

Provo City Board of Adjustment
Report of Action
June 16, 2022

Item 2 Nathan Oldroyd requests approval of a Variance to the side yard setback standard of Section 14.10.080 from ten (10) feet to six feet and ten inches (6'10") in order to move forward with a two-lot subdivision in the R1.6 (One-Family Residential) zone, located at 990 East 300 South. Provost Neighborhood.
Dustin Wright (801) 852-6414 dwright@provo.org PLVAR20220051

The following action was taken on the above described item by the Board of Adjustment at its regular meeting on June 16, 2022:

DENIED

On a vote of 3:0, the Board of Adjustment denied the above noted application.

Motion By: Maria Winden

Second By: Jennifer Gleave

Votes in Favor of Motion: Maria Winden, Jennifer Gleave, Andrew Renick

Andrew Renick was present as chair.

- Includes facts of the case, analysis, conclusions, and recommendations outlined in the Staff Report with any changes noted. The Board of Adjustment determination is generally consistent with the Staff analysis and determination.

STAFF PRESENTATION

The Staff Report to the Board of Adjustment provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Board of Adjustment during the hearing.
- Neighbors or other interested parties were present or addressed the Board of Adjustment.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Board of Adjustment. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- A neighbor expressed concerns with the lot width and parking concerns. He also mentioned that there may be an ADU that may be illegal.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Board of Adjustment included the following:

- The applicant explained that the listing on the property stated that there is potential of a flag lot to be created. He was told over the phone that a flag lot could work on the property. He discussed an email from city staff about a flag lot working for this property.
- There is a concrete driveway that would be used for parking.
- The variance request is still desired even though the lot would not be able to be split due to the narrow width for two lots.

BOARD OF ADJUSTMENT DISCUSSION

Key points discussed by the Board of Adjustment included the following:

- The property was purchased as a single-family home.
- The existing lot meets the minimum requirements of the existing zone of 6,000 square feet.
- An existing possible ADU was discussed.
- The email from staff would not be a reason to approve a variance request for a side yard setback.

DECISION

The Board of Adjustment made a motion to deny the variance request to reduce the side yard setback.



Board of Adjustment Chair



Development Services Director