

COTTONWOOD HEIGHTS CITY APPEALS HEARING OFFICER MEETING AGENDA



November 14, 2024

Notice is hereby given that the **Cottonwood Heights Appeals Hearing Officer** will convene on **Thursday, November 14, 2024**, at **Cottonwood Heights City Hall** (2277 E. Bengal Blvd., Cottonwood Heights, UT 84121) for a **public meeting**.

The meeting will begin at **5:00 p.m.** in the City Council Chambers.

5:00 p.m. Public Meeting

1.0 Welcome and Acknowledgements

- 1.1 Ex parte communications or conflicts of interest to disclose

2.0 Business Items

2.1 Project AHO-24-006

Consideration of a request by Mike Madsen, on behalf of Kimberly Sorrentino, for an expansion to a nonconforming structure at 7371 S. Lost Canyon Cir.

2.2 Project AHO-24-005

Consideration of a request by Doug Shelby for a variance from provisions of the city's Historic Preservation ordinance related to permit and review requirements prior to modification of a historic structure (Granite Paper Mill) located at 6851 S. Big Cottonwood Canyon Rd.

3.0 Consent Agenda

- 3.1 Approval of Appeals Hearing Officer Minutes from November 14, 2024

(The Appeals Hearing Officer will approve the minutes of the November 14, 2024 meeting after the following process is met. The City Recorder will prepare the minutes and email them to the Hearing Officer. The Hearing Officer will have five days to review the minutes and provide any changes to the Recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until the changes are made and the hearing officer is in agreement, at which time the minutes shall be deemed approved.)

4.0 Adjourn

Meeting Procedures

The appeal hearing will proceed pursuant to applicable provisions of Chapter 19.92 of the Cottonwood Heights zoning ordinance, and the agreed-upon procedure between the city and the appellant.

Appeals Hearing Officer applications may be tabled if: 1) Additional information is needed to act on the item; OR 2) The Appeals Hearing Officer feels there are unresolved issues that may need further attention before the Officer is ready to make a decision. No agenda item will begin after 9:00 p.m. without approval from the Appeals Hearing Officer. The Appeals Hearing Officer may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801) 944-7021 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

Confirmation of Public Notice

On Thursday, November 7, 2024, a copy of this agenda was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the Utah public notice website at <http://pmn.utah.gov>.

DATED THIS 7TH DAY OF NOVEMBER, 2024

Attest: Barbara Higgins, City Recorder

COTTONWOOD HEIGHTS CITY APPEALS HEARING OFFICER STAFF REPORT



November 14, 2024

Summary

Project Number:
AHO-24-006

Subject Property:
7371 S. Lost
Canyon Cir.

Action Requested:
Expansion of a
Non-Conforming
Structure

Applicant:
Mike Madsen

Recommendation:
Approve



Subject Property Streetview

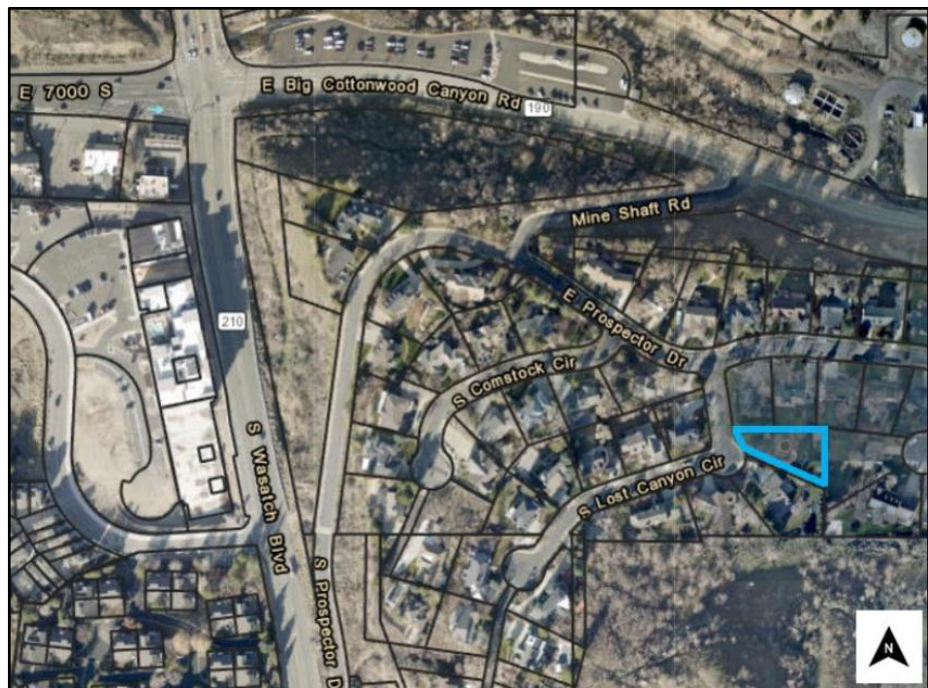
Context

Property Owner:
Kimberly Sorrentino

Acres:
0.38

Parcel:
22-25-254-009-0000

Zoning:
Single-Family
Residential (R-1-8)



Subject Property Aerial Map

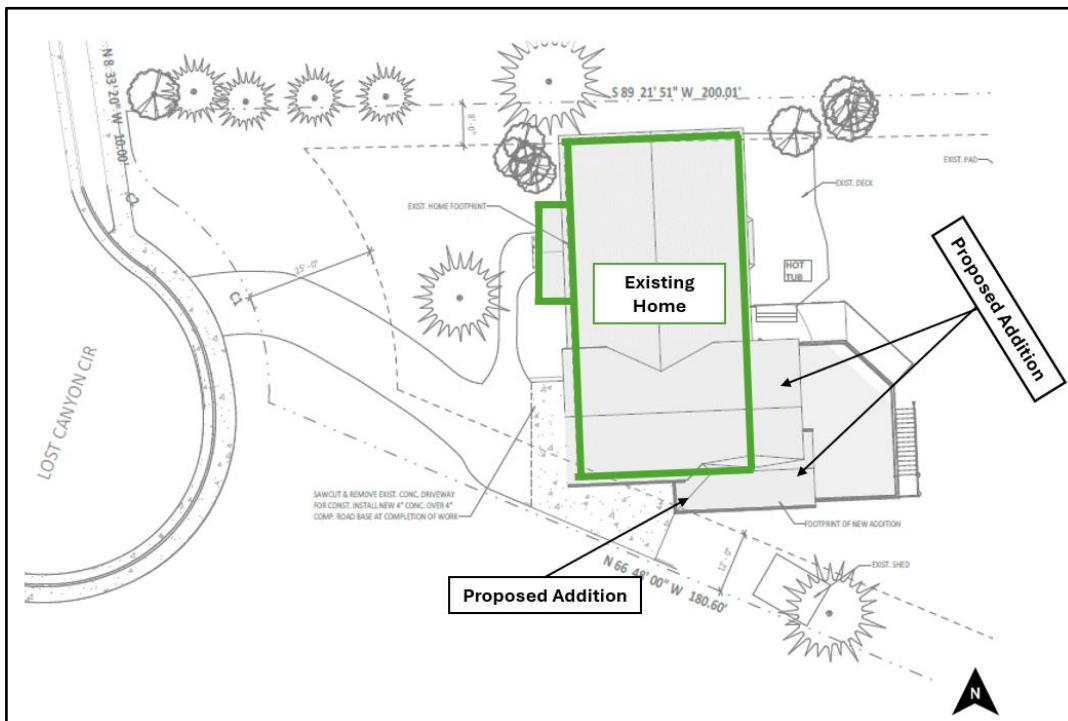
Overview

Request

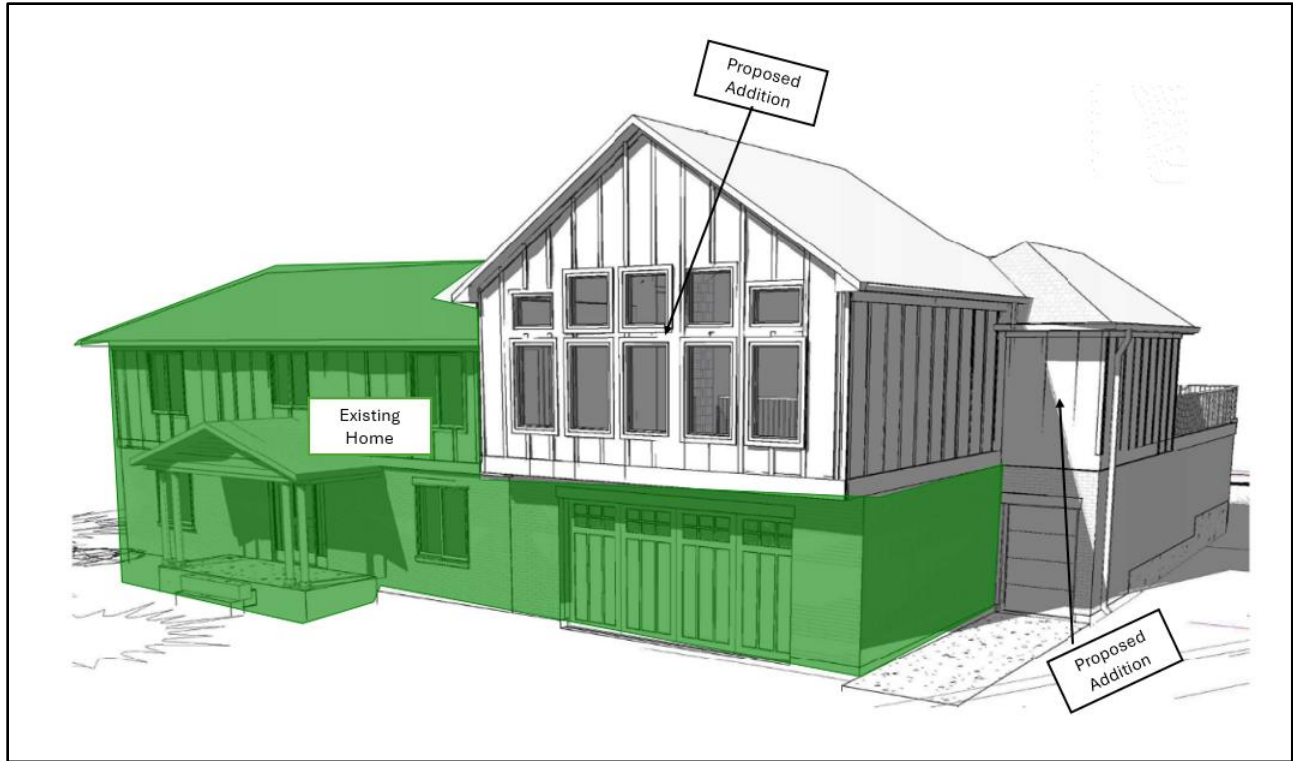
This application represents a request for an addition to a legal nonconforming single-family home at 7371 S. Lost Canyon Cir.

The existing home is considered legally nonconforming in regard to its side setbacks. City code requires that side setbacks for homes in the R-1-8 zone add to 20', with neither side less than 8'. The existing home's side setbacks only add to ~16.5', with the north side at ~8' and the south side at ~8.5' away from property lines. The home was originally built in 1978, which predates city incorporation. Nonconforming setbacks are common for homes built prior to city incorporation.

The proposed addition includes modifications to the east and south sides of the existing home. However, it is only the addition to the south side of the home which requires approval from the Appeals Hearing Officer, as the other components fully comply with city code.



The above exhibit shows the existing home's approximate footprint in green, with the proposed addition areas labeled as such.



The above exhibit shows an elevation view of the existing home in green, with the proposed addition areas labeled as such. Note: the proposed addition above the garage is not visible on the site plan shown on the prior page, as it is a second-story addition not visible on a site plan view.

Analysis

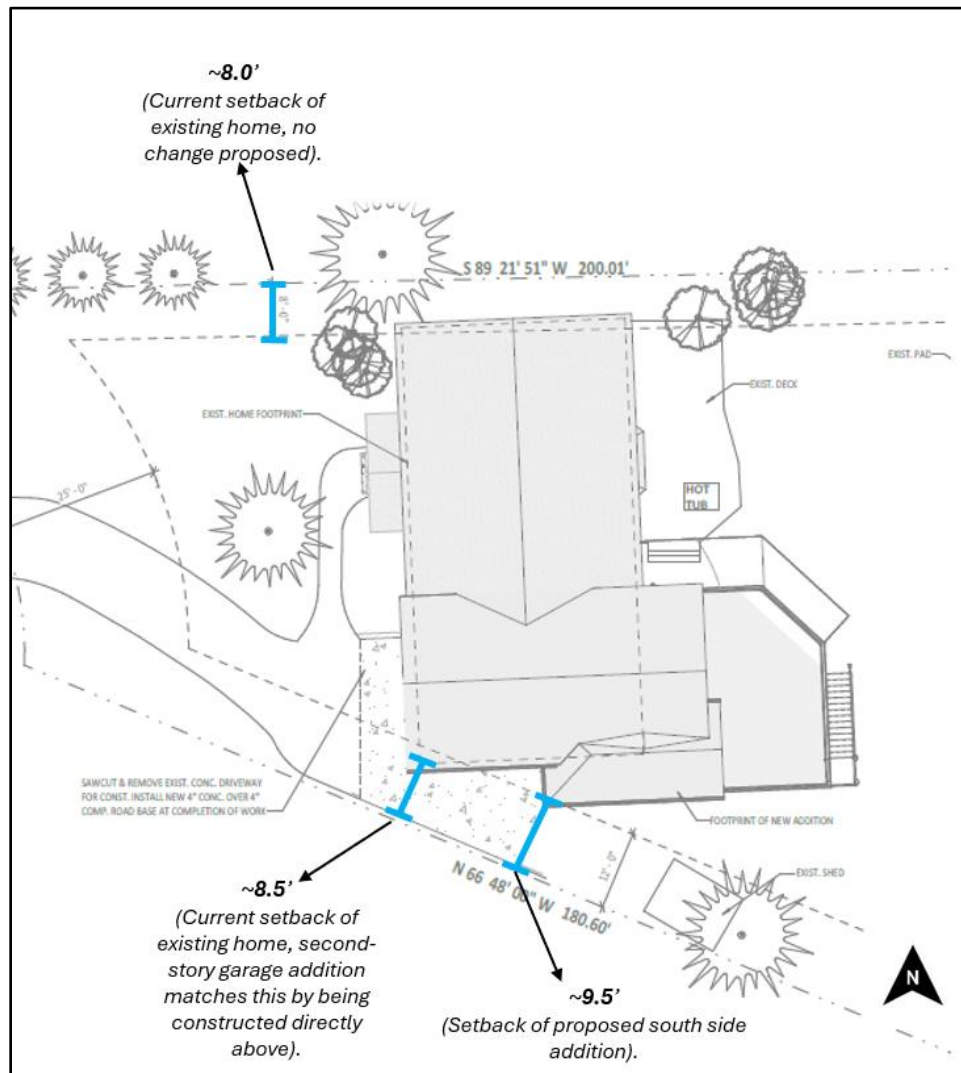
Only a portion of the proposed addition constitutes an expansion of a nonconforming structure and requires approval from the Appeals Hearing Officer. The addition to the east (rear) of the home is fully compliant with current setback requirements. It is only the addition to the south (side) of the home, and the second-story addition above the garage, which are considered expansions of a nonconforming structure.

	Requirement	Existing	Proposed
Front Setback	Minimum 25'	~58'	~58'
Side Setbacks (Combined)	Minimum 20'	~16.5'	~16.5'
Side Setbacks (Individual)	Neither Side Less than 8'	~8' & ~8.5'	~8' & ~8.5'
Rear Setback	Minimum 20'	~75'	~41'
Height	Maximum 35'	~23.5'	~28' 10"

Complies with code

Does not comply with code

As indicated in the prior table, the front, rear, and individual side setbacks currently meet city code requirements, and the proposed addition maintains this compliance. Additionally, the building's current maximum height is compliant, as is its proposed height post-addition. It is only the current combination of side setbacks that is legally nonconforming at ~16.5', versus the 20' required by code. This ~16.5' is maintained by the current addition, which does not extend any nearer to side property lines than the current home is situated.



The above exhibit details the home's side setbacks, as the subject of this property's legally nonconforming status. As shown, the existing side setbacks combine to ~16.5', which does not meet the minimum 20' required by code. The addition does not encroach any closer to side property lines, but does technically add additional nonconforming square footage via the second-story garage addition (~8.5' side setback) and south side addition (~9.5' side setback).

Appeals Hearing Officer Authority

Chapter 19.88 of the Cottonwood Heights Municipal Code allows for additions to non-conforming structures upon approval from the city's Appeals Hearing Officer:

19.88.070 Additions, enlargements, moving and reconstruction of building.

B. A building occupied by a nonconforming use or a building noncomplying as to height, area, or yard regulations may be added to or enlarged or moved to a new location on the lot or reconstructed at a new location on the lot upon a permit authorized by the Appeals Hearing Officer provided that the Appeals Hearing Officer, after the hearing, shall find:

- 1. The addition to, enlargement of, moving of, or reconstruction of the noncomplying building at a new location on the lot will be in harmony with one or more of the purposes stated in section 19.02.020, and shall be in keeping with the intent of this title;*
- 2. That the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or noncomplying building.*

19.02.020 Purpose of provisions.

This title is designed and enacted for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city, including, among other things, the lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, and securing economy in governmental expenditures, fostering the city's industries, and the protection of both urban and non-urban development.

Recommendation & Model Motions

Recommendation

Through analysis, staff has found that the proposed addition **does not increase the degree of nonconformity** of this structure, and **represents a reasonable effort to modify** an existing home. As such, **staff recommends approval** of this project, with the following findings:

1. The proposal will not negatively affect the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city because the use is the same as what currently exists;
2. The proposal will not create any additional congestion in the streets or roads;
3. The proposal will not create a fire safety issue;
4. The proposal will not affect air flow or block natural light from adjoining properties by conforming with all height regulations;
5. The proposal will have no apparent negative effect on the city's tax base;
6. The proposal will not place any type of unreasonable burden upon neighboring properties;
7. The proposal is in keeping with the intent of the Cottonwood Heights Zoning Ordinance.

Model Motions

Approval

I move to approve project AHO-24-006, based on the findings listed in the staff report dated November 14, 2024, with the conditions outlined in this report.

- Add any additional findings for approval...
- Add any conditions for approval...

Denial

I move to deny project AHO-24-006, based on the following findings...

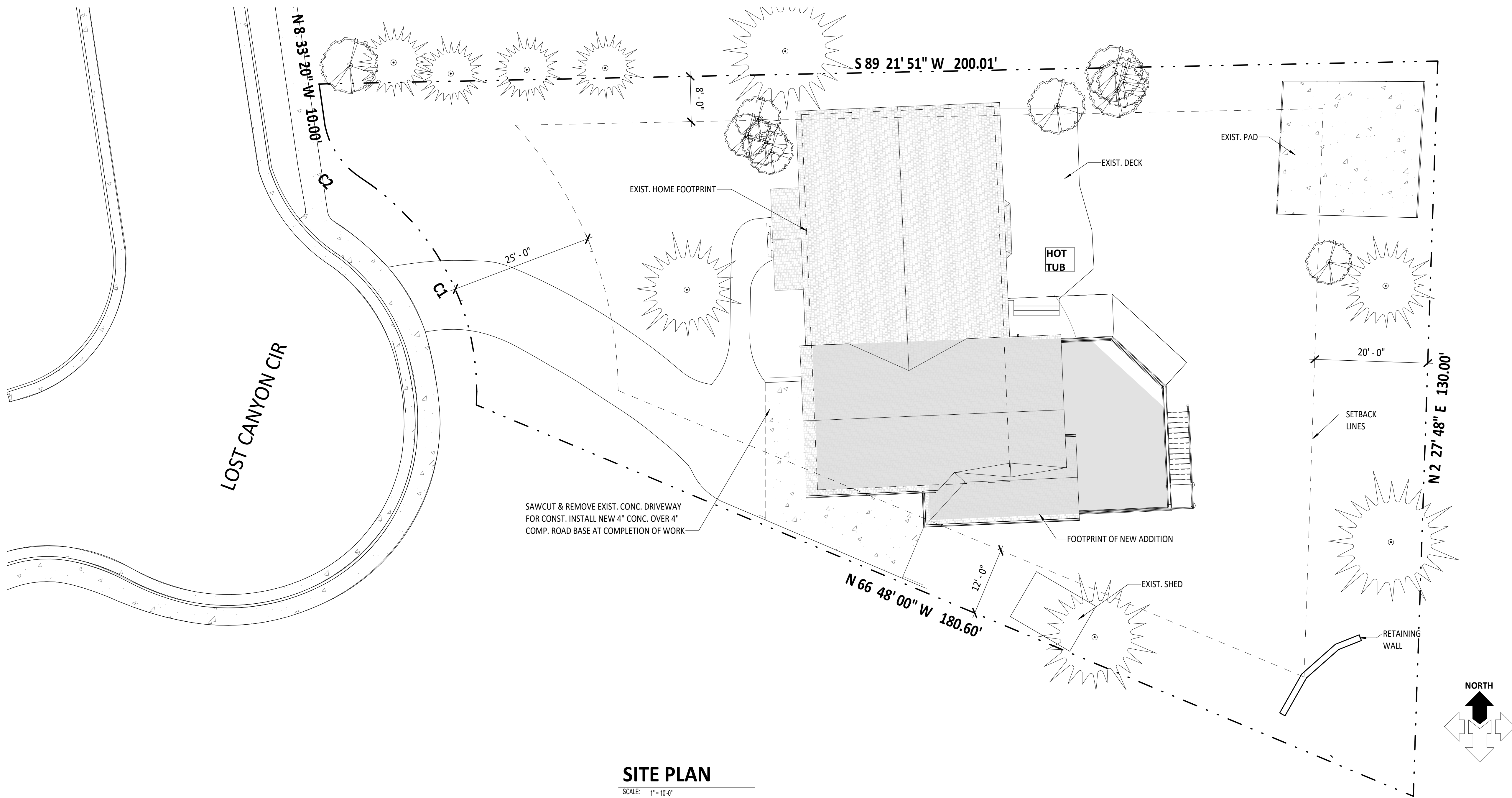
- List findings for denial...

Attachments

1. Proposed Addition Plans
2. Project Narrative

SORRENTINO FINE GARAGE ADDITION

7371 LOST CANYON CIRCLE
COTTONWOOD HEIGHTS, UT
84121



SITE PLAN

SCALE: 1"=10'-0"

JUNE 2023



SORRENTINO FINE GARAGE ADDITION

KIM SORRENTINO
Enter address here

PROJECT NO. 23054
DRAWN BY NBD
CHECKED BY CEG
DATE 18 JULY 23
PROP. NO. ##

REVISIONS

DESCRIPTION

DATE

COVER SHEET

G0.00



GENERAL NOTES

- 1 MINIMUM WINDOW AREA SHALL EQUAL NOT LESS THAN 8% OF THE FLOOR AREA OF THE ROOM UNLESS ARTIFICIAL LIGHT IS PROVIDED CAPABLE OF PRODUCING AN AVERAGE ILLUMINATION OF 6 FOOTCANDLES OVER THE AREA OF THE ROOM AT A HEIGHT OF 30 INCHES. -IRC R303
- 2 NATURAL VENTILATION EQUALING 4% OF THE FLOOR AREA SHALL BE THROUGH WINDOWS, DOORS, LOUVERS, OR OTHER APPROVED OPENINGS TO THE OUTDOORS UNLESS AN APPROVED MECHANICAL VENTILATION SYSTEM IS PROVIDED CAPABLE OF PRODUCING 0.35 AIR CHANGES PER HOUR IN THE ROOM OR A WHOLE-HOUSE MECHANICAL VENTILATION SYSTEM IS INSTALLED. -IRC R303
- 3 TEMPERED GLASS SHALL BE PROVIDED IN: FRAMELESS GLASS DOORS, GLASS IN DOORS, GLASS WITHIN A 24" ARCH OF DOORS, GLAZING LESS THAN 60" ABOVE A WALKING SURFACE THAT IS WITHIN 5 FT OF STAIRS, OR GLAZING WITHIN 5 FT OF SPAS OR POOLS, CERTAIN FIXED GLASS PANELS, AND SIMILAR GLAZED OPENINGS SUBJECT TO HUMAN IMPACT. -IRC R308
- 4 STAIRWAYS SHALL NOT BE LESS THAN 36 INCHES IN CLEAR WIDTH AT ALL POINTS ABOVE THE PERMITTED HANDRAIL HEIGHT. HANDRAILS SHALL NOT PROJECT MORE THAN 4.5 INCHES ON EITHER SIDE. -IRC 311.5.1
- 5 THE TOPS OF HANDRAILS SHALL BE PLACED BETWEEN 34 INCHES AND 38 INCHES ABOVE THE NOSING OF THE TREADS. THEY SHALL BE CONTINUOUS THE FULL LENGTH OF THE STAIRS. ENDS SHALL BE RETURNED OR SHALL TERMINATE IN NEWEL POSTS OR SAFETY TERMINALS. THE HANDGRIP PORTION OF HANDRAILS SHALL BE NOT LESS THAN 1-1/4 INCHES NOR MORE THAN 2-5/8 INCHES IN CROSS-SECTIONAL DIMENSION OR THE SHAPE SHALL PROVIDE AN EQUIVALENT GRIPPING SURFACE. HANDRAILS PROJECTING FROM A WALL SHALL HAVE A SPACE OF NOT LESS THAN 1.5 INCHES BETWEEN THE WALL AND THE HANDRAIL. -IRC R311.5.6
- 6 ALL UNENCLOSED FLOOR AND ROOF OPENINGS, OPEN AND GLAZED SIDES OF LANDINGS AND STAIRS, BALCONIES AND PORCHES MORE THAN 30 INCHES ABOVE GRADE, AND ROOFS USED FOR OTHER THAN SERVICE OF THE BUILDING SHALL BE PROTECTED BY A GUARD (AKA "GUARDRAIL"). GUARDS SHALL NOT BE LESS THAN 36 INCHES IN HEIGHT. OPEN GUARDS SHALL HAVE INTERMEDIATE RAILS OR AN ORNAMENTAL PATTERN SUCH THAT NO SPHERE 4 INCHES IN DIAMETER CAN PASS THROUGH. -IRC R312
- 7 STAIRWAY RISERS SHALL NOT EXCEED 8 INCHES AND TREAD SHALL NOT BE LESS THAN 9 INCHES. STATE AMENDMENT TO THE IRC. IF OPEN RISERS ARE PROVIDED, THE OPENINGS SHALL BE LESS THAN 4". IRC 311.5.3.3
- 8 LANDINGS SHALL HAVE A MINIMUM DIMENSION MEASURED IN THE DIRECTION OF TRAVEL OF 36 INCHES. -IRC R311.4.3
- 9 ALL LUMBER IN CONTACT WITH CONCRETE OR MASONRY INCLUDING LEDGERS AND FURRING WALLS MUST BE PRESERVATIVELY TREATED OR FOUNDATION-GRADE REDWOOD. -IRC R319
- 10 PROVIDE 1/2" AIRSPACE AT TOPS, SIDES AND ENDS OF GIRDERS ENTERING EXTERIOR CONCRETE OR MASONRY WALLS UNLESS WOODS RESISTANT TO DECAY ARE USED. -IRC R319
- 11 NO WOOD SHALL BE NEARER THAN 8 INCHES TO EARTH UNLESS SEPARATED BY CONCRETE AT LEAST 3 INCHES IN THICKNESS WITH AN IMPERVIOUS MEMBRANE INSTALLED BETWEEN THE EARTH AND THE CONCRETE. THIS INCLUDES DECKS AND SIDING. -IRC R319
- 12 CHIMNEYS SHALL EXTEND AT LEAST 2 FEET HIGHER THAN ANY PORTION OF A BUILDING WITHIN 10 FEET, BUT SHALL NOT BE LESS THAN 3 FEET ABOVE THE POINT WHERE THE CHIMNEY PASSES THROUGH THE ROOF.

ELECTRICAL NOTES

1. ALL RECEPTACLES SERVING KITCHEN COUNTERTOPS, IN GARAGES, BATHS, UNFINISHED BASEMENTS AND OUTSIDE RECEPTACLES SHALL BE GFCI PROTECTED. -IRC E3802
2. GFCI REQ'D WITHIN 25' OF AC CONDENSER
3. RECEPTACLES ARE REQUIRED WITHIN 6' OF ENDS OF WALLS AND VERTICAL EDGES OF DOORWAYS. RECEPTACLES ARE REQUIRED ON ALL WALL SECTIONS AT LEAST 2' WIDE OF WIDER.
4. ALL BEDROOM OUTLETS TO BE ARC FAULT PROTECTED

MECHANICAL NOTES

1. PROVIDE A COMFORT HEATING SYSTEM CAPABLE OF MAINTAINING 68 F AT A POINT 36 INCHES ABOVE THE FLOOR IN ALL ROOMS. EQUIPMENT CANNOT BE INSTALLED IN SLEEPING ROOMS OR BATHROOMS. IRC G2406
2. APPLIANCES LOCATED IN A GARAGE OR CARPORT SHALL BE PROTECTED FROM IMPACT BY AUTOMOBILES. IRC M1307.3.1
3. INSULATE HEATING TRUNK AND BRANCH SUPPLY DUCTS IN UNFINISHED AREAS, CRAWL SPACES, ATTICS, UNHEATED GARAGES, ETC. IECC 503.3.3.3

COMMON SYMBOLS & ABBREVIATIONS

SYMBOLS	ABBREVIATIONS
	A.F.F. = ABOVE FINISHED FLOOR
	ALUM. = ALUMINUM
	BD. = BOARD
	CONC. = CONCRETE
	DIA. = DIAMETER
	EA. = EACH
	FD = FLOOR DRAIN
	FURN. = FURNACE
	GA. = GAUGE
	GALV. = GALVANIZED
	GPF = GALLONS PER FLUSH
	GYP. = GYPSUM
	HB = HOSE BIB
	H.C. = HANDI-CAP
	H.W.H. = HOT WATER HEATER
	LT. = LIGHT
	MAX. = MAXIMUM
	MECH. = MECHANICAL
	MFR. = MANUFACTURER
	MH = MANHOLE
	MIN. = MINIMUM
	NO. = NUMBER
	N.T.S. = NOT TO SCALE
	O.C. = ON CENTER
	O.H. = OVERHANG
	PR. = PAIR
	RCP = REFLECTED CEILING PLAN
	RE. = REFERENCE
	SEC. = SECTION
	SECT. = SECTION
	SIM. = SIMILAR
	T&G = TOUNGE & GROOVE
	T.O. = TOP OF
	TYP. = TYPICAL
	U.N.O. = UNLESS NOTED OTHERWISE
	WT. = WEIGHT

SHEET INDEX

SHEET NO.	SHEET TITLE
A3.02	STAIR SECTIONS
G0.00	COVER SHEET
G0.01	GENERAL INFORMATION
A1.01	FOUNDATION DEMO PLANS
A1.02	ROOF & FLOOR PLANS
A1.03	ELECTRICAL PLANS
A2.01	EXTERIOR ELEVATIONS
A2.02	EXTERIOR ELEVATIONS
A3.01	SECTIONS
A4.01	DETAILS
S0.00	GENERAL NOTES
S0.01	TYPICAL STRUCTURAL DETAILS
S1.00	STRUCTURAL PLANS
S1.01	STRUCTURAL PLANS
S5.00	GENERAL NOTES



VICINITY MAP

SORRENTINO FINE GARAGE ADDITION

KIM SORRENTINO
Enter address here

Norm Schoenherr AIA Carl Greene AIA
Design International
UTAH COLORADO NEVADA
DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING
P.O. Box 1596, Park City, Utah 84060
801-641-3894 435-640-6081



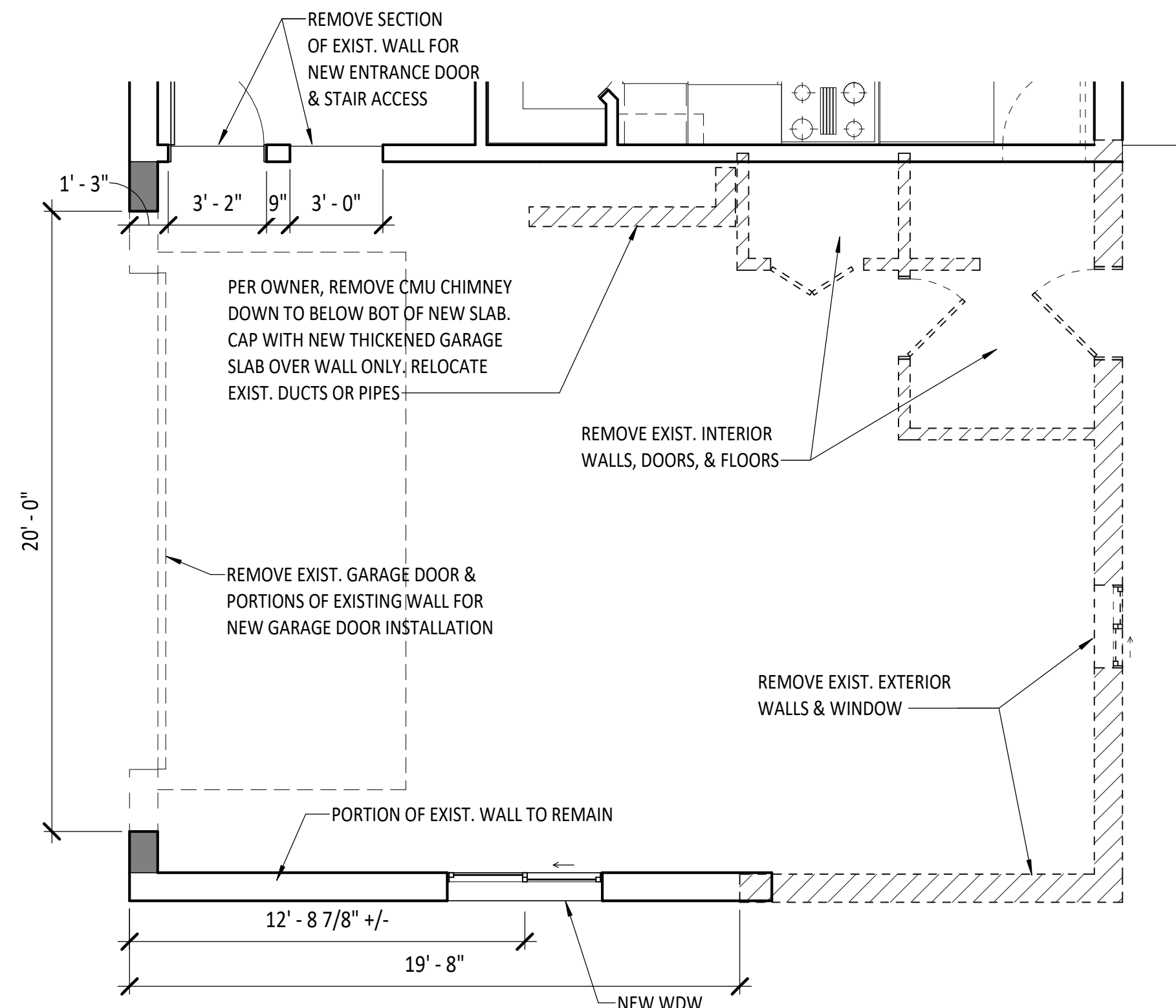
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DATE 09 JUNE 23
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REVISIONS	DESCRIPTION	DATE

GENERAL
INFORMATION

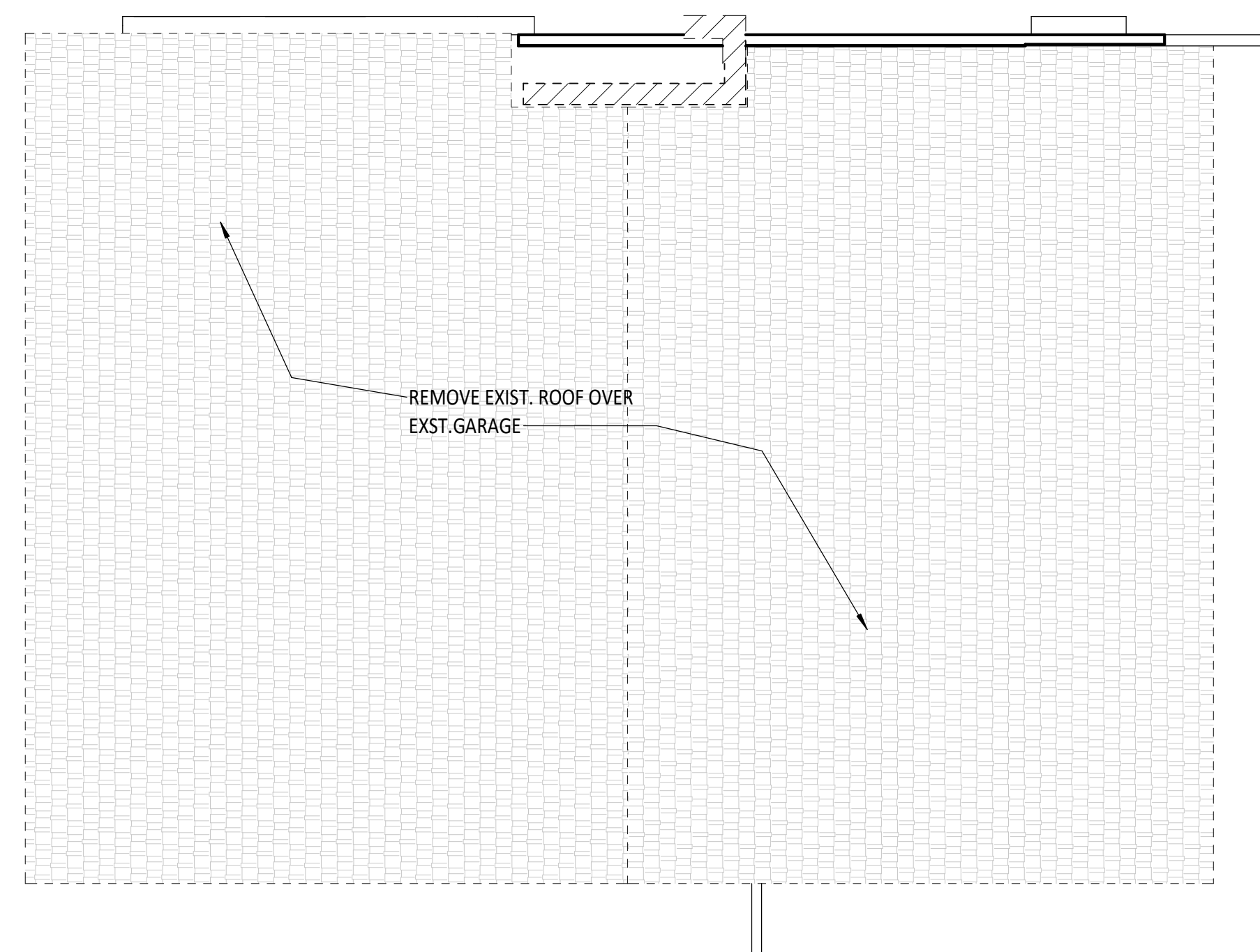
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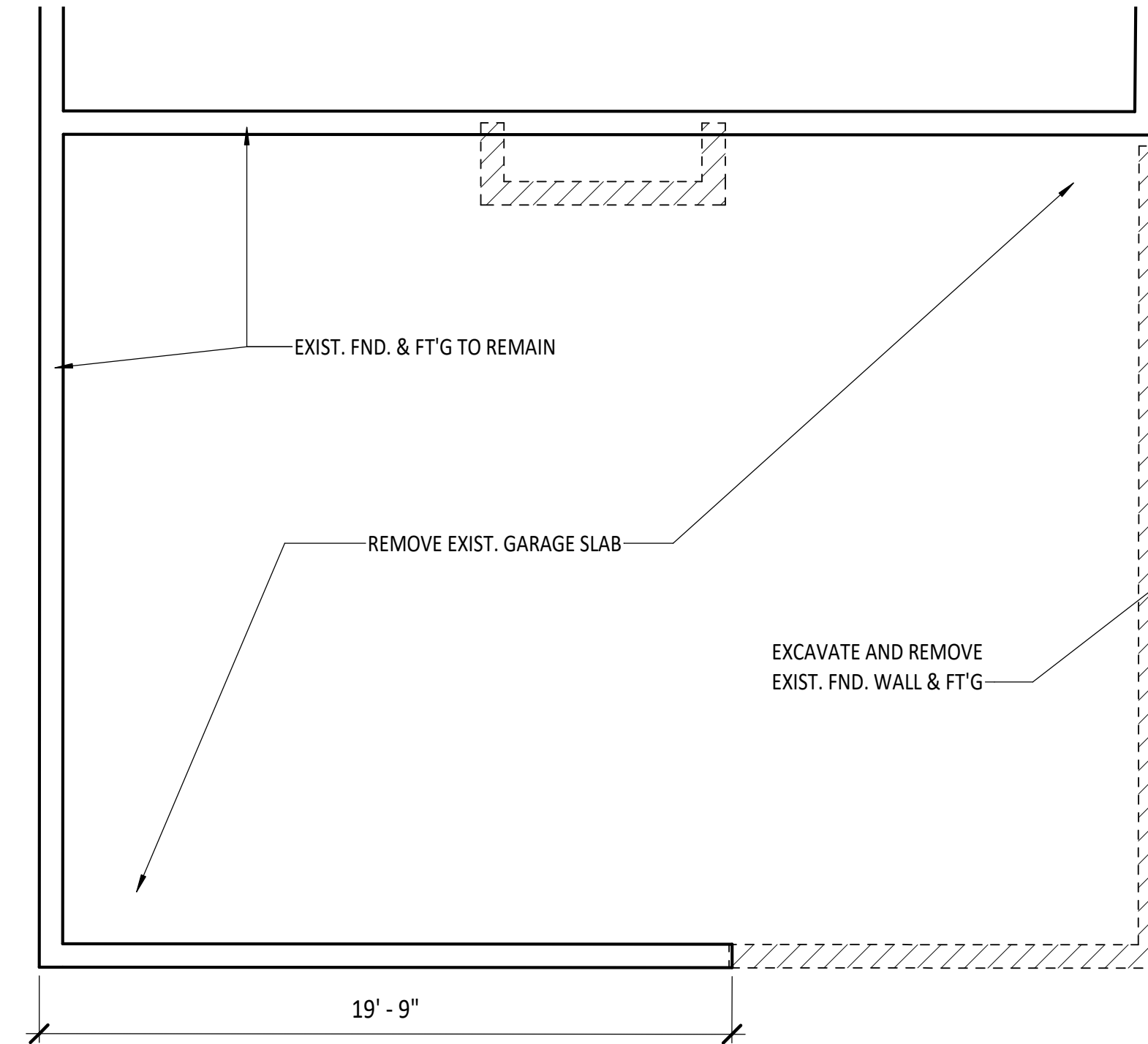
MAIN LEVEL DEMOLITION PLAN

SCALE: 1/4" = 1'-0"



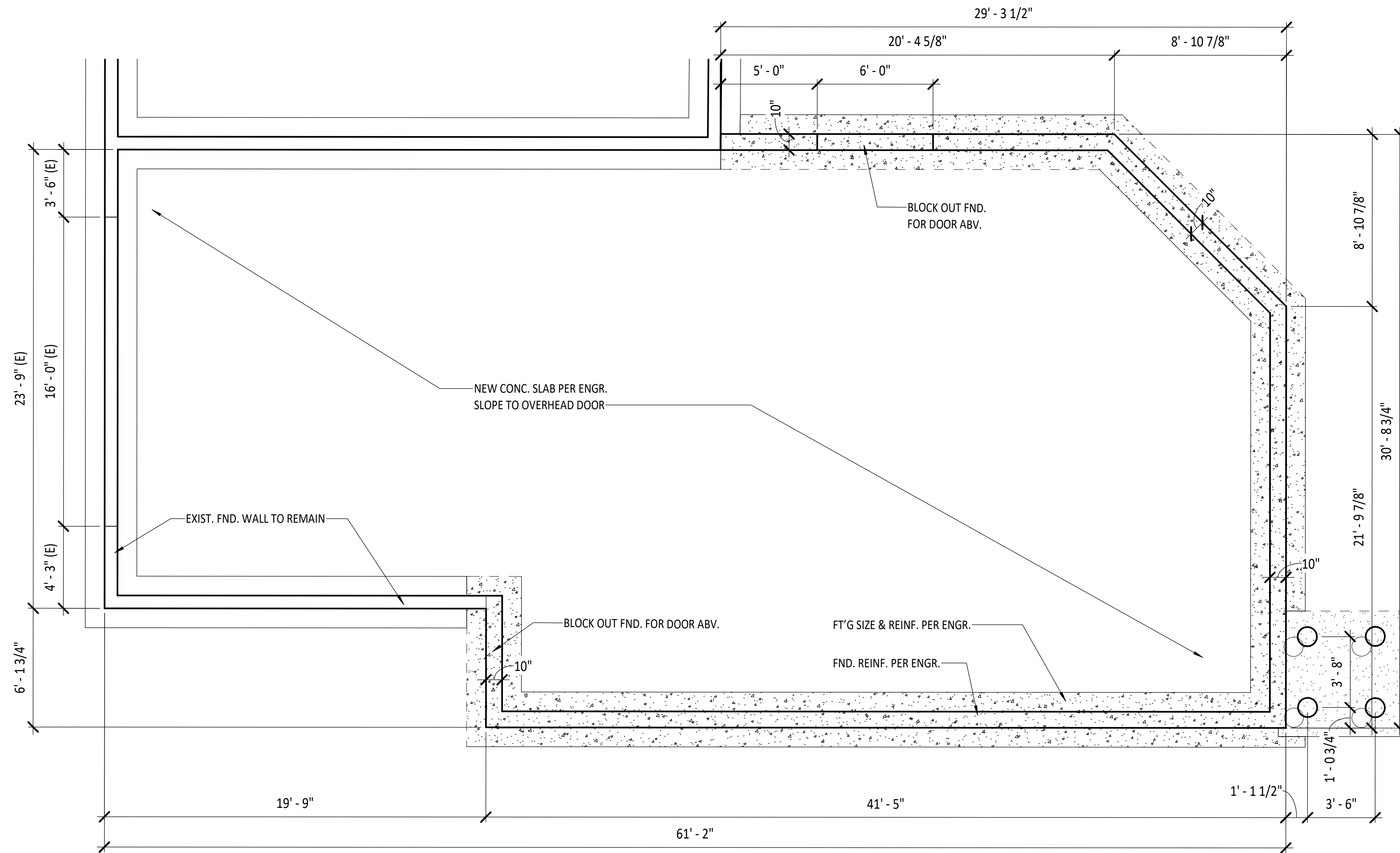
EXISTING ROOF DEMO PLAN

SCALE: 1/4" = 1'-0"



FOUNDATION DEMO PLAN

SCALE: 1/4" = 1'-0"



NEW FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



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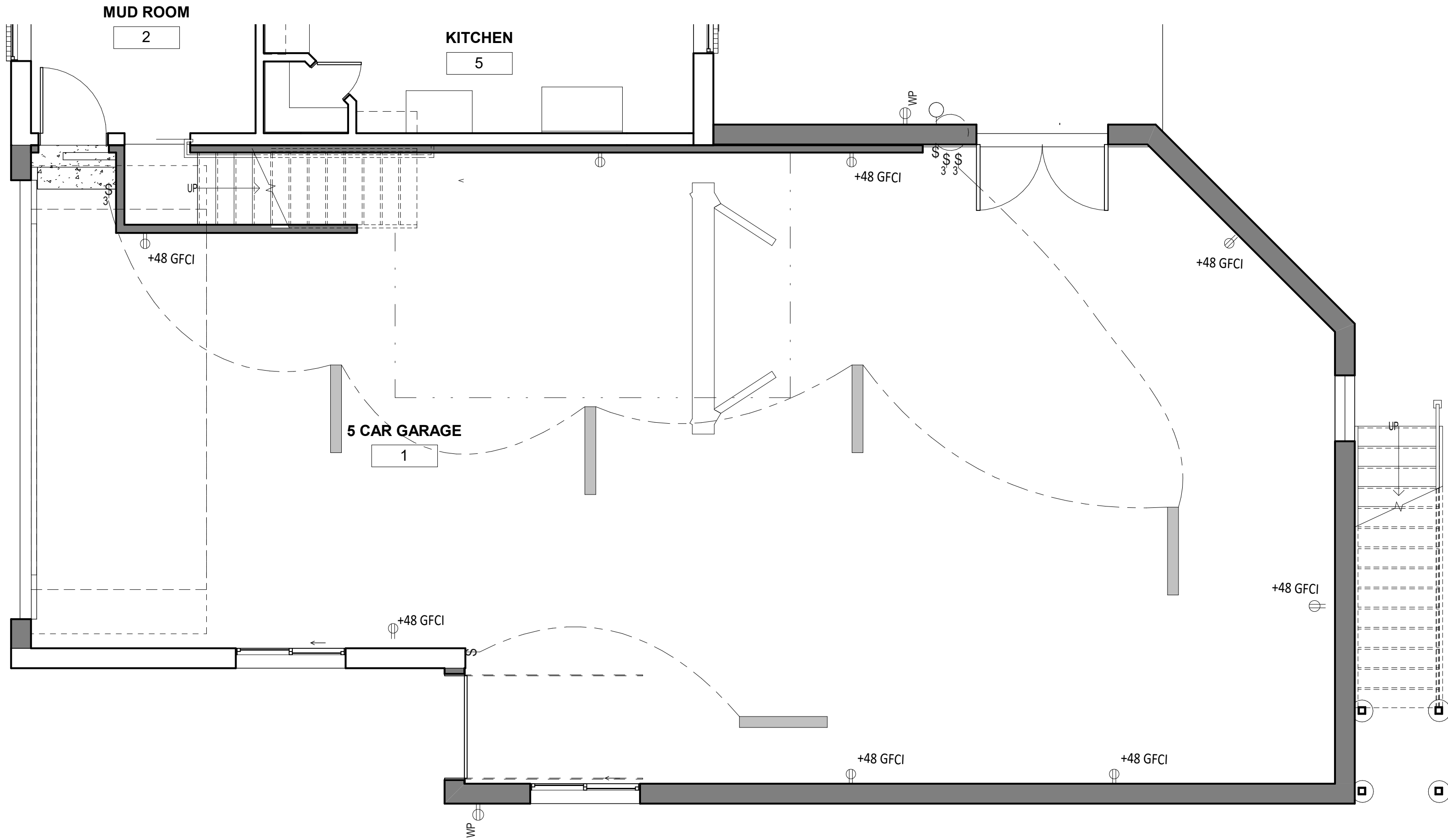
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FOUNDATION
DEMO PLANS

A1.01

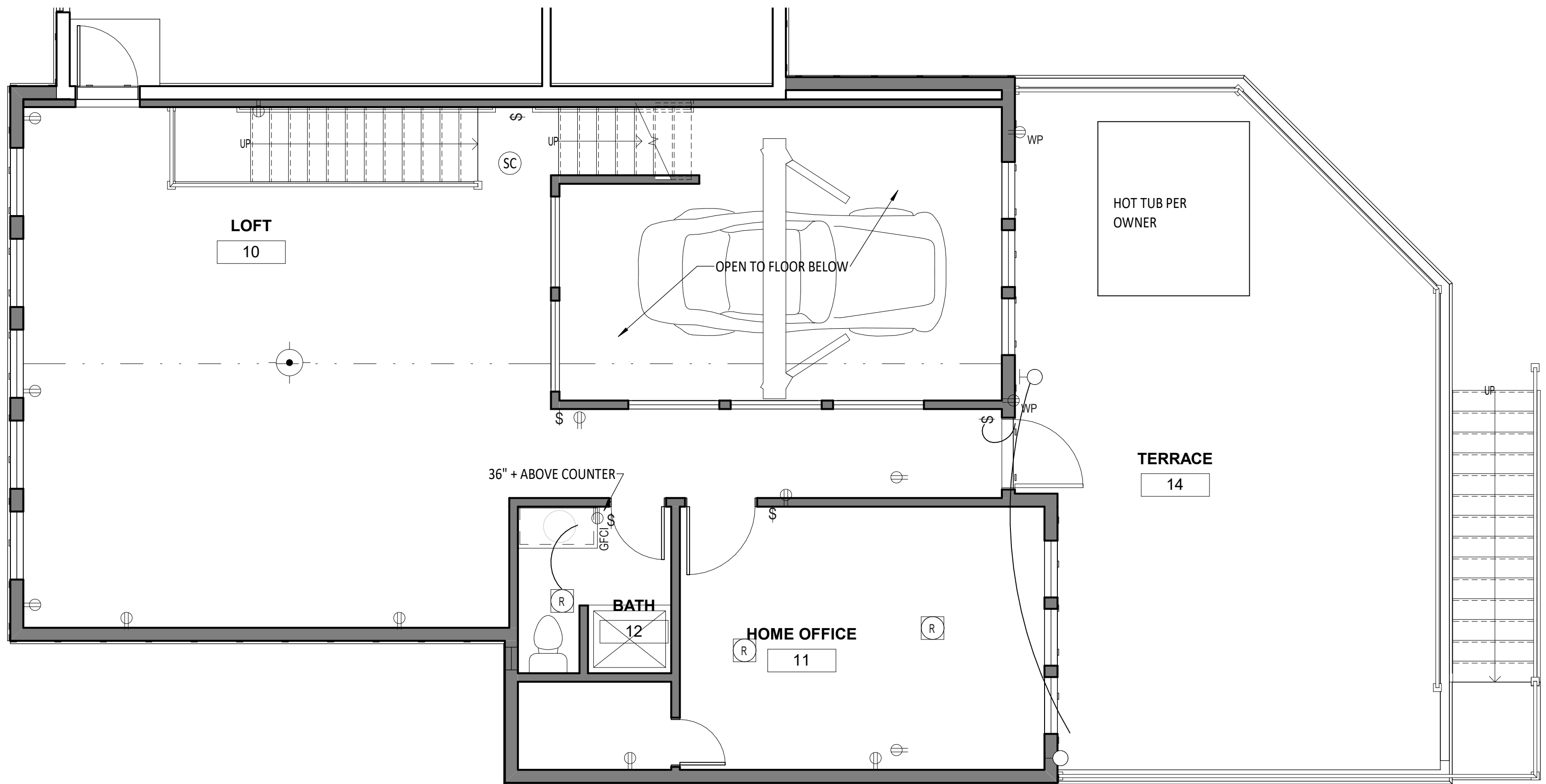
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MARK	TYPE
	SINGLE POLE TOGGLE SWITCH
	110 VOLT GROUND FAULT INTERRUPTER
	110 VOLT WATERPROOF GFI OUTLET
	RECESSED CAN
	PENDANT LIGHT
	WALL MOUNT FIXTURE
	2' STRIP FLUORESCENT FIXTURE
	SMOKE & CARBON MONOXIDE DETECT.



MAIN LEVEL ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"



LOFT LEVEL ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"



SORRENTINO FINE GARAGE ADDITION

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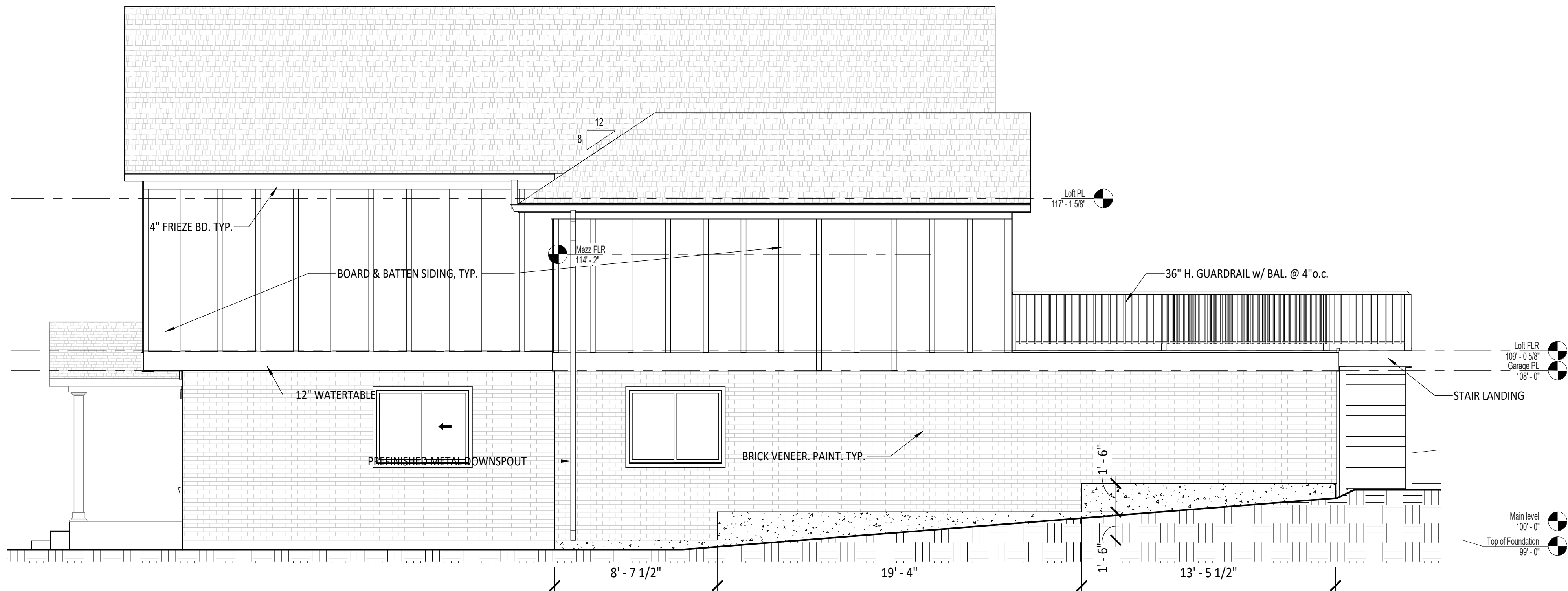
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ELECTRICAL PLANS

A1.03

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SOUTH ELEVATION VIEW

SCALE: 1/4" = 1'-0"



WEST ELEVATION VIEW

SCALE: 1/4" = 1'-0"



SORRENTINO FINE GARAGE ADDITION

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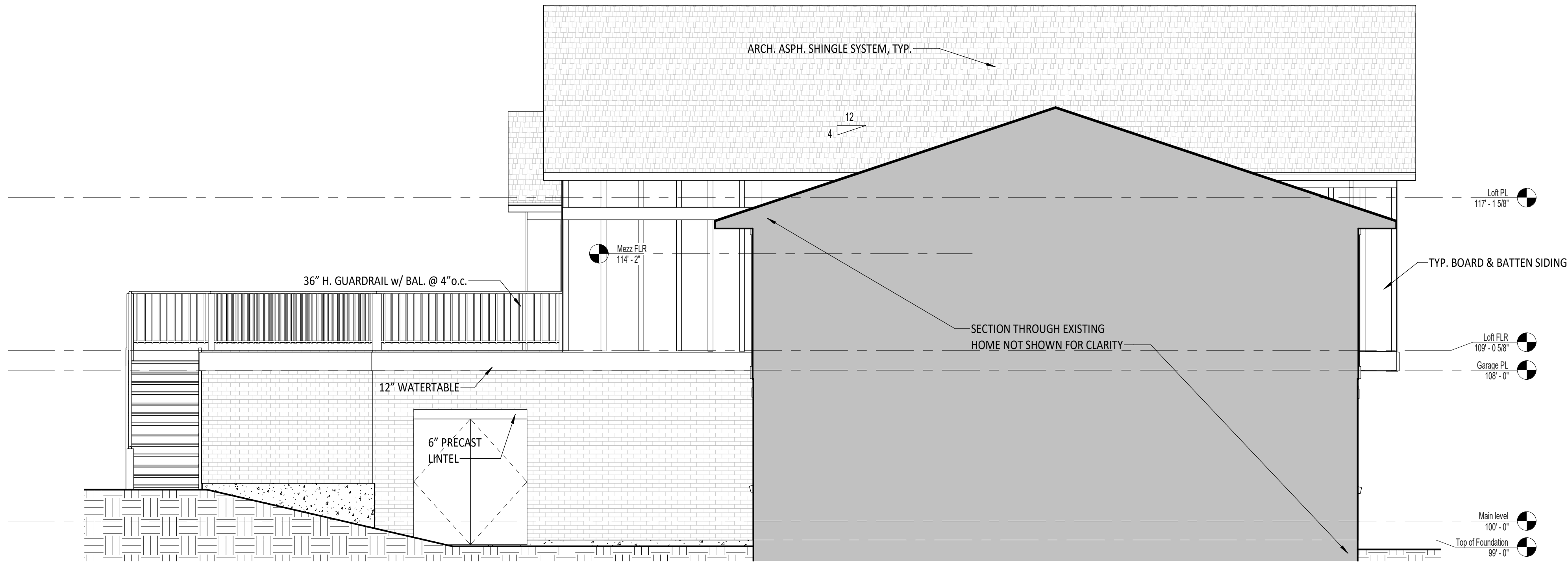
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DATE	DESCRIPTION

**EXTERIOR
ELEVATIONS**

A2.01

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NORTH ELEVATION (SECTION) VIEW

SCALE: 1/4" = 1'-0"



EAST ELEVATION VIEW

SCALE: 1/4" = 1'-0"



SORRENTINO FINE GARAGE ADDITION

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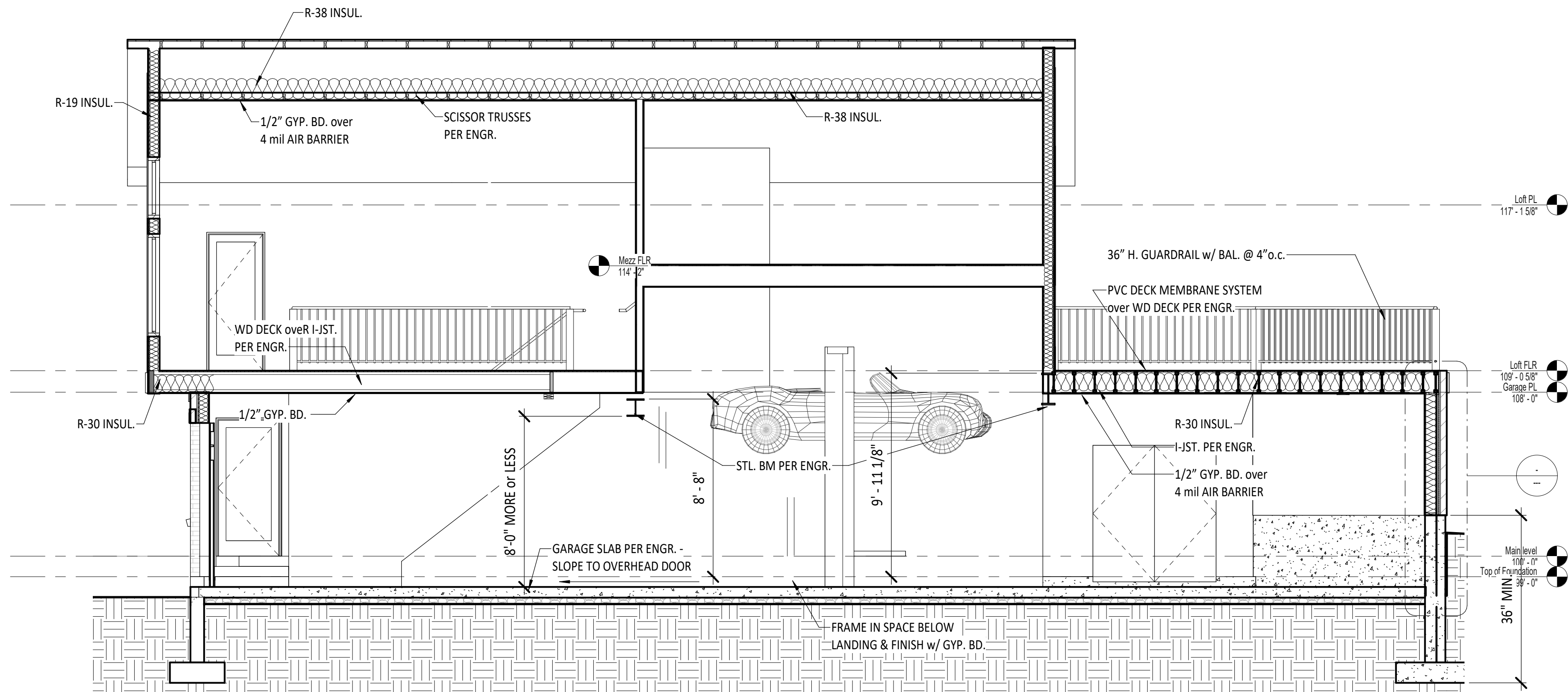
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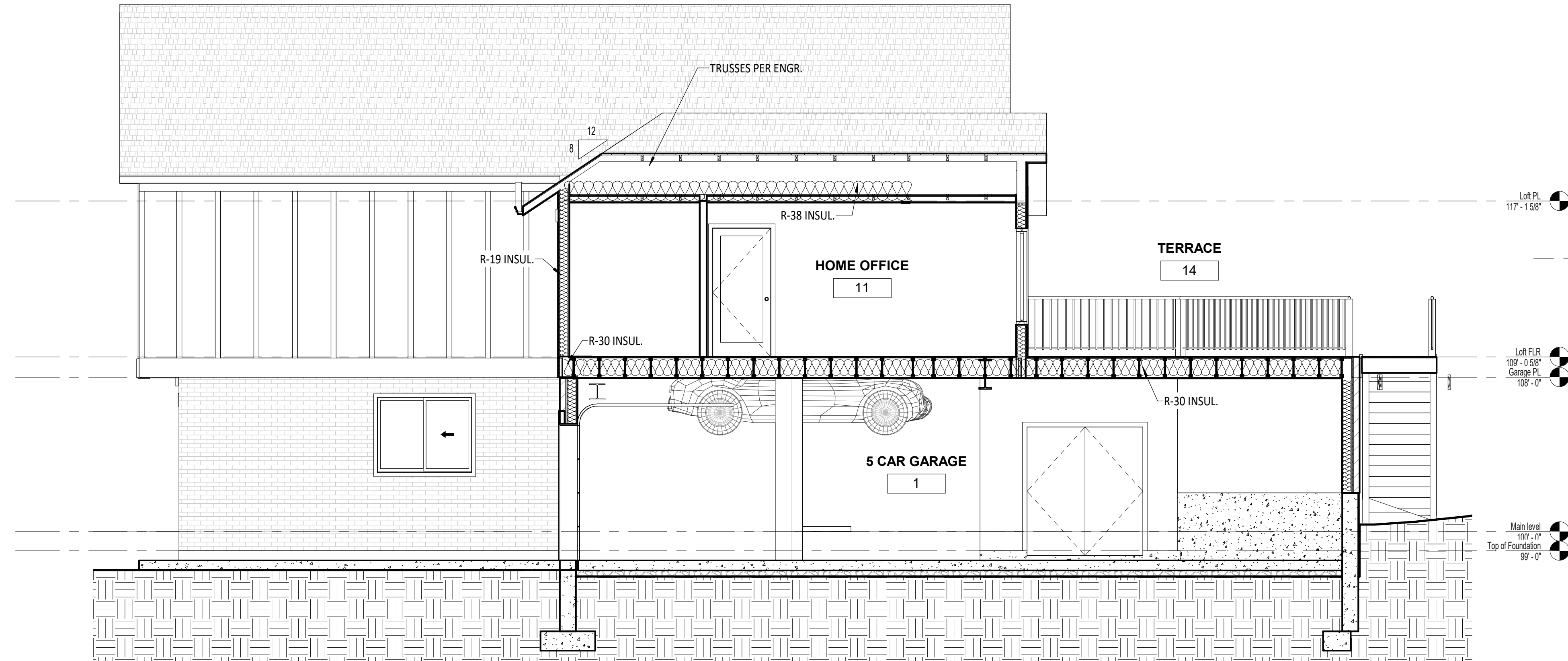
EXTERIOR ELEVATIONS

A2.02

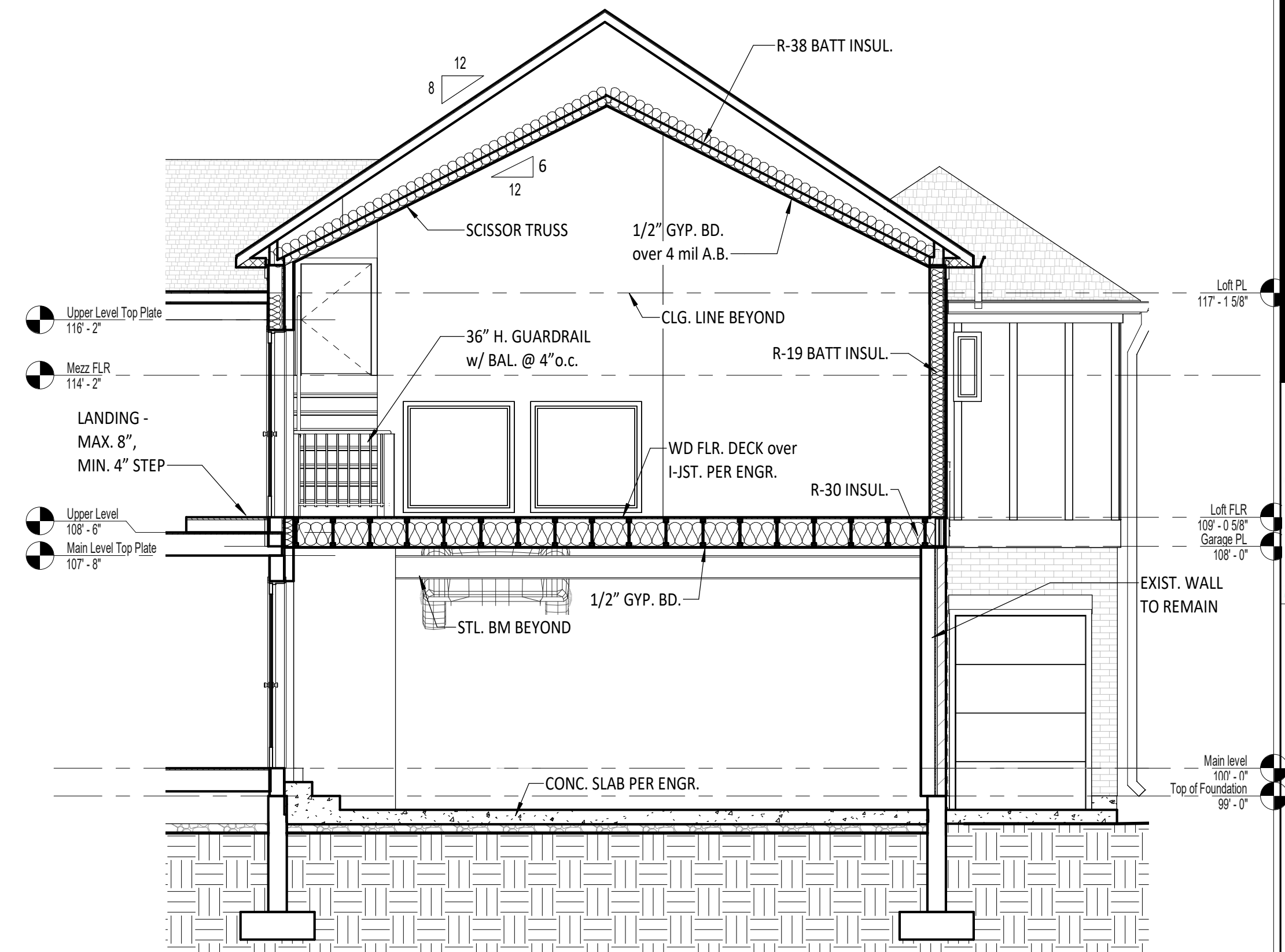
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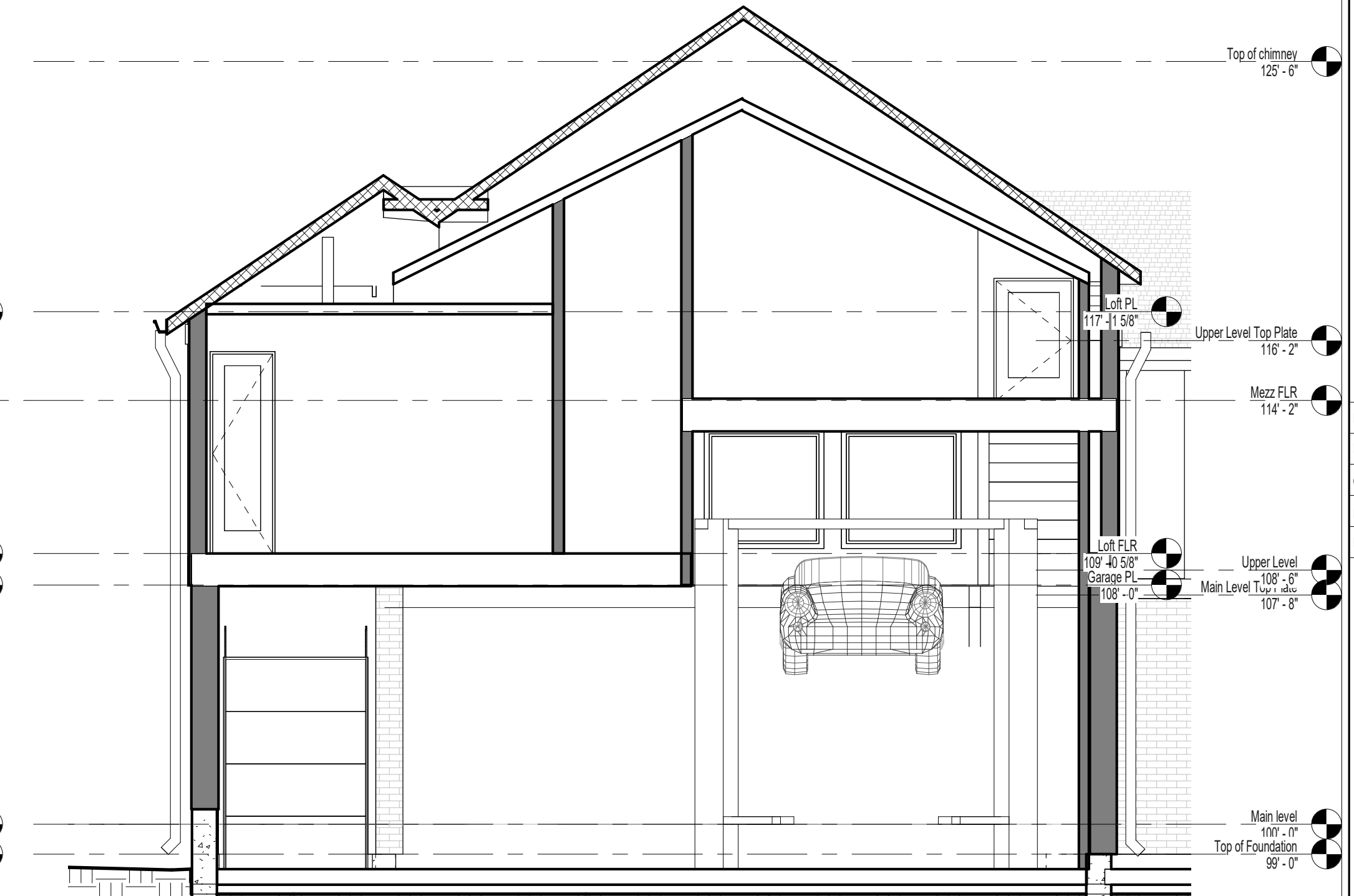
1 SECTION THROUGH LOFT
SCALE: 1/4" = 1'-0"



3 EXTERIOR/INTERIOR SECTION
SCALE: 1/4" = 1'-0"



2 NORTH SOUTH CROSS SECTION
SCALE: 1/4" = 1'-0"



4 GARAGE STAIR SECTION
SCALE: 1/4" = 1'-0"



SORRENTINO FINE GARAGE ADDITION
KIM SORRENTINO
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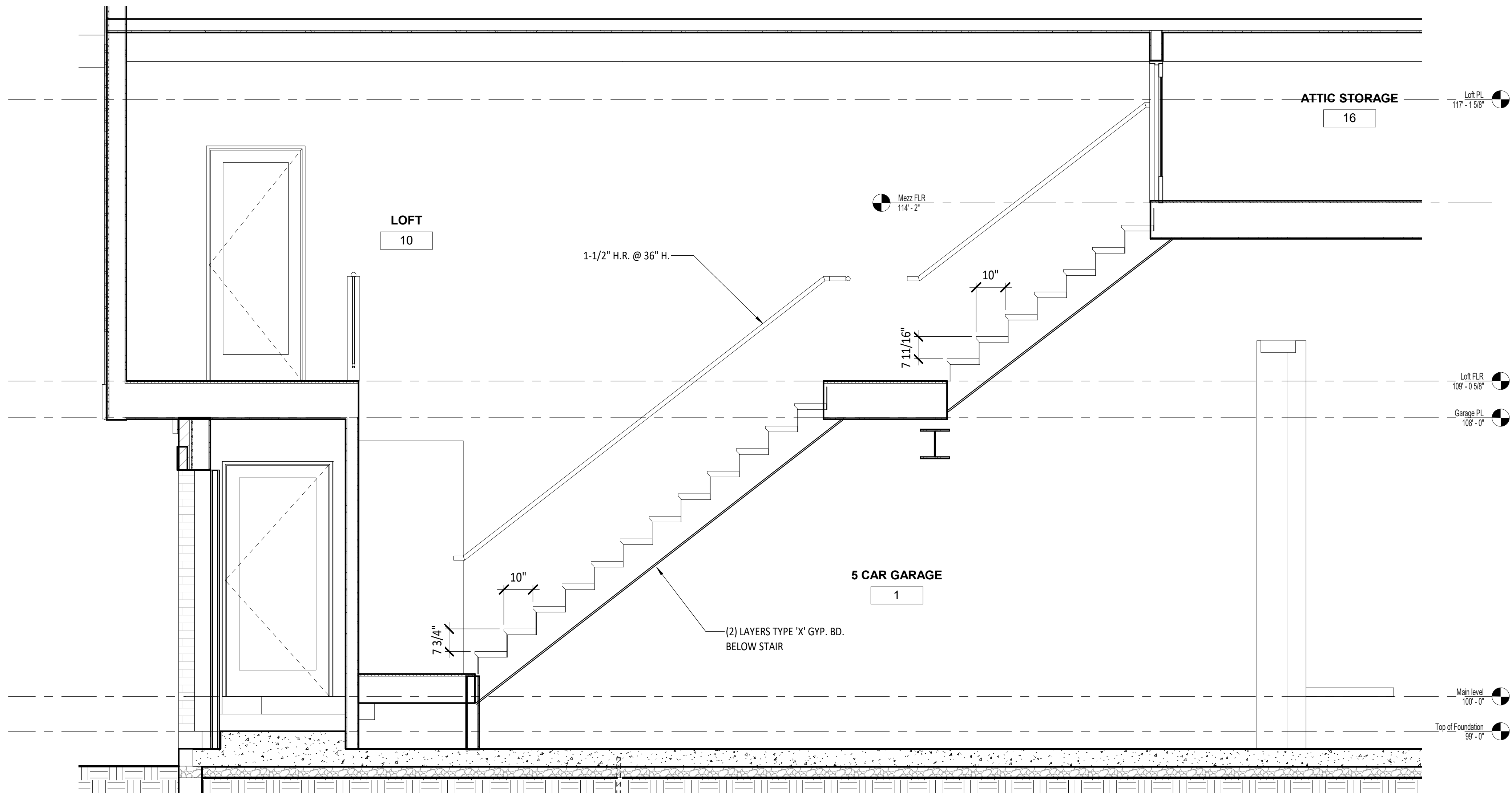
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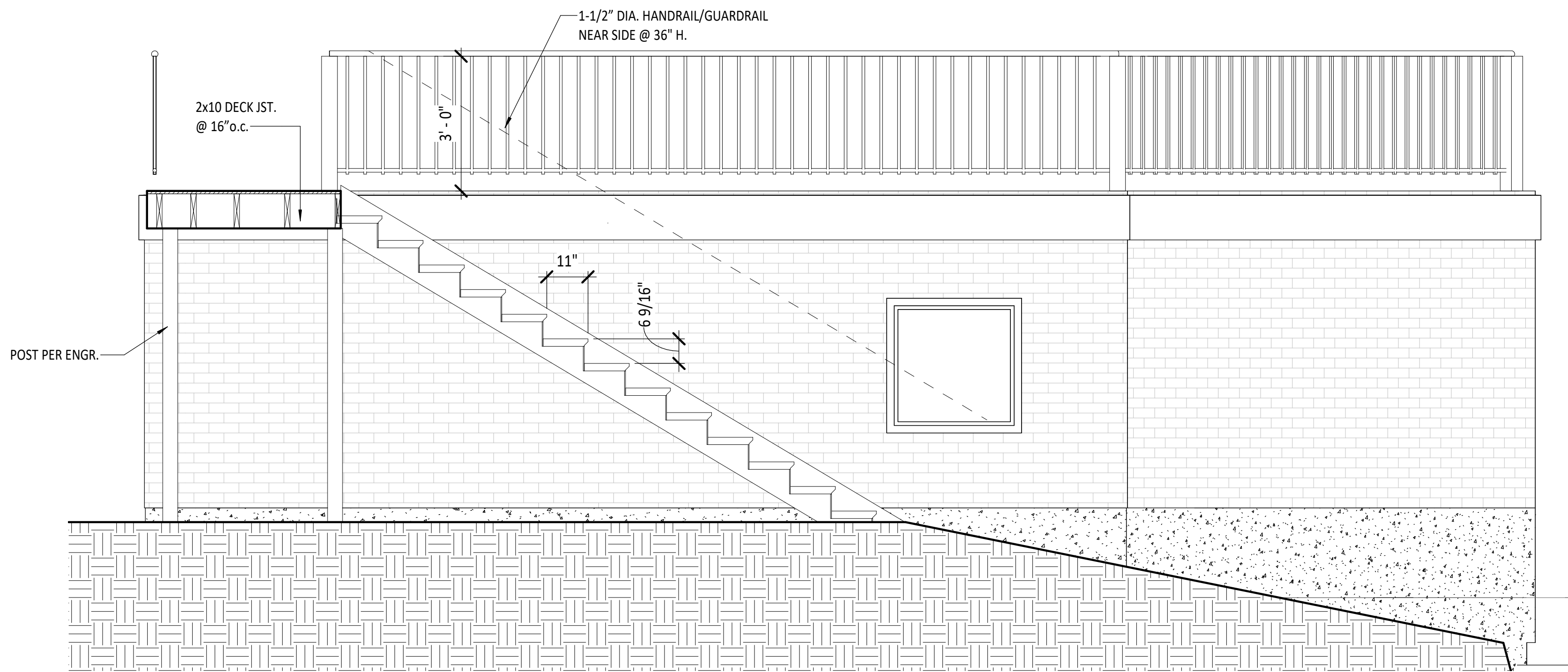
SECTIONS

A3.01

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A INTERIOR STAIR SECTION
SCALE: 1/2" = 1'-0"



B EXTERIOR STAIR SECTION
SCALE: 1/2" = 1'-0"



SORRENTINO FINE GARAGE ADDITION

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PROJECT NO. 23054
DRAWN BY Author
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DATE 24 MAY 2024
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REVISIONS

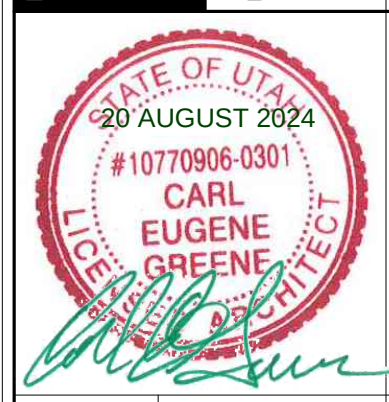
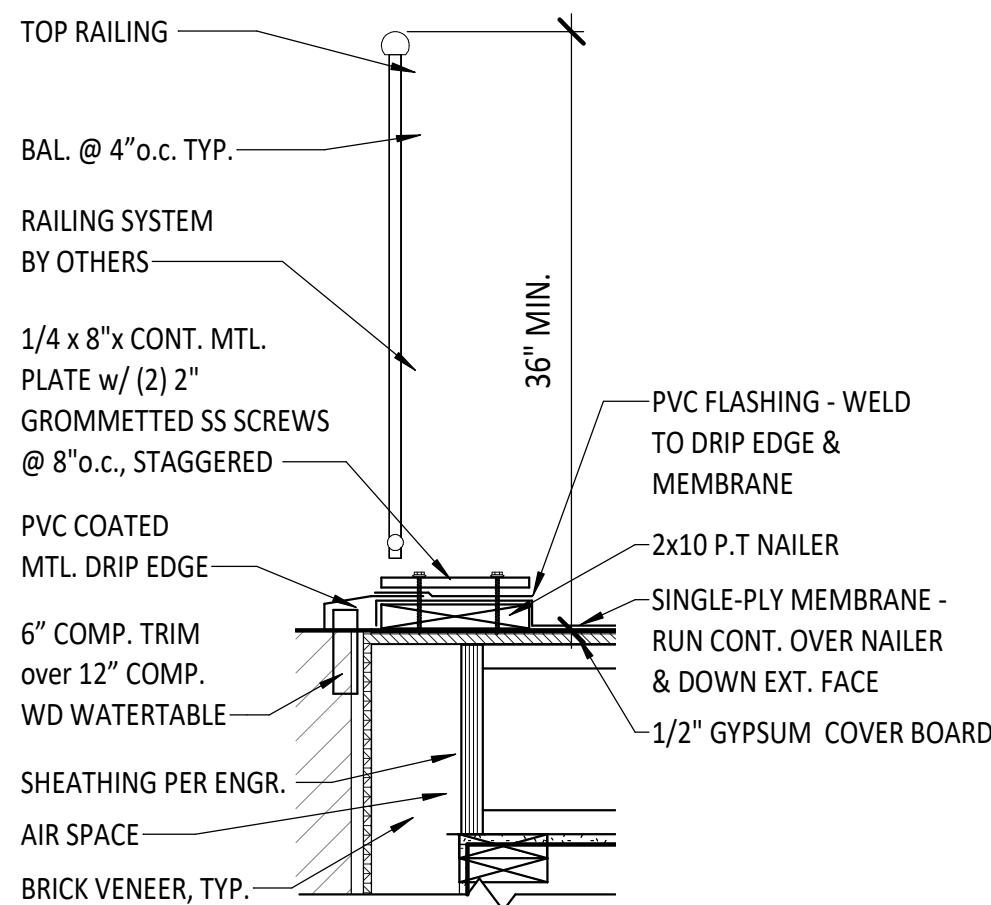
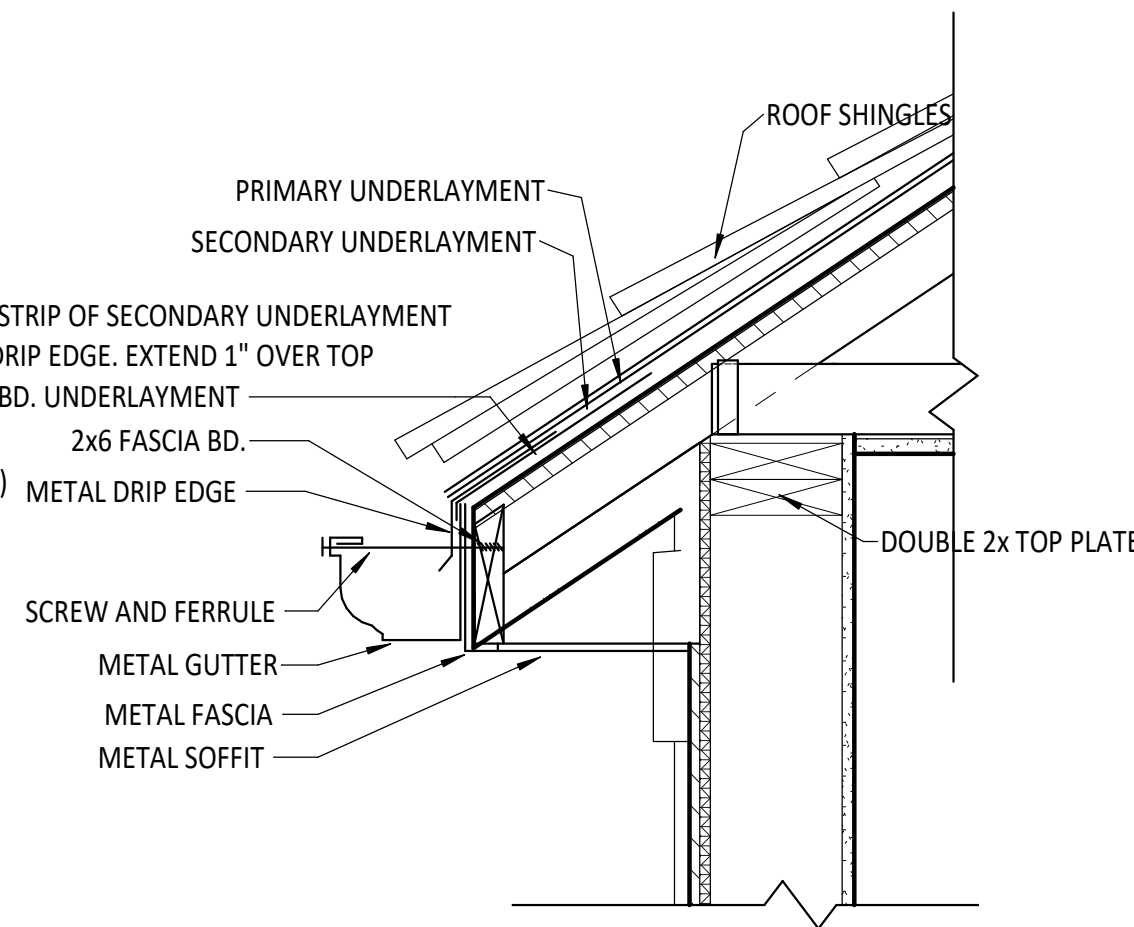
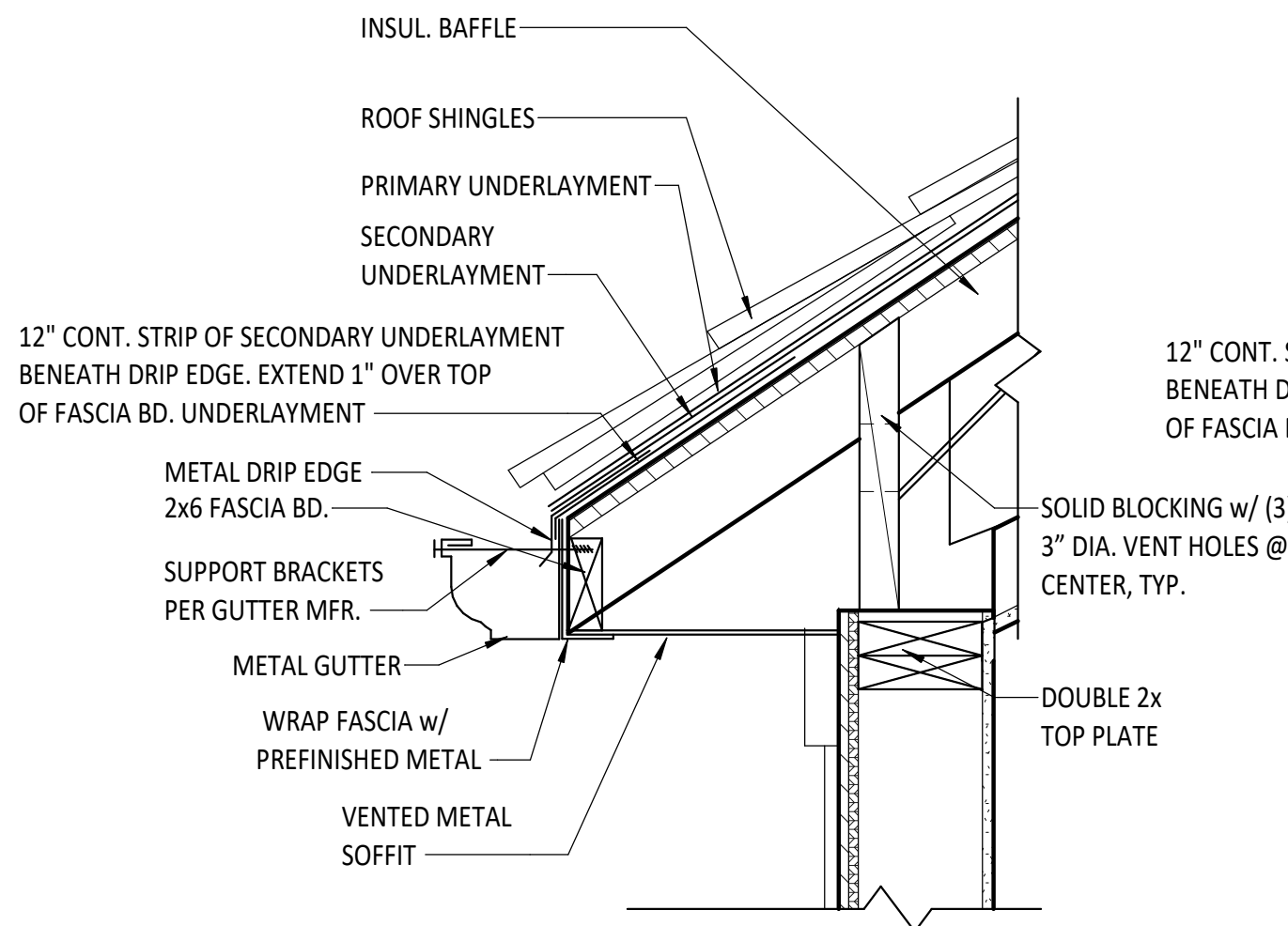
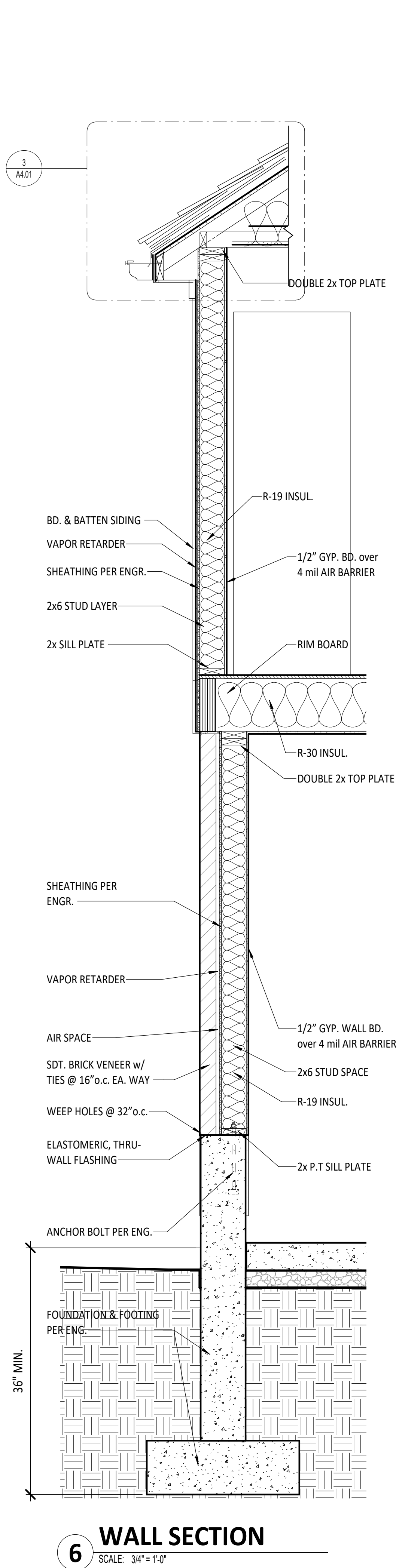
DESCRIPTION

DATE

STAIR SECTIONS

A3.02

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SORRENTINO FINE GARAGE ADDITION

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DATE 18 JULY 23
PROP. NO. ##

REVISIONS		DESCRIPTION	
DATE			

DETAILS

A4.01

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GENERAL:
UNLESS NOTED OTHERWISE, ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE LATEST BUILDING CODE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL EXISTING CONDITIONS AT THE JOB SITE, AND TO FULLY COORDINATE ALL DIMENSIONS AND CONDITIONS OF DETAILS WITH OTHER DISCIPLINES. ANY FIELD CONDITIONS REQUIRING CONSTRUCTION THAT IS DIFFERENT FROM THAT SHOWN ON THE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT. ANY CONFLICTING DETAILS SHOWN IN THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE CONSTRUCTION OF SAID DETAIL. DO NOT SCALE DRAWINGS. ANY QUESTIONS REGARDING THE "DOCUMENTS SHALL BE SUBMITTED TO THE ARCHITECT IN THE FORM OF A WRITTEN REQUEST FOR INFORMATION (RFI).

ALL SUPPORT OF CONSTRUCTION LOADS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ALL SHORING AND BRACING REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING THE CONSTRUCTION PROCESS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ALL WORK SHALL BE DONE IN ACCORDANCE WITH OSHA REQUIREMENTS. POTENTIAL CONFLICTS BETWEEN THESE DOCUMENTS AND OSHA REQUIREMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE STRUCTURAL ENGINEER BEFORE PROCEEDING WITH THE WORK. ALL PROCEDURES OF SOIL EXCAVATION, BACK FILL, AND SUPPORT OF ADJACENT PROPERTY DURING EARTHWORK SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. ALL DIMENSIONS INDICATED ON PLANS SHALL BE TO FACE OF STUDS, FACE OF CONCRETE BLOCK, FACE OF ROUGH CONCRETE, CENTERLINE OF COLUMNS, BOTTOM OF METAL DECK, AND TOP OF SLAB, UNLESS NOTED OTHERWISE. REFER TO ARCHITECTURAL DRAWINGS FOR ALL DIMENSIONS NOT INDICATED ON STRUCTURAL DRAWINGS. THE FOLLOWING DESIGN CRITERIA SHALL BE ENFORCED.

GOVERNING BUILDING CODE: IBC 2021
RISK CATEGORY: II (IBC TABLE 1604.5)

LOADING:

ROOF LOAD

1. ROOF DEAD LOAD: 15 PSF
2. ROOF LIVE LOAD: 20 PSF (NON-CONCURRENT WITH ROOF SNOW LOAD)
3. ROOF SNOW LOAD:
 - A. GROUND SNOW LOAD $P_g = 45$ PSF (ELEVATION= 5,134 FT)
 - B. FLAT ROOF SNOW LOAD $P_f = 32$ PSF (SNOW DRIFT PER ASCE 7-10)
 - C. SNOW EXPOSURE FACTOR $C_e = 1.0$
 - D. SNOW LOAD IMPORTANCE FACTOR $I_s = 1.0$
 - E. THERMAL FACTOR $C_t = 1.0$

FLOOR LOAD TIMBER (CONCRETE SEE LOADING PLAN)

4. DEAD: 15 PSF
5. LIVE:
 - A. RESIDENTIAL: 40 PSF
 - B. TERRACE: 60 PSF

WIND LOAD

6. BASIC WIND SPEED: 105 MPH (ULTIMATE)
7. WIND EXPOSURE TYPE: B
8. WIND IMPORTANCE FACTOR, $I_w = 1.0$
9. INTERNAL PRESSURE COEFFICIENT $+/- 0.18$

SEISMIC LOAD

10. SEISMIC USE GROUP II
11. SEISMIC IMPORTANCE FACTOR $I_e = X-X$
12. SITE COEFFICIENTS
 - A. $S_s = X.XXXg$, $P_a = X.XXX$, $SMS = X.XXXg$, $SDS = X.XXXg$
 - B. $S_1 = X.XXXg$, $F_v = X.XXX$, $SM1 = X.XXXg$, $SD1 = X.XXXg$
 - C. $C_i = X.XXX$
 - D. SOIL SITE CLASS = X
 - E. SEISMIC DESIGN CATEGORY = X

BASIC LRFS-

13. RESPONSE MODIFICATION COEFFICIENT $R = X$
14. SYSTEM OVER STRENGTH FACTOR $\phi = X.X$
15. DEFLECTION AMPLIFICATION FACTOR $C_d = X$
16. W WEIGHT OF STRUCTURE: X
17. DESIGN BASE SHEAR
 - A. $X.XXXW$ (ULTIMATE)
 - D. $X.XXXW$ (SERVICE)
18. DESIGN PROCEDURE: EQUIVALENT LATERAL FORCE

DEFLECTION LIMITS:

19. FLOOR: $L/360$
20. ROOF: $L/180$

ALTERNATES:

ALTERNATE PRODUCTS OF SIMILAR STRENGTH, NATURE AND FORM FOR SPECIFIED ITEMS MAY BE SUBMITTED WITH ADEQUATE TECHNICAL DOCUMENTATION TO THE ARCHITECT/ENGINEER FOR REVIEW. ALTERNATE MATERIALS THAT ARE SUBMITTED WITHOUT ADEQUATE TECHNICAL DOCUMENTATION OR THAT SIGNIFICANTLY DEVIATE FROM THE DESIGN INTENT OF MATERIALS SPECIFIED MAY BE RETURNED WITHOUT REVIEW. ALTERNATES THAT REQUIRE SUBSTANTIAL EFFORT TO REVIEW WILL NOT BE REVIEWED UNLESS AUTHORIZED BY THE OWNER.

DISCREPANCIES:

IN CASE OF DISCREPANCIES BETWEEN THE GENERAL NOTES, SPECIFICATIONS PLANDetails OR REFERENCE STANDARDS, THE ARCHITECT/ENGINEER SHALL DETERMINE WHICH SHALL GOVERN. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/ENGINEER BEFORE PROCEEDING WITH THE WORK. SHOULD ANY DISCREPANCY BE FOUND IN THE CONTRACT DOCUMENTS, THE CONTRACTOR WILL BE DEEMED TO HAVE INCLUDED IN THE PRICE THE MOST EXPENSIVE WAY OF COMPLETING THE WORK, UNLESS PRIOR TO THE SUBMISSION OF THE PRICE, THE CONTRACTOR ASKS FOR A DECISION FROM THE ARCHITECT AS TO WHICH SHALL GOVERN. ACCORDINGLY, ANY CONFLICT IN OR BETWEEN THE CONTRACT DOCUMENTS SHALL NOT BE A BASIS FOR ADJUSTMENT IN THE CONTRACT PRICE.

SITE VERIFICATION:

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE. CONFLICTS BETWEEN THE DRAWINGS AND ACTUAL SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/ENGINEER BEFORE PROCEEDING WITH THE WORK.

MEANS, METHODS AND SAFETY REQUIREMENTS:

THE CONTRACTOR IS RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND ALL JOB RELATED SAFETY STANDARDS SUCH AS OSHA AND DOSH (DEPARTMENT OF OCCUPATIONAL SAFETY AND HEALTH). CONTRACTOR IS RESPONSIBLE TO ADHERE TO OSHA REGULATIONS REGARDING STEEL ERECTION ITEMS SPECIFICALLY ADDRESSED ON THE LATEST OSHA REGULATIONS. BOLTING AND FIELD WELDING AT ALL MEMBER CONNECTIONS IS TO BE COMPLETED PRIOR TO THE RELEASE OF THE MEMBER FROM THE HOISTING MECHANISM UNLESS REVIEWED AND APPROVED BY THE GENERAL CONTRACTOR'S TEMPORARY BRACING AND SHORING DESIGN ENGINEER.

BRACING/SHORING DESIGN ENGINEER:

THE CONTRACTOR SHALL AT HIS DISCRETION EMPLOY AN SSE, A REGISTERED PROFESSIONAL ENGINEER FOR THE DESIGN OF ANY TEMPORARY BRACING AND SHORING.

TEMPORARY SHORING, BRACING:

THE CONTRACTOR IS RESPONSIBLE FOR THE STRENGTH AND STABILITY OF THE STRUCTURE DURING CONSTRUCTION AND SHALL PROVIDE TEMPORARY SHORING, BRACING AND OTHER ELEMENTS REQUIRED TO MAINTAIN STABILITY UNTIL THE STRUCTURE IS COMPLETE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BE FAMILIAR WITH THE WORK REQUIRED IN THE CONSTRUCTION DOCUMENTS AND THE REQUIREMENTS FOR EXECUTING IT PROPERLY.

CONSTRUCTION LOADS:

LOADS ON THE STRUCTURE DURING CONSTRUCTION SHALL NOT EXCEED THE DESIGN LOADS AS NOTED IN DESIGN CRITERIA & LOADS BELOW OR THE CAPACITY OF PARTIALLY COMPLETED CONSTRUCTION AS DETERMINED BY THE CONTRACTOR'S SSE FOR SHORING/SHORING.

CHANGES IN LOADING:

THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY THE S.E.R. OF ANY ARCHITECTURAL, MECHANICAL, ELECTRICAL, OR PLUMBING LOAD IMPOSED ONTO THE STRUCTURE THAT DIFFERS FROM, OR THAT IS NOT DOCUMENTED ON THE ORIGINAL CONTRACT DOCUMENTS (ARCHITECTURAL / STRUCTURAL / MECHANICAL / ELECTRICAL / OR PLUMBING DRAWINGS). PROVIDE DOCUMENTATION OF LOCATION, LOAD, SIZE AND ANCHORAGE OF ALL UNDOCUMENTED LOADS IN EXCESS OF 400 POUNDS. PROVIDE MARKED-UP STRUCTURAL PLAN INDICATING LOCATIONS OF ANY NEW EQUIPMENT OR

LOADS. SUBMIT PLANS TO THE ARCHITECT/ENGINEER FOR REVIEW PRIOR TO INSTALLATION.

NOTE PRIORITIES:

PLAN AND DETAIL NOTES AND SPECIFIC LOADING DATA PROVIDED ON THE INDIVIDUAL PLANS AND DETAIL DRAWINGS SUPPLEMENTS INFORMATION IN THE STRUCTURAL GENERAL NOTES.

PLAN INFORMATION:

DIMENSIONS ARE FOR REFERENCE. CONTRACTOR TO VERIFY ALL DIMENSIONS. DIMENSIONS ARE PROVIDED BY THE ARCHITECT'S ELECTRONIC FILE. ALWAYS VERIFY THESE PLANS AND DIMENSIONS WITH THE ARCHITECT PLANS UNDER NO CIRCUMSTANCES WILL MCNEIL ENGINEERING, ITS EMPLOYEES OR AGENTS BE LIABLE FOR ANY DIRECT, INDIRECT PUNITIVE OR CONSEQUENTIAL DAMAGES THAT MAY RESULT IN ANY WAY FROM YOUR USE, MISUSE, REFERENCE TO OR RELIANCE ON ANY OF THE INFORMATION PROVIDED OR THAT RESULT FROM MISTAKES, ERRORS, OMISSIONS, INTERPRETATIONS OR DEFECTS. MCNEIL ENGINEERING EXPRESSLY DISCLAIMS ALL WARRANTIES, INCLUDING ANY EXPRESS OR IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO THE INFORMATION HEREIN.

WHILE MCNEIL ENGINEERING MAKES EVERY EFFORT TO PRESENT ACCURATE AND RELIABLE INFORMATION, MCNEIL ENGINEERING DOES NOT ENDORSE, APPROVE OR CERTIFY THE INFORMATION PROVIDED BY OTHERS. NOR DOES MCNEIL ENGINEERING GUARANTEE ITS ACCURACY, COMPLETENESS OR TIMELINESS. USE OF THIS INFORMATION IS VOLUNTARY AND RELIANCE ON IT SHOULD ONLY BE UNDERTAKEN AFTER YOU HAVE INDEPENDENTLY VERIFIED ITS ACCURACY, COMPLETENESS AND TIMELINESS.

CONTRACTOR SHALL BE RESPONSIBLE TO FIELD & VERIFY DIMENSIONS AGAINST THE CORRESPONDING OFFICIAL CONSTRUCTION DRAWINGS. DIMENSIONS SHOWN ON THE CONSTRUCTION DOCUMENTS MUST BE VERIFIED WITH ARCHITECTURAL PLANS. IF ANY DISCREPANCIES ARE FOUND THE CONTRACTOR SHALL NOTIFY THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. MCNEIL ENGINEERING DOES NOT GUARANTEE THAT THIS ELECTRONIC MEDIA HAS NOT BEEN DAMAGED, ALTERED OR MODIFIED DURING TRANSMISSION AND/OR STORAGE. MCNEIL ENGINEERING DOES NOT GUARANTEE CHANGES ON THE ARCHITECTURAL PLANS HAVE BEEN FULLY CONVEYED AND THE CONSTRUCTION DOCUMENT UPDATED. ANYONE RECEIVING ELECTRONIC MEDIA MUST VERIFY ALL INFORMATION WITH THE CORRESPONDING OFFICIAL CONSTRUCTION DRAWINGS. ANY USE OR REUSE OF THIS INFORMATION SHALL BE THE FULL RESPONSIBILITY OF THE USER.

FOUNDATIONS:

SOILS REPORT: ALL FOOTING DEPTHS INDICATED ON PLANS ARE MINIMUM DEPTHS. FOOTINGS MAY BE PLACED IN NEAT EXCAVATED TRENCHES. TRENCH SHALL BE APPROVED BY INSPECTOR PRIOR TO PLACEMENT OF CONCRETE. AT LOCATIONS WHERE STRUCTURAL FILL IS REQUIRED, FILL SHALL BE PLACED IN 6" LIFTS & COMPACTED AT OPTIMUM MOISTURE CONTENT. REFER TO SOILS INVESTIGATION FOR DEPTH AND EXTENT OF STRUCTURAL FILL.
21. MAXIMUM NET BEARING PRESSURE = 1,500 PSF (NET ALLOWABLE) SEE SOILS REPORT
22. FROST DEPTH = 30" (FOOTINGS EXPOSED TO FREEZING TEMPERATURES FROM GRADE TO BOTTOM OF FOOTING)
23. INTERIOR FOOTINGS = 12" (BOTTOM OF FOOTING FROM TOP OF SLAB)

CONCRETE:

ALL CONCRETE MATERIALS SHALL COMPLY WITH THE STANDARDS SPECIFIED IN THE LATEST EDITION OF THE ACI 318 BUILDING CODE. EACH MIX DESIGN SHALL BE REVIEWED BY AN APPROVED INDEPENDENT LABORATORY, AND SHALL BE SUBMITTED TO THE ENGINEER AT LEAST 2 WEEKS PRIOR TO THE PLACEMENT OF CONCRETE. CONTRACTOR SHALL INFORM THE ENGINEER AT LEAST 2 DAYS PRIOR TO PLACING ANY CONCRETE SO THAT THE ENGINEER MAY HAVE THE OPPORTUNITY TO REVIEW THE WORK. CONCRETE TESTING SHALL BE PERFORMED BY AN APPROVED INDEPENDENT TESTING LABORATORY. THE TESTING AGENCY SHALL TEST (4) CYLINDERS FROM EACH CLASS OF CONCRETE USED EACH DAY. A MINIMUM OF (1) SAMPLE MUST BE TAKEN FROM EACH 150 CUBIC YARDS OF CONCRETE.

LOCATION	SPECIAL INSPECTION	EXPOSURE CLASS	SLUMP (MAX)	AGGREGATE (MAX SIZE)	AIR CONTENT	COMPRESSIVE STRENGTH (PSI)
FOOTINGS (INTERIOR)	YES	F0, S0, P0, C0	5"	1" DIA.	1.5%	3,500 PSI
FOOTINGS (EXTERIOR)	YES	F0, S0, P0, C0	5"	1" DIA.	1.5%	3,500 PSI
CONCRETE WALLS	YES	F1, S0, P0, C1	4"	3/4" DIA.	5%	4,000 PSI
CONCRETE COLUMNS	YES	F1, S0, P0, C1	4"	3/4" DIA.	5%	4,000 PSI
INTERIOR SLAB ON GRADE	YES	F0, S0, P0, C0	5"	3/4" DIA.	1.5%	4,000 PSI
SITE CONCRETE (REINF.)	YES	F2, S0, P0, C2	4"	3/4" DIA.	6%	5,000 PSI
SITE CONCRETE (UNREINF.)	YES	F3, S0, P0, C0	4"	3/4" DIA.	6%	4,500 PSI
POST TENSIONED SLAB	YES	F2, S0, P0, C0	3-1/2"	3/4" DIA.	6%	5,000 PSI (3000 PSI AFTER 72 HOURS)
SLAB ON DECK	YES	F2, S0, P0, C0	4"	3/4" DIA.	6%	4,000 PSI

SITE CONCRETE UNLESS SPECIFIED OTHER BY CIVIL ENGINEER

CONCRETE TYPE: TYPE I, II
MAX FLY ASH: 25%

AIR CONTENT $+/- 1.5\%$ MEASURED AT POINT OF FINAL PLACEMENT. AIR-ENTRAINING ADMIXTURES SHALL COMPLY WITH ASTM C260 (WHEN USED). CALCIUM CHLORIDE SHALL NOT BE ADDED TO THE CONCRETE MIX. UNREINFORCED CONCRETE SLABS ON GRADE MAY HAVE CALCIUM CHLORIDE NOT EXCEEDING ONE PERCENT. AIR ENTRAINMENT SHALL BE ADJUSTED FOR THE USE OF ADMIXTURES AND FLY ASH.

ANY CONCRETE THAT FAILS TO MEET SPECIFICATIONS SHALL BE REMOVED AND REPLACED AT THE EXPENSE OF THE CONTRACTOR.

CONTRACTORS TO PLACE AND CURE CONCRETE PER ALL ACI REQUIREMENTS TO INCLUDE BUT NOT LIMITED TO ACI 308R, ACI 305R AND ACI 306R.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION, DESIGN, PLACEMENT AND REMOVAL OF ALL FORMWORK. ALL SHORING DURING PLACEMENT OF CONCRETE IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

SEE CIVIL DRAWINGS FOR SITE CONCRETE REQUIREMENTS. IN ABSENCE OF INFORMATION, USE VALUES LISTED.

FLOOR FLATNESS (FF) AND LEVELNESS (FL) FACTORS = 25/20 (ACI 302.1R-15, ASTM E1155) OR AS REQUIRED BY THE PROJECT OWNER OR THE FLOOR COVERING MANUFACTURER.

CONCRETE SHALL BE SPECIALLY INSPECTED PER, TABLE 1704.4

CAST-IN-PLACE CONCRETE COVER:

CONFORM TO THE FOLLOWING COVER AND CORROSION PROTECTION REQUIREMENTS UNLESS NOTED OTHERWISE IN THE DRAWINGS:

REINFORCEMENT LOCATION	MIN. COVER
FOOTING BOTTOM REINFORCEMENT	3"
FOOTING TOP REINFORCEMENT	2"
SLAB ON GRADE REINFORCEMENT	2" FROM TOP
WALLS IN CONTACT WITH EARTH	2"
WALLS NOT IN CONTACT WITH EARTH	3/4"

POST-INSTALLED ANCHORS TO CONCRETE:

ANCHOR LOCATION, TYPE, DIAMETER AND EMBEDMENT SHALL BE AS INDICATED ON

DRAWINGS. REFERENCE THE "POST INSTALLED ANCHORS" SECTION FOR APPLICABLE POST-INSTALLED ANCHOR ADHESIVES. ANCHORS SHALL BE INSTALLED AND INSPECTED IN STRICT ACCORDANCE WITH THE APPLICABLE ICC.

CONCRETE SLAB CONTROL JOINT:

SPACE CONTROL AND/OR CONSTRUCTION JOINTS AT 30 TIMES SLAB THICKNESS MAX EACH WAY UNLESS NOTED OTHERWISE ON PLANS, VERIFY WITH SOILS REPORT. CONTROL JOINT ASPECT RATIO SHOULD NOT BE MORE THAN 1.5 TO 1. PLACE JOINTS SO STRENGTH AND APPEARANCE OF CONCRETE ARE NOT IMPAIRED, AT LOCATIONS INDICATED AT OR AS APPROVED BY ARCHITECT. ALIGN SAW CUTS TO ELIMINATE A "T" CONFIGURATION WITH THREE SIDES. PLACE CONTROL JOINTS AT LOCATIONS WHERE SLAB THICKNESS CHANGES.

CONCRETE REINFORCING:

ALL REINFORCING BARS SHALL CONFORM TO ASTM A-615 GRADE 60, $F_y = 60,000$ PSI MIN., UNLESS NOTED OTHERWISE. BARS SHALL BE TIED SECURE PRIOR TO PLACEMENT OF CONCRETE TO MAINTAIN PROPER PLACEMENT AFTER CONCRETE IS IN PLACE. LAP ALL BARS 40 DIAMETERS UNLESS NOTED OTHERWISE. SPLICE BARS ONLY WHERE SHOWN ON PLANS.

SHOP DRAWINGS OF ALL BARS AND LOCATIONS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW PRIOR TO FABRICATION. NORMAL WEIGHT CONCRETE SHALL HAVE A UNIT WEIGHT OF POUNDS PER CUBIC FOOT. USE OF CALCIUM CHLORIDE IS NOT PERMITTED IN ANY CONCRETE MIXES. ALL OTHER ADDITIVES AND ADMIXTURES MUST HAVE THE WRITTEN APPROVAL OF THE ENGINEER. THE ENGINEER SHALL HAVE 10 BUSINESS DAYS TO REVIEW SHOP DRAWINGS.

STRUCTURAL STEEL:

ALL STRUCTURAL STEEL COMPONENTS SHALL BE FABRICATED AND ERECTED ACCORDING TO THE LATEST EDITION OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION "SPECIFICATIONS FOR DESIGN FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS", WITH " COMMENTARY", AND THE AISC "CODE OF STANDARD PRACTICE FOR STEEL BUILDINGS AND BRIDGES" AS WELL AS THE FOLLOWING STANDARDS:

AISC "SPECIFICATIONS FOR STRUCTURAL JOINTS USING ASTM A-325 OR A-490 BOLTS" APPROVED BY THE RESEARCH COUNCIL ON RIVETED AND BOLTED STRUCTURAL JOINTS OF THE ENGINEERING FOUNDATION.

AWS D1.1 "STRUCTURAL WELDING CODE".

ASTM A-6 "GENERAL REQUIREMENTS FOR DELIVERY OF ROLLED STEEL PLATES, SHEETS, SHEET PILING AND BARS FOR STRUCTURAL USE".

ALL STEEL SECTIONS SHALL CONFORM TO THE FOLLOWING:

24. WIDE FLANGE SHAPES
 - A. ASTM A572 GRADE 50 (90)
 - B. ASTM A992 GRADE 50
25. HOLLOW STRUCTURAL SECTIONS
 - A. ASTM A500 GRADE B
 - B. F_y MIN= 46 KSI
26. ANGLES, CHANNELS, PLATES, & BARS
 - A. ASTM A36

SHOP PAINTING:

PAINTING REQUIREMENTS: NO SHOP PAINTING WILL BE REQUIRED EXCEPT WHERE PLANS INDICATE THAT STRUCTURAL STEEL WILL BE EXPOSED TO WEATHER. (I.E. COOLING TOWER FRAMING, DOOR LINTELS, SCREEN WALLS, ETC.)

SURFACE PREPARATION: REMOVE LOOSE RUST, LOOSE MILL SCALE, AND SPATTER, SLAG OR FLUX DEPOSITS. CLEAN STEEL IN ACCORDANCE WITH STEEL STRUCTURES PAINTING COUNCIL (SSPC) SP-3 "POWER TOOL CLEANING".

PAINTING: ONE COAT OF APPROVED PRIMER APPLIED BY BRUSH, SPRAY, ROLLER OR DIP TO PRODUCE A DRY FILM THICKNESS OF NOT LESS THAN 2 MILS.

NOTE: DO NOT SHOP PAINT WHEN TEMPERATURE IS BELOW 45 DEGREES F, OR WHEN STEEL TEMPERATURE IS BELOW DEW POINT OF ATMOSPHERE OR ON WET SURFACES.

ALL WELDING SHALL BE DONE BY CERTIFIED AWS WELDERS, AND COMPLY WITH THE LATEST EDITION OF THE AWS D1.1 CODE FOR WELDING IN BUILDING CONSTRUCTION. ALL FILLET WELDS TO BE 3/16" UNLESS NOTED OTHERWISE. ALL STEEL TO STEEL BOLTED CONNECTIONS SHALL BE WITH ASTM A307, UNLESS NOTED OTHERWISE. PROVIDE EDGE DISTANCE IN ACCORDANCE TO AISC TABLE J3.7 UNLESS NOTED OTHERWISE. ALL FIELD WELDS SHALL BE SPECIALLY INSPECTED PER IBC TABLE. ALL TESTING AND INSPECTION REPORTS SHALL BE SENT TO THE ENGINEER FOR REVIEW.

SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW PRIOR TO FABRICATION. THE ENGINEER SHALL HAVE 10 BUSINESS DAYS TO REVIEW SHOP DRAWINGS.

STRUCTURAL STEEL SHALL BE SPECIALLY INSPECTED AS PER AISC 360.

LAMINATED VENEER LUMBER:

ALL LAMINATED VENEER LUMBER SHALL CONFORM TO THE SPECIFICATIONS OF WEYERHAEUSER CORPORATION FOR VENEER LUMBER, OR ENGINEER APPROVED EQUIVALENT. DESIGN VALUES SHALL MEET OR EXCEED THOSE PUBLISHED VALUES IN THE WEYERHAEUSER PRODUCT GUIDE, LATEST EDITION. A COMPLETE SET OF STRUCTURAL SHOP DRAWINGS, INDICATING MEMBERS AND PLACEMENT SHALL BE SUBMITTED TO THE ENGINEER PRIOR TO THE FABRICATION OF THE MEMBERS. THE ENGINEER SHALL HAVE 10 BUSINESS DAYS TO REVIEW SHOP DRAWINGS.

PLYWOOD WEB JOIST:

ALL WOOD I-JOIST SHALL CONFORM TO THE SPECIFICATIONS OF WEYERHAEUSER CORPORATION FOR I/J JOISTS, OR ENGINEER APPROVED EQUAL. DESIGN VALUES SHALL MEET OR EXCEED THOSE PUBLISHED VALUES IN THE LEVEL III JOIST PRODUCT GUIDE, LATEST EDITION. A COMPLETE SET OF STRUCTURAL SHOP DRAWINGS, INDICATING MEMBERS AND PLACEMENT SHALL BE SUBMITTED TO THE ENGINEER PRIOR TO THE FABRICATION OF THE JOISTS. THE ENGINEER SHALL HAVE 10 BUSINESS DAYS TO REVIEW SHOP DRAWINGS. MAXIMUM DEFLECTION OF JOISTS DESIGN DEFLECTION.
27.SPANS UNDER 20FT
A. LIVE: -L/480
B. LIVE + DEAD: -L/360 (MAXIMUM OF 0.55")

SHEATHING:

SHEATHING SHALL BE A.P.A. RATED, SEE PLAN FOR SPAN RATING AND THICKNESS. SHEATHING INSTALLATION:

ROOF AND FLOOR SHEATHING SHALL BE LAID WITH THE FACE GRAIN PERPENDICULAR TO THE FRAMING MEMBERS U.N.O. AND END JOINTS SHALL BE STAGGERED. WALL SHEATHING MAY BE APPLIED HORIZONTALLY OR VERTICALLY.

ALL NAILS SHALL BE COMMON WIRE NAILS U.N.O. EQUIVALENT PNEUMATIC DRIVEN NAILS MAY BE USED IF FASTENER MANUFACTURER HAS CURRENT I.C.C. APPROVAL. FASTENERS TO BE USED SHALL BE EQUIVALENT IN LATERAL AND WITHDRAWAL STRENGTH TO THE SIZE COMMON NAIL SPECIFIED.

USE EXTERIOR GRADE SHEATHING AT DECKS AND CORRIDORS.

ROOF SHEATHING:

EDGE BLOCKING OF UNSUPPORTED EDGES OF SHEATHING AS NOTED ON PLANS. PLY CLIPS OR APPROVED EQUAL CONNECTOR SHALL BE INSTALLED AT MID SPAN BETWEEN EACH SUPPORT WHEN RAFTER SPACING EXCEEDS 16" AND EDGE BLOCKING IS NOT SPECIFIED.

TYPICAL NAILING SHALL BE 8d @ 6" O.C. AT SUPPORTED EDGES AND OVER SHEAR WALLS AND 8d @ 12" O.C. AT INTERMEDIATE SUPPORTS, U.N.O.

FLOOR SHEATHING:

EDGE BLOCKING OF UNSUPPORTED EDGES OF SHEATHING AS NOTED ON PLANS.

TYPICAL NAILING SHALL BE 10d @ 6" O.C. AT SUPPORTED EDGES AND OVER SHEAR WALLS, AND 10d @ 12" O.C. AT INTERMEDIATE SUPPORTS U.N.O. USE RING SHANK NAILS.

ALL FLOOR SHEATHING SHALL BE GLUED TO JOISTS, THE FIELD-GLUED FLOOR SYSTEM SHALL BE INSTALLED ACCORDING TO THE RECOMMENDATION OF THE AMERICAN PLYWOOD ASSOCIATION. GLUE SHALL BE APPLIED TO THE JOISTS AND TO THE GROOVE IN THE EDGE OF THE T & G PANELS. GLUE SHALL MEET THE REQUIREMENTS OF THE AMERICAN PLYWOOD ASSOCIATION ADHESIVE SPEC. AFG-G1 AND SHALL BE APPLIED AS DIRECTED BY THE GLUE MANUFACTURER. GLUE MAY BE APPLIED MANUALLY OR WITH PNEUMATIC OF ELECTRIC EQUIPMENT.

ROUGH CARPENTRY:

FRAMING LUMBER SHALL BE KILN DRIED AND SHALL MEET THE FOLLOWING MINIMUM STANDARD U.N.O.

USE	SPECIES	GRADE
SILL PLATES		
2X4	D.F.	STANDARD OR BETTER
2X6, 2X8	D.F.	NO. 2 OR BETTER
NOTE: ALL SILL PLATES IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED OR CALIFORNIA REDWOOD		
HORIZONTAL FRAMING LUMBER (U.N.O.):		
4X4 AND SMALLER	D.F.	NO. 2
2X ROOF JOISTS & RAFTERS	D.F.	NO. 2
2X FLOOR JOISTS	D.F.	NO. 2
3X LEDGERS	D.F.	NO. 1
4X HEADERS & BEAMS	D.F.	NO. 1
6X6 & LARGER BEAMS	D.F.	NO. 1
VERTICAL FRAMING LUMBER (U.N.O.):		
ALL STUDS	D.F.	STUD GRADE OR NO. 2 (SEE PLANS)
ALL POSTS	D.F.	NO. 1
ALL OTHER LUMBER U.N.O.	D.F.	STANDARD OR BETTER

FINGER-JOINTED LUMBER MAY BE USED EXCEPT AT SHEAR WALL HOLDDOWNS LOCATIONS.

AT EXTERIOR LOCATIONS, DECKS EXPOSED CORNERS, USE APA RATED SHEATHING EXTERIOR, WHERE CONSTRUCTION DELAYS ARE EXPECTED PRIOR TO PROVIDING PROTECTION USE APA RATED SHEATHING EXPOSURE 1 COMMONLY KNOWN AS "CDX".

PROVIDE A MINIMUM OF (2) STUDS UNDER ALL BEAM BEARING LOCATIONS UNO. PROVIDE A MINIMUM OF (3) STUDS UNDER ALL GIRDER TRUSS BEARING LOCATIONS UNO. WHERE POSTS OR MULTIPLE STUDS UNDER BEAMS OR HEADERS ARE IDENTIFIED ON DRAWINGS, THOSE POSTS OR MULTIPLE STUDS SHALL BE CARRIED TO THE FOUNDATION. BLOCK JOISTS AT ALL SUPPORTS. DOUBLE JOISTS UNDER PARALLEL PARTITIONS. BLOCK UNDER PERPENDICULAR PARTITIONS AT 32" O.C.

PREFABRICATED ROOF WOOD TRUSSES:

TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH THE FOLLOWING STANDARDS: NATIONAL DESIGN SPECS. AMERICAN INSTITUTE OF TIMBER CONSTRUCTION RULE NO. 16. DESIGN SPECS FOR L.T. METAL. PLATE CONNECTED WOOD TRUSSES BY THE TRUSS PLATE INSTITUTE. CAMBER TRUSSES FOR 1 1/2 TIMES THE DEAD LOAD DEFLECTION.

TRUSSES SHALL BE DESIGNED FOR THE FOLLOWING MIN. SUPERIMPOSED LOADING: ROOF TRUSSES, ASSUMED FOR TOTAL LOADING OF 20 PSF NON-CONCURRENT WITH THE FOLLOWING:

28. TOP CHORD:
 - A. DL = 10 PSF
 - B. SL = 35 PSF (PLUS DRIFTING PER ASCE 7)
 - C. $C_d = 1.15$
29. BOTTOM CHORD:
 - A. DL = 5 PSF
 - B. LL = 20 PSF (NOT TO BE APPLIED AT THE SAME TIME AS CHORD LL)
30. MAXIMUM DEFLECTION OF TRUSSES SHALL BE (DEAD + LIVE)
ROOF: L/240

WEB MEMBERS MAY NOT BE SHOWN ON DRAWINGS. MANUFACTURER TO DETERMINE WEB MEMBER CONFIGURATION AND TRUSS CONNECTION. NO TRUSS MAY BE ALTERED OR MODIFIED IN THE FIELD WITHOUT THE WRITTEN APPROVAL FROM THE ENGINEER. A COMPLETE SET OF SHOP DRAWINGS, ICC REPORTS AND CALCULATIONS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW PRIOR TO THE FABRICATION OF ANY MEMBERS. SUCH CALCULATIONS SHALL BE PREPARED UNDER THE DIRECTION OF A LICENSED ENGINEER IN THE STATE IN WHICH THE BUILDING IS TO BE BUILT.

POST INSTALLED ANCHORS:

FOLLOW ALL ICC REPORT AND MANUFACTURER'S REQUIREMENTS AND RECOMMENDATIONS FOR POST INSTALLED ANCHORS INSTALLATION. WHERE CONFLICT MAY EXIST, THE MOST STRINGENT REQUIREMENTS APPLIES.

FOLLOW MANUFACTURER AND ICC EVALUATION REPORT REQUIREMENTS FOR INSTALLATION TEMPERATURE OF ADHESIVE ANCHORS. ADHESIVE ANCHORS SHALL NOT BE INSTALLED OR CURED OUTSIDE OF APPROVED TEMPERATURE RANGES.

ADHESIVE ANCHORS IN CONCRETE SHALL BE: HILTI HIT RE-500 SD (ESR-2322); SIMPSON SET-XP (ESR-2508); OR DEWALT PURE 110+ (ESR-3298).

ADHESIVE ANCHORS IN GROUTED MASONRY SHALL BE: HILTI HIT HY-150 (ESR-1967); SIMPSON SET (ESR-1772) OR DEWALT AC108+ GOLD (ESR-3200).

SPECIAL INSPECTION AND TESTING SHALL BE PERFORMED ACCORDING TO THE REQUIREMENTS OF THE ICC EVALUATION REPORT, PER SECTION 1704.13 OF THE IBC. PERIODIC INSPECTION IS ALLOWED FOR MECHANICAL ANCHORS PER SECTION 6.6 OF ICC-ES AC193.

QUALITY ASSURANCE PLAN:

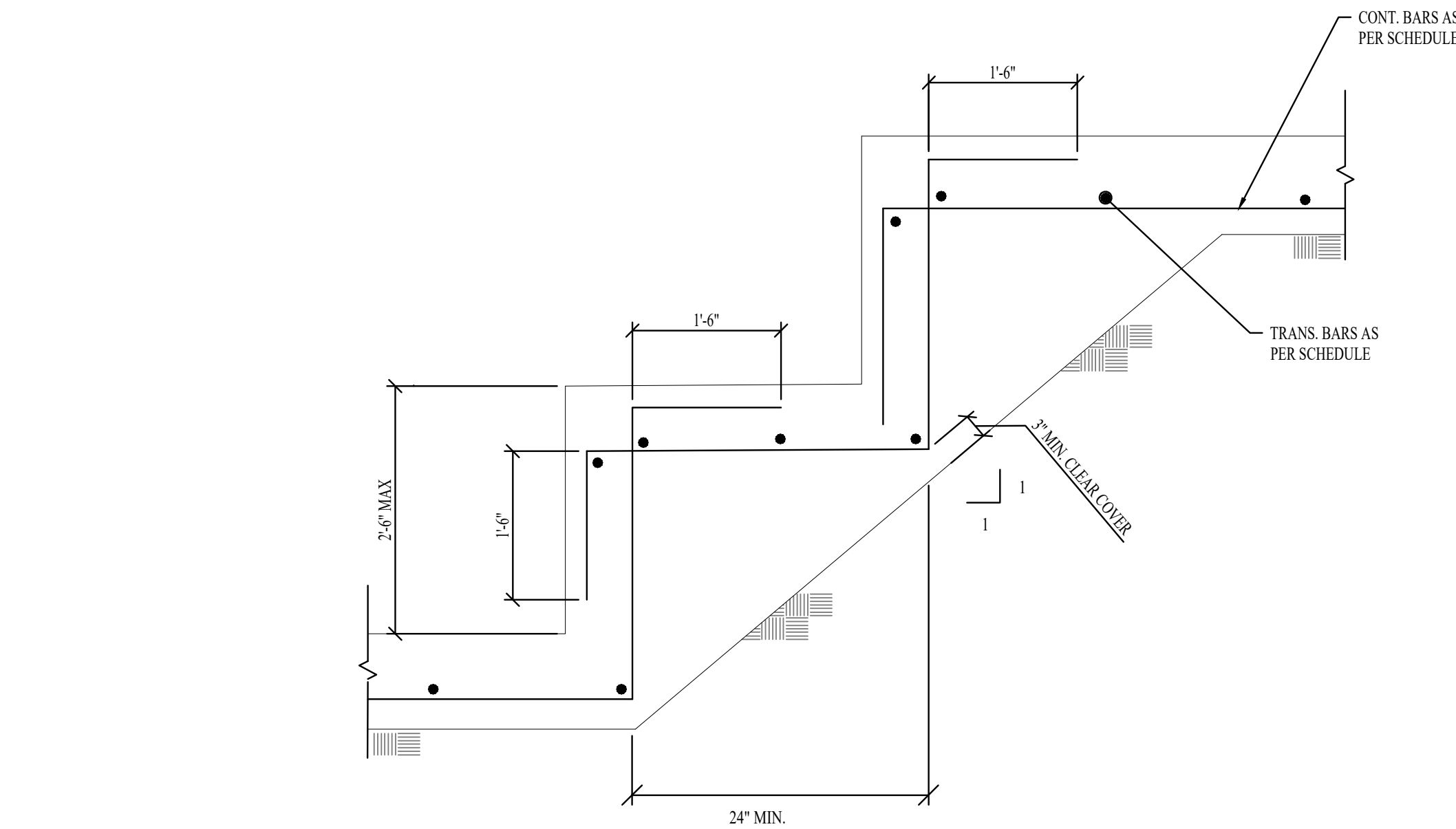
SEISMIC/WIND-FORCE RESISTING SYSTEMS

31. WOOD SHEAR WALLS
32. POST INSTALLED ANCHORS
33. SPECIAL INSPECTION AND TESTING AS REQUIRED BY THE IBC SHALL BE PROVIDED BY AN INDEPENDENT AGENCY EMPLOYED BY THE OWNER UNLESS WAIVED BY THE BUILDING OFFICIAL. THE CONTRACTOR SHALL COORDINATE AND COOPERATE WITH REQUIRED INSPECTIONS/TESTS AS INDICATED BELOW, REFERRING TO THE IBC SECTION INDICATED AS APPROPRIATE, REF IBC SECTION 1704.

WRITTEN CONTRACTOR'S STATEMENT OF RESPONSIBILITY:

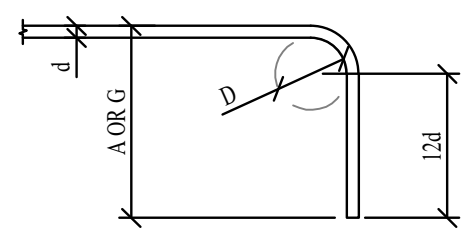
AS PART OF THE QUALITY ASSURANCE AND SPECIAL INSPECTION PLAN, THE CONTRACTOR SHALL SUBMIT TO THE BUILDING OFFICIAL AND THE OWNER A WRITTEN CONTRACTOR'S STATEMENT OF RESPONSIBILITY CONTAINING THE FOLLOWING ITEMS:
34. ACKNOWLEDGMENT AND AWARENESS OF THE SPECIAL INSPECTION REQUIREMENTS.
35. ACKNOWLEDGMENT THAT CONTROL WILL BE EXERCISED TO OBTAIN CONFORMANCE WITH THE CONSTRUCTION DOCUMENTS APPROVED BY THE BUILDING OFFICIAL.
36. PROCEDURES FOR EXERCISING CONTROL WITHIN THE CONTRACTOR'S ORGANIZATION, THE METHOD AND FREQUENCY OF REPORTING, AND THE DISTRIBUTION OF REPORTS
37. IDENTIFICATION AND QUALIFICATIONS OF THE PERSON(S) EXERCISING SUCH CONTROL AND THEIR POSITION(S) IN THE ORGANIZATION.

SHOP DRAWING DEVIATIONS:

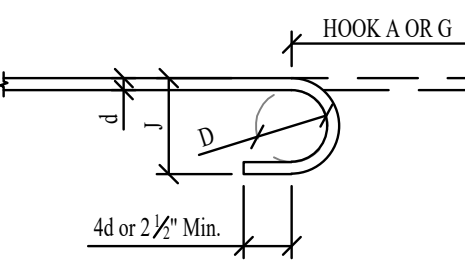


1-C
S0.01 3/4"=1'-0"

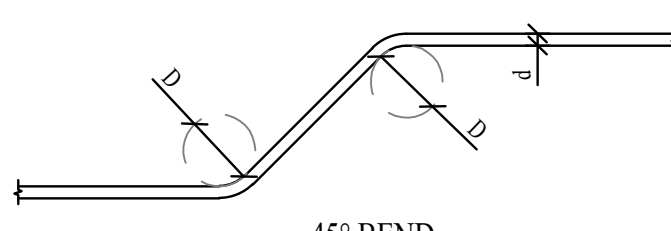
BAR SIZE	D	180°				90°				D	90°				135°				
		A OR G		J		A OR G		J			A OR G		J		A OR G		H		
U.S.	SI	U.S.	SI	U.S.	SI	U.S.	SI	U.S.	SI	U.S.	SI	U.S.	SI	U.S.	SI	U.S.	SI	U.S.	SI
#3	#10	2 1/2"	60	5	125	3	80	6	150	1 1/2"	40	4"	105	4	105	2 3/4"	65		
#4	#13	3	80	6	160	4	105	8	200	2"	50	4 1/2"	115	4 1/2"	115	3"	80		
#5	#16	3 1/2"	96	7	175	5	130	10	250	2 1/2"	65	6"	155	5 1/2"	140	3 3/4"	95		
#6	#19	4 1/2"	115	8	200	6	155	1'-0"	300	4 1/2"	115	1'-0"	305	8"	205	4 1/2"	115		
#7	#22	5 1/2"	135	10	250	7	180	1'-2"	375	5 1/2"	135	1'-2"	355	9"	230	5 1/2"	135		
#8	#25	6"	155	1'-1"	275	8	206	1'-4"	425	6"	155	1'-4"	410	10 1/2"	270	6	155		
#9	#29	9"	240	1'-3"	375	11 1/2"	300	1'-7"	475										
#10	#32	10 1/2"	275	1'-5 1/2"	425	1'-1 1/2"	335	1'-10"	550										
#11	#36	11 1/2"	305	1'-9 1/2"	475	1'-2 1/2"	375	2'-0"	600										
#14	#43	16 1/2"	465	2'-3"	675	1'-9 1/2"	550	2'-7"	775	U.S. CUSTOMARY UNITS: in. or ft.-in. SI UNITS: MM									
#18	#57	22 1/2"	610	3'-0"	925	2'-4 1/2"	725	3'-5"	1050										



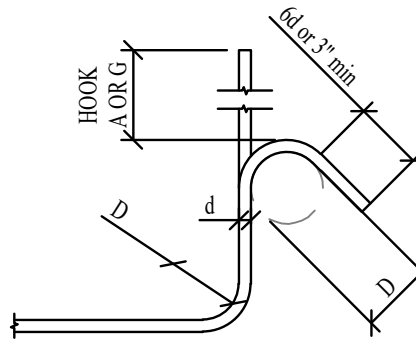
90° HOOK



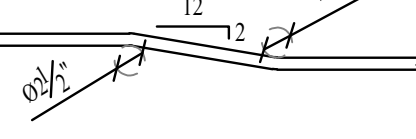
180° HOOK



45° BEND

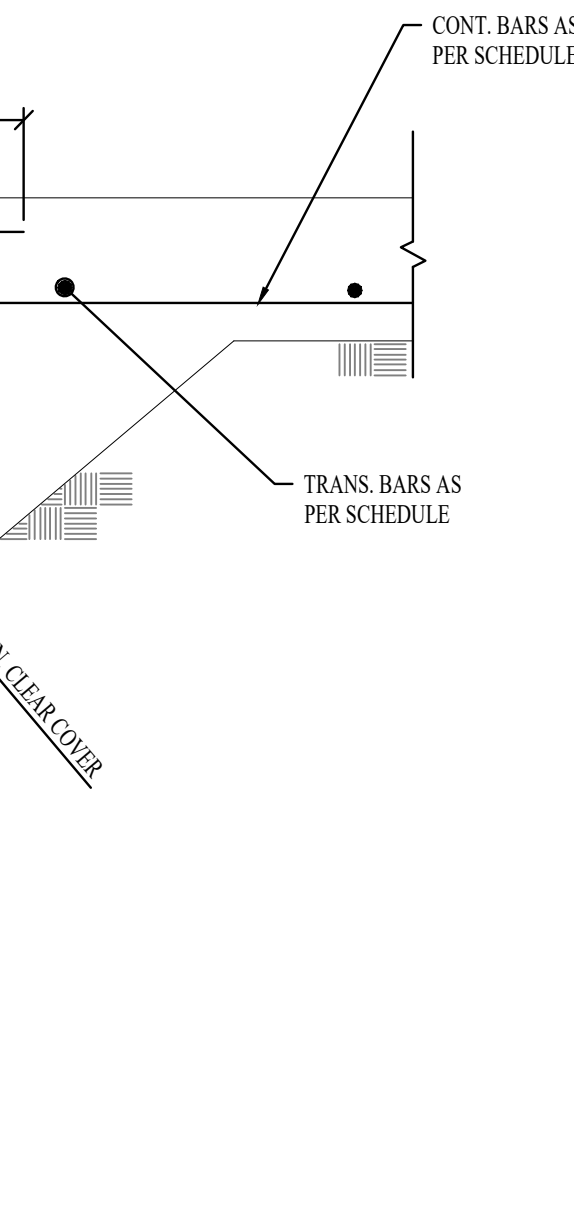


135° C HOOK

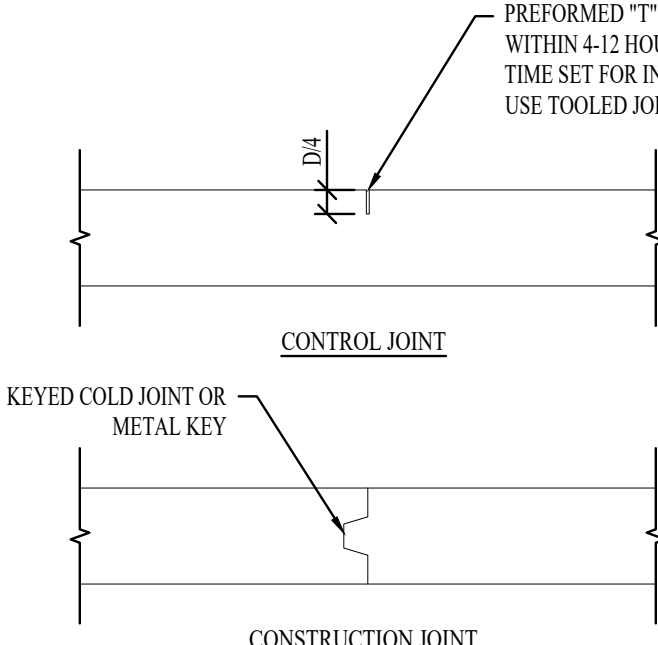


OFFSET

1-A
S0.01 3/4"=1'-0"



2-B
S0.01 3/4"=1'-0"



2-A
S0.01 3/4"=1'-0"

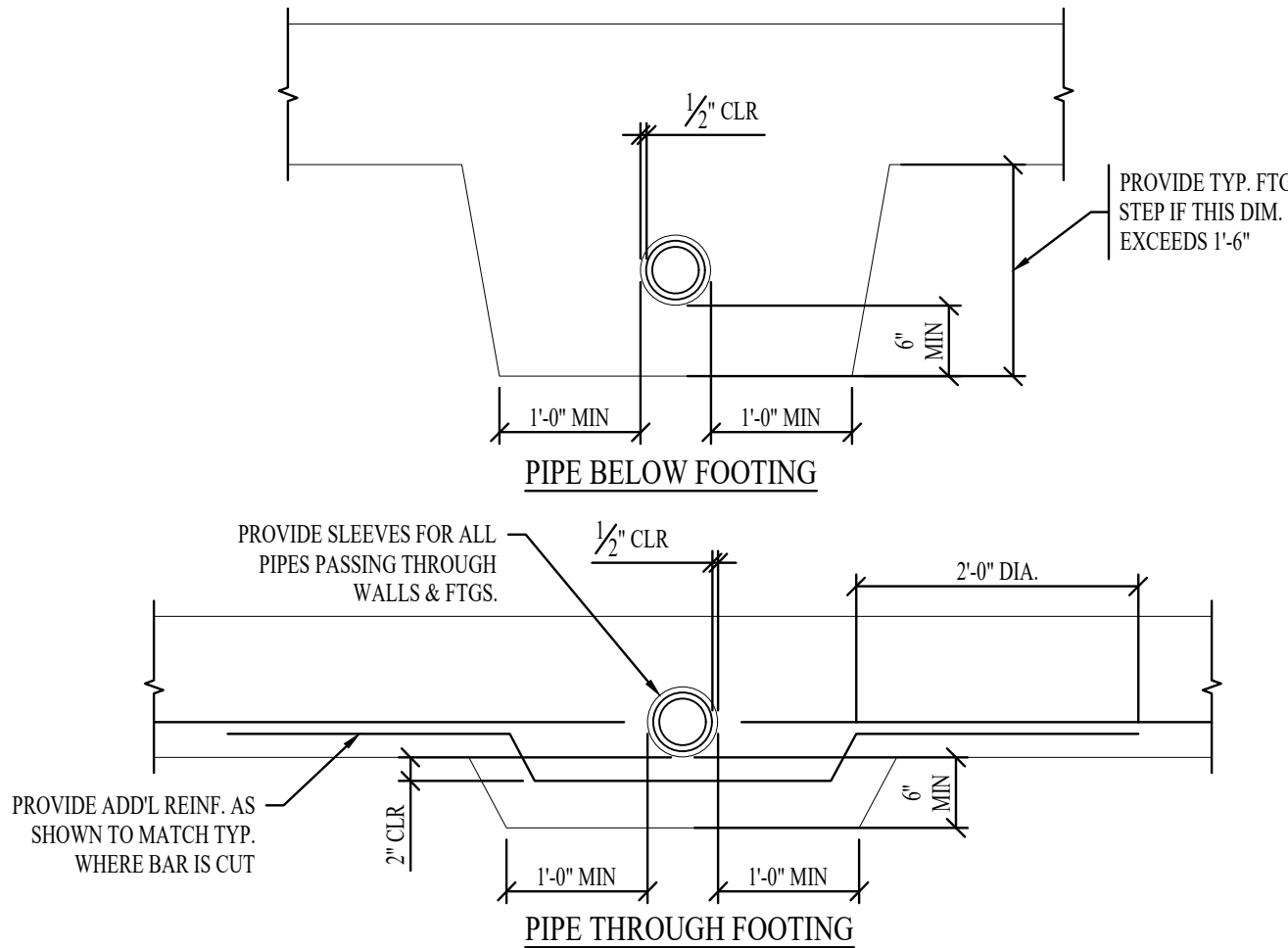
CONSTRUCTION JOINT NOTES:

INSTALL SO STRENGTH AND APPEARANCE OF CONCRETE ARE NOT IMPAIRED, AT LOCATIONS INDICATED OR AS APPROVED BY ARCHITECT.

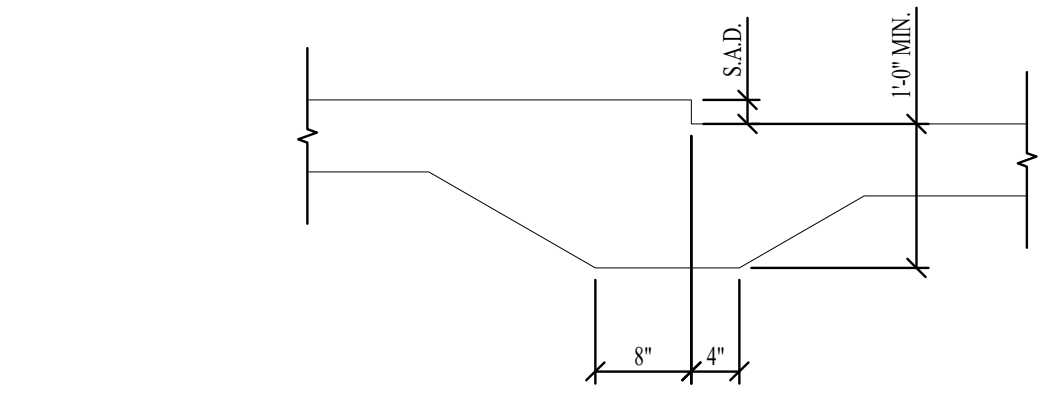
SPACE CONTROL AND/OR CONSTRUCTION JOINTS AT 30 TIMES SLAB THICKNESS MAX EACH WAY UNLESS NOTED OTHERWISE ON PLANS.

CONTROL JOINT ASPECT RATION SHOULD NOT BE MORE THAN 1.5 TO 1. ALIGN SAW CUTS TO ELIMINATE A "T" CONFIGURATION WITH THREE SIDES.

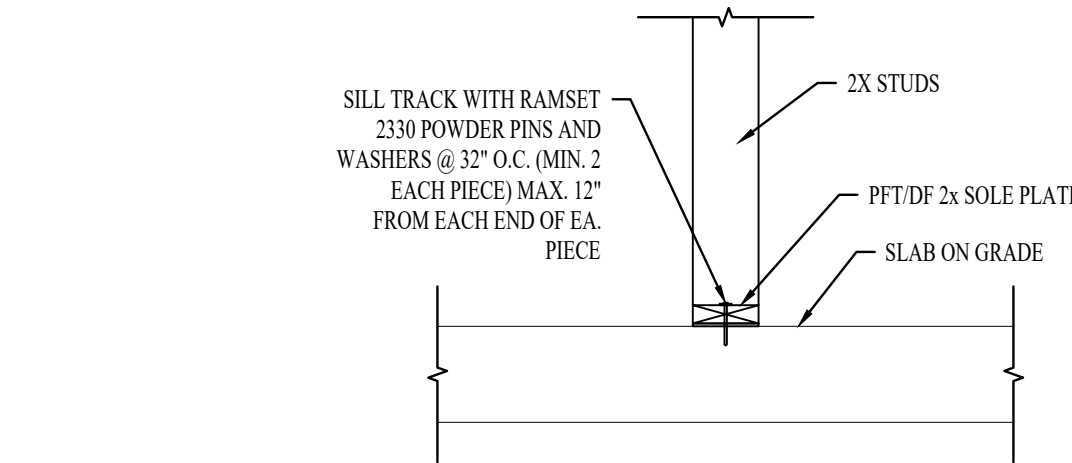
PLACE CONTROL JOINTS AT LOCATIONS WHERE SLAB THICKNESS CHANGES.



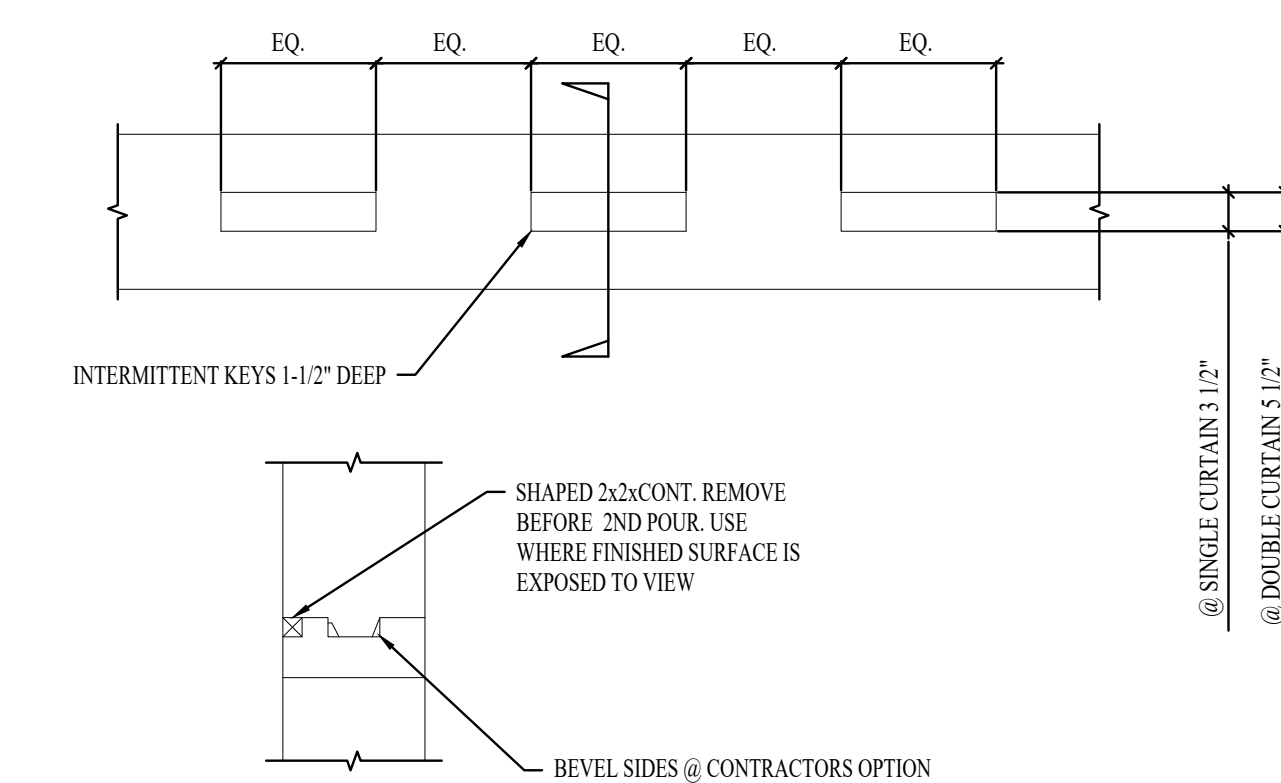
3-D
S0.01 3/4"=1'-0"



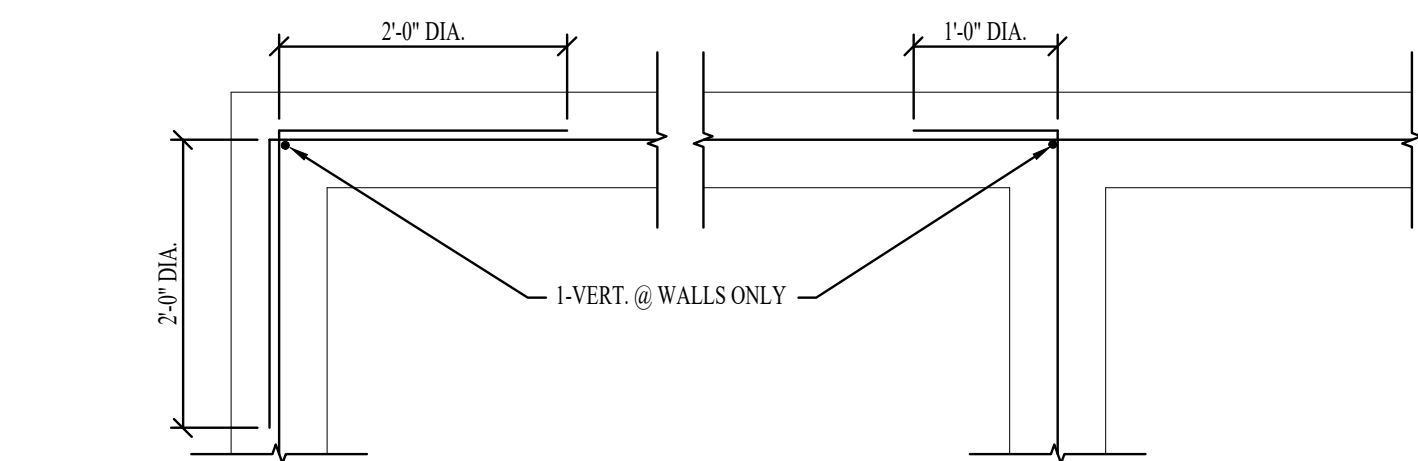
3-C
S0.01 3/4"=1'-0"



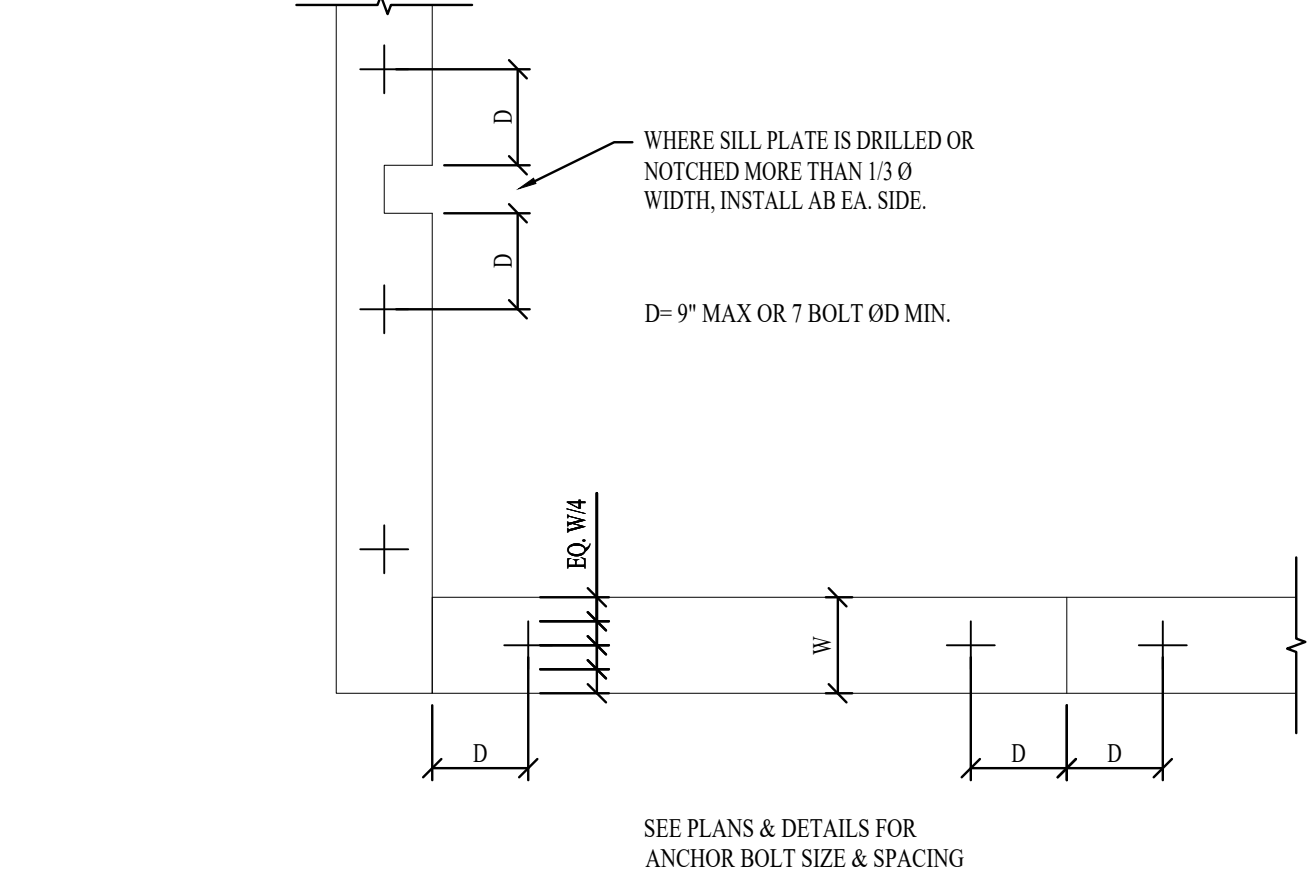
3-B
S0.01 3/4"=1'-0"



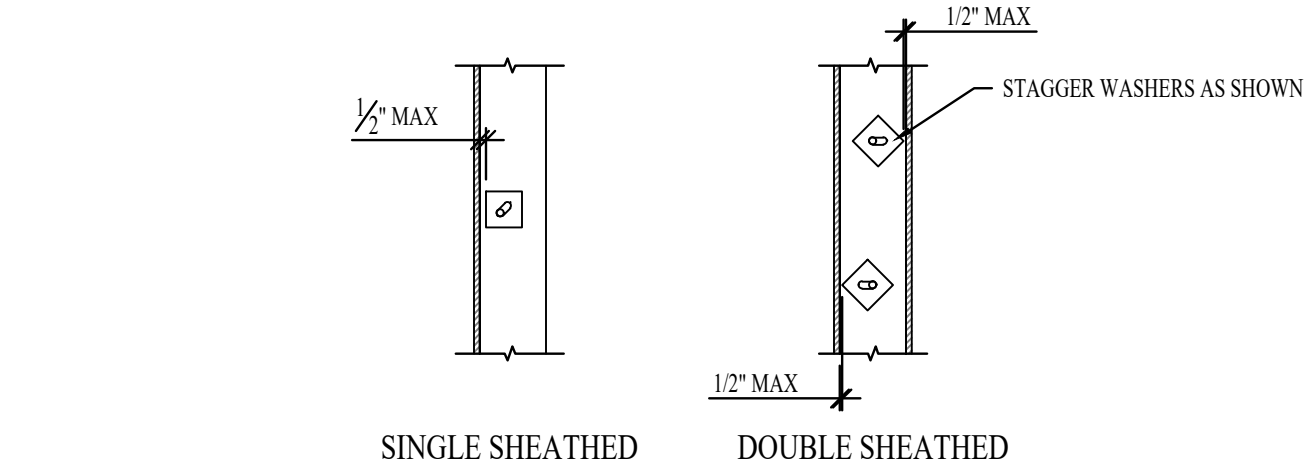
3-A
S0.01 3/4"=1'-0" APPLIES TO BOTH VERT. & HORIZ. JOINTS



4-D
S0.01 3/4"=1'-0"



4-C
S0.01 3/4"=1'-0"



4-B
S0.01 3/4"=1'-0"

LINTEL SCHEDULE	
CLEAR OPENING	SIZE OF ANGLE
UP TO 7'-0"	3-1/2" x 3-1/2" x 1/4"
7'-1" TO 9'-0"	5" x 3 1/2" x 1/4"
9'-1" TO 10'-0"	5" x 3 1/2" x 5/16"
10'-1" TO 11'-0"	5" x 3 1/2" x 3/8"
11'-1" TO 12'-0"	6" x 4" x 3/8"
12'-1" AND OVER	REQUIRES SPECIAL ANALYSIS

NOTES:

LINTELS CARRY BRICK OR STONE ONLY. WHERE FLOORS, ROOFS OR CONCENTRATED LOADS OCCUR, FURTHER ANALYSIS IS NECESSARY. PROVIDE 1" OF BEARING EACH END FOR EACH FOOT OF SPAN. MINIMUM BEARING OF 6" EACH SIDE OF OPENING. USE THIS SCHEDULE UNLESS NOTED OTHERWISE.

FOR MASONRY WALLS OVER ROOFS, FASTEN 5" x 3-1/2" x 1/4" ANGLE TO WALL WITH 3/8" x 4" GALVANIZED LAG SCREW EACH STUD.

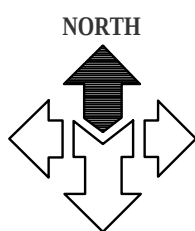
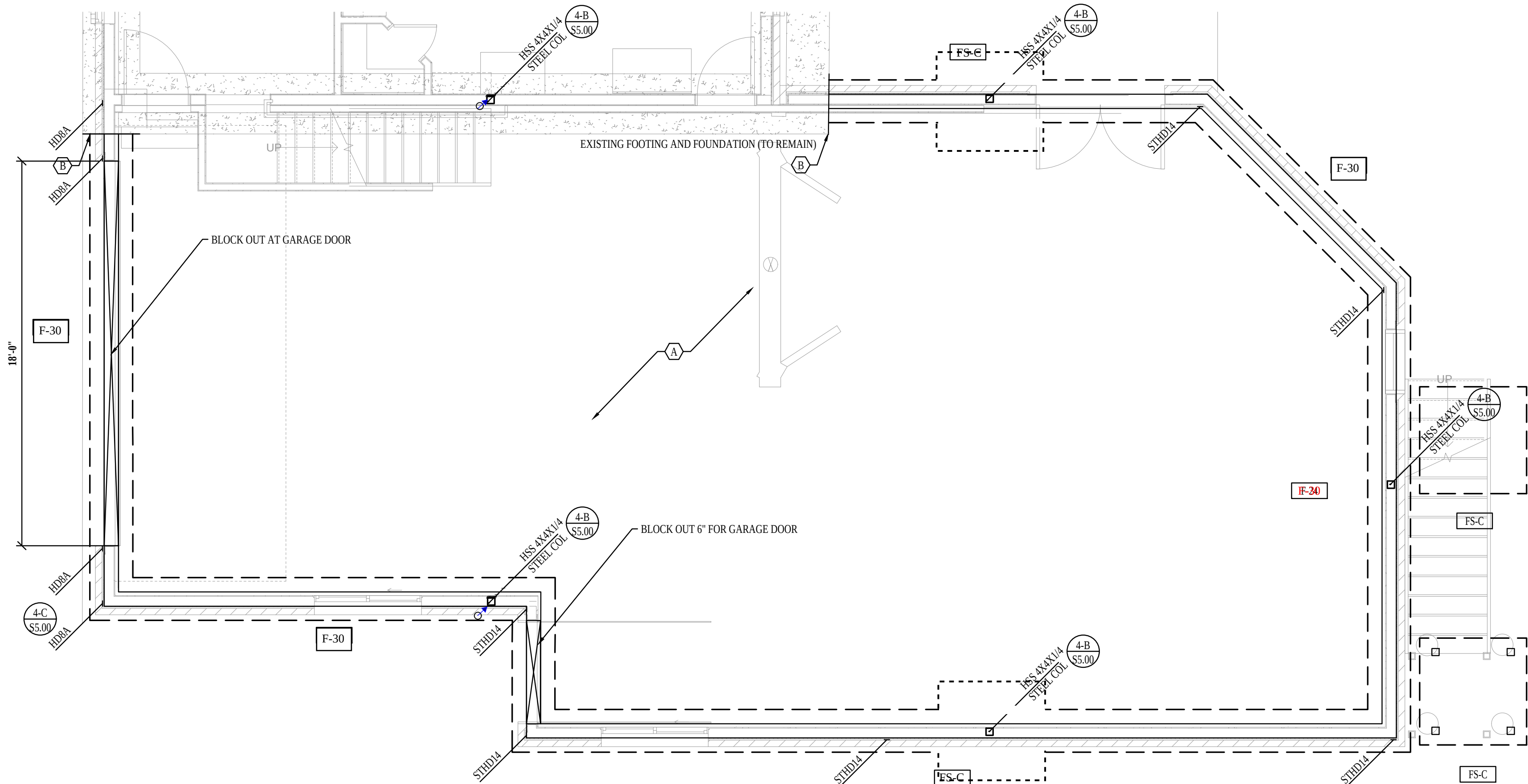
4-A
S0.01 3/4"=1'-0"



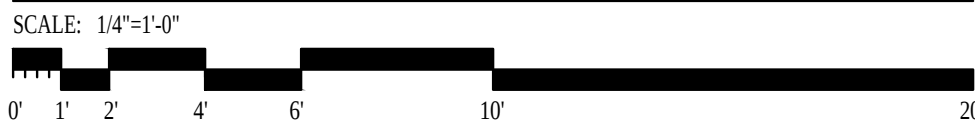
SORRENTINO FINE GARAGE ADDITION
7371 LOST CANYON CIRCLE
COTTONWOOD HEIGHTS, UTAH 84121

REVISIONS		DESCRIPTION	
REV	DATE	DESCRIPTION	

PROJECT NO: 23054
DRAWN BY: RSJ
CHECKED BY: 08/09/24
DATE: 06/20/23
SHEET: 2 OF 5



FOOTING AND FOUNDATION PLAN



NOTE: DO NOT SCALE PLAN. USE AS REFERENCE ONLY.
VERIFY ALL DIMENSIONS ON ARCHITECTURAL PLANS

FOOTING SCHEDULE											
MARK	WIDTH	LENGTH	DEPTH	REINFORCING CROSSWISE				REINFORCING LENGTHWISE			
				NO	SIZE	LENGTH	SPACING	NO	SIZE	LENGTH	SPACING
F-18	18"	CONT	12"	-	-	-	-	2	#4	CONT	EQ
F-20	20"	CONT	12"	-	-	-	-	2	#4	CONT	EQ
F-24	24"	CONT	12"	-	-	-	-	3	#4	CONT	EQ
F-30	30"	CONT	12"	-	-	-	-	4	#4	CONT	EQ
F-36	36"	CONT	12"	-	-	-	-	5	#4	CONT	EQ
FS-C	5'-0"	5'-0"	16"	7	#4	4'-6"	EQ	7	#4	4'-6"	EQ
FS-E	7'-6"	7'-6"	16"	13	#4	7'-0"	EQ	13	#4	7'-0"	EQ
F-DIM	VARIES - SEE PLAN		12"	-	#4	-	12" O.C.	-	#4	-	12" O.C.
F-DIM HD	VARIES - SEE PLAN		16" (U.N.O.)	-	#4	-	12" O.C.	-	#4	-	12" O.C.

NOTES:
HD INDICATES FOOTING IS TO BE THICKENED FOR HOLDOWN EMBEDMENT - REFER TO NOTES AS WELL.
SEE STEPPED FOUNDATION DETAIL FOR FOOTING SIZE WHERE STEPPED FOUNDATION OCCURS.

FOOTING/FND NOTES

- ALL FOOTINGS ADJACENT TO AREAS EXPOSED TO FREEZING TEMPERATURE SHALL BE AT OR BELOW FROST DEPTH - VERIFY WITH LOCAL BUILDING DEPARTMENT
- SEE SHEET F1.0 FOR FOUNDATION WALL HEIGHTS/SLAB ELEVATIONS, AND APPROX. FOOTING STEP LOCATIONS
- DIMENSIONS (IF ANY) ARE FOR REFERENCE ONLY. DO NOT SCALE PLANS. VERIFY ALL DIMENSIONS WITH ARCH PLANS.
- PROVIDE 1/2" DIA. ANCHOR BOLTS FOR SILL PLATES WITH 7" MIN EMBEDMENT AT 32" O.C. U.N.O. AT ALL SHEARWALL, BEARING WALL, OR EXTERIOR WALL LOCATIONS. PROVIDE APPROVED 3"X3"X1/4" SQUARE PLATE WASHERS.
- ALL BOLT HOLES SHALL BE DRILLED 1/8" TO 3/16" OVERSIZED
- PROVIDE (2) HORIZONTAL BARS (MIN) ABOVE OPENINGS AND (1) BAR (MIN) EACH SIDE AND BELOW OPENINGS. BARS ARE TO BE PLACED WITHIN 3-IN OF THE OPENING. HORIZONTAL BARS ARE TO EXTEND 24" BEYOND EACH EDGE OF OPENING, U.N.O.
- COORDINATE WITH S1.05, S1.06, AND S1.07 SHEETS FOR FND HOLDOWNS STRONGWALL HOLDOWNS AND ADD'L REINFORCEMENT AS REQ'D FOR STRONGWALL HOLDOWNS
- INTERIOR SLAB TO BEAR DIRECTLY ON TOP OF FOOTING WHERE INTERIOR POSTS/WALL BEAR ON THE SLAB OR PROVIDE CONCRETE/FND WALL AT BEARING LOCATIONS - SEE DETAIL 4-D55.00

FOUNDATION KEY NOTES

- (A) NEW OR EXISTING 4" SLAB-ON-GRADE OVER 4" GRAVEL OVER PREPARED SUB-GRADE
- (B) ATTACH NEW FOOTING TO EXISTING FOOTING W/ (2) #4 X 24" BARS EMBEDDED 6" (MIN.) INTO 3/4" DIA. DRILLED HOLE AND SET W/ SIMPSON S.E.T. EPOXY



SORRENTINO FINE GARAGE ADDITION

7371 LOST CANYON CIRCLE
COTTONWOOD HEIGHTS, UTAH 84121

REVISIONS		DESCRIPTION
REV	DATE	
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PROJECT NO: 23054
DRAWN BY: RSJ
CHECKED BY: 08/09/24
DATE: 06/20/23
SHEET: 3 OF 5

FOOTING AND FOUNDATION PLAN

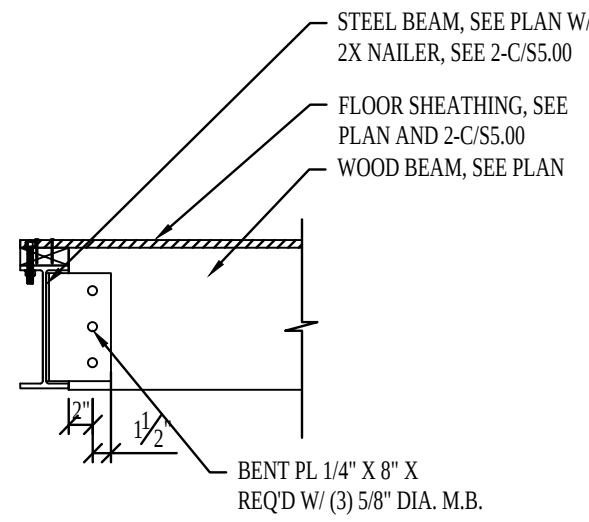
S1.00

 McNEIL ENGINEERING™ Economic and Sustainable Designs, Professionals You Know and Trust		8610 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.255.7700 mcneilengineering.com																									
		Civil Engineering • Consulting & Landscape Architecture Structural Engineering • Land Surveying & HDS																									
																											
SORRENTINO FINE GARAGE ADDITION		7371 LOST CANYON CIRCLE COTTONWOOD HEIGHTS, UTAH 84121																									
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2" style="text-align: left;">REVISIONS</th></tr><tr><th style="width: 15%;">REV</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td>1</td><td></td></tr><tr><td>2</td><td></td></tr><tr><td>3</td><td></td></tr><tr><td>4</td><td></td></tr><tr><td>5</td><td></td></tr><tr><td>6</td><td></td></tr><tr><td>7</td><td></td></tr><tr><td>8</td><td></td></tr><tr><td>9</td><td></td></tr><tr><td>10</td><td></td></tr></tbody></table>				REVISIONS		REV	DESCRIPTION	1		2		3		4		5		6		7		8		9		10	
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DATE:		06/20/23																									
SHEET:		4 OF 5																									
ROOF AND FLOOR FRAMING PLANS																											
S1.01																											

D:\Mcneil Projects\23054-Sorrentino-Fine Garage Addition\071624\23054-Sorrentino Fine Garage Addition_STRUCT\07-16-23.dwg user: jdl 16, 2024 - 3:09pm

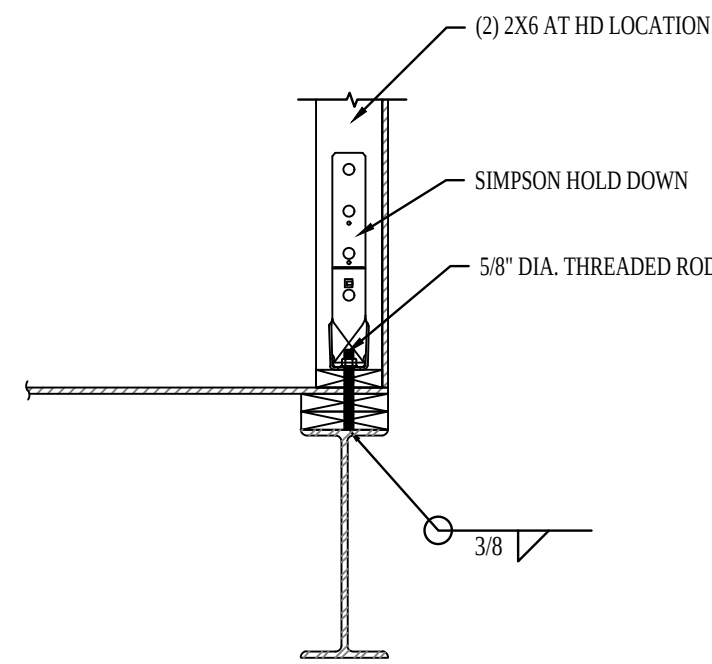
1-D
S5.00
3/4"=1'-0"

NOT USED



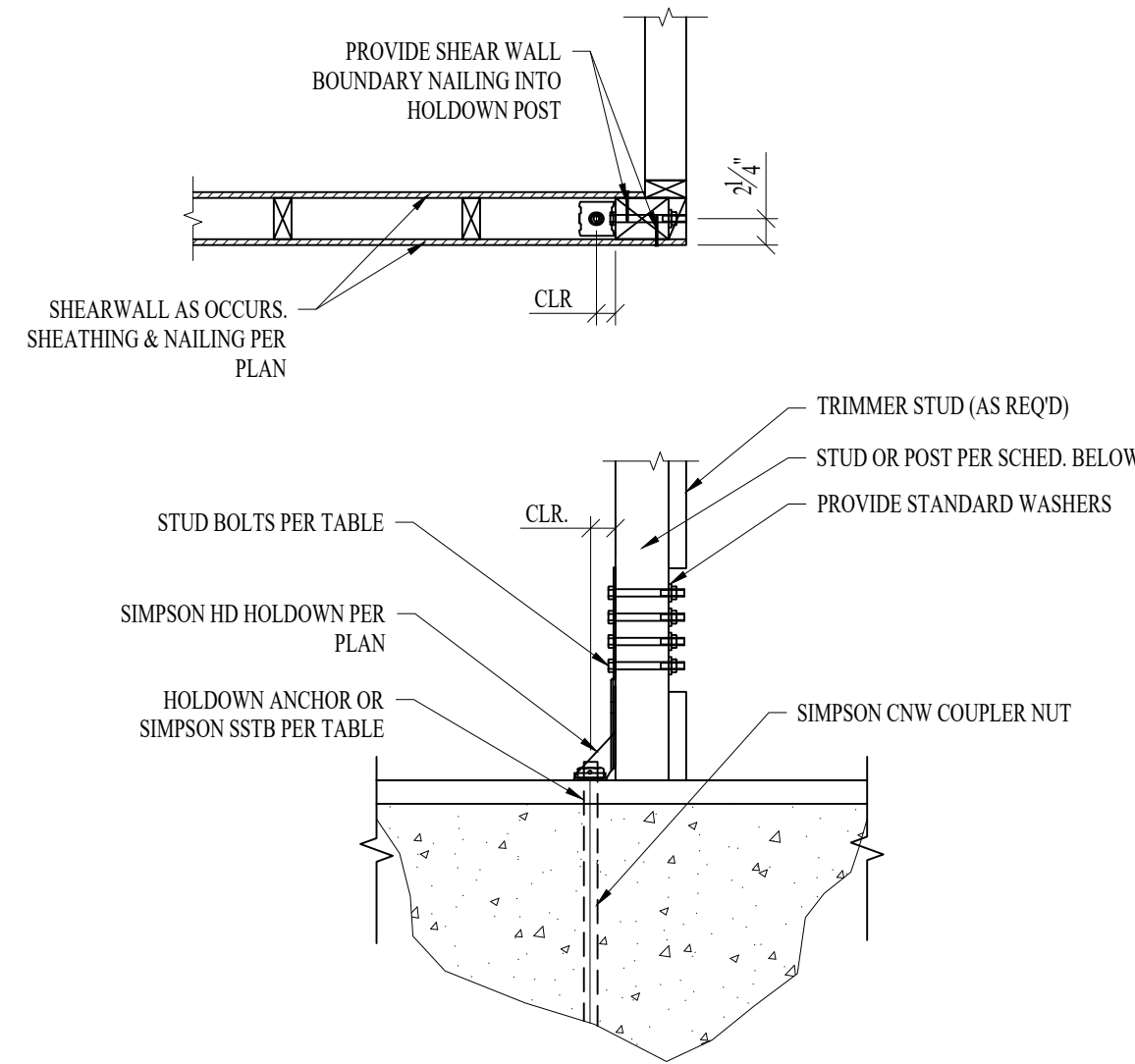
2-D
S5.00
3/4"=1'-0"

WOOD BEAM AT STEEL DETAIL



3-D
S5.00
3/4"=1'-0"

HD @ WF BEAM



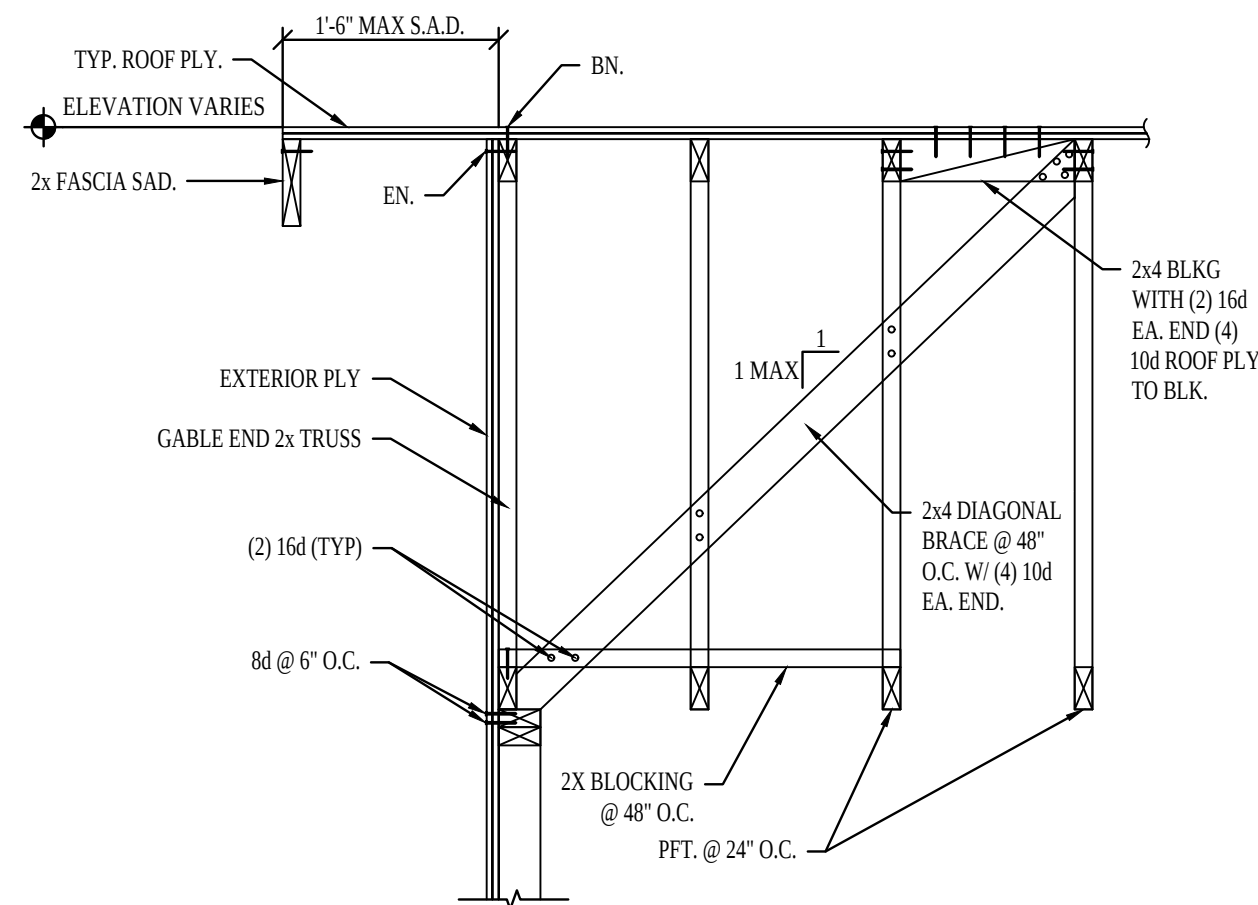
SIMPSON MODEL NO	MINIMUM POST OR STUD SIZE	DIM FOR BOLT PLACEMENT CL	HOLDOWN ANCHOR DIA	FASTENERS		STUD BOLTS	
				APPLICABLE SIMPSON SSTB		QTY	DIA
HD2A	(2) 2x OR 4x	1-7/16"	5/8"	12"	SSTR20	2	5/8"
HD5A	(2) 2x OR 4x	2-3/16"	5/8" OR 3/4"	14"	SSTR24	2	3/4"
HD6A	(2) 2x OR 4x	2-1/16"	7/8"	14"	SSTR34	2	7/8"
HD8A	(3) 2x OR 6x	2-1/16"	7/8"	16"	SSTR34	3	7/8"
HD10A	(3) 2x OR 6x	2-1/16"	7/8"	16"	SSTR24	4	7/8"
HD14A	(3) 2x OR 6x	2-1/16"	7/8"	18"	SSTR34	4	7/8"

4-C
S5.00
3/4"=1'-0"

HD @ FOUNDATION STEM

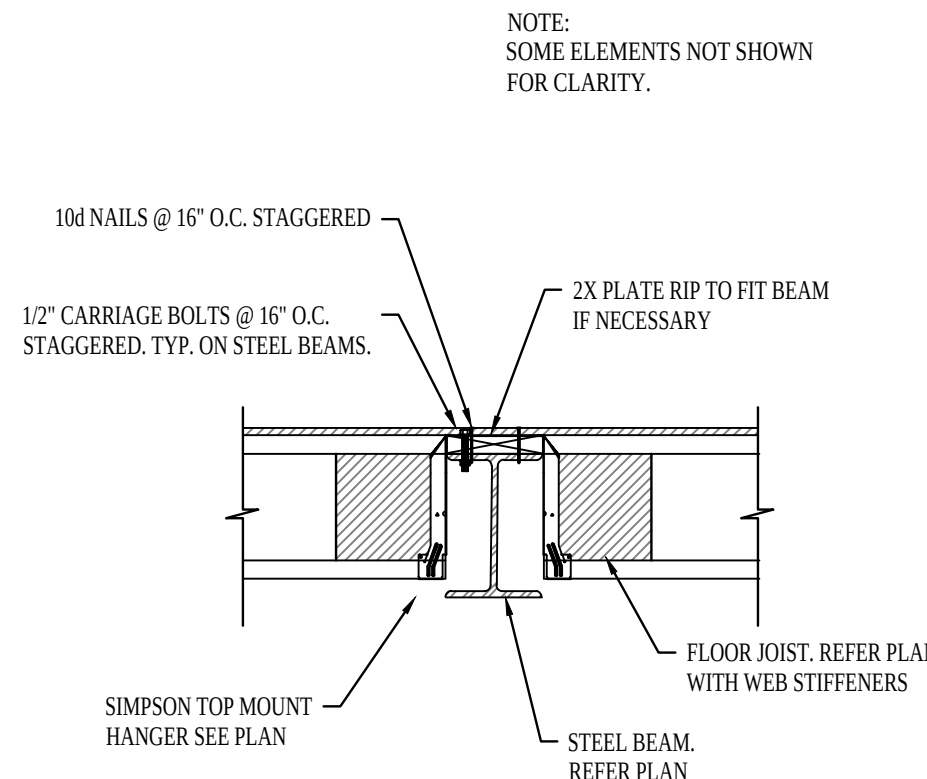
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S5.00
3/4"=1'-0"

NOT USED



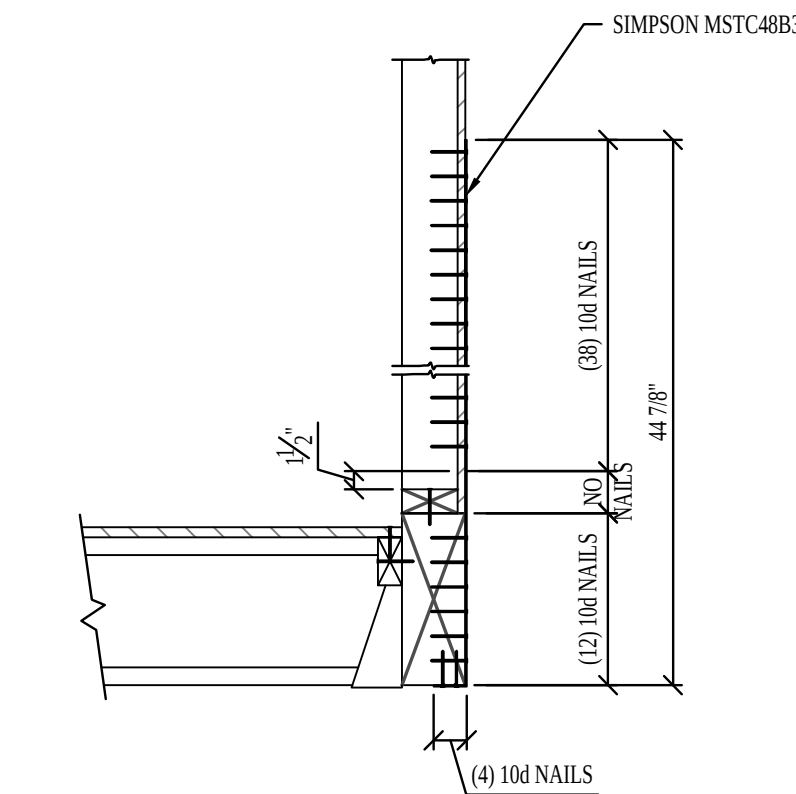
1-B
S5.00
3/4"=1'-0"

GABLE END BRACE



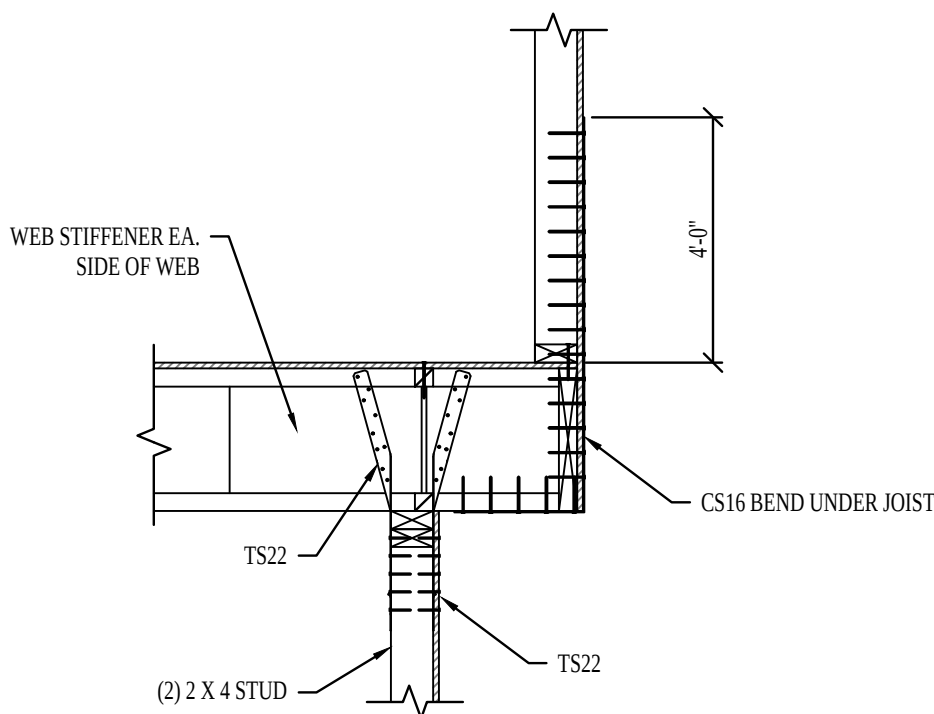
2-C
S5.00
3/4"=1'-0"

DETAIL



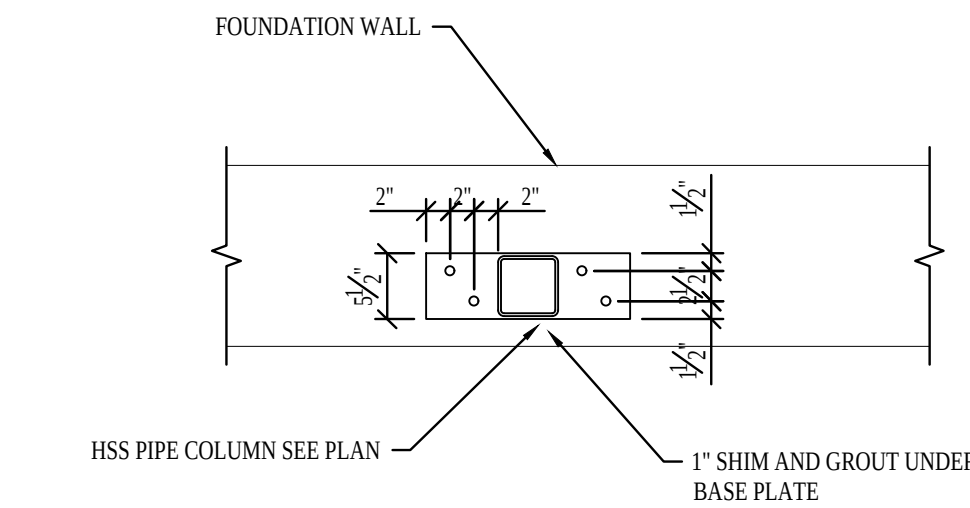
3-C
S5.00
3/4"=1'-0"

SIMPSON MSTC48B3 DETAIL



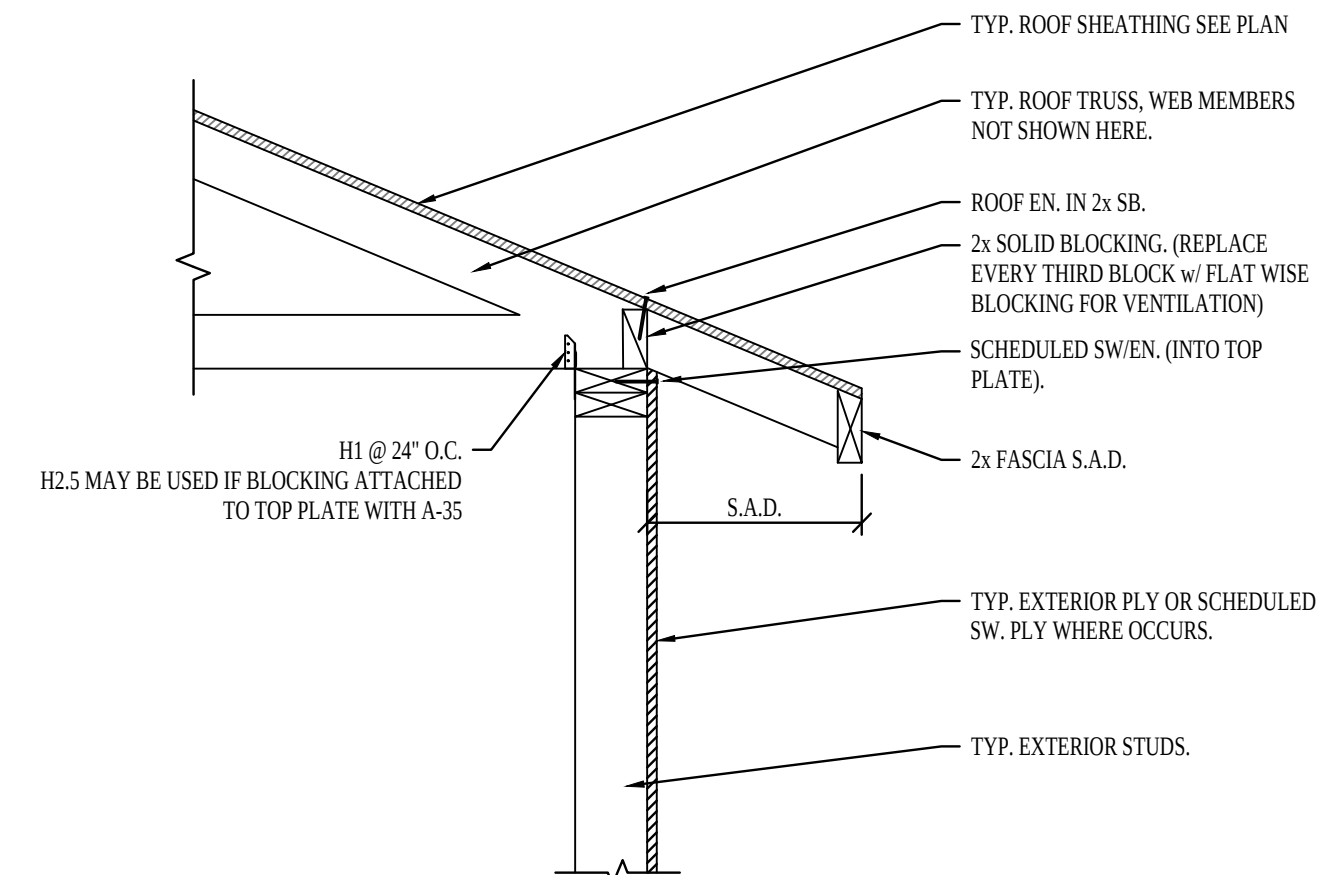
3-B
S5.00
3/4"=1'-0"

DETAIL



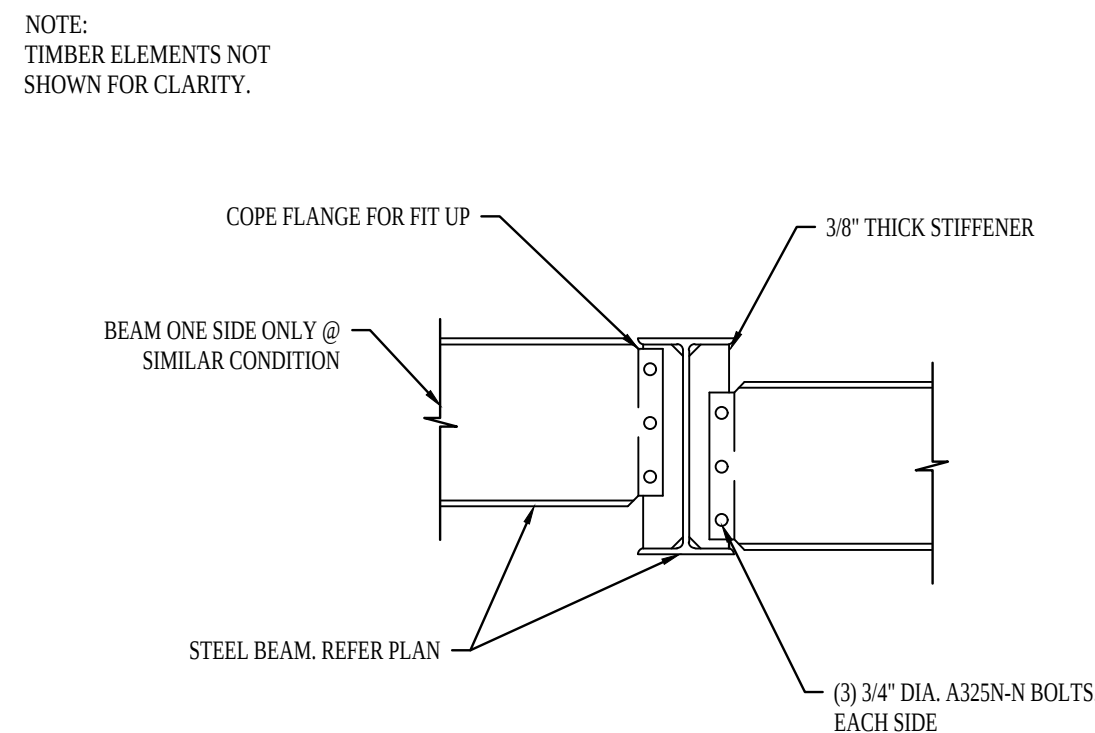
4-B
S5.00
3/4"=1'-0"

COLUMN BASE DETAIL



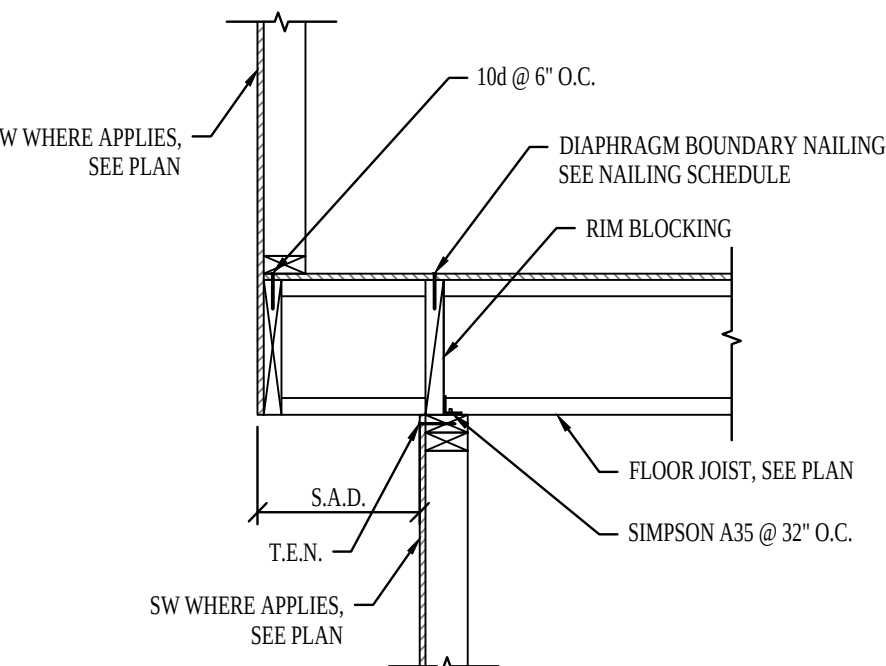
1-A
S5.00
3/4"=1'-0"

ROOF TO WALL CONN.



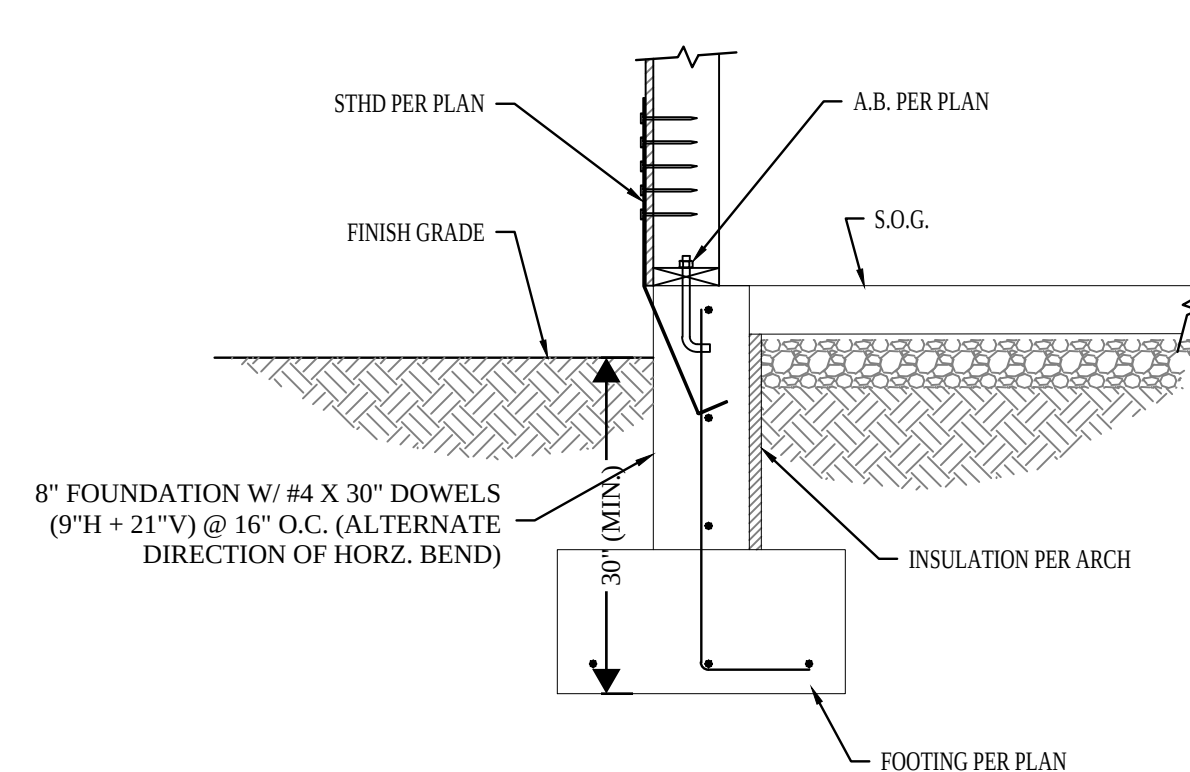
2-A
S5.00
3/4"=1'-0"

STEEL BEAM TO STEEL BEAM



3-A
S5.00
3/4"=1'-0"

DETAIL



4-A
S5.00
3/4"=1'-0"

FOOTING @ EXTERIOR

The 7371 Lost Canyon Circle property has a footprint currently allowing a setback on the southernmost point of the garage front corner of 8'4 1/4" with a second corner further east with a setback of 9'9 3/4". The other side of the house has a setback of 8'0" making the current home out of the setback code. The new addition to the garage uses the same footprint as the current garage but is going up a second level. With the current footprint being grandfathered for the first story, the second story is not. We have been told the corners must be moved in to meet the current code.

This means reengineering the entire second-floor addition when we can leave the first-story corner in place. With re-engineering this portion of the building, we must evaluate some considerable modifications to the plans so that we can accommodate this one change where if we are allowed to leave the corner in place the sheer value and vertical force will not change. If we are required to move those corners, we must change the vertical pickup points and distribute the weight to the new "corners" of the building changing the footings and the grandfathering of the current garage footings. It will also add new support beams into the walls we will have to then fur the rest of the wall out to hide, adding considerable cost, time, and effort to an already difficult build. As seen in the drawings and plans there is a considerable amount of weight on the corner and it will require a considerable amount of time and money for this workaround for a second story change and does not change the burden on the lands in the vicinity.



STAFF MEMO

Re: *Variance Application AHO-24-005*
6900 S. Big Cottonwood Canyon Road, Cottonwood Heights, UT 84121

Date: *Tuesday, November 5, 2024*

From: *Cottonwood Heights Community & Economic Development*

To: *Cottonwood Heights Appeals Hearing Officer*

BACKGROUND & CONTEXT

I. Summary of the Application

On May 7, 2024, Douglas Shelby and WDOM Properties LLC (collectively, “Applicants”) filed a variance application for a property located at 6900 S. Big Cottonwood Canyon Road, Cottonwood Heights, UT 84121 (“Historical Site”). The variance seeks a waiver of requirements to obtain a conditional use permit and to remain open to public comment for a period of at least one year, as well as approval of demolition of the historic Old Mill structure (the “Old Mill”) located on the property.¹

A memorandum and narrative accompanied the application. The Applicants contend that compliance with the conditional use permitting process ordinarily applicable to historic sites—particularly the requirement that the application remain pending with the planning commission for a year—would cause an unreasonable hardship. They acknowledge that the Cottonwood Heights (“City”) code of ordinances (the “City Code”) may require an owner to repair or rehabilitate dilapidated or deteriorating historic sites at the owner’s request. They reference and summarize reports by two engineering firms and an architect who were retained to assess various aspects of the Old Mill structure before addressing the factors ordinarily applicable to a variance request.

With their memorandum, the Applicants submitted reports prepared by their consulting experts. The Reavely report, dated July 28, 2022, assessed the structure itself—in its opinion, the structure does not meet the requirements of the 2018 International Building Code and requires a full seismic upgrade and gravity upgrades. Reavely also opined that the structure meets the criteria of “dangerous” under the 1997 Uniform Code for the Abatement of Dangerous Buildings (“UCADB”), citing 13 specific conditions classified as dangerous.

The Applicants also submitted a report by Gilson Engineering, which was retained to conduct a structural assessment in August 2022 and explore feasibility of restoration. The report, dated August 26, 2022, observed a range of conditions and notes how exposure to weather, vandalism, and natural forces “detrimentally impacted the integrity of the structure making

¹ Variance Application, AHO-24-005 (May 7, 2024).

preservation extremely expensive or impracticable.”² Relying on the Gilson report, the Applicants contend that rehabilitation would cost tens or hundreds of millions of dollars.³

Lastly, the Applicants submitted a report from a licensed architect, Christopher Jensen, who assessed whether there would be creative ways to preserve the structure. Mr. Jensen concurred in large part with Gilson and Reavely. Citing his report, the Applicants contend that the building structure is hazardous, presents an imminent danger to the public, and cannot be brought up to building codes in a practical way.⁴

II. General History of the Old Mill Historic Site

In 1971, the Utah Historical Society applied to list the Old Mill on the National Register of Historic Places.⁵ According to the application, the construction of the Old Mill began in 1880 and completed in 1883. After a fire gutted the building in 1893, parts of the structure were rebuilt in 1927. Although originally used as a paper mill, the structure was used from the 1920s to 1940s as a club, and it was being used as a “discotheque” at the time of the 1971 application. The application references possible restoration. The applicant noted that the building remains today “as a reminder of the most significant effort made to produce paper for an independent supply.” At the time of the applicant, the owner was listed as Mary Goff Walker.

According to Preservation Utah, the Old Mill was closed during World War II, but it became a concert venue in the late 1960s. In the late 1970s and 1980s, the facility was used as a “haunted house” and boutique.⁶ It was condemned due to earthquake building codes in 2005, shortly after the City Cottonwood Heights incorporated.

Shortly after its incorporation, the City adopted a general plan recognizing the importance of historic preservation and the communal importance of the Old Mill specifically:

- One of the highlights of this area’s history was the Deseret Paper Mill – the “Old Mill” situated along Big Cottonwood Creek about a mile below the mouth of the canyon. It was built in 1861 to make paper for the Deseret News. The paper was made with wood pulp taken from the canyons and rags gathered by families in the valley. It was an immense pioneer undertaking. The finest paper making machinery was hauled across the country by team and wagon, and the mill was the pride of the community as well as the territory. It operated for many years, furnishing employment for the people of Butlerville and paper for the territory. But on the morning of April 1, 1893 (April Fools Day), the cry echoed through the community

² Applicants’ Memo. at 5.

³ *Id.* at 5-6.

⁴ *Id.* at 6.

⁵ Nomination Form (April 4, 1971), available at https://npgallery.nps.gov/NRHP/GetAsset/NRHP/71000848_text.

⁶ Utah’s “iconic” Old Mill, Preservation Utah, available at <https://preservationutah.org/see-our-impact/our-advocacy/item/1198-old-mill-cottonwood-heights>.

that the mill was on fire. Most people said to themselves “April Fool” and turned over in their beds and went back to sleep. The mill burned down and was never rebuilt as a paper mill. Since the mill’s construction, the railroad had come through and it was cheaper to bring paper in by train than to manufacture it locally.⁷ ...

- Old Mill Area

The Granite Paper Mill is the primary historical site that many citizens would like to see preserved.

The Old Mill area is currently available for residential development with the goal of preserving the Granite Paper Mill building. Community-suggested uses of this area include: a community center and park; a museum, restaurant and gift shop district; restaurants; playgrounds; preserve as a historic site and cultural center. The feasible reuse or preservation of the Old Mill building will depend on the structural safety and condition of the building.

Currently the Old Mill is protected under the Salt Lake County Historic Preservation ordinance. Under this ordinance, a conditional use permit is required for any modifications to a historic site or structure, including modifications to the landscaping, fencing or appearance of any lot, or demolition, construction, alteration, relocation, improvement or conversion of a historic site. Cottonwood Heights should consider developing a historic preservation ordinance and evaluate its applicability to the Old Mill or other historic structures within the city.⁸ ...

- **2.8 Citizen Comments ...**

4) Historic Sites & Buildings

Preservation of the Old Mill building and site. Utilize this area as an historical site and park, with the building serving as a museum/gift shop/restaurant, developing the area in a similar manner as Wheeler Farm. Other options include turning the site into a Gardner Village style of shopping area.⁹

III. Recent History and Conditions of the Site

⁷ General Plan § 1.9 (describing area history).

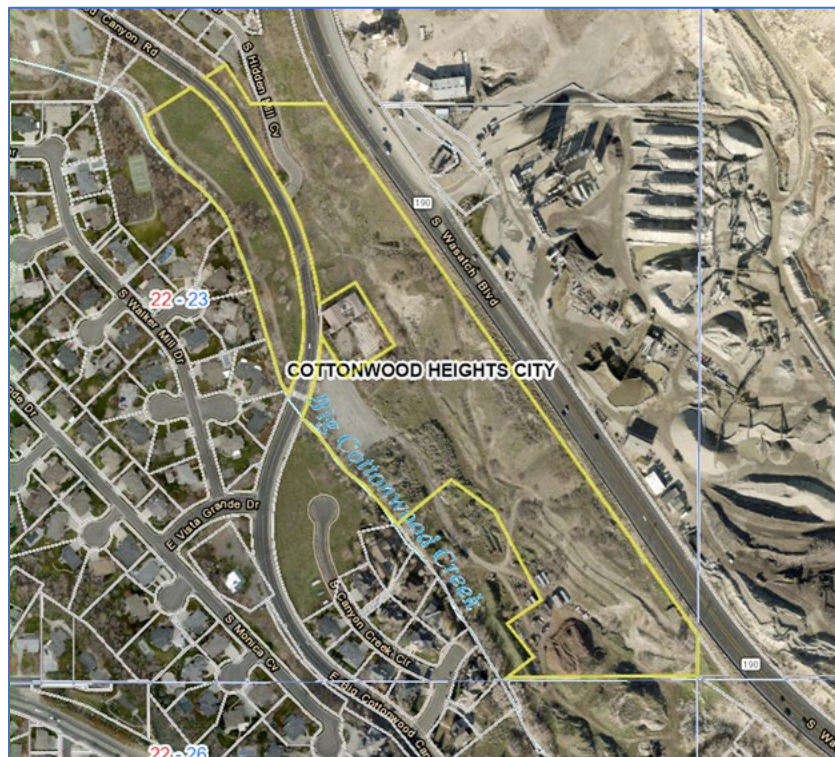
⁸ *Id.* § 2.5 (containing land use plan).

⁹ *Id.* § 2.8 (containing land use plan).

As indicated in photos submitted by the Applicants, the Old Mill facility is in a state of disrepair. Photos depict damage to vandalism, detritus, damage to the ceiling, and gaps in the mortar. The Applicants provide no evidence of efforts to rehabilitate or maintain each of these conditions, either generally or since the property's classification as historical site.

Historically, the property was acquired by the Walker family in 1927. Recently, the property was separated into two parcels. The smaller of two parcels, which contains the Old Mill, was conveyed via special warranty deed to WDOM Properties, LLC recorded on September 13, 2023. To staff's knowledge, there was no city application filed by the property owner to review the subdivision/adjustment of parcel lines.

The larger parcel is owned by Walker Development, LLC which is listed as manager of WDOM Properties. Douglas Shelby is listed as the registered agent for Walker Development, LLC on the Utah Division of Corporations and Commercial Code website. The historical structure is depicted in the smaller rectangular set of lines below.



In mid-2024, a fire at the Old Mill caused additional damage to the structure. Although the fire was extinguished, Mr. Shelby subsequently spoke to the City Historic Committee at its September 11, 2024 meeting. Committee members raised questions as to why the fire continued for so long, when there was a fire hydrant adjacent to the building, to which Mr. Shelby responded that he had voluntarily turned off the hydrant because he had been charged \$600 a month due to its classification as a private line.

VARIANCE REGULATIONS

The following regulatory or statutory provisions bear on consideration for the application.

I. City Code § 19.92.030 - Variances

- (C)(1) The appeal hearing officer may authorize in specific cases variance from the terms of this title only if:
- a. Literal enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance;
 - b. There are special circumstances attached to the property that do not generally apply to other properties in the same district;
 - c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;
 - d. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
 - e. The spirit of the zoning ordinance is observed and substantial justice is done.
- (C)(2) In determining whether enforcement of the zoning ordinance would cause unreasonable hardship under Subsection (C)(1)(a) of this section, the appeals hearing officer may not find an unreasonable hardship unless the alleged hardship:
- a. Is located on or associated with the property for which the variance is sought, and
 - b. Comes from circumstances particular to the property, not from conditions which are general to the neighborhood.
- (C)(3) In determining whether or not enforcement of the zoning ordinance would cause unreasonable hardship under Subsection (C)(1)(a) of this section, the appeals hearing officer may not find an unreasonable hardship if the hardship is self-imposed or economic.
- (C)(4) In determining whether or not there are special circumstances attached to the property under Subsection (C)(2)(b) of this section, the appeals hearing officer may find that special circumstances exist only if special circumstances:
- a. Relate to the hardship complained of; and
 - b. Deprive the property of the privileges granted to other properties in the same district.

II. City Code § 19.92.010 *et seq.* - Historic Preservation

19.86.010 Purpose.

This chapter is enacted to preserve sites, structures, landmarks or buildings with special historical, architectural or aesthetic value which are unique and irreplaceable assets. To

accomplish this purpose, planning commission approval is required for all modifications to historical sites.

19.86.020 Historic Sites Designated

- A. Existing Sites. Each of the following structures and sites in the city is a historic site:
 - 1. Granite Paper Mill, 6900 South Big Cottonwood Canyon Road, Cottonwood Heights.
 - 2. Butler School Teachers Dormitory, 2680 East Fort Union Blvd., Cottonwood Heights.
- B. Amendments. The city council may amend the above list of historic sites and structures, including designating additional historic sites, subject to the amendment procedures in Chapter 19.90, "Amendments and Rezoning."

19.86.030 Conditional Use Permit Required

- A. A conditional use permit is required for any modifications to a historic site or structure, including modifications to the landscaping, fencing or appearance of any lot, or demolition, construction, alteration, relocation, improvement or conversion of a historic site.
- B. Applications for a conditional use permit on a historic site shall be made in the manner and subject to the procedures and requirements set forth in Chapter 19.84, "Conditional Uses." To the extent that the requirements of this chapter and Chapter 19.84, "Conditional Uses," are inconsistent, the requirements of this chapter shall prevail.

19.86.040 Noncomplying Conditional Uses

The planning commission shall not approve a conditional use for a historic site which would be contrary to the purposes of this chapter by adversely affecting the architectural significance, the historical appearance, or the educational and historical value of the site unless all the following conditions have been met:

- A. The application meets the requirements for a conditional use permit set forth in Chapter 19.84, "Conditional Uses";
- B. The application meets all the requirements of the base zone in which the property is located;
- C. The application has been pending before the planning commission for a period of at least one year.

19.86.045 Protective Maintenance Required

In addition to the requirements of the applicable building code, the owner of any historic site shall maintain and repair the historic site in accordance with this section. An historic site shall not be destroyed by neglect of any structure that has or is incurring permanent damage, by weather, or by vandalism.

The owner shall maintain and repair the historic site to the extent that in the opinion of the city is sufficient to prevent damage to the structural components or the exterior of

the structure, or to prevent the collapse of the structure, or to prevent the structure from becoming so deteriorated as to render impossible its repair and preservation.

The city can investigate the condition of any historic site. Upon finding that the historic site is dilapidated or deteriorating, the city shall notify the property owner by certified letter of the failure of meeting city codes and standards. The city shall identify specific repairs and any work necessary to comply with the conditions and requirements approved by the city. The owner shall have 120 days from written notification to complete necessary repairs and improvements that were approved by the city. All effort to work with the proper owner will be expended before written notification is mailed to the property owner. Failure to complete the necessary repairs and work within 120 days shall constitute a violation of this chapter.

19.86.050 Site Modification

The planning commission may modify all yard, parking, landscaping, height and other requirements of the zone in which the historic site is located, as necessary to fulfill the purposes of this chapter. In so doing, the nature and character of adjacent properties shall be considered to ensure that the health, safety, convenience and general welfare will not be impaired. The planning commission may establish development criteria to control impacts associated with the heaviest permitted use in the base zone, including, but not limited to, noise, glare, dust or odor.

19.86.060 Additional Uses For Historic Sites

- A. Residential and Foothill Zones. The planning commission may approve any of the following uses for a historic site in addition to the permitted and conditional uses allowed in the foothill or residential zone in which the site is located:
1. Antique shop;
 2. Art shop;
 3. Boardinghouse;
 4. Child nursery;
 5. Dental office or clinic;
 6. Dwelling, single, two, three, four or multiple-family;
 7. Nursing home;
 8. Office;
 9. Private educational institution;
 10. Reception centers;
 11. Restaurant;
 12. Other uses of similar intensity to the above.
- B. Commercial Zone. The planning commission may approve any use listed in the commercial zone of the city zoning ordinance for a historic site located in a commercial zone.

19.86.065 Modification

For purposes of this chapter, modification means demolition or construction where a demolition or building permit is required. Modification also includes substantial changes to landscape, fencing or appearance of an historic site. Modification does not

include minor changes to landscape, fencing or appearance of an historic site such as painting the historic site substantially the same color, changes to flower beds or trimming. ...

III. City Code § 19.84.010 *et seq.* - Conditional Uses

19.84.010 Definition

A “conditional use” is a land use that, because of its unique characteristics or potential impact on the city, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

19.84.020 Approval Standard

- A. No Presumption of Approval. The listing of a conditional use in any table of permitted and conditional uses as found in various chapters of this title does not constitute an assurance or presumption that any such conditional use will be approved. Rather, each proposed conditional use shall be evaluated on an individual basis, in relation to its compliance with the standards and conditions set forth in this chapter and with the standards for the zoning district in which it is located, in order to determine whether the conditional use is appropriate at the particular location.
- B. Standard for Approval. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

19.84.030 Site Plan And Permit Required

- A. A conditional use permit shall be required for all uses listed as conditional uses in the zoning district regulations where they are, or will be, located, and if the use is specified as a conditional use elsewhere in this title. Failure to comply with any of the conditions imposed in the permit will result in an order to show cause for revocation. The permit may be revoked by the planning commission upon evidence that any condition has not been met.
- B. A conditional use has the potential for adverse impact on the use and enjoyment of adjacent properties and uses if the proposed conditional use is located and laid out without careful planning. Site plan review is a process designed to address such adverse impacts and minimize them where possible. Site plan review of development proposals is required for all conditional uses in all zoning districts in the city.

19.84.040 Fee

The application for any conditional use permit shall be accompanied by the appropriate fee under this code.

19.84.050 Application

- A. The conditional use process is initiated upon submittal of a conditional use permit application to the department. The planning commission may authorize the director to grant, attach conditions to, or deny conditional use permits, subject to such limitations or qualifications as are deemed necessary.
- B. All applications for a conditional use permit shall include:
 - 1. The applicant's name, address, telephone numbers and interest in the property;
 - 2. The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;
 - 3. The street address and legal description of the subject property;
 - 4. The zoning classification, zoning district boundaries and present use of the subject property;
 - 5. A vicinity map with North, scale and date, indicating the zoning classifications and current uses of properties within 300 feet of the boundaries of the subject property. When a conditional use permit will be considered by the planning commission, the application shall also include a current plat map showing the names and addresses of all property owners appearing on the tax rolls of the Salt Lake County Assessor within 300 feet of the boundaries of the subject property.
 - 6. A plat or a survey of the parcel of land, lots block, blocks, or parts or portions thereof, drawn to scale, showing the actual dimensions of the piece or parcel, lot, lots, block, blocks, or portions thereof, according to the registered or recorded plat of such land;
 - 7. The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project;
 - 8. A complete description of the proposed conditional use;
 - 9. A plan or drawing drawn to scale of twenty feet to the inch (20' = 1 inch) or larger which includes the following information of the proposed use:
 - a. actual dimensions of the subject property;
 - b. exact sizes and location of all existing and proposed buildings or other structures;
 - c. driveways;
 - d. parking spaces;
 - e. safety curbs;
 - f. landscaping;
 - g. location of trash receptacles;
 - h. drainage features and environmental features; anda table showing all land uses and open space with square feet and percentage of total property for each use.
 - 10. A traffic impact analysis (when deemed necessary by the department);
 - 11. A statement indicating whether the applicant will require a variance in connection with the proposed conditional use permit;

12. Envelopes, mailing labels and first class postage for all property owners located within 300 feet of the subject property when a conditional use permit will be considered by the planning commission; and
13. Such other further information or documentation as the director may deem to be necessary for a full and proper consideration and disposition of the particular application.

19.84.060 Staff Report

Once the department has determined the application is complete, a staff report evaluating the conditional use application shall be prepared and forwarded to the planning commission.

19.84.070 Public Hearing

A public hearing may be held if the chairman of the planning commission deems a hearing to be in the public interest.

19.84.080 Determination

- A. Following any public hearing, the planning commission shall consider the application in a public meeting. The staff's written recommendation shall be considered, among other factors. The planning commission may either approve the proposed conditional use; approve the proposed conditional use subject to specific modifications or conditions; postpone decision pending consideration of additional information to be submitted by the applicant; or deny the proposed conditional use.
- B. In approving a conditional use, the planning commission may impose such requirements and conditions as it deems necessary for the protection of adjacent properties and the public welfare. The planning commission shall only approve with conditions, or deny a conditional use, based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for conditional uses set forth in the specific zoning district. The planning commission shall not approve issuance of a conditional use permit unless the evidence presented is such as to establish the following:
 1. That the proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;
 2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;
 3. That the use will comply with the intent, spirit, and regulations of this title and will be compatible with and implement the planning goals and objectives of the city;
 4. That the use will be harmonious with the neighboring uses in the zoning district in which it is to be located;
 5. That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;
 6. That protection of property values, the environment, and the tax base for the city will be assured;

7. That the use will comply with the city's general plan;
8. That some form of a guaranty assuring compliance to all imposed conditions will be imposed on the applicant or owner;
9. That the internal circulation system of the proposed development is properly designed;
10. That existing and proposed utility services will be adequate for the proposed development;
11. That appropriate buffering will be provided to protect adjacent land uses from light, noise and visual impacts;
12. That architecture and building materials are consistent with the development and surrounding uses, and otherwise compatible with the city's general plan, subdivision ordinance, land use ordinance, and any applicable design standards;
13. That landscaping appropriate for the scale of the development and surrounding uses will be installed in compliance with all applicable ordinances;
14. That the proposed use preserves historical, architectural and environmental features of the property; and
15. That operating and delivery hours will compatible with adjacent land uses.
16. The foregoing approval standards shall be subject to any contrary requirements of Utah Code Ann. § 10-9a-507, as amended.

19.84.090 Effect Of Approval

The approval of a proposed conditional use shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the city, such as subdivision approval, a building permit, a certificate of occupancy, etc.

19.84.100 Appeals

Any person aggrieved by a decision of the planning commission regarding the issuance, denial or revocation or amendment of a conditional use permit may appeal such decision to the appeals hearing officer, whose decision shall then be final. All appeals to the appeals hearing officer must be in writing and filed with the department within 30 days after the date of the decision appealed from. The decision of the appeals hearing officer may be appealed to the District Court, provided that such appeal is filed with the District Court, with a copy to the director, within 30 days after the decision of the appeals hearing officer.

19.84.110 Inspection

Following the issuance of a final conditional use permit:

- A. The department may accept an application for approval of a building permit (if applicable), and shall ensure that development is undertaken and completed in compliance with the conditional use permit, the city's building code, and any other applicable laws or ordinances.

- B. The director shall make periodic inspections to assure compliance with all applicable conditions of approval. An investigation report will be issued to any conditional use permittee that is out of compliance. If the discrepancy is not corrected in an allotted time of not less than ten days, then an order to show cause will be issued for action by the planning commission.

19.84.120 Time Limits

- A. A conditional use permit for temporary uses may be issued for a maximum period of six months, with renewals at the discretion of the planning commission for no more than three successive periods thereafter. ...
- B. Unless there is substantial action under a conditional use permit within a maximum period of one year after its issuance, said permit shall expire. The planning commission may grant one extension of up to six months, when deemed in the public interest, upon application by the permittee before expiration of the permit. The approval of a proposed conditional use permit by the planning commission shall authorize only the specific use for which it was issued.

19.84.130 Amendment

Once granted, a conditional use permit, or a conditional use thereunder, shall not be enlarged, changed, extended, increased in intensity, or relocated unless an application is made to amend the existing permit, and approval is given by the planning commission, except as provided below:...

19.84.140 Revocation

The planning commission may revoke a conditional use permit if the conditions of the permit are not fully complied with. ...

IV. City Code § 19.76.030 – Structures, Bulk and Massing Requirements

- (K) Demolition permits.
1. An approved site plan is required before a commercial building can be approved for demolition.
 2. The following items must be submitted to obtain a demolition permit:
 - a. An asbestos inspection from an approved asbestos inspector.
 - b. A completed and approved “Pre-demolition Building Inspection Form” from Salt Lake Valley Health Department.
 - c. Approval for demolition from the Utah Division of Air Quality.
 - d. A letter or email, from all service providers to the property or structure, indicating that all utilities have been terminated.
 - e. A completed city building permit application.

V. Utah Code § 10-9a-702 - Variances

- (1) Any person or entity desiring a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest may apply to the applicable appeal authority for a variance from the terms of the ordinance.
- (2)
 - (a) The appeal authority may grant a variance only if:
 - (i) literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
 - (ii) there are special circumstances attached to the property that do not generally apply to other properties in the same zone;
 - (iii) granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
 - (iv) the variance will not substantially affect the general plan and will not be contrary to the public interest; and
 - (v) the spirit of the land use ordinance is observed and substantial justice done.
 - (b)
 - (i) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (2)(a), the appeal authority may not find an unreasonable hardship unless the alleged hardship:
 - (A) is located on or associated with the property for which the variance is sought; and
 - (B) comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 - (ii) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (2)(a), the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.
 - (c) In determining whether or not there are special circumstances attached to the property under Subsection (2)(a), the appeal authority may find that special circumstances exist only if the special circumstances:
 - (i) relate to the hardship complained of; and
 - (ii) deprive the property of privileges granted to other properties in the same zone.
- (3) The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
- (4) Variances run with the land.

- (5) The appeal authority may not grant a use variance.
- (6) In granting a variance, the appeal authority may impose additional requirements on the applicant that will:
 - (a) mitigate any harmful affects of the variance; or
 - (b) serve the purpose of the standard or requirement that is waived or modified.

SUMMARY OF REQUESTS

Relying on City Code section 19.92.030 and Utah Code section 10-9a-702, the Applicants seek two things: (a) waiver of the requirement to obtain a conditional use permit and accompanying required one-year public input process under regulations ordinarily governing historic sites; and (b) approval of demolition of the Old Mill. The application contains a coversheet, narrative, site photographs, and an exhibit purporting to show the location of the building and its dimensions. The applicant also submitted the reports authored by professionals retained to assess the site.

The narrative addresses the five criteria applicable for a variance under City Code and summarizes the Applicants' position on each of these criteria as follows:

- “Literal enforcement would require the filing of a conditional use permit, public hearings as required, and leaving the application open for a minimum period of one year. The need for public hearings is inapplicable here, as the danger and condition are open and obvious, and the structure attracts vandals and trespassers, all of whom are in danger. Further, whether the one-year period is applicable or not, the conditional use process is of no benefit, since the facts are so stark and pervasive. Requiring either a one-year period, or a public process serves no purpose except to delay the inevitable.”¹⁰
- “In any other instance of having a failed and dangerous structure, building inspectors and city enforcement personnel could require immediate demolition. Forcing this Owner to go through a lengthy and public process, imposes a heavy duty, not applicable to other properties similarly situated, with no benefit to the City.”¹¹
- “Any other property having commercial zoning could move forward immediately with demolition of old, unsafe buildings, and in fact the City would likely require it of its own volition. Forcing a conditional use process that serves no purpose, or holding a conditional use application pending for at least a year prevents the landowner from moving forward to enjoy its current property rights for commercial use as zoned.”¹²

¹⁰ Applicants' Memo. at 9.

¹¹ *Id.* at 10.

¹² *Id.* at 10.

- “The variance will align the property with the general plan and the current zoning. In effect, removal of the building will further the general plan and use of current zoning. It is not contrary to the public interest, as it is in the public interest to avoid dangerous circumstances and circumstances which attract vandals and trespassers, especially where the structure itself is so dangerous.”¹³
- “The spirit of this particular zoning ordinance is to preserve some portion of the history of the area. The Paper Mill has been iconic, but cannot be preserved. A reasonable approach is to preserve some of the elements, such as stone or other elements of the Paper Mill, to be used as decorative elements in new construction or an appropriate memorial. The owner is willing to preserve some of the stone (that which has not already been ruined by vandals) and incorporate the materials into future construction. This commitment is by nature open-ended, because there are no specific development plans in place today. The use of some of the historic materials would do substantial justice to the ordinance.”¹⁴

STAFF ANALYSIS & RECOMMENDATION

The City’s variance procedures “are intended to provide a narrowly circumscribed means by which relief may be granted from *unforeseen* particular applications of this title that create unreasonable hardships.”¹⁵ “When such hardships may be more appropriately remedied, if at all, pursuant to other provisions of this title, the variance procedure is inappropriate.”¹⁶

The limited role of the variance is reflected in other provisions of the Code. A variance cannot be granted if it is “intended as a temporary measure only” or “greater than the minimum variance necessary to relieve the unnecessary hardship demonstrated by the applicant.”¹⁷ Conditions may be imposed to mitigate any harmful effect of the variance or to serve the purpose of the standard or requirement waived or modified.¹⁸

Because variances should serve as a narrow exception—rather than the rule— an applicant seeking a variance bears the burden of demonstrating that each of the criteria have been met.¹⁹ The staff respectfully submits that the Applicants have not met their burden and recommends that the hearing officer deny the request for the reasons below.

I. City Code § 19.920.030(C)(1)(a): Unreasonable Hardship

The first of the criteria requires the applicant to show that “[l]iteral enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to

¹³ *Id.* at 10.

¹⁴ *Id.* at 10.

¹⁵ City Code § 19.92.030(A).

¹⁶ *Id.*

¹⁷ *Id.* § 19.92.030(F).

¹⁸ *Id.* § 19.92.030(G).

¹⁹ See Utah Code § 10-9a-702(3); City Code § 19.92.030(C)(1).

carry out the general purpose of the zoning ordinance.”²⁰ Unreasonable hardship cannot be shown unless the alleged hardship is “located on or associated with the property for which the variance is sought” and “[c]omes from circumstances particular to the property, not from conditions which are general to the neighborhood.”²¹ Crucially, “the appeals hearing officer may not find an unreasonable hardship if the hardship is self-imposed or economic.”²²

The bar on proving unreasonable hardship through self-imposed or economic harm derives from LUDMA and echoes case law. In *Xanthos v. Bd. of Adjustment of Salt Lake City*,²³ the Utah Supreme Court rejected the applicant’s claims that being required to tear down a structure or restore its prior use—thereby losing rental income—resulted in an undue hardship. In doing so, the court noted: “Hardship is not demonstrated by economic loss alone.... Every person requesting a variance can indicate some economic loss. To allow a variance anytime any economic loss is alleged would make a mockery of the zoning program.”²⁴ In passing the court noted that the applicants had brought the losses on themselves.²⁵

Self-imposed harm received further attention in *Chambers v. Smithfield City*.²⁶ There, the Utah Supreme Court held that a variance application requesting approval to build a single-family residence within a buffer zone failed to meet variance requirements.²⁷ When addressing the hardship prong, the court noted that the applicant “brought his loss upon himself” by purchasing “the small lot with full knowledge of the zoning requirements in the district.”²⁸

Here, the Applicants fail to meet their burden for each of the reasons below.

- a. *The current condition of the site and its repair do not support a finding of unreasonable burden, where the applicants fail to show how participating in the conditional use process causes the purported harm.*

As a threshold matter, while the Applicants allude to the significant cost of repair or restoration for the Old Mill throughout their narrative, purely economic considerations cannot serve as a basis for unreasonable hardship.²⁹ But even if costs were relevant, the appropriate inquiry should focus on the hardship purportedly caused by enforcement of the ordinance from which a variance is sought. In other words, question turn on whether the Applicants suffer an unreasonable hardship by engaging in the condition use process required for historical sites, including the one-year consideration requirement.

²⁰ City Code § 19.92.030(C)(1).

²¹ *Id.* § 19.92.030(2).

²² *Id.* § 19.92.030(3).

²³ 685 P.2d 1032, 1036 (Utah 1984).

²⁴ *Id.* at 1037.

²⁵ *Id.*

²⁶ 714 P.2d 1133 (Utah 1986)

²⁷ *Id.* at 1137.

²⁸ *Id.* at 1135-36 (“To grant a variance allowing building on a smaller lot than is required by the zoning ordinance simply because the applicant has purchased a smaller lot, would make a mockery of the zoning plan.”).

²⁹ City Code § 19.92.030(3).

Importantly, the Applicants have not argued that they would be unable to secure a conditional use permit by engaging in this process. Nor have they pointed to personal hardship imposed by the delay of undergoing the process adopted by the City Council for historical sites. Their application also does little to explain why the standard requirement of a demolition permit imposes any unreasonable hardship at all. The absence of specific hardships with respect to the actual impact of participating in the process undermines the basis for the variance request.

Instead, their unreasonable hardship argument appears to be based largely on the notion that the site presents a danger to the public.³⁰ As a threshold matter, the analysis turns on whether the conditional use process causes an “unreasonable hardship for the applicant.”³¹ However, the Applicants have provided no specific evidence of how potential vandalism or trespassing creates an unreasonable burden to them.³² Nor do they explain whether the current conditions have created liability or created costs separate and apart from those challenges facing other property owners. And by failing to do so, the Applicants cannot create a nexus between speculative or hypothetical problems raised in their application and the alleged burden of seeking conditional use approval.

Even if risks to the public were appropriate considerations in this case, the Applicants have not created a causal nexus between those conditions and the requested variance. For one thing, their application does not clearly explain how these risks would be caused by undergoing the conditional use process. To do so would require non-speculative evidence that incidents have occurred in the immediate past and will occur during the immediate future—particularly during the conditional use process. Setting aside that issue, establishing causation would require, in part, information on what steps or measures the property owner has or could employ to reduce such risks independent of seeking a variance, because the actual cause of these conditions may have more to do with maintenance or neglect than the variance procedures themselves.³³

b. The Applicants do not carry their burden of showing the “necessity prong” of the unreasonable hardship analysis.

Much of the Applicants’ position is directed at whether public hearings and the one-year period would be appropriate or serve benefits to the public. This argument, standing alone, does not establish burdens caused by the process. For one thing, it rests on speculation—neither the Applicants nor staff can presuppose what the conditional use application will entail or how the planning commission or public will address the issue.

More fundamentally, it is not uncommon for an applicant to believe that the process will result in his or her favor. Converting a mere belief in the eventual outcome into a basis for unreasonable hardship—even though the Applicants have not submitted the documents required for approval—would greatly expand the test for unreasonable burden and be inconsistent with

³⁰ Applicants’ Memo. at 9.

³¹ City Code § 19.92.030(C)(1).

³² For example, the Applicants do not provide specific, recent examples of incidents where trespass or vandalism caused specific harm.

³³ *Infra* Analysis & Staff Recommendation § I.c.

prior case law, which caution against treating generally applicable conditions as an appropriate basis for seeking a variance.

To be fair, the Applicant's argument on this front may be directed more at whether the conditional use process itself is "necessary to carry out the general purpose of the zoning ordinance."³⁴ But as discussed in greater detail below, the conditional use process entails a detailed application, planning commission consideration, opportunity for public input, and other variables designed to provide more substantive consideration of a conditional use.³⁵ These variables are central and necessary to the protection of legislatively designated historic sites. To date, the Applicants have not shown that the process is unnecessary.

c. The Applicants cannot establish the unreasonable hardship requirement, where the complained of burden is self-imposed.

Under the Code and LUDMA, unreasonable hardship may not be found "if the hardship is self-imposed or economic."³⁶ The Applicants fail to meet their burden for several reasons.

First, insofar as Applicants intend to rely on the costs of remediating, maintaining, or rehabilitating the structure as the basis for their purported hardship, it provides a classic instance of an economic harm, which cannot support a finding in their favor. This standard would also apply if the Applicants were to argue about the costs of delay, participating in the conditional use process, or securing a demolition permit.

Second, the property owners cannot cite vandalism, trespass, or other conditions of the structure as a basis for unreasonable harm, because the application fails to demonstrate that the harm was not self-imposed. The Code requires property owners to maintain and repair historical sites.³⁷ It specifically provides that such structures should "not be destroyed by neglect."³⁸ Yet, the application provides no indication of how Mr. Shelby, WDOM Properties, LLC, or the Walker family took measures to prevent the deterioration of the property or protect it from the conditions that they now cite as the basis for seeking a variance.

To the contrary, it appears the recent fire may have been exacerbated by Mr. Shelby's decision to turn off the water from a private fire hydrant near the property. In essence, where the property owners bore responsibility for maintaining the historical site, they cannot now complain that its self-imposed disrepair provides a basis for a variance. Additionally, there is little evidence that the property owners availed themselves of security measures or other provisions of the Code, which may afford greater protections against vandalism or trespass.³⁹

³⁴ City Code § 19.92.030(C)(1).

³⁵ *Infra* Analysis & Staff Recommendation § V.

³⁶ City Code § 19.92.030(C)(3).

³⁷ *Id.* § 19.86.045.

³⁸ *Id.*

³⁹ For example, the Code permits a party to seek an increase in fence height to twelve feet. City Code § 19.76.050(E). Additionally, the Applicants would likely be able to upgrade fencing to concrete or masonry. *See id.* § 19.40.150(F) (applying to properties abutting residential areas).

Third, recorded records suggest that the historical site was recently conveyed to WDOM Properties, LLC by special warranty deed.⁴⁰ In *Chambers v. Smithfield City*, the Utah Supreme Court held that a party failed to show unreasonable hardship for a variance where he “brought his loss upon himself” by purchasing “the small lot with full knowledge of the zoning requirements in the district.”⁴¹ Here, the City adopted historical protections as early as 2005, and the site was subject to similar protections prior to incorporation. To the extent the property was transferred, the grantee had fair notice of the regulatory protections for the site, the maintenance requirements, and the conditional use process, including the one-year waiting period. Its decision to accept the property in its current condition and subject to regulation gives rise to a self-imposed burden.

Fourth, insofar as the Applicants may argue harms stemming from a one-year waiting period, the Applicants bear some responsibility for any delays in receiving a decision on conditional use. According to the narrative, the Applicants first retained an engineer to assess the issue in 2022, and the final report was submitted in July 2022.⁴² There is nothing to indicate that the Applicants could not have initiated the conditional use process at an earlier point in time. Presumably, the process could have begun at any time since 2005. In that respect, any further delay from engaging in the appropriate process appears to be self-imposed and should not be the basis for a finding of unreasonable burden.

II. City Code § 19.920.030(C)(1)(b): Special Circumstances

Next, the Applicants must show “[t]here are special circumstances attached to the property that do not generally apply to other properties in the same district.”⁴³ Special circumstances exist only if they “[r]elate to the hardship complained of” and “[d]eprive the property of the privileges granted to other properties in the same zone.”⁴⁴ The focus of this inquiry is often whether unique characteristics create a situation where strict application of the ordinances would deprive the property of privileges enjoyed by other properties in the zone. For example, in *Specht v. Big Water Town*, limited access and unique constraints on construction of a septic system would have deprived the property owner of rights enjoyed by others in the district absent a variance.⁴⁵

The application presents a somewhat novel issue. There are no easy comparators. While zoned commercial, the Old Mill has been designated as a historic site—a designation that can only be changed by City Council through the zoning amendment process.⁴⁶ In that respect, its treatment under the zoning regulations is distinct from other commercial properties, and the best comparator may be the other historical site, Butler School Teachers Dormitory.⁴⁷ But this site would be subject to the same conditional use permitting process and demolition permit requirement, which would

⁴⁰ See Special Warranty Deed, attached as **Exhibit A**.

⁴¹ 714 P.2d 1133, 1135 (Utah 1986).

⁴² Applicants’ Memo. at 3.

⁴³ City Code § 19.92.030(C)(1)(b).

⁴⁴ *Id.* § 19.92.030(4).

⁴⁵ 2017 UT App 75, ¶ 39, 397 P.3d 802, 813

⁴⁶ City Code § 19.92.020(B).

⁴⁷ *Id.* § 19.92.020(A). The Butler School is currently zoned R-2-8 Residential Multi-Family.

further suggest that the Applicants are not really being deprived of the “privileges enjoyed by other properties in the zone” at all.⁴⁸

At the same time, the staff recognize that the area has been zoned as commercial. But even properties zoned as commercial would be required to seek conditional use permits in certain circumstances.⁴⁹ Demolition would require an applicant to secure a permit with a qualifying application in commercial zones.⁵⁰ In this respect, the Old Mill structure would be no different than a regional commercial property (especially if another site was to be designated as historical) in terms of the core requirements of the conditional use and demolition permit processes. For these reasons, staff respectfully submits that this case presents a situation where the hearing officer could find that the Applicants failed to carry their burden with respect to special circumstances.

It is worth reiterating that a variance may not be granted if it is “greater than the minimum variation necessary to relieve the unnecessary hardship demonstrated by the applicant” or permits “uses not authorized by law.”⁵¹ Here, the Applicants seek a variance that would grant exceptions beyond comparable properties and, by destroying the historical site, essentially change the historic value and use of the property, even though re-designation of the area would ordinarily fall within the province of the City Council. Such a change should be accomplished only by following the conditional use permitting and demolition permitting process or through a legislative rezoning, as contemplated by the City’s historic preservation ordinance.⁵²

III. City Code § 19.920.030(C)(1)(c): Enjoyment of a Substantial Property Right

The third criterion requires the Applicants to prove that “[g]ranting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district.”⁵³ In *Specht*, for example, substantial evidence supported a finding on this prong, where the applicant demonstrated that other owners “on single lots of similar size” were able to construct homes “without being forced to construct unreasonably steep driveway” and there was no evidence that “other lots in the area are similarly affected.”⁵⁴

As discussed above, the zoning and governing land use regulations for this particular site are unique, which begs the question of whether the Applicants have carried their burden of showing that they simply seek to enjoy property rights enjoyed by others in the district.⁵⁵ In effect, the Applicants seek to enjoy *more* than those possessed by other property owners, who are subject to zoning designations and the conditional use process, by fundamentally changing the existing historical nature of the site to a commercially zoned site without seeking a conditional use permit

⁴⁸ City Code § 19.92.020(B).

⁴⁹ *Id.* § 19.040.030.

⁵⁰ *Id.* § 19.76.030(K).

⁵¹ *Id.* § 19.92.020(F).

⁵² *Id.* § 19.86.010 (stating purpose to “preserve structures, landmarks or buildings with special historical, architectural, or aesthetic value which are unique and irreplicable assets”); *id.* § 19.86.020(B) (delegating changes to historical sites to City Council and applying provisions applicable to amendments and rezoning).

⁵³ City Code § 19.92.030(C)(1)(c).

⁵⁴ 2017 UT App 75, ¶ 39, 397 P.3d 802 (cleaned up).

⁵⁵ *Supra* Analysis & Recommendation § II.

or amending its designation through the zoning process. This is problematic because other property owners would be required to engage in the conditional use process and secure a demolition permit as part and parcel of exercising their substantial property rights.⁵⁶

For these reasons, the Applicants have not shown that they are entitled to greater protections or more property rights than other historical sites or a variance form generally applicable processes governing the use of land.

IV. City Code § 19.920.030(C)(1)(d): Enjoyment of a Substantial Property Right

To secure approval, the Applicants must demonstrate the “variance will not substantially affect the general plan *and* will not be contrary to the public interest.”⁵⁷ The Applicants failed to meet their burden with respect to both the general plan and public interest for two reasons.⁵⁸

First, the Applicants cannot show that their proposed variance will not substantially affect the general plan. The application only briefly mentions the general plan in a conclusory fashion that focuses on zoning, rather than the plan itself.⁵⁹ More importantly the general plan clearly contemplates preservation of the Old Mill and protections for historical sites. It identifies the Old Mill as a highlight of the area’s history⁶⁰ and observes it “is the primary historical site that many citizens would like to see preserved.”⁶¹ The general plan further notes that the site was already protected under Salt Lake County’s historic preservation ordinance, which also required a seeking conditional use permits in certain circumstances.⁶² And it recommends the adoption of a historic preservation ordinance within the City, specifically with respect to Old Mill.

The variance sought in this case would be in derogation of the general plan. It results in the destruction of a historic site of importance to the public, and it ignores the extent to which the process adopted for modifications to historical sites has been a critical feature of the general plan and the Code since at least 2005. Accordingly, the staff recommend finding that the variance sought will substantially and adversely affect the general plan and deny the variance.

Second, the Applicants cannot show that their proposed variance will not be contrary to the public interest. This interest is reflected in the operation of the ordinances themselves, which are discussed below.⁶³ By way of summary, the Code contemplate a complete conditional use application, review by the planning commission, and an opportunity for public input—through public hearings and a one-year period—to afford interested parties a chance to weigh in on the

⁵⁶ See, e.g., City Code § 19.040.030; *id.* § 19.76.030(K).

⁵⁷ *Id.* § 19.92.030(C)(1)(d) (emphasis added).

⁵⁸ Additionally, the Applicants fail to carry their burden with respect to the demolition permit. Their argument does not address whether waiving the permit application process would not substantially affect the general plan or be adverse to the public interest, which is particularly problematic because the permitting process includes satisfying certain health requirements. See City Code § 19.76.030(K).

⁵⁹ See generally Application Memo.

⁶⁰ General Plan § 1.9 (describing area history).

⁶¹ *Id.* § 2.5 (containing land use plan); see also *id.* § 2.8.

⁶² *Id.* § 2.5 (containing land use plan).

⁶³ *Infra* Analysis & Staff Recommendation § V.

proposed use of a historic site of great value to the community. Additionally, the process yields more substantive information about the proposed use and contains enforcement mechanisms. For this reason and those below, the variance request should be denied.

V. City Code § 19.920.030(C)(1)(d): Spirit of Zoning Ordinance

Finally, the Applicants must prove the “spirit of the zoning ordinance is observed *and* substantial justice is done.”⁶⁴ Here, the relevant regulations include ordinances adopted for historic preservation, conditional uses, and the structures, bulk and massing requirements.

The City’s historic preservation ordinance was adopted with the express purpose of preserving historically significant structures.⁶⁵ It specifically identifies the Old Mill as a historic site and delegates the authority to amend the list of historic sites to City Council.⁶⁶ It requires the applicant to seek a conditional use permit before seeking demolition of existing structures,⁶⁷ and it applies limitations on the planning commission’s approval of a proposed use that affects the architectural significance or historic appearance unless certain conditions have been met.⁶⁸ It also imposes clear requirements for protective maintenance, including a prohibition on destruction through neglect.⁶⁹ Finally, it contains provisions for site modification, which are directed in part at preserving health, safety, convenience, and the general welfare.⁷⁰

The application proposes a variance that runs contrary to the purpose and spirit of this ordinance. It results in the destruction of a specifically identified historical structure. It eliminates the conditional use process clearly contemplated by the City Council. It improperly deprives the planning commission of its authority in the conditional use process. And it deprives the public of an opportunity to weigh in on alternative uses or possibilities for a historically significant structure. For all these reasons, the variance request should be denied.

The application is also contrary to the spirit of the conditional uses ordinance. Under the Code, proposed conditional uses are not entitled to a presumption of approval; instead, the ordinance sets out a standard that requires contemplated detrimental effects and mitigating impacts.⁷¹ Importantly, an applicant must submit an application, which includes requirements (absent from the variance process) designed to afford the planning commission with a complete, rather than speculative, understanding of how the use will be changed.⁷²

⁶⁴ City Code § 19.92.030(C)(1)(e) (emphasis added).

⁶⁵ *Id.* § 19.86.010.

⁶⁶ *Id.* § 19.86.020.

⁶⁷ *Id.* § 19.86.030.

⁶⁸ *Id.* § 19.86.040.

⁶⁹ *Id.* § 19.86.045.

⁷⁰ *Id.* § 19.86.050.

⁷¹ *Id.* § 19.84.020.

⁷² *See, e.g.*, City Code § 19.84.050 (requiring, among other things, a complete description of the proposed conditional use, plats or survey, a scaled drawing containing details of the proposed use (including drainage and environmental features), and documents to provide notice to property owners).

Additionally, City Staff would prepare a report on the conditional use,⁷³ and the planning commission could elect to hold a hearing “in the public interest.”⁷⁴ The planning commission’s determination would be guided by different factors than a mere variance.⁷⁵ Critically, its determination would be guided in part by the health, safety, comfort, order or general welfare of neighbors; avoiding potential nuisance; preservation of the environment; the availability of a guaranty to ensure compliance with conditions; limiting impacts on adjacent land use; and preservation of “historical, architectural, and environmental features of the property.”⁷⁶ The ordinance also contains provisions for periodic inspection to ensure compliance, time limits, amendments, and revocation.⁷⁷

The Applicants do not effectively grapple with the spirit or purpose of the ordinance or the substantive protections effectuated by its terms. In essence, the Applicants seek to skip over the planning commission’s delegated role, evade the responsibility of a party seeking a conditional use to provide detail in the application, so that the planning commission can make an informed decision, and avoid the opportunity for public input and comment. The variance sought may also deprive the City of inspection and enforcement requirements ordinarily applicable to a conditional use permit. Essentially, the Applicants would eliminate a historic building without consideration of the many factors that should be considered in the process of obtaining a conditional use. Such an approach is not consistent with the spirit of the ordinance.

Lastly, the Applicants fail to show how waiver of demolition permit requirements would not be contrary to the spirit of the structures, bulk and massing requirements ordinance. It requires that an applicant submit an asbestos inspection, completed and approved pre-demolition form from the Salt Lake Valley Health Department, approval from the Utah Division of Air Quality, confirmation from utilities, and a complete city building permit application.⁷⁸ These requirements promote public health and ensure that adequate steps are taken to mitigate the impact of demolition. Yet, the proposed variance is starkly at odds with the demolition permitting process.

The Applicants will likely contend that the condition and scale of reconstruction support a finding that substantial justice would be served by eliminating the process, including the one-year requirement.⁷⁹ But their application provides few details on how to preserve the historical character or structure itself. This argument, standing alone, does not meet both sub-parts of the fifth factor.⁸⁰

More importantly, substantial justice is not served by divesting the planning commission of its role in the process, eliminating the opportunity for public comment, or essentially destroying a historic site, when re-designation of historic sites ordinarily rests with the City Council. Nor is it

⁷³ City Code § 19.84.060.

⁷⁴ *Id.* § 19.84.070.

⁷⁵ *Id.* § 19.84.070.

⁷⁶ *Id.* § 19.84.070(B) (containing complete list of factors).

⁷⁷ *Id.* §§ 19.84.090-to-140.

⁷⁸ *Id.* § 19.76.030(K).

⁷⁹ See Applicants’ Memo at 10.

⁸⁰ City Code § 19.92.030(C)(1)(e) (stating requirements in the conjunctive).

served when the very conditions appear to be self-imposed harms stemming from the owner's failure to maintain the structure, as required by the City's historic preservation ordinance⁸¹

CONCLUSION

To be clear, the staff are not taking the position that modifications to the historical site are unnecessary given the current condition of the building. Rather, this analysis and recommendation is guided by the appropriate process for seeking relief. Under the Code, variances should be limited to narrowly circumscribed circumstances, where other provisions of the title cannot eliminate a hardship.⁸² They are limited to the minimum necessary to alleviate a demonstrated hardship.⁸³ And they should only be granted when the applicant carry his or her burden of meeting each of the five criteria. For all of the reasons above, the Applicants have failed to carry their burden.

Accordingly, staff recommends denial of the variance with specific findings reflecting the analysis above.

⁸¹ *See supra* Analysis & Staff Recommendation § I.

⁸² City Code § 19.92.030(A).

⁸³ *Id.* § 19.92.030(F).



MAIL TAX NOTICE TO GRANTEE:

Walker Development LLC
2109 E. Green Orchard Lane
Holladay, Utah 84124
File Number: 2377109JM

14148694 B: 11442 P: 7884 Total Pages: 2
09/05/2023 12:40 PM By: EMehanovic Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: OLD REPUBLIC TITLE (DRAPER)
11820 SOUTH STATE STREET, SUITDRAPER, UT 84020

WARRANTY DEED

Walker Development LLC, a Utah limited liability company who acquired title as
Walker Development Partnership, a Utah Limited Partnership

GRANTOR

for the sum of TEN DOLLARS and other good and valuable consideration hereby CONVEYS and WARRANTS to

Walker Development LLC, a Utah limited liability company

GRANTEE

the following tract of land in Salt Lake County, State of Utah, to-wit

See Attached Legal Description

TAX ID NUMBER FOR PROPERTY: 22-23-477-003 and 22-23-478-010

Subject to any easements, restrictions and rights of way appearing of record and enforceable in law and subject to general property taxes for the year 2023 and thereafter.

Effective as of this 29th day of August, 2023.

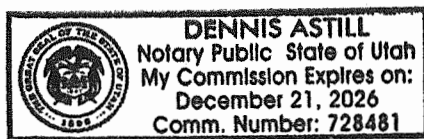
Walker Development LLC, a Utah limited liability company

By Douglas M. Shelby
Its Manager

STATE OF: UTAH

COUNTY OF: Salt Lake

On this 29th day of August 2023, personally before me appeared Douglas M. Shelby, who proven on the basis of satisfactory evidence is the Manager of Walker Development LLC, a Utah limited liability company who acquired title as Walker Development Partnership, a Utah limited partnership and that said document was signed by him on behalf of said entity by authority of its members and within the authority granted under said entity's articles of organization and/or operating agreement, and acknowledged to me that said limited liability company executed the same.



Notary Public
Commission Expires:

EXHIBIT A

ALL THAT REAL PROPERTY LOCATED IN THE SOUTHEAST ¼ OF SECTION 23, TOWNSHIP 2 SOUTH RANGE 1 EAST, SALT LAKE BASE & MERIDIAN BEING ALL OF SALT LAKE COUNTY PARCEL 22-23-477-003 AND A PORTION OF SALT LAKE COUNTY PARCEL 22-23-478-010. MEANING AND INTENDING TO DESCRIBE THAT PORTION OF WALKER DEVELOPMENT PARTNERSHIP PROPERTY LYING NORTHERLY AND EASTERLY OF THE BEST FIT CENTERLINE OF BIG COTTONWOOD CANYON ROAD, SOUTHERLY AND WESTERLY OF THE RETRACED CENTERLINE OF BIG COTTONWOOD CREEK AND NORTHERLY OF CANYON CREEK ESTATES PHASE 1 (#5525229).

SAID PORTION OF LAND IS MORE PARTICULARLY DESCRIBED BY SURVEY AS BEGINNING AT THE NORTHWESTERLY CORNER OF SAID CANYON CREEK ESTATES PHASE 1; WHICH POINT LOCATED NORTH 89°23'34" EAST 1435.40 FEET AND NORTH 0°04'56" EAST 147.68 FEET FROM THE SOUTH ¼ CORNER OF SECTION 23, TOWNSHIP 2 SOUTH RANGE 1 EAST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 32°30'14" WEST 42.71 FEET AND NORTH 51°14'56" EAST 17.85 FEET TO A POINT ALONG THE BEST FIT CENTERLINE OF BIG COTTONWOOD CANYON ROAD AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, SAID CURVE HAS A RADIUS OF 570.00 FEET, TO WHICH A RADIAL LINE BEARS NORTH 63°14'36" EAST; THENCE ALONG THE BEST FIT CENTERLINE OF BIG COTTONWOOD CANYON ROAD NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 0°47'53" AN ARC DISTANCE OF 7.94 FEET TO A POINT OF TANGENCY; NORTH 25°57'31" WEST 24.74 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY, SAID CURVE HAS A RADIUS OF 500.00 FEET; NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°57'49" AN ARC DISTANCE OF 165.49 FEET TO A POINT OF TANGENCY; NORTH 6°59'42" WEST 7.09 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY, SAID CURVE HAS A RADIUS OF 600.00 FEET; NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°33'50" AN ARC DISTANCE OF 299.12 FEET TO A POINT OF TANGENCY AND NORTH 21°34'08" EAST 157.20 FEET TO A THE INTERSECTION OF THE BEST FIT CENTERLINE BIG COTTONWOOD CANYON ROAD WITH THE RETRACED CENTERLINE OF BIG COTTONWOOD CREEK; THENCE ALONG THE RETRACED CENTERLINE OF BIG COTTONWOOD CREEK SOUTH 31°21'06" EAST 48.82, SOUTH 43°14'47" EAST 76.16 FEET, SOUTH 37°53'17" EAST 131.23 FEET, SOUTH 53°04'45" EAST 67.74 FEET, SOUTH 40°13'13" EAST 152.42 FEET TO THE INTERSECTION OF THE RETRACED CENTERLINE OF BIG COTTONWOOD CREEK AND THE MOST NORTHERLY CORNER OF CANYON CREEK ESTATES PHASE 1; THENCE ALONG THE NORTHERLY BOUNDARY OF CANYON CREEK ESTATES PHASE 1 SOUTH 78°25'58" WEST 118.61 FEET, SOUTH 18°15'32" EAST 99.05 FEET, SOUTH 65°02'58" WEST 100.00 FEET, SOUTH 11°37'00" WEST 78.16 FEET AND SOUTH 58°46'57" WEST 167.85 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ANY PORTION WITHIN THE BOUNDS OF BIG COTTONWOOD CANYON ROAD

14151922 B: 11444 P: 4721 Total Pages: 2
09/13/2023 10:07 AM By: avice Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: PEARSON BUTLER, LLC
1802 W SOUTH JORDAN PKWY STE 2SOUTH JORDAN, UT 840958497

When Recorded, Return to:
Dennis M. Astill
1802 W. South Jordan Pkwy-Ste 200
South Jordan, Utah 84095

Mail Tax Notices To:
WDOM Properties LLC
2109 E Green Orchard Lane
Salt Lake City, Utah 84124

Space above for County Recorder's Use
Tax Parcel No. 22-23-478-010-000

SPECIAL WARRANTY DEED

In consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, WALKER DEVELOPMENT PARTNERSHIP, ("Grantor"), hereby conveys and warrants, against all claiming by, through, or under it, to WDOM PROPERTIES LLC, a Utah limited liability company ("Grantee"), that certain real property (the "Property") located in Salt Lake County, Utah, and described as follows:

BEGINNING AT A POINT LOCATED SOUTH 0°49'28" WEST 1440.42 FEET
AND NORTH 89°10'32" WEST 1032.21 FEET FROM THE EAST ¼ CORNER
OF SECTION 23, TOWNSHIP 2 SOUTH RANGE 1 EAST, SALT LAKE BASE
& MERIDIAN.

THENCE SOUTH 31°53'08" EAST 224.56 FEET, SOUTH 56°38'01" WEST
174.31 FEET, NORTH 32°20'18" WEST 229.89 FEET AND NORTH 58°22'43"
EAST 176.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 39,802.79 SQUARE FEET, MORE OR LESS

TOGETHER WITH all and singular the easements, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining to the Property, including, but not limited to, (a) buildings, structures, fixtures, signs, and other improvements of every kind and nature presently situated on, in, under or about the Property; (b) all easements, rights of way, benefits, and appurtenances running with such Property; and (c) all of Grantor's right, title and interest, if any, in any land (and related improvements) lying in any street, road or avenue in front of, adjacent to, or adjoining, such real property.

SUBJECT TO current taxes and assessments and to reservations, easements, covenants, conditions and restrictions of record.

[signature and acknowledgment are on the following page]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 13th day of September, 2023.

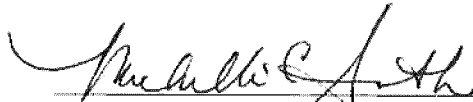
GRANTOR:

Walker Development Partnership

By: 
Douglas M. Shelby, General Partner

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 13th day of September, 2023, before me, Michelle C. Smith, a notary public, personally appeared Douglas M. Shelby, personally known to me or proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same as General Partner, for and on behalf of Walker Development Partnership, Grantor.


Notary Public
My commission expires: MARCH 07, 2026

