

1 Minutes of the Centerville **Board of Adjustments** meeting held Monday, September 15, 2025, at
2 5:30 p.m. with participants present at Centerville City Hall, 250 North Main Street.

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4 **MEMBERS PRESENT**

5 Brian Hulse, Chair
6 David Hirschi
7 Paula Tew
8 Scott Sappenfield
9 Daniel Ditto

10
11 **STAFF PRESENT**

12 Mike Eggett, Community Development Director
13 Lisa Romney, City Attorney
14 Sydney DeWees, Planner
15 Jennifer Robison, City Recorder

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17 **VISITORS**

18 Earl and Kumiko Tingey
19

20 **PROPERTY VARIANCE REQUEST – 808 SOUTH 600 EAST – MINIMUM LOT WIDTH**
21 **ACCEPTANCE FOR LEGAL BUILDING LOT VARIANCE IN RESIDENTIAL LOW (R-L) ZONE**
22 **AREA – EARL TINGEY**
23

24 Planner Sydney DeWees presented the variance request for 808 South 600 East,
25 explaining that the property, part of the Centerville Orchard subdivision, was constrained by a
26 historical decision outside the owner’s control. She reported that staff concluded the hardship was
27 not self-imposed and that denial would deprive the lot of reasonable residential use, supporting
28 approval of the variance.
29

30 The Board discussed ownership history, potential setback impacts, and the uniqueness of
31 the case. Board members agreed the circumstances were compelling, noting the issue was rare,
32 not self-imposed, and that granting the variance served fairness and good governance. Chair
33 Hulse emphasized that variances are site-specific and that this decision would not set a broad
34 precedent.
35

36 Chair Hulse **moved** to approve the request for a variance from the minimum sixty (60) feet
37 width requirement for the property, to be established at a minimum width of 56.54 feet instead for
38 the property located at 808 South 600 East, known as parcel 02-133-0313, within the Residential-
39 Low (R-L) Zone, with the following reasons for action (findings). Board member Hirschi seconded
40 the motion which passed by a unanimous vote (5-0).
41

42 **Reasons for Action (findings):**
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- 44 a. The Board of Adjustment finds that there is a clear showing of evidence that the conditions
45 justifying the variance request have been substantially met by the applicant because the
46 owner cannot use the property for its principal purpose as a “Residential” lot if strict
47 compliance with the lot width of 60 feet is required, and that condition was placed upon
48 the owner without the owner’s consent or intent;
49 b. The Board of Adjustment finds that the literal enforcement of the Zoning Code would cause
50 an unreasonable hardship for the applicant that is not necessary to carry out the general
51 purposes of the Zoning Code, because the owner’s lot width does not meet zone
52 requirements as a result of a neighbor taking a portion of owner’s land without the owner’s

1 consent, and in this particular instance, the owner was avoiding a confrontation with the
2 neighbor;

- 3 c. The Board of Adjustment finds there are special circumstances attached to the property
4 that do not generally apply to other properties in the same zoning district;
5 d. The Board of Adjustment finds that the granting of the variance is essential to the
6 enjoyment of a substantial property right possessed by other property owners in the same
7 zoning district, and by granting the variance, it would allow them to build on the lot the way
8 others were allowed to build their lots;
9 e. The Board of Adjustment finds the variance will not substantially affect the General Plan
10 and will not be contrary to the public interest, as this is an isolated circumstance and facts
11 that will not unduly burden the City or its residents and is unlikely to occur in any other
12 circumstance;
13 f. The Board of Adjustment finds the spirit of Title 12.21.130 is observed and substantial
14 justice provided; and
15 g. Therefore, the Board of Adjustment finds that the variance request is hereby approved.

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17 **ADJOURNMENT**

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19 At 5:46 pm, Board member Hirschi **moved** to adjourn the meeting. Board member Tew
20 seconded the motion, which passed by unanimous vote (5-0).

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25 Jennifer Robison, City Recorder

10/2/2025

Date Approved

