

BOARD OF ADJUSTMENTS

September 18, 2025

Minutes of the Board of Adjustments meeting of September 18, 2025, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1, Ogden UT at 4:30 pm.

Members Present **Rex Mumford, Chair**
 Marshall McGonegal, Vice Chair
 Marinda Espiritu
 Lewis Decker
 Ben Peterson

Staff Present: Charlie Ewert, Principal Planner; Tammy Aydelotte, Planner; Felix Lleverino, Planner; Lauren Thomas, Legal Counsel; Tiffany Snider, Secretary

- **Roll Call**
- **Pledge of Allegiance**

- 1. BOA2025-03: Consideration of an appeal on a decision made by the Ogden Valley Planning Commission in a public meeting held on April 25, 2023 to approve the Osprey Ranch Phase 2 subdivision without a road easement between lots 43 and 46 and subject to the county engineer deciding if a connector road in this location is feasible. Staff Presenter: Felix Lleverino, Planner**

Chair Mumford summarized the Board's previous discussion of the appeal during the September 11, 2025 meeting; he indicated an additional closed session is needed for the Board to continue its deliberation of the arguments presented regarding the appeal.

Board Member Peterson moved to convene in a closed session to discuss the appeal. Vice Chair McGonegal seconded the motion; voting aye: Board Members Decker, Espiritu, Petersen, Vice Chair McGonegal, and Chair Mumford. Motion carried (5-0)

Upon reconvening, Board Member Decker moved to dismiss BOA2025-03 on the basis that the Board of Adjustments has a lack of jurisdiction in this matter. Board Member Peterson seconded the motion.

Before voting, Vice Chair McGonegal discussed the difficult nature of this appeal; after reviewing the evidence, including listening to a recording from the original meeting, they discovered that the 2025 Notice of Decision more accurately reflected the audio recording than the original April 25, 2023 Notice of Decision, which appeared to have been edited inappropriately. Despite this finding, the Board of Adjustments lacked jurisdiction to address this matter.

Chair McGonegal called for a vote on the motion to dismiss. Voting aye: Board Members Decker, Peterson, Vice Chair McGonegal, and Chair Mumford. Board Member Espiritu indicated she would abstain from voting given that she was not in attendance at the September 11, 2025 meeting.

The Chair indicated that a written decision would be forthcoming to all parties.

The meeting adjourned at p.m.

Respectfully Submitted,
Cassie Brown