

Provo City Board of Adjustment Report of Action August 19, 2021

ITEM 2 The Workman Company requests a rear-yard variance to extend, to the north, an existing garage that was built to the property line, located at 4772 N 420 W in the R1.10 zone. Riverbottoms neighborhood.
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The following action was taken on the above described item by the Board of Adjustment at its regular meeting on August 19, 2021

APPROVED

Motion by: Wes Marriott

Second by: Tom Halladay

Votes in Favor of Motion: Tom Halladay, Wes Marriott, Richard Petersen, Andrew Renick, and Maria Winden

Votes Opposed to Motion:

Richard Petersen was present as chair.

The motion includes facts of the case, analysis, conclusions, and recommendations outlined in the Staff Report, with any changes noted; Board of Adjustment determination is different from the Staff analysis and determination. However, the Board provided the findings that the context of the location, which is next to a church parking lot, and that the variance is only for 1.5 feet of encroachment because the building can be considered detached. These findings helped the Board support their decision.

STAFF PRESENTATION

The Staff Report to the Board of Adjustments provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Staff explained that even though the request didn't technically meet the justifications for hardship, staff could easily see why the Board could see that substantial justice would be given to the applicant with the granting of the variance and support their decision.

APPLICANT PRESENTATION

The following summarizes the principal points made during the applicant's presentation:

- The expansion of the existing building along the same line would be best to utilize the property.
- Conformance with additional setback requirements would create unused and unattractive space behind the garage.
- Setting the garage back farther from the street improves the aesthetic look of the property rather than bringing the garage closer to the street.

NEIGHBORHOOD AND PUBLIC COMMENT

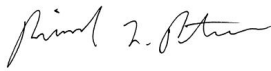
- The neighborhood chair emailed in support and mentioned that the five additional neighbors had indicated support.

DISCUSSION BY THE BOARD

The Board discussed the item and felt that it was a reasonable request. They found that the request would result in a better utilization of the property and that granting the variance was providing substantial justice to the applicant. The Board also felt that the specific location and context of property made this variance approval difficult to set a precedent for other situations.



Community and Neighborhood Services Director



Board of Adjustment Chair