Minutes of the Regular Meeting of the Board of Zoning Adjustment held on Wednesday, April 22, 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 Lance Evans Scott Larsen – Zoom Stephanie Nix - Zoom
Members Excused:	None
Staff Present:	Barton Brierley, Planning Director Jennifer Patrick, Planner Kathy Barron, Administrative Assistant I James Tanner, Assistant Attorney
Others Present:	Jeremiah Johnson Jesse Johnson Chaz Schlange Scott Freer

1. **Approval of the Minutes of the regular meeting held March 25, 2026**

BOARD MEMBER EVANS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD MARCH 25, 2026. BOARD MEMBER LARSEN SECONDED THE MOTION AND PASSED UNANIMOUSLY, WITH ALL VOTING AYE.

2. **Case #2026-2: Parking Variance for Absolute Power & Fitness at 506 Washington Blvd**

Chair Casperson introduced the second order of business, which is a parking variance for Absolute Power and Fitness at 506 Washington Blvd. He invited the petitioner to introduce himself and tell the board what they are planning to do.

Jeremiah Johnson, petitioner, and Jesse Johnson, introduced themselves, then explained the plans and current parking situation. Jeremiah provided reports showing an average of 27.2 people per day, justifying their need for fewer parking stalls than required by code.

Mrs. Patrick outlined detailed information about the property at 506 Washington Blvd, including its size and location. She explains the parking requirements and the challenges posed by the property's irregular shape and surrounding features like an irrigation ditch and power line easement. She outlined the five criteria for granting a variance under Utah State law and explains how the proposed variance meets the criteria. Staff recommended approval of the variance, citing the unique circumstances of the property and the need for a smaller parking area. Mrs. Patrick detailed the conditions for approval, including painting the parking stalls and installing a 10' landscaped area on the east property line. She also addressed the potential concerns about the impact on the surrounding neighborhood and the mitigation measures proposed.

BOARD MEMBER EVANS MOVED TO APPROVE THE VARIANCE FOR PARKING REDUCTION FROM ONE STALL PER 125 SQ FT TO ONE STALL PER 277 SQ FT OF BUILDING FOR AN EXISTING BUSINESS THAT IS BEING USED AS A GYM 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 ESSSENTIAL TO THE ENJOYMENT OF A SUBSTANTIAL PROPERTY RIGHT POSSESSED BY OTHER PROPRETY 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.

HE ALSO LISTED SEVERAL REASONS FOR THE APPROVAL: 1) NOT ALL CUSTOMERS WILL BE THERE AT THE SAME TIME SO THERE WILL BE SUFFICIENT PARKING, WITH ALLOWANCE FOR SOME OVERFLOW, 2) SHOULD THEY HAVE A LARGE CROWD? THE IRREGULAR SHAPED LOT, AND WITH THE CANAL LOCATION AND THE POWER POLE CREATES HARDSHIPS AND DIFFICULTIES WITH GETTING THE PARKING, THE USE IS A LITTLBE BIT UNIQUE IN THAT IT DOESN'T EXACTLY MATCH THE DEFINITION FOR A LARGE GYM, WHICH WOULD HAVE MORE CUSTOMERS AND 3) THEY ARE GOING TO MITIGATE WITH THE BUFFER.

IN ADDITION, THE FOLLOWING CONDITIONS MUST BE MET: 1) PAINT PARKING STALLS AT A SIZE OF 9' X 18' AND 2) INSTALL A 10-FOOT LANDSCAPE AREA ALONG THE EAST PROPERTY LINE WITH CURB STARTING FROM THE SIDEWALK ON 5TH STREET TO THE SOUTH PROPERTY LINE.

BOARD MEMBER NIX SECONDED THE MOTION AND A ROLL CALL VOTE WAS TAKEN; CHAIR CASPERSON, BOARD MEMBER EVANS, BOARD MEMBER LARSEN, AND BOARD MEMBER NIX AND THE MOTION PASSED UNANIMOUSLY WITH ALL VOTING AYE.

3. **Case #2026-3: Special Exception-Lot Width for the Harris Estates Small Subdivision at 263 & 259 Harrisville Rd**

Chair Casperson proceeded with the third order of business, a special exemption for a lot split for the Harris Estate subdivision at 263 & 259 Harrisville Rd.

The applicant, Chaz Schlange introduced himself and recounted the need for the exemption due to the property's narrow width and the challenges of meeting current code requirements. He mentioned the proposed development will meet all requirements and asked for the exemption to proceed.

Mr. Scott Freer, representing the property owners, expressed support for the development and appreciation for the applicant's efforts.

Mrs. Patrick confirmed detailed information about the property and the proposed special exception. She explained the criteria for granting a special exception and how the proposed exception meets these criteria. She also recited the conditions for approval, including review by the engineering advisory committee before building permits are issued. Staff recommend approval of the special exception to reduce the required lot width at 263 N Harrisville Rd from 60' to 45', based on the determination that it meets the requirements for an exception and the condition as outlined in the report.

BOARD MEMBER EVANS MOVED TO APPROVE THE SPECIAL EXCEPTION, CITING THE UNIQUE NATURE OF THE PROPERTY, THE PROPOSED MITIGATION MEASURES AND THE FOLLOWING CRITERIA: 1) THE CREATED NONCONFORMING LOT MEETS THE AREA REQUIREMENTS OF THE ZONE, 2) THE STRUCTURE PLACED ON THE LOT MEETS ALL REQUIRED SITE STANDARDS OF THE ZONE AND 3) THAT BEFORE BUILDING PERMITS ARE ISSUED FOR THE NONCONFORMING SPLIT LOT, THE LOT SPLIT SHALL BE REVIEWED AND APPROVED BY THE ENGINEERING ADVISORY COMMITTEE. AS WELL AS THE FOLLOWING CONDITION: 1) THAT BEFORE BUILDING PERMITS ARE ISSUED FOR THE NONCONFORMING SPLIT LOT, THE LOT SPLIT SHALL BE REVIEWED BY THE ENGINEERING ADVISORY COMMITTEE.

BOARD MEMBER NIX SECONDED THE MOTION AND A ROLL CALL VOTE WAS TAKEN; CHAIR CASPERSON, BOARD MEMBER EVANS, BOARD MEMBER LARSEN, AND BOARD MEMBER NIX AND THE MOTION PASSED UNANIMOUSLY WITH ALL VOTING AYE.

New Business

Mr. Brierley expressed to the Board how much they are appreciated and thanked them for their service to our community. He indicated how sad we are to hear about Board Member Elsley's passing. She served on this board for many years and was very dedicated and thoughtful in her decisions.

As there was no additional business before the Board, **BOARD MEMBER EVANS MOVED THE MEETING ADJOURN AT 5:01PM. BOARD MEMBER LARSEN SECONDED AND THE MOTION PASSED UNANIMOUSLY WITH ALL VOTING AYE.**

Kathy Barron

KATHY BARRON
ADMINISTRATIVE ASSISTANT I

APPROVED: 05/27/2026
(DATE)