

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, October 16, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PUBLIC HEARING

AGENDA

1. Consideration of the Proposed Preliminary Plat Application for West Haven PUD Subdivision.
2. Approval of minutes from the September 4, 2025, and the September 18, 2025 Planning Commission Regular Meetings.
3. Report from City Staff.
4. Open Forum for Planning Commissioners.
5. Report from City Council.
6. Adjourn.

Shelby Moore
Zoning Administrator
Grantsville City Community & Economic Development

Join Zoom Meeting

<https://us02web.zoom.us/j/88947865594>

Meeting ID: 889 4786 5594



**Scan QR code
to join Zoom
meeting.**

In compliance with the Americans with Disability Act, Grantsville City will accommodate reasonable requests to assist persons with disabilities to participate in meetings. Requests for assistance may be made by calling City Hall (435) 884-3411 at least 3 days in advance of a meeting.

AGENDA ITEM #1

Consideration of the Proposed Preliminary
Plat Application for West Haven PUD
Subdivision.



Staff Report

Prepared By: Shelby Moore

Subject: Consideration of the West Haven Preliminary Plat

Property Address: West Cherry Street

Applicant: Ron and Sherrie Butler

Request: Approval of Preliminary Plat

Meeting Date: 10/16/2025

Public Hearing: 10/2/2025

Background & Timeline

- **PUD Application Submitted:** January 10, 2024
- **Public Hearing:** March 7, 2024 (Planning Commission recommended approval)
- **City Council Approval of PUD:** March 20, 2024
- **MDA Negotiations Began:** March 11, 2024
- **Planning Commission Approval of MDA:** September 19, 2024
- **City Council Approval of MDA:** October 2, 2024
- **Preliminary Plat Application Received:** January 10, 2024
- **Application Review Began:** January 23, 2025
- **Review Completed:** September 9, 2025

During review of the preliminary plat, it was confirmed that the alignment of **Cherry Street** requires adjustment, which impacts adjacent properties. The dedication of the Cherry Street ROW that the applicant is providing will assist the City in realigning Cherry street and providing connectivity.

Key Highlight

The **Master Development Agreement (MDA)** approved on **October 2, 2024**.

Floodplain Requirements

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.



A portion of the project area is located within **Flood Zone AE**. Flood Zone AE is the 1% Annual Chance Flood Zone with established base flood elevations (BFE). Notes have been added to the plat to ensure compliance with FEMA and City requirements.

Floodplain Notes (to be recorded on plat):

7. HOA agrees to maintain the private retention areas. HOA further agrees not to alter the grading, nor allow any drainage to discharge onto neighboring properties, or put impervious surfaces on the retention area shown on this plat. This requirement will run with the property and apply to all future HOA or property owners. If at any time the HOA or property owners fails to maintain the basin to the reasonable satisfaction of the City, Grantsville City may make all necessary improvements, corrections, repairs, or replacements and collect from the property owner all incurred costs, fees, and interest.
8. HOA or property owners, successors, and assigns hereby grant a perpetual privilege and easement to Grantsville City to access the storm drain retention area at any time for the purpose of maintenance, inspection, repair, or replacement of any storm water or other utility or below ground, but not limited to the storm drain retention area.
9. Parcels A and C, Residential Lots 21 to 26, and Townhome Lots 27 to 38 are located within Flood Zone AE. The lowest habitable floor shall be a minimum of 1-foot above the BFE for all new or substantially improved residential structures. Residential Lots 21 to 26 and Townhome Lots 27 to 38 will not be allowed basements and are required to provide an Elevation Certificate with the building permit along with flood vents for any crawl space with a floor below the BFE.

Additional Floodplain Design Considerations:

City DRC made the recommendation in the DRC Review that even though 1-foot is the minimum requirement for the lowest habitable floor above the BFE, the lowest habitable floor is recommended to be 2-feet above the BFE since the flood plain maps received by the City from the State are draft and subject to comments by FEMA. The draft flood plain work maps are the best available information the City has per its flood plain ordinance.

Mitigation Efforts (Applicant & City Coordination)

1. Stormwater will be retained and managed within the development.
 2. Dedication of the easter property for future extension of Cherry Street.
-

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Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674



Recommendation

Staff recommends that the Planning Commission consider the **conditional approval** of the West Haven Preliminary Plat to the City Council, subject to the conditions outlined below:

1. The **amendment of the Cherry Wood Plat** must be completed prior to approval of the West Haven final plat.
 2. All **stormwater management improvements** shall be designed to City standards and approved by the City Engineer.
 3. All **fees, impact assessments, and dedications** required by City Code shall be paid or recorded prior to final plat approval.
-

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The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

West Haven Development - Grantsville, UT Development Standards					
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
Description			PUD Requirement	PUD Requirement	PUD Requirement
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot					
Minimum Dwelling Unit SF			1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-feet	50-feet	24-feet
Minimum Yard Setbacks					
Front Yard	40-FT	40-FT	25-FT	25-FT	25-FT
Driveway					
Rear Yard					
Main Building	30-FT	60--FT	25-Feet	20-Feet	10-Feet
Accessory Building	*1-Foot	7.5-FT	*1-Foot		
Side Yard					
Main Building	5*/15-FT	20-FT	5*/15-FT	0-Feet Attached side; 7.5-feet End Units From Property Line	0-Feet Attached side; 5-feet End Units From Property Line
Accessory Building			*1- Foot	N/A	N/A
Multi-Unit Building Spacing				0-Feet Attached side; 15-feet End Units Building to Building	0-Feet Attached side; 20-feet Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-Feet	35-Feet	35-Feet
Maximum Building Area	20%		35%	40%	50%
<p>* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied. All use not defined in the table will refer to the underlying zoning.</p> <p>***The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.</p>					

APPROVED
Grantsville City
Engineer
09/10/2025

REVISIONS
Grantsville City
Planning Department
09/10/2025

APPROVED
Grantsville City
Planning Consultant
09/18/2025

APPROVED
Grantsville City
Fire Department
09/18/2025

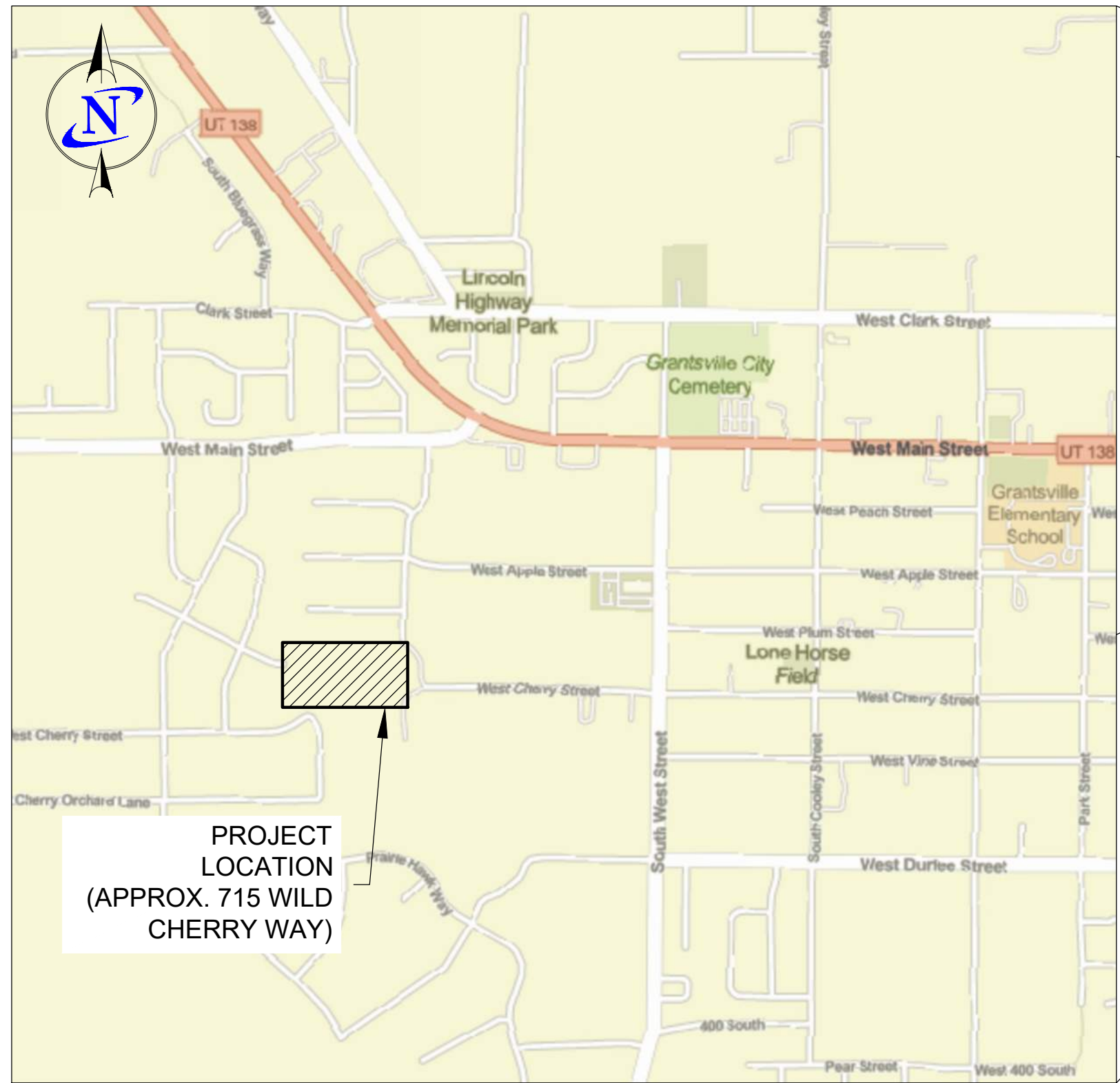
Retaining wall on Cherry
Street will be addressed with
Planning Commission 60'
ROW needs to be obtained.

APPROVED
Grantsville City
Public Works
09/19/2025

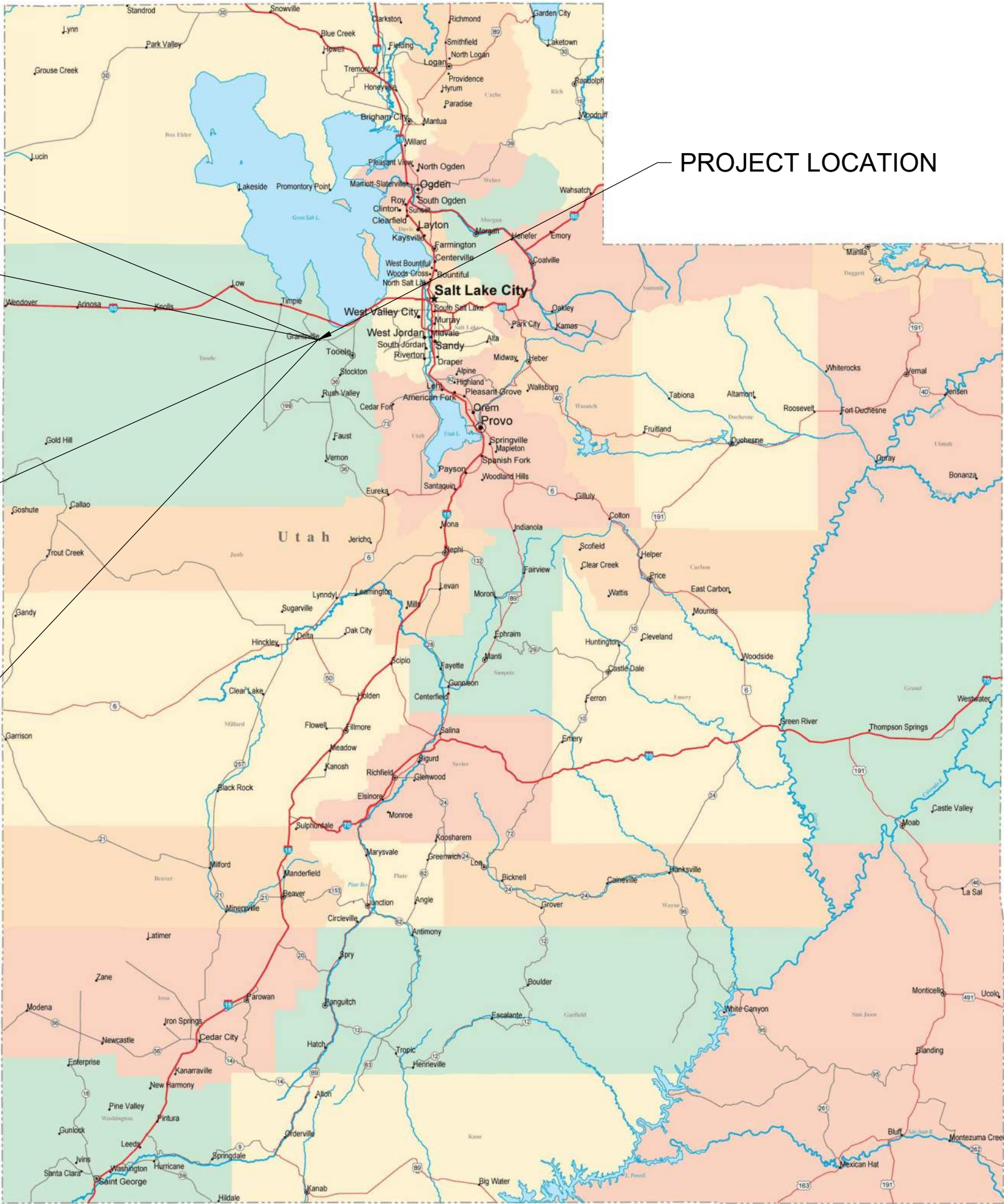
Approved
Grantsville
Irrigation Co.
09/18/2025

WEST HAVEN SUBDIVISION CONSTRUCTION DRAWINGS

LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 35, TOWNSHIP 2 SOUTH, RANGE 6 WEST,
SALT LAKE BASE & MERIDIAN,
GRANTSVILLE CITY, UTAH



VICINITY MAP N.T.S.



SHEET INDEX

CV1	COVER SHEET
NT1	GENERAL NOTES
NT2	GENERAL NOTES
PL1	SUBDIVISION PLAT
SP1	SITE PLAN
IP1	STREET IMPROVEMENT PLAN
GP1	GRADING PLAN
DP1	DRAINAGE PLAN
SS1	SANITARY SEWER PLAN
DW1	DRINKING WATER PLAN
LS1	LANDSCAPE PLAN

PROJECT BENCHMARK

THE BENCHMARK FOR THIS SURVEY IS THE SOUTHEAST
CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6
WEST, SALT LAKE BASE AND MERIDIAN.
BENCHMARK ELEVATION = 4545.74'

BASIS OF BEARING:

NORTH 00°22'33" WEST 2644.29' BETWEEN THE FOUND
SOUTHEAST CORNER AND THE EAST QUARTER
CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE
6 WEST, SALT LAKE BASE AND MERIDIAN.

OWNER / DEVELOPED BY:

RONALD & SHERRI BUTLER
8753 BLACK CURRANT COURT
MAGNA, UTAH 84044

PROJECT CIVIL ENGINEER:

PROTERRA GROUP
DAVE REDDISH - PROJECT MANAGER
10430 2700 WEST
SOUTH JORDAN, UTAH 84095
(801) 253-0428 TEL
(801) 253-6139 FAX

PROJECT LAND SURVEYOR:

HIGHLAND SURVEYING
TYLER HARPER
(385) 381-6582
THARPER@HIGHLANDSURVEYING.COM



Know what's below.
Call before you dig.



WEST HAVEN SUBDIVISION

COVER SHEET
CONSTRUCTION DRAWINGS

REVISIONS

REV.	DESCRIPTION	DATE

DESIGN CHECK: DR

DRAFTING CHECK: JA



SHEET:

CV1

Located in the Southeast Quarter Section 35 and the Southwest Quarter of Section 26,
Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey,
Grantsville City, Tooele County Utah, September 2025



A parcel of land being Southwest Quarter of section 36, Township 2 south, Range 6 West, salt lake base, and meridian being more particularly described as follows.

Beginning at a Hathcock Rebar and cap 1025.19 feet South 0°22'33" West along the Section line and 502.88 feet North 89°37'27" East from the Southwest Corner of Section 36, and running thence North 89°33'29" East 815.72 feet more or less to the intersection of the Westerly Boundary of the Southwest Addition of the City of Grantsville, recorded in Book HHC at Page 379 in the office of the Tootle County Recorder; thence along said Westerly boundary South 00°20'17" East 125.46 feet; thence along the Westerly extension of the Southerly Right-of-Way of the Tootle County Recorder's Plat of the City of Grantsville, recorded in Book HHC at Page 379 in the office of the Tootle County Recorder, Westerly extension of the Centerline of said Southwest Addition plat; thence along said Westerly extension North 89°16'34" West 182.12 feet; thence South 00°08'00" East 18.57 feet; thence North 88°30'49" West 211.44 feet to a point of non-tangency on a 219.15 feet radius curve to the left; thence Westerly 23.60 feet along said arc (Central Angle equals 06°10'09") Long Chord Bears South 87°21'26" West 59.09 Feet); thence along a line non-tangent to said curve, North 00°57'21" East, a distance of 72.57 feet to the point of beginning.

Containing 77,323 Square Feet or 1.7751 Acres more or less.

Note: this is a remainder parcel description to update tax data. For more information regarding the boundary, see the Record of Survey filed at 2021-0064 with the Tooele County Surveyor's office.

1. A 5/8" X 24" Rebar and cap will be set at each lot corner. Nails in the curb will be set at the extension of the property line for each lot.
2. A 7.50 foot (5.00 foot for Twin Home) side yard and 10.00 foot front and rear yard PUD&E (Public Utility and Drainage Easement) are parallel to the lot line as indicated by the dashed lines.
3. A 50% max building area
4. Total roadway dedicated to Grantsville City is 110719.85 SQ.FT. or 2.54177 acres.
5. HOA is to maintain the park strip.
6. Twin home and Single family homes landscaping is left to the discretion of the owner of each lot. Water dedication in conjunction with this plan assumes that each of the said lots will not be water wise landscaping.
7. HOA agrees to maintain the private retention area. HOA further agrees not to alter the grading, nor allow any drainage to discharge onto neighboring properties, or put impervious surfaces on the retention area shown on this plan. This requirement will run with the property and apply to all future HOA or property owners. If at any time the HOA or property owners fail to maintain the basin to the reasonable satisfaction of the city, Grantsville City may make all necessary improvements, corrections, repairs, or replacements and collect from the property owner all incurred costs, fees, and interest.
8. HOA or property owners, successors, and assigns hereby grant a perpetual privilege and easement to Grantsville City to access the storm drain retention area at any time for the purpose of maintenance, inspection, repair, or replacement of any storm water or other utility or below ground, but not limited to the storm drain retention area.
9. Parcels A and C, Residential Lots 21 to 26, Townhome Lots 27 to 38 are located within Flood Zone AE and the lowest habitable floor shall be a minimum of 1-foot above the BFE for all new or substantially improved residential structures. Residential Lots 21 to 26 and Townhome Lots 27 to 38 will not be allowed basements and are required to provide an Elevation Certificate with the building permit along with flood vents for any crawl space with a floor below the BFE.

MACRO CURVE TABLE					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
A1	79.45'	219.19'	20°46'02"	S73° 53' 20"W	79.01'
A2	153.83'	331.23'	26°36'35"	S76° 48' 38"W	152.45'

MICRO CURVE TABLE					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
B1	123.10'	402.20'	17°32'11"	S81° 04' 25"W	122.62'
B2	28.26'	15.00'	107°56'57"	N53° 06' 56"W	24.26'
B3	23.21'	15.00'	88°40'06"	S45° 17' 24"W	20.97'
B4	23.91'	15.00'	91°19'54"	N44° 42' 36"W	21.46'
B5	19.30'	15.00'	73°43'37"	N37° 49' 09"E	18.00'
B6	56.99'	211.62'	15°25'48"	S82° 23' 52"E	56.82'
B7	195.66'	437.64'	25°36'56"	N77° 18' 19"W	194.03'
B8	127.62'	277.62'	26°20'21"	N76° 56' 36"E	126.50'
B9	156.19'	336.20'	26°37'04"	N77° 04' 57"E	154.79'

CENTER LINE CURVE TABLE					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	86.85'	404.64'	12°17'51"	N83° 57' 51"E	86.68'
C2	112.45'	244.62'	26°20'23"	N76° 56' 36"E	111.47'
C3	171.84'	369.20'	26°40'07"	N77° 06' 28"E	170.30'
C4	9.63'	244.62'	2°15'21"	N64° 54' 05"E	9.63'
C5	102.82'	244.62'	24°05'02"	N78° 04' 16"E	102.07'

Parcel Line Table		
Line #	Length	Direction
L1	110.00	N0° 22' 33"W
L2	0.30	S89° 33' 29"E

Reference No	Document Type	Name/Grantee	Entry No/ Book Page/ File No.
R1	Subdivision Plat	Cherry Wood Estates Subdivision Phase 2	597599
R2	Record of Survey	Butler Boundary Line	2021-0131
R3	Record of Survey	Ronald Sherri Butler	2021-0064
R4	Subdivision Plat	Cherry Grove Subdivision Phase D-2	531881
R5	Warranty Deed	Ronald Sherri Butler	574160
R6	Warranty Deed	Terry and Sandra Stapley	355442
R7	Subdivision Plat	Cherry Grove Plat C	289791
R8	Record of Survey	Shane Watson	2022-0096
R9	Warranty Deed	Springfield Estates LLC	603436

STATE OF _____)
 :
 S S
 County of _____)
 On the ____ day of _____, 20____, personally appeared before me, the undersigned notary public, in and for said county of _____, _____, state of _____, Ronald Butler, who, being by me duly sworn, did say that he/she is the registered agent of, _____, Premium Capital Invest, LLC, a limited liability company, and that the foregoing owner's dedication was signed for, and in behalf of, said _____, a limited liability company, by authority of its organizational documents, and he/she/they acknowledged to me that said limited liability company executed the same.
 NOTARY PUBLIC'S COMMISSION NUMBER: _____
 PRINT NOTARY PUBLIC'S NAME: _____
 A NOTARY PUBLIC COMMISSIONED IN THE STATE OF _____
 MY COMMISSION EXPIRES: _____

STATE OF _____)
:
\$ \$
County of _____)
On the __ day of _____, 20 __, personally appeared before me, the undersigned notary public, in and for said county of _____, state of _____, Sherri Butler, who, being by me duly sworn, did say that he/she is the registered agent of, Premium Capital Invest, LLC, a limited liability company, and that the foregoing owner's dedication was signed for, and in behalf of, said limited liability company, by authority of its organizational documents, and he/she/they acknowledged to me that said limited liability company executed the same.
NOTARY PUBLIC'S COMMISSION NUMBER: _____
PRINT NOTARY PUBLIC'S NAME: _____
A NOTARY PUBLIC COMMISSIONED IN THE STATE OF _____
MY COMMISSION EXPIRES: _____

A parcel of land being situated in the Southeast Quarter of Section 35, and the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian being more particularly described as follows.

Beginning at a point on the Section line, said point being 899.76 feet North 0°22'33" West from the Southeast corner of said Section 35, and running thence North 00°21'51" West 24.32 feet along said Section line; thence South 89°42'29" West 468.55 feet; thence North 00°22'33" West 411.00 feet; thence North 89°37'27" East 771.59 feet; thence South 00°57'21" West 32.66 feet; thence South 89°02'39" East 207.00 feet; thence North 00°57'21" West 345.76 feet; thence a point of non-tangency on a 219.19 foot radius curve to the left; thence Westerly 79.45 feet along said arc (Central Angle equals 20°46'02" Long Chord Bears South 73°53'20" West 79.01 feet) to a point of reverse curvature on a 331.23 foot radius; thence Westerly 153.83 feet along said arc (Central Angle equals 26°36'35" Long Chord Bears South 76°48'38" West 152.45 feet) to a point of tangency; thence North 89°53'13" West 276.50 feet to the point of beginning.

Containing 401,379.59 Square Feet or 9.2144 Acres, more or less.

Ronald & Sherri Burt requested this Subdivision plat to dedicate roads and easements and to create parcels for residential housing. The bearing base is North of 0°22'33" West measured between the Southeast Corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey.

For more information on the retracement of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor ROS 2021-0064.

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

Townhomes of West Haven Subdivision

and do hereby dedicate to Grantsville City for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey to any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted hereon. We also here by dedicate Parcel A, Parcel B, Parcel C, and Parcel D to West Haven Home Owners Association.

Signed this ____ day of _____, 2025 Ronald and Sherry Butler:

Ronald Butler	-	Owner
Sherry Butler	-	Owner

Approved This _____ Day of _____ A.D., _____ by this
Grantsville City Planning Commission.

Chairman Grantsville City Planning Commission

Approved as to form this _____ day of _____ A.D., _____ B.
Grantsville City Public Works.

Director, Grantsville City Public Works

Approved as to form this ____ Day of _____ A.D., _____ by
this Grantsville City Attorney.

Grantsville City Attorney

Approved as to form this _____ day of _____ A.D., _____ By _____
Grantsville City Public Works.

Grantsville City Fire Department

Approved as to form this _____ day of _____ A.D., _____ by
this Tooele County Surveyor. ROS# _____.

Tooele County Survey Director

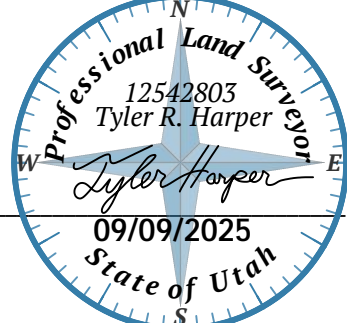
Approved as to form this _____ day of _____ A.D., _____ By
Grantsville City Engineer.

Grantsville City Engineer

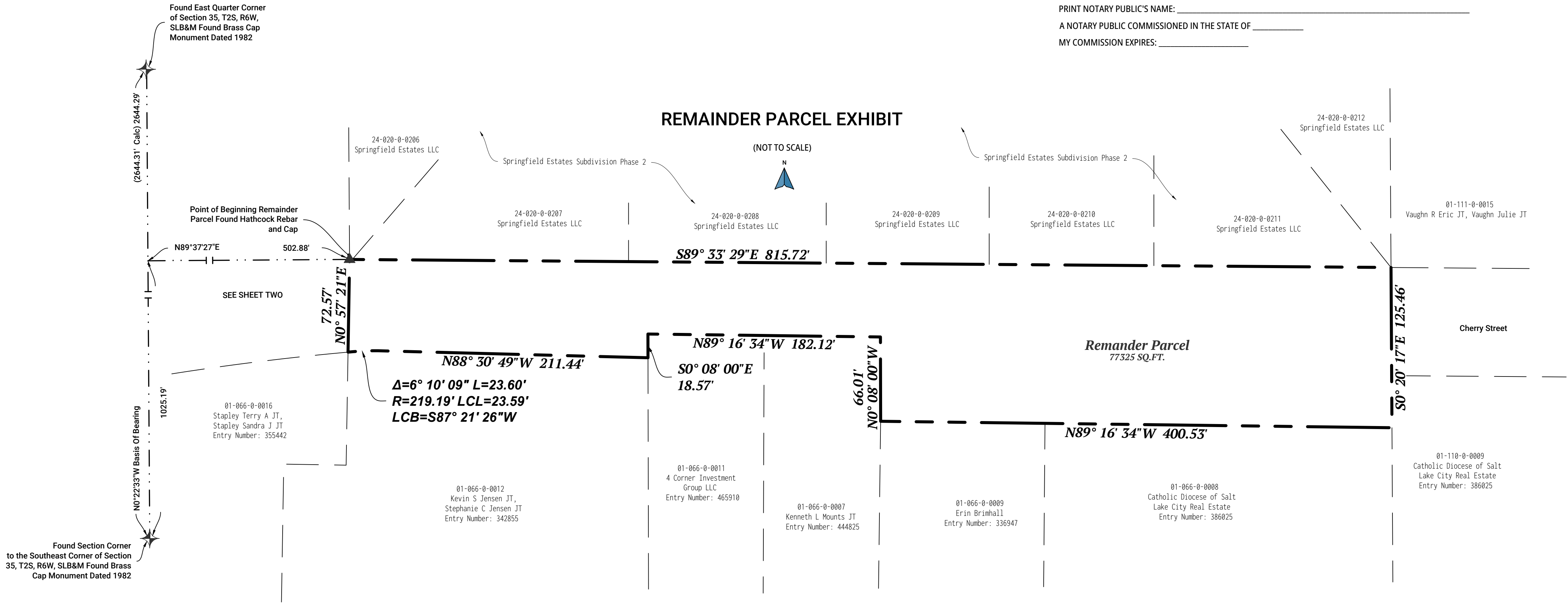
Presented to this Sandy City Mayor this Day of ____ A.D., _____ a
which Time this Condominium Plat was Accepted.

City Mayor Attest: City Recorder, Deputy

I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Townhomes of West Haven Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.



Tyler R Harper P.L.S. 12542803



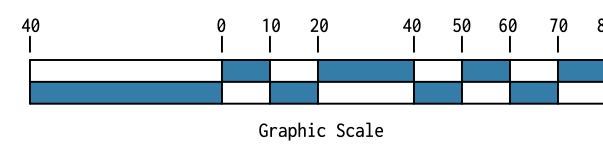
 <h1>Highland</h1> <h2>SURVEYING</h2>		Rogers County Recorder Recorded _____ Filed _____ recorded _____ _____ day of _____, 2005 _____ page _____ of _____ _____ book _____, Recorded for _____ _____ County Recorder: Jerry Houghton By Deputy: _____ Fee Paid: _____
Sheet Number: 1/2	Developer: Ronald & Sherri Butler Surveyor: Tyler R Harper Email: Tharper@highlandsurveying.com Phone: (385)-403-8180	Approximate Address: Cherry Street and Cherry Hill Street, Grantsville City, UT 84074 Project No. 23004 Project Date: APRIL 2025

Townhomes of West Haven Subdivision

Preliminary Plat -Not to be Recorded

Located in the Southeast Quarter Section 35 and the Southwest Quarter of Section 26,
Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey,
Grantsville City, Tooele County Utah, September 2025

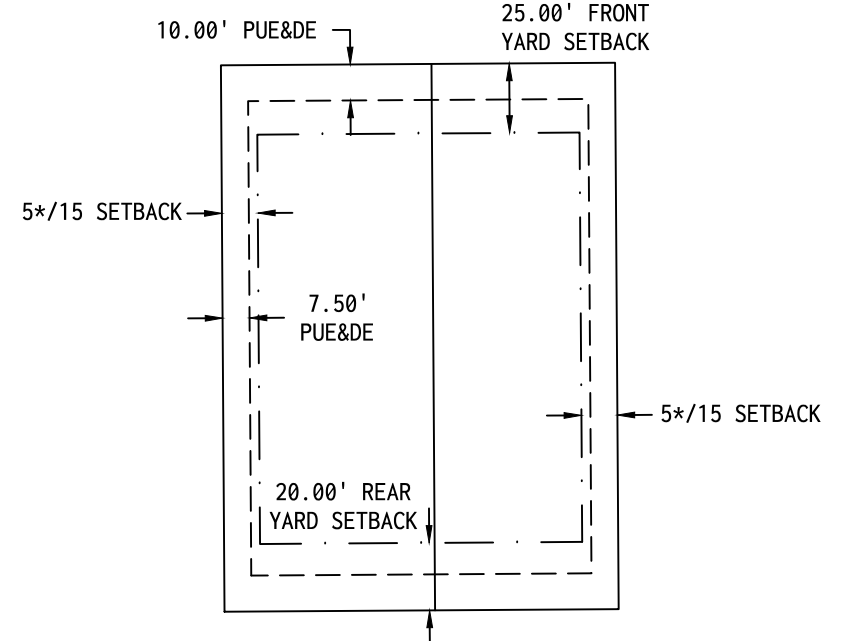
SCALE: 1" = 40'



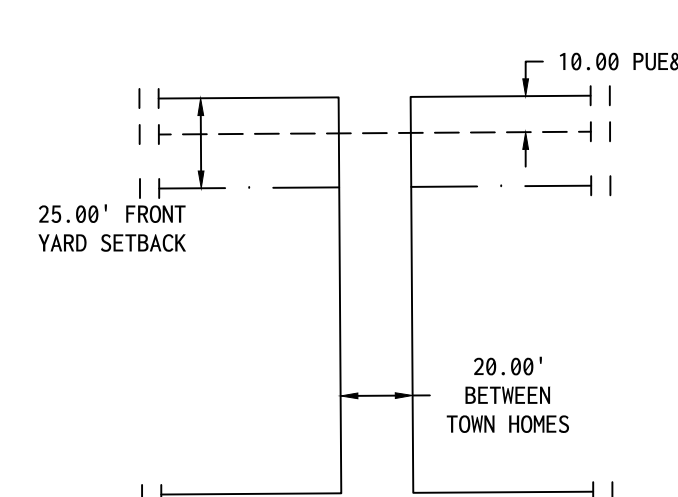
LEGEND

Measurements Between Monuments	Dead Line	Found Section Corner	Set Centerline Monument
Macro Boundary Line	Fence Line	Calculated Section Corner	Found Centerline Monument
Micro Boundary Line	Building Line	Set Nail	Found Rebar
Easement Line	Center Line	Set Rebar and Cap	Found Nail
Calc. Calculated N.T.S. Not to Scale	Old Alignment		
	Set Back Line		

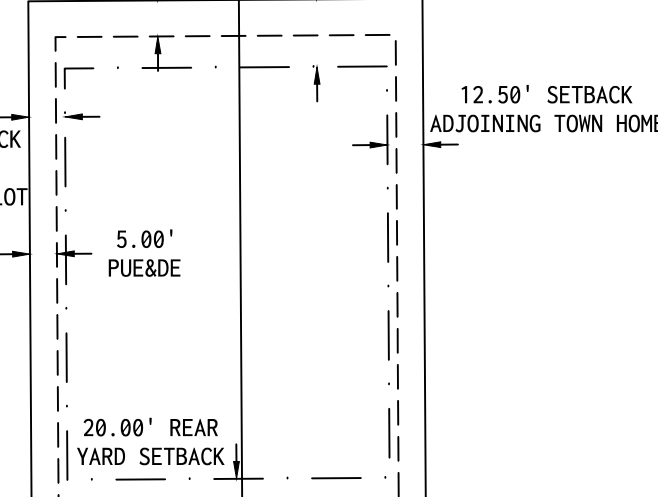
RESIDENTIAL STANDARD SETBACKS AND PUE&DE DIAGRAM



TOWN HOME STANDARD SETBACKS AND PUE&DE DIAGRAM



TWIN HOME STANDARD SETBACKS AND PUE&DE DIAGRAM



For Review
09/09/2025 12:25:35 PM
Tooele County Recorder
Recorded: _____
Filed for recording: _____
in book _____ of official records,
page _____, Recorded for _____
County Recorder: Jerry Houghton
By Deputy: _____
Fee Paid: _____

Highland
SURVEYING

Sheet Number:
2/2

Developer: Ronald & Sherri Butler
Surveyor: Tyler R. Harper
Email: Tharper@highlandsurveying.com
Phone: (385)-403-8180

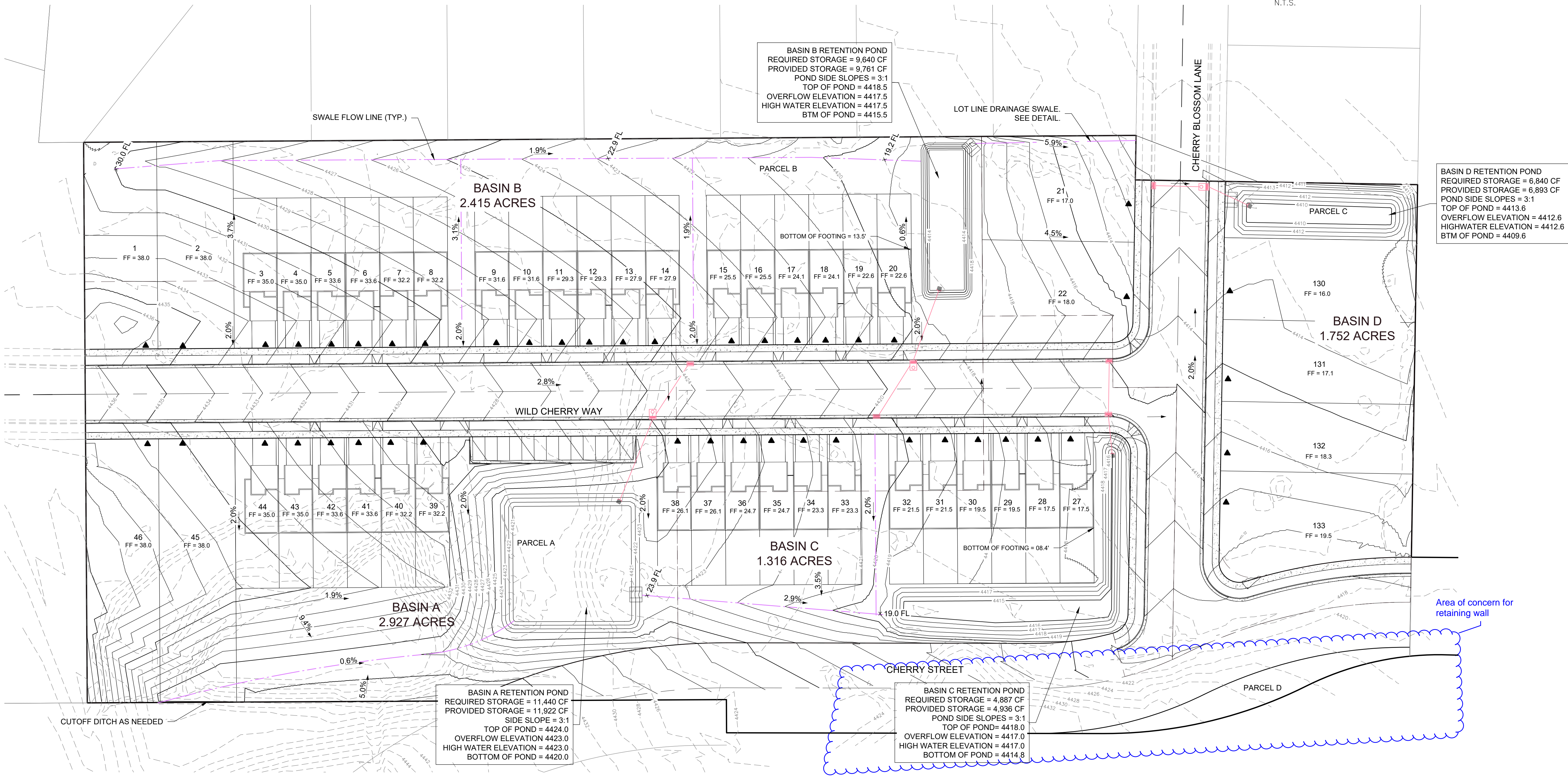
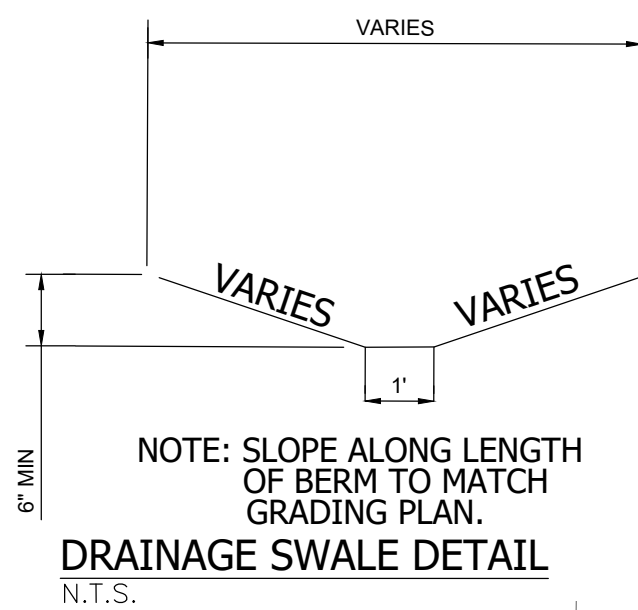
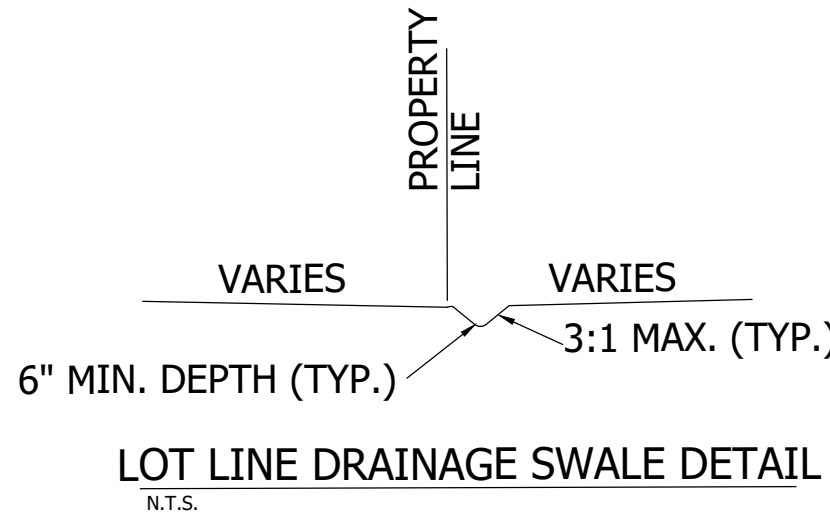
Approximate Address: Cherry Street and Cherry Hill
Street, Grantsville City, UT 84074
Project No. 23004 Project Date: APRIL 2025

PROJECT BENCHMARK

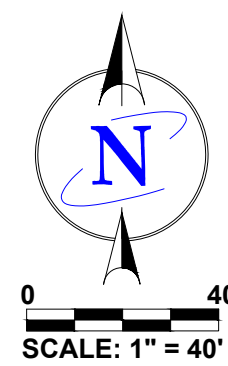
THE BENCHMARK FOR THIS SURVEY IS THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN.
BENCHMARK ELEVATION = 4545.74'

NOTE:

- PER THE GEOTECHNICAL REPORT PREPARED BY GSH GEOTECHNICAL INC., DEBRIS AND OTHER MATERIALS WERE FOUND ON SITE THAT NEED TO BE HANDLED. REFER TO SAID GEOTECHNICAL REPORT FOR THE DETAILED PROCEDURE RECOMMENDED.
- LOTS 21-22, 27-38 & 130-133 WILL BE REQUIRED TO PROVIDE AN ELEVATION CERTIFICATE PRIOR TO CONSTRUCTION AND ARE SUBJECT TO THE CITY FLOOD PLAIN ORDINANCE



▲ = DRIVEWAY LOCATION



WEST HAVEN SUBDIVISION

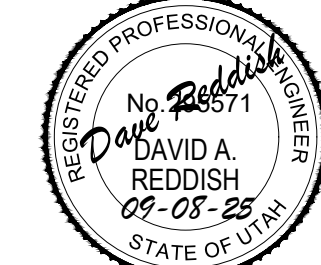
GRADING PLAN
CONSTRUCTION DRAWINGS

REVISIONS

REV. DESCRIPTION DATE

DESIGN CHECK:

DRAFTING CHECK:



SHEET:

GP1





Landscape Delivery
The South Mountain
Wild Swan Services
D... T... B...
801-301-9721



×

Tilt

Heading

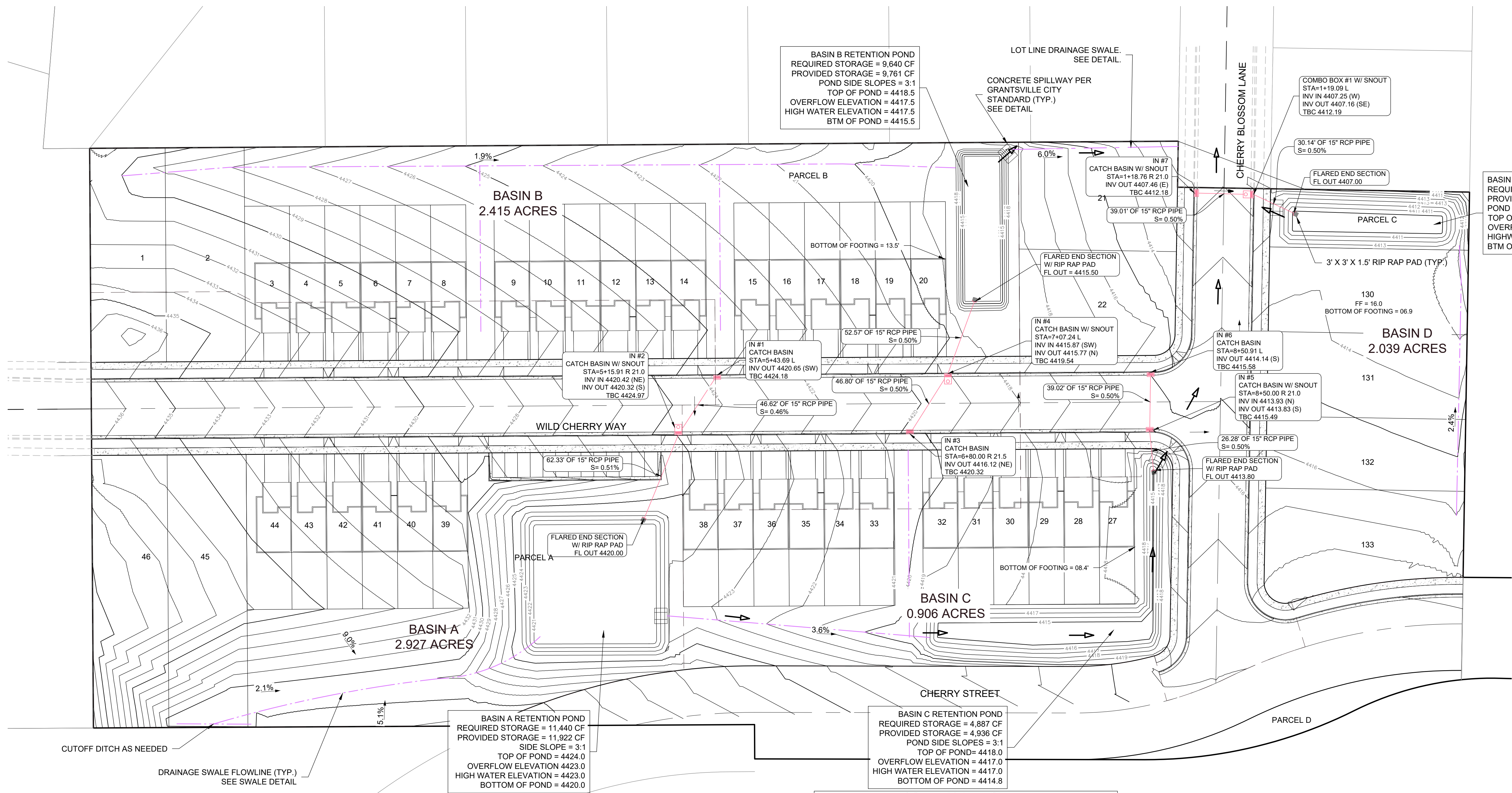


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Tilt

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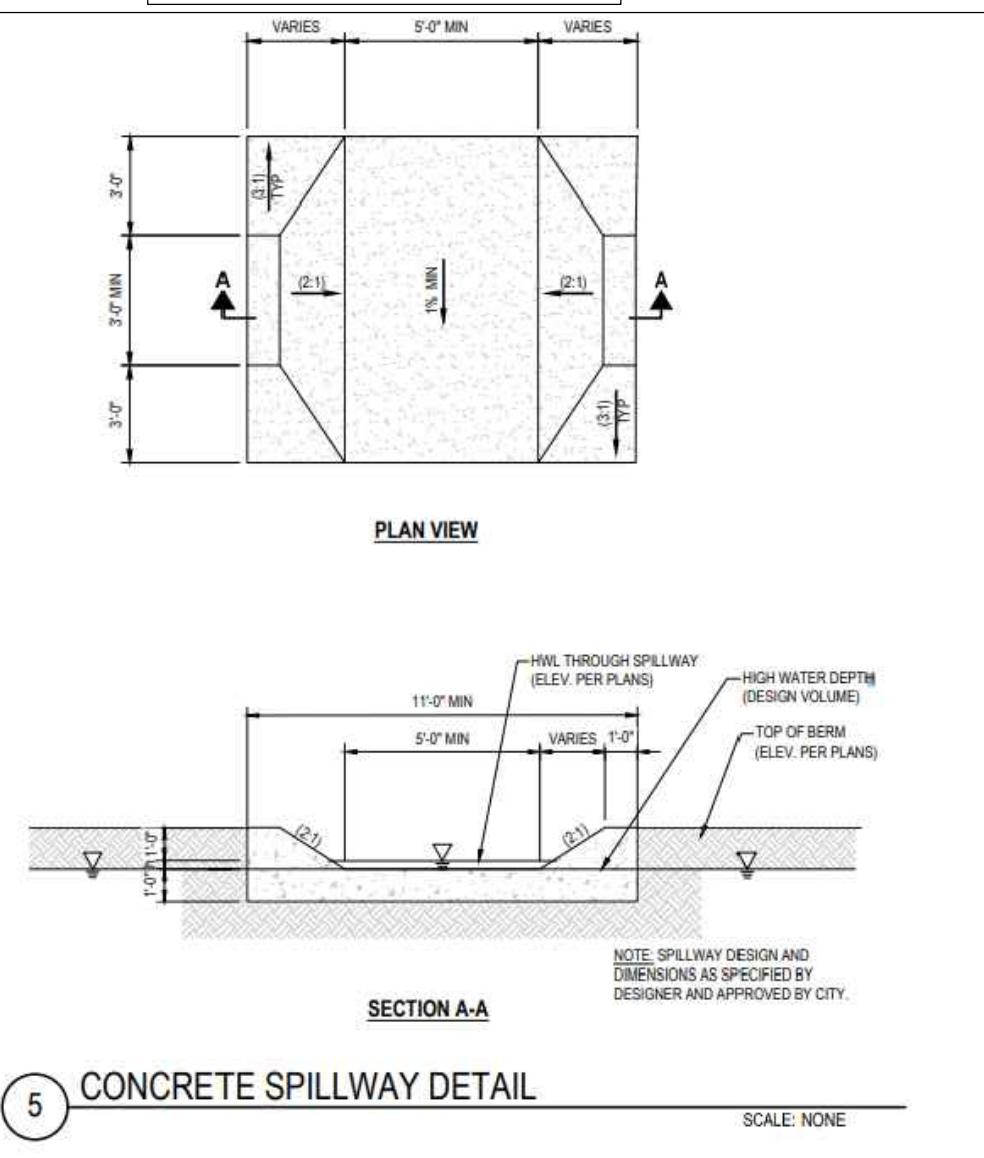
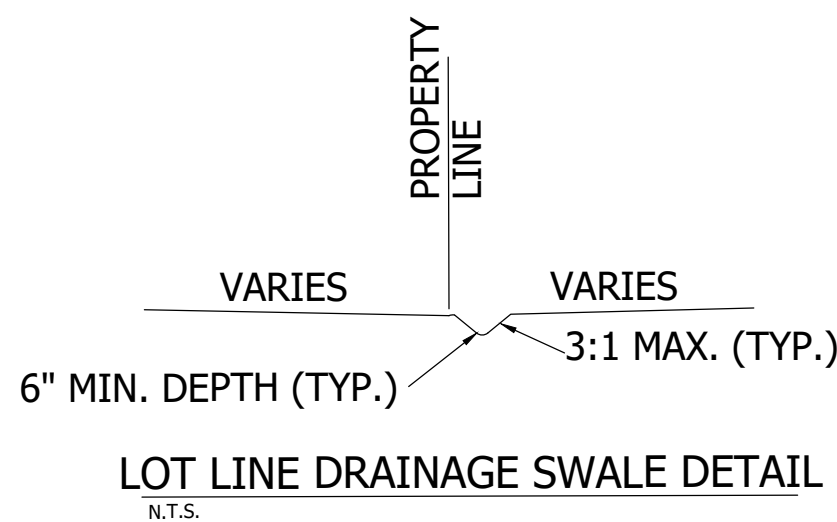
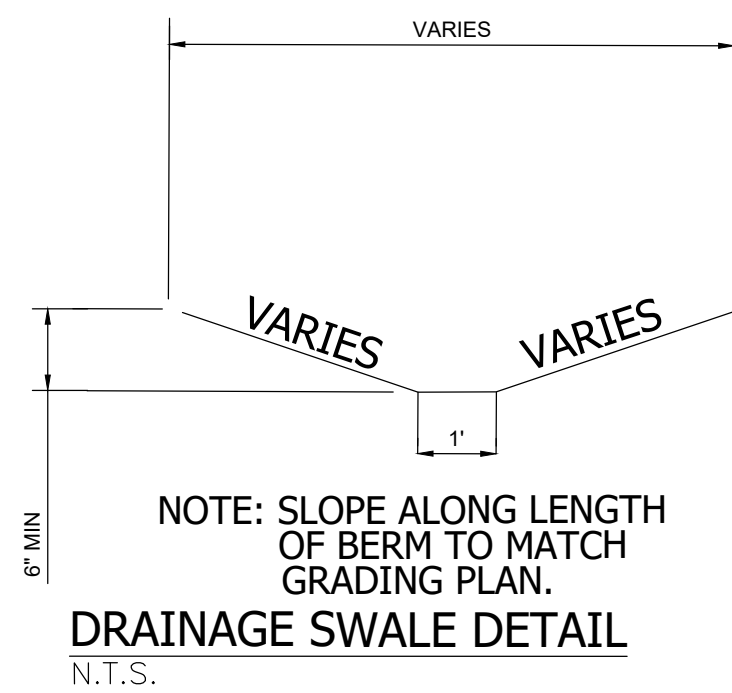
[Reset to north](#)



PROJECT BENCHMARK

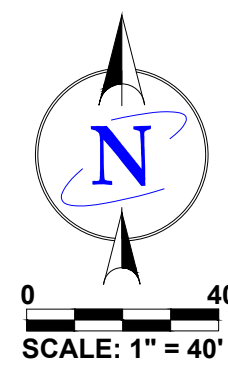
THE BENCHMARK FOR THIS SURVEY IS THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN. BENCHMARK ELEVATION = 4545.74'

→ = POND OVERFLOW ROUTE



NOTE:

PER THE GEOTECHNICAL REPORT PREPARED BY GSH GEOTECHNICAL INC., DEBRIS AND OTHER MATERIALS WERE FOUND ON SITE THAT NEED TO BE HANDLED. REFER TO SAID GEOTECHNICAL REPORT FOR THE DETAILED PROCEDURE RECOMMENDED.



WEST HAVEN SUBDIVISION

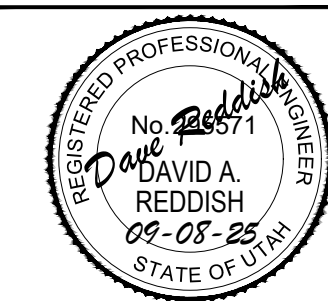
DRAINAGE PLAN
CONSTRUCTION DRAWINGS

REVISIONS

REV.	DESCRIPTION	DATE

DESIGN CHECK:

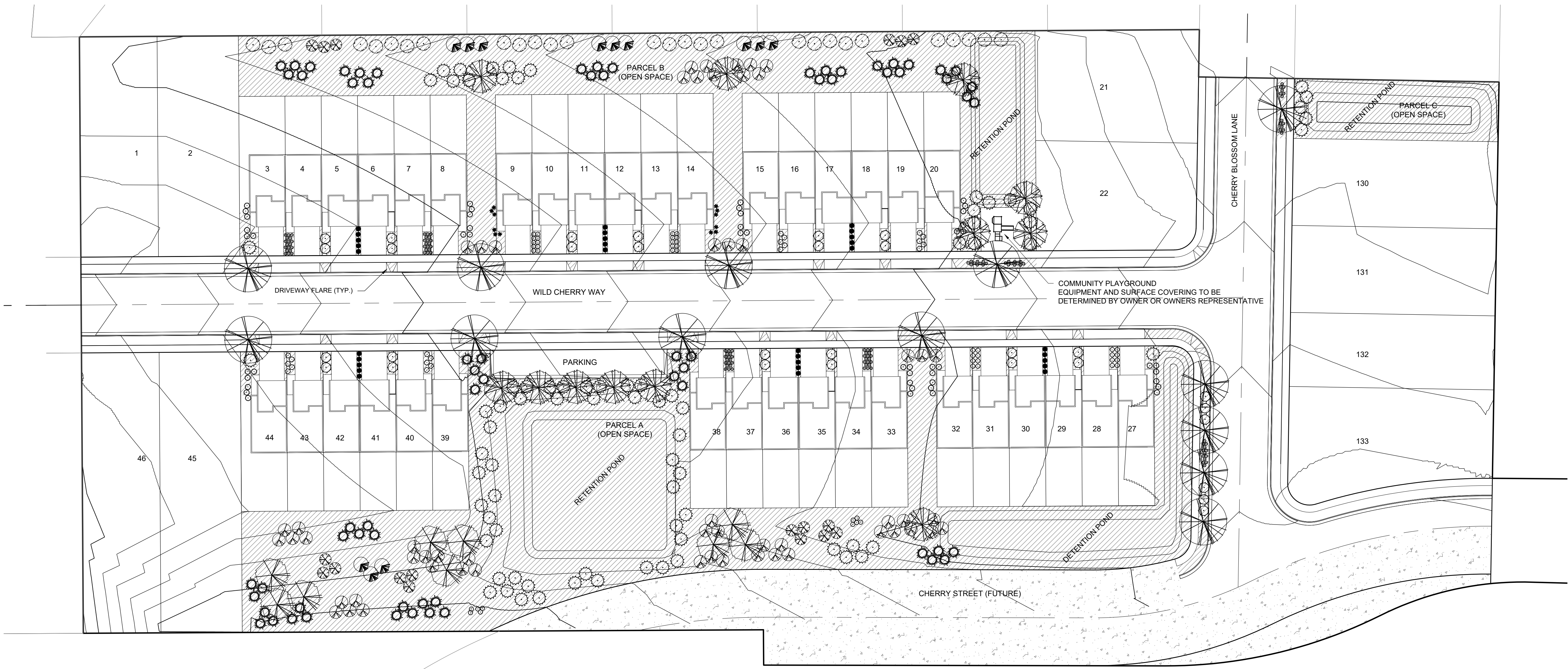
DRAFTING CHECK:



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PLANTING LEGEND

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	PLANT SF AT MATURITY	NOTES
	13	COMMON HACKBERRY	Celtis occidentalis	2 1/2" Caliper	962	
	9	GOLDEN RAIN TREE	Koeleruteria paniculata	2" Caliper	490	
	12	CHOCHECHERRY	Prunus virginiana 'Canada Red'	2" Caliper	490	
	28	MOHICAN WAYFARINGTREE	Viburnum lantana 'Mohican'	5 Gal	80	
	18	TIGER EYES SUMAC	Rhus typhina 'Bailltiger'	5 Gal	80	
	12	FORSYTHIA	Forsythia 'Meadowlark'	5 Gal	80	
	30	GROW LOW SUMAC	Rhus aromatica 'Grow Low'	5 Gal	50	
	20	POTENTILLA	Potentilla fruticosa 'Easy Hachliss'	5 Gal	7	
	12	RED HOT POKER TORCH LILY	Kniphofia uvaria 'Falmenco'	5 Gal	6	
	10	RED YUCCA	Hesperaloe parviflora	5 Gal	12	
	48	BLUE MIST SPIREA	Caryopteris clandonensis 'Blue Mist'	5 Gal	12	
	20	RED JUPITER'S BEARD	Centranthus ruber 'Roseus'	1 Gal	7	
	30	KARL FOERSTER FEATHER GRASS	Calamagrostis x acutiflora 'Karl Foerster'	1 Gal	9	
	16	MUNSTEAD LAVENDER	Lavandula angustifolia 'Munstead'	1 Gal	9	
	83	LITTLE TRUDY CATMINT	Nepeta 'Little Trudy'	1 Gal	9	
	36	BLACK EYED SUSAN	Rudbeckia fulgida 'Goldsturm'	1 Gal	9	
	82	CREEPING JUNIPER	Juniperus communis 'Effusa'	5 Gal	80	GREEN
	64	CREEPING JUNIPER	Juniperus horizontalis 'Hughes'	5 Gal	80	SLIVER BLUE
	56	CREEPING JUNIPER	Juniperus horizontalis 'Bar Harbor'	5 Gal	80	PURPLE IN WINTER

PLANTING LEGEND (continued)

	102,680 sf	ROCK MULCH	1 1/2" Minus Nephri Crushed Stone Mulch by Staker Parsons, 3" Minimum Depth, or approved equal.
	1,493 sf	NATIVE VEGETATION (OR APPROVED EQUAL)	Re-seed in kind due to new construction and grading. (See Re-Vegetative seed mix info this sheet)
	1	PLAY STRUCTURE - SIZE AND EXACT LOCATION TO BE DETERMINED	

GENERAL NOTES

- ALL QUANTITIES ARE SHOWN AS AN AID ONLY. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR FOR ALL ACTUAL QUANTITY CALCULATIONS.
- PLANT COMMON NAMES ARE SHOWN AS AN AID ONLY. USE BOTANICAL NAME WHEN PURCHASING ALL PLANT MATERIAL.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND UTILITIES, PIPES AND STRUCTURES.

IRRIGATION NOTES

- AUTOMATIC IRRIGATION SYSTEM TO BE INSTALLED TO ADEQUATELY WATER ALL PLANT MATERIAL USING WATER CONSERVING DRIP IRRIGATION.

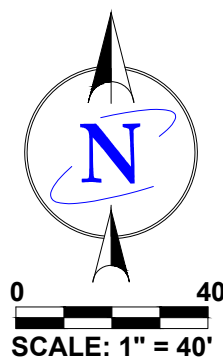
RE-VEGETATIVE SEED MIX:

SPECIES	PERCENTAGE
SLENDER WHEATGRASS	15
WESTERN WHEATGRASS	17.5
BLUEBUNCH WHEATGRASS	16.25
SHEEP FESCUE	3.5
SANDBERG BLUEGRASS	2.75
INDIAN RICEGRASS	10
RUBBER RABBIT BRUSH	5
WESTERN SAGE	5
BLANKET FLOWER	10
BLUE FLAX	10
CALIFORNIA POPPY	10

APPLY SEED MIX AT A RATE OF TWENTY POUNDS PER ACRE (20 LBS./AC. SEEDMIX PROVIDED BY GRANITE SEED, LEHI UTAH)

LANDSCAPE TABLE

ITEM	AMOUNT (sf)	PERCENTAGE
TOTAL LANDSCAPE AREA	105,073	100%
LAWN (TURF-GRASS)	0	0%
SHRUB AREAS	100,379	96%
PARK STRIP	3,201	3%
NATIVE	1,493	1%



WEST HAVEN SUBDIVISION

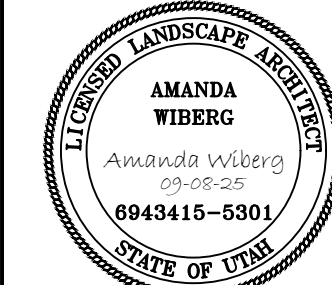
LANDSCAPE PLAN
CONSTRUCTION DRAWINGS

REVISIONS

REV.	DESCRIPTION	DATE

DESIGN CHECK:

DRAFTING CHECK:



SHEET:

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CURRENTLY RECORDED DESCRIPTIONS

Parcel No. 01-065-0-0040
Warranty Deed, Entry No. 473086

Beginning 569.54 feet South of the East quarter corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian; running thence South 1150.71 feet; thence West 468.55 feet; thence North 1150.71 feet; thence North 89°37'27" East 468.55 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "B", recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat C PUD, recorded July 26, 2009 as Entry No. 289791:

Parcel No. 1-066-0-0018
Warranty Deed, Entry No. 472784

Beginning at a point North 00°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet(South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record)along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record)to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0019
Warranty Deed, Entry No. 472815

Beginning at a point North 00°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record; thence South 00°26'31" West 51.02 feet(South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record)along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record)to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582:

Parcel No. 01-066-0-0022
Warranty Deed, Entry No. 472850

Beginning at the West quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence East 545.71 feet; thence South 1720.15 feet; thence West 545.71 feet; thence North 1720.51 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as disclosed by that certain dedication plat of CHERRY GROVE SUBDIVISION PLAT "A" being recorded March 16, 2000 as Entry No. 145105. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "B", recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "C" PUD, recorded July 26, 2009 as Entry No. 289791: Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156224 in Book 650 at Page 580: Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582:

PREPARED BY:
NOLAN C. HATHCOCK
PROFESSIONAL LAND SURVEYOR
UTAH LICENSE NO. 166346
9592 STORNOWAY CIRCLE
SOUTH JORDAN, UTAH 84009
PHONE: 801-557-5398

RECORD OF SURVEY FOR:
RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN
GRANTSVILLE, TOOELE COUNTY, UTAH

ADJUSTED DESCRIPTIONS

Adjusted Description Parcel A

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 824.08 feet along the section line established by the Tooele County Dependent Resurvey in 1982, South 89°42'29" West 468.55 feet and North 0°22'33" West 286.00 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); thence North 0°22'33" West 125.00 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D. the following two (2) courses: North 89°37'27" East 771.59 feet; South 0°57'21" West 30.32 feet; thence South 89°37'27" West 409.44 feet; thence South 0°22'33" East 94.69 feet; thence South 89°37'27" West 361.446 feet to the Point of Beginning. The above-described parcel of land contains approximately 57,603 square feet in area or 1.322 acres.

Adjusted Description Parcel B

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Resurvey in 1982, said Point lies North 0°22'33" West 899.76 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence along the westerly line of said Section 36 defined by said monument representing the Southwest Corner and a Tooele County Surveyor brass monument also placed in 1982 representing the West Quarter Corner of said Section 36, North 0°22'33" West 24.32 feet; thence South 89°42'29" West 468.55 feet; thence North 0°22'33" West 286.00 feet; thence North 89°37'27" East 361.446 feet; thence South 0°22'33" East 30.31 feet; thence North 89°37'27" East 348.50 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 60.94 feet; thence South 0°57'21" West 2.34 feet; thence South 89°02'39" East 30.00 feet; thence South 0°57'21" West 152.006 feet; thence South 89°37'27" West 122.78 feet; thence South 0°03'02" East 252.447 feet; thence North 89°53'05" West 204.537 feet to the Point of Beginning. The above-described parcel of land contains approximately 203,532 square feet in area or 4.672 acres.

Adjusted Description Parcel C

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Resurvey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel D

A parcel of land situate in the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 899.76 feet along the section line established by the Tooele County Dependent Resurvey in 1982 and South 89°53'05" East 204.537 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence North 0°03'02" West 252.447 feet; thence North 89°37'27" East 122.78 feet; thence North 0°57'21" East 152.006 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D., South 89°02'39" East 177.00 feet to the Southeast Corner of said P.U.D.; thence along an old, established fence line, South 0°57'21" West 273.19 feet (record = 273.49 feet) to a fence corner; thence along an old, established fence line South 89°33'29" East 815.72 feet, more or less, (record = 807.312 feet) to intersect the westerly boundary of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, recorded in Book HH at Page 379 in the office of the Tooele County Recorder; thence along said westerly boundary, South 0°20'17" East 125.465 feet (record = South 0°14'55" East 125.12 feet); thence along the westerly extension of the southerly right-of-way line of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, North 89°16'34" West 400.53 feet (record = 392.01 feet); thence North 0°08'00" West 66.01 feet to intersect a westerly extension of the centerline of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE; thence along said westerly extension, North 89°16'34" West 182.12 feet; thence South 0°08'00" East 18.575 feet; thence West 183.60 feet; thence North 0°26'31" East 5.27 feet; thence North 89°33'29" West 27.81 feet to a point of curvature; thence Southwesterly 103.048 feet along the arc of a tangent curve to the left having a radius of 219.19 feet, a central angle of 26°56'11" and a chord bearing and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence Southwesterly 153.832 feet along the arc of a reverse curve to the right whose center bears North 26°29'40" West, has a radius of 331.23 feet, a central angle of 26°36'35" and a chord bearing and length of South 76°48'38" West 152.453 feet to a point of tangency; thence North 89°53'05" West 71.953 feet to the Point of Beginning. The above-described parcel of land contains approximately 174,438 square feet in area or 4.005 acres.

SURVEYOR'S CERTIFICATION



I, Nolan C. Hathcock, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that this plat represents the results of a survey performed by me and that the information shown hereon is true and correct to the best of my knowledge and belief.

SURVEYOR'S NARRATIVE

This survey was performed at the request of Barry Bunderson on behalf of Ronald and Sherri Butler for the purpose of defining on the ground the exterior boundary and adjusting the common boundaries of four parcels of land owned by Butler with the approval of Grantsville City. Tooele County Dependent Resurvey monuments were found as shown hereon and relied upon for the bearing base of this survey. Boundaries were determined as follows: The southerly boundary of the portion of the Butler parcels lying in Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian was held parallel with the northerly line of said Section 35 at the record distance southerly of 1720.25 feet. From the section line common to Sections 35 and 36 this line was extended westerly the record distance of 468.55 feet which arrives at a found rebar and cap set by Nolan C. Hathcock in 1996. See record of survey, File No. 1996-0009-01 in the files of the Tooele County Surveyor. The westerly line of this parcel was held parallel with the section line common to Sections 35 and 36 and extended northerly to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D. The southerly boundary of said CHERRY GROVE PLAT C P.U.D. defines the northerly boundary of the Butler parcels that share a common boundary with said P.U.D. From the southeast corner of said P.U.D. which is marked by an Ensign Engineering rebar and cap, the bearing of the easterly boundary of said P.U.D. was extended southerly along an old, well established fence line to a fence corner. An old fence line runs easterly from this point, which is the best available evidence of a long established boundary. This fence line was followed easterly to intersect the westerly boundary of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE. The SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE was surveyed by Charles A. Herman, Land Surveyor, April 21, 1890 and approved by Charles A. Herman, Probate Judge, June 9, 1890. A hand written notation, "HH/379", appears in the upper left-hand corner of the plat which I interpret as a recording reference. No Entry No. appears on the plat. To establish the location of this plat on the ground the existing right-of-way lines of Durfee, Vine, Cherry, Plum, and Apple Streets were studied. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE extends from Center Street westerly beyond West Street (shown on the plat as Cemetery Street). These Streets have existed for many years from Center Street to West Street. These streets were not extended west of West Street until the late 1970's approximately. The right-of-way lines, determined from a study of the existing fence lines and other evidence of occupation easterly of West Street agrees very well with the 1890 plat. However, when these lines are extended westerly from West Street there is conflict with existing old fence lines. This determination for the location of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE disagrees with an old fence line along the north line of Cherry Street westerly of West Street and with the location of the Southwest corner of Block 63. A survey performed by Ensign Engineering for Eric Vaughn in 2015 (see file no. 2015-0062-01 in the files of the Tooele County Surveyor) agrees with the old fence line that appears to define the northerly right-of-way line of Cherry Street and to define the Southwest Corner of Block 63. In order to maintain harmony I have agreed with the Ensign Engineering survey to establish the northerly line of the Butler property along Cherry Street and to define the most easterly line of the butler property. I have extended my determination for the southerly right-of-way line of Cherry Street, as previously explained, westerly from West Street. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE served to dedicate Cherry Street at a width of 2 chains (132 feet) up to the westerly boundary of the plat. Westerly of the plat's westerly boundary Cherry Street exists by use only, crossing property owned by Butler. Having arrived at the intersection of the old fence line, mentioned above, with the westerly boundary of said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, as determined by the Ensign Engineering survey, the plat boundary was followed southerly to intersect the southerly right-of-way line of Cherry Street, as determined by my analysis as described above. The southerly right-of-way line of Cherry Sytreet was followed westerly to intersect the westerly boundary of Parcel No. 01-066-0-0007, as determined from ancient fence line evidence. Parcel No. 01-066-0-0007 and 01-066-0-0011 were created in November 1978 from a larger parcel of land. The descriptions contained in Warranty Deed, Entry No. 327672 in Book 166 at Pages 422-423 call "to the centerline of Cherry Street in Grantsville City, Utah, as extended westerly". For this reason I have held the westerly extension of the centerline of Cherry Street as the northerly boundary of these two Parcels. The centerline of Cherry Street was followed westerly along the northerly boundary of these two parcels the record distance of 182.12 feet (perpendicularity 182.10 feet). The westerly boundary of Parcel No. 01-066-0-0011, once again, determined from old, established fence line evidence, was followed southerly to the northeast corner of Parcel No. 01-066-0-0012 as shown of the plat of survey by Nolan C. Hathcock, found as File No. 2018-0053-01 & 02. The northerly boundaries of Parcels 01-066-0-0012 and 01-066-0-0016 were then followed westerly to the section line common to Sections 35 and 36. A 22.75 foot wide "Right-of-way for Vehicular and pedestrian traffic with ingress, egress and regress" exists across the most southerly portion of the Butler property adjacent to Parcel No. 01-066-0-0016. The right-of-way has its point of beginning at the Northwest Corner of Block 62, Southwest Addition of the City of Grantsville. The right-of-way is 22.75 feet wide as shown hereon. It appears that whoever created the description of this right-of-way was not aware of the actual location of the Northwest Corner of Block 62. This right-of-way lies approximately 50 to 60 feet south of the existing gravel road surface. There is no evidence that it has ever been used for access. At one point it is obstructed by an existing house. See document, Entry No. 045730, Book 327, Page 449 in the office of the Tooele County Recorder. A 50 foot wide easement also exists across the most southerly portion of the Butler property as shown hereon. See document, Entry No. 372829, in Book 239 at Page 579 in the office of the Tooele County Recorder. It should be noted that chain link fence and concrete driveway improvements on Parcel No. 01-066-0-0007 appear to extend northerly onto the Butler property.

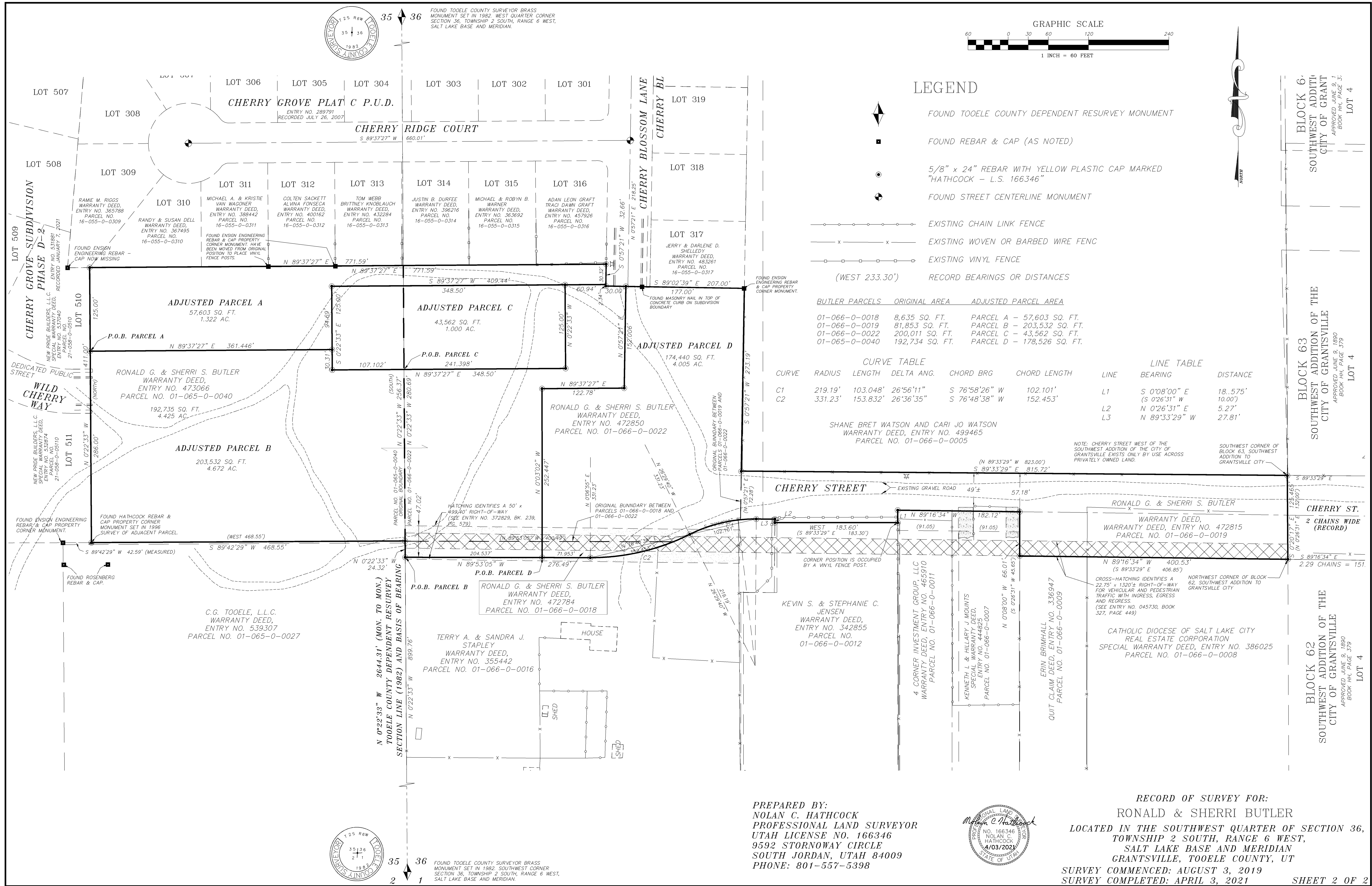
RECORD OF SURVEY FOR:
RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN
GRANTSVILLE, TOOELE COUNTY, UTAH

SURVEY COMMENCED: AUGUST 3, 2019
SURVEY COMPLETED: APRIL 3, 2021

SHEET 1 OF 2

2021-0064

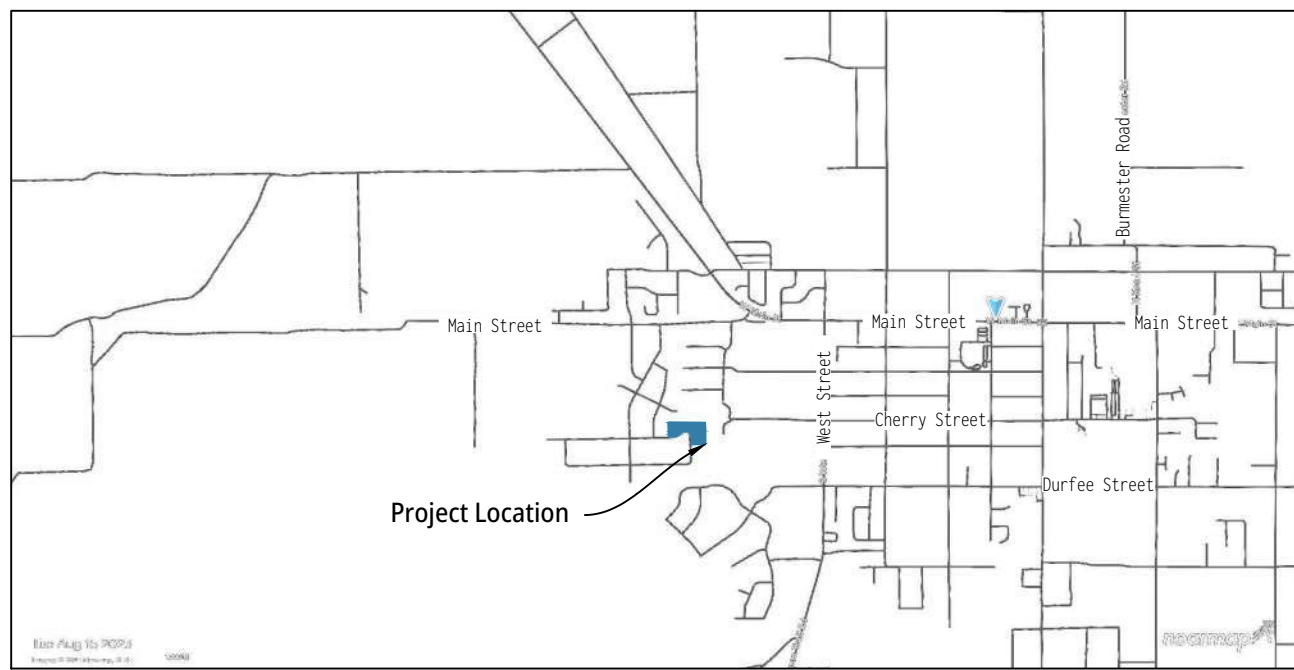


Cherry Street Re-alignment Subdivision

Preliminary Plat -Not to be Recorded

Located in the Southeast Quarter Section 35, Township 2 South, Rage 6 West, Salt Lake Base and Meridian Us Survey
Grantsville City, Tooele County Utah, February 2025

VICINITY MAP N.T.S.



Found West Quarter Corner
of Section 35, T2S, R6W, SLB&M
Found Brass Cap Monument
Dated 1982

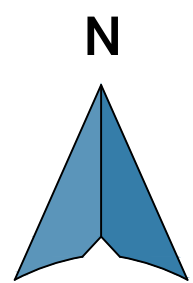
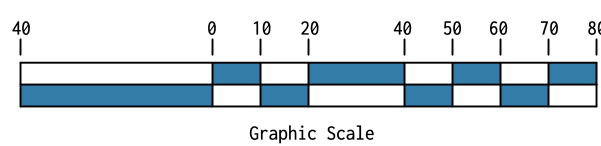
S89°42'47"W (S89°42'29"W CALC)

Found East Quarter Corner
of Section 35, T2S, R6W,
SLB&M Found Brass Cap
Monument Dated 1982

(5288.72' Calc) 5288.31'

CURVE TABLE				
Curve #	Length	Radius	Delta	Chord Direction
C31	140.48'	233.00'	34°32'39"	N17° 38' 53"W
C32	6.74'	15.00'	25°43'53"	S22° 03' 11"E
C33	24.36'	70.00'	19°56'28"	N19° 09' 22"W
C34	4.16'	70.00'	3°24'20"	N46° 29' 19"E
C35	231.21'	371.64'	35°38'43"	N72° 17' 27"E
C36	76.61'	437.64'	10°01'47"	S59° 28' 58"W
C37	76.61'	70.00'	62°42'08"	S56° 01' 37"W
C38	7.80'	15.00'	29°47'03"	S39° 34' 20"W
C39	225.75'	367.00'	35°14'37"	S72° 05' 21"W

SCALE: 1" = 40'



LEGEND

Measurements Between Monuments	Deed Line	Found Section Corner	Found Monument
Certified Macro Boundary Line	Fence Line	Calculated Section Corner	Calculated Monument
Certified Micro Boundary Line	Building Line	Set Nail	Found Rebar
Easement Line	Center Line	Set Rebar and Cap	Found Nail
Calc. Calculated	Edge of Concrete/Asphalt		
N.T.S. Not to Scale			

Data Reference Table

Reference No	Document Type	Name/Grantee	Entry No/ Book Page/ File No.
R1	Subdivision Plat	Cherry Wood Estates Subdivision Phase 2	597599
R2	Record of Survey	Butler Boundary Line	2021-0131
R3	Record of Survey	Ronald Sherri Butler	2021-0064
R4	Subdivision Plat	Cherry Grove Subdivision Phase D-2	531881
R5	Warranty Deed	Ronald Sherri Butler	574160
R6	Warranty Deed	Terry and Sandra Stapley	355442

NOTES

- No monuments were placed as a result of this survey.
- All easements rights and privileges granted within the original plat are to remain unless otherwise noted.
- Original Plat is (R1) in the Data Reference Table.
- For more information regarding found monuments perpetuating the public land survey system please reference the recorded survey with Tooele County.
- A 7.50 foot side yard and 10.00 foot front and rear yard PU&DE Public Utility and Drainage Easement are parallel to the lot line as indicated by the dashed lines.

GRANTSVILLE CITY ENGINEER

Approved as to form this ____ day of ____ A.D., ____ By
Grantsville City Engineer.

Grantsville City Engineer

ACKNOWLEDGMENT

State of Utah } s.s.
County of Tooele

The foregoing instrument was acknowledged before me this ____ day of ____ 2024 by Shawn Holste.

Residing at: _____
Commission Number: _____
Commission Expires: _____

GRANTSVILLE CITY MAYOR

Presented to this Grantsville City Mayor this Day of ____ A.D., ____ at
which Time this Condominium Plat was Accepted.

City Mayor Attest: _____ City Recorder, Deputy

TOOELE COUNTY SURVEYOR

Approved as to form this ____ Day of April A.D., ____ by this
Tooele County Surveyor. ROS# _____.

Tooele County Survey Director

BOUNDARY DESCRIPTION

PARCEL A-207:

A parcel of land being apart of lot 207 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at the Northeast corner of lot 208 of said subdivision, said point being measured as 538.84 feet North 0°22'33" West along the section line from the Southeast corner of Said Section, and running thence South 89°37'22" West 201.00 feet to the East Right-of-Way of Cherry Hill Street; thence along said East Right-of-Way the following four (4) courses: (1) North 0°22'33" West 106.42 feet to a point of tangency on a 233.00 foot radius curve to the left, (2) Northerly along said arc 140.48 feet (Central Angel Equals 34°32'39" and Long Chord Bears North 17°38'53" West 138.36 feet) to a point of reverse curvature on a 15.00 radius arc to the right, (3) along said arc 6.74 feet (Central Angel Equals 25°43'53" Long Chord Bears North 22°00'11" East 6.68 feet) to a point of reverse curvature on a 70.00 foot radius arc to the left, and (4) along said arc 24.36 feet (Central Angel Equals 19°56'28" Long Chord Bears North 19°09'22" West 24.24 feet) to a point on a 70.00 foot non-tangent arc to the right; thence along said arc 4.16 feet (Central Angel Equals 3°24'20" Long Chord Bears North 46°29'19" East 4.16 feet to a point on a non-tangent line; thence North 54°30'56" East 39.29 feet to a point of tangency on a 371.64 foot arc to right; thence along said arc 231.21 feet (Central Angel Equals 35°38'43" Long Chord Bears North 72°17'27" East 227.50 feet to the East line of said Section; thence along the Section line South 0°22'33" East 360.92 feet to the point of beginning. Containing 1.6745 acres, more or less.

TOGETHER WITH

PARCEL A-206:

A parcel of land being apart of lot 206 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at a point on a 437.64 radius arc to the left said point being 924.08 feet North 0°22'33" West along the Section line to the Northeast corner of said subdivision and 189.00 feet South 89°42'29" West from the Southeast corner of said Section and running thence along said arc 76.61 feet (Central Angel Equals 10°01'47" Long Chord Bears South 59°28'58" West 76.51 feet) to a point of tangency; thence South 54°29'34" West 74.95 feet to a point on a 70.00 foot non-tangent arc to the left; thence 76.61 feet along said arc (Central Angel Equals 62°42'08" Long Chord Bears South 56°01'37" West 72.84 feet) to a point of reverse curvature on a 15.00 foot radius arc to the right; thence along said arc 7.80 feet (Central Angel Equals 29°47'03" Long Chord Bears South 39°34'20" West 7.71 feet) to a point of tangency; thence South 54°28'04" West 5.05 feet to a point of tangency on a 367.00 foot radius arc to the right; thence along said arc 225.75 feet (Central Angel Equals 35°14'37" Long Chord Bears South 72°05'21" West 222.20 feet) to the Southeast corner of Lot 205 of said subdivision; thence North 0°17'19" West 198.22 feet along the East lot line of said Lot 205 to the South boundary of Cherry Grove Subdivision Phase D-2; thence along said South line and its extension North 89°42'29 East 408.79 feet to the point of beginning. Containing 1.1276 acres, more or less.

SURVEYOR'S NARRATIVE

Ronald & Sherri Butler requested this Subdivision plat to amend Cherry Wood Estates Subdivision Phase 2 to adjust lots 207, 206 and the alignment of Cherry Street.

The bearing basis is North 0°22'33" West measured between the Southeast Corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey.

For more information on the retracement of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

Cherry Street Re-alignment Subdivision

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted hereon.

Signed this ____ day of ____, 2025

C.G Grantsville LLC:

Shawn Holste - Registered Agent

GRANTSVILLE CITY PLANNING COMMISSION

Approved This ____ Day of ____ A.D., ____ by this
Grantsville City Planning Commission.

Chairman Grantsville City Planning Commission

GRANTSVILLE CITY ATTORNEY

Approved as to form this ____ Day of ____ A.D., ____ by
this Grantsville City Attorney.

Grantsville City Attorney

GRANTSVILLE CITY PUBLIC WORKS

Approved as to form this ____ day of ____ A.D., ____ By
Grantsville City Public Works.

Director, Grantsville City Public Works

GRANTSVILLE CITY FIRE DEPARTMENT

Approved as to form this ____ day of ____ A.D., ____ By
Grantsville City Public Works.

Grantsville City Fire Department

SURVEYOR'S CERTIFICATE

I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act. I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, and thereafter to be known as Cherry Street Re-alignment Subdivision and that the same has been correctly surveyed and measured on the ground as shown on this plat.

Tyler R. Harper, L.S. 12542803



		Tooele County Recorder	
Recorded for record and return		Filed for record and return	
in book _____ of official records,		page _____, Record _____	
County Recorder: _____		County Recorder: _____	
By Deputy: _____		By Deputy: _____	
Fee Paid: _____		Fee Paid: _____	

Sheet Number: 1/1	Developer: Ronald & Sherri Butler Surveyor: Tyler R. Harper Email: Tharper@highlandsurveying.com Phone: (385)-403-8180	Approximate Address: Cherry Street and Cherry Hill Street, Grantsville City, UT 84074 Project No. 23004 Project Date: June 2024
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**GRANTSVILLE CITY
RESOLUTION NO. 2024-xx**

**A RESOLUTION APPROVING THE PROPOSED MASTER DEVELOPMENT
AGREEMENT AND VARIANCE TABLE FOR THE WEST HAVEN PUD LOCATED
AT CHERRY STREET AND CHERRY BLOSSOM LANE**

Be it resolved by the City Council of Grantsville City, Utah as follows:

WHEREAS, the developer Fil De Voce, LLC has submitted a Master Development Agreement (MDA) for the West Haven Planned Unit Development (PUD) located at Cherry Street and Cherry Blossom Lane in Grantsville City, Tooele County; and

WHEREAS, the West Haven PUD consists of approximately 10.19 acres and includes a total of 47 lots with varying lot sizes; and

WHEREAS, the West Haven PUD seeks approval of a variance table that outlines deviations from standard zoning requirements, which include minimum lot sizes, yard setbacks, building heights, and other applicable design standards, in accordance with Grantsville City's PUD ordinance; and

WHEREAS, the alignment and right-of-way dedication for Cherry Street is a necessary component of the proposed MDA, ensuring that Cherry Street maintains a width of 60 feet, and this alignment requires amendments to the Cherry Wood plat and the acquisition of right-of-way from neighboring property owners; and

WHEREAS, the proposed MDA and variance table, as well as the corresponding staff report (attached as Exhibit A) detailing the conditions of approval, have been reviewed by the Planning Commission, and the staff has recommended approval subject to the conditions set forth in said staff report, which includes mitigation efforts related to stormwater management, as well as ensuring proper completion of public infrastructure as required; and

WHEREAS, Grantsville City finds that the proposed Master Development Agreement and variance table will promote the orderly development of the area, improve traffic flow, and provide necessary infrastructure improvements while aligning with the City's General Plan and Land Use Ordinance;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANTSVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Approval of the Master Development Agreement: The City Council approves the Master Development Agreement (MDA) for the West Haven PUD, which outlines the rights and responsibilities of both the developer and the City regarding the development of approximately 47 lots.



Section 2. Effective Date: This resolution shall take effect immediately upon its passage and approval as provided by law.

Section 3. Severability clause. If any part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution and all provisions, clauses and words of this Resolution shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS
2ND DAY OF OCTOBER, 2024.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

By Mayor Neil Critchlow

ATTEST

Braydee Baugh, City Recorder



EXHIBIT “A”

Staff Report, MDA and variance table

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674



Permit # 2024004

**Staff Report Summary for
West Haven PUD Master Development Agreement**

Parcel ID(s): 01-065-0-0059, 01-065-0-0060,
01-066-0-0023, 01-066-0-0024

Property Address: West Cherry St.

Applicant Name: Ron and Sherrie Butler

Request: Approval of MDA

Prepared By: Shelby Moore

Meeting Date: 09/19/24

Public Hearing Date:

Current Zone: R-1-21 and A-10

Proposed Density: 4.7 DU per acre

Allowed Density: 1.3 DU per acre

Planning Staff Explanation and Recommendation: Consideration West Haven Master Development Agreement

PLANNING STAFF ANALYSIS AND COMMENTS

Background:

On March 20th, 2024, the PUD conceptual layout for West Haven was officially approved. However, to finalize the PUD application, the MDA and variance chart need to be reviewed and approved by the staff. During the application reviews, it was identified that the alignment of Cherry St. needs to be adjusted, and consequently, the right-of-way of Cherry St. must be dedicated. To proceed with this adjustment, the developer will have to acquire the necessary right-of-way from homeowners located on the south side of Cherry St. in order to ensure that Cherry St. maintains a width of 60' ft.

CITY STAFF ANALYSIS & COMMENTS

- 1) The deviation table needs to be approved along with the MDA.
- 2) The alignment of Cherry St. and the ROW needs to be included in the MDA.
- 3) The amendment of the Cherry Wood plat will need to take place to show the alignment of Cherry St. and that it is a through road.

Mitigation Efforts:

- 1) Storm water to be obtained within the development

CONDITIONS & CONCLUSIONS

- 1) The right of way (ROW) needs to be obtained for Cherry Street.
- 2) The amendment of the Cherry Wood plat needs to take place prior to the approval of the West Haven Final plat.

In order to move forward with this project, there are certain conditions that need to be met. Firstly, it is imperative that the right of way (ROW) for Cherry Street is secured prior to the approval of the preliminary plat. Additionally, the amendment of the Cherry Wood plat must be completed before the final approval of the West Haven Final plat can be granted.

Furthermore, it is crucial that the deviation table is approved in conjunction with the MDA. The alignment of Cherry Street and the ROW should be clearly outlined in the MDA as well. Moreover, the amendment of the Cherry Wood plat is necessary to demonstrate the alignment of Cherry Street and confirm that it functions as a through road.

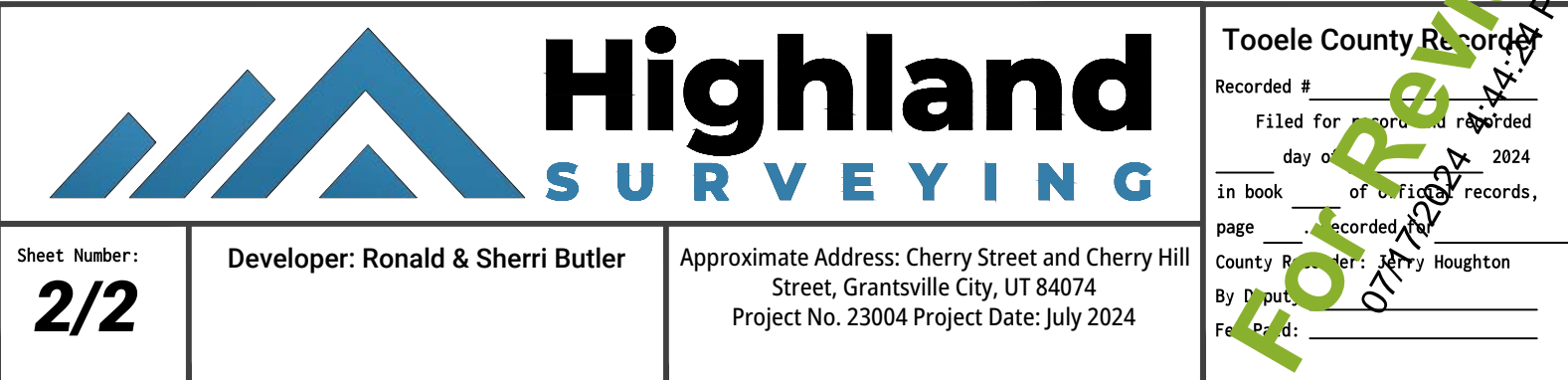
These steps are essential to ensure the successful execution of the West Haven PUD project.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.



Located in the Southeast Quarter Section 35 and the Southwest Quarter of Section 26,
Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey,
Grantsville City, Tooele County Utah, July 2024



Proposed Deviation Table at Planning Commission

Development Name - Grantsville, UT						
Development Standards						
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Future Land Use Designation R-8	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
Description				PUD Requirement	PUD Requirement	PUD Requirement
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	10,000-SF	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot						
Minimum Dwelling Unit SF				1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-FT	60-feet	50-feet	24-feet
Minimum Yard Setbacks						
Front Yard	40-FT	40-FT	30-FT	20-foot setback, Lot side of the sidewalk	20-foot setback, Lot side of the sidewalk	20-foot setback, Lot side of the sidewalk
Driveway						
Rear Yard						
Main Building	30-FT	60-FT	25-FT	25-Feet	20-Feet	10-Feet
Accessory Building	1-FOOT	7.5-FT	1-FOOT	1-FOOT		
Side Yard						
Main Building	5*/15-FT	20-FT	5*/15-FT	5*/15-FT	0-Feet Attached side; 7.5-foot End Units From Property Line	0-Feet Attached side; 0-foot End Units From Property Line
Accessory Building			4-FT	N/A	N/A	N/A
Multi-Unit Building Spacing					0-Feet Attached side; 15-foot End Units Building to Building	0-Feet Attached side; 15-foot End Units Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-FT	10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-FT	35-Feet	35-Feet	35-Feet
Maximum Building Area	20%		35%	35%	40%	50%

* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied .

***The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.

Updated Table

West Haven Development - Grantsville, UT Development Standards					
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
Description			PUD Requirement	PUD Requirement	PUD Requirement
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot					
Minimum Dwelling Unit SF			1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-feet	50-feet	24-feet
Minimum Yard Setbacks					
Front Yard	40-FT	40-FT	25-FT	25-FT	25-FT
Driveway					
Rear Yard					
Main Building	30-FT	60--FT	25-Feet	20-Feet	10-Feet
Accessory Building	*1-Foot	7.5-FT	*1-Foot		
Side Yard					
Main Building	5*/15-FT	20-FT	5*/15-FT	0-Feet Attached side; 7.5-feet End Units From Property Line	0-Feet Attached side; 5-feet End Units From Property Line
Accessory Building			*1- Foot	N/A	N/A
Multi-Unit Building Spacing				0-Feet Attached side; 15-feet End Units Building to Building	0-Feet Attached side; 20-feet Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-Feet	35-Feet	35-Feet
Maximum Building Area	20%		35%	40%	50%
<p>* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied. All use not defined in the table will refer to the underlying zoning.</p> <p>***The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.</p>					

WHEN RECORDED, RETURN TO:

**Braydee Baugh
Grantsville City Recorder
429 East Main Street
Grantsville City, Utah 84029**

**GRANTSVILLE CITY
MASTER DEVELOPMENT AGREEMENT
FOR
TOWN HOMES OF WEST HAVEN SUBDIVISION**

THIS MASTER DEVELOPMENT Agreement (“**Agreement**”) is made and entered as of the _____ day of _____, 20__, by and between Grantsville City, a municipal corporation of the State of Utah (“**City**”) and Fil Di Voce LLC, a Utah Limited Liability Company (“**Developer**”).

RECITALS

A. The capitalized terms used in this Agreement and in these Recitals are defined in Section 1.2, below.

B. Developer owns and is developing the Property as a single-family residential subdivision. Developer and the City desire that the Property be developed in a unified and consistent fashion pursuant to the Final Plat. The Parties desire to enter into this Agreement to specify the rights and responsibilities of the Developer to develop the Property as expressed in this Agreement and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this Agreement.

C. The Parties understand and intend that this Agreement is a “development agreement” within the meaning of, and entered into pursuant to the terms of Utah Code Ann. §10-9a-101 et seq. This Agreement conforms with the intent of the City’s General Plan and the Zoning.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer hereby agree to the following:

TERMS

1. **Definitions.** As used in this Agreement, the words and phrases specified below shall have the following meanings:

- 1.1. **Agreement** means this Master Development Agreement including all of its Exhibits and Addenda.
- 1.2. **Applicant** means a person or entity submitting a Development Application.
- 1.3. **Buildout** means the completion of all of the development on the entire Project in accordance with this Agreement.
- 1.4. **City** means Grantsville City, a political subdivision of the State of Utah.

1.5. **City's Future Laws** means the ordinances, policies, standards, and procedures which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project and which may or may not be applicable to the Development Application depending upon the provisions of this Agreement.

1.6. **Council** means the elected City Council of the City.

1.7. **Default** means a breach of this Agreement as specified herein.

1.8. **Developer** means Fil Di Voce LLC and its successors/assignees as permitted by this Agreement.

1.9. **Development** means the development of a portion of the Property pursuant to an approved Development Application.

1.10. **Development Application** means an application to the City for development of a portion of the Project or any other permit, certificate or other authorization from the City required for development of the Project.

1.11. **Final Plat** means the final plat for the development of the Project, which has been approved by the City, subdividing any portion of the Project, and attached and incorporated herein as **Exhibit B**.

1.12. **GLUDMC** means the Grantsville Land Use and Development Code.

1.13. **LUDMA** means the Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101 *et seq.*

1.14. **Maximum Residential Units** Maximum Residential Units refers to the development of the Townhomes of West haven Subdivision, which shall have no more than forty-six (46) Residential Dwelling Units on the Property.

1.15. **Notice** means any notice to or from any Party to this Agreement that is either required or permitted to be given to another party.

1.16. **Party/Parties** means, in the singular, Developer or the City; in the plural Developer and the City.

1.17. **Project** means the residential subdivision to be constructed on the Property pursuant to this Agreement with the associated Public Infrastructure and private facilities, and all of the other aspects approved as part of this Agreement.

1.18. **Property** means the real property owned by and to be developed by Developer more fully described in **Exhibit A**.

1.19. **Public Infrastructure** means those elements of infrastructure that are planned to be dedicated to the City or other public entities as a condition of the approval of a Development Application.

1.20. **Residential Dwelling Unit** means a structure or portion thereof designed and intended for use as attached residences as illustrated on the Final Plan.

1.21. **Zoning** The underlying Zoning Districts are A-10 and R-1-21 and development is proceeding under a Planned Unit Development (PUD). The deviations from the zoning standards of the underlying Zoning Districts have been mutually agreed upon by the parties in accordance with GLUDMC Chapter 12.

2. Development of the Project.

2.1. **Compliance with the Final Plat and this Agreement.** Development of the Project shall be in accordance with LUDMA, GLUDMC, the City's Future Laws (to the extent they are applicable as specified in this Agreement), the Final Plat and this Agreement.

2.2. **Maximum Residential Units.** At Buildout, Developer shall be entitled to have

developed the Maximum Residential Units of the type and in the general location as shown on the Final Plat.

3. Vested Rights.

3.1. Vested Rights Granted by Approval of this Agreement. To the maximum extent permissible under the laws of Utah and the United States and at equity, the Parties intend that this Agreement grants to Developer all rights to develop the Project in fulfillment of this Agreement, LUDMA, GLUDMC, the Zoning of the Property, and the Final Plat except as specifically provided herein. The Parties specifically intend that this Agreement grant to Developer the “vested rights” identified herein as that term is construed in Utah’s common law and pursuant to Utah Code Ann. §10-9a-509.

3.2. Exceptions. The vested rights and the restrictions on the applicability of the City’s Future Laws to the Project as specified in Section 3.1 are subject to the following exceptions:

3.2.1. Master Developer Agreement. The City’s Future Laws or other regulations to which the Developer agrees in writing;

3.2.2. State and Federal Compliance. The City’s Future Laws or other regulations which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;

3.2.3. Codes. Any City’s Future Laws that are updates or amendments to existing building, fire, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.2.4. Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated;

3.2.5. Fees. Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law;

3.2.6. Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City pursuant to Utah Code Ann. Section §11-36a-101 *et seq*;

3.2.7. Planning and Zoning Modification. Changes by the City to its planning principles and design standards as permitted by Local, State or Federal law; and

3.2.8. Compelling, Countervailing Interest. Laws, rules or regulations that the City's land use authority finds, on the record, are necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code Ann. §10-9a-509(1)(a)(i).

4. **Term of Agreement.** Unless earlier terminated as provided for herein, the term of this Agreement shall be until January 31, 2027. If Developer has not been declared to be currently in Default as of January 21, 2027 (and if any such Default is not being cured) then this Agreement shall be automatically extended until January 31, 2032. This Agreement shall automatically be terminated at Buildout.

5. **Addendum No. 1.** Addendum No. 1 contains the provisions of this Agreement that are specific to the development of the Project. If there is a conflict between this Agreement and Addendum No. 1, then Addendum No. 1 shall control.

6. **Public Infrastructure.**

6.1. **Construction by Developer.** Developer, at Developer's cost and expense, shall have the right and the obligation to construct or cause to be constructed and install all Public Infrastructure reasonably and lawfully required as a condition of approval of a Development Application pursuant to GLUDMC. Such construction must meet all applicable standards and requirements and must be approved by the City's engineer.

6.2. **Responsibility Before Acceptance.** Developer shall be responsible for all Public Infrastructure covered by this Agreement until final inspection of the same has been performed by the City, and a final acceptance and release has been issued by the City Council. The City shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage happening or occurring to the Public Infrastructure, nor shall any officer or employee thereof, be liable for any persons or property injured by reason of said Public Infrastructure; all of such liabilities shall be assumed by the Developer.

6.3. **Warranty.** Developer shall repair any defect in the design, workmanship or materials in all Public Infrastructure which becomes evident during a period of one year following the acceptance of the improvements by the City Council or its designee (Durability Testing Period). If during the Durability Testing Period, any Public Infrastructure shows unusual depreciation, or if it becomes evident that required work was not done, or that the material or workmanship used does not comply with accepted standards, said condition shall, within a reasonable time, be corrected.

6.4. **Timing of Completion of Public Infrastructure.** In accordance with the diligence requirements for the various types of approvals as described in the GLUDMC, construction of the required Public Infrastructure shall be completed within eighteen months (18) after the City Council grants final plat approval. Upon a showing of good and sufficient cause by Developer the City shall, in accordance with the provisions of GLUDMC, extend the time of performance if requested prior to expiration of the completion date.

6.5. Bonding. In connection with any Development Application, Developer shall provide bonds or other development security, including warranty bonds, to the extent required by GLUDMC, unless otherwise provided by Utah Code § 10-9a-101, *et seq.* The Applicant shall provide such bonds or security in a form acceptable to the City or as specified in GLUDMC. Partial releases of any such required security shall be made as work progresses based on GLUDMC.

6.6. City Completion. The Developer agrees that in the event he does not: (a) complete all improvements within the time period specified under paragraph two above, or secure an extension of said completion date, (b) construct said improvements in accordance with City standards and as set forth in Paragraph one above, and (c) pay all claimants for material and labor used in the construction of said improvements, the City shall be entitled to declare the developer(s) in default, request and receive the funds held by the guarantor as surety and utilize the monies obtained to install or cause to be installed any uncompleted improvements and/or to pay any outstanding claims, as applicable. Provided however, that the City shall not be responsible for any work beyond the amount of funds so provided. Any funds remaining after completion of the improvements shall be returned to the guarantor. The Developer further agrees to be personally liable for any cost of improvements above the amount made available under the terms of this agreement.

7. Upsizing/Reimbursements to Developer.

7.1. Upsizing. The City shall not require Developer to “upsized” any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than required to service the Project) unless financial arrangements reasonably acceptable to Developer are made to compensate Developer for the incremental or additive costs of such upsizing to the extent required by law.

8. Default.

8.1. Notice. If Developer or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party.

8.2. Contents of the Notice of Default. The Notice of Default shall:

8.2.1. Specific Claim. Specify the claimed event of Default;

8.2.2. Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in Default; and

8.2.3. Optional Cure. If the City chooses, in its discretion, it may propose a method and time for curing the Default which shall be of no less than thirty (30) days duration, if weather conditions permit.

8.3. Remedies. Upon the occurrence of any Default, and after notice as required above,

then the parties may have the following remedies:

8.3.1. Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and/or specific performance.

8.3.2. Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

8.3.3. Future Approvals. The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by Developer until the Default has been cured.

8.4. **Public Meeting.** Before any remedy in Section 8.3 may be imposed by the City the party allegedly in Default shall be afforded the right to attend a public meeting before the City Council and address the City Council regarding the claimed Default.

8.5. **Default of Assignee.** A default of any obligations expressly assumed by an assignee shall not be deemed a default of Developer.

8.6. **Limitation on Recovery for Default – No Damages against the City.** Anything in this Agreement notwithstanding Developer shall not be entitled to any claim for any monetary damages as a result of any breach of this Agreement and Developer waives any claims thereto. The sole remedy available to Developer and any assignee shall be that of specific performance.

9. **Notices.** All notices required or permitted under this Agreement shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

To the Developer:

Fil Di Voce, LLC
60 South Main St. #6
Tooele, Utah 84074
Hjelevate@gmail.com

To the City:

Grantsville City
Attn: City Recorder
429 East Main Street
Grantsville, Utah 84029

10. **Dispute Resolution.** Any disputes subject to mediation or arbitration shall be resolved pursuant to Addendum No. 2.

11. **Incorporation of Recitals and Exhibits.** The Recitals and Exhibits “A” - “B” are hereby

incorporated into this Agreement.

12. **Headings.** The captions used in this Agreement are for convenience only and are not intended to be substantive provisions or evidences of intent.

13. **No Third-Party Rights/No Joint Venture.** This Agreement does not create a joint venture relationship, partnership or agency relationship between the City, or Developer. Except as specifically set forth herein, the parties do not intend this Agreement to create any third-party beneficiary rights.

14. **Assignability.** The rights and responsibilities of Master Developer under this Agreement may be assigned in whole or in part, respectively, by Developer with the consent of the City as provided herein.

14.1. **Sale of Lots.** Developer's selling or conveying lots in any approved subdivision shall not be deemed to be an assignment.

14.2. **Related Entity.** Developer's transfer of all or any part of the Property to any entity "related" to Developer (as defined by regulations of the Internal Revenue Service in Section 165), Developer's entry into a joint venture for the development of the Project or Developer's pledging of part or all of the Project as security for financing shall also not be deemed to be an assignment. Developer shall give the City Notice of any event specified in this sub-section within ten (10) days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

14.3. **Process for Assignment.** Developer shall give Notice to the City of any proposed assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee. Unless the City objects in writing within twenty (20) business days of notice, the City shall be deemed to have approved of and consented to the assignment. The City shall not unreasonably withhold consent.

14.4. **Partial Assignment.** If any proposed assignment is for less than all of Master Developer's rights and responsibilities, then the assignee shall be responsible for the performance of each of the obligations contained in this MDA to which the assignee succeeds. Upon any such approved partial assignment Master Developer shall not be released from any future obligations as to those obligations which are assigned but shall remain jointly and severally liable with assignee(s) to perform all obligations under the terms of this Agreement which are specified to be performed by Developer.

14.5. **Complete Assignment.** Developer may request the written consent of the City of an assignment of Developer's complete interest in this Agreement. In such cases, the proposed assignee shall have the qualifications and financial responsibility necessary and adequate, as required by the City, to fulfill all obligations undertaken in this Agreement by Developer. The City shall be entitled to review and consider the ability of the proposed

assignee to perform, including financial ability, past performance and experience. After review, if the City gives its written consent to the assignment, Developer shall be released from its obligations under this Agreement for that portion of the Property for which such assignment is approved.

15. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

16. **Severability.** If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

17. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.

18. **Time is of the Essence.** Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.

19. **Appointment of Representatives.** To further the commitment of the Parties to cooperate in the implementation of this Agreement, the City and Developer each shall designate and appoint a representative to act as a liaison between the City and its various departments and the Developer. The initial representative for the City shall be the Mayor. The initial representative for Developer shall be Holly Jones. The Parties may change their designated representatives by Notice. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this Agreement and the development of the Project.

20. **Applicable Law.** This Agreement is entered into in Tooele County in the State of Utah and shall be construed in accordance with the laws of the State of Utah irrespective of Utah's choice of law rules.

21. **Venue.** Any action to enforce this Agreement shall be brought only in the Third District Court, Tooele County in and for the State of Utah.

22. **Entire Agreement.** This Agreement, and all Exhibits thereto, documents referenced herein, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

23. **Mutual Drafting.** Each Party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against any Party based on which Party drafted any particular portion of this Agreement.

24. **No Relationship.** Nothing in this Agreement shall be construed to create any partnership, joint venture or fiduciary relationship between the parties.

25. **Amendment.** This Agreement may be amended only in writing signed by the parties hereto.

26. **Recordation and Running with the Land.** This Agreement shall be recorded in the chain of title for the Project. This Agreement shall be deemed to run with the land.

27. **Priority.** This Agreement shall be recorded against the Property senior to any respective covenants and any debt security instruments encumbering the Property.

28. **Authority.** The Parties to this Agreement each warrant that they have all of the necessary authority to execute this Agreement. Specifically, on behalf of the City, the signature of the City Manager of the City is affixed to this Agreement lawfully binding the City pursuant to Resolution No. [2024-81] adopted by the City on [10-02-2024].

29. **Further Assurances.** Each party shall execute and deliver such additional documents and take such further actions as may reasonably be necessary to effectuate the transactions contemplated by this Agreement.

30. **No Boycott.** The undersigned certifies that it is not currently engaged in a boycott of the State of Israel and agrees not to engage in a boycott of the State of Israel during the term of this Agreement. The undersigned further acknowledges that its engagement in a boycott of the State of Israel would be in violation of Utah Code Section 63G-27-201 and could result in termination of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

DEVELOPER
Fil Di Voce, LLC

GRANTSVILLE CITY

By: _____
Its: _____

By: _____
Its: [] Mayor [] City Manager

Approved as to form and legality:

Attest:

City Attorney

City Recorder

CITY ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF TOOELE)

On the _____ day of _____, 20__ personally appeared before me _____ who being by me duly sworn, did say that he is the Mayor of Grantsville City, a political subdivision of the State of Utah, and that said instrument was signed in behalf of the City by authority of its City Council and said Mayor acknowledged to me that the City executed the same.

NOTARY PUBLIC

My Commission Expires: _____

Residing at: _____

DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF _____)

On the _____ day of _____, 20__, personally appeared before me _____, who being by me duly sworn, did say that he/she is the Manager of Fil Di Voce, LLC a Utah Limited Liability Company and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.

NOTARY PUBLIC

My Commission Expires: _____

Residing at: _____

TABLE OF EXHIBITS

Exhibit "A"	Legal Description of Property
Exhibit "B"	Final Plat
Addendum No. 1	Specific Project Terms
Addendum No. 2	Dispute Resolution Procedures

EXHIBIT A

(Legal Description of Property)

CURRENTLY RECORDED DESCRIPTIONS

Parcel No. 01-065-0-0040
Warranty Deed, Entry No. 473086

Beginning 569.54 feet South of the East quarter corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian; running thence South 1150.71 feet; thence West 468.55 feet; thence North 1150.71 feet; thence North 89°37'27" East 468.55 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "B", recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat C PUD, recorded July 26, 2009 as Entry No. 289791:

Parcel No. 1-066-0-0018
Warranty Deed, Entry No. 472784

Beginning at a point North 00°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet(South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record)along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record)to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0019
Warranty Deed, Entry No. 472815

Beginning at a point North 00°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record; thence South 00°26'31" West 51.02 feet(South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record)along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record)to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582:

Parcel No. 01-066-0-0022
Warranty Deed, Entry No. 472850

Beginning at the West quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence East 545.71 feet; thence South 1720.15 feet; thence West 545.71 feet; thence North 1720.51 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as disclosed by that certain dedication plat of CHERRY GROVE SUBDIVISION PLAT "A" being recorded March 16, 2000 as Entry No. 145105. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "B", recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "C" PUD, recorded July 26, 2009 as Entry No. 289791: Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156224 in Book 650 at Page 580: Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582:

PREPARED BY:
NOLAN C. HATHCOCK
PROFESSIONAL LAND SURVEYOR
UTAH LICENSE NO. 166346
9592 STORNOWAY CIRCLE
SOUTH JORDAN, UTAH 84009
PHONE: 801-557-5398

RECORD OF SURVEY FOR:
RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN
GRANTSVILLE, TOOELE COUNTY, UTAH

ADJUSTED DESCRIPTIONS

Adjusted Description Parcel A

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 824.08 feet along the section line established by the Tooele County Dependent Resurvey in 1982, South 89°42'29" West 468.55 feet and North 0°22'33" West 286.00 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); thence North 0°22'33" West 125.00 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D. the following two (2) courses: North 89°37'27" East 771.59 feet; South 0°57'21" West 30.32 feet; thence South 89°37'27" West 409.44 feet; thence South 0°22'33" East 94.69 feet; thence South 89°37'27" West 361.446 feet to the Point of Beginning. The above-described parcel of land contains approximately 57,603 square feet in area or 1.322 acres.

Adjusted Description Parcel B

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Resurvey in 1982, said Point lies North 0°22'33" West 899.76 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence along the westerly line of said Section 36 defined by said monument representing the Southwest Corner and a Tooele County Surveyor brass monument also placed in 1982 representing the West Quarter Corner of said Section 36, North 0°22'33" West 24.32 feet; thence South 89°42'29" West 468.55 feet; thence North 0°22'33" West 286.00 feet; thence North 89°37'27" East 361.446 feet; thence South 0°22'33" East 30.31 feet; thence North 89°37'27" East 348.50 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 60.94 feet; thence South 0°57'21" West 2.34 feet; thence South 89°02'39" East 30.00 feet; thence South 0°57'21" West 152.006 feet; thence South 89°37'27" West 122.78 feet; thence South 0°03'02" East 252.447 feet; thence North 89°53'05" West 204.537 feet to the Point of Beginning. The above-described parcel of land contains approximately 203,532 square feet in area or 4.672 acres.

Adjusted Description Parcel C

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Resurvey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.396 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel D

A parcel of land situate in the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 899.76 feet along the section line established by the Tooele County Dependent Resurvey in 1982 and South 89°53'05" East 204.537 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence North 0°03'02" West 252.447 feet; thence North 89°37'27" East 122.78 feet; thence North 0°57'21" East 152.006 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D., South 89°02'39" East 177.00 feet to the Southeast Corner of said P.U.D.; thence along an old, established fence line, South 0°57'21" West 273.19 feet (record = 273.49 feet) to a fence corner; thence along an old, established fence line South 89°33'29" East 815.72 feet, more or less, (record = 807.312 feet) to intersect the westerly boundary of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, recorded in Book HH at Page 379 in the office of the Tooele County Recorder; thence along said westerly boundary, South 0°20'17" East 125.465 feet (record = South 0°14'55" East 125.12 feet); thence along the westerly extension of the southerly right-of-way line of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, North 89°16'34" West 400.53 feet (record = 392.01 feet); thence North 0°08'00" West 66.01 feet to intersect a westerly extension of the centerline of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE; thence along said westerly extension, North 89°16'34" West 182.12 feet; thence South 0°08'00" East 18.575 feet; thence West 183.60 feet; thence North 0°26'31" East 5.27 feet; thence North 89°33'29" West 27.81 feet to a point of curvature; thence Southwesterly 103.048 feet along the arc of a tangent curve to the left having a radius of 219.19 feet, a central angle of 26°56'11" and a chord bearing and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence Southwesterly 153.832 feet along the arc of a reverse curve to the right whose center bears North 26°29'40" West, has a radius of 331.23 feet, a central angle of 26°36'35" and a chord bearing and length of South 76°48'38" West 152.453 feet to a point of tangency; thence North 89°53'05" West 71.953 feet to the Point of Beginning. The above-described parcel of land contains approximately 174,436 square feet in area or 4.005 acres.

SURVEYOR'S CERTIFICATION



I, Nolan C. Hathcock, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that this plat represents the results of a survey performed by me and that the information shown hereon is true and correct to the best of my knowledge and belief.

SURVEYOR'S NARRATIVE

This survey was performed at the request of Barry Bunderson on behalf of Ronald and Sherri Butler for the purpose of defining on the ground the exterior boundary and adjusting the common boundaries of four parcels of land owned by Butler with the approval of Grantsville City. Tooele County Dependent Resurvey monuments were found as shown hereon and relied upon for the bearing base of this survey. Boundaries were determined as follows: The southerly boundary of the portion of the Butler parcels lying in Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian was held parallel with the northerly line of said Section 35 at the record distance southerly of 1720.25 feet. From the section line common to Sections 35 and 36 this line was extended westerly the record distance of 468.55 feet which arrives at a found rebar and cap set by Nolan C. Hathcock in 1996. See record of survey, File No. 1996-0009-01 in the files of the Tooele County Surveyor. The westerly line of this parcel was held parallel with the section line common to Sections 35 and 36 and extended northerly to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D. The southerly boundary of said CHERRY GROVE PLAT C P.U.D. defines the northerly boundary of the Butler parcels that share a common boundary with said P.U.D. From the southeast corner of said P.U.D. which is marked by an Ensign Engineering rebar and cap, the bearing of the easterly boundary of said P.U.D. was extended southerly along an old, well established fence line to a fence corner. An old fence line runs easterly from this point, which is the best available evidence of a long established boundary. This fence line was followed easterly to intersect the westerly boundary of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE. The SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE was surveyed by Charles A. Herman, Land Surveyor, April 21, 1890 and approved by Charles A. Herman, Probate Judge, June 9, 1890. A hand written notation, "HH/379", appears in the upper left-hand corner of the plat which I interpret as a recording reference. No Entry No. appears on the plat. To establish the location of this plat on the ground the existing right-of-way lines of Durfee, Vine, Cherry, Plum, and Apple Streets were studied. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE extends from Center Street westerly beyond West Street (shown on the plat as Cemetery Street). These Streets have existed for many years from Center Street to West Street. These streets were not extended west of West Street until the late 1970's approximately. The right-of-way lines, determined from a study of the existing fence lines and other evidence of occupation easterly of West Street agrees very well with the 1890 plat. However, when these lines are extended westerly from West Street there is conflict with existing old fence lines. This determination for the location of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE disagrees with an old fence line along the north line of Cherry Street westerly of West Street and with the location of the Southwest corner of Block 63. A survey performed by Ensign Engineering for Eric Vaughn in 2015 (see file no. 2015-0062-01 in the files of the Tooele County Surveyor) agrees with the old fence line that appears to define the northerly right-of-way line of Cherry Street and to define the Southwest Corner of Block 63. In order to maintain harmony I have agreed with the Ensign Engineering survey to establish the northerly line of the Butler property along Cherry Street and to define the most easterly line of the butler property. I have extended my determination for the southerly right-of-way line of Cherry Street, as previously explained, westerly from West Street. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE served to dedicate Cherry Street at a width of 2 chains (132 feet) up to the westerly boundary of the plat. Westerly of the plat's westerly boundary Cherry Street exists by use only, crossing property owned by Butler. Having arrived at the intersection of the old fence line, mentioned above, with the westerly boundary of said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, as determined by the Ensign Engineering survey, the plat boundary was followed southerly to intersect the southerly right-of-way line of Cherry Street, as determined by my analysis as described above. The southerly right-of-way line of Cherry Sytreet was followed westerly to intersect the westerly boundary of Parcel No. 01-066-0-0007, as determined from ancient fence line evidence. Parcel No. 01-066-0-0007 and 01-066-0-0011 were created in November 1978 from a larger parcel of land. The descriptions contained in Warranty Deed, Entry No. 327672 in Book 166 at Pages 422-423 call "to the centerline of Cherry Street in Grantsville City, Utah, as extended westerly". For this reason I have held the westerly extension of the centerline of Cherry Street as the northerly boundary of these two Parcels. The centerline of Cherry Street was followed westerly along the northerly boundary of these two parcels the record distance of 182.12 feet (perpendicularity 182.10 feet). The westerly boundary of Parcel No. 01-066-0-0011, once again, determined from old, established fence line evidence, was followed southerly to the northeast corner of Parcel No. 01-066-0-0012 as shown of the plat of survey by Nolan C. Hathcock, found as File No. 2018-0053-01 & 02. The northerly boundaries of Parcels 01-066-0-0012 and 01-066-0-0016 were then followed westerly to the section line common to Sections 35 and 36. A 22.75 foot wide "Right-of-way for Vehicular and pedestrian traffic with ingress, egress and regress" exists across the most southerly portion of the Butler property adjacent to Parcel No. 01-066-0-0016. The right-of-way has its point of beginning at the Northwest Corner of Block 62, Southwest Addition of the City of Grantsville. The right-of-way is 22.75 feet wide as shown hereon. It appears that whoever created the description of this right-of-way was not aware of the actual location of the Northwest Corner of Block 62. This right-of-way lies approximately 50 to 60 feet south of the existing gravel road surface. There is no evidence that it has ever been used for access. At one point it is obstructed by an existing house. See document, Entry No. 045730, Book 327, Page 449 in the office of the Tooele County Recorder. A 50 foot wide easement also exists across the most southerly portion of the Butler property as shown hereon. See document, Entry No. 372829, in Book 239 at Page 579 in the office of the Tooele County Recorder. It should be noted that chain link fence and concrete driveway improvements on Parcel No. 01-066-0-0007 appear to extend northerly onto the Butler property.

RECORD OF SURVEY FOR:
RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN
GRANTSVILLE, TOOELE COUNTY, UTAH

SURVEY COMMENCED: AUGUST 3, 2019
SURVEY COMPLETED: APRIL 3, 2021

SHEET 1 OF 2

2021-0064

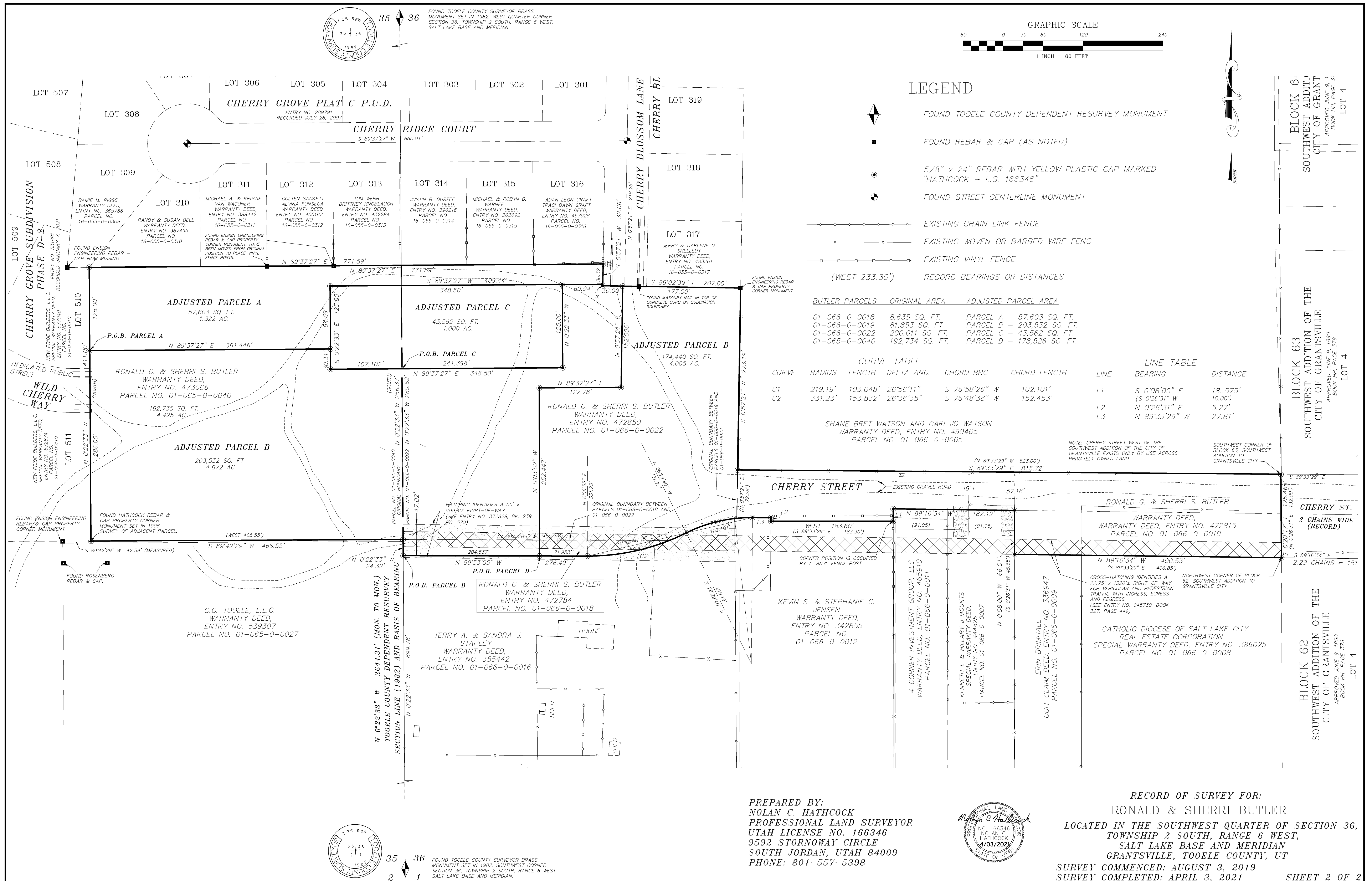


EXHIBIT B

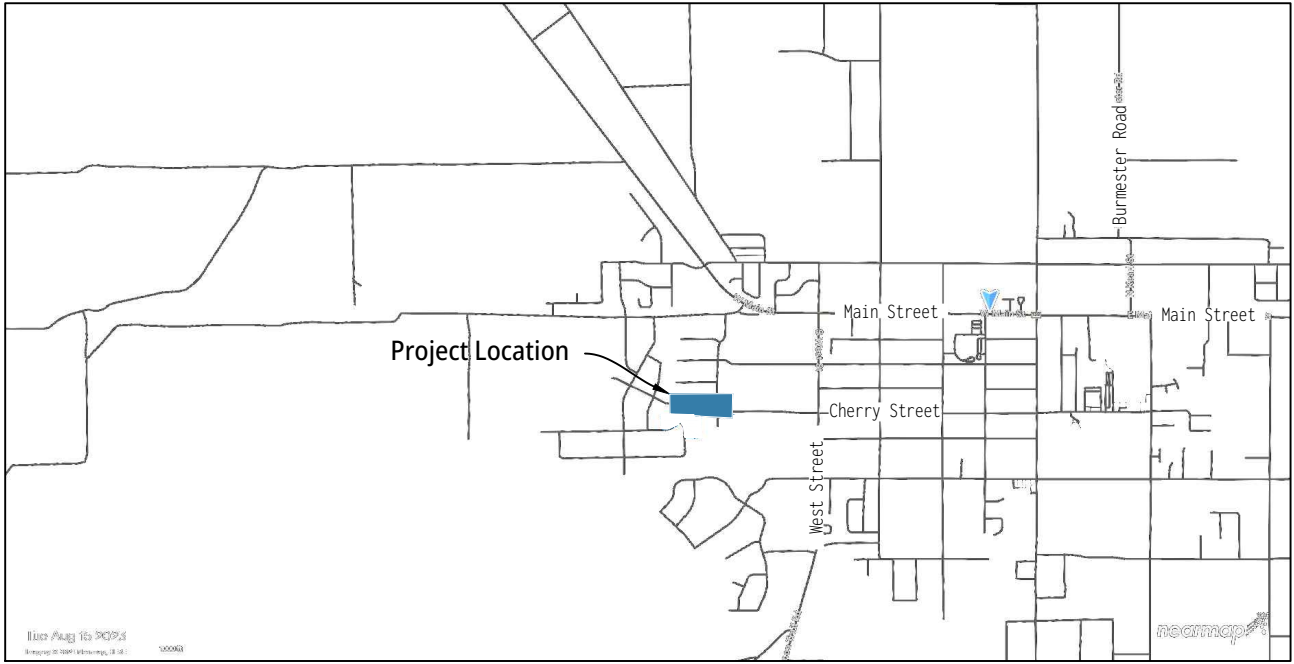
(Final Plat)

Townhomes of West Haven Subdivision

Preliminary Plat -Not to be Recorded

Located in the Southeast Quarter Section 35 and the Southwest Quarter of Section 26,
Township 2 South, Rage 6 West, Salt Lake Base and Meridian US Survey,
Grantsville City, Tooele County Utah, July 2024

VICINITY MAP N.T.S.



REMAINDER PARCEL DESCRIPTION

A parcel of land being Southwest Quarter of section 36, Township 2 south, Range 6 West, salt lake base, and meridian being more particularly described as follows.

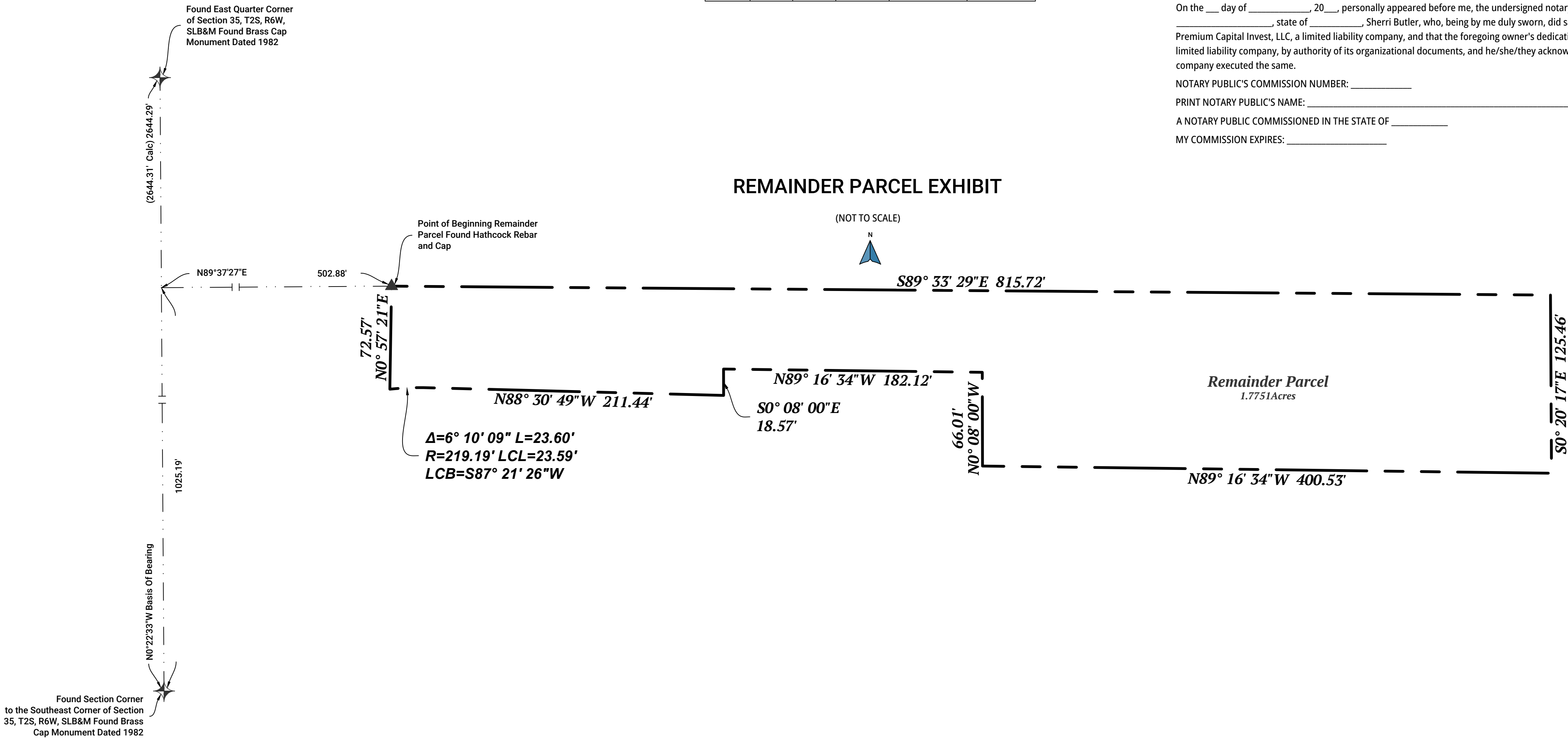
Beginning at a Hathcock Rebar and cap 1025.19 feet North 0°22'33" West along the Section line and 502.88 feet North 89°37'27" East from the Southwest Corner of Section 36, and running thence South 89°33'29" East 815.72 Feet more or less to the intersection of the Westerly Boundary of the Southwest Addition of the City of Grantsville, recorded in Book HH at Page 379 in the office of the Tooele County Recorder; thence along said Westerly boundary South 00°20'17" East 125.46 Feet; thence along the Westerly extension of the Southerly Right-of-Way of Cherry Street, established by said Southwest Addition plat, North 89°16'34" West 400.53 Feet; thence North 00°08'00" West 66.01 Feet to the Westerly extension of the Centerline of said Southwest Addition plat; thence along said Westerly extension North 89°16'34" West 182.12 Feet; thence South 00°08'00" East 18.57 Feet; thence North 88°30'49" West 211.44 Feet to a point of non-tangency on a 219.19 Feet radius curve to the left; thence Westerly 23.60 Feet along said arc (Central Angle equals 06°10'09" Long Chord Bears South 87°21'26" West 23.59 Feet); thence along a line non-tangent to said curve, North 00°57'21" East, a distance of 72.57 Feet to the point of beginning.

Containing 77,323 Square Feet or 1.7751 Acres more or less.

Note: this is a remainder parcel description to update tax data. For more information regarding the boundary, see the Record of Survey filed at 2021-0064 with the Tooele County Surveyor's office.

NOTES

- A 5/8" X 24" Rebar and cap will be set at each lot corner. Nails in the curb will be set at the extension of the property line for each lot.
- A 7.50 foot side yard and 10.00 foot front and rear yard PU&DE (Public Utility and Drainage Easement) are parallel to the lot line as indicated by the dashed lines.



BOUNDARY DESCRIPTION

A parcel of land being situated in the Southeast Quarter of Section 35, and the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian being more particularly described as follows.

Beginning at a point on the Section line, said point being 899.76 feet North 0°22'33" West from the Southeast corner of said Section 35, and running thence North 00°21'51" West 24.32 Feet along said Section line; thence South 89°42'29" West 468.55 Feet; thence North 00°22'33" West 411.00 Feet; thence North 89°37'27" East 771.59 Feet; thence South 00°57'21" West 32.66 Feet; thence South 89°02'39" East 207.00 Feet; thence South 00°57'21" West 345.76 Feet to a point of non-tangency on a 219.19 Foot radius curve to the left; thence Westerly 79.45 Feet along said arc (Central Angle equals 20°46'02" Long Chord Bears South 73°53'20" West 79.01 Feet) to a point of reverse curvature on a 331.23 Foot radius; thence Westerly 153.83 Feet along said arc (Central Angle equals 26°36'35" Long Chord Bears South 76°48'38" West 152.45 Feet) to a point of tangency; thence North 89°53'13" West 276.50 Feet to the point of beginning.

Containing 401,379.59 Square Feet or 9.2144 Acres, more or less.

SURVEYOR'S NARRATIVE

Ronald & Sherri Butler requested this Subdivision plat to dedicate roads and easements and to create parcels for residential housing. The bearing basis is North 0°22'33" West measured between the Southeast Corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey. For more information on the retracement of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor ROS 2021-0064.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as
Townhomes of West Haven Subdivision
and do hereby dedicate to Grantsville City for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted hereon. We also here by dedicate Parcel C, Parcel E, Parcel F, and Parcel G to Grantsville City. Further more we here by dedicated Parcel A, Parcel B, and Parcel D to West Haven Home Owners Association.

Ronald Butler - Owner

Signed this ___ day of ___, 2024 Ronald and Sherry Butler:

Sherri Butler - Owner

GRANTSVILLE CITY PLANNING COMMISSION

Approved This ___ Day of ___, A.D., ___ by this Grantsville City Planning Commission.

Chairman Grantsville City Planning Commission

GRANTSVILLE CITY ATTORNEY

Approved as to form this ___ Day of ___, A.D., ___ by this Grantsville City Attorney.

Grantsville City Attorney

GRANTSVILLE CITY PUBLIC WORKS

Approved as to form this ___ day of ___, A.D., ___ By Grantsville City Public Works.

Director, Grantsville City Public Works

GRANTSVILLE CITY FIRE DEPARTMENT

Approved as to form this ___ day of ___, A.D., ___ By Grantsville City Fire Department.

Grantsville City Fire Department

TOOELE COUNTY SURVEYOR

Approved as to form this ___ day of ___, A.D., ___ by this Tooele County Surveyor. ROS# _____.

Tooele County Survey Director

GRANTSVILLE CITY ENGINEER

Approved as to form this ___ day of ___, A.D., ___ By Grantsville City Engineer.

Grantsville City Engineer

GRANTSVILLE CITY MAYOR

Presented to this Sandy City Mayor this Day of ___, A.D., ___ at which Time this Condominium Plat was Accepted.

City Mayor Attest: City Recorder, Deputy

SURVEYOR'S CERTIFICATE

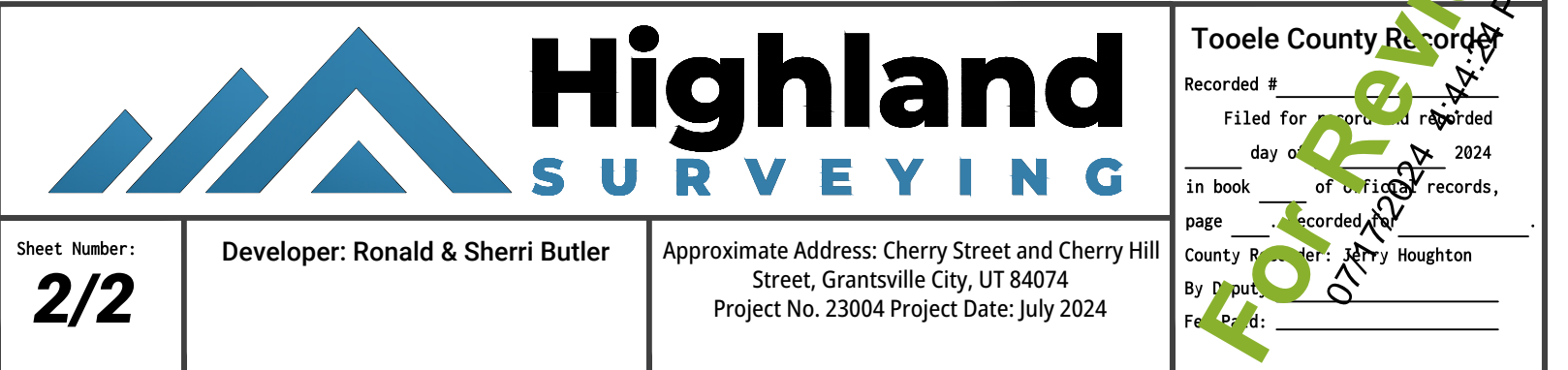
I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Townhomes of West Haven Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

For Review

07/17/2024 4:43:14 PM
Tyler R Harper P.L.S. 12542803

		Tooele County Recorder
Recorded # _____	Filed for record and recorded _____	day of _____, 2024
In book _____ of official records,	page _____	Recorded for _____
County Recorder: Jerry Houghton	By Deputy: _____	Fee Paid: _____
Sheet Number: 1/2	Developer: Ronald & Sherri Butler	Approximate Address: Cherry Street and Cherry Hill Street, Grantsville City, UT 84074 Project No. 23004 Project Date: July 2024

Located in the Southeast Quarter Section 35 and the Southwest Quarter of Section 26,
Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey,
Grantsville City, Tooele County Utah, July 2024



ADDENDUM NO. 1

(Project-specific terms)

Project-specific terms

1. The east side of Cherry Street to Cherry Blossom Way needs to be an all-weather dustless drivable surface as stated in GLUMDC.
2. The amendment of the Cherry Wood Plat needs to take place before approval of the final plat.
3. The right-of-way for Cherry Street needs to be obtained before the approval of the West Haven preliminary plat.
4. The front setbacks are to be a minimum of 25' feet.
5. A minimum of 20' ft. of unobstructed feet between townhome buildings.
6. In compliance with the City's Vested Laws, Developer shall construct no fewer than 23 units as Moderate-Income Housing. Developer reserves the right to locate the Moderate-Income Housing units throughout the Project at their sole discretion. Developer shall obtain certificates of occupancy for all Moderate-Income Housing prior to the City issuing building permits for the last 20 units of the units approved in the Project.
 - a. "Moderate-Income Housing" means housing which is owner occupied for not less than 10 years and is reserved for occupancy by households with (i) gross household income equal to or less than 80% of the median gross income for households of the same size in the County, and may not be sold for more than 80 percent (%) of the County median home price, and as determined at the time the housing unit is sold. Such restrictions shall be assured by deed restrictions or similar recorded documents in a form acceptable to the City Attorney, provided the City Attorney's approval may not be unreasonably withheld, conditioned, or delayed.

West Haven Development - Grantsville, UT Development Standards					
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
Description			PUD Requirement	PUD Requirement	PUD Requirement
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot					
Minimum Dwelling Unit SF			1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-feet	50-feet	24-feet
Minimum Yard Setbacks					
Front Yard	40-FT	40-FT	25-FT	25-FT	25-FT
Driveway					
Rear Yard					
Main Building	30-FT	60--FT	25-Feet	20-Feet	10-Feet
Accessory Building	*1-Foot	7.5-FT	*1-Foot		
Side Yard					
Main Building	5*/15-FT	20-FT	5*/15-FT	0-Feet Attached side; 7.5-feet End Units From Property Line	0-Feet Attached side; 5-feet End Units From Property Line
Accessory Building			*1- Foot	N/A	N/A
Multi-Unit Building Spacing				0-Feet Attached side; 15-feet End Units Building to Building	0-Feet Attached side; 20-feet Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-Feet	35-Feet	35-Feet
Maximum Building Area	20%		35%	40%	50%
<p>* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied. All use not defined in the table will refer to the underlying zoning.</p> <p>***The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.</p>					

Addendum No. 2

(Dispute Resolution)

1. **Meet and Confer.** The City and Developer/Applicant shall meet within fifteen (15) business days of any dispute under this Agreement to resolve the dispute.

2. Mediation.

2.1. Disputes Subject to Mediation. Disputes that are not subject to arbitration shall be mediated.

2.2. Mediation Process. If the City and Developer/Applicant are unable to resolve a disagreement subject to mediation, the Parties shall attempt within ten (10) business days to appoint a mutually acceptable mediator with knowledge of the legal issue in dispute. If the Parties are unable to agree on a single acceptable mediator they shall each, within ten (10) business days, appoint their own representative. These two representatives shall, between them, choose the single mediator. Developer/Applicant shall pay the fees of the chosen mediator. The chosen mediator shall within fifteen (15) business days from selection, or such other time as is reasonable under the circumstances, review the positions of the Parties regarding the mediation issue and promptly attempt to mediate the issue between the Parties. If the Parties are unable to reach an agreement, the Parties shall request that the mediator notify the Parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding on the Parties.

**GRANTSVILLE CITY
RESOLUTION 2024-18**

**A RESOLUTION APPROVING THE PLANNED UNIT DEVELOPMENT (PUD) FOR
WEST HAVEN SUBDIVISION**

Be it resolved by the Grantsville City Council of Grantsville City, Utah as follows:

WHEREAS, Developer of the West Haven Subdivision has submitted an application for a Planned Unit Development (PUD) for the development of West Haven Subdivision within the City of Grantsville;

WHEREAS, the Grantsville City Planning Commission has reviewed the PUD application and has recommended the approval (see Exhibit A);

WHEREAS, the Grantsville City Planning Commission held a public hearing on March 7, 2024, during which the developer presented the PUD proposal and members of the public were given an opportunity to provide input; and

WHEREAS, Grantsville City Council has considered the Planning Commission's recommendation, the input received from the public, and all relevant information pertaining to the proposed PUD;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANTSVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Approval of PUD. The City Council hereby approves the Planned Unit Development (PUD) application submitted by Developer for the development of West Haven Subdivision within the City of Grantsville.

Section 2. Effective Date. This Resolution shall take effect immediately upon adoption

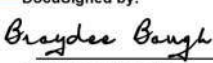
Section 3. Severability clause. If any part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution and all provisions, clauses and words of this Resolution shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS
20th DAY OF MARCH, 2024.

DocuSigned by:

By Mayor Neil Critchlow

ATTEST:

DocuSigned by:

Braydee Baugh, City Recorder
(S E A L)

Grantsville City
Record of Resolution Adoption

A regular meeting of the City Council of Grantsville City was held at City Hall in Grantsville, Utah on Wednesday, the 20th day of March, 2024 at the hour of 7:00 p.m., there being present and answering roll call the following:

Neil Critchlow	Mayor
Rhett Butler	Council Member
Heidi Hammond	Council Member
Scott Bevan	Council Member
Jolene Jenkins	Council Member
Jeff Williams	Council Member

Also Present:

Braydee Baugh	City Recorder
Dallin Littlefield	City Attorney

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting approved, the Resolution 2024-18 was introduced in writing, read in full, and pursuant to a Motion made by Councilmember Butler. Seconded by Councilmember Williams and was adopted by the following vote:

Yea:	Councilmember Williams, Councilmember Butler, Councilmember Bevan
Opposed:	Councilmember Jenkins, Councilmember Hammond
Abstained:	None

The resolution was then signed by the Mayor and recorded by the City Recorder in the official records of Grantsville City, Utah. The resolution is attached:

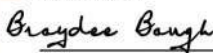
DocuSigned by:

90684E7D3123F42E
Grantsville City Recorder

Exhibit “A”



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

Phone: (435) 884-1674 • Fax: (435) 884-0426

File# 2023152

West Haven PUD / Rezone Summary and Recommendation

Parcel ID:	01-065-0-0075, 01-065-0-0076 01-066-0-0025, 01-066-0-0024 01-065-0-0078, 01-065-0-0077	Meeting Date:	March 7, 2024
Property Address:	Approximately 660 West Cherry Street and Cherry Blossom Lane Adjacent to Cherry Grove Plat C	Current Zone	R-1-21 & A-10
Applicant Name:	Fil De Voce	Proposed Zone:	RM-15
Request:	Planned Unit Development Approval		
Prepared by:	Cavett Eaton		
Planning Staff Recommendation:	This updated Staff Report and proposal is presented for Discussion after multiple meetings and concept presentations to City Staff and the Grantsville Planning Commission.		

If the Planning Commission feels comfortable with what is being proposed in the current application then staff makes the following recommendations:

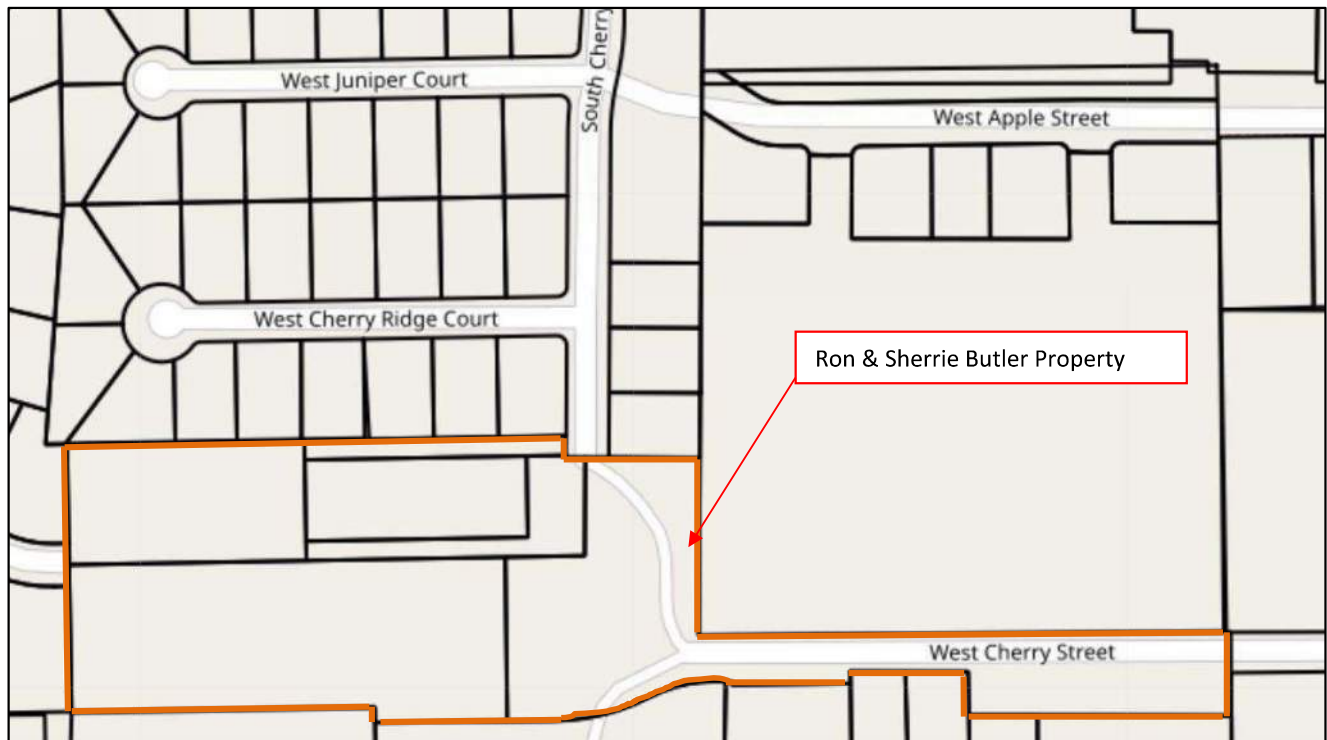
- If the PUD is granted the applicant should proceed with an application to request a re-zone to RM-15 with the granting of the rezone tied specifically to the development of the proposed project or a project of lesser density meeting all other code requirements.
- The requirements and conditions of the approved application PUD shall be included in a Development Agreement.

This PUD requires a Development Agreement as part of the PUD process. If the Planning Commission is ready to recommend approval for this PUD, one of the conditions that should be required is that there be a Development Agreement approved prior to final plat. This is supported by GLUDMA 12.4(2)(d) *The approval of the PUD application final plan or final plat (if required) shall include approval of all special conditions applicable to the planned unit development. All special conditions and approved variations to the GLUDMC shall be included in a Development Agreement which shall be approved by the Planning Commission and the City Council.*

Request: PUD / Rezone

File #: West Haven PUD

SITE & VICINITY DESCRIPTION



Google Maps View

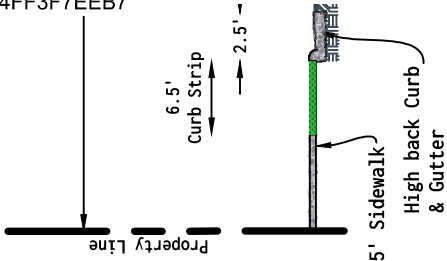
NEIGHBORHOOD RESPONSE

Radius Report was mailed Feb 26th. We have received no public comment as of 2/28/24.

PUD and Rezone

LEGEND

Proposed Concrete	Deed Line	Proposed Landscaping	Proposed Pavement
Macro Boundary Line	Building Line		
Proposed Micro Boundary Line	Center Line	Proposed Concrete	
Easement Line			



PLANNING STAFF ANALYSIS and COMMENTS

City Staff have been working with the Applicant's representative Holly Jones for several months. The proposed project has been before Planning Commission in concept form multiple times. Regardless of the several discussions and options proposed in concept, the proposal being considered at this time is an application for a PUD and potential Rezone and needs to be considered upon the merits of the application and not on the previous non-binding discussion.

Background: These particular parcels have come before the City multiple times as lot line adjustments to try to massage the property into something that would be usable. The combined parcels equate to approximately 10.19 acres. The property is oddly shaped (narrow and long) and has a great deal of topographical relief that provide numerous challenges. Development has occurred on all sides which has created an added complexity of roads being stubbed in from multiple directions and at various elevations seemingly with little thought of how they would tie together on this property. The shape, varied topography and multiple stubbed streets create a parcel that is very expensive to develop.

In an effort to try to surmount the challenges that plague the property Holly Jones has previously come before Planning Commission with various concepts typically of higher densities than the surrounding properties to make development of the property feasible.

The proposed development that is the basis of this application includes a mix of single family, twin and townhomes totaling 47 lots. 4 lots are single family at 8,460 square feet each, 4 of the lots are twin home lots that range in size from 7,740 sq.ft. to 11,360 sq.ft., the great variation in size is due to the location of the existing street (Wild Cherry Way) that ties into the lot. The concept with the twin homes is to provide a structure that is similar size to an existing home to the west and utilize that as a buffer transitioning into the townhomes. The remainder (39) of the dwellings would be townhomes.

The single-family units have a proposed lot width of 60 feet. The twin homes have lot widths of 58.5 feet and 51 feet. The lot width of the townhomes varies between 40.8 feet and 20.67 feet. 24 units are 32.58 feet wide, 7 units are 22 feet wide, and 6 units are 20.67 feet wide. The two end units next to the twin homes are on 40-foot-wide lots to provide a setback between the townhomes and the twin homes.

Every dwelling would have a private backyard area. The townhomes abut common open space that acts as a buffer between the units and the adjacent subdivisions. The common open area equates to 2.268 Acres of landscaped open space with amenities. The right-of-way for the future extension of Cherry Street (0.99 acres), as well as the stormwater pond 7,818 sq.ft. are not counted in the open space calculation. The common open space equates to 22% of the total project area.

The amenities proposed in the open space include: a sports court, community playground, community garden and walking and biking paths.

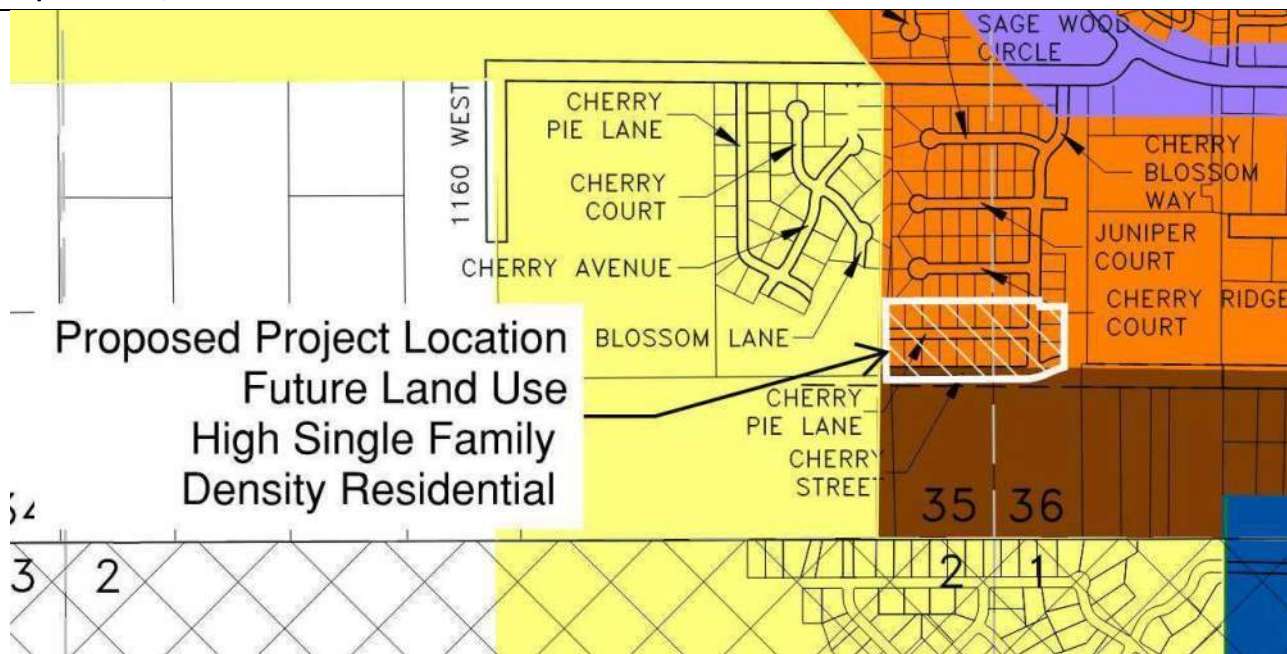
A Concept Plan is attached.

Land Use:

The Land Use designation of the property is mainly located in the High-Density Single-Family Density Residential.

Request: PUD / Rezone

File #: West Haven PUD



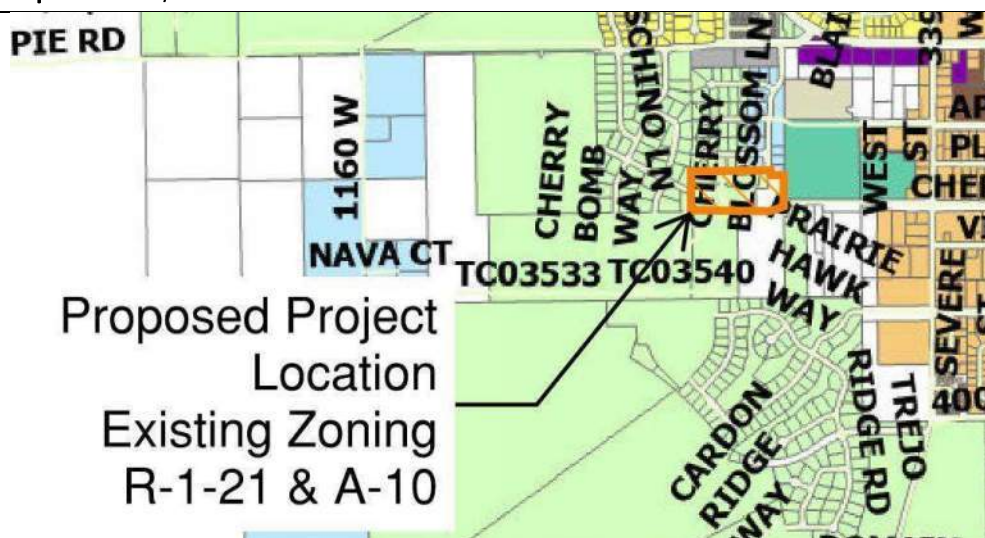
The current Land Use Map has been attached. The High Single Family Density Residential designation allows development up to a maximum of 6 dwelling units per acre. However, that is conditioned on the proposed use meeting the purposes and vision of the General Plan through implementation of its goals policies and strategies. Goal #1 -5 of the Land Use element states: Maintain the character of neighborhoods in the City by encouraging comparable uses and densities to existing neighborhoods and development patterns.

The compatibility of the proposed use with the existing surrounding neighborhoods is a vital element to be considered. The uses surrounding the proposed West Haven PUD are single family residential lots with 1/3 acre lots to the north and east and large lots and 1/2 acre lots to the south and west. Not all situations allow for the exact same uses to reside by each other. In those case transitions and buffers can be used to resolve compatibility issues. Some of the land use tools available to address these issues are to transition with additional lots of a similar or slightly smaller use when tying into existing neighborhoods. This creates a situation that new residents which choose to purchase lots next to a significantly different use make that choice knowing what is next to them. Or uses can be slowly transitioned by stepping down lot size in bands and locating higher densities in the center of the development, or next to existing high density or other uses such as commercial or public uses. Buffers and the use of architectural features and massing that complement the surrounding uses are tools that can be used in situations where space is limited for a transition. The key is utilizing the appropriate tool to make the transition or retooling or rejecting the application if the incompatibility is insurmountable.

The proposed West Haven PUD is on a smaller parcel and that utilizes a short transition with smaller but similar uses on the east and the west ends of the project and buffers on the north and south sides.

Zoning:

The current Zoning designation of the property is a split of R-1-21 and A -1 10.



The current zoning map has been attached.

The application proposes to rezone the property to allow for 4.61 units per acre. A rezone to RM-15 is most likely what would be necessary to develop the townhomes and single-family lot sizes that are proposed in the application. With the recent changes to the RM-15 district and the addition of the requirements for multi-unit and attached housing in Chapter 4.34 the 6 units per acre as proposed is somewhat similar to what these requirements would allow. That is not to say that by zoning the property to RM-15 that there will not be exceptions requested but this would get it closer to compliance. The other key issue is that the other residential zones are very limited in what types of attached housing they will allow particularly when it comes to lot size. RM-15 is the only purely residential zone that remains open for rezone that references Chapter 4.34 allowing the smaller lot sizes typical of townhomes.

The current PUD ordinance in 12.2-1(a) states:

Residential projects that do not seek to increase the overall density allowed within the applicable district shall not be required to provide a moderate-income housing element unless the applicant otherwise desires to provide moderate income or affordable housing. For residential projects requesting density, at least 50% of the requested increased density shall meet state moderate income standards.

The RM-15 district would come the closest to providing the density desired and thus the increase in density would not be requested.

PUD Objectives 12.1:

Staff feels that the proposed project has made an effort to meet the PUD objectives (See the attached PUD Application Worksheet):

- Objective A. Creation of a more desirable environment than is possible through strict application of city Land Use regulations. While the proposed use is not the same as the surrounding uses the applicant has tried to soften the transition with landscape buffers and transitions of smaller but similar single family uses on the ends.
- Objective B. Providing improved open space. The proposed project provides 22% of the project as active landscaped amenity rich open space.
- Objective C. Preservation of historic buildings is not applicable in this case.

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- Objective D. Connecting paths, trails and streets. The project provides connections and right-of-way for future connections for Cherry Street, Cherry Blossom Lane and Wild Cherry Way. The project also is proposing internal walking and biking trails.
- Objective E. Elimination of blighted structures and incompatible uses is not applicable in this case.
- Objective F. Providing residential housing that meets State moderate income housing requirements. The application states that the project will provide moderate income and affordable housing. It is unknown if this housing meets state requirements. However, if the land is zoned RM-15 the project will not be asking for increased density and may not be required to provide housing that meets the state moderate income standards.

PUD Standards for Determination 12-14-2

As the PUD is a type of conditional use it is required to consider the standards for determination found in Section 7.8 of the Conditional Use Ordinance. The Applicant's responses to the standards are located in the attached PUD Application Worksheet. The applicant has addressed all of the standards that they feel are applicable. Standards H and I are determined by the Planning Commission. Those standards are:

- (h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;
- (i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;

Exceptions Requested:

The applicant has provided a table of deviations to the ordinances (see attached). If this property is rezoned to RM-15 this list will very likely change.

It is recognized the specific exceptions requested are not referencing specific ordinances. Many of these items may be addressed in multiple ordinances and by considering the specific request without reference to a specific ordinance it will apply to any ordinance that inadvertently did not get referenced. This will lessen the conflicts as each of these exceptions is specific to the item requested and not the remainder of the language in the ordinance.

As this is currently a discussion Staff will work with the applicant to true this table up to match the RM-15 district and Chapter 4.34 if the Planning Commission is willing to re-zone the property to RM-15. If not, then the PUD will very likely include the greater number of exceptions. Ultimately, either way can reach the proposed outcome if that is what Planning Commission finds acceptable.

Please review the table and discuss which exceptions on the applicants table are acceptable and which are not.

Buffer:

GLUDMC Chapter 12.4 2 (a) iv requires that uses that do not match surrounding uses must have a buffer of ether lots against the surrounding use that are of similar use to the surrounding use or a physical buffer of 50 feet. Due to the location of the existing connection to Wild Cherry Way on the west end of the project the buffer that is being provided on the north side is 47 feet wide. The buffer on the south side varies but is far greater than 50 feet.

Parking:

Grantsville Land Use Ordinance (GLUDMC) Chapter 4.34 f 2 (a) requires two parking spaces for each unit. These are onsite in the driveway. The garage is not counted because in small homes and lots people tend to utilize the garage for storage and for their toys such as four wheelers, motor bikes and snowmobiles. That is 94 parking stalls in driveways.

Utah State Code 10-9a-533-1 (c) ii requires at least two off-site parking spaces for each single-family residential property abutting a residential street. Grantsville requires this for the single-family lots. That calculates out to 16 on street or separate parking stalls for the four single family dwellings and the four twin homes. For the townhomes it is recognized that frontage for on street parking is very limited if not no existent. Visitor parking is still very necessary. Per GLUDMC 4.34 (f) 3 states that there shall be 1 parking stall for each of the first ten units and then one stall for every two unit beyond this. That calculates to 25 off-site parking stalls for the town homes. The total number of off-site parking stalls required is 41. On street parking can be counted as long as it does not encroach on driveways, fire hydrants, mailboxes, or sight triangles at intersections. The remainder must be located in dedicated parking stalls that are located no greater than 200 feet away from the units they serve.

Per GLUDMC Chapter 12.2 1 notes that the Planning Commission does not have authority to waive public health and safety issues such as the quantity of parking required by the code. Parking is considered a public health and safety issue because inadequate parking availability typically leads to vehicles parking in restricted areas such as in front of fire hydrants, driveways, sticking out in the street blocking sidewalks and impeding traffic and other restricted areas which impedes the ability for emergency ingress and egress.

Site Triangle:

The site triangle is another public health and safety issue that Planning Commission is not allowed to waive. GLUDMC 4.16 regulates this requirement. At intersections the site triangle must be 30 feet along the inside of the sidewalk running both directions. A driveway may not encroach in the site triangle. The units located in the intersection of Wild Cherry Way and Cherry Blossom Lane need to be adjusted to allow for the correct site triangle. This will also allow the radiuses at the back of walk to be increased to the city standard of 25 feet. If the radiuses are not up to standard, then the streets in the subdivision will be designated private streets and the subdivision will be responsible to maintain and plow the streets.

Comments from Engineering:

Comments (attached) have been provided from the City Engineer concerning issues that will need to be considered if the proposed project moves forward. The City Engineers recommendations are included in the staff recommendations.

Old High School

As addressed in the geotechnical report, this site has non-engineering fills from 2.0-feet to 8.5-feet beneath existing ground surface. This non-engineered fill soils contain trash debris and other deleterious material. Geotechnical report recommendations will need to be incorporated when the design moves forward and followed through with construction.

Roads

It appears all the roads are 66-feet ROW in this development which meets the local roadway section. The new streets tie into existing streets which are 66-foot ROW.

Drainage through site

Above this development the drainages have already been filled in so there is not much they can do to convey drainage upstream.

The pond parcel is in an interesting location as it is slightly upgradient. This will need to be reviewed when design moves forward.

Water

Water lines will need to be at least 8-inch through the development and need to be modeled in the City's hydraulic model to see if any additional improvements are required when design of this project moves forward.

Sewer

The sewer will flow to the south side of Main Street into the Center Street Collector, West Interceptor, Burmester Collector, and then into the Northwest Interceptor. The West Street Collector project will alleviate some of the flow from the aforementioned Collector lines. This southern sewer main line along Main Street will not tie into the West Street Collector.

Project Benefits to the City and the Project Residents:

- The applicant has offered to clean up the right-of-way boundary issues on Cherry Street so that when it is dedicated to the City it will be a standard street width.
- Right-of-way for the future connection of Cherry Street to Cherry Grove Subdivision will be dedicate to the City. This preserves the right-of-way to meet the requirements of the transportation master plan.
- This project provides infill development that minimizes the necessary expansion of infrastructure to serve the project thus also reducing the operating and maintenance costs of adding 47 new dwellings.
- With the landscaped buffers and proposed amenities the residents in the townhomes will have a common area open space to utilize that is readily accessible and is owned and maintained by the HOA.
- The landscaped buffer behind the townhouses make the units feel more like single family homes. And the neighbors will not feel like they have a wall of units right up against the property line.
- The connection of Wild Cherry Way and Cherry Blossom Lane will help improve traffic flow in the area as well as provide additional looping in the water system.
- All the proposed streets are constructed to the residential street standard.

Mitigation Efforts:

- The addition of the landscaped buffers provide a space between disparate uses to soften the transition. Per GLUDMC Chapter 12.4 2 (a) iv trees and fencing will be required in the buffer.
- The addition of the landscaped buffers and amenities provide the residents of the neighborhood an active open space to make up for the lack of a larger private back yard.
- The twin homes act as a transition between the homes in the Cherry Grove Subdivision and the town homes.
- Additional offsite parking will be required to make up for the lack of on street parking in front of the town homes.
- -
- -
- -

Conditions:

- The Development Agreement must be approved prior to the final plat.
- Rezone to RM-15?
- Note what exceptions to code are not acceptable.
- Provide 41 off-site parking stalls that meet the maximum of 200 foot distance from the units they serve either on street or in designated parking areas.
- 30-foot site triangles are required on the intersection of Wild Cherry Way and Cherry Blossom Lane.
- -
- -
- -

Recommendation:

Request: PUD / Rezone**File #: West Haven PUD**

The applicant is requesting a 47 dwelling development that is best suited for the RM-15 District. The applicant has tried to mitigate the effects of the different use from the existing surrounding use by using landscaped buffers which also serve as active open space for its residence, a transition to the townhomes with twin homes at the west end of the property. Buffering is mentioned in the PUD ordinance. The overall density of the proposed project is 4.61 units per acre.

If the Planning Commission feels comfortable with what is being proposed in the current application then staff makes the following recommendations:

- If the PUD is granted the applicant should proceed with an application to request a re-zone to RM-15 with the granting of the rezone tied specifically to the development of the proposed project or a project of lesser density meeting all other code requirements.
 - The requirements and conditions of the approved application PUD shall be included in a Development Agreement.
-

STATE OF UTAH)
) SS:
COUNTY OF TOOELE)

I, Braydee Baugh, do hereby certify that I am the duly appointed, qualified and acting Recorder for the Grantsville City Council, (the "City"), State of Utah, and do further certify that the foregoing is a true and correct copy of Resolution 2024-18 duly adopted by the City of Grantsville, by the Council thereof at a meeting duly called and held in Grantsville, UT on the 20th day of March, 2024.

(S E A L)

DocuSigned by:
Braydee Baugh
9CB64E7D323F486
Braydee Baugh
City Recorder



EXHIBIT A - WEST HAVEN DEVELOPMENT PARCELS

Dedication of land to Grantsville City for the future development of Cherry Street. A Survey land description to be included in the final plat approval.

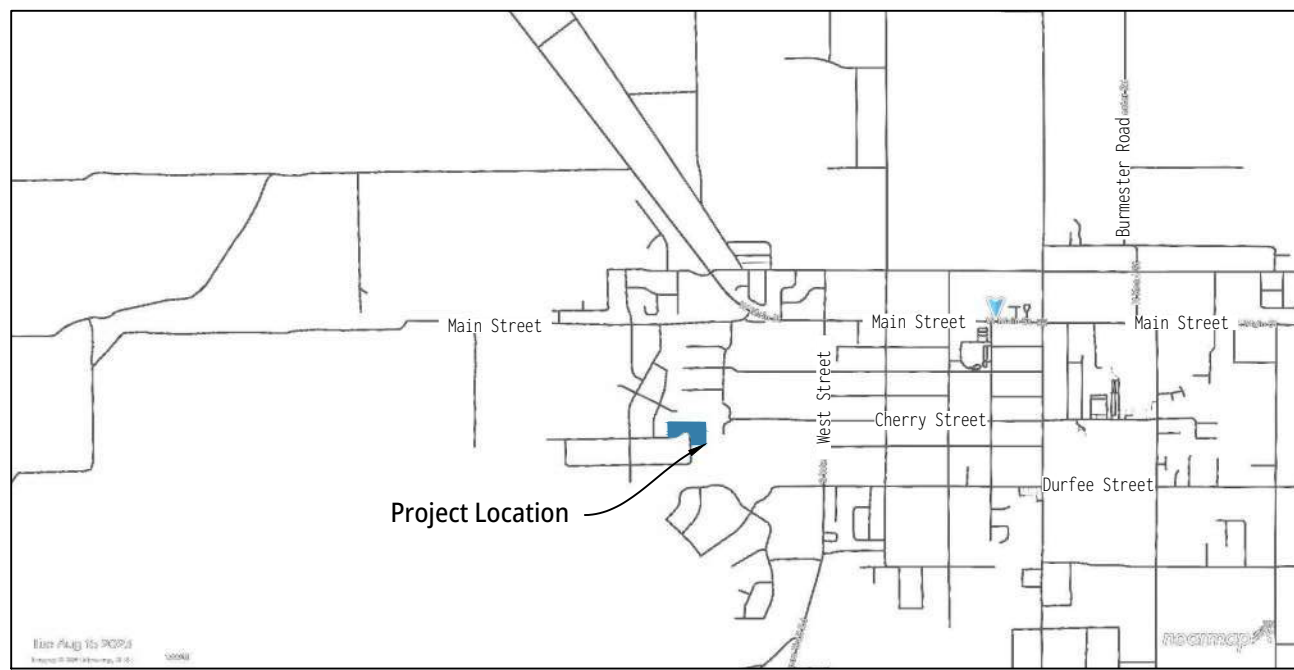


Cherry Street Re-alignment Subdivision

Preliminary Plat -Not to be Recorded

Located in the Southeast Quarter Section 35, Township 2 South, Rage 6 West, Salt Lake Base and Meridian Us Survey
Grantsville City, Tooele County Utah, July 2024

VICINITY MAP N.T.S.

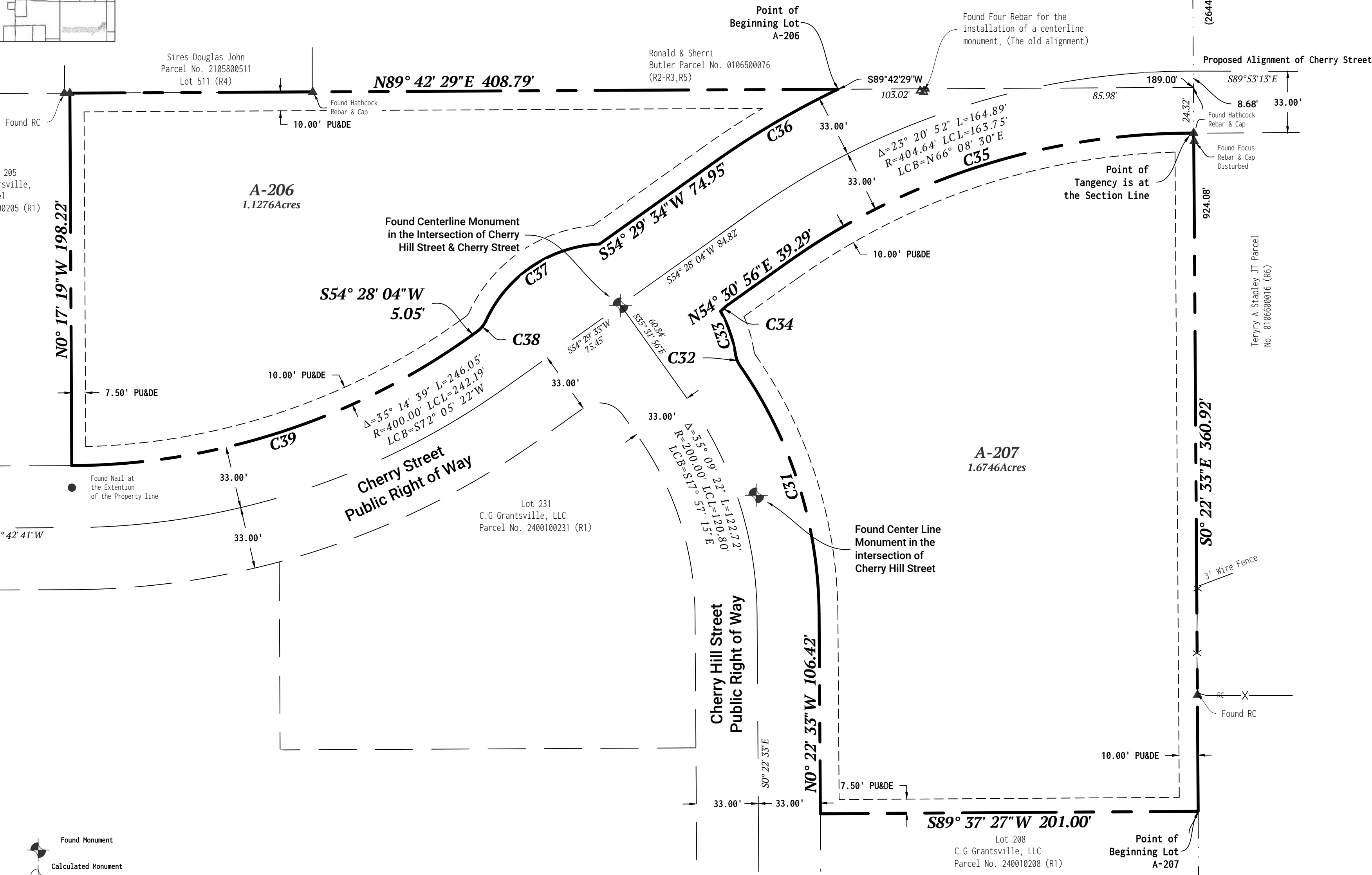


Found West Quarter Corner
of Section 35, T2S, R6W, SLB&M
Found Brass Cap Monument
Dated 1982

S89°42'47"W (S89°42'29"W CALC)

Found East Quarter Corner
of Section 35, T2S, R6W,
SLB&M Found Brass Cap
Monument Dated 1982

(5288.72' Calc) 5288.31'



Measurements Between Monuments
Certified Macro Boundary Line
Certified Micro Boundary Line
Easement Line
Calc. Calculated
N.T.S., Not to Scale

LEGEND

Deed Line
Fence Line
Building Line
Center Line
Edge of Concrete/Asphalt
Found Section Corner
Calculated Section Corner
Set Nail
Set Rebar and Cap
Found Monument
Calculated Monument
Found Rebar
Found Nail

NOTES

- No monuments were placed as a result of this survey.
- All easements rights and privileges granted within the original plat are to remain unless otherwise noted.
- Original Plat is (R1) in the Data Reference Table.
- For more information regarding found monuments perpetuating the public land survey system please reference the recorded survey with Tooele County.
- A 7.50 foot side yard and 10.00 foot front and rear yard PU&DE Public Utility and Drainage Easement are parallel to the lot line as indicated by the dashed lines.

GRANTSVILLE CITY ENGINEER

Approved as to form this ____ day of ____ A.D., ____ By
Grantsville City Engineer.

Grantsville City Engineer

ACKNOWLEDGMENT

State of Utah } s.s.
County of Tooele }

The foregoing instrument was acknowledged before me this ____ day
of ____, 2024 by Shawn Holiste.

Residing at: _____

Commission Number: _____

Commission Expires: _____

GRANTSVILLE CITY MAYOR

Presented to this Grantsville City Mayor this Day of ____ A.D., ____ at
which Time this Condominium Plat was Accepted.

City Mayor Attest: _____ City Recorder, Deputy

TOOELE COUNTY SURVEYOR

Approved as to form this ____ Day of April A.D., ____ by this
Tooele County Surveyor. ROS# _____

Tooele County Survey Director

BOUNDARY DESCRIPTION

PARCEL A-207:

A parcel of land being apart of lot 207 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at the Northeast corner of lot 208 of said subdivision, said point being measured as 538.84 feet North 0°22'33" West along the section line from the Southeast corner of Said Section, and running thence South 89°37'22" West 201.00 feet to the East Right-of-Way of Cherry Hill Street; thence along said East Right-of-Way the following four (4) courses: (1) North 0°22'33" West 106.42 feet to a point of tangency on a 233.00 foot radius curve to the left, (2) Northerly along said arc 140.48 feet (Central Angel Equals 34°32'39" and Long Chord Bears North 17°38'53" West 138.36 feet) to a point of reverse curvature on a 15.00 radius arc to the right, (3) along said arc 6.74 feet (Central Angel Equals 25°43'53" Long Chord Bears North 22°00'11" East 6.68 feet) to a point of reverse curvature on a 70.00 foot radius arc to the left, and (4) along said arc 24.36 feet (Central Angel Equals 19°56'28" Long Chord Bears North 19°09'22" West 24.24 feet) to a point on a 70.00 foot non-tangent arc to the right; thence along said arc 4.16 feet (Central Angel Equals 3°24'20" Long Chord Bears North 46°29'19" East 4.16 feet to a point on a non-tangent line; thence North 54°30'56" East 39.29 feet to a point of tangency on a 371.64 foot arc to the right; thence along said arc 231.21 feet (Central Angel Equals 35°38'43" Long Chord Bears North 72°17'27" East 227.50 feet to the East line of said Section; thence along the Section line South 0°22'33" East 360.92 feet to the point of beginning. Containing 1.6745 acres, more or less.

TOGETHER WITH

PARCEL A-206:

A parcel of land being apart of lot 206 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at a point on a 437.64 radius arc to the left said point being 924.08 feet North 0°22'33" West along the Section line to the Northeast corner of said subdivision and 189.00 feet South 89°42'29" West from the Southeast corner of said Section and running thence along said arc 76.61 feet (Central Angel Equals 10°01'47" Long Chord Bears South 59°28'58" West 76.51 feet) to a point of tangency; thence South 54°29'34" West 74.95 feet to a point on a 70.00 foot non-tangent arc to the left; thence 76.61 feet along said arc (Central Angel Equals 62°42'08" Long Chord Bears South 56°01'37" West 72.84 feet) to a point of reverse curvature on a 15.00 foot radius arc to the right; thence along said arc 7.80 feet (Central Angel Equals 29°47'03" Long Chord Bears South 39°34'20" West 7.71 feet) to a point of tangency; thence South 54°28'04" West 5.05 feet to a point of tangency on a 367.00 foot radius arc to the right; thence along said arc 225.75 feet (Central Angel Equals 35°14'37" Long Chord Bears South 72°05'21" West 222.20 feet) to the Southeast corner of Lot 205 of said subdivision; thence North 0°17'19" West 198.22 feet along the East lot line of said Lot 205 to the South boundary of Cherry Grove Subdivision Phase D-2; thence along said South line and its extension North 89°42'29 East 408.79 feet to the point of beginning. Containing 1.1276 acres, more or less.

SURVEYOR'S NARRATIVE

Ronald & Sherri Butler requested this Subdivision plat to amend Cherry Wood Estates Subdivision Phase 2 to adjust lots 207, 206 and the alignment of Cherry Street.

The bearing basis is North 0°22'33" West measured between the Southeast Corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey.

For more information on the retracement of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

Cherry Street Re-alignment Subdivision

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted hereon.

Signed this ____ day of ____, 2024

C.G Grantsville LLC:

Shawn Holiste - Registered Agent

GRANTSVILLE CITY PLANNING COMMISSION

Approved This ____ Day of ____ A.D., ____ by this
Grantsville City Planning Commission.

Chairman Grantsville City Planning Commission

GRANTSVILLE CITY ATTORNEY

Approved as to form this ____ Day of ____ A.D., ____ by
this Grantsville City Attorney.

Grantsville City Attorney

GRANTSVILLE CITY PUBLIC WORKS

Approved as to form this ____ day of ____ A.D., ____ By
Grantsville City Public Works.

Director, Grantsville City Public Works

GRANTSVILLE CITY FIRE DEPARTMENT

Approved as to form this ____ day of ____ A.D., ____ By
Grantsville City Public Works.

Grantsville City Fire Department

Data Reference Table

Reference No	Document Type	Name/Grantee	Entry No/ Book Page/ File No.
R1	Subdivision Plat	Cherry Wood Estates Subdivision Phase 2	597599
R2	Record of Survey	Butler Boundary Line	2021-0131
R3	Record of Survey	Ronald Sherri Butler	2021-0064
R4	Subdivision Plat	Cherry Grove Subdivision Phase D-2	531881
R5	Warranty Deed	Ronald Sherri Butler	574160
R6	Warranty Deed	Terry and Sandra Stapley	355442

SURVEYOR'S CERTIFICATE

I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Cherry Street Re-alignment Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

For Review

07/17/2024 4:44:50 PM

		Tooele County Recorder	
Recorded #	Filed for record and recorded		
day of	2024		
in book	of official records,		
page	Recorded for		
County Recorder: Jerry Houghton	By Deputy:		
Fee Paid:			
Sheet Number:	Developer: Ronald & Sherri Butler	Approximate Address: Cherry Street and Cherry Hill Street, Grantsville City, UT 84074	
1/1		Project No. 23004 Project Date: June 2024	

CURRENTLY RECORDED DESCRIPTIONS

Parcel No. 01-065-0-0040
Warranty Deed, Entry No. 473086

Beginning 569.54 feet South of the East quarter corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian; running thence South 1150.71 feet; thence West 468.55 feet; thence North 1150.71 feet; thence North 89°37'27" East 468.55 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "B", recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat C PUD, recorded July 26, 2009 as Entry No. 289791:

Parcel No. 1-066-0-0018
Warranty Deed, Entry No. 472784

Beginning at a point North 00°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet(South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record)along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record)to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0019
Warranty Deed, Entry No. 472815

Beginning at a point North 00°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record; thence South 00°26'31" West 51.02 feet(South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record)along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record)to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582:

Parcel No. 01-066-0-0022
Warranty Deed, Entry No. 472850

Beginning at the West quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence East 545.71 feet; thence South 1720.15 feet; thence West 545.71 feet; thence North 1720.51 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as disclosed by that certain dedication plat of CHERRY GROVE SUBDIVISION PLAT "A" being recorded March 16, 2000 as Entry No. 145105. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "B", recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat "C" PUD, recorded July 26, 2009 as Entry No. 289791: Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156224 in Book 650 at Page 580: Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582:

PREPARED BY:
NOLAN C. HATHCOCK
PROFESSIONAL LAND SURVEYOR
UTAH LICENSE NO. 166346
9592 STORNOWAY CIRCLE
SOUTH JORDAN, UTAH 84009
PHONE: 801-557-5398

RECORD OF SURVEY FOR:
RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN
GRANTSVILLE, TOOELE COUNTY, UTAH

ADJUSTED DESCRIPTIONS

Adjusted Description Parcel A

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 824.08 feet along the section line established by the Tooele County Dependent Resurvey in 1982, South 89°42'29" West 468.55 feet and North 0°22'33" West 286.00 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); thence North 0°22'33" West 125.00 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D. the following two (2) courses: North 89°37'27" East 771.59 feet; South 0°57'21" West 30.32 feet; thence South 89°37'27" West 409.44 feet; thence South 0°22'33" East 94.69 feet; thence South 89°37'27" West 361.446 feet to the Point of Beginning. The above-described parcel of land contains approximately 57,603 square feet in area or 1.322 acres.

Adjusted Description Parcel B

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Resurvey in 1982, said Point lies North 0°22'33" West 899.76 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence along the westerly line of said Section 36 defined by said monument representing the Southwest Corner and a Tooele County Surveyor brass monument also placed in 1982 representing the West Quarter Corner of said Section 36, North 0°22'33" West 24.32 feet; thence South 89°42'29" West 468.55 feet; thence North 0°22'33" West 286.00 feet; thence North 89°37'27" East 361.446 feet; thence South 0°22'33" East 30.31 feet; thence North 89°37'27" East 348.50 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 60.94 feet; thence South 0°57'21" West 2.34 feet; thence South 89°02'39" East 30.00 feet; thence South 0°57'21" West 152.006 feet; thence South 89°37'27" West 122.78 feet; thence South 0°03'02" East 252.447 feet; thence North 89°53'05" West 204.537 feet to the Point of Beginning. The above-described parcel of land contains approximately 203,532 square feet in area or 4.672 acres.

Adjusted Description Parcel C

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Resurvey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel D

A parcel of land situate in the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 899.76 feet along the section line established by the Tooele County Dependent Resurvey in 1982 and South 89°53'05" East 204.537 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36); and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence North 0°03'02" West 252.447 feet; thence North 89°37'27" East 122.78 feet; thence North 0°57'21" East 152.006 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D., South 89°02'39" East 177.00 feet to the Southeast Corner of said P.U.D.; thence along an old, established fence line, South 0°57'21" West 273.19 feet (record = 273.49 feet) to a fence corner; thence along an old, established fence line South 89°33'29" East 815.72 feet, more or less, (record = 807.312 feet) to intersect the westerly boundary of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, recorded in Book HH at Page 379 in the office of the Tooele County Recorder; thence along said westerly boundary, South 0°20'17" East 125.465 feet (record = South 0°14'55" East 125.12 feet); thence along the westerly extension of the southerly right-of-way line of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, North 89°16'34" West 400.53 feet (record = 392.01 feet); thence North 0°08'00" West 66.01 feet to intersect a westerly extension of the centerline of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE; thence along said westerly extension, North 89°16'34" West 182.12 feet; thence South 0°08'00" East 18.575 feet; thence West 183.60 feet; thence North 0°26'31" East 5.27 feet; thence North 89°33'29" West 27.81 feet to a point of curvature; thence Southwesterly 103.048 feet along the arc of a tangent curve to the left having a radius of 219.19 feet, a central angle of 26°56'11" and a chord bearing and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence Southwesterly 153.832 feet along the arc of a reverse curve to the right whose center bears North 26°29'40" West, has a radius of 331.23 feet, a central angle of 26°36'35" and a chord bearing and length of South 76°48'38" West 152.453 feet to a point of tangency; thence North 89°53'05" West 71.953 feet to the Point of Beginning. The above-described parcel of land contains approximately 174,438 square feet in area or 4.005 acres.

SURVEYOR'S CERTIFICATION



I, Nolan C. Hathcock, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that this plat represents the results of a survey performed by me and that the information shown hereon is true and correct to the best of my knowledge and belief.

SURVEYOR'S NARRATIVE

This survey was performed at the request of Barry Bunderson on behalf of Ronald and Sherri Butler for the purpose of defining on the ground the exterior boundary and adjusting the common boundaries of four parcels of land owned by Butler with the approval of Grantsville City. Tooele County Dependent Resurvey monuments were found as shown hereon and relied upon for the bearing base of this survey. Boundaries were determined as follows: The southerly boundary of the portion of the Butler parcels lying in Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian was held parallel with the northerly line of said Section 35 at the record distance southerly of 1720.25 feet. From the section line common to Sections 35 and 36 this line was extended westerly the record distance of 468.55 feet which arrives at a found rebar and cap set by Nolan C. Hathcock in 1996. See record of survey, File No. 1996-0009-01 in the files of the Tooele County Surveyor. The westerly line of this parcel was held parallel with the section line common to Sections 35 and 36 and extended northerly to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D. The southerly boundary of said CHERRY GROVE PLAT C P.U.D. defines the northerly boundary of the Butler parcels that share a common boundary with said P.U.D. From the southeast corner of said P.U.D. which is marked by an Ensign Engineering rebar and cap, the bearing of the easterly boundary of said P.U.D. was extended southerly along an old, well established fence line to a fence corner. An old fence line runs easterly from this point, which is the best available evidence of a long established boundary. This fence line was followed easterly to intersect the westerly boundary of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE. The SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE was surveyed by Charles A. Herman, Land Surveyor, April 21, 1890 and approved by Charles A. Herman, Probate Judge, June 9, 1890. A hand written notation, "HH/379", appears in the upper left-hand corner of the plat which I interpret as a recording reference. No Entry No. appears on the plat. To establish the location of this plat on the ground the existing right-of-way lines of Durfee, Vine, Cherry, Plum, and Apple Streets were studied. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE extends from Center Street westerly beyond West Street (shown on the plat as Cemetery Street). These Streets have existed for many years from Center Street to West Street. These streets were not extended west of West Street until the late 1970's approximately. The right-of-way lines, determined from a study of the existing fence lines and other evidence of occupation easterly of West Street agrees very well with the 1890 plat. However, when these lines are extended westerly from West Street there is conflict with existing old fence lines. This determination for the location of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE disagrees with an old fence line along the north line of Cherry Street westerly of West Street and with the location of the Southwest corner of Block 63. A survey performed by Ensign Engineering for Eric Vaughn in 2015 (see file no. 2015-0062-01 in the files of the Tooele County Surveyor) agrees with the old fence line that appears to define the northerly right-of-way line of Cherry Street and to define the Southwest Corner of Block 63. In order to maintain harmony I have agreed with the Ensign Engineering survey to establish the northerly line of the Butler property along Cherry Street and to define the most easterly line of the butler property. I have extended my determination for the southerly right-of-way line of Cherry Street, as previously explained, westerly from West Street. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE served to dedicate Cherry Street at a width of 2 chains (132 feet) up to the westerly boundary of the plat. Westerly of the plat's westerly boundary Cherry Street exists by use only, crossing property owned by Butler. Having arrived at the intersection of the old fence line, mentioned above, with the westerly boundary of said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, as determined by the Ensign Engineering survey, the plat boundary was followed southerly to intersect the southerly right-of-way line of Cherry Street, as determined by my analysis as described above. The southerly right-of-way line of Cherry Sytreet was followed westerly to intersect the westerly boundary of Parcel No. 01-066-0-0007, as determined from ancient fence line evidence. Parcel No. 01-066-0-0007 and 01-066-0-0011 were created in November 1978 from a larger parcel of land. The descriptions contained in Warranty Deed, Entry No. 327672 in Book 166 at Pages 422-423 call "to the centerline of Cherry Street in Grantsville City, Utah, as extended westerly". For this reason I have held the westerly extension of the centerline of Cherry Street as the northerly boundary of these two Parcels. The centerline of Cherry Street was followed westerly along the northerly boundary of these two parcels the record distance of 182.12 feet (perpendicularity 182.10 feet). The westerly boundary of Parcel No. 01-066-0-0011, once again, determined from old, established fence line evidence, was followed southerly to the northeast corner of Parcel No. 01-066-0-0012 as shown of the plat of survey by Nolan C. Hathcock, found as File No. 2018-0053-01 & 02. The northerly boundaries of Parcels 01-066-0-0012 and 01-066-0-0016 were then followed westerly to the section line common to Sections 35 and 36. A 22.75 foot wide "Right-of-way for Vehicular and pedestrian traffic with ingress, egress and regress" exists across the most southerly portion of the Butler property adjacent to Parcel No. 01-066-0-0016. The right-of-way has its point of beginning at the Northwest Corner of Block 62, Southwest Addition of the City of Grantsville. The right-of-way is 22.75 feet wide as shown hereon. It appears that whoever created the description of this right-of-way was not aware of the actual location of the Northwest Corner of Block 62. This right-of-way lies approximately 50 to 60 feet south of the existing gravel road surface. There is no evidence that it has ever been used for access. At one point it is obstructed by an existing house. See document, Entry No. 045730, Book 327, Page 449 in the office of the Tooele County Recorder. A 50 foot wide easement also exists across the most southerly portion of the Butler property as shown hereon. See document, Entry No. 372829, in Book 239 at Page 579 in the office of the Tooele County Recorder. It should be noted that chain link fence and concrete driveway improvements on Parcel No. 01-066-0-0007 appear to extend northerly onto the Butler property.

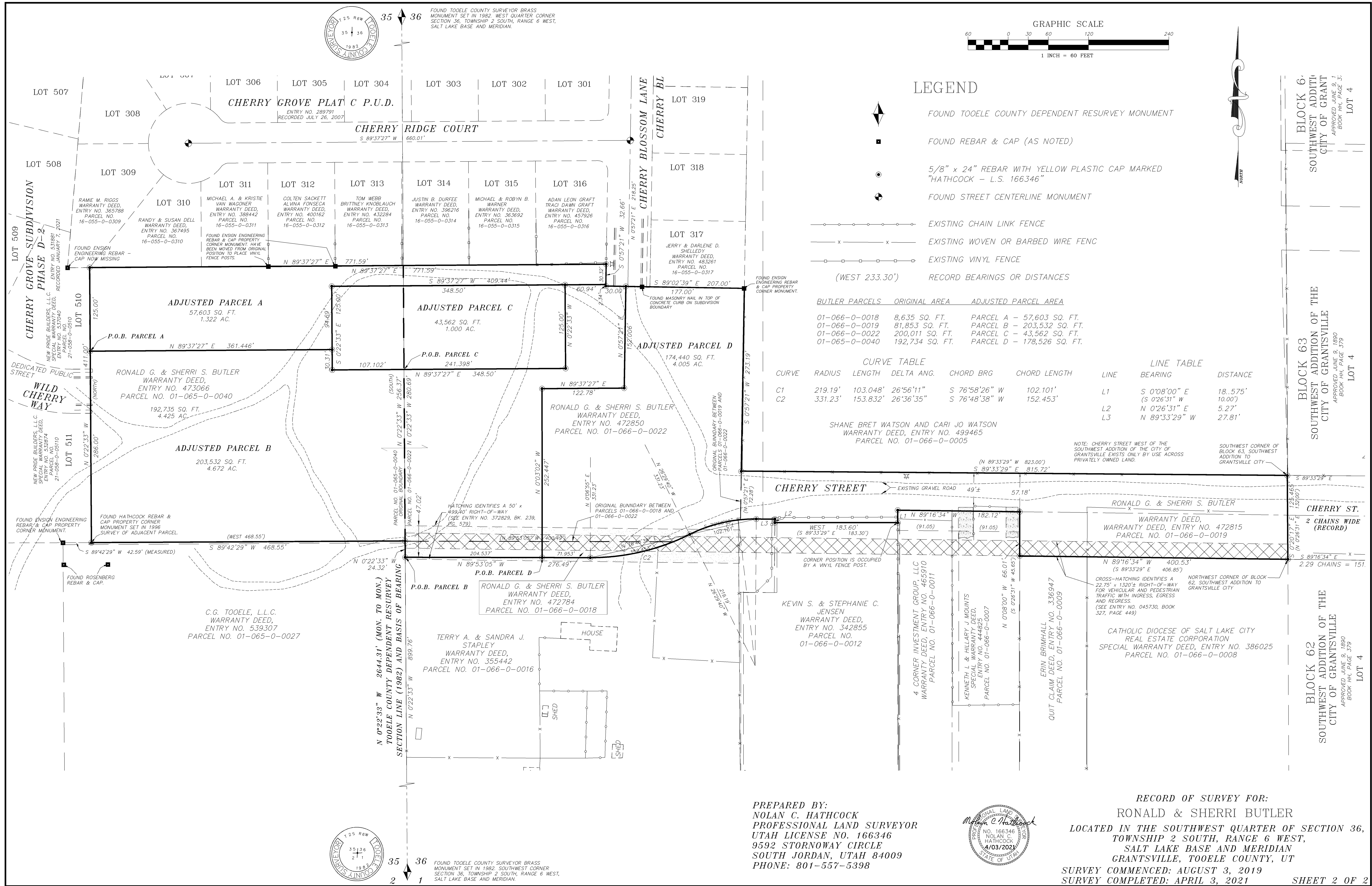
RECORD OF SURVEY FOR:
RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN
GRANTSVILLE, TOOELE COUNTY, UTAH

SURVEY COMMENCED: AUGUST 3, 2019
SURVEY COMPLETED: APRIL 3, 2021

SHEET 1 OF 2

2021-0064



GRANTSVILLE CITY

DRAFT PUD APPLICATION WORKSHEET

The purpose of this worksheet is to guide your responses to the application requirements. If something is not applicable to your project, please note "Not Applicable" in the response box. If a response requires more space than is provided on this application or additional information is necessary, attach on separate pages and provide reference to the attachment in the response box.

Project Name	WEST HAVEN
Applicant	FIL DE VOCE
Project Location	WILD CHERRY WAY & CHERRY BLOSSOM LANE GRANTSVILLE, UTAH 84029
Project Acreage	10.19 ACRES
Current Zoning	R-1-21 & A-10

PUD PURPOSE AND OBJECTIVES (GLUDMC Section 12-1-1):

Describe how the proposed project will meet each of the following Objectives:

Objective (a):

(a) Creation of a more desirable environment than would be possible through strict application of other City land use regulations through promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities. The developer shall detail the proposed variation from Grantsville City ordinance requirements and explain how this variation will lead to a more desirable environment;

Response

West Haven PUD is designed to meet the moderate-income housing requirements that will benefit the city's current and long-term growth. Addressing the need to incorporate an infrastructure enabling the future facilities with roads, sewer, water lines, storm drains, power, and a retention pond. The new infrastructure will improve transportation through the area by connecting the 3 dead-end streets of the surrounding subdivisions of Cherry Blossom, Wild Cherry Way, & will allow access from Cherry St. West Haven PUD will dedicate Cherry St to Grantsville City, this allows the City to address the current easement issues with homeowners living along Cherry St. The roads are designed to meet the Fire Code Requirements to which will allow Grantsville City's responders as well as service responders, trash & recycling collection suitable access.

We had multiple work meetings with the Planning Commission & City Staff to work through various designs for the PUD. In conclusion of those meetings, the design which satisfied the Planning Commission & Staff is directly in front of you for your consideration.

See the attached Zoning Variation Chart, the chart in general proposes smaller lot sizes, open spaces, amenities, and affordable housing for the current growth of the city.

Objective (b):

(b) The use of design, landscape or architectural features to create a pleasing environment while preserving desirable site characteristics such as natural topography, vegetation and geologic features as open space and providing recreational facilities. For projects containing a residential component containing more than a single dwelling unit at least 10% of the total parcel acreage shall be open space. All Planned Unit Development projects shall conform at a minimum with open space and improved open space requirements found in Chapter 21. Topography with slopes greater than 30% on average with a site area greater than 5,000 square feet, natural water bodies and drainages shall be protected;

Response

See attached concept, The PUD total acreage of 10.19 includes improved open space requirements found in chapter 21 with over 10% Open Space totaling 2.268 Acres. The facilities will have private enclosed yard spaces with buffer zones beyond the private yards to the neighboring communities. The Buffer zones landscaping will include xeriscape, water wise plantation, walking paths and communal areas such as covered pavilion and playground.

Objective (c):

(c) Preservation of buildings which are architecturally or historically significant contribute to the character of the City;

Response

Not Applicable

Objective (d):

(d) Establishment of interconnecting paths and trails for alternative transportation routes which lead to common and popular destinations and interface with automobile traffic at few and specific points. Onsite paths and trails shall connect to the citywide trail system. Trails connecting to the citywide system shall be considered public trails allowing for public use; and

Response

The West Haven PUD completion connects the city streets of Wild Cherry Way to Cherry Blossom Lane allowing access for the southern and western attached finished subdivisions that serve over 200 current homes. West Haven PUD intends to dedicate Cherry Street to Grantsville City, which gives the city the opportunity to rectify multiple access and easement issues for current land and homeowners on Cherry Street and the potential to continue cherry street to the west as the city grows.

Objective (e):

(e) Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

Response

Not Applicable

STANDARDS (GLUDMC Section 12-14-2 (a)):

Per GLUDMC Section 12-1-1 (a) *A planned development is a distinct category of conditional use.*

(a) At the preliminary phase, the applicant shall submit a written statement addressing each of the standards set forth in Section 7.8 herein entitled, Determination, when applicable and how the proposed development will promote the objectives set forth in Section 12.1 of this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective;

7.8 Determination

(1) The Planning Commission, or upon authorization, the Zoning Administrator, may permit a use to be located within a zoning district in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances. The Zoning Administrator is also authorized to issue conditional use permits for family food production and the raising of animals, when appropriate, but may also defer any such application to the Planning Commission for its determination, in the sole discretion of the Zoning Administrator. In authorizing any conditional use the Planning Commission or Zoning Administrator shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission or Zoning Administrator 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 a specific zoning district. The Planning Commission or Zoning Administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish:

Describe how the proposed project will meet each of the following Standards:

The Applicants descriptions will help City Staff and Planning Commission make the determination for each of these standards. Some points may not be applicable to a specific project.

Standard (a):

(a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;

This information is found in the Use Tables found at the end of each Zoning District Chapter in the GLUDMC.

Chapter 14 Multiple Use, Agriculture and Rural Residential Districts

Chapter 15 Residential and Multiple Residential Districts

Chapter 16 Commercial and Industrial Districts

If the project is located in Chapters 17 Downtown Commercial Districts, 19 Sensitive area District, SA or 19a Mixed Use Districts Check Not Applicable

Response (Check the Applicable Box):

Permitted

☐

Conditional

x

-

Not
Allowed

☐

Not
Applicable

☐

Standard (b):

(b) 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;

Response

The proposed PUD will positively impact health, safety, and comfort. Order, and general welfare of residents and surrounding communities. Improved traffic flow, and responsible development contribute to a safe and comfortable environment. Private yard spaces with buffering zones to neighboring communities assist with noise mitigation. Overall, our development invites an inclusive community while respecting the surrounding neighborhood.

Standard (c):

(c) That the use will comply with the intent, spirit, and regulations of these ordinances and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;

Response

The PUD is designed according to the future land use map approved by the city of high single-family density residential. The approach is to provide the necessary infrastructure required for the PUD with all the amenities while maintaining the open spaces, landscaping, community amenities and affordable housing.

Standard (d):

(d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;

Response

PUD's use of the future land use map, along with the multiple work meetings with the Planning Commission & City Staff members have guided the design of the West Haven PUD while addressing the demand for diverse housing choices. Shared open spaces and pedestrian pathways foster connections and strengthen the overall community feeling. The PUD will be maintaining a visually appealing and welcoming environment that harmonizes with the existing neighborhood.

Standard (e):

(e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;

Response

The PUD is designed with private fenced yards along with a buffering zone and/or "Open Spaces" around the development. This allows for more privacy along with noise mitigation for all neighboring parties.

Standard (f):

(f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;

Response

Grantsville City will receive benefits from all the above:

From the development of the PUD:

- Property values will be protected from thoughtfully designed housing attracting residents that raise value.
- The environment will be designed with open spaces, landscaping will be waterwise plantation to minimize environmental impact to create a desirable living environment.
- Taxes: Increase in density generates more property tax revenue enhancing public services.

Standard (g):

(g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;

Response

The PUD design fully embraces the goals and objectives of the Grantsville City Comprehensive General Plan. From integrating multiple surrounding subdivisions infrastructure and connecting roads for enhanced transportation, maintaining open space objectives, and applying planning commission and city staff work meeting notes to the project to align with the city's vision for a vibrant and sustainable future.

Standard (h):

(h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;

No Response From Applicant. (This statement is directed to the body considering any conditions that may be imposed.)

Standard (i):

(i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;

No Response From Applicant. (This statement is directed to the body considering any conditions that may be imposed.)

Standard (j):

(j) The internal circulation system of the proposed development is properly designed;

Response

PUD Internal Circulation System Design Proposed:

- Streets: Designed for efficient traffic flow
- Parking areas: Designed for organized parking.
- Pedestrian-friendly design: Wide sidewalks, crosswalks, and traffic calming measures prioritize pedestrian safety and comfort.
- Walking Paths: linking homes and amenities.

Designed to Grantsville City standards and specifications.

Standard (k):

(k) Existing and proposed utility services are adequate for the proposed development;

Response

The comprehensive analysis confirms existing and proposed utility services are more than adequate for the planned development. We've worked with utility providers to ensure sufficient capacity and seamless integration, leaving no infrastructure concerns.

Standard (l):

(l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;

Response

The PUD is designed with minimal environmental impacts to the surrounding areas. The design incorporates thoughtful buffering measures:

- Private fenced Yard
- Buffering and/or Open Spaces between the private fenced yards and neighboring communities to assist with noise mitigation.
- Strategic landscaping: Utilizing trees, shrubs, and natural features to dampen noise and soften visual impact.
- Building orientation: Optimizing placement to minimize shadows cast on neighboring properties.

Lighting design: Shielded fixtures and reduced nighttime illumination to prevent light trespass.

Standard (m):

(m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;

Response

The architectural design and building materials are seamlessly consistent with the existing neighborhood and enhance the overall development.

Standard (n):

(n) Landscaping is appropriate for the scale of the development;

Response

The landscaping will be designed using xeriscape, water wise plantation and drought resistant plants. Water efficient irrigation systems for resource management for sustainable practices.

Standard (o):

(o) The proposed use preserves historical, architectural and environmental features of the property;

Response

Not Applicable

Standard (p):

(p) Operating and delivery hours are compatible with adjacent land uses.

Response

Not Applicable

REQUESTED DEVIATIONS FROM DEVELOPMENT REGULATIONS (GLUDMC Section 12-14-2 (b)):

(b) At the preliminary phase, the applicant shall submit a written statement indicating specifically what change, alteration, modification or waiver of any zoning or development regulations is being sought by the developer, if any.

Describe how the proposed project will meet each of the following Objectives:

Requested Deviation #1

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21, Minimum Lot Size - 21,780 sqft A-10, Minimum Lot Size – 10 Acres
Describe Requested Deviation to Regulation.
See Attached Zoning Deviations Chart Minimum Lot Size – 1600 sq.ft (townhome), 2600 sq.ft (townhome), 8460 sq.ft (single family), 7740 sq.ft (twin home)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing minimum lot sizes allows for larger open spaces, aesthetically pleasing landscaping, noise mitigation for the surrounding neighboring communities, enhancing transportation and infrastructure while allowing affordable housing, which benefits the community.
Describe Mitigation Proposed to Maintain <i>the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b))</i>
The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

Requested Deviation #2

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21, Minimum Frontage – 70 feet A-10, Minimum Frontage – 165 feet
Describe Requested Deviation to Regulation.
See attached Zoning Deviations Chart. Minimum Frontage – 20 feet (townhomes), 30 feet (townhomes), 50 feet (twin home), 60 feet (single family).
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the minimum frontage allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes and higher density in isolated areas.
Describe Mitigation Proposed to Maintain <i>the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b))</i>
The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

Requested Deviation #3

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21, Minimum Front setback – 40 feet A-10, Minimum Front setback – 40 feet
Describe Requested Deviation to Regulation.
See attached Zoning Deviations Chart. Minimum Front setback – 20 feet (townhomes), 20 feet (single family), 20 feet (twin homes).
Describe How Requested Deviation Benefits the Project and the Community.

<p>Reducing the minimum front setbacks allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes to not have driveways and single-family homes to have driveways large enough to fit a car in but no excessive length that would otherwise be causing more cost and less open space with no significant benefit.</p>
<p>Describe Mitigation Proposed to Maintain <i>the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b))</i></p>
<p>The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.</p>

Requested Deviation #4

<p>Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.</p>
<p>R-1-21, Minimum Rear setback – 30 feet A-10, Minimum Rear setback – 60 feet</p>
<p>Describe Requested Deviation to Regulation.</p>
<p>See attached Zoning Deviations Chart. Minimum Rear setback – 20 feet (townhomes to Open Space areas)</p>
<p>Describe How Requested Deviation Benefits the Project and the Community.</p>
<p>Reducing the minimum rear setbacks allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes to have rear load garages and single-family homes to have smaller lots.</p>
<p>Describe Mitigation Proposed to Maintain <i>the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b))</i></p>
<p>The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.</p>

Requested Deviation #5

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21. Minimum Side Setback- 5 feet A-10, Minimum Side setback- feet 20
Describe Requested Deviation to Regulation.
See attached Zoning Deviations Chart. Minimum Side setback – 0 feet (townhomes), 0 feet (twin homes), 7.5 feet (single family)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the minimum side setbacks allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes.
Describe Mitigation Proposed to Maintain <i>the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.</i> (12-2-1-(b))
The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

SPECIAL CONSIDERATIONS:

This section allows consideration of anything unique to the proposed project that may not have been addressed in previous sections but is essential for consideration.

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AGENDA ITEM #2

Approval of minutes from the September 4, 2025, and the September 18, 2025 Planning Commission Regular Meetings.

Action Summary:

Agenda Item	Item Description	Action
#1	Consideration of a proposed Conditional Use Permit for Spencer Ostler to own and operate Spence Rents, an equipment rental business located at 40 E Main Street in the CS zone.	Tabled
#2	Consideration of the appeal by Enrich Christley regarding the Planning and Zoning Administrator's decision to deny the request to build a garage that encroaches into the Public Utility & Drainage Easement (PU&DE), located at approximately 58 N Barbed Wire Circle, in the RM-7 (Residential Multi-Family) zone.	Approved
#3	Approval of Planning Commission Minutes a. August 7, 2025 Regular Meeting b. August 21, 2025 Regular Meeting	Approved

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON September 4, 2025 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Vice-Chair Derek Dalton, Sarah Moore, DebraDwyer

On Zoom:

Commission Members Absent: Jason Hill, Trent Stirling

Appointed Officers and Employees Present: Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler, Community and Development Director Bob Cobabe, Planning and Zoning Administrative Assistant Nicole Ackman.

On Zoom: Aqua Consultant Shay Stark

Citizens and Guests Present:

Citizens and Guests Present on Zoom:

Commission Vice-Chairman Derek Dalton called the meeting to order at 7:00 PM.

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, September 4, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- a) Consideration of a proposed Conditional Use Permit for Spencer Ostler to own and operate Spence Rents, an equipment rental business located at 40 E Main Street in the CS zone**

No Comment

AGENDA

- 1. Consideration of a proposed Conditional Use Permit for Spencer Ostler to own and operate Spence Rents, an equipment rental business located at 40 E Main Street in the CS zone.**

Linsey Ostler was present to answer questions on this item. Planning and Zoning Administrator Shelby Moore provided background information on the item. She explained that the current code lacked clarity: while equipment rental was permitted, heavy equipment rental was not. As a result, based on guidance from Attorney Jay Springer, it was determined that the matter required a decision by the Planning Commission.

Shelby noted the property was a legally nonconforming 9,583-square-foot lot, smaller than the 60,000 square feet required in CS. Chapter 5 allows continuation of nonconforming lots but prohibits new structures or intensifying uses. The applicant proposed constructing a garage, which would not be permitted. Secondary access onto Main Street would require UDOT approval and was unlikely due to spacing concerns. She also highlighted that front-yard structures were prohibited under Sections 4.8 and 4.9 and reminded the Commission that Chapter 6 requires two parking spaces per 1,000 square feet of floor area.

Linsey Ostler explained that they intended to store and rent “mini” equipment such as mini excavators and skid steers. They hoped to build a garage at the back of the property and possibly use the existing home as office space once the current tenants moved out. Linsey emphasized their goal was to clean up the property and put it to productive use.

Vice Chair Dalton asked if the home would remain rented. Linsey confirmed the tenants were nearing the end of their lease and the home could be converted to office space. Vice Chair Dalton

noted that even mini equipment would be classified as heavy equipment under city interpretation, making the use prohibited in the CS zoning designation. He also expressed concerns about parking, traffic, and loading equipment on McMichael Street, which serves nearby businesses and the high school.

Linsey argued the street was wide enough to accommodate loading and unloading and suggested some flexibility in parking requirements, noting the business would operate primarily online with no customer traffic. She also said trees could be removed if they impeded visibility. She expressed frustration with the nonconforming zoning, explaining they had hoped to expand the house as part of property improvements but were restricted.

Commissioner Dwyer appreciated their intent to improve the lot but did not see a legal path forward under current zoning. She cited multiple conflicts, including setbacks, parking, and front-yard restrictions. She also noted parking would be problematic if both renters and equipment occupied the site simultaneously and said she could not support the request without rezoning.

Commissioner Dwyer asked for input from City Attorney Tysen Barker. Attorney Barker clarified that a variance may be considered when regulations create unnecessary hardship due to unique property conditions, provided public safety is not compromised. However, variances cannot waive safety-related regulations.

Linsey pointed out the property was between existing businesses and noted a nearby Sinclair station uses heavy equipment, suggesting precedent. Vice Chair Dalton replied that zoning, not location, determines permitted uses, and emphasized that loading equipment could obstruct McMichael Street traffic.

Commissioner Dwyer reiterated she would not support additional parking on Main Street. Linsey explained they planned to clean up trees, install a fence, and build a garage for equipment, preferring two access points on McMichael Street instead of Main Street. Vice Chair Dalton questioned whether such secondary access would meet spacing or safety requirements. Commissioner Dwyer expressed slight comfort that parking demand would be minimal, but Shelby clarified that, per Chapter 6, parking is required regardless of customer visits.

Shelby also explained that, under Chapter 5, the nonconforming lot could not be expanded and recommended pursuing rezoning. Linsey asked which zone would be appropriate. Shelby reviewed options, noting CN, CG, and CD zones allow broader commercial uses. Vice Chair Dalton added that CD (Commercial District) is the only designation allowing heavy equipment rental and suggested pursuing a rezone. He recommended collaborating with neighboring businesses to share access points, which could help address traffic concerns.

Commissioner Sarah Moore noted that the proposal involved multiple code conflicts, including setbacks under Sections 4.8 and 4.9, parking requirements under Chapter 6, and safety considerations associated with front-yard structures and equipment storage. She emphasized that while addressing a single issue, such as parking or secondary access, might be manageable, the combination of challenges made the proposal complicated. She explained that each of these requirements exists to protect public safety, maintain neighborhood character, and ensure adequate circulation for emergency vehicles. She also highlighted that allowing exceptions in one area could create precedents that complicate future code enforcement and planning decisions. Commissioner Sarah Moore stressed that even though she sympathized with the applicant's goal of improving the property, the number of overlapping restrictions meant that careful consideration of all regulations was necessary before any approval could be considered.

Linsey asked if classifying equipment as personal property would change the rules. Vice Chair Dalton clarified that once used for business, zoning regulations apply regardless of ownership. Personal ownership does not exempt compliance. Vice Chair Dalton concluded by recommending Linsey explore alternative zoning or locations better suited for the intended use

Debra Dwyer made a motion to table the approval of the consideration of a proposed Conditional Use Permit for Spencer Ostler to own and operate Spence Rents, an equipment rental business located at 40 E Main Street in the CS zone. Sarah Moore seconded the motion. The vote was as follows: Debra Dwyer "Aye," Sarah Moore "Aye," Derek Dalton "Aye." The motion was carried unanimously.

2. Consideration of the appeal by Enrich Christley regarding the Planning and Zoning Administrator's decision to deny the request to build a garage that encroaches into the Public Utility & Drainage Easement (PU&DE), located at approximately 58 N Barbed Wire Circle, in the RM-7 (Residential Multi-Family) zone.

Erich Christley was present to answer questions on this item. Zoning Administrator Shelby Moore provided background information explaining the reasons for her denial. She explained that the property was in the RM-7 zone and subject to restrictive CC&Rs, though no HOA had ever been established and the CC&Rs had not been enforced. She provided the CC&Rs for review and summarized relevant zoning requirements: rear yards for accessory buildings must be one foot or match the easement width, whichever is greater (the easement here is seven and a half feet), and side yards must meet minimum distances or match the easement. She noted that the applicant had obtained utility encroachment letters, but Grantsville Public Works denied encroachment into the public utility easement. She reviewed the property layout, noting the proposed 24 by 20-foot garage would sit three feet from the north property line, five feet six inches from the southeast line, and five feet from the home, and that no utilities ran through the easement on the lot. Because Public Works did not approve the encroachment, a requirement for approval, she denied the request.

Commissioner Sarah Moore acknowledged that while property use should not be unduly restricted, the rear yard setback and the city's need to retain easement access were primary concerns. She confirmed with Shelby Moore that the three-foot north setback counted as the rear yard, which required seven and a half feet, and Shelby affirmed. Commissioner Sarah Moore then asked Erich Christley to explain the proposed garage's placement and whether he had considered reducing its size to meet setbacks.

Erich Christley explained that the garage would face south and that reducing the garage to 10 by 12 feet would meet setbacks but was undesirable, as his preferred 24 by 20-foot garage complied with city ordinance requirements. He noted there were no sewer or water lines within 100 feet and requested a letter of encroachment to vacate the unused easement, which had been idle for 26 years. He further explained that the CC&Rs required a 20-foot rear setback, but his and neighboring homes did not meet that standard, and the city had historically not enforced the CC&Rs. Commissioner Sarah Moore confirmed that enforcing CC&Rs was not the City's responsibility and asked whether a functioning HOA existed, which Erich stated had never been established.

Commissioner Sarah Moore noted that utility letters generally allowed construction but might require relocation at the owner's cost if access was needed. Erich acknowledged this, but stated it was possible but unlikely. When asked about construction, he explained the garage would have footings with precast concrete walls bolted in place, a standard roof, and no concrete floor. He noted that some past buildings had full foundations when additional height was needed, but his work, primarily garages and warehouses, usually did not.

Commissioner Dwyer suggested a reduced 22 by 15.5-foot garage to avoid encroachment but noted it would not accommodate a truck. She emphasized that CC&Rs were not a concern due to lack of enforcement and that future utility needs could require modifications at a homeowner's expense, which Erich acknowledged. Commissioner Dwyer stressed the importance of disclosing this possibility to future buyers. Erich confirmed he understood the risks and noted the lack of an HOA minimized them. Commissioner Sarah Moore agreed the plan was reasonable given the circumstances.

Vice Chair Dalton asked if anyone from Public Works was present, and upon learning no one was on the call, noted that he did not have a significant issue with the request. He observed that there was no water or sewer running through the easement and that the neighborhood was established, making future utility use unlikely. He reminded Erich that if the city or a utility ever needed to use the easement, any costs or required modifications would fall on him, emphasizing the importance of understanding that risk.

Erich acknowledged this and added that he was aware of another potential risk: while there was currently no HOA, if the subdivision established one, or even a smaller version with a three-

person committee, they could potentially prevent him from proceeding with the project, leaving him without recourse.

Debra Dwyer made a motion to overturn the Planning and Zoning Administrator's decision and approve the request by Eric Chrisley to build a garage encroaching into the P&U and D&E at 58 North Barbed Wire Circle, finding the applicant has demonstrated sufficient grounds that the denial was made in error. Sarah Moore seconded the motion. The vote was as follows: Debra Dwyer "Aye," Sarah Moore "Aye," Derek Dalton "Aye." The motion was carried unanimously.

3. Approval of minutes from the August 7, 2025, and the August 21, 2025 Planning Commission Regular Meetings.

Derek Dalton made a motion to recommend the approval of the minutes from the August 7, 2025 Planning Commission Regular Meetings. Sarah Moore seconded the motion. The vote was as follows: Debra Dwyer "Aye," Derek Dalton "Aye," Sarah Moore "Aye." The motion was carried unanimously.

Derek Dalton made a motion to recommend the approval of the minutes from the August 21, 2025 Planning Commission Regular Meetings. Sarah Moore seconded the motion. The vote was as follows: Debra Dwyer "Aye," Derek Dalton "Aye," Sarah Moore "Aye." The motion was carried unanimously.

4. Election of the Planning Commission Officers.

Commissioner Debra Dwyer made a motion to nominate Derek Dalton for Chair, which he accepted. The Commission voted, and all members were in favor.

Commissioner Debra Dwyer made a motion to nominate Sarah Moore for Vice Chair, which she accepted. The Commission voted, and all members were in favor.

5. Report from Zoning Administrator

Zoning Administrator Shelby Moore provided an update on recent chapter approvals, noting that Chapter 15 had been approved with setback deviations, Chapter 21 maintained a 30-foot front setback, and amendments to CN zoning were also approved. She then introduced Bill Cobabe, the newly hired Community Development Director.

Bill Cobabe introduced himself as the city's new Community Development Director and noted that he would be working closely with the Commission. He shared that he held a master's degree in Planning and had nearly 20 years of experience in small-town planning and management, most recently serving as city manager in Tremonton. Bill expressed enthusiasm for working in

Grantsville, explained that he had begun drafting potential sign ordinance amendments, and invited Commission members to visit his office with questions or suggestions.

6. Open Forum for Planning Commissioners.

Commissioner Sarah Moore suggested scheduling a work meeting in coordination with City Council. City Council Member Rhett Butler noted a fifth Wednesday meeting could be scheduled on October 29 and highlighted the usefulness of such meetings.

Commissioner Sarah Moore inquired about attending the Utah League of Cities conference. Zoning Administrator Shelby Moore stated that attendance decisions were pending the arrival of the new Community Development Director, Bill Cobabe. Bill recommended that commissioners attend the APA conference in early October at the Gateway in Salt Lake City, which offered sessions for planning commissioners. City Council Member Butler offered to allow Commissioner Sarah Moore to attend in his place.

Vice Chair Dalton inquired about the status of moving regular Planning Commission meetings to another day of the week. Bill Cobabe stated that the option was still under consideration.

7. Report from City Council

City Council Member Rhett Butler updated the Commission on recent City Council actions. He reported that the city contracted Johnson & DeMill to update the Master Transportation Plan, expected within six months. He noted that Kenneth Fawson's minor subdivision plat had been approved. He also summarized recent amendments, including maintaining the R-1-21 front setback at 30 feet and approval of changes to the CN zoning electronic messaging board.

Rhett provided an overview of the President's Park PUD. He stated that the applicant had previously presented townhome changes, which were initially rejected by the Planning Commission but approved by City Council after a third review. The revised plan added 12 single-family homes and 16 townhomes, allowed smaller 25-foot-wide townhomes, and incorporated amenities governed by NHQA standards. Fourteen of the 16 newly added townhomes would meet the city's moderate-income housing affordability goal. Rhett confirmed the units would be sold rather than rented, with a price point of approximately \$290,000. He noted that while adjustments to PUDs are generally avoided, in this case the changes were deemed appropriate.

8. Adjourn.

Derek Dalton made a motion to adjourn. Debra Dwyer seconded the motion. The vote was as follows: Sarah Moore "Aye," Deborah Dwyer "Aye," Derek Dalton "Aye." The motion was carried unanimously. The meeting adjourned at 8:16 p.m.

Action Summary:

Agenda Item	Item Description	Action
#1	Consideration of the appeal by Cole Shakespear regarding the Planning and Zoning Administrator's decision to deny the request to build an accessory building that encroaches into the Public Utility & Drainage Easement, located at approximately 883 S. Poplar Lane in the RR-1 zone.	Approved with modification
#2	Recommendation of a General Plan amendment, adding a Water Element addressing supply, planning, and conservation as required by §10-9a-403.	Approved
#3	Recommendation of the proposed plat amendment for Harvest Meadows Subdivision to change the front yard setbacks from a 40' foot to 30' front yard.	Approved
#4	Approval of minutes from the August 25, 2025 Planning Commission Special Meeting.	Approved

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON September 18, 2025 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Chairman Derek Dalton, Vice Chair Sarah Moore, Trent Stirling, Jason Hill, Debra Dwyer

On Zoom:

Commission Members Absent:

Appointed Officers and Employees Present: Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler, Community and Development Director Bob Cobabe, Planning and Zoning Administrative Assistant Nicole Ackman.

On Zoom:

Citizens and Guests Present:

Citizens and Guests Present on Zoom:

Chairman Derek Dalton called the meeting to order at 7:00 PM.

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, September 18, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- a) Recommendation of a General Plan amendment, adding a Water Element addressing supply, planning, and conservation as required by §10-9a-403.**

No Comment

- b) Recommendation of the proposed plat amendment for Harvest Meadows Subdivision to change the front yard setbacks from a 40' foot to 30' front yard.**

No Comment

AGENDA

1. Consideration of the appeal by Cole Shakespear regarding the Planning and Zoning Administrator's decision to deny the request to build an accessory building that encroaches into the Public Utility & Drainage Easement, located at approximately 883 S. Poplar Lane in the RR-1 zone.

Cole Shakespear was present to answer questions regarding his appeal. Planning and Zoning Administrator Shelby Moore provided background, explaining that Mr. Shakespear proposed a 12-foot by 28-foot shed to be placed 40 feet from the rear property line and 2.5 feet from the side property line. City code requires a minimum side setback of two feet or compliance with the full easement width of 7.5 feet. The shed would be on a concrete slab with power but no plumbing.

Commissioner Stirling asked whether the shed was positioned close to the fence to save lawn space. Mr. Shakespear confirmed that it was to avoid extending eight feet into the yard and noted that the placement would be on an existing gravel driveway strip. He also confirmed that utility approval letters had been received from Rocky Mountain Power, Questar, and Xfinity. Shelby clarified that Public Works had denied approval.

Commissioner Stirling asked if the shed could instead be placed on the lawn. Mr. Shakespear stated he preferred to preserve grass but was willing to install conduit under the slab for potential future utility needs. He noted the shed would serve both as storage and a backyard office.

Vice Chair Sarah Moore expressed safety concerns about placing a structure only 2.5 feet from the fence, citing potential fire hazards and future neighbor development. She suggested meeting setbacks or compromising at a greater distance. Mr. Shakespear noted that the adjacent property had no structures near the fence line.

Commissioner Dwyer supported the idea of a conduit but questioned whether it would address long-term utility access concerns. Commissioner Stirling explained that the setback exists to allow equipment access, which would not be possible with only 2.5 feet of clearance.

City Council Member Rhett Butler explained that installing conduit sleeves is standard practice when constructing buildings or sidewalks over potential utility routes. He noted that sleeves allow for electrical, gas, or communication lines to be installed in the future without disturbing the structure above but cautioned that this method has limitations for certain utilities, such as sewer lines. He added that while approval letters had been obtained for power, gas, and Comcast, Public Works' remaining concern involved potential water lines.

Commissioner Hill acknowledged the importance of protecting city service access but agreed that the likelihood of needing utilities in this location was minimal, given that the property backs onto a church. Chairman Dalton noted that although the Commission has granted variances on more constrained lots, this lot had room to meet code. He expressed concern about setting a precedent but suggested a compromise at four feet.

Mr. Shakespear stated he was willing to adjust the shed placement to four feet from the side property line. Commissioners agreed this was a reasonable compromise.

Derek Dalton made a motion to deny the Zoning Administrator's decision and modify the request to allow the shed to be placed four feet from the side property line, resulting in a 3.5 enrichment into a PU&DE. Trent Stirling seconded the motion. The vote was as follows: Sarah Moore "Aye," Trent Stirling "Aye," Deborah Dwyer "Aye," Derek Dalton "Aye," Jason Hill "Aye." The motion was carried unanimously.

2. Recommendation of a General Plan amendment, adding a Water Element addressing supply, planning, and conservation as required by §10-9a-403.

Planning and Zoning Administrator Shelby Moore introduced the proposed amendment to the General Plan to include a Water Element addressing supply, planning, and conservation, as required under Utah Code §10-9a-403. She explained that consultant Devan Fowels with Jones and DeMille would provide background on the legislative requirements and the proposed amendment.

Devan outlined that in 2022, the state passed Senate Bill 110, which mandates that communities incorporate a water use and preservation element into their General Plans by December 31, 2025. He emphasized that the General Plan provides broad vision and policy direction, while specific implementation details are included in related documents such as the Capital Facilities Plan, Impact Fee Facilities Plan, Impact Fee Analysis, and the city's Water Conservation Plan. He explained that the city engaged Jones and DeMille in February, held a kickoff meeting in March, and followed state guidance and checklists to prepare the draft amendment, which was submitted to the state in July. After minor revisions suggested by the state, the draft was returned to city staff and included on the Planning Commission agenda for recommendation.

He outlined the four core state-mandated sections of the Water Element: (1) understanding current and future water demand; (2) water conservation strategies for new development; (3) water conservation strategies for existing development; and (4) reducing water waste in city operations, including parks and public lands. He noted that existing city plans provided much of the necessary data, allowing the element to be completed efficiently and within state-provided funding. Adoption of this amendment would ensure compliance with state law and provide a foundation for long-term land use and water management decisions.

Vice Chair Sarah Moore asked whether the legislation included reporting requirements or a framework to measure goal achievement. Devan responded that reporting requirements were unclear, but Shelby clarified that after the General Plan amendment, city ordinances and policies would need to be updated to implement water-wise standards.

Community and Development Director Bill Cobabe explained that while the state provides regional benchmarks, Grantsville has flexibility in setting specific goals. He noted that the goals in the General Plan element were drawn primarily from existing city documents, including the Capital Facilities Plan, Impact Fee Facilities Plan, Impact Fee Analysis, and Water Conservation Plan. He emphasized that residential water use is a small percentage of overall consumption compared to agriculture, so the city's greatest impact would be in municipal, commercial, and industrial settings. Bill highlighted that water conservation policies rely heavily on voluntary participation, similar to how the city approaches affordable housing goals: policies and benchmarks are set, while compliance depends on participation and market forces.

Vice Chair Sarah Moore inquired about incentives for residents. Devan and Shelby confirmed that some programs and grants exist, such as rebates for replacing toilets, sprinkler controllers, and converting turf to water-wise landscaping. Commissioner Dwyer raised concerns about resident participation, and Devan noted that incentive programs can influence behavior, though uptake may be limited.

Commissioner Hill asked whether state funding extends beyond creating the plan and whether it could drive actual conservation results. Devan explained that state funding supports the development and adoption of the Water Element, while implementation relies on city resources

and code updates. Shelby added that grants are available for both new and existing residents to support water-wise landscaping improvements.

Commissioner Stirling asked who establishes the specific water goals outlined in the amendment. City Attorney Barker explained that Senate Bill 110 requires the Planning Commission to consider regional water conservation goals recommended by the Utah Division of Water Resources. While the legislature provides the framework, the Planning Commission and city staff determine the goals appropriate for Grantsville based on local conditions, existing plans, and available data.

Chairman Dalton asked what consequences would occur if Grantsville did not meet the goals. City Council Member Rhett Butler noted that the city had already met certain metrics, and the intent of the amendment is to improve beyond the baseline. Bill Cobabe added that most water use reductions would occur in municipal, commercial, and industrial applications rather than residential, emphasizing voluntary compliance over enforcement.

Commissioners Sarah Moore and Commissioner Hill emphasized balancing water savings with practical considerations, including cooling benefits from green turf and gradual adoption of new practices. Devan noted that some communities have achieved measurable water savings through utility bill incentives.

Jason Hill made a motion to recommend approval of the General Plan amendment, adding a Water Element addressing supply, planning, and conservation as required by §10-9a-403. Debra Dwyer seconded the motion. The vote was as follows: Sarah Moore “Aye,” Trent Stirling “Aye,” Deborah Dwyer “Aye,” Derek Dalton “Aye,” Jason Hill “Aye.” The motion was carried unanimously.

3. Recommendation of the proposed plat amendment for Harvest Meadows Subdivision to change the front yard setbacks from a 40’ foot to 30’ front yard.

Andy Lewis and Barry Bunderson were present to answer questions regarding the proposed plat amendment for Harvest Meadows Subdivision. Planning and Zoning Administrator Shelby Moore provided background, explaining that the subdivision had been approved in 2022 when the code required a 40-foot front yard setback. On corner lots, this resulted in two front yard setbacks, which created challenges because the lots were narrow, approximately 75 to 100 feet wide and roughly 230 feet long.

The applicants requested a reduction to a 30-foot front yard setback to allow more flexibility in home placement. Side yard setbacks would remain at 10 feet, even though the ordinance technically allows 7.5 feet. Shelby emphasized that only the front yard setback reduction was being requested.

Commissioner Hill asked whether reducing the front setback would allow for larger homes and increased builder income. Shelby explained that while the reduction could increase usable space, the ordinance's maximum building coverage would remain unchanged.

Commissioner Dwyer indicated she had no questions. Commissioner Stirling asked whether similar changes had been considered in past amendments. Chairman Dalton asked whether this was one of the zones previously adjusted from 40 to 30 feet. Shelby clarified that prior reductions had occurred in the R-1-12, RM-15, and R-1-8 zones, but the R-1-21 and agricultural zones had remained unchanged. Since Harvest Meadows is zoned R-1-21, the subdivision had been approved under the 40-foot requirement. The applicant had approached the city before the Commission considered lowering R-1-21 to 25 feet, so this request brings the development in line with the current 30-foot standard.

Chairman Dalton commented that his usual practice is to uphold standards established at the time of subdivision approval, but in this case, the adjustment aligns with recent code changes and would not significantly alter the neighborhood. Vice Chair Sarah Moore added that the reduction could result in less yard space to maintain, supporting the city's water-wise goals.

Sarah Moore made a motion to recommend approval of the proposed plat amendment for Harvest Meadows Subdivision to change the front yard setbacks from a 40' foot to 30' front yard. Jason Hill seconded the motion. The vote was as follows: Sarah Moore "Aye," Trent Stirling "Aye," Deborah Dwyer "Aye," Derek Dalton "Aye," Jason Hill "Aye." The motion was carried unanimously.

4. Approval of minutes from the August 25, 2025 Planning Commission Special Meeting.

Derek Dalton made a motion to approve the Planning Commission Regular Meeting Minutes from August 25, 2025. Trent Stirling seconded the motion. The vote was as follows: Sarah Moore "Aye," Trent Stirling "Aye," Deborah Dwyer "Aye," Derek Dalton "Aye," Jason Hill "Aye." The motion was carried unanimously.

5. Reports from City Staff.

Commissioner Dwyer asked whether future Planning Commission meetings would be scheduled on Tuesdays or Thursdays. Chairman Dalton stated he had no preference and noted that only two commissioners had voted so far. Commissioner Dwyer and Vice Chair Sarah Moore indicated that either day worked for them, with Commissioner Hill noting flexibility but that he had previously voted differently.

City Council Member Rhett Butler sought clarification on aligning Planning Commission meetings with the City Council schedule to meet the ten-day agenda review requirement.

Planning and Zoning Administrator Shelby Moore explained that proper coordination would satisfy this requirement.

Community and Development Director Bill Cobabe clarified that City Council notices require a 24-hour publication, so meetings must be scheduled with 14–15 days' notice. Shelby emphasized that holding Planning Commission meetings on the Tuesday before City Council meetings allows adequate preparation and reduces rushed submissions. Chairman Dalton summarized that Planning Commission meetings would remain on the first and third Tuesdays, with City Council meetings on the first and third Wednesdays. Shelby confirmed this was correct.

Bill Cobabe introduced the City's new planner, Tae-Eun Ko, who joined the team as the City planner and GIS analyst one and a half weeks prior. Tae-Eun Ko expressed excitement about joining the team. Vice Chair Sarah Moore and Chairman Dalton welcomed her, and Bill encouraged commissioners to reach out to staff with any questions or concerns, emphasizing his open-door policy.

The Commission discussed an upcoming planning conference on October 9–10. Bill highlighted that the conference focuses on citizen planners, practical training, terminology, and legal updates relevant to Planning Commission work. Commissioners were asked to check their calendars and indicate availability, with Shelby coordinating registrations. Commissioner Dwyer noted possible conflicts, and Vice Chair Sarah Moore said she would confirm her schedule. Bill emphasized that attending such conferences helps commissioners stay informed on planning law, zoning, and best practices, enabling better recommendations to the City Council.

Bill addressed variances and code consistency, noting that historical exceptions created unpredictability for staff and applicants. He suggested codifying standard rules and limiting variances to simplify processes while maintaining safety and alignment with city goals. Commissioner Dwyer agreed, emphasizing the importance of helping property owners develop land safely and compliantly while minimizing procedural barriers. Bill added that predictable standards reduce repeated variance requests and inconsistent outcomes. Vice Chair Sarah Moore acknowledged the balance between enforcing current code and streamlining development, noting that a dedicated planner and proactive code updates could reduce variance requests and clarify expectations.

Bill explained that the General Plan guides zoning and code amendments but is not regulatory. Comprehensive updates typically occur every five years to account for changes in community values, population trends, land use, and priorities. Commissioner Dwyer asked whether code amendments could occur on a case-by-case basis. Bill confirmed that targeted changes, such as those for Public Utility and Drainage Easements, could be proposed independently, although comprehensive updates should align with General Plan revisions. Chairman Dalton noted that variances would remain necessary due to unique property circumstances, and developers would continue to request adjustments even after code updates.

Item Discussed

6. Open Forum for Planning Commissioners.

Commissioner Hill asked what role, if any, the Planning and Zoning Commission had played in the recent transition of water service from the irrigation company to the city. Chairman Dalton clarified that the Commission had no involvement. Vice Chair Sarah Moore acknowledged that public misconceptions regarding the issue existed.

Commissioner Hill expressed concern about misinformation circulating among residents, particularly regarding a reported 20% administrative cost increase, and suggested that better public communication would help explain the city's decisions.

City Council Member Rhett Butler explained that the City Council had thoroughly discussed the matter over multiple meetings, including during public comment. He noted that a prior error in the reported administrative cost would be corrected to reflect the actual charges by the irrigation company. Commissioner Hill thanked him for the clarification, noting he had missed the relevant Council meeting. Chairman Dalton reiterated that the Planning Commission had no role in this matter.

Item Discussed

7. Report from City Council.

City Council member Rhett Butler formally recognized Commissioner Stirling, thanking him for his contributions and noting the impact of his tenure. The Commission and Councilmembers expressed their appreciation for his service.

Councilmember Butler then updated the Commission on City Council actions. He reported approval of the Phase One contract for Scenic Slopes Park, a 20-acre park on the southwest side of town. Funding would come from impact fees, a previously approved bond, and a \$750,000 grant. The initial phase would include a skateboard and pump track, as well as a baseball field for youth ages 13–18. Future phases would include smaller fields and a soccer field in a city-owned drainage basin. Vice Chair Sarah Moore confirmed City Council meetings were recorded, and Councilmember Butler affirmed that all meetings are recorded and publicly available.

Item Discussed

8. Adjourn.

Trent Stirling made a motion to adjourn. Debra Dwyer seconded the motion. The vote was as follows: Sarah Moore “Aye,” Deborah Dwyer “Aye,” Derek Dalton “Aye.” The motion was carried unanimously. The meeting adjourned at 8:43 p.m.

AGENDA ITEM #3

Reports from City staff.

AGENDA ITEM #4

Open Forum for Planning Commissioners

AGENDA ITEM #5

Report from City Council.

AGENDA ITEM #6

Adjourn.