

Minutes of the Interlaken Planning Commission
Tuesday, 25 July 2017, 5:00 PM
236 Luzern Rd., Midway, UT

1. Call To Order.

Commission Chair Bill Goodall called the meeting to order at 5:03 PM.

2. Roll Call:

Bill Goodall, Commission Chair
Greg Cropper, Commission Vice-Chair
Bob Marshall, Commissioner
Bart Smith, Secretary

Josh Call, Epic Engr.

3. Presentations: None.

4. Consent Agenda: None.

5. Approval of Agenda or Changes.

Motion: Commission Member Cropper moved to approve proposed the agenda.

Second: Commission Member Marshall seconded the motion.

Discussion: No Discussion.

Vote: The motion was approved with the Commission Members unanimously voting Aye.

6. Approval of 6/27/17 Planning Commission Meeting Minutes.

Motion: Commission Member Cropper moved to approve the 6/27/17 minutes as written.

Second: Commission Member Marshall seconded the motion.

Discussion: No Discussion.

Vote: The motion was approved with the Commission Members unanimously voting Aye.

7. Public Comment: No public comment.

8. Status of Building Projects

Josh Call from Epic submitted a status report, which is attached to these minutes.

Water Rights – Josh Call reported the status of the Epic study on Interlaken’s water rights. Currently the town has rights for 173 connections for domestic use only. To acquire municipal rights, it would cost between \$2000 and \$3000. If the town uses water to irrigate 1 acre, 6 domestic water connections would be lost. Interlaken’s water rights are for a zone, a geographical area. Epic’s understanding is that there would be no advantage to converting to municipal rights. The PC discussed this issue and decided it would be best to engage Rich Knuth to address the municipal water rights issue.

Motion: Commission Member Marshall moved to make a recommendation to the town council to allow the PC to engage Rick Knuth to meet with the PC and TC members to evaluate and make recommendations regarding conversion to municipal water rights and moving irrigation rights to the town.

Second: Commission Member Cropper seconded the motion.

Discussion: No Discussion.

Vote: The motion was approved with the Commission Members unanimously voting Aye.

Mapping – Epic has completed the first version of the slope study map. It is available online. The zoning map is incomplete because the town is still waiting to get this information from Summit Engineering.

Century Link – power installation has passed inspection.

Pablo Tokarz Excavation – this is a town council issue.

Schneider Driveway – passed inspection. Epic will bill the town \$400 for the inspections. The town will in turn bill the Schneiders this amount plus an admin fee.

Motion: Commission Member Goodall moved to make a recommendation to the town council to bill the Schneiders \$400 to cover the Epic inspections, and an additional \$100 to cover the Interlaken administrative costs.

Second: Commission Member Marshall seconded the motion.

Discussion: No Discussion.

Vote: The motion was approved with the Commission Members unanimously voting Aye.

Wilson – nearing completion, estimating 8/1/17 completion date.

Howard – no recent requests for inspections. Question for the PC – should Epic follow through with tracking this project?

Connor – Framed, has both porta-potty and dumpster, no issues. Additional Epic fees charged for plan review.

Frank – no update available.

Sheldon Garage – application was withdrawn.

Simpkins – ROW infringement still under review. There may be an inconsistency between the ordinance and the building application regarding fences. The ordinance allows 6-foot fences anywhere; the building application allows 6-foot fences in the rear yard only. The commission decided that the Simpkins fence was okay, as it is in compliance with the ordinance. The question arose regarding how much Bywater charged the town to review the Simpkins ROW issue. Smith will find out. The PC will measure the ROW from the center of the cul-de-sac in the area being discussed. Epic also has charges against the Simpkins project.

9. Discussion – What projects should require a building permit?

Goodall noted that the IRC, which has been adopted by the town, is very restrictive regarding criteria for building permit requirements. Almost any repair or improvement would require a permit. Interlaken had two deck replacements, a bedroom addition, and other projects, which did not apply for a permit. All of these, according to the IRC, required permits. The question for the planning commission is, what projects should be made exempt from requiring a permit? Goodall's proposal to the town council was to make the owner responsible for following the IRC code and to hire licensed contractors. Permits would then only be required for new construction, a demo, or moving a building. There would be just one permit with a description of the work to be performed. Cropper was concerned that this approach wouldn't

cover things like a deck. What if it is built incorrectly and fails – would the town become liable for improper oversight? It was suggested we consult Tim Bywater to better understand the town’s responsibility – how much oversight can be abdicated. Other areas, like Summit County, don’t allow any exceptions to the IRC. Other towns have a list of exemptions, which could serve as guidance for Interlaken. Marshall suggested we ask the residents and get feedback from them. Bill recommended that council members not discuss permit requirements with prospective applicants, but rather have them forward their questions to the town clerk, and in turn the PC.

Smith mentioned that as we create exceptions to the IRC requirements, we make sure still collect road fees and deposits for any project that brings heavy equipment into the town.

Goodall distributed a meeting packet with a draft document – Section 11.11.010 Building Permits Required. This is attached to the minutes, along with comments submitted by Bob Marshall.

10. Discussion – Encroachment – should we require a permit or just a MOU?

Cropper explained that an encroachment permit allows one to legally encroach in the road right of way. Typically it is revocable and they can’t do any future work without approval. Goodall discussed two areas of concern:

- Work on the asphalt surface
- Work in the ROW off the asphalt – snow removal, utility access, public safety.

We could make rules and say if you are going to encroach, then you have to follow the rules, for example, the town has the authority to go back into the ROW and do what they need to do. The PC agreed that we should issue encroachment permits, but for what projects? For example, should the Schneiders have gotten this permit? That would cost \$200 from Epic along with the town’s admin fees. Cropper noted that you couldn’t get prescriptive rights over public property.

11. Status of Open Building Permits

Previously covered in agenda item 8.

12. Discussion – Current Code limit of one accessory building – should it be detached, what about small sheds?

The PC suggests amending the definition of the main dwelling to include a built-in garage or a carport connected to the house. Marshall would prefer the town allow 2 accessory buildings, for example, a shed plus a freestanding garage.

13. Update on FFSL and Wasatch MOU and Cooperation Agreement

Not discussed.

14. Town Council July 10th Meeting Update

Goodall discussed his appearance at the TC in agenda item 9.

15. General Plan Status and Discussion

The PC will keep moving forward, and schedule a working session.

16. Discussion – Section 11.06.040 Accessory Buildings Prohibited as Living Quarters

The commission also discussed whether accessory buildings should be used as a residence, and how would this be determined. Should plumbing, 220-volt service or other features be disallowed in accessory buildings?

17. List of action items from previous meeting

Bill Goodall

- Contact Sheldons regarding garage permit application. **Done.**

Planning Commission - as a whole

- Continue review of Simpkins landscaping project. **In progress.**
- Offer recommendation to Town Council regarding Hawkins encroachment, request for guardrail. **In progress.**
- Discuss what conditions prompt a second planning commission review of a permit application. **In progress.**
- Discuss changes to code to clarify what constitutes “living quarters,” e.g. what living amenities are allowed in an accessory dwelling? **In progress.**
- Make completion of a General Plan a top priority. **In progress.**

Epic Engineering

- Include dates in the monthly status report. **Done.**

18. Other Business. None.

19. Summary of Action Items from this meeting

Bill Goodall

- Make recommendation to town council not to discuss permit requirements with prospective applicants.
- Make recommendation to town council to allow the PC to engage Rick Knuth to meet with the PC and TC members to evaluate and make recommendations regarding conversion to municipal water rights and moving irrigation rights to the town.
- Make recommendation to town council to bill \$500 to the Schneiders for Epic inspections, costing \$400, and a town admin fee of \$100.

Greg Cropper

- Contact Tim Bywater to research the town’s oversight obligation – how much can we abdicate and remain in good legal standing?

Bart Smith

- Find out Bywater’s charges for review of the Simpkins ROW issue.
- Review Epic’s bills for charges against Simpkins projects and other projects.
- Post a full-sized survey map of the town in the pump house.

Planning Commission (as a whole)

- Measure ROW for Simpkins landscaping project.

Epic Engineering

- Josh will charge the town for 1:45.
- Provide update on Frank project.

20. Adjournment.

Commission Member Cropper moved to adjourn the meeting. Commission Member Marshall seconded the motion. The motion passed unanimously.

The meeting was adjourned at 7:19 PM.

The next PC meeting will be held on August 29, 2017 at 5:00pm at the pump house.

Interlaken Planning Commission Report Thru 2017-07-25

To: Interlaken Planning Commission

From: Epic Engineering (Joe Santos)

General Comments:

1. Meeting(s)

1.1. Planning Commission Meeting July 25, 2017.

2. Key Task(s)

2.1. Approval of Permit Requests

2.2. Update members of outstanding permits

3. Key Schedule(s)

3.1. N/A

4. Item(s)

4.1. N/A

| Project / Task(s) | Description | Initiation Date | Status | Responsible Party | Projected Completion Date | Completion Date |
|--------------------------------------|-----------------------------------|---|--|------------------------------------|---------------------------|-----------------|
| Modified/Changed Dates in Red | | Required/Requested Information in Orange | | Completed/Old Tasks in Grey | | |
| General | Water Rights | | | | | |
| | | 2016/2017 | Preparing update on transfer recommendation. | Epic | | |
| General | Code Update | | | | | |
| | Mapping | 5/4/2017 | Basemaps built and sent to PC/TC | Epic | | 6/7/2017 |
| | | 6/7/2017 | Review and awaiting comments | PC/TC | | |
| General | CenturyLink Electrical Box | | | | | |
| | Inspection | | Century Link Box inspected and approved | Epic | | 6/1/2017 |
| General | Pablo Road Excavation | | | | | |
| | Notification | | Epic Geotech Josh White inspected the site and wrote a memo for how to fix the site. Memo was sent to Pablo and PC, Pablo's response to PC did not address the violation of the ROW. Table this until attorney looks at ROW issue or what is PC next step? | PC/TC | | |
| General | Schneiders Driveway | | | | | |
| | | 7/5/2017 | -Epic inspected project, contractor fixed anchor concerns. | Epic | 7/5/2017 | 7/5/2017 |
| | | 7/10/2017 | -Epic approval of plumbing and gas | | 7/11/2017 | 7/11/2017 |
| | | 7/18/2017 | -Inspection of Gas and Underslab plumb. | | 7/21/2017 | 7/18/2017 |
| | | 7/20/2017 | -All inspections completed | | | 7/20/2017 |



| Project / Task(s) | Description | Initiation Date | Status | Responsible Party | Projected Completion Date | Completion Date |
|-------------------|----------------------------------|------------------------|---|-------------------|---------------------------|------------------------|
| 16IKB001 | Lot 202- Wilson Residence | | | | | |
| | Building Permit | | Approved and issued 6/8/2016 | Epic | | 6/8/2016 |
| | Inspections | 6/8/2016 6/21/2017 | Initial Inspections Pre-final | Epic | | 6/8/2016 6/21/2017 |
| | | | Construction nearing completion | | 8/1/2017 | |
| 16IKB002 | Howard Residence | | | | | |
| | Building Permit | | Approved and issued 6/29/2016 | Epic | | 6/29/2016 |
| | Stop Order | | Issued stop order due to missing dumpster and porta-potty. | Epic | | |
| | Stop Order Lifted | | Issues resolved and work to resume. | Epic | | |
| | Inspections | 8/8/2016 10/11/2016 | Initial Inspections Underslab Plumbing | | | 8/8/2016 10/11/2016 |
| 16IKB003 | Lot 102- Connor Residence | | | | | |
| | Building Permit | 7/18/2016 | Approved and issued | Epic | | 8/17/2016 |
| | Building Permit Revoked | 12/1/2016 | Revoked due to structural changes and errors | Epic | | |
| | Inspections | 9/1/2016 | Initial Inspections | | | 9/1/2016 |
| | Building Permit Reinstated | | Lee Ewell, the new contractor from Ewell Enterprises picked up building permit, construction to resume. | | | 6/13/2017 |
| | Inspections | 6/23/2017 | Temp power | | | 6/23/2017 |
| 16IKB004 | Lot 202- Frank Residence | | | | | |

| Project / Task(s) | Description | Initiation Date | Status | Responsible Party | Projected Completion Date | Completion Date |
|-------------------|---------------------------------------|-----------------|---|-------------------|---------------------------|-----------------|
| | Building Permit | | Approved and issued | Epic | | 3/23/2016 |
| | Inspections | | Footing Underground Temp power | | | 12/6/2016 |
| 17IKB001 | Lot 11- Sheldon Garage | | | | | |
| | Building Permit | 6/16/2017 | Approved and recommended to PC for Approval, with Geotech study. | PC | 6/16/2017 | 6/16/2017 |
| | Planning Commission | 6/27/2017 | PC denied approval due to too many accessory buildings. | Builder/Owner? | | 6/27/2017 |
| | Application Withdrawn | 6/30/2017 | Sheldon's have withdrawn their application and are working on a redesign | Builder/Owner | NA | ? |
| 17IKB002 | Lot 203- Simpkin's Landscaping | | | | | |
| | Landscape Permit | 6/16/2017 | Epic sent memo regarding proposed approval on 6/16/2017 with understanding no work to be performed in ROW. Previous ROW work to be examined after attorneys look at it. | PC | 6/16/2017 | 6/16/2017 |
| | Town ROW | 6/26/2017 | Town attorney is trying to get to the bottom of the ROW issue and where to go with the ROW for this lot and all ROW in the Town. | Town Attorney | | 6/30/2017 |

| Project / Task(s) | Description | Initiation Date | Status | Responsible Party | Projected Completion Date | Completion Date |
|-------------------|---------------------|-----------------|---|-------------------|---------------------------|-----------------|
| | Planning Commission | 6/26/2017 | PC to measure from platted/surveyed centerpoint of "cul-de-sac" based upon measurements of retaining walls from the centerpoint determines next step. | PC | 8/1/2017 | ? |

Our next meeting is next Tuesday - July 25 at 5:00 pm.

potential agenda items below. Please let me know if you want to add anything.

Thanks, Bill

1. status of building projects -

Josh Call - please send report Monday so we can review it

2. What should require a building permit? >>>See reference info below

Goodall will send latest list; Bywater says we should be okay with limited permit requirements such as new structure, addition or move ONLY, list of dos and don'ts, blanket statement of owner responsibility to follow IRC and use licensed contractors; method to contact Epic for inspection if owner prefers

3. Encroachment - should we require permit or just MOU? >>>See reference info below

4. status of open building permits - Bill Goodall >>> see Simpkins reference info below

- Simpkins landscaping - need to decide if project is outside ROW; would permit be required based on latest thinking? should we recommend a fine?

- Schneider driveway - Epic to bill \$400 for reviews and inspections; is this too much for a driveway? >>> Should Town charge admin fee?

| | |
|---------------------------------------|-----------------|
| Siteplan Review: | \$100.00 |
| Administration: | \$100.00 |
| Underslab Plumbing Inspection: | \$100.00 |
| Gas Inspection: | \$100.00 |
| Total: | \$400.00 |

- Sheldon garage - permit request withdrawn, working on new design >>> is attached garage accessory building – see item 5 below?

5. Current code limit of one accessory building - should this be detached? What about small sheds? >>>See reference info below

6. FFSL and Wasatch MOU & cooperation agreement - Goodall quick update

7. TC June meeting - Goodall quick update

8. General Plan - current status; who will develop first draft?; committee?; owner & renter survey? >>>See reference info below

9. Section 11.06.040 Accessory Buildings Prohibited as Living Quarters – what info do we need to consider for a future meeting?

Living and sleeping quarters in any building other than the dwelling unit is prohibited

Note: Living and sleeping quarters are undefined.

REFERENCE INFORMATION:

Item 2. Permit required?

1 **Town of Interlaken Land Use Permit Request Information - v3.1**

2 **Section 11.11.010 Buildings Permits Required:** *No person, firm, or corporation shall commence to construct, alter or move a building or structure, excavate, grub and clear, or to make a change in use of any land within Interlaken Town Limits without first submitting an application and obtaining a permit from the office authorized by the Town; provided, however, that permits ~~for the moving of structures~~ shall be granted only after complying with the requirements as set forth in Title 11.*

3 **Permit not required for the following Exemptions**

- 4 Single story detached **accessory buildings** 200 square feet or less, provided their location complies with setbacks
- 5 Fences less than 6 feet which are constructed in the **rear yard and leave a corridor for wildlife travel up and down the hill**
- 6 Retaining walls not over 4 feet in height from bottom of footing to top of wall, **provided they are not in right-of-way**
- 7 Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
- 8 **Maintaining, replacing or installing additions of less than 500 [1,000?] square feet to original residential landscaping**
- 9 Residential gardening **500 square feet or less**
- 10 Replacing exterior siding or windows, exterior painting, gutter replacement, **provided tempered windows are installed where required**
- 11 Water heater, air conditioning or furnace replacements, **provided work is done by qualified service rep.**
- 12 Kitchen and laundry appliance replacements
- 13 **Driveways, provided they slope less than 15% and drain properly to avoid runoff into the road**
- 14 **Swings, playhouses and other playground equipment.**
- 15 **Window awnings projecting no more than 54 inches from exterior walls and not requiring added support**
- 16 **Decks not over 200 sq. ft., no more than 30 inches above grade, not attached to dwelling and not serving the required egress.**

- 17 Ordinary repairs to structures, replacement of lamps, or connection of approved portable electrical equipment to approved permanent receptacles. Ordinary repairs do not include removal of a structural beam or support, removal of a load bearing wall, or other work potentially affecting public health or general safety as described in IRC R105.2.2 >>> tricky way to ignore minor repairs
- >>> what level of detail, as compared to IRC requirements? Homeowner's discretion????? Note: Town Engineer available to review for a fee.*
- 18 grade/fill not requiring the use of steel tracked equipment or removing/adding more than 2 loads of soil (40 cubic yards)
- 19 *note: this is an attempt to allow a limited amount of grading/filling. Is there a better description? Should we add max xxx sq. ft.?*
- 20 Outdoor lighting - **must be dark skies lighting**; no permit required provided all outdoor lighting must comply with XX.XX.XX code
- 21 Signs - **limited acceptability**; no permit required provided all signs comply with XX.XX.XX code *>>> temporary only?*

22 Type of Project Requested

23 I request a Land Use Permit for the following type(s) of improvements or construction:

- 24 grubbing/grading/filling - any vegetation removal in addition to that needed for construction of buildings, driveway and parking spaces
- 25 new structure over 200 sq. ft.- dwelling or accessory building; note special Road Work Permit required for Interlaken Town right-of-way
- 26 addition ~~over 200 sq. ft.~~ to a dwelling or accessory building
- 27 decks over 200 square feet or greater than 30 inches off the ground
- 28 renovation/remodel - dwelling or accessory building including reroofing (**for correct layers**), removal of a structural beam or support, removal of a load bearing wall, ~~or addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical~~ or other work potentially affecting public health or general safety as described in IRC 105.2.2
- 29 demolition of a structure - dwelling or accessory building over 200 sq.

- ft.
- 30 moving a structure -dwelling or accessory building over 200 sq.ft.
- 31 road/right-of-way work - **No work allowed in 33' Interlaken Town right-of-way without special permit**

> use only specified contractor?

32 Permit Information [collect this with Google Forms to go into Excel File and use once?]

33 Application # _____ Expected Project Start Date _____
 34 Project Title _____ Expected Project Finish Date _____
 35 Lot # (s) _____ Parcel # (s) _____
 36 Property Address _____ Purpose of Work _____

| 37 | Property Owner(s) or Agent(s) | Architect or Engineer | General Contractor | Site Supervisor |
|----|-------------------------------|-----------------------|--------------------|-----------------|
| 38 | Contact Name(s) | | | |
| 39 | Business Title | | | |
| 40 | Business Name | | | |
| 41 | Street Address | | | |
| 42 | City, State, Zip | | | |
| 43 | Phone Number | | | |
| 44 | Cell Number | | | |
| 45 | Email Address | | | |
| 46 | Fax Number | | | |
| 47 | State License # | | | |

48 **SPECIAL NOTES or COMMENTS:**

49 _____

Reference for PC & TC discussion: Exemptions for Other Communities

| | |
|------------------------|---|
| Midway permit required | A. Permit Required. A Midway City Site Disturbance Permit is required before any person or entity may landscape, excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape or increase impervious surfaces upon any parcel of property located in the City. |
| Midway exemptions | Construction activities disturbing <i>less than 500 square feet</i> of land and surface area; Residential landscaping activities disturbing less than 7,000 square feet of land surface area; Residential gardening |
| Rocky Ridge | 11.06.020 Electrical |
| Electrical Repairs | A. No alterations or additions shall be made in existing wiring, nor shall any wiring or any apparatus which generates, transmits, transforms or utilizes any electricity be installed without first obtaining a permit therefore, <i>except minor repair work such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints and repairing drop cords.</i> Applications for such permit describing such work shall be made in writing and shall conform as far as practicable to the requirement set forth in this title. This section shall not apply to installations in powerhouses and substations belonging to electric light companies. No permit shall be issued to any applicant for a permit during the time that he shall fail to correct any defective electrical installations after he has been duly notified to correct such defective work by the building inspector. |
| Rocky Ridge | |
| Plumbing Repairs | A. Required; Application. No plumbing shall be installed, nor additions or alterations made in existing plumbing, except as provided in subsection C of this section, without first obtaining a permit. Application for such permits shall be in writing to the Town Recorder and shall describe the nature of the work to be done and affirm that the plumbing will conform to the plumbing code. No permit shall be issued to any applicant during the time that he shall fail to correct any defective plumbing installed by him after he has been notified in writing by the building inspector of the defective work. C. Exceptions. Repairs which involve only the working parts of a faucet or valve, the clearance of stoppages, the repairing of leaks or the replacement of defective faucets or valves may be made without a permit; provided, that the <i>permits shall be procured to replace fixtures, traps, soil, waste and vent pipes, unless waived by the building inspector.</i> |

Rocky
Ridge
Home
owner
Plumbing

B. Homeowners' Permit. Any permit required by this chapter may be issued to any person to do any plumbing or drainage work regulated by this chapter in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, in the event that any such person is the bona fide owner of any such dwelling and accessory buildings and quarters and that the same are occupied by or designed to be occupied by the owner; and further provided, that the owner shall furnish the building inspector with a complete layout drawing of the proposed work, satisfies the building inspector that he has a working knowledge of the requirements contained in this chapter, pays the necessary fees and calls for all inspections required by this chapter.

Salt Lake City

18.20.020: EXEMPT WORK DESIGNATED:

A. A building permit shall not be required for the following:

1. Playhouses and similar uses;
2. Oil derricks;
3. Movable cases, counters and partitions not over five feet (5') high;
4. Retaining walls which are not over two feet (2') in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids;
5. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2:1);
6. Painting, papering and similar finish work;
7. Temporary motion picture, television and theater stage sets and scenery;
8. Window awnings supported by an exterior wall of group R, division 3, and group M occupancies, when projecting not more than fifty four inches (54").

B. Unless otherwise exempted, separate plumbing, electrical and mechanical permits shall be required for the above exempted items.

C. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. (Ord. 54-14, 2014)

Wasatch County **Note: Wasatch County adopts Utah codes and makes exceptions via a long list of revisions**

codes adopted without dates A. By resolution of the county legislative body, the county shall adopt specific editions of the following codes, each of which must be approved by the state of Utah and promulgated by a nationally recognized code authority:

1. A building code;
2. The national electrical code promulgated by the National Fire Protection Association;

- 3. A plumbing code; and 4. A mechanical code.
- 5. The 2006 international wildland urban interface code, as revised by the state of Utah and Wasatch County, as indicated below, is hereby adopted as the wildland interface code of Wasatch County for those areas in the county designated by Wasatch County as wildland urban interface areas.

>>>> Revisions: loooooong, detailed listlist - I haven't reviewed

Summit County **Note: Summit County adopts Utah codes with no exceptions**

**codes adopted
without dates
or list of titles**

- A. Adoption Of Codes: Construction and fire codes adopted under title 15A, chapters 1 through 5 of the Utah code.
- B. Applicability Of Building Code Administrative Remedies: The administrative portions of the international building and fire codes, as amended, are hereby adopted, incorporated and made applicable to the administration and enforcement of the provisions of those codes adopted in subsection A of this section. (Ord. 793, 1-30-2013)

No exemptions

Item 3 Encroachment – potential MOU document

PC-193 and 206-GR-1

ENCROACHMENT PERMIT FOR IMPROVEMENTS IN CITY RIGHT-OF-WAY

THIS AGREEMENT is made by and among **PARK CITY MUNICIPAL CORPORATION, a Utah Municipal corporation (“City”), MICHAEL R. HUGHES, Trustee of the MICHAEL R. HUGHES TRUST DATED NOVEMBER 10, 2010 (“Hughes”), and WESTLAKE LAND, LLC, a Utah limited liability company (“Westlake”).** Hughes and Westlake are sometimes jointly referred to herein as “Owners”. This agreement sets forth the terms and conditions under which the City will permit the Owners to build, maintain, and use certain improvements within the City property and right-of-way in platted Grant Avenue, Park City, Utah.

1. The City property and right-of-way affected by this agreement is depicted as the “Hughes Access Lane and Parking Area” and the “Westlake Parking Area” on Exhibit “A” attached hereto and incorporated by reference herein (the “Parking Parcel”). This agreement completely supersedes and replaces that certain Encroachment Permit recorded on March 5, 2007, as Entry No. 00806250, in Book 1851, Page 532 in the office of the County Recorder of Summit County, Utah.

2. Subject to the following terms and conditions of this agreement, Hughes shall have the exclusive use of vehicular parking on, and ingress and egress over and across, the Hughes Access Lane and Parking Area. The access and parking rights granted to Hughes shall be appurtenant to the following described property (the "Hughes Property"):

Lot 1 206 Grant Replat Subdivision, according to the official plat thereof on file and of record in the office of the Summit County Recorder. 206-GR-1

Hughes' rights hereunder are not transferable to other property, but are freely transferable with the title to the Hughes Property. The license and conditions as stated in this agreement are binding on the successors in title or interest of Hughes in and to the Hughes Property.

3. Subject to the following terms and conditions of this agreement, Westlake shall have the exclusive use of surface parking on all of the Westlake Parking Area. The parking rights granted to Westlake shall be appurtenant to the following described property (the "Westlake Property"):

Lot 6 and the North 5 feet of Lot 5, Block 12, Amended Plat of Park City Survey according to the official plat thereof on file and of record in the office of the Summit County Recorder. PC-193

Westlake's rights hereunder are not transferable to other property, but are freely transferable with the title to the Westlake Property. The license and conditions as stated in this agreement are binding on the successors in title or interest of Westlake in and to the Westlake Property.

4. The improvements permitted within the Parking Parcel shall consist of surface access and parking improvements located on the Parking Parcel as of the date of this agreement, and any modifications to such improvements or additional improvements shall require the prior written approval of the City (collectively, the "Encroachments"). This Permit includes the right to maintain the Encroachments consistent with applicable sections of the Park City Land Management Code, as amended.

5. The City may, at some future date, elect to install utilities or other public improvements within its rights-of-way and easements. To the extent that any utility work or public improvement requires the removal, relocation, replacement, and/or destruction of the Encroachments the Owners may have been using within the City easement or right-of-way, the City shall require Owners to remove such Encroachments pursuant to the notice in Paragraph 6 below. Owners acknowledge that Owners have no right to compensation for the loss of the Encroachments or loss of the use of the street right-of-way and/or any change in the grade and elevation of the easement. This acknowledgement, in the event the Encroachments are removed for any reason whatsoever in the sole determination of the City, is the consideration given for the granting of this permit for the continued encroachment.

6. Prior to commencing public improvements in a manner that will require the removal or relocation of the Encroachments, the City will give the Owners ninety (90) days prior written notice, in which time the respective Owners shall make adjustments to and remodel their respective improvements as necessary to accommodate the changes in the property at each Owner's respective cost.

7. No permanent right, title, or interest of any kind shall vest in the Owners in the easements or rights-of-way by virtue of this agreement. The property interests hereby created are revocable licenses, and not an easement or other perpetual interest. No interest shall be perfected under the doctrines of adverse possession, prescription, or other similar doctrines of law based on adverse use, as the use hereby permitted is entirely permissive in nature.

8. Each Owner or its successors shall, at its sole expense, maintain its respective Encroachments controlled by them in a good state of repair at all time, and upon notice from the City, will repair any damaged, weakened, or failed sections. Each Owner agrees to hold the City harmless and indemnify the City and the other Owner for any and all claims which might arise from third parties, who are injured as a result of that Owner's use of the easement or rights-of-way for private purposes, or from the failure of that Owner's improvements. Nothing herein shall limit or waive any provision or defense of the Utah Government Immunity Act.

9. This agreement shall be in effect until the license is revoked by the City. Revocation shall be effected by the City recording a notice of revocation with the Summit County Recorder and sending notice to the Owners or their successors. City may revoke the license for one Owner separately or both Owners together.

10. Vehicles parked on the Parking Parcel shall not encroach into the Swede Alley paved driving lanes.

DATED this ____ day of March, 2015.

PARK CITY MUNICIPAL CORPORATION

_____ Matt Cassel, P.E. City Engineer

Attest: _____ STATE OF UTAH) ss COUNTY OF SUMMIT)

On the ____ day of April, 2015, Matt Cassel, the City Engineer of Park City Municipal Corporation, a Utah Municipal Corporation, personally appeared before me and, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that he is the City Engineer of Park City Municipal Corporation, and that he signed the foregoing instrument on the City's behalf.

Notary Public

WESTLAKE LAND, LLC, a Utah Limited liability company _____ Todd Cusick, Manager

Mailing Address _____ email address or phone number _____

STATE OF UTAH)
) ss COUNTY OF SUMMIT) On the ____ day of April, 2015, Todd Cusick, the
Manager of Westlake Land, LLC, a Utah limited liability company, personally appeared before me and, being first duly sworn and upon oath, and
in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that he is is an authorized representative of Westlake
Land, LLC, and that he signed the foregoing instrument on its behalf.

Notary Public

MICHAEL R. HUGHES, Trustee of Trust dated November 10, 2010

Mailing Address _____ email address or phone number _____

STATE OF UTAH)
) ss COUNTY OF SUMMIT) On the ____ day of April, 2015, Michael R. Hughes appeared
before me as Trustee of the Michael R. Hughes Trust dated November 10, 2014 , and, being first duly sworn and upon oath, and in full
recognition of the penalty for perjury in the State of Utah, did acknowledged to me that he is an authorized representative of the Trust, and that
he signed the foregoing instrument on its behalf.

Notary Public

Item 4. status of open building permits - Simpkins



The installed retaining wall is 9' from the end of the cul-de-sac. The question is: Where is the center of the cul-de-sac. I believe the edge the cul-de-sac is at least 15' in diameter and the center is it is at least 7 ½' from the edge. In that case the retention wall is at least 16 ½' from the center.

Notes:

The retaining wall is at the terminus of the road. It would be desirable to put a reflector on the wall so no one mistakenly drives into it at night. Does fence need to be restricted to the rear yard as noted in the permit agreement?

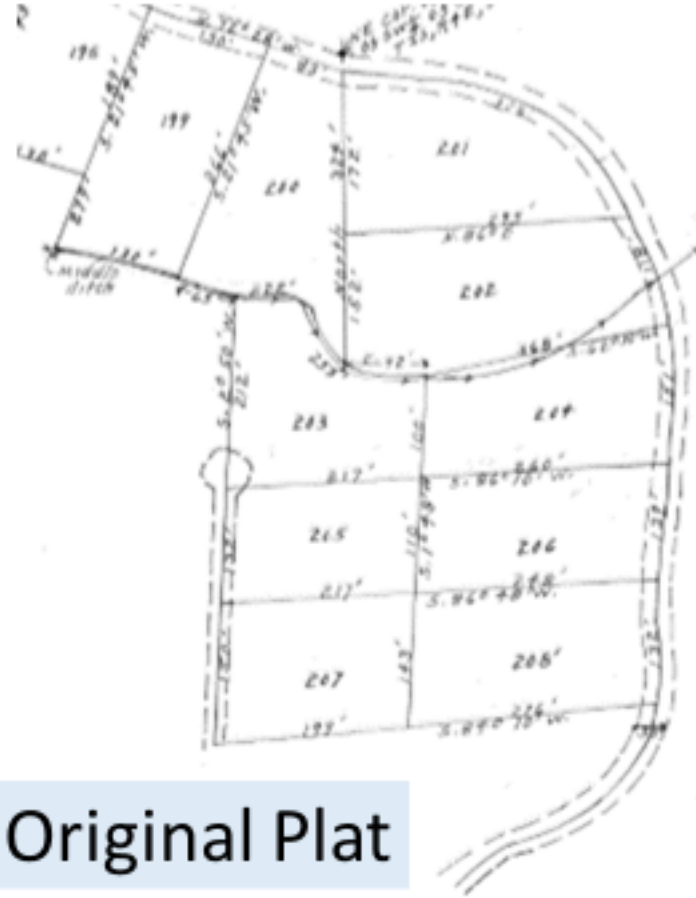
- a. Yard, front. The minimum horizontal distance between the street line and the front line of the building or any support posts for projections thereof, excluding non-enclosed steps. On a corner lot, the front yard may be applied to either street.
- b. Yard, Rear. An open area or unoccupied space on the same lot as a building, measured from the rear line of the building (exclusive of steps) to the rear line of the lot, and extending for the entire width of the lot. On a corner lot, the rear yard may be applied to either of the interior lot lines, but does not enter the front or side yard, which faces the street.
- c. Yard, Side. The open space between the building and the sideline of the lot and extending from the front yard to the rear lot line. On a corner lot, one of the side yards must face upon the remaining street after the front yard street frontage has been designated.



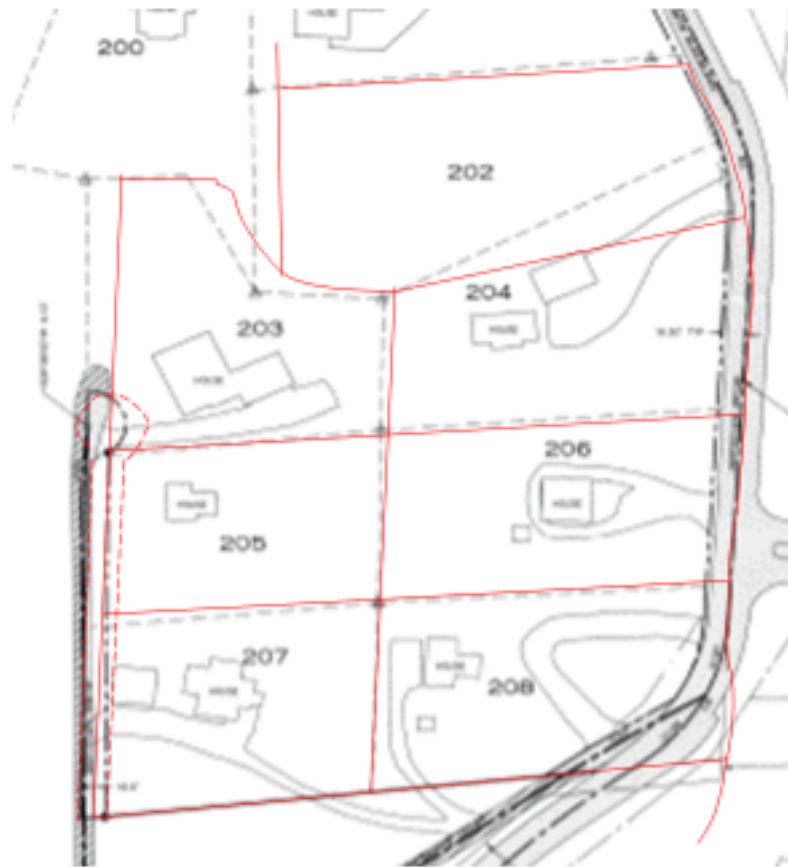
Summit Survey overlay versus aerial view
Appears to be very well matched. Actual
paved area matches Summit survey
dashed lines.



Summit Survey



Original Plat



Summit Survey with Original Plat overlaid



Original Plat with red overlay

By comparing the original plat overlay to the Summit survey, it is clear there are significant differences. As recommended by the Town Lawyer, we define the right-of-way as $16\frac{1}{2}'$ either side of the center line of the existing pavement.

Item 5. Current code limit of one accessory building

Section 11.04.020 Permitted Uses

A. One-family dwellings and related accessory buildings and uses. Accessory uses and buildings include garages, storage sheds., personal greenhouses, and carports. A maximum of one dwelling unit and one accessory building will be allowed for each legal lot. >>>> Note: garage, storage shed, greenhouse undefined; Bob's shed is 8 ¼' x 8 ¼' = about 68 sq. ft.

Section 11.04.070 Location Requirements

- A. The main dwelling unit shall be set back at least 30 feet from all lot lines or 30 feet from the closest edge of the roadway right of way.
- B. The accessory building shall be set back at least 30 feet from all lot lines, or 30 feet from the center of the roadway right of way.

Section 11.06.030 Area of Accessory Buildings

Accessory buildings in any residential zone shall not cover more than 25 percent of the rear yard.

CHAPTER 11.02 DEFINITIONS

For the purpose of this Title, the following words and phrases shall, unless defined differently in a particular section, have the meanings respectively ascribed to them:

1. Building. Any structure built for the support, shelter, or enclosure of persons, animals, or property of any kind.
 - a. Main building. The principal building upon a lot.
 - c. Building, accessory. A subordinate building, the use of which is incidental to that of the main building
3. Carport. A structure with one or two or no walls for the shelter of automobiles with permanent footings.
9. Dwelling Unit. Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one family, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.
49. Yard. An open space on the same lot with a building unoccupied or

unobstructed from the ground upward, except as otherwise provided in this Title.

a. Yard, front. The minimum horizontal distance between the street line and the front line of the building or any support posts for projections thereof, excluding non-enclosed steps. On a corner lot, the front yard may be applied to either street.

b. Yard, Rear. An open area or unoccupied space on the same lot as a building, measured from the rear line of the building (exclusive of steps) to the rear line of the lot, and extending for the entire width of the lot. On a corner lot, the rear yard may be applied to either of the interior lot lines, but does not enter the front or side yard, which faces the street.

c. Yard, Side. The open space between the building and the sideline of the lot and extending from the front yard to the rear lot line. On a corner lot, one of the side yards must face upon the remaining street after the front yard street frontage has been designated.

Item 8 General Plan

General Plan Table of Contents

Introduction/Purpose

History Who wants to write this one?

Demographics

Population

Current and projected

Property ownership:

Full time vs. Part time residences - Ratio of Primary Residences to other Residential

Assessed valuation of property

Built vs. Unbuilt Lots

Present and Future Needs: Potential Priorities – to be finalized after Townspeople input

Moderate Income Housing – Towns exempted per Utah League of Cities and Towns

Economic

Community Vision The creation of a forward-thinking, substantive economic development plan will be key to Interlaken's security and stability

Goals

Budgeting process

Economic Development

Growth Management - Limited to number of unbuilt lots and Town owned open spaces

Environment and Sensitive Lands

Environment, General

Hazards – all maps completed by Epic

Vegetation/Habitat

Air quality

Energy

Light Pollution

Noise Pollution

Recycling

Storm Water Control

Surface Water Quality – Ground Water Quality – all maps completed by Epic

Flood Control Does Not Apply (see map) – all maps completed by Epic

Hillside - see Hillside Protection Area (steep slopes) – all maps completed by Epic

Open Space and Sensitive Lands - see Land Use Open Spaces

Land Use

Land Use requirements

Existing Land Use

Future Land Use

Public Lands Special Designations - see open space [???

Open Spaces

Maps - official map and zoning map – need to transfer from Summit to Epic

Services

Water rights

Water system reliability and quality

Fire-fighting water capacity

Lease – current lease from State Park expires 20XX ?

Gas

Electricity

Sewer

Phone/Cable?

Fire & EMS

Law Enforcement

Animal Control

Wildfire Abatement and Mitigation

Parks, Trails and Recreation

Parks and Recreation

Trails and Public Lands

Transportation and Traffic Circulation

At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for a transportation and traffic circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that the planning commission considers appropriate, all correlated with the population projections and the proposed land use element of the general plan

Plan Implementation

The planning commission shall provide notice, as provided in Section 10-9a-203, of its intent to make a recommendation to the municipal legislative body for a general plan or a comprehensive general plan amendment when the planning commission initiates the process of preparing its recommendation.

The planning commission shall make and recommend to the legislative body a proposed general plan for the area within the municipality, including recommendations for implementing all or any portion of the general plan, including the use of land use ordinances, capital improvement plans, community development and promotion, and any other appropriate action

Appendix A – Utah Code Title 10 regarding General Plans

Appendix B – Title 72, Transportation Code Chapter 5, Rights-Of-Way Act

7/25/17 Bob Marshall's Comments

Huntsville, UT Pop 612 Elev 4928 219 Housing Units

PC Approval Quantum

Permits 6 mo. Auto renewal with each inspection

35' Height Limit

Building Permits - WEBER County

11.11.010

#6 WHAT IF No Footing - (Rock Wall)

#8 500 vs 1000 1000

#15 ^{Window} Awning 54" Not Needing Support ??? SLC 54"

#16 Decks 200sq' ? too small - Not Attached to dwelling??

30" Above grade - rex - Gray - Osborn - Mine -??

#17 Not Sure of detail

#18 2 Loads (OUT) Just cubic ft. Yards

#27 Re-roofing (Permit)?

Permits Midway

exemption Landscaping less than 7000 sq' Residential Gardening

Rocky Ridge

Electrical 11.06.020 Electrical (good)

Plumbing repairs - Good

General Plan - Too Comprehensive - Need Reader digest Version