



HIGHLAND CITY APPEAL AUTHORITY

Wednesday, June 17, 2025

Appeal Officer Craig Call

Electronic Meeting: <https://us02web.zoom.us/j/84009690384>

10:00 AM CALL TO ORDER

The meeting was called to order at 10:01 am.

Present: Appeal Officer Craig Call, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, Madison Pastrana, Candace Hill, Matt Rowe, Luke Cook

1. VARIANCE VA-26-02

Variance Hearing – The owner of the property located at 11882 N Burning Oaks Cir, Highland, UT, regarding a request to reduce the applicable side setback for a home addition/accessory structure.

Appeal Officer Craig Call welcomed those in attendance and stated that he had reviewed the written materials submitted by the applicant and Highland City. He explained the variance hearing process and noted that the burden rests with the applicant to demonstrate that the request satisfies the statutory criteria required for approval of a variance.

Madison Pastrana, representing the applicant and the landscape design team, explained that the proposal involves constructing a sauna adjacent to the residence. The proposed structure would be located approximately 12 feet 11 inches from the property line, where a 15-foot setback is required. Ms. Pastrana stated that the requested variance would allow the sauna to be constructed as designed while providing adequate interior space for multiple occupants.

Appeal Officer Call reviewed the five statutory criteria required for granting a variance. He noted that Highland City had determined the request satisfied criteria related to consistency with the General Plan and substantial justice but concluded that the request did not meet the requirements related to unreasonable hardship, special circumstances attached to the property, and the existence of a substantial property right.

Matthew Rowe discussed the proposed sauna and explained that it was intended as part of a broader family-oriented backyard design that includes a swimming pool, basketball court and pickleball court. He stated that relocating the sauna to comply with setback requirements would significantly impact the remaining usable yard space and interfere with plans for future recreational amenities. Mr. Rowe also noted that the proposed structure would have minimal impact on neighboring properties and that neighboring residents had expressed support for the project.

Mr. Rowe questioned why neighboring structures appeared to be located closer to property lines than the proposed sauna. Rob Patterson explained that accessory structures under 200 square feet do not require permits and are therefore not subject to the same setback regulations. He further explained that the proposed sauna exceeds the threshold that would exempt it from permitting requirements and must therefore comply with the applicable provisions of Highland City Code.

Mr. Patterson reviewed the City's position and explained that the proposed hardship results primarily from design choices and site improvements made by the property owner rather than from unique physical characteristics inherent to the property itself. He further stated that the ability to construct a sauna in the proposed location does not constitute a substantial property right as contemplated under Utah law governing variances.

Appeal Officer Call discussed Utah case law regarding variances and explained that variances may only be granted when the statutory criteria are clearly satisfied. He stated that while the request appeared reasonable and would likely have little impact on neighboring properties, the circumstances presented did not meet the legal threshold necessary to justify a variance. He further explained that broader policy changes regarding setback requirements or accessory structures would need to be considered by the City's legislative bodies rather than through the variance process.

Mr. Rowe encouraged the City to consider future code amendments addressing larger wellness-related structures such as saunas, noting their increasing popularity among homeowners.

Appeal Officer Call concluded that the application did not satisfy the statutory requirements necessary to grant a variance. He stated that a written decision denying the variance request would be issued.

The meeting ended at 10:23 am

ADJOURNMENT

I, Stephannie B. Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on June 17, 2026. This document constitutes the official minutes for the Appeal Authority Meeting.



Stephannie B. Cottle, CMC|UCC
City Recorder