

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

**Thursday, April 13, 2016
6:00 p.m.
Cottonwood Heights City Council Room
1265 East Fort Union Boulevard, Suite 250**

ATTENDANCE

Members Present: James Adinaro, Don Antczak, Pete Ellison, Rich Robinson, Doug Folsom

Staff Present: Senior Planner Michael Johnson, City Planner Andrew Hulka, City Attorney Shane Topham, City Recorder Paula Melgar

Excused: Noor Ul-Hasan

WORK MEETING

- [CH BOA Work Session 4-13-17.mp3 - 6/12/17 6:49 PM](#)

1.0 Review Business Meeting Agenda

(00:50:00) The Board reviewed and discussed agenda items.

BUSINESS MEETING

- [CH BOA Business Meeting 4-13-17 Part I.mp3 - 6/12/17 6:48 PM](#)
- [CH BOA Business Meeting 4-13-17 Part II.mp3 - 6/12/17 6:49 PM](#)

1.0 WELCOME/ACKNOWLEDGMENTS

(18:00:30) Board Member James Adinaro presided and welcomed those in attendance. The agenda items were reviewed.

2.0 ACTION ITEMS

2.1 (Project #BOA 17-001) Action on a Request from Thomas and Lisa Kaminski for a Variance from the Accessory Building Rear Yard Lot Coverage Requirement at 1560 East 7200 South.

Senior Planner, Mike Johnson, presented the staff report regarding a request from Thomas and Lisa Kaminski for a variance from the accessory building rear yard lot coverage requirement for property located at 1560 East 7200 South. A copy of the presentation is attached and incorporated to these minutes by this reference.

A Board Member raised a question as to how calculations have been done in the past and if they were considered. Mr. Johnson stated that items from previous calculations were noted and considered for the current project.

1 The applicants, Thomas and Lisa Kaminski, provided a copy of a photo of their backyard and
2 described the advantages and disadvantages of the property. They included safety concerns, an
3 apartment that could be occupied by their aging parents, space and accessibility, and aesthetic
4 improvements. A copy of the applicant's presentation is attached and incorporated to these
5 minutes by this reference.

6
7 Board Member Adinaro asked about the proposed staircase. Mr. Kaminski explained that the
8 staircase will be spiral and most likely located on the west side.

9 Board Member Folsom asked if there are any similar properties in the area and asked for
10 clarification regarding hardships associated with the property. The applicant replied that they were
11 not aware of any similar properties and described hardships, which include lack of space. They
12 wished to make the backyard more appealing and safe. It was noted that the current emergency
13 exits are the windows.

14
15 Board Member Adinaro asked if the applicants had considered reducing the size of the garage.
16 Mr. Kaminski confirmed that downsizing had been considered but would be costly and they need
17 the space.

18
19 *(18:33:00) Board Member Robinson moved to go into a Closed Meeting. Board Member Folsom*
20 *seconded the motion. The motion passed with the unanimous consent of the Board.*

21
22 The Board was in Closed Meeting from 6:33 p.m. until 7:02 p.m.

23
24 *(19:02:00) Board Member Folsom moved to deny the request from Thomas and Lisa Kaminski*
25 *for a variance from the accessory building rear yard lot coverage requirement at 1560 East 7200*
26 *South as he did not find an unreasonable hardship. There are likely other means whereby the*
27 *goals of the property owner can be achieved without requiring a variance to the Ordinance.*
28 *With regard to special circumstances, there is nothing necessarily unique to the property that is*
29 *not consistent with other properties in the area. He did not think the actual deck was necessary*
30 *to achieve those goals. Board Member Robinson seconded the motion. Vote: Pete Ellison-Nay,*
31 *Doug Folsom-Aye, James Adinaro-Aye, Rich Robinson-Aye, Don Antczak-Nay. The motion*
32 *passed 3-to-2.*

33
34 *(The motion was the only portion of the meeting for which audio was available).*

35
36 **2.2 (Project #BOA-17-002) Action on a request from Laurens Debirk for the Expansion**
37 **of a Non-Complying Structure at 2118 East Lorita Way.**

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39 City Planner, Andrew Hulka, presented the staff report and stated that the request is from Laurens
40 Debirk for the expansion of a non-complying structure located at 2118 East Lorita Way. A copy
41 of the presentation is attached and incorporated to these minutes by this reference.

42
43 The applicant, Laurens Debirk, addressed the Board and answered questions regarding the distance
44 between the building and property line and the neighbors' concerns. Both Mr. Debirk and
45 Mr. Hulka reported that they were not aware of any concerns expressed by the neighbors.

1 *Board Member Folsom moved to approve the request from Laurens Debirk for the expansion*
2 *of a non-complying structure located at 2118 East Lorita Way. Board Member Robinson*
3 *seconded the motion. Vote on the motion: James Adinaro-Aye, Don Antczak-Aye, Pete Ellison-*
4 *Aye, Rich Robinson-Aye, Doug Folsom-Aye. The motion passed unanimously.*

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6 **2.3 Approval of the April 13, 2017 Minutes.**

7
8 Board Member Adinaro reported that the Board of Adjustment will approve the minutes of the
9 April 13, 2017 meeting after the following process is met. The Recorder will prepare the minutes
10 and email them to each Board Member. The Members will then have five days to review the
11 minutes and submit any changes to the Recorder. If, after five days there are no changes, the
12 minutes will stand approved. If there are changes, the process will be followed until the changes
13 are made and the Board is in agreement, at which time the minutes shall be deemed approved.

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15 **3.0 ADJOURNMENT**

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17 The Board of Adjustment Meeting adjourned at 7:06 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights City Board of Adjustment Meeting held Thursday, April 13, 2017.*

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Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: June 9, 2017