



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

November 5, 2021

Doug Neilson
301 Ogden Canyon
Ogden, UT 84401

Case No.: BOA 2020-04

You are hereby notified that your request for a 15-foot variance from the side yard setback in the FR-1 zone was approved by the Weber County Board of Adjustment in a public hearing held on November 4th, 2021.

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 rear 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 lot, 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 to develop a reasonably consistent residence similar to adjacent property owners.
- 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 re-applying for a variance. Granting this variance will improve the area through the reduction lots, additional lot and building separation, and consistent building setbacks.

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

Scott Perkes, AICP
Planner III – 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.