

**Minutes of the Board of Adjustments meeting of April 25, 2024, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1, Ogden UT at 4:30 pm.**

**Member Present**                **Bryce Froerer**  
   **Rex Mumford**  
   **Jannette Borklund**

**Staff Present:** Rick Grover, Planning Director; Tammy Aydelotte, Planner; Brandon Quinney, Legal Counsel; Tiffany Snider, Secretary; Marta Borchert, Secretary

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

**1. Election of Chair and Vice Chair**

**Rex Mumford nominates Bryce Froerer for Chair. Motion carries (3-0)**

**Bryce Froerer nominates Laura Warburton as Vice Chair provided that she reapplies for the position. Motion carries (3-0)**

**2. Minutes: September 22, 2022. Approved as presented**

**3. BOA 2024-02: Consideration and action on a request for a 5-foot variance to the front yard setback and a 10-foot variance to the rear yard setback to facilitate the construction of a single-family residence at 6743 Chaparral Drive, Eden.** This request was previously approved on 3/18/2021, but has expired, per Weber County LUC 102-3-5(d)(1)" If the board has decided in favor of a variance request, the approval is valid for a period of 18 months. If an approved variance request has not been acted upon within this time frame, the approval shall expire and become void." The applicant is seeking a second approval of this same request.

**Staff Presenter: Tammy Aydelotte**

Tammy Aydelotte states that the exhibits that have been inadvertently left out of the minutes were distributed to the present Board Members and Present Planning Staff. Chair Froerer acknowledges that the exhibits have been received. Ms. Aydelotte states that this item came before the Board on March 18<sup>th</sup> 2021. She notes that the lot is located in the FR-3 Zone, it is 6534 sq. ft. Minimum width is 60' minimum lot area is 6000 sq. ft. Setbacks Front 25' Rear 30' Side 8', 20' on a side facing street. Max Height 35' and the Max lot coverage is 40%. This is located at the top of Powder Mountain Road in the Powder Mountain West Subdivision. There is a parcel to the North East and that is the same size but it is a different shape. She show the Board the difference in buildable area if the request is granted.

Chair Froerer asks if the North side of this lot is within the requirements. Ms. Aydelotte states that the way the ordinance defines a front lot line is the parcel line that you cross to access the lot.

Mr. Mumford states that based on where the owner of lot 16 is proposing to enter if they enter from the same direction, as lot 15 the back setback would not require a rear adjustment. Ms. Aydelotte states that it may not require a rear adjustment but the applicant is looking at slope as well. There is an upward slope. The applicant is trying to shape the footprint of the home similarly to the current architectural styles. She notes that they are asking to build a 1000 sq. ft. home. Compared to the adjacent footprints it is the smallest footprint. They don't feel that they could put the 1000 sq. ft. print without the variance request being granted.

Chair Froerer asks if this is the first time they have been asked to approve a development closer to the road. Ms. Aydelotte states they have been asked before. She notes that the request has not been made on this stretch of road, but on the South side because

there is a ski easement that cuts through a portion of the lots. There have been a few variance requests. She adds that what is unique about this lot is the shape. This is the only lot in this shape.

She notes that nothing has changed in the applicants request since the approval in 2021. Mr. Mumford asks if there has been any change in zoning. Ms. Aydelotte states that there has not.

Mr. Mumford asks if they have received any comments from any of the neighboring home owners. Ms. Aydelotte states that she has not.

**Motion:** Rex Mumford moves to BOA 2024-02: Consideration and action on a request for a 5-foot variance to the front yard setback and a 10-foot variance to the rear yard setback to facilitate the construction of a single-family residence at 6743 Chaparral Drive, Eden. Jannette Borklund seconds with the a friendly amendment that it is based on the findings that it meets the 5 criteria. Motion carries (3-0)

### **3. Rules of Order**

Director Grover states that they will updating the rules of order. He notes that moving forward the County Commission will be approving the Rules of Order.

Rex Mumford states that only item that stands out to him. Item K, which states nonperformance or misconduct removal in the event any member shall fail to attend more than 70 percent of the meetings. He notes that it should be worded a bit differently. It should say "atleast" not "more than" he asks if they have ever removed anyone for not meeting the criteria. Director Grover states that they have not. Mr. Mumford states that the bar is high considering how frequently the Board meets. Director Grover states that the reason is that the Board is small, and they need members to attend as much as possible. Janette Borklund states that the more people are present the better discussions they can have. Mr. Mumford states that he is wondering if they are following Item k. He notes that even when they would meet frequently many members were not meeting the 70 percent. Director Grover states that they could have easily put the item K. into place and removed them. Chair Froerer states that the qualifier is the word "May" not "Shall" or "Must".

Brandan Quinney states he would like to work with Director Grover to clarify the language together. Directors Grover agrees and states that they can bring it back to the next meeting.

Chair Froerer states that they will address the issue at the next meeting. He asks if there is any other discussion on the Rules. Rex Mumfords states that he is not sure if it is in the Rules of Order but he feels that the Board ought to convene at least once a year no matter if there is no items at the beginning of the year, if only to approve the minutes and appoint a new Chair and Vice Chair. Chair Froerer states that he agrees and he believes that it would be appropriate to meet in January. Director Grover states that they can do that.

**Respectfully Submitted,**  
***Marta Borchert***  
**Planner Technician**