



Weber County Planning Division  
www.co.weber.ut.us/planning\_commission  
2380 Washington Blvd., Suite 240  
Ogden, Utah 84401-1473  
Voice: (801) 399-8791  
Fax: (801) 399-8862

Weber County Board of Adjustment  
**NOTICE OF DECISION**

June 12, 2020

Doug Neilson  
301 Ogden Canyon  
Ogden, UT 84401

Case No.: BOA 2020-04

You are hereby notified that your request for an 11-foot variance from the side yard setback and a request for a 19-foot variance from the rear yard setback in the FR-1 zone was approved by the Weber County Board of Adjustment in a public hearing held on June 12, 2020 after due notice to the general public and specifically to adjacent property owners.

The Boards decision was based on the following findings:

- a. Literal enforcement of the Land Use Code would require an undesirable result. Literal enforcement of the 30-foot front yard setback and the 19.4-foot reduced side yard setback would require a building footprint that would be inefficient and would produce a structure that does not match neighboring development.
- b. The special circumstances that apply in this instance are due to the unique wide and shallow shape of the parcel, that when standard zoning setbacks are applied, would create a hardship on the owner by preventing the placement a reasonable dwelling footprint on the property.
- c. Granting the variance would allow the owner of the parcel to improve the overall subdivision proportions and building separation while also improving the nonconformance of the existing lots to better match current zoning dimensions.
- d. The General Plan indicates that this area should be developed as is planned and zoned; thereby the variance and development is not contrary to any public interest.
- e. This variance request is not an attempt to avoid or circumvent the requirements of the County Land Use Code. The applicant has gone through the proper channels in applying for a variance. Granting this variance will improve the area through the reduction of one lot, additional lot and building separation, and consistent building setbacks.

This approval is subject to the following condition:

- a. Approval of the associated subdivision amendment to the Hermitage Block 10 subdivision.

Please feel free to reach out should you have any questions regarding this action.

Scott Perkes  
Planner II – Weber County Planning Division  
801-399-8772  
sperkes@webercountyutah.gov

The approval of a Board of Adjustment Case is issued to the owner of the land as signed on the application and is valid for a period of time **not longer than 18 months** from the date of the Board decision or until an ordinance amendment changes the conditions upon which the decision was made. The issuance of a building permit for development stated in the Board of Adjustment case application constitutes full use of the variance or other benefit applied for.