DELTA CITY BOARD OF ADJUSTMENT MEETING AUGUST 17, 2006

PRESENT

Gayle Bunker Mayor

Robert Banks Council Member
Glen Swalberg Council Member
Betty Jo Western Council Member

<u>ABSENT</u>

Kiley Chase Council Member
Bruce Curtis Council Member
Richard Waddingham City Attorney

ALSO PRESENT

Alan Riding Zoning Officer
Gregory Jay Schafer City Recorder
Howard & Tonya Quackenbush City Residents
Betty Carter City Resident

Bill Moore Representing Carl & Nancy Anderson

Mayor Bunker called the meeting to order at 7:46 p.m. He stated that notice of the meeting time, place and agenda had been provided to the <u>Millard County Chronicle/Progress</u> and to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Schafer acted as secretary.

BUSINESS

CARL & NANCY ANDERSON: REQUEST FOR VARIANCE OF THE TWENTY-FIVE (25) FOOT FRONT YARD SETBACK REQUIREMENT TO ALLOW CONSTRUCTION OF A HOME WITHIN NINETEEN (19) FEET OF THE PROPERTY LINE ON PROPERTY LOCATED AT APPROXIMATELY 440 NORTH 200 WEST

Inasmuch as this is the first time the City Council has acted as the Board of Adjustment, Mayor Bunker reviewed the circumstances under which a variance can be granted as outlined in the Utah State Code.

Mr. Bill Moore, representing Carl & Nancy Anderson, presented the request to a variance of the twenty-five foot front yard setback requirement on property located at approximately 440 North 200 West in order to allow construction of a home within nineteen feet of the property-line. Mr. Moore explained that the variance is being requested in order to prevent tearing down a large tree and

City of Delta, Utah Board of Adjustment Meeting 08-17-06 Page 2

situate the home on the lot in accordance with all legal setbacks. Mr. Moore indicated there is a community garden in the rear of the proposed home which, if the home were placed with the twenty-five foot setback, would reduce the size of the rear yard to ten feet between the house and the community garden.

Following discussion, Council Member Robert Banks <u>MOVED</u> to deny the request of Carl and Nancy Anderson for a variance of the required twenty-five foot front yard setback on property located at approximately 440 North 200 West to allow construction of a home within nineteen feet of the front yard property line because the request did not meet the Utah State Code requirements for granting a variance. The motion was <u>SECONDED</u> by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Council Member Glen Swalberg MOVED to adjourn the meeting. The motion was <u>SECONDED</u> by Council Member Betty Jo Western. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 8:08 p.m.

GAYLE BUNKER, Mayor

GREGORY JAY SCHARER, CMC, City Recorder

MINUTES APPROVED: RCCM 09-07-06

Secure Caring Ca