

PROVIDENCE CITY
Land Use Authority – Staff Report
Meeting Date: October 3, 2019

Request: Applicant is requesting approval of a conditional use and zoning approval for a residential site plan for a home at 1083 S 540 E, Providence UT.

Item Type: Conditional Use

Applicant: Justin Bott

Property Address: 1083 S 540 E,
Providence UT

Parcel ID #: 02-154-0019

General Plan: SFT

Zone: SFT

Background Information:

Complete Application was received Sept. 18, 2019; application contained:

1. Providence City Conditional Use application and Residential Site Plan application
2. Payment of \$100 fee, Sept 18, 2019
3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on Sept 24, 2019
4. Diane Campbell, Office Specialist, reviewed and signed the Zoning Permit.

FINDINGS OF FACT:

1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with standards set for in an applicable ordinance.
2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required states, all requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE), Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before any permit shall be issued.
4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes.

CONCLUSIONS OF LAW:

1. Providence City has adopted land use ordinances that include conditional uses and provisions for conditional uses.
2. The Cache County GIS Parcel Summary indicates this parcel is in a Moderate Wildfire Hazard area and Moderate to Steep Slope Hazard area.
3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.
4. Aaron Walker, Fire Inspector – Logan City Fire Department, reviewed the parcel in the interest of the fire safety provisions and regulations as adopted by the State of Utah and in accordance with the International Fire Code.
5. The request meets the requirements of the Codes listed in the Findings of Fact with the following conditions:

CONDITIONS:

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, ordinances.
2. The applicant will mitigate Wildfire Area by:
 - a. See letter from Aaron Walker dated Sept. 30, 2019
3. The applicant will mitigate Hazard Slope areas by:
 - a. See statement by Proline Plastering LLC. (Retaining wall along back of property line to retain dirt and runoff.)
4. This conditional use is for the residence only as shown on the site plan date stamped Sept 18, 2019.
5. Payment of fees listed on the Providence City Zoning Permit.
6. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

DECISION:

The Providence Administrative Land Use Authority met on October 3, 2019

Members present: Skarlet Bankhead, M Pierce, Rob Stapley

The above Findings of Facts, Conclusions of Law, and Conditions were presented during the meeting.

Motion to approve the conditional use on the findings of facts, conclusions of law, and conditions – , second –

Vote:	Yea:	S Bankhead, M Pierce, R Stapley
	Nay:	None
	Abstained:	None
	Excused:	None

Skarlet Bankhead, Chair



Public Works Infrastructure Inspection

Permit #: 2019-0115

Contact Name: Justin Bott

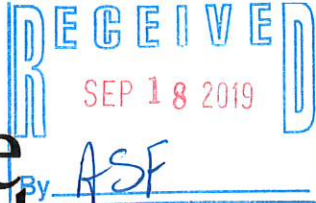
Project Address: 1083 S 540 E

Phone Number: 435-994-1302

Inspection	Pass/Fail	Notes
Concrete	<i>Pass</i>	
Curb/Gutter	<i>Pass</i>	
Utilities	<i>Pass</i>	
☐ Conditional Use Fire Hydrants: Location Flow		
SWPPP Needed: Yes No	SWPPP Completed: Yes No N/A	
NOI Needed: Yes No	NOI UTR: _____ NOI Issued To: _____	
Inspection Completed by <i>[Signature]</i>		Date <i>9.24.19</i>
Final Inspection	Pass/Fail	Notes
Concrete		
Curb/Gutter		
Utilities		
Inspection Completed by _____		Date _____



Cache
County
1857



DEVELOPMENT SERVICES DEPARTMENT

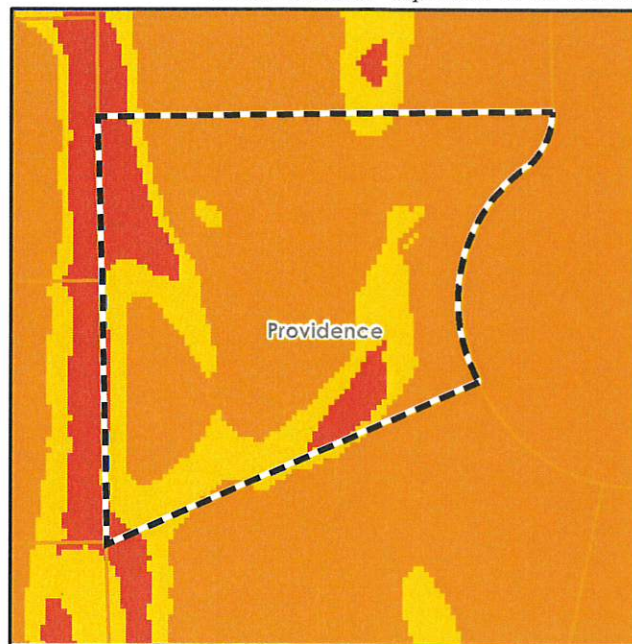
BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 17 Sep. 2019 at 12:49 PM

Parcel Number: 02-154-0019
Property Address: 1083 S 0540 E
PROVIDENCE
Tax Roll Acreage: 0.28
Owner Name: B & C LAND DEVELOPMENT
LLC
Owner Address: 586 E 170 S
LOGAN, UT 84321-5371
Jurisdiction: Providence
**Future
Annexation Area:** n/a
Base Zone: Contact Providence for Zoning
Overlay Zone: n/a
Initial Parcel Incorporated Area
Legality Review: Contact Providence for Applicable Regulations



*Comprehensive maps can be found
at www.cachecounty.org/gis*

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Source Water Protection
Zones 1 or 2
Moderate Slopes

Steep Slopes

Wildfire Hazard Areas

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

Cache County assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided herein. All datasets may contain errors. The information shown here is not intended to replace evaluation by a competent, licensed professional. In particular, the parcel boundaries are representational only and are not legal definitions of real property, nor are they intended to replace a land survey by a licensed surveyor.

PROLINE PLASTERING, LLC.

PROJECT ADDRESS: 1083 S. 540 E.

MITIGATION STRATEGIES FOR SENSITIVE AREAS: Being in a wildfire area, we will be using LP Smartside siding which is used on the homes on both sides of me and we will be using aluminum soffit. We will use any product which is in compliance for the area and whatever is recommended after it is inspected by Aaron.

ADJACENT NEIGHBORS MAILING ADDRESSES:

Gary and Elizabeth Tanner

1073 S. 540 E.

Providence, UT 84332

Mike and Melinda Desimone

1093 S. 540 E.

Providence, UT 84332

* We will be pouring a retaining wall along back of property line to retain dirt & runoff.



September 30, 2019

Providence City
164 North, Gateway Dr.
Providence, Ut 84332

RE: Conditional Use Review, Bott Home, 1083 S 540 E, Providence Ut.

The above-named site plans have been submitted to the Logan Fire Department for a fire and life safety review. This review was made in the interest of the fire safety provisions and regulations as adopted by the State of Utah and in accordance with the International Fire Code. This review is not considered comprehensive nor regarded as sanctioning any code deficiencies not identified. The ultimate responsibility for compliance with the applicable codes, standards and ordinances rests with the owner.

This project was reviewed using 2018 IFC, 2006 Utah Wildland-Urban Interface Code and Providence City Code Title 10, Chapter 5 for Hazard Wildfire Area, and has been found to meet the intent of the codes.

This project is being recommended to Providence City for approval.

The following comments document the review process:

Access

(IFC 503.1.1) Fire Apparatus Access shall extend to within 150 feet of all portions of the facility as measured by an approved route around the exterior of the building.

➤ **Access approved at subdivision review**

Fire Hydrant Locations and number of Hydrants

(IFC 507.5.1) Fire Hydrants shall be located within 400 feet of the building as measured by an approved route around the exterior of the building. Exception allows for the distance to be increased to 600 feet for R-3 occupancies.

➤ **Fire hydrant location approved at subdivision review**

Fire Water Flow

(IFC 507.1) An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.3) Fire flow requirements for buildings or portions of building and facilities shall be determine by an approved method.

- The building appears to be approx. 5,200 sq. ft. in size. According to Table B105.1 and B105.2, the fire flow for a combined fire area 5,200 sq. ft. of type V-B is 2,000 GPM at 20 PSI. Fire Flow requirements are subject to change due to separation of fire areas, type of construction, and the installation of fire suppression system.
- **There are two fire hydrants within 600 feet of the proposed site.**
- **Hydrant #451 has approximately 2,350 GPM at 20 PSI and is adequate for this size of construction. Approved.**

2006 Utah Wildland-Urban Interface Code

SECTION 506 Class 3 - Ignition-resistant Construction:

506.1 General. Class 3 ignition-resistant construction shall be in accordance with Sections 506.

*506.2 Roof covering. Roofs shall have at least a Class A covering, Class C roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire-stopped to preclude entry of flames or embers. (No wood shakes or combustible roofing used). Home **Builder is planning on a Class A roof covering. Approved.***

*506.3 Unenclosed under-floor protection. Buildings or structures shall have all under-floor areas enclosed to the ground with exterior walls. Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction. (Per County Fire Marshal - Soffits to be installed as to close underside of combustible decks and supported structures) **Builder is planning on closing all underfloor decks and eaves with soffits. Approved.***

*506.4 Vents. Attic ventilation openings, soffit vents, foundation or under-floor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches each. Such vents shall be covered with noncombustible corrosion resistant mesh with openings not to exceed 1/8 inch. **Home Builder is planning on installing 1/8" mesh screen on all openings. Approved.***

Providence City Code Title 10, Chapter 5 for Hazard Wildfire Area

Property owners are encouraged to implement the following:

- Construct the roof with fire-resistant materials like tile or metal, asphalt or fiberglass shingles. Clean roof surfaces and gutters of pine needles, leaves, branches, etc. regularly to avoid accumulation of flammable materials.
- Inspect your property regularly, clearing dead wood and dense vegetation from at least 30' around your house. Rake piles of leaves and twigs. If on a hill, more space will be needed to protect your home. A fuel break should be maintained around all structures.
- Move firewood away from the house or attachments like fences or decks.
- Cover vents with wire mesh no larger than 1/8 of an inch to keep sparks from enter your home through vents.
- Driveways should be wide enough for firefighting equipment to maneuver.

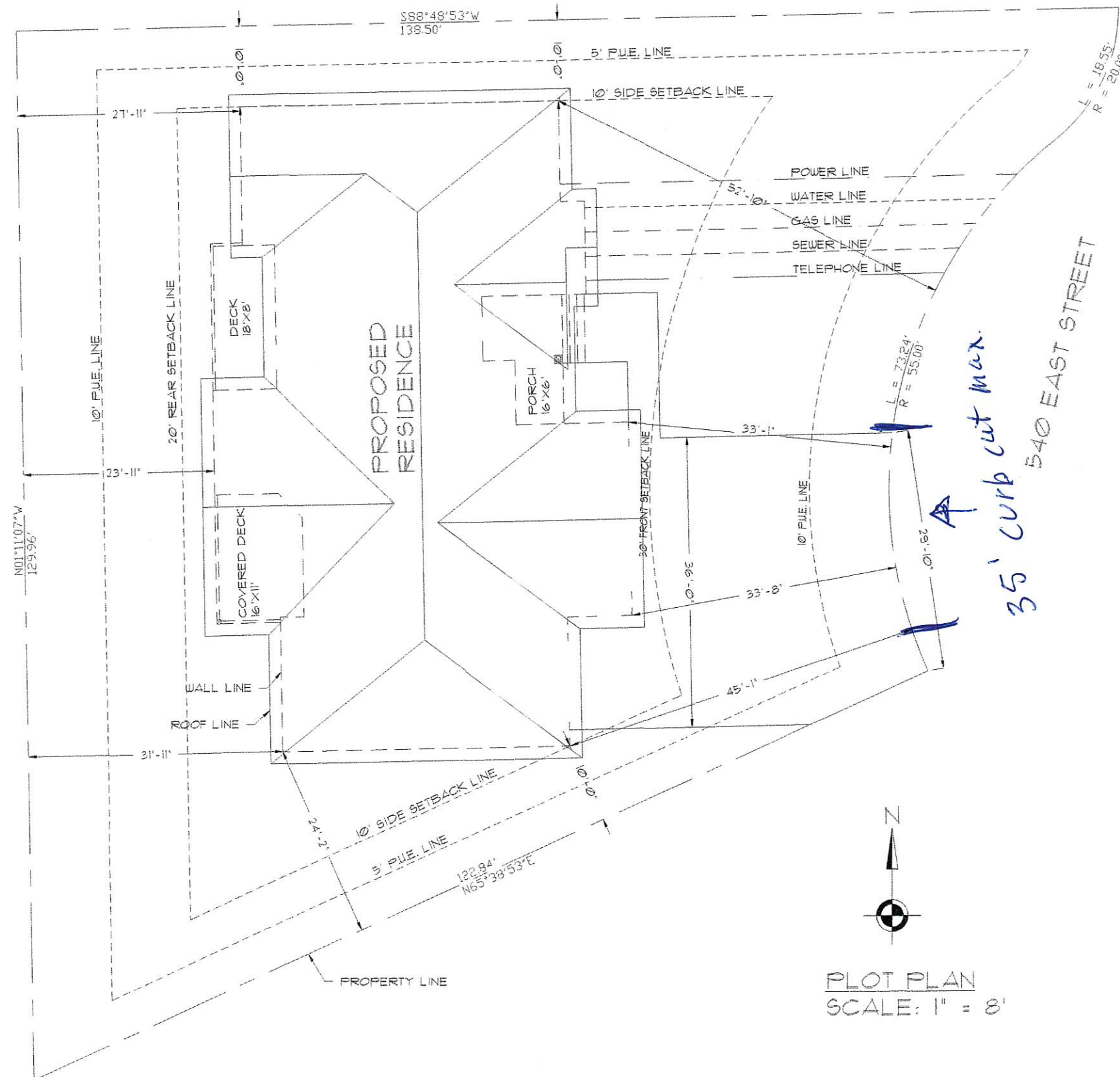
If you have any questions, please call me.

Respectfully,

Aaron Walker
Deputy Fire Marshal/Fire Inspector
Logan Fire Department
435-716-9516

Total house $\varnothing$ 3228
 Total yard $\varnothing$ 9972
 Total lot $\varnothing$ 13,200

LOT #19 ORCHARD HILLS SUB. PHASE 2 PROVIDENCE, UT.



PLOT PLAN
 SCALE: 1" = 8'

CONTENT:

1. PLOT PLAN & COVER PAGE
2. FOUNDATION/BASEMENT FLOOR PLAN
3. MAIN FLOOR PLAN
4. FRONT & LEFT ELEVATIONS, ROOF & MAIN FLOOR FRAMING PLANS
5. REAR & RIGHT ELEVATIONS, & MAIN FLOOR ELECTRICAL PLAN



FINAL PLAT
FOR THE
ORCHARD HILLS SUBDIVISION
PHASE 2
LOCATED IN THE SOUTHWEST QUARTER
OF SECTION 14, T. 11 N., R. 1 E. S.L.B.&M.
PROVIDENCE CITY, CACHE COUNTY, UTAH
MARCH 2006

NO DRIVEWAY ACCESS ALLOWED ON 1000 SOUTH STREET FOR LOTS 14, 26, 28, 29

ALL EXPENSES INVOLVING THE NECESSARY IMPROVEMENTS OR EXTENSIONS FOR A CULINARY WATER SYSTEM, SANITARY SEWER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, TELEPHONE SERVICE, CABLE TELEVISION SERVICE, GRAVING AND LANDSCAPING, STORM DRAINAGE SYSTEMS, CURBS AND GUTTERS, FIRE HYDRANTS, PAVEMENT, SIDEWALKS, SIGNAGE, STREET LIGHTING AND OTHER IMPROVEMENTS SHALL BE PAID FOR BY THE SUBDIVIDER.

LOT	AREA	AREA
LOT 14	1013 SOUTH 540 EAST	0.29 Acres
LOT 15	1013 SOUTH 540 EAST	0.29 Acres
LOT 16	1013 SOUTH 540 EAST	0.29 Acres
LOT 17	1013 SOUTH 540 EAST	0.29 Acres
LOT 18	1013 SOUTH 540 EAST	0.29 Acres
LOT 19	1013 SOUTH 540 EAST	0.29 Acres
LOT 20	1013 SOUTH 540 EAST	0.29 Acres
LOT 21	1013 SOUTH 540 EAST	0.29 Acres
LOT 22	1013 SOUTH 540 EAST	0.29 Acres
LOT 23	1013 SOUTH 540 EAST	0.29 Acres
LOT 24	1013 SOUTH 540 EAST	0.29 Acres
LOT 25	1013 SOUTH 540 EAST	0.29 Acres
LOT 26	1013 SOUTH 540 EAST	0.29 Acres
LOT 27	1013 SOUTH 540 EAST	0.29 Acres
LOT 28	1013 SOUTH 540 EAST	0.29 Acres
LOT 29	1013 SOUTH 540 EAST	0.29 Acres

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	30.98'	20.00'	88°45'16"	S 43°14'52" W	27.98'
C2	31.11'	20.00'	89°06'51"	N 45°41'12" W	28.06'
C3	31.74'	20.00'	90°56'30"	S 44°17'08" W	28.52'
C4	31.09'	20.00'	89°03'30"	N 45°42'52" W	28.05'
C5	18.55'	20.00'	53°07'48"	N 25°22'47" E	17.89'
C6	73.24'	55.00'	76°17'49"	S 13°47'47" W	67.95'
C7	52.35'	55.00'	54°31'56"	S 51°37'05" E	50.39'
C8	63.06'	55.00'	65°41'47"	N 68°23'24" E	59.67'
C9	18.60'	20.00'	53°16'58"	S 62°10'59" W	17.94'
C10	54.97'	35.00'	89°59'25"	S 46°10'49" E	49.49'
C11	94.24'	60.00'	89°59'25"	S 46°10'49" E	84.85'
C12	12.28'	330.00'	2°07'54"	N 88°41'26" E	12.28'
C13	82.60'	330.00'	14°20'29"	N 80°27'15" E	82.39'

CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF _____
ON THIS _____ DAY OF _____, 20____, YEAR
PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY
PUBLIC, IN AND FOR SAID STATE AND COUNTY, _____
AFTER BEING DULY SWORN ACKNOWLEDGED TO ME THAT _____
IS THE _____ OF SAID CORPORATION AND THAT _____
SIGNED THE OWNER'S DEDICATION FREELY, VOLUNTARILY AND IN
BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN
MENTIONED.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____ COUNTY, UTAH

T. 11 N.
R. 1 E.
S.L.B.&M.
15.14
22 23
BRASS CAP

COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE
CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN
THIS OFFICE.

DATE _____ COUNTY SURVEYOR _____

COUNTY RECORDER'S NO. 946052

STATE OF UTAH, COUNTY OF _____, RECORDED _____
AND FILED AT THE REQUEST OF _____
DATE 7 JUNE 2007 TIME 3:38 PM FEE \$6.00
ABSTRACTED _____

INDEX 2007-2203
FILED IN: FILE OF PLATS
Michael P. Head
COUNTY RECORDER

PLANNING COMMISSION APPROVAL

APPROVED THIS 12 DAY OF June, A.D. 2006
BY THE PROVIDENCE CITY PLANNING AND ZONING COMMISSION.

CHAIRPERSON

APPROVAL AS TO FORM

APPROVED AS TO FORM
THIS 17th DAY OF May, A.D. 2007

ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE PROVIDENCE CITY COUNCIL THIS 19
DAY OF June, A.D. 2006, AT WHICH TIME THIS
SUBDIVISION WAS APPROVED AND ACCEPTED.

MAYOR

ATTEST

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT
AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

DATE

ENGINEER

SUBDIVISIONS

PROPERTY SURVEYS
TOPOGRAPHIC SURVEYS
CONSTRUCTION STAKING

SURVEY CERTIFICATE

I, JEFF S. HANSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND
SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 325023 AS PRESCRIBED
BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE
AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF
LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED
SAID TRACT INTO LOTS AND STREETS, HEREINAFTER TO BE KNOWN AS:
ORCHARD HILLS SUBDIVISION PHASE 2
AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE
DIMENSIONS SHOWN.



Jeff S. Hansen

R.L.S. No. 325023

Date

BOUNDARY DESCRIPTION

A PARCEL OF GROUND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14,
TOWNSHIP 14 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN,
DESCRIBED AS FOLLOWS:

COMMENCING AT THE BRASS CAP MONUMENT FOUND AT THE SOUTHWEST CORNER OF
SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND
MERIDIAN AND RUNNING THENCE NORTH 88°36'45" EAST ALONG THE SOUTH LINE OF
THE SOUTHWEST QUARTER OF SAID SECTION AS CURRENTLY MONUMENTED 2,642.72
FEET TO THE ALUMINUM CAP MONUMENT FOUND AT THE SOUTH QUARTER CORNER
OF SAID SECTION 14; THENCE NORTH 00°24'11" WEST 1,236.46 FEET TO THE TRUE
POINT OF BEGINNING; AND RUNNING THENCE SOUTH 89°35'49" WEST 137.33 FEET;
THENCE SOUTH 01°07'46" EAST 24.10 FEET; THENCE SOUTH 89°45'27" WEST 213.88
FEET; THENCE SOUTH 01°09'27" EAST 252.87 FEET; THENCE SOUTH 88°49'28" WEST
48.80 FEET; THENCE SOUTH 01°10'32" EAST 180.00 FEET; THENCE SOUTH 88°49'28"
WEST 52.57 FEET; THENCE SOUTH 01°10'32" EAST 125.00 FEET; THENCE SOUTH
88°49'28" WEST 240.71 FEET TO THE SOUTHEAST CORNER OF THE ORCHARD HILLS
SUBDIVISION PHASE 1; THENCE NORTH 01°11'07" WEST (NORTH 00°03'35" EAST BY
RECORD) ALONG THE EAST LINE OF SAID SUBDIVISION 683.47 FEET TO THE SOUTH
LINE OF 1000 SOUTH STREET; THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE
THE FOLLOWING THREE COURSES, (1) NORTH 89°45'23" EAST 563.59 FEET; (2)
THENCE EASTERLY 94.88 FEET ALONG THE ARC OF A 330.00 FOOT RADIUS CURVE
TO THE LEFT THROUGH A CENTRAL ANGLE OF 16°28'23" AND A LONG CHORD THAT
BEARS NORTH 81°31'12" EAST 94.55 FEET; (3) THENCE NORTH 73°17'00" EAST
39.23 FEET; THENCE SOUTH 00°24'11" EAST 120.21 FEET TO THE POINT OF
BEGINNING. CONTAINING 5.77 ACRES, MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS
OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO
BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREINAFTER KNOWN AS:
ORCHARD HILLS SUBDIVISION PHASE 2
DO HEREBY DEDICATE, GRANT AND CONVEY TO PROVIDENCE CITY, UTAH
ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS
STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND
ALSO DEDICATE TO PROVIDENCE CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR
PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO
BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC
UTILITY SERVICE LINES AND DRAINAGE AS INTENDED FOR PUBLIC USE.

IN WITNESS WE HAVE HEREUNTO SET OUR SIGNATURES THIS 5
DAY OF Feb, A.D. 2007

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF _____
ON THIS 5th DAY OF February, 2007
PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN
AND FOR SAID COUNTY OF _____, IN SAID STATE OF UTAH,
THE SIGNERS OF THE ABOVE OWNERS DEDICATION, WHO DULY ACKNOWLEDGED
TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE
PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES Aug 15 2008



JSH
SURVEYING & DRAFTING INC.
P.O. BOX 300 • WELLSVILLE, UTAH 84339
(435) 245-9090 TOLL FREE 1-888-420-0268
JOB # 05-001