

BOARD OF ADJUSTMENTS

October 23, 2025

Minutes of the Board of Adjustments meeting of October 23, 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: Rick Grover, Planning Director; Tammy Aydelotte, Planner; Lauren Thomas, Legal Counsel; Tiffany Snider, Secretary

- Roll Call
- Pledge of Allegiance

1. BOA2025-06: Consideration and action on a request for a variance to the Parking Lot Design and Maintenance requirement for hard surface stated in Section 108-8-7 (d) (6). Staff Presenter: Tammy Aydelotte

Planner Aydelotte explained that in January 2025, the applicant had appeared before the Ogden Valley Planning Commission requesting approval of a conditional use permit for a conference/education center in the F5 zone. One condition of approval was that the parking lot needed a hard surface (asphalt or concrete) per county ordinance. She explained that the Planning Commission had encouraged the applicant to seek a variance since the applicant was looking to minimize their environmental footprint. She showed the Board the location of the property near Causey Road and Causey Dam, describing it as an ideal location for the retreat center the applicant was proposing. She added the applicant has worked with Weber Fire District to ensure the proposed compacted gravel surface met fire apparatus standards by supporting a 75,000-pound vehicle; however, Planning staff's role is to ensure that applications conform with the County's land use code and that was the basis for Planning Commission's denial. She then highlighted the five decision criteria the Board of Adjustments must evaluate when considering an application for a variance; she also provided staff's analysis of whether the five criteria are present for the subject property.

Chair McGonegal stated that he has driven by the subject property and he also paid attention to the yurts that are nearby; he asked why asphalt or concrete parking was not required for the yurts. Ms. Aydelotte stated that in certain cases, a travel surface made of compacted gravel could be permitted, but specific to parking areas, a hard surface is typically required under the ordinance.

Applicant Mark Overdevest requested a variance to use compacted gravel instead of asphalt or concrete for the 10-space parking area. Tammy noted that Weber Fire District was satisfied with the proposal as long as it would support a 75,000-pound fire apparatus. Staff analysis addressed the five criteria for issuing a variance:

- Literal enforcement of the parking requirement for asphalt would cause an unnecessary hardship;
- Special circumstances surrounding the property include its proximity to Beaver Creek and its riparian area, along with the intended environmentally-focused use;
- Granting the variance would allow for an ideal parking surface that is aesthetic and durable;
- The proposed use aligns with the general plan for the area; and
- The applicant would abide by all other conditional use requirements.

Mr. Overdevest explained that his proposal for a retreat center would focus on providing a natural environment for silent meditation retreats. He stated that the Dancing Moose property nearby had a similar surface but operated under a different conditional use permit (agritourism). Mr. Overdevest explained that a gravel surface would better match the aesthetic goals of the retreat center and mentioned that the property already had dirt berms for privacy. He also noted that UDOT had required asphalt from the gate to where it's adjacent to State Road 39, which has already been installed.

Chair Mumford inquired as to the number of parking spaces on the site, to which Mr. Overdevest answered 10. Chair Mumford also asked if the parking area is visibility from the roadway nearby, to which Mr. Overdevest answered no and reiterated his goal is to shield the property from nearby road noise.

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Chair Mumford invited public input.

A neighboring property owner, Mike Story, expressed concerns regarding the berms around the applicant's property, specifically questioning whether the dirt mounds created to clear the lot for the parking area would be landscaped. He was informed that the Board of Adjustments was only considering the parking surface issue and that landscaping was outside the scope of their decision. Mike also inquired whether the parking lot, initially planned to accommodate 10 spaces, was going to expand in the future. He was provided with clarification that the current consideration was indeed limited to 10 parking spots, and any potential expansion was not part of the current agenda.

Planning Director Grover noted that Mr. Story is welcome to contact Planning staff to get more information regarding other elements of the proposed development.

Board members discussed the criteria for a variance, with particular focus on the "hardship" requirement. They determined that the hardship was related to the aesthetic and environmental aspects rather than cost considerations. Board members noted that compacted gravel would be aesthetically more appropriate for the retreat setting and potentially more environmentally friendly than asphalt, which contains residual oils. They also discussed the practical advantages of compacted gravel in the canyon environment where frost heaving during the winter months could damage asphalt or concrete surfaces.

Board Member Peterson moved to approve the variance based on the fact that requiring hard surface parking could create a hardship based on the aesthetics of the general purpose of the land use code, recognizing the special circumstances of proximity to Beaver Creek and its immediate riparian area, believing it would have no adverse effect on the substantial enjoyment of neighboring properties, and finding it in conformance with the general plan and spirit of the land use ordinance. Board Member Espiritu seconded the motion. Voting aye: Board Members Decker, Espiritu, Peterson, Vice Chair McGonegal, and Chair Mumford.

- 2. BOA 2025-05: Consideration of a request to hear an appeal of a denial by Wolf Creek Water and Sewer to issue a will-serve letter to Eden Valley Opportunity and Bridges Holding Company, LLC. Denial of this will-serve letter prevents the applicant from submitting a complete subdivision application to Weber County for review and approval. The question the Board will need to answer is whether or not they feel they have jurisdiction to hear this appeal. Staff Presenter: Tammy Aydelotte**

The Chair indicated that his agenda item was withdrawn from consideration; therefore, it was not discussed.

The meeting adjourned at 5:04 p.m.

**Respectfully Submitted,
Cassie Brown**