

Minutes of the Regular Meeting of the Board of Zoning Adjustment held on Wednesday May 27, 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
Stephanie Nix - Zoom

Members Excused: Scott Larsen

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

Others Present: John Fisher

1. Approval of the Minutes of the regular meeting held April 22, 2026

BOARD MEMBER EVANS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD APRIL 22, 2026. CHAIR CASPERSON SECONDED THE MOTION AND PASSED UNANIMOUSLY, WITH ALL VOTING AYE.

2. Case #2026-4: Variance to the Side Yard Setback for an Addition at 1685 Cahoon St

Chair Casperson introduced the first order of business, which is a side yard facing a street setback for a house addition at 1685 Cahoon St. He asked the applicant to come up, introduce himself and tell the board what he is doing.

John Fisher, petitioner, introduced himself, then explained the reason for the 20' setback request off Pierce St is to build up to the existing structure, which is 15' setback from the current zoning to build an addition of a bigger garage.

Mrs. Patrick detailed the request, information and the history of the property at 1685 Cahoon St. She shared the Nob Hill subdivision, where the house is located, was built in 1888. This property was built in 1947 which is prior to the adoption of the City's zoning ordinance in 1951, then listed the five criteria for approval of the variance:

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.
5. The spirit of the zoning ordinance is observed and substantial justice is done.

In conclusion, staff recommended approval of the variance to allow a 15-foot side yard facing a street setback where 20 feet is required in the R-1-6 zone finding that strict enforcement of the zoning ordinance would create an unreasonable hardship, that special circumstances are associated

with the property, and that granting the variance is necessary to allow the property owner to enjoy rights commonly enjoyed by others within the same zoning district.

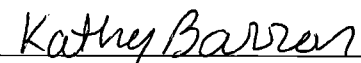
Staff further finds that the request will not adversely affect the General Plan or be contrary to the public interest, and that the spirit of the ordinance is observed while substantial justice is done.

BOARD MEMBER EVANS MOVED TO APPROVE THE VARIANCE FOR A SIDE YARD SETBACK FOR A GARAGE AT 1685 CAHOON ST BASED ON THE FOLLOWING: 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 AND FOR THE FOLLOWING REASONS, THAT IT IS SIMILAR TO ALL THE OTHER PROPERTIES IN THE AREA, AND WILL NOT BE INCREASING THE ENCROACHMENT OF ANY STRUCTURE.

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

New Business

As there was no additional business before the Board, **BOARD MEMBER EVANS MOVED THE MEETING ADJOURN AT 4:45PM. BOARD MEMBER NIX SECONDED AND THE MOTION PASSED UNANIMOUSLY WITH ALL VOTING AYE.**



KATHY BARRON
ADMINISTRATIVE ASSISTANT I

APPROVED: 07/22/26
(DATE)