair
Sandy City Board of Adjustment

The February 11, 2021 Sandy City Board of Adjustment meeting will be conducted via Zoom Webinar. Public comment may be allowed after the presentation of the particular item by the Staff and Applicant, as directed by the Board of Adjustment Chairperson. Each speaker is allowed two minutes. Citizens wishing to comment must access the meeting via the Zoom Webinar link below and must use the "raise hand" feature. The call-in number is for listening only. If a citizen is unable to attend a meeting via Zoom, he or she may e-mail the Zoning Administrator at mwilcox@sandy.utah.gov by 3:00 PM the day of the Board of Adjustment meeting to have those comments distributed to the Board members and/or have them read into the record at the appropriate time.

Register in advance for this webinar:

<https://us02web.zoom.us/j/87600941002>

After registering, you will receive a confirmation email containing information about joining the webinar.

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 876 0094 1002

Passcode: 279899

FIELD TRIP

1. [21-054](#) Field trip map for Board of Adjustment Members (visit individually)

Attachments: [Tour Map](#)

5:15 PM EXECUTIVE SESSION

Board Member and Open Meetings Act Training

6:30 PM REGULAR SESSION

Welcome

Pledge of Allegiance

Introductions

Public Meeting Item

2. [BOA-01-21-5](#) Pearce Variance Request
[985](#) 3382 E. Deer Hollow Circle

Attachments: [Staff Report](#)
[Applicants Letter](#)
[Yard and Fence Diagram](#)
[VARIANCE Motion Form](#)
[Deer Hollow Ranches Plat](#)

Administrative Business

1. [21-055](#) Election of Chair and Vice Chair for 2021

Adjournment

Meeting Procedure

1. Staff Introduction
2. Applicant presentation
3. Staff Presentation
4. Open Public Comment (if item has been noticed to the public)
5. Close Public Comment
6. Board of Adjustment Deliberation
7. Board of Adjustment Motion

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 2 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 time limits should be submitted in writing to the Community Development Department prior to noon the day before the scheduled meeting.

Board of Adjustment applications may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Board of Adjustment feels there are unresolved issues that may need further attention before the Board is ready to make a motion. No agenda item will begin after 11 pm without a unanimous vote of the Board. The Board may carry over agenda items, scheduled late in the evening and not heard, to the next regular scheduled meeting.

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, or if you have any questions regarding the Board of Adjustment Agenda or any of the items, please call the Sandy City Planning Department at (801) 568-7256.



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Staff Report

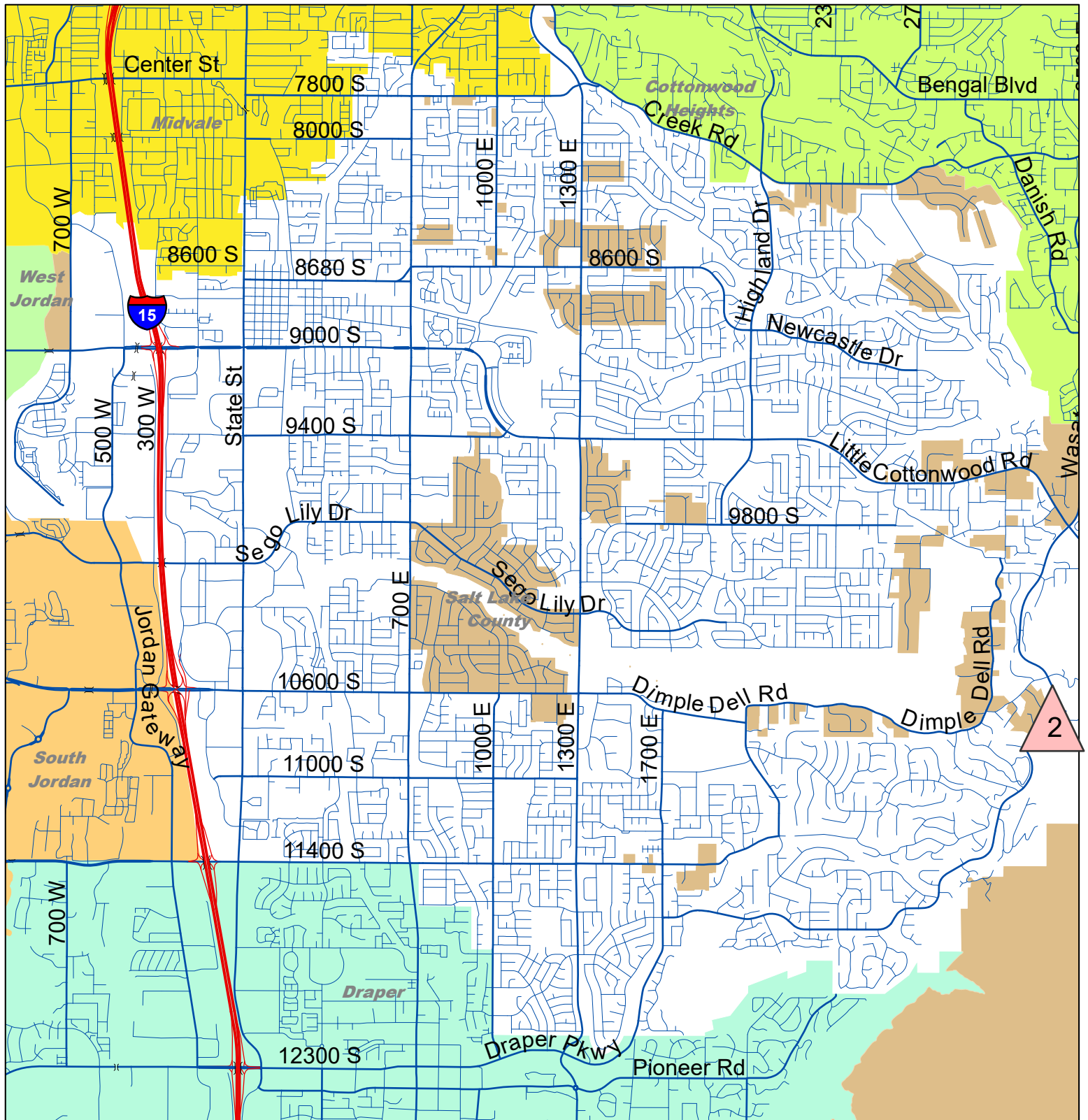
File #: 21-054, **Version:** 1

Date: 2/11/2021

Field trip map for Board of Adjustment Members



Board of Adjustment Field Trip February 11, 2021



Legend



Locations to visit individually,
with agenda item number



Locations to be visited on tour,
with agenda item number

**See Board of Adjustment agenda
packet for specific addresses and
details regarding the application.**



PRODUCED BY THE
COMMUNITY DEVELOPMENT DEPARTMENT



Staff Report

File #: BOA-01-21-5985,
Version: 1

Date: 2/11/2021

Agenda Item Title:

Pearce Variance Request
3382 E. Deer Hollow Circle

Presenter:

Mike Wilcox

Description/Background:

Trent and Aubrey Pearce have filed a request with the Sandy City Board of Adjustment for a variance from the Land Development Code. Specifically they are requesting variance from section 21-28-3(c) of the Land Development Code to allow for a six foot tall fence in a portion of the front yard area.

Additional details are found in the attached Staff Report.

Recommended Action and/or Suggested Motion:

The Board should carefully consider the conditions listed above before rendering a decision on each of the requested variances (individually or collectively) and should follow the law as outlined above. The applicants bear the burden of proof in showing that all of the conditions justifying a variance have been met. Based upon our analysis of the letter requesting the variances and the standards and conditions to grant a variance, we recommend to the Board of Adjustment that it deny the requests as presented.

See the attached variance motion forms to guide your decision.



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

February 4, 2021

To: Sandy City Board of Adjustment
From: Community Development Department
Subject: Pearce Variance Request
3382 E. Deer Hollow Circle
The Dell, Community #29

BOA-01-21-5985
1.45 Acres
R-1-40A, SAO Zone

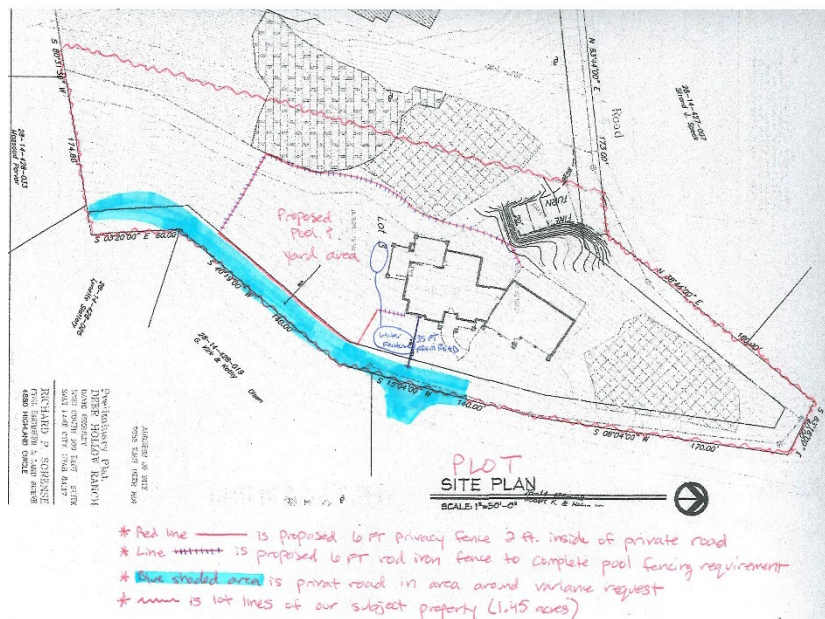
HEARING NOTICE: *This item has been noticed to property owners within **500** feet of the subject area.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
ANEX-09-12-2542	The Lone Springs Annexation added approximately 32.17 acres with 21 parcels of mostly developed land into Sandy City and given the R-1-40A Zone District on 12/14/2012.

REQUEST

The applicants, Trent and Aubrey Pearce, have filed a request with the Sandy City Board of Adjustment for a variance from the Land Development Code. Specifically they are requesting a variance from [section 21-28-3](#) of the Land Development Code to allow for a six-foot (6') fence in a portion of the front yard area.

The applicant has detailed their request in the attached "Applicant Letter".



BACKGROUND

History

This lot was created through a subdivision that was approved in Salt Lake County in 2007. It was later annexed into the City in 2012.

Physical Features

The property is heavily vegetated with natural stands of oak trees and has significant slopes. The subject property is in an area with known areas with 30% or greater slope constraints and earthquake fault zones. Studies have found that no other geologic concerns are applicable to this proposal.

Parcel Features

The lot is irregularly shaped and is considered a corner lot with private streets on two (2) sides of the lot. There are twenty-five-foot (25') road easements along the north and east property lines (total of fifty-foot (50') wide private easements on either side of the road centerline).

NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject parcel to notify them of the Board of Adjustment meeting.

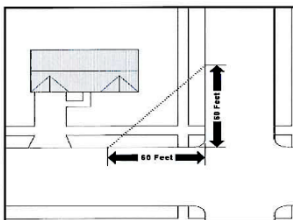
ORDINANCE SUMMARY

Applicants are requesting to vary from the terms of the following City ordinance(s):

Sec. 21-28-3. - Fences; Residential Standards.

- (a) *Side Yards and Rear Yards.* In any required side or rear yard on lots, the height of fences shall not exceed six feet, unless otherwise allowed herein.
- (b) *Front Yards.* Fences in required front yards shall be allowed provided that solid type fences shall not exceed three feet, and open type fences (e.g., wrought iron) shall not exceed four feet.
- (c) *Corner Lots.* In addition to the other provisions contained in this section, fences located on corner lots shall be subject to the following provisions:
 - (1) Any fence, wall, and/or hedge on the front yard setback shall not exceed three feet if opaque construction or four feet if open construction.
 - (2) In the side yard setback that fronts on a street, height up to six feet shall be allowed beyond 60 feet from the intersection measured from the intersecting extended curb lines. Height within the 60 foot area shall conform to the requirements of a front yard setback.

Illustration of a Common 60 Foot Sight Visibility Triangle

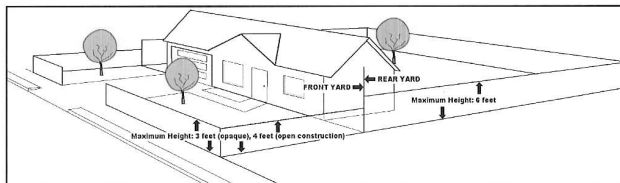


- (3) A clear view zone shall be maintained free of fencing, except a see-through fence or a view obscuring fence no higher than three feet in height when a driveway exists on the adjacent lot

within ten feet of the shared property line. The clear view zone refers to the portion of the corner lot lying within a triangular area formed by measuring back ten feet from the point where the interior property line shared with the adjacent lot meets the property line along the public right-of-way.

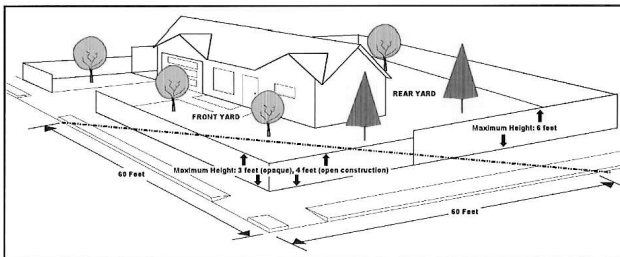


Fence Figure #1. Interior Lot Fence Height Restrictions



- (4) Heights on the rear yard setback and interior side yard setback shall not exceed six feet, unless otherwise allowed herein.

Fence Figure #2. Corner Lot Fence Height Restrictions



LEGAL STANDARD TO BE MET AT PUBLIC HEARING

[Utah Code Section 10-9a-702](#) and Sandy City Land Development Code, Section 21-35-2 set the standards, or conditions, for approving a variance. The Board of Adjustment may grant a variance only if **ALL** statutory conditions are met. If all five conditions are **NOT MET**, the Board of Adjustment is compelled by law to deny the request for a variance.

The traditional conditions for approval of a variance can be stated as follows:

1. Literal enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.

2. There are special circumstances attached to the property that do not generally apply to other properties in the same district.
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district.
4. The variance will not substantially affect the general plan and will not be contrary to the public interest.
5. The spirit of the zoning ordinance is observed and substantial justice done.

The State statute and City ordinance have added the following conditions when determining the above factors which were stated in the Utah Supreme Court decision of *Chambers v. Smithfield City* (714 P.2d 1133, Utah Supreme Court (1986)) :

6. Is the hardship complained of economic in nature?
7. Is the hardship complained of self-imposed?

REQUEST ANALYSIS

The applicants are seeking a variance from the fence height restriction on fencing within the front yard area (see section 21-28-3), which restricts fencing in the front yard to fence heights to three to four feet (3' -4') depending on style of fence. Because this property is a corner lot, it has two (2) street frontages onto private streets. The house faces onto the east street frontage and that side is considered the front yard area. The corner lot fencing provisions in subsection (c) would only allow the northern corner side yard area to be fenced (so long as it is outside of the sight visibility triangle). The front yard area would extend from the front plane of the home, extended to the north and south, and would need to be set back a minimum of thirty-feet (30') from the front property line (see diagram of the front yard area). As mentioned, there is a twenty-five-foot (25') private road easement along the entire north and east property lines to allow for a private road access. This area should not be fenced because of the easement but would be enforceable by the

easement owners of the road and not the city. The city would only enforce the provisions of our code.

In staff's opinion, the applicants have not yet addressed all seven (7) required standards and conditions to approve each of the variances in their letter to the Board. Staff has not been presented with any convincing evidence that the literal enforcement of the Code has created an unreasonable hardship on the applicants. Usable yard area is not a substantial property right. Some lots in the sensitive area overlay zone have smaller sized useable yard areas due to the natural topography and restrictions of the code. They still have a usable yard area that can be screened with six-foot (6') fencing. A smaller space does not deny them a right that is enjoyed by similarly situated properties. This lot is a corner lot, has an unusual shape, has many natural features (such as earthquake fault area, steep slopes, natural vegetation tree stands, etc.), and is impacted by sensitive area restrictions. However, those are not necessarily unique in this area and not substantially impacted.

The stated reason for needing the variance on fence height is due to the desire to have a pool. A pool is required to fence the yard area or the pool deck area with a six-foot (6') fence (see [section 21-11-10](#) for the full details). This issue is a self-imposed hardship which could be addressed by altering the size or location of the pool within the side and rear yard area where 6' fences are allowed.

STAFF POSITION

The Board should carefully consider the conditions listed above before rendering a decision on each of the requested variances (individually or collectively) and should follow the law as outlined above. The applicants bear the burden of proof in showing that all of the conditions justifying a variance have been met. Based upon our analysis of the letter requesting the variances and the standards and conditions to grant a variance, we recommend to the Board of Adjustment that it deny the requests as presented.

Planner:

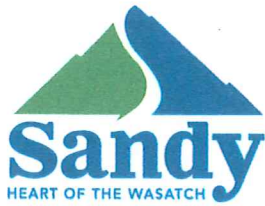


Mike Wilcox, Zoning Administrator

File Name: S:\USERS\PLN\STAFFRPT\2021\BOA-01-21-5985_PEARCE FENCE VARIANCE\STAFF REPORT.DOCX

Notice to Applicants: Be prepared to discuss the criteria for a variance as mentioned above in your presentation to the Board of Adjustment. Generally, the questionnaire you completed as part of the variance application process requests the information which the Board needs to consider. However, you may be aware of additional information that could be useful to the Board of Adjustment, which you may wish to present orally or in writing at the public hearing.

NOTE: *Any appeal of the decision of the Board of Adjustment must be made within thirty [30] days to the appropriate District Court of the State of Utah. The proper forms and procedure for filing such an appeal may be obtained from the District Court or the attorney of your choice. Sandy City **DOES NOT** have this information and **cannot** assist you in any way with the filing of any appeal of a Board of Adjustment decision. Copies of the case file, including all evidence submitted will be made available to interested parties. You may make a copy of the audio tape of the proceedings at our offices located at 10000 Centennial Parkway, suite 210, Sandy, Utah.*



Community Development
10000 Centennial Parkway
Sandy, Utah 84070
Telephone # (801) 568-7250
Facsimile # (801) 568-7278

Board of Adjustment Application

Revised November 2008

File/Case Number: BOA-01-21-5985 For staff use only Date Filed: 1/28/21
Fee: \$400 Receipt#: _____ Assigned Planner: MW

Type of Request (mark all that apply)

Use Account Code #1-51-314515 unless otherwise noted.

☒ Variance ☐ Alleged Error

Please give a brief summary of the action requested: We plan to install a swimming pool in the yard which requires a 6 ft. fence. our lot is unique so we are looking for a variance regarding fencing set backs and tree removal so we can accomplish our landscaping plans.

Project Information

Name of Proposed Project: Pearce landscaping
Address of Proposed Project: 3382 E Deer Hollow Cir
Parcel Tax I.D. Number(s) (if available): _____
Current Condition (i.e. undeveloped, current zone, etc) developed, residence
Proposed Development/Action (i.e., subdivision, retail bldg, new zone) 6 FT Private fencing / tree removal

Applicant Information

Applicant's Name: Pearce, Trent + Aubrey Company: N/A
Address: 3382 E Deer Hollow Cir City, State, Zip: Sandy, UT 84092
Phone #: Office: _____ FAX: _____ Home/Cell: 801-664-5442
Email: trent121@gmail.com Signature: [Signature] Date: _____

Property Owner Information (if different than applicant)

Owner's Name: _____
Address: _____ City, State, Zip: _____
Phone #: Office: _____ FAX: _____ Home/Cell: _____
Email: _____ Signature: _____ Date: _____

Note: The Board of Adjustment normally meets on the second Thursday of the month. Applicants will be notified of changes in meetings and meeting times. The Planning Division will not officially accept a submittal until the conditions and necessary parts of each application procedure are completed. The Board of Adjustment will not review any submittal made less than fourteen (14) days prior to the scheduled meeting.

28-14-427-007
Strand J. Speck

Road

N 53°44'00" E

173.00'

N 38°44'00" E

180.00'

S 83°16'00" E
40.00'

170.00'

S 08°04'00" W

S 15°04'00" W

140.00'

S 40°19'00" W

S 03°20'00" E

174.88'

S 80°31'30" W

28-14-428-033
Massoud Parvar

28-14-428-025
Lynelle Slattery

28-14-428-019
G. Kirk & Kathy Olsen

ADDRESS OF SITE
3253 EAST DEER HOLLOW

Preliminary Plat.
DEER HOLLOW RANCH
DAVE BEGLEY
1223 SOUTH 900 EAST SUITE
SALT LAKE CITY, UTAH 84117

RICHARD P. SORENSEN
CIVIL ENGINEER & LAND SURVEYOR
4850 HIGHLAND CIRCLE

PLOT
SITE PLAN

SCALE: 1"=50'-0" (NOT TO SCALE)



- * Red line — is proposed 6 FT Privacy fence 2 ft. inside of private road
- * Line +++++ is proposed 6 FT red iron fence to complete pool fencing requirement
- * Blue shaded area is private road in area around variance request
- * Area is lot lines of our subject property (1.45 acres)

To: Board of Adjustments

From: Trent and Aubrey Pearce

Date: January 23, 2021

Re: Fencing and Tree Removal Variance

We are seeking a variance from the Sandy City code requirements with regards to fencing as well as landscaping in a sensitive overlay area. The code can be found in Sec. 21-28-3. – Fences: Residential Standards and in Chapter 21-15. – Sensitive Area Overlay Zone.

We recently contacted the city about the requirements to put in a swimming pool in the area south of our home and discovered that there are some hurdles to jump to be able to do this because we have a very unique lot. Although it is 1.45 acres in size, it is extremely limited in how it can be used due to its shape, topography, and road frontage. The home sits on the lot in such a way that there is very little land to the east or west of the residence. The usable ground to establish a nice yard with is all located to the south of the home. Although we consider this area to be our rear yard, the city sees this ground as our front and side yard. Therefore, we need a variance to be able to install the required 6 ft fence closer to the property line than the standard 30 feet. If required to fence at a 30 ft setback, the one usable area to establish a nice yard would be divided in to two unusable areas. It seems the intent of the code is to prohibit large fencing out in front of homes and to maintain visibility for traffic. In this case, the fencing would not be in front of the house. We would begin the private fence south of the home and extend it along the private drive. The private drive is actually located on my property but the 2 homes down the lane have an access easement. There is very little traffic and visibility would be a non-issue.

Regarding the sensitive area overlay zone, my understanding is that I am not allowed to remove native vegetation in order to landscape my yard. Again, my property is limited in usable area due to shape and topography. My lot is covered with hundreds of trees. I want to maintain as many of them as I can to keep the same look and feel in the neighborhood. I would ask that you grant me the ability to remove some trees as long as I do not remove anything located on the 30 degree slope areas and maintain a certain percentage of the trees on my lot. I understand that I will need to address drainage with the city engineer for any impervious areas that are added.

In conclusion, I would just say that my proposal would not generate any negative impacts on the surrounding properties. The neighbor to the south actually already has a 6 ft privacy fence at the property line. In this area, the homes are all on large lots and many of the properties have 6 ft fencing. In my case, the only neighbor who would be able to see my proposed fence from their home is Kirk Olsen. I spoke with him prior to making this application to see if he had any issue with it and he assured me that he didn't. I don't feel like we are asking for anything too crazy. We simply want to create a nice private area to enjoy as a family. I appreciate your consideration of my request.

Sincerely,



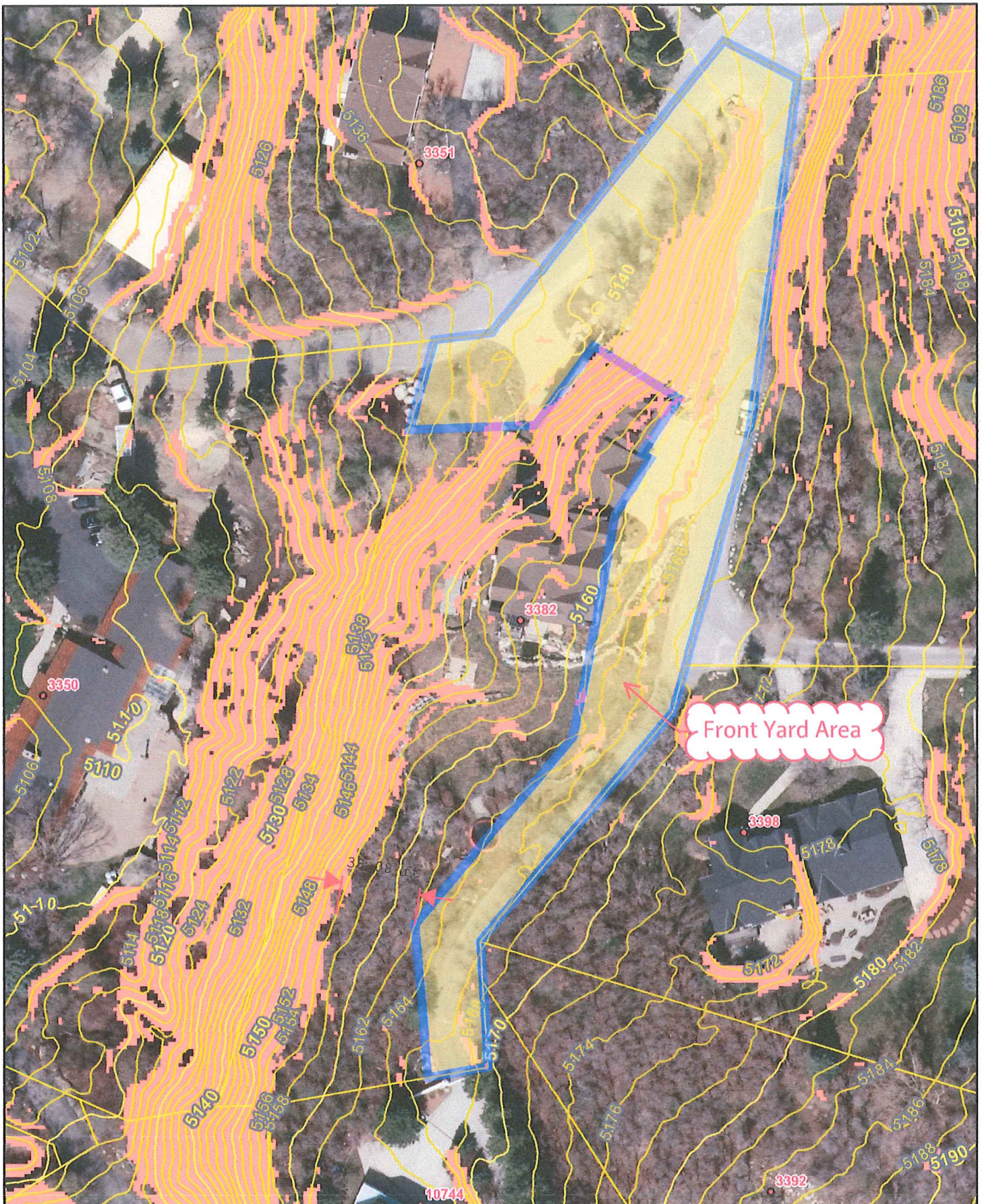
Trent Pearce

3382 East Deer Hollow Circle, Sandy, UT 84092

Legal Description:

Lot 3, Deer Hollow Ranches, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

This is a detailed plat map of the Deer Hollow Ranches. The map shows several large land parcels, each labeled with a number (e.g., 428006, 428013, 428012, 428019, 428039, 428037, 428038, 428042, 428048, 428026, 428011, 428049, 428044, 428045, 428046, 428047, 428048, 428049, 428050, 428051, 428052, 428053, 428054, 428055, 428056, 428057, 428058, 428059, 428060, 428061, 428062, 428063, 428064, 428065, 428066, 428067, 428068, 428069, 428070, 428071, 428072, 428073, 428074, 428075, 428076, 428077, 428078, 428079, 428080, 428081, 428082, 428083, 428084, 428085, 428086, 428087, 428088, 428089, 428090, 428091, 428092, 428093, 428094, 428095, 428096, 428097, 428098, 428099, 428100, 428101, 428102, 428103, 428104, 428105, 428106, 428107, 428108, 428109, 428110, 428111, 428112, 428113, 428114, 428115, 428116, 428117, 428118, 428119, 428120, 428121, 428122, 428123, 428124, 428125, 428126, 428127, 428128, 428129, 428130, 428131, 428132, 428133, 428134, 428135, 428136, 428137, 428138, 428139, 428140, 428141, 428142, 428143, 428144, 428145, 428146, 428147, 428148, 428149, 428150, 428151, 428152, 428153, 428154, 428155, 428156, 428157, 428158, 428159, 428160, 428161, 428162, 428163, 428164, 428165, 428166, 428167, 428168, 428169, 428170, 428171, 428172, 428173, 428174, 428175, 428176, 428177, 428178, 428179, 428180, 428181, 428182, 428183, 428184, 428185, 428186, 428187, 428188, 428189, 428190, 428191, 428192, 428193, 428194, 428195, 428196, 428197, 428198, 428199, 428200, 428201, 428202, 428203, 428204, 428205, 428206, 428207, 428208, 428209, 428210, 428211, 428212, 428213, 428214, 428215, 428216, 428217, 428218, 428219, 428220, 428221, 428222, 428223, 428224, 428225, 428226, 428227, 428228, 428229, 428230, 428231, 428232, 428233, 428234, 428235, 428236, 428237, 428238, 428239, 428240, 428241, 428242, 428243, 428244, 428245, 428246, 428247, 428248, 428249, 428250, 428251, 428252, 428253, 428254, 428255, 428256, 428257, 428258, 428259, 428260, 428261, 428262, 428263, 428264, 428265, 428266, 428267, 428268, 428269, 428270, 428271, 428272, 428273, 428274, 428275, 428276, 428277, 428278, 428279, 428280, 428281, 428282, 428283, 428284, 428285, 428286, 428287, 428288, 428289, 428290, 428291, 428292, 428293, 428294, 428295, 428296, 428297, 428298, 428299, 428300, 428301, 428302, 428303, 428304, 428305, 428306, 428307, 428308, 428309, 428310, 428311, 428312, 428313, 428314, 428315, 428316, 428317, 428318, 428319, 428320, 428321, 428322, 428323, 428324, 428325, 428326, 428327, 428328, 428329, 428330, 428331, 428332, 428333, 428334, 428335, 428336, 428337, 428338, 428339, 428340, 428341, 428342, 428343, 428344, 428345, 428346, 428347, 428348, 428349, 428350, 428351, 428352, 428353, 428354, 428355, 428356, 428357, 428358, 428359, 428360, 428361, 428362, 428363, 428364, 428365, 428366, 428367, 428368, 428369, 428370, 428371, 428372, 428373, 428374, 428375, 428376, 428377, 428378, 428379, 428380, 428381, 428382, 428383, 428384, 428385, 428386, 428387, 428388, 428389, 428390, 428391, 428392, 428393, 428394, 428395, 428396, 428397, 428398, 428399, 428400, 428401, 428402, 428403, 428404, 428405, 428406, 428407, 428408, 428409, 428410, 428411, 428412, 428413, 428414, 428415, 428416, 428417, 428418, 428419, 428420, 428421, 428422, 428423, 428424, 428425, 428426, 428427, 428428, 428429, 428430, 428431, 428432, 428433, 428434, 428435, 428436, 428437, 428438, 428439, 428440, 428441, 428442, 428443, 428444, 428445, 428446, 428447, 428448, 428449, 428450, 428451, 428452, 428453, 428454, 428455, 428456, 428457, 428458, 428459, 428460, 428461, 428462, 428463, 428464, 428465, 428466, 428467, 428468, 428469, 428470, 428471, 428472, 428473, 428474, 428475, 428476, 428477, 428478, 428479, 428480, 428481, 428482, 428483, 428484, 428485, 428486, 428487, 428488, 428489, 428490, 428491, 428492, 428493, 428494, 428495, 428496, 428497, 428498, 428499, 428500, 428501, 428502, 428503, 428504, 428505, 428506, 428507, 428508, 428509, 428510, 428511, 428512, 428513, 428514, 428515, 428516, 428517, 428518, 428519, 428520, 428521, 428522, 428523, 428524, 428525, 428526, 428527, 428528, 428529, 428



0 15 30 60 90 120 Feet





Corner Side Yard Area -
May allow for fencing
up to 6' if outside of
sight visibility triangles.
See Sec. 21-28-3(c)

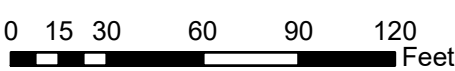
Site Visibility Area (to
be determined by
City Transportation
Engineer).

30' Front yard setback
before any fencing
above 3-4' is allowed.

Front Yard Area
(shaded in yellow)

30' Front yard setback
before any fencing
above 3-4' is allowed.

6' Fence Front Yard
Possible Locations
(approximate)



VARIANCE MOTION FORM

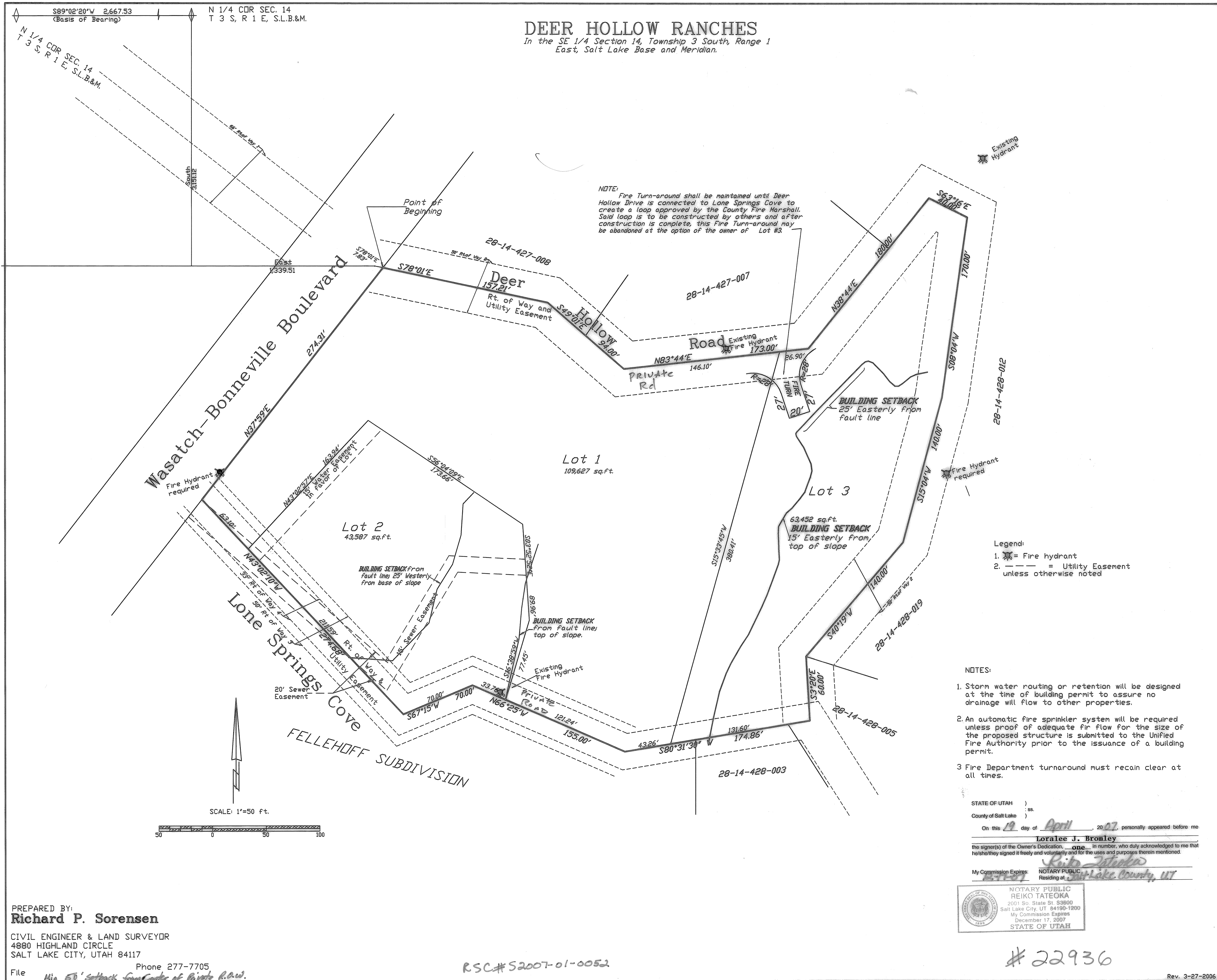
I move that we approve (or disapprove) the _____ Variance Request regarding the _____ of the subject property as shown in Exhibit _____ of the Applicants' Letter for the property located at _____, based upon the following findings and conditions to mitigate the negative impacts of said variance:

Findings:

1. Literal enforcement of the zoning ordinance will *[will not]* cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance. *[Literal enforcement of zoning ordinance would not allow any home to be built on this platted subdivision lot, depriving the lot of nearly all economic value, as nothing else could be built there.]*
2. There are *[are no]* special circumstances attached to the property that do not generally apply to other properties in the same zone district. *[The property is severely limited by a difficult and small building envelope. Other homes in this vicinity have been granted similar variances or special exceptions in order to allow construction.]*
3. Granting the variance is *[is not]* essential to the enjoyment of a substantial property right possessed by other property in the same district. *[Having and maintaining a home on the property, inasmuch as it is a platted lot, is an essential property right.]*
4. The variance will not *[will]* substantially affect the general plan and will not be contrary to the public interest. *[The general plan provides for homes to be built in this zone in spite of the steep hillsides, provided certain conditions are met.]*
5. The spirit of the zoning ordinance is observed and substantial justice will *[will not]* be done by granting this variance. *[Not granting the variance would not allow any construction on this platted parcel, which would be a serious injustice. This _____ will not create a substantial negative impact to the protected hillside as the hillside can be properly restored. This also would create little negative impact to other property owners.]*

Conditions:

[Suggested conditions are usually suggested in the Staff Report for the subject property. If not, then you might ask the Planning Staff member at the meeting to suggest conditions.]



SURVEYORS CERTIFICATE

I, Richard P. Sorensen, do hereby certify that I am a registered Land Surveyor and that I hold certificate No. 1798 as prescribed by the laws of the State of Utah. I further certify that by authority of the owner(s), I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as:

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage, width and area requirements of the applicable zoning ordinances.

Date 3-28-07
Richard P. Sorensen
No. 1798
STATE OF UTAH

BOUNDARY DESCRIPTION

Beginning on the Easterly line of Wasatch Boulevard at a point due South 315.12 feet and due East 1395.51 feet and S78°01'E 783 feet from the North 1/4 corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running thence S78°01'E 157.21 feet; thence S49°01'E 94.00 feet; thence N83°44'E 173.00 feet; thence N38°44'E 180.00 feet; thence S63°16'E 40.00 feet; thence S8°04'W 170.00 feet; thence S15°04'W 140.00 feet; thence S40°19'W 140.00 feet; thence S3°20'E 60.00 feet; thence S80°31'30"W 174.86 feet; thence N66°25'W 155.00 feet; thence S67°15'W 70.00 feet; thence N43°02'10"W 274.68 feet to the Easterly line of Wasatch-Bonneville Boulevard thence N37°59'E 274.31 feet to the point of beginning.
3 Lots
4.974 Acres

OWNER'S DEDICATION

Know all men by these presents that we, the undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as the

Deer Hollow Ranches
do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

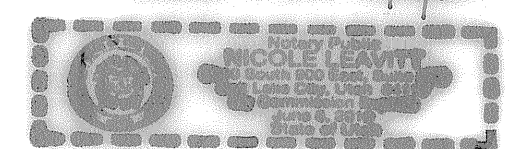
In witness whereof we have hereunto set this 29th day of March, A.D., 2007.

David J. Bromley, Manager
Autumn Ridge Development, LLC

ACKNOWLEDGEMENT

STATE OF UTAH)
County of Salt Lake) S.S.
On the 29th day of March, A.D., 2007, personally appeared before me, David J. Bromley,

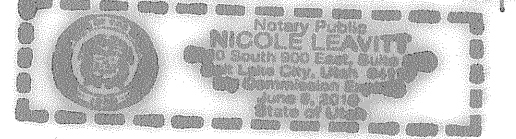
the signer(s) of the above Owner's dedication, in number, who duly acknowledged to me that, signed it freely and voluntarily and for the uses and purposes therein mentioned.



ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SALT LAKE)
ON THE 29th DAY OF March, A.D. 2007, PERSONALLY APPEARED BEFORE ME, David J. Bromley, who being duly sworn, DID SAY THAT HE, THE SAID David J. Bromley, IS THE Manager OF Autumn Ridge Development, LLC, and THAT THE WITHIN OWNERS DEDICATION WAS SIGNED IN BEHALF OF SAID Autumn Ridge Development, LLC, BY AUTHORITY OF ITS ARTICLES OF ORGANIZATION, AND THE SAID David J. Bromley ACKNOWLEDGED TO ME THAT SAID Limited Liability Company EXECUTED THE SAME.

NOTARY PUBLIC RESIDING IN Salt Lake COUNTY
MY COMMISSION EXPIRES 6/9/10



DEER HOLLOW RANCHES
In the SE 1/4 Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian.

Checked for Zoning Compliance Zone: R-1-43 Lot Area: 1.00 acre Lot Width: 100' min Front Yard: 30' min Side Yard: 15' min Rear Yard: 20' min Date: 4/3/07 Salt Lake County Planning	BOARD OF HEALTH Approved this 29 day of March, A.D. 2007 Director, S.L. Co. BOARD OF HEALTH	SALT LAKE COUNTY PLANNING AND DEVELOPMENT SERVICES I hereby certify that this office has examined this plat and it is correct in accordance with information on file in this office. Date: 4/3/07 Director	Street and Address Frontage Coordinates Approved: [Signature] Date: 4-30-07 Development Services Address Coordinator	APPROVAL AS TO FORM Approved as to form this 19th day of April, A.D. 2007 Mona R. Christensen, Deputy Salt Lake County District Attorney	MAYOR PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS 30 DAY OF April, A.D. 2007, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. Mona R. Christensen MAYOR or Designee	RECORDED #10077135 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF Autumn Ridge Development DATE 4-25-07 TIME 2:17 BOOK 2007 PAGE 176 FEE \$ 33.00 James J. Johnson, Deputy SALT LAKE COUNTY RECORDER
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Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Staff Report

File #: 21-055, **Version:** 1

Date: 2/11/2021

Election of Chair and Vice Chair for 2021