

BOARD OF ADJUSTMENTS

September 25, 2025

Minutes of the Board of Adjustments meeting of September 25, 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. BOA 2025-04: Consideration and action on a request for a 2.5-foot variance to the minimum 10-foot side setback on the east side of the proposed building site. This property is a lot in the Summerset Farms Subdivision Phase 2. This lot is located in the A-1 zone, located 3752 W 2340 South, Ogden, UT, 84404. Staff Presenter: Tammy Aydelotte

Planner Aydelotte presented the variance request, noting that while variance requests for setbacks are not unusual, this one was uncommon for this particular area. She explained that Somerset Farms is a subdivision that was recorded about four years ago, with this particular phase being recorded in 2021. In June of this year, the applicant submitted a building permit application for an accessory structure that did not meet the required setbacks. Ms. Aydelotte noted that simultaneous to this application, there was a lot line adjustment to align with a fence line that had been incorrectly placed. This adjustment increased the subject property by approximately 1,336 square feet. She emphasized that the Board would need to determine if this situation was self-imposed, as this is one of the five criteria for granting a variance. The applicant was requesting a variance of 2.5 feet from the minimum 10-foot side setback on the east side of the property.

Chair Mumford asked for more detail about the lot line adjustment and whether the fence was relocated. Ms. Aydelotte stated it is her understanding that the lot line adjustment was to move the lot line to the location of the fence rather than moving the fence. The setback is measured from the lot line.

Ms. Aydelotte was asked whether there had been any similar variances granted in the area of the subject property; she mentioned that there was a request granted for a public utility substation in 2018 but emphasized that each case is independent and previous decisions/precedents do not affect current applications. Legal Counsel Thomas agreed and indicated each variance request is assessed on its own circumstances.

The applicant, Greg Gordon, explained that he had purchased additional property from an adjacent lot in August 2024, which resulted in the lot line adjustment. He mentioned that he had placed a fence thinking the property transfer had been completed, but it had not at that time. The property line was subsequently adjusted to match the fence line. Mr. Gordon explained his need for the variance was due to the placement of his proposed 20-foot x 40-foot pole barn. He stated he couldn't shift the building further west because of an RV pad with trailer hookups, and he wanted to keep the building away from the trailer to prevent snow damage. He noted that only a small corner of the building (approximately 12.5 square feet) would encroach into the setback area. He also pointed out that the neighboring undeveloped lot (Lot 600) had utilities on its north side, meaning any future home would likely be built on that side of the property, away from the area where his barn would encroach. HE presented an aerial image of his property to illustrate his explanation of the encroachment.

Chair Mumford asked Mr. Gordon for his explanation as to why he believes the hardship is not self-imposed. Mr. Gordon explained that his lot had unusual angles compared to the more rectangular lots in the subdivision. While other lots are straightforward in shape, his lot's angles complicated the placement of his proposed structure. Board Members questioned whether the building's orientation could be adjusted or its size reduced to comply with setback regulations. Mr. Gordon expressed that tilting the building was possible but

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argued it would not align aesthetically with his house and fence. He also mentioned the purpose of the pole barn was to store items and host family gatherings, which required the current proposed dimensions.

The Board discussed the five criteria required for granting a variance, focusing particularly on whether the hardship was self-imposed. Board members noted that the building could be modified in size or orientation to fit within the required setbacks, and therefore the hardship appeared to be self-imposed. They also noted that they are not required to take aesthetics into consideration when making a decision on this type of variance application.

Vice Chair McGonegal moved to deny the variance request due to an inability to find an unreasonable hardship, as the building could be relocated or twisted to fit on the parcel. Board Member Decker seconded the motion; voting aye: Board Members Decker, Espiritu, Peterson, Vice Chair McGonegal, and Chair Mumford. Motion carried (5-0)

The meeting adjourned at 5:00 p.m.

Respectfully Submitted,
Cassie Brown