

Minutes of a Board of Adjustment meeting held Tuesday, July 31, 1979, at 6:00 A. M. at the City Hall, 68 East Main Street, Santaquin, Utah.

Present were Fred Openshaw, Lynn Crook, Mike Christensen, Sherman Jones and Allen Gurney, with Ramona Rosenlund acting as clerk.

Meeting was called to order by Chairman Fred Openshaw and as Mr. & Mrs. Coombs were not present, clerk was asked to call their home. It was found Mr. Coombs was at work and Mrs. Coombs would be right in.

The hearing was called by Mr. Coombs because he had built a house with a carport which came within 8" of the adjoining property line on one side and 8' on the other. This regulation is found in Ordinance #152, Section 22, Item 4: Side yard regulation.

Mrs. Coombs came into the hearing at 6:15, and it was explained to her that according to page 5, Section 15, of the Zoning Ordinance #152, the Board of Adjustment can not rule on this particular situation as it does not come under their jurisdiction. The Board can not grant a variance inasmuch as they have no legal authority for this type of request as the building has already been built and the question seems to be that it was done without a building permit.

Mrs. Coombs said they tried to obtain information on an ordinance before they started to build but could not. She stated the receipt they received at the time they paid for the original building permit (September 17, 1975), was marked that they could add on later. It was noted that the building permit issued to Mr. & Mrs. Coombs in 1975 does not show a carport or a home, but only a basement as a temporary residence and that no building permit has been granted for the building of the permanent home or the carport, although a permit was applied for recently but had not been returned by Mr. & Mrs. Coombs and that this was after the building was proceeding.

It was decided from the evidence considered by the Board that the only action they could take was to agree with the Building Administrator that their property was non-conforming and they had no jurisdiction to grant a variance, their decision being based on Section 15, page 5 of the Zoning Ordinance #152.

Mrs. Coombs asked the Board what was the next thing they might do to resolve their problem and she was advised that Mr. Openshaw would discuss the results of the hearing this morning with Mr. Bradley, the building administrator, and that possibly they would have to go before court to resolve it.

Mr. Crook made a motion they adjourn and the motion was seconded by Mr. Christensen. Meeting adjourned at 6:50 A.M.