

MINUTES OF THE DRAPER CITY APPEALS AND VARIANCE ELECTRONIC HEARING HELD ON MONDAY, AUGUST 30, 2021 IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING: Mark Kleinfield

STAFF PRESENT: Jennifer Jastremsky, Amie Salazar and Spencer DuShane

10:00 AM Business Meeting:

Mark Kleinfield called the meeting to order at 10:01 a.m.

Meeting

1. Action Item: Approve Appeals & Variance Hearing minutes 11/05/2020

Mr. Kleinfield approved the minutes without making any changes.

2. Kafentzis Variance

Mr. Kleinfield asked who was present to represent the applicant and stated that he would like to swear in all speakers. Kyle Kafentzis, Ted Smith, and Josh Hansen were present on behalf of the applicant. Mr. Kleinfield swore them in.

Jennifer Jastremsky, Planning Manager, presented background. She explained the city code modifications from May 2020 and how that relates to this variance process. She stated that the intent is to raise the driveway and relocate the driveway entrance.

Mr. Kleinfield stated he received the materials a week ago and reviewed them.

Mr. Kleinfield noted that his driveway is similar to the applicant's. He stated that he can empathize with ice and snow and invited the applicant to come up and speak.

Kyle Kafentzis, applicant, stated that the reason for this variance is to prevent further hazards and health issues. He stated that he knew the previous owner and builder of the home. He stated that, in the three years he's lived there, he's noticing more and more issues with the steepness of the driveway. He stated that his family members and himself have all slipped more than once on the driveway. He stated that he worries about the potential to fall and get seriously injured. He stated that the other concern he has is that of a blind spot on the eastside of the road. He stated that some of his family members have slid down the driveway into the street because of the ice and snow. He stated that he bought a snow blower and tried shoveling, but the nature of the driveway makes it very difficult to avoid slipping. He stated that he thought about a heated driveway, but it doesn't warm up quickly enough and it's very costly to have it running all the time. He stated that he spoke to his contractor and asked to relocate the driveway to the other street, which would eliminate all the aforementioned issues. He stated that this

would also be costly, but it would be safer. He stated that they want to put a retaining wall around the other side. He stated it would look nice, but the primary concern is safety.

Mr. Kleinfield inquired about the retaining walls pictured and their relation to driveways. He asked if they're in comparable situations.

Mr. Kafentzis answered that he's not sure about all of them, but there's a specific one that he does know because it's across the street.

Mr. Kleinfield stated that the standard is city code, and state code section 10-9A-702, which has been referenced in the application.

Ted Smith stated that there had been initial application filing as well as supplemental.

Mr. Kleinfield stated that Mr. Kafentzis has spoken in detail about the issues. He asked about other houses on the street that have comparable driveways.

Mr. Kafentzis stated that his driveway has the steepest slope.

Mr. Kleinfield asked about any accidents in the three years that Mr. Kafentzis has lived there. He stated that there have been some slips and injuries and close calls. He asked if Mr. Kafentzis feels that the property is limited by this driveway.

Mr. Kafentzis answered yes. He elaborated on the severity of the injuries due to the driveway. He stated that his son got a concussion, he cracked his elbow, and his daughter slid right into the middle of the road despite having the brakes on.

Mr. Kleinfield asked about the time range for the incidents.

Mr. Kafentzis stated that they all happened between December and March. He stated that they'd like to put in a wrought iron fence.

Mr. Kleinfield asked about complying with zoning ordinance. He clarified that there would be no other modifications.

Mr. Kafentzis answered that is correct.

Mr. Kleinfield asked if there were any members of the public who wished to make a comment.

Ted Smith stated that Mr. Kafentzis has talked with his neighbors.

Mr. Kafentzis stated that his neighbors were both in agreement and the utilities were all signed off on. He stated that nobody has expressed opposition.

Mr. Kleinfield stated that there is a letter in the file dated 8/23/21 from Mike Barker, City Attorney. He read the letter and stated that the consensus was that Draper City supports

approving the variance. He asked Jenifer Jastremsky if there was anything the City wanted to add.

Ms. Jastremsky answered no.

Mr. Kleinfield stated that the goal is to get a decision out before Labor Day, but more likely the end of that week. He stated that Mr. Kafentzis should reach out if he doesn't hear from them in 10 to 14 days. He asked, if this is approved, how soon they plan to start the project.

Josh Hansen, contractor, stated it would just be a couple of days.

3. Adjournment

Mr. Kleinfield concluded the meeting at 10:27 a.m. on Monday, August 30, 2021.

DRAFT