

Planning Commission Staff Report

Nichols Addition Special Exception Special Exception #PLNPCM2012-00796 2675 South 1500 East Hearing date: January 9, 2013



Planning Division
Department of Community &
Economic Development

Applicant:

Stan Avery (Contractor)

Staff:

Casey Stewart 535-6260
casey.stewart@slc.gov.com

Tax ID:

16-21-376-010

Current Zone:

R-1 / 7,000 (Single Family Res)

Master Plan Designation:

Sugar House Master Plan:
Low Density Residential

Council District:

District 7 – Soren Simonsen

Community Council:

Sugar House Community Council
– Chris Thomas (Chair)

Lot size: 6,100 square feet

Current Use:

Single Family Residential

Applicable Land Use Regulations:

- 21A.24.060 R-1 \ 7,000
- 21A.52 Special Exceptions

Attachments:

- A. Site Plan & Elevation Drawings
- B. Photographs
- C. Citizen Input
- D. Department Comments
- E. Additional Applicant Info

Request

Amy and Scott Nichols, represented by Stan Avery (contractor), are requesting special exception approval for an addition to their existing home that would be “in line” with the existing setback on the south side. The addition is a second-story addition and would be approximately 9 feet 3 inches from the south lot line, in line with an existing porch/stoop along that same side.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff’s opinion that the project does not adequately meet the applicable standards for a special exception and therefore recommends the Planning Commission deny the application as proposed.

Recommended Motion

Based on the findings listed in the staff report and the testimony heard, I move that the Planning Commission deny the requested Nichols Addition special exception PLNPCM2012-00796.

VICINITY MAP – 2675 South 1500 East



Background

Project Description

The applicant seeks approval of a special exception for a full second story addition to the existing home that would be in line with a noncomplying porch feature on the south side of the home. The porch, which consists of concrete steps leading to the back door, was covered with a small metal roof which extended into the required ten (10) foot side yard by approximately nine (9) inches.

The addition, adding a complete second story to the home, would overhang the main level of the original structure on both sides and extend into the side yard approximately nine (9) inches. Construction was already underway when the encroachment was discovered. The City's building official has issued an order to stop work on the addition until this issue is resolved.

The petition was initially processed as a "notice of application" where notices were mailed to adjacent property owners for input. This generated comments from more than just the adjacent owners. All of the comments received express concern and objection with the setback request. Based on the comments received, staff determined that any decision should come as a result of a public hearing with the planning commission.

Project Details

Regulation	Zone Regulation	Proposal
Use	Single Family Residential	Single Family Residential
Density/Lot Coverage	n/a	n/a
Height	28 feet	28 feet (after modification to construction in order to comply)
Front/Corner Yard Setback	20 feet	20 feet (no change)
Rear Yard Setback	25 feet	67 feet
Side Yard Setback	6 feet north / 10 feet south	6 ½ feet north / 9 feet 3 inches south

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held related to the proposed project:

- None, as none are required

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on or before December 28, 2012
- Public hearing notice posted on property on or before December 28, 2012
- Public notice posted on City and State websites December 28, 2012

Transportation Division Comments

On December 13, 2012, Barry Walsh, Engineering Technician of the Salt Lake City Transportation Division, reviewed the request and had no concerns. Those comments are attached to this staff report in *Attachment D*.

Analysis and Findings

The standards of review for a special exception are set forth in Section 21A.52.060 of the Salt Lake City Zoning Ordinance. The standards are as follows:

- A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.**

Analysis: The purpose of the R-1/7,000 single-family residential district is to provide for conventional single-family residential neighborhoods with lots not less than seven thousand (7,000) square feet in size. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

Side yard requirements in single family districts are typically used to maintain adequate separation between neighboring buildings for sunlight and emergency services access, to create neighborhood visual uniformity, and require landscaped yard area. The requested reduced setback, which is the subject of the petition, although minimal in dimension, contributes to an addition that would be contrary to the existing development pattern and existing scale and character of the neighborhood. Revising the addition to comply with the side yard setback wouldn't change the addition that much but would

maintain the integrity of the standards of the zoning district and support the purposes of side yard setbacks.

Finding: The proposal does not comply with this standard based on the above analysis that indicates that the proposal would contribute to a development that is contrary to the purpose of the zoning district and the purpose for the setbacks established for the district.

B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.

Analysis: The use of the property is not changing and so there is no impact to neighboring property values. Furthermore, no evidence has been presented that would indicate that the proposal would *substantially* diminish the value of property within the neighborhood.

Finding: The petition complies with this standard; the proposed setback encroachment is sufficiently small in size to avoid any negative impact on neighborhood properties.

C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare; and

Analysis: The use of the property will continue to be single family residential, thereby contributing to the character of the area, and not have a material adverse impact upon that same existing character or the public health, safety, and general welfare. The issue is what setback to apply to the building. By exceeding the required setback, the mass of the addition will contribute, albeit minimally, to a design that is considered out of character with the surrounding neighborhood homes, which are predominantly one-story and comply with the side yard setbacks in most cases. Adhering to required setbacks in this case will reduce the impact to the neighborhood character but still allow the expansion of the single family dwelling. Staff anticipates the impact, by virtue of the side yard encroachment, to be to the neighborhood character and not to the public health, safety and general welfare.

Finding: The petition does not adequately comply with this standard; the requested setback encroachment would adversely impact the character of the neighborhood. The proposal would not have an undue adverse impact on the public health, safety or general welfare.

D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.

Analysis: The requested special exception for reduced setback will not affect the compatibility of this single family residential use with that of the same neighboring uses. Any incompatibility would come in the form of the dimensional aspects of the building. A reduced setback would allow for a larger structure than would typically be found on neighboring properties and this block face. Furthermore, the zoning standards create a reasonable expectation of what can be developed. When a proposal alters that reasonable expectation, it could indicate that a proposal is out of character with an area and therefore not compatible. More than one neighboring property owner has provided written objections to the reduced setback.

Finding: The petition does not adequately comply with this standard; the proposed setback encroachment is not considered compatible with development of neighboring properties.

E. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.

Analysis: No natural, scenic or historic features of significant importance are known to be on or adjacent to this proposed garage site.

Finding: The petition will not result in the destruction of significant features and thus complies with this standard.

F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.

Analysis: The requested setback reduction by its nature will not result in any air, water, soil or noise pollution.

Finding: The petition will not cause material pollution of the environment and thus complies with this standard.

G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.

Certain Special Exceptions have specific standards and conditions that apply. Ordinance **21A.52.030.A.15** applies to all “*in line*” additions. These standards and conditions are as follows:

- a. The addition follows the existing building line and does not create any new noncompliance.

Analysis: The addition as requested would be “in line” with the existing building setback and would not create any new noncompliance. Although the residence was constructed under an approved permit in 1945, the portion of the existing building that the applicant is utilizing for an established setback in this case is a set of small covered concrete steps (considered a porch because of the cover) providing access to the rear entrance door. The intent of the City’s special exception for in line additions is that a proposed addition follow a building wall, not necessarily a set of covered steps which is a very small portion of the building. However, the City has consistently measured setbacks from property line to the existing structural element, which can be either a building wall or a support holding up a portion of a roof.

Finding: The project satisfies this standard in strict interpretation.

- b. No additional dwelling units are added to the structure.

Analysis: The petition and building permit application materials do not indicate any additional dwelling units for this project.

Finding: The project satisfies this standard.

- c. The addition is a legitimate architectural addition with rooflines and exterior materials designed to be compatible with the original structure.

Analysis: The exterior materials of brick with wood trim are designed to be compatible with the original structure which is brick.

Finding: The reduced side yard setback contributes to an addition that would appear to visually incompatible with the original structure; the petition does not comply with this standard.

Commission Options

If approved, the applicant can continue with construction per the existing building permit. If conditions are applied to an approval of the request, then the conditions have to be reflected on the building permit and satisfied before occupancy of the building. No additional processes are required.

If denied, existing construction would have to be revised to comply with the full ten (10) foot side yard setback prior to finalization of the permit.

Potential Motions

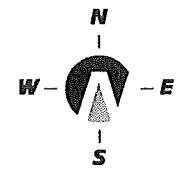
The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the above analysis. Below is a potential motion that may be used in cases where the Planning Commission determines a special exception should be denied.

Not Consistent with Staff Recommendation:

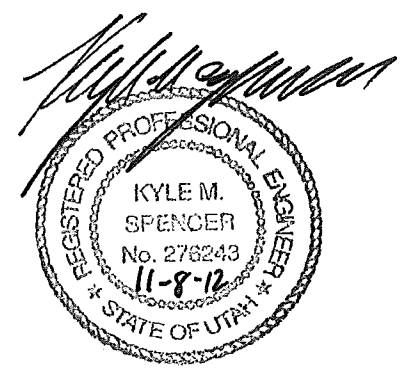
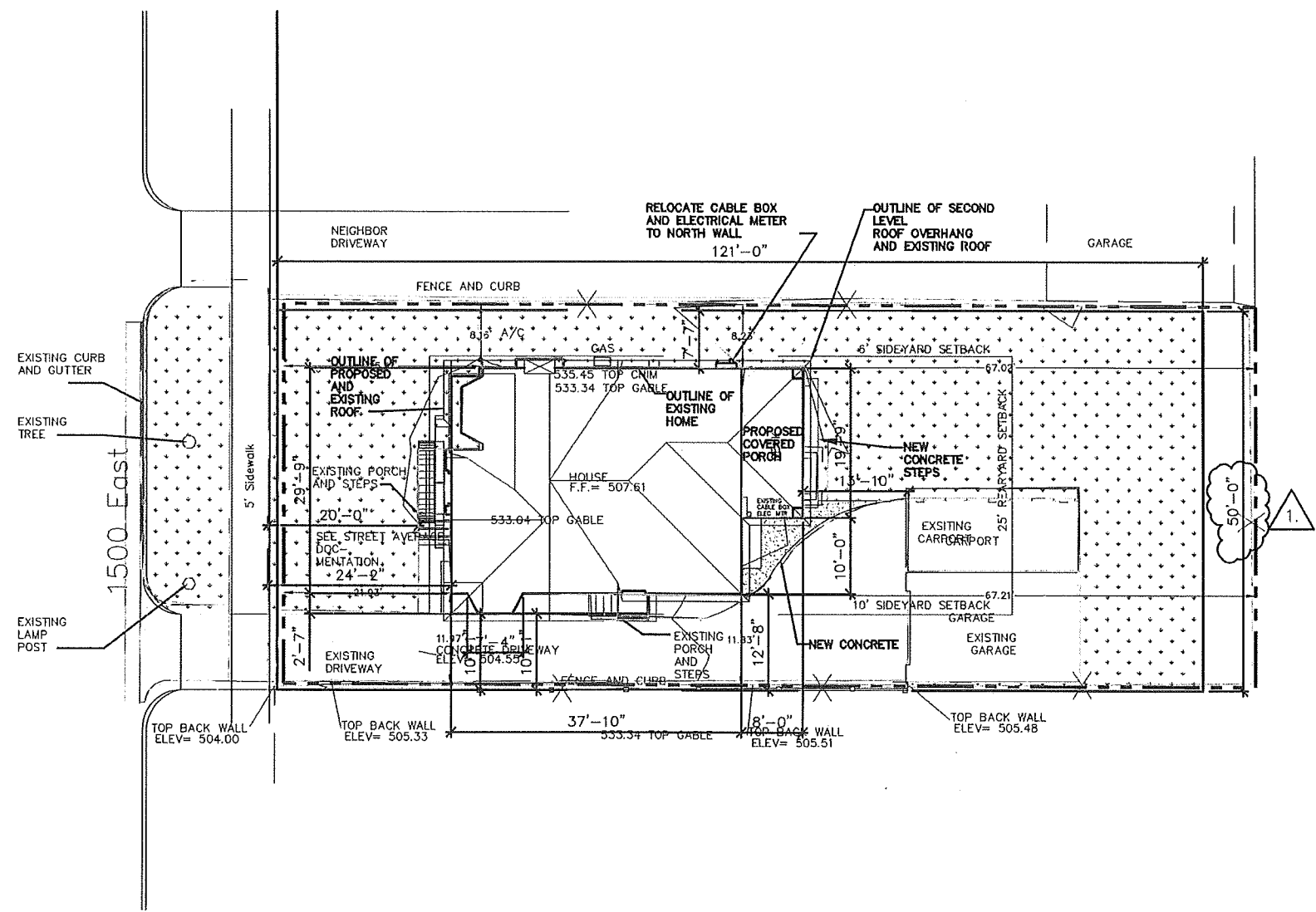
Based on the testimony, plans presented and the following findings, I move that the Planning Commission grant the Nichols Addition special exception PLNPCM2012-00796 for reduced side yard setback, located at approximately 2675 South 1500 East. In addition to the standards *B, E, F, and G.b*, the staff report indicated were complied with, the requested special exception complies with the following particular standards for special exceptions (*the commission shall make findings on the special exception standards as listed below*):

- A. The proposal will be in compliance with ordinance and district purposes;
- C. The proposal will not have a material adverse effect upon the character of the area or the public health safety and general welfare;
- D. The proposal will be compatible with development of surrounding property;
- G. Other specific standards for “in line” additions:
 - a. The addition follows the existing building line and does not create any new noncompliance.
 - c. The addition is a legitimate architectural addition with rooflines and exterior materials designed to be compatible with the original structure.

Attachment A
Site Plan & Elevation Drawings



(24"x36")
 SCALE 1" = 10'
 (11"x17")
 SCALE 1" = 20'



THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

5		DESIGNED BY:	DATE:
4		DRAWN BY:	DATE:
3		CHECKED BY:	DATE:
2		APPROVED:	DATE:
1		COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE
1		REV. COGO FILE:	DATE:



Northern ENGINEERING INC
 ENGINEERING-LAND PLANNING
 CONSTRUCTION MANAGEMENT

1040 E. 800 N.
 OREM, UTAH 84097
 (801) 802-8992

2675 SOUTH 1500 EAST

LOTS 1738 & 1739
 HIGHLAND PARK PLAT A

JOB NO.
 3-12-054
 SHEET NO.
 1

K:\3-12-054_Alex 2675 5\Correspondence\c-mail\Alex\ACAD-EXIST-BASE11.6 2012.dwg 11/8/2012 12:08 PM



Attachment B
Photographs



Looking east at subject building with addition.



Looking east at the portion of the addition that encroaches into the side yard setback.



Attachment C
Citizen Input

From: [Janice Gordon](#)
To: [Stewart, Casey](#); [Gent, Carol](#); [Johnson, Russ](#)
Subject: Amy Nichols-2675 So 1500 E
Date: Monday, November 19, 2012 9:47:44 AM

November 19,2012

**Ron and Janice Gordon
2679 So. 1500 East
Salt Lake City, Utah 84106**

**ATTN: Casey Stewart
Salt Lake City Planning Division**

RE: Petition PLNPCM2012-00796 (Amy Nichols-2675 South 1500 E, Salt Lake City)

This email is in reply to the Notice of Application of the referenced project.

As the Abutting property owners, we strongly object to the proposed Special Exception for several reasons:

- 1) The addition to the residence exceeds the limitations both for height and side yard setbacks:**
- 2) The property owners knowingly violated those limitations:**
- 3) The addition significantly affects in a negative way our property and our enjoyment of our property. We virtually have NO privacy in our backyard, and the height of the addition casts a perennial and constant shadow over our house;**
- 4) The addition is entirely out of character with the other set backs on the street and is inconsistent architecturally and scale with the smaller homes in our neighborhood;**
- 5) The addition is an affront to the historical nature of the area.**

The property owners have demonstrated a complete disregard not only towards the abutting property owners, but for the entire street. First and foremost, the zoning restrictions have been violated and need to be corrected at the Nichols' expense; however, as the neighbor most affected because of the nine (9) windows overlooking my backyard, I would be willing to consider portions of the Special Exception if other mitigation could be made.

Respectfully submitted,

**Janice Gordon
Gabesmom755@yahoo.com
801/664/9623**

From: egdieringer@comcast.net
To: [Stewart, Casey](#)
Subject: Petition PLNPCM2012-00796
Date: Sunday, November 25, 2012 10:19:56 PM

We are Ed and Teresa Dieringer at 2654 S 1500 East, SLC, UT 84106. Phone 801-487-6484.

We are in opposition to allowing this project to continue because of its flagrant violation of multiple building ordinances.

The owner and contractor knew or should have known that they were in violation of these ordinances.

These ordinances were put in place to stop such things from happening; In this case, the construction of a behemoth that is completely out of character, in size and shape, with the neighborhood and imposing upon more than just its next door neighbors.

The Petition states that there are problems with the set back. However, there is no way this home can meet the height restriction which should also be considered a major violation of ordinance that cannot be corrected without requiring the contractor completely rebuild the home to bring it into compliance. If they didn't know these restrictions, they should have known and should be held responsible to follow the rules.

I respectfully request that you make sure this homeowner and their contractor comply with all city ordinances.

I also request that I be notified so that I may appeal any decision regarding Planning and Zoning's decision to allow for any Special Exceptions.

Sincerely,

Ed and Teresa Dieringer

From: [Karen Mullin](#)
To: [Stewart Casey](#)
Cc: [Goff, Orion](#)
Subject: Amy Nichols (2675 South 1500 East) Request for Variance
Date: Monday, November 26, 2012 12:13:24 PM
Attachments: [image001.png](#)
Importance: High

Regarding: Amy Nichols 2675 South 1500 East, Residence – PLNCPM2012-00796

I am writing in regards to Amy Nichols request for a variance for her residence on 1500 East. At the time this remodel was being designed and framed in, a number of the neighbors expressed concern that the building standards were not being met. She ignored the neighbor's requests to look into it further. It was no surprise to any of us that the house is not in compliance to the laws. I am one of the longest living residents in this neighborhood. My parents, Carma and Gordon Coulam purchased our home at 2624 South 1500 East in 1955. I was raised and lived in this neighborhood for many years. I returned a few years ago to take care of my mother and have now decided to stay in the home and neighborhood that I loved so much growing up. It's a wonderful neighborhood and everyone takes great pride in their home and it shows.

I am a licensed real estate agent in both Utah and Washington State and have over 15 years' experience in evaluation of residential home. There are definitely additions that add overall value to the neighborhood, but in the case of Amy Nichols case, their remodel could cause the valuation of the entire neighborhood to go down. Buyers who purchase homes in these older neighborhoods do so because they like the quaint and charm that the different homes and neighborhoods offer them. If someone wants to build a huge home, they should move to the suburbs, not destroy the quintessential part that makes these neighborhoods so unique and different.

I strongly feel that Amy Nichols should NOT receive a variance for this permit and that she should be required to change her addition to meet the standard building codes. If the city lets her get away with this than they are encouraging everyone to NOT follow the law, and then say they are sorry and ask for a variance later.

This remodel has caused a huge rift in our neighborhood – I do not know of one neighbor who supports this project and the variance that Amy Nichols is requesting. Please do the right thing and do NOT give her a variance for this hellacious building project.

Sincerely,

Karen Mullin

Karen Mullin
Project Manager
CoreLogic BPO Services



Direct 801-303-2495
Mobile 801-573-6284
kmullin@corelogic.com

150 West Civic Center Drive Suite 500
Sandy, Utah 84070

This message may contain confidential or proprietary information intended only for the use of the addressee(s) named above or may contain information that is legally privileged. If you are not the intended addressee, or the person responsible for delivering it to the intended addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited. If you have received this message by mistake, please immediately notify us by replying to the message and delete the original message and any copies immediately thereafter.

Thank you.

From: [Steven Lester](#)
To: [Stewart, Casey](#)
Cc: [Goff, Orion](#); [Butcher, Larry](#); [Johnson, Russ](#); [Rutan, Ed](#)
Subject: Request for Special Exception at 2675 South 1500 East
Date: Monday, November 26, 2012 9:48:05 PM

Dear Mr. Stewart:

This email is to oppose the request for Special Exception for the property located at 2675 South 1500 East. We reside diagonally across the street from the project house, and have been significantly affected by the work.

In reviewing the on-line site plans, I noted that the engineer-of-record either failed or neglected to disclose the reduced side yard setback on the south. Those plans indicate that the cantilevered addition is 10 feet from the abutting property, when in reality it is approximately 7 feet. Had the engineer initially disclosed the reduced setback, the City either would have or should have rejected the original plans, which would have precluded the need for the Special Exception request. (As a side note, the engineer did disclose the reduced setback on the north side of the property, which makes the south omission somewhat curious.)

The request itself is disingenuous by suggesting that the south addition is ministerial in size and scale, and simply is "in line" with the uncovered porch. In actuality, the cantilevered gable is 30 feet long and two stories high. The asymmetrical gable and cantilever extend well over the driveway, and loom over the street and abutting property.

The owners should be required to comply with City Code and not granted any variance, but instead should correct the work done to date. The owners and architect/engineer have proceeded with the work knowing that it did not meet the appropriate constraints outlined in the Code, and so should not be granted any variance.

Lastly, the owners and contractors have continued construction in spite of the stop work order which the City posted in September, further demonstrating their disregard for the Code, neighbors, and neighborhood-at-large.

Respectfully,

Steven D. Lester
Highland Park Community Council Representative

From: [Sarah Price](#)
To: [Stewart, Casey](#)
Subject: Property at 2675 S 1500 E
Date: Tuesday, November 27, 2012 10:20:24 AM

Dear Mr. Stewart,

I was given your email address to contact regarding a remodel project located at 2675 S 1500 E. I live a couple of houses down from this property and have been disappointed not only in the enormity of the remodel, but also in the intrusion of the next door neighbors houses' privacy as well as the impact on the mountain view from my house.

While I understand that we should be permitted to do what we would like on our own property (to some extent), I feel that when this effects our neighbor's property in such a negative way, i.e. taking away any backyard privacy, and blocking views, thereby decreasing property values, then special consideration needs to be taken to ensure that this cannot happen. Why should the Nichols family gain the extra space that they desire at the expense of their neighbors? We bought these homes when the houses next door were all one story. To now have this 3 story monstrosity looming over our houses and yards is extremely disheartening.

At this point, I'm guessing that the house is going to remain with 3 stories and there is nothing we can do about that, but I do ask that the Nichols family be required to at least build within the current allowable limits on both height and proximity to property lines. To think that they can go against the rules just because they thought they could slip it through, is not OK. I believe the city has already been insisting that they make the proper changes so the house adheres to the legal limits. I thank you for that and ask that you continue to enforce the guidelines in this case.

Best Regards,

Sarah Price

From: [Cox.net](#)
To: [Stewart, Casey](#)
Subject: Case#plnpcm2012-00545&plnpcm2012-00796
Date: Monday, November 19, 2012 7:28:26 PM

Casey,

From the above case numbers you can refer to the property at 2675 s 1500 e.

We would like to formally object to the construction that is continuing at the aforementioned address. Not only does the style completely ruin the look and feel of the surrounding homes. It further destroys the size norm of the entire street. This says nothing of the invasion of privacy and complete shadowing of our drive. Please do NOT grant these people the "exception" they are asking. This remodel will most definitely remove the historic charm of this nearly 100 year old sugarhouse neighborhood. I will do everything I can to block this disaster.

I will follow this email with a phone call to confirm receipt.

Thank you for your attention to this matter,

Sincerely,

Kevin Durst
2669 s 1500 e

(801)906-8669

Sent from my iPad

From: [Russ Pack](#)
To: [Stewart, Casey](#)
Cc: [gabesmom755@yahoo.com](#); [Johnson, Russ](#); [Butcher, Larry](#)
Subject: Petition No. PLNPCM2012-00796 (Amy Nichols residence)
Date: Tuesday, November 20, 2012 9:27:56 AM

This email is to provide comment on and objection to the proposed Special Exception for the residential remodel and addition at 2675 South 1500 East.

Although we are not abutting property owners, we reside across the street from the subject property, and have been very negatively impacted by the construction. The property owners moved out over a year ago, and so have not experienced the nuisance and other issues resulting from the construction.

Of most concern is that the property owners knowingly violated the height and side yard setbacks. The house exceeds 28 feet, and the side yard setbacks do not meet the 6 foot and 10 foot limits. The property owner has asserted that she will simply raise the grade of the property as well as the driveway.

Furthermore, the house addition is entirely out of character with the cottages and bungalows that line our historic street. It looms over all of the other houses, and the cantilever on the south elevation extends to just over 7 feet of the property line to the south. The neighbors are subjected to a constant shadow line, and any sense of backyard privacy has been entirely lost. The house now has 9 large windows on that south elevation peering down. The neighbors on that side have had to install awnings and new lattice work just to preserve a semblance of privacy.

We we purchased in the lovely Highland Park neighborhood, we did so for many reasons. This monstrosity of a house is jarringly inappropriate. While we recognize that the owners have the property right to modify their house, they should be held strictly to standards currently set forth in the zoning ordinance, and certainly not given any special exception. As with other neighborhoods in the City, this remodel project has been extraordinarily divisive, and our formerly friendly street is now divided. The owners should be required to lower the roofline and side yard setbacks to comply with the ordinance.

Lastly, the owners have continued working on the house unabated since a "stop work" order was issued in mid-September. As recently as yesterday, workers were on-site installing new windows on the main floor, brick masons were cutting brick to install a new side door, and carpenters were working on the exterior bracketing. They owners left an uncovered dumpster in the street well beyond the permit date, and have placed an open port-a-potty on the park strip. Fortunately, the City assisted us in having the dumpster removed just before the most recent snow storm. That the owners continue to violate the law should just be another reason to deny the special exception.

Thank you for your consideration.

Russell Pack
2660 South 1500 East

To the Salt Lake Planning Division:

We are aware there are many in the neighborhood who object to various aspects of their home's size, dimensions, design, and so forth. Although we sympathize with some of their concerns, we also hear favorable and sympathetic opinions of others living on 1500 East.

Background

We feel it might help you to understand some background of our neighborhood on 1500 E. between Stratford Ave. and 2700 S. My wife Annette and I (Dennis Weight) purchased our home at 2666 S. 1500 E. in 1980. The home originally belonged to Annette's grandparents, Jack and Erma Everett. Annette's mother and siblings were raised in this home. Her grandparents helped establish a "neighborhood block party" in their yard which was celebrated every year for 50+ years. When we moved in, we continued the tradition. The block party is now in its eighty-second year. It brings together a diversity of friends and has kept feelings of peace on earth, good will towards men. That is until this year!

With the dichotomy of opinions this year directed at Scott and Amy, and a serious problem that recently occurred here, many of us on 15th are hoping for the return of the peace and unity our neighborhood once enjoyed.

Proposal

We respectfully request that the Salt Lake Planning Division come up with a solution that will allow Scott and Amy to resume the construction of their residence. If the construction meets building codes and reasonable solutions can be made based on other similar properties on record, my wife and I would like to see this home finished ASAP.

We feel that not everyone will be totally happy nor satisfied with the final decision, but we feel the neighborhood needs to move on! Thanks for your consideration and effort to improve our community.

Respectfully yours,

Dennis and Annette Weight
2666 South 1500 East
SLC, UT 84106
Tele: 801-410-4621

From: [Becky Carlson](#)
To: [Stewart, Casey](#)
Subject: [QUAR]
Date: Monday, December 31, 2012 10:33:34 AM
Importance: Low

Attn: Casey Stewart at 801-535-6260 casey.stewart@slcgov.com

To the Planning Commission:

With regard to the Salt Lake City Petition No. PLNPCM2012-00796 at 2675 South 1500 East,

Amy and Scott Nichols are applying for approval to construct an addition to their existing home that would not comply with the required side-yard setback. However, the addition would be constructed “in line” with the existing porch and bay window on the south side of the home and would not get any closer to the side lot line.

We have no objection to their request for an “In Line Addition.” The addition’s south wall will be in-line with the original structure built in 1944. We see that this addition would not create any new non-compliance, nor would there be any material adverse effect upon the character of the area.

We would like to see this project completed without any further delay.

I understand that Amy and Scot Nichols are in process of seeking approval to construct an addition to their home, which would be out of compliance with the current side-yard setback. This addition would; however, be built to where the existing porch and bay window have been (on the south side of the home), and would not encroach further towards the neighboring lot/property line.

NOTE: the south wall would compliment how the home was built in 1944.

It is our desire to see this project completed without any additional interruption or deferral.

Please contact me with any questions. Thank you.

Becky Carlson

beuly1@yahoo.com

801-484-5051

Becky

From: [Jennifer Jensen](#)
To: [Stewart, Casey](#)
Subject: Salt Lake City Petition No. PLNPCM2012-00796
Date: Wednesday, January 02, 2013 3:19:56 PM

Attn: Casey Stewart at [801-535-6260](tel:801-535-6260) casey.stewart@slcgov.com

To the Planning Commission:

With regard to the Salt Lake City Petition No. PLNPCM2012-00796 at 2675 South 1500 East, Amy and Scott Nichols are applying for approval to construct an addition to their existing home that would not comply with the required side-yard setback. However, the addition would be constructed “in line” with the existing porch and bay window from the original structure built in 1944 and would not get any closer to the side lot line.

I have no objection to their request for an “In Line Addition.” I drive past their house every day and I am looking forward to seeing it finally completed. Often I am unhappy with neighbors building additions that do not seem to fit in to our neighborhood, but the Nichols have done a very nice job at keeping their addition similar to the homes in the area and I feel that it will be a great addition to our street.

I would like to see this project completed without any further delay.

Respectfully,

Jennifer Jensen

Attachment D
City Department comments

CITY DEPARTMENT COMMENTS

- **Transportation** (Barry Walsh): The building addition shown poses no impact to the existing driveway access to the existing rear yard single car garage and carport.

Attachment E
Additional Applicant Information

We seek approval for an in-line addition based upon the ~~per~~ existing building permit approval. At the time of review it was noted on the plans that the new addition would encroach no further than the existing structure at the rear entry to the residence. The entry stoop and protective roof project into the set-back no less than 3'-3" and the constructed addition does not project to this extent.

A review was conducted by Joel Patterson who indicates that this request falls within the guidelines of the special exception process.





