

Land Use Hearing Officer
Public Meeting Agenda
Tuesday, August 9, 2016 1:00 P.M.

LOCATION: SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, NORTH BUILDING
KEARNS CONFERENCE ROOM, SUITE N3-600

REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED UPON RECEIPT OF A REQUEST WITH 5 WORKING DAYS NOTICE. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The purpose of the Land Use Hearing Officer's Meeting to hear applicant and public comment, as well as agency and staff recommendations, prior to making a decision on applications filed with Salt Lake County.

The Land Use Hearing Officer shall: act as an appeal authority for zoning decisions applying this title as provided in Section 19.92.050 and conditional use decisions by a planning commission; hear and decide the special exceptions to the terms of the zoning ordinance set forth in Section 19.92.060; hear and decide variances from the terms of the zoning ordinance; and, hear and decide applications for the expansion or modification of nonconforming uses.

PUBLIC HEARINGS

29753 – Mark Sudbury is requesting to relocate and rebuild a non-complying structure. The existing structure is non-complying to the stream setback. **Location:** 11409 East Willow Fork Lane. **Community:** Big Cottonwood Canyon. **Zone:** FR-0.5. **Planner:** Jeff Miller

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File # 29753

Land Use Hearing Officer Summary and Recommendation

Request Type: Reduction of Stream Setback

Parcel ID: 24-21-283-006

Property Address: 11409 East Willow Fork Lane

Community Council: Big Cottonwood Canyon

Planner: Jeff Miller

Planning Staff Recommendation: Approval

Applicant Name: Mark Sudbury

Meeting Date: August 9, 2016

Current Zone: FR-0.5

CITY/STATE/ZIP: Salt Lake City, UT 84121

Unincorporated: Big Cottonwood Canyon

PROJECT DESCRIPTION

Mark Sudbury is requesting approval from the Land Use Hearing Officer to relocate and rebuild an existing non-complying structure on the property to a location within 50 feet of Big Cottonwood Creek. The existing structure, which would be demolished, is located within a few feet of Big Cottonwood Creek. The current location of the building would not be allowed by current zoning requirements, and by Salt Lake City Public Utilities, since the building's location is a threat to Big Cottonwood Creek, which is used as a drinking water source for residents of Salt Lake County.

In order to ensure that the applicant has the full approval of Salt Lake City Public Utilities and the Salt Lake County Health Department, Planning Staff required the applicant to receive approval from both of these organizations before we would allow the application to be presented to the Land Use Hearing Officer. Please see the attached approvals from Salt Lake City Public Utilities and the Salt Lake County Health Department for the relocation and rebuild of the existing non-complying structure.

SITE AND VICINITY DESCRIPTION (see attached map)

The subject property is located in the Silver Fork area of Big Cottonwood Canyon, west of the Silver Fork Lodge. The general area has lots of mature trees and other existing cabins. The subject property has some existing vegetation, but has a large area near the road, which is suitable for the relocation and reconstruction of the non-complying structure.

LAND USE CONSIDERATIONS (for the Non-Complying Structure)

Requirement	Standard	Existing Structure	Proposed
Height	35 Feet	Less than 35 Feet	Less than 35 Feet
Front Yard Setback	N/A		20 Feet
Side Yard Setback	N/A		6 Feet one side 10 Feet on other side.
Rear Yard Setback	100 Feet	Less than 100 Feet	Less than 100 Feet

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

At the time of the writing of this staff report, Planning Staff is still working with the applicant to identify all of the trees on the property that will be removed and those that will remain with the proposed relocation of the non-complying structure. In accordance with the Landscape Ordinance (19.77), Planning Staff will calculate the total amount of credits that the applicant will receive for preserving existing trees, and the amount of replacement trees that will need to be included on the property. When this item is presented to the Land Use Hearing Officer on August 9th, Planning Staff will provide an update regarding tree preservation, removal and replacement.

The current location of the non-complying structure is an issue of concern for the public health and safety of Salt Lake County residents, since Big Cottonwood Creek is a source of drinking water for Salt Lake County. The proposal from the applicant will mitigate against the negative impacts of the existing non-complying structure and provide greater protections for the public health and safety of Salt Lake County residents.

PLANNING STAFF ANALYSIS

19.88.150 - Application to have a structure declared a noncomplying structure.

Whenever a structure is in violation of the height or setback provisions of this title, the owner may file an application with the director or director's designee to have the structure declared noncomplying. The director or director's designee shall approve the application when the evidence clearly establishes the following:

- A. *The structure has existed at its current location, with the same size, height and setbacks for at least ten years;*
- B. *The structure is found by the county building official or designee to pose no threat to the health or safety of persons in or around the structure, and;*
- C. *Salt Lake County has not taken enforcement action for the violation for a period exceeding five consecutive years during which the violation existed.*

The director's designee has determined that the existing structure is noncomplying, since it meets all of the requirements mandated by Section 19.88.150.

19.72.030 – Development Standards .

Minimum Setbacks. Except where the city of Salt Lake, pursuant to its recognized extraterritorial jurisdiction, has defined a greater setback from watershed resources (including stream corridors and wetland areas), the following minimum setbacks shall be required:

a.

Stream Corridors. All buildings, accessory structures, leach fields, and parking lots shall be set back at least one hundred feet horizontally, (plan view) from the ordinary high-water mark of stream corridors.

Section 19.88.70 below gives the Land Use Hearing Office authority to approve the relocation and reconstruction of non-complying structures.

19.88.070 - Additions, enlargements, moving and reconstruction of a structure.

- B. A building occupied by a nonconforming use or a noncomplying structure may be added to or enlarged or moved to a new location on the lot or reconstructed at a new location on the lot upon a permit authorized by the land use hearing officer, provided that the land use hearing officer shall find:*
- 1. The addition to, enlargement of, moving of, or reconstruction of the structure at a new location on the lot is in harmony with one or more of the purposes of this title as stated in **Section 19.02.020** of this title, and is in keeping with the intent of this title;*
 - 2. That the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure.*

19.02.020 - Purpose of provisions.

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

Planning Staff believes the proposal would be in harmony with the purpose of provisions and the proposed change does not impose any unreasonable burden. The proposed relocation and rebuild of the existing non-complying structure would promote better health and safety for the residents of Salt Lake County, since Big Cottonwood Creek is used as a source for drinking water.

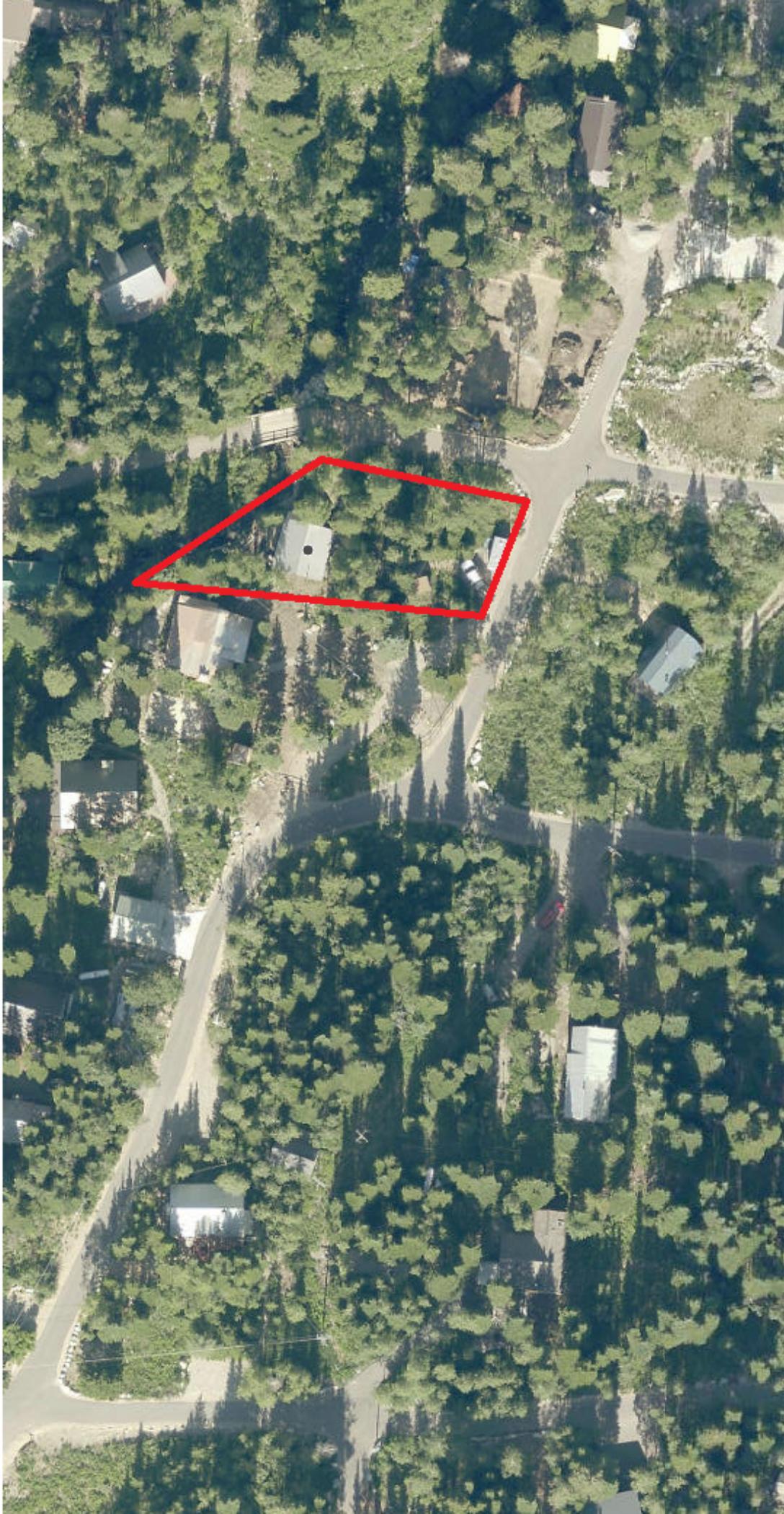
PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of the request to relocate and rebuild the existing non-complying structure to a location within 50 feet of Big Cottonwood Creek.

29753 - Zoning Map



29753 - Aerial Map



Clearwing Cabin Preliminary Site Plan

24-21-283-006

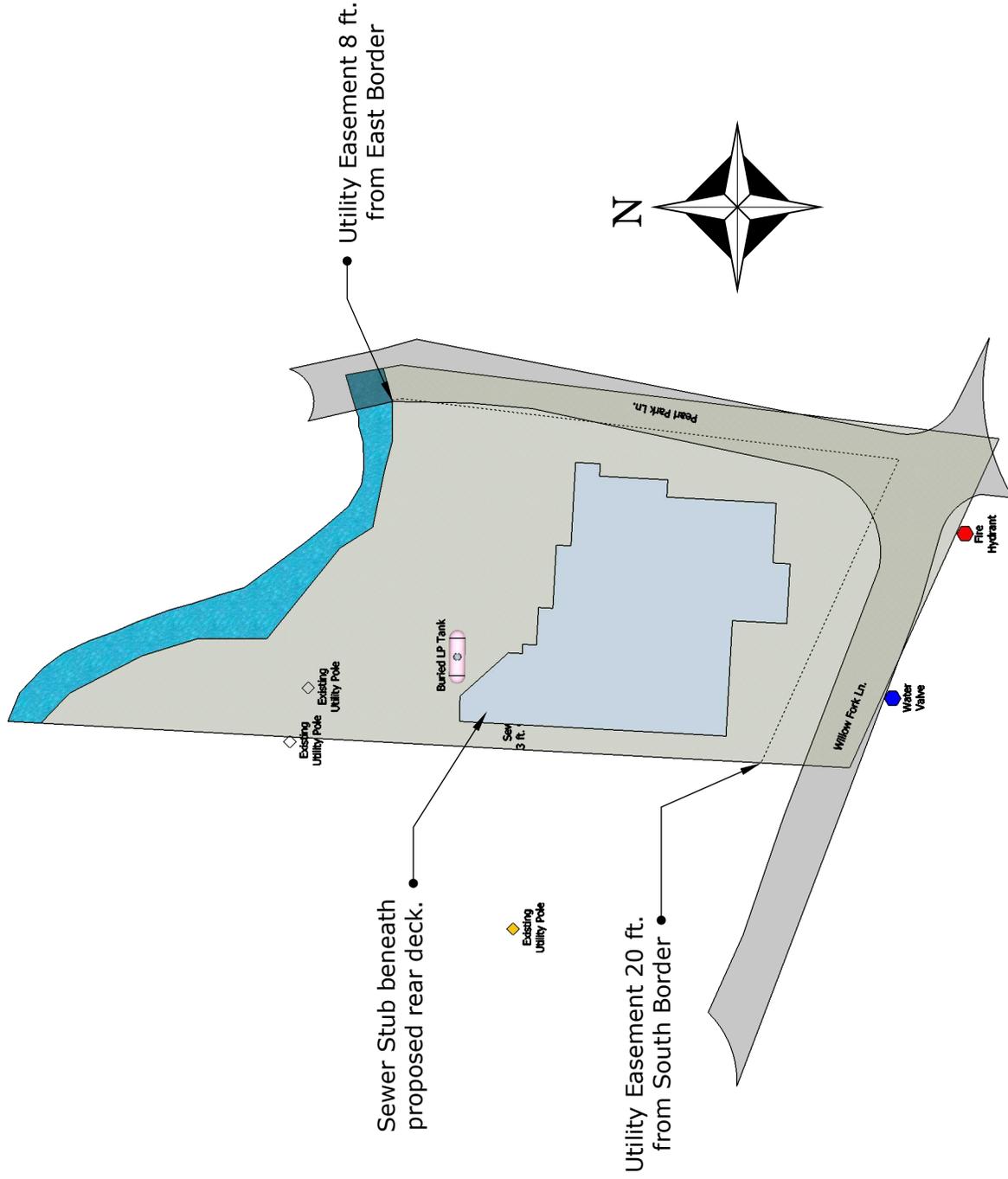
Applicant: Clearwing, LC

c/o Mark Sudbury
801-277-1113

210 N. Preston Dr.
Alpine, UT 84004

Notes:

1. Depiction of proposed building envelope overlaid on diagram of lot drawn from survey (see submittal from Johanson Land Consultants).
2. Perimeter fence on West border not to exceed 42" in height.



Clearwing Cabin Preliminary Site Plan

24-21-283-006

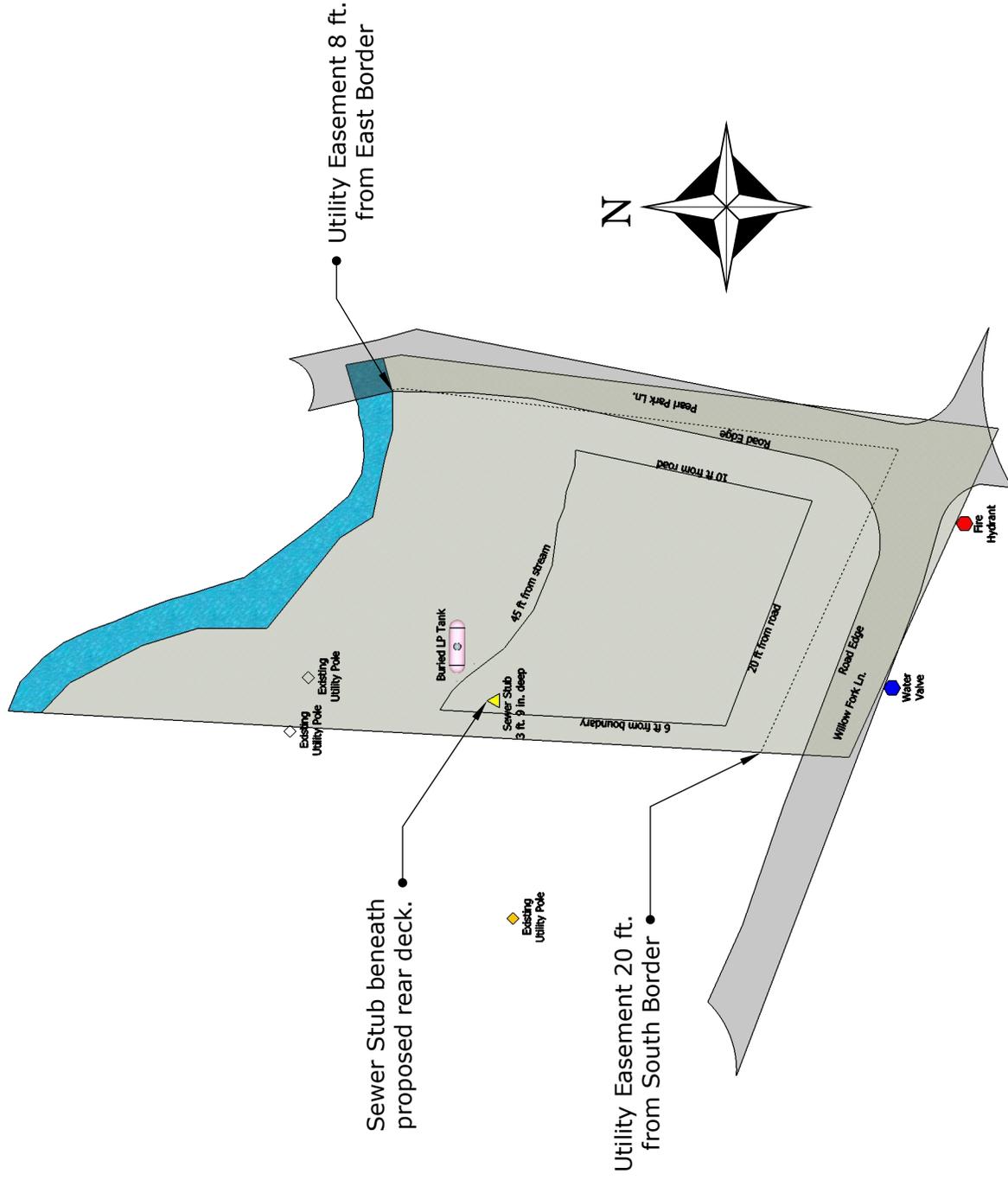
Applicant: Clearwing, LC

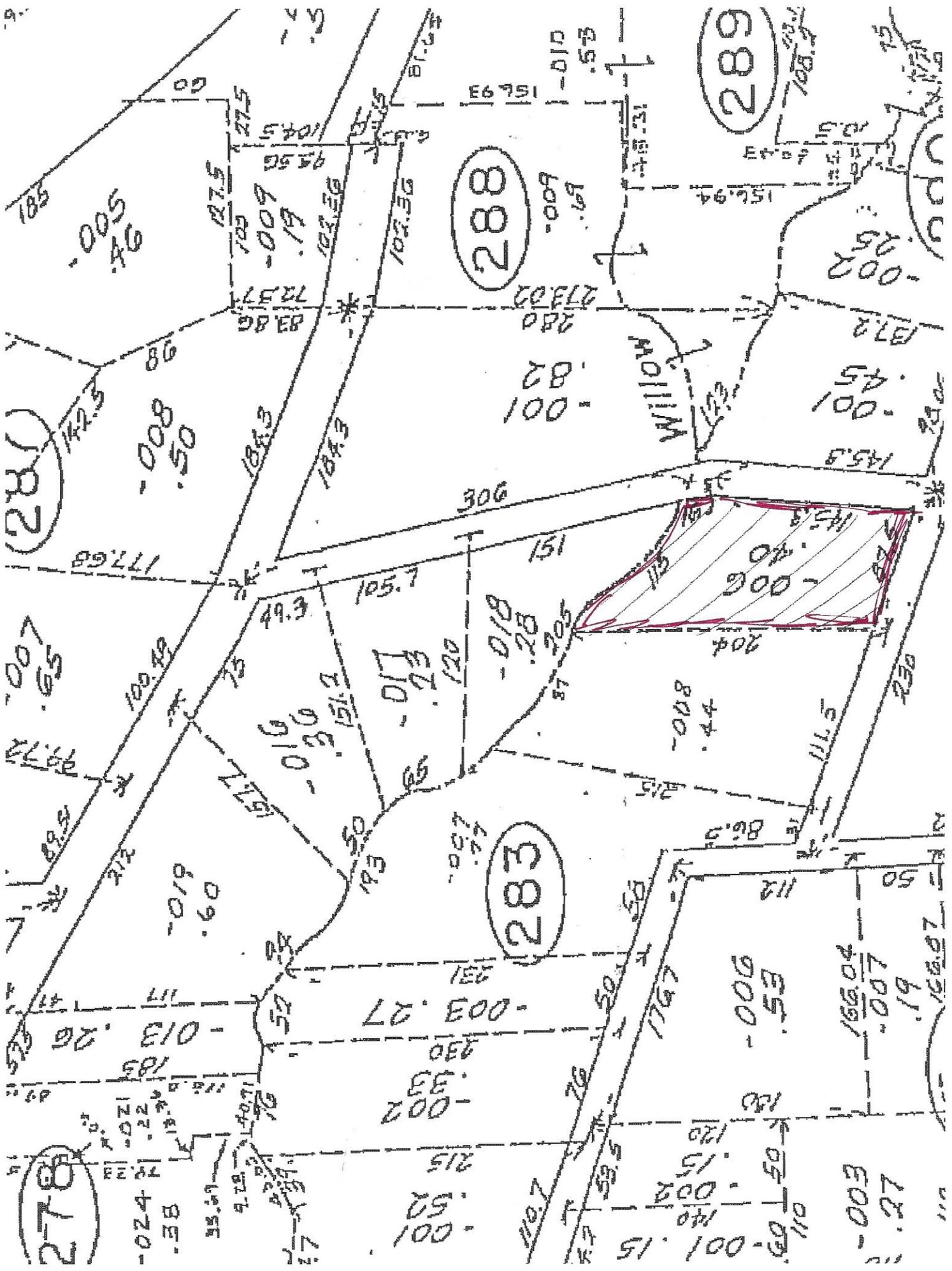
c/o Mark Sudbury
801-277-1113

210 N. Preston Dr.
Alpine, UT 84004

Notes:

1. Depiction of proposed building envelope overlaid on diagram of lot drawn from survey (see submittal from Johanson Land Consultants).
2. Perimeter fence on West border not to exceed 42" in height.





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DRAWING TITLE

TOPOGRAPHIC SURVEY AND SITE SURVEY

CLIENT CONTACT

JOEL KELSTER

11409 E WILLOW FORK LN
LOCATED IN, SALT LAKE COUNTY,
UTAH, AS PART OF THE E. 1/2 OF THE
N.E. 1/4 SEC. 21, T. 2 S. R. 3 E. S.L.B.&M.

LEGAL DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 89°33' WEST 447.9 FEET AND NORTH 07°02' EAST 232.5 FEET AND NORTH 65°59' WEST 87.5 FEET FROM THE EAST QUARTER CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 65°59' EAST 87.5 FEET TO THE SOUTHWEST CORNER OF LAND DEEDED TO MARJORIE E. BUCHNER BY DEED RECORDED OCTOBER 17, 1947 IN BOOK 567 AT PAGE 352 OF OFFICIAL RECORDS, THENCE NORTH 07°02' EAST ALONG SAID LAND 145.8 FEET, THENCE NORTH 10°09' WEST BIG COTTONWOOD CREEK, THENCE NORTHWESTERLY ALONG SAID CREEK 11.5 FEET, MORE OR LESS TO A POINT WHICH IS NORTH 03°16' EAST FROM THE POINT OF BEGINNING, THENCE SOUTH 03°16' WEST 204 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOPOGRAPHIC LEGEND

ELEVATIONS ARE FROM GPS AND WITH A LOCAL BENCHMARK BEING SET FOR SITE USE.
1" CONTOURS ARE SHOWN AT A 1' CONTOUR INTERVAL AND HIGHLIGHTED AT A 2' INTERVAL.
THE PROJECT BENCHMARK IS A SEWER MH. IN THE ROAD APPROXIMATELY 20' SE. OF THE PROPERTY AS SHOWN (E.L. 7785.8)

SURVEYOR'S CERTIFICATE

I, RICHARD K. JOHANSON, do hereby certify that I am a Registered Land Surveyor, holding certificate No. 152956, as prescribed under the laws of the State of Utah; and that I have made a survey of the tract of land as shown on this plat and that this survey retraces deed lines and does not necessarily purport to represent lines of possession.

Signature: _____

Date: JULY 21, 2015

DESCRIPTION DATE

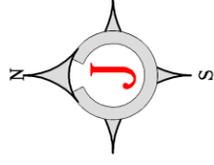


JOHANSON LAND CONSULTANTS
SURVEYING PLANNING LAND DEVELOPMENT

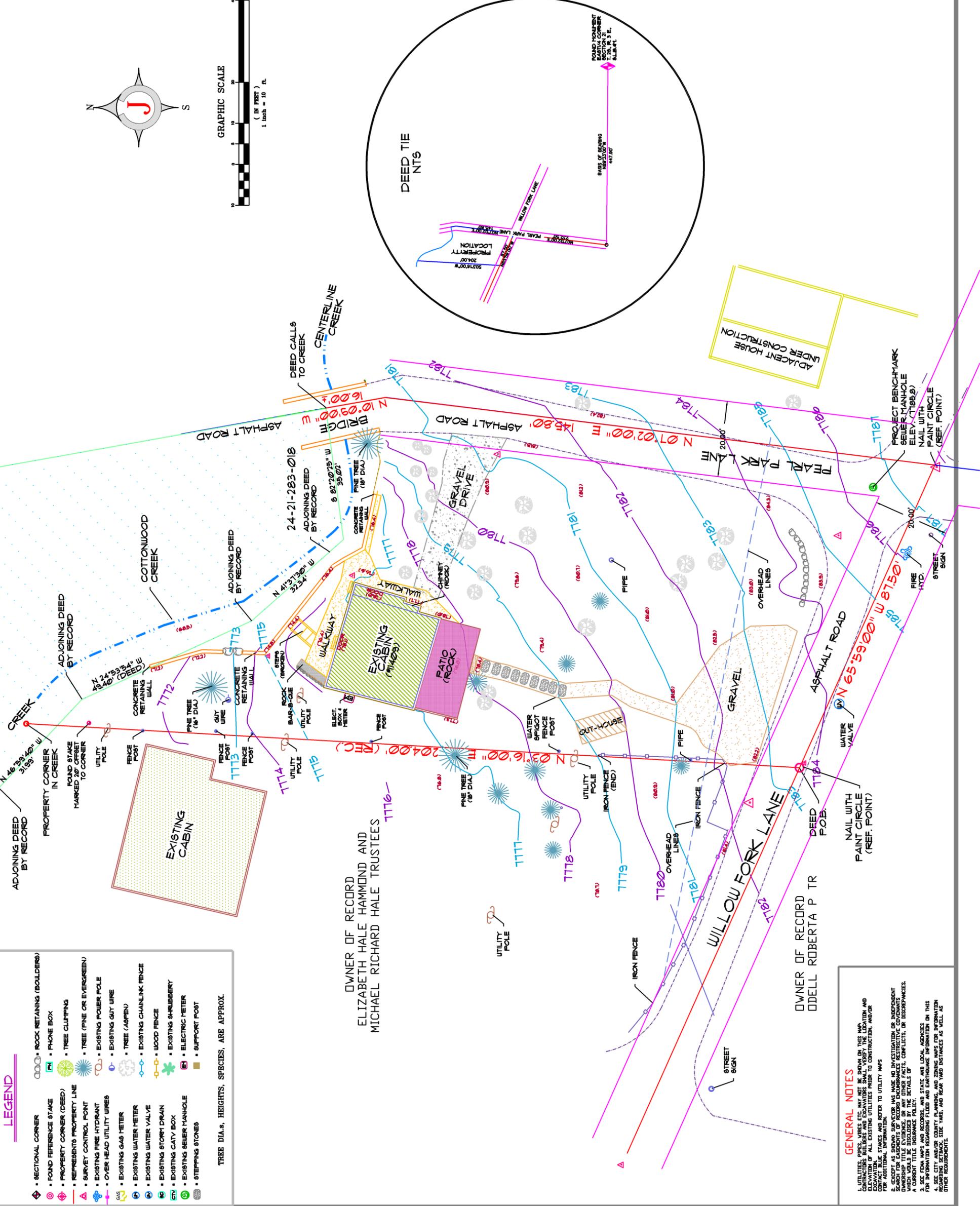
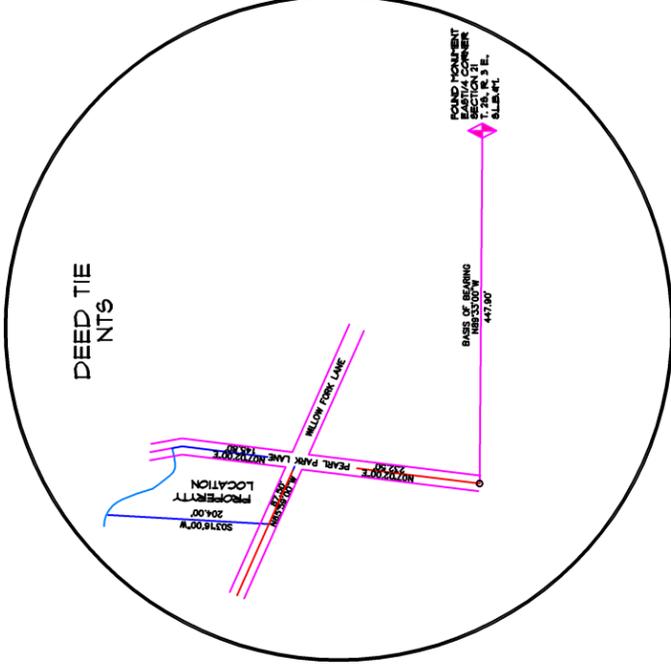
770 EAST MAIN STREET
SUITE 131
LEHI CITY, UTAH 84043
PHONE (801) 707-9463
johansonsurvey@gmail.com

THIS DRAWING IS AND AT ALL TIMES REMAINS THE EXCLUSIVE PROPERTY OF JOHANSON LAND CONSULTANTS, LLC. SHALL NOT BE USED WITHOUT COMPLETE AUTHORIZATION AND WRITTEN SUPPORT.

PROJECT NO. 15-15-035
DATE: 07-20-2015
DRAWN BY: T.M.R. JOHANSON P.L.S.
CHKD BY: R.K. JOHANSON P.L.S.
SHEET NUMBER NO. 1



GRAPHIC SCALE



LEGEND

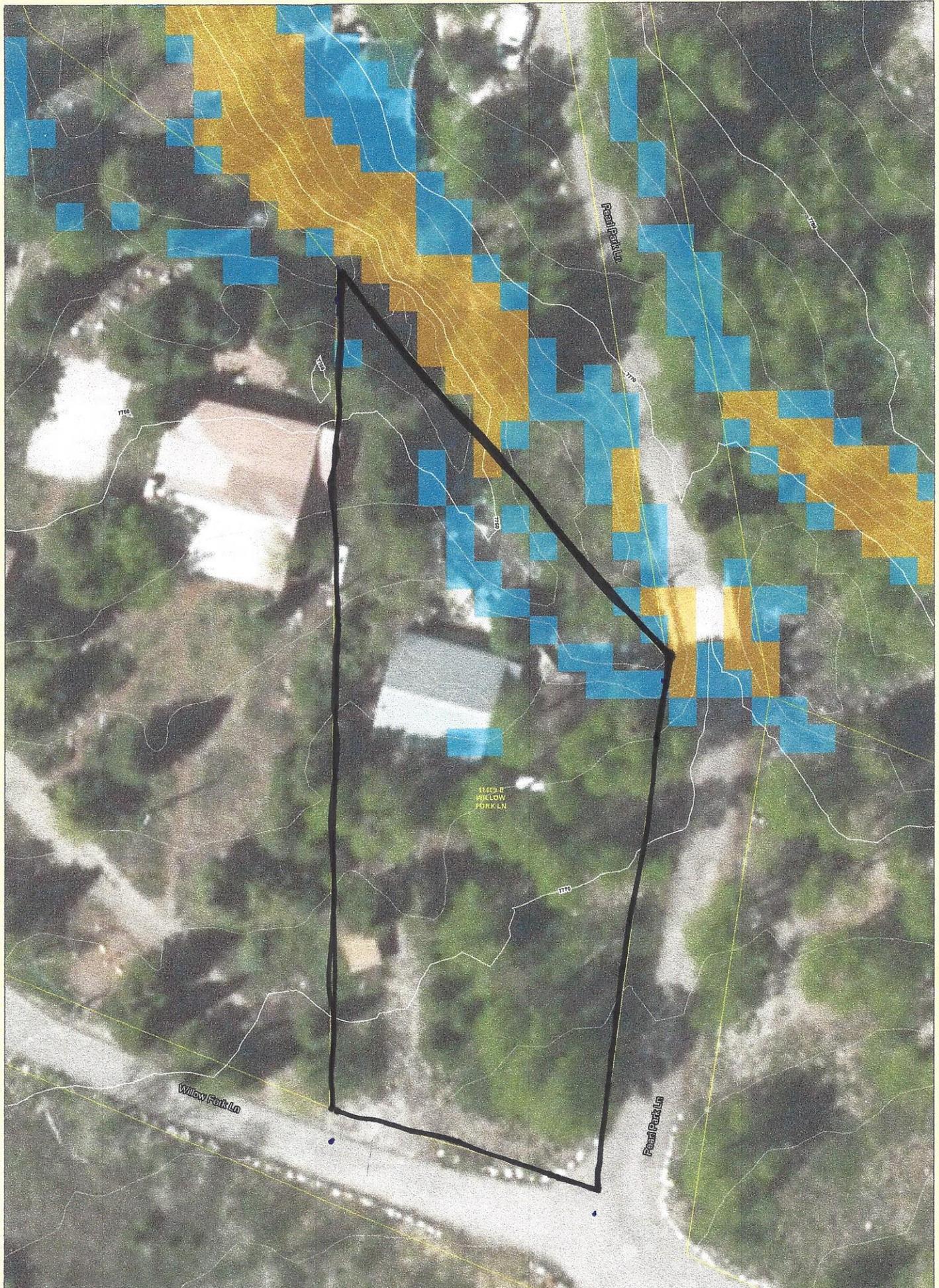
	• SECTIONAL CORNER
	• FOUND REFERENCE STAKE
	• PROPERTY CORNER (DEED)
	• REPRESENTS PROPERTY LINE
	• SURVEY CONTROL POINT
	• EXISTING FIRE HYDRANT
	• OVERHEAD UTILITY WIRES
	• EXISTING GAS METER
	• EXISTING WATER METER
	• EXISTING WATER VALVE
	• EXISTING STORM DRAIN
	• EXISTING CATV BOX
	• EXISTING SEWER MANHOLE
	• STEPPING STONES
	• ROCK RETAINING (BOULDERS)
	• PHONE BOX
	• TREE CLIPPING
	• TREE (PINE OR EVERGREEN)
	• EXISTING POWER POLE
	• EXISTING GUY WIRE
	• TREE (ASPEN)
	• EXISTING CHAINLINK FENCE
	• WOOD FENCE
	• EXISTING SHRUBBERY
	• ELECTRIC METER
	• SUPPORT POST

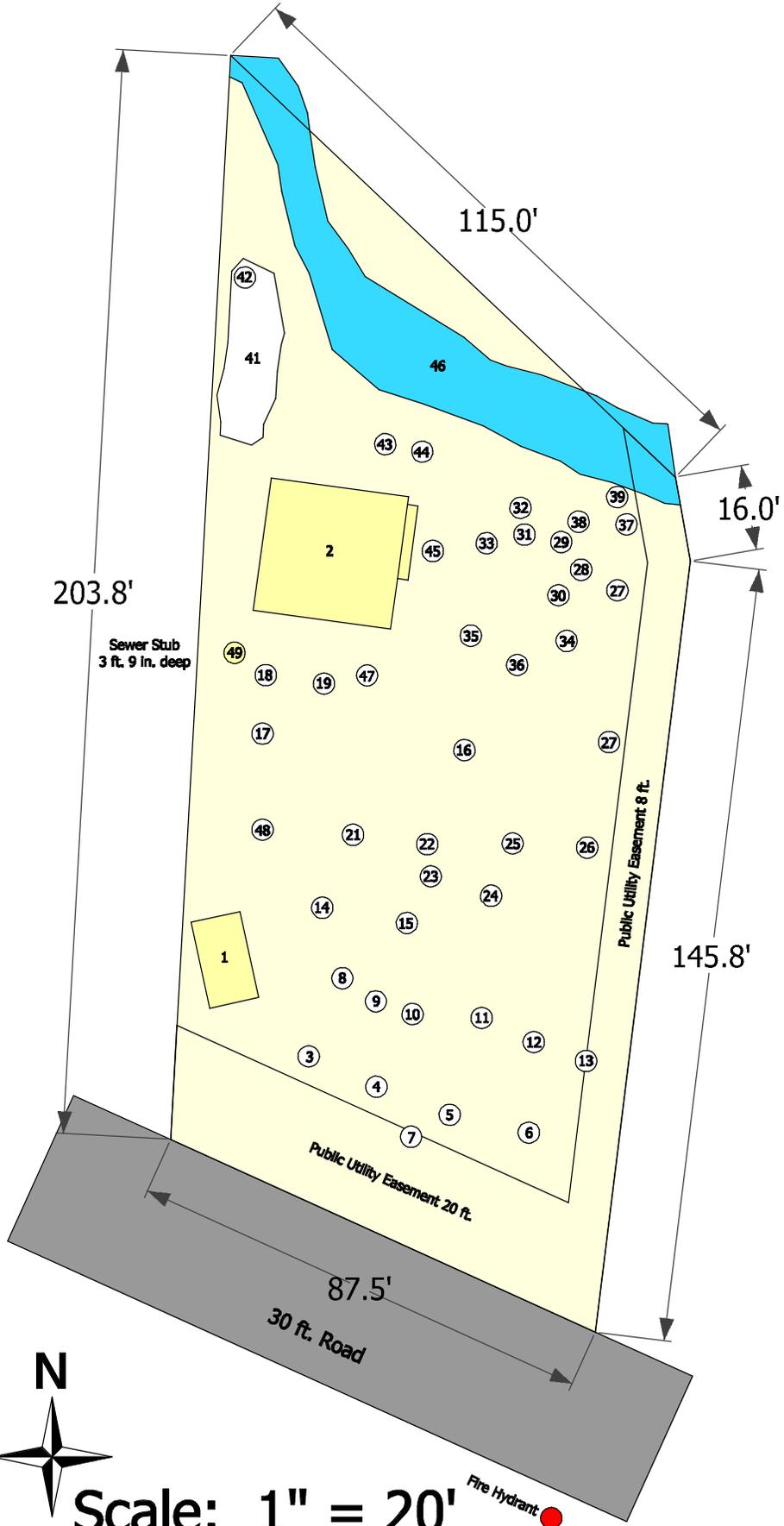
TREE DIA.s, HEIGHTS, SPECIES, ARE APPROX.

OWNER OF RECORD
ELIZABETH HALE HAMMOND AND
MICHAEL RICHARD HALE TRUSTEES

OWNER OF RECORD
ODELL ROBERTA P TR

GENERAL NOTES
1. UTILITIES, PIPES, WIRES, ETC. MAY NOT BE SHOWN ON THIS MAP. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION, AND/OR EXCAVATION, STAKES AND REFER TO UTILITY MAPS.
2. EXCEPT AS SHOWN SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT VERIFICATION OF THE EXISTING RECORDS AND DEEDS. THE SURVEYOR'S OWNERSHIP OF THE SURVEYED PROPERTY DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY OF ANY KIND, INCLUDING BUT NOT LIMITED TO, THE ACCURACY OF THE SURVEY. THE SURVEYOR ASSUMES NO LIABILITY FOR INADEQUATE INFORMATION ON THIS DRAWING. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE SURVEYOR.
3. SEE CITY AND/OR COUNTY PLANNING AND ZONING MAPS FOR INFORMATION REGARDING SETBACK, SIDE YARD, AND REAR YARD DISTANCES AS WELL AS OTHER REQUIREMENTS.





Scale: 1" = 20'



Clearwing Cabin
Preliminary Site Plan

24-21-283-006

Applicant: Clearwing, LC

c/o Mark Sudbury
801-277-1113

210 N. Preston Dr.
Alpine, UT 84004

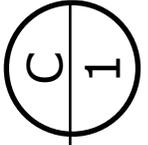
Notes:

1. Garage level slab on grade on South Edge.
2. Above-grade foundation: All areas other than garage have minimum of 24" above finish grade.
3. Below grade footing and foundation: minimum of 36" below-grade footing/foundation.
4. Footings not shown.
5. Trench drain on South side of garage drains to West (with grade).
6. All exterior finishes to comply with Building and FCOZ requirements.



South Elevation

1" : 10'



Clearwing Cabin
Preliminary Site Plan

24-21-283-006

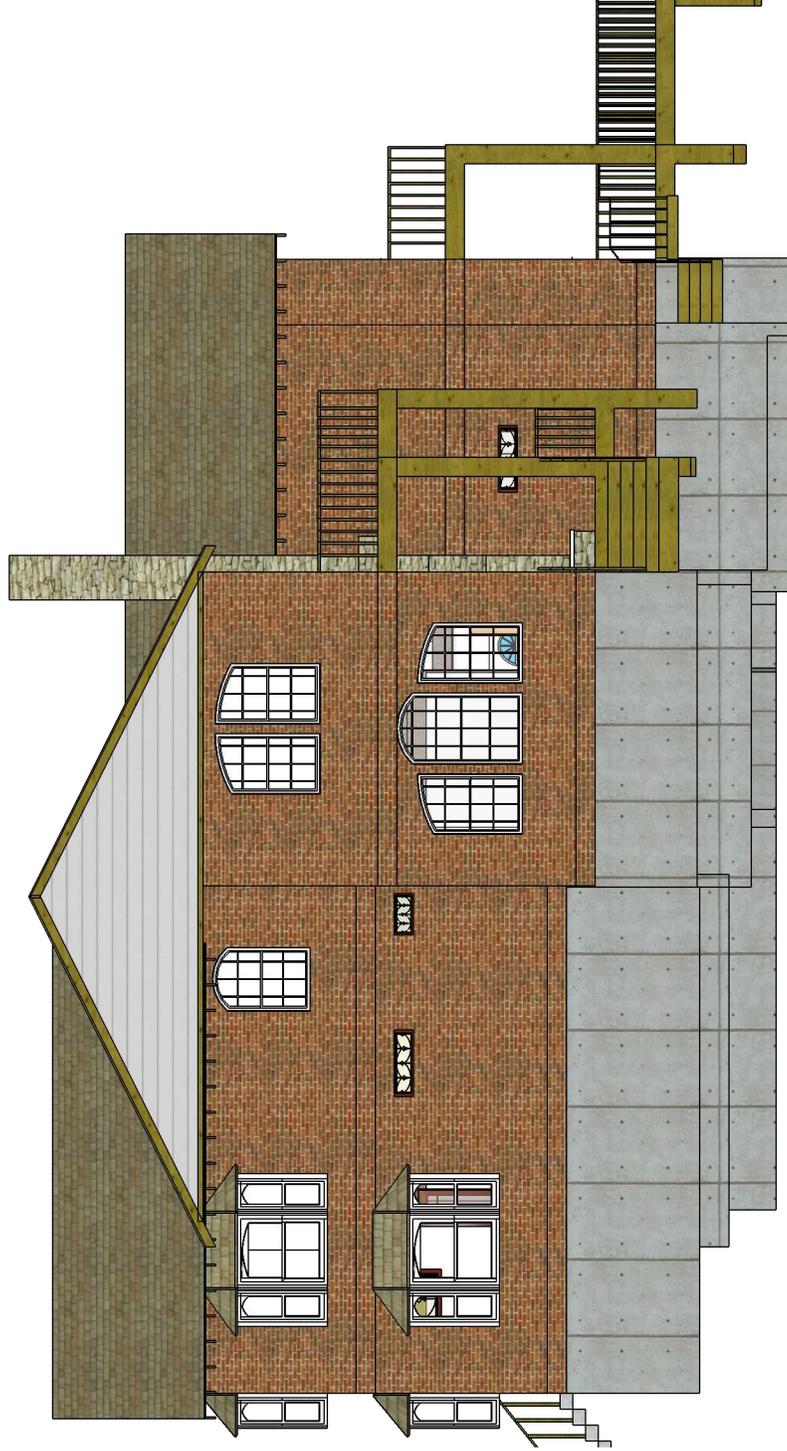
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210 N. Preston Dr.
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Notes:

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2. Above-grade foundation: All areas other than garage have minimum of 24" above finish grade.
3. Below grade footing and foundation: minimum of 36" below-grade footing/foundation.
4. Footings not shown.
5. All exterior finishes to comply with Building and FCOZ requirements.



North Elevation

1" : 10'

Clearwing Cabin
Preliminary Site Plan

24-21-283-006

Applicant: Clearwing, LC

c/o Mark Sudbury
801-277-1113

210 N. Preston Dr.
Alpine, UT 84004

Notes:

1. Garage level slab on grade on South Edge.
2. Above-grade foundation: All areas other than garage have minimum of 24" above finish grade.
3. Below grade footing and foundation: minimum of 36" below-grade footing/foundation.
4. Footings not shown.
5. Northwest corner is low point of foundation-ground penetration (for roof measurement).
6. All exterior finishes to comply with Building and FCOZ requirements.

East Elevation

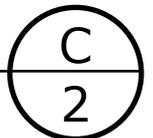


West Elevation



East/West Elevations

1" : 20'



Clearwing Cabin
Preliminary Site Plan

24-21-283-006

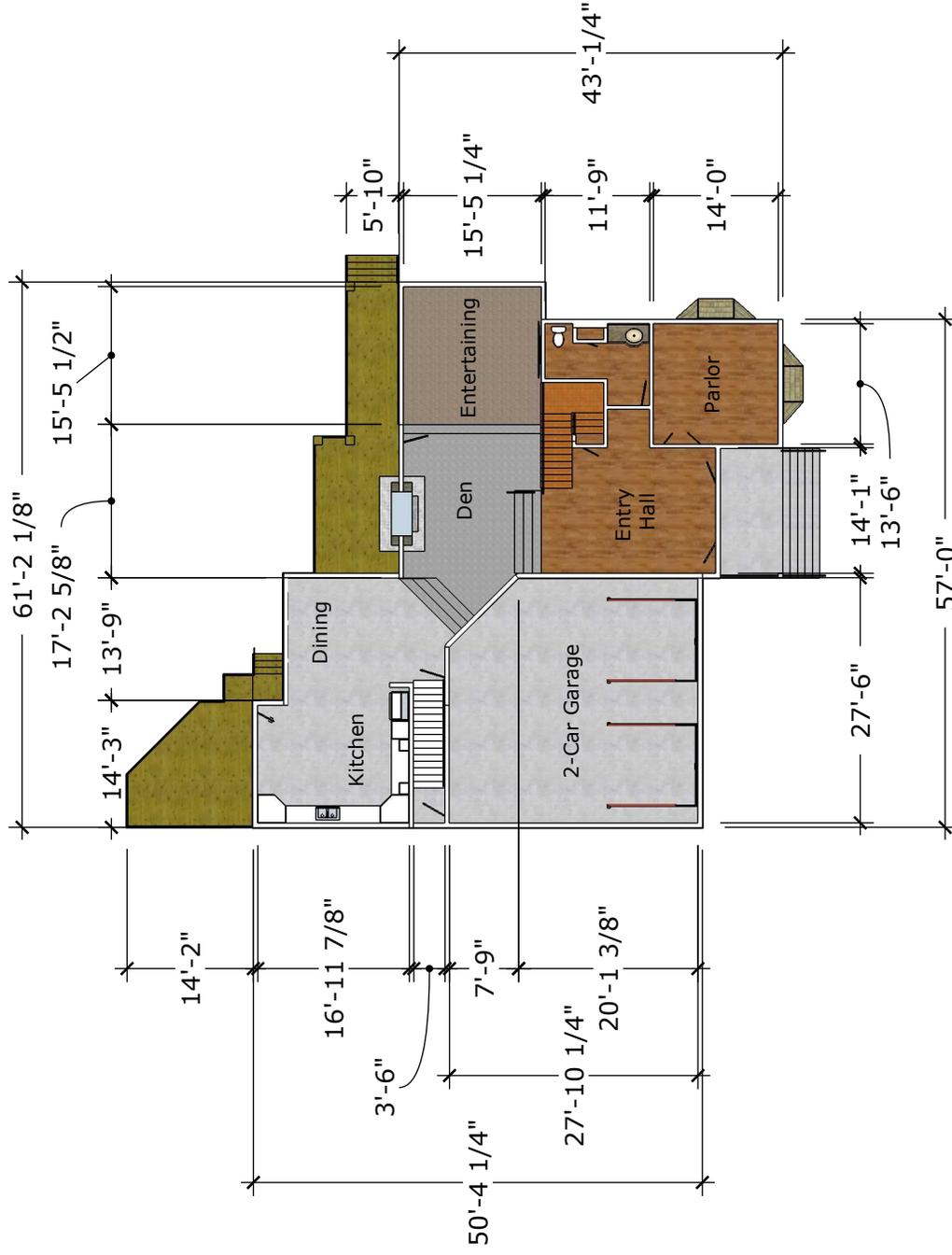
Applicant: Clearwing, LC

c/o Mark Sudbury
801-277-1113

210 N. Preston Dr.
Alpine, UT 84004

Notes:

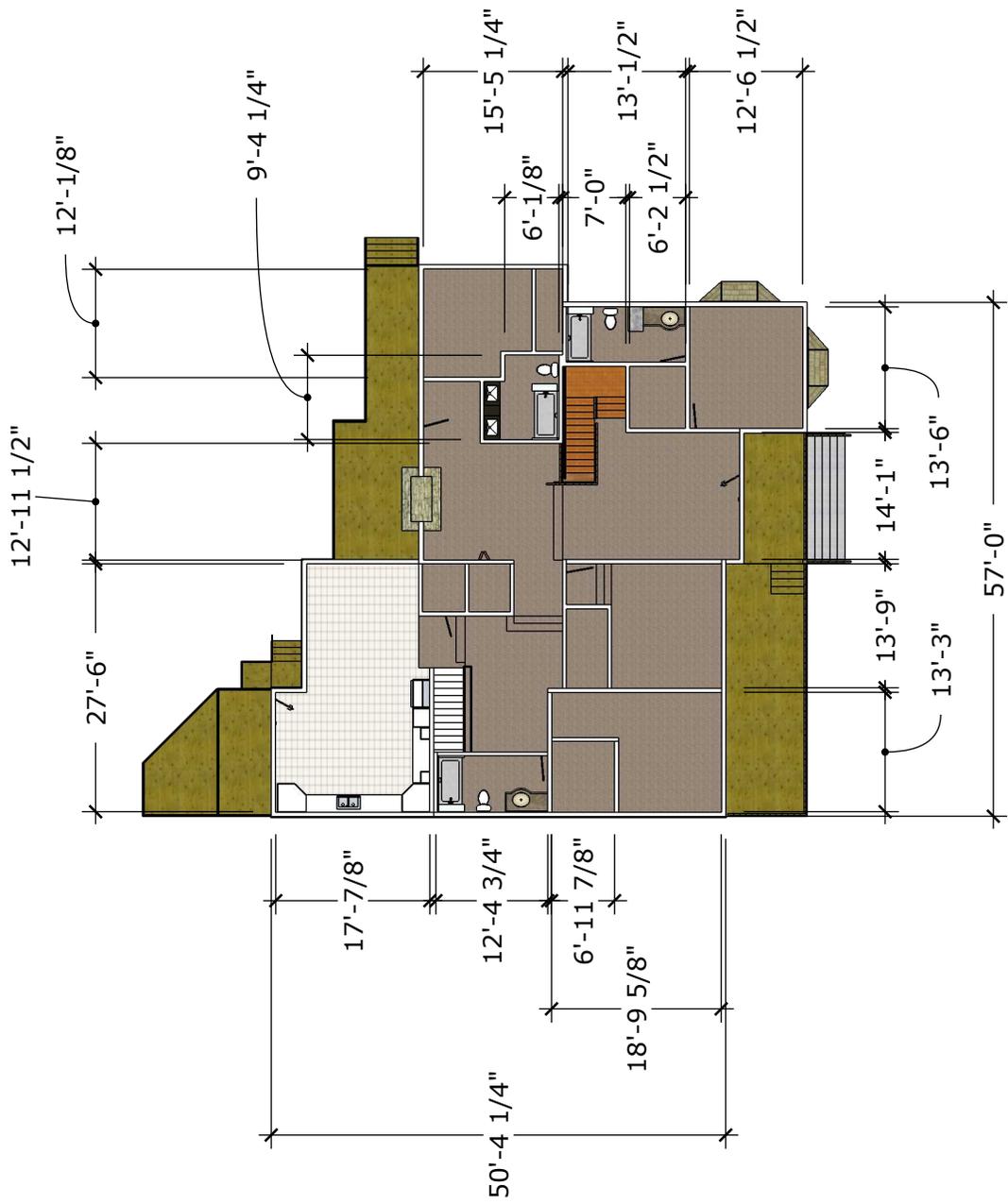
1. 2,641 Total interior square feet.



Main Floor

1" : 20'

<p>Clearwing Cabin Preliminary Site Plan</p>	
<p>24-21-283-006</p>	
<p>Applicant: Clearwing, LC</p>	<p>c/o Mark Sudbury 801-277-1113</p>
<p>210 N. Preston Dr. Alpine, UT 84004</p>	
<p>Notes: 1. 2,569 Total interior square feet.</p>	



Clearwing Cabin Preliminary Site Plan

24-21-283-006

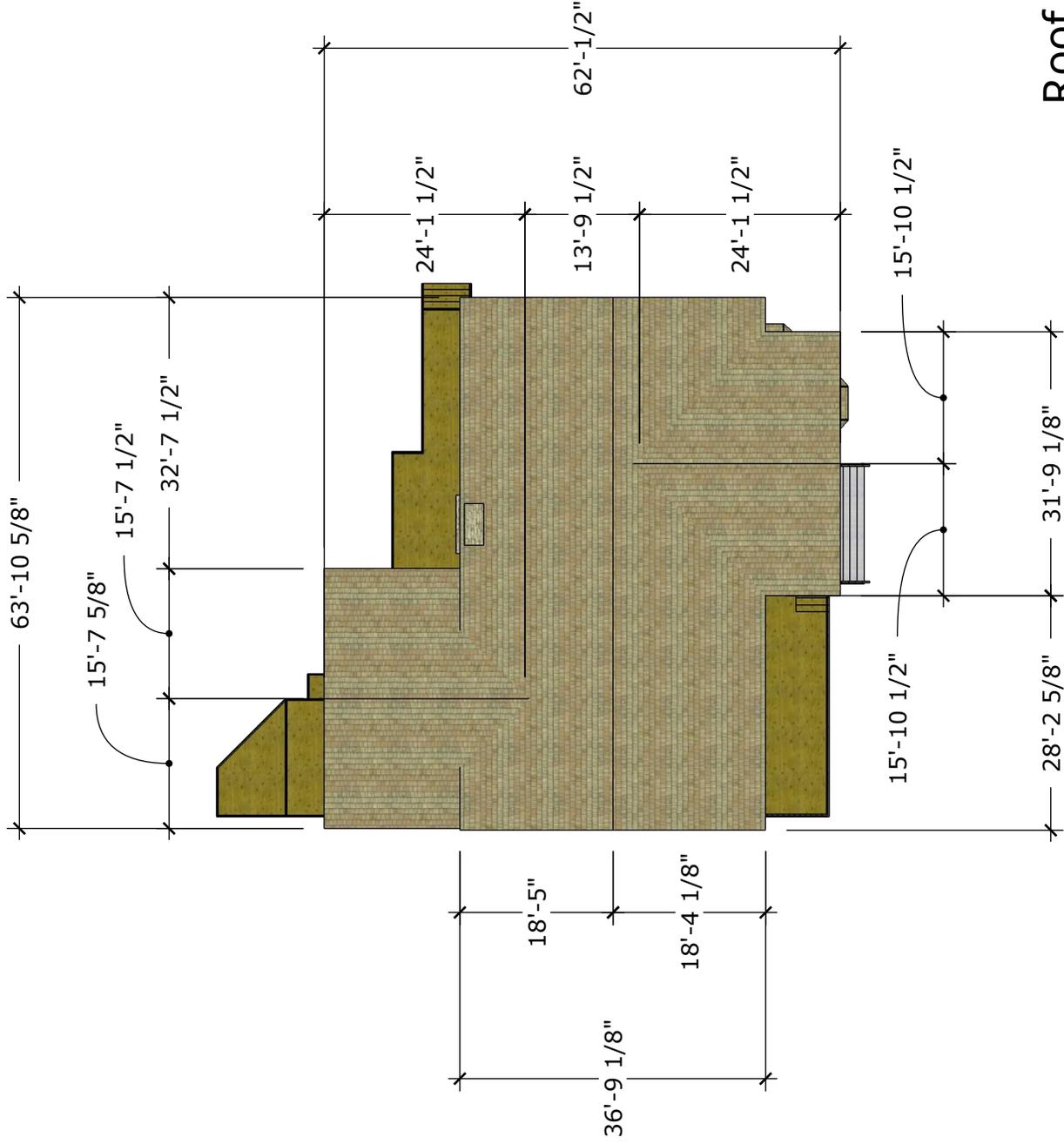
Applicant: Clearwing, LC

c/o Mark Sudbury
801-277-1113

210 N. Preston Dr.
Alpine, UT 84004

Notes:

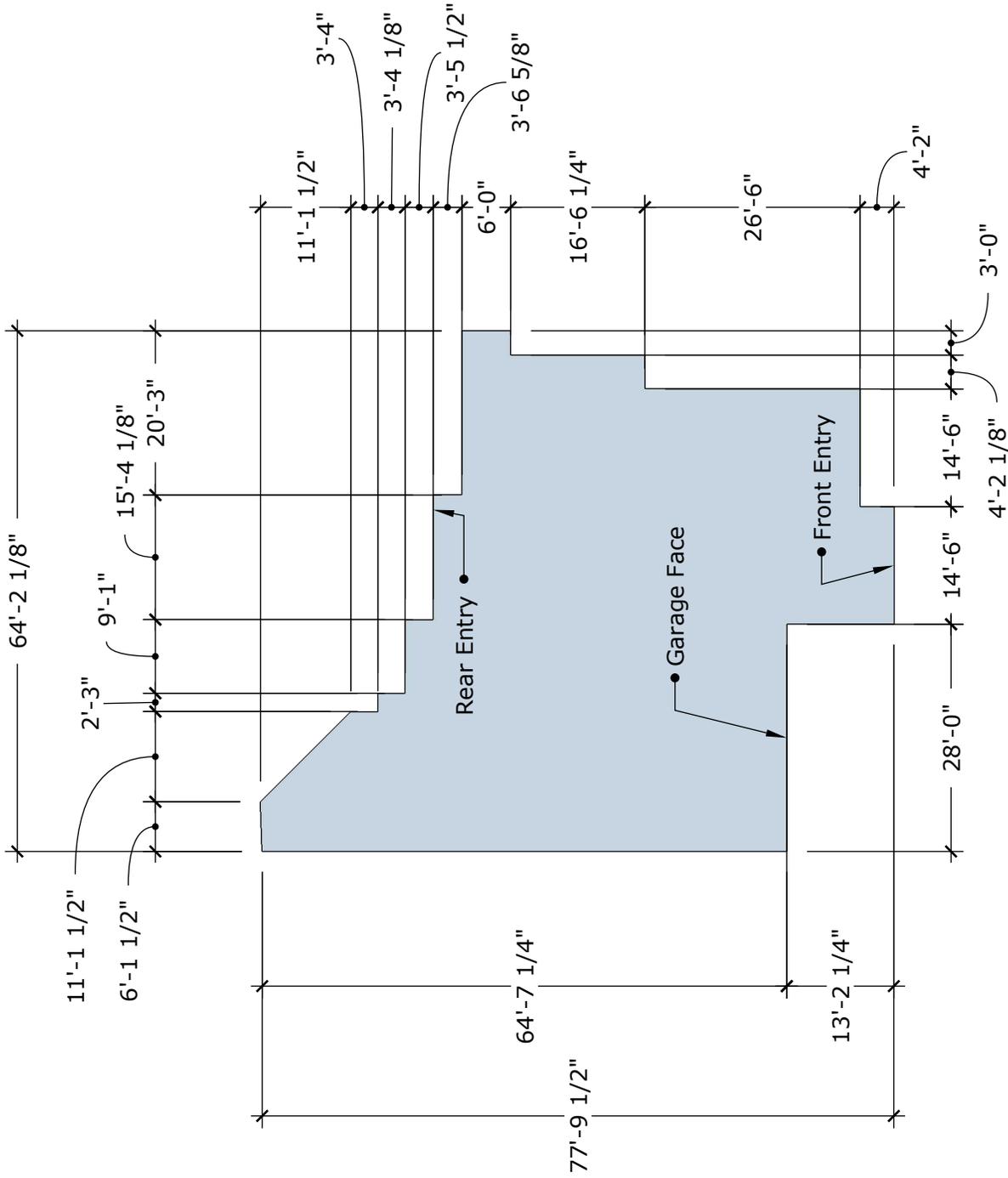
1. All 3 sections 6 / 12 Pitch.
2. Snow cleats to be installed over balconies, driveways and walkways.
3. All exterior finishes to comply with Building and FCOZ requirements.



Roof Top View

1" : 20'

<p>Clearwing Cabin Preliminary Site Plan</p>	
<p>24-21-283-006</p>	
<p>Applicant: Clearwing, LC</p>	
<p>c/o Mark Sudbury 801-277-1113</p>	
<p>210 N. Preston Dr. Alpine, UT 84004</p>	
<p>Notes: 1. Maximum footprint dimensions. 2. Includes decks and stairs but not driveway.</p>	



Clearwing Cabin Preliminary Site Plan

24-21-283-006

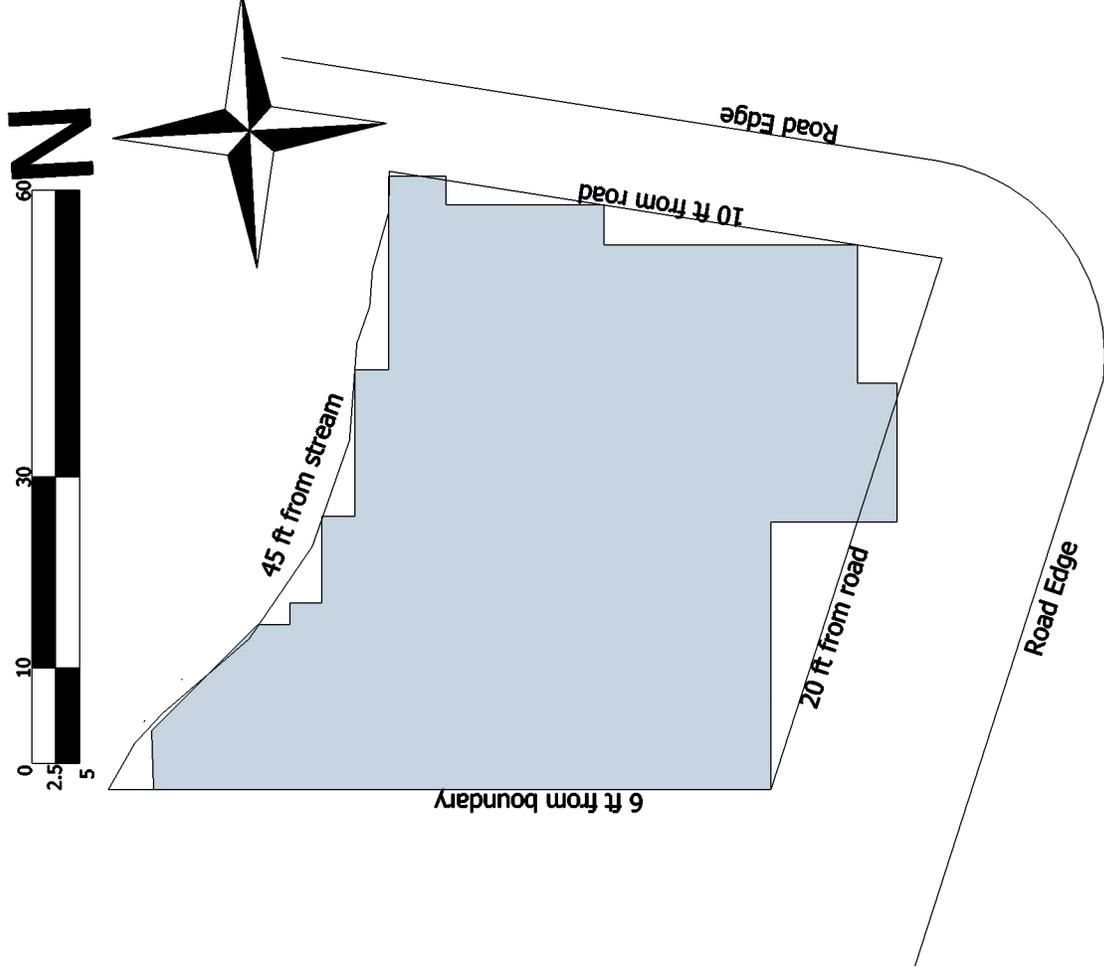
Applicant: Clearwing, LC

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801-277-1113

210 N. Preston Dr.
Alpine, UT 84004

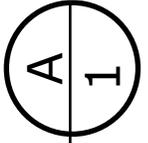
Notes:

1. Maximum footprint dimensions.
2. Includes decks and stairs but not driveway.
3. 3,221 total square feet.



Footprint

1" : 20'





APPENDIX C

FIRE HAZARD SEVERITY FORM



A. Subdivision Design

	Points
1. Ingress/Egress	
Two or more primary roads	1 <input checked="" type="checkbox"/>
One road	10 <input type="checkbox"/>
One-lane road in, one-lane road out	15 <input type="checkbox"/>
2. Width of Primary Road	
20 feet or more	1 <input checked="" type="checkbox"/>
Less than 20 feet	5 <input type="checkbox"/>
3. Accessibility	
Road grade 5% or less	1 <input type="checkbox"/>
Road grade 5-10%	5 <input checked="" type="checkbox"/>
Road grade greater than 10%	10 <input type="checkbox"/>
4. Secondary Road Terminus	
Loop roads, cul-de-sacs with an outside turning radius of 45 feet or greater	1 <input checked="" type="checkbox"/>
Cul-de-sac turnaround	5 <input type="checkbox"/>
Dead-end roads 200 feet or less in length	8 <input type="checkbox"/>
Dead-end roads greater than 200 feet in length	10 <input type="checkbox"/>
5. Street Signs	
Present but unapproved	3 <input checked="" type="checkbox"/>
Not present	5 <input type="checkbox"/>

B. Vegetation (IUWIC Definitions)

1. Fuel Types	
Surface	
Lawn/noncombustible	1 <input type="checkbox"/>
Grass/short brush	5 <input checked="" type="checkbox"/>
Scattered dead/down woody material	10 <input type="checkbox"/>
Abundant dead/down woody material	15 <input type="checkbox"/>
Overstory	
Deciduous trees (except tall brush)	3 <input type="checkbox"/>
Mixed deciduous trees and tall brush	10 <input type="checkbox"/>
Clumped/scattered conifers and/or tall brush	15 <input checked="" type="checkbox"/>
Contiguous conifer and/or tall brush	20 <input checked="" type="checkbox"/>
2. Defensible space	
70% or more of lots completed	1 <input type="checkbox"/>
30% to 70% of lots completed	10 <input type="checkbox"/>
Less than 30% of lots completed	20 <input checked="" type="checkbox"/>

C. Topography

Located on flat, base of hill, or setback at crest of hill	1 <input type="checkbox"/>
On slope with 0-20% grade	5 <input checked="" type="checkbox"/>
On slope with 21-30% grade	10 <input type="checkbox"/>
On slope with 31% grade or greater	15 <input type="checkbox"/>
At crest of hill with unmitigated vegetation below	20 <input type="checkbox"/>

D. Roofing Material

Class A Fire Rated	1 <input type="checkbox"/>
Class B Fire Rated	5 <input checked="" type="checkbox"/>
Class C Fire Rated	10 <input type="checkbox"/>
Nonrated	20 <input type="checkbox"/>

E. Fire Protection—Water Source

500 GPM hydrant within 1,000 feet	1 <input checked="" type="checkbox"/>
Hydrant farther than 1,000 feet or draft site	5 <input type="checkbox"/>
Water source 20 min. or less, round trip	10 <input type="checkbox"/>
Water source farther than 20 min., and 45 min. or less round trip.	15 <input type="checkbox"/>
Water source farther than 45 min., round trip	20 <input type="checkbox"/>

F. Siding and Decking

Noncombustible siding/deck	1 <input type="checkbox"/>
Combustible siding/no deck	5 <input checked="" type="checkbox"/>
Noncombustible siding/combustible deck	10 <input type="checkbox"/>
Combustible siding and deck	15 <input type="checkbox"/>

G. Utilities (gas and/or electric)

All underground utilities	1 <input type="checkbox"/>
One underground, one aboveground	3 <input checked="" type="checkbox"/>
All aboveground	5 <input type="checkbox"/>

TOTAL FOR SUBDIVISION: 70

FIRE HAZARD SEVERITY

MODERATE HAZARD	50-75
HIGH HAZARD	76-100
EXTREME HAZARD	101+

2006 UTAH WILDLAND-URBAN INTERFACE CODE

Project Information:

Project Number: 29563
 Project Address: 11409 E. Willow Fork Ln,
 Applicant: Clearwing LC Brighton

Please complete and return to:

Stewart Gray
 Salt Lake County Area Fire Inspector
 Fax: (801) 743-7121 Email: sgray@ufa-slco.org

Stephen G. McIntosh

Box 8124

Alta, UT. 84092

801-330-3448

May 18, 2014

Mr. Mark Brinton
11375 E. Willow Fork Lane
Silver Fork, UT. 84121

RE: Fire hydrant flow test of Silverfork Pipeline Corp. hydrant # SFPH44

Dear Mr. Brinton:

At your request I have conducted a fire hydrant flow test of the hydrant located 150 feet east of your lot on Willow Fork Lane in the Silverfork Subdivision in Big Cottonwood Canyon. The Hydrant is a Mueller and is located on the south side of Willow Fork Lane at the intersection of Pearl Park Lane and Willow Fork Lane.

By reviewing distribution plans and maps of the water system I determined that the hydrant is connected to a 6" line. I used the hydrant closest to your lot as the flow hydrant and the hydrant to the east on Willow Fork Lane. as the pressure hydrant. I used the 2 and one half-inch port on the East side of the hydrant to minimize property damage.

Test Results.

SFPH44: static pressure: 208

Upstream hydrant static pressure: 143

Flow pressure: 80 psi. = 1669 gpm x 0.90 coeff. = **1501 gpm actual**

Upstream hydrant's static pressure went from 143 to 75

Pressure drop of 68 psi =47 % drop on the pressure hydrant

This is just a snapshot of what was happening within the system at this hydrant on May 18, 2014. I determined the available **water at 20 psi to be 2068 gpm** using the Hazen Williams formula. The Coefficient is for smooth and rounded outlets, which were observed in the hydrants.

I may be reached at 801-330-3448 should you have any questions.

Sincerely,

Stephen G. McIntosh

EXHIBIT "A"

Parcel 1: (Fee Simple Interest)

Beginning at a point which is North 89°33' West 447.9 feet and North 7°02' East 232.5 feet and North 65°59' West 87.5 feet from the East Quarter corner of Section 21, Township 2 South, Range 3 East, Salt Lake Base and Meridian; thence South 65°59' East 87.5 feet to the Southwest corner of land deeded to Marjorie E. Buchner by deed recorded October 17, 1947 in Book 567 at Page 352 of Official Records; thence North 7°02' East along said land 145.8 feet; thence North 10°09' West along said land 16 feet, more or less, to the center of Big Cottonwood Creek; thence Northwesterly along said creek 115 feet, more or less to a point which is North 3°16' East from the point of beginning; thence South 3°16' West 204 feet, more or less, to the point of beginning.

Parcel 1A: (Easement Estate Interest)

Together with a right of way for road purposes for the use of the grantor and the public over the following described strip of land:

A 20 foot strip of land beginning at a point North 39°42' West 70.23 feet and North 40 feet; thence North 59°42' West 63 feet from the Southeast corner of the Northeast Quarter of said Section 21, the North boundary of which right of way is described as follows, to-wit: running North 59°42' West 58 feet and thence in a Northwesterly direction approximately North 59°42' West to the West boundary of the East half of the East half of the Northeast Quarter of Section 21 to a point which is approximately 420 feet North of the South boundary of the said Northeast Quarter of said Section 21, as reserved in the deed from Jesse Hulse and Martha J. Hulse, his wife, to Pearl Lyle Neilson, dated September 4, 1940 and recorded September 6, 1940 in Book 252 at Page 449 of Official Records, and subsequent deeds of record.

Tax ID: #24-21-283-006

As stated in the vesting deed March 18th, 1949 and herein restated: Subject to a 20 foot right of way upon the South boundary of said parcel for the purpose of installing sanitation services and all other public services as required by Salt Lake County or other municipality which may govern said parcel, and subject to an 8 foot right of way upon the Eastern boundary of said parcel for the purpose of installing sanitation services and all other public services as required by Salt Lake County or other municipality which may govern said parcel. This restriction and right of way shall run with the land in perpetuity.

11409 East Willow Fork Lane

Schedule of Trees, Improvements, Structures and other Natural Features

1. Outhouse/Shed
2. Existing Home
3. 7" Pine tree
4. 4" Pine tree
5. 14" Quake
6. Two 12" Quakes
7. 3" Pine tree
8. Two 4" Pine trees
9. 7" Pine tree
10. 5" Pine tree
11. 14" Quake
12. 7" Quake
13. 11" Quake
14. 6" Pine tree
15. 5" Quake
16. 12" Pine tree
17. 6" Pine tree
18. 12" Quake
19. Three 10" Quakes
20. 13" Pine tree
21. 10" Pine tree
22. Two 9" and 5" Quakes
23. 7" Quake
24. 7" Pine tree
25. 4" Pine tree
26. Grove of small Quakes
27. 6" Quake
28. 10" Quake
29. Large Pine grove
30. 5" Quake
31. 13" Quake
32. 5" Quake
33. 9" Pine tree
34. 12" Quake
35. 12" Quake
36. 12" Quake
37. Grove of Quakes from 7" to 10"
38. 9" Quake
39. 20" Pine
40. Grove of Quakes from 4" to 9"
41. Grove of Quakes and Pine trees
42. 12" Pine tree inside #41
43. 7" Pine tree
44. 7" Pine tree
45. 14" Quake
46. Stream
47. Sewer Hook-up
48. 14" Quake
49. 6" Quake
- 50 11" Pine tree

FIRE CODE MODIFICATIONS

Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the *fire code official* shall have the authority to grant modifications for individual cases, provided the *fire code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention. **[2012 IFC 104.8]**

Alternative materials and methods. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. The *fire code official* is authorized to approve an alternative material or method of construction where the *fire code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety. **[2012 IFC 104.9]**

Fire Code modifications must be in compliance with the intent and purpose of the fire code so that any approved modification does not lessen health, life, and fire safety requirements. Fire Code Modifications are not a variance. Instead, a modification requires approval which will likely involve City or County Code Officials as well. Code modifications are only approved for where or when adherence to the strict letter of the fire code is impractical in the opinion of the Code Officials.

**PLEASE DO NOT ASSUME THAT A REQUEST FOR A CODE MODIFICATION
WILL BE AUTOMATICALLY APPROVED!**



Application for Fire Code Modification

I (we) Joel Kester/Clearwing, L.C. are requesting that the
Please print the name of the property owners and person making this request.

Unified Fire Authority (Per IFC 104.8) grant the following fire code modification(s). This request is based upon the specific practical difficulties described herein and the fact of not being able to carry out the provisions of the fire code. It is understood that the fire code official has the authority to grant or deny this request. The fire code official must find that special individual reasons make the strict letter of the fire code impractical, and that this request is in compliance with the intent and purpose of the fire code. This modification shall not lessen health, life and/or fire safety requirements. If approved, (or not) these documents will be entered in the files of the fire department pertaining to the project described. A copy will be provided to the applicant.

Name: Mark Sudbury

Your Present Address: 2220 Murray Holladay Rd #171

Phone: 801-277-1113, Cell 801-809-1113

Property Owner Name if Different than Above: Clearwing, L.C.

Property Address: 11409 E Willow Fork Lane, Brighton, UT 84121

Parcel Number if Applicable: 2421283006

City or County Reference Number if Applicable: 29563

Instructions:

On the attached page, please describe the reasons why you are requesting a fire code modification. Note that the reason or reasons must comply with the information stated above. The Unified Fire Authority does not assume any liability for installation different that what is described or for the maintenance of the described fire code modification. The Unified Fire Authority does reserve the right to approve or deny this request and/or the continued maintenance thereof. Attach any additional pages or plans as necessary.

Code Modification Request:

Due to the inability to meet the minimum access requirements of the Fire Department we are requesting to install fire sprinklers in lieu of.

Our construction will meet the class 2 resistance material requirements

Signature: J. K. A. Manager Date: 10/5/15

Please submit additional material if needed. If you have questions contact the Unified Fire Authority Fire Prevention Bureau at 385-468-9080. Mail or Fax to:
Unified Fire Authority 3380 S. 900 W. Salt Lake City Utah 84119, Fax to: 385-468-9030

For Office Use Only

Date: _____, Building Official Signature: _____

Approved: Denied: Notes: _____

Date: _____, Fire Code Official Signature: _____

Approved: Denied: Notes: _____

May 26, 2016

Clearwing LC
Mr. Joel Kester
210 N Preston Drive
Alpine, Utah 84004
Mark@thesudburygroup.com

RE: Request for Waiver for Building near Water Source –
11409 East Willow Fork Lane
Parcel No. 24-21-283-006
Request to build within 50 foot stream protection area

Dear Mr. Kester:

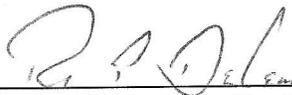
The Salt Lake County Health Department, Division of Environmental Health, and Salt Lake City Corporation have reviewed your request to build a cabin within the 50 foot setback created for the protection of watercourse as required by the Salt Lake County Health Department's *Watershed Regulation #14*. After careful review it has been decided that this request can be approved with the following stipulations:

1. The Limit of Disturbance (LOD) for construction of the residence shall be no closer than 45 feet from the high water mark indicated on the submitted plans. This approval is per the site plan attached herewith. Under the current rules decks and patios are considered part of the living space structure and will be required to meet the approved setback above; No hot tubs are allowed within 50' of the watercourse and shall be connected to the public sewer.
2. The location of the dwelling and the LOD, as shown in the attached site plan, shall be located in the field by a licensed land surveyor and approved by Salt Lake City Watershed or Salt Lake County staff before construction begins.
3. For long term protection of the watercourse and wetlands, and to maintain the required buffer areas this approval and site plan are to be recorded at the Salt Lake County Recorder's Office under the current parcel number.
4. At no time will additional encroachments, including such items as decks, patios, hot tubs, bridges, paths, fire pits, etc., be allowed within the 50 foot buffer area under any other use or request except to make repairs to the existing structure as approved under this approval.

5. All utility connections for this lot will exit from the structure furthest from watercourse.
6. Groundwater and surface water will be protected from runoff or contamination, no direct drainage into the watercourse or the 50 foot buffer area is allowed. Best management practices must be used during construction to protect the watercourse.

Please note, the approval of this request will expire if construction has not started within one (1) year of the date of this approval letter.

Sincerely,



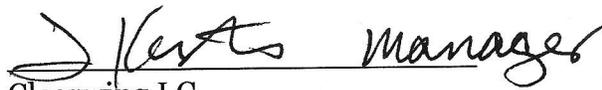
Royal Delege, Ph. D., L.E.H.S., R.S.
Director, Environmental Health Division



Laura Briefer
Director, Salt Lake City Public Utilities

Cc: Rolen Yoshinaga , SLCO Development Services
Jeremy Roberts, Division of Environmental Health
Rusty Vetter, Attorney's Office
file

Acknowledge and Accepted:



Clearwing LC
Joel Kester

Date 5/31/16



