

Provo City Board of Adjustment
Report of Action
September 16, 2021

ITEM 1 Shannon Edwards requests a Variance of approximately 17 feet from Section 15.05.180(6)(d) that requires a 100-foot setback from the Provo River, for an addition to a residential home, located at 2843 W 370 N in the R1.8 zone. Lakeview South neighborhood. Melissa McNalley (801) 852-6164 mmcnalley@provo.utah.gov PLVAR20210267

The following action was taken on the above described item by the Board of Adjustment at its regular meeting on September 16, 2021

APPROVED

Motion by: Maria Winden

Second by: Wes Marriott

Votes in Favor of Motion: Maria Winden Wes Marriott, and Andrew Renick

Votes Opposed to Motion:

Board Members in Attendance: Andrew Renick (acting as Chair), Maria Winden, and Wes Marriott

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 generally consistent with the Staff analysis and determination.

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 addressed applicant's desire for a variance of an encroachment approximately 17 feet into the 100-foot setback from the Provo River.

APPLICANT PRESENTATION

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

- The Applicant would like to extend the living space of their home adding to the kitchen and living room and extending their shop for their business.
- The request is for a variance to encroach approximately 17 feet into the required 100-foot setback from the Provo River to allow for the extension of their existing home.
- The property is within 100 feet of the bank of the Provo River
- No portion of the property falls within the floodplain.

NEIGHBORHOOD AND PUBLIC COMMENT

- One neighbor, Susan Oliver, contacted staff prior to the hearing expressing resounding support of the variance request.

DISCUSSION BY THE BOARD

There was some concern over any possible liability the City would incur in granting this variance. Mr. Mills pointed out that the 100-foot setback requirement was established as an arbitrary number directly following the floods in 1983. Staff also informed the Board that it is a development requirement that all new construction must be built at least one foot above the base flood elevation. Considering the building requirements and the floodplain location the Board was in support of the variance request and voted unanimously to approve.



Bill Peperone - Community and Neighborhood Services Director



Andrew Renick - Board of Adjustment Chair