



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

April 26, 2021

Greg D'Allesandro and Lisa B. D'Alessandro
6706 E 6675 N
Eden, Utah, 84057

Case No.: BOA2021-04

You are hereby notified that a modification to your 10' variance request to the 25' minimum front yard setback was approved on April 22, 2021. After a lengthy discussion, the Board decided to grant a 5' variance to the 25' front yard setback. With the condition that the garage and driveway remain sufficient for two vehicles to park side-by-side. The Weber County Board of Adjustment voted to grant a 5' variance to the front yard setback in a public meeting held on April 22, 2021, after due notice to the general public and specifically to adjacent property owners.

The Planning Division will review the site plan to ensure that the building footprint setback, excluding a 5' covered front porch, is at least 20' from the front property line. And that the driveway can accommodate two vehicles to park side-by-side.

Reason for decision:

- a. *Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Land Use Code.*
 1. *In determining whether or not literal enforcement of the land-use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.*
 2. *In determining whether or not literal enforcement of the land-use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.*
- b. *There are special circumstances attached to the property that do not generally apply to other properties in the same zone.*
 1. *In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relating to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.*
- c. *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.*
- d. *The variance will not substantially affect the general plan and will not be contrary to the public interest.*
- e. *The spirit of the land use ordinance is observed and substantial justice is done.*

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.