

October 24, 2024

Minutes of the Board of Adjustments meeting of October 24, 2024, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1, Ogden UT at 4:30 pm.

Member Present Laura Warburton – Acting Chair
 Rex Mumford
 Marshall McGonegal

Staff Present: Charlie Ewert, Long Range Planner; Tammy Aydelotte, Planner; Lauren Thomas, Legal Counsel; Tiffany Snider, Secretary

- Roll Call
- Pledge of Allegiance
- Laura Warburton verified if any public was present (no public present)

1. Minutes: August 8, 2022. Approved as presented

2. BOA 2024-06:

Consideration and action on a request for a 7.11 foot variance to the front yard setback in the FR-1 zone, to facilitate the construction of an attached awning to an existing water treatment facility for Pineview Water, located at approximately 880 Ogden Canyon Rd, Ogden, UT, 84401.

Tammy Aydelotte cites ordinance for projections (LUP108-7-2) but indicates the variance is still required as the request projects 2 feet beyond what ordinance allows.

Questions for Tammy Aydelotte:

Q: Rex Mumford asks if there is an additional rear lot setback variance request and if any other portion of the building or buildings will require an awning.

A: Tammy Aydelotte has stated the only variance requested is for the front lot line and only the portion outlined on the site plan will require an awning.

Q: Are the small squares in the site plan toward the south supports for the awning? Does LUP108-7-2 (ordinance) allow for support structures within the projections?

A: Question is deferred to Ogden City representative regarding site plan. Footings are not allowed into projections.

Q: Laura Warburton asks about a government entity requesting a variance and the lack of similar requests to compare this to. She feels this should be a Planning Commission decision instead of the BOA. Because this doesn't have residences close, she wants to know why the BOA wouldn't approve it.

A: Each zone has its own development standards based on the zone, not the use. This request is for a main use building. Regardless if it is a residence or another main building the development standards are the same. Government agencies and utility companies are not exempt and are held to the same standards as anyone else in that zone.

Q: Rex Mumford asks if the development standards are for all structures within a zone and there are no exceptions, regardless of government agency or personal use.

A: Charlie Ewert verified what Tammy Aydelotte said with the exception that public utilities have some different setbacks for the side lot lines only.

Q: LW looking for reasons to approve this request based on most recent training.

A: TA offers LW the reasons stated in ordinance to approve variance.

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Representative Brady Herd from Ogden City Water

Stated this request does not negatively impact the General Plan. Ogden City Water serves 90,000 people daily. The building in question is a critical part of the water infrastructure and the ability to produce clean water to Ogden City. The main reason for the request is for the safety of the workers. It will prevent the necessity of backing a large truck into a structure lined with heavy equipment. Instead the trucks can stay under the canopy. It also will aid with snow removal challenges.

Q: LW asks if the variance request is granted, will the canopy inhibit snow removal for the state on Ogden Canyon road.

A: BH states it will not.

Q: How long will the truck sit under the canopy?

A: It depends on how quickly the waste water gets processed.

Q: Where are the support beams?

A: Up against the grassy area. The roof projection will be 1' 2".

Q: How big is the awning?

A: 39'6"x32'

Q: Can the city build a permanent structure there in the future?

A: They would have to apply to build for a different use. Be specific in the motion.

Q: What are the materials of the building and the pitch of the roof?

A: Steel. 1.50 x 12

Q: How long has the building been there?

A: 10 years

Q: Will you be able to run two trucks.

A: Depending on production, yes.

Q: Were neighbors notified? Was the meeting posted?

A: No neighbors to notice. The meeting was posted.

Discussion:

Rex Mumford: Not uncomfortable with request due to lack of neighbors, no comparable, functionality makes sense, safety is a good reason. Special circumstances attached to the property. Is there a concern for precedence?

Lauren Thomas: There is a five part criteria for approval. Consider code.

LW: Does not go against the General Plan.

RM: Makes a motion to approve BOA 2024-06 in the FR-1 zone a request for a 7.11 foot variance based on:

- Not self-imposed
- Not against general plan
- Does alleviate a hardship
- Special circumstances geographically with property due to location of the river to the north.
- Not contrary to public interest.
- Limited to the existing awning as proposed

Motion draws a 2nd.

Marshall McGonegal Aye

Marshall McGonegal: Aye

Rex Mumford: Aye

Motion carries (3-3)

Rex Mumford questions if we should select a vice chair. Cannot because it wasn't noticed.

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Adjourned

**Respectfully Submitted,
Tiffany Snider**