



ZONING ADJUSTMENTS

AGENDA

April 24, 2024

10:00 a.m.

The Roy City Variance Hearing Officer meeting will be held in the Small Training Room in the basement of the Roy City Municipal Building located at 5051 South 1900 West

Agenda Items

- I. Consider variance requests, by Barry & Myong Lengele for property location at 4631 South 2325 West, Roy UT for the following:
 - a. to reduce the required side yard setback to two feet eight inches (2'8")
 - b. to reduce the rear yard setback to five (5) feet.
 - c. to allow a curb cut to increase the drive approach in order to allow additional parking.
 - d. to allow parking in the front yard.
 - e. to allow a second curb cut.
 - f. to allow an accessory building within the front yard setback.

PUBLIC NOTE

At the hearing, the order of business for each case will be conducted as follows:

1. An overview of the case by the Hearing Officer.
2. Presentation by the Applicant.
3. Response from the City.
4. Testimony from interested parties and technical experts.
5. Response from the Appellant.
6. Questions from the Officer.
7. Determination from the Hearing Officer.

In Compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1040 or by email: ced@royutah.org at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 19th day of April 2024. A copy was also posted on the Roy City Website and [Utah Public Notice Website](https://www.royutah.org) on the same date.

Visit the Roy City Web Site @ www.royutah.org
Roy City Planning Commission Agenda Information – (801) 774-1027

Steve Parkinson, City Planner





SYNOPSIS

Application Information

Applicant: Barry & Myong Lengele

Request: To grant variances for the following items:

- to reduce the required side yard setback to two feet eight inches (2'8")
- to reduce the rear yard setback to five (5) feet
- to allow a curb cut to increase the drive approach in order to allow additional parking.
- to allow parking in the front yard
- to allow a second curb cut
- to allow an accessory building within the front yard setback

Address: 4631 South 2325 West

Land Use Information

Current Zoning: R-1-8; Single-Family Residential

Use: Single-Family Dwelling

Staff

Report By: Steve Parkinson

Recommendation: Denial of all the requests for variances.

- to reduce the required side yard setback to two feet eight inches (2'8")
- to reduce the rear yard setback to five (5) feet
- to allow a curb cut to increase the drive approach in order to allow additional parking.
- to allow parking in the front yard
- to allow a second curb cut
- to allow an accessory building within the front yard setback

BACKGROUND INFORMATION

Code Enforcement received a complaint regarding the number of drive approaches onto the property, along with the accessory building built within the front yard to cover an RV.

On February 2, 2024, I sent a letter to Mr. & Mrs. Lengele regarding the complaint and what both the Code Enforcement Officer and the Building Official observed during the visit to the property.

Not only is there two (2) drive approaches one of which was increased in width and the already built accessory building in the front yard but that the southern side of the dwelling was added onto and it now is within three (3) feet of the southern property line. Also, from an aerial search it was found that the rear of the dwelling is within several feet of the western property line.

On March 30, 2022, staff received an application for the widening of the original drive approach but was denied on the basis that it would lead to having parking within the front yard. It appears that some time later Mr. Lengele went ahead and had the curb cut as he requested and then also cut the curb a second time, this time without applying for a permit. Shortly after this the accessory building was built.

The additions to the side and rear of the dwelling appear to have been over the course of several years sometime between 2005 and 2010 according to the google earth aerial research. No permits were applied for or issued for either of these additions.



APPLICABLE STATE STATUTES

- I. Utah State Code – (Title 10 – Utah Municipal Code, Chapter 9a – LUDMA, Part 7 – Appeal Authority and Variances)
 - o Section 702 - Variances
 - 1) Literal enforcement of the Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance.
 - 2) There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district.
 - 3) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district.
 - 4) The granting of the variance will not substantially affect the General Plan and will not be contrary to the public interest; and
 - 5) The spirit of the land use ordinance is observed, and substantial justice done.

APPLICABLE ROY CITY ZONING ORDINANCES

- I. Roy City Zoning Code – Title 10 – Zoning
 - A. Chapter 10 – General Property Development Standards
 - 10-1-4 – Purpose:

This Ordinance is provided to implement the goals and policies of the Roy City General Plan and the other purposes as provided for by §10-9a et seq. U.C.A. This Ordinance contains standards, provisions and requirements intended to protect the health, safety, and welfare of the citizens and businesses of Roy City, to guide and manage future growth and development, and to promote the orderly use of lands within the City. It is the intent of this Ordinance to provide a means of ensuring predictability and consistency in the use and development of lands located within the City. These purposes are met by:

 - 1) Guiding growth and development in an orderly manner consistent with the goals and policies of the City, as identified in the Roy City General Plan.
 - 2) Providing for the implementation of the Roy City General Plan.
 - 5) Preventing the overcrowding of land.
 - 7) Directing and managing the type, distribution, and intensity of uses and activity.
 - 9) Protecting landowners from potential adverse impacts from adjoining uses.
 - 10-1-5 – Applicability:
 - 1) Applications accepted by the City as complete for any approval, permit or license required by the provisions of this Ordinance shall be processed, reviewed and approved or denied, subject to the provisions of this Ordinance, and all amendments thereto, and other applicable Ordinances of the City, in effect at the time the application is determined to be complete by the Zoning Administrator, as required by 10-12-7 of this Ordinance.
 - 2) No building or structure shall be erected, and no existing building or structure shall be moved, altered or enlarged nor shall any land, building or premises be used, designed or intended to be used for any purpose or in any manner other than as allowed by this Ordinance.
 - 3) The provisions of this Ordinance shall apply to all lands located within the municipal boundaries of Roy City, unless exempted by the provisions of this Ordinance or other lawful exemption.
 - 4) The provisions of this Ordinance shall be held to be the minimum requirements necessary to protect the public health, safety, and welfare of the citizens of Roy City, and achieve the purposes of this Ordinance.
 - 10-10-5 – All Uses, Buildings, and Structures to Comply with Zoning District Requirements:

Every building or structure erected, reconstructed, altered, enlarged or moved, and every building, structure, or land, rearranged, designed or intended for any use shall be built or used only as allowed by the requirements of this Ordinance and the zoning district in which such

building, structure, land or use is located.

- 10-10-15 – Site Plan Approval and Building Permit Required Prior to Any Construction:
The construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof shall not be commenced until after the receipt of a valid Use, Site Plan, or Building Permit Approval, as required herein.
- 10-10-16 – Applications Required:
All requests to establish a use, or construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof shall be initiated by the submission of necessary Application(s), to the City, as required by this Ordinance, and the Building Codes, as adopted.
- 10-10-20 – Required Front Yard Landscaping in Residential Zones:
 - 1) Landscaping, as defined, is required to be installed in all yard areas of all residential lots within eighteen (18) months from issuance of a Certificate of Occupancy. For existing residential lots which have either not installed landscaping or residential lots where the landscaping no longer exists, landscaping according to these regulations shall be installed within eighteen (18) months from the enactment of this provision. The following shall apply:
 - a) Turf grass not to exceed 35% of the total irrigable space of the front and side yards.
 - b) No turf grass in park-strips or any areas less than eight (8) feet in width.
 - c) An Irrigation System Design should be used for all areas to conserve water.
 - 2) Landscaping of residential lots shall be maintained in a healthy condition. Yard areas shall not lack appropriate turf, plant or ground cover material so as to cause excessive dust or allow the accumulation of debris.
- 10-10-24 - Table 10-1 – Minimum Lot and Setback Requirements for Primary Buildings

Site Requirements	R-1-8
Minimum Lot Size	8,000 square feet
Minimum Lot Width	65 feet, except on corner lots it shall be 75 feet
Minimum Yard Setbacks Requirements:	
Front	25 feet
Side	8 feet
Rear	25 feet

- 10-10-28 – Accessory Buildings and Accessory Uses – General Requirements
 - 4) An accessory building that is attached to a primary building shall meet all requirements for the location of the primary building.
 - 5) A detached accessory building shall meet all requirements for the location of a detached accessory building, as provided herein.
 - 8) All accessory buildings shall comply with the requirements of the Building Code, as adopted, and as applicable.
 - 12) No portion of any accessory building shall be allowed to extend over any property line.
 - 13) No storm water runoff from accessory buildings shall be allowed to run onto adjacent property.
- 10-10-29 – Limitations on the Size and Location of Accessory Buildings in Residential Zones:
 - 2) Location of Accessory Buildings.
 - a) All garages and other accessory buildings located less than ten (10) feet from the primary building shall be considered attached, and part of the primary building and the setback requirements applicable to the primary building shall apply to the accessory building.
 - b) All garages and other accessory buildings located ten (10) feet or more away from the primary building may be located no less than three (3) feet from the side or rear property line(s), provided garage or accessory buildings may not be located in the

required front yard or within an area containing a recorded easement.

- 10-10-30 – Smaller Accessory Buildings – Exemption from Building Permit Requirements:
All accessory buildings with a maximum height of ten (10) feet and a maximum size less two hundred (200) square feet shall not require a building permit, provided all setback requirements for the zone in which the accessory building is located are met, no portion of the accessory building extends over any property line, and no storm water runoff from the accessory building allowed to run onto adjacent property.
- 10-10-32 – Parking in Residential Zones:
In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential zones that directly access a garage or carport. Accessory parking space for vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel (weed free), or road base (weed free), as long as it is accessible to and from a legal access point on the same parcel. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk.
- 10-10-33 – Required Yards to be Unobstructed–Exceptions:
All required yard or setback areas shall to be open to the sky and unobstructed; except for permitted and approved accessory buildings, for projections of sills and other ornamental features, unenclosed steps and unwallled stoops, and porches provided, that all buildings or parts thereof comply with the setback requirements of the zoning district in which they are located. Walls and fences shall also comply with the setback requirements of this Ordinance, or as a condition of use or site plan approval.

B. Chapter 19 – Off-Street Parking and Loading

- 10-19-2 – General Provisions:
 - 8) Access to parking space (driveways and access lanes); access to all parking spaces shall be as follows:
 - iv) Properties with less than one hundred (100) feet of frontage shall be limited to one (1) driveway approach per frontage. One additional drive approach may be added for each additional fifty (50) feet.
 - v) The minimum width of a drive approach is twelve (12) feet and the maximum is thirty (30) percent of the frontage width of the property
- 10-19-6 – Location of Required Off-Street Parking:
 - 2) No required off-street parking spaces shall be permitted in any front yard setback or in any street side yard setback.

C. Chapter 31 – Definitions

- 10-31-1 – Purpose and Conflicts:
 - Build-to-Zone: An area in which the front or corner side facade of a building shall be placed; it may or may not be located directly adjacent to a property line. The zone dictates the minimum and maximum distance a structure may be placed from a property line.
 - Building: Any structure, whether permanent or temporary, including but not limited to dwelling units, which are designed, intended or used for occupancy by any person, animals, possessions, or for storage of property of any kind.
 - Buildable Area: That area of a lot or parcel which is outside of any required setback areas and outside of any other areas regulated by this Ordinance, including any sensitive lands.
 - Building Line, Front: A line parallel to the front lot line and at a distance there from equal to the required depth of the front yard setback and extending across the entire width of the lot or parcel.

- Building Line, Rear: A line parallel to the rear lot line and at a distance there from equal to the required depth of the rear yard setback and extending across the entire width of the lot or parcel.
- Building Line, Side: A line parallel to the side lot line and at a distance there from equal to the required depth of the side yard setback and extending between the front and rear building lines.
- Construction Activity: All grading, excavation, construction, grubbing, mining, or other development activity which disturbs or changes the natural vegetation, grade, or any existing structure, or the act of adding an addition to an existing structure, or the erection of a new primary or accessory structure on a lot or parcel.
- Illegal Building/Structure: A building or structure, or portion thereof, established without securing the necessary approvals, permits, or licenses, as required by this Ordinance, or prior enactments.
- Illegal Use: A use established without securing the necessary approvals, permits, or licenses, as required by this Ordinance, or prior enactments.
- Landscape Area: Area on a lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.
- Landscaping: Materials and treatments that include naturally growing elements such as turf grass, trees, shrubs, vines, ground covers, artificial turf (with no concrete underneath), drought tolerant plants and flowers. Landscaping may also include the use of rocks, stone, bark chips, and structural features, including but not limited to, fountains, outdoor art work, benches, and contouring of the earth. Landscaping does not include concrete, asphalt or other similar products.
- Parking Area: An enclosed or unenclosed area, other than a street, and used or designed for parking of vehicles.
- Primary Building: The principal building located on a lot or parcel designed or used to accommodate the primary use to which the premises are devoted.
- Vehicle: A properly licensed automobile, truck, trailer, boat or other device in which a person or thing is or can be transported from one (1) place to another.
- Yard: An open space on a lot, other than a court, unoccupied and unobstructed from the ground upward by buildings, except as otherwise provided herein.
- Yard, Front: An open space on the same lot with a building between the front line of the building (exclusive of steps) and the front lot line and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.
- Yard, Rear: An open, unoccupied space on the same lot as a building, between the rear line of the building (exclusive of steps) and the rear lot line and extending the full width of the lot; except, on corner lots, the rear yard shall not include the side yard bordering the street.
- Yard, Side: An open, unoccupied space on the same lot as a building, between the rear line of the building (exclusive of steps) and the front line of the building (exclusive of steps) and extending from the side line of the building (exclusive of steps) to the side lot line; except, on corner lots, the side yard bordering the street shall extend to the rear from the front line of the building (exclusive of steps) to the rear lot line, the same distance as is required for side yard setbacks on corner lots in each zone.

REASON FOR ACTION

- 1) *Literal enforcement of the Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance.*

There is no “Hardship” due to the fact of the following:

As seen again in exhibit D (parcel outlined in Red), the parcel is 78’ in width and 106’ in depth, it is rectangle in shape, and the topography of the parcel is fairly flat, at most there might be a one foot drop over the 106 feet depth of the parcel, similar to all of the other parcels within the same subdivision.

Everything being requested is a self-imposed hardship not a hardship caused by the shape or topography of the land.

- 2) *There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district.*

There is no “Special Circumstances” due to the fact of the following:

The Zoning Ordinance requires an interior lot to be a minimum of 65 feet in width, the Lengele’s parcel is 78 feet in width. Which is 13 feet wider than the minimum required, most of the lots within the same subdivision are also larger in width than the minimum required.

There are no special circumstances attached to the property that do not also apply to other properties in the same subdivision or zone.

- 3) *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district.*

The property can still be enjoyed with the proper setbacks for the dwelling, with the proper width and number of drive accesses and location of accessory buildings as allowed by the Roy City Zoning Ordinance, with no need for a variance. In Exhibit “A”, demonstrates that there are multiple other properties within the area that are using their properties within the confines of the Zoning Ordinances.

- 4) *The granting of the variance will not substantially affect the General Plan and will not be contrary to the public interest; and*

The width and number of drive approaches, having an accessory building in the front and having the dwelling closer to property lines are not compatible with the General Plan and is contrary to the public interest. Site and building standards were not considered and are not harmonious with the surrounding neighborhood. Further, the accessory building allows stormwater to flow onto the neighbor’s property.

- 5) *The spirit of the land use ordinance is observed, and substantial justice done.*

The spirit of the Zoning Ordinance is not being observed, with having wider and more drive approaches, parking in the front yard beyond the driveway, having an accessory building within the front yard and building the dwelling to be closer to property lines and the minimum setbacks, within the guidelines of the Zoning Ordinance. Substantial justice would not be served if the variance was granted. Granting a variance would violate all of what the City set forth with the Zoning Ordinances.

EXHIBITS

- A. Location Aerial Map
- B. Pictures of Property
- C. Aerials
- D. Curb Cut Denial
- E. Subdivision Plat Map
- F. Letters and Notice of Violations
- G. Application and Narrative

EXHIBIT "A" – AERIAL



EXHIBIT “B” – PICTURE OF PROPERTY



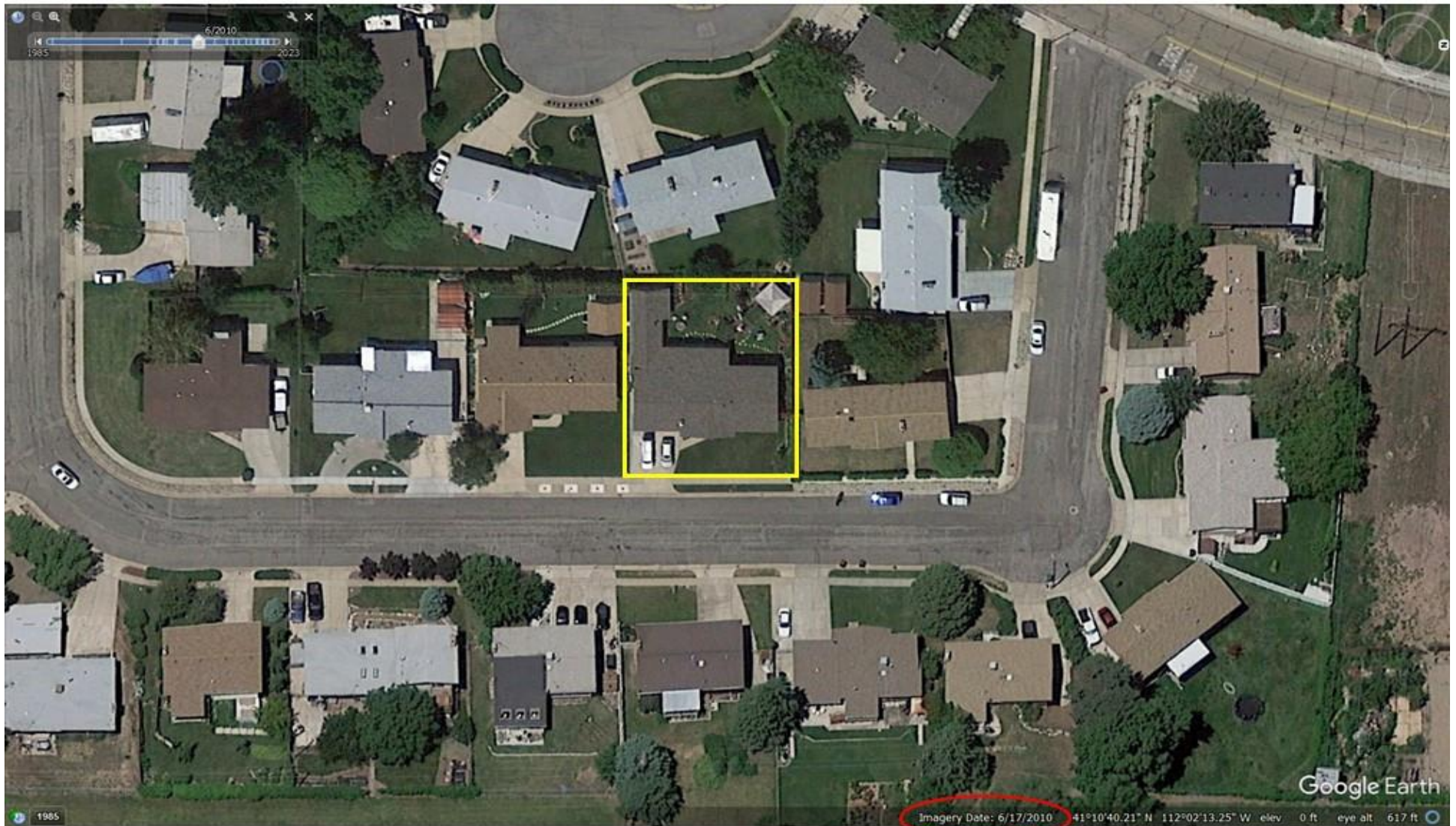
EXHIBIT "C" – AERIAL HISTORY

4631 So. 2325 We.



12/31/2005

4631 So. 2325 We.



6/17/2010

4631 So. 2325 We.



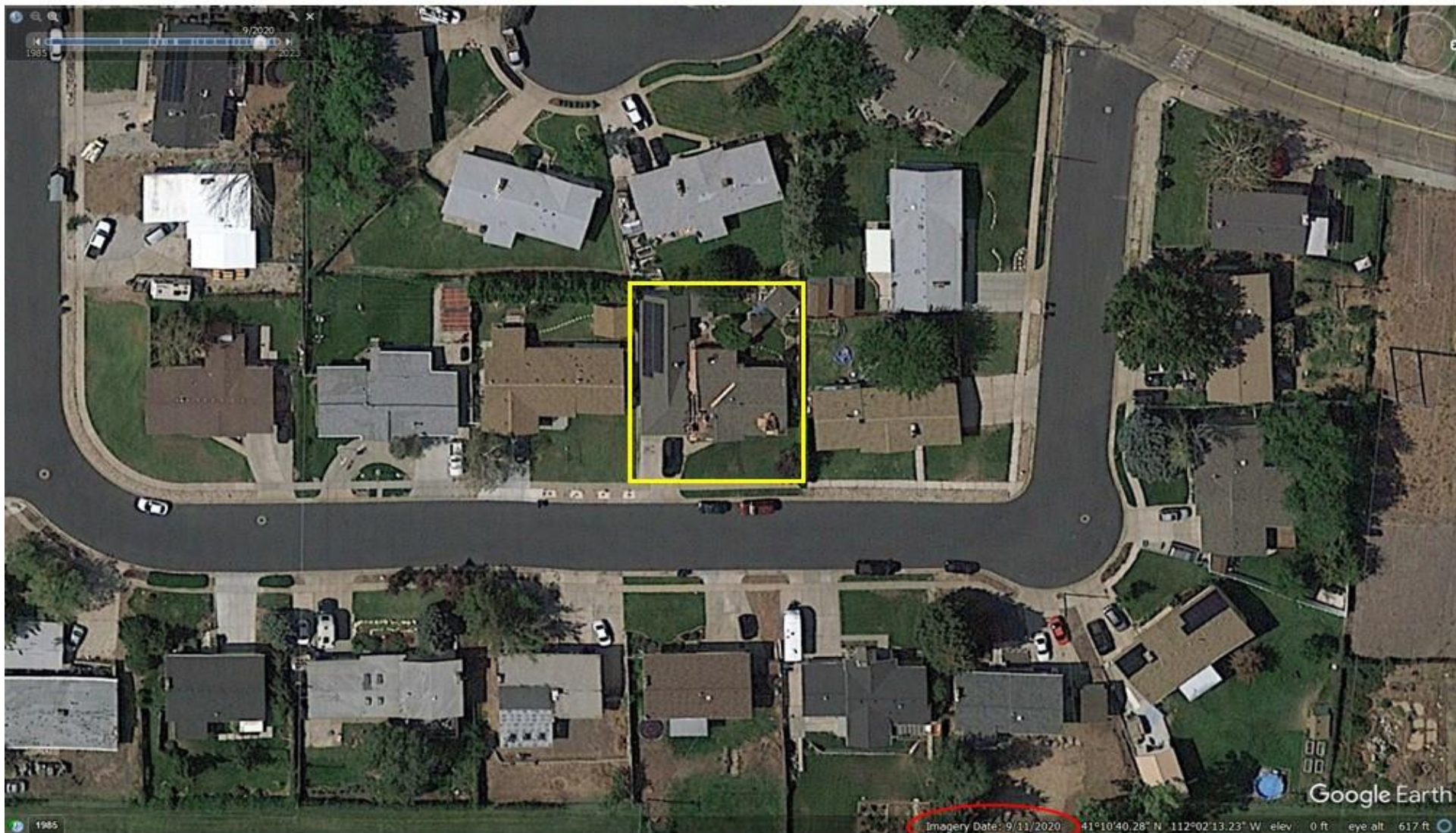
7/8/2016

4631 So. 2325 We.



7/18/2019

4631 So. 2325 We.



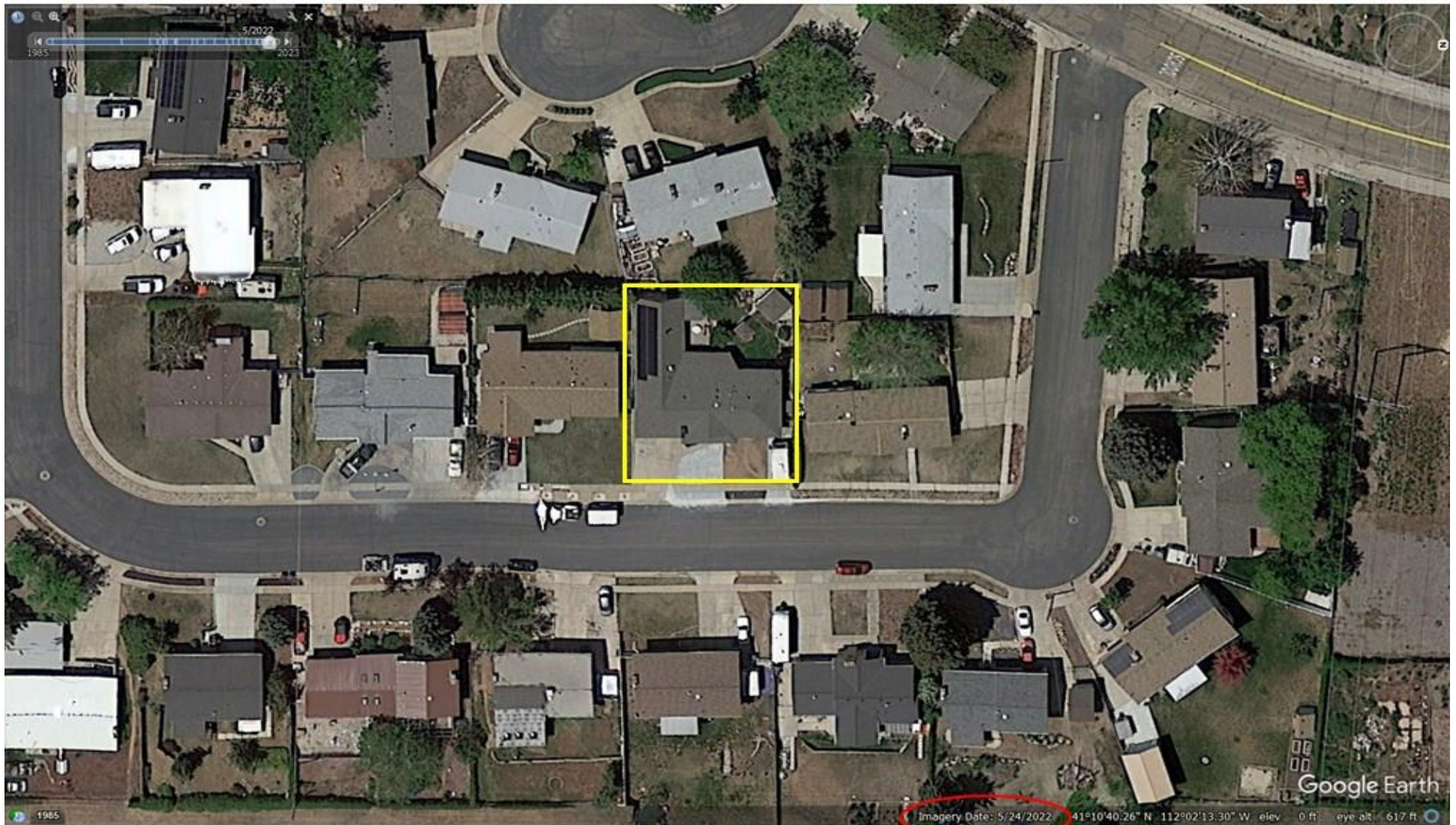
9/11/2020

4631 So. 2325 We.



8/28/2021

4631 So. 2325 We.

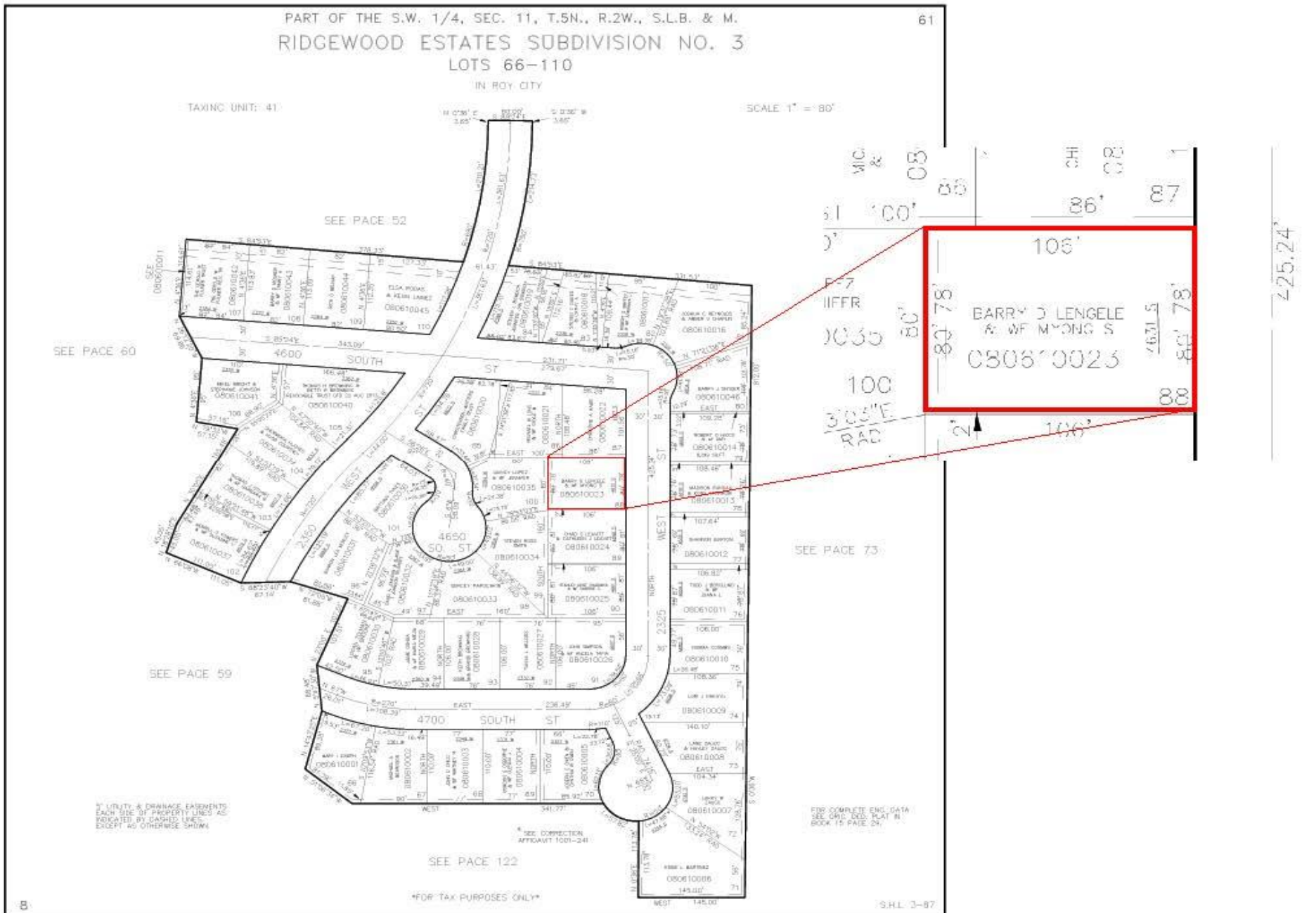


5/24/2022

EXHIBIT "D" – CURB CUT EXPANSION DENIAL



EXHIBIT "E" – COUNTY SUBDIVISION PLAT





2 February 2023

Barry & Myong Lengele
4631 South 2325 West
Roy, UT 84067

RE: Issues with property

Dear Mr. & Mrs. Lengele:

We received a complaint from a property owner that had concerns about the size and number of drive approaches that access your property.

Because of the complaint, the City's Code Enforcement officer stopped by your property to investigate the claims. Upon his investigation he, along with the Building Official Gaile Supp, found a few issues of concern that need to be addressed.

Below is a written list of the issues and or concerns that will need to be resolved:

1. It appears that the main drive approach that leads to your garage has been increased in size, despite being informed that it wasn't allowed.

On March 22, 2022, you provided me a site plan to cut your curb to increase the size of your main approach. On that day I denied the site plan because it would lead to an area that would allow parking within the Front Yard. Upon visiting your property, it appears that you went ahead and cut the curb, without approval and without a permit as required per Zoning Code (ZC) 10-19-3.

2. From item #1 above, you poured a parking area within the front yard to park additional vehicles, and according to ZC 10-10-32 and 10-19-6, this is in violation.
3. It appears that you have also cut the curb a second time, this cut is along the northern property line, which again didn't receive approval nor a permit.

All permits to cut a curb must be applied for and issued by the Public Works department. They have not issued a permit to cut any curb at this address.

4. From item #3, it appears again you poured an area to park additional vehicles in the front yard.
5. It appears that a structure/building was built over this northern parking area, which is a violation of not only front yard setback requirements per ZC 10-10-24, but also required a Building Permit, which was never applied for nor issued.
6. It was also noticed that there was an addition built onto the enclosed carport that is too close to the Southern property line. This is in violation of ZC 10-10-24.
7. An aerial view also shows that there was an addition added onto the rear of the garage that appears to be built too close to the rear property line.
8. Once in the office she found that no permit was ever applied for nor issued for any additions to the home, as mentioned in items #6 & #7, both of which are in violation of ZC 10-10-15.

This is not an all-inclusive list; other things may arise depending on your proposed solutions to these issues above or issues that may have been missed.



Please contact me by February 20, 2024, in order to discuss this issue. Failure to contact me will result in citations being issued.

If you have any questions, please do not hesitate to give me a call.

Sincerely,



Steve Parkinson
Planning & Zoning Administrator
(801) 774-1027
sparkinson@royutah.org

cc: Gaile Supp, Roy City Building Official
Broc Gresham, Roy City Code Enforcement Officer
file

EXHIBIT "G" – APPLICATION AND NARRATIVE**COMMUNITY DEVELOPMENT DEPARTMENT****VARIANCE APPLICATION**

FOR CITY USE ONLY			
Date Received: APR 10 2024	Date Determined Complete:	Fees Paid: yes	HO Meeting: APR 24 2024
Fees: \$250			

OWNER or the AUTHORIZED REPRESENTATIVE: Barry and Myong LengeleADDRESS: 4631 S 2325 WPHONE #: 385-837-2148 EMAIL ADDRESS: lengele@comcast.netADDRESS OF PROPOSED VARIANCE: 4631 S 2325 W CURRENT ZONE: R-1-8GENERAL DESCRIPTION OF PROPOSED VARIANCE REQUEST: Variance requested for setback and curb cut conditions. See Attachments (variance request statement and site map.)ACES OR LOT SIZE: .25

NAME OF PROPERTY OWNERS:

Barry LengeleMyong Lengele

I (WE) HAVE READ THE APPLICATION AND HEREBY CERTIFY THAT THE INFORMATION IS CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE.

Barry Lengele
SIGNATURE OF APPLICANT(S):Myong Lengele
SIGNATURE OF APPLICANT(S):_____
SIGNATURE OF APPLICANT(S):

To: Roy City Variance Review Board Hearing Officer
From: Barry and Myong Lengele
Subject: Variance request for 4631 South 2325 West

We are respectfully requesting a variance to the Roy City code for setback of a detached structure and off- street parking for the following reasons based on timeframe, inherited apparent violations and the extreme hardship that might be incurred to return our property to the condition it was in as many as 30-50 years ago.

We purchased the home in 1996. At the time of purchase, there existed an expanded carport with poured footings and shop/shed on the south property line with a partial, unfinished structure to the west end. Over the last nearly 30 years, we enclosed the carport and finished the shed/shop structure. As I have been educated to, even if these structures were existing, I was responsible to arrange permitting and site evaluation prior to finishing / improvements. In addition, six years ago, we contracted to have a solar system and backup generator installed on the south facing shop/shed roof and a permit was secured by our solar contractor with the provision that we reinforce the 50-year-old roof to accommodate the solar equipment. Being under the impression that the permit covered both the solar installation and the roof reinforcement, we took this opportunity to re-pitch and re-roof our shop/shed and house to add enhanced structural integrity to the home so we, or any future owner, would not have to be concerned for many years to come. During the process, we were visited by a representative of the city and our solar design engineer on at least three occasions when they reviewed our plans and load calculations and blessed the project, inspected the in-progress roof and solar system installation and then on completion. It was never indicated that we were doing anything inappropriate but instead were commended on our attention to detail and quality of the workmanship regarding both the roofing rework and the solar system installation. It has been made known to us that the responsibility for these evaluations was with a contracted third-party entity at the time and not actually a Roy city employee.

On the second issue, we were in the midst of converting our front yard to a zero-scaped condition when our extended family was transferred and stationed with the USAF back here in Utah, and with the price of homes and rentals at an all-time high, we became a multi-generational household that also had an elderly member and a special needs child. We needed to provide adequate off-street parking for, at any given time, six vehicles, handicapped access and an RV. We submitted a proposal for an extension to our driveway and an RV pad to accommodate this. This request was denied. We conducted a personal survey of our area and found numerous homes with similar improvements added to include multiple curb cuts, circular drives and expanded driveway parking. I spoke informally with these various homeowners to determine how they were able to secure approval and the two answers I received were either "It was that way when I bought the home" or "I didn't even know I needed approval for it". The concrete contractor that we were working with for the initial bid to perform the process then returned and indicated that they had spoken with Roy City public works and been given verbal approval for the driveway expansion and improvement and curb cut. This was good news as the family members were due to join the household in under 1 month. I had no reason to doubt them as they had been contracted by Roy City for many projects over the past decades and apparently had a very good working relationship with the Public Works team. As such, we proceeded with the concrete work and the curb cut ASAP in 2021 in anticipation of our expanding need. This decision was in error as no formal documented approval had been secured.

Each of the projects were part of programs promoted by city, local and state and national agencies and to the benefit of our community, our added solar system produces the power that we consume on average and that reserve power is net-metered back to our fellow Rocky Mountain Power customers, increasing available energy and hopefully even reducing cost. The landscaping we have accomplished in our front yard is not only the envy of the neighborhood but is also in compliance with state and city encouragement to zero-scape where practical and conserve where possible. Per our request to the concrete team, the grade of the pad was adjusted to provide adequate drainage for rainwater and snow melt off to transfer to our porous pavers, gravel and drought tolerant plants to thus conserve groundwater and return it to the aquifer and has eliminated our dependence on secondary irrigation water by an estimated 75%-80%.

These electrical production values and secondary H2O savings benefit our entire community and make our home more environmentally conscious and efficient as was our intent. At no time were we maliciously trying to circumvent any of the ordinances in place and felt as if we were in compliance. We fully acknowledge that we were remiss in our responsibility as homeowners to secure formalized approval for a number of minor projects over the years although we felt they were simply improvements to existing sub-standard conditions that were inherited with the purchase of the home. For the large-scale projects, we felt as if we were being compliant although we have a much better understanding of the requirements now moving forward.

We feel that the literal enforcement of the ordinance would indeed create undue hardship for us and is not necessary for the safe and beneficial use of the property in its current state. The beneficial elements of the property to the local community make it unique among our neighboring residences and granting the variance would be essential to the continued benefit to the property right possessed by others in our zoning district. In addition, the granting of a variance to the established ordinance will not substantially affect the General Plan and would not be contrary to the public interest but, in fact, to its betterment and the spirit of the land use ordinance to provide safe, structurally sound, environmentally conservative and sustainable as well as visually appealing residences - would continue to be observed and provide substantial justice to us as the homeowners and residents of Roy City.

V/R

Barry and Myong Lengele
4631 South 2325 West
Roy, UT 84067
(385) 837-2148

WEST PROPERTY LINE (APPROX 80')

SOUTH SETBACK
TO SHED/SHOP
2'8"

5'0"

WEST SETBACK
TO SHED/SHOP

SHED/SHOP
EXTENSION
(11' W X 10'D)

■ INDICATES EXISTING STRUCTURES
IN 1996 AT TIME OF PURCHASE

□ INDICATES EXISTING CEMENT
IN 1996 AT TIME OF PURCHASE

■ INDICATES ADDED CEMENT
IN 2021

ORIGINAL SHED/SHOP
FOOTPRINT (11'W X 16'D)

SOUTH PROPERTY LINE (APPROX. 118')

12'0"

COVERED PATIO
FOOTPRINT (12' X 40')

ENCLOSED CARPORT
FOOTPRINT (23'W X 26'D)

ORIGINAL CARPORT
FOOTPRINT (15'W X 26'D)

MAIN HOUSE FOOTPRINT
(26' X 46')

NORTH PROPERTY LINE (APPROX. 118')

ORIGINAL DRIVEWAY
(26'W X 36'D)
W/ 18' APPROACH

ADDITIONAL PKG
(18' X 18')
W/ 18' APPROACH

RV PAD
(10'6" X 25')
W/ 10' APPRCH

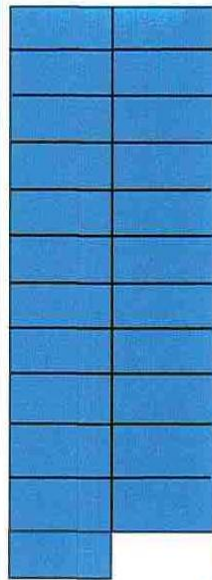


2325 WEST FRONTAGE (APPROX. 80')

WEST PROPERTY LINE

SOUTH PROPERTY LINE

NORTH PROPERTY LINE



LOCATION OF SOLAR SYSTEM
IN RELATIONSHIP TO HOME



2325 WEST FRONTAGE