

**Hurricane City Appeals Board
Meeting Minutes
October 27, 2025**

On October 27, 2025 at 3:00p.m., the Hurricane City Appeals Board met in the City Council chambers located at 147 N 870 West Hurricane, UT.

Members Present: Beth Lock, Bob Petersen, and Karen Daniels

Staff Present: Planning Director Gary Cupp, City Planner Fred Resch III, City Attorney Dayton Hall, and Planning Technician Brienna Spencer.

New Business:

1. Consideration and possible approval of a variance request to remove the 10' distance between buildings requirement to allow for covered parking for the property located at approx.. 2800 W and Canyon Villas Way – Canyon Villas Subdivision, parcel number H-CNV-1. Canyon Del Sol LLC – applicant

James Jessop stated that the applicant is requesting approval to install a 10-foot awning over each 14-foot driveway. He shared that they have consulted with the Fire Marshal, who reviewed the awning specifications and indicated he would not have an issue if the Appeals Board and Building Official were supportive. Mr. Jessop also confirmed he spoke with Building Official Larry Palmer, who likewise expressed no objection.

Bob Petersen noted that most variance requests hinge on demonstrating hardship and asked what the hardship was in this case. Mr. Jessop acknowledged they were requesting a variance and explained that the proposed awnings have a higher fire rating than the homes themselves and are intended to help mitigate heat exposure, which they believe could be beneficial in a fire event.

Beth Lock stated that under state code, hardship cannot be self-imposed or based on economic concerns. Mr. Jessop responded that communities of this type have not been developed in Washington County in nearly 30 years and that in similar developments, homeowners often install awnings later without permits. He explained that the applicant is attempting to address the issue proactively so materials and design can be regulated and maintained consistently. He stated that residents are already requesting shade coverings and that they have limited approvals to corner lots only. He reiterated that the Fire Marshal has reviewed the proposal and does not see the awnings as an issue.

Beth Lock noted that the purpose of the setback is to allow access around buildings during a fire and expressed concern that awnings could obstruct that access. Mr. Jessop stated that this development type is unique (MH/RV zoning) and that they are effectively “recreating the wheel.” He reiterated that awnings would likely be installed by owners regardless and that regulation would allow the project to remain orderly and safe.

Beth Lock and Karen asked about ownership structure. Mr. Jessop explained that homeowners own the structures while the land is leased. Karen stated that because homeowners do not own the land, the HOA has the authority to prohibit unpermitted awnings, which could address future concerns.

Mr. Jessop stated the intent is to provide shade for residents and noted that similar awnings are common in developments such as Quail Creek, The Canyons, and Lava Bluff, citing Lava Bluff as an example where awnings maintain a six-inch separation.

Beth Lock stated she still did not see a qualifying hardship, reiterating that state law requires one. She expressed that while she is generally supportive of variance requests, the hardship standard must still be met.

Travis stated that the zoning is a specialty zoning intended to allow smaller lots to promote affordability and that the hardship is tied to the constraints created by that zoning while still maintaining livability and functionality.

Mr. Jessop stated that due to the small lot sizes allowed by the zoning, it is difficult to accommodate all desired features. Karen responded that the zoning did not require the lots to be as small as designed and that they could have been laid out differently. Gary Cupp confirmed that larger lots were not prohibited by zoning.

Mr. Cupp added that the lots are not platted and clarified that the primary issue is the required 10-foot building separation for fire and building safety. He stated that both the Fire Department and Building Official have confirmed they do not have an issue with the proposal.

Mr. Jessop clarified that there is 14 feet between homes and that the proposed 12-foot awnings are fully fire rated.

Beth Lock stated that in her experience, many homeowners do not use garages regardless of weather conditions and expressed concern that awnings could create a hazard rather than a benefit. She stated she understands the applicant's position but still does not see a qualifying hardship.

Travis and Todd stated that on-street parking is not permitted and that violations would be subject to towing.

Beth Lock reiterated that all five variance criteria must be satisfied and stated that hardship cannot be economic or self-imposed. Mr. Petersen concluded by stating that the hardship in this case appears to be economic in nature.

Beth Lock motioned to deny the variance request based on the fact that there is not a hardship. Karen Daniels seconded the motioned. Unanimous.

Approval of Minutes

- 1. August 6, 2019**
- 2. September 3, 2019**
- 3. October 29, 2020**
- 4. April 13, 2021**
- 5. June 4, 2021**
- 6. January 7, 2022**
- 7. August 16, 2022**
- 8. October 3, 2022**
- 9. July 7, 2023**
- 10. January 17, 2024**

Karen Daniels motioned to approve the meeting minutes for August 6, 2019, September 3, 2019, October 29, 2020, April 13, 2021, June 4, 2021, January 7, 2022, August 16, 2022, October 3, 2022, July 7, 2023, and January 17, 2024. Beth Lock seconded the motion. Unanimous.

Bob Peterson motioned to adjourn. Karen Daniels seconded the motion. Unanimous.