

Tooele City Board of Adjustments

June 2, 2003

Minutes

Board Attendees: James Ferguson, Roy Niskala, Cheri Zander, Kevin Shields

Absent: Jerry Houghton, Barry Lewis

Staff Attendees: Susan Howard
Andrea Cahoon, Contract Secretary

Minutes prepared by Andrea Cahoon.

Chairman Ferguson called the meeting to order at 5:03 p.m.

1. Approval of Minutes from May 5, 2003

Mr. Shields moved to approve the minutes from May 5, 2003 as presented. Ms. Zander seconded the motion. All members present voted, "Aye," except Mr. Ferguson who abstained because he was not present at that meeting.

2. Cottage Glen Requesting a Variance for the Height of a Sign

Mr. Pulsipher arrived at 5:07 p.m.

Chairman Ferguson stated that he had spent the last two days considering this variance. He explained that the City is trying to get businesses to move south as there are several vacant businesses on the south end of town. If the City is successful in bringing in new businesses, there may be a lot of sign requests. He went over the viaduct 4-5 times to check the visibility, and recalled that the previous sign that was removed was quite clear. His only concern was the safety factor with traffic coming both ways on the viaduct. If drivers are looking up to see a sign, it could become a safety problem. Chairman Ferguson stated that he didn't know what the height of the sign was, but was concerned with the proposed sign being too high. Mr. Pulsipher responded that the old sign was 30 feet tall.

Mr. Shields asked Mr. Pulsipher if he had any further information to present to the Board that wasn't brought to the last meeting? Mr. Pulsipher answered, "No," and then showed the pictures of the previous sign, and stated it was barely visible going north. His problem remains the same. They now have 30 of the 48 units occupied. A good number of the residents are from the Wasatch front and have family members that come to visit them from Salt Lake. Their business needs to have visible signage on SR-36 to direct people there, and it is the nature of their business to have a large amount of turnover. When they bought the land, they were assured by Roger Baker that the statutes allowed for a monument sign on Aaron Drive and an elevated sign on Highway 36. The Planning Commission approved the sign at 25 feet in height, as per the statute. They would like additional height for the sign. Mr. Pulsipher explained that the sign company cannot begin construction of the sign until the height issue is resolved because of the

engineering issues involved. The sign firm needs to meet with Cary Campbell to engineer the sign. They do not wish to pay for the engineering twice. He felt that their business provided a needed service for the community, and that their request was reasonable.

Mr. Pulsipher showed a picture of the Quality Chevrolet sign again. Ms. Zander said that Mr. Campbell had stated at the last meeting that the sign was put in before the current ordinance was put in place.

Mr. Shields took out some PVC pipe and put it on the outside of the property line along the fence to get an idea of where 25 feet is in relationship to everything else. He presented photographs of the pipe at the area and had marked 5 foot joints on photographs to show the various heights and where the sign would be. These photographs are included as Exhibit A. He recalled that at the last meeting the question that arose over and over again was what the height of the old sign was. He explained that the new sign will be 10 feet west of where the flag (on top of the PVC) was. He didn't feel that there was a problem with people in Tooele knowing what Cottage Glen was. The problem would be people from the north trying to find their location. He felt Cottage Glen was more like an apartment complex, not a hotel. If you want to go there, you have probably talked to other people about it and have gotten directions.

Mr. Pulsipher said they average 30 tours a week for people who are considering the facility. The signage is for those people coming to look at the facility and those coming for an event. Mr. Shields said it is a nice facility and people in Tooele know where it is. The hospital is the same type of a deal and they were only allowed a monument sign. Chairman Ferguson recalled that at one time the Board had a request for a pole sign at Winger's and it was turned down. Ms. Zander reminded them that the sign was approved by the Planning Commission and the only issue they were addressing was the height.

Mr. Niskala asked if he verified the height of the old sign? Mr. Pulsipher said that Mr. Holmes stated that it was 30 feet to the top of the sign.

Chairman Ferguson moved to deny the request to allow additional height for the sign and stick with the 25-foot height as per the ordinance based on the fact that he was concerned about future businesses and the ramifications of an exception. Mr. Shields asked about the five criteria to determine a hardship, and Chairman Ferguson said the property didn't meet them.

Mr. Pulsipher said that someone with no viaduct can put up a 25-foot sign, but he has to contend with the viaduct. The reason they were requesting the additional height was so that it would be at eye level with the street.

Mr. Niskala asked if there was a way to approve the sign at eye level? The Board determined that it was difficult to determine what eye level was. Mr. Shields said the sign would be more visible the further it was placed from the viaduct.

Mr. Shields seconded the motion made by Chairman Ferguson. The voting was as follows:

Cheri Zander	Yes	Kevin shields	Yes
Roy Niskala	No	James Ferguson	Yes

The motion passed 3-1. The variance was denied.

3. Adjourn

Mr. Shields moved to adjourn the meeting. Mr. Niskala seconded the motion. All members present voted, "Aye." The meeting adjourned at 5:40 p.m.

Approved by: _____

Date: _____