

1 BOARD OF ADJUSTMENT MINUTES OF MEETING
2 Wednesday, April 5, 2023
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4 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah,
5 the meeting of the Board of Adjustment was called to order at 5:30 p.m.
6

7 **MEMBERS PRESENT**

8 Dan Ditto
9 Brian Hulse, Chair
10 Scott Sappenfield
11 Paula Tew, Vice Chair
12

13 **STAFF PRESENT**

14 Lisa Romney, City Attorney
15 Cory Snyder, Community Development Director
16 Whittney Black, Assistant Planner
17

18 **VISITORS**

19 Charlie Taylor, YESCO LLC
20 Thad Okerlund, YESCO LLC
21 Bo Whitmore, Chipotle Mexican Grill
22 Shaunlee Whitmore, Chipotle Mexican Grill
23

24 **VARIANCE REQUEST – CHIPTOLE MEXICAN GRILL**
25

26 Assistant Planner Whittney Black explained that owners of property located at 370 West
27 Parrish Lane (Chipotle Mexican Grill) were notified by UDOT that because of the project to widen
28 the intersection of Parrish Lane and 400 West, Chipotle's free-standing sign would need to be
29 removed from the current location. The owners desired to relocate the sign closer to the building.
30 However, the proposed location would not meet the landscaping requirements found in CZC
31 12.54.120(b)(3)(E). Therefore, the property owners were seeking a variance from the Board of
32 Adjustment to allow the landscaping requirements to be reduced to meet their needs.
33

34 Ms. Black said staff found that enforcement of the landscaping requirements would cause
35 unreasonable hardship on the property owners in that a free-standing sign would not be possible
36 on the property, and found that special circumstances were attached to the property because of
37 the UDOT project. She said staff did not believe approval of the variance request would affect the
38 General Plan or be contrary to the public interest, and believed approval would observe the spirit
39 of the Zoning Code. Community Development Director Cory Snyder commented that the existing
40 sign was currently nonconforming. The Board of Adjustment and staff discussed other
41 nonconforming signs in the area. Responding to a question from Vice Chair Paula Tew, staff said
42 the Zions Bank property would also be affected by the UDOT project.
43

44 Chair Brian Hulse expressed the opinion that the current 1,000 square foot requirement
45 did not make sense, and was too much. Chair Hulse made a **motion** for the Board of Adjustment
46 to approve the variance request for the requirements found in the CZC 12.54.120(b)(3)(E) as
47 follows. Scott Sappenfield seconded the motion, which passed by unanimous vote (4-0).
48

- 49 1. This variance is limited to Lot 1 of the Parrish Park Subdivision located at 370 West
50 400 North, parcel number 02-107-0006.
51 2. The free-standing sign shall be located in an area with a minimum of 250 square feet
52 of landscaping.

- 1 3. The applicant will comply with all signage requirements for a sign permit, and amended
2 site plan if required by ordinance.
3

4 Reasons for action:

- 5
6 a. The Board of Adjustment finds that the Utah Department of Transportation (UDOT) is
7 initiating a project to widen the intersection area of Parrish Lane (400 North) and 400
8 West that will require the taking of land from the property located at 370 West 400
9 North, parcel number 02-107-0006.
10 b. The Board of Adjustment finds that, in this case, the required minimum of 1,000 square
11 feet of landscaping for a free-standing sign combined with UDOT's project, creates an
12 unnecessary hardship and is not necessary to carry out the general purpose of the
13 Zoning Code.
14 c. The Board of Adjustment finds that the UDOT project creates a special circumstance
15 attached to the property that does not generally apply to other properties in the same
16 zoning district.
17 d. The Board of Adjustment finds that the variance will not substantially affect the General
18 Plan and will not be contrary to the public interest.
19 e. Therefore, the Board of Adjustment finds that the variance is essential to the
20 enjoyment of a substantial property right possessed by other properties in the same
21 zoning district. And the spirit of the Zoning Code continues to be observed and
22 substantial justice will be done.
23

24 ADJOURNMENT

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26 At 5:42 p.m., Vice Chair Paula Tew **moved** to adjourn the meeting. Scott Sappenfield
27 seconded the motion, which passed by unanimous vote (4-0).
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30 
31 Jennifer Robison, City Recorder
32

5-1-2023
Date Approved

