

# Variance Request Form



Access-related variances are governed by Utah Administrative Code R930-6-9. A variance may be considered for any design standard of this rule that is not applicable or feasible given the proposed physical and operational characteristics of the site. Applicants seeking a variance for these design standards must submit a thoroughly detailed variance request using this form along with a completed Grant of Access application.

The applicant must clearly demonstrate the variance request meets minimum acceptable engineering, operation, and safety standards. The applicant must also clearly demonstrate the variance is not detrimental to the health, welfare, and safety of the public. A variance from spacing standards will not be considered unless the proposed access cannot meet the minimum spacing standards and no other reasonable alternate access can be afforded to the site.

**INSTRUCTIONS:** Complete all fields below and submit with a completed Grant of Access application. Additional sheets may be attached, however a summary of your responses must be included in the spaces provided below. Simply stating "see attached" is considered insufficient information.

PROPERTY OWNER INFORMATION		APPLICANT INFORMATION	
Name:	Ogden Valley Community Church	Name:	Lundin Homes
Mailing Address:	405 S 9500 E	Mailing Address:	2485 Grand Ave #212
City, State, Zip:	Huntsville, UT 84317	City, State, Zip:	Ogden, Ut 84401
Email:	wilson@reinfo.org	Email:	klundin70@yahoo.com
Phone:	801-791-4777	Phone:	807-791-6262

### PROPOSED ACCESS INFORMATION

Physical Address:	9228 E 100 S	Parcel Number:	21-022-0005
State Route ID:	SR 39	Milepost Marker:	3.5
Latitude (decimal degrees)	41.26184	Longitude (decimal degrees)	111.7286
Access Width:	20'	Access Use:	Commercial

### PRE-APPLICATION COORDINATION MEETING INFORMATION

**Has a pre-application coordination meeting been held with the appropriate Region?**

Yes:  Meeting Date:  No:

### VARIANCE REQUEST OVERVIEW

**Describe why this variance is being requested:**

The recommended access location is to align with 9200 East. With the access location at 9200 East there are several residential accesses within 500 feet therefore a variance is requested.

### VARIANCE JUSTIFICATION (1)

**Describe how the applicant has considered all other feasible alternatives to provide reasonable alternative access to the property or development and demonstrate that better alternatives in terms of highway operations are not feasible or do not exist:**

The site only has frontage along SR 39.

**VARIANCE JUSTIFICATION (2)**

**Describe how the applicant has considered access through a shared use driveway or access point with an adjacent land use and such a shared use access is not feasible:**

There are no shared access opportunities with other sites.

**VARIANCE JUSTIFICATION (3)**

**Describe how the applicant is providing on-site or off-site traffic improvements that might offset the negative impacts of granting an access that does not meet the provisions of the rule:**

While the threshold for the left turn lane is met for 1 hour a week, the client has indicated that this improvement is not financially possible for the church and therefore is requesting that no improvements be required.

**VARIANCE JUSTIFICATION (4)**

**Describe how the applicant has considered and demonstrated trip reduction strategies that allow the access to properly function without creating a negative impact to the highway:**

No trip reduction strategies were considered.

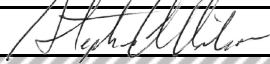
**VARIANCE JUSTIFICATION (5)**

**Describe the traffic engineering or other studies the applicant has provided to determine the access will not degrade the efficient flow of traffic on the highway in terms of safety, capacity, travel speed, and other functional features of the highway.**

A traffic impact analysis was performed.

**APPLICANT/OWNER CERTIFICATION AND ACKNOWLEDGEMENT**

**The applicant and owner declare under the penalty of perjury, and any other applicable state or federal law, that all information provided on this form and submitted attachments are true, factual, and accurate. The applicant and owner also hereby acknowledge any false or misleading information contained herein is grounds for variance denial and/or permit revocation.**

<b>Owner Name (Printed):</b>	Ogden Valley Community Church	<b>Sign Name:</b>		<b>Date:</b>	3/26/2015
<b>Applicant Name (Printed):</b>		<b>Sign Name:</b>		<b>Date:</b>	

**FOR INTERNAL UDOT USE ONLY**

Pursuant to Utah Administrative Code R930-6-9(2)(b), the Department shall not grant variances that, in the Department's determination, pose hazards to public mobility, health, safety, and welfare. The Department shall not grant variances for procedural requirements. The department shall review the variance request for consistency with the purposes of this rule.

Pursuant to Utah Administrative Code R930-6-9(2)(d), the Department shall include in its files documentation of reasons for approving or denying a variance request. This form is established, in part, to fulfill this legal requirement.

Pursuant to Utah Administrative Code R930-6-9(2)(e), an approved grant of access or encroachment permit may stipulate conditions and terms for the expiration of the permit when the necessity for the variance no longer exists. It may also require the permittee to improve, modify, eliminate, or correct the condition responsible for the variance when it is evident that the justification for the variance is no longer valid. Such stipulations and requirements shall be stated in the approved permit.

**REGION RIGHT OF WAY CONTROL COORDINATOR RECOMMENDATION**

Provide written basis for recommendation:

**RECOMMENDED FOR:**

**APPROVAL**

**DENIAL**

<b>Name (Printed):</b>		<b>Sign Name:</b>		<b>Date:</b>	
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**Region Engineer Final Determination**

**APPROVED**

**DENIED**

<b>Name (Printed):</b>		<b>Sign Name:</b>		<b>Date:</b>	
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