



# BOARD OF ADJUSTMENTS AGENDA

**NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE BOARD OF ADJUSTMENTS WILL HOLD A REGULAR MEETING AT 5:30 PM ON MAY 20, 2024 AT CENTERVILLE CITY HALL, 250 NORTH MAIN STREET, CENTERVILLE, UTAH.**

*Centerville City Board of Adjustment meetings are open to the public, unless otherwise closed for reasons allowed by law. Centerville City Board of Adjustment meetings may be conducted via electronic means pursuant to Utah Code § 52-4-207. In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability may contact the City Recorder at (801) 295-3477, at least 24 hours in advance of the meeting. The Board reserves the right to modify the sequence of agenda items in order to facilitate special needs or provide greater efficiency.*

**The full agenda packet and backup materials can be found on the Centerville City website at:**

<https://centervilleutah.gov/129/Agendas-Minutes>

**A. ROLL CALL**

**B. BUSINESS ITEMS**

Business action or discussion items to be considered.

1. Property Variance Request - Thomas Howell

Consideration of variance request for potential building addition encroachment into corner side yard setback - applicant Thomas Howell.

**C. ADJOURNMENT**

## CERTIFICATE OF POSTING

*I hereby certify that this notice and agenda was posted at Centerville City Hall, published on the Utah Public Notice Website, and provided to a newspaper or media correspondent in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.*

**Jennifer Robison  
Centerville City Recorder**



# BOARD OF ADJUSTMENTS

Staff Report  
5/20/2024

**Item No. 1.**

**Title:** Property Variance Request - Thomas Howell

**Initiated By:** Thomas Howell, Applicant

**Staff Representative:** Mike Eggett, Community Development Director

**SUBJECT:**

Consideration of variance request for potential building addition encroachment into corner side yard setback - applicant Thomas Howell.

**RECOMMENDATION:**

Staff Position regarding the Variance request. Staff is of the position that the request for a variance does not meet the requisite approval standards to qualify granting by the Board of Adjustment, as described in CZC 12.21.130(e) and (g).

**BACKGROUND:**

The property is located on the corner of 200 East and 1875 North (Canyon View Circle) within the Rolling Hills Estates Subdivision. The lot is a corner lot since it has frontage along two sides of the lot. In the Residential-Low (R-L) Zone, corner lots are subject to a front yard setback of 25' and a street side yard setback of 20'. Setbacks are measured from the property line. By contrast, interior lots are subject to a front yard setback of 25' and an interior side yard setback of 8' (provided the minimum total width of both side yards is at least 18'). See attached provisions of CZC 12.32.300 (Table of Development Standards in Residential Zones) for specific setback requirements in the R-L Zone.

The applicant desires to construct an addition onto his home which would encroach about 10" into the required 20' street setback area of the lot along 200 East. The applicant contends the shape of the lot is not a "typical" lot configuration within the subdivision and, as a result, has created an unnecessary hardship for the applicant to design and build an addition onto his home on this lot.

Therefore, the applicant is seeking a variance from the Board of Adjustment to allow the proposed building addition to encroach into the street side yard setback by approximately 10". The applicant believes the granting of the variance would greatly ease the burden of constructing a home addition to run consistent with the footprint and home design of the home already built and existing on the lot.

**ATTACHMENTS:**

1. 05-20-2024 BOA Staff Report 208 E 1875 N Side Setback Variance (Howell)
2. Application Submitted 04-01-2024
3. Applicant's Statement & Narrative Submitted 04-01-2024
4. 240512 HOWELL RESIDENCE ADDITION - PLANNING SET

5. Proposed Site Plan 04-01-2024
6. Email Notification - Application Received
7. 04-01-2024 Fee Receipt
8. CZC 12.21.130 (Variance)

**CENTERVILLE CITY  
COMMUNITY DEVELOPMENT DEPARTMENT  
655 North 1250 West, Centerville, Utah 84014  
(801) 292-8232**

**STAFF REPORT  
AGENDA: ITEM 1**

**APPLICANT:** **THOMAS HOWELL**  
**208 EAST 1875 NORTH (CANYON VIEW CIRCLE)**  
**CENTERVILLE, UTAH 84014**  
**[howell.thomas@gmail.com](mailto:howell.thomas@gmail.com)**

**PROPERTY OWNERS:** **SAME AS ABOVE**

**PROPERTY:** **208 EAST 1875 NORTH (CANYON VIEW CIRCLE)**  
**PARCEL ID 07-075-0418**  
(LOT 418, ROLLING HILLS ESTATES SUB)

**ZONING:** **RESIDENTIAL LOW (R-L)**

**APPLICATION:** **REQUEST FOR VARIANCE TO STREET SIDE YARD  
SETBACK REQUIREMENT IN THE RESIDENTIAL-LOW  
(R-L) ZONE**

**BACKGROUND**

The property is located on the corner of 200 East and 1875 North (Canyon View Circle) within the Rolling Hills Estates Subdivision. The lot is a corner lot since it has frontage along two sides of the lot. In the Residential-Low (R-L) Zone, corner lots are subject to a front yard setback of 25’ and a street side yard setback of 20’. Setbacks are measured from the property line. By contrast, interior lots are subject to a front yard setback of 25’ and an interior side yard setback of 8’ (provided the minimum total width of both side yards is at least 18’). See attached provisions of CZC 12.32.300 (*Table of Development Standards in Residential Zones*) for specific setback requirements in the R-L Zone.



The applicant desires to construct an addition onto his home which would encroach about 10” into the required 20’ street setback area of the lot along 200 East. The applicant contends the shape of the lot is not a “typical” lot configuration within the subdivision and, as a result, has created an unnecessary hardship for the applicant to design and build an addition onto his home on this lot.

Therefore, the applicant is seeking a variance from the Board of Adjustment to allow the proposed building addition to encroach into the street side yard setback by approximately 10”. The applicant believes the granting of the variance would greatly ease the burden of constructing a home addition to run consistent with the footprint and home design of the home already built and existing on the lot.

### **APPLICANT’S SPECIFIED REQUEST**

The applicant has submitted the specific variance request as follows:

“We request a variance for a maximum of 10 inches crossing over the street side yard setback of 20 feet. This represents an accommodation of about 4.1% of the total setback at its furthest point. The total area crossing the setback is approximately 2.8 square feet.”

In support of the variance request, applicant notes the following characteristics of the property that result in an unnecessary hardship. Additional supporting information is provided in the applicant’s application statement and narrative as attached.

- The property is a corner lot in which the two intersecting streets create an acute angle of less than 90 degrees.
- There is a steep tapering on the east from the front to the rear of the property.
- There is a moderate tapering on the west side of the property relative to the existing house orientation.
- The rear property line is approximately 30% shorter than the front yard property line.

### **VARIANCE REQUEST REVIEW AND ANALYSIS**

#### **Code Application and Analysis:**

CZC 12.21.130(e) Variance: Approval Standards - The Board of Adjustment in determining whether to grant a variance shall use the following approval standards:

- *Literal enforcement of the Zoning Code would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Code;*
- *There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district;*
- *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district;*

- *The variance will not affect the General Plan and will not be contrary to the public interest; and*
- *The spirit of the Zoning Code is observed, and substantial justice done.*

Further, decision-making regarding a variance request is subject to the following approval standards:

1. In determining whether or not enforcement of any provision of this Title would cause unreasonable hardship, the Board of Adjustment may not find unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. The Board of Adjustment may not find an unreasonable hardship exists if the hardship is self imposed or economic.
2. In determining whether or not there are special circumstances attached to the property, the Board of Adjustment may find that special circumstances exist only if the special circumstances relate to the hardship complained of and deprive the property of privileges granted to other properties in the same zone.
3. An applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
4. A use variance may not be granted.
5. In granting a variance, the Board of Adjustment may impose additional requirements on an applicant that will mitigate any harmful effects of the variance, or serve the purpose of the standard or requirement that is waived or modified.
6. A variance more restrictive than that requested by an applicant may be authorized when the record supports the applicant's right to some relief but not to the extent requested.

In addition, CZC 12.21.130(g) regarding the effect of variance approval provides:

*A variance shall not authorize the establishment of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any approvals or permits that may be required by this Title and other applicable provisions of the Centerville Municipal Code.*

**Staff Comments:** According to the City's General Plan, *Section 12-420-2.2 (Residential Development Policies)* provides "Residential development in Centerville is primarily low density single-family. This character of development should continue as far as is feasible and practical..." Additionally, in reviewing *CZC 12.30.020 (Zone Purposes)*, the purpose of the R-L Zone is to permit development of detached single-family homes on individual lots or parcels at densities of one to four units per acre.

In reviewing the applicant's request, Staff looked at various solutions and alternatives to work with the applicant in utilizing the Zoning Code to identify an option for the applicant to move

forward with their request. Unfortunately, after reviewing the Zoning Code in detail, no alternative solutions were identified that would assist the applicant with his request. Thus, the applicant filed an application for a variance from the street side yard setback provisions of CZC 12.32.300 (Table of Development Standards in Residential Zones).

As part of the variance application, the applicant has submitted information regarding the unreasonable hardship and special circumstances associated with the property. The applicant has indicated that the subject property and its development was designed in a way that established an intrinsic hardship to the property.

It is Staff's position that the applicant has not met its burden of proving that literal enforcement of the Zoning Code would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Code. While it may be more expensive, it is feasible to set the home addition back from setback line and/or to provide a step back from the existing building line of the home. As noted in the Zoning Code and State law, the Board of Adjustment may not find an unreasonable hardship exists if the hardship is self-imposed or economic.

It is Staff's position that the applicant has not established special circumstances attached to the property that do not generally apply to other properties in the same zoning district. There are many corner lots in the Residential-Low (R-L) Zone. Such corner lots are of varying sizes and dimensions. While the size of the lot may impact the size of the addition that may be built on the lot, it does not prevent a home from being built on the lot. As such, the property owner is not deprived of privileges granted to other properties in the same zone. The size and dimensions of the lot merely impact the size and location of an addition.

The applicant has the ability to utilize the property in a way that accommodates a home addition further to the south of the existing home on the property. The south yard setback in the Residential-Low (R-L) zone is (by code definition) determined to be a side yard and the lot has a setback of 10' in this yard area. As a result, the applicant has additional room available in the south (back) yard area to accommodate a potential addition to the home well before nearing this setback requirement. Further, the property owner has the same "privileges granted to other property [owners] in the same zone," to build an addition onto the existing residential structure on the subject property and, therefore, is not deemed to be impacted by a targeted hardship on the subject property. That being the case, if there is not an identified hardship on the property due to an "existing special circumstance" or "peculiar circumstances", then the subject property should not qualify for the granting of a variance. It has been discussed with the applicant that the construction of the addition could be shifted 10 inches or so to the southeast on the property in a way that it would no longer encroach into the corner side yard setback. This slight location shift for the proposed addition footprint would allow the property owner to have the same development opportunities as any other property owner within this area of the City and the associated Residential-Low (R-L) zoning designation.

***Staff Position regarding the Variance request.*** Staff is of the position that the request for a variance does not meet the requisite approval standards to qualify granting by the Board of Adjustments, as described in CZC 12.21.130(e) and (g).

## POTENTIAL MOTIONS

Based on the information provided by the applicant and Planning Staff and following discussion among the Board of Adjustments, the Board may make a motion to approve this variance request, approve with modifications per the discussion, table the matter to a later date, or recommend denial of the proposed variance request. The Board should provide appropriate findings of facts and grounds for any decision. Sample motions for the Board of Adjustment are located below.

## PLANNING STAFF RECOMMENDATION

### #1-DENY

*“I hereby make a motion for the Board of Adjustment to **DENY** the request for a variance to a proposed building encroachment into the street side yard setback for the property located at 208 East 1875 North located within the Residential-Low (R-L) zone, with the following reasons for action (findings):*

#### Suggested Reasons for Action (findings):

- a. *The Board of Adjustment finds that there is an existing improved right-way along the western property line on the corner of the subject property at 208 East 1875 North known as 200 East and an existing improved right-of-way along the northern property line of the subject property known as 1875 North (Canyon View Circle).*
- b. *The Board of Adjustment finds that the Residential-Low (R-L) Zone requires corner lots to have a minimum 25' front yard setback and a minimum 20' street side yard setback for main buildings on a corner lot.*
- c. *The Board of Adjustment finds that, in this specific case, the required street side yard setback does not create an unnecessary hardship for the subject property necessary to carry out the general purpose of the Zoning Code.*
- d. *The Board of Adjustment finds that the property owner could build an addition to the home within the southern area of the lot outside the required setbacks.*
- e. *The Board of Adjustment finds that the required street side yard setback does not create a special or peculiar circumstance attached to the property that is otherwise generally applied to other properties in the same zoning district.*
- f. *The Board of Adjustment finds that there is not a clear showing of evidence that all the conditions justifying the variance request have been substantially met by the applicant submittal.*
- g. *The Board of Adjustment finds that the subject property has continued substantial property rights and is not deprived of privileges granted to other properties in the same zoning district and the spirit of the Zoning Code continues with this determination.*

ALTERNATIVE MOTIONS

#2 – TABLE

*“I hereby make a motion for the Board of Adjustment to TABLE the request for a Variance Application for encroachment into the corner street side yard setback within the R-L Zone, as requested by Thomas Howell, for property located at 208 East 1875 North until such a time as \_\_\_\_\_.”*

*(findings and further direction to Staff as agreed upon by the Board of Adjustment)*

# 3 – APPROVE

*“I hereby make a motion for the Board of Adjustment to APPROVE the request for a variance to a proposed building encroachment into the street side yard setback for the property located at 208 East 1875 North located within the Residential-Low (R-L) Zone, with the following reasons for action (findings):*

*(findings discussed and agreed upon by the Board of Adjustment)*



# CENTERVILLE CITY

## BOARD OF ADJUSTMENT

### VARIANCE APPLICATION

655 North 1250 West • Centerville, Utah 84014  
 Phone 801-292-8232 Fax 801-292-8251

**NAME OF PROJECT** Howell Home Addition

**PROJECT ADDRESS** 208 East 1875 North Centerville Utah 84014

**ZONING** Res-L HO **PARCEL #(S)** 070750418 **ACREAGE** 0.21

**PROPOSED USE OF PROPERTY** Residential - owner occupied

**APPLICANT**

NAME Thomas Howell COMPANY NAME \_\_\_\_\_

MAILING ADDRESS 208 East 1875 North CITY / ST / ZIP Centerville Utah 84014

PHONE 801-232-3464 FAX \_\_\_\_\_ EMAIL howell.thomas@gmail.com

SIGNATURE OF APPLICANT *Thomas Howell* DATE April 1, 2024

**AGENT INFORMATION**

NAME N/A COMPANY NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ CITY / ST / ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL \_\_\_\_\_

SIGNATURE OF AGENT \_\_\_\_\_ DATE \_\_\_\_\_

**VARIANCE REQUEST**

We request a variance for a maximum of 10 inches crossing over the street side yard setback of 20 feet. This represents an accommodation of about 4.1% of the total setback at it's furthest point. The total area crossing the setback is approximately 2.8 square feet.

**FEE AND DEPOSIT MUST ACCOMPANY THIS APPLICATION – SEE ATTACHED FEE SCHEDULE**

Date Rec'd		Rec'd / Initials		Assigned Project Name	
Fee/Deposit Attached	Y or N	Amount Fee Paid	<b>\$ 250.00</b>	Amount of Deposit Paid	<b>ACTUAL LEGAL AND ENG COSTS</b> Check #:

## Variance Application to the Board of Adjustment

April 1, 2024

### Section 1: 12.21.130d Procedure

Applicant: Thomas R Howell; Shalaun T Howell  
Address: 208 East 1875 North Centerville UT 84014  
Email: [Howell.thomas@gmail.com](mailto:Howell.thomas@gmail.com)  
Phone: 801-232-3464

Property: 208 East 1875 North Centerville UT 84014  
Parcel ID: 070750418  
Legal Description: ALL OF LOT 418, ROLLING HILLS ESTATES SUB PLAT D. CONT. 0.21 ACRES

Property owner wishes to build a 16' addition on the back of the home. The first 9'-2" of the addition are within the setback rule. The last 6'-10" slightly and gradually cross the street side yard setback, beginning at 0" and growing to a maximum of 9.8".

Provision of title from which a variance is sought:

12.32.300 – Setback standards for a Street Side Yard requiring 20 feet of setback.

Characteristics of property that prevent compliance and result in unnecessary hardship:

1. Our property is a corner lot in which the two intersecting streets create an acute angle—less than 90 degrees.
2. There is a steep tapering on the east from the front to the rear property line.
3. There is a moderate tapering on the west side relative to the existing house orientation.
4. The rear property line is approximately 30% shorter than the front yard property line.

These characteristics create an unreasonable hardship as we try to build an addition on the shape of our property. We live in a world that builds in straight lines and rectangles and this nominal variance provides the most aesthetic and practical solution with no material impact on the General Plan or the spirit of the Title.

Amount of variance needed:

We request a variance for a maximum of 10 inches crossing over the street side yard setback of 20 feet. This represents an accommodation of about 4.1% of the total setback at its furthest point. The total area crossing the setback is approximately 2.8 square feet.

## Section 2: 12.21.130 d) G. Approval Standards

- A. "Literal enforcement of any provision of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;"
1. Unreasonable Hardship: "Difficulty in complying with a zoning ordinance because of circumstances unique to [this] property. A hardship may not be self-imposed or solely economic."
    - a. Building and improving one's property is a substantial property right already enjoyed by many homeowners in this neighborhood.
    - b. Building an addition in line with the existing home is ideal for exterior aesthetics and interior functionality. This is also a substantial property right enjoyed by surrounding properties.
    - c. Alternative plans for building within the setback have been considered, but they significantly harm the exterior aesthetics or impair the interior functionality.
    - d. While not a primary consideration, the cost of building the addition increases significantly without the variance.
    - e. The undesirable characteristics of the lot (small size, corner lot, north facing) already make it difficult to justify investing in this property. We cannot justify the significant investment if the addition isn't in line with the west side of the home.
    - f. The variance requested is incredibly small—about 2.8 square feet—on a lot size of about 9,150 square feet (.21 acres). This minimal request lowers the burden needed to justify granting the variance because it has minimal impact on the general purpose of the Title.
- B. "There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district;"
- a. This property is located in the Residential-HillsideOverlay zoning district in which there are very few properties with the following combination of special circumstances:
    - i. Corner lot with a less than 90-degree angle where the streets meet.
    - ii. Moderate taper on the west side of the property relative to the orientation of the home.
    - iii. Severe taper on the east side of the property.
    - iv. Rear property line that is approximately 30% shorter than the front property line.
  - b. There are very few properties in our zoning district, if any, that match this set of special circumstances and this makes the property unfairly burdened by the general rules.
  - c. The shape of the lot is a legitimate consideration for allowing a variance. More specifically, there is precedence for granting a variance when a dramatic narrowing of a property prevents an owner from building an addition.
- C. "Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district."
- a. The ability to build on and improve one's land in a manner that will promote the general purpose of the Title is a substantial property right possessed by other property in this zoning district.

- D. “The variance will not substantially affect the General Plan and will not be contrary to the public interest.” There are six stated purposes in the Title of the General Plan:
- a. “Protect public health, safety, and welfare”
    - i. No impact. The variance is in a raised side/backyard that is approximately 3 feet above the grade of the sidewalk. Street and pedestrian traffic, including lines of sight, are unaffected.
  - b. “Promote the prosperity, peace and good order, comfort, convenience, and aesthetics of the City and its present and future inhabitants and business;”
    - i. Not granting the variance would harm Purpose b. Cities need to encourage and sometimes incentivize investment to promote the prosperity and aesthetics of the city—particularly in aging neighborhoods—for the benefit of present and future inhabitants.
  - c. “Protect the City tax base;”
    - i. There is no impact on the tax base if the variance is not granted; However, granting the variance would allow us to add approximately 2,940 square feet to the home and that would benefit the City tax base. The investment and upgrades might incentivize other neighbors to also invest and upgrade, further improving the City’s tax base.
  - d. “Promote economy in governmental expenditures”
    - i. No impact.
  - e. “Protect urban and non-urban development”
    - i. Allowing the variance promotes redevelopment and neighborhood rejuvenation.
  - f. “Preserve and protect property value”
    - i. Centerville is subject to frequent and severe windstorms and many parts of the city have a “Very High” risk assessment for wildfires due to our wildland-urban interface. The proposed addition includes changing aluminum siding for all-brick cladding and upgrading to fire-resistant roofing. Both of these upgrades would help us preserve and protect our property value.
    - ii. A large investment in this property will only help improve the value of surrounding properties.
  - g. In summary, no aspect of the general purpose of this Title would be harmed by allowing the variance. To the contrary, many of the stated goals of the Title would be furthered by granting the variance.
- E. “The spirit of this Title is observed and substantial justice done.”
- a. It feels like the process for obtaining a variance was designed for our property and our scenario. A literal enforcement of the street side yard setback causes unreasonable hardship without any measurable benefit to the city or surrounding property owners.
  - b. Approving the requested variance of 10” would result in substantial justice for both us and the city.
- F. “The Board of Adjustment may not find an unreasonable hardship exists if the hardship is self-imposed or economic.”

- a. The legal standard for “self-imposed” is a measure of preexisting conditions and the unreasonable hardship in this situation centers on two primary elements:
  - i. Severe tapering of the property line from front to back
  - ii. Orientation of the existing building
- b. We did not determine the existing property lines when the development was approved by the city, and we did not determine the orientation of the home when it was built in 1992. Therefore, the unreasonable hardship is not self-imposed.
- c. Per Utah law, economic factors can be considered, though they cannot be the primary determining factor when granting a variance.

G. Other Considerations – Survey Deficiencies in the Rolling Hills Estates Subdivision

- a. The survey for our neighborhood development was approved by the city and recorded by the county approximately 45 years ago. However, the developer did not adhere to the surveys when laying the streets and building the homes. Neither the city nor the county required the subdivision to be resurveyed.
- b. The result is that the surveyed property lines diverge from reality by as much as 6 feet (72 inches). Most property lines appear to be off by 12-24 inches.
- c. As questions about property lines have arisen between neighbors, the instruction from the county has been to “be good neighbors and work it out.”
- d. A land survey engineer we consulted estimated that we had a 60% chance that our property extends more than 5” inches into the sidewalk. He could not say definitively unless we invest thousands of dollars for the neighborhood to be resurveyed based on street center lines. (There are no surveyed markers or mile quadrant equivalents near our subdivision.)
- e. Our variance request assumes the property line extends from the inside of the sidewalk, but this is almost certainly incorrect. If our west-side property line extends just 5 inches over the sidewalk as suggested by the land survey engineer, we wouldn’t even need to request a variance.
- f. While the ambiguity of these survey and property line errors can’t be used to approve or deny our variance request, a variance of 10” in a subdivision full of much larger errors might provide additional helpful context.

Thank you for your time and thoughtful consideration.



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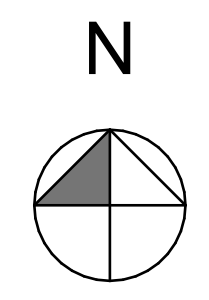
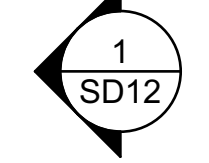
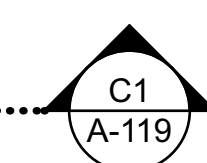
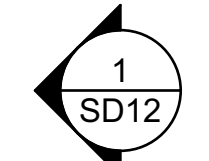
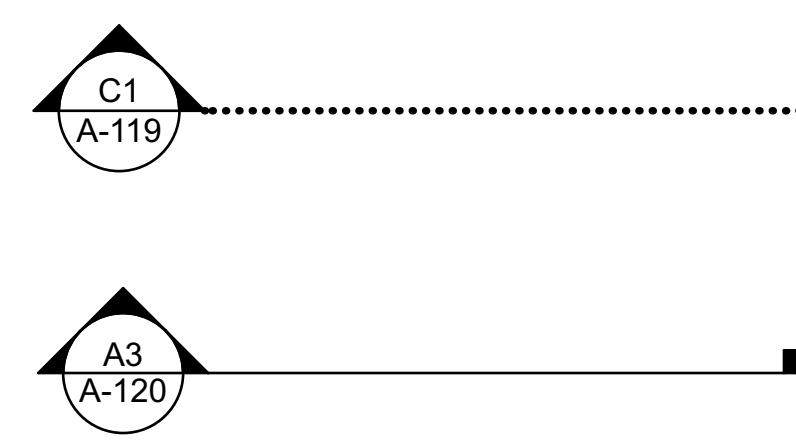
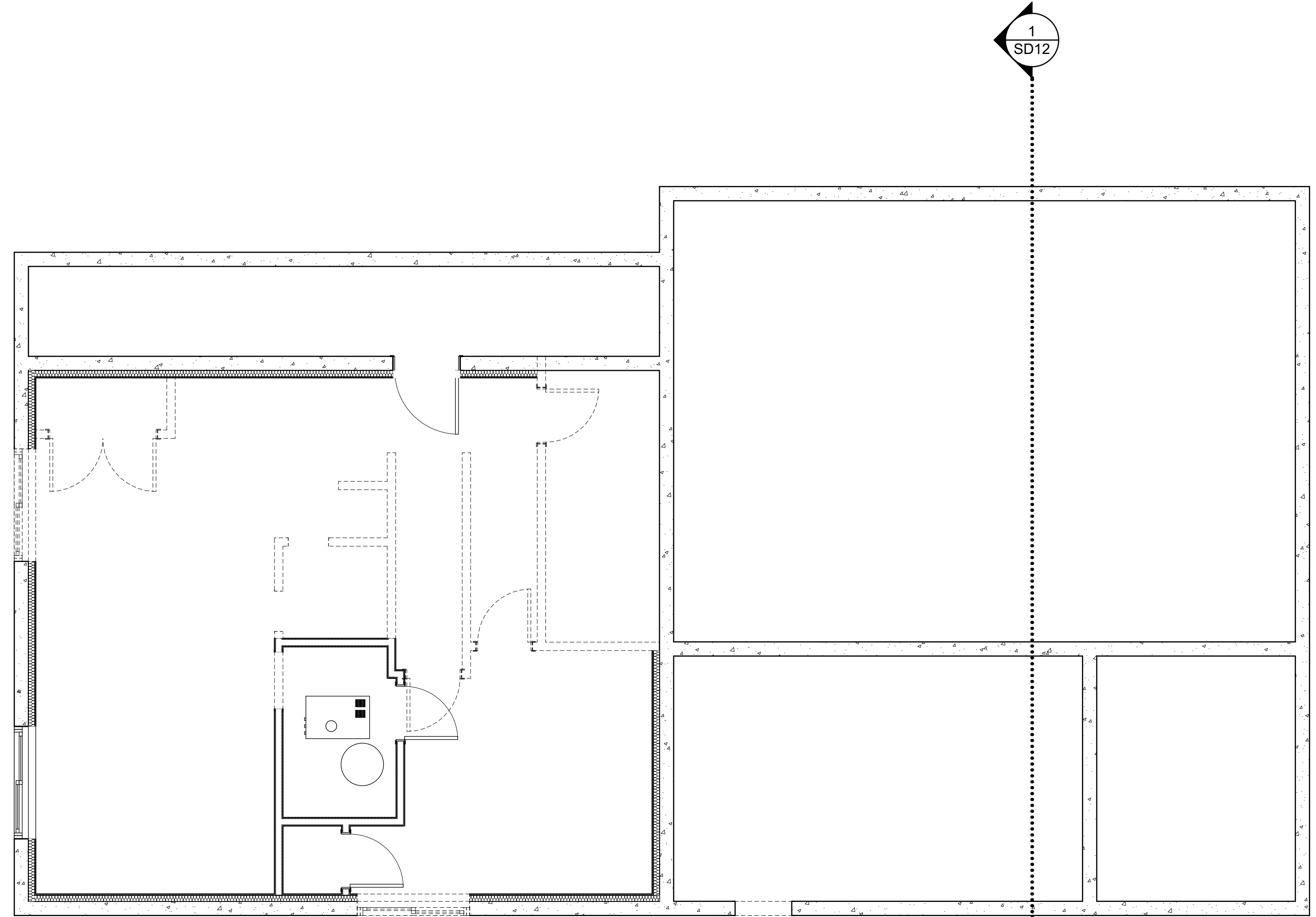
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A1 .1 BASEMENT DEMOLITION PLAN  
SCALE: 1/4" = 1'-0"



**GENERAL NOTES**

- DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE. NO DRAWING OR SPECIFICATION SHALL TAKE PRECEDENCE OVER ANY OTHER PART OF THE CONTRACT DOCUMENTS. ANY INFORMATION FOUND TO BE IN CONTRADICTION WITH ANOTHER PART OF THE CONTRACT DOCUMENTS SHALL BE SUBMITTED TO THE ARCHITECT FOR CLARIFICATION. DAMAGES INCURRED BY FAILURE TO DO SO SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- THE INTENT OF THESE DRAWINGS IS TO INCLUDE ALL MATERIALS, LABOR, AND SERVICES NECESSARY FOR COMPLETION OF ALL WORK SHOWN, PRESCRIBED, OR REASONABLY IMPLIED BUT NOT LIMITED TO THAT EXPLICITLY INDICATED IN THE CONTRACT DOCUMENTS.
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, RULES, AND REGULATIONS AS ADOPTED BY AUTHORITIES HAVING JURISDICTION.

**KEY NOTES**

- 02 EXISTING CONDITIONS  
02.01 THIS IS A TEST KEYNOTE  
THIS IS A TEST KEYNOTE. REVISE OR DELETE THIS NOTE.  
01.01.01



**Contact Company**  
Contact Full Address 1  
Contact City, Contact State/Province  
Contact Postcode/ZIP  
P Contact Phone No.  
#Contact E-mail

**PRELIMINARY**  
NOT FOR CONSTRUCTION

**HOWELL RESIDENCE ADDITION**

**TOM HOWELL**  
208 Canyon View Circle  
Centerville, UT 84014

**PRELIMINARY - NOT FOR CONSTRUCTION**

REVISIONS	DESCRIPTION	DATE
#		

PROJECT #: 24011  
CHKD BY: DC  
DRAWN BY: DC  
ISSUE DATE: MAR 14, 2024

**BASEMENT DEMOLITION PLAN**

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### GENERAL NOTES

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### KEY NOTES

- 02 EXISTING CONDITIONS  
 02.01 THIS IS A TEST KEYNOTE  
 THIS IS A TEST KEYNOTE. REVISE OR DELETE THIS NOTE.  
 01.01.01



**Contact Company**  
 Contact Full Address 1  
 Contact City, Contact State/Province  
 Contact Postcode/ZIP  
 P Contact Phone No.  
 #Contact E-mail

**PRELIMINARY**  
NOT FOR CONSTRUCTION

**HOWELL RESIDENCE ADDITION**

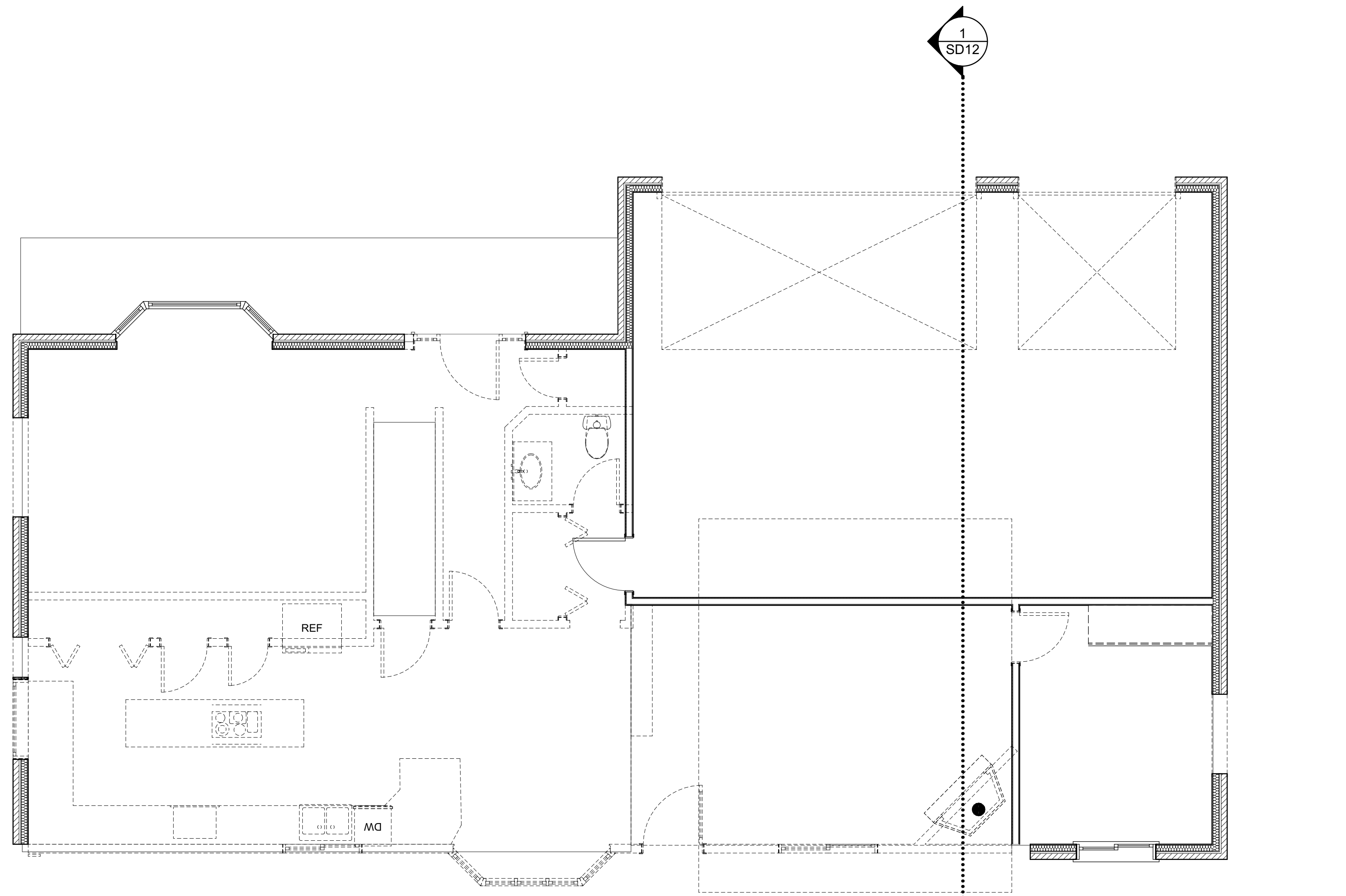
**TOM HOWELL**  
 208 Canyon View Circle  
 Centerville, UT 84014  
**PRELIMINARY - NOT FOR CONSTRUCTION**

REVISIONS	DESCRIPTION	DATE
#		

PROJECT #: 24011  
 CHKD BY: DC  
 DRAWN BY: DC  
 ISSUE DATE: MAR 14, 2024

### FIRST FLOOR DEMOLITION PLAN

# .2



A1 FIRST FLOOR DEMOLITION PLAN  
 .2 SCALE: 1/4" = 1'-0"



1

2

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### GENERAL NOTES

- DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE. NO DRAWING OR SPECIFICATION SHALL TAKE PRECEDENCE OVER ANY OTHER PART OF THE CONTRACT DOCUMENTS. ANY INFORMATION FOUND TO BE IN CONTRADICTION WITH ANOTHER PART OF THE CONTRACT DOCUMENTS SHALL BE SUBMITTED TO THE ARCHITECT FOR CLARIFICATION. DAMAGES INCURRED BY FAILURE TO DO SO SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- THE INTENT OF THESE DRAWINGS IS TO INCLUDE ALL MATERIALS, LABOR, AND SERVICES NECESSARY FOR COMPLETION OF ALL WORK SHOWN, PRESCRIBED, OR REASONABLY IMPLIED BUT NOT LIMITED TO THAT EXPLICITLY INDICATED IN THE CONTRACT DOCUMENTS.
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, RULES, AND REGULATIONS AS ADOPTED BY AUTHORITIES HAVING JURISDICTION.

### KEY NOTES

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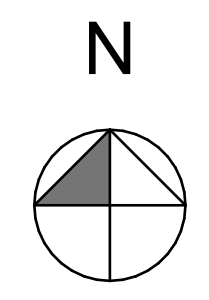
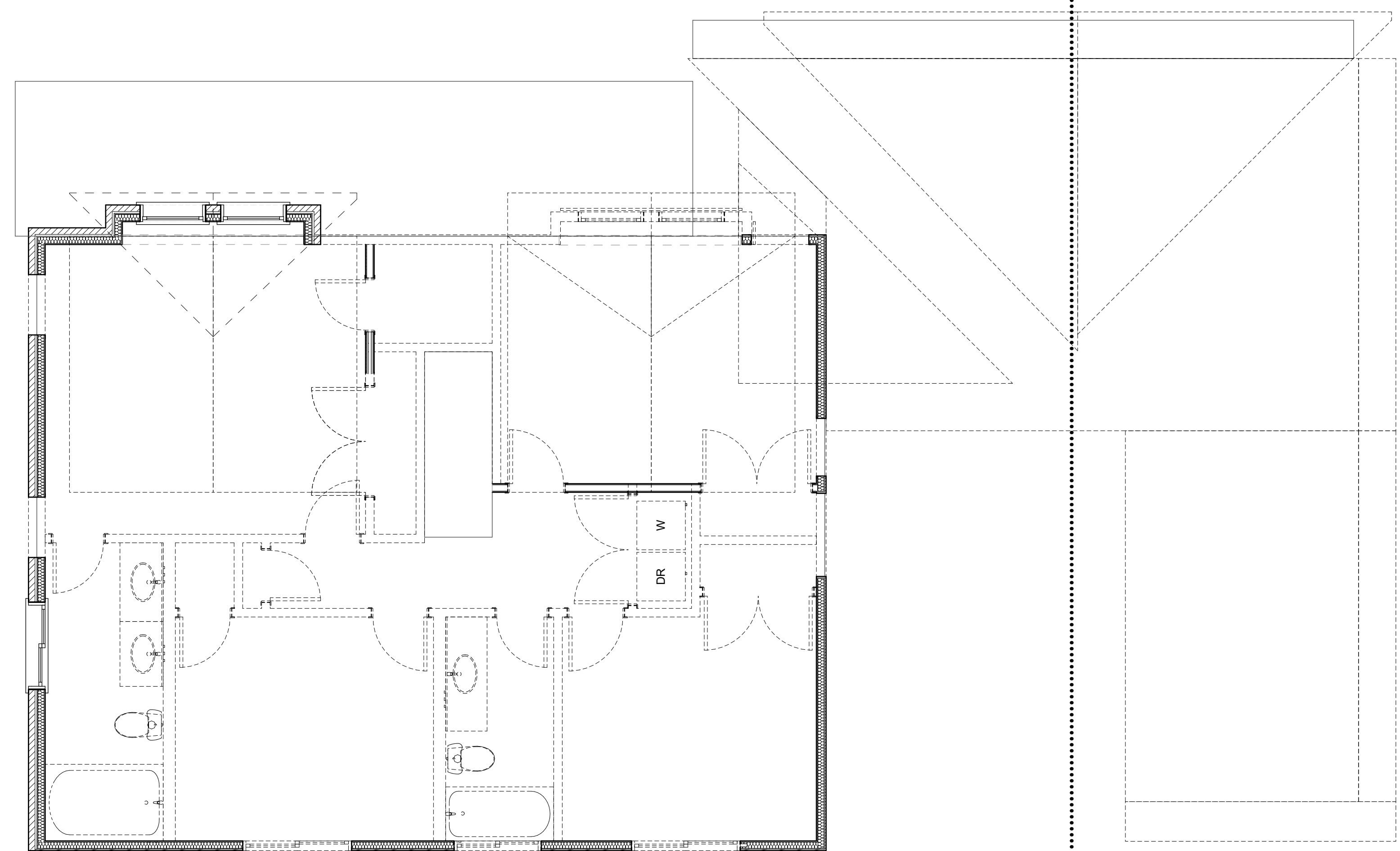
**PRELIMINARY**  
 NOT FOR CONSTRUCTION

**HOWELL RESIDENCE ADDITION**

TOM HOWELL

208 Canyon View Circle  
 Centerville, UT 84014

**PRELIMINARY - NOT FOR CONSTRUCTION**



A2 .3 SECOND FLOOR DEMOLITION PLAN  
 SCALE: 1/4" = 1'-0"



REVISIONS #	DESCRIPTION	DATE

PROJECT #: 24011  
 CHKD BY: DC  
 DRAWN BY: DC  
 ISSUE DATE: MAR 14, 2024

**SECOND FLOOR  
 DEMOLITION PLAN**

**.3**

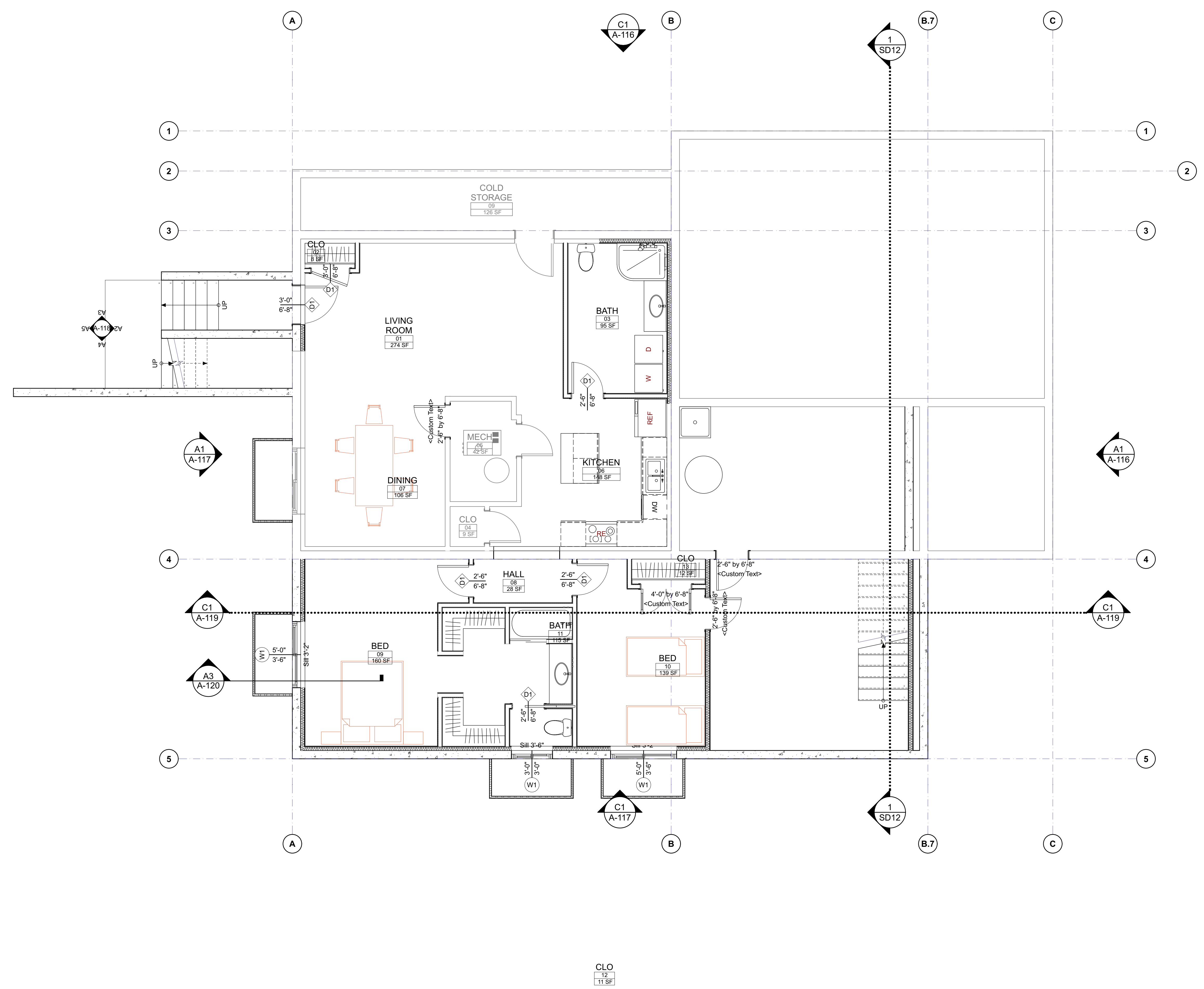
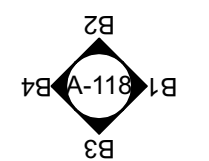
1 2 3 4 5

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**FLOOR PLAN  
GENERAL NOTES**

1. FIELD VERIFY ALL CONDITIONS BEFORE PROCEEDING WITH WORK.
2. FLOOR ELEVATIONS PROVIDED ARE FOR REFERENCE ONLY - VERIFY ELEVATIONS WITH SITE CONDITIONS.
3. DIMENSIONS ARE TO FACE OF STUD/STRUCTURE UNLESS NOTED OTHERWISE.
4. DO NOT SCALE DRAWINGS. PROVIDED DIMENSIONS TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
5. PROVIDE SOUND INSULATION IN STUD CAVITIES OF WALLS THAT SEPARATE MECHANICAL ROOMS AND LAUNDRY FACILITIES FROM LIVING SPACE, TYP.
6. PROVIDE 1-HOUR FIRE RESISTIVE CONSTRUCTION AT DEMISING WALL BETWEEN GARAGE AND LIVING SPACES, INCLUDING THE COLD STORAGE ROOM.
7. DOOR AND WINDOW DIMENSIONS ARE TO ROUGH OPENING SIZES. REFER TO DOOR AND WINDOW SCHEDULES.

**KEY NOTES**

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**PRELIMINARY  
NOT FOR CONSTRUCTION**

**HOWELL RESIDENCE ADDITION**

**TOM HOWELL**  
 208 Canyon View Circle  
 Centerville, UT 84014

**PRELIMINARY - NOT FOR CONSTRUCTION**

REVISIONS #	DESCRIPTION	DATE

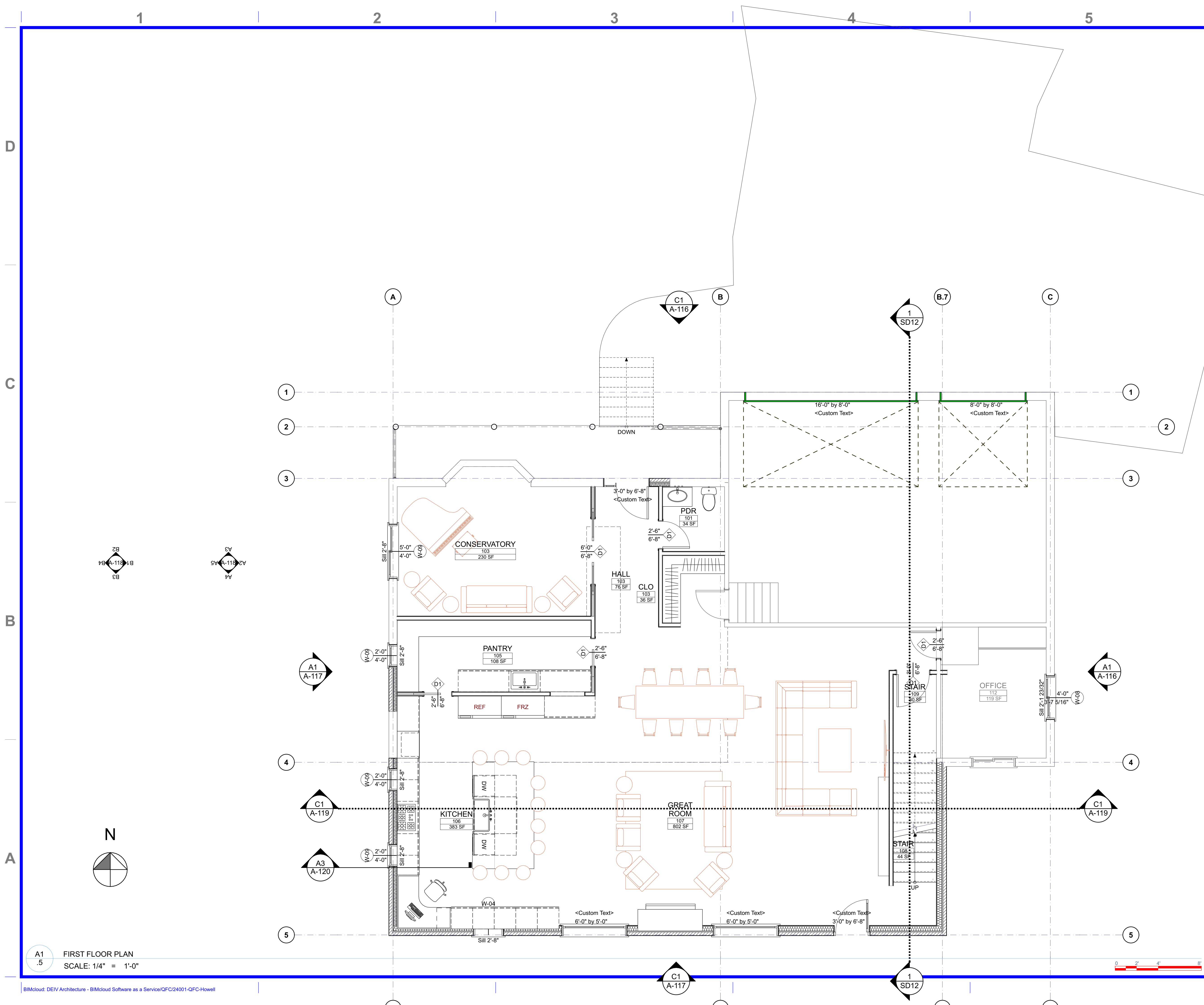
PROJECT #: 24011  
 CHKD BY: DC  
 DRAWN BY: DC  
 ISSUE DATE: MAR 14, 2024

**BASEMENT FLOOR PLAN**

A1 .4 BASEMENT FLOOR PLAN  
 SCALE: 1/4" = 1'-0"



**.4**



### FLOOR PLAN GENERAL NOTES

1. FIELD VERIFY ALL CONDITIONS BEFORE PROCEEDING WITH WORK.
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7. DOOR AND WINDOW DIMENSIONS ARE TO ROUGH OPENING SIZES. REFER TO DOOR AND WINDOW SCHEDULES.

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**PRELIMINARY**  
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**HOWELL RESIDENCE ADDITION**  
 TOM HOWELL  
 208 Canyon View Circle  
 Centerville, UT 84014  
 PRELIMINARY - NOT FOR CONSTRUCTION

REVISIONS	DESCRIPTION	DATE
#		

PROJECT #: 24011  
 CHKD BY: DC  
 DRAWN BY: DC  
 ISSUE DATE: MAR 14, 2024

FIRST FLOOR PLAN

**.5**

1 2 3 4 5

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### FLOOR PLAN GENERAL NOTES

- FIELD VERIFY ALL CONDITIONS BEFORE PROCEEDING WITH WORK.
- FLOOR ELEVATIONS PROVIDED ARE FOR REFERENCE ONLY - VERIFY ELEVATIONS WITH SITE CONDITIONS.
- DIMENSIONS ARE TO FACE OF STUD/STRUCTURE UNLESS NOTED OTHERWISE.
- DO NOT SCALE DRAWINGS. PROVIDED DIMENSIONS TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
- PROVIDE SOUND INSULATION IN STUD CAVITIES OF WALLS THAT SEPARATE MECHANICAL ROOMS AND LAUNDRY FACILITIES FROM LIVING SPACE, TYP.
- PROVIDE 1-HOUR FIRE RESISTIVE CONSTRUCTION AT DEMISING WALL BETWEEN GARAGE AND LIVING SPACES, INCLUDING THE COLD STORAGE ROOM.
- DOOR AND WINDOW DIMENSIONS ARE TO ROUGH OPENING SIZES. REFER TO DOOR AND WINDOW SCHEDULES.

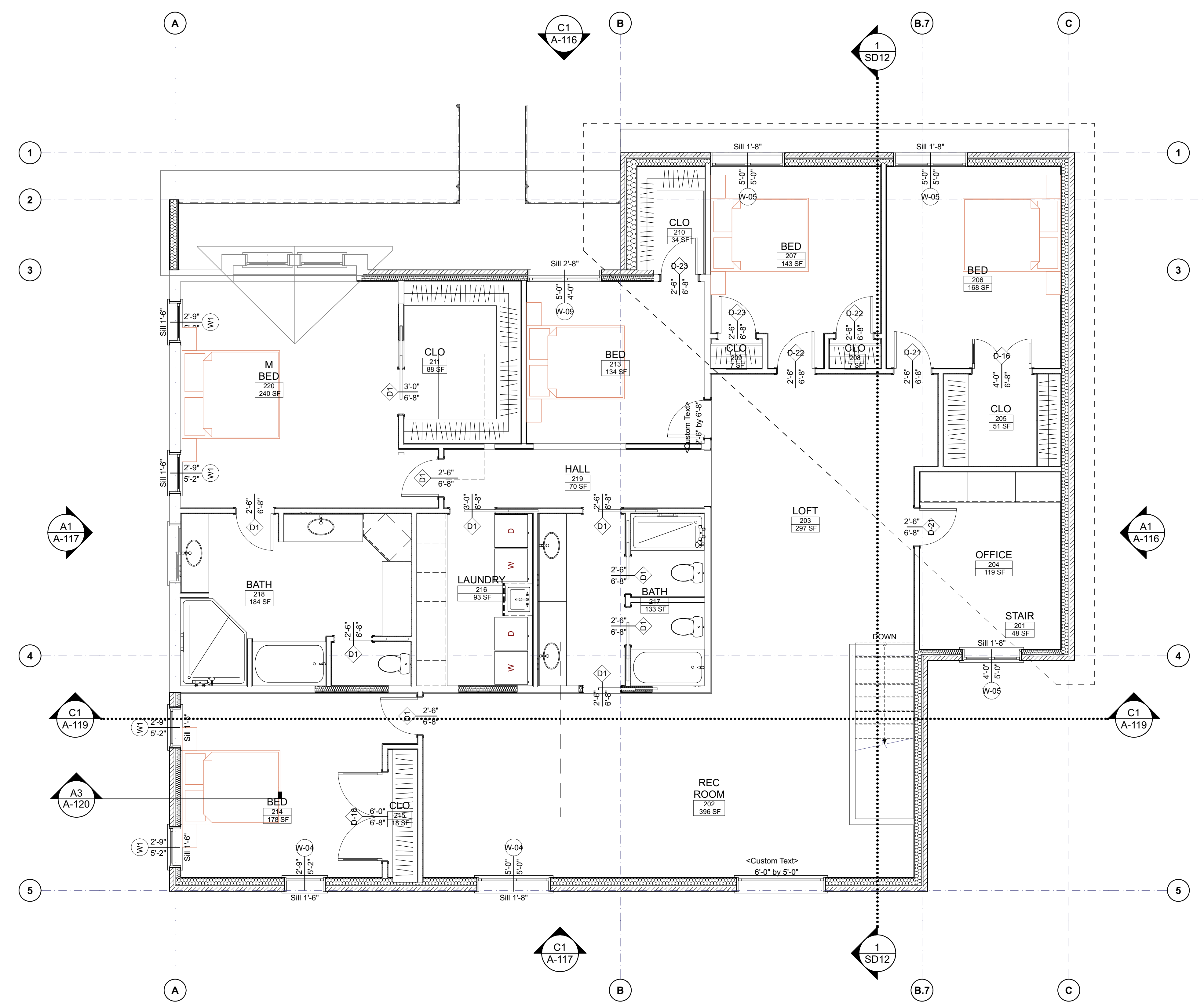


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### KEY NOTES

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**HOWELL RESIDENCE ADDITION**

**TOM HOWELL**  
 208 Canyon View Circle  
 Centerville, UT 84014

**PRELIMINARY - NOT FOR CONSTRUCTION**

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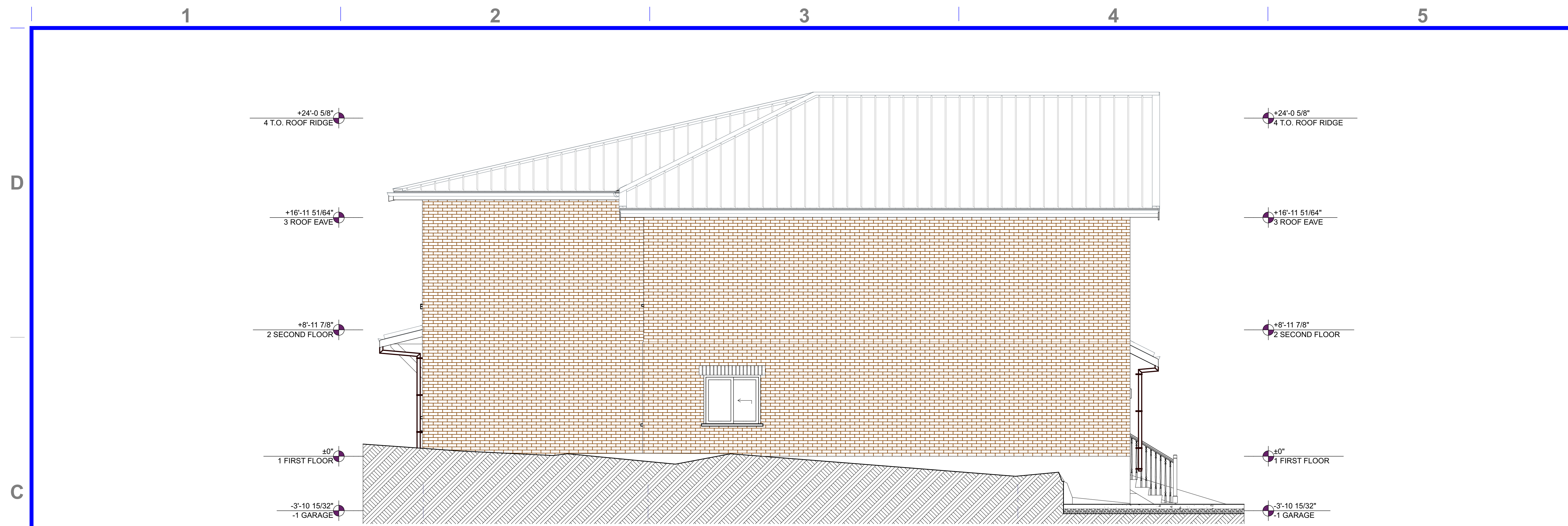
PROJECT #: 24011  
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 DRAWN BY: DC  
 ISSUE DATE: MAR 14, 2024

**SECOND FLOOR PLAN**

A1 SECOND FLOOR PLAN  
 .6 SCALE: 1/4" = 1'-0"



**.6**



C1  
.7 EAST ELEVATION  
SCALE: 1/4" = 1'-0"



A1  
.7 NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

### ELEVATION GENERAL NOTES

1. FIELD VERIFY ALL CONDITIONS BEFORE PROCEEDING WITH WORK.
2. ALL PENETRATIONS THROUGH THE EXTERIOR OF THE BUILDING SHALL BE SEALED AND MADE WEATHER TIGHT. INSTALLERS SHALL PROVIDE ALL REQUIRED FLASHING, SEALANT, AND WEATHER-PROOFING MATERIALS SPECIFIC TO THE TYPE OF PENETRATION. CUT HOLES ONLY AS LARGE AS REQUIRED TO FIT THE PENETRATING COMPONENT. ANY EXTRA OR MIS-PLACED HOLES SHALL BE PATCHED WITH THE SAME TYPE OF MATERIAL AND SEALED TO BE WEATHER TIGHT.
3. COORDINATE LOCATIONS OF EXHAUST VENTS AND INTAKE DUCTS AND EQUIPMENT. ENSURE CLEARANCE REQUIREMENTS ARE ACHIEVED AS PRESCRIBED IN THE GOVERNING CODE.
4. FLUE PIPES, EXHAUST DUCT, PLUMBING VENTS AND OTHER SUCH ROOF PENETRATIONS SHALL BE CONCEALED FROM VIEW FROM THE STREET.
5. WHERE ADHERED STONE VENEER IS INDICATED, PROVIDE ALL ANCHORS, SUPPORT BRACKETS, LEDGERS, LINTELS, AND FLASHING AS REQUIRED BY STONE MANUFACTURER

### KEY NOTES

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**HOWELL RESIDENCE ADDITION**

**TOM HOWELL**

208 Canyon View Circle  
 Centerville, UT 84014

**PRELIMINARY - NOT FOR CONSTRUCTION**

REVISIONS	DESCRIPTION	DATE
#		

PROJECT #:	24011
CHKD BY:	DC
DRAWN BY:	DC
ISSUE DATE:	MAR 14, 2024

**BUILDING ELEVATIONS**

**.7**

1 2 3 4 5

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C1 SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



A1 WEST ELEVATION  
SCALE: 1/4" = 1'-0"

ELEVATION  
GENERAL NOTES

1. FIELD VERIFY ALL CONDITIONS BEFORE PROCEEDING WITH WORK.
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5. WHERE ADHERED STONE VENEER IS INDICATED, PROVIDE ALL ANCHORS, SUPPORT BRACKETS, LEDGERS, LINTELS, AND FLASHING AS REQUIRED BY STONE MANUFACTURER

KEY NOTES

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HOWELL RESIDENCE ADDITION

TOM HOWELL  
208 Canyon View Circle  
Centerville, UT 84014

PRELIMINARY - NOT FOR CONSTRUCTION

REVISIONS	DESCRIPTION	DATE
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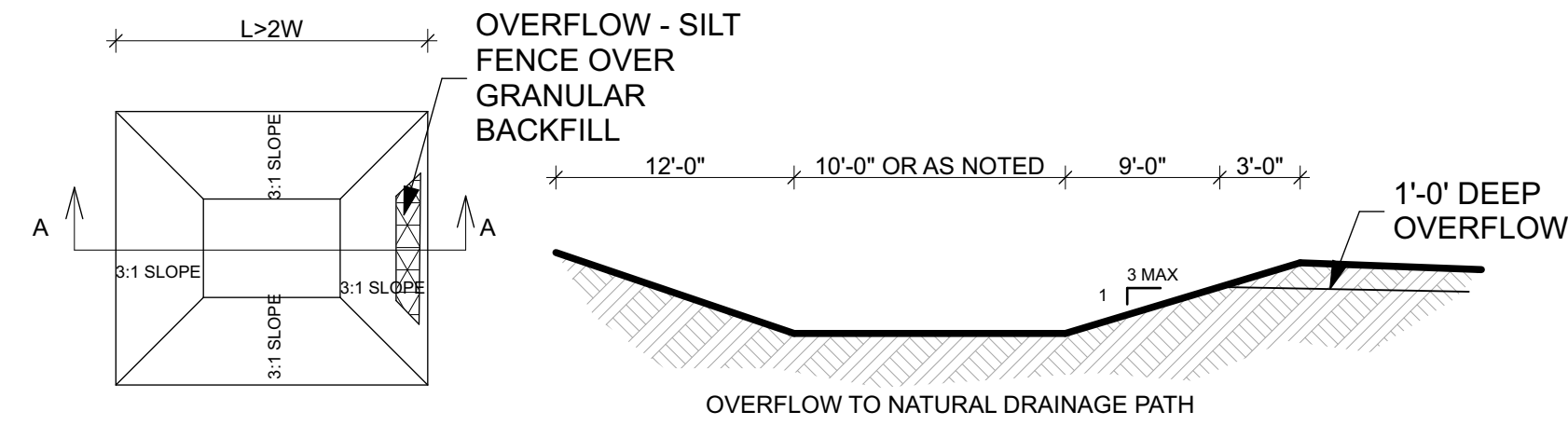
PROJECT #: 24011  
CHKD BY: DC  
DRAWN BY: DC  
ISSUE DATE: MAR 14, 2024

BUILDING  
ELEVATIONS

.8

**SITE PLAN SWPPP NOTE:**

1. PROTECT STORM DRAIN INLET - SEE DETAIL ON THIS SHEET.
2. SHADED AREA INDICATES LOCATION OF WASH-OUT BASIN - SEE DETAIL ON THIS SHEET.
3. INSTALL SILT FENCING FOR EROSION CONTROL ALONG ALL PROPERTY LINES OF SUBJECT PROPERTY, TYPICAL - SEE DETAIL ON THIS SHEET. TYPICAL DISTANCE FROM BUILDING ENVELOPE LINE ON LEFT, RIGHT AND REAR FACES OF BUILDING AREA IS 7'-0" MAXIMUM TO THE OUTSIDE OF THE BUILDING ENVELOPE.
4. LOCATION OF JOB-SITE PORTA-POTTY STRUCTURE. SEE DETAIL ON THIS SHEET.
5. JOBSITE CONSTRUCTION ENTRANCE - SEE DETAIL ON THIS SHEET.



**PLAN VIEW**

**SECTION A-A**

- NOTES:
1. CLEAN OUT BASIN WHEN CAPACITY IS REDUCED BY HALF.
  2. SIZE BASIN PER MINIMUM DIMENSIONS SHOWN AND PER DIMENSIONS IN PLAN WHICH EVER IS GREATER.
  3. SAFETY FENCING IS REQUIRED FOR DEPTH GREATER THAN 3'-0".
  4. WHERE 2:1 RATIO OF LENGTH TO WIDTH IS NOT AVAILABLE CONSTRUCT BERM(S) FOR BAFFLE(S) BETWEEN INLET AND OUTLET TO ACHIEVE 2:1 FLOW LENGTH RATIO.
  5. WHERE TEMPORARY SEDIMENTATION WILL BE CONVERTED TO A PERMANENT DETENTION POND, PROTECT OUTLET PER DETAIL 1, TEMPORARY BASIN OUTLET PROTECTION.

**D2 AS-001** TEMPORARY SEDIMENTATION BASIN  
NOT TO SCALE

PARCEL #: 07-075-0418  
 ZONING: R-L  
 SITE AREA: 0.21 ACRES  
 BLDG USE: Residential  
 OCC. GROUP: R-3  
 CONST. TYPE: V-B  
 CLIMATE ZONE: 5A  
 FIRE SPRINKLERS: None

LEGAL DESC'N:  
 ALL OF LOT 418, ROLLING HILLS ESTATES SUB PLAT D. CONT. 0.21 ACRES.

**GENERAL NOTES**

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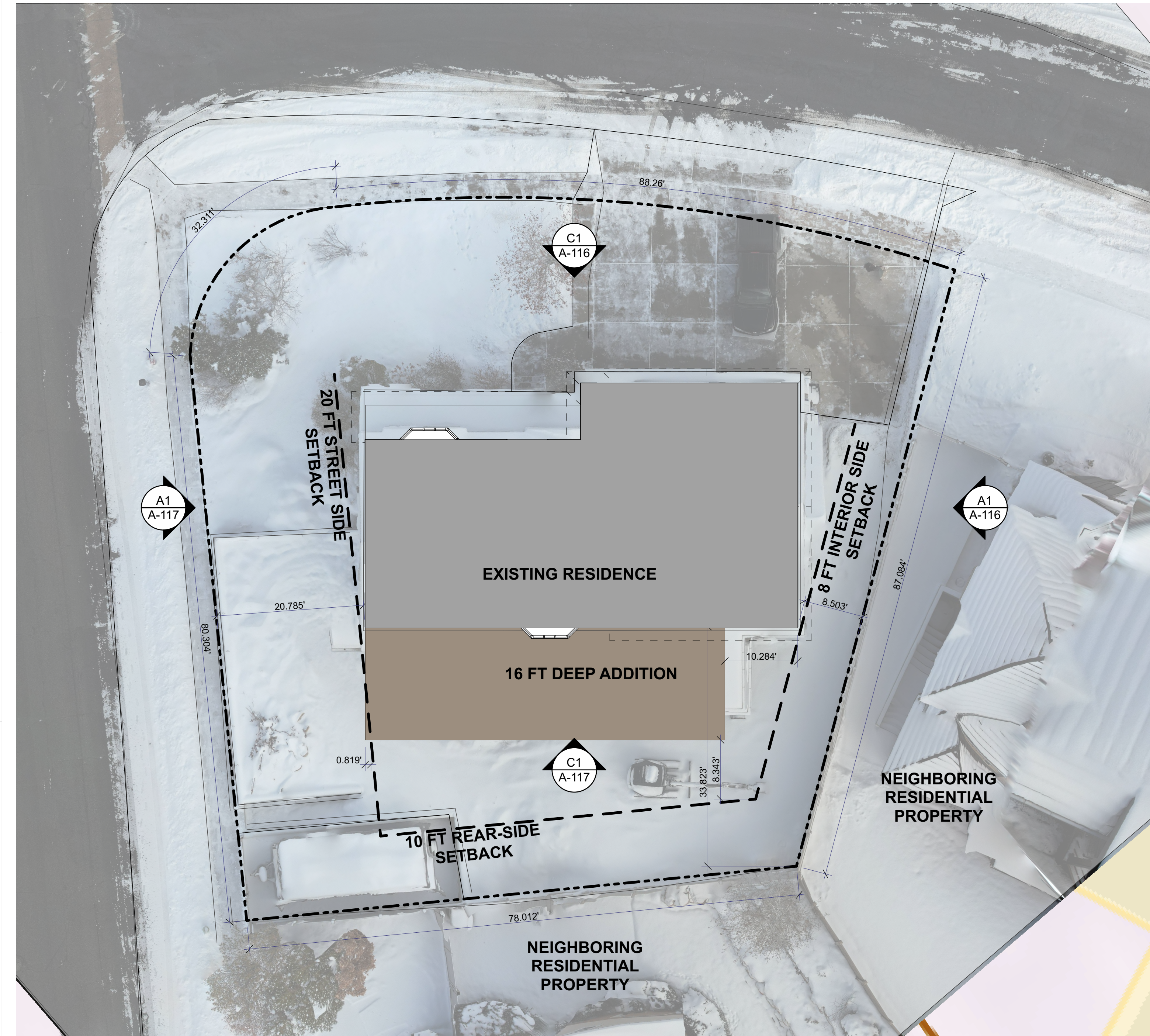


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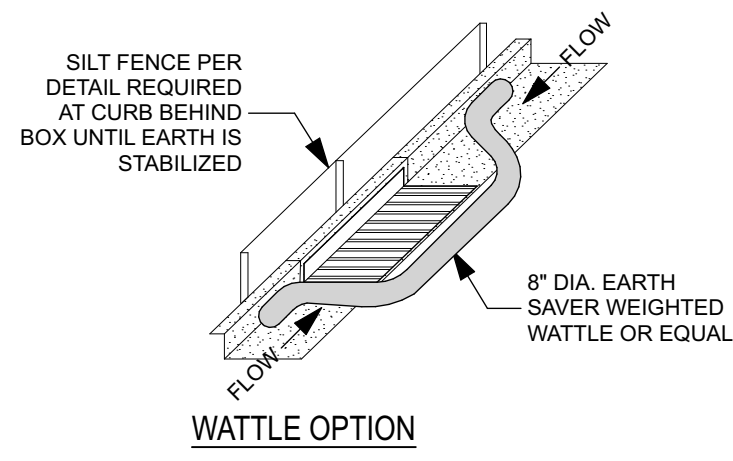
**A3 AS-001** ARCHITECTURAL SITE PLAN  
SCALE: 1" = 10'

D

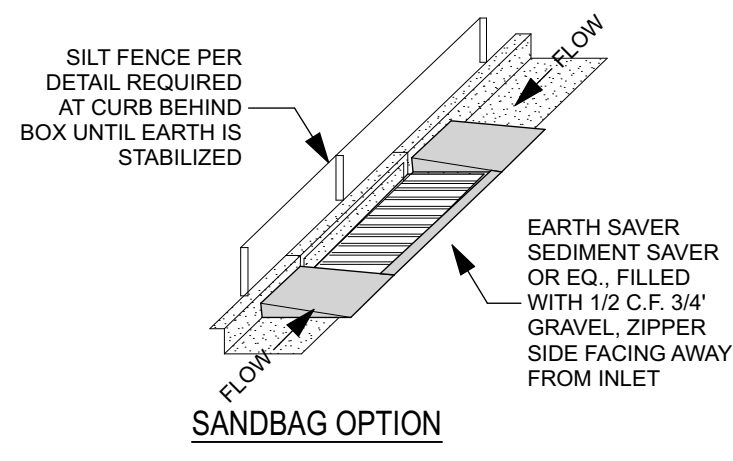
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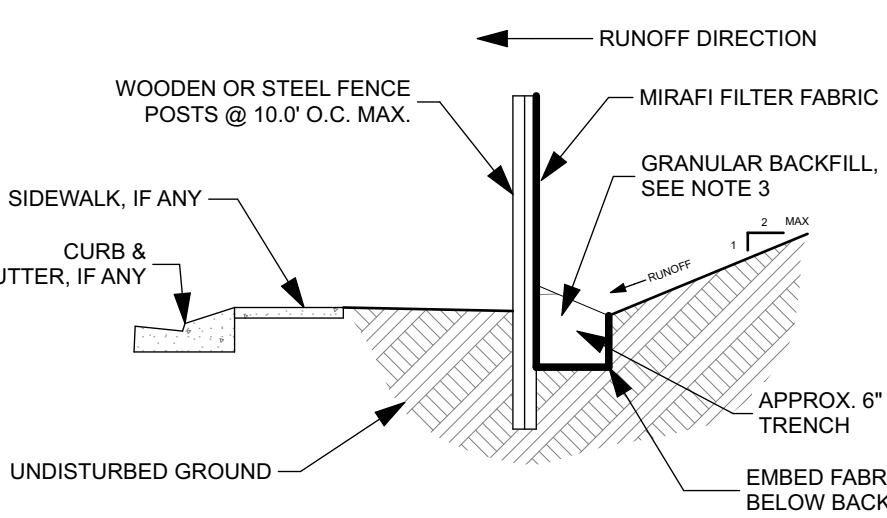
**WATTLE OPTION**



**SANDBAG OPTION**

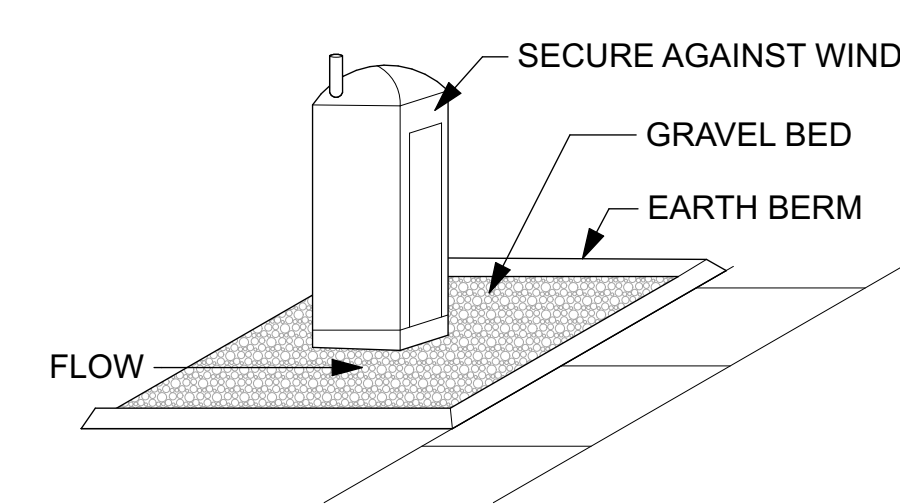
1. PLACE WATTLES OR GRAVEL BAGS TIGHT AGAINST CURB TO PREVENT SEDIMENT-LADEN WATER FROM GETTING BETWEEN CURB AND WATTLE/BAG.
2. PLACE WATTLES OR GRAVEL BAGS SUCH THAT FLOW DOES NOT OVERTOP CURB OR ROAD CENTERLINE.
3. INSPECT INLET PROTECTION AFTER EVERY LARGE STORM EVENT AND AT LEAST BI-WEEKLY OR PER SWPPP REQUIREMENTS, WHICHEVER IS MORE STRINGENT, TO ENSURE THAT SEDIMENT CONTROL IS MEETING ITS DESIGN INTENT. MAINTAIN AND/OR REPLACE AS NEEDED.
4. REMOVE SEDIMENT ACCUMULATED WHEN IT REACHES 50% OF GRAVEL BAG OR WATTLE HEIGHT.
5. CONTRACTOR MAY SUBMIT AN ALTERNATIVE METHOD OF INLET PROTECTION. THE ALTERNATIVE METHOD SHALL BE APPROVED BY THE CITY INSPECTOR AND THE ENGINEER OF RECORD.
6. BEFORE PLACEMENT OF CURB, STABILIZATION OF LAND BEHIND CURB, AND/OR PAVING, MAINTAIN TOP OF INLET AT 6" ABOVE GRADE, AND SURROUND WITH SILT FENCE FOR SEDIMENTATION AROUND BOX. MAINTAIN SILT FENCE BEHIND BOX UNTIL LAND BEHIND CURB IS STABILIZED.

**C1 AS-001** SAG INLET PROTECTION  
NOT TO SCALE

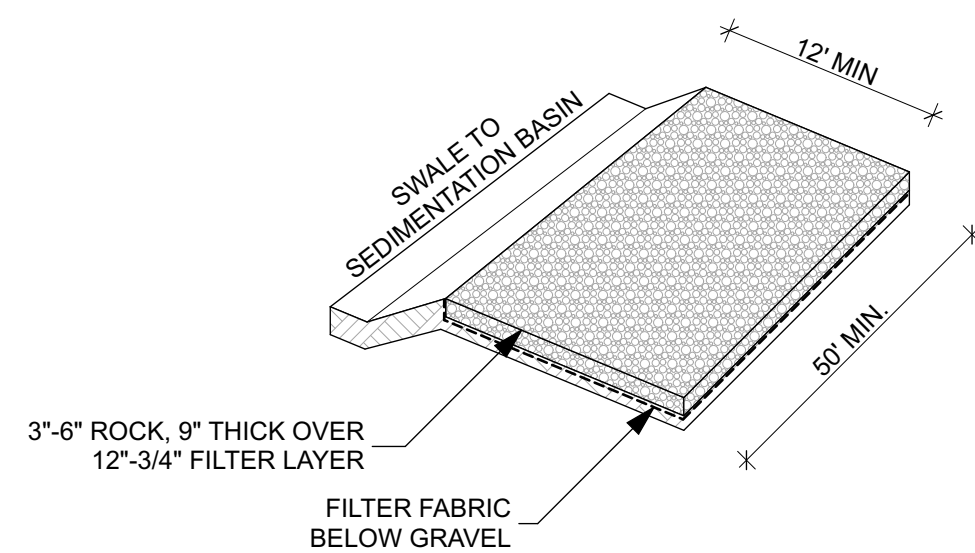


1. EXCAVATE 6"x6" TRENCH ALONG LIMITS OF DISTURBANCE AS SHOWN ON CONSTRUCTION DRAWINGS.
2. POSTS SHALL BE POSITIONED ON THE DOWNSTREAM SIDE OF FENCE.
3. LAY TOE-IN FABRIC FLAP IN BOTTOM OF TRENCH. BACKFILL TRENCH WITH FREE DRAINING GRANULAR MATERIAL COMPACT TRENCH TO SATISFACTION OF THE ENGINEER OF RECORD.
4. SILT FENCE GEOTEXTILE SHALL MEET AASHTO M288-02 REQUIREMENTS.
5. REMOVE & DISPOSE OF SEDIMENT WHEN ACCUMULATION IS 50% OF EXPOSED FENCE HEIGHT.
6. 10' MAX. SPACING BETWEEN STAKES.
7. SILT FENCES SHALL BE INSTALLED ALONG CONTOURS, NOT UP AND DOWN SLOPES, WITH 10' OVERLAP AT BREAKS.

**B1 AS-001** TEMPORARY SILT FENCE  
NOT TO SCALE



**A1 AS-001** PORTABLE TOILET  
NOT TO SCALE



**A2 AS-001** VEHICLE WASHDOWN  
NOT TO SCALE

**HOWELL RESIDENCE ADDITION**

**PAUL HOWELL**  
 208 Canyon View Circle  
 Centerville, UT 84014

**PRELIMINARY - NOT FOR CONSTRUCTION**

REVISIONS	DATE
#	DESCRIPTION

PROJECT #: 24011  
 CHKD BY:  
 DRAWN BY: CAD Technician Full Name  
 ISSUE DATE: ###

**ARCHITECTURAL SITE PLAN**

**AS-001**

## Re: Howell Home Variance Request

Whittney Black <whittney.black@centervilleutah.gov>

Mon 4/1/2024 11:23 AM

To: Thomas Howell <howell.thomas@gmail.com>; Michael Eggett <michael.eggett@centervilleutah.gov>

Cc: Suzanne DeVoe <suzanne.devoe@centervilleutah.gov>

Tom,

Your application has been received. We will look over it to make sure it is a complete application per city ordinance. Once a complete application has been determined we will get with the City Recorder to schedule a meeting with the Board of Adjustment. The Board only meets as necessary, so it may be a few weeks before a meeting can be held.

We will be in touch as we review your application.

Thanks,

*Whittney Black, MPA*

Assistant City Planner

Centerville City, Utah

801-677-6097

---

**From:** Thomas Howell <howell.thomas@gmail.com>

**Sent:** Monday, April 1, 2024 10:20 AM

**To:** Michael Eggett <michael.eggett@centervilleutah.gov>; Whittney Black <whittney.black@centervilleutah.gov>

**Cc:** Suzanne DeVoe <suzanne.devoe@centervilleutah.gov>

**Subject:** Howell Home Variance Request

Some people who received this message don't often get email from howell.thomas@gmail.com. [Learn why this is important](#)

Good morning, Michael and Whittney-

Thank you for your help on this. We are not builders or attorneys, but we've done our best collecting the information you may need. Please let me know if you need anything else.

Thank you!

Tom

Variance - Howell

CENTERVILLE CORPORATION  
250 NORTH MAIN  
CENTERVILLE UT 84014

801-295-3477

Receipt No: 30.012519

Apr 1, 2024

THOMAS HOWELL

Previous Balance:	.00
CHARGES FOR SERVICES	
ZONING & SUB FEES	250.00
10-34-1.00000	
ZONING & SUBDIVISION FEES	

Total: 250.00

Credit Card Finance 250.00

Total Applied: 250.00

Change Tendered: .00

Duplicate Copy  
04/08/2024 2:03 PM

### **12.21.130 Variance**

- (a) Purpose. This Section sets forth procedures for considering and approving a variance to the provisions of this Title. Variance procedures are intended to provide a narrowly circumscribed means by which relief may be granted from particular unforeseen applications of the provisions of this Title that create unreasonable hardships. The provisions set forth herein regarding variance are intended to comply with applicable State law provisions as set forth in Utah Code § 10-9a-702.
- (b) Authority. The Board of Adjustment is authorized to hear and decide variances to the provisions of this Title as provided in this Section.
- (c) Initiation. A property owner or the owner's lessee may request a variance to the provisions of this Title as provided in this Section. An agent of a property owner shall provide an affidavit of authorization.

(d) Procedure. An application for a variance shall be considered and processed as provided in this Subsection.

(1) A complete application shall be submitted to the Zoning Administrator in a form established by the Zoning Administrator along with any fees and deposits set forth in the City Fee Schedule. The application shall include at least the following information:

- (A) The name, address, email and telephone number of the applicant and the applicant's agent, if any;
- (B) The address and parcel identification of the subject property;
- (C) The specific feature or features of the proposed use, construction or development that require a variance;
- (D) The specific provision of this Title from which a variance is sought;
- (E) A statement of the characteristics of the subject property that prevent compliance with the provisions of this Title and result in unnecessary hardship;
- (F) A statement of the amount of variation needed to allow the proposed use, construction or development;
- (G) An explanation of how the application satisfies the variance standards set forth in Subsection (e);
- (H) A plot plan showing the following:
  - (i) Applicant's name;
  - (ii) Site address;
  - (iii) Property boundaries and dimensions;
  - (iv) Layout of existing and proposed buildings, parking, landscaping, and utilities; and
  - (v) Adjoining property lines and uses within 100 feet of the subject property.
- (I) An elevation plan drawn to scale showing elevations of existing and proposed structures;
- (J) When the variance involves building height, a streetscape plan showing the height of all buildings within 150 feet of the subject property;
- (K) When a variance involves grade changes, a topographical drawing prepared by a licensed surveyor or civil engineer, showing existing topography in dashed lines at two foot intervals and showing the proposed grade in solid lines at two foot intervals;
- (L) When a variance involves retaining walls, a plan showing all retaining walls, including their height relative to proposed grades; and
- (M) Any other information reasonably determined by the Zoning Administrator or Board of Adjustment to be pertinent to a requested variance.

(2) After the application is determined to be complete in accordance with CZC 12.21.040(e), the Zoning Administrator shall prepare a staff report evaluating the application.

- (3) The Board of Adjustment shall schedule and hold a public meeting. Notice of the public meeting shall be provided in accordance with CZC 12.21.050. After due consideration the Board of Adjustment shall approve, approve with conditions or deny the application pursuant to the standards set forth in Subsection (e). Any conditions of approval shall be limited to conditions needed to conform the variance to approval standards.
- (4) After the Board of Adjustment makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
- (5) A record of all variances shall be maintained in the office of the Zoning Administrator.

(e) Approval Standards. The following standards shall apply to a variance.

(1) The Board of Adjustment may grant a variance only if:

- (A) Literal enforcement of any provision of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;
- (B) There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district;
- (C) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district;
- (D) The variance will not substantially affect the General Plan and will not be contrary to the public interest; and
- (E) The spirit of this Title is observed and substantial justice done.

(2) In determining whether or not enforcement of any provision of this Title would cause unreasonable hardship, the Board of Adjustment may not find unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. The Board of Adjustment may not find an unreasonable hardship exists if the hardship is self imposed or economic.

(3) In determining whether or not there are special circumstances attached to the property, the Board of Adjustment may find that special circumstances exist only if the special circumstances relate to the hardship complained of and deprive the property of privileges granted to other properties in the same zone.

(4) An applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

(5) A use variance may not be granted.

(6) In granting a variance, the Board of Adjustment may impose additional requirements on an applicant that will mitigate any harmful effects of the variance, or serve the purpose of the standard or requirement that is waived or modified.

(7) A variance more restrictive than that requested by an applicant may be authorized when the record supports the applicant's right to some relief but not to the extent requested.

(f) Appeal. Any person adversely affected by a final decision of the Board of Adjustment regarding a variance may appeal that decision to the district court as provided in Utah Code § 10-9a-801.

- (g) Effect of Approval. A variance shall not authorize the establishment of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any approvals or permits that may be required by this Title and other applicable provisions of the Centerville Municipal Code.
- (h) Amendment. The procedure for amending any variance decision shall be the same as the original procedure set forth in this Section.
- (i) Expiration. Variances shall not expire but shall run with the land.

HISTORY

Adopted by Ord. [2016-20](#) on 7/15/2016