

**MINUTES OF THE COTTONWOOD HEIGHTS CITY  
BOARD OF ADJUSTMENT MEETING**

**Thursday, April 16, 2015**

**6:00 p.m.**

**Cottonwood Heights City Council Room  
1265 East Fort Union Boulevard, Suite 250**

***ATTENDANCE***

**Members Present:** Chair Noor Ul-Hasan, Vice Chair Rich Robinson, James Adinaro, Doug Folsom, Pete Ellison, Don Antczak

**Staff Present:** Community and Economic Director Brian Berndt, Senior Planner Glen Goins, City Engineer Brad Gilson, Special Legal Counsel Jody Burnett

**Others Present:** Gary McGee, Jill McGee, Emmaee Josephson, Cynthia Smith, Gray Smith

**BUSINESS MEETING**

**1.0 WELCOME/ACKNOWLEDGMENTS**

Chair Ul-Hasan called the meeting to order at 5:33 p.m. She stated that the Board is here to deal with an appeal in regards to the Planning Commission's decision on a PUD. No new evidence or information can be considered, the Board's decisions are allowed only to be based on information that the appellant's have submitted and information that was given to the Planning Commission. She stated that the Board Members are all residents of Cottonwood Heights and are not only here to serve the City but to also serve the residents as well.

**2.0 DELIBERATION AND POSSIBLE ACTION ITEMS**

**2.1 (Project #BOA 15-001, 15-002, 15-003, 15-004, 15-005, 15-006, 15-007) Action on appeals of the Planning Commission's approval of a conditional use application from Richard Cook, for the Giverny PUD located at 9160 South Wasatch Boulevard**

Chair Ul-Hasan stated that the first order of business is to determine the type of deliberation regarding comments from all seven appellants. The question at hand is to determine if it will take place in an open or closed meeting.

Board Member Ellison asked about the advantages of continuing in a closed session.

Chair Ul-Hasan stated that deliberating in a closed meeting allows the Board to continue discussion, ask questions without discussion or interruptions from the public, and allows them to focus on the case at hand. It is for the purpose of deliberating the facts and evidence. The decision itself will be held during an open meeting and the minutes prepared for review.

***Motion: Board Member Robinson moved to conduct deliberations in a closed meeting and reconvene at a later time in a public meeting to issue a decision. Board Member Antzak seconded the motion. The motion passed unanimously on a voice vote.***

Chair Ul-Hasan closed the meeting and adjourned to closed session.

The Board was in closed meeting from 5:39 p.m. until 7:25 p.m.

Chair Ul-Hasan reconvened the business meeting.

***Motion: Board Member Adinero moved to continue the meeting to April 27 at 5:30 p.m. where the Board will vote and render their final decision on all seven appeals. Board Member Robinson seconded the motion. The motion passed unanimously on a voice vote.***

The matter was continued until Monday, April 27 at 5:30 p.m.

## **2.2 Approval of the April 16, 2015, Minutes**

It was clarified that the Board will have five days from the date they receive the minutes to submit corrections. The same process will be followed with the corrected minutes until there are no further changes at which time they will stand approved.

## **3.0 ADJOURNMENT**

***Motion: Board Member Robinson moved to adjourn. The motion was seconded by Board Member Folsom. The motion passed unanimously on a voice vote.***

Minutes approved: 05/01/2015