



Syracuse City Board of Adjustment Meeting January 24, 2022

Begins at 6:00 p.m. at City Hall
1979 West 1900 South, Syracuse, UT 84075

Regular Meeting Agenda

BOARD MEMBERS

CHAIR
Alan Clark

Alan Gallegos
Andy Gil
Shawn Gilbert
Keith Restorff

1. **Meeting Called to Order**
 - Adoption of Meeting Agenda
2. **Meeting Minutes Review**
 - None
3. **Administrative Business**
 - None
4. **Public Hearing – Variance Request** from the setback requirements in Syracuse City Code 10.65 to allow for the preservation of mature trees at approximately 2382 W Craig Lane in the R-2 zone by request of Parkway LLC
5. **Discussion Items**
 - None
6. **Adjourn**

NOTE

If you wish to attend a particular agenda item, please arrive at the beginning of the meeting. In compliance with the Americans with Disabilities Act, those needing auxiliary communicative aids and services for this meeting should contact the City Office, at 801-825-1477, at least 48 hours prior to the meeting.

Meeting also available via Zoom; connect online using: <https://us02web.zoom.us/j/89897879782>. Connect via telephone: 253-215-8782, Meeting ID: 898 9787 9782. Individuals wishing to provide public comment are encouraged to do so by submitting an email to the planning department at planningdepartment@syracuseut.com by 1:00 PM on January 24, 2021. Comments submitted by the deadline will be read for the record of the meeting.

CERTIFICATE OF POSTING

This agenda was posted on the Syracuse City Hall Notice Boards, the State Public Notice website at <https://www.utah.gov/pmn/>, and the Syracuse City website at <https://syracuseut.gov>.



BOARD OF ADJUSTMENT REGULAR MEETING

January 24, 2022

Agenda Item #4

Parkeway, LLC. Setback Variance Request

Factual Summation

Please review the following information. Any questions regarding this agenda item may be directed to Royce Davies, City Planner, or Noah Steele, Community and Economic Development Director.

Location:	2382 W Craig Lane
Subject Ordinance:	SCC 10.65.040.(C)
Variance Requested:	Two-foot variance from the front yard setback of 25 feet
Property Zoning:	R-2 (Single-Family Residential at 3 Units per Acre)

Summary

The applicant is requesting approval of a variance of two feet from the 25-foot front yard setback in the R-2 Zone where the property is located. Is intended to preserve mature trees on the lot while still observing minimum square footage requirements in private covenants and restrictions for the subdivision. Proposed plans for the building lot and the dwelling have been included in this report.

Below is a copy of a statement provided by the applicant addressing the state criteria for a variance (answers in italics):

(a) Literal enforcement of this title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this title;

The current zoning of this phase of the subdivision is R-2 and the rest of the same surrounding subdivision is the same zone but with a PRUD. We are part of the existing Craig Estates subdivision (formed in 1999) in which the HOA has control over the trees and shrubs as per the CCR's of this subdivision. This lot is extremely small and we designed a home specifically for this lot as small as we could to meet usefulness as a home and to maintain the integrity of the subdivision. The HOA has required as many trees to be saved as possible. Moving this house to the East 15' would do this. Keeping the trees would reduce the size of the home to a point that it would not be functional with very tight and cramped bedrooms and living spaces.

(b) There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district;

This subdivision was created out of a common area park in the middle of an existing subdivision. There are many mature trees that beautify the area and we are trying to maintain as much vegetation that has been growing for 20 years rather than tear it out to be replaced with sod that requires more water.

(c) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district;

The request is for a corner of the garage to encroach the 25' set back by 2' and on the curvature side of the street. The existing homes on the same side of the street all have setbacks of 20' instead of 25'. This is the only home on that side of the street that has a 25' set back. The majority of the home remains at 25'.

(d) The variance will not substantially affect the general plan and will not be contrary to the public interest; and
The variance will not affect the general plan but will enhance the neighborhood by allowing trees and creating a more energy efficient home with the shade of the trees upon the home. Established trees and beds also require less water than sod.

(e) The spirit of this title is observed and substantial justice done.

The spirit of the title is to create beauty in the city while also creating sustainability. The past years with the drought that Utah has been experiencing the leaders on the local and state level are looking for ways to reduce energy consumption and water. Trees are a part of this and if we can keep them by allowing a 2' encroachment on the corner of a garage in a subdivision where the home will still be further back than the existing homes this is good for everyone.

Staff does not make recommendations for Board of Adjustment actions on variances. As such, the role of the Board is to review the information and request provided by the applicant to determine its compliance with the State criteria and make a determination based on that review. If the Board considers the request to meet the requirements, they may grant the variance. They may also impose any conditions deemed necessary to mitigate potentially negative impacts of the variance. Conditions are not required, but are within the purview of the Board.

A closed meeting may be initiated by the Board to allow for discussion about the variance once staff and the applicant have had the opportunity to present all pertinent information, but a closed meeting is not required.

Suggested Motion Language

Approval

I move the Board of Adjustment approve the request of Parkway LLC for a variance of two feet from the front yard requirement of 25 feet in SCC 10.65.040 on property located at 2382 West Craig Lane in the R-2 Zone.

Table

I move the Board of Adjustment continue the request of Parkway LLC for a variance of two feet from the front yard requirement of 25 feet in SCC 10.65.040 on property located at 2382 West Craig Lane in the R-2 Zone (until date).

Denial

I move the Board of Adjustment deny the request of Parkway LLC for a variance of two feet from the front yard requirement of 25 feet in SCC 10.65.040 on property located at 2382 West Craig Lane in the R-2 Zone based on the following findings:

1. (List findings).

Attachments

- Property Map
- Application
- Proposed dwelling unit layout

Parkeview, LLC Variance Request

2382 W Craig Lane

Legend



Subject Property



Google Earth



400 ft



SYRACUSE CITY CORPORATION

OFFICE USE ONLY

1979 West 1900 South, Syracuse, UT 84075

Phone: (801)825-1477 opt 5

Fax: (801) 825-3001

Date Submitted: _____

APPLICATION TO APPEAR BEFORE THE BOARD OF ADJUSTMENT

Name of Applicant/Organization Parkway LLC

Representative Hugh Parke Phone No. 801-564-0960

Fax No. or Email Address Htparke@gmail.com

Subject Property Address 2382 W Craig Lane.

Mailing Address (If different from above) 392 N. 3050 W Layton UT 84041

Size of lot or parcel 10,066 soft acres Zone _____ Square footage of structure 1588

Purpose for application:

☐ Interpretation of the Zoning Ordinance or zone boundary line

☒ Variance to Ordinance requirements

☐ Special exception

☐ Appeal an order, requirement, decision, or determination made by an administrative official

Detailed description of request and impact on adjacent land uses (attach site plan) Requesting a front line adjustment

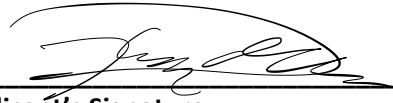
on the corner of the garage and home as to allow for the existing trees to remain in place. Requesting 23' set back in .

front driveway. Existing homes to the West have 20' setback. If the home is moved 15' to the East the mature trees

on the West will remain, adding to the beauty of the neighborhood. All other setbacks remain in tact.

I believe this requested variance or exception will not substantially affect the comprehensive Syracuse zoning plan and that strict adherence of City Ordinances would cause unnecessary difficulties and hardships on me. I also believe my circumstances with regard to my property are special and do not generally apply to other properties in the same district, depriving me of the same privileges and enjoyment of a substantial property right possessed by other properties in the same district.

I certify that approval of this request will fit the goals of the community's General Plan and impose no insatiable demands for public services. I also understand approval shall not relieve me of the responsibility to comply with all other applicable zoning, health, building, or fire regulations.


Applicant's Signature


Land Owner's Signature

January 6, 2022

Date

Permit Fee \$350 Paid _____ Board of Adjustment Review Date _____

Decision _____

N89°51'32"W 120.00'

P.U.E.

LOT #333
10066 S.F.

15'

LINE OF REAR SETBACK

LINE OF FRONT SETBACK

P.U.E.

R=370.00'
L=81.28'

N89°51'32"W 38.38'

CRAIG LANE

500°08'28"W 76.83'

P.U.E.

P.U.E.

500°08'28"W 85.94'

25'-0"

30'-0"

16'-6"

23'-0"

23'-11"

24'-0"