

**DePiano Variance Request
Lot 42 Aspen Drive**

A.

We want to build a single family home on our lot at Powder Mountain. However, there are hardships making this difficult to do without a variance from the county. In particular, the steepness of the lot, the ski trail easement that goes through our buildable area and that the actual ski trail itself encroaches over the easement, reducing the buildable area even further.. We have revised our original request for a 5' set back and are requesting a 13' front setback from the property. Please note, we were approved for a 12' set back in 2016.

B.

With the minimum 25' setback requirement from the front property line plus the additional 20' from the actual road, the house would be 45' from the road. With the distance from the property line and the rise that occurs in the grade, we could not put in a safe, functional driveway. If we can bring the house down and sink the home, the driveway grade will be 12% grade. While this is steep, it is manageable.

In this particular area of the association the distance from the property line to the actual edge of the road is further than the typical average distance for other lots. The distance is almost 20'. Weber County Planning has mentioned that the front setback is to assist and allow for off street parking besides those areas enclosed. With 20' in front of the lot and another 13' front setback, there will be 33' of off street parking.

Powder Mountain Ski Resort has an easement through our property for a ski trail (Slow Poke). This reduces the depth of the allowable buildable area by about 1/3. Strict adherence to the 25' front setback in this area with the ski run in the rear would limit the depth of the house, preventing a decent home depth.

The grading, as the ski run has been built up causes additional drainage and retention issues for the home. The smaller setback allows the home space for drainage and retention to occur away from the home.

The ski run is not self imposed. Slow Poke encroaches beyond the easement, encroaching on the south side of our lot. Consequently our buildable area is reduced even further. We are the only lot in the association who has the ski run cutting through the buildable area. Were the ski run similar in its position to the other lots being within their rear setbacks we could comply with the current front setback and have enough depth for the home in the standard buildable area.

C.

The lot itself is very steep and very small; measuring only .21 acres / 9505 sq. ft. Most important though, no other lots have the ski run cutting right through their buildable area. All other properties containing the easement for the ski run contain the run inside of the rear setback, not affecting their buildable area.

D.

With the 20' of land between the road and the front property line, plus the 13' setback, there will be 33' between the front of the house and the road. The house will be further from the road than the majority, if not all, other houses in the area.

E.

We are applying for a variance. We are looking to preserve the existing ski trail that is to the rear of our property while still requesting that substantial justice be considered by allowing our home to be built closer to the front property line.