

Spring City Municipal Corporation

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45 South 100 East
PO Box 189
Spring City, Utah 84662



Board of Adjustment Appeal

Any person, organization, corporation or unit or department of government which has been aggrieved by a decision allegedly made in error by the zoning administrator or is requesting approval of a special exception, variance or other action upon which the board is authorized to act, may do so by filing a formal request in writing with the board; provided, any appeal from a decision made by the zoning administrator shall be made by filing an application with the board within a period not to exceed forty five (45) days from the date of the contested action.

To authorize, upon appeal, such variance from the terms of this title as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this title will result in unnecessary hardship; provided, that the spirit of this title shall be observed and substantial justice done. Before any variance may be authorized, however, it shall be shown that:

- 1. The variance will not substantially affect the comprehensive plan of zoning in the city and that adherence to the strict letter of this title will cause difficulties and hardships, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan. (Ord. 2005-03, 9-8-2005)
2. There are special circumstances attached to the property covered by the application which do not generally apply to the other property in the same zone. (Ord. 2014-01, 5-15-2014)
3. Because of said special circumstances, the property covered by the application is deprived of privileges possessed by other properties in the same zone; and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

I, _____, Zoning Administrator on this _____ day of _____ 20____, verify that _____'s permit was denied because of the following:

(continue on back if necessary)

2- I, Randy Strate, on this 4 day of March, 2026, request a variance, or lodge a request for appeal, from the Spring City Board of Adjustment because of the following:

Request Variance from requirements of SCMC 11-3-2 E from the 82.5' wide road to a 44' wide road as described in the Strate - UP Subdivision Plats.

(continue on back if necessary)

The Spring City Board of Adjustment, on this 11 day of March, 2026 in response to

Randy Strate, Strate LLC, Strate UP's request for a variance or appeal, do hereby give the following

response: Variance 1 - 41.75' road/easement on Spring City Pond Road - approved 4 to 1
Variance 2 - 44' road/easement on 40 West continuing to 630 N.

(continue on back if necessary)

signed by Board of Adjustment Chairperson Becky Halbrook Bruenner

STRATE-UP SUBDIVISION CONDITIONS FOR PRELIMINARY REVIEW
PRESENTED BY THE ZONING ADMINISTRATOR
February 25, 2026

Title 9—BUILDING REGULATIONS---apply to Title 11 SUBDIVISIONS

Title 11—SUBDIVISIONS--Reference throughout is given to the term the "City". This term is not definitive

Any lot split is defined as a subdivision. Subdividing is a 3 step process.

STRATE UP SUBDIVISION IS LOCATED OUTSIDE OF THE PROTECTED HISTORIC ZONE

-.***-----Review questions from the Zoning Administrator by Title section:

11-1-2 A DEVELOPMENT REVIEW COMMITTEE for subdivisions needs to be appointed consisting of the Zoning Administrator, Public Works Director, City Engineer, 2 Council Members and any other pertinent people

B-2-d— Provide Written notice of preliminary review of the proposed development to owners of properties within 300' of the proposed development.

11-1-9--Preliminary Plan is being reviewed at this time (2/2026). It includes civil engineering plans and boundary descriptions. One of Strates neighbors is having a survey completed this coming Friday.

B-2-b—Site plan review.is underway

B-2-c---Review bonding and easements

B-2-d— Written notice needs to be given to property owners within 300' of the development - DONT SEE A STORMWATER PLAN, STREET LIGHTING, TRAFFIC REVIEW & IMPACT OF THE SUBDIVISION

11-2-4—FINAL PLAT

E-6—If the City neglects to include a required change or correction in the initial review process, the modification or correction can only be imposed on subsequent reviews if it is necessary to protect public safety or to enforce state or federal law

11-2-5—Bond required for 110% of street improvements

11-3-4-C—Street dedication: All streets within the subdivision must be dedicated to the City

11-3-2-E—Specifications for Rights of Way: Street rights of way must conform to the following specifications: Dedicated roadways shall not be less than 82 ½ feet.

A FINAL REVIEW OF THE PROJECT IS REQUIRED BY THE CITY ENGINEER

March 8, 2026

APPEAL TO THE SPRING CITY BOARD OF ADJUSTMENT

Re: Appeal to Spring City Board of Adjustment to request a variance from requirement of SCMC 11-3-2 STREET DESIGN, specific to the requirement of Paragraph E for road width of 82 ½ feet.

Board of Adjustment Members:

I will in this document give an overview of what I believe to be relevant points that I would like you to consider in making your decision in whether my variance request as outlined herein is appropriate.

Background

1. RL Strate Farms LLC is in the process of subdividing a 5.1-acre parcel (S17505), which it owns within Spring City, west of Main Street and adjacent to the Spring City Pond Road (approximately 730 N). Within the subdivision plan it is proposed that the public road and utility dedicated easement to be 41.25 and 44 feet in width as outlined below. The Planning and Zoning Commission has indicated that they would not be able to approve the subdivision with the reduced road width without a variance due to the requirement of SCMC 11-3-2 E.
2. The planned road width in the subdivision was based on the requirements of SCMC 11-3-2 K indicating hard surfaced street width of approximately 24 feet, and SCMC 11-3-2 B indicating a maximum of 10 feet utility easements.

General Circumstance

1. The overall general circumstances related to these variance requests are:
 - A. The 82 ½ street width appears to be intended to maintain the “city street grid” as the city street grid is what is referenced throughout the code.
 - B. This subdivision is between any potential Spring City street, so the subdivision street will only be for the subdivision traffic and not related to any city street grid alignment.
 - C. The Spring City Pond Road (approx. 730 N) has always been under jurisdiction and maintained by the Sanpete County Road Department.
 - D. RL Strate Farms LLC owns the portion of the Spring City Pond Road within the city limits west of Main Street. The historical fence lines for this Road is at 35 feet in width, with a 18 foot graveled surface.

Variance requests

1. Variance request for the portion of the Spring City Pond Road within the city limits, RL Strate Farms LLC is proposing to dedicate 41.25 feet to the city for this section of road.
 - A. It is my belief that when this road is further developed westward it would potentially need to meet the Sanpete County Road easement requirement which is 66 feet.
 - B. By me providing the 41.25 foot dedication will meet 62 % of the future requirement, the remaining 38% should come from the property on the north side of road so the burden is shared.
 - C. Even if the future road expansion needs were decided to be 82 ½ feet I am still providing my 50% burden to that future need.
2. Variance request for the street within the subdivision, RL Strate Farms LLC is proposing to dedicate 44 feet to the city for this section of street and utilities easements (the 40 West street and 630 North street sections).
 - A. This subdivision street is only for the purpose of the traffic needs pertaining to the 7 lots. This street will never be needed to support any addition growth traffic as any additional growth traffic would be supported by additional street(s) to the west which would loop back to the Spring City Pond Road.
 - B. As this street will only supply the needs of the 7 lots, additional street width is unneeded, unjustifiable, and would just be a waste of usable frontage for the 7 lots.

I feel that these variances can be approved as the request falls in line with the stipulations of SCMC 10-3-3 para-C so I respectfully ask the Board of Adjustment to grant the variances to accommodate the 41.25- and 44-foot easement dedications to the city as outlined above.

Regards,

Randy Strate
RL Strate Farms LLC



25 East 500 North, Fillmore, Utah 84631
TEL 435.743.6151 | FAX 435.743.7900

March 4, 2026

Craig Paulsen
Spring City
45 South 100 East
PO Box 189
Spring City, UT 84662

Subject: Subdivision Development Review for the State-Up Site Plan

Dear Mr. Paulsen,

We have reviewed the State-Up Site Plan prepared by Provalue Engineering, Inc. that was emailed to us on February 18, 2026. In accordance with the engineering review process, we will provide our observations and recommendations in consideration of state and local standards, and then the City can decide if and how to enforce any required changes, or to approve variances that the City feels are in its best interest to allow.

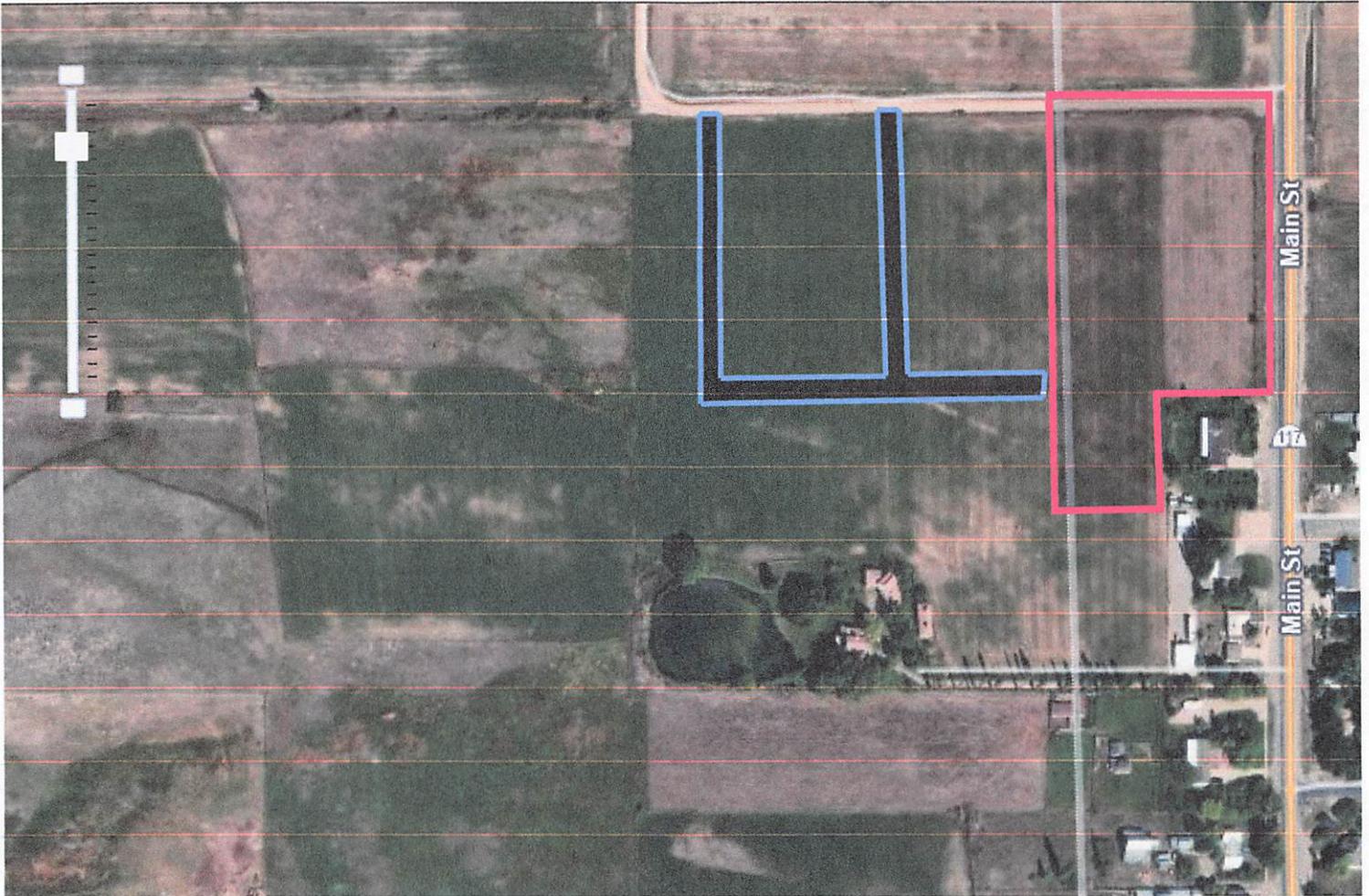
Our observations and comments on the site plan include the following items:

1. The proposed road right of way of 44' does not meet the required width of 82.5' stated in the code.
2. The plan shows the road as a private road. Sections 11-3-2 and 11-3-4 of the municipal code requires that every subdivided property should front on a dedicated city street and all streets within the subdivision must be dedicated to the City. Recommend requiring dedication of streets to City to avoid future confusion on street ownership and maintenance.
3. Section 11-3-2 (K) requires that streets should be hard surfaced to a width of 24'. Our interpretation of the term "hard surfaced" refers to asphalt or concrete surfacing. Consider requiring asphalt surfacing of the dedicated streets.
4. Section 11-3-2 states that Cul-de-sacs should be avoided and streets should not be designed to have one end permanently closed in order to facilitate traffic flow and accommodate access of emergency vehicles and equipment. Though not stated in the code, typical turn-around requirements for temporary dead-ends or permanent Cul-de-sacs often include a 100' diameter turn-around or adequate "hammerhead" ("T") turnaround. The city should consult with its emergency services director and public works director to determine the applicable requirement for a temporary dead-end street.
5. The preliminary plan doesn't appear to include street lighting. Section 11-3-1 indicates that the city council may require street lights if determined to be necessary. The city should consider the necessity of providing street lighting in this subdivision for safety and convenience.
6. Consideration should be given to requiring a looped waterline to avoid a dead-end line into the subdivision. A dedicated utility and road easement should be considered at the east end of 635 North to connect back to Main Street.

- a. The hydraulic model scenario indicates that the available fire flow in the subdivision would be approximately 1570 gpm at the end of the dead end line based on the proposed configuration.
7. Verify there is adequate room for the additional inlet trough in the existing drop manhole at the proposed angle.
8. Consideration should be given to verifying jurisdiction of Spring City Sewer Pond Road between City and County prior to installing utilities in the ROW.
9. The proposed sewer easement along Spring City Pond Road is only 7.42' wide. Consideration should be given to requiring the dedication of Spring City Pond Road to the City and including the sewer alignment within the dedicated street ROW.
10. It is recommended that the sewer line along 40 West be extended to the south side of 635 N to eliminate the lateral from the southernmost lot crossing the full intersection and running parallel with 40 West.
11. The water meter for the city lagoon will be relocated as part of the headworks building project.
12. Provide a fire hydrant at the end of the waterline along 635 North for flushing.
13. Provide road boring detail showing carrier with casing spacers to confirm sizing of casing pipe will be adequate.
14. Verify that proposed water meters are compatible with cities radio read system.

Sincerely,
Sunrise Engineering, LLC.

Jason Brimhall
Project Engineer



Overview of Variances in Utah State Code

Variances in Utah allow individuals or entities to request modifications to land use ordinances. This process is governed by specific criteria outlined in the Utah Code.

Application Process

Any person or entity with a beneficial interest in a property can apply for a variance.

The application must be submitted to the relevant appeal authority.

Conditions for Granting a Variance

The appeal authority may grant a variance only if the following conditions are met:

Unreasonable Hardship: Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant.

Special Circumstances: There are special circumstances related to the property that do not apply to other properties in the same zone.

Substantial Property Rights: Granting the variance is essential for the enjoyment of a substantial property right that is enjoyed by other properties in the same zone.

Public Interest: The variance will not substantially affect the general plan and will not be contrary to the public interest.

Spirit of the Ordinance: The spirit of the land use ordinance is observed, and substantial justice is done.

Additional Requirements

The applicant must provide documentation demonstrating that all conditions for the variance are met.

The local health department may also be involved in reviewing variance requests, especially for onsite wastewater systems.

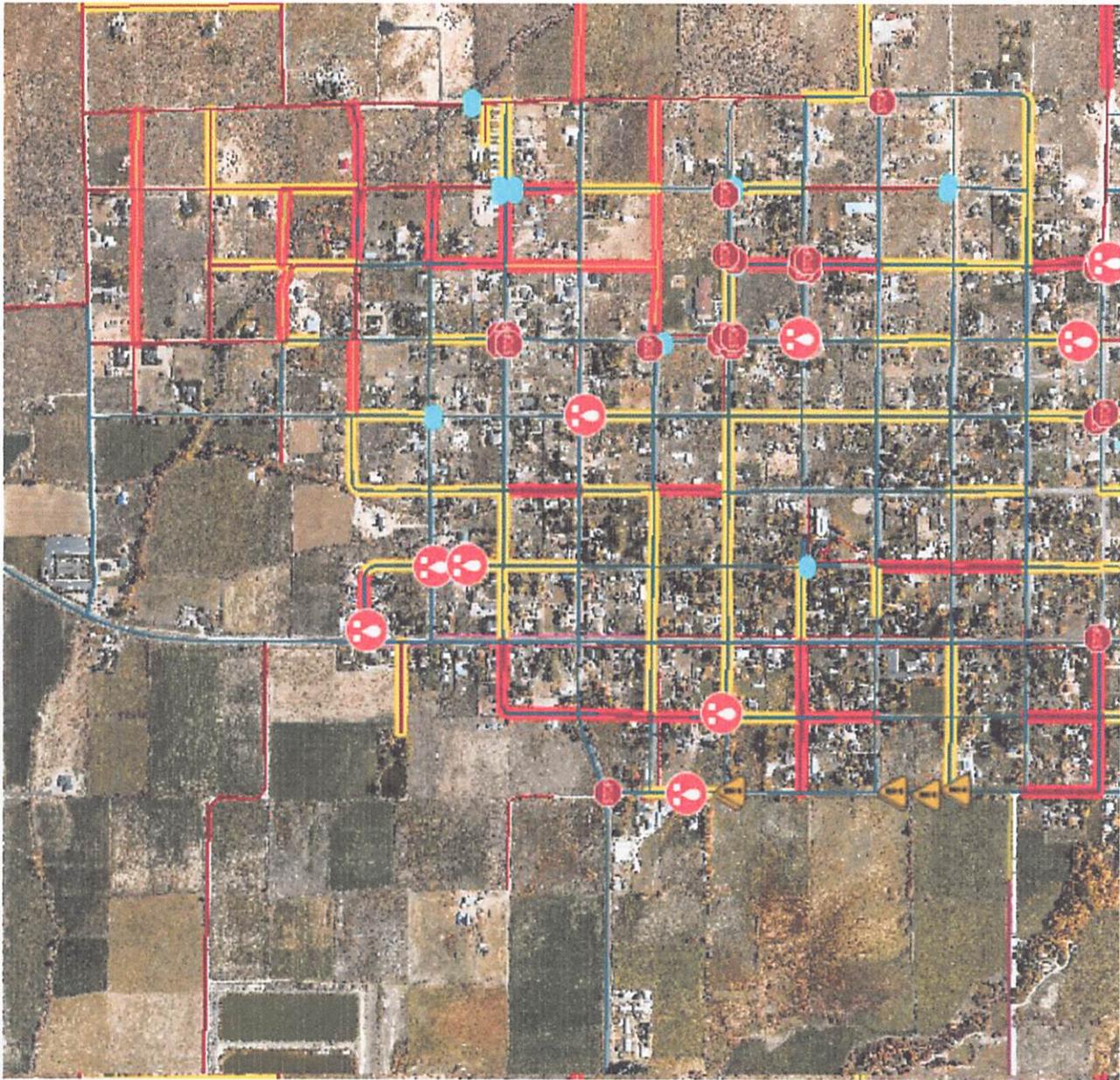
Understanding these guidelines is crucial for anyone seeking a variance in Utah.

 Justia code.library.amlegal.com

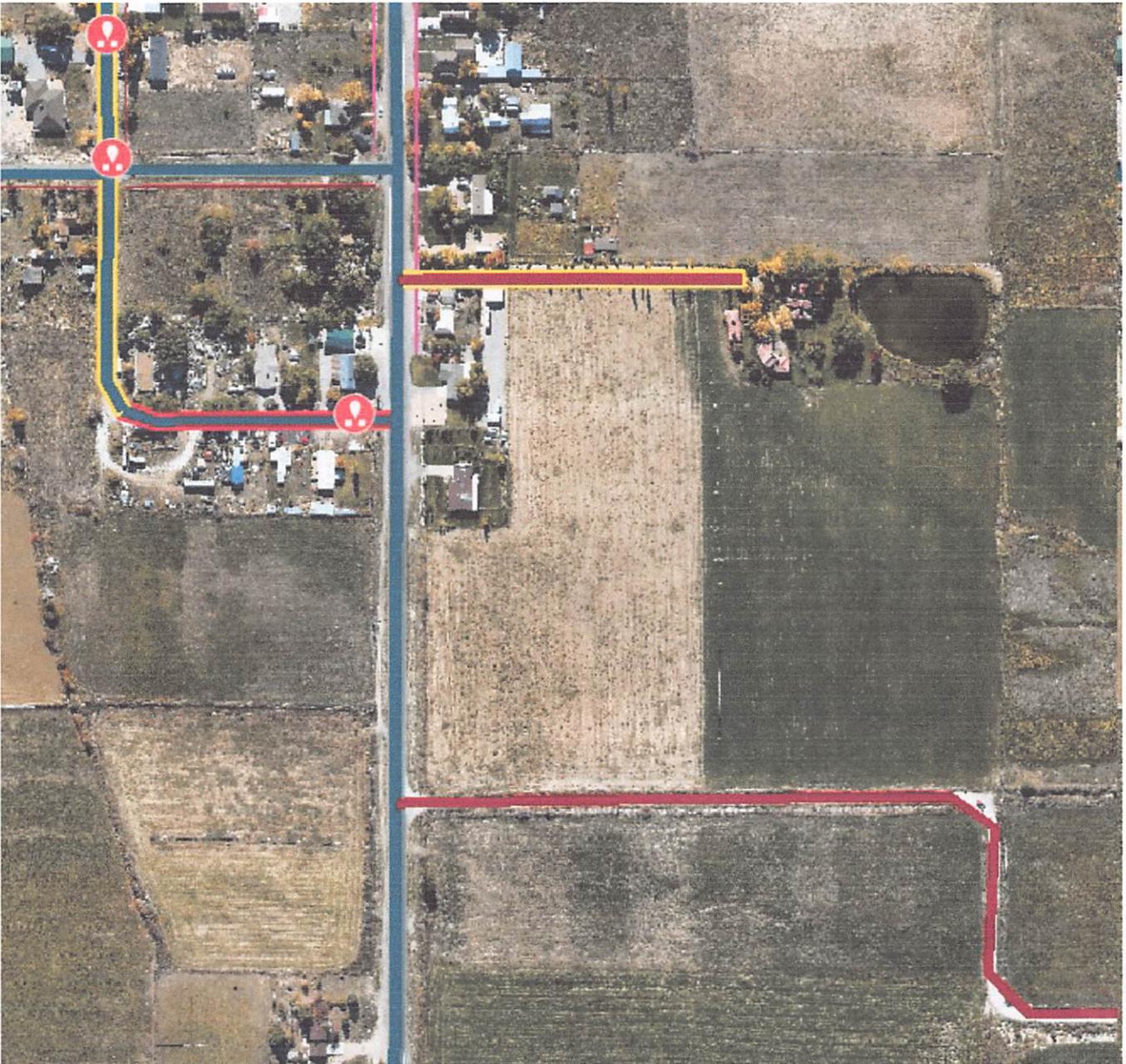
Explore More

What are the specific requirements for obtaining a variance in Utah?

To obtain a variance in Utah, the property owner must demonstrate that literal enforcement of the zoning ordinance causes an unreasonable hardship due to unique property circumstances, that the variance is essential for enjoying a substantial property right, and that it will not substantially affect the general plan. Additionally, the application must include necessary information to establish the need for the variance.  Utah



Close Up



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