



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

Item #3 Jason Andersen requests approval of a Variance to the rear yard setback regulation of Section 14.10.080, Provo City Code, from twenty (20) feet to twelve (12) feet in order to add living space to his home in the R1.10 (One Family Residential) zone, located at 1330 North 1160 West. Grandview South Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLVAR20220184

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

APPROVED

On a vote of 3:0, the Board of Adjustment approved 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.

- New findings stated as basis of action taken by the Board of Adjustment. Determination is not 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 and given their approval.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Board of Adjustment during the hearing.

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: None.

APPLICANT RESPONSE

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

- The Andersen's gave the Board background for their variance request, showed research on other properties in the Grandview neighborhood that have rear setbacks less than the minimum code allowance, and described the difficulties of their situation.

BOARD OF ADJUSTMENT DISCUSSION

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

- Jennifer Gleave asked about other variances in the area for smaller lots and noted there appears to be several smaller than twenty feet rear yards in the neighborhood.
- The Board confirmed with the applicant that the addition without the variance would only provide another six to seven feet of space on the back of the home.
- Andrew Renick stated that the map provided by the applicant that shows several homes with reduced rear yards satisfies criteria number three for the variance.
- Maria Winden noted that the variance request would still provide a larger rear yard for the applicant than some others in the neighborhood currently have.
- Jennifer Gleave stated that since some neighbors have a small rear yard that the Board should error on the side of compassion when reviewing the variance criteria.

FINDINGS / BASIS OF BOARD OF ADJUSTMENT DETERMINATION

The Board of Adjustment identified the following findings as the basis of this decision or recommendation:

- That others in the area enjoy similar use of property with a right to a reduced rear yard.



Board of Adjustment Chair



Development Services Director