

**PROPOSED CHANGES TO THE YALECREST COMPATIBLE INFILL OVERLAY (YCIO)  
DISTRICT REQUIREMENTS FOR THE YALECREST HEIGHTS (YH) SUBDIVISION**

Revised 1/3/11

General explanation and explanation of certain proposed changes

- None of the proposed changes refer to the “historical significance” of homes.
- All of the proposed changes would modify the existing YCIO (which itself modifies and overrides the R-1-7000 zoning provisions which apply to our subdivision). Hence, a proposed change to “Paragraph A” refers to Paragraph A of the YCIO.
- Item 2. This is perhaps the heart of the proposed changes. It enforces block face and neighborhood compatibility provisions which are already in the YCIO but which are not currently enforced. Item 2a would require property owners desiring to tear down/rebuild, add to, or remodel the exterior of a home to pay a fee to an Architectural Review Committee which would evaluate compatibility.
- Item 3. Section C (1) of the YCIO states that heights are “to be measured from finish grade.” That term is not as well defined as is the measuring system described in Section 21A.62.050 (of the Salt Lake City Zoning Ordinances) now cited in Items 4 and 5.
- Item 4. The YCIO has a maximum calculated roof height (not ridge height) of 27.5’. R-1-7000 zoning has a maximum ridge height of 28’ or “the average height of other principal buildings on the block face” without making clear which governs. The proposed language sets a maximum calculated height and ridge height with no reference to other principal buildings on the block face.
- Item 7. R-1-7000 states: “Rear Yard: Twenty five feet (25’)” with no indication whether the 25’ is yard width or depth. This item, as proposed, makes it clear that the 25’ refers to yard depth.
- Item 11. R-1-7000 zoning allows the “footprint” of a home plus accessory buildings such as a garage to occupy, in total, up to 40% of the total area of the lot. The proposed language reduces the maximum allowable lot coverage from 40% to 35% which would, in comparison to the 40% standard, create slightly larger yards, a bit more open space, and less potential building mass. Some YH examples are: (1) the Jacobsen home at 1857 Yalecrest, with a large (706 s.f.) garage and a 1,716 s.f. house footprint occupies **31.0%** of the 7,809 s.f. lot, (2) the recently-constructed Miller home at 1840 Herbert, with a 528 s.f. garage and a 1,928 s.f. house footprint, occupies **34.5%** of the 7,113 s.f. lot, and (3) the Didier home at 1861 Herbert, with a 558 s.f. garage and a 2,151 s.f. house footprint, occupies **31.0%** of the 8,750 s.f. lot.

## **PROPOSED CHANGES TO CERTAIN PROVISIONS OF THE YALECREST COMPATIBLE INFILL OVERLAY (YCIO) FOR THE YALECREST HEIGHTS (YH) SUBDIVISION**

1. In Paragraph A, change Line 4 to read “. . . the existing character, styles, and scale of . . .” [See Exhibit 1]
2. Add to the end of Paragraph A [See Exhibit 1] either Item 2a or 2b below:
  - a. “Effective March 1, 2011, the purposes set forth in this Paragraph A shall be enforceable requirements for all additions, teardown/rebuilds, and exterior remodels (including items such as roofing replacements and window replacements). A proposed project’s compliance or non-compliance with said purposes shall be determined by the Yalecrest Heights Architectural Review Committee (YHARC). Effective March 1, 2011, obtaining a written determination of a proposed project’s compliance with said purposes from the YHARC shall be a condition precedent to the issuing of a building permit by Salt Lake City.
    - i. The YHARC shall be a committee of three persons selected by a vote of the YH property owners. No YHARC member may be a YH property owner or live within the YH subdivision. At least one but not more than two of the YHARC members shall be licensed Utah architects.
    - ii. The first election of YHARC members shall be held after Salt Lake City approves the existence and operation of the YHARC, but no sooner than seven (7) days and no more than twenty one (21) days after a proper nominating meeting is held.
    - iii. A proper nominating meeting shall be a meeting held on a weekday evening at 7:30 p.m. at a publicly accessible location in or near YH no sooner than seven (7) days after Proper Notice of said nominating meeting is given. “Proper Notice” as used in this document means a written notice which is either (a) inserted in a through-the-wall mail slot or taped to the front door of every home in YH with the notice addressed to “Property Owner”, or (b) sent by email to the last known email address of the owners of every home in YH, or (c) mailed via regular U.S. mail to the last known mailing address of the owners of every home in YH. At the nominating meeting, only owners of homes within YH may nominate persons to serve on the YHARC. A person who is nominated and whose nomination is seconded shall appear on the ballot unless he or she declines to be on the ballot.
    - iv. There must be at least five (5) nominees on the ballot who are willing to serve if elected. At least three (3) licensed Utah architects shall be on the ballot and at least two (2) persons who are not licensed Utah architects shall be on the ballot.
    - v. After the nominating meeting, Proper Notice of the upcoming election shall be given. The notice shall include a biographical sketch of each nominee (200 words maximum), a statement from each nominee (150 words maximum), and a 2” x 2” black and white photo of each nominee. Each nominee must disclose any family, business, or social relationship(s) with YH property owners (e.g. “My wife’s sister is married to an uncle of a YH property owner”, “I occasionally play golf with a YH

- property owner”, etc.). Said disclosures shall be included on the notice but shall not be part of the word count.
- vi. The election (by secret ballot) shall be held on a weekday evening from 7:00 p.m. until 8:00 p.m. at a publicly accessible location in or near YH. Bona fide absentee ballots received prior to 7:00 p.m. on the day of the election shall be counted.
  - vii. The person receiving the highest number of votes shall be the chair of the YHARC and shall serve for a period of three (3) years. The person receiving the second highest number of votes shall be the secretary-treasurer of the YHARC and shall serve for a period of two (2) years, and the person receiving the third highest number of votes shall serve for a period of one (1) year. A coin toss shall break a tie.
  - viii. Nominations and a new election shall be held if a YHARC member dies, is unable to serve, declines to serve, or his or her term expires. In a new election, at least two (2) persons shall be on the ballot. After the initial election, newly-elected persons shall serve for three (3) years.
  - ix. The YHARC shall meet as needed and reasonably promptly (i.e. a decision shall be rendered by the YHARC within six (6) weeks of receipt by the YHARC of a completed application and all needed submittals) to review applications for additions, exterior remodels, or tear down/rebuilds within YH. A home or garage in YH may not (1) be torn down to make way for a replacement home or garage, (2) be added to, or (3) undergo remodeling or replacement (e.g. shingle replacement, window replacement, etc.) affecting the exterior of the home or garage without the prior written approval of the YHARC (and obtaining the “normal” permits required by Salt Lake City). However, approval of the YHARC is not required for “Obstructions in Required Yards” (e.g. patios, rear yard porches, etc.) which are allowed by and in compliance with Table 21A.36.020B of the Salt Lake City Zoning Ordinances.
  - x. An application to the YHARC for a project which, if approved, will either change the exterior dimensions of a home and/or garage or involves the demolition of an existing home or garage shall be accompanied by at least: (1) a site plan showing the property lines, yard dimensions, and location of the home on the lot, (2) exterior elevations of the home and/or garage, (3) a dimensioned plan of the first floor of the home, (4) specifications and manufacturer’s brochure pages (“cut sheets”) clearly defining the intended exterior materials, colors, textures, etc., (5) any other information needed by or requested by the YHARC to clearly understand what is intended/ desired by the applicant, (6) a list containing the names and addresses of the YH property owners described in Items xiii (b) and (c) below, and (7) the application fee set by the YHARC.
  - xi. An application to the YHARC for a project which, if approved, will neither change the exterior dimensions of a home and/or garage nor involve the demolition of an existing home or garage (e.g. window or shingle replacement) shall be accompanied by at least: (1) exterior elevations of the home, (2) specifications and manufacturer’s brochure pages (“cut sheets”) clearly defining the intended exterior materials, colors, textures, etc., (3) any other information needed by or

requested by the YHARC to clearly understand what is intended/ desired by the applicant, (4) a list containing the names and addresses of the YH property owners described in Items xiii (b) and (c) below, and (5) the application fee set by the YHARC.

- xii. Members of the YHARC shall be paid for their services. Such expenses and the costs of notices to YH home owners, etc. shall be covered via application fees paid by home owners desiring to remodel the exterior of a home or garage, add to an existing home or garage, or tear down an existing home or garage and build a new home or garage on the property. A fee schedule shall be set (and periodically adjusted) by the YHARC subject to approval of the YH home owners per Paragraph I [Item 10] below.
- xiii. When an application has been received by the YHARC and a meeting date and time to consider said application have been set by the YHARC, at least seven (7) days before the date of said meeting, the YHARC shall provide Proper Notice of the meeting place, time and date to: (a) the applicant, (b) all YH property owners whose property abuts (in part or in whole) the applicant's property (side yard or rear yard), and (c) any YH property owners whose front door is across the street from the applicant's property and within one hundred and fifty feet (150') of the applicant's front door.
- xiv. A YHARC member must excuse herself or himself from hearing and deciding upon a particular matter if she or he has a conflict of interest which would or could bias her or his decision (e.g. a current contractual relationship with the applicant, a close personal relationship with the applicant, etc.). If that occurs, or if a YHARC member is temporarily unable to participate on the YHARC, the three elected YHARC members shall select a person to serve as a temporary member of the YHARC. In selecting such a person, the requirement that at least one but not more than two of the committee members shall be licensed Utah architects shall be met. Decisions of the YHARC shall be made by the majority vote of the three regular and/or duly appointed temporary members of the YHARC.
- xv. Except as noted below, YHARC meetings shall be open to YH property owners, their spouses or partners, and to others invited by the YHARC to participate in a particular meeting. The YHARC shall endeavor to function in a manner and spirit which develops and maintains good neighborhood relationships within YH. **The YHARC shall not allow or tolerate any mean-spirited, manifestly inaccurate, unfair, or uncivil participation by any person involved in a matter before them.** When the YHARC has heard comments from those present, the YHARC meeting shall then be closed to the public. If the YHARC requires additional information, one or more additional meetings shall be promptly scheduled. When the YHARC reaches a decision, Proper Notice of its decision shall be given to the applicant within seven (7) days of the decision being made. Decisions of the YHARC shall be final and binding unless the applicant clearly demonstrates that (1) the YHARC disregarded or misunderstood one or more key elements of the applicant's application, or (2) fraud or clear malfeasance were involved in the decision. An appeal for a rehearing must be filed in writing with the chair of the YHARC within

seven (7) days after the applicant receives notice of the YHARC's initial decision. A rehearing fee may be required to be paid by the applicant.

xvi. YH is not a local historical district and the YHARC shall not apply local historical district provisions, guidelines, standards, etc. to applications submitted to it. If the YHARC believes that an application does not meet a technical (versus subjective) provision of the Salt Lake City Zoning Ordinances including the YCIO as applicable to YH, it shall bring that fact to the attention of the Salt Lake City Planning Commission. **YHARC's primary responsibility is to consistently, fairly and reasonably interpret and enforce the subjective but important provisions and intent of the following:**

1. Section 21A.24.010.A of the Salt Lake City Zoning Ordinances which states, in part (emphasis added): "The residential districts [of Salt Lake City are intended to] promote the **harmonious** development of residential communities [and] **ensure compatible infill development . . .**"
2. Section 21A.24.010.B of the Salt Lake City Zoning Ordinances which states, in part (emphasis added): "In certain districts, permitted uses and conditional uses have the potential for adverse impacts if located and laid out without careful planning. **Such impacts may interfere with the use and enjoyment of adjacent property and uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible.**" It is hoped that proposed projects will attempt, within reason, to minimize loss of views from adjoining lots and loss of daylight on adjoining lots.
3. Section 21A.34.120.A of the Salt Lake City Zoning Ordinances (the Yalecrest Compatible Infill Overlay District) which states, in part (emphasis added): "The goal is to encourage **compatibility** between new construction, additions or alterations and the **existing character** ["**styles**" per Item 1 of this document] **and scale of the surrounding neighborhood**. The [Yalecrest Compatible Infill Overlay] district promotes a **desirable** residential neighborhood by **maintaining aesthetically pleasing environments**, safety, privacy, and **neighborhood character** [allowing for] **flexibility of design while providing compatibility with existing development patterns** within the Yalecrest community."
4. "Compatible design" is defined in Section 21A.62.040 of the Salt Lake City Zoning Ordinances as follows: "The **visual relationship** between adjacent and nearby buildings and the immediate streetscape, in terms of **consistency of materials, colors, building elements, building mass, and other constructed elements** of the urban environment, is such that **abrupt or severe differences are avoided.**"
5. "Architecturally Incompatible" is defined in Section 21A.62.040 of the Salt Lake City Zoning Ordinances as follows: "Buildings or structures which are incongruous with adjacent and nearby development due to **dissimilarities in style, materials, proportions, size, shape and/or other architectural or site design features.**"

- b. “Effective March 1, 2011, the purposes set forth in this Paragraph A (which neither prescribe nor proscribe the preservation of ‘historically significant’ homes) shall be enforceable requirements for all additions, teardowns/rebuilds, and exterior remodels (including items such as roofing replacements and window replacements). A proposed project’s compliance or non-compliance with said purposes shall be determined by and enforced by the Salt Lake City Historic Landmark Commission (HLC). However, approval of the HLC is not required for “Obstructions in Required Yards” (e.g. patios, rear yard porches, etc.) which are allowed by and in compliance with Table 21A.36.020B of the Salt Lake City Zoning Ordinances. Effective March 1, 2011, obtaining a written determination of a proposed project’s compliance with said purposes shall be a condition precedent to the issuing of a building permit by Salt Lake City. The provisions of the *Local Historic District Design Standards for Salt Lake City* shall not apply to such reviews and decisions. **HLC’s primary responsibility in this regard is to consistently, fairly and reasonably interpret and enforce the subjective but important provisions and intent of the following:**
1. Section 21A.24.010.A of the Salt Lake City Zoning Ordinances which states, in part (emphasis added): “The residential districts [of Salt Lake City are intended to] promote the **harmonious** development of residential communities [and] **ensure compatible infill development . . .**”
  2. Section 21A.24.010.B of the Salt Lake City Zoning Ordinances which states, in part (emphasis added): “In certain districts, permitted uses and conditional uses have the potential for adverse impacts if located and laid out without careful planning. **Such impacts may interfere with the use and enjoyment of adjacent property and uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible.**” It is hoped that proposed projects will attempt, within reason, to minimize loss of views from adjoining lots and loss of daylight on adjoining lots.
  3. Section 21A.34.120.A of the Salt Lake City Zoning Ordinances (the Yalecrest Compatible Infill Overlay District) which states, in part (emphasis added): “The goal is to encourage **compatibility** between new construction, additions or alterations and the **existing character [“ styles”** per Item 1 of this document] **and scale of the surrounding neighborhood.** The [Yalecrest Compatible Infill Overlay] district promotes a **desirable** residential neighborhood by **maintaining aesthetically pleasing environments, safety, privacy, and neighborhood character** [allowing for] **flexibility of design while providing compatibility with existing development patterns** within the Yalecrest community.”
  4. “Compatible design” is defined in Section 21A.62.040 of the Salt Lake City Zoning Ordinances as follows: “The **visual relationship** between adjacent and nearby buildings and the immediate streetscape, in terms of **consistency of materials, colors, building elements, building mass, and**

**other constructed elements** of the urban environment, is such that **abrupt or severe differences are avoided.**”

5. “Architecturally Incompatible” is defined in Section 21A.62.040 of the Salt Lake City Zoning Ordinances as follows: “Buildings or structures which are incongruous with adjacent and nearby development due to **dissimilarities in style, materials, proportions, size, shape and/or other architectural or site design features.**”
3. Change Paragraph C (1) to read as follows: “**Maximum Building Height:** All heights shall be measured as indicated in Section 21A.62.050, Illustration B, of this title.” [See Exhibit 2]
4. Change Paragraph C (1) (a) to read as follows: “Pitched roofs: Twenty seven and one-half feet (27.5’) measured as indicated in Section 21A.62.050, Illustration B, of this title with a maximum ridge height of twenty eight feet (28’).” [See Exhibit 2]
5. Change Paragraph C (1) (b) to read: “Mansard or flat roofs: Twenty feet (20’) measured as indicated in Section 21A.62.050, Illustration B, of this title. Because mansard roofs and flat roofs are uncommon in YH, the [YHARC or HLC per Item 2 above] must determine whether such a roof, if proposed, meets the requirements for compatibility of scale, character, etc.” [See Exhibit 2]
6. Paragraph D [Becomes Paragraph D (1)] – “Per the original Yalecrest Heights subdivision plat, the front line of the principal building on a lot shall be set back from the front property line at least thirty five feet (35’) except (a) on the north side of Yalecrest Avenue where the front line of the principal building on a lot shall be set back from the front property line at least thirty feet (30’) and (b) on 1800 and 1900 East where the front line of the principal building on a lot shall be set back from the 1800 or 1900 East property line at least fifteen feet (15’). These setbacks will create front yards of relatively consistent size on the block face. Any principal buildings not in compliance with this requirement prior to March 1, 2011, shall be exempt from this requirement. However, the exemption shall not apply to a lot if more than sixty percent (60%) of the superstructure (i.e. the square feet of floor area above the main floor) of the non-complying building is demolished after March 1, 2011.” [See Exhibit 3]
7. Add new Paragraph D (2): “**Rear Yard Requirements:** The rear yard shall have a minimum depth of twenty five feet (25’) from the rear lot line to the rear building line of the principal building. This provision shall not apply to homes on 1900 East.” [See Exhibit 3]
8. Revise existing Paragraph E (1) to read: “**Maximum Height For Accessory Structures With A Pitched Roof:** Fifteen feet (15’) measured as indicated in Section 21A.62.050, Illustration B, of this title with a maximum ridge height of twenty feet (20’). Accessory structures completed prior to March 1, 2011 shall be exempt from this maximum height requirement.” [See Exhibit 4]

9. Revise existing Paragraph E (3) to read: "**Garage Location:** Per the original plat of the YH subdivision, the front building line of a detached garage shall not be more than forty feet (40') from the rear lot line except (a) garages facing 1800 or 1900 East for which the front building line of the garage shall not be closer than thirty feet (30') to the front property line, and (b) detached garages completed and in use prior to March 1, 2011." [See Exhibit 4]
10. Add new Paragraph I: "**Modification of Yalecrest Heights Subdivision Requirements** The provisions of this document may be changed [or a member of the YHARC can be changed if Item 2a is adopted] by the affirmative vote of at least sixty percent (60%) of the voting residential property owners (one vote per lot) within YH. The results of an election in which fewer than twenty one (21) ballots are cast shall not be binding. Voting on such matters shall be by private ballot in an election held within YH between ten (10) and twenty (20) days after Proper Notice of said election's date, time and place is given."
11. Add new Paragraph J: "**Maximum Building Coverage** Except as noted below, the total surface coverage of the principal building and all accessory buildings (including porches) shall not exceed thirty five percent (35.0%) of the lot area for projects (tear down/build new, add on, remodel, etc.) commenced after March 1, 2011 unless either (1) the surface coverage on that lot exceeded thirty five percent (35.0%) prior to March 1, 2011 in which case the new coverage may equal the coverage which existed prior to March 1, 2011, or (2) a lot owner can clearly demonstrate the existence of drawings and specifications for an addition or tear down/build new for which the surface coverage exceeds 35% but is less than 40% where such drawings and specifications were completed prior to March 1, 2011. [See General Note for Item 11 on page 1 and Exhibit 5]
12. Add new Paragraph K to read: "**Damaged Buildings:** If a home or accessory building incurs significant damage to its exterior from wind, fire, vandalism, etc. and said damage is visible from any public street or from any home in the Yalecrest Heights subdivision, said damage shall be entirely repaired by the property owner within one year of the event causing the damage unless the damage is caused by earthquake in which case the damage shall be entirely repaired by the property owner within two years of the event causing the damage."
13. Add new Paragraph L to read: "**Elevation of Main Floor:** Except for homes completed and occupied prior to March 1, 2011, no part of the main (or first) floor of a principal building may be more than thirty six inches (36") above the average finish grade at the front line of the principal building. The elevations of the front porch and steps at the front porch shall not be a part of the calculation of the average finish grade. If an existing home is demolished, the average finish grade at the front line of the existing principal building shall be the starting grade used to determine the maximum elevation of the main floor of the new principal building."
14. Add new Paragraph M: "**Demolition** No principal building shall be demolished unless: (1) said principal structure is deemed by Salt Lake City to be a Dangerous Building according to the process and standards set forth in Chapter 18.48 of this title and a demolition permit has been



issued by Salt Lake City, or (2) said principal structure has incurred damages in excess of \$200,000 (in March 1, 2011 dollars) as a result of fire, earthquake, windstorm, or other similar acts of nature and a demolition permit has been issued by Salt Lake City, or (3) detailed plans of the replacement or remodeled principal building have been submitted to [See Item 2 of this document] and deemed by them to be in compliance with the provisions of Paragraphs A and B [Paragraph B is Item 2 of this document] of the Yalecrest Compatible Infill Overlay District as modified for the YH subdivision and both a demolition permit and a building permit have been issued by Salt Lake City.”

**SUMMARY OF PROPOSED CHANGES TO THE YCIO**

<b>Paragraph</b>	<b>Current YCIO</b>	<b>YCIO with Proposed YH Changes</b>
<b>A</b>	Purpose of the YCIO	Enforcement of purpose with the addition of YH Item 1 and either Item 2a or Item 2b
<b>B</b>	Overlay District Boundary	No change
<b>C</b>	Building Height	Change per Items 3, 4 and 5
<b>D</b>	Front Yard Requirements	Change heading to read: Front and Rear Yard Requirements. Make Front Yard Requirements D (1) and replace current language with Item 6. Make Rear Yard Requirements D (2) using Item 7.
<b>E</b>	Accessory Structures	Revise E (1) per Item 8 and E (3) per Item 9
<b>F</b>	Standards for Attached Garages	No change
<b>G</b>	Special Exception for Garages	No change
<b>H</b>	Authority to Modify Regulations	No change
<b>I</b>	<i>Not used</i>	<b>NEW</b> Modification of Yalecrest Heights Subdivision Requirements per Item 10
<b>J</b>	<i>Not used</i>	<b>NEW</b> Maximum Building Coverage per R-1-7000 40% reduced to 35% per Item 11
<b>K</b>	<i>Not used</i>	<b>NEW</b> Damaged Buildings per Item 12
<b>L</b>	<i>Not used</i>	<b>NEW</b> Elevation of Main Floor per Item 13
<b>M</b>	<i>Not used</i>	<b>NEW</b> Demolition per Item 14

## EXHIBITS

Revised or new language is shown in **bold type**

### Exhibit 1

A. As now exists. Purpose Statement: The purpose of the Yalecrest compatible infill (YCI) overlay district is to establish standards for new construction, additions and alterations of principal and accessory residential structures within the Yalecrest community. The goal is to encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood. The YCI overlay district promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments, safety, privacy, and neighborhood character. The standards allow for flexibility of design while providing compatibility with existing development patterns within the Yalecrest community.

A. As proposed. Purpose Statement: The purpose of the Yalecrest compatible infill (YCI) overlay district is to establish standards for new construction, additions and alterations of principal and accessory residential structures within the Yalecrest community. The goal is to encourage compatibility between new construction, additions or alterations and the existing character, **styles**, and scale of the surrounding neighborhood. The YCI overlay district promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments, safety, privacy, and neighborhood character. The standards allow for flexibility of design while providing compatibility with existing development patterns within the Yalecrest community. **[Item 2a or Item 2b, if adopted, would be added here – at the end of Paragraph A]**

### Exhibit 2

C. As now exists. Building Height:

1. Maximum Building Height: All heights to be measured from finish grade.

a. Pitched roofs: Twenty seven and one-half feet (27.5') measured to the midpoint of the roof (as indicated in section 21A.62.050, illustration B, of this title).

b. Mansard or flat roofs: Twenty feet (20').

c. Lots with cross slopes where the topography slopes from one side property line to the other side or corner side property line may increase the maximum building height, as measured from the downhill side face of the building at a rate of one-half foot (0.5') for each one foot (1') difference between average grades of the uphill and downhill faces of the building, up to a maximum height of thirty feet (30').

C. As proposed. Building Height:

1. Maximum Building Height: All heights **shall be measured as indicated in Section 21A.62.050, illustration B, of this title.**

a. Pitched roofs: Twenty seven and one-half feet (27.5') measured as indicated in Section 21A.62.050, illustration B, of this title **with a maximum ridge height of twenty eight feet (28')**.

b. Mansard or flat roofs: Twenty feet (20') measured as indicated in Section 21A.62.050, Illustration B, of this title. Because mansard and flat roofs are uncommon in the Yalecrest Heights subdivision, the [YHARC or HLC depending on what is decided regarding ballot Item 2] must determine whether such a roof, if proposed, meets the requirements for compatibility of scale, character, etc.

c. Lots with cross slopes where the topography slopes from one side property line to the other side or corner side property line may increase the maximum building height, as measured from the downhill side face of the building at a rate of one-half foot (0.5') for each one foot (1') difference between average grades of the uphill and downhill faces of the building, up to a maximum height of thirty feet (30').

### Exhibit 3

D. As now exists. Front Yard Requirements: The minimum front yard shall be derived by measuring the front yards (the open, unoccupied, landscaped space between the front building lines of all developed properties) fronting the same side of the street within three hundred feet (300') of the subject property but in no case shall the measurements extend across intervening streets. The minimum required front yard shall be equal to the average of the smallest fifty percent (50%) of front yards measured. For example, if ten (10) developed properties are located along the same side of the street within three hundred feet (300') of the subject property, the required minimum front yard is equal to the average of the five (5) ( $10 \times 50\% = 5$ ) smallest front yards.

D (1) As proposed. Front Yard Requirements: Per the original Yalecrest Heights subdivision plat, the front line of the principal building on a lot shall be set back from the front property line at least thirty five feet (35') except (a) on the north side of Yalecrest Avenue where the front line of the principal building on a lot shall be set back from the front property line at least thirty feet (30') and (b) on 1800 and 1900 East where the front line of the principal building on a lot shall be set back from the 1800 or 1900 East property line at least fifteen feet (15'). These setbacks will create front yards of relatively consistent size on the block face. Any principal buildings not in compliance with this requirement prior to March 1, 2011, shall be exempt from this requirement. However, the exemption shall not apply to a lot if more than sixty percent (60%) of the superstructure (i.e. the square feet of floor area above the main floor) of the non-complying building is demolished after March 1, 2011.

D (2) As proposed Rear Yard Requirements: The rear yard shall have a minimum depth of twenty five feet (25') from the rear lot line to the rear building line of the principal building. This provision shall not apply to homes on 1900 East.

## Exhibit 4

### E. As now exists Accessory Structures:

1. Maximum Height For Accessory Structures With A Pitched Roof: Fifteen feet (15').
2. Noncomplying Detached Garages: An existing noncomplying detached garage located in the rear yard may be rebuilt or expanded at its existing location to a maximum size of four hundred forty (440) square feet subject to the approval of the development review team (DRT).
3. Garages Located In Front Of The House: No detached garage shall be constructed forward of the "front line of the building" (as defined in section 21A.62.040 of this title), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
4. Maximum Garage Door Height: Eight and one-half feet (8.5').

### E. As proposed Accessory Structures:

1. Maximum Height For Accessory Structures With A Pitched Roof: Fifteen feet (15') measured as indicated in Section 21A.62.050, Illustration B, of this title with a maximum ridge height of twenty feet (20'). Accessory structures completed prior to March 1, 2011 shall be exempt from this maximum height requirement.
2. Noncomplying Detached Garages: An existing noncomplying detached garage located in the rear yard may be rebuilt or expanded at its existing location to a maximum size of four hundred forty (440) square feet subject to the approval of the development review team (DRT).
3. As proposed Garage Location: Per the original plat of the YH subdivision, the front building line of a detached garage shall not be more than forty feet (40') from the rear lot line except (a) garages facing 1800 or 1900 East for which the front building line of the garage shall not be closer than thirty feet (30') to the front property line, and (b) detached garages completed and in use prior to March 1, 2011.
4. Maximum Garage Door Height: Eight and one-half feet (8.5').

## Exhibit 5

F [Paragraph F of R-1-7000 zoning]. As now exists Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot area.

New Paragraph J [of the YCIO]: As proposed Maximum Building Coverage: Except as noted below, the total surface coverage of the principal building and all accessory buildings (including porches) shall not exceed thirty five percent (35%) of the lot area for projects (tear down/build new, add on, remodel, etc.) commenced after March 1, 2011 unless either (1) the surface coverage on that lot exceeded thirty five percent (35%) prior to March 1, 2011 in which case the new coverage may equal the coverage which existed prior to March 1, 2011, or (2) a lot owner can clearly demonstrate the existence of drawings and specifications for an addition or tear down/build new for which the surface coverage exceeds 35% but is less than 40% where such drawings and specifications were completed prior to March 1, 2011.