



Public Works  
Planning & Development Services Division  
<http://www.utah.gov/pmni/index.html>

# Board of Adjustment

## Public Meeting Agenda

### Monday, February 11, 2013

### 1:00 P.M.

THE MEETING WILL BE HELD IN THE COUNTY COUNCIL CHAMBERS, COUNTY GOVERNMENT CENTER, MAIN FLOOR, ROOM #N1100, 2001 SOUTH STATE STREET.

*REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 468-2120 OR 468-2351; TDD 468-3600.*

The purpose of the Board of Adjustment Meeting is to allow the Board to hear applicant and public comment, as well as agency and staff recommendations, prior to making a decision on BOA applications filed with Salt Lake County.

The Board of Adjustment 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.

#### **Business Items – 1:00 P.M.**

- 1) Adoption of Minutes from the November 5, 2012 Meeting
- 2) Other Business

#### **Public Hearing Items - Starting immediately following Business Items**

**28026** – Sara Litchfield is requesting multiple variances relative to property located in the Foothill and Canyons Overlay Zone. Variances include; retroactive allowance for grading on slopes in excess of 40%; retroactive allowance for land disturbance in excess of the allowable limits of disturbance; roadway standards regarding grade and emergency vehicle access. The subject property is located at 7345 E. Edna Road #392 (Mt. Aire Canyon). Zone: FR-1 (Forestry & Recreation). Planner: Todd A. Draper

#### **Meeting Adjournment**

## **Rules of Conduct for the Board of Adjustment Meeting**

First: Applications will be introduced by a Staff Member.

Second: The applicant will be allowed up to 15 minutes to make their presentation.

Third: Person's in favor of the application will be invited to speak.

Fourth: Person's opposed to the application will be invited to speak.

Fifth: The applicant will be allowed 5 minutes to provide concluding statements.

- Speakers will be called to the podium by the Chairman.
- Because the meeting minutes are recorded it is important for each speaker to state their name and address prior to making any comments.
- All comments should be directed to the Board Members, not to the Staff or to members of the audience.
- For items where there are several people wishing to speak, the Chairman may impose a time limit, usually 2 minutes per person, or 5 minutes for a group spokesperson.
- After the hearing is closed, the discussion will be limited to the Board Members and the Staff.



**STAFF REPORT**

Executive Summary									
<b>Hearing Body:</b>	Board of Adjustment								
<b>Meeting Date and Time:</b>	Monday, February 11, 2013	01:00 PM	<b>File No:</b>	2	8	0	2	6	
<b>Applicant Name:</b>	Sara Litchfield	<b>Request:</b>	Variance						
<b>Description:</b>	Multiple Variances: Grading Limits; Land Disturbance Limits; Road Standards								
<b>Location:</b>	7345 East Edna Road								
<b>Zone:</b>	FR-1 Forestry & Recreation	<b>Any Zoning Conditions?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
<b>Staff Recommendation:</b>	Approval with variations								
<b>Planner:</b>	Todd A. Draper								

**1.0 BACKGROUND**

**1.1 Summary**

**\*CONTINUED FROM NOVEMBER 2012 Meeting\***

In September of 2011 the applicant approached the County concerning development of the property in relation to securing a water right for future development of the property. At that time a conditional use permit was issued by planning staff to allow for private recreational use of the property and the construction of a shed on the property (see attached approval letter). Two of the conditions imposed by staff was that no land disturbance beyond the existing pad was allowed and that the pad and driveway could not be expanded or improved.

Despite these initial conditions of approval the applicant was later cited by the County Grading Specialist for grading and disturbing the site without a grading permit. The applicant came in and applied for the grading permit to complete work related to the addition of a water line and upgraded electrical service to the property. Some areas where the grading was completed in advance of obtaining the grading permit are in violation of FCOZ standards for grading of slopes in excess of 30% .

At this time the applicant has submitted a new application (#27991) for the construction of a single family dwelling on the subject property. As the unauthorized grading already exceeded the threshold to apply to the Planning Commission for a slope waiver, the remaining avenue of administrative relief is to request a variance from the Board of Adjustment for development on slopes in excess of 40%.

In addition to the retroactive variance requests, there are other variance requests related to the proposed development of the site that were identified during the review of those preliminary development plans. Variances from those ordinance requirements are also being requested at this time.

**\*FEBRUARY 2013 UPDATE\***

The applicant has submitted revised plans under the land use application file # 27911 that deal with a number of the issues that were previously identified in the original staff report and at the November meeting of the Board of Adjustment.

While initial variance requests were general in nature and did not meet all criteria necessary for granting of variance , a staff review of the updated plans has identified a number of property specific needs that may warrant the consideration of the Board of Adjustment.

**1.2 Board of Adjustment Action**

No previous BOA action has been taken on these items.

**1.3 Neighborhood Response**

None received to date

**2.0 ANALYSIS**

**2.1 Applicable Ordinances**

Section 19.92.040.B.1. of the Zoning Ordinance establishes five criteria to be used in evaluating requests for variances. The Board of Adjustment must find that all five of these criteria have been met before granting approval of a variance. Staff suggests the following analysis based upon a review of the five criteria:

Criteria Met		Variance Criteria and Evaluation
YES <input type="checkbox"/>	NO <input type="checkbox"/>	<i>a. Literal Enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.</i>
		Discussion: Please see the attached individual analyses by staff for each variance request.
YES <input type="checkbox"/>	NO <input type="checkbox"/>	<i>b. There are special circumstances attached to the property that do not generally apply to other properties in the same district.</i>
		Discussion: Please see the attached individual analyses by staff for each variance request.
YES <input type="checkbox"/>	NO <input type="checkbox"/>	<i>c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the same district.</i>
		Discussion: Please see the attached individual analyses by staff for each variance request.
YES <input type="checkbox"/>	NO <input type="checkbox"/>	<i>d. The variance will not substantially affect the general plan and will not be contrary to the public interest.</i>
		Discussion: Please see the attached individual analyses by staff for each variance request.

YES <input type="checkbox"/>	NO <input type="checkbox"/>	<i>e. The spirit of the zoning ordinance is observed and substantial justice done.</i>
		Discussion: Please see the attached individual analyses by staff for each variance request.

**3.0 STAFF RECOMMENDATION**

**3.1 Staff recommends APPROVAL of the proposed Variance with the following conditions:**

- 1 ) Please see attached individual analyses by staff

**3.2 Reasons for Recommendation**

- 1 ) The variances that have been recommended by staff for approval represent the minimum variance from ordinance necessary to allow for reasonable development of the property and uphold the spirit and intent of the zoning ordinance. The variances identified and recommended for approval by staff also directly pertain to the unique circumstances of the subject property.

**3.3 Other Recommendations**

Planning staff does not recommended approval of any "blanket" or "retroactive" variance for any of the previously completed grading work. Staff recommends that these variance requests to allow for the site disturbance on slopes over 30% and fill dirt to remain in place be specifically denied and that the unapproved fill be removed from the property and that the hillside be re-vegetated and restored to its previous state. Staff does however recommend allowing for the construction of the home to occur concurrently with the restoration work on the site.

BOA File # 28026

Variance requests related to permitted use file # 27995

**Request #1.** Variance to retroactively allow for the border edges, (surrounding the septic test pit and building site), and they have been graded to 35%, from pre-existing grades of 30-40%.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>a. Literal Enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.</i>
	X	

**Applicant Response:**

The subject property's septic drain field area came close to having the slopes required, and areas of 30% to 40% grade were graded to 35% grade, when the septic test pit was dug and permitted electrical service line conduit was buried, in hopes to efficiently budget the expense of the heavy equipment at the site. A grading permit for the electrical trench, and an electrical permit were obtained, but the "averaged" grading of the area below the test pit, and clean up of slump at the building site, both placed soils along a border of the sites, that are being requested for retroactive variance, now. The edges where dirt was already unvegetated on the low side of these sites, as well as the additional dirt that covered that, from this recent work, are all proposed on the building site plan, for restoration, planting of grasses, and limited vegetation as is allowed by fire code.

Without the grading to average the 30% to 40% slopes to the existing 35%, (which meets the general purpose and variance standard of the zoning ordinance), I would not have known if the property could meet the Ordinance standard with variance, and would not have been able to judiciously engage in the survey engineering, site plan engineering, geotechnical soil sample, perc test, and septic design engineering investment, unless confident that the site could meet the FCOZ standards. Although the limited work was not done in the proper order, it was done with all general FCOZ standards and with the goal of conformity to all zoning ordinances, and the site plan applied for through FCOZ, is in keeping with those standards. Literal enforcement would not improve the ability of this property to meet zoning ordinances, but would have only changed the order in which it was done, in the lengthy process in which the property is now engaged. The revegetation plan will improve the pre-existing property's appearance, and the work done did not clear significant trees of 8" caliper, but did clear 2-3 significant growth clumps, which the applicant was not aware were considered significant, due to their caliper of branches being about finger-sized. These would have had to be cleared in order to meet the 30' fire standard for thinning or removal near to the cabin, and for the functioning of the septic drain field area; but were done prior to any permit to do so. The site plan shows that new planting will be installed, to the greatest extent allowed, of all dirt slopes, and

allowable areas for vegetation that meet fire codes. The general purpose of the zoning ordinance will not be compromised, within variance-allowable standards.

The areas affected by the proposed development, are very close to meeting even the letter of the ordinance laws. The vegetation already disturbed, was minimal, and its removal would have been necessitated by fire codes and septic design, so replanting, as the current site plan proposes, would be the plan best to carry out the zoning ordinance. It would be an unreasonable hardship to lose the whole usability and opportunity to permit and build a residential single family, modest-sized cabin, on this lot, due to the small margin of difference between strict compliance and this lot's ability to meet both the Spirit of the ordinance, but to actually improve the area, revegetating and beautifying areas that were previously cleared from the building site being installed in the 1950's, as well as the additional dirt added to the edges and border area, from the current proposed building site development.

**Staff Response:**

The variance request made by the applicant only included a request to disturb slopes up to 40% and grade them to 35% (or less). Were this true a variance would not be necessary. Grading on slopes up to 40% could be permitted through a slope waiver from the Planning Commission.

In reality the additional grading cuts on into the uphill side of the pad as described by the applicant occurred on slopes in excess of 40% and the fill was pushed downhill also onto slopes also in excess of 40%. The net result was a larger and wider pad and damage to surface vegetation downhill.

No evidence has been presented that a wider pad was necessary for the establishment of a septic drain field. Additionally no approval or review from the Health department for a drain field in the proposed location has been provided. The unauthorized grading may have in fact impacted the site to the point where a septic drain field would no longer be allowed in that location per the health department rules.

Additionally, no concrete evidence was presented as to why a wider pad was necessary for the construction of a single-family dwelling (cabin). Alternative cabin designs could have been implemented that would have better fit the existing (purportedly 1950's) pad. Even the proposed cabin design and footprint can potentially fit on the property without the necessity of additional widening of the pad.

Given the fact that a previous land use approval letter was issued to the current property owner with instructions not to disturb any area outside of the existing cut, including instructions to obtain a grading permit for any improvements within the existing (1950's) cut pad, the hardship has been self-imposed by the applicant's actions. Therefore pursuant to section 19.92.040 (B)(2)(b) an unreasonable hardship does not exist. Literal enforcement of the zoning ordinance related to the prohibition of development and grading on slopes in excess of 40% [19.72.030 (B), 19.72.060(B)] in the areas

surrounding the previously existing pad site would not have rendered the site completely undevelopable, or would have resulted in denial of all reasonable economic use of a property.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>b. There are special circumstances attached to the property that do not generally apply to other properties in the same district.</i>
	X	

**Applicant Response:**

This lot is located within the shelter of a ridgeline, which limits the "slack" available to conform to strict "letter" guidelines, but which are adaptable with variance assistance. The "border areas" that had the slopes averaged in the edge grading to 35%, used the 30%-40% areas that this ridgeline allowed, wrapping around the natural outcropping, to conform to ordinance goals, while staying within variance limits. It was necessary due to the ridgeline character of the lot, and it's natural limitations.

This lot was substantially developed prior to my ownership, and was unusual for the fact that it had an existing electrified shed and a permanent electric service in place for about 15 years. It has it's own water hydrant with water line buried to current standards, at least 3' deep in blue poly pipe; has a 3" conduit, now, inspected and installed and fully permitted and inspected, a large building site in existence since the late 1950's, and an excellent location for invisibility in the canyon interface, tucked back and into a ridgeline around a curve in the hillside that opens into a nice yard area with two pre-existing "old partial roads" accessing it from behind, above, and below, but practically invisible to any neighbor above or below, of already disturbed area, that would be developed to Ordinance standards within this site plan without having to use any virgin ground for the site accesses, above or below.

All essential goals and standards of the FCOZ ordinance are well-respected and met, but with small margins of error, that are caused by the natural terrain, and can be overcome while still staying within the ordinance or within variance or fire-safety requirements. Loss of the residential purpose of this lot would be a hardship to applicant and family, who would lose it's full potential, without the opportunity to develop sanitary services and shelter for their continued beneficial use, and the development of roads to the standards cited would not be possible due to width and slope of existing roads that have remained unchanged and serviceable for many years with the standard ordinance limits, are met within the variance-allowable grading limits.

The grading variance is requested due to the location of the septic system, downhill and to the side of the cabin on the ridgeline so that the best possible use of the land and least disturbance of natural slopes could be obtained, disturbing no slope above 40%. The septic test pit earth was deposited downhill from the test pit, and a border of property of

30-40% grade was worked so as to create a general slope of 35%, without removal of significant trees, but prior to FCOZ and B.O.A. variance. The equipment was present for the test-pit dig, and smoothing of the permitted electrical trench, for which both electrical permits and grading permits were obtained, but before a variance was applied for.

**Staff Response:**

The circumstances of steep slopes and small previously cut pads is a general characteristic of nearly all properties in the vicinity. Steep slopes, the presence of native vegetation, and natural hazards are a general characteristic of many properties located in the FR-1 zone and FCOZ overlay zone. No special circumstances associated with this property have been identified by the applicant in this general request that would deprive it of privileges granted to other similar properties within the same vicinity or district. The applicants implied assertion that every property can only achieve its full potential when developed for use as a single-family cabin or dwellings is flawed, there are many individual uses listed in the FR-1 zone for which a property may be developed or which may represent the maximum potential for a particular property given the individual, naturally occurring, and/or existing constraints of the property.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the same district.</i>
	X	

**Applicant Response:**

Slope grading on the edge of the septic test pit site was done from over-enthusiasm when the heavy equipment was there and able to place the extra dirt on the site towards the slope where we were looking to place the septic drain field; I instructed the operator to place it toward the 30-40% area so as to not waste the effort I knew we would need to make, eventually, to prepare the septic drain field area. Extra dirt from the pit was placed toward the outer edge of the 35% grade area. That should have been done after variance approval, to meet FCOZ standards, and so I am applying with a double fee fine, as a retroactive variance for that work that was necessary to hit the FCOZ target slopes for the field, without which, no residential use could ever be established, the main property right of ownership for which most any American family purchases a building lot; to build on it.

The improvement of that grading of the edge was done prior to variance, and is now being requested to receive a variance retroactively, to allow for the cabin site to be realized as a home. The grade was a minimal change in slope, and loose dirt at the edge, as well as the septic drain field site, itself, and all disturbed areas will be replanted according to what fire codes, WUI, and FCOZ standards allow, and burlap stapled for good regrowth, used wherever applicable. The other cabins listed below, and cabin sites, were all permitted with similar limitations of site, and allowed to accommodate those limitations by meeting the Spirit of the Ordinance with re-vegetation, and sound design to

provide reasonable alternatives to comply as closely as possible with all standards. I am asking for the right to do the same, and not lose the most basic property right for a building lot; the opportunity to build a single family residence upon it.

That being said, I should emphasize that the grading change was within the standards allowed by variance, and without such change being allowed by variance, the lot's value for use and enjoyment of facilities necessary for human habitation, will not be realized. The error was in the order of doing it prior to the point where such permissions were granted, and getting ahead of ourselves; but not in the final effects of the work being done, which were appropriate and necessary to the proper development of the building site for single family use, with respect to the range of allowance FCOZ allows with a variance. All of the following properties in the Panorama area of Mt. Aire Canyon have cabins built or being built with FCOZ approval and similar needs:

Mt. Aire Lot #343, the Douglas J. Larson cabin, resides just West of my lot, on the low end of the ridge. It has extensive retaining walls to allow for vehicle access, and has a similar footprint size, and blends in to the environment beautifully, in spite of the steep slope below it's retaining of access roads, which also were allowed to curve and follow the lay of the land.

Mt. Aire lot #390, the Stephen O. Snow cabin, is in the "Hill Mountain Subdivision" on the same road, at the end of my lot. It has a similar retaining wall as I have proposed, extended from it's foundation wall to allow it's use of parking and driveway beside the cabin site. It's septic drain field is smaller and closer to the primary structure, and yet it suits the lot and looks appropriate in it's surroundings, as mine will do, approved through FCOZ processes.

Mt. Aire lot #353, the Jesse Lassley building site, has a large rock retaining wall area, a smaller septic drain field area and is flanked by similar difficult hairpin turns in the Panorama Roads, yet suits it's surroundings appropriately, and was approved through FCOZ processes;

Mt. Aire lot #393, the Peter and Clara Guzman cabin, is on a smaller site, with a steeper driveway and access, and built closer to the edge of the, "Paul's Ridge", than my plan proposes. It is built on a higher point in the ridge directly above my cabin site but out toward the edge of the ridge, where mine is set back into the "arms" of the ridge. It was approved through FCOZ processes.

Without being allowed similar adjustments and adaptations from the variance board, like what these other lots have been allowed; the use of the property as a cabin site would be lost, and the lot would be given no chance to conform and adapt, and compensate closely for the narrow margins where strict conformity is not possible, but where it could be well-compensated with careful planning and beautification of the land; were no variance to be granted.

**Staff Response:**

Granting of the variance is not essential to the enjoyment of a substantial property right possessed by other properties in the same district. All other privately owned properties in the vicinity and those within the FR-1 zone and FCOZ overlay are required to comply with the prohibitions regarding development and disturbance on steep slopes and the location of structures on the property.

The assertion that every privately owned property enjoys inherent rights as a “building lot” for a single family dwelling is inaccurate. For example, absent the recently secured culinary water rights for the property the potential to build a habitable dwelling on this property did not exist. Currently the applicant is going through the process to determine if the property can even be entitled with such rights as they do not currently exist.

The other cabins listed were either developed prior to the current ordinance restrictions, or were developed in compliance with all current ordinance restrictions. No evidence was presented that any of the properties mentioned in the applicant’s response received or required a similar variance for development.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>d. The variance will not substantially affect the general plan and will not be contrary to the public interest.</i>
	X	

**Applicant Response:**

Unobtrusive use of the existing lay of the land, with the exception of carefully set, indigenous-looking rock retaining-walls and the grading necessitated for emergency access from the large asphalt turn-around, from the walking path access above the property, are all that is necessary for this lot to receive a cabin of modest foot-print that meets height standards, and a septic system nicely placed away and down-hill from the cabin in an excellent location away from over-land streams, washes, ravines, or springs. The cabin site is nicely tucked into the "arms" of, and set back from a natural ridgeline, protecting it from wind and elements. The proposed cabin peak will be about even with or lower than the upper access road, and practically invisible to passers-by above and below the site. The cabin is proportioned nicely with it's existing building site, has large overhangs and steep sloped roofs to protect it from extreme weather conditions, and it's building will allow for planting and retention of the original 1950's era cut site, as well as pruning, spacing and thinning of fire-risk vegetation around it, that will improve and beautify the location with indigenous planting while allowing it to be enjoyed and used by a canyon-appreciating family who wants to retain the character and integrity of the Mt. Aire Canyon and Panorama area, and is well-versed in it's history and uniqueness.

**Staff Response:**

The following policy statements are from the Wasatch Canyons Master Plan, the current Comprehensive Plan for this area of the county.

With regards to Single-family Residential Development:

*Salt Lake County will limit new residential lots, subdivisions, and permits to the most suitable sites, subject to compliance with established suitability standards.*

*Residential development on private lands may proceed if it is on a lot of record, complies with zoning requirements and standards, verifies its water supply and has acceptable wastewater treatment.*

*Existing regulations guide location, nature, and density of residential development on private property. County zoning...addresses mitigation of natural hazards, Board of Health approval,...use of appropriate building materials, grading and revegetation to eliminate erosion, parking, and placement of utilities.*

With regards to specific Parleys Canyon Issues:

*Parleys Canyon is protected under FR zoning which has been established to permit the development of the canyon area for forestry recreation and other uses compatible with the protection of the natural and scenic resources of these areas.*

Based upon these existing policy statements, the requested variance would be in conflict with established policies regarding erosion control, grading standards and the protection of the natural and scenic resources of the canyon.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>e. The spirit of the zoning ordinance is observed and substantial justice done</i>
	X	

**Applicant Response:**

The narrow extension of the 35% grade area, sacrificing some 30% and up to 40% areas to do so, septic standards may not be met, and the public interest would not be served by denying home-building rights to one of it's members, consigning the property to uses that would have no sanitary facilities and that would increase the incidence of open fires, outdoor defecation, garbage and noise from only being able to be a campsite, forever after. A well-planned site plan with cabin will make a good neighbor of this property, serve the public interest by providing the opportunity for the owner to provide sanitary services and shelter for her family, friends, and self, in a safe, nicely planted, indigenously landscaped environment, with safe retaining of slopes and an unobtrusive

location, respecting and tucked inside the natural ridgeline so as not to interfere with its "Shining Brow". Justice would not be served by preventing the building of the cabin proposed on this site, as its impact is minimal, and it asks nothing that all adjacent neighbor properties have not also used, of the canyon area, in their building opportunities. The zoning ordinance's intents are filled, but by using the least invasive approach to development of the land, and respecting the natural limitations of the landscape, while still providing the important safety preparations wanted for emergency services, and the landscaping and retaining design wanted to meet current standards and be aesthetically pleasing and chameleon-like in the canyon area. Slopes being planted and pruned will only improve the fire safety for neighbors, and ask no special advantages that would impose on any neighbor.

**Staff Response:**

Denial of a variance to encroach into slopes over 40% for construction of the principal buildings and structures would not consign the property to uses that would have no sanitary facilities, nor have any effect on the incidence of open fires, outdoor defecation, garbage or noise from the property. The applicant has not demonstrated how compliance with ordinance requirements could not be achieved, or how aesthetics were not affected by the impact of creating steeper ascending and descending slopes.

The purpose of the FR zone is to permit the development of the foothill and canyon areas of the county for forestry, recreation, and other specific uses to the extent such development is compatible with the protection of the natural and scenic resources of these areas. Granting of this specific variance for encroachment into slopes over 40% in the area of the building pad would not be in line with the intent or spirit of the zoning ordinance. It would be un-just to allow such disturbance to remain and the impacted areas should be restored by removal of the additional fill and re-vegetation of the affected areas. Enforcement of the ordinance requirements should proceed as outlined in section 19.72.060 (D) and plans for complete restoration, re-vegetation and replacement of all affected trees must be required, including the posting of performance bonds to ensure the long term survival of re-vegetation efforts.

**Staff Recommendation:**

Staff recommends that any slope variance related to disturbance of, or improvements to, the pad be denied as none of the 5 criteria for granting a variance were met. The hardship complained of was self-imposed by the applicant and the expansion of that pad was not necessary for construction of a single-family dwelling on the site as other potential alternatives did exist.

Notwithstanding this general lack of an identified hardship, staff did note that many of the slopes to the South and East of the proposed dwelling were likely man made slopes. In light of other staff recommendations in favor of variances related to site access, if granted by the Board of Adjustment, staff would also recommend including approval of a small amount of variance for incidental additional encroachment necessary to tie the existing hillside back to the dwelling and also to the site access pathways.

BOA File # 28026

Variance requests related to permitted use file # 27995

**Request #2.** Variance request for increased disturbed area, to 12, 567, from the standard allowance of 12,000 square feet.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>a. Literal Enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.</i>
	X	

**Applicant Response:**

A damaged electrical line, from the line being cut where it was running contrary to the markings of the above ground marking paint from a private utilities marking company, (who was hired to mark the electrical service line location since Blue Stakes was unable to do so), was the reason for having to trench in the middle of the "old road" area to the NE of the septic drain field and to the top of the lot boundary.

The, "old road" was covered in grasses and fallen dead wood, but no trees or significant clumps of shrub or brush. It was pre-existing at the varying width of 10-14', as shown on the site plan, and was not expanded in width by the narrow trenching down the center of the road.

Both an electrical permit and grading permit were obtained in order to trench to lay the electrical-code-required, 3" conduit, and electrical line. Dirt and rock were replaced over the site, and not pushed out over the edge in any "cut and fill" style of developing a site, so that the general purpose of the zoning ordinance, for no new development to occur and to protect against new disturbance without an FCOZ approval and permits, was upheld. Because the trench occurred in the center of an approximately 10' wide disused utility roadway/path, it does not violate the general purposes of the zoning ordinance. The alternative to replacing and repairing the electrical service line up to current electrical code standards, would have been to violate the electrical code and create a dangerous condition by "patching" the line and old narrow conduit, where water may have entered, causing a "short", at a location where it crossed into the heavily vegetated upper slope and woods. Instead, both grading and electrical permits were obtained and inspections completed with the County electrical inspector, grading inspector, and utility company for re-hook-up after having passed County standards.

The new line was trenched and installed up to current safety codes, with the rusted meter replaced to a meter that met height and condition standards for the utility company, coming down in the old utility access path. The original service line had unexpectedly diverged from that path in a "shortcut"-looking angle through the woods and down across the septic area, where it was inadvertently damaged during the digging of the septic test

pit. It would have potentially created a dangerous condition, been in violation of current electrical safety codes and standards, and not been able to be re-inspected as approved for re-hook-up, had the line not been run in 3" conduit, as it was, through the pre-existing utility access path.

Loss of the long-standing electrical service would have been a hardship, as it has been used for light for recreational use of the grounds for many years, by the prior owners, and constituted a fundamental feature of the lot. Loss of this feature would have been a hardship, and urgent action was needed to disconnect and restore service, and was fully permitted. The full electrical service, (not a temporary service), had been in place for at least 15 years prior to the current owner purchasing the parcel.

The proper repair and upgrade of service to inspection-approved, current safety standards, necessitated the disturbance, which represents well over the 567 sq. ft. of disturbance, that exceeds the 12,000 sq. ft. standard. These are the several special circumstances; that there was an established full electrical service, (rare on a recreational lot with a shed but without a preexisting cabin), that it needed repair on an urgent basis for safety issues to be addressed of the exposed line, and that an upgrade was required to meet inspection, that required a trench, (to 3" conduit and taller meter to current standards).

Notwithstanding the special circumstances involved in necessitating the disturbance of the more than 567 sq. ft. to run the trench and conduit from the top of the property boundary, to the meter location; none of the general purposes of ordinance were violated, in using the existing utility access path, and replacing disturbed soils back into the center of the path, yet the areas have been claimed as "disturbed areas" and have exceeded the 12,000 sq. ft. allowed by the letter of the ordinance, while not increasing the area of new disturbance by replacing soils and following the old utility road; as seems to be the general goal of the ordinance.

Additionally, adding a "special circumstance" somewhat unique to this property, is the preexisting "upper pathway", which is being proposed for retaining so that it may meet the purpose of an emergency access to the cabin site, as initially proposed by Mr. Stuart Gray, of the Unified Fire Authority, with the purpose of increasing the safety of emergency access for emergency services, at main floor level, from the largest asphalt turn-around in the road directly above, and within approximately 30" of the cabin site, for fire-hoses, and paramedic accesses down the longer path, proposed to be retained and graded at the SE part of the parcel, running beside the road. In addition to increasing the safety standard for the development, it increases the L.O.D. area significantly, and is not exempted from our calculations of roadway, driveway, as it is a footpath, and not a road. This path is pre-existing, but requires L.O.D. inclusion, due to the need for low retaining walls to shore up the width in a few areas and gradually grade the slope. Other properties do not have to provide separate footpath and driveway access for emergency services, because their natural topography allows overlap of the full emergency access standards with the driveway access area. The width, slope, and proximity of the subject property to lower roads, do not allow for the necessary turn-

around on the lower drive, to make such access achievable, and would pose an insurmountable hardship, as it couldn't be done within the bounds of the property owned by the applicant.

**Staff Response:**

Again the variance requested by the applicant is not accurate with regards to the actual ordinance requirements. The initial preliminary plans submitted to staff would suggest that the applicant has currently disturbed more than the maximum allowable net disturbance of 18,000 sq. ft. when significant existing site vegetation is retained or when substantial remedial vegetation and land reclamation improvements are made.

The applicant also provided no calculations with regards to the gross or net limits of disturbance with this application either. After the initial meetings with the applicant, and upon submittal of a revised site plan, staff has approximated the existing gross disturbance at approximately 19,000 sq. ft. As the area of the driveway and septic drain field are not counted within the net disturbance (approximately 3,200 sq. ft.), there is a considerable likelihood that this variance request is a moot point. If for some reason the property is not developed into a single-family dwelling and the applicant desires to retain the private recreational use, or develop the property for some other use maximum limits of disturbance will be determined as laid out in the current ordinance.

Literal enforcement of the ordinance would not require a variance based on the information now available to staff. Additionally no hardship has been established as the potential amount of disturbance appears to be within regulatory limits.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>b. There are special circumstances attached to the property that do not generally apply to other properties in the same district.</i>
	X	

**Applicant Response:**

A damaged electrical line, from the line being cut where it was running contrary to the markings of the above ground marking paint from a private utilities marking company, (who was hired to mark the electrical service line location since Blue Stakes was unable to do so), was the reason for having to trench in the middle of the "old road" area to the NE of the septic drain field and to the top of the lot boundary.

The, "old road" was covered in grasses and fallen dead wood, but no trees or significant clumps of shrub or brush. It was pre-existing at the varying width of 10-14', as shown on the site plan, and was not expanded in width by the narrow trenching down the center of the road.

Both an electrical permit and grading permit were obtained in order to trench to lay the electrical-code-required, 3" conduit, and electrical line. Dirt and rock were replaced over the site, and not pushed out over the edge in any "cut and fill" style of developing a site, so that the general purpose of the zoning ordinance, for no new development to occur and to protect against new disturbance without an FCOZ approval and permits, was upheld. Because the trench occurred in the center of an approximately 10' wide disused utility roadway/path, it does not violate the general purposes of the zoning ordinance. The alternative to replacing and repairing the electrical service line up to current electrical code standards, would have been to violate the electrical code and create a dangerous condition by "patching" the line and old narrow conduit, where water may have entered, causing a "short", at a location where it crossed into the heavily vegetated upper slope and woods. Instead, both grading and electrical permits were obtained and inspections completed with the County electrical inspector, grading inspector, and utility company for re-hook-up after having passed County standards.

The new line was trenched and installed up to current safety codes, with the rusted meter replaced to a meter that met height and condition standards for the utility company, coming down in the old utility access path. The original service line had unexpectedly diverged from that path in a "shortcut"-looking angle through the woods and down across the septic area, where it was inadvertently damaged during the digging of the septic test pit. It would have potentially created a dangerous condition, been in violation of current electrical safety codes and standards, and not been able to be re-inspected as approved for re-hook-up, had the line not been run in 3" conduit, as it was, through the pre-existing utility access path.

Loss of the long-standing electrical service would have been a hardship, as it has been used for light for recreational use of the grounds for many years, by the prior owners, and constituted a fundamental feature of the lot. Loss of this feature would have been a hardship, and urgent action was needed to disconnect and restore service, and was fully permitted. The full electrical service, (not a temporary service), had been in place for at least 15 years prior to the current owner purchasing the parcel.

The proper repair and upgrade of service to inspection-approved, current safety standards, necessitated the disturbance, which represents well over the 567 sq. ft. of disturbance, that exceeds the 12,000 sq. ft. standard. These are the several special circumstances; that there was an established full electrical service, (rare on a recreational lot with a shed but without a preexisting cabin), that it needed repair on an urgent basis for safety issues to be addressed of the exposed line, and that an upgrade was required to meet inspection, that required a trench, (to 3" conduit and taller meter to current standards).

Notwithstanding the special circumstances involved in necessitating the disturbance of the more than 567 sq. ft. to run the trench and conduit from the top of the property boundary, to the meter location; none of the general purposes of ordinance were violated, in using the existing utility access path, and replacing disturbed soils back into the center of the path, yet the areas have been claimed as "disturbed areas" and have exceeded the

12,000 sq. ft. allowed by the letter of the ordinance, while not increasing the area of new disturbance by replacing soils and following the old utility road; as seems to be the general goal of the ordinance.

Additionally, adding a "special circumstance" somewhat unique to this property, is the preexisting "upper pathway", which is being proposed for retaining so that it may meet the purpose of an emergency access to the cabin site, as initially proposed by Mr. Stuart Gray, of the Unified Fire Authority, with the purpose of increasing the safety of emergency access for emergency services, at main floor level, from the largest asphalt turn-around in the road directly above, and within approximately 30" of the cabin site, for fire-hoses, and paramedic accesses down the longer path, proposed to be retained and graded at the SE part of the parcel, running beside the road. In addition to increasing the safety standard for the development, it increases the L.O.D. area significantly, and is not exempted from our calculations of roadway, driveway, as it is a footpath, and not a road. This path is pre-existing, but requires L.O.D. inclusion, due to the need for low retaining walls to shore up the width in a few areas and gradually grade the slope. Other properties do not have to provide separate footpath and driveway access for emergency services, because their natural topography allows overlap of the full emergency access standards with the driveway access area. The width, slope, and proximity of the subject property to lower roads, do not allow for the necessary turn-around on the lower drive, to make such access achievable, and would pose an insurmountable hardship, as it couldn't be done within the bounds of the property owned by the applicant.

**Staff Response:**

Although the dialogue regarding access by emergency crews to the physical dwelling may indeed constitute a circumstance unique or special to this property, it has nothing to do with a need for additional limits of disturbance. No special circumstances related to the variance request for additional land disturbance above the limits set by ordinance were identified that would have the effect of depriving the property of privileges granted to other similar properties.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the same district.</i>
	X	

**Applicant Response:**

I have provided, in conjunction with initial discussion and guidance from Stuart Gray, of the Unified Fire Authority; a plan to provide emergency service access via a large, graded footpath that puts fire officials within required standards of proximity to the cabin, with trucks and equipment, at the large asphalted road developed in conjunction with Hill

Mountain Subdivision, and that lies directly above about 30' from the cabin site. The Peter and Clara Guzman, (formerly DeHart) cabin #393, has been allowed to use this large asphalted turn-around to meet it's emergency services standard, and obtain FCOZ building permits, as did the Hill Mountain Subdivision lot #390, cabin built by Stephen O. Snow, which both share the same emergency access asphalted road area.

All of the following properties in the Panorama area of Mt. Aire Canyon have cabins built or being built with FCOZ approval, enjoy electrical service and were allowed to use the asphalted turn-around identified above the cabin site on subject property, as their best emergency services access. In order to enjoy the same benefit, (one which I paid several thousand dollars to help to develop, in assessment to Mary Hill in her paving of the comers of the Panorama Roads, including this one), I would have to claim the path retaining and grading in the disturbed area, thus adding an unavoidable increase in L.O.D. for which I'm applying for a small variance to allow the additional 567sft of disturbance for these safety and utility needs.

Other properties in the same area that have been allowed to develop in similar ways to meet FCOZ standards for emergency service access, and who have been allowed current electrical utility services, and water lines, with the trenching necessary to install those to their respective structures, even when it did not, as the subject property, follow a pre-existing cut road. All of these cabins enjoy water and power. The slight increase in disturbed area to allow these services to be brought to the subject site should also be allowed to provide the use of these substantial property rights, to enjoy the power service that has been paid for and used for over a decade, and water line, to be improved to current codes and standards of conduit and line quality, especially while run through pre-existing abandoned roadways, even if doing so claims that square footage as a slight increase over the Ordinance "letter" allowance. The extremely limited disturbance of trenching and re-filling the trench, should meet Ordinance general standards for low impact maintenance of existing service-lines, and not be figured as additional disturbed areas, for the purpose of permit. Also, the areas of access needed to meet emergency services ordinance goals, should have some flexibility to do so, even if slightly exceeding the L.O.D. square footage standard; especially given that two accesses are necessary for the subject property, and necessarily increase the L.O.D. because the natural terrain prohibits the main drive from being used for all purposes.

Mt. Aire Lot #343, the Douglas J. Larson cabin, resides just West of my lot, on the low end of the ridge. It has extensive retaining walls to allow for vehicle access, and has a similar footprint size, and blends in to the environment beautifully, in spite of the steep slope below it's retaining of access roads, which also were allowed to curve and follow the lay of the land.

Mt. Aire lot #390, the Stephen O. Snow cabin, is in the "Hill Mowltain Subdivision" on the same road, at the end of my lot. It has a similar retaining wall as I have proposed, extended from it's foundation wall to allow it's use of parking and driveway beside the cabin site. It's septic drain field is smaller and closer to the primary structure, and yet it

suits the lot and looks appropriate in it's surroundings, as mine will do, approved through FCOZ processes.

Mt. Aire lot #353 , the Jesse Lassley building site, has a large rock retaining wall area, a smaller septic drain field area and is flanked by similar difficult hairpin turns in ttle Panorama Roads, yet suits it's surroundings appropriately, and was approved through FCOZ processes;

Mt. Aire lot #393, the Peter and Clara Guzman cabin, is on a smaller site, with a steeper driveway and access, and built closer to the edge of the, "Paul's Ridge", than my plan proposes. It is built on a higher point in the ridge directly above my cabin site but out toward the edge of the ridge, where mine is set back into the "arms" of the ridge. It was approved through FCOZ processes

**Staff Response:**

No evidence was presented that any of the aforementioned cabins enjoyed land disturbance in excess of allowable limits. Also no justifications were provided as to why the subject property could not reasonably be developed within the allowable limits.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>d. The variance will not substantially affect the general plan and will not be contrary to the public interest.</i>
	X	

**Applicant Response:**

Goals of the general plan and ordinance are being met by the proposed upper path, and are in the public interest to closely approach tile safety standard goals for emergency access services. The re-vegetation of slopes, retaining, and thinning and pruning of fire-risk growth, as well as clean-up of the dead wood and undergrowth on the property, as part of the permitted use, will improve the public's interest in reducing fire hazard and restoring the man-affected areas of the lot, from the building site.

See explication above.

**Staff Response:**

The following policy statements are from the Wasatch Canyons Master Plan, the current Comprehensive Plan for this area of the county.

With regards to Single-family Residential Development:

*Salt Lake County will limit new residential lots, subdivisions, and permits to the most suitable sites, subject to compliance with established suitability standards.*

*Residential development on private lands may proceed if it is on a lot of record, complies with zoning requirements and standards, verifies its water supply and has acceptable wastewater treatment.*

*Existing regulations guide location, nature, and density of residential development on private property. County zoning...addresses mitigation of natural hazards, Board of Health approval,...use of appropriate building materials, grading and revegetation to eliminate erosion, parking, and placement of utilities.*

With regards to specific Parleys Canyon Issues:

*Parleys Canyon is protected under FR zoning which has been established to permit the development of the canyon area for forestry recreation and other uses compatible with the protection of the natural and scenic resources of these areas.*

Based upon these existing policy statements, a variance request for additional land disturbance would be in conflict with established policies regarding erosion control, grading standards and the protection of the natural and scenic resources of the canyon.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>e. The spirit of the zoning ordinance is observed and substantial justice done</i>
	X	

**Applicant Response:**

The site plan shows the mediated ways that the spirit of the zoning ordinance is observed, through re-vegetation plan, retaining of slopes with indigenous-looking rock, and emergency services provided. Driveway and road slopes are not being greatly altered, and will be improved with 8" thick, compacted road base installation, and building a modest sized cabin in keeping with tile natural environment, as other properties have been allowed to do, with less ability to meet FCOZ standards, and closely approach them, than this one.

Justice would not be done by denying this variance so that this long-standing building site, in a privately owned, mountainous, canyon area, was denied the opportunity to have a high-quality single family residence on it, rather than to be relegated to having no more than a trailer, or outdoor camping use, with all of tile related public health hazards appertaining to denying this lot the Opportunity to develop a shelter and sanitary services. Open fires, open-air or out-house defecation by campers who have no other alternative, and the public nuisance for the community of parties whose noise is not encased in a

building, would not deliver "justice" to the subject property, were it denied an opportunity for development, nor would it deliver justice to the neighborhood, or in comparison to tile surrounding cabins that have been allowed to build on similar lots in recent years. Upon purchase of this parcel, I found the shed and surrounding area full of empty alcohol bottles and cans, exposed electrical wires nailed and strung through the trees, to the shed, & not properly protected from the elements, and no identification of the location of tile lot for emergency service access, at all. Resourceful and respectful development to install facilities to a high standard of safety and indigenous-aesthetic beauty would only benefit tile community and the owner's family. This property could be a wonderful resource for future generations who could use it to safely and unobtrusively gain shelter and enjoy the beauties of the mountain and canyon area, for many, many years to come. The proposed plan and site development would ensure that it would be built to a higher standard than most cabins or structures in the surrounding area, and with planning to use the pre-existing disturbance of the two old cut roads, to best advantage in meeting current safety goals.

**Staff Response:**

The spirit and intent of the ordinance is to limit frivolous and extraneous land disturbance and to fit development within the natural constraints of the individual property. As identified earlier this property can easily comply with the ordinance requirements and therefore no variance for an increase in land disturbance is necessary.

**Staff Recommendation:**

A variance request for additional land disturbance is unnecessary and therefore should be denied for lack of evidence.

**\*FEBRUARY UPDATE\***

Revised plans now include sufficient detail to determine that there is no need for this variance request.

BOA File # 28026

Variance requests related to permitted use file # 27995

**Request #3.** Request for Variance to allow 8” of compacted road base with driveway of approx. 12.3% with the existing Panorama Road Corporation access road to be paved in asphalt surfacing at current 14.9% grade, leading up to and slightly overlapping subject property , where road is more than 150’ without a 60’ turn around, but instead seek a variance to allow emergency services access to be provided by a separate 8’ wide path from above the building site , to the large asphalt-surfaced turn around on the road above, at the closest proximity to the main fire-hook-up from Birch Spring.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>a. Literal Enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.</i>
X		

**Applicant Response:**

This parcel's established driveway takes a hairpin turn around a ridgeline, and can nearly meet the 12% grade standard with limited retaining being installed by applicant, and little disturbance to the pre-existing slopes and bordering vegetation and natural features of the out-cropping. The Panorama Road Corporation Road that leads to the driveway, although not intended to be so, and not treated as such for many years of prior owner occupancy and use of the lot; has been shown by a detailed, accurate survey, to have some areas with the parcel's edge overlapping into it, down the long access road which exceeds 150'. That access road/drive, leads to the subject driveway, and is approximately 10-12' wide, directly above the Panorama Road fork to another property access, and due to the slope change and narrowness of the natural terrain there; would not be possible to widen or retain to create the standard 60' turn-around, required for emergency services, and constitutes a hardship.

The 14.9% sloped roadway beneath the subject building site, and owned, (except for an overlapping sliver) by Panorama Road Corporation, would be paved to the extent of the property, by applicant, in asphalt. The upper path access comes from a large asphalted turn-around area in the Panorama Road, and would put emergency services, paramedics, and medium-sized vehicles, well within the 60' distance of the cabin, for using fire hoses, using gurneys, and conveying paramedics and other emergency workers to the main floor level of the house, and placing the cabin within approximately 30-40' from the large parking and access area where emergency vehicles could locate, in the asphalted turn-around, above. This location would put fire-vehicles above and behind the cabin roof, in a better area for water or chemical treatments of fire, and on an asphalted road just up from the main water flush-out, fire hydrant hook up. It is one of the best turn-arounds and water hook-up locations in the entire Mount Aire or Panorama Canyon Areas. The general purposes of the zoning ordinance, to provide for good access for emergency

services, within 60' of the subject building, would be met by the retaining and grading of the 8' wide upper path, to meet these safety access needs.

**Staff Response:**

The variance request is unclear. One portion pertains to section 19.72.030 (D) regarding streets roads and general site access. Another portion pertains to section 19.72.030 (E) regarding driveways. Yet other portions of the request do not pertain to the zoning ordinance at all but to regulations of other outside agencies. The request is also vague as to whether the applicant is requesting a variance to exceed typical driveway slope standards by .6 % or by 2.9%, neither of which require a variance from the Board of Adjustment, rather approval from the County Traffic Engineer. Alternatively the applicant may have been intending to request a variance from 19.72.030 (E)(7)(b) that requires driveway grades within twenty feet of the roadway to be no greater than 10%, but this was not inherently clear. Also unclear was whether the applicant was requesting variances for the existing roadway or for the existing driveway.

With regards to the provisions provision of a turn around that meets the county's roadway standards and those of the fire department [section 19.72.030 (E) (2)], no evidence has been submitted to indicate that either entity has rejected the proposal to provide emergency access via the proposed footpath. Respectfully, there is no evidence presented that would necessitate a variance from the ordinance or to suggest that safe, convenient, or adequate access to the individual buildings cannot be provided either as proposed or with installation of a typical turn-around. Additionally, installation of the proposed foot path would require a separate variance request for encroachment of the proposed footpath into slopes in excess of 40%. Such a request was not made by the applicant at this time.

According to the provided development plans the existing (1950's) access driveway to the property is less than 10 feet wide in certain locations. Improvements to this driveway in order to meet minimum access standards may require additional grading including retaining walls. The request for variance was not clear as to whether the variance request was for additional grading into slopes in excess of 50%, or from standards which would require the additional widening of the roadway.

In all cases, staff opinion is that the proposed plans are insufficient to accurately determine if a variance is necessary at all, and secondly are too vague as to specific details or amounts of variance that are being requested.

**\*FEBRUARY UPDATE\***

Revised plans have been submitted and as a result the need for a variance with regards to driveway grade is much more apparent. The current existing driveway access is actually above the maximum 15% for much of its length. Small variances from 19.72.030 (E)(7) are required in order to utilize and make improvements to the existing access.

The Unified Fire Authority has approved a code modification request which included their support of allowing a driveway of up to 15.1% grade. The Unified Fire Authority

fire code modification approval also was also contingent upon providing a pull out near the last turn at the top of the driveway to provide for increased accessibility to the site. Another part of the fire code modification approval involved a 8' wide secondary pedestrian access from the 1<sup>st</sup> (or 2<sup>nd</sup>) floor of the dwelling that exited onto an upper roadway. While much of this walkway currently exists, additional disturbance into slopes up to and over 50% will be necessary to satisfactorily improve it for emergency access to the site. Staff notes that the current plan revisions have reduced the amount of potential disturbance substantially regarding this walkway, over the initially submitted plans.

The Salt Lake County Transportation Engineer had no comments either way with regards to the proposed driveway specifications or walkway. Due to the health and safety ramifications associated with access to the property, planning staff believes that literal enforcement of the ordinance would create an unreasonable hardship with regards to general site access.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>b. There are special circumstances attached to the property that do not generally apply to other properties in the same district.</i>
X		

**Applicant Response:**

The, "Paul's Ridge" feature, is the most impactful natural issue affecting the request for the slope variation on the Panorama Road Corporation's roadway access, which leads to the ridge down more than 150' of length and is insufficiently wide to allow for a 60' turn-around to be created, even using other people's property, Panorama Road property, and extensive retaining, as the mountainous grade up to and around the ridge within that 150' would not allow it. Although the existing grades allow for easy access by car now, are of sufficient width and allow for the required parking areas on the property, the emergency services access would need to be provided by use of tile upper path to tile large asphalted turn around, and main line water hook-up for fire hoses. The subject property is unique in it's close proximity to this large asphalted turn-around and fire-hose hook-up area, as it is also uniquely limited for the driveway around, "Paul's Ridge" which will not allow development that would grant the standard on the driveway road. The roads have been ungraded and untouched by me, and are as they have lain since original development in the late 1950's and early 1960's, to my knowledge, and currently meet the 14.9% standard on the Panorama Road, and just barely above the 12%, or 12.3%, on the driveway to tile cabin and tile parking area. Due to the Panorama Road Corporation ownership of most of the long road leading to my lot and the lower Panorama roadway, and approximately 12% on the upper drive, but have no area for the turn around, but from above. Asphaltting the lower driveway or road would be Unnecessary for emergency services use, as it

would be provided from the asphalted area above, and the walking path would meet the grading standard for gravel, only.

I am requesting a variance so that I may leave the lower Panorama road (which has a small fraction of overlap from subject parcel), at approximately its pre-existing and current grade, and use 8" of compacted road base, rather than asphalt, to secure it, as well as to pave the driveway that is 100% on the subject property. Asphalt would destroy the natural, mountainous feel of the neighborhood, and would be an exception to the Panorama Roads leading to it, that are not paved with asphalt, but with road base. Because of the tightly curved turn-in to the lot, paving with asphalt would create a large, doubled visual surface area of hot tarred surface, not in keeping with the natural, mountainous environment and adjoining Panorama Roads, and unlike the roadbase driveways of most properties within 300 feet of the subject property. The 8" of compacted road base would greatly improve the current dirt and weed, divetted road surface, and should be adequate for access for many decades to come, with maintenance I would provide.

This plan has been designed through discussion and guidance from Stuart Gray, of the Unified Fire Authority, and would effectively put emergency services, via the large, graded footpath much closer to the cabin, with trucks and equipment, than the lower road could ever provide, by use of the large asphalted road that was developed in conjunction with Hill Mountain Subdivision, and that lies directly above the cabin site within approximately 30'. That alternate emergency services access would be a safer and far more accessible location from which to operate a paramedics' vehicle or access a medical need of a resident in the cabin, from a main level access, as well. The lower 14.9% Panorama Road Corporation road, would still be paved in asphalt, by the applicant, to the extent of the adjacent property boundaries of overlap.

**Staff Response:**

With regards to the access drive there may be special circumstances that are associated with the property that are neither self-imposed nor economic in nature. However, the applicant has failed to clearly identify a hardship due to the incomplete nature of plans related to the construction of the access driveway. More detailed plan and profile drawings of the proposed driveway and walkway would be advisable to determine if this is indeed the case.

**\*FEBRUARY UPDATE\***

The revised plans that have been submitted now give clearer details regarding the existing driveway and site access. Staff has concluded that although other properties in the vicinity may have similar issues, unique characteristics do exist that would support claims that the need for variances regarding site access is a product of the existing landform(s).

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the same district.</i>
X		

**Applicant Response:**

The following lots in Panorama Canyon, use the same or similar roads, and have either built a cabin through the FCOZ process, or are in the process of building one. None of these have a better turn-around than the asphalted road directly above my building site, which I am offering the 8'wide access path for emergency services' access, or much better ability to reach tile letter of the road grading ordinance in width or depth, leading up to ISO" of their cabins; yet all have built high quality cabins that are a credit to the canyon and have improved and beautified and improved the fire safety of services and grounds around them, as I would propose to do. The variance is necessary to approve a single family residential building permit on this lot, and to allow the changes necessary to provide for the greatest amount of access possible for safety and emergency services, with the terrain of that lot being as Nature made it. This lot has some advantages of proximity to the large fire-hook-up and asphalt turn-around that some of those other permitted properties that were approved for cabin building, did and do not.

Mt. Aire Lot #343, the Douglas 1. Larson cabin, resides just West of my lot, on the low end of the ridge. It has extensive retaining walls to allow for vehicle access, and has a similar footprint size, and blends in to the environment beautifully, in spite of the steep slope below it's retaining of access roads, which also were allowed to curve and follow the lay of the land.

Mt. Aire lot #390, the Stephen O. Snow cabin, is in the "Hill Mountain Subdivision" on the same road, at the end of my lot. It has a similar retaining wall as I have proposed, extended from it's foundation wall to allow it's use of parking and driveway beside the cabin site. It's septic drain field is smaller and closer to the primary structure, and yet it suits the lot and looks appropriate in it's surroundings, as mine will do, approved through FCOZ processes.

Mt. Aire lot #353, tile Jesse Lassley building site, has a large rock retaining wall area, a smaller septic drain field area and is flanked by similar difficult hairpin turns in the Panorama Roads, yet suits it's surroundings appropriately, and was approved through FCOZ processes;

Mt. Aire lot #393, the Peter and Clara Guzman cabin, is on a smaller site, with a steeper driveway and access, and built closer to the edge of the, "Paul's Ridge", than my plan proposes. It is built on a higher point in the ridge directly above my cabin site but out toward the edge of the ridge, where mine is set back into the "arms" of the ridge. It was approved through FCOZ processes.

While my lot #392 has its unique features, none of these prevent it from meeting the spirit and coming close to the letter of the FCOZ, WUI, and variance board general standards and goals for respectful and well-designed, safety-oriented, and environment sensitive, mountain and canyon land development. While some natural features are limiting, others allow this building site to compensate to adapt alternate compliance approaches, to make up for the narrow margins where strict conformity is not possible, so that most realistic safety issues, the goals of the road ordinances, would be achieved through use of the upper path.

**Staff Response:**

Again the vagueness of the variance request makes it difficult to determine if denial would impact a significant property right afforded other similar properties. Additionally as noted in the response to the previous criteria, there are other potential variance requests that were not made by the applicant that may also have impact upon the necessity of the requested variances related to road grade and the proposed emergency vehicle access.

**\*FEBRUARY UPDATE\***

Although the original variance request was unclear, the ability to construct and utilize a single family dwelling is a substantial property right that would not be available if the variance were denied.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>d. The variance will not substantially affect the general plan and will not be contrary to the public interest.</i>
X		

**Applicant Response:**

Unobtrusive use of the existing lay of the land, with the exception of carefully set, indigenous looking rock retaining-walls and the grading necessitated for emergency access from the large asphalt turn-around, from the walking path access above the property, are all that is necessary for this lot to receive a cabin of modest foot-print that meets height standards, and a septic system nicely placed away and down-hill from the cabin in an excellent location away from over-land streams, washes, ravines, or springs. The cabin site is nicely tucked into the "arm" of, and set back from a natural ridgeline, protecting it from wind and elements. The proposed cabin peak will be about even with or lower than the upper access road, and practically invisible to passersby above and below the site. The cabin is proportioned nicely with its existing building site, has large overhangs and steep sloped roofs to protect it from extreme weather conditions, and its building will allow for planting and retention of the original 1950's era cut site, as well as pruning, spacing and thinning of fire-risk vegetation around it, that will improve and

beautify the location with indigenous planting while allowing it to be enjoyed and used by a canyon appreciating family who wants to retain the character and integrity of the Mt. Aire Canyon and Panorama area, and is well-versed in it's history and uniqueness. No public interest is violated, as the property will meet better fire standards than prior to the building of the proposed cabin, and the grounds will be pruned, dead wood removed, and plantings and retaining done where pre-existing dirt-fall and exposed earth had been.

**Staff Response:**

The following policy statements are from the Wasatch Canyons Master Plan, the current Comprehensive Plan for this area of the county.

With regards to Single-family Residential Development:

*Salt Lake County will limit new residential lots, subdivisions, and permits to the most suitable sites, subject to compliance with established suitability standards.*

*Residential development on private lands may proceed if it is on a lot of record, complies with zoning requirements and standards, verifies its water supply and has acceptable wastewater treatment.*

*Existing regulations guide location, nature, and density of residential development on private property. County zoning...addresses mitigation of natural hazards, Board of Health approval,...use of appropriate building materials, grading and revegetation to eliminate erosion, parking, and placement of utilities.*

With regards to specific Parleys Canyon Issues:

*Parleys Canyon is protected under FR zoning which has been established to permit the development of the canyon area for forestry recreation and other uses compatible with the protection of the natural and scenic resources of these areas.*

Based upon these policy statements, a variance request to allow certain existing features of an existing lot of record to remain or expand slightly in order to improve the health and safety aspects of the property could be considered as supported by the plan and to be in the best interest of the public.

Criteria Met		Variance Criteria and Evaluation
Yes	No	<i>e. The spirit of the zoning ordinance is observed and substantial justice done</i>
X		

**Applicant Response:**

All aspects of the FCOZ and WUI values are incorporated in the building, re-vegetation, and low impact plan, to keep the character of the remote canyon, mountain landscape, while improving vegetation of prior and current development areas, prune and space fire hazard vegetation. Justice would not be served by discriminating against the use and development of this property for a cabin on a lot that has so many advantages in conformity in excess of most of the lots that have been permitted and developed in recent years, and surrounding areas. The purposes of the zoning ordinance for safety and emergency access are being respected and their goals met to the greatest extent allowed by the natural terrain, through additional work, the use of the upper path, and 8" compacted road base. The asphalt paved, improved Panorama Road Corporation road would be a significant improvement to the roads in the area, and accessibility in any weather, in that canyon area, providing some "bonus" to the surrounding owners at applicant expense.

**Staff Response:**

More details are necessary to determine if this criterion has been met. The vagueness of the variance request coupled with the potential variances that were not specifically requested leaves doubt as to whether or not the spirit of the zoning ordinance has been met. Any variance, if granted should be the minimum amount necessary to achieve the goals of the zoning ordinance, without additional details some aspects of the variances being requested appear to actually exceed the minimum amount necessary. Justice requires nothing more or less than the amount of variance necessary to meet the objectives of the ordinance.

**\*FEBRUARY UPDATE\***

The additional plans and information that has been provided now support the idea that the revised plans improve the general site access and meet the spirit and intent of the ordinance.

**Staff Recommendation: (UPDATED)**

Staff recommends that the Board of Adjustment approve a variance to allow for portions of the proposed driveway (including the pull-out) to encroach into slopes over 50% as shown on the current proposed plan. Additionally staff recommends that the board approve a variance to allow the driveway to be installed as proposed with a maximum grade of 15.1%. Thirdly, staff supports allowing a variance for encroachment into slopes of 50% and above as part of the proposed improvements to the existing upper pedestrian walk way. Support for all three variances is based upon the health and safety aspects related to site access and meeting the 5 criteria necessary for the granting of a variance.



September 18, 2011

Sara Lichfield  
P.O. Box 7186  
San Diego, CA 92167

RE: File number: 26366  
Zone: FR-1  
Property location: 7345 E Edna Rd  
Use Approved: FCOZ Shed – For Private Recreation (on property which is not in a Protected Watershed)  
Approval Date: September 18, 2011

**PETER M. CORROON**  
Salt Lake County Mayor

**Patrick Leary**  
Public Works Department  
Director

**PLANNING &  
DEVELOPMENT  
SERVICES**

**Rolen Yoshinaga**  
Planning & Development  
Division Director

Salt Lake County  
Government Center  
2001 South State Street  
Suite N-3600  
Salt Lake City, UT 84190-  
4050

801 / 468-2000  
801 / 468-2169 fax

Dear Ms. Lichfield:

The Salt Lake County Planning and Development Services Staff have completed their review of your request for a shed within the Foothills and Canyon's Overlay Zone. The request is approved subject to the following:

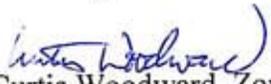
- 1) Build in accordance with the approved site plan and building elevations. Any modifications require approval from this office prior to construction.
- 2) Materials and colors shall be natural earth tones. Any reflective metals such as copper or galvanized steel, brushed aluminum, etc. shall have a non-reflective patina surface prior to final inspection. This may require the material to be treated or painted prior to final inspection in order to comply with this requirement.
- 3) The shed shall be a maximum of 200 square feet, limited to one story with a maximum height of fourteen (14) feet, and shall not be habitable. A building permit is required if the shed exceeds 120 square feet in size.
- 4) The LOD fence requirement is waived for the approved structure, as long as no disturbance occurs outside of the existing cut building pad.
- 5) The approved structure shall not contain utilities, including but not limited to power, sewer and water.
- 6) The approved structure must be maintained within an existing cut footprint on the property. Any expansion outside of or improvement within an existing cut building pad would require a grading permit.
- 7) The access pad and site driveway may not be expanded or improved.
- 8) All disturbed areas must be revegetated in accordance with FCOZ requirements.
- 9) No live significant trees, as defined in section 19.72.070, can be removed from the site to accommodate construction.
- 10) Upon complaint that any of the requirements of this approval or any other county ordinance is being violated, the County shall review the complaint

and if substantiated, may institute revocation procedures.

- 11) A final land use inspection shall be required upon completion of the building to ensure compliance with the conditions of this approval.

This letter and the approved plans and building elevations constitute your **land use permit**.

Sincerely,

  
Curtis Woodward, Zoning Administrator  
Planning and Development Services

- 12) File # 26366

**LEGEND**

- PROPERTY LINE
- PROPERTY CORNER
- P.U.E. LINE/EAASEMENT
- FIRE HYDRANT
- POWER POLE
- LIMITS OF DISTURBANCE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING ACCESS ROAD
- NEW DRIVE WAY
- PROPOSED CONIFER (PINE) OR DECIDUOUS (ASPEN) TREE LOCATIONS AS DESIRED 30' MIN. FROM STRUCTURE (SUBJECT TO REVIEW)

**AFTER CONSTRUCTION RE-VEGETATION AND RECLAMATION PLAN**

- Soil: all disturbed areas will have large rocks removed and be hand graded to match existing soil grades; slopes will be contoured at a slope no greater than 2 feet horizontal to 1 foot vertical.
- Seed: seed will be spread on all disturbed areas at a rate of 20 pounds per acre. the seed mixture will consist of or equivalent of:
  - slender wheat grass 25%
  - sheep fescue 5%
  - sandberg blue grass 5%
  - bluebunch wheat grass 30%
  - western wheat grass 35%
- Erosion control: slopes steeper than 2 foot horizontal, 1 foot vertical will be covered by straw erosion Control blankets pinned to the soil with staples at three foot intervals.
- Maintain a wildlife urban interface of 30 foot defensible space around any structure.

**NOTE:**

- Surveyor has made no investigation or independent search for easements of record encumbrances restrictive covenants ownership title evidence, or any other facts, conflicts, or discrepancies which may be disclosed by the details of a current title insurance policy.
- See city and county planning, and zoning maps for information regarding setback, side yard, and rear yard instances as well as other building and use restrictions and requirements.
- Utility pipes, wires etc. may not be shown on this map, contractors builders and excavators shall verify the location of all existing utilities prior to construction, and/or excavation. Contact blue stakes and refer to utility maps for additional information.

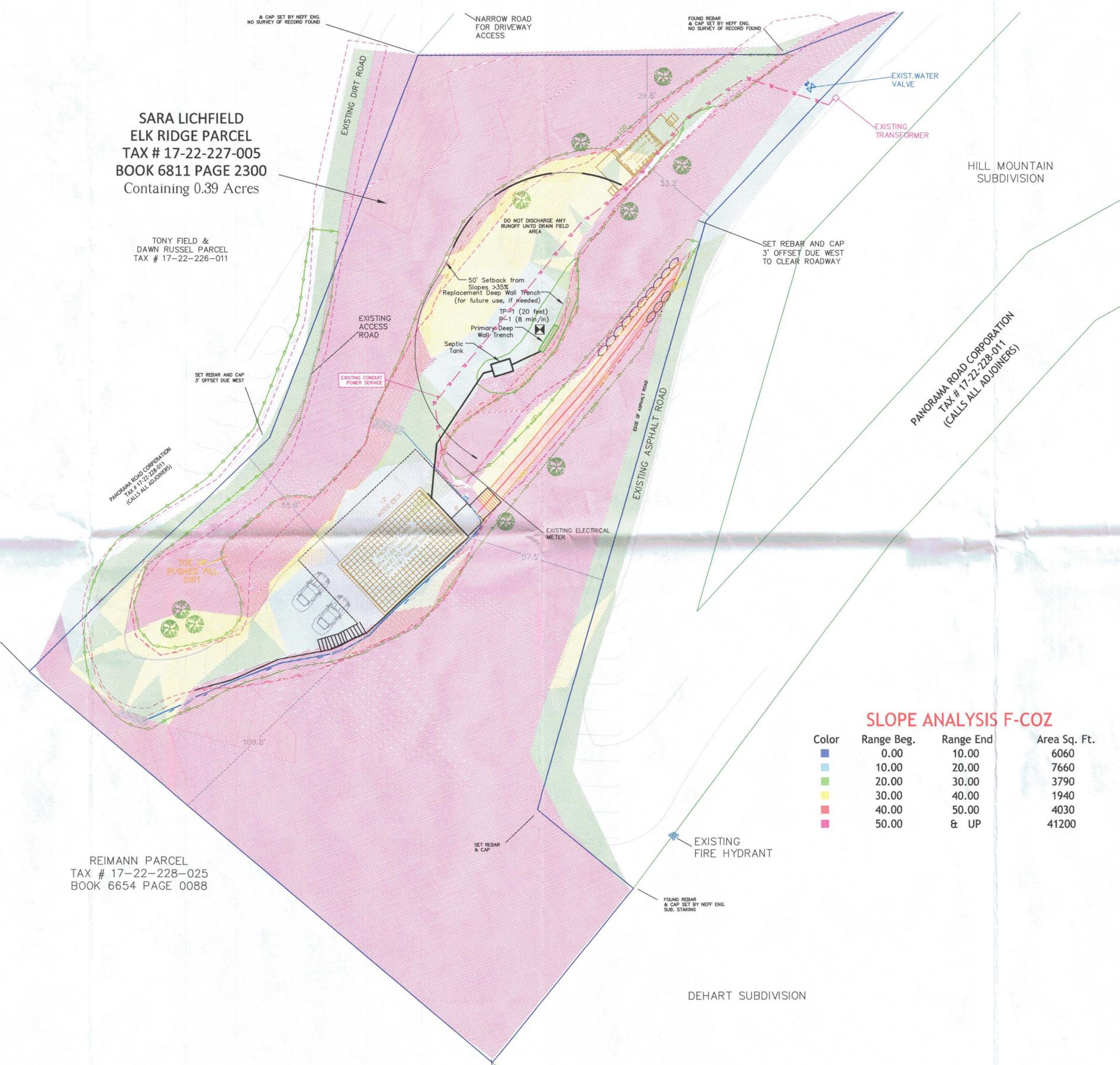
**PROPERTY DESCRIPTION**

Elk Mt. Ridge  
Book 6811 Page 2300  
Beginning at steel survey stake set on the Northwestern boundary line of the Edna Road (a private road with a survey width of 40 feet) which beginning point is South 782.0 feet, and West 919.16 feet from the Northeast corner of Section 22, Township 1 South, Range 2 East, Salt Lake Base and Meridian, as said Northeast corner of Section 22, as relocated during the execution of the 1927 Government. Resurvey of said Section 22, which section corner was monumented in 1927 by a 2 inch iron pipe surmounted by a brass cap; and from said beginning point marked by a steel survey stake, thence following the Northwestern boundary line of said Edna Road, South 43°33' West 118.0 feet; thence North 16°06' West along the westerly boundary line of said Edna Road 245.0 feet; thence South 50°48' East 50.0 feet; Thence South 39° 12' West 90.0 feet; thence North 50°0' West 244.0 feet; thence North 46°0' East 135.0 feet to a point on the easterly boundary line of the Panorama Road (a private Access road); thence North 21°22' East 163.94 feet along the easterly boundary line of the Panorama Road; thence East 147.0 feet; thence North 69°38' East 53.8 feet to the point of beginning.

**SARA LICHFIELD  
ELK RIDGE PARCEL  
TAX # 17-22-227-005  
BOOK 6811 PAGE 2300  
Containing 0.39 Acres**

**TONY FIELD &  
DAWN RUSSEL PARCEL  
TAX # 17-22-226-011**

**REIMANN PARCEL  
TAX # 17-22-228-025  
BOOK 6654 PAGE 0088**



**SLOPE ANALYSIS F-COZ**

Color	Range Beg.	Range End	Area Sq. Ft.
Blue	0.00	10.00	6060
Light Blue	10.00	20.00	7660
Green	20.00	30.00	3790
Yellow	30.00	40.00	1940
Red	40.00	50.00	4030
Pink	50.00	& UP	41200

DRAWING TITLE

**Slope Variance  
SITE PLAN**



1 in. = 20 FT.

COMPLETION STATUS

FOR APPROVALS

PROJECT

**SITE PLAN FOR  
SARA LICHFIELD  
ELK RIDGE PARCEL  
SALT LAKE COUNTY, UTAH**

GENERAL NOTES:

**LIMITS OF DISTURBANCE**

- TOTAL GROSS LOD = 18,890 Sq. Ft.
- DRIVE WAY LOD = 5,564 Sq. Ft.
- UTILITY & SEPTIC, DRAIN FIELD = 3,549 Sq. Ft.
- EXISTING DISTURBANCE = 16,484 Sq. Ft.
- TOTAL NET LOD: LESS DRIVEWAY & UTILITY, SEPTIC DRAIN FIELD = 9,777.0 Sq. Ft.

- RECLAIMED DISTURBANCE AREA = 3,290 Sq.Ft
- TOTAL GROSS L.O.D = 18,890 Sq.Ft
- HISTORIC/PREVIOUS EXISTING DISTURBANCE = 16,786 Sq.Ft
- CURRENT DISTURBANCE = 16,574 Sq.Ft

REVISIONS:

REV #	DESCRIPTION	DATE



**JOHANSON ENGINEERING**  
**CIVIL- ENVIRONMENTAL- SURVEYING**  
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SALT LAKE CITY, UTAH  
PHONE (801) 859-1862 FAX (801) 495-2547

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PROJECT NO. E-12-13  
DATE 11-13-12  
DRAWN BY CAREY D. JOHANSON PE  
CHKD BY CAREY D. JOHANSON PE  
SHEET NUMBER C-02

**LEGEND**

- PROPERTY LINE
- PROPERTY CORNER
- P.U.E. LINE/SEAMMENT
- FIRE HYDRANT
- POWER POLE
- LIMITS OF DISTURBANCE
- EXISTING CONTOURS
- PROPOSED CONTOURS
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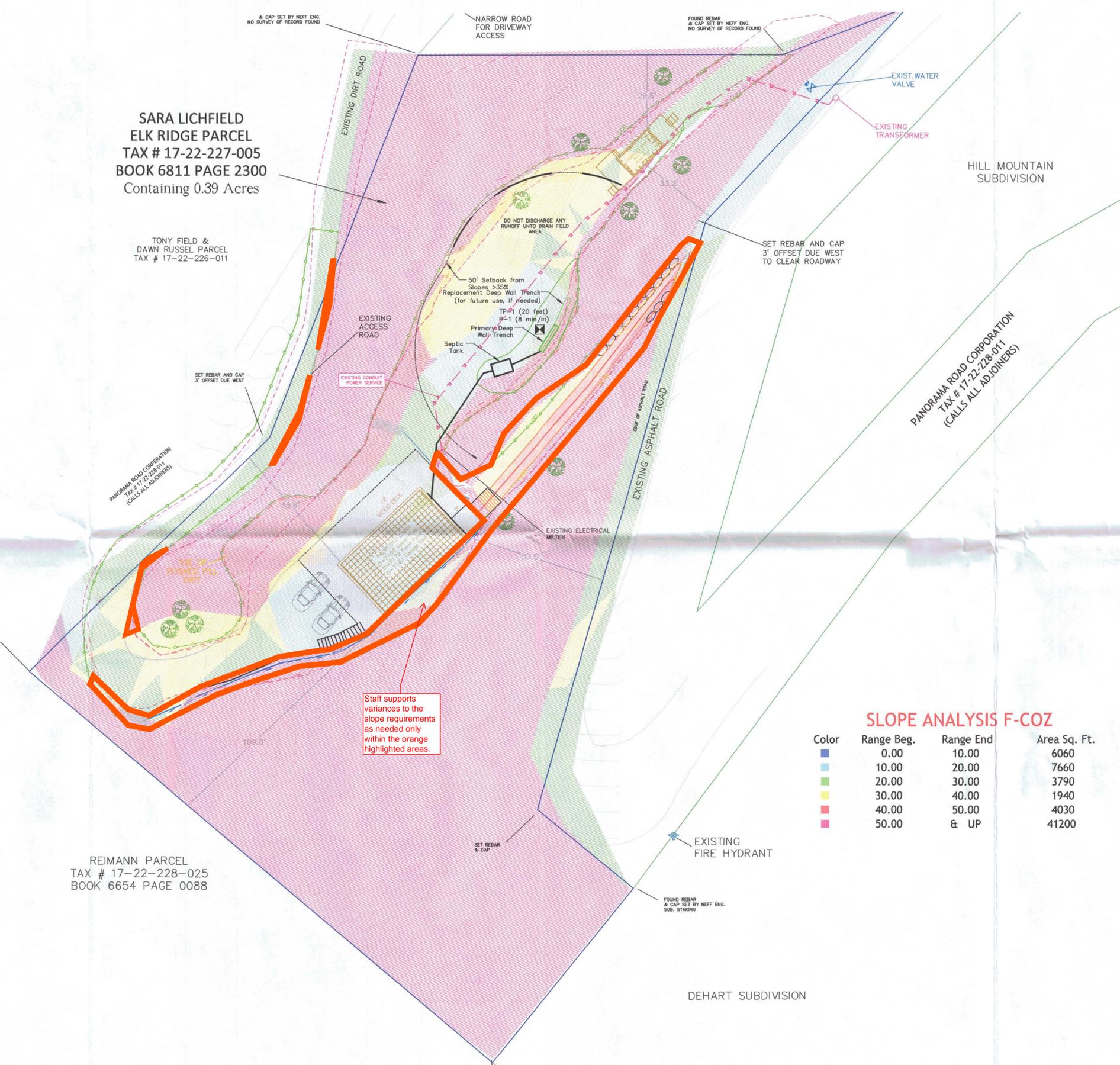
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DAWN RUSSEL PARCEL  
TAX # 17-22-226-011**

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TAX # 17-22-228-025  
BOOK 6654 PAGE 0088**



DRAWING TITLE

**Slope Variance  
SITE PLAN**



1 in. = 20 FT.

COMPLETION STATUS

FOR APPROVALS

PROJECT

**SITE PLAN FOR  
SARA LICHFIELD  
ELK RIDGE PARCEL  
SALT LAKE COUNTY, UTAH**

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REVISIONS:

REV #	DESCRIPTION	DATE



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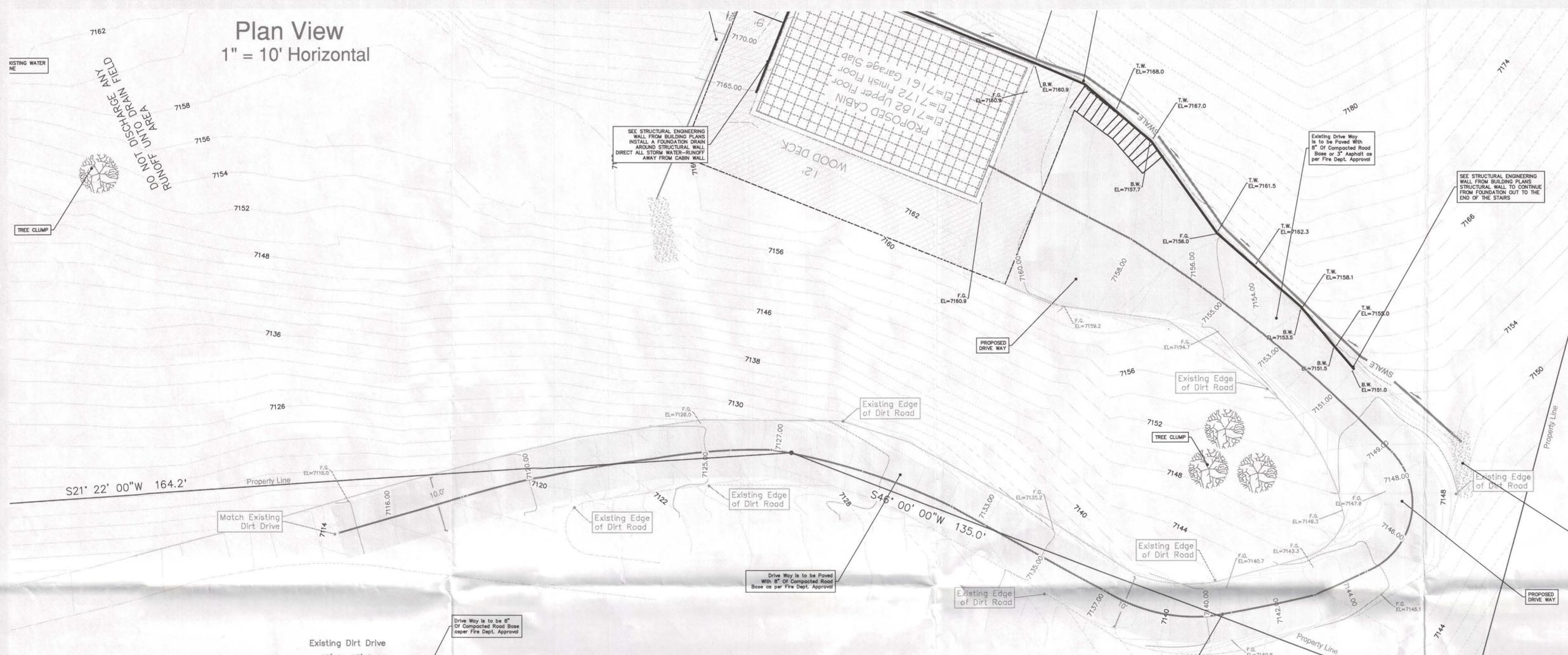
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CHKD BY CAREY D. JOHANSON PE  
SHEET NUMBER C-02

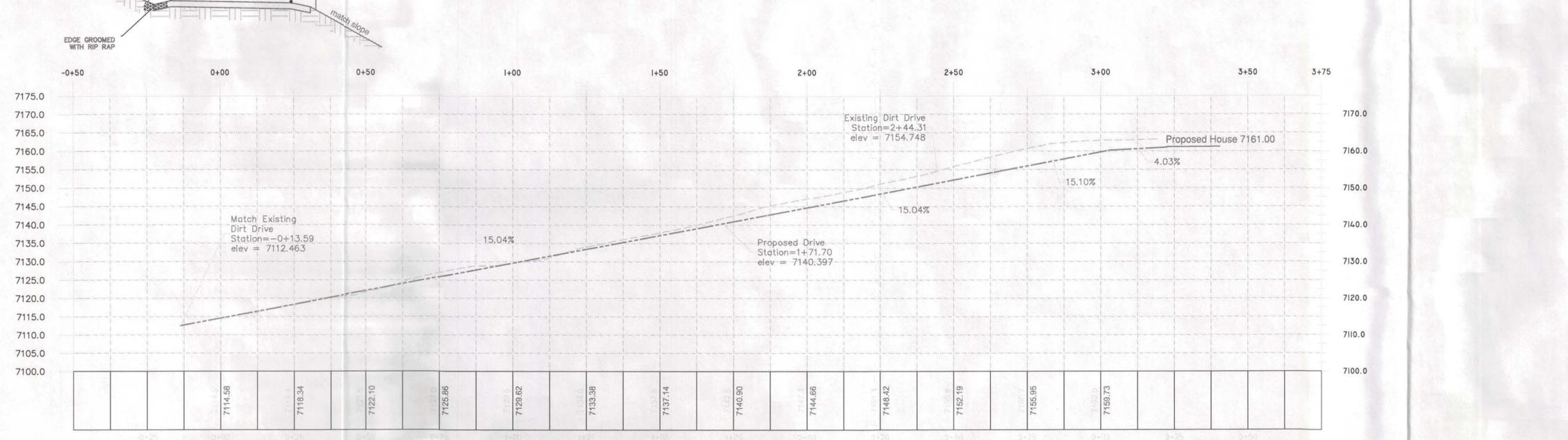
# Plan View

1" = 10' Horizontal



# Profile View

1" = 20' Horizontal



DRAWING TITLE

## Plan & Profile

1 in. = 10 FT.

COMPLETION STATUS  
FOR APPROVALS

PROJECT

### SITE PLAN FOR SARA LICHFIELD ELK RIDGE PARCEL SALT LAKE COUNTY, UTAH

GENERAL NOTES:

Plan View  
1" = 10' Horizontal

Profile View  
1" = 20' Horizontal  
1" = 20' vertical

- RETAINING NOTE:
- All rock & concrete retaining must conform to building code & structural requirements you may not change the natural grade more than 4 feet without terracing as per foaz requirements. Any retaining wall over the height of 4' as per Foot Hill Canyon Overlay Zone code, must be reviewed and or designed by a structural engineer. Land Design Engineering is not responsible for the retaining wall installation or construction of said wall.
  - Normal rock size shall be at least 1/3 the height of the embankment.
  - In sandy or silty soils a filter fabric shall be placed behind the rock faced slopes or as per the Geotechnical and or Structural engineer requirements.
  - Rock must be angular and fitted together to interact with adjacent rocks.
  - A minimum setback of four feet from buildings and other structures shall be maintained above or below rock faced slopes.
  - Embankment shall be compacted to 90 % modified proctor or as per the Geotechnical Report.

REVISIONS:

REV #	DESCRIPTION	DATE

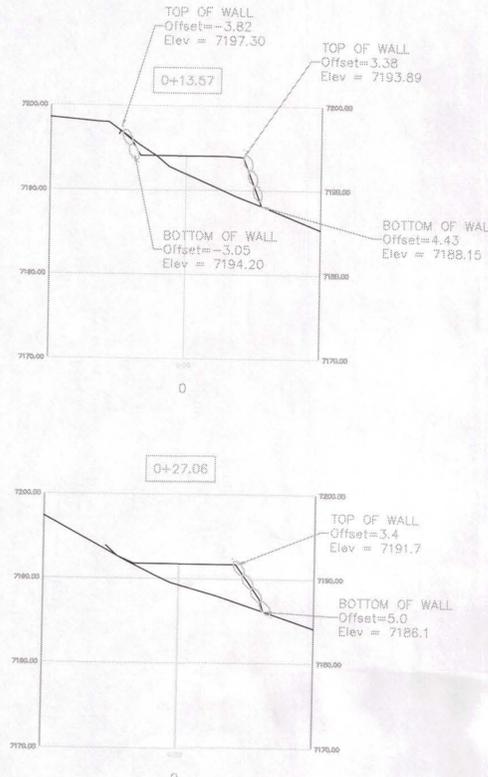
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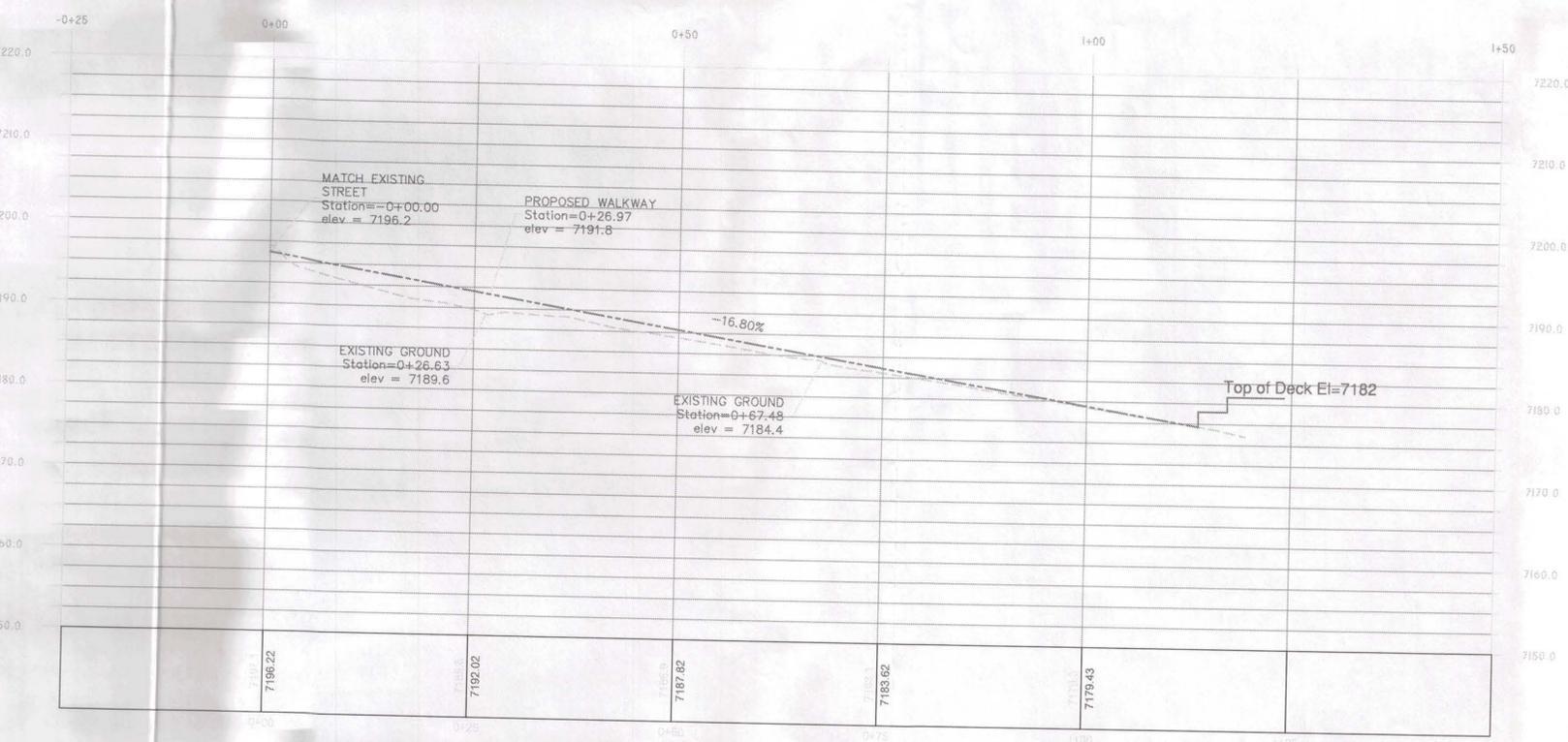
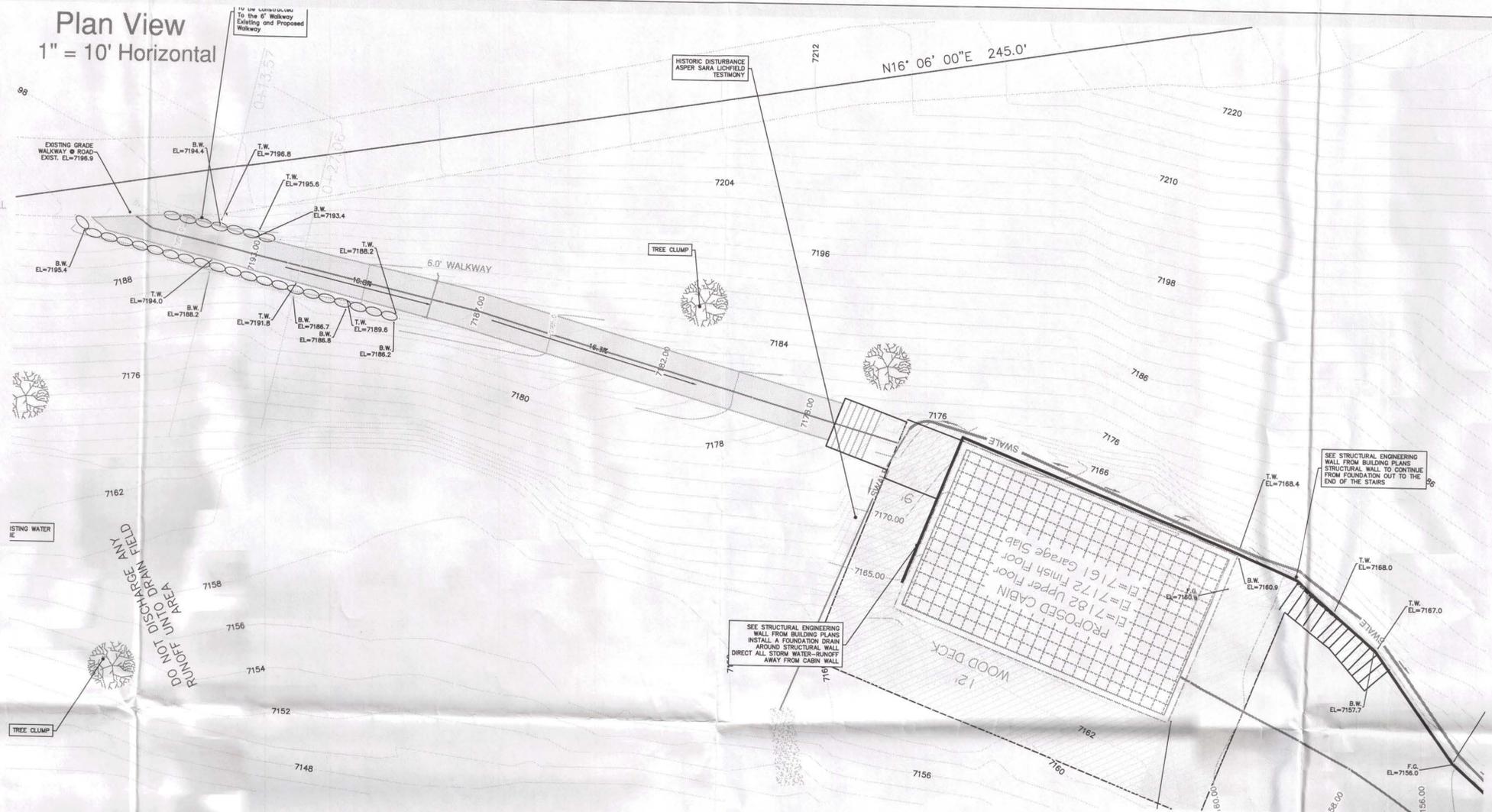
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PROJECT NO. E-12-13  
DATE 11-13-12  
DRAWN BY CAREY D. JOHANSON PE  
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SHEET NUMBER C-03

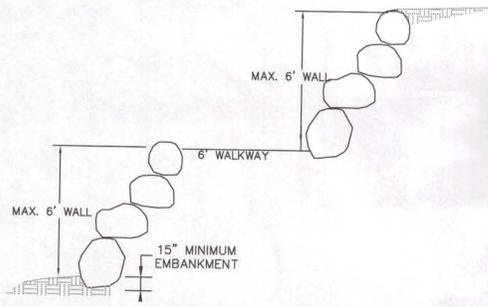
**Plan View**  
1" = 10' Horizontal



1" = 5' Horizontal  
1" = 10' vertical



**Profile View**  
1" = 10' Horizontal  
1" = 10' vertical



TYPICAL DETAIL ROCK RET. WALL  
N.T.S.

This is a typical rock retaining wall some of which is called out in the Foothill Canyon Overlay Zone code. All retaining must be reviewed by a structural engineer, and must be installed appropriately to the structural or Geotechnical engineering recommendations and codes.

DRAWING TITLE  
**Plan & Profile**

COMPLETION STATUS  
FOR APPROVALS

PROJECT  
**SITE PLAN FOR  
SARA LICHFIELD  
ELK RIDGE PARCEL  
SALT LAKE COUNTY, UTAH**

GENERAL NOTES:

**Plan View**  
1" = 10' Horizontal

**Profile View**  
1" = 10' Horizontal  
1" = 10' vertical

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REVISIONS:

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#564180  
SARA LICHFIELD  
JOHANSON ENGINEERING  
LICENSED PROFESSIONAL ENGINEER

PROJECT NO.  
E-12-13

DATE  
11-13-12

DRAWN BY CAREY D. JOHANSON PE  
CHKD BY CAREY D. JOHANSON PE

SHEET NUMBER  
C-04



The owner / builder are responsible for acquiring an engineer to size structural members. If engineering is not done then the owner / builder is liable for the structural members.

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These plans were prepared by a designer who is not an engineer and expressly disclaims any liability for errors or omissions of any kind which may exist herein. The user of these plans assumes all liability for the accuracy, including verification of all dimensions, compliances with any and all governing codes, and covenants having jurisdiction over the site of construction and determining any modifications necessary to meet actual site conditions. The selection of correct structural materials and the application of architectural principles is a precise art, the responsibility for which rests with the builder, the owner, and or the user of these plans.

These plans have been designed for logs that are manufactured & supplied by Yellowstone Log Homes L.L.C. and authorized Dealers. No other logs are considered suitable.



2800 N. Yellowstone Hwy.  
 Rigby, ID 83442  
 Ph: 208-745-8108 Fax: 208-745-8525  
 www.yellowstoneloghomes.com

# Alaska 13 Inch

S.A. LICHFIELD CABIN  
 2221 PAUL'S RIDGE PLACE, LOT #392  
 B.O.A. file # 28026  
 FCOZ apn #27991



Draftsman:

#CAD Technician

Project Info:

Alaska 13 Inch  
 2nd Edition

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Revision Dates:

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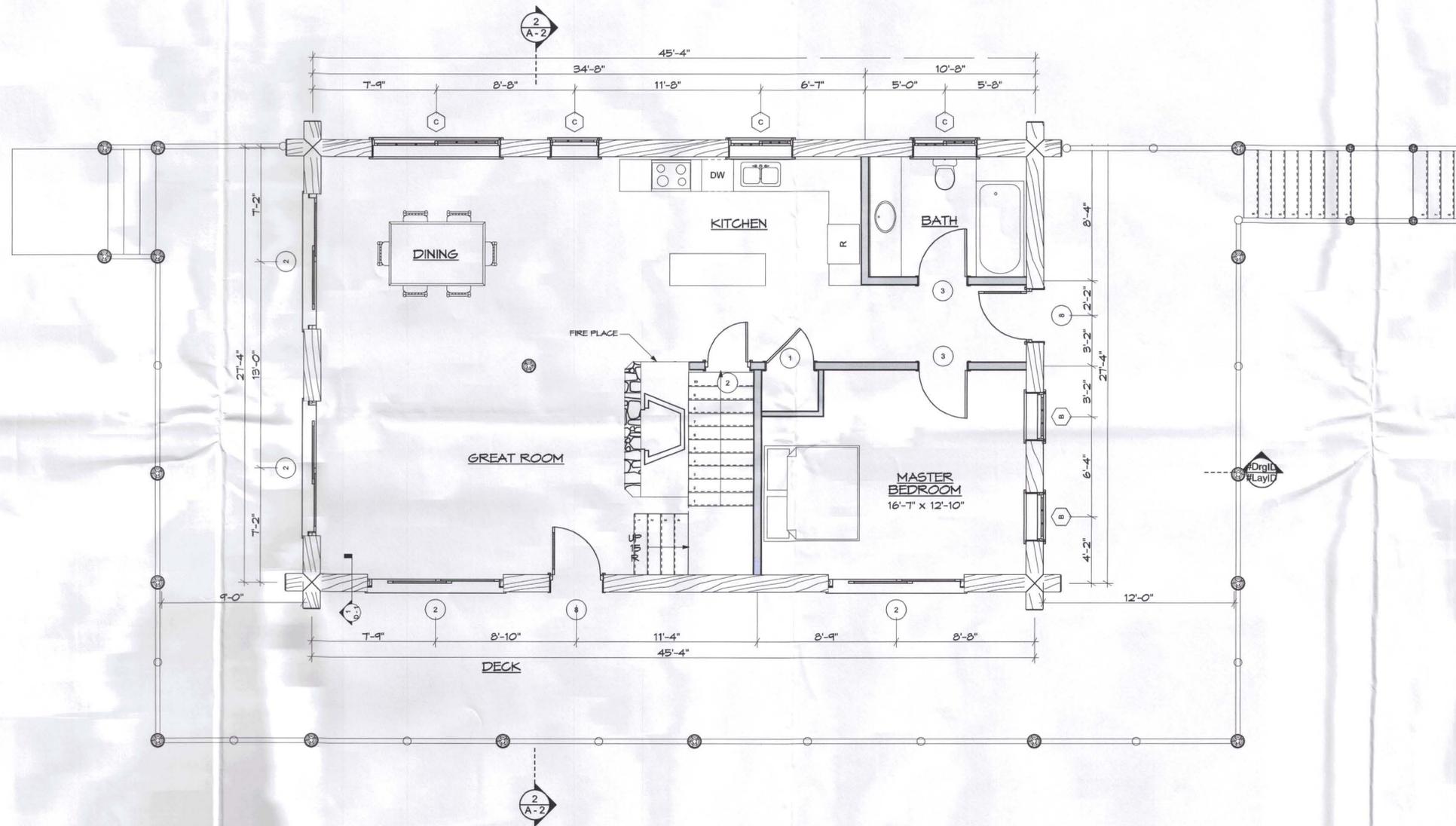
NOV 20 2012

SALT LAKE COUNTY  
 PLANNING

Plot Date: 11/19/2012

Sheet:

T - 1



**MAIN FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

SQUARE FEET	
MAIN FLOOR:	1288
LOFT:	817
HABITABLE:	2105
GARAGE:	1288
TOTAL AREA:	3393

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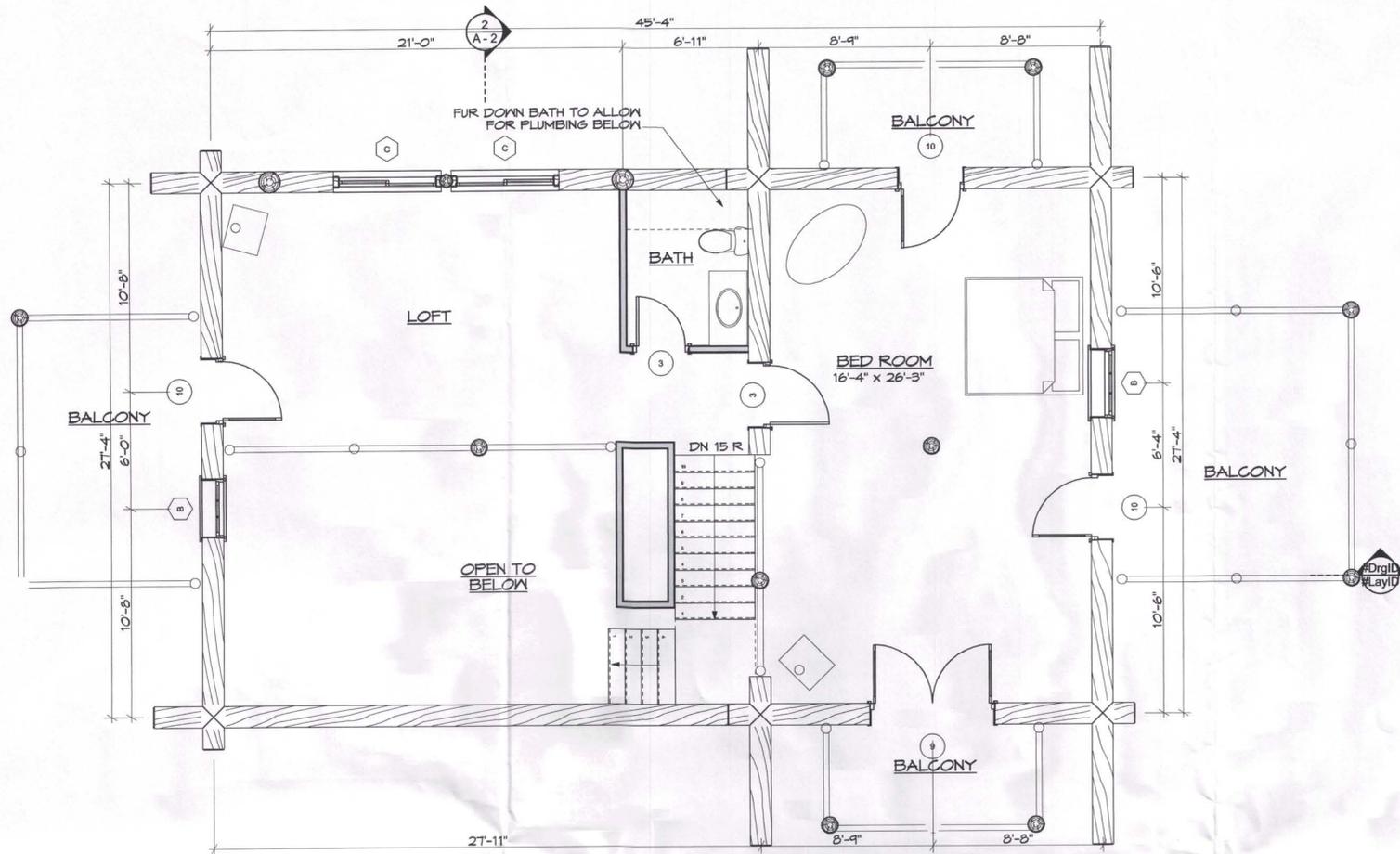
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 2nd Edition  
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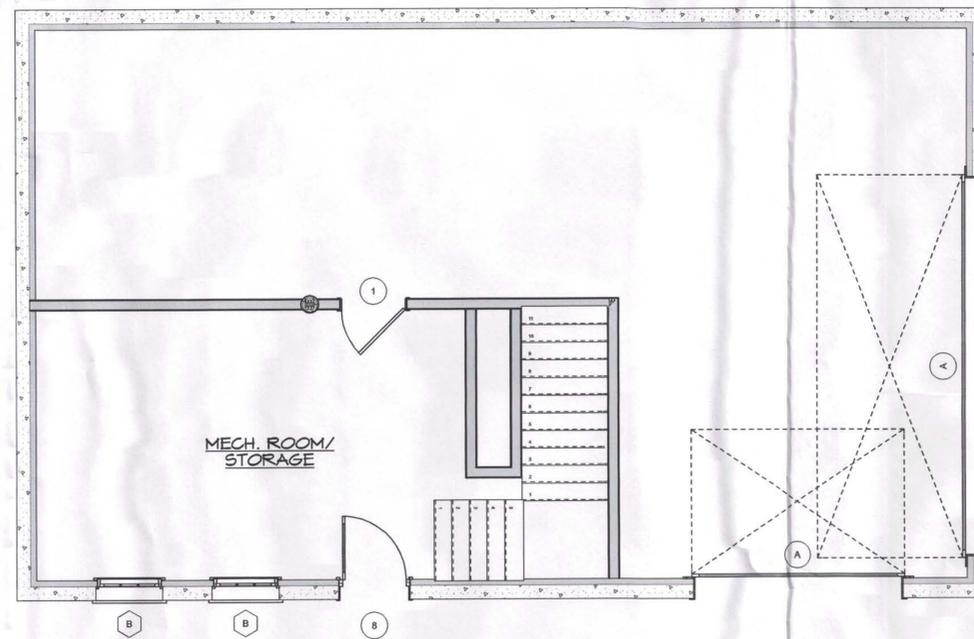
Revision Dates:

Plot Date: 11/19/2012

Sheet:  
**A - 1**



**LOFT FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**BASEMENT FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

The owner / builder are responsible for acquiring an engineer to size structural members. If engineering is not done then the owner / builder is liable for the structural members.

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These plans were prepared by a designer who is not an engineer and expressly disclaims any liability for errors or omissions of any kind which may exist herein. The user of these plans assumes all liability for the accuracy, including verification of all dimensions, compliances with any and all governing codes, and covenants having jurisdiction over the site of construction and determining any modifications necessary to meet actual site conditions. The selection of correct structural materials and the application of architectural principles is a precise art, the responsibility for which rests with the builder, the owner, and or the user of these plans.

These plans have been designed for logs that are manufactured & supplied by Yellowstone Log Homes L.L.C. and authorized Dealers. No other logs are considered suitable.



Draftsman:

#CAD Technician

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**Yellowstone**  
LOG HOMES L.L.C.  
280 N. Yellowstone Hwy.  
Rigby, ID 83442  
Ph: 208-745-8108 Fax: 208-745-8525  
www.yellowstoneloghomes.com

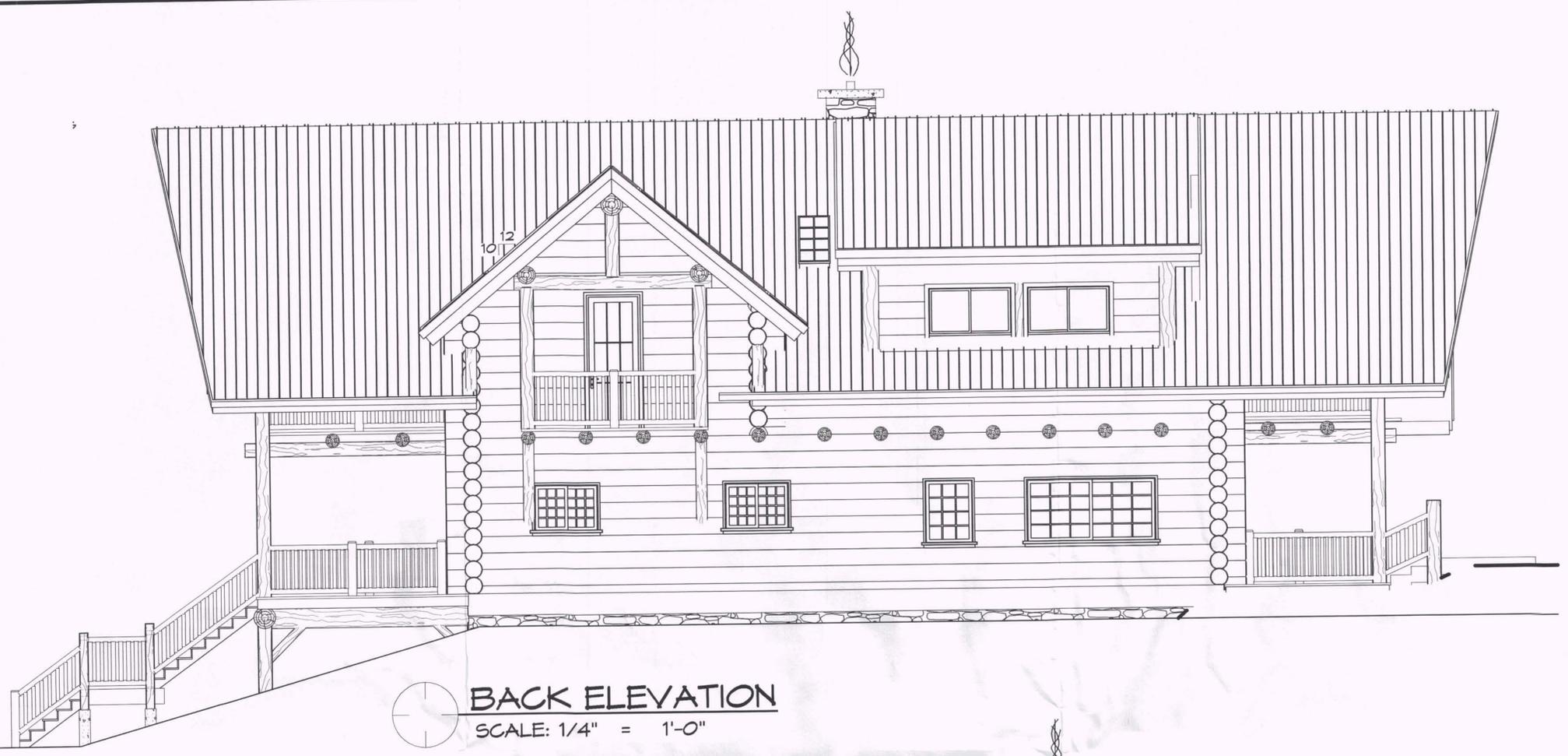
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**A - 3**



**BACK ELEVATION**  
SCALE: 1/4" = 1'-0"



**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

The owner / builder are responsible for acquiring an engineer to size structural members. If engineering is not done then the owner / builder is liable for the structural members.

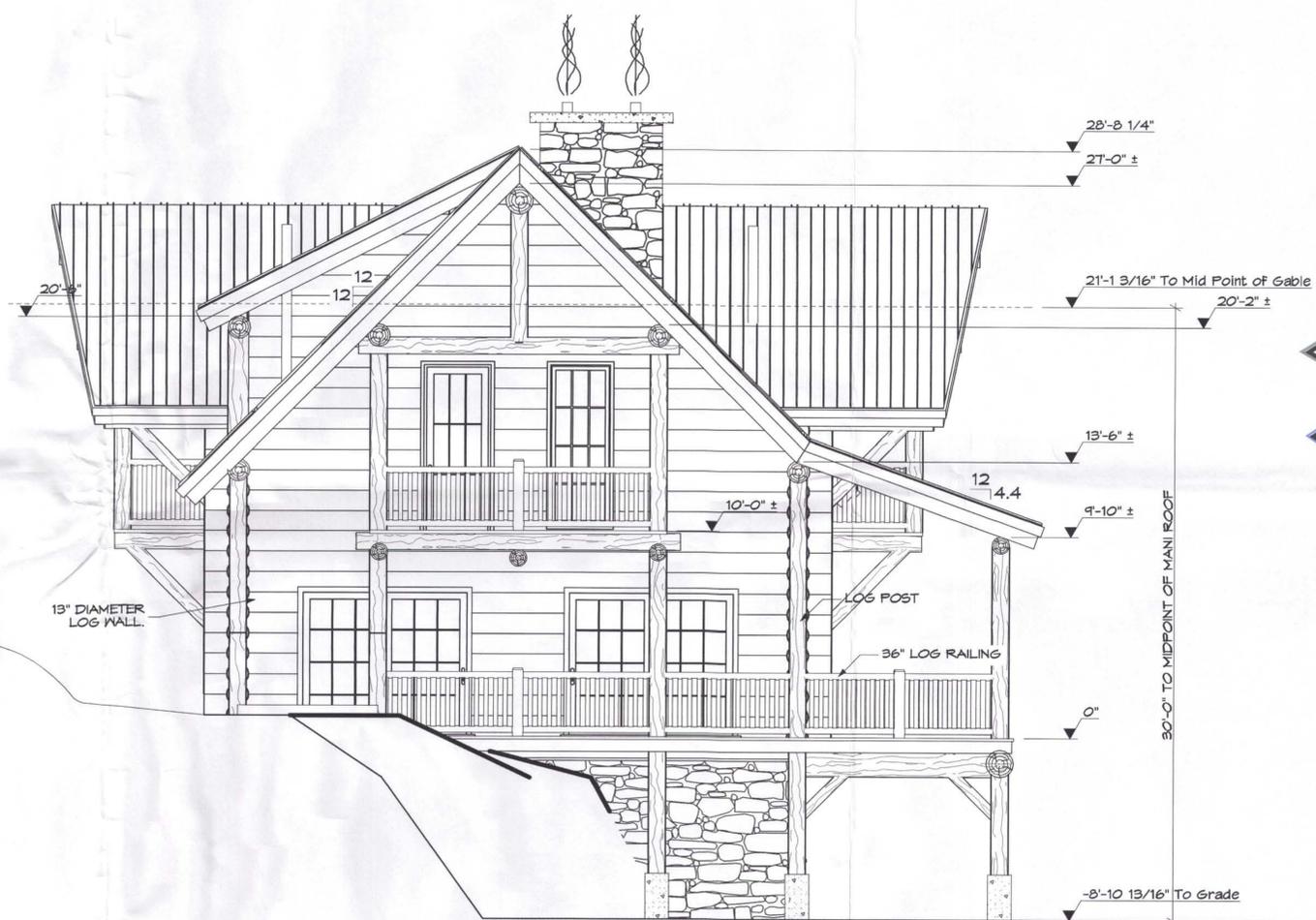
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**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



280 N. Yellowstone Hwy.  
Rigby, ID 83442  
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Sheet:  
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DRAWING TITLE

# RECORD OF SURVEY

CLIENT CONTACT

SARA LICHFIELD  
1-619-578-9618

COMPLETION STATUS

PRELIMINARY

A PARCELS LOCATED IN THE N.E. 1/4 SEC.  
22 T. 1 S. R. 2. E. S.L.B.&M. SALT LAKE  
COUNTY, UTAH.

SURVEYOR'S NARRATIVE

This survey was performed at the request of Litchfield, for the purpose to locate property lines in relation to existing improvements, also for the possible purpose of future building, landscaping, or property sales.

The basis of bearing was derived from the found CLO sectional monuments of the 1931 Supplemental plat of sections... on file within the official records of the BLM. Said bearing base was utilized on this survey as South 89°39' West, also as utilized in area deeds, and area surveys as recorded, and as shown hereon.

Minor discrepancies have been found within this areas deed placements, minor miss-closures and errors to commencements calls from the same section corner After careful examination, together with a larger area of deed compilations, a harmony of deed bearings, calls to adjoiners, and obvious placement, although a lack of possession lines, I have been able to determine the true intent of these deeds locations.

Deed or area corrections made to record calls or other discrepancies are referenced heron with a measured vs. a (xxx.xxx Rec.).

PROPERTY DESCRIPTION

Elk Mt. Ridge  
Book 6811 Page 2300

Beginning at steel survey stake set on the Northwesterly boundary line of the Edna Road (a private road with a survey width of 40 feet) which beginning point is South 782.0 feet, and West 919.16 feet from the Northeast corner of Section 22, Township 1 South, Range 2 East, Salt Lake Base and Meridian, as said Northeast corner of Section 22, as relocated during the execution of the 1927 Government. Resurvey of said Section 22, which section corner was monumented in 1927 by a 2 inch iron pipe surmounted by a brass cap; and from said beginning point marked by a steel survey stake, thence following the Northwesterly boundary line of said Edna Road, South 43°33' West 118.0 feet; thence North 16°06' West along the westerly boundary line of said Edna road 245.0 feet; thence South 50°48' East 50.0 feet; thence South 39°12' West 90.0 feet; thence North 50°07' West 244.0 feet; thence North 46°00' East 135.0 feet to a point on the easterly boundary line of the Panorama Road (a private Access road); thence North 21°22' East 163.94 feet along the easterly boundary line of the Panorama Road; thence East 147.0 feet; thence North 69°38' East 53.8 feet to the point of beginning.

NOTE:

1. Surveyor has made no investigation or independent search for easements of record encumbrances restrictive covenants ownership title evidence, or any other facts, conflicts, or discrepancies which may be disclosed by the details of a current title insurance policy.
2. See city and county planning, and zoning maps for information regarding setback, side yard, and rear yard instances as well as other building and use restrictions and requirements.
3. Utility pipes, wires etc. may not be shown on this map, contractors builders and excavators shall verify the location of all existing utilities prior to construction, and/or excavation. Contact blue stakes and refer to utility maps for additional information.

NOTE:

I, R. Shane Johanson, Do hereby certify that I am a Professional Land Surveyor, holding certificate No. 7075114, as prescribed under the laws of the State of Utah, and that I have made a survey of the described tract of land as shown on this plat and that this survey retraces lot lines and may have adjusted said lot lines to coincide with found evidence and other interpolations based from ground measurements and found records. Furthermore I recognizes that other unwritten rights of ownership or lines of possession may exist, I do not imply to certify any of those rights, unless agreed upon by the appropriate parties.

REVISIONS:

REV #	DESCRIPTION	DATE



**JOHANSON ENGINEERING**  
CIVIL • ENVIRONMENTAL • SURVEYING

909 EAST 4500 SOUTH SUITE "C"  
SALT LAKE CITY, UTAH 84117  
PHONE (801) 815-2541

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STAMP

PROJECT NO.

S-12-037

DATE:

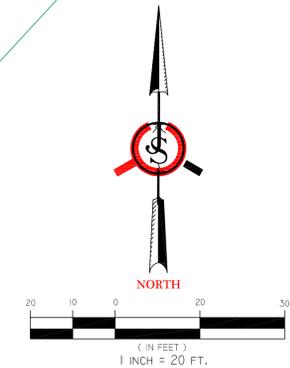
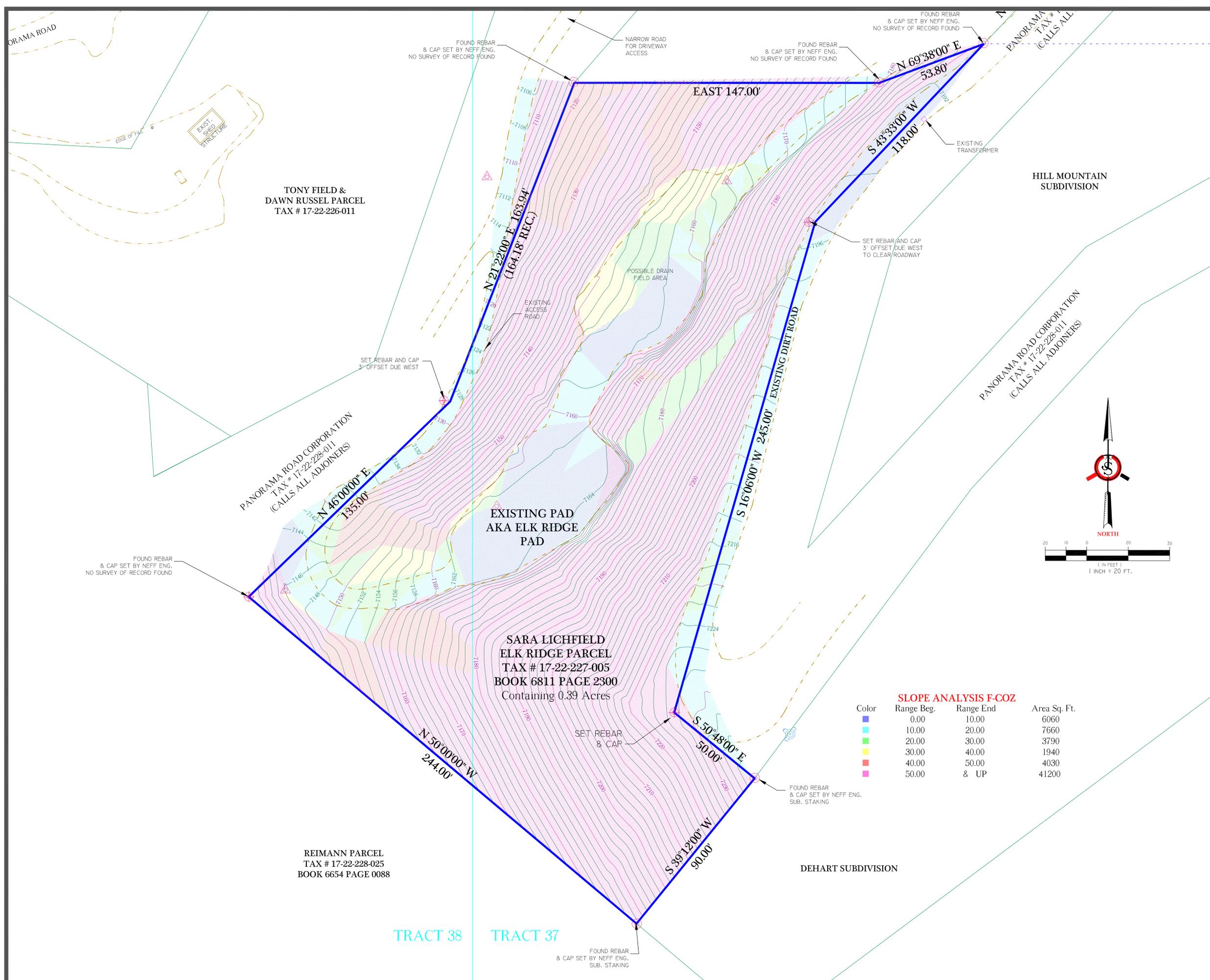
9-24-12

DRAWN BY: SHANE R. JOHANSON P.L.S.

CKD BY: SHANE R. JOHANSON P.L.S.

SHEET NUMBER

SURVEY-001



**SLOPE ANALYSIS F-COZ**

Color	Range Beg.	Range End	Area Sq. Ft.
Blue	0.00	10.00	6060
Cyan	10.00	20.00	7660
Green	20.00	30.00	3790
Yellow	30.00	40.00	1940
Orange	40.00	50.00	4030
Pink	50.00	& UP	41200

TRACT 38      TRACT 37





