



Garden City Project Checklist

A complete application packet must be filed with the Garden City Town Clerk by the due date listed on the "Procedure for Submittal Poster" for the meeting when your project will be considered. Subdivisions, PUD/PRUD, and Condominium projects are required to follow the Subdivision/PUD/PRUD Process, which also requires an AEG pre-meeting before turning in this packet.

INCOMPLETE APPLICATION PACKETS WILL NOT BE ACCEPTED.

PLEASE REFER TO ORDINANCES FOR A LIST OF REQUIRED DOCUMENTS TO BE INCLUDED WITH THE FOLLOWING PROJECT APPLICATIONS:

- ☐ **Subdivision Plat:** \$3,000 Deposit * 11E
 Preliminary Plat: \$500 per plat + \$10 per lot 11E-400
 Final Plat: \$500 per plat + \$10 per lot 11E-500
 Subdivision packets must include A, 20 of B, 4 of C, D, E, & F for each plat
- ☐ **Condominium Plat:** \$3,000 Deposit * Must follow Subdivision Ordinance, Chapter 11E and/or Planned Unit Development Ordinance, Chapter 11F and:
 Condominium Plat: \$500 per plat + \$10 per lot 11E-524
 Townhouse Plat: \$500 per plat + \$10 per lot 11E-525
 Condominium packets must include A, 20 of B, 4 of C, D, E, & F for each plat
- ☐ **Planned Unit Development or Planned Residential Development (PUD or PRUD):**
 \$3,000 Deposit * 11C-1950, 11F & 11E
 Preliminary PUD Development Plan: \$1,000 11F-103
 Final Development Plan: \$1,000 11F-107
 PUD/PRUD packets must include A, 20 of B, 4 of C, D, E, & F for each plat
- ☐ **Readjustment of Lot Lines or Lot Splits:** \$250 11E-506
 Packets must include A, B, C, D, E, & F, Also, a deed for each lot
- ☐ **Vacation of Subdivision:** \$300 11E-523
 Packets must include A, 20 of B, 4 of C, D, E, & F
- ☐ **Conditional Use Permit:** \$300
 CUP packets must include A, 9 of B, D, E, & F
- ☐ **Variance:** \$250 11B-308
 Variance Packets must include A, B, D, E, & F
- ☐ **Annexation:** \$300 for first acre or less, \$20 per acre for each additional acre
 (Maximum of \$1,000) 11A-300
 Annexation packets must include A, 20 of B, 4 of C, D, E, & F
- ☐ **Zone Change:** \$300 for first acre or less, \$20 per acre for each additional acre
 (Maximum of \$1,000) 11A-302
 Zone Change packets must include A, 20 of B, 4 of C, D, E, & F

☐ **Encumbrance:** \$250

Encumbrance Packets must include A, B, D, E, & F

☐ **Un-Encumbrance:** \$250

Un-Encumbrance Packets must include A, B, D, E, & F

☒ **Appeal:** \$250

Appeal Packets must include A and a letter from the property owner outlining the reason for the appeal.

☐ **Extension of Time:**

Extension of Time Packets must include A, and a letter from the Developer explaining the reason for the extension request.

☐ **Other Land Use Permits:** \$50

Packets must include A, B, D, E, & F

☐ **Water Share Transfer:**

Water Share Transfer Packets must include A

☐ **AEG Meeting, (Affected Entity Group):** \$500 Deposit

Packets must include A, 10 of B

* The \$3,000 deposit is used to cover engineer costs, attorney costs, recording fees, etc. The balance will be refunded to developer.

PACKET DOCUMENTATION REQUIREMENTS

A. Completed Garden City Application for Project Review@ form.

B. 11"x14' or 11"x17' plot plan showing lot dimensions and area, and the location, uses dimensions, and set backs of all existing and proposed buildings. Any right-of-ways or easements must be shown if applicable. **Provide 20 readable hard copies.**

C. A AD@ size (22" x 34") plot plan showing lot dimensions and area, and the location, uses, dimensions, and set backs of all existing and proposed buildings. When appropriate, include the same information for property from which a new lot is being created. Plot at appropriate scale (e.g. 1"=50' or 1"=100')

D. A legal description and current ownership plat of the property.

E. A current Title Report or Preliminary Title Report showing ownership. Must match legal description on plat.

F. An electronic copy of plat.

Please review Garden City ordinances for requirements for each type of project. Garden City ordinances can be found at www.gardencityut.us .

Application for Project Review Garden City, Utah

This application must be accompanied with the necessary and appropriate materials, as stated on the project checklist, before it will be accepted for processing. The date upon which the project will appear on an agenda is determined by the notification schedule required by the State of Utah. The project will be scheduled for the next meeting for which a legal notice has not yet been prepared, after an application is accepted as complete by the Town Staff.

Type of Application (check all that apply):

- ☐ Annexation
- ☒ Appeal
- ☐ Conditional Use Permit
- ☐ Condominium/Townhouse
- ☐ Encumbrance
- ☐ Extension of Time

- ☐ Lot Split/Lot Line Adjustment
- ☐ PUD Conceptual
- ☐ PUD Phase Approval/Preliminary or Final
- ☐ PRUD Conceptual
- ☐ PRUD Phase Approval/Preliminary or Final
- ☐ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☐ Zone Change
- ☐ AEG Meeting, (Affected Entity Group):
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
11E-506
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: Blue Vista Hills Current Zone: PUD Proposed Zone: _____

Property Address: _____

Parcel # _____ - _____ - _____ - _____

Contact Person: Norman Mecham Phone #: 435-757-6278

E-mail address: nmecham@bearlake.com

Mailing Address: PO Box 361 Garden City UT 84028

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

Property Owner of Record (if different): _____ Phone #: _____

Mailing Address: _____

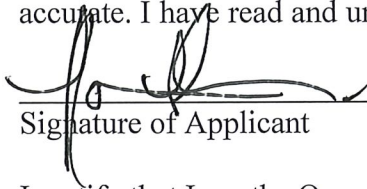
Project Start date: _____ Completion date: _____

Describe the proposed project as it should be presented to the hearing body and in the public notices.

Lot Size in acres or square feet: _____ Number of dwellings or lots: _____

Non-residential building size: _____

I certify that the information contained in this application and supporting materials is correct and accurate. I have read and understand the requirements and deadlines associated with this application.



Signature of Applicant

I certify that I am the Owner of Record of the subject property and that I consent to the submittal of this application. **Owner of Record MUST sign the application prior to submitting to Garden City.**

Signature of Owner of Record

Signature of Owner of Record

Signature of Owner of Record

Email Form

Office Use Only

Date Received: _____

Fee: _____

By: _____

February 11, 2022

SENT VIA ELECTRONIC MAIL AND HAND-DELIVERED

Garden City Appeals Board

townofgardencity@gmail.com

CC: J. Brett Chambers, Harris, Preston & Chambers, LLP

RE: Notice of Appeal of January 13, 2022 Preliminary Plat Approval

To Whom It May Concern:

I am writing to respectfully appeal the City's decision to grant preliminary plat approval to HIG REF1, NC1, LLC for the Blue Vista Hills PUD. I have never opposed a development in 40 years of business in Garden City, but I feel a real need to speak out on this one.

The City was not at liberty to violate its own ordinances as I read them. With all due respect, by violation of the ordinances, the City's decision became arbitrary, capricious, and illegal. My principal concerns with the approval are as follows:

1. The proposed development does not meet the requirements of the Garden City Municipal Code defining an alley.
2. Public safety.

GARDEN CITY MUNICIPAL CODE

While the concept of trying to keep vehicular traffic on one side of a building and the pedestrian, green space and play area on the other side is very appealing, permitting the sidewalk through greenspace to qualify as the primary access to a home while the only direct vehicular access, here called the secondary access, can be an alley, is improper. This direct vehicular access, in this case the "alley" is the primary access. The Garden City municipal code defines an Alley as:

CHAPTER 11A-200 Definitions

4. Alley A minor public way twenty-six (26) feet or less in width providing secondary access to the back or the side of property otherwise abutting a street.

In other words, the property also has to abut a street which would serve as the primary access. By definition, the alley would serve as the secondary access. The townhomes in Blue Vista Hills do not otherwise abut a street. They abut adjacent townhomes on the sides and greenspace on the other side. Simply placing an entrance door on the greenspace side does not meet the requirement of abutting a street. It also does not serve as a primary entrance for a vacation home where the occupants are driving from home with their coolers, food, beach toys, clothes, and suitcases, and bags. The greenspace door opening is a secondary entrance to access the greenspace, pool and clubhouse. Their primary access is from their parking and garage which is accessed from the "alley". Parking within close proximity is only provided in the garage which is accessed from the alley. It is from this access that they would arrive from home, unload, carry their food and cooler into the home, go to the beach, the market, restaurants, drive to get raspberry shakes, go skiing and sledding, and load up and leave the property. Seldom would the door onto the greenspace be used for any of these activities. In this proposed preliminary plat, the Alley is the primary access, not a secondary access. Providing golf carts does not change this as they would not be used to arrive from home, leave for home, or the off-site activities above. In addition, the golf carts would be coming and going from the garage. The Alley is the primary access, and as such does not meet Garden City Code, even though the developer argued repeatedly that the greenspace door was the primary access. Again, the City was not at liberty to disregard its own ordinance.

SAFETY

The safety of the residents and occupants is severely compromised in order to maximize the density. This proposal allows only 3 feet from the garage door to the traffic way. If my grandchild were helping me to load the car in the garage with an open garage door, he/she could cross those 3 feet and be in traffic long before I could react. Also in backing out of the garage, I would have to back blind into two lanes of traffic and any pedestrian traffic. I would be backing blind because the driver's seat would still be inside the garage. I could not see oncoming traffic or pedestrians. When the developer was asked why they couldn't make the roads wider, the response was, "we would have to take out some units". While that is true, that is no reason to compromise safety.

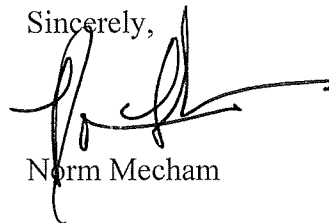
If a large truck, or any vehicle pulling a trailer could not pull into the garage and needed to unload passengers, coolers, bags, etc., they must first stop in the alley, blocking traffic. There is no parking area in the alley that does not block traffic. Occupants must then exit by opening vehicle doors into and stopping, two way traffic. When coming to a vacation home, this loading and unloading process often takes a family multiple trips (and often 15-30 minutes or more) using multiple family members including the kids. In the meantime, other traffic is either blocked or must squeeze by while family members may be coming back out of the garage into traffic. No safe place is provided to exit and load/unload a larger truck or boat/snowmobile trailer. Larger trucks and trailers are common as people come to vacation homes. Unless the vehicle can pull into the

garage, the occupants have no choice but to open the door, exit, load and unload directly in the middle of two-way traffic. Emergency vehicles would also be blocked any time that a vehicle is stopped in the alley. Respectfully, the City's decision was arbitrary and capricious in approving the preliminary plat approval.

I hold an interest in property that will be negatively affected if the city's decision to grant preliminary plat approval is upheld. My property is in close vicinity to the proposed development. The ordinances and standards created by the Garden City council are to uphold the general welfare and well-being of its citizens and their property. By permitting the high-density development without having them abide by the city's own ordinances, the city's own ordinance is violated and the general welfare and safety of neighboring property owners (such as myself and my family) are jeopardized. It creates a significant safety issue for the neighborhood, my family, and all neighboring property owners. It also puts significant pressure on neighboring property owners because the access issues as currently laid out in the preliminary plat will require additional traffic (including emergency traffic) to service the development. If the city's erroneous granting of preliminary plat approval is upheld, I believe there is a real risk to human life (including possibly my immediate and extended family), and that it will negatively and adversely affect my property value.

Accordingly, I respectfully appeal the City's decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norm Mecham', with a long horizontal flourish extending to the right.

Norm Mecham