



Sandy City, Utah

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Minutes Summary

Board of Adjustment

Thursday, August 11, 2022

5:30 PM

City Hall and On-line

Meeting procedures are found at the end of this agenda.

This Board of Adjustment meeting will be conducted both in-person, in the Sandy City Council Chambers at City Hall, and via Zoom webinar. Participants may attend and participate in the meeting either in-person or via the webinar link below.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_XdirSlrWS3GsD7xMXRI0Ew

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

You can join the meeting with the following link:

<https://us02web.zoom.us/j/87291671717>

Or join via phone by dialing:

US : + 1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171

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

Webinar ID: 872 9167 1717

Passcode: 544427

Rollcall

Present 4 - Regular Member Brian Jones
Regular Member Bruce Bryner
Regular Member Burke Staker
Matt Hale

Absent 2 - Steven Wrigley
Regular Member Tyler Brown

5:30 PM REGULAR SESSION

Welcome

Pledge of Allegiance

Introductions

Public Meeting

1. [BOA0801202](#) Rozenfeld Variance Request to Amend Condition of Approval
[2-006373](#) 3802 E Catamount Ridge Way

[Community #30 - Granite]

The applicant, Yuri Rozenfeld, presented to the Board of Adjustment his case for the revisions Condition #6 of the previously approved Board of Adjustment requirements.

Jeff Bell, Talisman Civil Consultants, is the engineer for this project. It is his opinion that revisions to Condition #6 is necessary to meet the requirements of the variance. The proposed changes also minimize the amount of material removed from this property.

Melissa Anderson, Zoning Administrator for Sandy City, presented the staff report to the Board of Adjustment. Staff recommended approval of the variance request for Condition #6.

Matt Hale asked for clarification that the Board is only needing to approve the request for the change to Condition #6. He was assured by staff that this is correct.

Brian Jones, Vice-Chairperson, opened the meeting to public comment.

Steve VanMaren, 11039 S Lexington Circle, stated he did not have any comments.

Brian Jones closed the meeting to public comment.

Discussion ensued among the Board members regarding the variance request.

Jeff Bell stated that one of the reasons that the changes are necessary is to allow a six foot terrace between each wall.

Discussion among staff, Board members and applicant regarding the necessity for the change to Condition #6.

Lynn Pace, City Attorney, reiterated that one of the standards for granting a variance is to show that "granting the variance is essential to the enjoyment of the substantial property right possessed by other property owners in the same district". The Board needs to determine that this current variance request is essential for the applicant to build his home.

A motion was made by Burke Staker, seconded by Bruce Bryner, that the Board of Adjustment approve the request to amend Condition #6 of the Variance that was approved under case file BOA01172022-006252 for the property located at 3802 East Catamount Ridge Way. All other conditions of approval would remain as originally approved to mitigate the negative impacts of said variance. If approved, the amended conditions of approval shall be stated as follows:

Conditions of Approval:

6. That the area behind the home and driveway that is to be disturbed to construct the home be limited to an average of twenty-six feet (26'). That a limit of disturbance be placed at the existing 5430' elevation contour in order to reduce the impact to the hillside and reduce the amount of disturbance to the natural vegetation.

This motion is based on the findings and conclusions provided in the staff report dated August 11, 2022, and findings in support of the application made by the Board of Adjustment during deliberations on this matter.

The motion carried by the following vote:

Yes: 4 - Brian Jones
Bruce Bryner
Burke Staker
Matt Hale

Absent: 2 - Steven Wrigley
Tyler Brown

Administrative Business[22-298](#)**Rules of Procedure Amendments**

Staff proposed amendments to the Board of Adjustment Rules and Procedures for electronic meetings. This was based of the updates to the Utah State Legislature regarding the open and public meetings act.

A motion was made by Bruce Bryner, seconded by Matt Hale, that the Board approved the 22-298 Rules of Procedure Amendments as presented. The motion carried by the following vote:

Yes: 4 - Brian Jones
Bruce Bryner
Burke Staker
Matt Hale

Absent: 2 - Steven Wrigley
Tyler Brown

Adjournment

Meeting Procedure

1. Staff introduction
2. Presentation by the petitioner or appellant
3. Staff presentation
4. Public comment related to the petition, appeal or request
5. Response by petitioner or appellant
6. Questions of the applicant, staff, and others by the Board
7. Discussion of the issue by the Board
8. Motions and decision by the Board

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.