



October 29, 2021

ADMINISTRATIVE INTERPRETATION  
DECISION AND FINDINGS  
PLNZAD2021-00977

REQUEST:

This is a request for an administrative interpretation regarding whether the lot at 690 N New Bonneville Place (09-28-354-012-0000) is buildable for a single-family home and is specifically buildable in the areas shown **on the associated subdivision plat “Arlington Hills Plat ‘O’.”**

The subject property is located in the FP, Foothills Protection Zoning District and also subject to the Groundwater Source Protection Overlay zoning district.

DECISION:

The slope restrictions of 21A.32.040.H do not apply to the property, as the property is in a subdivision that received preliminary approval before November 4, 1994. **The “unbuildable areas”** identified on the plat still apply.

FINDINGS:

The subject property is identified as **Lot 3 of the Arlington Hills Plat “O” subdivision.** The subdivision is attached to this letter with the subject property highlighted. The subdivision plat **identifies “unbuildable area” identified during the original platting process. Some of these areas** cross into the subject property and currently apply to any development of the property.

The applicant has identified that there are buildable areas of the property, outside of the **“unbuildable areas,”** that exceed a 30% slope. These are shown in the attached topographic survey. The property is in the FP Foothills Protection zone, which states the following regarding building on slopes exceeding 30%:

21A.32.040.H. Slope Restrictions: To protect the visual and environmental quality of foothill areas, no building shall be constructed on any portion of the site that exceeds a thirty percent (30%) slope for lots in subdivisions granted preliminary approval by the Planning Commission after November 4, 1994.

This subdivision was first heard by the Planning Commission informally on February 3, 1994. The subdivision was then **granted “preliminary approval”** by the Planning Commission on October 18, 1994. As the property was granted preliminary approval prior to November 4, 1994, the above restriction on slopes exceeding 30% does not apply.<sup>1</sup>

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<sup>1</sup> See agenda and minutes in attachments.

The plat also includes dashed lines within the lots. Some of these lines are intended to show easements and have callouts identifying those easements. However, there are polygons drawn with dashed lines within the lots. Although there is not a legend for these lines, polygons drawn with these dashed lines are generally intended to represent setback/buildable area lines and are common on subdivision plats in areas zoned with a Foothills designation. The staff report for the original approval (see attachment 3) also highlights these same areas as building sites. Staff interprets the dashed polygon on Lot 3 to represent an allowed buildable area.

For reference, the history of the related petitions for this subdivision is below:

Planning Commission Petition #410-130: *Planned Development/Subdivision Petition*

- **2/3/1994** – Informal hearing held with the Planning Commission
- **8/18/1994** – Public hearing held, and plat received preliminary approval with conditions by the Planning Commission
- **4/3/1996** – Plat recorded with the Salt Lake County Recorder

Board of Adjustment Petition #2117B: *Special Exception for Planned Unit Development*

- **10/24/1994** – Item on agenda, but postponed.
- **11/14/1994** – Public hearing held and approved by the Board

The agenda and minutes for the above public meetings are attached for reference.

#### APPEAL PROCESS:

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at <http://www.slcgov.com/planning/planning-applications> along with information about the applicable fee and submission process. Appeals may be filed by submitting an application through the City's online application portal here: <https://citizenportal.slcgov.com>.



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Daniel Echeverria  
Senior Planner

CC:

Nick Norris, Planning Director  
Joel Paterson, Zoning Administrator  
Posted to Web  
File

Attachments:

1. **Vicinity Map of Property**

2. Subdivision Plat
3. Current Topographic Surveys
4. February 1994 - Planning Commission Agenda and Minutes
5. August 1994 - Planning Commission Agenda, Minutes, and Staff Report
6. October 1994 - Board of Adjustment Agenda and Minutes
7. November 1994 - Board of Adjustment Agenda and Minutes

## **1. Vicinity Map of Property**



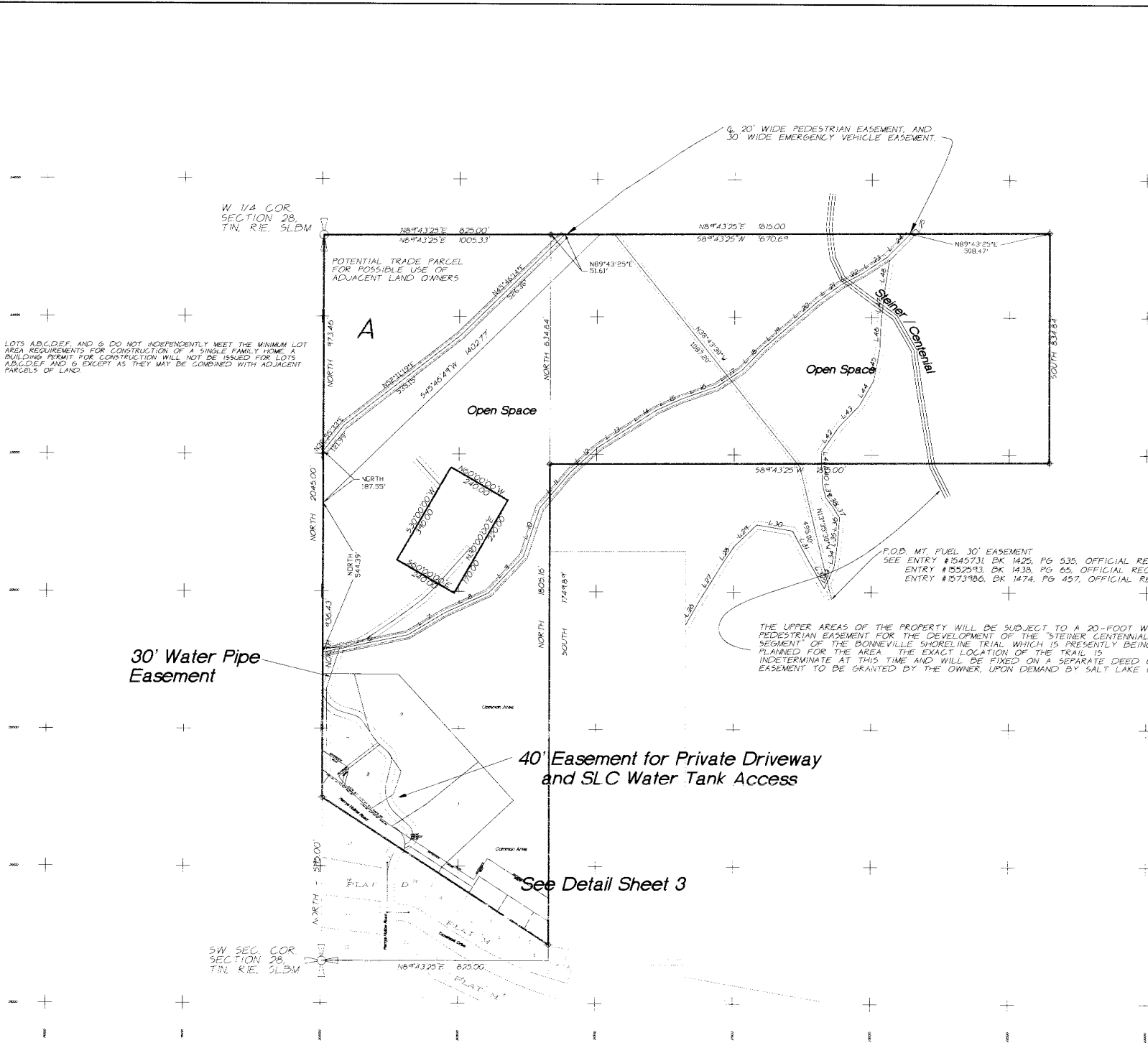
# Vicinity Map



## **2. Subdivision Plat**





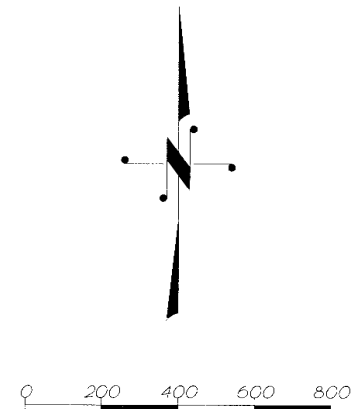


Parcel 1, Entry #3746793, Bk 543C  
Pg 138, Official Records, Salt Lake County

NUMBER	DIRECTION	DISTANCE
L6	N78°19'36"E	310.20
L7	N08°44'45"E	256.43
L8	N05°3'48"E	178.04
L9	N41°30'55"E	82.34
L10	N02°21'34"E	186.38
L11	N40°30'24"E	174.44
L12	N47°56'47"E	135.22
L13	N07°42'52"E	139.73
L14	N05°53'46"E	113.31
L15	N05°30'55"E	98.49
L16	N70°49'12"E	172.24
L17	N05°37'11"E	102.44
L18	N43°57'56"E	140.77
L19	N44°21'04"E	111.12
L20	N44°21'11"E	146.69
L21	N03°44'33"E	97.48
L22	N02°33'21"E	85.41
L23	N06°38'42"E	111.04
L24	N44°53'03"E	113.63
L25	N27°36'48"E	154.17

Parcel 2, Entry #3746793, Bk 543D  
Pg 138, Official Records, Salt Lake County

NUMBER	DIRECTION	DISTANCE
L26	N24°44'17"E	103.44
L27	N31°31'55"E	144.37
L28	N33°47'48"E	91.52
L29	N05°33'01"E	102.52
L30	S80°10'04"E	131.80
L31	S28°17'12"E	117.98
L32	S24°42'41"E	121.55
L33	N24°13'40"E	85.06
L34	N08°25'52"E	64.41
L35	N05°32'13"E	63.38
L36	N04°14'11"E	50.19
L37	N32°08'27"W	48.14
L38	N37°44'02"W	40.15
L39	N14°39'50"W	52.05
L40	N07°20'43"W	78.08
L41	N02°20'25"W	36.48
L42	N34°45'36"E	18.57
L43	N44°03'31"E	105.69
L44	N44°33'33"E	102.11
L45	N0°44'38"E	105.14
L46	N02°53'21"E	102.27
L47	N05°17'01"E	102.88
L48	N08°47'40"E	117.74



W 1/4 COR  
SECTION 28  
T1N, R1E, S12M

LOTS A,B,C,D,E,F, AND G DO NOT INDEPENDENTLY MEET THE MINIMUM LOT AREA REQUIREMENTS FOR CONSTRUCTION OF A SINGLE FAMILY HOME. A BUILDING PERMIT FOR CONSTRUCTION WILL NOT BE ISSUED FOR LOTS A,B,C,D,E,F, AND G EXCEPT AS THEY MAY BE COMBINED WITH ADJACENT PARCELS OF LAND.

POTENTIAL TRADE PARCEL FOR POSSIBLE USE OF ADJACENT LAND OWNERS

P.O.B. MT FUEL 30' EASEMENT  
SEE ENTRY #1545731, BK 1425, PG 535, OFFICIAL RECORDS SALT LAKE COUNTY  
ENTRY #1552593, BK 1438, PG 65, OFFICIAL RECORDS SALT LAKE COUNTY  
ENTRY #1573986, BK 1474, PG 457, OFFICIAL RECORDS SALT LAKE COUNTY

THE UPPER AREAS OF THE PROPERTY WILL BE SUBJECT TO A 20-FOOT WIDE PEDESTRIAN EASEMENT FOR THE DEVELOPMENT OF THE "STEINER CENTENNIAL SEGMENT" OF THE BONNEVILLE SHORELINE TRAIL, WHICH IS PRESENTLY BEING PLANNED FOR THE AREA. THE EXACT LOCATION OF THE TRAIL IS INDETERMINATE AT THIS TIME AND WILL BE FIXED ON A SEPARATE DEED OF EASEMENT TO BE GRANTED BY THE OWNER, UPON DEMAND BY SALT LAKE CITY.

30' Water Pipe Easement

40' Easement for Private Driveway and SLC Water Tank Access

See Detail Sheet 3

SW SEC. COR  
SECTION 28  
T1N, R1E, S12M

**Basis of Bearings**

THE BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE MONUMENT LINE OF FERRY'S HOLLOW ROAD WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.

**Survey Accuracy**

THIS IS A CLASS "A" SURVEY, MAXIMUM ALLOWABLE ERROR IS 1/10,000.

⊕ INDICATES 5/8" REDAR SET, RLS 145796 ON CAP

Francis Smith Engineering, Inc.  
130 SOUTH MAIN STREET, PO BOX 460  
HEBER CITY, UTAH 84032-0460  
TELEPHONE (801) 654-1600

SALT LAKE COUNTY RECORDER  
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF #620820  
HAL HAWK  
DATE 4.3.96 TIME 9:05 AM, BOOK 99-42, PAGE 101  
FEE \$125.00  
SALT LAKE COUNTY RECORDER

NUMBER \_\_\_\_\_  
ACCT. \_\_\_\_\_  
SHEET 18  
OF 23 SHEETS

PRIVATE DRIVE/SLC WATER TANK ACCESS  
24' EASEMENT GEOMETRY

NUMBER	DIRECTION	DISTANCE
L1	N 47°26'42" W	64.57
L2	N 12°48'12" E	77.89
L3	N 48°36'05" W	35.97
L4	N 35°03'05" W	79.42
L5	N 74°00'00" W	45.62

NUMBER	DELTA	RADIUS	TANGENT	LENGTH
C1	117°44'39"	41.00	67.89	84.26
C2	60°16'54"	114.17	66.29	120.12
C3	61°24'17"	41.00	24.35	43.94
C4	13°33'00"	112.00	13.31	26.49
C5	38°57'26"	60.00	21.22	40.80
C6	43°40'01"	110.00	44.07	83.83
C7	08°09'09"	88.00	6.27	12.52

30' Waterline Easement to SLC

P.O.B.

MONUMENTS TO BE SET

SALT LAKE CITY CORP. 5/12/88 MONUMENT

SALT LAKE CITY CORP. 5/12/88 MONUMENT

SALT LAKE CITY CORP. 5/12/88 MONUMENT

SALT LAKE CITY CORP. 5/12/88 MONUMENT

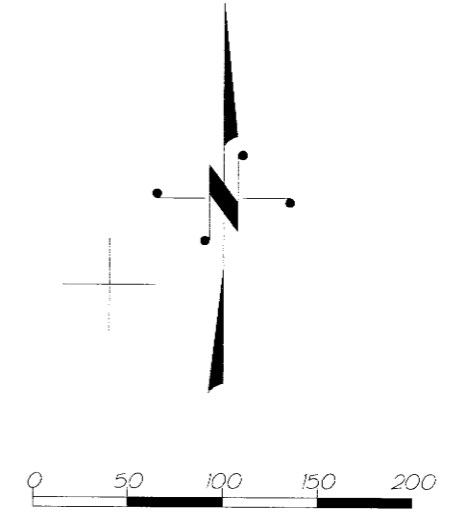
Common Area

40' Easement for Private Driveway and SLC Water Tank Access

Common Area

Hatching indicates Unbuildable Areas

Detail of Sheet 2



**Basis of Bearings**

THE BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE MONUMENT LINE OF PERRY'S HOLLOW ROAD WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.

**Survey Accuracy**

THIS IS A CLASS "A" SURVEY, MAXIMUM ALLOWABLE ERROR IS 1:15,000.

LOTS A,B,C,DEF AND G DO NOT INDEPENDENTLY MEET THE MINIMUM LOT AREA REQUIREMENTS FOR CONSTRUCTION OF A SINGLE FAMILY HOME. A BUILDING PERMIT FOR CONSTRUCTION WILL NOT BE ISSUED FOR LOTS A,B,C,DEF AND G EXCEPT AS THEY MAY BE COMBINED WITH ADJACENT PARCELS OF LAND.

SHEET 3 OF 4

NUMBER \_\_\_\_\_  
ACCT. \_\_\_\_\_  
SHEET 19  
OF 23 SHEETS

**Francis Smith Engineering, Inc.**

136 SOUTH MAIN STREET, PO BOX 460  
HEBER CITY, UTAH 84032-0460  
TELEPHONE (801) 654-1600

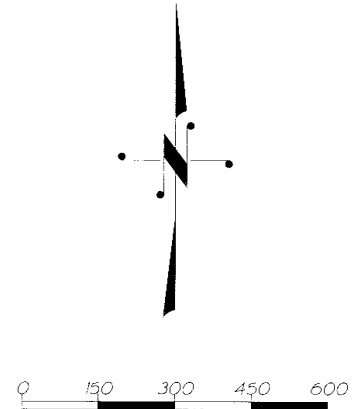
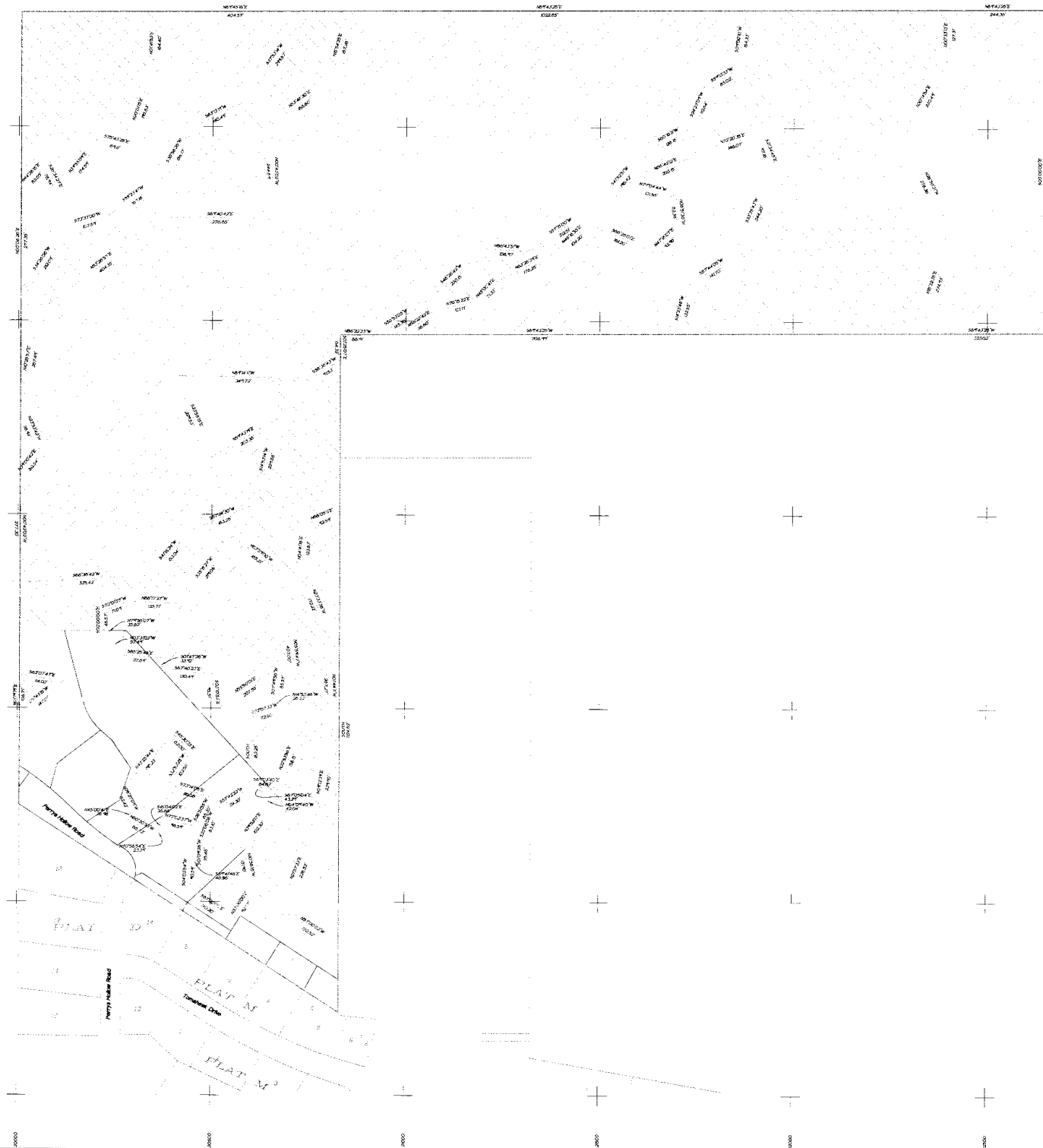
SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF #6320820  
HAL HAWES

DATE 4-3-92 TIME 9:03AM BOOK 96-4 PAGE 101  
FEE \$125.00

SALT LAKE COUNTY RECORDER

NUMBER \_\_\_\_\_  
ACCT. \_\_\_\_\_  
SHEET 19  
OF 23 SHEETS



SHEET 4 OF 4

NUMBER \_\_\_\_\_  
 ACCT. \_\_\_\_\_  
 SHEET 20  
 OF 23 SHEETS

**Francis Smith Engineering, Inc.**  
 136 SOUTH MAIN STREET, PO BOX 460  
 HEBER CITY, UTAH 84032-0460  
 TELEPHONE (801) 654-1600

INDICATES UNBUILDABLE AREAS OVER 40% NATURAL GRADE

INDICATES UNBUILDABLE AREAS UNDER 40% NATURAL GRADE

SALT LAKE COUNTY RECORDER  
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF Hal Hawk # 6320820  
 DATE 4-2-96 TIME 9:05AM BOOK 96-4P PAGE 10  
 FEE \$125.00  
 SALT LAKE COUNTY RECORDER

NUMBER \_\_\_\_\_  
 ACCT. \_\_\_\_\_  
 SHEET 20  
 OF 23 SHEETS

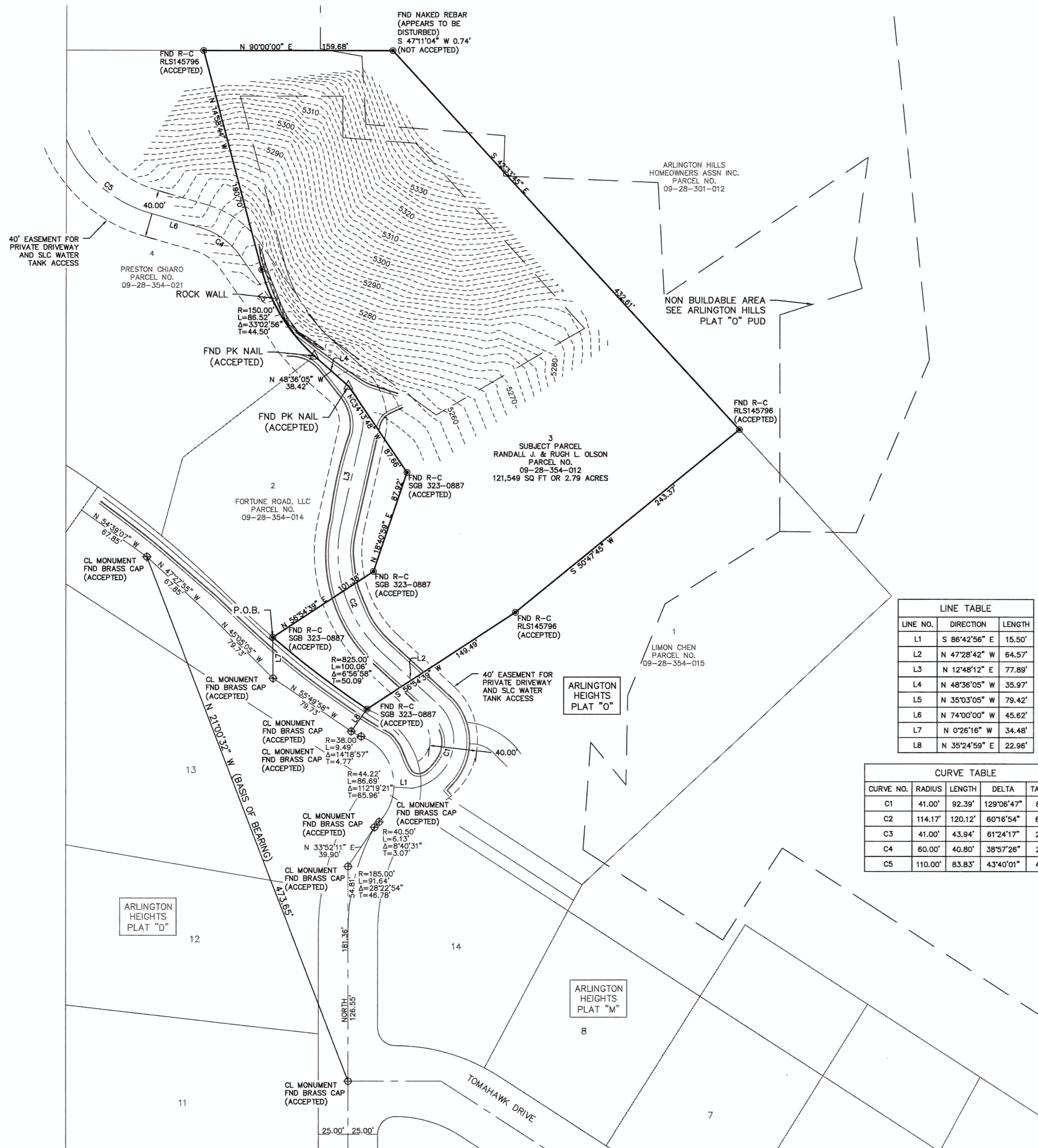
© LUCAS/SMITH/FRANCIS ENGINEERING

### **3. Current Topographic Surveys**



# TOPOGRAPHICAL SURVEY

LOCATED IN  
 SW 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 EAST,  
 SALT LAKE BASE AND MERIDIAN  
 PREPARED FOR:  
 EDGAR & ELKE BRAENDLE



LINE NO.	DIRECTION	LENGTH
L1	S 86°42'56" E	15.50'
L2	N 47°28'42" W	64.57'
L3	N 12°48'12" E	77.89'
L4	N 48°36'05" W	35.97'
L5	N 35°03'05" W	79.42'
L6	N 74°00'00" W	45.62'
L7	N 0°26'16" W	34.48'
L8	N 35°24'59" E	22.96'

CURVE NO.	RADIUS	LENGTH	DELTA	TANGENT
C1	41.00'	92.39'	129°06'47"	86.18'
C2	114.17'	120.12'	60°16'54"	66.29'
C3	41.00'	43.94'	61°24'17"	24.35'
C4	80.00'	40.80'	38°57'26"	21.22'
C5	110.00'	83.83'	43°40'01"	44.07'

## BOUNDARY DESCRIPTION

LOT 3, ARLINGTON HILLS PLAT "O" PUD, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

## NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SHOW TOPOGRAPHICAL INFORMATION OF THE ABOVE DESCRIBED PARCEL. THE SURVEY WAS PERFORMED AT THE REQUEST OF OUR CLIENT. THE BASIS OF BEARING FOR THIS SURVEY IS N 21°00'32" W BETWEEN TWO FOUND MONUMENTS, TYPE AND LOCATIONS OF WHICH ARE SHOWN ON THIS PLAT.

THE FOLLOWING DOCUMENTS OF RECORD WERE REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY. THERE MAY EXIST OTHER DOCUMENTS EITHER PRIVATE OR OF RECORD THAT WOULD AFFECT THIS SURVEY. ANY NEW EVIDENCE CONTRADICTORY TO THIS SURVEY SHOULD BE PRESENTED TO BUSH & GUDGELL, INC. FOR REVIEW AND CONSIDERATION.

ARLINGTON HEIGHTS PLAT "D", ENTRY NO. 2462539, IN BOOK LL, AT PAGE 68, PREPARED BY BUSH & GUDGELL, INC. ARLINGTON HEIGHTS PLAT "M", ENTRY NO. 5218063, IN BOOK 92-3, AT PAGE 44, PREPARED BY FRANCIS SMITH ENGINEERING, INC. ARLINGTON HEIGHTS PLAT "O", ENTRY NO. 6320820, IN BOOK 96-4, AT PAGE 101, PREPARED BY FRANCIS SMITH ENGINEERING, INC.

## LEGEND

- ⊕ SPECIFIES FOUND SURVEY CONTROL MONUMENT AS SHOWN AND NOTED (CLASS 1, RING & LID).
- △ SPECIFIES FRONT LOT PROPERTY CORNER OFFSET RIVET, OR NAIL & WASHER SET & OFFSET DISTANCE NOTED.
- ALL BOUNDARY AND PROPERTY (LOT) CORNERS TO BE SET WITH 5/8" REBAR AND CAP STAMPED BUSH & GUDGELL, UNLESS OTHERWISE SPECIFIED ON THE PLAT.
- SETBACK LINE

## NOTES

1. NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES OR OTHER.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
3. ALL COURSES SHOWN IN PARENTHESIS ARE RECORD INFORMATION TAKEN FROM DEED DESCRIPTION OR OFFICIAL MAPS OR PLATS OF RECORD. ALL OTHER COURSES ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.
4. THE FIELD WORK WAS PERFORMED ON 3-4-2016 AND 01-06-2017.

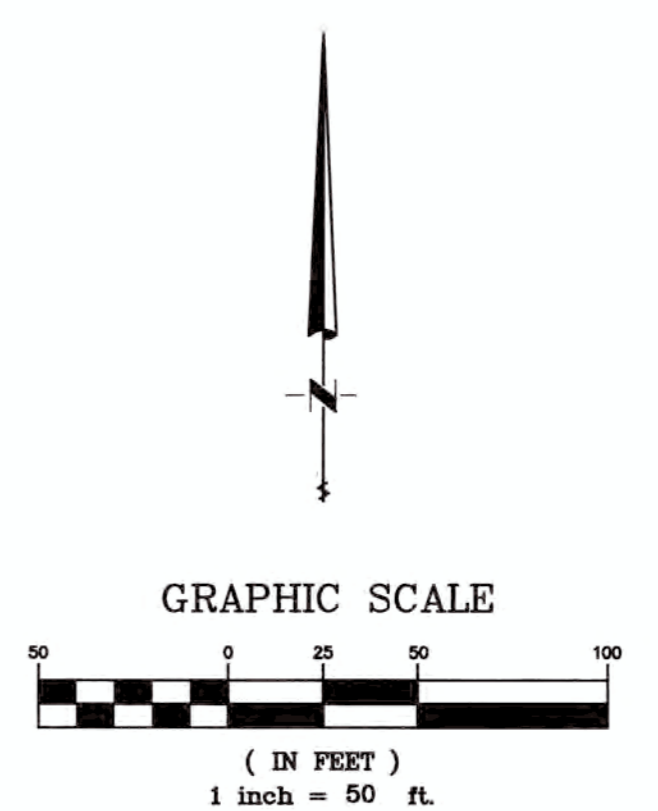
## BENCHMARK

THE BENCHMARKS FOR THIS SURVEY IS THE BENCHMARK #BM5008, PUBLISHED NAVD 88 DATUM ELEVATIONS, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BM5008

IS LOCATED IN FEDERAL HEIGHTS DRIVE (240 NORTH) AND ALTA STREET (1330 EAST) IN THE SOUTHEAST CORNER OF INTERSECTION. SET 1" COPPER DISK IN THE TOP OF STORM DRAIN CATCH BASIN AT THE EAST CURB RETURN OF FEDERAL HEIGHTS DRIVE.

ELEVATION: 1447.789 METERS; 4749.964 US SURVEY FEET.



PARCEL NO. 09-28-354-012

No. \_\_\_\_\_
Date \_\_\_\_\_
By \_\_\_\_\_

**BUSH & GUDGELL, INC.**  
 Engineers - Planners - Surveyors  
 680 N. New Bonville Pl., Salt Lake City, Utah 84103  
 Phone (801) 688-6184 / Fax (801) 688-6195  
 www.bushandgudgell.com

Drawn: BRS/ZJM/MBH Date: 1-10-2017
Checked: DTM

Approved: DIM
Scale: 1" = 50'
Job No.: 172000

**TOPOGRAPHICAL SURVEY**

LOCATED IN  
 SW 1/4 OF SECTION 28, T-1-N, R-1-E, S184M  
 690 N NEW BONVILLE PL, SALT LAKE CITY, UTAH  
 PREPARED FOR: EDGAR & ELKE BRAENDLE

SHEET
1

SHEETS
1

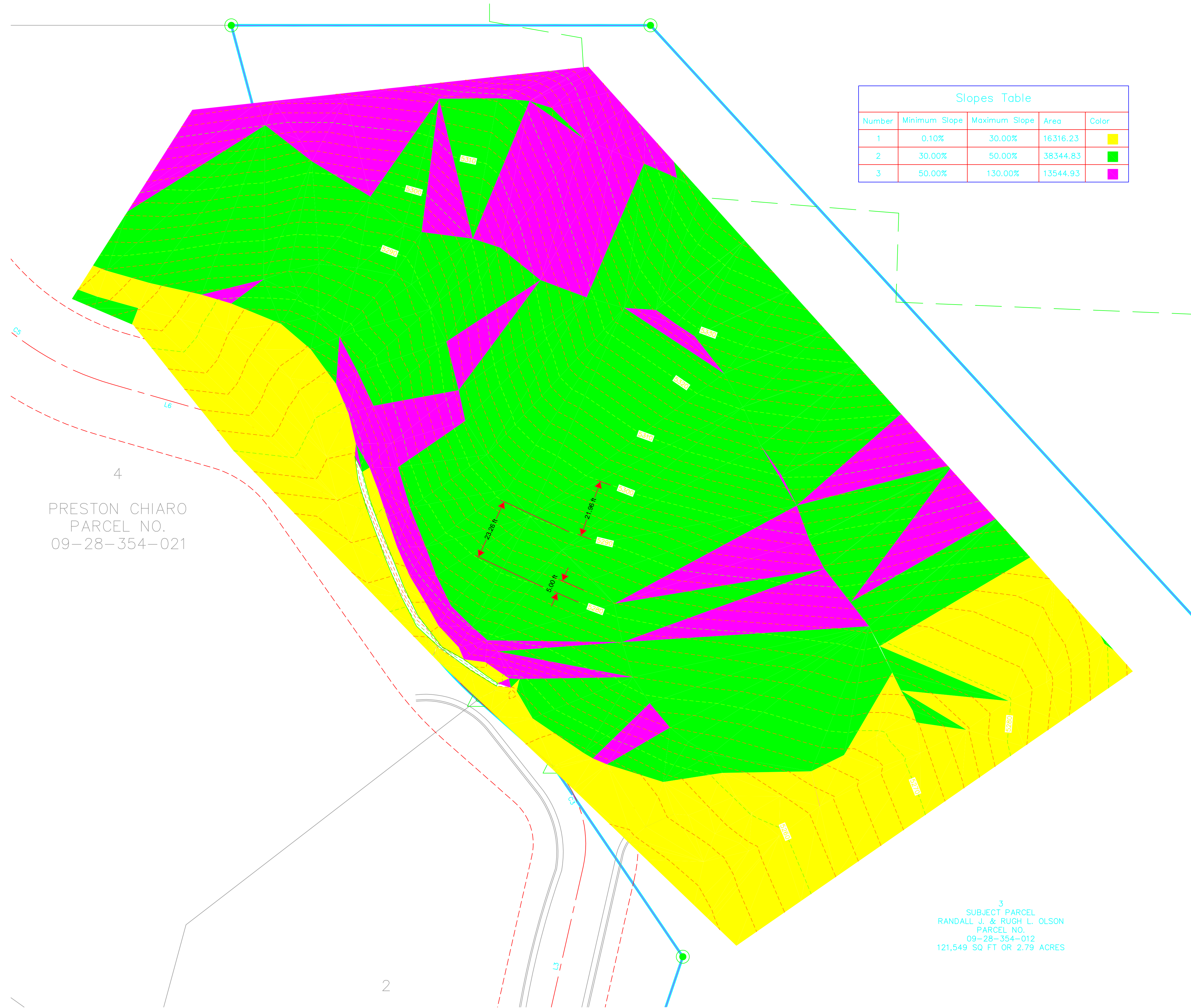
FILE: 172000ROS



# SLOPE ANALYSIS

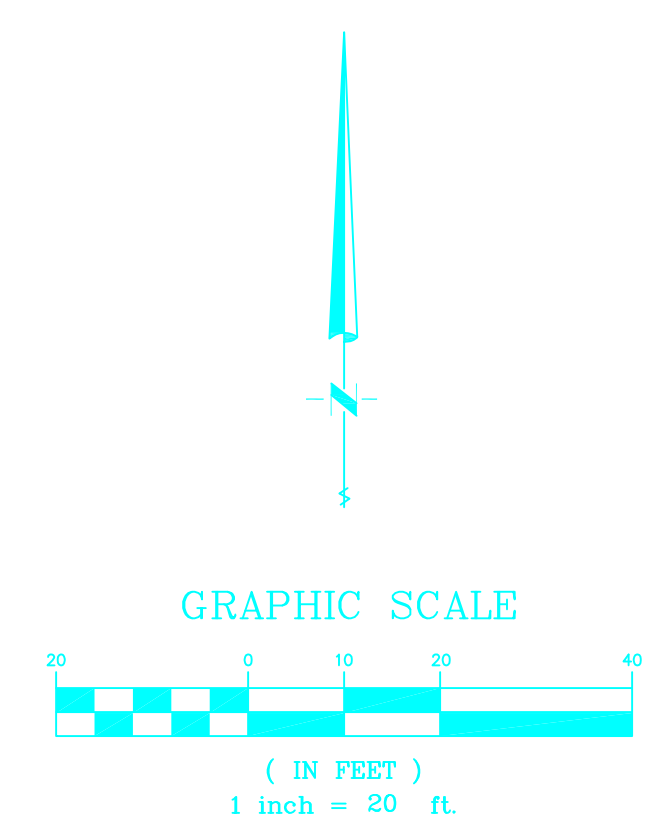
LOCATED IN  
 SW 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 EAST,  
 SALT LAKE BASE AND MERIDIAN  
 PREPARED FOR:  
 EDGAR & ELKE BRAENDLE

Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.10%	30.00%	16316.23	
2	30.00%	50.00%	38344.83	
3	50.00%	130.00%	13544.93	



4  
 PRESTON CHIARO  
 PARCEL NO.  
 09-28-354-021

3  
 SUBJECT PARCEL  
 RANDALL J. & RUGH L. OLSON  
 PARCEL NO.  
 09-28-354-012  
 121,549 SQ FT OR 2.79 ACRES



PARCEL No. 09-28-354-012

Drawn: BRS/PW/MMP Date: 1-13-2017

Designer: DM

Checked: DM

Approved: DM

Scale: 1" = 20'

Job No.: 172000

**BUSH & GUDGELL, INC.**  
 Engineers - Planners - Surveyors  
 680 N. New Bonnevile Pl., Salt Lake City, Utah 84107  
 Phone: (801) 665-6194 / Fax: (801) 665-6195  
 www.bushandgudgell.com

No. \_\_\_\_\_ By: \_\_\_\_\_

SLOPE ANALYSIS

LOCATED IN  
 SW 1/4 OF SECTION 28, T-1-N, R-1-E, S1&M  
 690 N NEW BONNEVILLE PL, SALT LAKE CITY, UTAH  
 PREPARED FOR: EDGAR & ELKE BRAENDLE

SHEET  
1

SHEETS  
1

FILE: 172000ROS

#### **4. February 1994 - Planning Commission Agenda and Minutes**

# February 3, 1994

Salt Lake City Planning Commission Meeting Agenda  
5:00 p.m.  
451 South State Street, Room 126

1. APPROVAL OF MINUTES FROM Thursday, January 20, 1994.
2. CONSENT CALENDAR
  - a. Historical Landmark Cases from February 2, 1994
3. PETITIONS & SUBDIVISIONS
  - a. INFORMAL HEARING at 5:05 p.m. - Petition No. 400-93-123 by Dennis Butler and Associates requesting Salt Lake City to close a portion of Foothill Drive at the rear of the property at 1005 South 2000 East and declare the property surplus.
  - b. INFORMAL HEARING at 5:10 p.m. - Preliminary plat approval for the Cannon Farms, Phase II Subdivision by Galen Tirrell for 19 single family lots located at approximately 1100 West and 1400 South in a Residential "R-1-5000" zoning district.
  - c. INFORMAL HEARING at 5:20 p.m. - Petition No. 400-93-134 by John M. Clawson requesting a modification to the Site Development Ordinance requirement for flag lots to maintain a 20 foot wide access for the flag lot located at approximately 2534 Wilshire Circle in a Residential "R-2" zoning district.

DINNER BREAK - 6:00 - 6:30 p.m.

- d. INFORMAL HEARING at 6:30 p.m. - Receive public comment on the planning issues of the following proposals. No decisions will be made at this meeting.

Petition No. 410-130 by Claude Hawk Corporation requesting Salt Lake City to grant a special exception for a Residential Planned Unit Development for four lots on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

Preliminary subdivision approval for Arlington Hills Plat "O" for a four lot Planned Unit Development on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

Petition No. 400-94-2 by Claude Hawk Corporation requesting Salt Lake City to close a portion of Scenic Drive located east of Perry's Hollow Road and declare the property surplus.

- e. INFORMAL HEARING at 7:00 p.m. - Petition No. 400-93-121 by Johansen Thackeray, Inc., and Sutherland Lumber Company requesting Salt Lake City to approve the following:
  1. Amend the Northwest Community Master Plan to designate property at the northwest corner of Redwood Road and North Temple Street as a Community Shopping Center.
  2. Rezone property located at approximately 1800 West North Temple from Residential "R-6" and Commercial "C-1" to the Commercial Shopping Center "C-S" zoning district.
  3. Close and declare surplus all of Duder Street (approximately 1800 West north of North Temple) and a portion of Gertie Avenue (approximately 150 North west of Redwood Road).
  4. Vacate a portion of the Chas S. Deskey 4th Addition Subdivision.
  5. Grant preliminary plat approval of the Sutherland Commercial Subdivision.
  6. Grant planned development approval and conditional use approval for a home improvement center with outdoor storage in a Commercial Shopping Center "C-S" zoning district.



Ms. Roberts said she agreed with Ms. Cromer's statements and questioned amending the Site Development Ordinance to accommodate one person. Mr. Wright explained that the entire ordinance would not be changed but an exception for this parcel would be made. Ms. Kirk asked if a building permit had been issued in 1981. Mr. Wheelwright stated that the Board of Adjustment had granted a variance to authorize a building permit for a parcel without street frontage but added that they had not addressed the issue of the subdivision amendment. Mr. Wheelwright stated that the building permit had never been issued and the variance had expired. Mr. McRea asked what the ramifications were relative to the deed restrictions. Mr. Wright responded that that would be a civil matter.

Mr. Neilson, Ms. Kirk and Mr. McRea voted "Aye"; Ms. Cromer, Ms. Short and Ms. Roberts voted "Nay." Mr. Becker, as Chairperson voted "Aye" to break the tie. The motion passed.

Mr. Becker explained that he did not believe the circumstances had changed significantly since the Planning Commission had heard this matter in November 1993. Mr. Becker said he believed the intent had been to develop this parcel. He stated that he felt the issue of fire safety was critical and added that the interior sprinkling system would handle that. He sympathized with the neighbors whose views might be impacted and encouraged the property owners of Lot #14A to take those views into consideration. Mr. Becker stated that the issue of the subdivision amendment would be forwarded to the City Council and the modification to the Site Development Ordinance forwarded to the Mayor.

Ms. Cromer asked who would review the restricted height limitation of 28 feet. Mr. Wright said that would fall under the purview of the City Council as a requirement to the Subdivision Ordinance.

INFORMAL HEARING - Receive public comment on the planning issues of the following proposals.

Petition No. 410-130 by Claude Hawk Corporation requesting Salt Lake City to grant a special exception for a Residential Planned Unit Development for four lots on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

Preliminary subdivision approval for Arlington Hills Plat "O" for a four lot Planned Unit Development on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

Petition No. 400-94-2 by Claude Hawk Corporation requesting Salt Lake City to waive a portion of Scenic Drive located east of Perry's Hollow Road and declare the property surplus.

Mr. Joel Paterson reminded the Planning Commission that no decisions would be made on this matter at this meeting, but added that the petitioner would make a presentation which would be followed by public input. Mr. Paterson stated that the information from this meeting would then be incorporated into the staff report which would be presented at a future meeting when the Planning Commission would make their decision. Mr. Paterson described the petitions, the master plan issues, how this proposal related to the Foothill Development Committee's development proposal, and the slope and foothill access issues.

Mr. Francis Smith, the engineer, and Mr. Thomas Hawk, representing the petitioner, were present for this portion of the Planning Commission meeting. Mr. Smith used briefing boards to demonstrate their plans. Mr. Smith stated said they had decided to cluster the homes and leave the remaining 56 acres as open space. Mr. Smith expressed concern about possible foothill access easements running through the interior of the property because of trespassing probabilities. He requested public access be confined to exterior property lines to protect the privacy of the property owners. Mr. Hawk explained that trail access had been dedicated on Plat "L" and demonstrated the location of that trail access on the briefing board.

Mr. Becker asked how they planned to preserve the 56 acres of open space. Mr. Smith said that would be accomplished through restrictive covenants. Mr. Wheelwright explained that the City would require an open space and preservation easement to the City.

Mr. Becker opened the hearing to the public and asked if anyone wished to address the Planning Commission.

Mr. Richard Dunlop, Co-Vice Chairperson of the Greater Avenues Community Council, stated that they felt this proposal fit in with the goals of the Foothill Development Committee. Mr. Dunlop stated that they were in favor of this project and liked where the building pads would be located. Mr. Dunlop said they had three concerns: 1) that the trail be maintained through the interior of the project since the trail head in Plat "L" was hardly ever used; 2) that a deed restriction be placed on the plat to prevent future development in the future; and 3) uncertainty as to the future of the extra ten acre parcel since that had not been addressed.

Mr. Larry Holmstrom, Chairperson of this section of the Bonneville Trail and a resident of the area, stated that he was in favor of this project. Mr. Holmstrom used a briefing board to demonstrate the trails in the area and requested that access to the foothills along Perry's Hollow Road be kept open. He requested they



be given a 20 foot right-of-way across the top of the open space portion which would keep the trail at less than 10% grade. Mr. Holmstrom said they would be happy to post signs indicating that the land was privately owned asking the users of the trails to be respectful of that fact.

Mr. O. Ward Moyle, a resident of the area, requested that development restrictions be placed on the extra ten acre parcel.

Ms. Marge Mackey, a resident of the area, requested the plans be shown to those in the audience, since they had not been able to see them during the presentation to the Planning Commission. Mr. Smith and Mr. Hawk demonstrated their plans to the audience.

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Upon receiving no further requests to address the Planning Commission, a short discussion followed on those things needing to be addressed in the staff report. Those include: 1) the extra ten acre parcel and why it had not been included in the open space; 2) trail head locations; 3) whether or not a 20 foot wide right-of-way was necessary for the Bonneville Trail since most trails were not that wide; and 4) the need for dedicated easements for the existing dirt roads.

INFORMAL HEARING - Petition No. 400-93-121 by Johansen Thackeray, Inc., and Sutherland Lumber Company requesting Salt Lake City to approve the following:

Amend the Northwest Community Master Plan to designate property at the northwest corner of Redwood Road and North Temple Street as a Community Shopping Center.

Rezone property located at approximately 1800 West North Temple from Residential "R-6" and Commercial "C-1" to the Commercial Shopping Center "C-S" zoning district.

Close and declare surplus all of Duder Street (approximately 1800 West north of North Temple) and a portion of Gertie Avenue (approximately 150 North west of Redwood Road).

Vacate a portion of the Chas S. Deskey 4th Addition Subdivision.

## Greater Avenues Community Council

August 11, 1994

Salt Lake City Planning Commission  
451 South State Street  
Salt Lake City, UT 84111

Dear Commissioners,

I am writing on behalf of the Board of the Greater Avenues Community Council to state that we have reviewed the proposed development for Arlington Hills Plat "O" (case 410-180) and petition 400-94-2. This proposal is consistent with the Avenues Foothill Committee's Report and The Avenues Master Plan. The Board strongly endorses this proposal and compliments both the staff and the developer for creating a plan that is sensitive to the environment, the land use and the neighborhood.

Sincerely,

*Richard G. Dunlop*

Richard G. Dunlop, Vice-Chair

cc: Joel Paterson  
Phil Carroll

#### 4. OTHER BUSINESS

- a. Update on Hermes Project.

**5. August 1994 - Planning Commission Agenda, Minutes, and Staff Report**



\* NOTE: Field trip leaves promptly at 4:00 p.m.!!

**AGENDA**  
**SALT LAKE CITY PLANNING COMMISSION MEETING**  
August 18, 1994                      5:00 p.m.  
451 South State Street  
**ROOM 126**

**1. APPROVAL OF MINUTES FROM Thursday, August 4, 1994.**

**2. CONSENT CALENDAR**

- a. Historical Landmark Cases from August 17, 1994.

**3. SUBDIVISIONS AND PETITIONS**

- a. Preliminary plat approval of the River Park Subdivision Plat "A" for 18 single family lots located at approximately 600 South and Emery Street.
- b. Preliminary plat approval of the Comm Industrial Park for ten industrial lots located at approximately 1060 South 700 West and five residential lots located along 800 West at approximately 1060 South.
- c. **INFORMAL HEARING at 5:10 p.m.** - Petition No. 400-94-72 by Joyce Ridd requesting Salt Lake City amend Lot 4, Ehrich's Subdivision of Block 30 located at 1190 Bueno Avenue.
- d. **INFORMAL HEARING at 5:20 p.m.** - Petition No. 400-94-60 by Western States Management requesting Salt Lake City to amend Lot 3, Centennial Industrial Park Phase IV and to approve a two lot industrial Planned Unit Development at approximately 1875 South 4130 West.
- e. **INFORMAL HEARING at 5:30 p.m.** - Petition No. 410-130 by Claude Hawk Corporation requesting Salt Lake City to grant a special exception for a Residential Planned Unit Development for four lots on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

Preliminary subdivision approval for Arlington Hills Plat "O" for a four lot Planned Unit Development on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

Petition No. 400-94-2 by Claude Hawk Corporation requesting Salt Lake City to close a portion of Scenic Drive located east of Perry's Hollow Road and declare the property surplus.

- f. **INFORMAL HEARING at 6:00 p.m.** - Petition No. 400-93-127 by Terrace Hills Associates requesting Salt Lake City to declare surplus property at the northeast corner of Terrace Hills and Chandler Drives to allow four single family residential lots.
- g. **INFORMAL HEARING at 6:15 p.m.** - Petition No. 400-94-24 by Steve Facer for U.S. Express requesting Salt Lake City rezone property located at 1950 North Redwood Road from Industrial "M-3" and Residential "R-6" to an Industrial "M-1A" zoning district; and  
Petition No. 400-94-36 to amend the Midland Five Acre Addition Subdivision and preliminary approval of a three lot industrial subdivision.
- h. Review and recommendation to the City Council of the Freeway Sound Attenuation ordinance.

**DINNER BREAK 6:45 - 7:15**

- i. **INFORMAL Hearing at 7:15 p.m.** - Request by the Planning Division to modify the Planned Unit Development ordinance.

**5. HISTORICAL LANDMARK CASE APPEALS**

- a. **INFORMAL HEARING at 7:30 p.m.** - Appeal by John Holbrook of the decision to deny Case No. 041-94 at 466 East Sixth Avenue in the Avenues Historical District.
- b. **INFORMAL HEARING at 7:45 p.m.** - Appeal by Jerry Weixler of the decision on Case No. 040-94 at 416 East Third Avenue in the Avenues Historical District.

**6. OTHER BUSINESS**



INFORMAL HEARING - Petition No. 400-94-60 by Western States Management requesting Salt Lake City to amend Lot 3, Centennial Industrial Park Phase IV and to approve a two lot industrial Planned Unit Development at approximately 1875 South 4130 West.

Mr. Doug Wheelwright presented the staff report outlining the major issues of the case, the findings of fact and the staff recommendation, a copy of which is filed with the minutes.

Mr. John Creer, the petitioner, was present for this portion of the Planning Commission meeting and stated that he was in agreement with the staff recommendation. He requested the Planning Commission approve this request.

Mr. Becker opened the hearing to the public and asked if anyone wished to address the Planning Commission. Upon receiving no response, he closed the hearing and opened it for Planning Commission discussion.

Mr. Neilson moved, based on the findings of fact contained in the staff report, to approve the plat amendment and to recommend, to the Board of Adjustment, approval of the industrial Planned Unit Development, with final subdivision approval being granted administratively. Mr. Young seconded the motion; all voted "Aye." The motion passed.

INFORMAL HEARING - Petition No. 410-130 by Claude Hawk Corporation requesting Salt Lake City to grant a special exception for a Residential Planned Unit Development for four lots on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

Preliminary subdivision approval for Arlington Hills Plat "O" for a four lot Planned Unit Development on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

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Mr. Doug Wheelwright presented the staff report outlining the major issues of the case, the findings of fact and the staff recommendation, a copy of which is filed with the minutes.

Mr. Tom Hawk, representing Claude Hawk Corporation, and Mr. Shelton Taylor, representing Francis Smith Engineering, were present for this portion of the Planning Commission meeting. Mr. Taylor stated that they were in agreement with

the staff recommendations and requested the Planning Commission approve this request.

Mr. Becker opened the hearing to the public and asked if anyone wished to address the Planning Commission. Upon receiving no response, he closed the hearing and opened it for Planning Commission discussion.

Ms. Short moved, based on the findings of fact contained in the staff report, to grant preliminary plat approval and delegate final plat approval to the Planning Director subject to all departmental requirements being met and the Planned Unit Development receiving approval by the Board of Adjustment and the Scenic Drive right-of-way being vacated by the City Council. Ms. Short further moved to recommend that the City Council vacate a portion of the Scenic Drive right-of-way as proposed by the staff report and that the Board of Adjustment grant a special exception for the Planned Unit Development. Ms. Kirk seconded the motion; all voted "Aye." The motion passed.

INFORMAL HEARING - Petition No. 400-93-127 by Terrace Hills Associates requesting Salt Lake City to declare surplus property at the northeast corner of Terrace Hills and Chandler Drives to allow four single family residential lots.

Mr. Doug Wheelwright presented the staff report outlining the major issues of the case, the findings of fact and the staff recommendation, a copy of which is filed with the minutes.

Mr. Glen Saxton, representing Terrace Hills Associates, stated that they were in agreement with the staff recommendations and requested the Planning Commission approve this request.

Mr. Becker opened the hearing to the public and asked if anyone wished to address the Planning Commission.

Mr. Ross Ranquist, a resident of the area, asked if there were plans for an additional road through the parcel. Mr. Wright responded that the lots would have frontage on Terrace Hills and Chandler Drives and no additional roads were planned.

Mr. Douglas Miles, a resident of the area, asked what the procedure would be relative to acquisition of the property if it were declared surplus and how the land would be valued. Mr. Wheelwright responded that two appraisers, acceptable to the City, would be hired who would probably use a development approach to determine the value of the land.



**SALT LAKE CITY PLANNING COMMISSION STAFF REPORT  
PRELIMINARY SUBDIVISION PLAT APPROVAL FOR  
ARLINGTON HILLS PLAT "O"  
AND RELATED PETITIONS**

**OVERVIEW**

The Claude Hawk Corporation is proposing to develop a four-lot planned unit development (PUD) on approximately 74 acres of foothill property located generally north of the intersection of Perry's Hollow Road (1250 East) and Scenic Drive (650 North). In addition to the four proposed lots, the preliminary plat includes approximately 68 acres of property that will be restricted as privately-owned undivided common open space. The Planning Commission must consider three separate actions regarding this development proposal:

1. preliminary subdivision plat approval,
2. a recommendation to the City Council to close a portion of Scenic Drive (Petition 400-94-2), and
3. a recommendation to the Board of Adjustment to approve a special exception to the zoning ordinance to allow a planned unit development (Petition 410-130).

**BACKGROUND**

The Planning Commission held an "issues only" hearing for this project on February 3, 1994 (See attached minutes). Since that time, the Planning Staff has worked with the petitioner to solve outstanding issues. The preliminary plat has been revised to the satisfaction of the Staff.

**PROPOSED DEVELOPMENT**

• Number of Lots	4	
• Lot Size	Lot 1	1.91 acres
	Lot 2	1.36 acres
	Lot 3	1.97 acres
	Lot 4	1.21 acres
	Average:	1.61 acres
• Common Open Space	68.00 acres	
• Zoning	P-1	
• Gross Density	18.61 acres per dwelling	

**ANALYSIS**

**Preliminary Subdivision Plat**

The preliminary subdivision plat for Arlington Hills Plat "O" proposes four lots to be developed on the north side of Scenic Drive. The lots have been redesigned to provide each lot with a minimum of 100 feet of frontage on Scenic Drive. Lots 1 and 2 have buildable areas along the frontage while Lots 3 and 4 will



be accessed by a common private driveway leading to buildable pads that are further removed from the frontage. There are bands of significant 40% slopes which traverse the proposed lots that will be protected with open space and vegetation preservation easements.

The preliminary plat provides twenty-foot wide pedestrian and emergency vehicle access easements over existing trails/dirt roads that cross the Hawk property. The developer will also grant a pedestrian and emergency vehicle access easement over the private driveway that provides access to Lots 3 and 4. The driveway connects to the dirt road that provides access to the City water tanks located above these lots. In addition, a twenty-foot wide easement will be granted across the upper portion of the Hawk property to accommodate the proposed Steiner-Centennial Segment of the Bonneville Shoreline Trail. The location of this easement will be finalized at a latter date.

The original submittal by the developer omitted a parcel of property that was approximately 10 acres in size that was located in the northeastern corner of the Hawk property. This parcel has been included in the preliminary plat and will be treated as an alpha parcel. The location of the alpha parcel has changed and is now proposed to be located at the northwest corner of the proposed development.

The preliminary plat also includes five other alpha parcels located along the current right-of-way of Scenic Drive, east of Perry's Hollow Road. These alpha parcels will be offered to the adjacent property owners. At the western end of Scenic Drive, a watershed gate will be constructed to prevent unauthorized vehicular access on the dirt road that extends onto Dr. Park's property in Perry's Hollow.

#### Petition 400-94-2

This petition requests Salt Lake City to close a portion of Scenic Drive. Scenic Drive was one envisioned to be developed as an arterial following the Bonneville Bench throughout Salt Lake County. In the early 1970s, Salt Lake City abandoned plans for this street. In this area, Scenic Drive had a right-of-way of approximately 140 feet. However, some time in the past, the City deeded a 1.2 acre portion of this right-of-way to Mr. Hawk. No formal process was followed to close the segment of the right-of-way. This petition will rectify that situation and close the remainder of the right-of-way located east of Perry's Hollow Road.

Because this segment of Scenic Drive is so far removed from the other developed segments of Scenic Drive, it has been recommended by the Transportation Division to rename this segment. It seems logical to make this segment of roadway an extension of Perry's Hollow Road. This change will not affect the property addressing of any of the existing homes in the area. The two homes that have frontage on Scenic Drive are addressed off of Perry's Hollow Road and Tomahawk Drive.

#### Petition 410-130

The petitioner is requesting that the Salt Lake City Board of Adjustments grant a special exception to the Zoning Ordinance to allow this subdivision to be developed as a residential planned unit development. This approach is being used to allow a smaller lot size than generally allowed under the P-1 zone. Although this development has buildable lots well below the minimum lot size of 16 acres, 68 acres will be dedicated as undivided common open space. The gross density of the project meets, and slightly exceeds, the minimum requirements of the P-1 zone.

The Zoning Ordinance grants authority to approve planned unit developments to the Board of Adjustment. Therefore, the Planning Commission will be asked to make a recommendation to the Board of Adjustments concerning the planned unit development.

#### Avenues Community Master Plan Update

The Avenues Master Plan Update anticipated that the lower elevations of the Hawk property which front on Scenic Drive would be developed. The growth management strategies in the Plan recommend that the remainder of the Hawk property be preserved by easements as foothill open space. The proposed plan is consistent with the Master Plan. Attached to this staff report is a letter of support from the Greater Avenues Community Council.

#### FINDINGS

1. The proposed preliminary plat is consistent with the requirements of the Salt Lake City Subdivision and Site Development Ordinances.
2. The proposed density of Arlington Hills Plat "O" satisfies the requirements of the P-1 zone.
3. Development of the Hawk property as a planned unit development is in the best interest of the community.
4. Areas of naturally occurring significant 40% slopes will be restricted with open space and vegetation preservation easements.
5. Access to the foothills will be preserved with pedestrian and emergency vehicles access easements. An easement for the Steiner-Centennial Segment of the Bonneville Shoreline Trail will also be provided although the actual alignment is not yet defined.

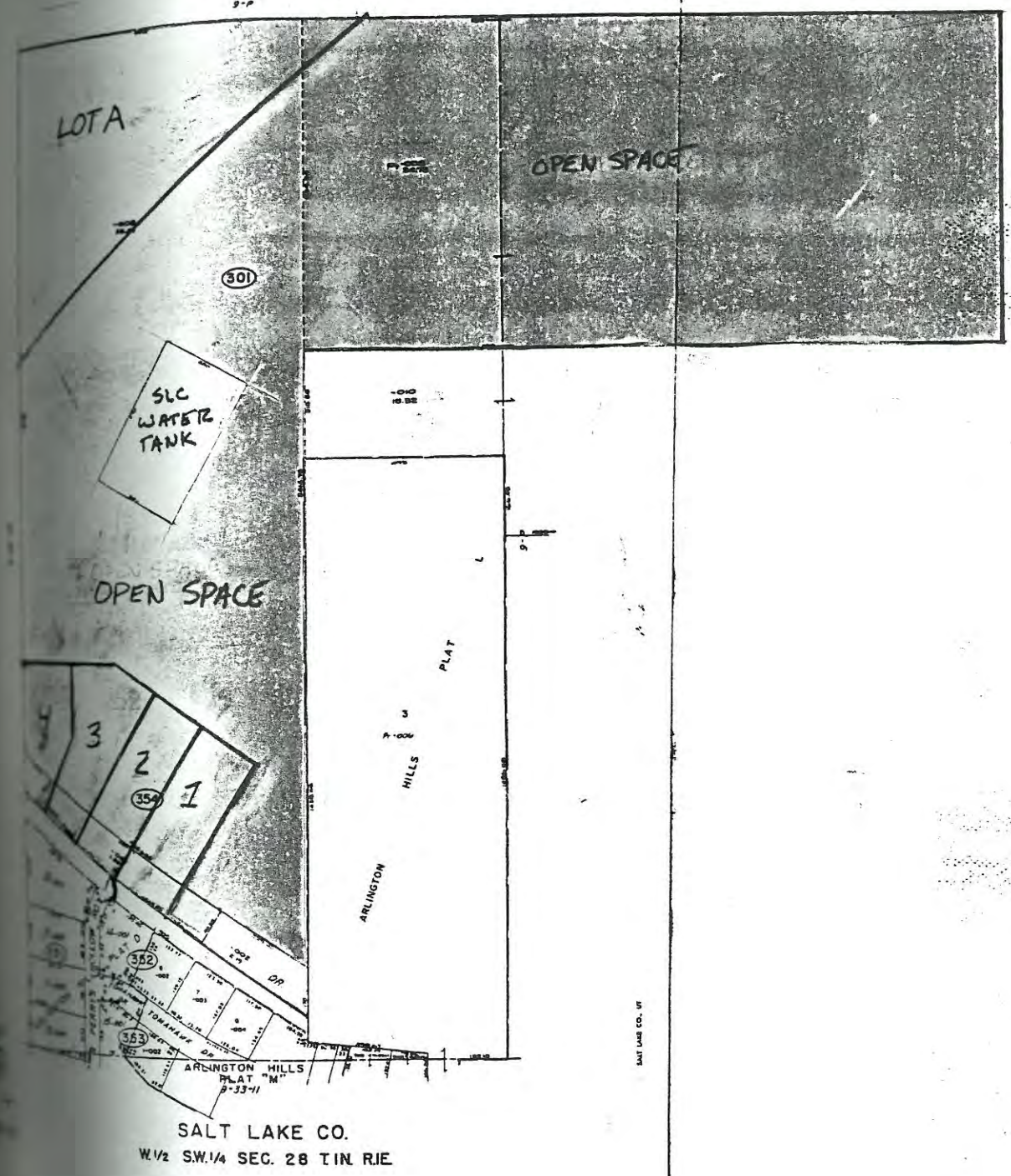
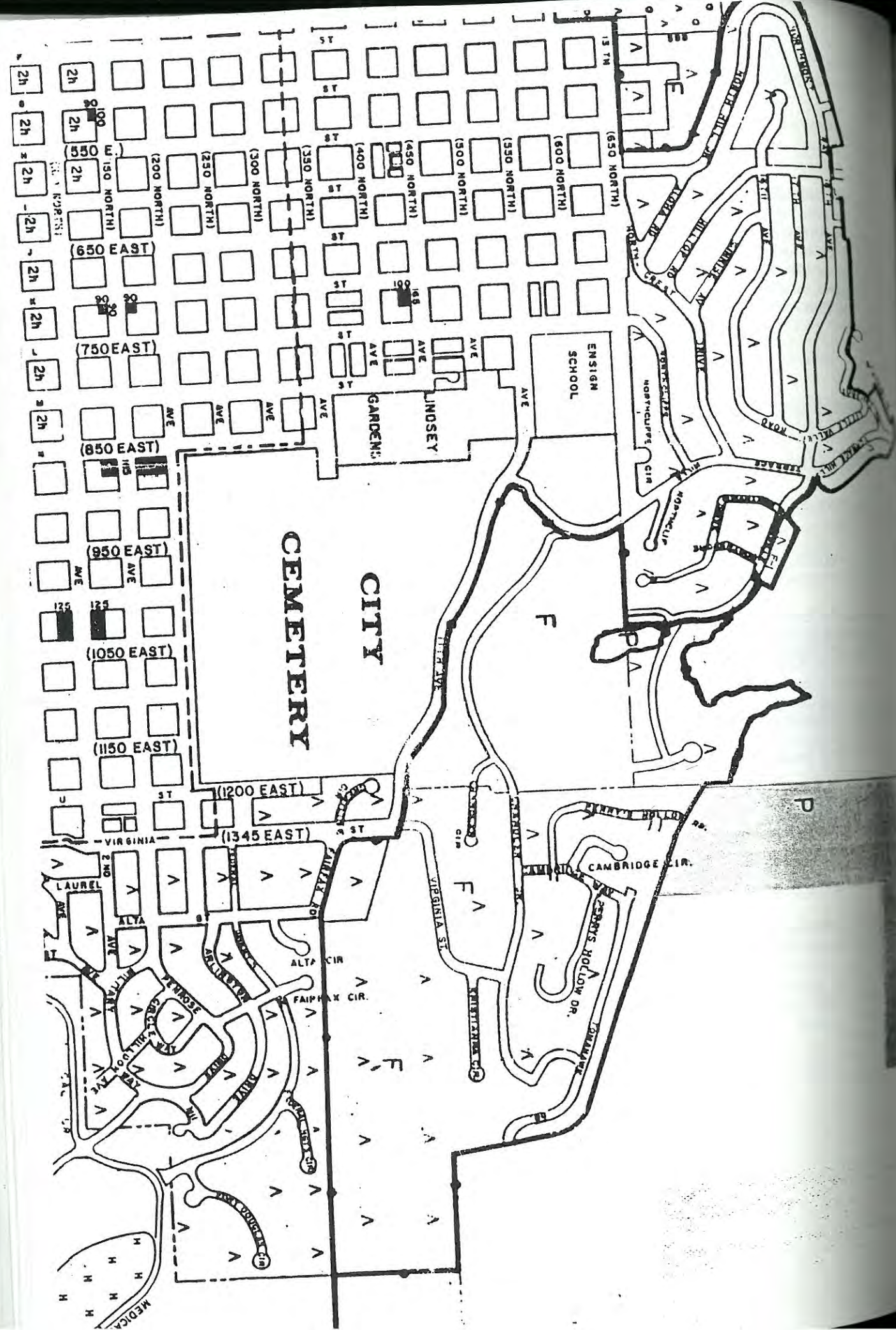
#### RECOMMENDATIONS

The Planning Staff respectfully recommends that the Planning Commission:

1. grant preliminary subdivision plat approval and delegate final plat approval to the Planning Director; subject to Departmental requirements and PUD approval by the Board of Adjustment and vacation of the Scenic Drive right-of-way by the City Council;
2. recommend that the City Council vacate a portion of the Scenic Drive right-of-way as proposed by Staff and the petitioner; and
3. recommend that the Board of Adjustment grant a special exception to the Zoning Ordinance to allow this subdivision to be developed as a planned unit development.

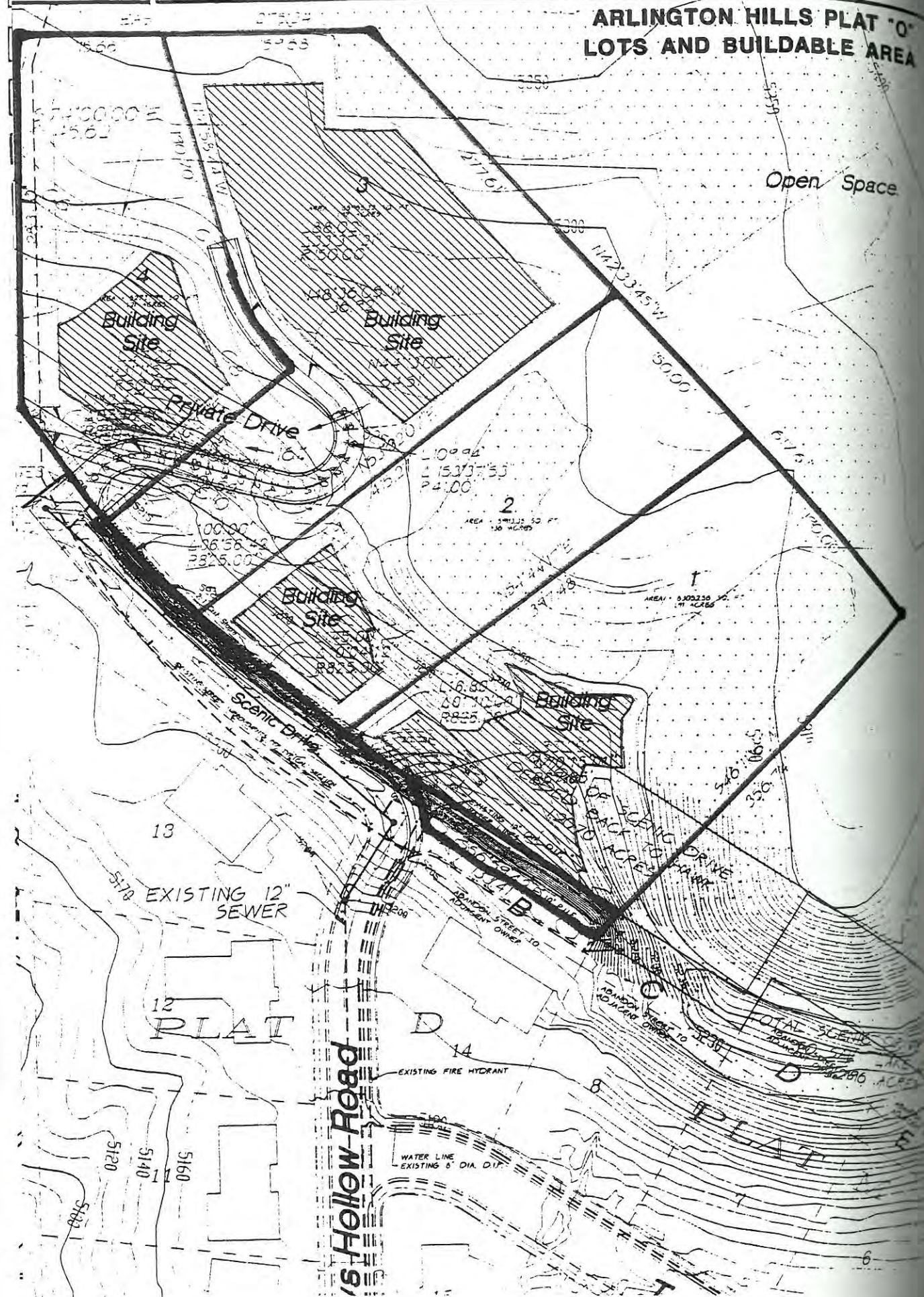
Neil G. Paterson, AICP  
Principal Planner  
August 18, 1994



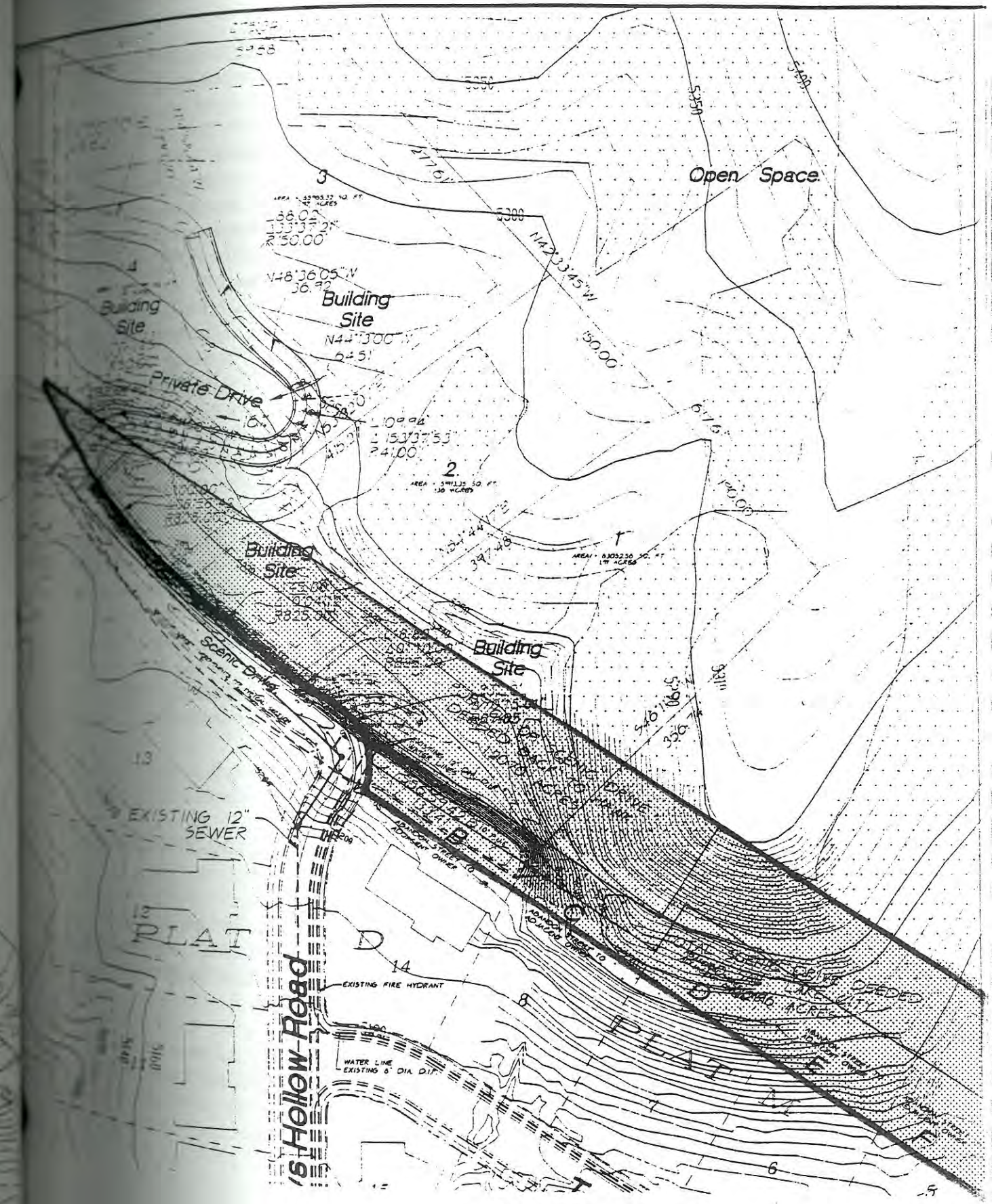




ARLINGTON HILLS PLAT "O"  
LOTS AND BUILDABLE AREA



PORTION OF SCENIC DR.  
TO BE VACATED





Ms. Roberts said she agreed with Ms. Cromer's statements and questioned amending the Site Development Ordinance to accommodate one person. Mr. Wright explained that the entire ordinance would not be changed but an exception for this parcel would be made. Ms. Kirk asked if a building permit had been issued in 1981. Mr. Wheelwright stated that the Board of Adjustment had granted a variance to authorize a building permit for a parcel without street frontage but added that they had not addressed the issue of the subdivision amendment. Mr. Wheelwright stated that the building permit had never been issued and the variance had expired. Mr. McRea asked what the ramifications were relative to the deed restrictions. Mr. Wright responded that that would be a civil matter.

Mr. Neilson, Ms. Kirk and Mr. McRea voted "Aye"; Ms. Cromer, Ms. Short and Ms. Roberts voted "Nay." Mr. Becker, as Chairperson voted "Aye" to break the tie. The motion passed.

Mr. Becker explained that he did not believe the circumstances had changed significantly since the Planning Commission had heard this matter in November 1993. Mr. Becker said he believed the intent had been to develop this parcel. He stated that he felt the issue of fire safety was critical and added that the interior sprinkling system would handle that. He sympathized with the neighbors whose views might be impacted and encouraged the property owners of Lot #14A to take those views into consideration. Mr. Becker stated that the issue of the subdivision amendment would be forwarded to the City Council and the modification to the Site Development Ordinance forwarded to the Mayor.

Ms. Cromer asked who would review the restricted height limitation of 28 feet. Mr. Wright said that would fall under the purview of the City Council as a requirement to the Subdivision Ordinance.

INFORMAL HEARING - Receive public comment on the planning issues of the following proposals.

Petition No. 410-130 by Claude Hawk Corporation requesting Salt Lake City to grant a special exception for a Residential Planned Unit Development for four lots on 64 acres located at approximately Scenic Drive and Perry's Hollow Road in a Foothill Preservation "P-1" zoning district.

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**Greater Avenues Community Council**

August 11, 1994

Salt Lake City Planning Commission  
451 South State Street  
Salt Lake City, UT 84111

Dear Commissioners,

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Sincerely,

*Richard G. Dunlop*

Richard G. Dunlop, Vice-Chair

cc: Joel Paterson  
Phil Carroll



CATHERINE N. HOFMANN  
PUBLIC SERVICES DIRECTOR

**SALT LAKE CITY CORPORATION**

DEPARTMENT OF PUBLIC SERVICES  
DIVISION OF TRANSPORTATION



February 10, 1994

Joel Paterson  
Planning Division, Room 406  
City & County Building

Re: Preliminary Review - Arlington Hills Plat "O"

Dear Joel:

The Division of Transportation review comments and recommendations are as follows:

1. The Arlington Hills Plat "D" subdivision needs to be amended to remove Scenic Drive as a roadway name in coordination with Harry Ewing of the City Engineering Division. There is another Scenic Drive in the Benchmark Subdivision area.
2. The vacation of a portion of Scenic Drive requires the removal of the existing curb & gutter and sidewalk.
3. Submit complete subdivision drawings for review. The Transportation Division will be looking at the roadway geometrics ( slope, curve radii, street lighting, signing, etc.) in coordination with Engineering for pavement structure, drainage, profiles, etc.
4. Per our review coordination on January 5, 1994 the roadway "L" curve must comply to the standards as redlined on the example sheet enclosed.
5. Show roadway termination for emergency vehicle service in compliance with the Fire Department requirements.

Sincerely,

*Kevin*

Kevin J. Young, P.E.  
Deputy Transportation Engineer

BDW/

cc: Barry Walsh  
Harry Ewing  
file



PLATE C-4

REVISION B

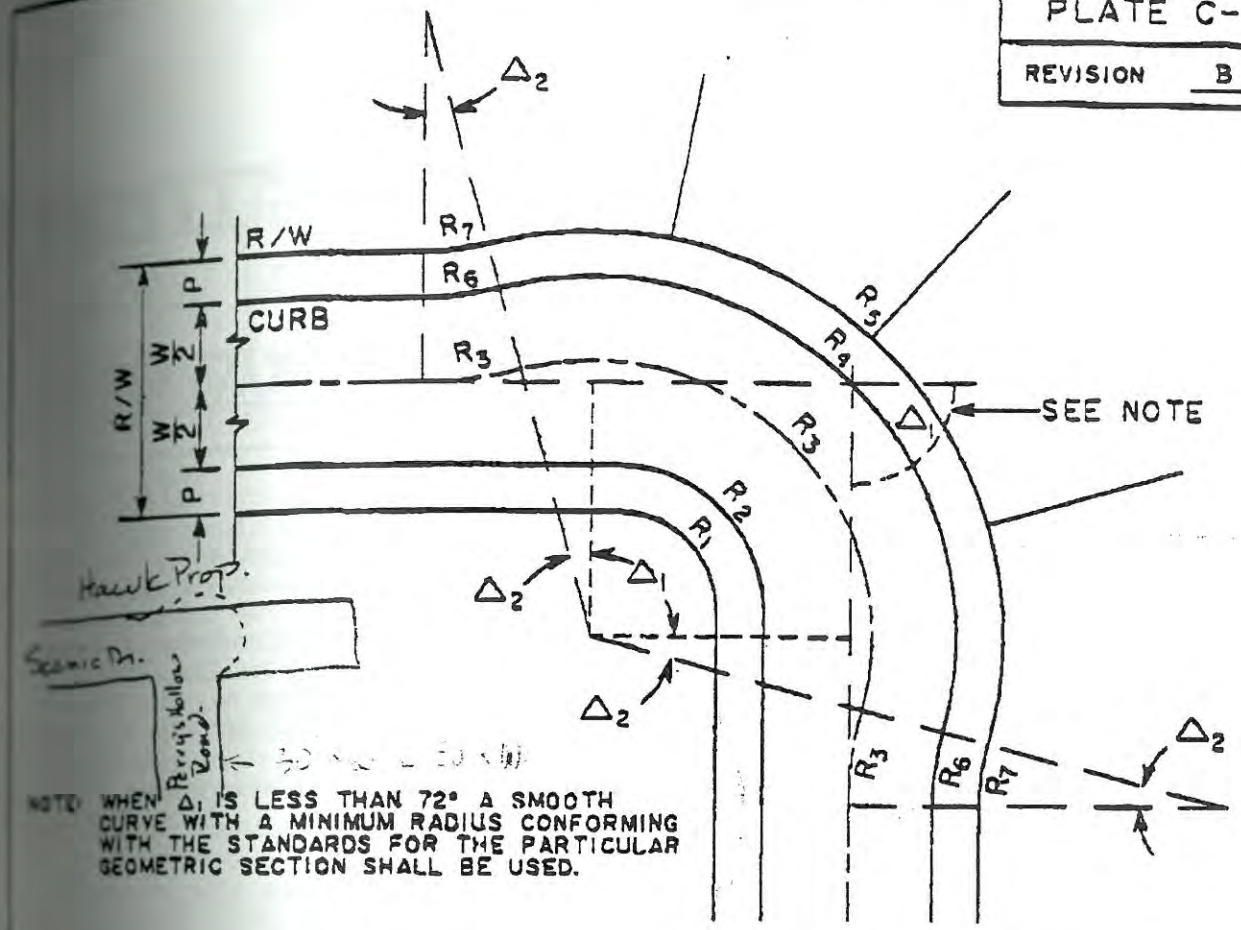


PLATE	R/W	W	P	R <sub>1</sub>	R <sub>2</sub>	R <sub>3</sub>	R <sub>4</sub>	R <sub>5</sub>	R <sub>6</sub>	R <sub>7</sub>	Δ <sub>2</sub>
B-3 A	84	*64	10	25	35	80	112	122	48	38	11°06'46"
B-3 B1	84	*64	10	35	45	80	112	122	48	38	11°06'46"
B-3 B2	96	*64	16	29	45	80	112	128	48	32	11°06'46"
B-3 C	68	52	8	37	45	80	106	114	54	46	19°18'32"
B-3 D	60	40	10	35	45	70	90	100	50	40	13°21'32"
B-4 A	60	40	10	25	35	60	80	90	40	30	16°35'52"
B-4 B	36	36	10	25	35	60	78	88	42	32	19°40'00"
B-4 C	52	32	10	25	35	60	76	86	44	34	22°19'54"
B-5 A	53	40	6.5	28.5	35	60	80	86.5	40	33.5	16°35'52"
B-5 B	49	36	6.5	28.5	35	60	78	84.5	42	35.5	19°40'00"
B-5 C	45	32	6.5	28.5	35	60	76	82.5	44	37.5	22°19'54"
B-6 A1	44	40	2	33	35	60	80	82	40	38	16°35'52"
B-6 A2	48	40	4	31	35	60	80	84	40	36	16°35'52"
B-6 B1	40	36	2	33	35	60	78	80	42	40	19°40'00"
B-6 B2	44	36	4	31	35	60	78	82	42	38	19°40'00"
B-6 C	40	32	4	31	35	60	76	80	44	40	22°19'54"

USE ONLY WHERE APPROVED BY THE PLANNING DIRECTOR AND ROAD COMMISSIONER

ADOPTED BY BOARD OF SUPERVISORS: 3/1/83

APPROVED BY: [Signature] 1/1/83 DIR. PUB. WKS.

RECOMMENDED BY: [Signature] 2/23/84

COUNTY OF VENTURA  
PUBLIC WORKS AGENCY

ROAD STANDARDS  
ROAD INTERSECTION  
'L' SHAPE



WILLIAM T. WRIGHT, AICP  
PLANNING DIRECTOR  
BRENT B. WILDE  
DEPUTY PLANNING DIRECTOR

# SALT LAKE CITY CORPORATION

COMMUNITY AND ECONOMIC DEVELOPMENT  
PLANNING DIVISION

## MEMORANDUM

TO: BLAINE COLLINS, PLAN REVIEW CHECKER  
FROM: <sup>4/1</sup> JOEL PATERSON  
DATE: FEBRUARY 9, 1994  
SUBJECT: ARLINGTON HILLS PLAT "O"



Please find attach preliminary plats for Arlington Hills Plat "O" located on the north side of the intersection of Perry's Hollow Road and Scenic Drive. This is a proposal for a 4 lot PUD to be developed on approximately 64 acres of privately-owned foothill property. The developer proposes to make a new connection to the road providing access to the City water tanks which is currently accessed further to the west. This new connection will act as a private driveway for lots 3 and 4 and will continue to provide access to the City water tanks located above this area. The development proposal includes a petition (400-94-2) to close a portion of Scenic Drive. Some time ago, the Public Utilities Department sold some of the right-of-way to the Claude Hawk Corp. and to the best of our knowledge, no formal action was taken by the City to close this section of Scenic Drive. This petition will rectify this situation. The petition also requests that the City close the remainder of Scenic Drive east of Perry's Hollow Road. Please review and send your comments to me by February 18, 1994. If you have any questions, please call me at 6141.

Thank you.

JOEL:  
THE FIRE DEPT. SHALL REQ. APPROVED ACCESS ROADS -  
150' OF ANY POINT ON THE EXTERIOR WALL OF  
BUILT ON THIS 4 LOT PUD. ( 20' WIDTH, 13'6" W  
CLEARANCE, 12% MAX GRADE 14% FOR 200', TURNING  
SURFACE, + TURNAROUND PROVISIONS ETC.)

FIRE FLOW, NUMBER OF FIRE HYDRANTS, LOCATION  
OF HYDRANTS SHALL BE DETERMINED BY TOTAL  
+ TYPE OF CONST. OF EA. HOME BUILT.

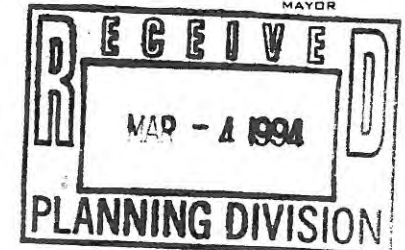
IF ACCESS OR FIRE FLOW REQS. CAN'T BE MET  
RESIDENTIAL FIRE SPRINKLER SYSTEMS MAY BE

THANKS

# SALT LAKE CITY CORPORATION

DEPARTMENT OF PUBLIC SERVICES  
CITY ENGINEERING DIVISION

DEEDEE CORRADINI  
MAYOR



JOEL PATERSON, PLANNING

JOEL HARRISON, P.E., ENGINEERING JH

MARCH 3, 1994

PROJECT: ARLINGTON HILLS PLAT "O"

A site review has been conducted of the subject subdivision. The following comments are offered.

1. Curb and gutter exist on the south side of Scenic Drive, but no sidewalk.
2. Make the following changes to the cover sheet.
  - a. remove the signature block for Director of Public Works.
  - b. Remove the signature block for development engineer and replace with Plan Review.
  - c. Change City Council members as follows:
    1. District #1 - Stuart C. Reid
    2. District #3 - Sam V. Souvall
    3. District #7 - Keith S. Christensen
    4. Other Council member are as indicated
3. Detailed engineering drawings for Scenic Drive and the access driveway must be submitted. Show grades, cuts, fills, cross-sections, etc. Sidewalk to be constructed on one side of Scenic Drive. The geotechnical report specifies a roadway structural section of 3.5 inches asphalt 7 inches granular base over a properly prepared natural subgrade and/or structural site/grading fill. Correct the typical section.
4. A turn around to be constructed at the west end of Scenic Drive.
5. Vegetation and Erosion Control Plans will be required. The cut on Scenic Drive east of Perry's Hollow Road to be revegetated.
6. Engineering drawings for water, sewer and drainage to conform to requirements of the Public Utilities Department.



Page 2  
March 3, 1994

7. The construction contractor must file a Notice of Intent with the State of Utah to comply with the NPDES permitting process. A pollution prevention plan must also be submitted to the State by the contractor.
8. The plat to conform to the requirements noted on the attached subdivision plat checklist.
9. Recommendations from the Geotechnical/Engineering Geology study report must be taken into consideration during design and by including notes on the plans.

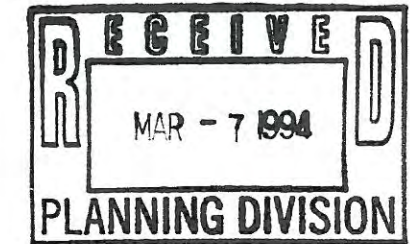
JH:po  
Attachment

cc: Rick Johnston  
Jeff Niermeyer  
Barry Walsh  
Joel Harrison  
Nick Kappas  
Vault

# SALT LAKE CITY CORPORATION

DEEDEE CORRADINI  
MAYOR

DEPARTMENT OF PUBLIC UTILITIES  
WATER SUPPLY AND WATERWORKS  
WATER RECLAMATION AND STORMWATER



March 3, 1994

Mr. Joel Paterson  
Community & Economic Dev.  
401 South State Street, Room 406  
Salt Lake City, Utah 84111

PLANNING

Re: Arlington Hills Plat "O"

Dear Mr. Paterson:

Please find enclosed red lined drawings and comments from our engineers on the above noted subdivision.

When the plans have been corrected, please resubmit to our office for approval.

If you have any questions, please call Ray Eastman of our office at 483-6787.

Sincerely,

RAY W. HOOTON, JR.  
Director

cc  
attachments  
file



SUBDIVISION ARLINGTON HILL PLAT O  
 LOCATION Perrys Hollow Road and Scenic Drive  
 EWO NO. 2585  
 PETITION # PROJECT #  
 NUMBER OF LOTS 4 NUMBER OF UNITS 4  
 ACREAGE 64.00

**PRELIMINARY REVIEW**

DATE RECEIVED 2/16/94 DATE COMPLETED 3/1/94  
 PLATTED ON MAP # A-27 *RS*

**WATER SYSTEM INFORMATION**

Service Size 1" min  
 Size of Watermain Ext. if required 6" D.I. CLASS 52  
 Tap on Extension 12" D.I. 35-4020  
 Number of Fire Hydrants 1  
 Pump Station NO Reservoir NO  
 System Owned By City By Developer

**Comments**

This development has a proposed driveway that uses our access to the tank site. This will require permission to use the tank site access. This development may require a Waterman extension in the driveway which would be private. The East side of Lot 4 has an easement for the Perrys Hollow Tank line. The access Road for the tank also goes through Lots 2,3 and 4.

**MEMORANDUM**

FEB 9 1994

TO: BUSS HONE, WATERSHED MANAGER  
 FROM: JOEL PATERSON  
 DATE: FEBRUARY 9, 1994  
 SUBJECT: ARLINGTON HILLS PLAT "O"

*Perry's Hollow*

Please find attach preliminary plats for Arlington Hills Plat "O" located on the north side of the intersection of Perry's Hollow Road and Scenic Drive. This is a proposal for a 4 lot PUD to be developed on approximately 64 acres of privately-owned foothill property. The developer proposes to make a new connection to the road providing access to the City water tanks which is currently accessed further to the west. This new connection will act as a private driveway for lots 3 and 4 and will continue to provide access to the City water tanks located above this area. The development proposal includes a petition (A-27-2) to close a portion of Scenic Drive. Some time ago, the Public Utilities Department sold some of the right-of-way to the Claude Hawk Corp. and to the best of our knowledge, no formal action was taken by the City to close this section of Scenic Drive. This petition will rectify this situation. The petition requests that the City close the remainder of Scenic Drive east of Perry's Hollow Road. Please review and send your comments to me by February 18, 1994. If you have any questions, please call me at Ext. 3117.

Thank you

*This area needs to be regraded, fire and public access should be maintained. The area has been shown in a trail head. This is our only fire access to this area & can not be blocked. Also the realignment of the water Tank road needs Tim Perry's approval.  
 R. Hone 2-14-94*

*Joel Paterson  
 2-14-94*



**SALT LAKE CITY PLANNING COMMISSION STAFF REPORT  
PETITION 400-93-127  
BY TERRACE HILLS ASSOCIATES REQUESTING SALT LAKE CITY TO  
DECLARE AS SURPLUS PROPERTY LOCATED ON THE NORTHEAST  
CORNER OF TERRACE HILLS AND CHANDLER DRIVES**

OVERVIEW

Terrace Hills Associates has submitted a petition requesting Salt Lake City to declare as surplus approximately 10 acres of property located at the northeast corner of Terrace Hills and Chandler Drives. The intent of the petitioner is to subdivide the property for single family residential development.

BACKGROUND

The subject property has been the subject of Planning Commission discussion several times in the past as abutting property owners on the north and east sides of the property wanted to add property to their existing lots or to use the property for new residential lots (Northland Plat "A" and Lot 9, Sugarloaf Subdivision).

GENERAL INFORMATION

Property Owner: Salt Lake City Corporation  
Parcel Number: 9-32-202-009  
Current Zoning: R-2/F-1  
Current Use: Vacant land, old excavations and fill

PRIOR PLANNING COMMISSION ACTION

The history of this parcel goes back to at least 1984. In October of 1984, the Planning Commission voted to declare as surplus 10 acres of the 14 acres that the City owned and to conceptually approve a 10 lot subdivision. Preliminary and final approval of the 10 lot subdivision were never pursued.

In 1985, the planning Commission considered four separate petitions by property owners abutting on the north and east to declare portions of the 14 acre parcel surplus. Since there had been a considerable amount of time since the original review by the Planning Commission, a new staff report was prepared to update the issues and determine if the 1984 Planning Commission action was still appropriate. The Commission eventually approved each of the petitions.

In 1982, Terrace Hills Associates and Chris Matthews submitted separate petitions to declare portions of the City-owned property surplus. Terrace Hills Associates petitioned for 1.83 acres of property for the purpose of developing a two lot subdivision which would provide a connection between Northland Drive and Saddle Hill Road. Matthews petitioned for approximately one-half acre of property adjacent to his home at 840 N. Terrace Hills Drive. Both requests were approved.

The following table summarizes the recent actions taken by the Planning Commission to declare portions of the 14 acre parcel as surplus.



PETITION	ACREAGE
500-121 (Johnson)	1.7
500-131 (Monson)	0.18
500-132 (Garza)	0.05
500-133 (Wray, Stevens, Bohling)	1.86
400-92-15 (Terrace Hills Associates)	1.83
400-92-44 (Matthews)	0.50

**ANALYSIS**

**Departmental Review** Based on the comments received for past petitions, no public use of this property is anticipated.

**Avenues Community Master Plan** The Avenues Master Plan Update, adopted in July of 1987, indicates this City parcel as property that will likely develop (very low density, 1-4 units per acre), and indicates a steeper portion along Chandler Drive should remain as foothill open space.

**Topography and Site Conditions** The City-owned parcel slopes generally form east to west with approximately 100 feet of relief between from Terrace Hills Drive (lowest point) to Northland Drive (highest point). The site has been altered in the past by excavation and the placement of fill material. There are substantial areas of natural 40% slopes which traverse the property.

**Potential Development** Analysis by City Staff indicates that four lots could be created on the property that the City still owns at this location. The Staff envisions two lots fronting on Terrace Hills Drive and two lots fronting on Chandler Drive. There is sufficient space to provide lots with up to 120 feet or more of frontage and to provide sufficient buildable pads.

**Greater Avenues Community Council** A letter of support from the Community Council is attached to this staff report.

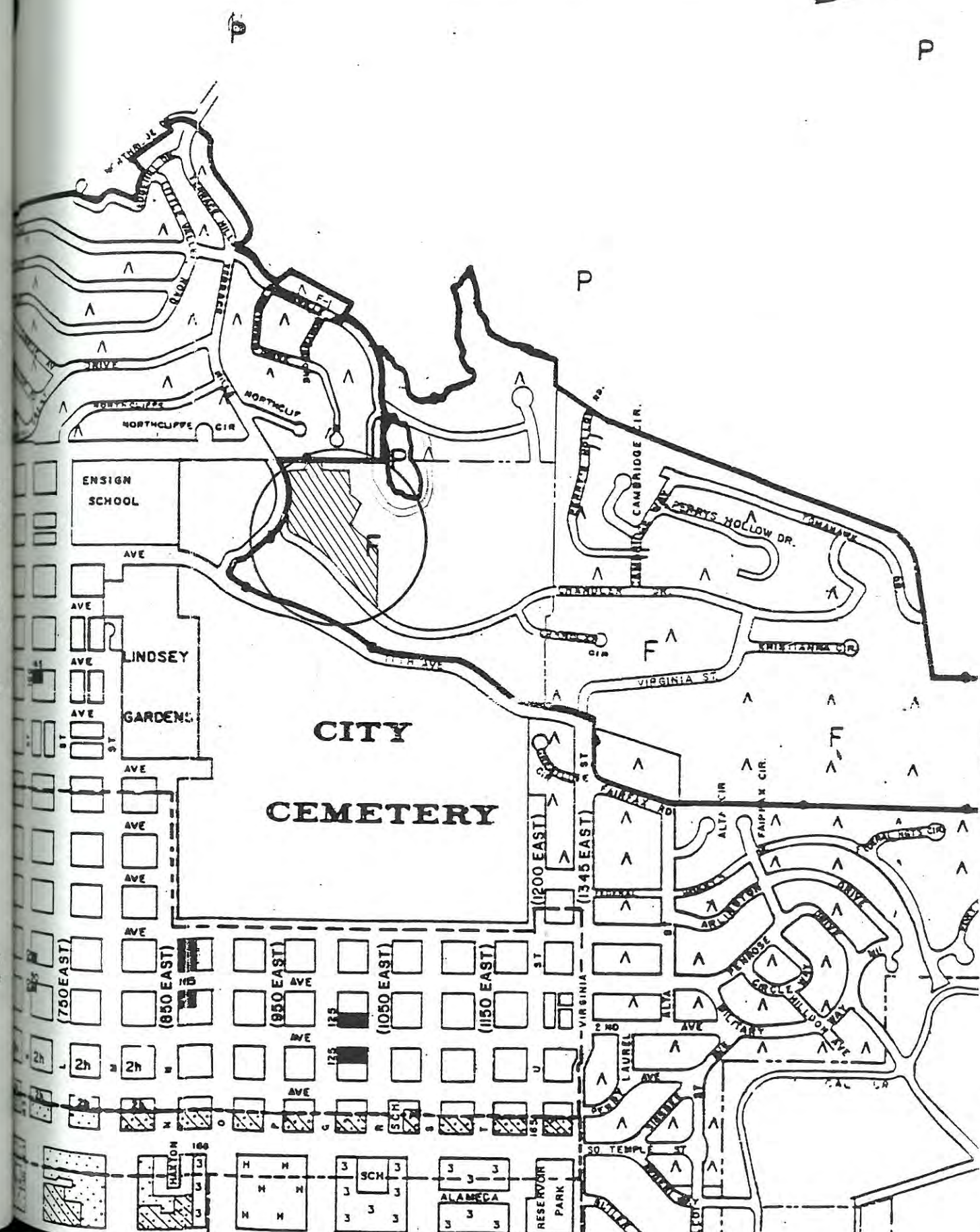
**FINDINGS**

There are no public uses anticipated for parcel 9-32-202-009 located at the northeast corner of Terrace Hills and Chandler Drives. The petitioner's intent of subdividing this parcel for single family residential use is consistent with previous Planning Commission actions on similar petitions concerning this property.

**RECOMMENDATION**

The Staff recommends that the Planning Commission declare as surplus property parcel 9-32-202-009 at the northeast corner of Terrace Hills and Chandler Drives for the purpose of selling the property to the petitioners at fair market value.

Joel G. Paterson AICP  
Principal Planner  
August 18, 1994





## Greater Avenues Community Council

August 11, 1994

Salt Lake City Planning Commission  
451 South State Street  
Salt Lake City, UT 84111

Dear Commissioners,

I am writing on behalf of the Board of the Greater Avenues Community Council to state that we have reviewed Petition 400-93-127. The Board agrees with the City selling the property at the northeast corner of Terrace Hills and Chandler Drives as long as the use of the property will be for no more than FOUR single family residences. Note that the limit of FOUR single family residences is consistent with the unanimous resolution passed by the City Council on July 12, 1994, our agreement with Mayor Corradini in regards to the Cunningham Property and the Avenues Foothill Report.

Sincerely,

*Richard G. Dunlop*

Richard G. Dunlop, Vice-Chair

cc: Phil Carroll  
Mayor Corradini  
Joel Paterson ✓  
Sam Souvall

SALT LAKE CITY PLANNING COMMISSION STAFF REPORT  
Petition No. 400-94-24 from U.S. Express & Priority Trucking Requesting To  
Rezone Property Located at approximately 1850 N. Redwood Road From R-6  
and M-3 To M-1A and Petition No. 400-94-36 Requesting To Amend The  
Midland Five Acre Addition Subdivision

### OVERVIEW & BACKGROUND

Petition No. 400-94-24 and Petition No. 400-94-36 from Steve Facer with US Express & Priority Trucking Corporation is a request for rezoning and subdivision amendment to allow development of a trucking facility on a portion of the property located at approximately 1850 N. Redwood Road.

Mr. Facer intends to develop Lot 1 of the proposed replacement subdivision for the trucking company. The proposed project includes construction of an office/truck service building and paved parking. Lots 2 and 3 will be developed with industrial types of uses on a phased basis.

Surrounding land uses consist of existing industrial businesses located to the east, north and west, including the City's water treatment facility and storage tanks for AMOCO Oil Co.; the Jordan River Parkway and the Rose Park Golf Course to the south.

### ANALYSIS

The Northwest Community Master Plan identifies commercial and industrial uses as appropriate for this area. The master plan also identifies this property as part of a larger area for which a small area mastser plan should be created to address appropriate zoning to ensure compatibly with existing uses and existing environmental constraints.

The Westpointe Community Council reviewed the proposed development and provided a letter supporting the rezoning request with the development conforming to M-1A Industrial zone requirements.

The appropriate City departments have reviewed the proposed subdivision plat and conceptual site plan and recommend preliminary approval. Detailed requirements will be met through the final plat and building permit review process. Staff has not reviewed a final site plan for the trucking facility development/project. Continued coordination with the Jordan River Parkway, the City's Open Space Plan and Bikeways Master Plan should occur through final plat review and future development of Lots 2 and 3.

## **6. October 1994 - Board of Adjustment Agenda and Minutes**



NOTICE OF REGULAR MEETING  
BOARD OF ADJUSTMENT  
SALT LAKE CITY, UTAH

PUBLIC NOTICE is hereby given that the Board of Adjustment of Salt Lake City, Utah will hold a regular public meeting in Room 126 of the City & County Building in Salt Lake City, Utah commencing at 4:00 o'clock p.m. on the 24th day of October, 1994.

The agenda of the meeting consists of the following (per attached):

NOTICE IS HEREBY GIVEN that the Board of Adjustment on Zoning of Salt Lake City, Utah will, at its meeting to be held on Monday, October 24, 1994, beginning at 4:00 p.m. at the City & County Building, 451 South State Street, Room 126, consider the following appeals with respect to the enforcement of the Zoning Ordinance and IT IS HEREBY REQUIRED that each case up for hearing will be presented and argued before the Board of Adjustment either by the petitioner or by an authorized agent. If represented by an agent, the agent must have written authorization from the owner. All those in favor of or in opposition to any of the applications will be given an opportunity to be heard at the meeting. The Board will make accommodations for sign language interpreters for the hearing impaired. If you need these services, please contact the office of the Board of Adjustment at 535-7741 at least 4 hours prior to the meeting.

EXECUTIVE SESSION:

Case # 2113-B by Paul Hunter at 2532 South 900 East for a variance to allow hard-surfacing in a required front yard of a single family dwelling in an R-2 Zone.

PUBLIC SESSION:

Case # 2112-B (readvertised) by Highland Baptist Church at 1724 East 2100 South for a variance to allow a parking area without the required front yard setback in an R-2 Zone.

Case #2049-B by Michael Emery at 1906 East Westminster Avenue for a special exception to allow a fence in excess of four feet for a single family dwelling in an R-2 Zone.

Case #2114-B by Cindy Swanson at 2621 South 600 East for a variance to allow a single family dwelling without the required side yard setback in an R-2 Zone.

Case #2101-B (readvertised and amended) by Professional Equity Development at 1822 South West Temple for a variance to allow a Residential Planned Unit Development which will have a rear door access on a yard less than 20 feet in width in an R-4 Zone.

Case #2115-B by C.W. Development at 307 East 600 South for a variance to allow a 12-unit residential building without the required rear yard and front yard setbacks in an R-7 Zone.

Case #2109-B (readvertised) by David Nielson at 1128 East Third Avenue for a special exception to legalize a duplex in an R-2 Historic Zone.

Case #2116-B by Sue Weeks for an appeal of an administrative decision contesting the administrative decision to legalize a duplex at 1216 East Fifth Avenue in an R-2 Zone.

Case #2117-B by Claude Hawk Corporation at approximately 430 North Perry's Hollow Road for a conditional use to allow a four-lot Residential Planned Unit Development in an R-1 Zone.

Case #2118-B by Lou Jean Flint at 420 East Twelfth Avenue for a variance to allow a hard-surfaced parking pad in the required front yard of a single family dwelling in an R-2 Zone.

Case #2119-B by Richard Howa at 1195 North Canyon Oaks Way for a variance to allow a circular driveway and a sports court in the required front yard of a single family dwelling in an R-1/F-1 Zone.

Case #2120-B by KTUR 1010 AM at 5151 West 200 South for a variance to allow a communications service building without the required landscaped setback and without the required hard-surfaced ingress and parking area in an M1-A Zone.

Case #2121-B by E.R. Dumke III at 1820 South 4130 West for a conditional use to allow a two-lot Industrial Planned Unit Development in an M1-A Zone.

Case #2122-B by The Sanders Company at 2034 South 3850 West for a variance to reduce the landscaped setback in an M1-A Zone.

Case #2123-B by The Sanders Company at 1970 South 3850 West for a variance to reduce the landscaped setback in an M1-A Zone.

Dated at Salt Lake City, Utah, this 15th day of October, 1994.

Deborah Kraft, Secretary

AC710100

in  
51 South

1994.

*Dzue*



the house was justified as a duplex prior to 1985 and noted that basements take a long time to finish. Mr. Weaver stated that the community process is happening now, questioned Ms. Weeks' research, and believes that her actions are aggressive, counter productive, and contrary to the spirit and intent of the Zoning Ordinance. He said that the unit he lives in is a nice place to live and he would like to continue living there.

Ms. Weeks concluded that she does not fault City Staff but faults Ms. Smith because she personally knew the history of the property and submitted incorrect information to the City. She reiterated the importance of the community process and allowing this duplex no longer offers the same quality of life and adversely affects the community. She contends that one person is negatively impacting the neighbors and community to enhance personal financial gain. She asked that the Board keep in mind the historical and community perspectives when forming their decision. The Avenues are recovering from past abuses of illegal multiple dwellings and allowing this duplex sets a dangerous precedent.

From the evidence and testimony presented, the Board finds no significant new evidence to overturn the administrative decision, that Ms. Smith truly believes she purchased a duplex, and that the definition of implied justifies the structure as a legal duplex. However, they were sympathetic to Ms. Weeks' arguments concerning the possible long range negative impacts on the community.

THEREFORE, Mr. Willey made a motion to uphold the administrative decision to approve the dwelling as a duplex as long as Ms. Smith owns the property. The dwelling shall revert back to a single family dwelling if any changes are made to the title. Mr. Fenn seconded the motion, three members voted *aye*, Mr. Jones voted *no*, motion passed.

**Case #2117-B by Claude Hawk Corporation at approximately 430 North Perry's Hollow Road for a conditional use to allow a four-lot residential planned unit development in an R-1 Zone.**

Tom Hawk, Developer, was present.

It was moved, seconded, and passed to hold this case due to incorrect advertising regarding the address and the zone classification. It shall be rescheduled and readvertised for the hearing scheduled for November 14, 1994.

**Case #2118-B by Lou Jean Flint at 420 East Twelfth Avenue for a variance to allow a hard-surfaced parking pad in the required front yard of a single family dwelling in an R-2 Zone.**

Lou Jean Flint, Petitioner, was present.

Mr. Nelson explained that the Zoning Ordinance requires front yards to remain open and unobstructed and the proper location for a parking pad is in the rear yard. The subject lot descends steeply in the rear (south) and both side yard setbacks are only eight feet which make access to the rear yard impossible. The proposed plan is to widen the existing driveway by four feet on the east side. The driveway leads to an attached single-car garage on the east front portion of the dwelling.



## **7. November 1994 - Board of Adjustment Agenda and Minutes**



NOTICE OF REGULAR MEETING  
BOARD OF ADJUSTMENT  
SALT LAKE CITY, UTAH

PUBLIC NOTICE is hereby given that the Board of Adjustment of Salt Lake City, Utah will hold a regular public meeting in Room 126 of the City & County Building in Salt Lake City, Utah commencing at 4:00 o'clock p.m. on the 14th day of November, 1994.

The agenda of the meeting consists of the following (per attached):

State

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State

At 8:

At 8:

At 8:

At 8:

SUBS



NOTICE IS HEREBY GIVEN that the Board of Adjustment on Zoning of Salt Lake City, Utah will, at its meeting to be held on Monday, November 14, 1994, beginning at 4:00 p.m. at the City & County Building, 451 South State Street, Room 126, consider the following appeals with respect to the enforcement of the Zoning Ordinance and IT IS HEREBY REQUIRED that each case up for hearing will be presented and argued before the Board of Adjustment either by the petitioner or by an authorized agent. If represented by an agent, the agent must have written authorization from the owner. All those in favor of or in opposition to any of the applications will be given an opportunity to be heard at the meeting. The Board will make accommodations for sign language interpreters for the hearing impaired. If you need these services, please contact the office of the Board of Adjustment at 535-7741 at least 4 hours prior to the meeting.

Case # 2120-B (reopened and amended) by KTUR 1010 AM at 5151 West 200 South for a variance to allow a communications service building without the frontage on a dedicated street in an M-1A Zone.

Case # 2121-B (readvertised) by E. R. Dumke III at 1820 South 4130 West for a conditional use to allow a two-lot industrial planned unit development in an M-1A Zone.

Case # 2117-B (readvertised) by Claude Hawk Corporation at 1245 East North Bonneville Drive for a conditional use to allow a four-lot residential planned unit development in a P-1 Zone.

Case # 2124-B by Gary Parsons at 1054 West Tally Ho Street for a special exception to allow a six-foot fence in the required front yard setback in an R-2 Zone.

Case # 2104-B (readvertised and amended) by Arman B. Peterson at 158 North State Street for a special exception to legalize three dwelling units and for a variance to allow a hard-surfaced parking pad in the required front yard in an R-4 Historic Zone.

Case # 2125-B by J. Drake and Kim Aitken at 826 East Sege Avenue for a variance to allow a parking pad in the required front yard setback of a duplex in an R-2 Zone.

Case # 2126-B by Eugene Seeman at 656 East 800 South for a variance to allow a new addition to a single family dwelling without the required side yard setbacks in an R-3A Zone.

Case # 2127-B by Ruth Campbell and Nye Thuesen at 546 South Elizabeth Street for a variance to allow a hard-surfaced parking pad in the required side yard for an apartment house in an R-3A Zone.

Case # 2128-B by Uwe Michel at 222 East Kelsey Avenue for a variance to allow a new single family dwelling without the required side yard setback in an R-2 Zone.

Case # 2129-B by Craig Marshall and Butch Adams at 1698 South 500 East for a variance to allow the remodeling of an existing building into a restaurant without the required front yard setbacks or 10-foot buffer strips on a corner lot in a B-3 Zone.

Case # 2130-B by Klaus Pfister at 2341 South Park Street for a variance to allow an attached carport for a single family dwelling without the required side yard setbacks in an R-2 Zone.

Case # 2131-B by Steven and Ingunn Earl at 1325 South Colonial Circle for a variance to allow a new addition to a single family dwelling without the required 25-foot rear yard setbacks in an R-2 Zone.

Case # 2016-B (reopened) by David and Arline Holbrook at 2415 East Lynwood Drive for a variance to allow a new addition to a single family dwelling without the required rear yard setbacks in an R-2 Zone.

Case # 2132-B by Bill Bang at 2288 South Lakeline Drive for a variance to allow a 14-foot grade change with a retaining wall on the property line in an R-1/F-1 Zone.

Dated at Salt Lake City, Utah, this 5th day of November, 1994.

AS820030

Deborah Kraft, Secretary

in  
South

1994.



November 14, 1994

**Case #2121-B (readvertised) by E. R. Dumke III at 1820 South 4130 West for a conditional use to allow a two-lot industrial planned unit development in an M-1A Zone.**

Steve Jackson, Engineer, was present to represent the case.

Mr. Nelson explained that E. R. Dumke II came before the Board on May 3, 1982, (case #8925) for a conditional use to allow an industrial planned unit development that included several buildings fronting 4130 West and 1820 South. The Board granted the conditional use. E. R. Dumke III is now proposing construction of a building behind an existing one that fronts 4130 West. This proposal creates a two-lot PUD. Mr. Nelson noted that all PUD's must go before the Planning Commission and the Board of Adjustment. On August 18, 1994, the Planning Commission approved the amendment to the original PUD and recommended that the Board of Adjustment also approve it.

Mr. Jackson further explained that Mr. Dumke purchased additional property to the south to create an additional lot and accommodate the proposed building. He confirmed that the amendment to the original PUD was unanimously approved by the Planning Commission.

There were no neighborhood or Community Council opposition or comments.

From the evidence and testimony presented, the Board finds that the industrial planned unit development meets the requirements of Section 21.78.200 of the Zoning Ordinance for a conditional use.

THEREFORE, Mr. Fenn made a motion to grant the conditional use per plans presented provided all Planning Commission requirements are met. Mr. Wagner seconded the motion, all voted aye, motion passed.

**Case #2117-B (readvertised) by Claude Hawk Corporation at 1245 East North Bonneville Drive for a conditional use to allow a four-lot residential planned unit development in a P-1 Zone.**

Tom Hawk, Developer, was present.

Mr. Nelson explained that this case was held and readvertised because the address and the zone classification were incorrectly advertised for the hearing scheduled on October 24, 1994. The subject property is located north of the intersection of Perry's Hollow Road and Scenic Drive and extends toward the foothills. He said that this area is zoned P-1 (preservation) and is highly protected requiring a minimum of 16 acres per lot. The proposed project consists of four lots. Mr. Nelson further explained that all PUD's must be approved by the Planning Commission and the Board of Adjustment. On August 18, 1994, the Planning Commission approved it and recommended that the Board of Adjustment also approve it.

Mr. Hawk further explained that the dwellings on the lots will be close to the street and the remaining of the land will be open space. Each lot will be owned by individuals and the open space will be owned by all lot owners. He added that a watershed easement currently meanders through the property and he is working with the City to redesign it. He noted that the project will have 68 acres of open space; there will be no fences, and he has worked with the Community Council to design this project.



Richard Dunlop, Vice Chairperson of the Greater Avenues Community Council and Chairperson of the Foothill Community Council, said that the Council is 100 percent behind this project and asked the Board to approve it.

Mr. Chambless read the Traffic Engineer report that states approval is subject to full compliance with City driveway, parking, and geometric standards.

From the evidence and testimony presented, the Board finds that the residential planned unit development meets the requirements of Section 21.78.150 of the Zoning Ordinance for a conditional use. The Board further encouraged the developer to construct the dwellings within height standards for the area.

THEREFORE, Ms. Taufer made a motion to grant the conditional use provided all Traffic Engineer and zoning requirements for this area are met. Mr. Hafey seconded the motion, all voted aye, the motion passed.

**Case #2124-B by Gay Parsons at 1054 West Tally Ho Street for a special exception to allow a six-foot fence in the required front yard setback in an R-2 Zone.**

Gay, Brad, and Wade Parsons (Petitioners) were present.

Mr. Nelson explained that the subject property is located on the northeast corner of Tally Ho Street and American Beauty Drive. The Zoning Ordinance defines a corner lot as having two front yards and limits fences to a height of four feet in front. The dwelling fronts Tally Ho Street and the existing fence runs south along American Beauty Drive from the north property line to the rear of the dwelling.

Brad Parsons referred to Section 21.80.270 of the Zoning Ordinance regarding permit variations when private rear yards may not otherwise be available unless a variation is granted. Mr. Parsons further explained that the fence addresses security needs. His mother (Gay Parsons) is 70 years old, lives alone, and crime activity is continuously increasing in this area. He recalled several thefts and attempted thefts to Ms. Parsons' and surrounding properties. He noted that in the last two days two new cars have been stolen from neighbors. Ms. Parsons parks her vehicle and also has dogs in the fenced area. Mr. Parsons presented pictures and identified several properties in the area with identical fences to hers. He noted that Ms. Parsons has lived on the property since 1964.

The Petitioners and the Board further discussed relocation of the fence and the Petitioner's parking needs. Mr. Parsons noted that a bus stop exists along the west fence line that eliminates any immediate on-street parking on American Beauty Drive. Also the rear yard area would be reduced by a width of 15 feet if the fence is moved back to the rear of the dwelling. The fence is 1 1/2 feet from the sidewalk.

Chairperson Chambless read the Traffic Engineer's report that states the fence needs to conform to the 30-inch height and sight distance requirements at the driveway. A 10-foot by 10-foot clear sight zone triangle is required to allow the driver clear visibility of the sidewalk.

Wade Parsons added that the fence has existed as is for at least 12 years. It is also parallel to the fence on the adjacent property to north. It was noted that the fence on the property to the north is a chain-link fence measuring four feet high and it meets fence height and sight distance requirements. He too recalled recent thefts and believes the fence is necessary to address security issues. His car was stolen while it has parked on Tally Ho Street.