



November 3, 2020

Staci Kirchhoff
1 Glen Ridge Drive
Lemoyne, PA 17043
CC: Josh Arrington, Upwall Design

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-20-04645
<u>Subject</u>	Administrative Conditional Use Permit (CUP)
<u>Address</u>	7839 Hawk Court
<u>Description</u>	The Applicant is proposing retaining walls greater than six feet (6') in height within a Side Setback.
<u>Action Taken</u>	Approved
<u>Date of Action</u>	November 3, 2020

Action taken by Planning Department: An Administrative CUP was granted for retaining walls greater than six feet (6') in height located within the Side Setback Area at 7839 Hawk Court based on the following:

Findings of Fact:

1. The project is located at 7839 Hawk Court.
2. This property is located in the Residential Development (RD) Zoning District.
3. The purpose of this Administrative CUP request was originally to allow five (5) retaining walls greater than six feet (6') tall located within the Side Setback Areas (north and south Sides), as allowed by the Land Management Code (LMC). The walls were varying heights, up to ten feet (10') in height. Per the public hearing for this Site (see Finding of Fact 5), the Applicant has reduced wall heights so that the walls will be a maximum of eight feet (8') in height. The south Side Setback wall is no longer included in this review, as it has been reduced to six feet (6') in height.
4. The proposed retaining walls shall match the plans submitted by October 29, 2020. See Exhibit A. Applicable walls are circled in red.
5. The public notice was posted and notice to adjacent property owners was sent on October 12, 2020. An Administrative Review of the Planning Director was held on October 22, 2020, which was open to the public. No written comments were given at this meeting, although an adjacent property owner was in attendance and submitted comments prior (Exhibit B). Public comments that were received were taken into consideration for this Determination.

6. The Bald Eagle Club Home Owners Association (HOA, representing the Architectural Committee) has given an approval letter for the proposed plans, which is dated October 23, 2020. See Exhibit C. The Applicant has confirmed that the HOA is the same entity as the Architectural Committee shown on page 2, note 1 of the Plat. According to this note, limits of construction shall be no greater than fifteen feet (15') from the foundation walls unless approved by the Architectural Committee.

Conclusions of Law:

1. The application complies with all requirements of Section 15-1-10(E), 15-2.13-3, and 15-4-2(A)(1) of the Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding residential and commercial structures in use and mass.
3. As conditioned the use is consistent with the Park City General Plan.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Administrative Conditional Use Permit.
2. The wall material(s) shall comply with the Land Management Code.
3. The retaining wall shall be installed as approved on the plans submitted on October 29, 2020. Any stone shall be natural.
4. The retaining wall shall not violate applicable International Fire Code, International Building Code, and/or Park City Municipal Code.
5. If any complaints are received about said retaining wall, the Planning Department may require additional landscaping or screening to lessen impacts on adjacent properties.
6. Applicant shall comply with any Building Department process/procedures regarding obtaining proper authorization. For the Building Permit, the Applicant shall include a detail of the retaining wall design and profile stamped by a Structural Engineer. Walls may require a guardrail, per Building Code.
7. The retaining wall shall not encroach into the City Right-of-Way.
8. Illumination of the driveway or wall(s) is not proposed or approved.

If you have any questions regarding your project or the action taken please don't hesitate to contact me at (435) 615-5065 or liz.jackson@parkcity.org.

Sincerely,

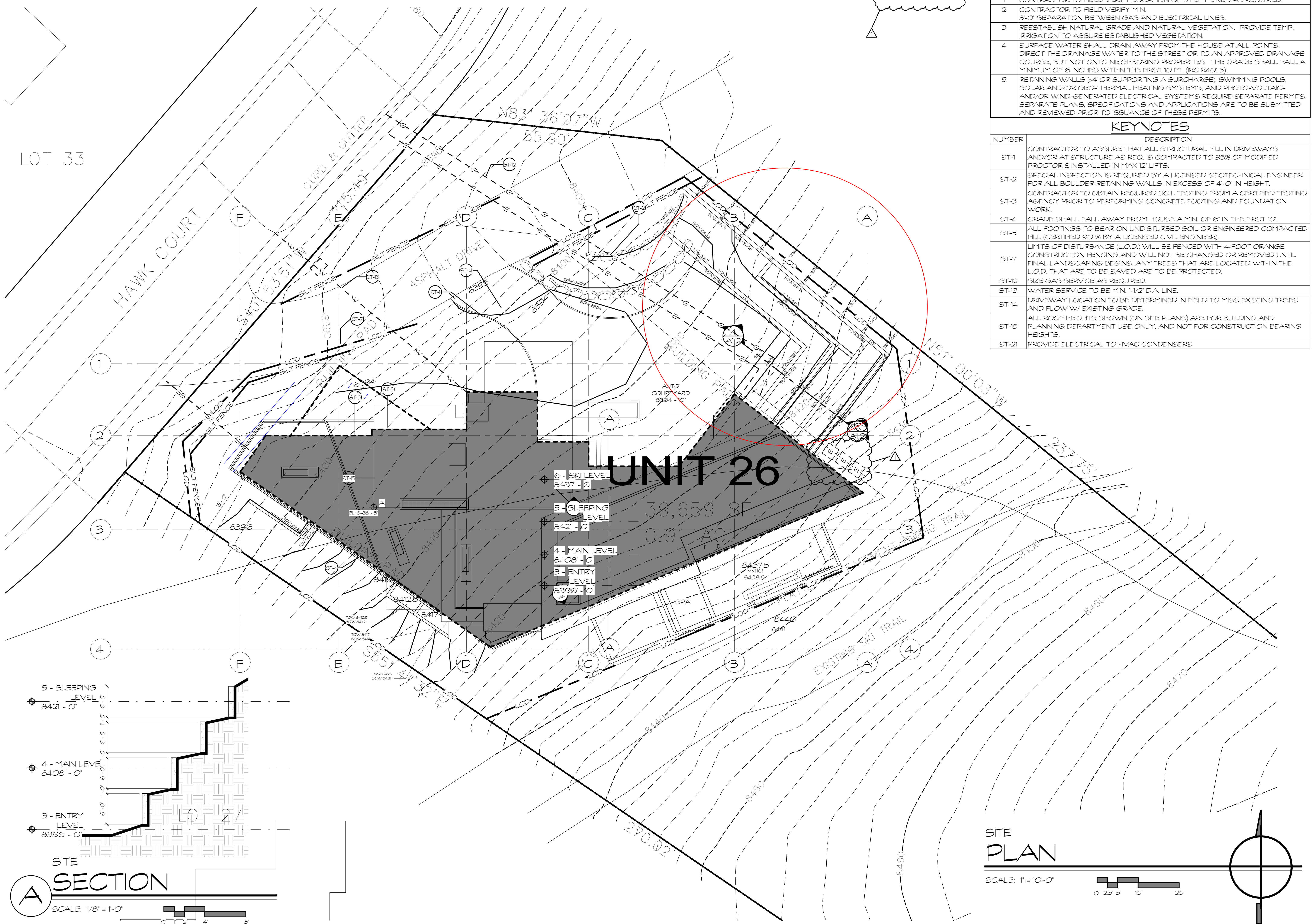


Liz Jackson, Planner

Exhibit A – Approved Plans

Exhibit B – Public Comments

Exhibit C – The Bald Eagle Club Homeowners Association Approval Letter



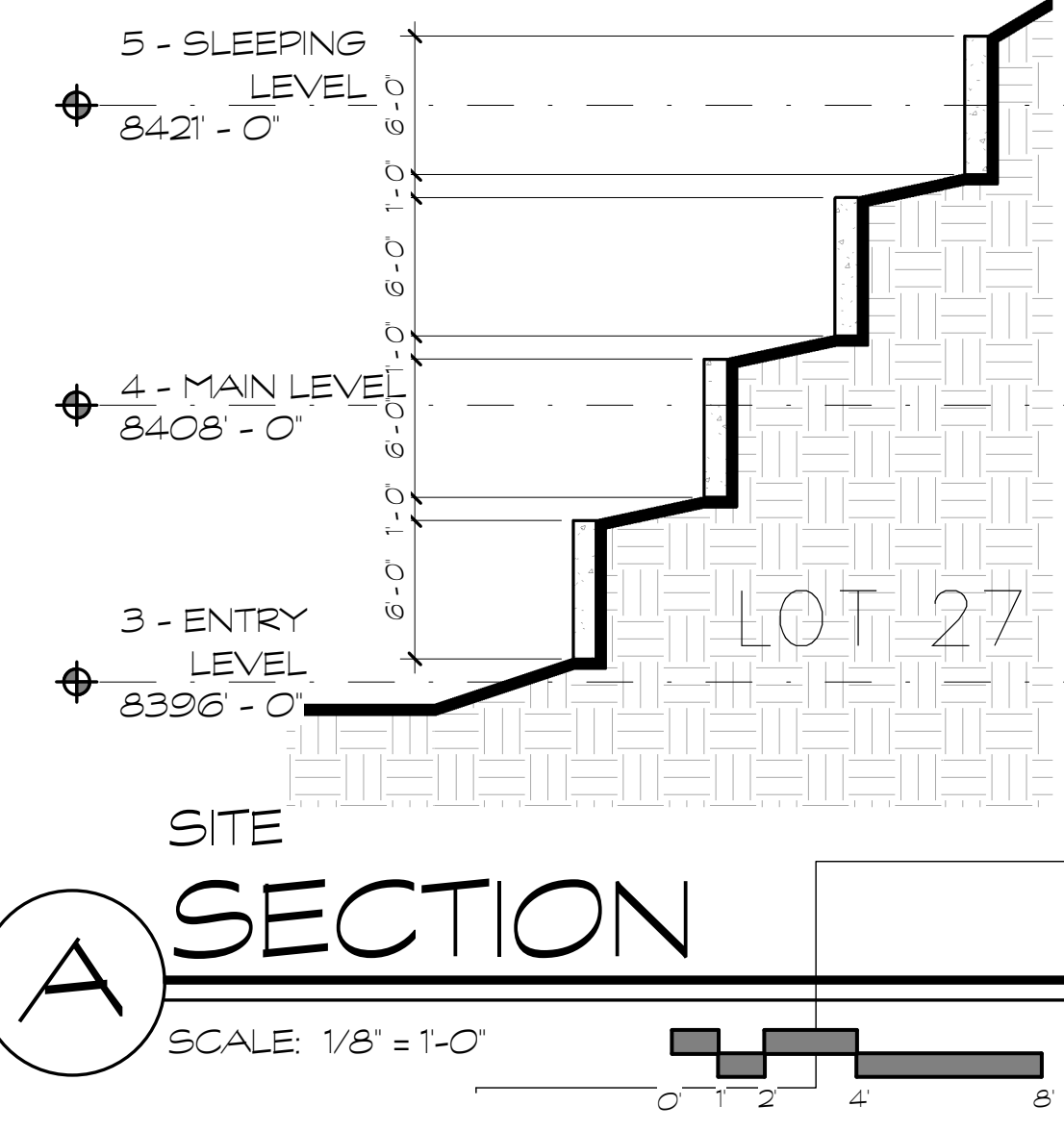
SITE GENERAL NOTES	
1	CONTRACTOR TO FIELD VERIFY LOCATION OF UTILITY LINES AS REQUIRED.
2	CONTRACTOR TO FIELD VERIFY MIN. 3'-0" SEPARATION BETWEEN GAS AND ELECTRICAL LINES.
3	REESTABLISH NATURAL GRADE AND NATURAL VEGETATION. PROVIDE TEMP. IRRIGATION TO ASSURE ESTABLISHED VEGETATION.
4	SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE, BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FT. (IRC R401.3).
5	RETAINING WALLS (4' OR SUPPORTING A SURCHARGE), SWIMMING POOLS, SOLAR AND/OR GEO-THERMAL HEATING SYSTEMS, AND PHOTO-VOLTAIC-AND/OR WIND-GENERATED ELECTRICAL SYSTEMS REQUIRE SEPARATE PERMITS. SEPARATE PLANS, SPECIFICATIONS AND APPLICATIONS ARE TO BE SUBMITTED AND REVIEWED PRIOR TO ISSUANCE OF THESE PERMITS.

KEYNOTES	
NUMBER	DESCRIPTION
ST-1	CONTRACTOR TO ASSURE THAT ALL STRUCTURAL FILL IN DRIVEWAYS AND/OR AT STRUCTURE AS REQ. IS COMPACTED TO 95% OF MODIFIED PROCTOR & INSTALLED IN MAX 12 LIFTS.
ST-2	SPECIAL INSPECTION IS REQUIRED BY A LICENSED GEOTECHNICAL ENGINEER FOR ALL BOULDER RETAINING WALLS IN EXCESS OF 4'-0" IN HEIGHT.
ST-3	CONTRACTOR TO OBTAIN REQUIRED SOIL TESTING FROM A CERTIFIED TESTING AGENCY PRIOR TO PERFORMING CONCRETE FOOTING AND FOUNDATION WORK.
ST-4	GRADE SHALL FALL AWAY FROM HOUSE A MIN. OF 6' IN THE FIRST 10'.
ST-5	ALL FOOTINGS TO BEAR ON UNDISTURBED SOIL OR ENGINEERED COMPACTED FILL (CERTIFIED 90% BY A LICENSED CIVIL ENGINEER).
ST-7	LIMITS OF DISTURBANCE (L.O.D.) WILL BE FENCED WITH 4-FOOT ORANGE CONSTRUCTION FENCING AND WILL NOT BE CHANGED OR REMOVED UNTIL FINAL LANDSCAPING BEGINS. ANY TREES THAT ARE LOCATED WITHIN THE L.O.D. THAT ARE TO BE SAVED ARE TO BE PROTECTED.
ST-12	SIZE GAS SERVICE AS REQUIRED.
ST-13	WATER SERVICE TO BE MIN. 1-1/2" DIA. LINE.
ST-14	DRIVEWAY LOCATION TO BE DETERMINED IN FIELD TO MISS EXISTING TREES AND FLOW W/ EXISTING GRADE.
ST-15	ALL ROOF HEIGHTS SHOWN (ON SITE PLANS) ARE FOR BUILDING AND PLANNING DEPARTMENT USE ONLY, AND NOT FOR CONSTRUCTION BEARING HEIGHTS.
ST-21	PROVIDE ELECTRICAL TO HVAC CONDENSERS

STATE OF UTAH
 JOSHUA DEAN
 ARCHITECT
 9130931030
 26 OCTOBER 2020
 REVISIONS
 1 2020-09-18

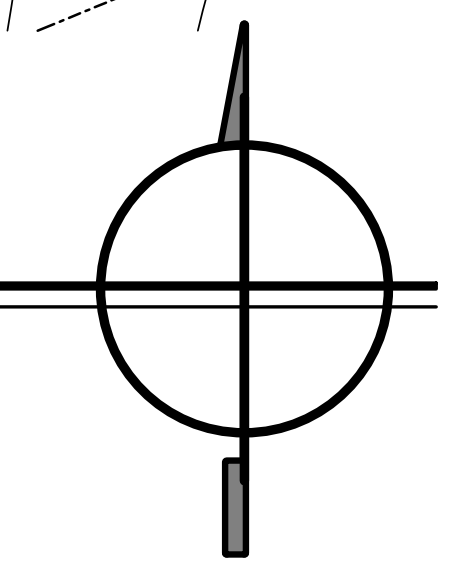
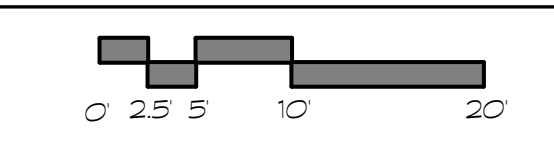
A NEW DESIGN FOR THE:
GREG & STACI RESIDENCE
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 PARK CITY, UT 84060

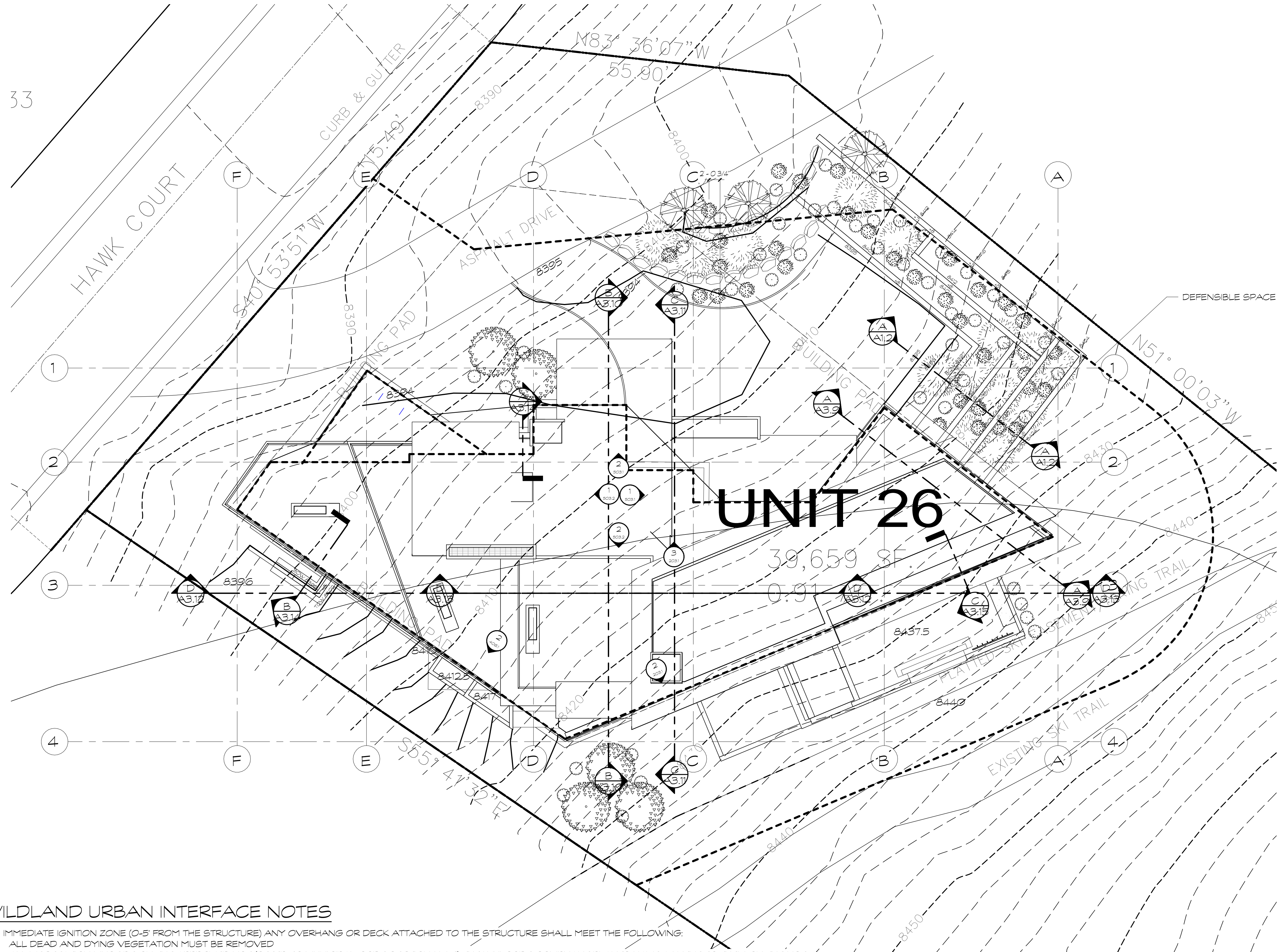
UP WALL
DESIGN
 1930 S. 1100 E. S.L.C. UT 84106 (801)485-0708



SITE PLAN

SCALE: 1" = 10'-0"





EXISTING SIGNIFICANT TREES TO BE REMOVED AND REPLACED
 (3) CONIFEROUS
 (5) DECIDUOUS

ALL DISTURBED AREAS TO BE RESEEDDED WITH DEER VALLEY SEED MIX AT A RATE OF 40 LBS/ACRE

THE LANDSCAPING SHOULD HAVE AN IRRIGATION SYSTEM WITH A WATERSENSE LABELED SMART IRRIGATION CONTROLLER

LANDSCAPE LEGEND			
SYMBOL	COMMON NAME	SCIENTIFIC NAME	QTY
ST-CONIFEROUS			
	COLORADO SPRUCE	PICEA PUNGENS	3
ST-DECIDUOUS			
	BIG TOOTH MAPLE	ACER GRANDIDENTATUM	5
	COTTONWOOD	POPULUS ACUMINATA	14
ST-SHRUBS			
	NINEBARK	PHYSOCARPUS MALVACEUS	34
	SILVERBERRY	ELEAGNUS COMUNTATA	45

WILDLAND URBAN INTERFACE NOTES

THE IMMEDIATE IGNITION ZONE (0-5' FROM THE STRUCTURE) ANY OVERHANG OR DECK ATTACHED TO THE STRUCTURE SHALL MEET THE FOLLOWING:

- ALL DEAD AND DYING VEGETATION MUST BE REMOVED
- ALL VEGETATION MUST BE ON THE APPROVED LIST (REFER TO MUNICIPAL CODE SECTION 14-1-5) THE WUI CODE COMPLIANT PLANTS HAVE A * NEXT TO THEM ON THE LIST
- ALL TREES MUST BE TRIMMED SO AS TO BE NO CLOSER THAN 10' FROM AN ACTIVE WOOD BURNING CHIMNEY. DISTANCE FROM NATURAL GAS DIRECT VENT SHALL FOLLOW MANUFACTURER RECOMMENDATIONS.

THE INTERMEDIATE IGNITION ZONE SHALL EXTEND FROM THE EDGE OF THE IMMEDIATE IGNITION ZONE TO A DISTANCE NOT TO EXCEED 30', WHICH MAY INCLUDE AN AREA OUTSIDE THE ESTABLISHED LOD AND SHALL MEET THE FOLLOWING REQUIREMENTS:

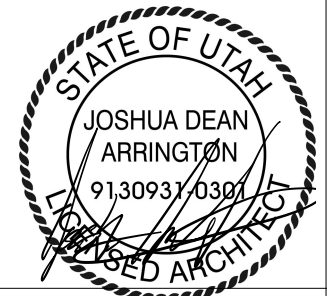
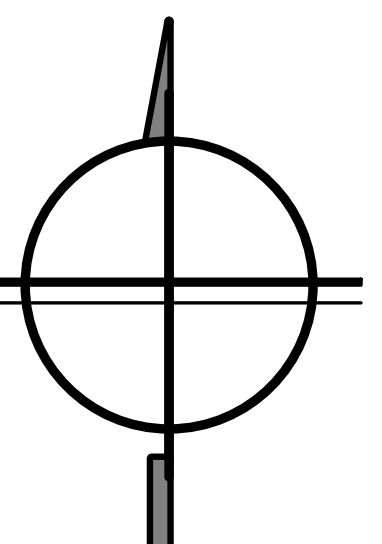
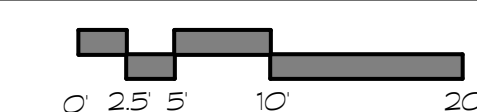
- ALL VEGETATION IN THIS ZONE MUST BE ON THE APPROVED LIST. SEE MUNICIPAL CODE SECTION 14-1-5 THE WUI CODE COMPLIANT PLANTS HAVE A * NEXT TO THEM ON THE LIST
- ALL DEAD AND DYING VEGETATION SHALL BE REMOVED.
- GRASSES MUST BE KEPT TO A MAXIMUM OF 4 INCHES IN HEIGHT ABOVE THE GROUND.
- VEGETATION UNDER TREES SHALL BE REMOVED SO AS TO PRECLUDE THE LADDERING EFFECT OF A GROUND FIRE FROM SPREADING INTO THE TREE CROWN.
- TREES TALLER THAN 10' AND LESS THAN 15' MUST HAVE ALL BRANCHES REMOVED FROM WITHIN 4' OF THE GROUND AS MEASURED FROM THE HIGHEST POINT OF THE GROUND BELOW THE CANOPY OF THE TREE.
- TREES GREATER THAN 15' MUST HAVE ALL BRANCHES REMOVED FROM WITHIN 6' OF THE GROUND AS MEASURED FROM THE HIGHEST POINT OF THE GROUND BELOW THE CANOPY OF THE TREE.
- TREES AND SHRUBS MUST BE CLUSTERED WITH CANOPIES OF THE CLUSTERS BEING NO CLOSER THAN 18' TO THE NEXT CLOSEST CLUSTER.
- NO SINGLE TREE CLUSTER SHALL EXCEED 5 TREES OR COVER MORE THAN 15% OF THE INTERMEDIATE IGNITION ZONE, WHICHEVER IS LESSER.

THE EXTENDED IGNITION ZONE SHALL EXTEND FROM THE EDGE OF THE INTERMEDIATE IGNITION ZONE TO A DISTANCE NOT TO EXCEED 100 FEET, WHICH MAY INCLUDE AN AREA OUTSIDE OF THE ESTABLISHED LOD, AND SHALL MEET THE FOLLOWING REQUIREMENTS:

- ALL DEAD AND DYING VEGETATION SHALL BE REMOVED.
- SMALL CONIFERS GROWING BETWEEN TREES MAY BE REMOVED IN THE CONTEXT OF CLUMPING, CLUSTERING, AND THINNING, IN ACCORDANCE WITH SECTION 603.4
- TREES GREATER THAN 15 FEET MUST HAVE ALL BRANCHES REMOVED FROM WITHIN SIX (6) FEET OF THE GROUND AS MEASURED FROM THE HIGHEST POINT OF THE GROUND BELOW THE CANOPY OF THE TREE.
- TREES AND SHRUBS MUST BE CLUSTERED WITH THE CANOPIES OF THE CLUSTERS BEING NO CLOSER THAN 12 FEET TO THE NEXT CLOSEST CLUSTER.
- NO SINGLE TREE CLUSTER SHALL EXCEED 5 TREES OR COVER MORE THAN 25% OF THE INTERMEDIATE IGNITION ZONE, WHICHEVER IS LESSER.
- EXCEPTION STRUCTURES MEETING ALL OF THE ITEMS LISTED IN SECTION 603.4 ARE NOT REQUIRED TO MEET ITEMS 3 THROUGH 5 ABOVE. NOTWITHSTANDING ANY EXCEPTION, ALL LANDSCAPING IN THE EXTENDED IGNITION ZONE MUST BE SUCH THAT A GROUND FIRE IS NOT LIKELY TO SPREAD INTO THE TREE CANOPY.

LANDSCAPE PLAN

SCALE: 1" = 10'-0"



21 OCTOBER 2020

REVISIONS

THE DESIGNER HAS REVIEWED THE PLAN FOR CONFORMANCE WITH THE UTAH LANDSCAPE ARCHITECTURE ACT AND THE UTAH LANDSCAPE ARCHITECTURE BOARD RULES. THE DESIGNER HAS REVIEWED THE PLAN FOR CONFORMANCE WITH THE UTAH LANDSCAPE ARCHITECTURE BOARD RULES. THE DESIGNER HAS REVIEWED THE PLAN FOR CONFORMANCE WITH THE UTAH LANDSCAPE ARCHITECTURE BOARD RULES. THE DESIGNER HAS REVIEWED THE PLAN FOR CONFORMANCE WITH THE UTAH LANDSCAPE ARCHITECTURE BOARD RULES.

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UP WALL DESIGN
 1930 S. 1100 E. S.L.C. UT 84106
 (801)485-0708

L1.0
 LANDSCAPE PLAN

EXHIBIT B

From: Mark Lehmkuhl <mlehmkuhl64@gmail.com>
Sent: Thursday, October 22, 2020 9:12 AM
To: Elizabeth Jackson
Subject: 7839 Hawk Ct zoom webinar today

Hi Liz

Mark Lehmkuhl here

I live next door to the 7839 Hawk Ct property, permit #PL-20-04645 that you have invited me to a zoom webinar on.

I had a couple questions for the homeowner when I met with them this summer about the wall height, they said it was to code, so I thought that was that. My concern was for children fall over a tall and abrupt drop right at my property line.

Just want to verify that the 12pm time is mountain time (I'm currently in Ohio)

Regards, Mark Lehmkuhl
7831 Hawk Court

EXHIBIT C

The Bald Eagle Club
7711 Bald Eagle Drive
Park City, UT 84060

September 29, 2020

Park City Planning Department
Park City UT. 84060

Re: 7839 Hawk Court – New Build

To Park City Planning Department,

The Owner's submittal for a new build job has been reviewed and approved by The Bald Eagle Club HOA 9-2-20.

Please contact me if you have any questions at 435-649-1751.

Thank You!

Mike Vertner
The Bald Eagle Club
Association Manager
mike@baldeagleclub.org
435-649-1751