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3 PLEASANT GROVE CITY
4 BOARD OF ADJUSTMENT MINUTES
5 April 20, 2017
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7 **7:00 P.M. BOARD OF ADJUSTMENT MEETING**
8

9 **PRESENT:** Chair Milt Fugal, Board Members Stephanie Green, Gail Christiansen, Dustin
10 Phillips, and Frank Mills
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12 **STAFF:** Community Development Director Ken Young, and Planning Tech Barbara Johnson
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14 Chair Fugal welcomed those present and called the meeting to order at 7:02 p.m. It was confirmed
15 that there had been no ex parte contact between Members of the Board and the parties being heard
16 and no bias had been formed by any of the Members.
17

18 **MOTION:** Board Member Christiansen moved that the Board of Adjustment **APPROVE** the
19 agenda, change the order of the Items to address approval of the Minutes before the Public Hearing.
20 Board Member Green seconded the motion. The Board Members unanimously voted “Aye”. The
21 motion carried.
22

23 **ITEM 1** – Review and Approval of the minutes from the January 19, 2017 Board of Adjustments
24 Meeting.
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26 **MOTION:** Board Member Green moved to approve the Board of Adjustment Minutes from
27 January 19, 2017. Board Member Phillips seconded the motion. The motion passed unanimously.
28

29 **ITEM 2** - Public Hearing to Consider the Request of Ken Berg to Obtain a Legal Non-Conforming
30 Status for an Existing Building that was Part of the Majestic Meadows Subdivision Process. The
31 aforementioned Building does not Conform with Provision 10-11F-8 A, Which Requires Front
32 Yards to be Not Less than Twenty-Five Feet (25’) in Width. The Property is Located at
33 Approximately 470 West 2200 South in the C-G (General Commercial) Zone. **SAM WHITE’S**
34 **LANE NEIGHBORHOOD.**
35

36 Community Development Director, Ken Young, explained that the C-G zoning ordinance requires
37 a minimum front yard setback of 25 feet. He showed an aerial photograph of the subject property
38 and explained that Building M, an existing structure, would no longer comply with the setback
39 requirement after 220 South was widened. The widening of the road would bring the setback to
40 17.8 feet. A new condominium plat was submitted for the subject property and approval of the
41 plat would be subject to the Board granting a legal non-conforming status of Building M. Since

1 the building was constructed before the widening of 220 South, staff endorsed the idea of granting
2 the legal non-conforming status to the existing building.

3
4 Chair Fugal asked if they would be addressing the rear setback as well. Mr. Young answered in
5 the negative. He noted that the property is a corner lot, so the front yard setback would apply to
6 both the State Street and 220 South sides. Only the setback along 220 South was out of
7 compliance.

8
9 The applicant, Ken Berg, stated that staff did an excellent job of representing the issue. He said
10 that his clients had been working to clean up the property and had made some modifications to
11 Building M as part of the improvements.

12
13 Chair Fugal opened the public hearing. There were no public comments. Chair Fugal closed the
14 public hearing.

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16 The Board Members agreed that the application was straightforward and a legal non-conforming
17 status should be granted.

18
19 **MOTION:** Board Member Christiansen moved that the Board of Adjustment APPROVE the
20 request of Ken Berg granting a legal non-conforming status to an existing building with regard to
21 the minimum front setback requirements, based on eight feet (8') being out of conformance, on
22 property located at approximately 470 West 220 South in the C-G (General Commercial) Zone.
23 Board Member Green seconded the motion. The motion passed with unanimous consent of the
24 Board.

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26 **MOTION:** Board Member Christiansen moved to ADJORN the meeting. Board Member Green
27 seconded the motion. The motion passed with unanimous consent of the Board of Adjustments.

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29 The meeting adjourned at 7:19 p.m.

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34 Milt Fugal
35 Chair, Pleasant Grove City Board of Adjustment

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38 _____
39 Barbara Johnson
40 Secretary

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42 Date Approved: _____