



Appeal Board

Robert Peterson

Beth Lock

Rick Wixom

Karen Daniels, Alternate

**AGENDA
OF A MEETING OF THE HURRICANE CITY APPEALS BOARD
3:30 p.m.**

Wednesday January 17th, 2024, 3:30 p.m.

Notice is hereby given that the Hurricane City Appeals Board will hold a Meeting starting at 3:30 p.m. in the City Council Chambers located at 147 N 870 W, Hurricane, UT

1. Consideration and possible approval for a building permit for an enlargement of a nonconforming structure located at 2520 W 100 S. Kerry Prince Applicant



STAFF COMMENTS

Agenda Date:	1/17/2024
Type of Application:	Enlargement of a Noncomplying Structure.
Action Type:	Administrative/Quasi-Judicial
Applicant:	Kerry Prince
Request:	Approve a proposed site plan
Location:	2520 W 100 S
Zoning:	R1-10

Discussion

The applicant is seeking to add to their current home. The current home is setback 10-15' from the rear property line, however, the underlying zone requires a 20' rear setback. When the home was constructed in 1993, the home complied with the rear setback standard at the time. The property owner now is seeking to add a garage to the side of the home and have the rear of the expansion flush with the home, and therefore sit within the current rear yard setback. Hurricane City Code allows for a property owner to apply to enlarge a noncomplying structure with the following conditions:

Sec. 10-8-5. - Noncomplying structures.

C. Enlargement and expansion. Any expansion or enlargement of a noncomplying structure that increases the degree of noncompliance is prohibited except as provided in this subsection.

- 1. The initial determination of whether a proposed expansion increases the degree of noncompliance shall be made by the Zoning Administrator.*
- 2. A structure which is noncomplying as to height, area, or yard requirements may be enlarged upon authorization by the Appeals Board provided the board, after notice and a hearing, finds the enlargement to be compatible with adjoining property and not detrimental to the community, as determined by the effect of the enlargement on traffic, value of adjacent and nearby properties, and the availability of adequate public facilities and services.*

After a review of the building permit, the Zoning Administrator found that it “increases the degree of noncompliance”, therefore recommended that the applicant applies for a hearing with the Appeals Board.



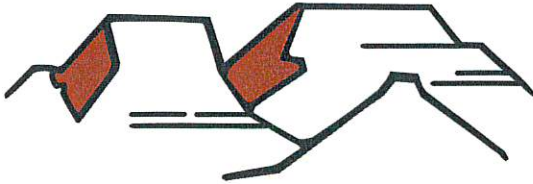
Property under consideration

Staff Recommendation

Hurricane City staff has reviewed the application and recommends the following findings:

1. The building permit increases the degree of noncompliance by building within the 10' side yard setback.
2. The enlargement is compatible with adjoining property, which is zoned commercial.
3. The enlargement is not detrimental to the community.

Hurricane City staff recommends approval of the proposed enlargement of a noncomplying structure.



HURRICANE CITY UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

APPEALS BOARD APPLICATION

For Office Use Only: \$250.00 Fee

File No. _____

Receipt No. _____

Applicant Name: Kerry Prince

Applicant Address: 2520 W 100 S Hurricane, UT 84737

Applicant Phone Number: 680-3612 Applicant Email Address: Kerry.prince65@gmail.com

Address of Property Subject to this Application: 2520 W 100 S

Application For:

- A change in non-conforming use
- An interpretation of the zoning ordinance or a zoning boundary

Application must be accompanied with a PLAT MAP (County Recorder's Office) which shows property location and a PLOT PLAN showing the nature of the request. (Show buildings, structures, driveways, etc. and all items relating to the request.)

11x17 Plat Map

11x17 Plot Plan

Application must be accompanied with a fee of \$250.00 (Fee is nonrefundable)

Description of the nature of this request: (Be as specific as possible)

Back lot 20' adjustment to 10' to conform with existing house on property

Kerry Prince
Signature of Applicant

1-9-24
Date

(Office Use Only)

Date Received: _____ Received by: _____

Date Application Deemed Complete: _____ Determined By: _____

