

# **Staff Report**

PLANNING DIVISION COMMUNITY & NEIGHBORHOODS

To:Salt Lake City Planning CommissionFrom:Caitlyn Miller, Principal PlannerDate:October 28, 2020

Re: PLNPCM2020-00465

## **Special Exception – Building Height**

PROPERTY ADDRESS: PARCEL ID: MASTER PLAN: ZONING DISTRICT: 1400 East Federal Way 16-04-104-008-0000 East Bench R-1-5,000

### **REQUEST:**

Mr. Geoffrey Tice (property owner and applicant) is requesting a special exception to allow additional height for a primary dwelling located at approximately 1400 East Federal Way. The subject property is located in the R-1-5,000 Zoning District where this type of a special exception request must be reviewed by the Planning Commission. The R-1-5,000 allows buildings with flat roofs to be built to twenty feet (20') in height; Mr. Tice is proposing a flat-roofed structure that will be 20' in the front yard and 27'6" in the rear yard.

### **RECOMMENDATION:**

Based on the information and findings in this staff report, it is Planning Staff recommends that the Planning Commission approve the special exception request for additional building height with the following conditions of approval:

- 1) The construction of the home shall be done according to the approved plans, as submitted to the City on June 17, 2020.
- 2) This exception does not exempt the property owner from meeting any other standards found in any City ordinances other than those mentioned above.
- 3) The applicant must consult with Salt Lake City Building Services to determine building permit requirements.
- 4) Any aggrieved party may appeal this administrative decision within ten (10) days to the Appeals Hearing Officer pursuant to Section 21A.52.120(B).

5) The special exception will expire if required permits have not been obtained or an extension grated within 12 months from the date of this order.

### **PROJECT DESCRIPTION:**

The subject property is currently a one-story detached single-family residential property. The applicant has proposed the demolition of the existing home and the construction of a new home with the addition of a second floor. His drawings indicate the home will be demolished down to the foundation and a new home will be built in its place. The maximum height allowable for a building with a flat roof as listed in the R-1-5.000 Zoning District is twenty feet (20'). The renovations the applicant wishes to make to his property would not put the height of the primary building over the 20' maximum in the front vard, however, the applicant's property



Figure 1: Side view of proposed house with additional height request shown in red (rear of house)

has a walk-out basement and with the additional grade change the addition of the second floor would surpass the maximum height allowed by the Zoning District at around 27 feet 6 inches. The applicant's narrative indicates eight homes on the block face have second stories and are between 32-41 feet in height at their rear.

Section 21A.24.070(D)(6) allows properties <u>not</u> located within the Historic Preservation Overlay District to petition the Planning Commission to grant a special exception to allow additional building height in accordance with the adopted standards as listed in Chapter 21A.52. The subject property is not located within the Historic Preservation Overlay District.

The subject property (see image at the right) is located in an established detached singlefamily neighborhood. It is located on an interior lot with access from Federal Way and from the allev at the rear of the property. The subject property slopes to the south (toward the alley) and is similar in size to other interior lots in the neighborhood. Over half of the homes in the neighborhood have access onto an alley in the rear and many have constructed garages or carports to allow for parking accessed via the alley. In addition to the demolition of the primary home, the applicant will also be constructing a new garage accessed off of the public alley at the rear of the property. The applicant's plans indicate this garage will have a footprint of 720 square feet.





The proposed home would face towards Federal Way like its neighbors but would not include groundfloor windows. The exterior materials include stucco and rainscreen wood siding. The upper story cantilevers over the entry stoop which provides a small covered entryway into the home. Surrounding buildings on the same block face have large covered porches and windows at the ground floor facing out onto Federal Way. The neighborhood is also

characterized by large mature trees; 10 of which are on the subject property. All 10 trees over 10 inches in diameter at breast height are shown to be preserved in the applicant's plans.

### **KEY ISSUES:**

### Compatibility with surrounding development pattern:

The existing home on the subject property is a small post-war cottage with a walk-out basement in the rear. The applicant has proposed the razing of this home and the construction of a two-story modern design with a flat roof in its place. The homes surrounding the subject property are all substantially larger than the existing home and have varying designs (including vernacular, craftsman, chateau, and post-war) with pitched roofs. The proposed design includes an entry stoop with a small amount of cover provided by the second story projecting over the entryway. Other homes in the neighborhood have deep porches or other covered entryways (vestibules, awnings, etc.) with street-facing windows at the ground floor. The proposed home does not include windows on the ground floor of the street facing plane of the home.

Multiple neighbors have reached out to Staff expressing concerns over how the proposed design fits in with the existing development pattern. They have voiced their concerns over the lack of windows on the street-facing ground floor similar to those found in other homes on the same block face. Many neighbors have also suggested the applicant consider a pitched roof instead of a flat roof so the design would be more consistent with the other homes on the block face. The neighbors assert the design of the home as proposed is not compatible with the development pattern of the existing neighborhood. The subject property and its surrounding neighbors are not located in a local historic district and the underlying zoning district (R-1-5,000) does not set forth any architectural design standards.

### Preservation of mature trees:

There are 10 large mature trees on the subject property. Neighbors have expressed concerns over whether the proposed construction will result in the removal or harm of these trees since the streetscape of Federal Way is lined with dozens of mature trees of varying species. The applicant's plans set indicates all of the mature trees on the subject property are in good condition and will be preserved throughout the construction process.

### **NEXT STEPS:**

If the special exception for the present design is approved the applicant could proceed with applying for a building permit to demolish the existing structures and to construct the proposed two-story flat-roofed home and detached garage.

If denied the applicant would have to seek other options or designs which would comply with the 20' maximum height as allowed in the R-1-5,000 Zone and apply for a building permit to demolish the existing structures and construct the proposed home.

#### **ATTACHMENTS:**

- A. Vicinity Map
- **B.** Property Photographs
- **C.** Project Plans and Materials
- **D.** Zoning Standards
- E. Public Comment
- F. Department Review Comments

## ATTACHMENT A: VICINITY MAP

Vicinity Map



## ATTACHMENT B: PROPERTY PHOTOGRAPHS



Figure 3: View of subject property from Federal Way



Figure 4: View of neighboring property to the east



Figure 5: View of neighboring property to the west



Figure 6: View of neighboring property to the north



Figure 7: View of neighboring property to the northeast



Figure 8: View of rear of subject property from alley



Figure 9: View of rear of subject property from alley



Figure 10: View looking west along alley



Figure 11: View looking east along alley

## ATTACHMENT C: PROJECT PLANS & MATERIALS

**Geoffrey Tice** 1400 E Federal Way Salt Lake City, UT 84102

June 15, 2020

Dear Planning Commision,

I am applying for a special exception for the height of our house located at 1400 E Federal Way, SLC UT 84102 (BLD2020-04071).

The current house is a single-level house with a walkout basement, built in 1955. We are adding a second story to the house and remodeling the interior. The new design will have a flat roof. The front elevation of the house doesn't exceed the 20' height limit, but since the existing house is built on a hill and there is a walkout basement, the rear of the house is 27'-6" high.

There are nine total homes on our street face (including ours). Currently, our home is the only single-story home on our street face. The eight other homes all have second stories, as well as walkout/daylight basements on the rear elevation of their homes. These eight homes (1388 E, 1394 E. 1408 E, 1418 E, 1424 E, 1430 E, 1436 E, 1442 E) all have rear elevation heights between 32' - 41' high. Even with our second story addition, our house will still be the shortest house on our street face. Also, there is an alley that runs along the back of our property creating even further separation between our homes and the homes to the rear of us. This should satisfy the the requirements for a special exception to the building height under Zoning Ordinance Chapter 21A.24.070, D.6.a:

"6. a. For properties outside of the H Historic Preservation Overlay District, additional building height may be granted as a special exception by the Planning Commission subject to the special exception standards in <u>chapter 21A,52</u> of this title and if the proposed building height is in keeping with the development pattern on the block face. The Planning Commission will approve, approve with conditions, or deny the request pursuant to <u>chapter 21A.52</u> of this title."

Please see the attached architectural drawings for the proposed house that have been submitted to the SLC Building Dept for approval (BLD2020-04071). Included are the site plan, floor plan and elevation drawings.

Please let me know if you have any questions and if there's anything else I can do for this special exception approval.

Thank you,

Geoffrey Tice

Modifications may be made on these plans according to the city and lot requirements where the plan is built.

TICE DESIGN WORKS, ALL RIGHTS RESERVED. The use of these plans is expressly limited to TICE DESIGN WORKS. A limited use letter is required when submitting these plans for building. Reuse, reproduction, or publication by any method, in whole or in part, is prohibited and punishable by law.

A.	EXCAVATION, BACK FILL, AND GRADING	Н.
	<ol> <li>All excavations for footings shall be placed on natural, undisturbed soil.</li> <li>All footings shall be placed on undisturbed soil and below frost depth (30" min) or per local municipalities building</li> </ol>	
	code. Top of foundation shall be placed a minimum of 6" above finished grade.	
	Grade shall slope away 6" minimum for the first 10' of building. No negative slope driveways. 4. Excavation depths & measurements to be coordinated with the site specific professionally licensed & stamped	
	surveyed site plan. If elevation contradictions arise in the depths and measurements, it is the excavators responsibility to notify the owner in writing before excavation occurs. Excavation contractor to have sufficiently	١.
	studied the plans prior to excavation and to address any and all set back, depth or locations that are in conflict between plans & actual site.	
	<ul> <li>5. Allow 14 days for concrete to cure prior to backfill. All backfill to be hand machine tampered (No bucket tampering</li> <li>6. Prior to back fill a 6" perforated french drain with fabric wrap shall be install around foundation footing and</li> </ul>	g)
R	incased w/ 18" of gravel. French drain to properly drain water away from structure.	J.
	1. WEATHER PROJECTION	
	- Install (1) layer of grade 'D' (30 lb.) felt under asphalt root shingles. - Install (1) layer of grade 'D' (15 lb.) felt under aluminum/vinyl siding.	
	- Install (1) layer of grade 'D' (15 lb.) felt under brick/rock veneer. - Install (1) layers of DuPont Tyvex Homewrap or equal on all exterior sheathing.	ĸ
	<ul> <li>Install (1) layer No. 40 coated rooting or coated glass base from the root eaves to a line 24" inside the exterior wall line with all laps cemented together.</li> </ul>	ΙΧ.
	<ol> <li>INSULATION: At all 2x6 exterior walls to be R-19, all rim joist to receive R-19, all basement walls to be R-13, all attic blown in to be R-38 and all attic duct work (flex or ridged) to receive R-8 insulation wrap</li> </ol>	
	3. SIDING: 8d nails w/ a 3/16" head diameter & long enough to penetrate 1 1/4" into structural wood studs and sheathing materials. In all cases for exterior siding use nails with corrosive resistance equilvant to hot dipped	
4	4. Insulation to comply with prescriptive requirements of 2015 IRC Chapter 11, Table N1102.1.2	
2.	- FOOTINGS, FOUNDATION, REBAR, FLAT WORK & CONCRETE	
	REBAR, ANCHOR BOLTS & STRAPS 1. All reinforcing shall be detailed and placed in accordance with ACI detailing manual 315-77 and ACI standard	
	318-83. Reinforcement shall be free from mud and oil and other nonmetallic coatings that hamper bonding capaci All splices in continuous reinforcing shall lap 36" and shall be made in an area of compression.	ty.
	<ol> <li>Install foundation and fooling reinforcement as follows (per state amenaments if applicable).</li> <li>Vertical #4 bars (grade 60) at 16" O.C For 8' foundation walls or per local municipalities building code</li> <li>(a) #4 bars (grade (0) cost is factions and contact a structure is in the initial structure is in the str</li></ol>	
	4. (2) #4 bars (grade 60) cont. In tootings or per local municipalities building code. 5. Horizontal #4 bars (grade 60) at 16" O.C. w/2 bars top and bottom or per local municipalities building code	
	6. All splices in reinforcement shall lap a minimum of 36" bar diameters. Unless otherwise noted all construction joints shall be keyed with a key 1-1/2" deep and a width of 1/2 member. Place foundation rebar withing 2 1/2"	L.
	7. Use 1/2" x 10" anchor bolts 32" O.C. max with 2" x 2" x 3/16". Use Simpson tie down straps as noted on drawings.	
	CONCRETE DESIGN MIX* (within 28 days of pour to achieve psi strength) Construction Type Strength Aggregate Slump	
	-Auto Driveway 4000** 1-1/2" 4" -Garage Flats 4000** 1-1/2" 4"	
	-Foundation 4000** 1-1/2" 3" -Slab on Grade 3000** 1" 3"	
	-Grade Beams (PSI) (Inches) (Inches)	
	**2500 design strength - No testing required	
	FOOTINGS & FOUNDATION WALLS 1. All footings are based on allowable soil bearing pressure of 1500 psf. Footings shall bear on undisturbed soil	
	or engineered granular fill compacted to 95% of maximum density. No footing shall be placed in water or frozen ground. all footings min. 30" below grade or per local municipality building code, continuous and	
	2. Changes in clovation shall be storped with storp beings that bight not bight that has a long the and not greater	М.
	than 4 ft. Min. 6" thickness on vert. step. Notify engineer if grade drops over 8 ft. in 24 ft. (G.T. 1 to 3 slope) so that	
	is dry and stable and does not provide any warrantee of any kind against site stability or performance. Sub- contractor shall ensure that the requirements listed in figure R403.1.7.1.2000 IRC are met, or notify engineer so	
	appropriate solution can be developed prior to start. 4. All exposed concrete foundation walls (Utility room, cold storage room, exterior concrete stairs, etc.) to have	
	new panel forms for a smooth clean finish. All foundation panel forms to be new or relatively new.	
	1. Compact fill to 95% at all concrete flatwork areas 2. Trowel control joints to occur no more then 8' x 8' sa, in garage flatwork. Prior to nour coordinate all joints w/ owner	
	3. All control joints in driveway to occur no more then 10' between joints. Prior to pour coordinate all joints w/ owner 4. Concrete design mix for all agrage & driveways flat work groats to be 4000 psi, w/ 4" dump \$ 1/2" 1" aggregate	
•	<u>WINDOWS</u>	
	<ol> <li>All windows shall be U-35 or better, aluminum or vinyl, thermal break type.</li> <li>All window tops shall be at door header height, i.e. 6'-8" (unless otherwise noted - see elevations)</li> </ol>	
	<ol> <li>All glass within 24" horiz. of doors &amp; within 60" vert. of stairs or stair landing to be tempered.</li> <li>Habitable rooms require 10% light(window space), and 5% ventilation (operable window).</li> </ol>	
	5. All windows in sleeping rooms shall have sills located no more than 44" above floor with an operable opening not less than 5.7 sq. ft. The window height shall not be less than 24", with a net	
	clear width of no less than 20". WINDOW WELLS	
	<ol> <li>Window wells serving required egress windows shall have dimensions in keeping with the minimums required for the windows;</li> </ol>	
	a. Window wells shall have a net clear opening of 9 sq. ft. min.	
	to hinder egress.	
	d. 36" horizontal clearance from foundation to front of window well.	
	e. 30 venical clearance required from any projection in norizontal clearance stared above (i.e. bay windows and cantilevers).	
	DOORS ROUGH OPENING SCHEDULE         Door Call Out       Rough Size Opening or 'RO'	
	2' 0" × 6'8" 26" × 82 3/4" 2' 2" × 6'8" 28" × 82 3/4"	
	2' 4" x 6'8" 30" x 82 3/4" 2' 6" x 6'8" 32" x 82 3/4" 2' 8" x 6'8" 34" x 82 3/4"	
	2' 10"x 6'8" 36" x 82 3/4" 3' 0" x 6'8" 38" x 82 3/4"	
, ,	VENTILATION	
	i. ventilation shall be provided in all crawl spaces by means of screened vents placed to provide cross ventilation.	

<sup>2.</sup> Attics will have one square foot of ventilation for every 250 sq. ft. of living space.

3. Enclosed attics and spaces between rafters shall have clear ventilation to outside.

4. There shall be no gas connections allowed in any rooms used for sleeping or in any corridors leading to or through any sleeping room.

## IMPORTANT NOTE I



Wood beams made of two or more pieces shall have the pieces securely bolted or nailed together to prevent separation and to insure mutual load sharing. Each interconnected piece shall be continuous between supports, and supports shall have the same width as the composite beam.

Extend 7/16" sheathing over rim joist. Nail to rim and upper and lower wall plates using 8d nail at 6" O.C. All framing studs shall be 16" O.C. max. All floor sheathing shall be 3/4" T&G APA rated 40/20 CDX sheathing nailed with 8d nails at all panel edges, supported edges, and all blocking. Use 8d nails 10" O.C. in field. Nails shall be min. 1/2" from edge of panel. Lay sheathing with face grain at right angles to framing and glue with glue conforming to APA specs. Floor joists shall be blocked at all bearing points. Block all horizontal edges of wall sheathing with 2 x 4 blocking. Use 8d nails 6" O.C. edges + 10 O.C. field.

All roof sheathing shall be 5/8" (typ.) rated OSB sheathing nailed with 8d nails at 6" O.C. at panel edges, supported edges, and all blocking with 8d nails, 12" O.C. along intermediate framing members. Use 'H' clips on all 5/8" OSB 28. All wood that is connected to concrete, steel, and wood to wood (except stud to plate) shall be connected with simpson (or equivalent) connectors. Solid 2" nominal blocking shall be provided at ends or points of support of all wood joists and trusses.

 Framing contractor is responsible for framing all fur downs to conceal all HVAC ducting and exhaust piping be it at the ceiling fur downs or vertical fur outs
 Minimum nailing shall be as per I.R.C. Staples can be substituted for nails at a rate equal to load values provided by I.R.C., standard or engineer approval. 31. All exterior wall and vertical surfaces at steps in roof shall be sheathed with 15/32" APA rated 24/Q or better structural wood panel or grades covered in the I.R.C., block all horizontal edges with 2" nominal or wider. 3" or wider framing at adjoining panel edges and nails shall be staggered where 10d nails are spaced 3" or less. Sheathing shall be placed not less than 1/2" from edge of panel and driven flush but shall not fracture the surface of the sheathing.

32. Framing contractor to coordinate with HVAC / Mechanical plans for all ceiling drops to conceal duct work. All framing drops to be apart of framing contractors bid. 33. These shall be the member grades used on this structure:

<u>TYPE</u> WOOD QUALITY

	(simple span)	24F-V4 DF/DF
	(cantilevered)	24F-V8 DF/DF
		DF #2 (or better)
		DF #2 (or better)
		DF #1 (or better)
	(nonbearing walls)	DF stud grade (or better)
	(bearing walls)	DF #2 (or better)
crete		DF #2 (pressure treated)
<sup>-</sup> joists		As per manuf, specs

34. Fireblocking shall be provided to cut off all concealed draft openings (both vertical and horizontal) and to form an effective fire barrier between stories, and between a top story and the roof space. Fireblocking shall be provided in wood-frame construction in the following locations: a) In concealed spaces of stud walls and partitions, including furred spaces, at the ceiling and floorlevel and at 10 foot intervals both vertical and horizontal. Batts or blankets of or glass fiber or other approved non-rigid materials shall be allowed as fireblocking in walls constructed using parallel rows of studs or staggered studs.

b) At all interconnections between concealed vertical and horizontal spaces such as occur at

c) In concealed spaces between stair stringers at the top and bottom of the run. Enclosed spaces under stairs shall comply with Section R314.8.

d) At openings around vents, pipes, and ducts at ceiling and floor level, with an approved material to resist the free passage of flame and products of combustion. e) For the fireblocking of chimneys and fireplaces

Coordinate all appliance electrical requirements with owner prior to layout and install 2. Electrician to be licensed and comply with all local municipality codes and state codes. Owner will not be held responsible for costs associated with electrical contractor installing device, wiring, etc. out of code regardless what electrical plans indicates. It is the electricians responsibility to point out code on plans prior to installation so code issues can be address prior to install. Electrical plans merely serve as a layout guide line and not as code requirements 3. Electrician and owner to mark all locations of light fixtures, appliance & switches before rough-in. If electrician rough-ins without coordinating with owner then electrician runs the risk of relocating boxes and wiring at owners disgression without charging the owner for such relocations 4. Single and multiple-station smoke alarms shall be installed in the following locations:

- Outside of each separate sleeping room or in the immediate vicinity of the bedrooms - On each additional story of the dwelling, including basements and cellars, but not

- All smoke detectors must be powered from the electrical panel and backed up with batteries. Also they shall be connected together in series

5. GFCI protection of outlet required in bathroom, garages - (Up min 18" off of floor), outdoors, including decks and balconies, crawl spaces with outlets, and unfinished basements - (At least one), within 6' of

6. Hallways 10' or more in length shall have a receptacle outlet

7. Spacing for electrical outlets at kitchen counter bar / island is 4' O.C. max. •••••

8. Provide individual branch circuits for furnace & refrigerator 9. Lights in closets shall conform to clearance specified in NEC 410-8

10. Provide lighting in attic and crawl space with switch at access

11. All temporary wiring shall conform to NEC article 305

12. Provide #4 AWG or larger bare copper conductor or steel reinforcing bar or rod not less than 1/2" dia.

13. Arc fault protected circuit interrupter in all sleeping bedrooms at breaker panel 14. Owner to provide panel, smoke / carbon detectors, breakers, all boxes, outlets, switches and fixture. Electrical contract to install all owner provided items. Electrical contractor to provide all wiring, wiring housing (ex. MC cabling), all proper wiring to make fixtures, panel, etc work properly

# ATTENTION!

IT IS IMPORTANT FOR ALL SUBCONTRACTORS TO UNDERSTAND THAT IT IS HIS / HER RESPONSIBILITY TO BE SURE THIS PROJECT IS CONSTRUCTED IN FULL COMPLIANCE WITH ALL STATE AND LOCAL CODES AND ORDINANCES AND WILL BE HELD RESPONSIBLE FOR SUCH COMPLIANCE. THE PLANS ARE NOT ALL INCLUSIVE OF ALL MINIMUM CODES AND ORDINANCES. THIS FACT DOES NOT RELIEVE THE SUBCONTRACTOR FROM COMPLIANCE WITH ALL MINIMUM STAND-ARDS. NO OMISSION FROM THESE PLANS GIVE PERMISSION FOR VIOLATION OF ANY CODE OR ORDINANCE. NO APPROVAL EVER GRANTS PERMISSION TO VIOLATE ANY CODE OR TOWN ORDINANCE.

LC IS CURRENTLY USING THE 2015 IRC WITH STATE AMENDMENTS, THE 2015 IECC ENERGY CODE, THE 2015 IEBC, THE 2014 NEC, THE 2015 ACCESSIBILITY CODE ANSI A117.1A, AND THE COUNTY'S TITLE 21 ZONING ORDINANCE.

THE GREATEST EFFORT HAS BEEN MADE TO DRAW THESE PLANS WITHOUT ERROR, (HOWEVER) THERE IS NO GUARANTEE THAT THESE PLANS ARE WITHOUT ERROR, THE DESIGNER & DRAFTSMAN ARE TO BE HELD HARMLESS OF ANY FINANCIAL LIABILITY RESULTING FROM ERRORS IN THESE PLANS. ANY ONE USING THESE PLANS FOR CONSTRUCTION OF BUILDING, ACCEPTS FULL RESPONSIBILITY. (CHECK PLANS CAREFULLY BEFORE CONSTRUCTION)

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DATE

TICE Design Works, Inc. No reproductions or other use of these plans may be made without the express written consent of the owner of the plans.

Date: April 24, 2020 Drawn:

Issued For: ISSUE

CITY REVISIONS 6/10/20

Address:

1400 FEDERAL WAY 5LC, UT 84102

Plan Number:

Plan Name:

1400 FEDERAL WAY 5LC, UT 84102

Sheet Title:

GENERAL NOTES

Sheet Number:

- O. JOB SITE RULES
  - 1. NO WORK TO BEGIN BEFORE 7 AM AND WORK TO END AT 7 PM. IF WEEKEND WORK NEEDS TO OCCOR BY SUBCONTRACTOR, SUBCONTRACTOR TO NOTIFY OWNER / GENERAL CONTRACTOR
  - 2. NO DOGS OR PETS ARE ALLOWED AT ANYTIME AT THE PROJECT SITE
  - 3. KEEP ALL NOISE TO A MINIMUM (RADIOS, YELLING, ETC.)4. ALL CONSTRUCTION MATERIALS AND TRASH TO BE LOCATED ON PROJECT SITE AND SHALL AT NO TIME BE ON ADJACENT PROPERTY
  - 5. AT NO TIME SHALL SUBCONTRACTORS VEHICLES PARK ON THE SOIL OF THE PROJECT LOT DUE TO MUD / DIRT GETTING ON THE STREET. ALL VEHICLES SHALL BE PARKED ON PAVEMENT
  - 6. ALL TRADES TO CLEAN THEIR DEBRIS DAILY AND TO SWEEP ANY DEBRIS IN ROADWAY
  - 7. ALL TRADES TO HAVE A WEEKLY SAFETY MEETING TO DISCUSS BEST SAFETY PRACTISES
     8. ALL TRADES TO KEEP AND MAINTAIN WORKERS COMP INSURANCE INCLUDING PROPER VEHICLE INSURANCE
- P. OWNER / BUILDER CONTACT INFO
  - 1. PRIMARY NUMBER: CELL 801-971-1311
  - 2. EMAIL: geofffice@gmail.com
  - 3. FAX: 1-866-233-3870

## Q. HOUSE BTU LOADS

ANNUAL ENERGY CONSUMPTION: ANNUAL HEATING 1.5 MBTU/YEAR ANNUAL COOLING 1.3 MBTU/YEAR

HVAC SIZING: HEATER SIZING AC SIZE 16.1 KBTU/HR 12.8 KBTU/HR

\*SEE 1400 FEDERAL WAY ENERGY REPORT AND HVAC DESIGN PACKETS FOR DETAILS\*

## R. HOUSE SQUARE FOOTAGE

SQUARE FOOTAGE TOTALS	
MAIN FLOOR (NEW)	1350 SQ FT
BASEMENT (NEW)	1350 SQ FT
2ND FLOOR (NEW)	1740 SQ FT
GARAGE BELOW (NEW)	720 SQ FT
GARAGE ABOVE (NEW)	480 SQ FT

## S. <u>PLAN SHEETS\*</u>

A0.0 - GENERAL NOTES A0.1 - GENERAL NOTES

- A1.0 SITE PLAN
- A2.0 FLOOR PLAN
- A3.0 ELEVATIONS A3.1 - ELEVATIONS
- A4.0 DETAILS
- A4.1 DETAILS
- A5.0 ELECTRICAL PLAN
- A6.0 GARAGE PLANS

\*STRUCTURAL PLANS PER LICENSED ENGINEER

\*IT IS THE SUBCONTRACTORS RESPONSIBILITY TO HAVE STUDIED ALL THE ABOVE PLANS AND TO BID ACCORDINGLY. CONTRACT WILL BE BASED ON ALL THE ABOVE PLANS AND SUBCONTRACTOR WILL BE HELD TO SUCH. IF PLANS ARE MISSING PRIOR TO PLACING A BID, PLEASE CONTACT OWNER SO COMPLETE PLAN SET CAN BE OBTAINED

### T. 2015 IECC ENERGY REQUIREMENTS

Ceiling R-value 38 Wood Frame Wall R-value 20 or 13+5h Mass Wall R-value i 13/17 Floor R-value 30g Basement Wall R-value c 10/13 Slab R-value d, Depth 10, 2 ft Crawlspace Wall R-value c 10/13 Fenestration U-Factor b 0.35 Skylight U-Factor b 0.60 Glazed fenestration SHGC b, e NR

## U. DESCRIPTION OF WORK

ALTERATIONS AND ADDITION OF SECOND STORY TO EXISTING SINGLE-FAMILY RESIDENCE AND DETACHED GARAGE.

## V. NOTE:

SALT LAKE CITY PUBLIC UTILITIES GENERAL NOTES ARE INCORPORATED AS PART OF THIS PLAN SET. THE GENERAL NOTES CAN BE FOUND UNDER THE CITY REQUIRED COMMENTS FOLDER ON PROJECTDOX.

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Date: April 24, 2020 Drawn:

Issued For: ISSUE DATE

Address:

1400 FEDERAL WAY SLC, UT 84102

Plan Number:

Plan Name:

1400 FEDERAL WAY SLC, UT 84102

Sheet Title:

GENERAL NOTES

Sheet Number:

AO,1







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<b>Hicedesignessing Provide Sign Works</b> imagination > creation > enjoyment 7227 Cypress Way + Cottonwood Heights, Utah 84121 p. 801.971.1311 + f. 1.866.233.3870 + e. geofftice@gmail.com
TICE Design Works, Inc.         No reproductions or other use of these plans may be made without the express written consent of the owner of the plans.         Date:       April 24, 2020         Drawn:       Issued For:         ISSUE       DATE         -       CITY REVISIONS 6/10/20
SLC, UT 84102 Plan Number:  Plan Name: I400 FEDERAL WAY SLC, UT 84102 Sheet Title: ELEV ATIONS & SECTION
Sheet Number: A3,1



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SCALE = 1/4" - 1'



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## ATTACHMENT D: ZONING STANDARDS

### 21A.52.030: Special Exceptions Authorized;

(A) 6. Additional Residential building height, including wall height, in the R-1 districts, R-2 districts and SR districts shall comply with the standards in Chapter 12A.24 of this title.

Mr. Tice's project is consistent with the guideline listed above and, thus, is eligible for consideration of a special exception.

21A, j2,000, Ocher al Standarus and Consider adons for Special Exceptions
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Guideline or Standard	Finding	Reasoning
A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.	Complies with Approval of Special Exception request	The purpose of the R-1-5,000 Zone is "to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size." The ordinance says further, "Uses are intended to be compatible with the existing scale and identity of the neighborhood. The standards for the district are intended to provide safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood." The existing use of the property as a detached single-family dwelling will continue following the proposed modifications. The use of the property as a single-family dwelling is consistent with the use of the surrounding properties in the neighborhood and the existing development patterns. The proposed modifications comply with the lot standards (e.g. setbacks) with the exception of the building height at the rear of the home. If the requested special exception is granted the proposed design will meet all zoning standards.
B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the	Complies	The subject property is located in the Federal Heights neighborhood and is a single-family home surrounded by other single-family homes. Following the proposed reconstruction the home will

property within the neighborhood in which it is located.		continue to be a detached single- family residence.
C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or of the public health, safety and general welfare.	Complies	The addition of a two-story home within a neighborhood of two- story dwellings will not have an adverse effect on the public health, safety and general welfare. While the flat-roofed modern design of the home is uncommon in the neighborhood it does not detract from the character of the surrounding homes.
D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.	Complies	The proposed use of the property is a detached single-family dwelling which is compatible with the surrounding detached single- family dwellings in this neighborhood. While the flat- roofed modern design of the home is uncommon in the neighborhood it does not detract from the character of the surrounding homes.
E. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.	Complies	1400 E Federal way is not located within a local or national historic district and is not listed as a historic site.
F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.	Complies	The proposed use is a single- family dwelling and will be located within a neighborhood of single-family dwellings. There is no expectation of material air, water, soil or noise pollution or other type of pollution stemming from the proposed land use.
G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.	Complies	Applicant has provided evidence supporting his compliance with all adopted standards herein.

## **ATTACHMENT E: PUBLIC COMMENT**

The following is a list of public input opportunities related to the proposed project since the application was submitted:

- <u>July 15, 2020</u> Notice of the special exception request was sent to property owners and occupants within 300 FT of the project.
- <u>July 31, 2020</u> Early notification period expired; received about a half dozen responses from neighbors, no comments from the East Central/University Gardens Community Council or the Federal Heights/Greater Avenues Community Council.

### Notice of the public hearing for the proposal included:

Public hearing notice mailed October 15, 2020. Public notice posted on City and State websites and Planning Division list serve on October 15, 2020. Public hearing notice posted on October 16, 2020

### **Public Input:**

Staff has received about a dozen comments from neighboring property owners and occupants. These comments have been included in the following pages. The comments stem from the neighbors' concerns regarding the overall design of the proposed home and how it fits in with the character of the surrounding neighborhood.

### Marie D. Jackson 1410 E. South Temple Salt Lake City, Utah, 84102-1812

30 July 2020

Salt Lake City Planning Department 451 South State St., Room 406 Salt Lake City, UT 84114-5480 zoning@slcgov.com

Response to the NOTICE OF APPLICATION 1400 East Federal Way (Geoff Tice, owner) (Petition # PLNPCM2020-00465)

Dear Salt Lake City Planning Department Personnel:

This is a response to the Notice of Application to build a new home, located about 300 feet from my home, with a possible 6 ft. 6 in. height variance, at 1400 E. Federal Way (Petition # PLNPCM2020-00465).

I am a new member of this beautiful, shady neighborhood and its quality homes that incorporate refined architectural details and diverse stone and masonry construction materials. These features, often uniquely and creatively expressed, and the sense of care and harmony that they engender in its residents, attracted to me to this neighborhood, along with its mature shade trees and appealing landscaping. These qualities should be encouraged in the construction of new homes, both to preserve the unique nature of our neighborhood and also to maintain or increase property values.

There are several aspects of the new modern-style house that appear at odds with the existing character of the surrounding streetscape. The flat-roofed boxy style with a stuccoed, windowless first floor is not in keeping with the architectural styles of the neighborhood. The proposed special exception for the 6' 6" height variance is not compatible with surrounding homes and may threaten the health of adjacent shade trees. Other residents mention possible issues with impairment of property values and material pollution of environment.

Would it be possible to request that Geoff Tice provide further details of the new house so that we can have a better sense of the colors and materials of the construction and external details (lighting, garbage, exterior AC, landscaping, protection of shade trees). Perhaps he would consider adjusting some of the plans so that they would be more compatible with the unique character of our neighborhood.

Sincerely yours,

Marie D. Jackson

Dear Caitlyn,

Thank you for taking the time to talk with me the other day and walking me through all the applicable planning codes. I wanted to follow up with a letter explaining how I understand the relevant sections of the city code. You mentioned to me that Section 21A.52.060 only requires Mr. Tice to maintain the property as a single-family dwelling to meet the requirements of special exception ordinance.

City ordinances are supposed to be interpreted in the same way that a court interprets a state statute by following established rules of statutory construction. *See Foutz v. City of South Jordan*, 2004 UT 75, ¶ 8, 100 P.3d 1171. "[U]nder [the] rules of statutory construction," a Utah court will "look first to the statute's plain language to determine its meaning." *Nielsen v. Ret. Bd.*, 2019 UT App 89, ¶ 12 (citation omitted). Utah courts "will not interpret unambiguous language in a statute to contradict its plain meaning." *OSI Industries, Inc. v. Utah State Tax Com'n, Auditing Div.*, 860 P.2d 381 (Utah App. 1993) (citation omitted). Additionally, the court will apply a "presumption of independent meaning (and/ or its converse, the presumption against surplusage)," where the court assumes that each word in an ordinance has a meaning that is independent from the meaning of the other words in the ordinance and, therefore, each word creates an additional requirement under the ordinance. *Hi-Country Prop. Rights Grp. v. Emmer*, 2013 UT 33, ¶ 24.

When we spoke, you said the city is taking three different requirements (Sections 21A.52.060 A, C, and D) and saying that they all have the same basic meaning, which just doesn't make sense to me. If all three of the sections have basically the same meaning there would be no reason to state it three times.

When reviewing an application for a special exception, the city does not look only at whether the property is going to be used as a single-family residence like the other homes in the area. The city is required to conduct "a careful review of such factors as location, design, configuration and/or impacts to determine the desirability of authorizing [a special exception] on any given site." *See* Salt Lake City Code § 21A.52.020.

Section 21A.52.060(D) says that "[t]he proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations." All of the neighboring properties are single-family dwellings. That means that Mr. Tice's's proposed use is compatible with the neighboring properties. But that does not mean that it is compatible with the development of the neighboring property. The ordinance requires the special exception to be compatible with both the use and development of the neighboring property. Development is defined in the city ordinances and includes a lot of different things, including the "change in the . . . appearance of any structure" and the "construction of any principle building,"<sup>1</sup> which, according to Section 21A.52.060(D), must "be compatible with . . . [the] neighboring property." The ordinances require the

<sup>&</sup>lt;sup>1</sup> See Salt Lake City Code Section 21A.62.040.

appearance and construction of the roof to be compatible with the appearance and construction of the other buildings in the area.

Section 21A.52.060(D) itself says that "[t]he proposed special exception will be <u>constructed</u>, <u>arranged</u>, and operated so as to be compatible with the use and development of neighboring property." If Mr. Tice wants to build his roof higher than twenty feet, the roof must be "constructed" and "arranged" in a manner that is compatible with the neighboring properties. Because none of the neighboring properties have flat roofs, it would be difficult, according to this section, to build a flat roof that is "constructed" and "arranged" in a manner that is compatible with the neighboring to this section, to build a flat roof that is "constructed" and "arranged" in a manner that is compatible with the neighboring properties.

In addition, Section 21A.52.060(C) says that "[t]he proposed use and development will not have a material adverse effect upon the character of the area . . . ." When we spoke you mentioned that the proposed use and development fits the character of the neighborhood if the home is a single-family residence. Again, that would violate the rule against surplusage and the rule of independent meaning when interpreting an ordinance. The city should treat "proposed use" and "development" as imposing two separate and distinct requirements on Mr. Tice. The use of the property as a single-family residence fits the character of the neighborhood. But the city should also ask whether the "appearance" and "construction" of Mr. Tice's home will have a "material adverse effect upon the character of the area." As drawn, the plans will have an adverse effect.

Also, the basic requirement in Subsection C is different from Subsection D. Subsection D says that the "special exception" must be compatible with the neighborhood, meaning the roof itself must be compatible with the neighboring properties. Subsection C says that the "proposed use and development" must not have a negative "effect upon the character of the area." This is not just limited to the roof. Once Mr. Tice requested a special exception, the planning commission must look at more than just the roof. It can look at the entire project and put conditions on any aspect of the project.

Salt Lake City Code Section 21A.52.070 allows the planning commission to put just about any restrictions on the project that it determines is necessary to minimize the effect on the neighbors. It says the following:

Conditions and limitations necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the special exception or upon public facilities and services may be imposed on each application. These conditions may include, but are not limited to, conditions concerning use, construction, operation, character, location, landscaping, screening and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in the approval record of the special exception.

The planning commission doesn't only look to ensure that the home is used and constructed as a single-family residence. They can place conditions on the use, construction, landscaping, location, and just about anything else that they determine is necessary to minimize the adverse effects of the project on the neighbors. This means that the planning commission should look at

the location, construction, character, screening, landscaping, and other factors when determining whether the project will have a negative effect on the neighboring properties.

I have attached pictures of the homes that surround 1400 Federal Way. As you can see, none of the homes have flat roofs, meaning that allowing the flat roof would violate Section 21A.52.060(D). Also, the homes all have conservative color patterns and thick vegetation. The neighborhood has a very distinct character and construction pattern. Based on the limited plans that were provided, the roof and the overall construction do not match the character and development of the neighborhood. However, it is difficult to fully envision the project without more detailed plans.

Section 21A.52.060 and Section 21A.52.040 authorize the planning commission and the planning director to request additional "information or documentation as the planning director may deem necessary or appropriate for a full and proper consideration and disposition of the particular application." Several additional items would be helpful in understanding the impact of Mr. Tice's home. Where are the trash receptacles going to be stored?<sup>2</sup> Where are the landscaping plans? A streetscape photograph would be useful to understand how the proposed design at 1400 Federal Way fits into the existing neighborhood. 3-D renderings showing shade and shadows and colors will also help us understand the aesthetic of the home. Also, was any consideration given to the placement of windows on 1400 and how they will impact the adjacent homes? What color and material is the proposed roof?

The Salt Lake City Code, Section 21A.52.070, states that the planning commission doesn't only look to ensure that the home is used and constructed as a single-family residence. The planning commission can place conditions on the use, construction, landscaping, location, and just about anything else that they determine is necessary to minimize the adverse effects of the project on the neighbors.

I believe most of the neighbors including myself, would like the opportunity to sit down with Mr. Tice, to go over our concerns. The neighborhood concerns focus on the overall character and details of the home whether the design be modern or traditional, we just would like to make sure the home is designed and constructed to take into the existing fabric of the neighborhood and to be respectful of the neighborhood houses, both on Federal Way and the homes that abut Mr. Tice's property on Butler Ave. The neighborhood would welcome a new home on Mr. Tice's property, but would ask that more time and attention be given to the massing and detailing of the house, to fit into the existing fabric of this beautiful and well established neighborhood.

Thank you,

Scott Jaffa

<sup>&</sup>lt;sup>2</sup> This is actually required by Salt Lake City Code Section 21A.52.040(A)(1)(g)(7) that states that an application must include a plan or drawing that shows the "[1]ocation of trash receptacles."

From:	marjean mckenna
To:	<u>Miller, Caitlyn</u>
Cc:	scott jaffa; andi olsen; terese walton; kevin watt
Subject:	(EXTERNAL) 1400 E. Federal Way Petition #PLNPCM2020-00465
Date:	Sunday, July 26, 2020 12:01:12 PM

RE: Petition #PLNPCM2020-00465

Dear Ms. Miller and the Salt Lake City Planning Division,

I object.

Thank you for the opportunity fo comment on the proposed rebuild next door to me. I say "rebuild," not "remodel," as the petition cites, because, except for the foundation, the house is to be demolished.

This looks to me like a big box, devoid of character, looming over the sidewalk. The plans show no attempt to have any interesting or inviting features on the facade—nothing that would make it even slightly "compatible with the surrounding development" of the charming and historic Federal Heights subdivision. None of the new houses built in this subdivision in the last twenty years is this ugly—if all the new and rebuilds looked like this, the subdivision would have lost its historic charm. 4400 square feet on this small lot? Totally out or proportion. (points C and D of 21A.52.060: *general standards and considerations*)

This owner (landlord) has consistently demonstrated his lack of consideration for the wellbeing of his neighbors on Federal Way. We have no reason be believe that this construction project would show any respect toward us or the properties we have invested in. Please come back with a revised rendering that might suit the neighborhood and lot size.

Marjean McKenna <u>1408 E. Feder</u>al Way Andrea & Lance Olsen 1409 E. Federal Way Salt Lake City, UT 84102

30 July 2020

Salt Lake City Planning Department 451 South State St., Room 406 Salt Lake City, UT 84114-5480 <u>zoning@slcgov.com</u>

## Olsen Response to the NOTICE OF APPLICATION 1400 East Federal Way (Geoff Tice, owner) (Petition # PLNPCM2020-00465)

Dear Salt Lake City Planning Department,

Thank you for the opportunity to respond to the Notice of Application to build a new home, possibly with a 6 ft. 6 in. height variance, at 1400 E. Federal Way (Petition # PLNPCM2020-00465).

My husband's and my understanding is that the new, modern-style house, with its variance, must be in compliance with the list of items A – G from Chapter **21A.52.060: General Standards and Considerations for Special Exceptions** of the Zoning Ordinance in order to be approved. The plans submitted by owner Geoff Tice do not appear to fulfill some of these requirements.

### Comment 1:

*C.* No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.

Indeed, there are modern homes in the neighborhood that have incorporated quality materials; aesthetic design elements; and a level of architectural detail, structural articulation and landscaping, all of which add character and harmonize with the diverse architectural conversations that occur within our beautiful and distinct neighborhood. It is therefore important that the new build at 1400 E. Federal Way blend into the existing character of the streetscape and neighborhood in these ways as well. However, it doesn't.

For instance, if one compares Image #1—the exterior front of a modern home a couple blocks away—with Image #2—the plan of the exterior front of 1400 E. Federal Way—one sees that the former exemplifies what I've described above, whereas the latter shows a tall, two-story (in front; three-story in back) flat-roofed box with a stucco, windowless first floor, and a (manufactured?)wood-slatted & stucco second floor with three small apartment-style windows, all of which together look more like a non-descript back side of a house, particularly if the garbage and recycling cans remain in their current position on the driveway. This plan does not engage in an architectural conversation with the other homes on the street, nor in the neighborhood, but rather seems better suited for one of the new housing developments popping up in other areas of, and adjacent to, Salt Lake City.

Image #1: Front of modern home in neighborhood:

![](_page_30_Picture_2.jpeg)

Image #2: Front plan for new house at 1400 Federal Way:

![](_page_30_Figure_4.jpeg)

(For neighborhood context, please see Google Map images of other homes on E. Federal Way attached at the end of this letter.)

Most architectural plans my husband and I have viewed with respect to other projects, have included visual renderings of what the final structure will look like from various angles. Would it be possible to request that Geoff Tice provide these so that we can have a better sense of the colors, materials and location of details (for instance, there appears to be no exterior lighting; where will the garbage and exterior AC unit be located; what will the landscaping look like surrounding the house [if tree branches are trimmed, which ones]; where is the drainage for surface run-off?)?

As well, it would be helpful to see different-angled renderings that place the new house within the context of the surrounding houses (on Federal Way and in the alley), to see how Geoff Tice envisions his project.

### Comment 2:

**D**. Compatible With Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.

Since the current plan isn't compatible with the surrounding development of neighboring properties, construction of the proposed special exception for the 6' 6" variance in height is also not compatible.

**Comment 3:** *B.* No Substantial Impairment Of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.

While it would be difficult at this point to assess any diminishing impact this new house might have on the property value of neighboring homes, recent home sales on Federal Way and around the corner on E. South Temple range from approximately \$750,000 to \$1million, to the best of my husband's and my knowledge.

The plan submitted for 1400 E. Federal Way does not appear to incorporate the kinds of quality materials and attention to detail that would warrant an equivalent price (based on lot size & square footage). If that's the case, then it *could* affect the property value of surrounding homes.

### Comment 4:

**E.** No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.

One of the most treasured and recognizable features of our neighborhood is the large number of older mature trees. These bring shade, beauty and historic character into the area. Because of their significance in defining our neighborhood, the health of these trees is a top priority.

It's encouraging to see that no existing trees would be removed to build the new house at 1400 E. Federal Way. However, if the height variance were to be approved, it looks to us as though several large branches of existing mature trees (including on neighboring properties) might need to be cut off to accommodate the extra height of the house. Therefore, the construction of the new home could impact the health and even the survival of these trees.

Would it be possible to require an assessment (perhaps from two sources...a city arborist and a private arborist?) of the impact that removing such large limbs from these trees might have?

In addition, what measures will Geoff Tice take to assure the protection of existing trees and fences?

Images #3 & #4 below show current house located at 1400 Federal Way, and the proximity of mature branches & trees to this house.

Image #3:

![](_page_32_Picture_2.jpeg)

Image #4:

![](_page_32_Picture_4.jpeg)

### Comment #5:

*F.* No Material Pollution Of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.

**Hazardous materials:** Is there a plan to test the existing home at 1400 E. Federal Way for asbestos before any demolition starts, since the airborne dust is hazardous and causes cancer?

Also, given when the current home was built, might it be prudent to test for lead-based paint before demolition?

**Light pollution:** Would it be possible to find out more information from Geoff Tice about what color and kind of material he'd be using on the flat roof? Perhaps provide a sample? The reflective quality of the flat roof could potentially create light pollution, which could impact the character of the neighborhood and people's appreciation of the charming lamp-post lit street, not to mention affecting the two neighboring homes by bringing unwanted light into those homes.

**Noise pollution:** Please confirm that the flat roof would be a roof and not a deck. If it were a deck, nuisance and noise pollution could result from the sound of people on top of the house broadcasting in all directions, particularly if music is playing.

### Other questions:

In addition to responding to items A-G in the Zoning Ordinance, my husband and I have the following concerns about the logistics of the new build. Our hope is that, as a courtesy to his neighbors, Geoff Tice might be able to present this information so that we have an understanding of what to anticipate. It would be greatly appreciated.

1) What are the start and completion dates for the project?

2) Approximately how many months will the exterior noise last (demolition, construction) until the construction moves inside the structure? My husband and I both have home offices that face 1400 E. Federal Way, so we will plan to move our offices into a small basement room for the duration of this phase. Therefore, it would help us to know what to expect.

3) While noise and nuisance are inevitable and understandable during any building project, would it be possible to compromise and change the timing of the workday from 7 a.m. - 7 p.m. to 8 a.m.- 8 p.m. during the exterior demolition & construction part of the project? This is a quiet residential neighborhood, and, given the length of building a home, 7 a.m. is very early to start work.

4) Would it be possible to notify neighbors if/when construction will happen on weekends?

5) Geoff Tice has been the absentee landlord of 1400 E. Federal Way (he lives in Hawaii), which has at times resulted in putting the neighbors in the position of becoming *de facto* landlords. Over the past several years, we've needed to contact Civil Enforcement, the Landlord/Tenant Licensing Supervisor, Police Department, Parking Enforcement, Transportation, and Detective Gibic to report violations and grievances.

Will there be responsible oversight and accountability so that neighbors are not burdened with the clean-up or any other part of the building project?

Thank you for your consideration of these matters, and for your time.

Best regards,

Andrea & Lance Olsen 1409 E. Federal Way

Google maps: Neighboring homes on E. Federal Way:

![](_page_34_Picture_5.jpeg)

![](_page_34_Picture_6.jpeg)

![](_page_35_Picture_0.jpeg)

![](_page_36_Picture_0.jpeg)

Terese and Mike Walton 1403 Federal Way Salt Lake City, UT 84102

July 30, 2020

RE: Walton Response to the NOTICE OF APPLICATION 1400 East Federal Way (Geoff Tice, owner) (Petition # PLNPCM2020-00465)

To Salt Lake City Planning Department:

Please note this letter is in response to the Notice of Application to build a new home, possibly with a 6 ft. 6 in. height variance, at 1400 E. Federal Way (Petition # PLNPCM2020-00465).

The subject property is located directly across the street from our home at 1403 Federal Way. We are extremely troubled about Mr. Tice's pending plans. And we are concerned that the home absolutely does not fit into the "development" of the neighborhood - including aesthetic design elements, architectural detail, structural articulation and landscaping, all of which add character to our neighborhood.

We would like to site Sections A - D of Salt Lake City code: **21A.52.060: General Standards and Considerations For Special Exceptions.** After review of the property owner's submittal, it appears clear to us that the plans do not appear to comply with this code. From what we can analyze, the building materials, lack of windows, and the streetscape do not fit in with the other homes on Federal Way and the surrounding area. We would like Mr. Tice to consider the surrounding development.

Note it would be great to sit down with Mr. Tice to discuss the situation. We recognize there are many neighbors who share the same concerns.

Thank you for your consideration to this important matter.

Sincerely,

Terese and Mike Walton

Melissa Watt 1415 E. Federal Way Salt Lake City, UT 84102

Salt Lake City Planning Department 451 South State St., Room 406 Salt Lake City, UT 84114 <u>zoning@slcgov.com</u>

### Re: 1400 East Federal Way (Petition # PLNPCM2020-00465)

Dear Salt Lake City Planning Department,

I am writing with concerns about Mr. Geoff Tice's petition for a height variance in the remodel of his home at 1400 E. Federal Way. My family and I are new residents in Salt Lake City, having moved from North Carolina in September. We decided to purchase a home on E. Federal Way due to its proximity to the university, the character of the older home, and beautiful treescape that graces the street. We are concerned that Mr. Tice's petition is not in character with the neighborhood and that it may potentially damage trees on the street.

When we were notified that 1400 E. Federal Way would be remodeled, we were initially very pleased. The house has been vacant for several months, and is clearly in disrepair. It is our understanding that Mr. Tice lives in Hawaii and that he has not been particularly engaged as a landlord. However, once we saw the plans proposed for the home we were very taken aback. This neighborhood is full of homes of great character, with intriguing architectural details and aesthetic design elements. One thing we particularly like about the homes on this street is that they are "neighborly", often with front porches or big street-facing windows that invite neighbors to get to know one another. Mr. Tice's rendering, however, is absolutely devoid of architectural details. It is essentially a large box, and does not even have windows on the first floor. We also note that his application for a height variance could likely require him to remove branches on trees that go into his property, potentially damaging those trees beyond repair.

Prior to approving this project, we would invite a conversation with Mr. Tice to get additional details about the project, and how the proposed design will integrate with the existing homes. Federal Way is a "gateway road" between downtown and the university, and special care should be given to retaining its charm and character. The street is a wonderful example of the beautiful homes that were built in this city in the early 1900s. It is our hope that a home will be built on the lot at 1400 E. Federal Way that conforms with the history and beauty of this street.

Thank you for your time in considering this.

Sincerely,

Melissa Watt

From:	Kathryn Fitzgerald
То:	Miller, Caitlyn
Subject:	(EXTERNAL) Case # PLMPCM2020-00465
Date:	Tuesday, October 20, 2020 12:28:44 PM

Dear Councilman Wharton,

I am adamantly opposed to making a special exception for additional building height to the home located at 1400 E. Federal Way. This increase in height would create a behemoth looming over the houses across the rear alley, which are already situated at a somewhat lower elevation. Our yards would become fishbowls under the gaze of the 1400 E. Federal Way property owners, destroying our privacy on our own property. If this case reaches the City Council, please do not allow this exception.

Kathryn Fitzgerald 1385 Butler Ave, Salt Lake City, UT 84102

## **ATTACHMENT F: DEPARTMENT REVIEWS**

## **Zoning:**

The project narrative appears to indicate the owner is eligible for the additional height, based on the ordinance and the other houses on the block face. The actual heights of the other houses should be documented. – Alan Hardman

## **Building:**

The design package needs to be more clear and consistent regarding the scope of work. Sheet A0.1 states "Alterations to the second story and detached garage...Sheet A1.0 states that the house is to be demo'd except for the foundation - same for the garage.

The rest of the plans appear to be all proposed construction.

I see proposed electrical but no mechanical or plumbing. These are required to be part of the design package for review.

Also need a REScheck (energy compliance).

A complete structural package that coincides with the "to be clarified" scope of work.

At a minimum, the above items will be needed to be accepted at Prescreen. – Timothy Burke

## Fire:

Site plans show existing garage to be demolished and new to be constructed, but no plans are shown for garage.

As long as there are no more than 2 R-3 or U occupancies on the parcel fire department access is acceptable.

Fire hydrants shall be located within 600-feet of all first story exterior portions of the structures on the property as measured by the drive route, using straight lines and right angles. – Douglas Bateman