

Santa Clara City
2603 Santa Clara Drive
Santa Clara, Utah 84765
(435) 656-4690
Fax (435) 879-5298



APPLICATION FOR A VARIANCE

Date Submitted: 6-8-16 Filing Fee: \$100.00 (Fee is non-refundable)

TRC Committee meets every Thursday at 8:00 am. Planning Commission meets the 3rd Tuesday of each month at 5:30 pm. Applications and all other required documents and information must be completed and submitted by Thursday at 5:00 pm prior to the Thursday TRC Committee Meeting.

Complete the following if variance request is denied by the TRC Committee

***All property owners within a 500 foot radius of the subject property must be notified of variance request and hearing date by mail. Mailing must be at least 3 days prior to hearing date. Proof of mailing, (list of property owners notified, date mailed and signature of variance applicant) must be presented to City staff. Note: A copy of the letter should be brought to the City prior to mailing for staff approval.*

I/We, the undersigned owner(s) or duly authorized agent of the real property described herein, hereby petition for a variance as described herein, from the provisions of the Santa Clara City Land Use Ordinance.

Property Owner(s): DANA MANSFIELD

Mailing Address: 1620 GUBLER DR. SANTA CLARA, UT 84765

Phone #: 435-668-1767 Cell Phone #: 808-639-9778

Legal description of property (lot, tract, block, etc...) HOUSE
see attached SC-HAHS-11

Note: Applicant must submit a plat map (from the County Recorder's Office) which shows property locations and a plot plan showing the nature of the request. (Show buildings, structures, driveways, etc. and all items relating to the appeal.)

_____ Plat Map Received

_____ Plot Plan Received

When a variance is granted subject to conditions, such variance does not become effective until such time as those conditions have been met.

A variance is a waiver or modification of a requirement of the Land Use Ordinance. It is a request by the owner, or anyone having an interest in a piece of property, to be allowed to not follow the letter of the law as established in the Land Use Ordinance. The responsibility of showing that the requirements for granting a variance are met is on the petitioner.

The standards that must be met before TRC Committee and/or Planning Commission can grant a variance are very narrow and difficult to meet. The State Code is very clear that there are five conditions, all of which must be met.

Any person or entity desiring a waiver or modification of the requirements of the Land Use Ordinance as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest, may apply to the TRC Committee and/or Planning Commission for a variance from the terms of the Land Use Ordinance.

The TRC Committee and/or Planning Commission may grant a variance only if:

1. Literal enforcement of the Land Use Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Land Use Ordinance; and
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district; and
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district; and
4. 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.

Please list and identify a response for all five conditions as to why the variance should be granted:

OWNER WANTED TO EXTEND EXISTING SHADE STRUCTURE. UNABLE TO COOL HOUSE WITHOUT SHADDED AREA. OWNER ALREADY DOES NOT ALLOW FRONT YARD UPKEEP, & HEART CONDITION WORSENS W/HEAT. OWNER NEEDS TO REDUCE COST OF UTILITIES WATER & POWER/COOLING. AWNING MODIFIED/ENLARGED EXISTING AWNING AT HOUSE, BEATIFICATION, FUNCTIONAL/USABLE FRONT AREA, PROJECT INCREASES VALUE OF PROPERTY & PROVIDES FUNCTIONAL SHADE. PROJECT MEETS SPIRIT OF ORDINANCE BY IMPROVING LAND & HOME SOLVING ENERGY & HEALTH ISSUE (HEAT) AT THE SAME TIME, & BEAUTIFYS SANTA CLARA NEIGHBORHOOD. APPLICANT'S AFFIDAVIT HOUSE IS < 25' FROM SIDE WALK / AWNING IS 20' FROM ROAD. YARD FENCED FROM SIDE WALK

I, (We) THE AWNING COMPANY, being duly sworn, depose and say, I, (We) the owners or authorized agent(s) of said property involved in the attached plans and other exhibits present thoroughly, to the best of my, (our) ability, the argument in behalf of the application herewith and that the statements and information above referred to are true and correct to the best of my, (our) knowledge and belief.

PROPERTY OWNER(S) OR AGENT(S): Diana Mansfield



Sworn before me on this 8 day of June, 2016
Chris Shelley Notary Public 2603 Santa Clara Dr Residing at:
July 19, 2016
 Commission Expires

17.16.060: PROCEDURE FOR REQUESTING A VARIANCE OR APPEAL:

- A. Procedure, Time Limit: A request for a variance, or a notice of appeal must be commenced within ten (10) calendar days of the adverse order, requirement, decision or determination by filing a written notice of a request for a variance, or notice of appeal with the Santa Clara building official at the Santa Clara city building department office. The notice must indicate the decision appealed from, and identify the parties making the appeal. Any notice of appeal or request for variance must include a list containing the names and addresses of adjoining property owners. Adjoining property owners include all owners of property within a five hundred foot (500') radius of the property affected by the appeal or request for variance as shown on the tax rolls of Washington County. The Santa Clara building official shall notify the appropriate appeal authority of the request for a variance or a notice of appeal within seven (7) working days.
- B. Fee: A request for a variance, or a notice of appeal shall be accompanied by a fee established by the Santa Clara city council, which amount shall be used to defray the cost of administering the request for a variance, or appeal, including, but not limited to, costs of mailing and publishing notice.
- C. Hearing To Be Scheduled; Notice: When a request for a variance or a notice of appeal is filed, the appeal authority of the adverse order, requirement, decision or determination shall schedule a meeting for a hearing within fifteen (15) working days, unless such time is extended for good cause or stipulation of the parties. Notice of the time, place and subject matter of the meeting shall be given to the person making the appeal, the land use authority or official who issued the adverse order, requirement, decision or determination, and all parties in interest, including adjoining property owners within a five hundred foot (500') radius of the property affected by the request for variance or appeal. The appeal authority may require such written briefs or memorandum of the parties, as the appeal authority deems advisable. At the hearing, the appellant shall appear in person or by agent or attorney.
- D. Stay Of Proceedings: An appeal stays all proceedings in furtherance of the action appealed from, unless the official from whom the appeal is taken, after receiving notice of appeal, certifies in writing with specificity to the appeal authority the reasons why a stay would cause imminent peril to life or property. In such cases, the appeal authority may lift the stay, upon notice to the parties, with an opportunity to respond.
- E. Burden Of Proof: The appellant has the burden of proving that the land use authority erred.
- F. Standard Of Review: The appeal authority shall review the matter de novo. The appeal authority shall determine the correctness of a decision of the land use authority in its interpretation and application of a land use ordinance. Only those decisions in which a land use authority has

applied a land use ordinance to a particular application, person, or parcel may be appealed to the land use authority.

- G. Final Decision: The appeal authority will issue a decision in writing within fifteen (15) working days of the hearing, which constitutes a final decision under Utah Code Annotated 10-9a-801(1) and a final action under Utah Code Annotated subsection 10-9a-801(4).

- H. Judicial Review Of Appeal Authority's Decision: Any person adversely affected by a final decision of the appeal authority may petition the district court for review of the decision as permitted by law. Such a petition is barred unless filed within thirty (30) days after the appeal authority's decision is final. The appeal authority may order its decision stayed pending district court review if the appeal authority finds it to be in the best interest of the city.

- I. Action Of Variance Withdrawal, No Refund: Unless otherwise specified by the appeal authority, any order or decision of the appeal authority authorizing a variance shall expire if the applicant fails to obtain a building permit within one year from the date of the decision. Any applicant may voluntarily withdraw the appeal or variance request at any time prior to a decision of the appeal authority. No person shall be entitled to a refund of costs for any reason whatsoever. (Ord. 2006-02)

Account 0561632

<u>Location</u>	<u>Owner</u>	<u>Value</u>	
Account Number 0561632	Name MANSFIELD MATHEW & DANA	Market (2015)	\$229,600
Parcel Number SC-HAHS-11	TRS	Taxable	\$126,280
Tax District 09 - Santa Clara City	1620 GUBLER DR	Tax Area: 09 Tax Rate: 0.011955	
Acres 0.27	SANTA CLARA, UT 84765	Type	Actual Assessed Acres
Situs 1620 GUBLER DR , SANTA CLARA		Primary	\$229,600 \$126,280 0.270
Legal Subdivision: HAFEN HEIGHTS (SC)		Improved	
Lot: 11			
Parent Accounts 0098890			
Parent Parcels SC-6-2-16-4411			
Child Accounts			
Child Parcels			
Sibling Accounts			
Sibling Parcels			

Transfers

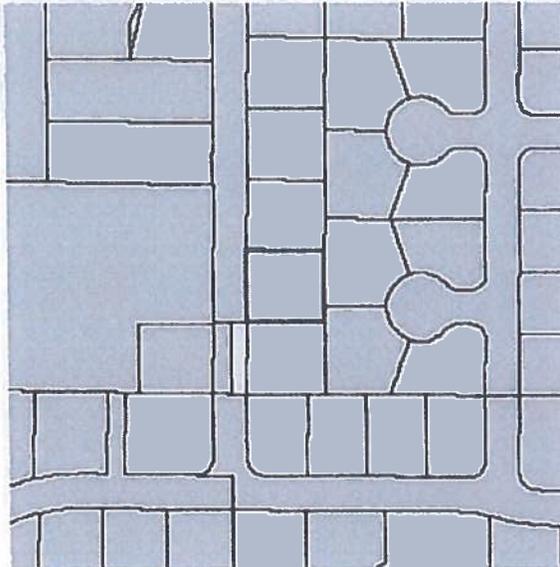
<u>Entry Number</u>	<u>Recording Date</u>	
00999476	01/26/2006 02:28:00 PM	B: 1837 P: 1927
00657934	08/09/1999 04:19:00 PM	B: 1343 P: 376
00618471	09/24/1998 03:39:00 PM	B: 1260 P: 198
00564952	05/06/1997 09:56:00 AM	B: 1097 P: 595
00564400	04/30/1997 10:45:00 AM	B: 1096 P: 35

"Tax"

<u>Tax Year</u>	<u>Taxes</u>
2015	\$1,509.68
2014	\$1,533.44

Images

• [GIS](#)





Santa Clara City
2603 Santa Clara Drive
Santa Clara, UT 84765
435-673-6712

XBP Confirmation Number: 18294013

▶ Transaction detail for payment to Santa Clara City.		Date: 06/08/2016 - 3:10:12 PM	
Transaction Number: 52619824PT Visa — XXXX-XXXX-XXXX-0520 Status: <i>Successful</i>			
Account #	Item	Quantity	Item Amount
	Zoning Subdivision Fees	1	\$100.00
Notes: Variance Application			

TOTAL: \$100.00

Billing Information
SALES TEAM
1509 S. 270 E.
ST.GEORGE, UT 84790

Transaction taken by: Chris

From: **Bart Skrbec** bart.skrbec@mac.com
Subject: **Dana Mansfield**
Date: **June 8, 2016 at 2:43 PM**
To: bart@theawningco.com

BS









11/20/2014



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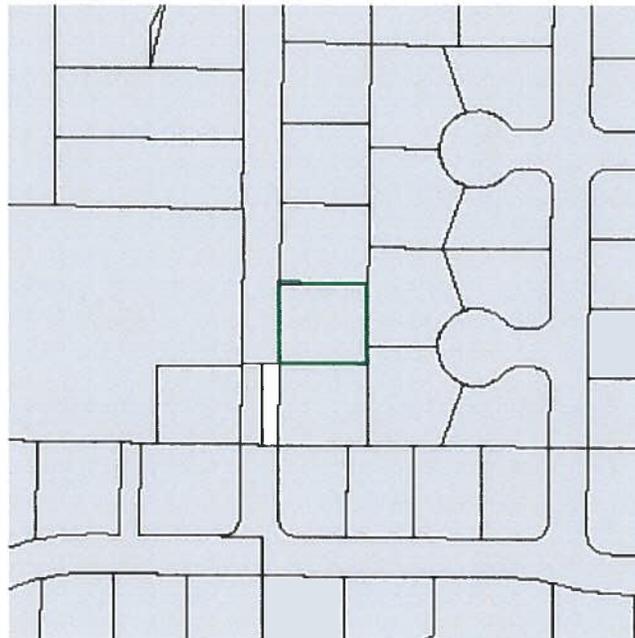
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2014	\$1,533.44

Images

- [GIS](#)



The Awning Company
1509 S 270 E, Suite #5
St. George, UT 84790
<http://theawningco.com/>



JUNE 17, 2016

To: Neighbor's within 500 feet of "Mathew and Dana Mansfield"
From: 1620 Gubler Drive, Santa Clara, UT 84765

To whom it may concern,

This letter is to notify surrounding property owners of an awning setback violation at 1620 Gubler Drive, which is owned and occupied by Mathew and Dana Mansfield. Mathew and Dana have submitted a request for "Approval of Variance" with the City of Santa Clara for the set-back violation. The city setback requirement is 25' from the property line.

The complete landscape and awning project was initiated by the Mansfield's to create shade to cool their house, increase property value and esthetics, and reduce costs in maintenance, water, and energy.

Enclosed, we have provided a picture of the awning and a copy of the Planning Commission's Meeting Agenda which will take place at 6:00pm on July 12th, 2016 whereby the Planning Commission Board will make a decision on the request for "Approval of Variance."

This is a notification only. Meeting attendance is not required.

With Best Regards,

The Awning Company- representing Mathew and Dana Mansfield

Vanancee
1620 Gubler

EGBERT GRETCHEN TR, ET AL
SC-220-A-1-A-2
3215 TRUMAN DR
SANTA CLARA, UT 84765

EDINGER JUNE B
SC-SCSR-1
1580 GUBLER DR
SANTA CLARA, UT 84765

HOWARD STEPHEN & PENNY
SC-SCSR-5
1682 TAMARISK DR
SANTA CLARA, UT 84765

GREENHALGH LESLI
SC-SCSR-9
3185 TRUMAN DR
SANTA CLARA, UT 84765-5352

CONCOURSE CONSULTING CORP
SC-6-2-16-44141
PO BOX 875
SANTA CLARA, UT 84765-0875

BARNES DENNIS E & MELISSA
SC-EASC-19
1631 GUBLER DR
SANTA CLARA, UT 84765

CLARKE RALPH L & CHRYSTAL L
SC-EASC-18
1655 GUBLER DR
SANTA CLARA, UT 84765

PEARCE DARREN & KATRINA TRS
SC-HAHS-7
1674 GUBLER DR
SANTA CLARA, UT 84765

ESPLIN KIM H
SC-SCH-P-19
1689 DESERT DAWN CIR
SANTA CLARA, UT 84765-5164

BRINKERHOFF CONRAD JOHN & RHONDA RAE BA
SC-SCH-P-22
3191 REDROCK DR
SANTA CLARA, UT 84765-5166

CLARK DON THOMAS & SHERRIE LYNN S TRS
SC-GMCC-1
2164 N BRAMBLE LN
IDAHO FALLS, ID 83402-5375

GUBLER KAY & LINDA TRS
SC-GMCC-5
3571 E MAULE AVE
LAS VEGAS, NV 89120-2918

MANGUS CRAIG L
SC-SCH-P-12
PO BOX 875
SANTA CLARA, UT 84765-0875

LAFONTAINE JOSEPH
SC-HAHS-6
3288 RED ROCK DR
SANTA CLARA, UT 84765-5400

NICHOLLS MAX T & CYNTHIA A
SC-SCH-PP-2
3193 REDROCK DR
SANTA CLARA, UT 84765-5166

CHILD REX B
SC-SCH-P-18
1687 DESERT DAWN CIR
SANTA CLARA, UT 84765-5164

BERNAL VICTOR
SC-SCH-N-14
1298 E BIRKEN ST
WASHINGTON, UT 84780-8374

GUBLER WENDELL RAY TR, ET AL
SC-WGS-2
3210 TRUMAN DR
SANTA CLARA, UT 84765

WILLIAMS ELVED & MARLENE A TRS
SC-SCSR-8
PO BOX 1543
PAROWAN, UT 84761

SANTA CLARA CITY
SC-6-2-17-1111
2603 SANTA CLARA DR
SANTA CLARA, UT 84765

MANGUS CRAIG L & NADINE M
SC-SCH-P-11
PO BOX 875
SANTA CLARA, UT 84765-0875

CLARK DON THOMAS & SHERRIE LYNN TRS
SC-GMCC-2
2164 N BRAMBLE LN
IDAHO FALLS, ID 83402-5375

UTLEY PATRICIA V TR
SC-GMCC-7-A
3197 TRUMAN DR
SANTA CLARA, UT 84765-5352

UTLEY PATRICIA V TR
SC-SCSR-6
3197 TRUMAN DR
SANTA CLARA, UT 84765-5352

ESPARZA FRANK & CAROLLEE
SC-TTR-1
1598 GUBLER DR
SANTA CLARA, UT 84765-5392

GIBSON DALE B & STEPHANIE H
SC-SCH-P-15
1681 FERNELIUS CIR
SANTA CLARA, UT 84765-5161

BALES KEVIN & RHONDA
SC-SCSR-3
3194 TRUMAN DR
SANTA CLARA, UT 84765

V-MAX CORP
SC-VMAX-3
PO BOX 875
SANTA CLARA, UT 84765-0875

WALTER R MARK & VALENE L
SC-EASC-16-A
PO BOX 1606
SAINT GEORGE, UT 84771

AUSTIN MARC A TR
SC-EASC-14
5915 W 10620 N
AMERICAN FORK, UT 84003

duplicate

duplicate

duplicate

SCHULZ NICHOLAS & ALISON
SC-HAHS-9
1648 GUBLER DR
SANTA CLARA, UT 84765



ANDERSON MARY HELEN
SC-SCH-P-10
PO BOX 2144
SAINT GEORGE, UT 84771-2144



EDWARDS FRANK R & SANDRA D TRS
SC-SCH-N-15-A
3187 DESERT DAWN DR
SANTA CLARA, UT 84765

✓✓

GUBLER KAY & LINDA TRS
SC-GMCC-6
3571 E MAULE AVE
LAS VEGAS, NV 89120-2918

Duplicate

SNYDER A MICHAEL & APRIL
SC-SCSR-2
3196 TRUMAN DR
SANTA CLARA, UT 84765-5351

✓✓

WIGNALL SANDRA S TR
SC-SCH-P-16
1683 FERNELIUS CIR
SANTA CLARA, UT 84765-5161

✓✓

WEESE TIMOTHY M & DACIA
SC-SCH-P-17
1685 FERNELIUS CIR
SANTA CLARA, UT 84765

✓✓

REEP BRENDA
SC-SCH-P-13
1684 TAMARISK DR
SANTA CLARA, UT 84765

✓✓

WALTER R MARK & VALENE L
SC-EASC-16-A
PO BOX 1606
SAINT GEORGE, UT 84771

Duplicate

YATES D ALDEN & RENAE H
SC-SCH-P-21
1693 DESERT DAWN CIR
SANTA CLARA, UT 84765-5164

✓✓

EDWARDS REX J & PATTY TRS
SC-SCH-P-9
3190 DESERT DAWN DR
SANTA CLARA, UT 84765-5168

✓✓

NELSON LONNIE JAY & RICHELLE H
SC-SCH-P-8
1694 TAMARISK DR
SANTA CLARA, UT 84765-5162

✓✓

HOLT KATHRYN W TR
SC-SCH-P-7
1696 TAMARISK DR
SANTA CLARA, UT 84765

✓✓

GUBLER KAY & LINDA TRS
SC-GMCC-3
3571 E MAULE AVE
LAS VEGAS, NV 89120-2918

Duplicate

UTLEY PATRICIA V TR
SC-GMCC-7-A
3197 TRUMAN DR
SANTA CLARA, UT 84765-5352

✓✓

GUBLER WENDELL R & LINDA GRETCHEN EGBER
SC-6-2-17-1104
3210 TRUMAN DR
SANTA CLARA, UT 84765

Duplicate

CHRISTENSEN SHARON B TR
SC-VMAX-1
3180 TRUMAN DR
SANTA CLARA, UT 84765

✓✓

PETERSON LAWRENCE P & SHARON
SC-SCH-PP-1
3194 REDROCK DR
SANTA CLARA, UT 84765-5165

✓✓

HATCH BRIAN
SC-SCH-P-23
3192 REDROCK DR
SANTA CLARA, UT 84765-5165

✓✓

GUBLER WENDELL RAY TR, ET AL
SC-WGS-1
3210 TRUMAN DR
SANTA CLARA, UT 84765

Duplicate

BOES HERMAN W & FLORINE W TRS
SC-SCSR-4
531 W 3300 S
BOUNTIFUL, UT 84010

✓✓

BOHANON RANDALL & TANYA
SC-EASC-17
3609 RED ROCK CIR
SANTA CLARA, UT 84765

✓✓

THOMSON JOHN ROBERTSON JR & JANET LOUISE
SC-HAHS-8
1666 GUBLER DR
SANTA CLARA, UT 84765-5393

✓✓

STUBBS JACK C & MARY E
SC-SCH-P-20
11703 PORT RD
CULVER CITY, CA 90230-6044

✓✓

CLARK DON THOMAS TR, ET AL
SC-220-E
2164 N BRAMBLE LN
IDAHO FALLS, ID 83402

✓✓

GUBLER DONALD K & MARY ANN TRS
SC-GMCC-4
3213 TRUMAN DR
SANTA CLARA, UT 84765

✓✓

MANSFIELD MATHEW & DANA TRS
SC-HAHS-11
1620 GUBLER DR
SANTA CLARA, UT 84765

Applicant

NIELSON JEREMY & ERICA
SC-SCSR-7
3195 TRUMAN DR
SANTA CLARA, UT 84765

✓✓

FORBES KIMBALL BIELER & JONNA MARIE TRS
SC-SCH-P-14
1679 FERNELIUS CIR
SANTA CLARA, UT 84765

✓✓

MANGUS CRAIG L
SC-VMAX-2
PO BOX 875
SANTA CLARA, UT 84765-0875

Duplicate

HOLT GREG R & DAYNA R
SC-EASC-15
3628 RED ROCK CIR
SANTA CLARA, UT 84765

✓✓

HALL DAVID R & CARRIE E TRS
SC-HAHS-10
1634 GUBLER DR
SANTA CLARA, UT 84765-5393

✓✓