

Minutes of the **Lehi City Board of Adjustments** held **March 19, 2013** at 7:00 in the Building Conference Room at 99 West Main, Lehi, Utah.

**Members Present:** Kerry Schwartz, Steve Roll, Julian Mercer, Dave Scoville,

**Members Excused:** John Mellor, Brent Everett, Casey Volks

**Others Present:** Mike West, Tristan West, Jason West, Steve Maddox, Branson Watson  
Lynn Jorgenson, Paula Greenwood

**1. Kerry Schwartz brought the meeting to order.**

**2.1 Kerry Schwartz opened nominations for a chair and vice chair.**

Motion: Dave Scoville nominated Kerry Schwartz for Chair.

Motion: Steve Roll made a move to close the nominations for Chair.

Seconded by Julian Mercer.

By acclamation Kerry Schwartz will be Chair.

Kerry Schwartz opened Nominations for Vice Chair.

Motion: Dave Scoville nominated Steve Roll for Vice Chair.

Motion: Dave Scoville made a move to close the nominations for Vice Chair.

Seconded by Julian Mercer.

By acclamation Steve Roll will be Vice Chair.

Motion: Steve Roll made a move to move item 3.1 Steve Maddox requests a 7 ft. variance from the terms of the Development Code Chapter 25 to the top of the agenda.

Seconded by Dave Scoville.

**3.1 Steve Maddox requests a 7 ft. variance from the terms of the Development Code Chapter 25.**

Steve Maddox on behalf of Edge Homes came before the board to request a 7 ft. variance located at 766 West 1250 South, Lehi, lot 49 in Lehi Country Estates. Steve Maddox talked about the lot and how U-Dot did not want to maintain a 9 ft. nuisance strip. U-Dot gave Edge Homes a 9 ft. easement and had them install a sound barrier wall 9 from the property line making the lot bigger. With the easement from U-Dot this could be considered a buildable envelope if the setback could be considered with the yardage from U-Dot.

Mike West, the future home owner, commented on the lot and talked about how this lot is the smallest in the subdivision. After U-Dot came through and took a rear portion of the property it decreased the lot from 10,700 sq. ft. lot to a 7,400 sq. ft. lot which makes it less than half of the

minimum lot size requirement for a RA 1 zone. With the proposed variance on this home, the 30 ft. setback could be met with the use of the 9 foot strip. The 9 ft. strip will be maintained by the homeowner.

The Board discussed the proposed variance.

Dave Scoville talked about the definition of reasons to grant a variance:

1. An unnecessary hardship not created by the owner unique to the property.
2. Need for a reasonable use for a property.
3. As long as it won't alter the charter or devalue the area.

Motion: Julian Mercer made a move to approve 7 ft. rear yard setback based on

1. An unnecessary hardship not created by the owner unique to the property.
2. Need for a reasonable use for a property.
3. As long as it won't alter the charter or devalue the area.

Kerry Schwartz called for a vote.

Dave Scoville, yes; Steve Roll, yes; Kerry Schwartz, yes; Julian Mercer, yes.

Motion passed unanimously.

## **2.2 Review of bylaws.**

Steve Roll presented a rough draft of bylaws for the Board of Adjustments. The board spent time discussing the draft. After making some changes and revisions the board will send the draft to the City lawyer for review.

## **3. Adjournment**

**Motion:** Dave Scoville made a motion to adjourn until April 16, 2013.

Seconded by Steve Roll. Motion passed unanimously.

Minutes Approved April 16, 2013

Chairman \_\_\_\_\_