

Subject: Andersson Variance Request
Date: Monday, July 26, 2021 at 1:09:46 PM Mountain Daylight Time
From: Richard J. Miller <richm@greatlender.com>
To: Interlaken Clerk <interlakenclerk@gmail.com>
CC: jpbnutec@gmail.com <jpbnutec@gmail.com>
Attachments: Cloward lot variance 2.docx

Hi Paul,
Copied here is Bart, Interlaken town clerk. This link is to the minutes of the meeting when the variance was requested.

<https://docs.wasatch.utah.gov/PublicAccess/index.html?CQID=129>

The attached document shows the map that was apparently submitted with the Variance request of Kurtz, that was approved by Wasatch County. Since this runs with the land, it is currently in place. In previous discussions with the Ombudsman office, I was told that if the attached Map was submitted with the request then it would be assumed that the setbacks on the map are those that are approved. I would suggest that if these setbacks work for you, then no new variance is needed. In this case you would most likely have to prove to the planning commission that the map was indeed presented to the board of adjustments, which I currently don't have proof of. This document also has various other surveys that have different east side locations of the property line. The property line to the east would have to be resolved before any building could commence with either the current variance or the new one requested.

In review of your variance request, the issues I see would be what the hardship would be to ask for 20' side yard setbacks. With 30' side yard setbacks you would still have an 85' x 65' x 20-30', depending on whether your request for a variance is granted. With the town having recently only required a 30' setback from center of road, this leaves a buildable lot with the current variance in place that would be similar to your new requested building pad.

The ownership of the land between the lot line and the state park is currently undocumented, but since it is another entity that owns it, the setback is still required of 10'. If any new variance was granted to remove that setback, a requirement would be that no disturbance of that area would be permitted. Keep in mind that uncovered walkways, decks, etc. do not have to meet the setback.

These are my immediate concerns over your request, but as is the case in many variance requests, other issues can come up in an open hearing.

Please let me know if the current variance in place will suite your needs, or if you wish to continue to pursue this new one.

Rich Miller

Appeal Authority-Interlaken Town



Richard J. Miller

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