

PLANNING COMMISSION

City of Holladay

October 10, 2023

City Council Chambers – 4580 S. 2300 E. Holladay



City of Holladay

This public meeting will be held in-person and also transmitted via live video stream on the [City of Holladay webpage](https://www.cityofholladay.com). Participation in a *public hearing* portion of this meeting can be accomplished in either of the following ways:

- During the meeting: address the Commission when the item is called by the Commission Chair
- Email: comments must be received by 5:00 pm on **10/09/2023** to the Community and Economic Development Department; cmarsh@cityofholladay.com. Emailed comments will be read by the Commission Chair.

MEETING AGENDA

5:45 PM WORK SESSION – The Commission may discuss any or all agenda items. No decisions or voting to occur.

6:00 PM CONVENE REGULAR MEETING – Public Welcome & Chair Opening Statement

PLANNING COMMISSION TRAINING – Required training session conducted by the City's Attorney's office

PUBLIC HEARING

1. **Conditional Use Permit –Accessory Building Footprint Size – 5176 COTTONWOOD LANE (R-1-43)**
Review and consideration of a request by Applicant, Mike Spainhower, for a Conditional Permit allowing construction of a detached guesthouse with a footprint size larger than normally permitted. Item reviewed as an administrative application as per provisions stated in Holladay Ordinance §13.14.030 & 13.08.040 13.14.030 & 13.08.040

File #23-2-10

2. **“The Woods” PUD – Plat Amendment – 6235 S. 2710 E. (R-1-43)**
Review and consideration of an application by the Property Owner, Curtis Calder, to amend the Conditional Restriction on Lot 1 of the “The Woods” PUD. Item reviewed as an Administrative action for permitted uses in accordance to zone and subdivision standards required by Holladay Ord §13.10

File #04-1-20-Z

ADJOURN

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted on the City of Holladay bulletin board, the City website www.cityofholladay.com, the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: [DAY, MONTH DATE, 2023 @ TIME AM/PM]

Stephanie N. Carlson MMC, City Recorder
City of Holladay

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1



FILE# 23-2-10

CUP - HEBDON ACCESSORY BLDG

ADDRESS:

5176 South Cottonwood Lane

LEGAL DESCRIPTION: 22-10-451-001

BEG 1088.01 FT S & 29.33 FT E & S 14°24' W 25 FT FR CEN
SEC 10 T 2S R 1E SL MER N 75°36' W 131.28 FT S 14°24' W
146.28 FT S 76°33' E 376.74 FT TO W LINE OF COTTONWOOD
LANE N 21°13'30" E 112.86 FT TH ALG CURVE TO LEFT 41.81
FT N 75°36' W 234 FT TO BEG 1.22 AC

APPLICANT/REPRESENTATIVE:

BRUCE HEBDON

PROPERTY OWNER:

BRUCE & JANET HEBDON FAMILY TRUS

ZONING:

R-1-43

GENERAL PLAN DISTRICT:

Country Estates-Protected (CE-P)

CITY COUNCIL DISTRICT:

District #5

PUBLIC NOTICE DETAILS:

Mailed 09/29/223

REQUEST:

Conditional Use Permit

APPLICABLE REGULATIONS:

13.14.030
13.08.080

EXHIBITS:

Site Aerial
Staff Report
Applicant Narrative
Applicant supporting doc.

STAFF:

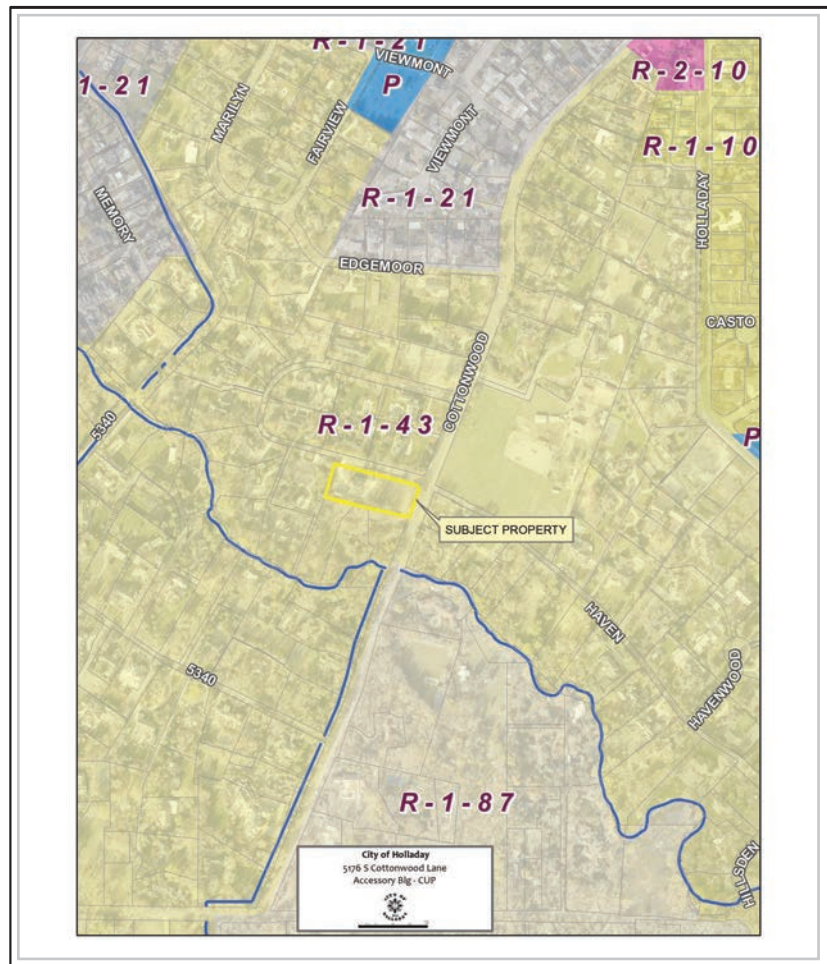
Jonathan Teerlink, City Planner

DECISION TYPE:

Administrative:

Public hearing required. PC shall make a motion of either, denial, approval or to continue. All motions require findings which support the decision. As directed by ordinance, applications shall be approved if the Land Use Authority finds Substantial Evidence of compliance with applicable requirements. Holladay Ord. 13.06.050.B2 and 13.08

SITE VICINITY MAP



Notes:



Request: **Conditional Use, Size Permit; Guesthouse Footprint Size**
Applicant: Mike Spainhower (representing property owner)
Address: 5176 S Cottonwood Lane, Holladay Utah
Zone: R-1-43 zone
File No: 23-2-10
Planner: Carrie Marsh

GOVERNING POLICIES/ORDINANCES:	13.08.040	Conditional Uses
	13.14.030	Accessory Use(s) Regulations, Guesthouse
	13.77.080	Tree Canopy Sustainability

REQUIRED PLANNING COMMISSION ACTION: Administrative

Planning Commission Action Required (Approve, Approve with Conditions, Table/Postpone, or Deny)

SUMMARY

Applicant Mike Spainhower, representing the property owner, Bruce Hebdon, is requesting Planning Commission approval to be allowed to construct a guesthouse that exceeds the maximum allowed footprint size of 2,000 square feet on properties larger than 1 acre. The property is **1.22 acres** and the proposed guesthouse **footprint size is 3,016 square feet** (living area, garage, and covered porches/patios). The applicant is proposing to build the guesthouse on the southeast corner of the property. With proposed setbacks of 15 feet and 28 feet, the guesthouse would be compliant with the required minimum rear and side setback of 13' for accessory buildings containing a dwelling unit, and 20' from the property line as required for corner side setbacks on a public street. The proposed height of the structure is within the 20' height limit and will be subject to graduated height requirements upon submission of a building permit. The property is within a high liquefaction zone and flood plain area, which requires a geotechnical report to be submitted and reviewed as part of the building permit application.

Chapter 13.14.03 F.2 of the City of Holladay zoning code states that total footprint allowable for a permitted guesthouse on lots greater than 43,560 square feet is 2,000 square feet. 13.14.03 G.2 allows for a conditional use permit for a guesthouse with a footprint greater than 2,000 square feet.

In Utah, Conditional Use applications are presently viewed through a favorable lens such that they are considered as, basically, allowed uses to which varying Conditions of Approval intended to mitigate where deemed necessary and reasonable aspects of their nature or operation can be assigned. Section 13.08.040.F. affirms that, "A conditional use shall be approved if reasonable conditions are proposed by the applicant, or can be imposed by the land use authority, to mitigate the potential determinantal effects of the proposed use..."

§13.08.040.F.1 states that "*a conditional use shall:*

- a. Be consistent with policies set forth in the city's general plan applicable to the site where the conditional use will be located.*
- b. Be allowed by the zone regulations where the conditional use will be located.*
- c. Be compatible with the character of the site, adjacent properties and uses, and existing development within the vicinity of the site where the use will be located.*
- d. Provide vehicular access to the site without materially degrading the existing level of service of the abutting streets.*
- e. Locate all driveways oriented to direct traffic to streets, major or local, without impacting the safety, purpose, and character of these streets.*
- f. Locate on-site parking areas and structures, particularly those locations likely to encourage street side parking for the proposed use, in areas of the site that will not adversely impact the reasonable use of adjacent properties.*
- g. Accommodate peak traffic to the site without impairing the use and enjoyment of adjacent properties.*
- h. Provide an internal circulation system designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic.*
- i. Restrict hours of operation of the proposed conditional use in relation to the hours of activity or operation of other nearby uses to mitigate noise, light, odor, or other nuisances that unreasonably impair the use and enjoyment of adjacent properties.*

- j. Demonstrate existing or proposed utility and public services will be adequate to support the proposed use at normal service levels and is designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources.
- k. Install appropriate buffering, such as landscaping, setbacks, and building location, to protect adjacent land uses from light, noise, and visual impacts resulting from the proposed use. (Ord. 2015-02, 2-5-2015; amd. Ord. 2016-04, 4-14-2016)”

Additionally, §13.08.04.F.2 states that a conditional use shall not:

- a. Contribute to a detrimental concentration of existing nonconforming or conditional uses substantially similar to the use proposed within one-fourth ($1/4$) mile of the exterior boundary of the subject property;
- b. Result in loss of privacy, objectionable views of large parking or storage areas; or views or sounds of loading and unloading areas; and
- c. Encroach on or cause erosion of the bank of a river or stream, or direct runoff into a river or stream without approval by the appropriate stormwater authority.

As over-sized accessory structures (whether singularly or collectively) proposed on properties in Holladay are reviewed in context of Conditional Use Standards (see H.C.C. § 13.08.040.F), any denial requires specific reasons to withstand court scrutiny.

TECHNICAL REVIEW COMMITTEE ABBREVIATED ANALYSIS & RECOMMENDATION(S)

The Technical Review Committee (TRC) finds that the application for a Conditional Use Permit allowing a **footprint size increase** to be substantially complete, with the applicant making some required corrections as noted.

As the applicant did not receive TRC review comments until October 3rd, some of the comments may not yet be addressed. Stormwater, utility availability letters, and geotechnical reports can be addressed through the building permit process. A tree replacement plan will be provided by the applicant for review by the Planning Commission either with an addendum prior to the meeting, or at the meeting, to be added to the public record.

Replacement of trees affected by the new structure is required by the City’s Tree Canopy Sustainability ordinance (13.77.080) for any building permit. However, the Planning Commission could consider the location of the driveway or structure as a condition of the conditional use permit to preserve the existing trees and to serve as buffering from neighboring properties.

The Planning Commission may engage with the applicant as to the current status of addressing comments by the TRC and may impose conditions that include specific requirements should they make a motion to approve the conditional use permit.

The TRC recommends the PC to hold the required public hearing (as required 13.08.040). A neighborhood meeting is *not* required for this type of application. Public comments offered during the hearing should be considered within the context of the approval standards mentioned above and may be used to form possible discussion points for generation of additional findings and/or conditions. Additional considerations or conditions, if any, should be applied carefully and reasonably as per 13.08.040.F. The Holladay TRC has provided their suggesting findings and conditions to consider....

Findings:

1. The desired structure meets the conditions included in 13.08.040
2. The proposed building will meet standards and regulations for use as an external dwelling unit.
3. The proposed guesthouse location does not violate setback or lot coverage standards for the property.
4. Staff has not received objections or concerns (written or verbally expressed) to-date respecting the CUP request.

Suggested Conditions of Approval:

1. The property owner is to submit a tree removal and replacement plan as required
2. The Owner/Applicant shall obtain a building permit* for the proposed guesthouse
3. The Owner/Applicant will comply with all engineering, landscaping, geotechnical report, and utility availability letters submission requirements before the issuance of a building permit.

4. *<Any other conditions as may be imposed by the Commission to promote the general health, safety and welfare of the neighborhood surrounding the Property...>*

* If the Commission approves the conditional use for the accessory building, Staff will review the same during the building permit and plan review process to ensure that plans for the structure comply with all regulations within City of Holladay Code (e.g., setbacks, height standards, graduated height, landscaping, lot coverage, etc.) that appertain to the project.

EXAMPLE MOTION:

"I __ move that the Holladay Planning Commission (approve / deny) the application for a detached guesthouse sized at 3,016 sq. ft located at **5176 Cottonwood Lane**, based upon findings..... *<and any other Commission stated findings>*, contingent on Applicant's compliance with the following condition(s)... *(see above for Staff suggested conditions)* ...



NOTICE OF A PUBLIC HEARING

CONDITIONAL USE PERMIT – Accessory Bldg Size

Date: Tuesday, October 10, 2023
Time: As close to 6:00 pm as possible
Location: City Hall – City Council Chambers
Hearing Body: Planning Commission

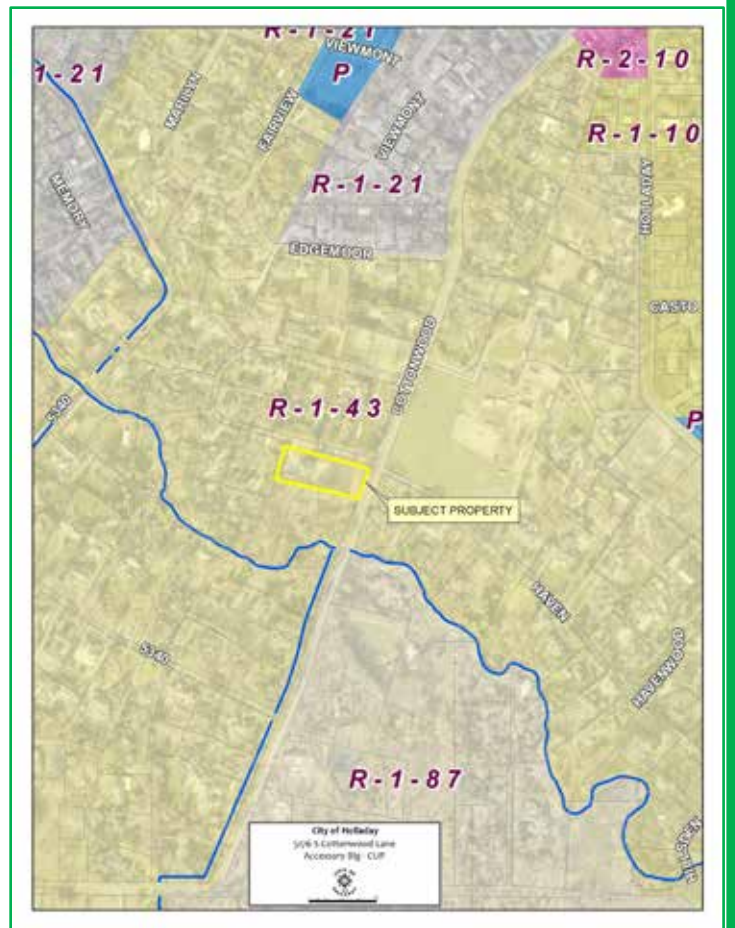
Notice is hereby given that the City of Holladay Planning Commission will review and consider a proposal by Mike Spainhower for a Conditional Use Permit for an accessory building on property located at **5176 S Cottonwood Lane** in the R-1-43 zone. Proposal is in accordance with provisions in Holladay City Code Section 13.14.030.

****No zone or ordinance change is proposed in conjunction with the/this application. ****

Please submit comments via email by 5:00 pm on 10/09/2023 to Carrie Marsh, cmarsh@cityofholladay.com. Emailed comments received by the designated times will be forwarded to the Commission prior to the meeting.

Additional information regarding this item & instructions how to view this meeting remotely can be found on the City's website and on the posted agenda, prior to the meeting. Interested parties are encouraged to watch the video stream of the meeting on the City of Holladay webpage.

ATTENTION: This notice was mailed by order of the Community and Economic Development Director, Jonathan Teerlink, to all residents within 500 feet from the subject property. If you are not the owner of your residence, please notify the owner regarding this matter. Thank you.



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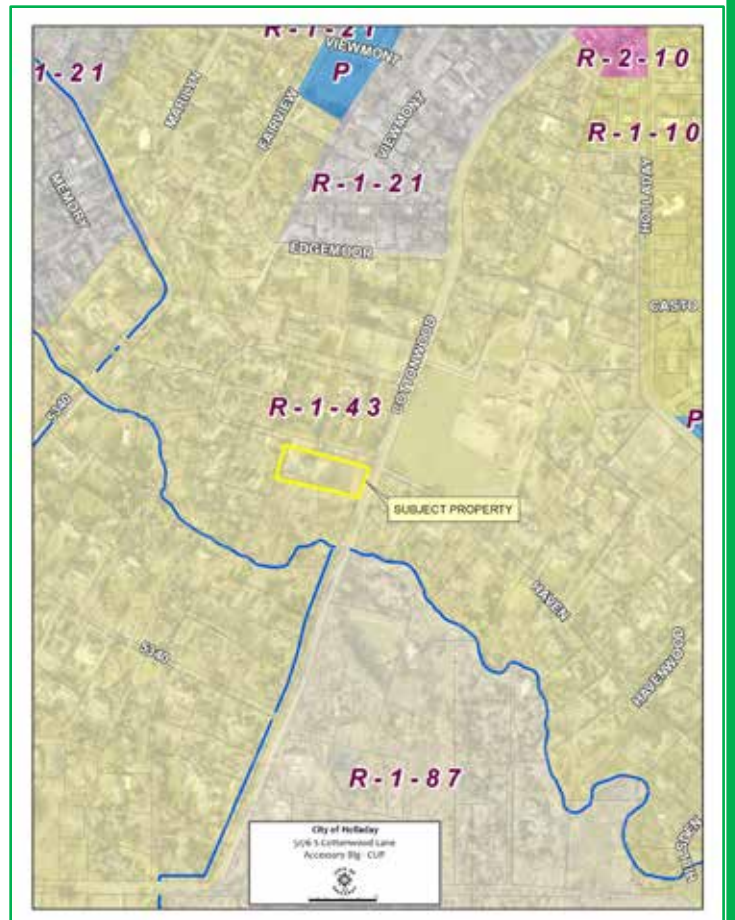
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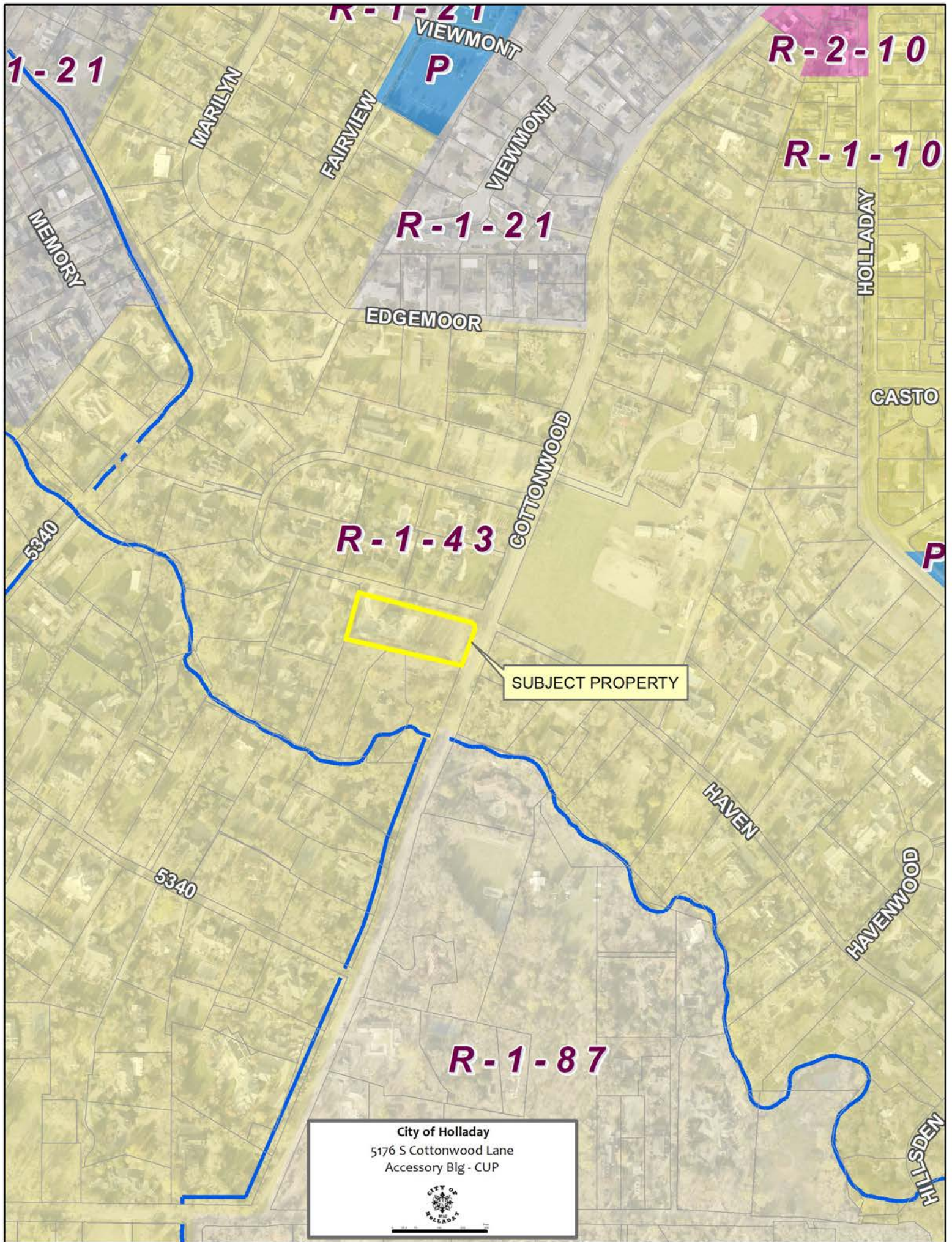
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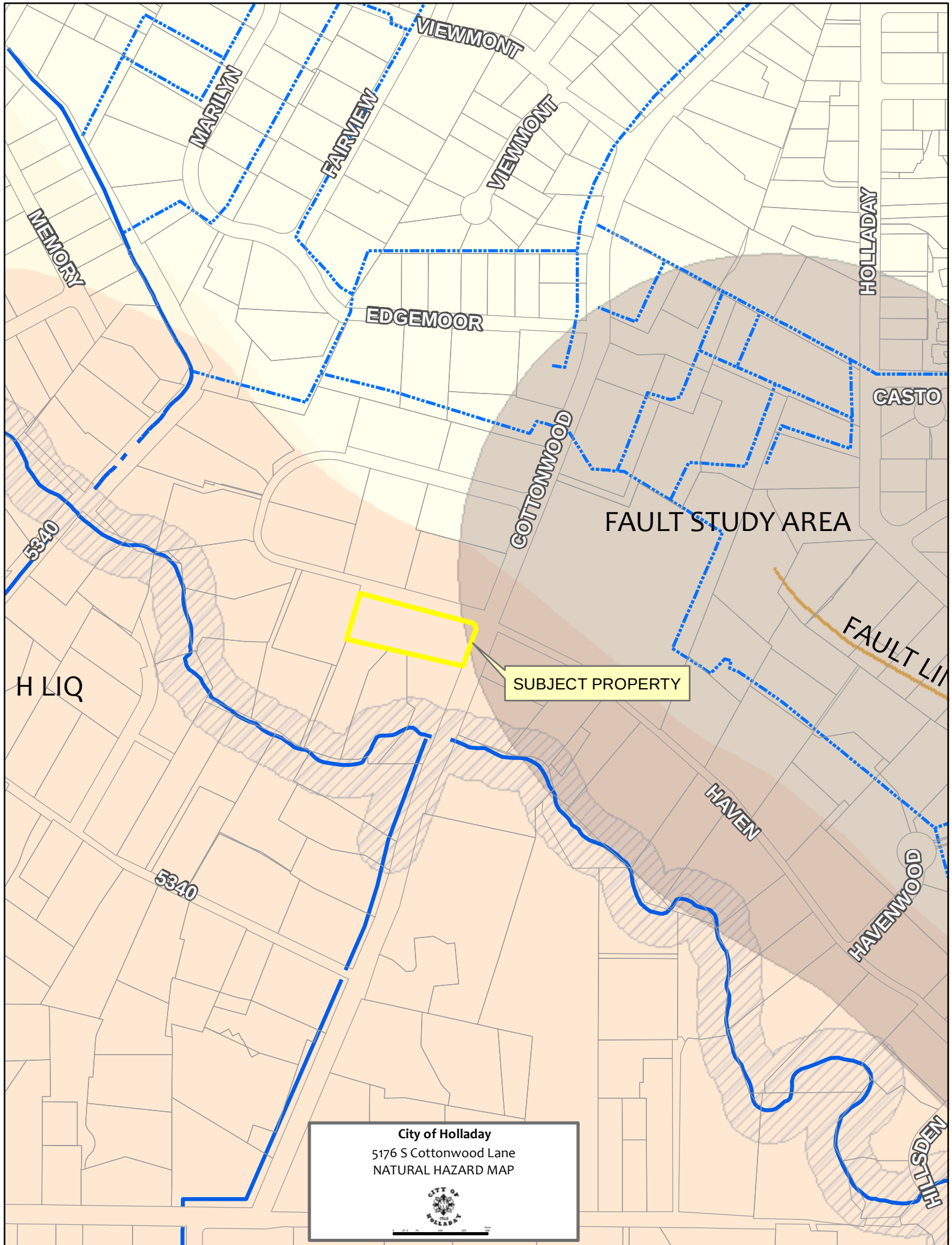
City of Holladay
5176 S Cottonwood Lane
Accessory Bldg - CUP





City of Holladay
5176 S Cottonwood Lane
Hebdon CUP







GENERAL LAND USE/DEVELOPMENT APPLICATION

Name of Proposed Project: **Hebdon Res. ADU**

Address of Project: **5176 S Cottonwood Lane**

TYPE OF REQUEST: (mark all that apply)	
☐ ADMINISTRATIVE PROCEDURES APPLY (ORD. 13.08)	☐ LEGISLATIVE PROCEDURES APPLY (ORD. 13.07)
☐ SITE PLAN () PERMITTED of () CONDITIONAL	☐ REZONE of PROPERTY
☐ SUBDIVISION PLAT	☐ GENERAL PLAN AMENDMENT
☐ CONDOMINIUM PLAT	☐ CODE AMENDMENT
☒ CONDITIONAL USE PERMIT	☐ PUBLIC STREET: NAME CHANGE, VACATION / CLOSURE or DESIGNATION
☐ SPECIAL EXCEPTION	☐ HISTORIC SITE DESIGNATION
☐ NON-CONFORMING USE DECLARATION	☐ DEVELOPMENT AGREEMENT AMENDMENT
☐ OTHER:	☐ ANNEXATION

Applicant Name: (Please Print) **Mike Spainhower**

Property Owners Name: (Please Print) **Bruce Hebdon** ATTACH SIGNED "OWNER AFFIDAVIT"

Applicant's Mailing Address: **2091 E Murray Holladay Rd.** City: **Holladay** State: **Ut** Zip: **84117**

Applicant Phone: **8014661250** Applicant's Email Address: **design@sphomes.com**

Main Contact Person (Please Print): **Applicant** Name: Phone: email:

Brief summary of proposal / request:

For increase of square footage To build an exterior/detached ADU

FILING FEES: (ORD 3.35)

SITE PLAN REVIEW	\$600.00	REZONE of PROPERTY	\$900.00 + \$85.00/acre
SITE PLAN AMENDMENT	\$250.00	CODE AMENDMENT	\$600.00
SUBDIVISION: Final = 6% of the cost of improvements	\$2,000.00 + \$100.00/lot	GENERAL PLAN AMENDMENT	\$300.00 + \$50.00/acre
CONDOMINIUM	\$1,000.00 + \$100.00/unit	HISTORIC SITE DESIGNATION	\$600.00
CONDITIONAL USE PERMIT - COMMERCIAL	\$1,000.00 + \$35.00/acre	PUBLIC STREET:	\$300.00 - vacation \$500.00 - dedication \$250.00 - namechange
CONDITIONAL USE PERMIT - RESIDENTIAL	\$900.00 + \$50.00/unit	ANNEXATION	
CONDITIONAL USE PERMIT - HOME BUSINESS	\$100.00	DEVELOPMENT AGREEMENT AMENDMENT	
CONVERSION TO CONDOMINIUM	\$50.00/unit	LOT LINE ADJUSTMENT / COMBINATION:	\$75.00
SPECIAL EXCEPTION	\$600.00	OTHER:	
SUBDIVISION AMENDMENT	\$500.00		

FINAL TOTAL DUE:

OFFICE USE ONLY

FILE NUMBER _____

PARCEL NUMBER **2210451001000**

GENERAL PLAN: _____

ZONE: **R-1-43** ACREAGE: **1.22**

PC ACTION: _____ DATE: **5/31/23**

CC ACTION: _____ DATE: _____

FILE DATE: **9/1/23**

RECEIPT

DATE **9-15-23**

No. **191193**

RECEIVED FROM **Spn Planning & Design** \$ **900.00**

DOLLARS

FOR RENT

FOR **GUP building footprint**

ACCOUNT

PAYMENT

BAL. DUE

CASH

CHECK

MONEY ORDER

CREDIT CARD

FROM

TO

BY

check # **3626**

23-2-10

Carroll Marsh

submittals or it will not be accepted.

and/or meetings dates at that time
Thursday of each month
representative of the applicant.

CITY OF HOLLADAY
AFFIDAVIT OF PROPERTY OWNERSHIP
FOR PROPERTY LOCATED AT

ADDRESS: 5126 Cottonwood Lane Holladay, UT

SUBDIVISION _____ PLAT _____ LOT _____

PROPERTY OWNER

I (WE), Bruce Heblay / Janet Heblay BEING DULY SWORN, DEPOSE AND SAY THAT I (WE) AM (ARE) THE OWNER(S) OF THE PROPERTY IDENTIFIED IN THE ATTACHED APPLICATION AND THAT THE STATEMENT HEREIN CONTAINED AND THE INFORMATION PROVIDED IN THE ATTACHED PLANS AND OTHER EXHIBITS ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE.

Bruce Heblay
PROPERTY OWNER
Janet Heblay
PROPERTY OWNER

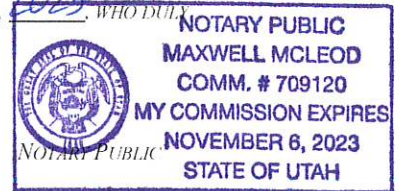
ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF Salt Lake) ss.

THE FOREGOING AFFIDAVIT WAS ACKNOWLEDGED BEFORE ME THIS 28th DAY OF June, 2023, WHO DULY ACKNOWLEDGED TO ME THAT HE DID EXECUTE THE SAME.

MY COMMISSION EXPIRES: 11/06/2023

Maxwell McLeod



**PROPERTY OWNER'S
AGENT AUTHORIZATION**

I (WE), Bruce Heblay / Janet Heblay THE OWNER(S) OF THE REAL PROPERTY DESCRIBED ABOVE, DO AUTHORIZE AS MY AGENT(S) Michael Spainhower TO REPRESENT ME (US) REGARDING THE ATTACHED APPLICATION AND TO APPEAR ON MY (OUR) BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE CITY OF HOLLADAY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE ATTACHED APPLICATION.

Bruce Heblay
Janet Heblay

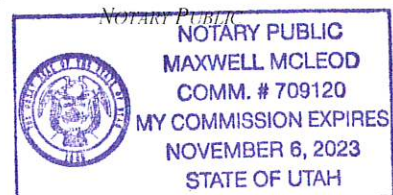
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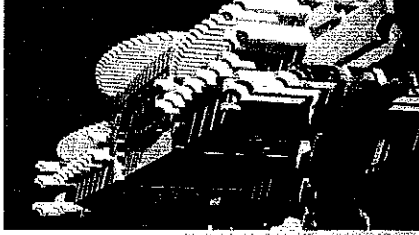
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Maxwell McLeod



SPN*Planning & Design*

2091 E. Murray Holladay Rd. #22B
Holladay, Utah 84117
801-466-1250, spnhomes.com

NARRATIVE

To:

From: Mike Spainhower

Re:

Date: 08-15-2023

Pages to follow:

Client: Terrero/Hebdon Res.

Loan #:

Location: 5176 S. Cottonwood Lane, Ut. 84117

Re: Conditional Use for increase in square footage for Exterior ADU.

The project meets all zoning requirements for ADUs except for the allowed square footage. Section 13.14.030 allows for square footage increase through Conditional Use approval.

Increase in square footage approval is permitted through section 13.14.030:

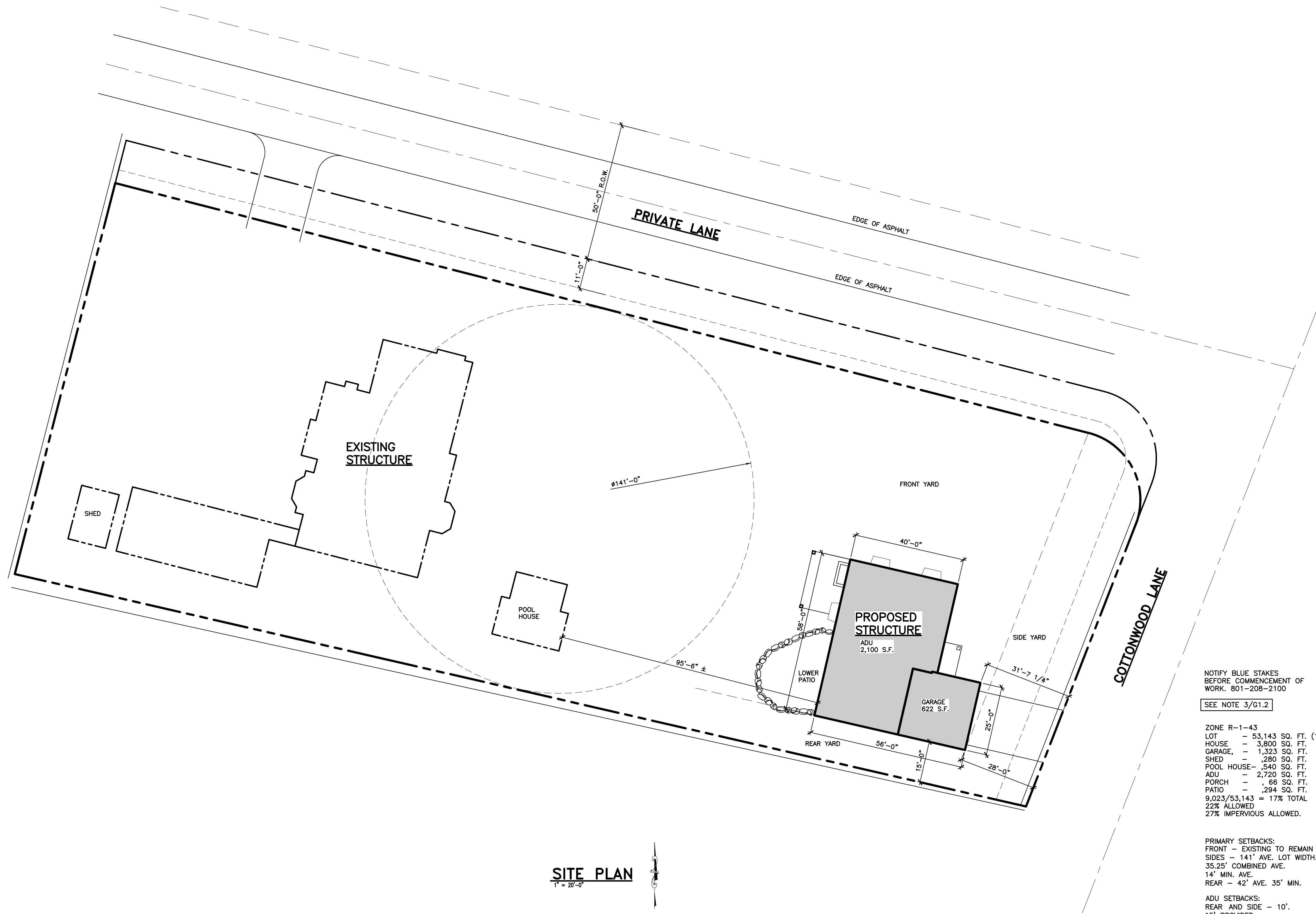
Accessory Uses:

G. The Planning Commission may approve a conditional use permit for a guesthouse which meets the following:

1. n/a
2. A footprint greater than two thousand (2,000) square feet on lots larger than forty three thousand five hundred sixty (43,560) square feet.

The new EADU structure will comply with section 13.14.031 by:

- Following applicable building, health, and fire codes.
- Having issuance of a Certificate of Occupancy (sections 13.04.050, 13.01.060).
- Being rented for a minimum of thirty (30) consecutive days with the property owner living onsite. A rented ADU is subject to annual approval of a License (section 5.68.020). The sole purpose at this time is for a family member (a daughter and her family) of the property owners' to live in the new ADU for the foreseeable future. The parents/owners will continue to live in the primary residence on the property.
- Providing one min. additional onsite parking per section 13.80.040. (2 car Garage)
- Maintaining the same address as the primary dwelling w/ the addition of "Unit B".
- Being designed in a manner that is compatible with the neighborhood.
- Operating on the same utility meters from the primary dwelling. The ADU tenant shall have unobstructed access to utility connections, i.e. water and gas shutoff, electrical panel and HVAC equipment, etc.
- Being located on a one-half acre (21,780 square feet) or larger property, which is 53,143 s.f.
- Complying with setbacks as per section 13.14.110, chart 13.14.101.
- Complying with Maximum Height as per section 13.14.110. (20' Max.) and meeting graduated height requirements.
- Increasing setbacks by a minimum of twenty five percent (25%) from Chart 13.14.101. (Ord. 2021-24, 9-9-2021). 13' allowed, 15' provided.



SITE PLAN

1" = 20'-0"

MARK	DATE	REVISION

SPN
Planning & Design
2091 E. MURRAY HOLLADAY RD.
SUITE 228, HOLLADAY, UTAH 84117
design@spnhomes.com spnhomes.com
OFFICE: 801-466-1250

PROJECT FOR

HEBDON
FAMILY RES.

PROJECT NAME

SINGLE FAMILY
RESIDENCE
ADU

PROJECT ADDRESS

5176 SOUTH
COTTONWOOD LANE
HOLLADAY
UTAH 84117

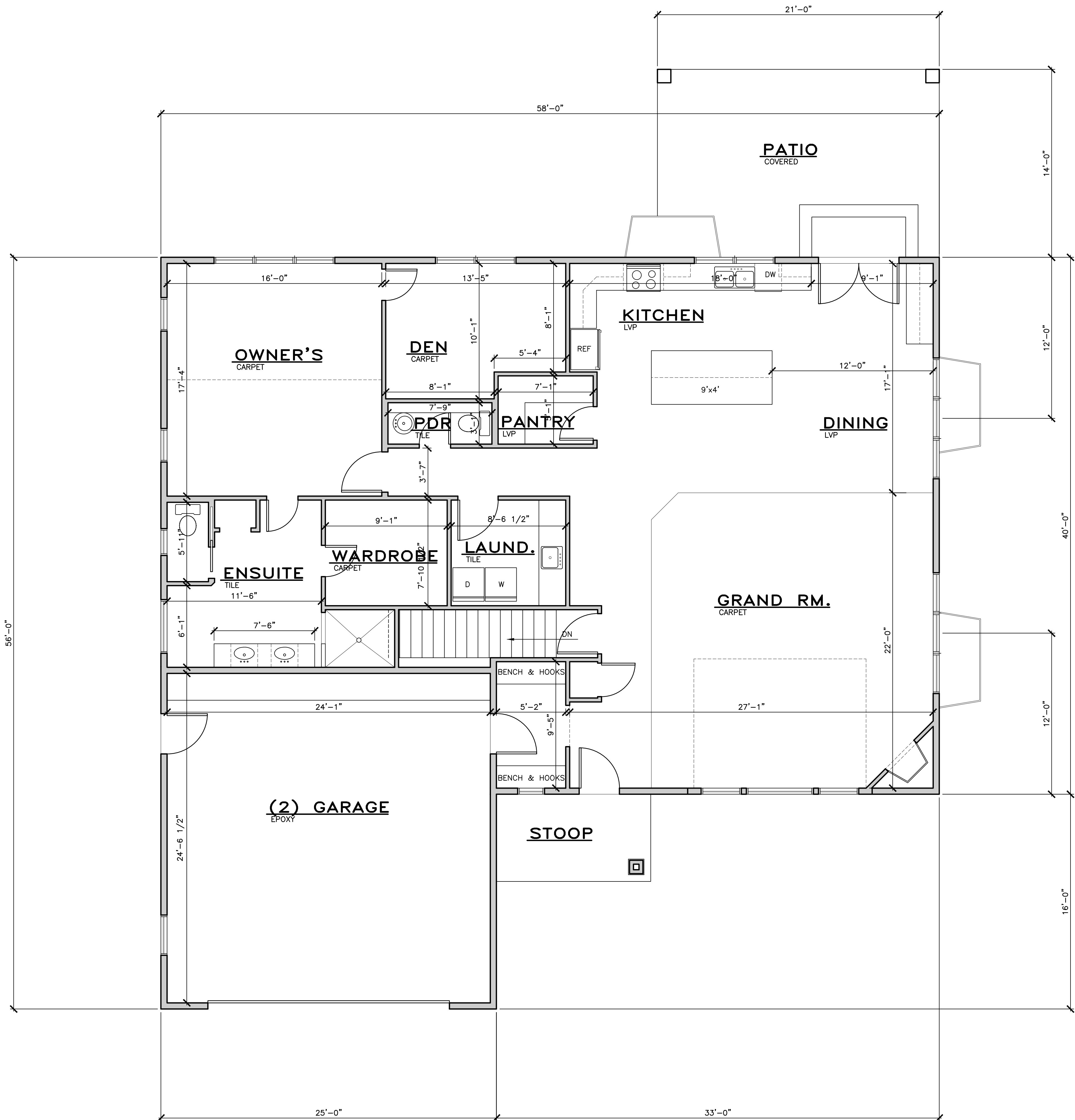
SHEET TITLE

SITE PLAN

PROJ. NO. 2305	PROJ. DATE 04-15-23
SCALE 1" = 20'-0"	PLOT DATE 08-15-23

SHEET NO.

AS1



MAIN LEVEL FLOOR PLAN
2,100 SQ. FT. + GARAGE 622 SQ. FT.

KEYED NOTES

1

ROOF RAFTERS OR PRE-FAB. TRUSSES – SEE FRAMING PLAN FOR SIZE AND LOCATION ANCHOR WITH SIMPSON VPA OR H2.5 AT EACH JOIST/TRUSS. INSTALL PER MANUF. SPECS.

2

SLATE SHINGLES ON 30# FELT, W/ METAL FLASHING.

3

4' x 8' x EXT. OSB ROOF SHEATHING

4

ICE & WATER SHIELD 4'-0" MIN. FROM EAVES AND AT VALLEYS. (24" MIN. BEYOND OUTSIDE FACE OF WALL)

5

SOLID BLOCKING NOTCHED EACH SIDE FOR VENT WITH CONNECTION PER BLOCKING DETAIL TO DOUBLE TOP PLATE.

6

R-49 MIN. INSULATION WITH BAFFLES AT EAVE TO PROVIDE 1/300 VENTING WITH SOFFIT AND RIDGE VENTS. MAINTAIN 1" GAP FROM OSB.

7

ALUMIN. STEPPED FASCIA. PROVIDE METAL DRIP EDGE.

8

ALUMIN. PERFORATED SOFFIT AND TRIM FOR VENTING.

9

2x6 STUDS AT 16" O.C. WITH 1/2" GYP. BD. AT INTERIOR AND 7/16" OSB AT EXTERIOR. INSTALL R-20 MIN. INSULATION.

10

HARDIEPLANK HORIZONTAL SIDING AND TRIM. INSTALL PER SPECS.

11

HARDIEPANEL AND BATTEN SIDING AND TRIM PER SPECS.

12

INTERIOR WALLS: 2x AT 16" O.C. W/ 1/2" GYPSUM BOARD EACH SIDE.

13

TYVEK HOMEWRAP WEATHER BARRIER ON OSB.

14

CABINET DESIGN AND MATERIAL PER OWNER

15

ALUMIN. GUTTER AND DOWNSPOUT.

16

2x4 FDN GRADE REDWOOD OR PRESSURE TREATED SILL W/ FIBERGLASS SEALER – TYP.

17

ANCHOR BOLT – WITH 7" EMBED. 12" MAX FROM ENDS OF PLATE (2) BOLTS PER PLATE MIN. USE 3" x 3" x .229" WASHERS.

18

CONCRETE FOOTING – SEE STRUCTURAL SHEETS FOR SIZE AND REINFORCING

19

ALL FOOTINGS SHALL BE PLACED ON UNDISTURBED GROUND OR ON STRUCTURAL FILL, AND BELOW FROST LINE

20

DOUBLE GLAZED, LOW-E WINDOWS. BLACK COLOR. OR EQUAL. U=.25 (.32 MAX.)

21

INSTALL SEISMIC TIE-DOWN STRAP AT WATERHEATER – SECURE TO STUDS. INSTALL SHEET METAL PAN UNDER W/H AND PROVIDE DRAIN WITHIN SPACE.

22

PROVIDE CURB AT WASHER/DRYER AREA FOR WATER CONTAINMENT WITH DRAIN.

23

4" CONC. SLAB ON 4" GRAVEL BASE

24

TIMBER ACCENT W/ COPPER VENT AND CORBELS, STAINED.

25

ATTIC ACCESS W/ 30" MIN. HEADROOM AND SWITCHED LIGHT WITHIN SPACE. SEE 9/G1.2.

26

STANDING SEAM METAL ROOF, INSTALL PER MANUF. SPECS. CONSULT OWNER.

27

28

34"-36" WOOD HANDRAIL W/ BALUSTERS AT 4" O.C. OR METAL BRACES AT 4'-0" O.C.

29

36" WOOD GUARDRAIL W/ BALUSTERS @ 4" O.C.

30

PROVIDE GAS STUB TO DECK/PATIO, CONSULT OWNER.

31

FIREBLOCK AT 10'-0" O.C. MAX. PER IRC SEC. R602.8. SEE NOTE 8 ON A4.1

32

TIMBER CORBEL, STAINED. CUT PER ELEVATIONS.

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3/4" T&G PLY ON FLOOR JOISTS.

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R-30 MIN. INSULATION THROUGHOUT FLOOR.

36

REGENCY P36 PANORAMA ANSI Z21.88b OR EQUAL. (IMC 303.3 EXP. #1) SEE 26/G1.2.

37

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38

GAS FIRE PLACE INSERT & FAN – VENT TO OUTSIDE. HEAT-N-GLOW 750TR ANSI Z21.50

39

40

41

42

LEGEND

2x6 STUD WALL

2x4 STUD WALL

HIDDEN LINE

KEYED NOTE

DOOR MARK

WINDOW MARK

PROJECT FOR

HEBDON FAMILY RES.

PROJECT NAME

SINGLE FAMILY RESIDENCE ADU

PROJECT ADDRESS

5176 SOUTH COTTONWOOD LANE
HOLLADAY UTAH 84117

SHEET TITLE

MAIN FLOOR PLAN

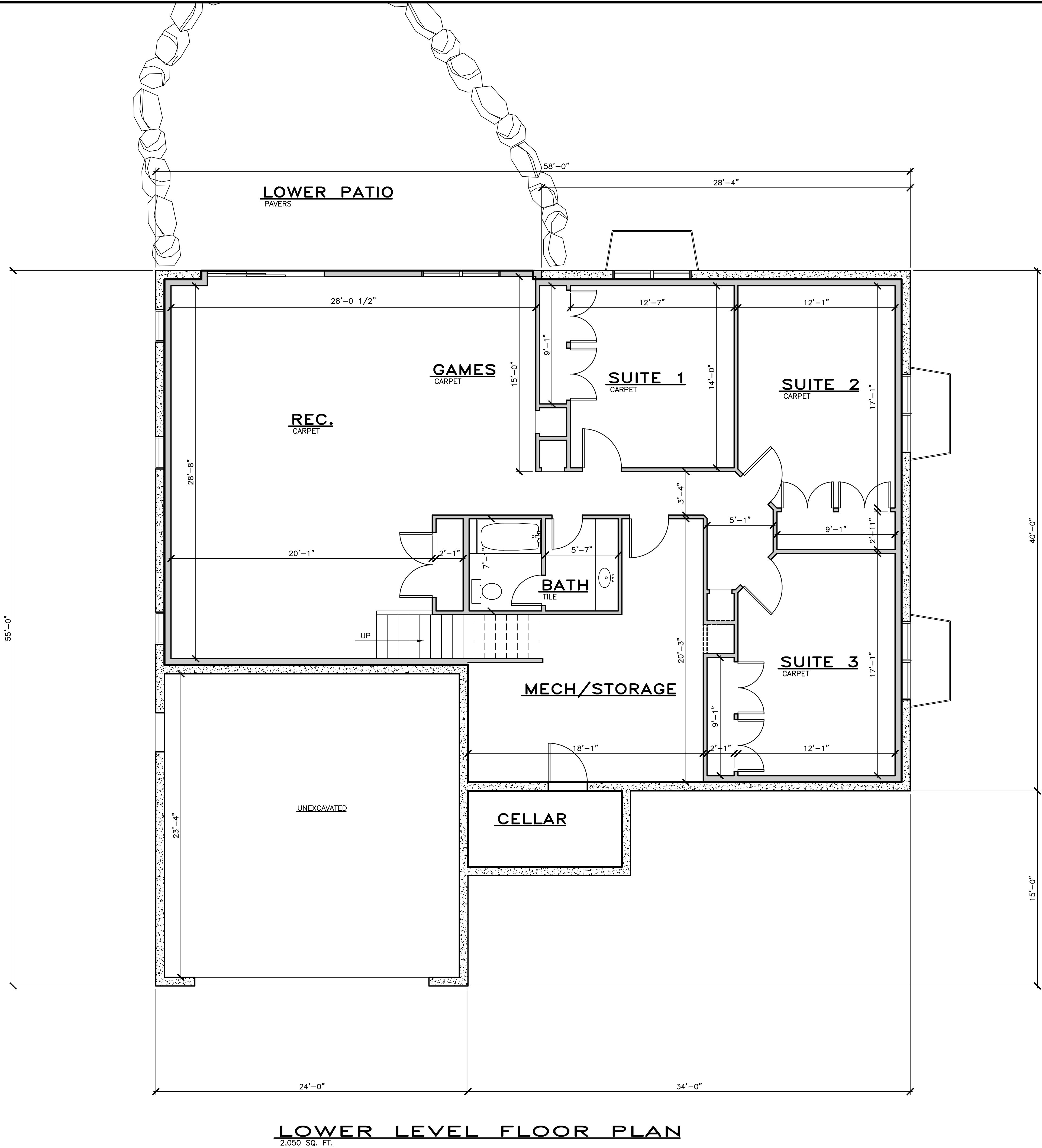
PROJ. NO.
2305

PROJ. DATE
04-15-23

SCALE
1/4" = 1'-0"

PLOT DATE
08-15-23

SHEET NO.
A1.1



LOWER LEVEL FLOOR PLAN

2,050 SQ. FT.

KEYED NOTES

1

ROOF RAFTERS OR PRE-FAB. TRUSSES – SEE FRAMING PLAN FOR SIZE AND LOCATION ANCHOR WITH SIMPSON VPA OR H2.5 AT EACH JOIST/TRUSS. INSTALL PER MANUF. SPECS.

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SLATE SHINGLES ON 30# FELT, W/ METAL FLASHING.

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4' x 8' x EXT. OSB ROOF SHEATHING

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SOLID BLOCKING NOTCHED EACH SIDE FOR VENT WITH CONNECTION PER BLOCKING DETAIL TO DOUBLE TOP PLATE.

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15

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22

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23

4" CONC. SLAB ON 4" GRAVEL BASE

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ATTIC ACCESS W/ 30" MIN. HEADROOM AND SWITCHED LIGHT WITHIN SPACE. SEE 9/G1.2.

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WINDOW MARK

MARK

DATE

REVISION

PROJ. NO.

2305

SCALE

1/4" = 1'-0"

PROJ. DATE

04-15-23

PLOT DATE

08-15-23

SHEET NO.

A1.3

PROJECT FOR

HEBDON FAMILY RES.

PROJECT NAME

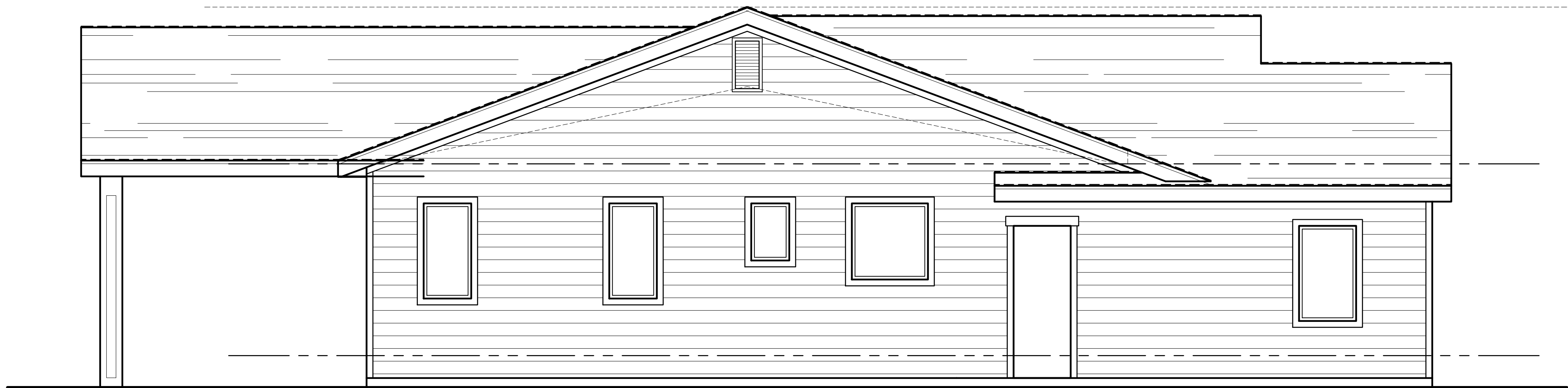
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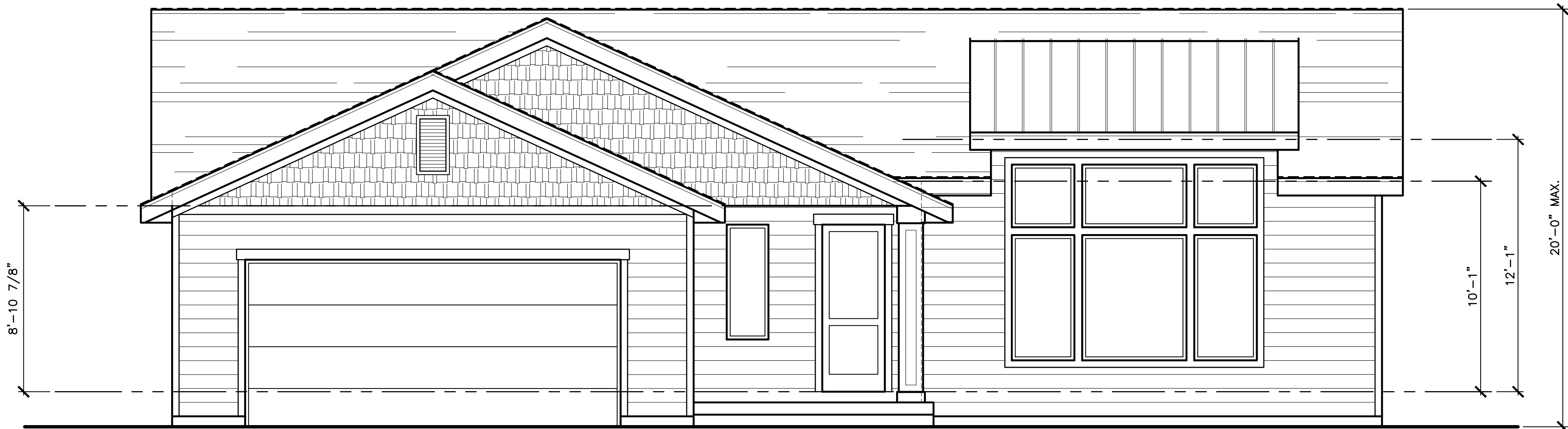
5176 SOUTH COTTONWOOD LANE HOLLADAY UTAH 84117

SHEET TITLE

LOWER FLOOR PLAN



LEFT ELEVATION

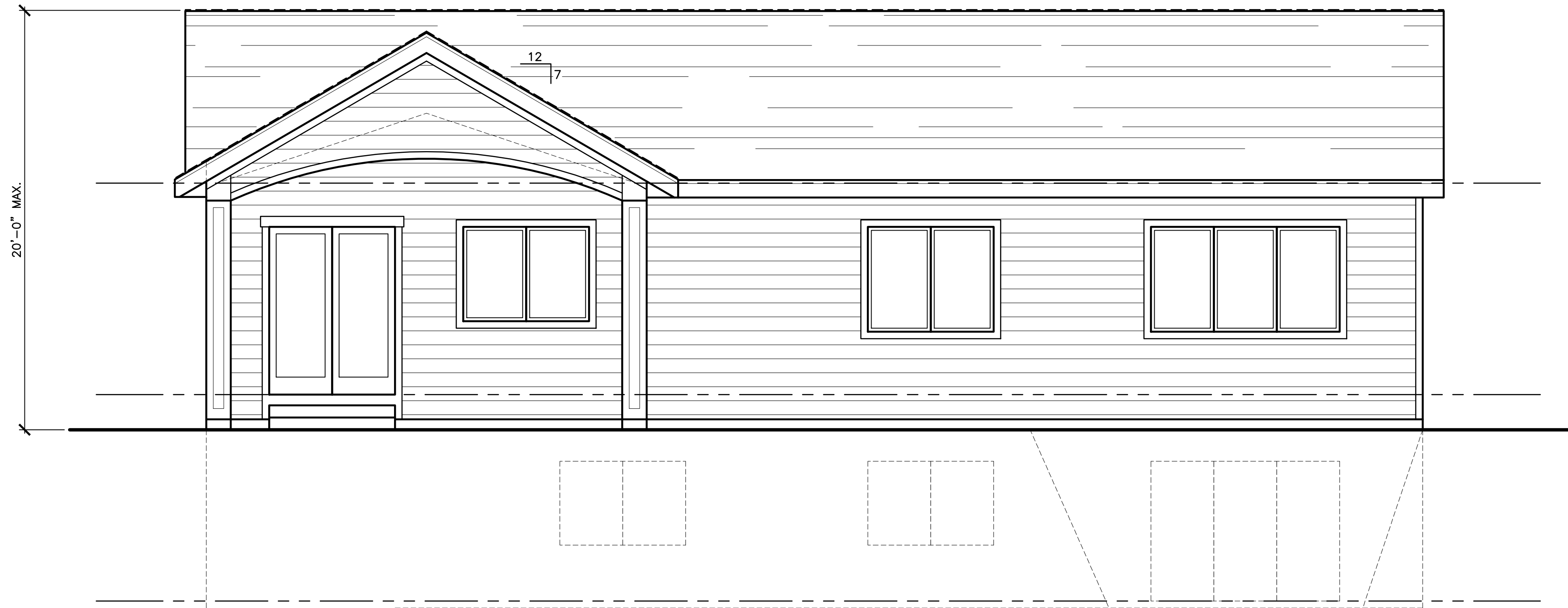


FRONT ELEVATION

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LEGEND						
2x6 STUD WALL 2x4 STUD WALL HIDDEN LINE 37 KEYED NOTE 1 DOOR MARK N WINDOW MARK						



RIGHT ELEVATION



REAR ELEVATION

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LEGEND							
2x6 STUD WALL					37 KEYED NOTE		
2x4 STUD WALL					1 DOOR MARK		
HIDDEN LINE		W WINDOW MARK					



FILE# 04-1-20-2

"THE WOODS" - PUD AMENDMENT

ADDRESS:

6235 South 2710 East

LEGAL DESCRIPTION: 22-23-104-013

LOT 1, WOODS PUD.

APPLICANT/REPRESENTATIVE:

CURTIS CALDER

PROPERTY OWNER:

CALDER ALLISON & CURTIS JT

ZONING:

R-1-43

GENERAL PLAN DISTRICT:

Country Estates-Protected (CE-P)

CITY COUNCIL DISTRICT:

District #5

PUBLIC NOTICE DETAILS:

Mailed 09/29/223

REQUEST:

Conditional Use Permit

APPLICABLE REGULATIONS:

13.10 Subdivision Amendment
13.78 PUD Ordinance

EXHIBITS:

Site Aerial
Staff Report
Applicant Narrative
Subdivision Plat Amended Area

STAFF:

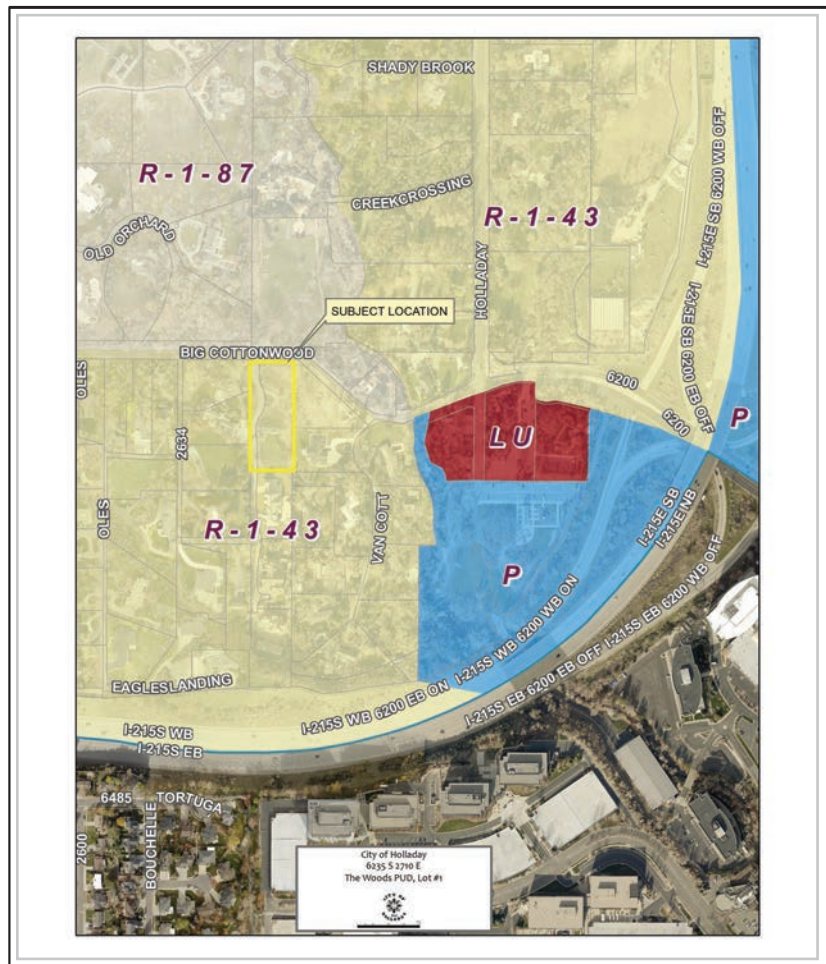
Carrie Marsh, City Planner

DECISION TYPE:

Administrative:

Public hearing required. PC shall make a motion of either, denial, approval or to continue. All motions require findings which support the decision. As directed by ordinance, applications shall be approved if the Land Use Authority finds Substantial Evidence of compliance with applicable requirements. Holladay Ord. 13.06.050.B2 and 13.08

SITE VICINITY MAP



Notes:



CITY OF HOLLADAY
Planning Commission
October 10, 2023
Item #2

Request: **RESIDENTIAL SUBDIVISION and PUD – PLAT AMENDMENT**
Project: “The Woods PUD – 2nd Amendment”
Address: 6235 S. 2710 E.
Zone: R-1-43
Applicant: Curtis Calder
File No: 04-1-20-Z
Notice: Mailed notice on 09/29/2023
Staff: Carrie Marsh

GOVERNING ORDINANCES:	13.10.030	SUBDIVISION AMENDMENT
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REQUIRED PLANNING COMMISSION ACTION: ADMINISTRATIVE

The Planning Commission, is authorized to approve an amendment to a subdivision, PUD, or an amendment to a recorded plat including the addition of land or identification of building areas or restrictions. Amending a subdivision plat requires review and approval by the Land Use Authority (Planning Commission). Decisions and approval must be during public meeting. The notice for the required public hearing has been mailed to all properties within 500’ of the subject parcels.

SUMMARY

Review and consideration of an application by the Property Owner to amend the conditions of approval for the PUD, identifying building area for a accessory building associated with Lot 1 in The Wood PUD. The Woods PUD is a four-lot subdivision and PUD created in 2005. Lot 1 is unique in that there is a drainage easement that bisects the lot, however, the easement does not exist as a boundary restricting development. Lot 1 was created with a deed restriction on it to prevent further subdivision and the creation of a new building lot for a new dwelling unit. This new amendment to the PUD extends a building area for an accessory building, as is permitted on properties within the R-1-43 zone. This amendment is similar to an approved amendment in 2020 on Lot 4 to identify building area for an accessory building on that parcel. **No new lots will be created by this application.*

TECHNICAL REVIEW COMMITTEE ANALYSIS

The TRC has reviewed this application and found it to be complete. Corrections to the final plat have been noted and are required to be added before recording. This amendment is to identify and create the buildable area for an accessory building, as allowed by right within the zone, to be recorded on the PUD plat.

Any proposed accessory building will be subject to regulations for accessory buildings within the R-1-43 zone including setbacks, footprint, and height, all of which would be reviewed and addressed with a building permit application. Any proposed accessory building that exceeds the allowed footprint size based off of the property size would follow a Conditional Use Permit process.

While an HOA exists within this development with specific regulations in the CC&Rs, building rights within the R-1-43 zone allow for accessory structures to be built on the property. It is the property owners’ responsibility to abide by CC&Rs that may have various restrictions, but CC&Rs cannot limit a property owner’s building rights allowed by the City.

RECOMMENDATION

All required elements needed to present an amendment to a recorded subdivision and PUD plat have been submitted and reviewed by the TRC and have been determined to be complete as per the City’s submission requirements. The TRC recommends that the commission approve the **AMENDED CONDITIONAL RESTRICTION ON LOT 1 “THE WOODS”** based upon the following staff findings:

FINDINGS:

- 1) All properties considered part of this application and plat amendment currently comply with the R-1-43 zone
- 2) No *new* property/lots or right of way will be created by the amendment
- 3) The area is not considered open space within the PUD
- 4) The buildable area for an accessory building is located outside of all utility and common area easements

MOTION EXAMPLES

“I _____ move to (approve, Deny, Continue) the AMENDED PLAT for “The Woods Subdivision Amendment #2” a residential subdivision in the R-1-43 zone, upon finding that the subdivision:



NOTICE OF A PUBLIC HEARING

Residential Subdivision PUD Amendment

Date: Tuesday, October 10th 2023
Time: As close to 6:00 pm as possible
Location: City Hall – City Council Chambers
Hearing Body: Planning Commission

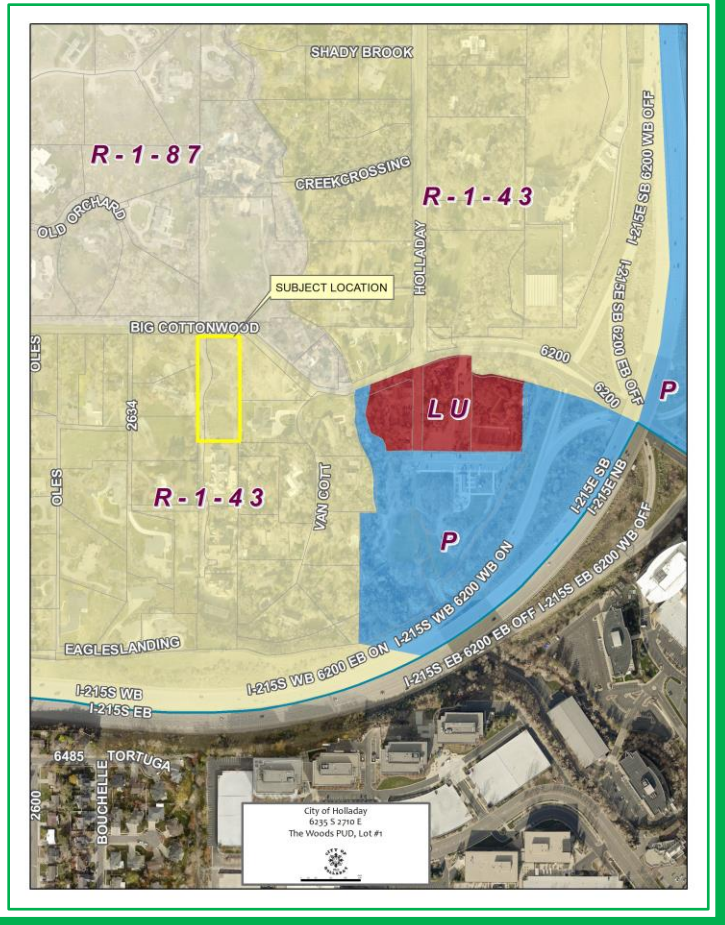
Notice is hereby given that the City of Holladay Planning Commission will conduct a public hearing during review and consideration of an application by the property owner Curtis Calder to amend a portion of **THE WOODS PUD** as it pertains to lot# 1. The proposal to adjust and modify the lot's building pad area to accommodate a detached accessory building will be reviewed by the Planning Commission for compliance with Holladay Ordinance 13.10

****No zone or ordinance change is proposed in conjunction with this application. ****

Please submit comments via email by 5:00 pm 10/9/2023 to Carrie Marsh, cmarsh@cityofholladay.com Emailed comments received by the designated times will be forwarded to the Commission prior to the meeting.

Additional information regarding this item & instructions how to join this meeting remotely can be found on the City's website and on the posted agenda, prior to the meeting. Interested parties are encouraged to watch the video stream of the meeting on the City of Holladay Website.

ATTENTION: This notice was mailed by order of the Community and Economic Development Director, Jonathan Teerlink, to all residents within 500 feet from the subject property. If you are not the owner of your residence, please notify the owner regarding this matter. Thank you.



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Date: Tuesday, October 10th 2023
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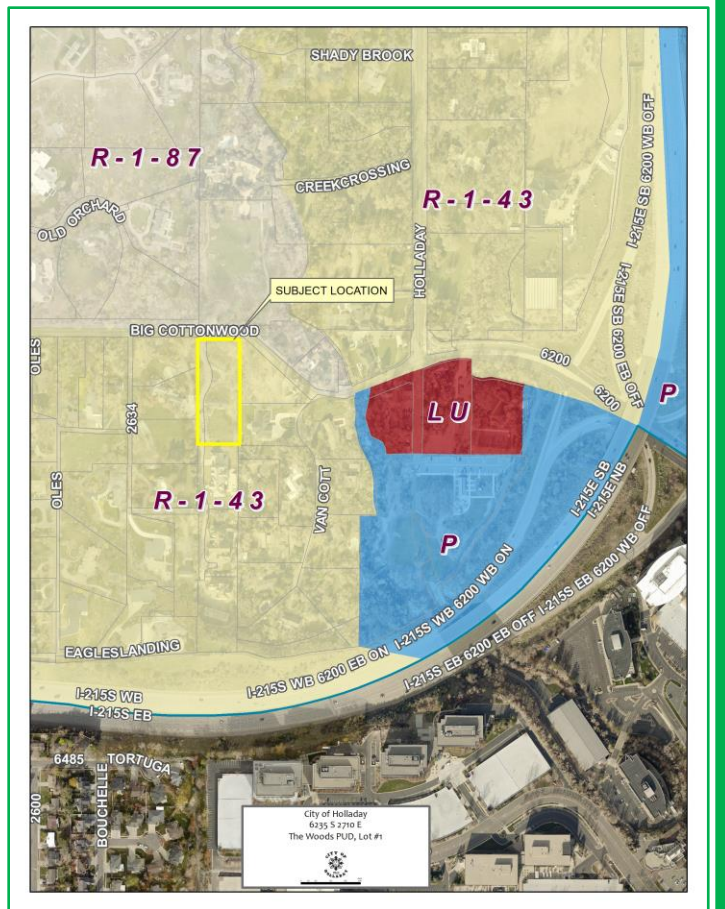
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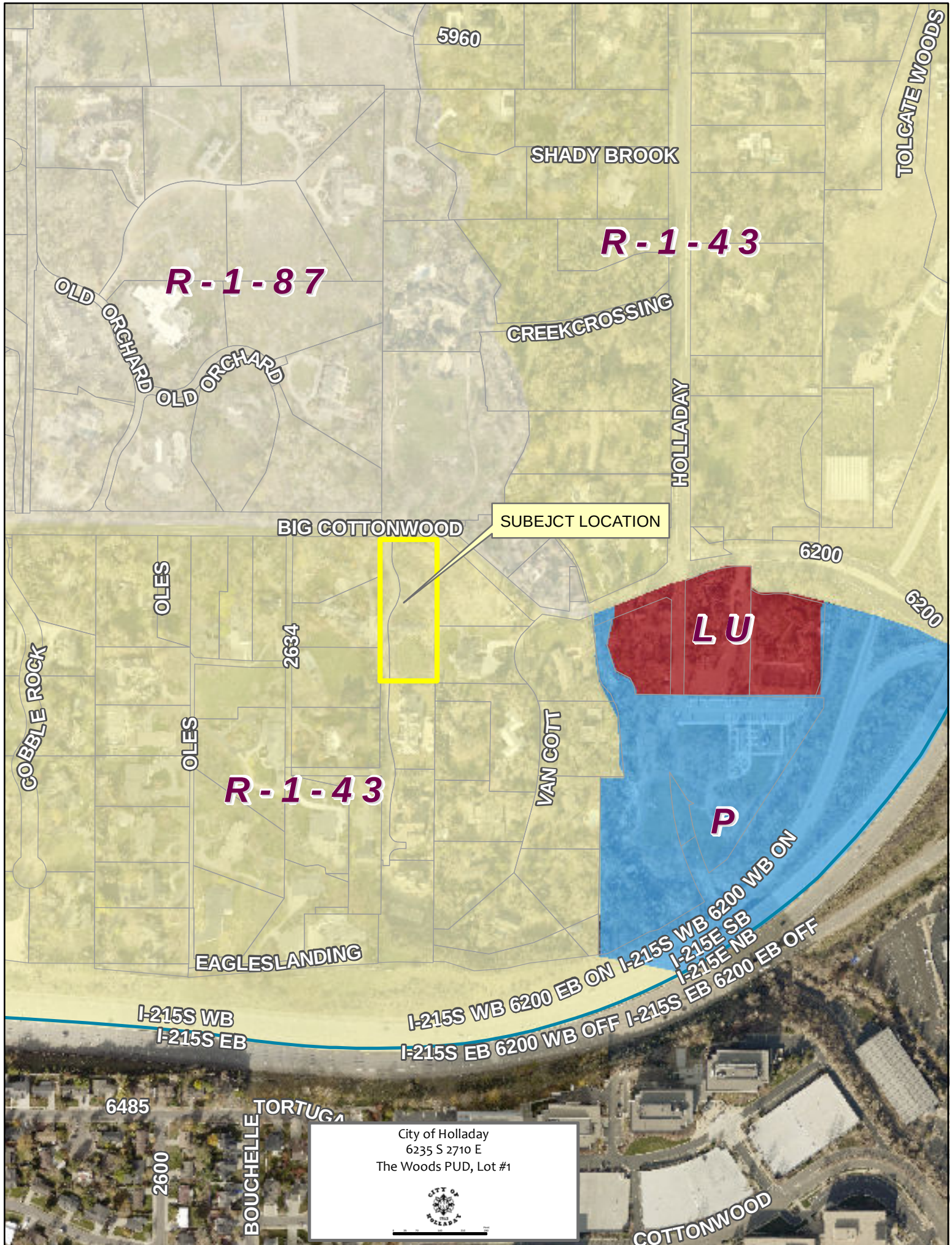
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5960

SHADY BROOK

TOLCATE WOODS

R-1-43

R-1-87

OLD ORCHARD
OLD ORCHARD

CREEK CROSSING

HOLLADAY

BIG COTTONWOOD

SUBJECT LOCATION

6200

6200

LU

2634

OLES

OLES

VAN COTT

R-1-43

P

EAGLES LANDING

I-215S WB
I-215S EB

I-215S WB 6200 EB ON
I-215S WB 6200 WB ON
I-215E SB
I-215E NB
I-215S EB 6200 EB OFF

6485

2600

BOUCHELLE
TORTUGA

City of Holladay
6235 S 2710 E
The Woods PUD, Lot #1



COTTONWOOD

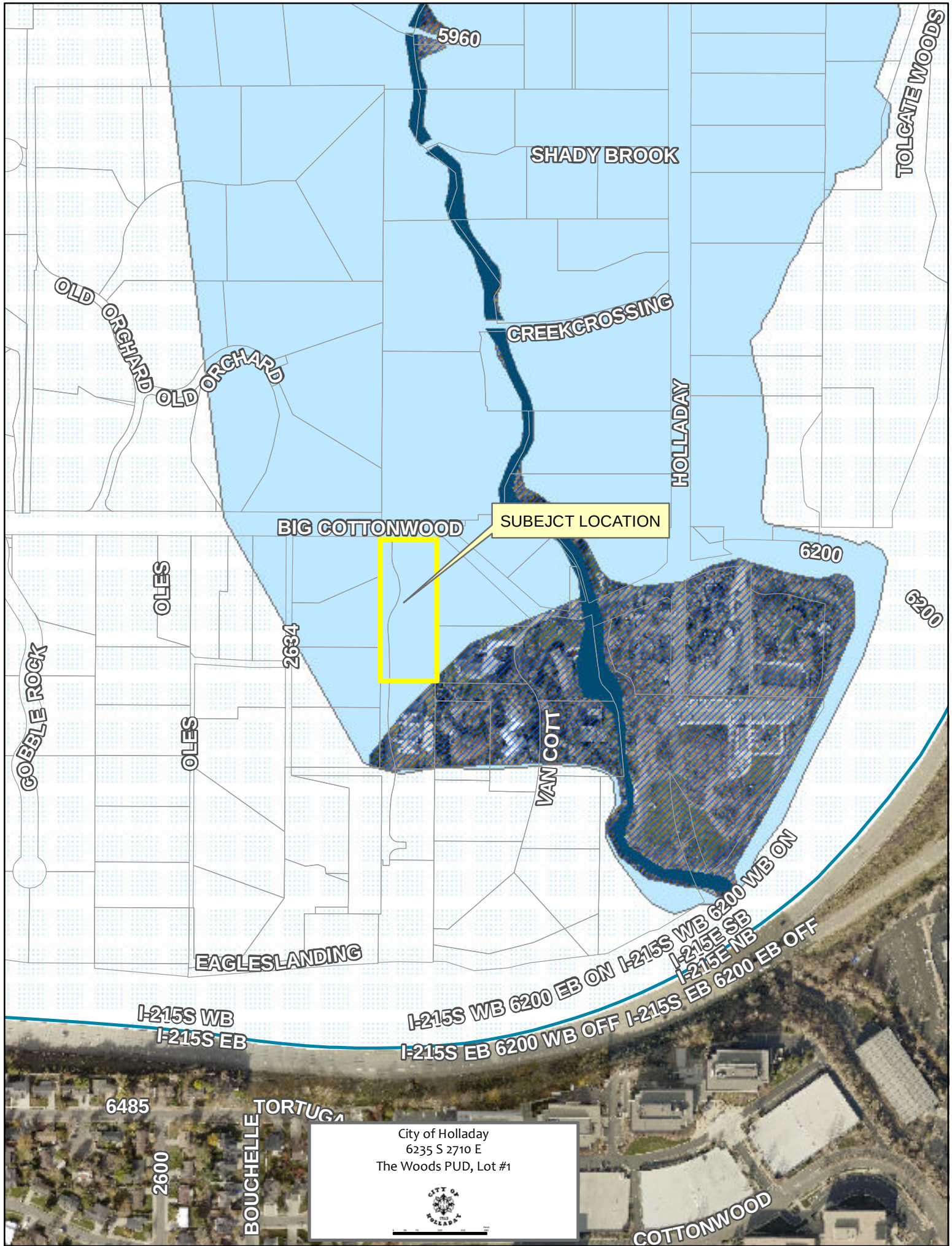


BIG COTTONWOOD

VAN COTT

City of Holladay
6235 S 2710 E
The Woods PUD, Lot #1





City of Holladay
6235 S 2710 E
The Woods PUD, Lot #1



THE WOODS P.U.D.

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 23,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE 4 MERIDIAN

NOTE:

- UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICE WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH AT THE LOT OWNER'S EXPENSE, AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.
- NO CITY MAINTENANCE ON PRIVATE ROAD
- MUST CONFORM TO CONDITIONAL USE PERMIT #04-1-20 APPROVED BY HOLLADAY CITY PLANNING COMMISSION ON JANUARY 31, 2007.
- THE PRIVATE ROAD IS BOTH COMMON AREA AND PUBLIC UTILITY AND DRAINAGE EASEMENT.
- THERE IS A 75' PUE ALONG EACH PROPERTY UNLESS OTHERWISE NOTED ON PLAT.
- ALL CULINARY, IRRIGATION, AND FIRE SERVICE WATER LINES SERVICING THIS SUBDIVISION ARE OWNED, OPERATED AND MAINTAINED BY THE SUBDIVISIONS HOME OWNERS ASSOCIATION MANAGEMENT GROUP.
- ZONING AT THE DATE OF RECORDING IS R-1-43.
- NON-ACCESS TO OR FROM 1-215, ENTRY NO. 582201 B 6434 P 1364

SURVEYOR'S CERTIFICATE

I, **NATHAN B. WEBER** do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. **51527462** as prescribed under laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

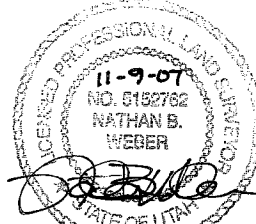
THE WOODS P.U.D.

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

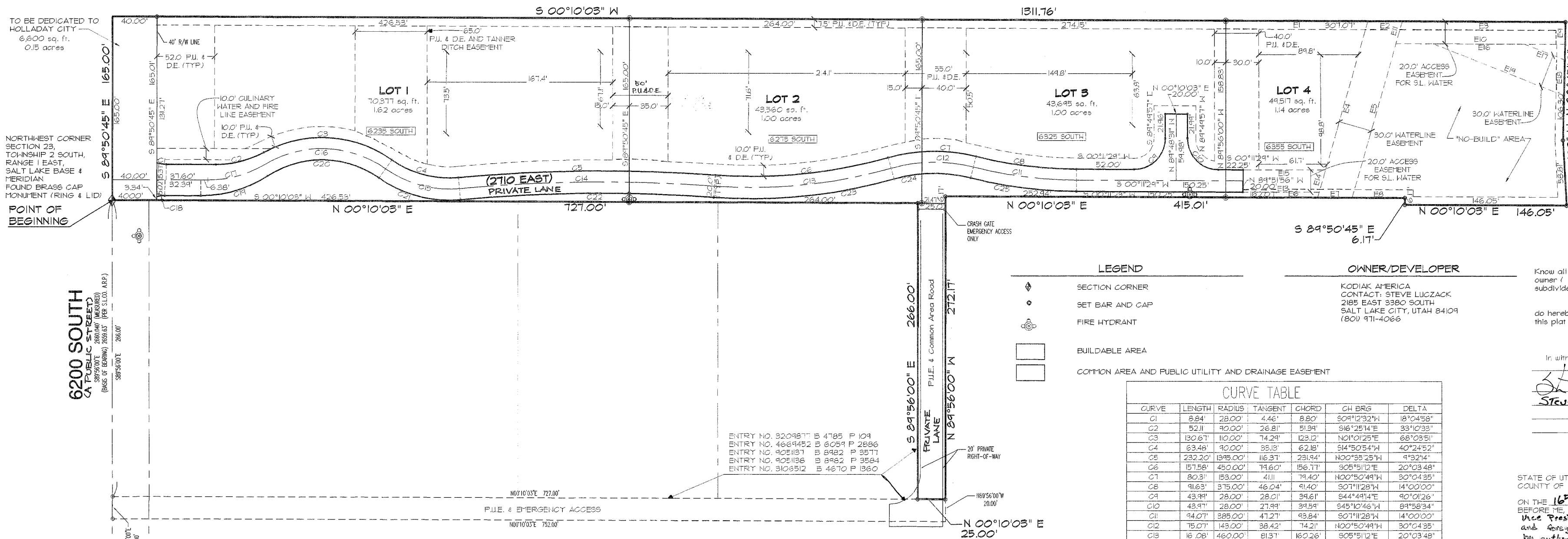
Beginning at the Northwest corner of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian;
thence South 89°50'45" East 165.00 feet;
thence South 00°10'03" East 131.76 feet;
thence North 89°48'10" West 106.30 feet;
thence South 86°55'02" East 58.81 feet to the section line;
thence South 89°50'45" East 6.17 feet;
thence North 00°10'03" East 415.01 feet;
thence North 89°50'00" West 212.17 feet;
thence North 00°10'03" East 28.00 feet;
thence South 89°56'00" East 266.00 feet to the section line;
thence North 00°10'03" East 121.00 feet along the section line to the point of beginning.

Contains 4 Lots
22.3299 ac. ±, OR 5.06 acres.



November 9, 2007
Date

Nathan B. Weber
License No. 51527462



LEGEND

- SECTION CORNER
- SET BAR AND CAP
- FIRE HYDRANT
- BUILDABLE AREA
- COMMON AREA AND PUBLIC UTILITY AND DRAINAGE EASEMENT

OWNER/DEVELOPER

KODIAK AMERICA
CONTACT: STEVE LUZZACK
2185 EAST 3380 SOUTH
SALT LAKE CITY, UTAH 84109
(801) 911-4066

OWNER'S DEDICATION

Know all men by these presents that the undersigned owner () of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as

THE WOODS P.U.D.

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereof, I have hereunto set my hand this day of January, A.D. 2007.

Steve Luzzack
Steve Luzzack, Vice Pres.
Kodak America Inc.

ACKNOWLEDGMENT

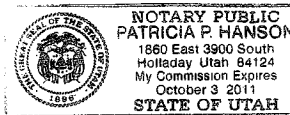
STATE OF UTAH) S.S.
COUNTY OF Salt Lake

ON THE 16th day of January 2008, Steve Luzzack personally appeared before me, who being by me duly sworn, did say that he is the Vice President of Kodak America Inc., and that the within and foregoing instrument was signed in his behalf and by authority of a resolution of its board of directors, and said Steve Luzzack duly acknowledged to me that said corporation executed the same.

MY COMMISSION EXPIRES 10-3-11

NOTARY PUBLIC Patricia P. Hanson

RESIDING IN Salt Lake County



THE WOODS P.U.D.

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 23,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE 4 MERIDIAN

HOLLADAY CITY ENGINEER

APPROVED THIS 9th DAY OF
November, A.D. 2007.

[Signature]
HOLLADAY CITY ENGINEER

PLANNING COMMISSION

APPROVED THIS 13th DAY OF
November, A.D. 2007.

[Signature]
PLANNING COMMISSION CHAIR

HEALTH DEPARTMENT

APPROVED THIS 9th DAY OF
November, A.D. 2007.

[Signature]
SALT LAKE VALLEY HEALTH DEPARTMENT

COMMUNITY DEVELOPMENT

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

11/16/07
DATE
Paul Olmed
COMMUNITY DEVELOPMENT DIRECTOR

APPROVAL AS TO FORM

APPROVED THIS 18th DAY OF
January, A.D. 2007.

[Signature]
CITY OF HOLLADAY ATTORNEY

CITY OF HOLLADAY

PRESENTED TO THE CITY OF HOLLADAY THIS 27th DAY OF
November, A.D. 2007, AT WHICH TIME THIS SUBDIVISION WAS APPROVED & ACCEPTED.

[Signature]
RECORDER
CITY MANAGER

RECORDED # 10326802

STATE OF UTAH, COUNTY OF SALT LAKE
RECORDED AND FILED AT THE REQUEST OF:
KODIAK AMERICA, LLC

DATE 11/16/07 TIME 4:00 PM BOOK 2008 PAGE 14
FILE # 3400
SALT LAKE COUNTY RECORDER



Oct. 10

City of Holladay
COMMUNITY ECONOMIC DEVELOPMENT DEPARTMENT
4580 S 2300 E, Holladay, Utah 84117
Phone: 801-527-3890

GENERAL LAND USE/DEVELOPMENT APPLICATION

Name of Proposed Project:	Calder Residence / The Woods P.U.D.
Address of Project:	6235 S. 2710 E Holladay UT 84121

TYPE OF REQUEST: (mark all that apply)	
ADMINISTRATIVE PROCEDURES APPLY (ORD. 13.08)	LEGISLATIVE PROCEDURES APPLY (ORD. 13.07)
☐ SITE PLAN () PERMITTED of () CONDITIONAL	☐ REZONE of PROPERTY
☒ SUBDIVISION PLAT	☐ GENERAL PLAN AMENDMENT
☐ CONDOMINIUM PLAT	☐ CODE AMENDMENT
☐ CONDITIONAL USE PERMIT	☐ PUBLIC STREET: NAME CHANGE, VACATION / CLOSURE or DESIGNATION
☐ SPECIAL EXCEPTION	☐ HISTORIC SITE DESIGNATION
☐ NON-CONFORMING USE DECLARATION	☐ DEVELOPMENT AGREEMENT AMENDMENT
☐ OTHER:	☐ ANNEXATION

Applicant Name: (Please Print) Curtis Calder		Property Owners Name: (Please Print) <u>ATTACH SIGNED "OWNER AFFIDAVIT"</u> Curtis Calder	
Applicant's Mailing: Address: 6235 S. 2710 E		City: Holladay	State: UT Zip: 84121
Applicant Phone: 646 322 1713		Applicant's Email Address:	
Main Contact Person (Please Print): Name: Allison Calder		Phone: 646 322 6219 email: allisoncalder@gmail.com	
Brief summary of proposal / request:			

FILING FEES: (ORD 3.35)		OFFICE USE ONLY
SITE PLAN REVIEW	\$600.00	FILE NUMBER
SITE PLAN AMENDMENT	\$250.00	PARCEL NUMBER
SUBDIVISION: Final = 6% of the cost of improvements	\$2,000.00 + \$100.00/lot	GENERAL PLAN
CONDOMINIUM	\$1,000.00 + \$100.00/unit	ZONE
CONDITIONAL USE PERMIT - COMMERCIAL	\$1,000.00 + \$35.00/acre	PC ACTION
CONDITIONAL USE PERMIT - RESIDENTIAL	\$900.00 + \$50.00/unit	DATE
CONDITIONAL USE PERMIT - HOME BUSINESS	\$100.00	CC ACTION
CONVERSION TO CONDOMINIUM	\$50.00/unit	DATE
SPECIAL EXCEPTION	\$600.00	FILE DATE
SUBDIVISION AMENDMENT	\$500.00	
REZONE of PROPERTY	\$900.00 + \$85.00/acre	
CODE AMENDMENT	\$600.00	
GENERAL PLAN AMENDMENT	\$300.00 + \$50.00/acre	
HISTORIC SITE DESIGNATION	\$600.00	
PUBLIC STREET:	\$300.00 - vacation \$500.00 - dedication \$250.00 - namechange	
ANNEXATION		
DEVELOPMENT AGREEMENT AMENDMENT		
LOT LINE ADJUSTMENT / COMBINATION:	\$75.00	
OTHER:		
FINAL TOTAL DUE: \$500.00		

RECEIPT DATE 9/15/23 No. 191194	
RECEIVED FROM Curtis Calder \$ 500.00	
Five hundred and no/100 DOLLARS	
FOR RENT ☐ FOR subdivision amendment	
ACCOUNT	☐ CASH
PAYMENT	☒ CHECK
BAL. DUE	☐ MONEY ORDER
	☐ CREDIT CARD
	check # 2308
	FROM _____ TO _____
	BY Carmen Marsh

or it will not be accepted.
meetings dates at that time
each month
ve of the applicant.

City of Holladay
AFFIDAVIT OF PROPERTY OWNERSHIP
for property located at

Address: 6235 S. 2710 E.

Subdivision: THE WOODS Plat: _____ Lot: 1

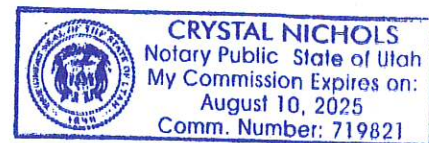
PROPERTY OWNER

I (we), CURTIS CAUDER being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statement herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

[Signature]
Property Owner

Property Owner

ACKNOWLEDGMENT



State of Utah)
County of Salt Lake) ss.

The foregoing affidavit was acknowledged before me this 15th day of September, 2023, who duly acknowledged to me that he did execute the same.

My commission expires: August 10, 2025

[Signature]
Notary Public

AGENT AUTHORIZATION

I (We), _____, the owner(s) of the real property described above, do authorize as my agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City of Holladay considering this application and to act in all respects as our agent in matters pertaining to the attached application.

ACKNOWLEDGMENT

State of Utah)
County of _____) ss.

The foregoing affidavit was acknowledged before me this _____ day of _____, 20____, who duly acknowledged to me that he did execute the same.

My commission expires: _____

Notary Public

Curtis & Allison Calder
6235 S 2710 E
Holladay, UT 84121

September 14, 2023

To the Planning Commission of the City of Holladay:

Regarding the application to amend the property at 6235 S 2710 E within The Woods P.U.D. (Subdivision: amending, altering or vacating application and required submittals)

We are seeking approval to expand the building envelope to include the northern region of our property as demonstrated on the included documents. The purpose of this building envelope is an accessory unit. Once the accessory unit is completed, we will vacate our current home, acquire the appropriate demolition permit and subsequently begin construction on the home, as illustrated in submitted documents.

Sincerely yours,

Curtis Calder

Curtis & Allison Calder

6235 S 2710 E

Holladay, UT 84121

September 14, 2023

To the Planning Commission of the City of Holladay:

Since we purchased our property in July 2019, we have the following update regarding trees:

- Three trees (evergreen, unknown and aspen) blew over in the big September 2020 windstorm
- We have removed 3 cottonwood trees and 1 evergreen tree (quite dead and deemed hazardous by professional arborist)
- We will need to remove or relocate several trees for the construction of our home (approximately 7 evergreen trees, 4 cherry-plum trees, 1 crabapple tree and 1 mulberry tree). We plan to relocate all evergreen trees but will not be maintaining the 'fruit' trees.
- As seen on our current site plan, we plan to plant more trees than will be removed / relocated. We can provide a full landscaping diagram at a later date if requested by the city describing varieties of trees, shrubbery and other plants to be added to the property.

Please reach out with any questions or concerns you may have.

Kind regards,

Curtis Calder

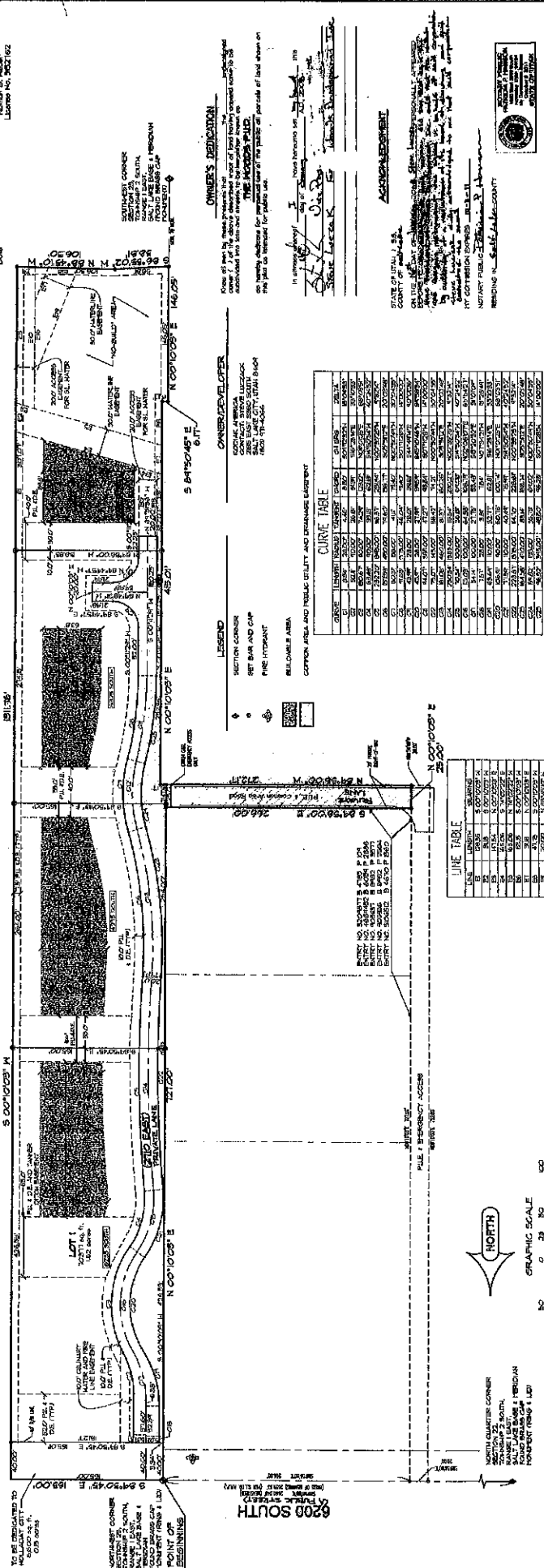
(646) 322-1713

THE WOODS P.U.D.

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 25,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASIN 1, UTAH

NOTES

1. UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EXISTING AND PROPOSED UTILITIES AND ALL OTHER RELATED FACILITIES IN ACCORDANCE WITH THE UTILITY CODE OF THE STATE OF UTAH. THE UTILITIES SHALL BE RESPONSIBLE FOR THE PROTECTION OF THEIR UTILITIES AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY UTILITIES DAMAGED BY THE DEVELOPMENT. THE UTILITIES SHALL BE RESPONSIBLE FOR THE PROTECTION OF THEIR UTILITIES AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY UTILITIES DAMAGED BY THE DEVELOPMENT.
2. NO CITY MAINTENANCE ON PRIVATE ROADS
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITIES AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY UTILITIES DAMAGED BY THE DEVELOPMENT.
4. THE PRIVATE ROAD IS BOTH CROWN AREA AND PUBLIC UTILITY, AND SHALL BE MAINTAINED BY THE DEVELOPER.
5. THERE IS A 10' PILE ALONG EACH PROPERTY LINE OTHER THAN NOTED ON PLAN.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITIES AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY UTILITIES DAMAGED BY THE DEVELOPMENT.
7. ZONING AT THE DATE OF RECORDING IS R-1.4S.
8. NON-ADJACENT TO OR FRONT 125' DITCH NO. 252501 IS 60' P 304



OWNER'S DECLARATION

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

ACKNOWLEDGMENT

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

APPROVAL AS TO FORM

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

APPROVAL AS TO SUBSTANCE

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

APPROVAL AS TO CONFORMANCE WITH THE SUBDIVISION ACT

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

APPROVAL AS TO CONFORMANCE WITH THE SUBDIVISION ACT

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

APPROVAL AS TO CONFORMANCE WITH THE SUBDIVISION ACT

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

APPROVAL AS TO CONFORMANCE WITH THE SUBDIVISION ACT

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APPROVAL AS TO CONFORMANCE WITH THE SUBDIVISION ACT

I, the undersigned, being the owner of the land described in the foregoing plat, do hereby declare that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land and that the same is for the purpose of a subdivision of land.

Commitment for Title Insurance



**9065 South 1300 East
Sandy, UT 84094**

Phone: (801) 266-0606 Fax: (801) 266-0699

www.titleone.net

Commitment No.: **19-83102**

Seller/Buyer:

Benjamin Investments, LLC, a Utah limited liability company to Calder

Property Address:

**6235 South 2710 East
Holladay, UT 84121**

Escrow Team Contacts:

Lori Pymm-Escrow Officer

Email:

lori@titleone.net

Direct Fax:

(801) 304-4703

stewart title®

ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

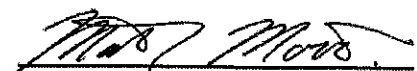
If all of the Schedule B, Part I - Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned by:


Authorized Countersignature

Title One, Inc.
9065 South 1300 East
Sandy, UT 84094
(801) 266-0606




Matt Morris
President and CEO


Denise Carraux
Secretary

For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 19-83102

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

Page 1 of 3



COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I - Requirements;
- (f) Schedule B, Part II - Exceptions; and
- (g) a countersignature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 19-83102

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

Page 2 of 3

AMERICAN
LAND TITLE
ASSOCIATION



- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

STEWART TITLE GUARANTY COMPANY

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 19-83102

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

Page 3 of 3

AMERICAN
LAND TITLE
ASSOCIATION



ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Transaction Identification Data for reference only:

Issuing Agent: Title One, Inc.
Issuing Office: 9065 South 1300 East, Sandy, UT 84094
Issuing Office's ALTA® Registry ID: N/A
Loan ID Number: 1101718868
Commitment Number: 19-83102
Issuing Office File Number: 19-83102
Property Address: 6235 South 2710 East, Holladay, UT 84121
Revision Number:

1. **Commitment Date:** May 31, 2019 at 8:00 A.M.

2. **Policy to be issued:**

Proposed Policy Amount

(a) ALTA Owner's Policy	Homeowners	\$1,055,000.00
-------------------------	------------	----------------

Proposed Insured: Curtis Maw Calder and Allison Calder

(b) ALTA Loan Policy	Extended	\$896,750.00
		Premium: \$1,914.00

Endorsements	ALTA 9, 8.1 & 22	Premium: \$60.00
--------------	------------------	------------------

Additional Endorsements	35-06	Premium: \$319.00
-------------------------	-------	-------------------

Proposed Insured: JP Morgan Chase Bank, N.A., its successors and/or assigns

3. **The estate or interest in the Land described or referred to in this Commitment is:**

Fee Simple

4. **The Title is, at the Commitment Date, vested in:**

Benjamin Investments, LLC, a Utah limited liability company

5. **The land referred to in the Commitment is described as follows, situated in the County of Salt Lake:**

Lot 1, THE WOODS P.U.D., according to the official plat thereof, recorded in the Salt Lake County Recorder's Office.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 19-83102

ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18) TI3

Page 1 of 1



ALTA COMMITMENT FOR TITLE INSURANCE

SCHEDULE B PART I

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Requirements

File No.: 19-83102

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Other: Pay any assessments due under Item Nos. 8 & 9.
6. Release(s) or reconveyance(s) of Item(s) No. 18-21.
7. The Company requires a satisfactory statement from the Association or its agent stating the amount, if any, of the unpaid common or maintenance charges against the land to the date of closing. At that time, the Company may make additional requirements or exceptions.
8. The Company requires for its review satisfactory copy of the "Articles of Organization," the Operating Agreement and the regulations of the limited liability company, any amendment thereof, a certificate of good standing, and satisfactory evidence of authority of the officers, managers, or members to execute the documents.

THIS COMMITMENT IS NOT AN ABSTRACT, EXAMINATION, REPORT, OR REPRESENTATION OF FACT OR TITLE AND DOES NOT CREATE AND SHALL NOT BE THE BASIS OF ANY CLAIM FOR NEGLIGENCE, NEGLIGENT MISREPRESENTATION OR OTHER TORT CLAIM OR ACTION. THE SOLE LIABILITY OF COMPANY AND ITS TITLE INSURANCE AGENT SHALL ARISE UNDER AND BE GOVERNED BY THE CONDITIONS OF THE COMMITMENT.

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File No. 19-83102

ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)

Page 1 of 1



ALTA COMMITMENT FOR TITLE INSURANCE

SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Exceptions

File No.: 19-83102

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
3. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
4. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.
5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; ditch rights; (d) minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel and other hydrocarbons in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities related thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
7. Any lien or right to a lien for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

(Item Numbers 1-7 will be deleted on an Extended Lender's Policy)

8. Taxes for the year 2019 and subsequent years are a lien not yet due. Taxes for the year 2018 have been paid. Parcel No. 22-23-104-013.
9. Subject property is included within the boundaries of Holladay Water District and is subject to the charges and assessments thereof. OR Subject property is included within the boundaries of Salt Lake City Water District and

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File No. 19-83102

UT ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)

Page 1 of 2



ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Exceptions

is subject to the charges and assessments thereof. Subject property is included within the boundaries of Salt Lake City Suburban Sanitary District and is subject to the charges and assessments thereof. SAID CHARGES ARE CURRENT.

10. Easements for public utilities and lot drainage over said property and other easements, rights of way and conditions as shown on the recorded plat.
11. Easements located throughout the common areas of said property.
12. Terms, provisions, assessments, liens and charges contained in and established by the homeowners' association.
13. Riparian or water rights, claims, or title to water whether or not shown by the public records.
14. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions recorded October 17, 2013, as Entry No. 11743380, in Book 10185, at Page 8613 but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.
15. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
16. A Grant of Easement to Salt Lake City Corporation dated January 23, 2008 and recorded January 29, 2008 as Entry No. 10333723 in Book 9563 at Page 3500 of official Records of said County.
17. Affidavit being recorded March 27, 2008 as Entry No. 10384198, in Book 9587, at Page 307 of the official Records of said County.

Note: The names of **Curtis Calder, Allison Calder, Charles Edward Liu and Benjamin Investments, LLC** have been checked for judgments and if any were found, would be shown herein.

THIS IS FOR INFORMATION PURPOSES ONLY AND IS NOT MADE A PART OF ANY COMMITMENT FOR TITLE INSURANCE PRODUCED BY TITLE ONE, INC.

According to Official Records, there have been no documents conveying the land described herein within a period of 24 months prior to the date of this commitment, except as follows:

NONE

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File No. 19-83102

UT ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)

Page 2 of 2



STG Privacy Notice Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
For our everyday business purposes — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes — to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness.	No	We don't share
For our affiliates to market to you — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to optout@stewart.com or fax to 1-800-335-9591.
For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

SHARING PRACTICES

How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	We collect your personal information, for example, when you ▪ request insurance-related services ▪ provide such information to us We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact us: If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1360 Post Oak Blvd., Ste. 100, Privacy Officer, Houston, Texas 77056

STG Privacy Notice 2 (Rev 01/26/09) Independent Agencies and Unaffiliated Escrow Agents

WHAT DO/DOES THE Title One, Inc. DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of Title One, Inc., and its affiliates ("N/A"), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as Title One, Inc., need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information	Do we share?	Can you limit this sharing?
For our everyday business purposes — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes — to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies.	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness.	No	We don't share
For our affiliates to market to you	Yes	No
For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

Sharing practices

How often do/does Title One, Inc. notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do/does Title One, Inc. protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal and state law. These measures include computer, file, and building safeguards.
How do/does Title One, Inc. collect my personal information?	We collect your personal information, for example, when you • request insurance-related services • provide such information to us We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact Us

If you have any questions about this privacy notice, please contact us at: Title One, Inc., 9065 South 1300 East, Sandy, UT 84094

Carrie Marsh

From: Dan Schwartz
Sent: Monday, October 2, 2023 11:17 PM
To: Carrie Marsh; Robert W. Schafer; Geoff Lay
Subject: The Woods PUD

[External Email - Use Caution]

To Whom It May Concern:

I received in the mail this evening a notice of a Public Hearing regarding an application by Curtis Calder to amend a portion of The Woods PUD as it pertains to lot #1. Please be advised this is the first notification I had of the date and time of this hearing. I am leaving tomorrow morning at 8AM and will be out of the Country until October 15th. If I would have been approached, I would have been able to advise the Calders of my unavailability to attend the meeting on that date.

Needless to say, I am unable to attend the hearing, which I would very much like to participate in. I would like to request the hearing be continued until such time as all of the members of the affected PUD that desire to attend the meeting are available.

I have been given very minimal information about the proposed amendment and I have serious concerns, which as a member of The Woods PUD I feel I am entitled to express. The minimal information I have been given is not sufficient to persuade me to cast a vote in favor of amending a portion of The Woods PUD as it pertains to lot #1.

I have previously expressed my concerns to Mr. and Mrs. Calder about their proposed detached accessory building. The latest communication I received from the Calder's was an email dated September 15, 2023 which in part stated:

"We have been working with Holladay City and the planning commission has put us on their agenda. They approved our use of two shipping containers as we prepare for construction. We anticipate having a building permit before the end of the year." There was a hyperlink to an incomplete set of plans included with the email.

I am eager to have a residence constructed on the Calder's lot. However I am not in favor of amending any portion of The Woods PUD, CC&Rs or the Architectural Standards and Guidelines as it pertains to lot #1 without further discussion and a full truthful disclosure of the intended purpose and use of the attached accessory building.

Also, I am not sure if this hearing is the appropriate venue to address the style/design of the homes in The Woods PUD but please note the architectural standards and guidelines call for an architectural style that is designated to be "Cottage" in design. In my opinion, you cannot consider a modern/contemporary structure as a "Cottage" design. Attaching the word "Modern" in front of "Cottage" does not change the meaning and intent of the style of homes that were intended to be built (three of which have been built in compliance with the Cottage style) in The Woods PUD.

I believe other members of The Woods HOA may have some but not all of the same concerns I have expressed here. I look forward to hearing from them in due course as well, regarding this application.

Thank you for your consideration.

Dan Schwartz
6275 S 2710 E
Holladay, UT 84121
801-859-8261



5 October 2023

Planning Commission
Community and Economic Development Department
City of Holladay
4580 South 2300 East
Holladay, UT 84117

Attention: Mr. Jonathan Teerlink, Director

Cc: Carrie Marsh, cmarsh@cityofholladay.com

Dear Mr. Teerlink and City Planning Commission Board Members:

I am writing to you as President of The Woods HOA and representing the majority of its members/residents. This letter is in response to the application made by Curtis Calder to adjust and modify the building pad area of Lot #1 to accommodate an oversized detached accessory building.

We are overwhelmingly **against this change to the building pad area** as it will be detrimental to character and aesthetics of our small neighborhood. The scale of the construction that the Calders desire and the location that they wish to place it at the entry to the HOA is such that it cannot be blended or camouflaged to be compatible with the overall surroundings. Moreover, the Calders were admonished more than 15 months ago that the HOA would not favor this plan and asked them to modify it to fit the character of the neighborhood. It is apparent that they chose to ignore this warning.

The Calders and Kodiak Construction have consistently failed to present their building plans as well as their plan for adjusting the building area on their Lot for discussion and consideration by the HOA Board of Directors despite numerous requests. It is only when we learn of their plan to come before the Planning Commission that elevations and footprint of the construction was circulated to the HOA residents. The intent to change the building pad only became fully apparent when we received your Notice of a Public Hearing.

In similar fashion, the Calders, together with Kodiak Construction and Steve Luczak, are trying to force a construction style which is very much inconsistent with the plan for all construction in The Woods. When every purchaser of property in HOA bought their Lot, we were told that the architectural motif for all homes and accessory buildings was to be of "cottage style", which includes peaked roof lines and stone/brick and stucco construction. Calling their construction plan "modern cottage" does not make it consistent and compatible with all other homes in The Woods.

Lastly, going forward for the Woods, as well as other future HOA construction in the City of Holladay, we recommend that a key part of the materials that should be included when an application is presented to the Planning Commission for construction approval should be a document that is signed off by the HOA Board of Directors or President. This document would acknowledge the HOA has reviewed and approved the plan that is before you. In this way, objections such as the one presented here would be avoided altogether. Even if a construction plan meets your Code requirements that does not necessarily mean that this plan fits the requirements of the HOA, which may be different or more rigorous (and not more lenient) than a general code for the City. HOA management looks for support by Commissions such as yours.

In summary, The Woods Homeowners Association is against the request made by the Calders to adjust and modify the building area of Lot #1 of The Woods HOA and looks to the Planning Commission to reject this request. We also request that the Holladay City Planning Commission reject any architectural plan for construction in The Woods HOA that is not consistent with a true "cottage style" of home construction on this property.

It should be noted that 100% of the other resident members of The Woods HOA support the recommendations and suggestions presented in this letter.

Thank you very much for hearing our objection.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. Schafer".

Robert Schafer, President
The Woods Homeowners Association

Packet Amendment
(next page)
Corrections made by
Applicant

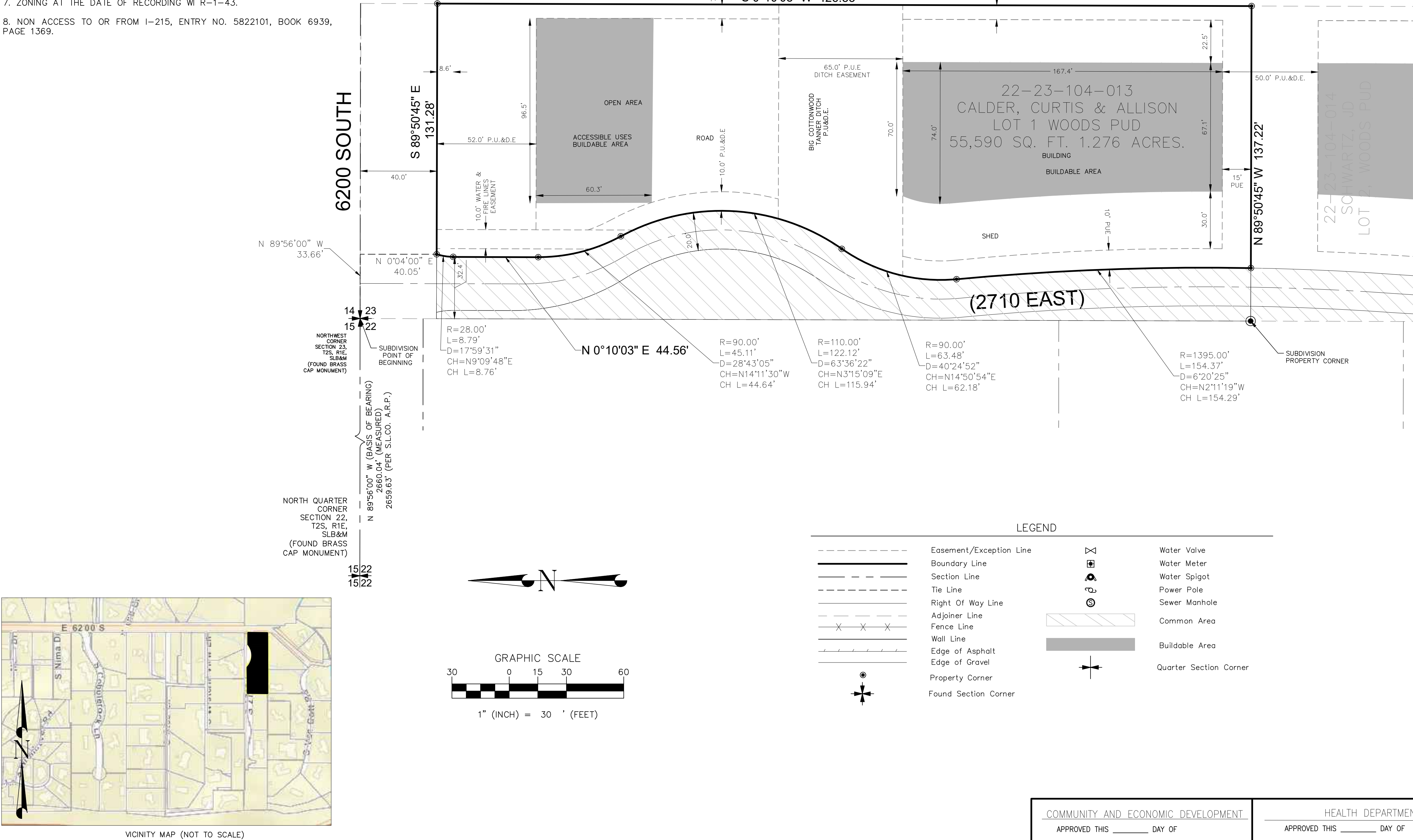
NOTES:

1. UTILITIES HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY AND DRAINAGE EASEMENTS (P.U.&D.E.) IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.&D.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.&D.E. AT THE LOT OWNERS EXPENSE, OR THE UTILITY MAY REMOVE SUCH AT THE LOT OWNERS EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.&D.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.&D.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES WITHIN THE P.U.&D.E.
2. NOT CITY MAINTENANCE ON PRIVATE ROAD.
3. MUST CONFORM TO CONDITIONAL USE PERMIT #04-1-20 APPROVED BY HOLLADAY CITY PLANNING COMMISSION ON JANUARY 31, 2007.
4. THE PRIVATE ROAD IS BOTH COMMON AREA AND PUBLIC UTILITY AND DRAINAGE EASEMENT (P.U.&D.E.).
5. THERE IS A 7.5' P.U.&D.E. ALONG EACH PROPERTY UNLESS OTHERWISE NOTED ON THIS PLAT.
6. ALL CULINARY, IRRIGATION AND FIRE SERVICE WATER LINES SERVICING THIS SUBDIVISION ARE OWNED, OPERATED AND MAINTAINED BY THE SUBDIVISIONS HOME OWNERS ASSOCIATION MANAGEMENT GROUP.
7. ZONING AT THE DATE OF RECORDING WI R-1-43.
8. NON ACCESS TO OR FROM I-215, ENTRY NO. 5822101, BOOK 6939, PAGE 1369.

THE WOODS P.U.D. LOT 1 PLAT AMENDMENT

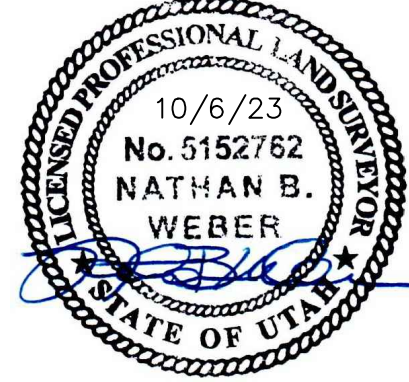
LOCATED IN THE NORTHWEST QUARTER OF SECTION 23,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
HOLLADAY, SALT LAKE COUNTY, UTAH
OCTOBER 2023

22-23-104-020
KEVIN P GATES



SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9A-603 OF THE UTAH CODE, I, NATHAN B. WEBER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 5152762 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT ON BEHALF OF DIAMOND LAND SURVEYING, LLC, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF UTAH CODE, AND HAVE VERIFY ALL MEASUREMENTS, SHOWN AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS THE WOODS LOT 1 AMENDED AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.



BOUNDARY DESCRIPTION

LOT 1, THE WOODS P.U.D. ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE

OWNER'S DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT _____, THE _____ UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE

THE WOODS P.U.D. LOT 1 PLAT AMENDMENT

AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND ALSO DO HEREBY DEDICATE TO FARMINGTON CITY THE STREETS AS INDICATED HEREON FOR PERPETUAL USE FOR THE PUBLIC. THE OWNERS HEREBY AGREE TO WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON A DEDICATED STREET WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE AND OPERATION OF THE STREET. IN WITNESS WHEREOF _____ HAVE HEREUNTO SET _____ THIS _____ DAY OF _____ A.D., 20____

STATE OF UTAH)
COUNTY OF SALT LAKE)

ON THIS _____ DAY OF _____, IN THE YEAR 20____, BEFORE ME, _____, PERSONALLY APPEARED _____, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THAT HE OR SHE EXECUTED THE SAME.

NOTARY SIGNATURE _____

THE WOODS P.U.D. LOT 1 PLAT AMENDMENT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 23,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
HOLLADAY, SALT LAKE COUNTY, UTAH
OCTOBER 2023

COMMUNITY AND ECONOMIC DEVELOPMENT

APPROVED THIS _____ DAY OF _____ A.D., 20____.

DIRECTOR, COMMUNITY AND ECONOMIC DEVELOPMENT

HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D., 20____.

SALT LAKE COUNTY HEALTH DEPARTMENT

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20____.

HOLLADAY CITY ATTORNEY

CITY MAYOR

PRESENTED TO THE CITY MAYOR THIS _____ DAY OF _____ A.D., 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MAYOR

ATTEST: CITY RECORDER

CITY ATTORNEY

APPROVED THIS _____ DAY OF _____ A.D., 20____.

CITY OF HOLLADAY ATTORNEY

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ A.D., 20____, BY THE HOLLADAY CITY PLANNING COMMISSION.

CHAIRMAN, HOLLADAY CITY PLANNING COMMISSION

CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE, APPROVED THIS _____ DAY OF _____ A.D., 20____.

HOLLADAY CITY ENGINEER



6891 South 700 West Ste. 150
Midvale, Utah 84047
Phone (801) 266-5099 Fax (801) 266-5032
office@diamondlandsurveying.com
www.diamondlandsurveying.com

Boundary Surveys
Topography Surveys
Subdivisions
Construction Staking
A.L.T.A. & A.C.S.M. Surveys

RECORDED

STATE OF UTAH, COUNTY OF SALT LAKE RECORDED AND FILED AT THE REQUEST OF:

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

NO FEE
FEE \$

SALT LAKE COUNTY RECORDER

9/13/2023

SHEET 1 OF 1