

Minutes of the Regular Meeting of the Board of Zoning Adjustment held on Wednesday, March 25, 2026, at 4:30pm, in the Council Chambers and via electronic means on the third floor of the Municipal Building, 2549 Washington Blvd, Ogden City, Weber County, Utah.

Members' Present: Charles Casperson, Chair
Scott Larsen
Lance Evans

Members Excused: Stephanie Nix
Judy Elsley

Staff Present: Barton Brierley, Planning Director
Jennifer Patrick, Planner
Kathy Barron, Administrative Assistant I
Dana Farmer, Assistant Attorney

Others Present: Shane Sanders

1. Approval of the Minutes of the regular meeting held January 28, 2025 2026

BOARD MEMBER LARSEN MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD JANUARY 28, 2025. BOARD MEMBER EVANS SECONDED THE MOTION AND PASSED UNANIMOUSLY, WITH ALL VOTING AYE.

2. Case #2026-1: Variance Request at 1775 Washington Blvd

Chair Casperson opened the meeting and invited the architect to introduce himself and tell the board about the request for a variance.

Shane Sanders introduced himself, he is the architect representing Mountain America Credit Union. He explained the need for additional parking due to the busy nature of the existing credit union branch. The proposed solution includes a small retail building and a shared parking lot with Dunkin Donuts. He also addressed the challenges and intended solutions for the site.

Mrs. Patrick presented the petitioner's request is for a variance to reduce the side yard facing a street setback from the required 20 feet to 10 feet along 18th Street. This request is for a restaurant-style building with a drive-through. She reviewed the five criteria for granting a variance, including unreasonable hardship and special circumstances. The city's position is that the property can meet the setback requirements with minor design modifications. Planning staff recommended denial of the variance to reduce the side yard facing the street setback from 20 feet to 10 feet finding the site does not have a special circumstance attached to the property, that literal enforcement does not create an unreasonable hardship, and does not meet all five criteria for a variance.

Mr. Brierley introduced a speaker via zoom, Mr. Evans, the real estate person for Mountain America Credit Union.

Mr. Evans shared the background and history on this project. He laid out the purchase and progress made since then. He mentioned they have a signed LOI with Thirst, who is a local business similar to Sodalicious or Swig and think this is the perfect fit for this location.

Mr. Brierley reiterated how much the city appreciates Mountain America Credit Union and the project they are working on currently. The reason we recommended denial is because we believe they can meet the code and yes, that would mean losing a little bit of parking.

Continued discussion regarding the project and variance as well as other similar cases.

Another representative from Mountain America Credit Union was invited to speak via zoom regarding this case. Mr. Eric Corbin who indicated making the building smaller does not meet the needs of the user. Their goal is to serve the people of Ogden only and the people here have larger cars so we need that space for the drive-through lane.

Dana Farmer, Assistant City Attorney, spoke to the board telling them it might be a good idea to ask the applicant to explain why and how they have met each of the five criteria. Then a motion can be made based on your agreement with their response or you can offer an explanation as to why you believe they have not met the criteria.

Mr. Sanders read through each of the five criteria and answered each one as requested.

BOARD MEMBER LARSEN MOVED TO APPROVE THE VARIANCE TO REDUCE THE SIDE YARD FACING A STREET SETBACK FROM THE REQUIRED 20 FEET TO 10 FEET ALONG 18TH STREET AND THE FOLLOWING CRITERIA: 1) LITERAL ENFORCEMENT OF THE LAND USE ORDINANCE WOULD CAUSE AN UNREASONABLE HARDSHIP FOR THE APPLICANT THAT IS NOT NECESSARY TO CARRY OUT THE GENERAL PURPOSE OF THE ORDINANCE, 2) THERE ARE SPECIAL CIRCUMSTANCES ATTACHED TO THE PROPERTY THAT DO NOT GENERALLY APPLY TO OTHER PROPERTIES IN THE SAME DISTRICT, 3) GRANTING THE VARIANCE IS ESSENTIAL TO THE ENJOYMENT OF A SUBSTANTIAL PROPERTY RIGHT POSSESSED BY OTHER PROPERTY IN THE SAME ZONE, 4) THE VARIANCE WILL NOT SUBSTANTIALLY AFFECT THE GENERAL PLAN AND WILL NOT BE CONTRARY TO THE PUBLIC INTEREST, AND 5) THE SPIRIT OF THE ZONING ORDINANCE IS OBSERVED AND SUBSTANTIAL JUSTICE IS DONE.

CHAIR CASPERSON SECONDED THE MOTION AND A ROLL CALL VOTE WAS TAKEN; CHAIR CASPERSON-YES, BOARD MEMBER LARSEN-YES, BOARD MEMBER EVANS-NO. THE MOTION PASSED WITH 2 VOTING YES AND 1 VOTING NO.

3. Zoning Ordinance Update Discussion

Mr. Brierley offered an update on the zoning ordinance, including changes to the zoning, subdivision, sign and landmarks ordinance. The city has been working on rewriting the ordinance for two years. The changes include new chapters related to variances and parcel authorization. He also explained the importance of meeting state law requirements and the new procedures for filing appeals.

Board Member Larsen asked about the parcel authorization process. Board member Evans said the city should pick a date and not let violations roll forward indefinitely.

New Business

As there was no additional business before the Board, **BOARD MEMBER EVANS MOVED THE MEETING ADJOURN. BOARD MEMBER LARSEN SECONDED THE MOTION AT 6:10PM WITH ALL VOTING AYE.**

Kathy Barron
KATHY BARRON
ADMINISTRATIVE ASSISTANT I

APPROVED: 4/22/26
(DATE)