



OGDEN VALLEY PLANNING COMMISSION

PLANNING MEETING AGENDA

January 26, 2016

5:00 p.m.

**Pledge of Allegiance*

1. Consent Agenda:

- 1.1. UVH120415** Consideration and action for approval on Holly Subdivision; a 4-lot cluster subdivision that is using a Private Right-of-Way for two lots and an access easement for two lots at approximately 800 N 7800 E in the Agricultural Valley 3 (AV-3) Zone. (MaryAnn Holley, Applicant)
- 1.2. UVS101315A** Consideration and action for the final plat approval of Summit Eden Ridge Nests – PRUD Amendment 1 located at Summit Eden Ridge Nests – Powder Mountain in the Ogden Valley Destination and Recreation Resort 1 (DRR-1) Zone. (SMHG Phase 1 LLC, Applicant)
- 1.3. UVS101315B** Consideration and action for the final plat approval of Summit Eden Phase 1D – Amendment 1 located at Summit Eden Ridge Nests – Powder Mountain in the Ogden Valley Destination and Recreation Resort 1 (DRR-1) Zone. (SMHG Phase 1 LLC, Applicant)

2. Petitions, Applications and Public Hearings

2.1. Legislative Items

a. New Business:

- 1. CUP 2015-01** Consideration and action on a request for Conditional Use Permit CUP 2016-01 approval for an accessory apartment attached to single family dwelling located at 6429 E 1900 N, Eden in the Agricultural Valley 3 (AV-3) Zone. (Derek Pontius, Applicant)

- 3. Elections** Chair and Vice Chair for 2016
- 4. Meeting Schedule & Information List:** Approval of the 2016 Meeting Schedule and Member Information List
- 5. Rules of Order** Approval of the Rules of Order
- 6. Public Comment for Items not on the Agenda**
- 7. Remarks from Planning Commissioners**
- 8. Planning Director Report**
- 9. Remarks from Legal Counsel**

The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah. Work Session will be held in the Breakout Room. A pre-meeting will be held at 4:30 p.m. in Room 108, no decision will be made in this meeting

Please enter the building through the front door on Washington Blvd. if arriving to the meeting after 5:00 p.m.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791



Staff Report for Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on Holly Subdivision; a 4-lot cluster subdivision that is using a private right of way for two lots and a access easement for two lots at approximately 800 North 7800 East.

Type of Decision: Administrative

Agenda Date: Tuesday, January 26, 2016

Applicant: MaryAnn Holley

File Number: UVH1204-2015

Property Information

Approximate Address: 800 North 7800 East

Project Area: 17.50 acres

Zoning: Agricultural Valley AV-3

Existing Land Use: Agricultural

Proposed Land Use: 4 Lot Cluster Subdivision

Parcel ID: 21-006-0036

Township, Range, Section: T6N, R2E, Section 7

Adjacent Land Use

North: Residential	South: Agricultural
East: Agricultural	West: Agricultural

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767

Report Reviewer: SW

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 6 Agricultural Valley (AV-3 Zone)
- Weber County Land Use Code Title 108 (Standards) Chapter 3 (Cluster Subdivision)
- Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Sections 23-29. (Flag Lot Access Strip, Private Right-of-Way, and Access Easement Standards) and Section 108-7-31 (Access to a lot/parcel using a private right-of-way or access easement).

Background

The applicant is proposing to develop a 4-lot cluster subdivision with each of the lots being at least 1.75 acres in size. Two of the four lots are being accessed by a private right-of-way through land owned by the applicant. The other two lots will be accessed by an easement through one of the new subdivision lots. The property is located at approximately 800 North 7800 East in the Huntsville area of the Ogden Valley. The property is zoned Agricultural Valley AV-3, which requires 3-acres per lot, but the proposal is for a cluster subdivision to reduce the lot sizes. The Cluster subdivision requires 60 percent open space in the Agricultural AV-3 zone. The overall farm is 77 acres in size. The subdivision will have 17.50 acres, 10.49 of which will be open space. The open space will be owned and be used by the rest of Holy's farm. The farm currently grows alfalfa and grains. The access to the lots will be from 7800 East which is a County Road. There is an existing 33 foot right-of-way and drainage easement, which will have fire truck turn around areas. The access exception was approved administratively in August. By doing a cluster subdivision the applicant is avoiding much of the wetlands on the property.

The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.

The Weber County Health Department has approved the use of septic systems as means of waste water disposal and a well will provide culinary water.

Summary of Considerations

Does the subdivision meet the requirements of the Land Use Code?

- The subdivision meets the requirements for a cluster subdivision.

Conformance to the General Plan

Subdivisions that meet the requirements of applicable Land Use Codes conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber Fire District
- Showing the turnouts and turn a rounds on the subdivision plat
- Meeting the design criteria listed as part of the approval for the Access Exception
- The landowner shall record an agreement agreeing to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the county deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots

Staff Recommendation

Staff recommends final approval of Holly Farm Cluster Subdivision, 4-Lots, at 800 North 7800 East, subject to staff and other review agency requirements, based on its compliance with applicable Land Use Codes.

Exhibits

1. Plat Map
2. Location map
3. Minutes from the conceptual sketch plan approval

HOLLEY FARM CLUSTER SUBDIVISION

A PART OF THE NORTHEAST 1/4 OF SEC. 7 AND
PART OF THE NORTHWEST 1/4 OF SEC. 8 T.6N., R.2E., S.1.B.&M.
WEBER COUNTY, UTAH
DECEMBER 2015

BOUNDARY DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 7, AND PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASIN AND MERRIAM, U.S. SURVEY, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT BEING SOUTH 07°30' WEST ALONG THE SECTION LINE 500.70 FEET AND NORTH 89°25' WEST 228.84 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 7, AND RUNNING THENCE ALONG THE SOUTH BOUNDARY LINE OF MOORE FARM SUBDIVISION PHASE 2 THE FOLLOWING (3) COURSES: (1) SOUTH 89°25' EAST 218.92 FEET, THENCE SOUTH 07°30' WEST 140.88 FEET; THENCE SOUTH 89°25' EAST 218.92 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 07°30' EAST ALONG SAID FENCE LINE 104.88 FEET; THENCE SOUTH 89°25' WEST 218.92 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 07°30' EAST ALONG SAID FENCE LINE 104.88 FEET; THENCE SOUTH 89°25' WEST 218.92 FEET TO THE POINT OF BEGINNING.
CONTAINS 762,230.35 SQ. FT. OR 17,320 ACRES.

OWNER'S DEDICATION

BE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND DEDICATE THE SAME INTO LOTS 1, 2, 3 AND 4 HEREON AND MAKE SAID TRACT HOLLEY FARM CLUSTER SUBDIVISION, AND DO HEREBY DEDICATE AND RESERVE TO THE PUBLIC THE FOLLOWING: AND/OR ASSASS 30 FOOT ACCESS EASEMENT, 30 FOOT EASEMENT ON ONE LOT AND AS OTHERWISE HEREON, AND AN EASEMENT AND RIGHT OF WAY BEING 17 FEET IN WIDTH AND PART OF AN EASEMENT, 30 FOOT EASEMENT ON ONE LOT, UNDER AND/OR ACROSS LOTS 1, 2, 3 AND 4 HEREON TO BE USED IN COMMON WITH ALL OTHERS WITHIN SAID SUBDIVISION AND ACCORDING TO THE SUBDIVISION MAP AND OTHER RECORDS OF RECORDS AND EASEMENTS AND ACCESS TO THE NEIGHBORHOOD LOTS, COMMON AREAS, OTHER SPECIALLY DESIGNATED AREAS, PUBLIC UTILITY EASEMENTS, AND OTHER PROPERTY OF ALL OTHERS. THE DEDICATION OF THIS TRACT OF LAND AND OTHER RECORDS AND EASEMENTS AND ACCESS TO THE NEIGHBORHOOD LOTS, COMMON AREAS, OTHER SPECIALLY DESIGNATED AREAS, PUBLIC UTILITY EASEMENTS, AND OTHER PROPERTY OF ALL OTHERS, SHALL BE SUBJECT TO ALL OTHER RECORDS AND EASEMENTS AND ACCESS TO THE NEIGHBORHOOD LOTS, COMMON AREAS, OTHER SPECIALLY DESIGNATED AREAS, PUBLIC UTILITY EASEMENTS, AND OTHER PROPERTY OF ALL OTHERS. THE DEDICATION OF THIS TRACT OF LAND AND OTHER RECORDS AND EASEMENTS AND ACCESS TO THE NEIGHBORHOOD LOTS, COMMON AREAS, OTHER SPECIALLY DESIGNATED AREAS, PUBLIC UTILITY EASEMENTS, AND OTHER PROPERTY OF ALL OTHERS, SHALL BE SUBJECT TO ALL OTHER RECORDS AND EASEMENTS AND ACCESS TO THE NEIGHBORHOOD LOTS, COMMON AREAS, OTHER SPECIALLY DESIGNATED AREAS, PUBLIC UTILITY EASEMENTS, AND OTHER PROPERTY OF ALL OTHERS.

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WEBER
ON THIS _____ DAY OF _____ 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNERS OF THE HEREIN FOREGOING, TO-WIT: _____ IN WARDEN, WHO DO HEREBY ACKNOWLEDGE TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN SET FORTH AS TRUSTEES OF THE SAID HOLEY FARM CLUSTER SUBDIVISION.
COMMISSION EXPIRES _____
NOTARY PUBLIC _____

SUBDIVISION CERTIFICATE

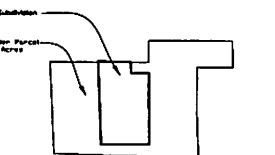
I, THE SIGNED, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR UNDER THE SEAL OF THE STATE OF UTAH AND THAT I AM IN COMPLIANCE WITH THE UTAH CELEBRATION ACT AND THE PROFESSIONAL ENGINEERING AND PROFESSIONAL LAND SURVEYING ACT, AND HAVE MADE A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY MAP AND THAT I AM A MEMBER OF THE NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS AND THE NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS AND ARCHITECTS. I HAVE REPRESENTED THAT THE PLAT WAS PREPARED FROM THE NOTES OF THIS SURVEY AND FROM THE ORIGINAL SURVEY MAP AND THAT I AM A MEMBER OF THE NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS AND THE NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS AND ARCHITECTS. I HAVE REPRESENTED THAT THE PLAT WAS PREPARED FROM THE NOTES OF THIS SURVEY AND FROM THE ORIGINAL SURVEY MAP AND THAT I AM A MEMBER OF THE NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS AND THE NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS AND ARCHITECTS. I HAVE REPRESENTED THAT THE PLAT WAS PREPARED FROM THE NOTES OF THIS SURVEY AND FROM THE ORIGINAL SURVEY MAP AND THAT I AM A MEMBER OF THE NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS AND THE NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS AND ARCHITECTS.



METRIC TABLE

UNIT	DESCRIPTION	CONVERSION FACTOR
1.00	1 Square Foot	0.09290304
1.00	1 Square Meter	10.7639104
1.00	1 Acre	43,560.00
1.00	1 Hectare	2.47105381
1.00	1 Square Mile	258,998.81
1.00	1 Square Kilometer	247,105.38
1.00	1 Section	364,416.00
1.00	1 Township	36,441,600.00
1.00	1 Range	36,441,600.00
1.00	1 Mile	1,609.344
1.00	1 Kilometer	0.62137119
1.00	1 Foot	0.3048
1.00	1 Meter	3.28084
1.00	1 Inch	0.0254
1.00	1 Centimeter	0.393701

NOTE:
1. Agriculture is the preferred use in the agricultural zones. Agricultural operations as specified in the land use Code for a particular zone are permitted at any time including the operation of farm machinery and no other agricultural use shall be subject to restriction on the basis that it interferes with activities of future residents of this subdivision (Am. Ord. Sec. 108-1-6(h)(5))



WEBER COUNTY SURVEYOR
I hereby certify that the Weber County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for conformity with laws and ordinances on record in county offices. The approval of this plat by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated thereon.
Signed this _____ day of _____ 20____

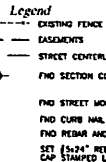
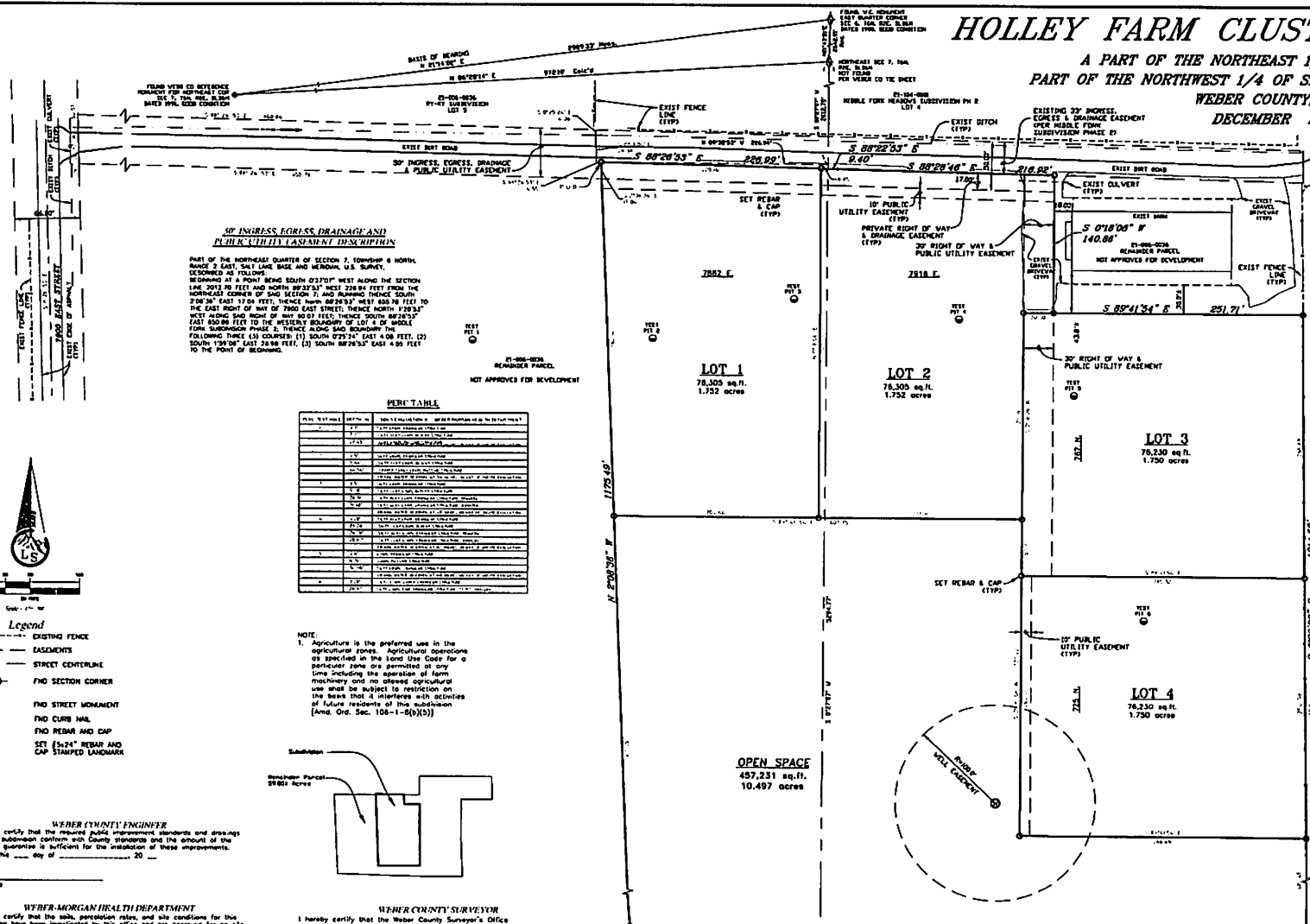
Surveyor

WEBER COUNTY COMMISSION ACCEPTANCE
This is to certify that the subdivision plat, the dedication of streets and other public ways and financial guarantees of public improvements associated with this subdivision thereon are hereby approved and accepted by the Commissioners of Weber County, Utah this _____ day of _____ 20____.

Chairman, Weber County Commission

WEBER COUNTY ATTORNEY
I have examined the financial guarantees and other documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto and are in force and effect. Signed this _____ day of _____ 20____.

Attorney
Chairman, Weber County Commission



WEBER COUNTY ENGINEER
I hereby certify that the required public improvement standards and drawings for this subdivision conform with County Ordinances and the amount of the financial guarantee is sufficient for the installation of these improvements.
Signed this _____ day of _____ 20____

Engineer

WEBER-MORGAN HEALTH DEPARTMENT
I hereby certify that the public improvement standards and drawings for this subdivision have been investigated by this office and are approved for on-site wastewater disposal systems. Signed this _____ day of _____ 20____.

Director, Weber-Morgan Health Department

WEBER COUNTY PLANNING COMMISSION APPROVAL
This is to certify that the subdivision plat was duly approved by the Weber County Planning Commission on this _____ day of _____ 20____.

Chairman, Weber County Planning Commission

WEBER COUNTY ATTORNEY
I have examined the financial guarantees and other documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto and are in force and effect. Signed this _____ day of _____ 20____.

Attorney

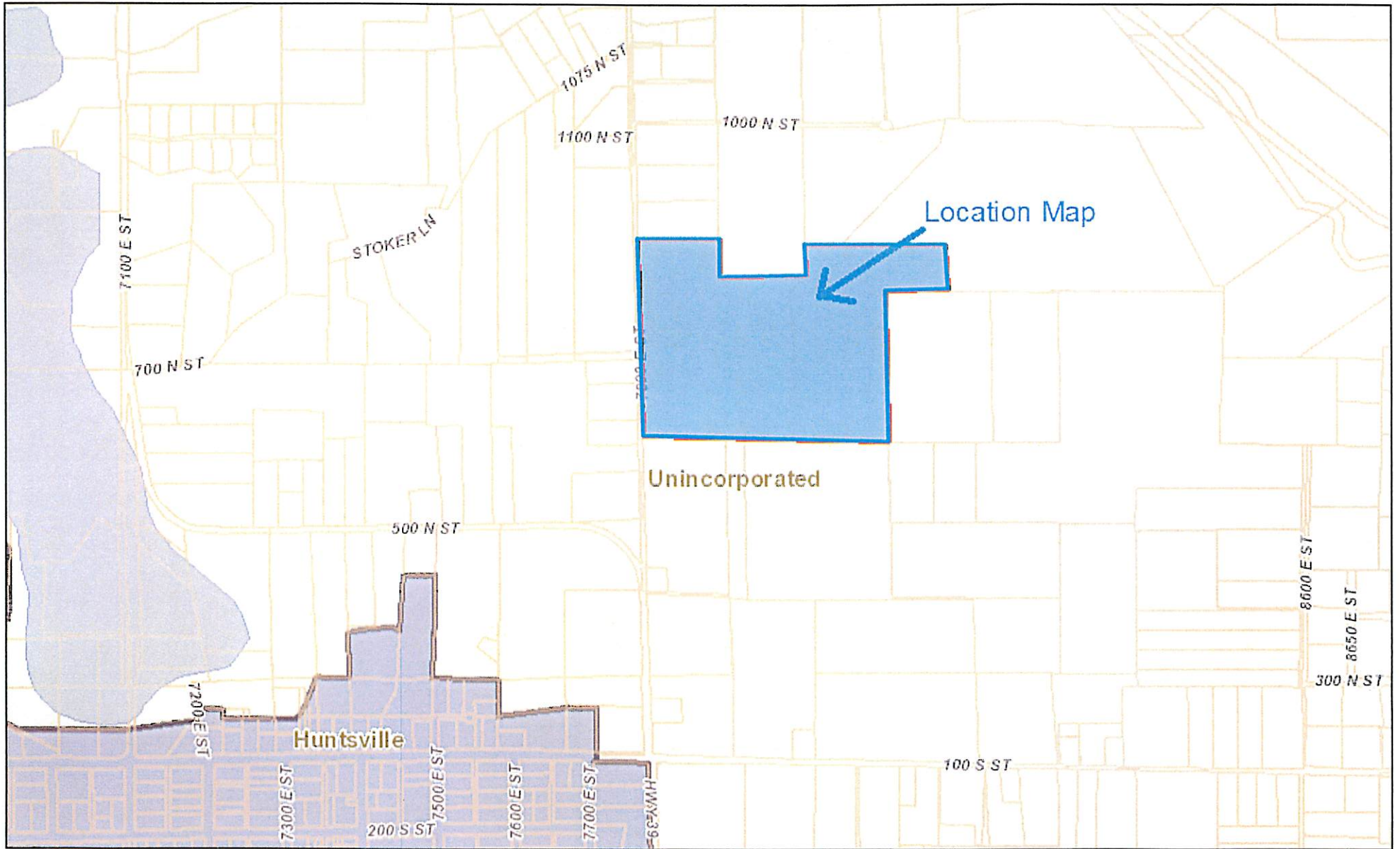
NARRATIVE
THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE A PORTION OF PARCEL 21-008-0038 INTO FOUR (4) LOTS.
SURVEY USED TO BE IN THIS SURVEY:
RE: BY AGNES SUBDIVISION, WEBER COUNTY DEDICATION PLAT 22-07.
MOORE FARM SUBDIVISION, WEBER COUNTY DEDICATION PLAT 27-06.
MOORE FARM SUBDIVISION PHASE 2, WEBER COUNTY DEDICATION PLAT 40-03.
PROPERTY SURVEY FOR MORGAN HOLES, WEBER COUNTY FILED SURVEY 3840.
BASE OF BEARING IS STATE PLANE GRID BEARING DETERMINED BY GPS OPERATIONS ON THE EXISTING MONUMENTS SHOW HEREON AND REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 UTM NORTH ZONE 48 WEST.

Landmark Surveying, Inc.
4040 South 1400 West, Ste. 101
New Haven, UT 84601
Phone: 724-887-8878
www.landmarksurveying.com

DEVELOPER: RICHARD HOLLEY
Address: 1287 N. 2000 E. MOUNTAIN, UTAH 84017
SURVEYED NOVEMBER 2015
NE 1/4 SECTION 7 AND NW 1/4 SECTION 8, T6N, R2E, S1B&M, WEBER COUNTY, UTAH.

Weber County Recorder
Entry no. _____
Fee paid _____
Paid for record and received _____ day of _____ 2015.
In book _____ of official records,
on page _____
County Recorder Loren H. Hite
By Deputy: _____

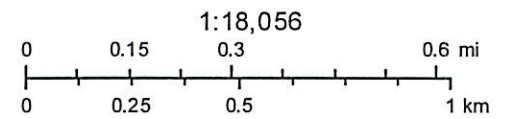
Location Map



January 7, 2016

Street Labels

City Labels



Minutes of the Ogden Valley Planning Commission Regular & Work Session Meeting August 04, 2015 in the Weber County Commission Chambers commencing at 5:00 p.m.

Present: Laura Warburton, Chair; John Howell, Greg Graves, Will Haymond, Kevin Parson, Stephen Waldrip, Jami Taylor

Absent/Excused:

Staff Present: Sean Wilkinson, Planning Director; Scott Mendoza, Principal Planner, Ronda Kippen, Planner; Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

Pledge of Allegiance

Roll Call:

1. Administrative Items

a. New Business

1. SPE2015-01: Discussion and action on a conceptual sketch plan endorsement request for the Holley Farm Cluster Subdivision located at 800 N 7800 E in the AV-3 Zone (Richard and MaryAnn Holley, Applicants)

Ronda Kippen said that the item up for discussion is a sketch plan for endorsement by the Ogden Valley Planning Commission of the Holley Farm Cluster Subdivision. The property is located off of 7800 E 800 N, and is currently used as agricultural property and there is an existing barn on the property. There is a water pond on the property the developer is in the process of digging a joint well for this subdivision. This property is part of the 77 acre parcel, is zoned AV-3, and the cluster subdivision will take in approximately 12 acres, on the proposed four residential building lots and a five acre open space parcel. They will be using a private septic system and joint culinary well, and as part of the subdivision, it will be require a joint well agreement for access to the well for maintenance, as well as easements to get the waterline to the property.

Ronda Kippen said that there is an overall conceptual plan that was submitted, and there are a few items that will need to be modified when the preliminary plan comes in. The first item will be that the word cluster needs to be in the title of the subdivision. The item that needs to be changed is they are seeking an access exception; they are seeking access for two of the lots by private right-of-way, and Lots 3 and 4 will be granted a private access exception. They will be modifying the frontage of the agricultural piece of property and then they will be doing an easement over Lot 2 and Lot 3 for the access exception on Lots 3 and 4. These are some points to be discussed with the Holley's: access, right of way, access exception if it is acceptable or not, access exception if it is feasible and desirable, the block length that currently is 2,600 feet, existing structures, lot sizes, open space, and wetlands. Staff is requesting a decision; for the Planning Commission to either approve this concept sketch plan, approve this concept sketch plan with recommendations, or deny this concept sketch plan with some findings so that the applicant can come back with something more feasible.

Commissioner Waldrip asked where the referenced 2,600 block length was located. Mrs. Kippen replied that basically it is found at about 100 South.

Commissioner Howell asked if the Fire District prefers to have a turn around. Mrs. Kippen replied that they would be required to have turnouts every 100 feet, so as part of the improvements that would go in for the subdivision; they would be required to do a hammerhead every 100 feet along that lane.

Commissioner Taylor said that if each lot needs to be 1.75 acres, but they also need 60% of open space, how would they rectify that? Mrs. Kippen replied that their open space would need to be 7.26 acres, which was 60%. There would need to be more acreage dedicated in addition to the 12 acres.

Chair Warburton asked staff to clarify as to why the Health Department is mandating that the lots stay where they are at. Ronda Kippen replied that on the plat there are multiple test pits. The first two tests failed; the Holley's initial design was to come in with a road that would separate the barn from the agricultural parcel; however they need to keep the barn an agricultural parcel. The Health Department wanted room on each lot for a conventional mound septic system, plus an area for an alternative septic system, and in the event the joint well failed, they need enough area for each lot to drill their own well.

Commissioner Waldrip asked on the roadway that is coming off of the highway, will that be a 30 foot right-of-way shown there? Mrs. Kippen replied that is a 33 foot egress/ingress. The private right-of-way, the improved surface can be as minimal as 12 feet depending on the number of homes but they can't serve more than five homes.

Commissioner Waldrip asked if the road would be extended to the east to serve additional property, or has this not been discussed? Mrs. Kippen replied that is what is being discussed tonight; whether this commission thinks there will be additional development needed to the east, or whether they should steer away from a wider private right-of-way access, so there won't be any problems with properties abutting the new road. Director Wilkinson replied that in this case, there are some pro's and some con's. There is a large area of land that could be developed to the east, but a large portion of that land is marginal at best. Wetlands are not good for development. This happens to be in the middle where a road should go through according to the block length, but the question is do they really anticipate much development?

Richard Holley, applicant, 1287 N 7000 E, Huntsville, said that it was their desire to subdivide four lots for their children on their property. He doesn't anticipate developing the other property; they plan to put that in a conservation easement on the remainder of the property so they can continue to farm it and have his four children live there. They met with the Fire Marshal that was given the information of what was required. They understand that there would be a pullout on the main road going from 7800 east back to the barn. He required a 10 foot by 40 foot pull out on the road, and the stubs off Lots 3 and 4, they gave us options of a Y, a hammerhead, or a cul-de-sac. They decided a hammerhead that would continue Lot 4, and the boundary of Lots 3 and 4, because it's wide open space and there is nothing encumbering a large turnaround, and the two homes on Lots 3 and 4 would access themselves. His children liked it because they have large trailers and would be able to pull in and turn around. In the beginning, he had envisioned much smaller lots because his children didn't want larger lots because it encumbered them by farming the open space that they didn't want to take care of. It was his understanding from the Health Department that, he needed to be willing to designate a huge area to replace the joint with four individual wells if the joint well failed, but it didn't make sense to him because to replace one well would cost them \$60,000 versus adding four new wells at a cost of \$200,000. In reference to that well, they have purchased from Weber Basin, 32 acre feet of water, the pond would irrigate the open space, and the other part would be for the homes. They are in good standing with the state as far as the well; they have plenty of shares designated to each lot with a well agreement. The Fire Marshal laid out the requirements needed to start improving the road and having it certified by an engineer and hold the 75,000 pounds. They have some work to do to finish the water system. They have to create frontage; the portion in front of Lot 2, the length of that entire road to where it reaches Lot 3, would be deeded to Lot 2. Then it would revert over all the back to Lot 4, then the frontage and the road would be dedicated to lots 3 and 4 to create frontage for those two lots. It would be part of the access exception that they are requesting.

Commissioner Waldrip asked the applicant if he was aware of the 1,300 foot road requirement. Mr. Holley replied that he met with staff and discussed the property on the south. There is an easement for the future, and staff suggested going further north to avoid opening that up to having future development crossing through their property. They have chosen to have a private right-of-way because they don't want any development further back to the east of their property. They did have the Army Corps of Engineers come to their property and they didn't see any problems other than with the drainage ditch that runs to the north of the road. It's not an irrigation ditch, but is drainage from surrounding properties.

Commissioner Howell asked how deep they had to go from their well before they got good water. Mr. Holley replied that they drilled down to 275 feet because they wanted to have ample water and that is when they applied for a pond permit to irrigate a portion of that land. He is not sure the distinction between good well drinking water and pond water.

Commissioner Waldrip referred to the wetlands delineation, when the Army Corp of Engineers came to the property, did they delineated both Lots 1 and 2 as wetlands? Mr. Holley replied that he was not aware of this. Mrs. Kippen said this is in the County GIS Map as wetlands delineation, but staff has not verified it. Commissioner Grave said most likely that came from an aerial photo.

Director Wilkinson said that there was an access to the south coming out to 7800 E. when Bison Creek Was proposed so the property that borders the Holley property is not landlocked. If the access exception were to be approved, it's not going to stop development to the other property; they have access from Highway 39 and from 7800 E. In the code for an access exception to be approved, it states, *"the landowner of record or authorized representative shall agree to pay a proportionate amount of the cost associated with developing a street. If at any time in the future the county deems it necessary to have the landowner replace the private right-of-way or easement with the street that would serve as a required access to additional lots."* If there is a real

need in the future for a road to be developed, the county would work with the Holley's, and they would be required to pay their proportionate share of the property that they have fronting on that street. It's an agreement in the future. Commissioner Graves said that in order for that to kick in, there has to be a trigger such as adding a lot that will cause their private access to turn into a road. Director Wilkinson replied that is correct or the county could just say they need it and then they would work with the Holley's to get a road there.

Ronda Kippen said the code states, *"that a private right-of-way or access easement shall have a minimum width of 16 feet and a maximum width of 50 feet"* that's the standards for the road turn outs. The travel surface can go down to 12 feet, but the dedicated width has to be 14 feet. It further states, *"that the improved travel surface of the private right-of-way or access easement shall be a minimum of 12 feet, if the access serves fewer than five dwellings, and a minimum of 20 feet at the access serves five or more dwellings."*

MOTION: Commissioner Parson moved for approval of SPE2015-01 with no recommendations needed for the request of the Holley Farms Cluster Subdivision for the endorsement of the sketch plan site located at 800 N 7800 E, in the AV-3 Zone. Commissioner Graves seconded.

DISCUSSION: Commissioner Waldrip asked if they needed to note the nonconforming road issue in the motion. Director Wilkinson replied that the applicant has submitted an access exception application, and what staff wanted from the commission is for them to say they like it the way it is. From what was heard today, based on the sketch plan showing the access exception, they are okay with that.

VOTE: A vote was taken with Commissioner's Parson, Howell, Graves, Haymond, Taylor, Waldrip, and Chair Warburton voting aye. Motion passed unanimously (7-0).

2. **Public Comment for Items not on the Agenda:** None
3. **Remarks from Planning Commissioners:** None
4. **Planning Director Report:** None
5. **Remarks from Legal Counsel:** None
6. **Adjourn to Convene to a Work Session**

WS1. DISCUSSION: Regarding Agri-Tourism operating in cluster subdivision open space

Scott Mendoza referred to the Discussion/Question worksheet. Staff has had some discussions related to the current Agri-tourism Ordinance. When they created the Weber County Agri-Tourism Code; they basically said that Agri-Tourism is allowed in any zone where it's listed as a use; that's the AV-3, FV-3, and the F-5 Zones in the Ogden Valley. In those three zones someone can participate or come to this commission for approval of a conditional use permit for Agri-Tourism. These farms were categorized as small, medium, and large farms; and the small farm was categorized as three to five acres. In the Ogden Valley in the AV-3, FV-3, and the F-5 Zones, they can do Agri Tourism, as long as it's not in a cluster subdivision, and on the common area or open space parcel. In the definition provided where it states, *"Agri-tourism businesses are permitted conditionally in designated zones, excepting those areas within residential subdivisions that are dedicated for the purpose of open space or common area"* is the exception. They could do it in all those zones except for a cluster subdivision open space. The discussion for tonight is if they would like to change that definition in a way that would allow Agri-Tourism in the cluster subdivision open space. Would it be appropriate to have Agri Tourism going on in that open space parcel, whether it's dedicated as common area or possibly a private owned agricultural space parcel?

Chair Warburton asked for the sake of Commissioner Taylor, to further define cluster subdivision, or what this might look like. Mr. Mendoza said that this was solely about cluster subdivision, and the best way to describe that, is a large piece of property, where typically it would be divided into three acre lots, that front on a privately or dedicated road, a basic standard subdivision is what they would call it most of the time. A cluster subdivision in the Ogden Valley has to have a minimum of 60% of the overall area reserved as open space or common area. The lots can be reduced in size; if there is a sewer system in place they can go down to 6,000 sq. ft., when there is a large piece of property with smaller lots clustered most of the time in one area to reduce infrastructure costs and the rest of the property is open space, sometimes dedicated as common area, and sometimes dedicated as privately owned open space.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for the final plat approval of Summit Eden Ridge Nests-PRUD Amendment 1

Type of Decision: Administrative

Agenda Date: Tuesday, January 26, 2016

Applicant: SMHG Phase 1, LLC

File Number: UVS101315A

Property Information

Approximate Address: Summit Eden Ridge Nests-Powder Mountain

Project Area: 3.137 Acre (15 Nest Units)

Zoning: Ogden Valley Destination and Recreation Resort Zone (DRR-1)

Existing Land Use: Ski Resort

Proposed Land Use: Resort Development

Parcel ID: Weber County: 23-132-0001, 23-132-0002, 23-132-0003, 23-132-0004, 23-132-0005, 23-132-0006 & 23-132-0007
Cache County: 16-111-0007, 16-111-0008, 16-111-0009, 16-111-0010, 16-111-0011, 16-111-0012, 16-111-0013, 16-111-0014, 16-111-0015 & 16-111-COMM

Township, Range, Section: T7N, R2E, Section 5 & 6

Adjacent Land Use

North:	Ski Resort	South:	Ski Resort
East:	Ski Resort	West:	Ski Resort

Staff Information

Report Presenter: Ronda Kippen
rkippen@co.weber.ut.us
801-399-8768

Report Reviewer: JG

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable

Background and Summary

Summit Eden Ridge Nests-PRUD Amendment 1 is a PRUD Subdivision consisting of 15 "Nest Units" (see Exhibit A for the proposed amendment). The Summit Eden Phase 1B Subdivision identified "Development Parcel B" which was further developed as Summit Eden Ridge Nests PRUD are part of a previously platted lot in (see Exhibit B for the recorded Summit Eden Phase 1B Subdivision plat and Exhibit C for the recorded Summit Eden Ridge Nests-PRUD). Summit Eden Ridge Nests received preliminary subdivision approval in conjunction with the County Commission's approval of the Summit at Powder Mountain PRUD on April 9, 2013 with subsequent amendments on July 9, 2013. The Summit Eden Ridge Nests-PRUD final subdivision was heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013 and received final approval by the Weber County Commission on January 21, 2014 (see Exhibit C for the PC and CC minutes).

The applicant would now like to amend the Summit Eden Ridge Nests PRUD subdivision plat to slightly modify the configuration of the individual units and add limited common area around each individual unit to enable the owners of one or more of the units some additional uses as detailed in plat Note# 5 (see Exhibit A). The subdivision will maintain common

area within the boundary of the subdivision with a blanket public utility easement across both the limited common and common areas. An “open space conservation” parcel is being proposed as part of the amendment to permanently preserve the scenic qualities and natural buffers between the subdivision and the adjacent Lot 34R in the Summit Eden Phase 1B Subdivision. The open space conservation parcel will be owned and maintained by the applicant per Note# 21 on the proposed subdivision plat amendment.

The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies a subdivision amendments as a “Small Subdivision” and can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots. The proposed amendment exceeds the lots that can be administratively approved, therefore the plat amendment must be considered and approved by the County Commission after receiving a recommendation from the Planning Commission per the approval process outlined in LUC §106-1-8. The proposed subdivision amendment and lot configuration is in conformance with the approved PRUD, current zoning and the Zoning Development Agreement Master Plan (see Exhibit E) as well as the applicable subdivision requirements as required in the LUC.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related areas.

Zoning: The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

“The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land.”

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, the approved PRUD and the standards in the DRR-1 zone in LUC §104-29. The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: In order to allow for the reduced lot size and the private ownership of the units, the Summit Eden Ridge Nests was developed as a PRUD. Private ownership is limited to the actual footprint and air space of each unit with limited common area around the individual unit; the remainder of Development Parcel B is designated as common area and an open space conservation parcel. This phase consists of one Development Parcel (previously “Development Parcel B”) with 15 “Nest Units.”

Nine of the units are in Cache County and fall under the provisions of the inter-local agreement which allows Weber County to act as the Land Use Authority for the units in Cache County. The area within Weber County is zoned DRR-1 and was approved for this type of development in the PRUD approval. The landscaping plans for the common area were approved with the PRUD. All of the units have the same basic floor plan and footprint with minor variations. The building elevations comply with the architectural renderings approved with the PRUD.

This phase has access to its parking lot from Heartwood Drive (a private road). The parking lot has 16 spaces with one space designated as ADA accessible. Typically dwelling units have two spaces each, but an exception for one space each was approved with the PRUD. Pathways for the overall Powder Mountain development were approved with the PRUD.

Flood Plain: The proposed subdivision is located in a Zone “D” as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone “D” are typically areas in which no analysis of flood hazards has been conducted.

Culinary water and sanitary sewage disposal: Culinary water and sewer service are provided by Powder Mountain Water and Sewer Improvement District.

Review Agencies: The Weber County Engineering Division and the Weber County Surveyor's Office have reviewed the proposal and the applicant has addressed the areas of concern with final approval forthcoming. The Weber Fire District has reviewed and approved the proposal. The conditions of approval and review agency comments from the PRUD remain in effect (see Exhibit F), in addition to the review agency comments specific to this phase.

Additional design standards and requirements: Pathways for the overall Powder Mountain development were approved with the PRUD. As part of the PRUD approval, units to be used for timeshares or nightly rentals must be shown. The designation has been approved by the Planning and County Commission and was noted on the original dedication plat as Note 18 and will remain in effect as indicated in the proposed plat amendment notes.

Tax clearance: The 2015 property taxes have been paid in full. The 2016 property taxes will be due in full on November 1, 2016.

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Summary of Planning Commission Considerations

- Does this subdivision meet the requirements of applicable County Land Use Codes?
- Does this subdivision comply with the applicable PRUD approvals?
- Does this subdivision comply with the applicable Zoning Development Agreement Master Plan approval?

Staff Recommendation

Staff recommends final plat approval of Summit Eden Ridge Nests-PRUD Amendment 1, a PRUD Subdivision consisting of 15 "Nest Units" as part of the previously approved Master PRUD. This recommendation for approval is subject to following conditions:

1. Requirements of the Weber County Engineering Division.
2. Requirements of the Weber-Morgan Health Department.
3. Requirements of the Weber Fire District.
4. Requirements of the Weber County Surveyor's Office.
5. Requirements of the Weber County Recorder.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

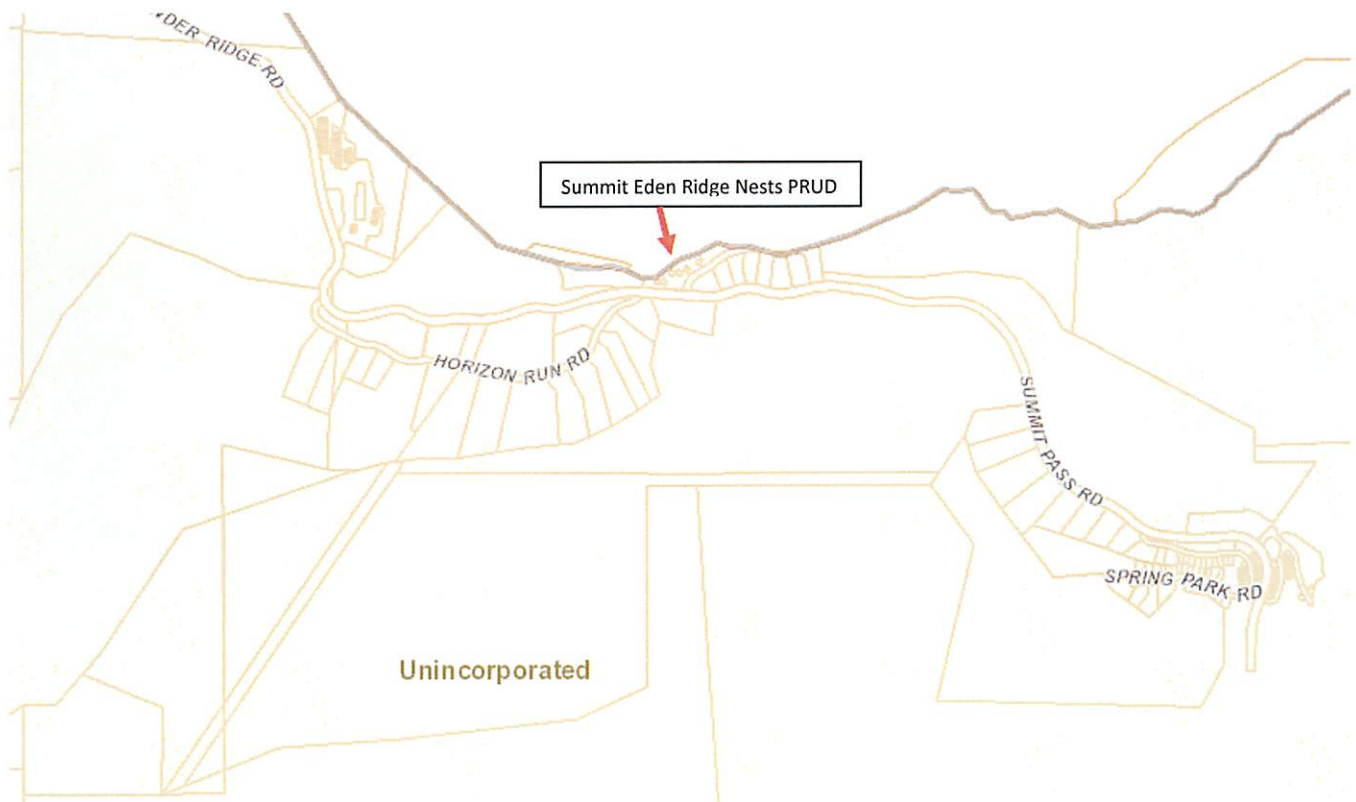
Exhibits

- A. Proposed Summit Eden Ridge Nests-PRUD Amendment1
- B. Recorded Summit Eden Phase 1B Subdivision Plat
- C. Recorded Summit Eden Ridge Nests-PRUD
- D. Minutes from the Oct 22, 2013 PC meeting and Jan 21, 2014 CC meeting
- E. PRUD site plan and Zoning Development Master Plan showing Ridge Nests
- F. List of PRUD conditions of approval

Location Map 1



Location Map 2



3/21/17
SMHG
15544
RICHARD W. MILLER
01/19/2016
STATE OF UTAH

SUMMIT EDEN RIDGE NESTS-PRUD AMENDMENT I

LOCATED IN THE SOUTH 1/2 OF SECTIONS 5 & 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN
JANUARY 2016

SURVEYOR'S CERTIFICATE

I, RICHARD W. MILLER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 50, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH UTAH CODE SECTION 17-23-10 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED IN THIS PLAT, AND THAT THIS PLAT SURVEY EDEN RIDGE NESTS-PRUD AMENDMENT I, IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS INCLUDING SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING, REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.



RICHARD W. MILLER
PROFESSIONAL LAND SURVEYOR
UTAH CERTIFICATE NO. 5646

LEGAL DESCRIPTION

DEVELOPMENT PARCEL B OF THE SUPPIT EDEN PHASE II SUBDIVISION, AS RECORDED WITH THE WEBER COUNTY RECORDER, AS ENTRY NO. 2672944 IN BOOK 75 AT PAGES 32 - 34. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT THAT IS SOUTH 1090.71 FEET AND EAST 150.46 FEET FROM THE EAST QUARTER CORNER OF SECTION 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS BEING NORTH 07°55'31" WEST ALONG THE LINE BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND THE SET WEBER COUNTY MONUMENT ON THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE AND THE SECTION LINE), RUNNING THENCE SOUTH 63°37'51" EAST 104.37 FEET; THENCE SOUTH 07°55'04" EAST 106.45 FEET TO THE WEBER AND CACHE COUNTY LINE; THENCE SOUTH 66°29'04" EAST ALONG SAID COUNTY LINE 19.97 FEET; THENCE SOUTH 62°44'54" WEST 22.04 FEET; THENCE WESTERLY ALONG A 275.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS SOUTH 73°27'14" WEST A DISTANCE OF 107.72 FEET), THROUGH A CENTRAL ANGLE OF 275°23'21", A DISTANCE OF 108.42 FEET; THENCE SOUTH 40°09'53" WEST 49.03 FEET; THENCE SOUTHWESTERLY ALONG A 275.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS SOUTH 50°04'31" WEST A DISTANCE OF 47.64 FEET), THROUGH A CENTRAL ANGLE OF 07°00'04", A DISTANCE OF 48.00 FEET; THENCE SOUTH 50°04'31" WEST 40.24 FEET; THENCE SOUTHWESTERLY ALONG A 225.00 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS SOUTH 54°29'27" WEST 138.90 FEET), THROUGH A CENTRAL ANGLE OF 07°17'45", A DISTANCE OF 40.29 FEET; THENCE SOUTH 62°27'14" WEST 47.41 FEET; THENCE SOUTHWESTERLY ALONG A 140.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS SOUTH 36°28'09" WEST A DISTANCE OF 134.98 FEET), THROUGH A CENTRAL ANGLE OF 07°59'12", A DISTANCE OF 134.50 FEET; THENCE SOUTHWESTERLY ALONG A 30.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (CHORD BEARS SOUTH 60°14'47" WEST A DISTANCE OF 40.60 FEET), THROUGH A CENTRAL ANGLE OF 05°09'14", A DISTANCE OF 44.54 FEET TO THE NORTHERLY LINE OF SUPPIT PASS; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING THREE (3) COURSES: 1) NORTH 66°29'42" WEST 70.5 FEET, 2) WESTERLY ALONG A 2,190.76 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS NORTH 69°24'51" WEST A DISTANCE OF 18.90 FEET), THROUGH A CENTRAL ANGLE OF 07°39'47", A DISTANCE OF 18.90 FEET, AND 3) NORTH 64°28'09" WEST 105.46 FEET; THENCE NORTH 22°03'19" EAST 54.64 FEET; THENCE NORTH 47°34'24" WEST 23.37 FEET; THENCE NORTH 67°09'19" EAST 296.21 FEET; THENCE NORTH 72°12'24" EAST 145.15 FEET; THENCE NORTH 53°24'45" EAST 226.94 FEET TO THE POINT OF BEGINNING.
CONTAINING 136,654 SQUARE FEET OR 3.137 ACRES.

SURVEY NARRATIVE:

1. THIS SURVEY WAS PERFORMED TO AMEND AND RESTATE SUPPIT EDEN RIDGE NEST PRUD AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER'S OFFICE (ENTRY NUMBER 2672944, BOOK 75, PAGES 43 - 44). THE CHANGES INCLUDE ADDING OPEN SPACE PARCEL C54 AND LIMITED COMMON AREAS, MAKING CHANGES TO VARIOUS PLAT NOTES, MAKING CHANGES TO THE TYPICAL LOT CONFIGURATION, LOTS 4-5 BECAME "RESTRICTED" OR (R) LOTS, AND A FINOR SHIFT OF LOT 1 AND LOT 4.
2. THE BASIS OF BEARINGS FOR THIS PLAT IS NORTH 07°55'31" WEST BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND A FOUND WEBER COUNTY LINE MONUMENT SET BY THE WEBER COUNTY SURVEYOR'S OFFICE. THIS BEARING DIFFERS FROM WEBER COUNTY SURVEYORS BEARING BY 00°07'14" AS SHOWN ON COUNTY LINE DECLARATION RECORDED PLAT BOOK 74, PAGE 44.

PLAT NOTES:

THIS PLAT AMENDMENT IS SUBJECT TO ALL LEGALLY ENFORCEABLE RESTRICTIONS, RIGHTS AND LIMITATIONS SET FORTH IN THE PLAT NOTES THAT APPEAR ON THE SUPPIT EDEN RIDGE NESTS PRUD (ENTRANCE 2672944) UNLESS OTHERWISE NOTED ON THIS PLAT.

PLAT NOTE #5 IS HEREBY REPLACED IN ITS ENTIRETY AS FOLLOWS:
1. LIMITED COMMON AREAS SHALL BE THOSE PARTS OF THE COMMON AREA WHICH ARE LIMITED TO AND RESERVED FOR THE USE OF OWNERS OF ONE OR MORE, BUT FEWER THAN ALL, OF THE LOTS. THE LIMITED COMMON AREAS SHALL INCLUDE ALL OR PORTION OF DESIGNATED AS LIMITED COMMON AREAS ON THE PLAT OR THE NEIGHBORHOOD ASSOCIATION IN ACCORDANCE WITH THE NEIGHBORHOOD DECLARATION. LIMITED COMMON AREAS DESIGNATED HEREON ARE APPURTENANT TO THE ADJACENT LOT. NO REFERENCE TO ANY LIMITED COMMON AREAS NEEDS TO BE MADE IN ANY INSTRUMENT OF CONVEYANCE, ENCUMBRANCE OR OTHER INSTRUMENT. THE INTENDED USES OF THE LIMITED COMMON AREAS INCLUDE ROOFING ELEMENTS, AWNINGS, WINDOW ELEMENTS, STEPS, PORCHES, STOODS, BALCONIES, PATIOS, OR ANY OTHER APPURTENANCE APPROVED BY THE SUPPIT FOUNTAIN ARCHITECTURAL REVIEW COMMITTEE. EACH OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, UPKEEP AND REPAIR OF IMPROVEMENTS ON THE LIMITED COMMON AREA APPURTENANT TO SUCH OWNER'S LOT AND THE USE THEREOF AS MORE SPECIFICALLY SET FORTH IN THE NEIGHBORHOOD DECLARATION.

PLAT NOTE #6 IS HEREBY REPLACED IN ITS ENTIRETY AS FOLLOWS:
4. DECLARANT HEREBY GRANTS TO ALL UTILITY PROVIDERS AN EASEMENT OVER AND ACROSS ALL COMMON AREAS, INCLUDING ALL LIMITED COMMON AREA, FOR THE PURPOSE OF INSTALLING, MAINTAINING AND OPERATING EQUIPMENT AND FACILITIES ABOVE AND BELOW GROUND AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY HAVE BEEN PLACED WITHIN THE EASEMENTS. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUBLIC UTILITY EASEMENTS WHICH INTERFERES WITH THE USE OF THE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE APPLICABLE UTILITY PROVIDER.

PLAT NOTE #13 IS HEREBY REPLACED IN ITS ENTIRETY AS FOLLOWS:
13. DECLARANT HEREBY RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, A BLANKET EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF TRAILS (TRAIL EASEMENT). THE EXACT LOCATION OF THE TRAILS MAY BE DESIGNATED, ADDED TO, DELETED, OR MODIFIED BY DECLARANT WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE NEIGHBORHOOD DECLARATION. DECLARANT HEREBY GRANTS TO THE NEIGHBORHOOD ASSOCIATION, COMMUNITY ASSOCIATION, AND THEIR MEMBERS AN EASEMENT FOR USE AND ENJOYMENT OF THE TRAIL EASEMENT, IN THE AS-CONSTRUCTED LOCATIONS, AS MAY BE MODIFIED OR RELOCATED FROM TIME TO TIME, IN ACCORDANCE WITH ANY RULES AND REGULATIONS ADOPTED BY DECLARANT.

PLAT NOTE #21 IS HEREBY ADDED TO THE SUBDIVISION PLAT NOTES:
21. CERTAIN PARCELS MAY BE DESIGNATED HEREON AS "OPEN SPACE, CONSERVATION" SUCH PARCELS SHALL BE INITIALLY OWNED BY DECLARANT AND ARE NOT PART OF ANY COMMON AREA UNLESS DESIGNATED AS SUCH BY DECLARANT OR CONVEYED BY DECLARANT TO THE NEIGHBORHOOD ASSOCIATION OR COMMUNITY ASSOCIATION. SUCH PARCELS ARE TO REMAIN UNDEVELOPED AND PERMANENTLY PRESERVED IN ORDER TO MAINTAIN SCENIC QUALITIES AND NATURAL BUFFERS. ABOVE-GROUND FACILITIES AND UTILITIES SHALL BE PROHIBITED WITHIN ANY AREA DESIGNATED AS "OPEN SPACE, CONSERVATION". DESPITE ANY CONTRARY PROVISIONS IN THE NEIGHBORHOOD DECLARATION OR MASTER DECLARATION, PARCEL 054 MAY NOT BE REDUCED IN SIZE, RELOCATED OR CHANGED IN USE TO SOMETHING OTHER THAN "OPEN SPACE, CONSERVATION", AS DEFINED IN THE WEBER COUNTY LAND USE CODE, WITHOUT THE PRIOR WRITTEN CONSENT OF THE OWNER(S) OF LOT 34R IN SUPPIT EDEN PHASE II. FURTHER, THIS NOTE MAY NOT BE AMENDED TO DELETE OR MODIFY THE IMMEDIATELY PRECEDING SENTENCE WITHOUT THE PRIOR WRITTEN CONSENT OF THE OWNER(S) OF LOT 34R IN SUPPIT EDEN PHASE II.

PLAT NOTE #22 IS HEREBY ADDED TO THE SUBDIVISION PLAT NOTES:
22. NOTICE TO PURCHASERS OF RESTRICTED (R) LOTS DESIGNATED BY THE LETTER "R" AFTER THE LOT NUMBER AND THE RESTRICTIONS OF THE OPEN SPACE AND LIMITED COMMON AREAS OF SECTIONS 10-14 OF THE WEBER COUNTY LAND USE CODE. APPROVAL OF A RESTRICTED DOES NOT GUARANTEE THAT THE RESTRICTIONS WILL BE REVIEWED AS OUTLINED IN THE LAND USE CODE SHALL BE DONE TO DETERMINE IF A LOT IS BUILDABLE.

OWNER'S DEDICATION:

WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS TO BE KNOWN HEREAFTER AS SUPPIT EDEN RIDGE NESTS PRUD AMENDMENT I AND DO HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.
IN WITNESS WHEREOF, THE UNDERSIGNED HAVE EXECUTED THIS OWNER'S DEDICATION AS OF THE DAY OF _____, 20__.

SMHG PHASE I LLC, A DELAWARE LIMITED LIABILITY COMPANY
BY: _____
NAME: JEFF HERBELDOL
TITLE: AUTHORIZED SIGNATORY

OWNER OF LOT 4
BY: NICK HORTON
BY: _____
NAME: GREGORY VINCENT MAURO
TITLE: ATTORNEY IN FACT OF NICK HORTON

OWNER OF LOT 3
BY: GAYLE TROBERMAN
BY: _____
NAME: GREGORY VINCENT MAURO
TITLE: ATTORNEY IN FACT OF GAYLE TROBERMAN

OWNER OF LOT 5
BY: SUE TURNER
BY: _____
NAME: GREGORY VINCENT MAURO
TITLE: ATTORNEY IN FACT OF SUE TURNER

ACKNOWLEDGEMENTS:

STATE OF UTAH | 5.5.
COUNTY OF WEBER |
THE FOREGOING INSTRUMENT HAS BEEN ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY JEFF HERBELDOL, AUTHORIZED SIGNATORY OF SMHG INVESTMENTS LLC, THE SOLE MEMBER OF SMHG PHASE I LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN: _____

STATE OF UTAH | 5.5.
COUNTY OF WEBER |
THE FOREGOING INSTRUMENT HAS BEEN ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF NICK HORTON.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN: _____

STATE OF UTAH | 5.5.
COUNTY OF WEBER |
THE FOREGOING INSTRUMENT HAS BEEN ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF EVAN HENDELSON.

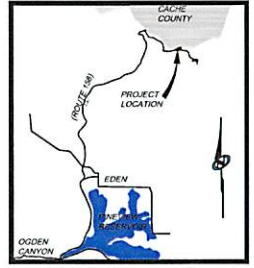
NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN: _____

STATE OF UTAH | 5.5.
COUNTY OF WEBER |
THE FOREGOING INSTRUMENT HAS BEEN ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF GAYLE TROBERMAN.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN: _____

STATE OF UTAH | 5.5.
COUNTY OF WEBER |
THE FOREGOING INSTRUMENT HAS BEEN ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF SUE TURNER.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN: _____



Vicinity Map

Exhibit A-Proposed Subdivision Amendment

SMHG PHASE I, LLC.
3623 N. WOLF CREEK DR.
EDEN, UT, 84310

WEBER COUNTY ATTORNEY
I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.
SIGNED THIS ____ DAY OF _____, 20__.

WEBER COUNTY SURVEYOR
I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN THE COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR'S OFFICE DOES NOT RELIEVE THE LICENSED LAND SURVEYOR FROM THE OBLIGATION OF THIS PLAT FROM RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THERETO. SIGNED THIS ____ DAY OF _____, 20__.

WEBER COUNTY ENGINEER
I HEREBY CERTIFY THAT THE REQUIRED PUBLIC AND FINANCIAL GUARANTEE IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS. SIGNED THIS ____ DAY OF _____, 20__.

WEBER COUNTY PLANNING COMMISSION APPROVAL
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT HAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE DAY OF _____, 20__.

WEBER COUNTY PLANNING COMMISSION ACCEPTANCE
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DECLARATION OF STREETS AND OTHER PUBLIC MATS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS, IN ACCORDANCE WITH AN INTERLOCAL AGREEMENT BETWEEN WEBER COUNTY AND CACHE COUNTY, ENTRY #28378A, RECORDED 26 MAY 2005, ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS ____ DAY OF _____, 20__.

CACHE RECORDED &
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE
REQUEST OF _____
ENTRY NO. _____
DATE: _____ TIME: _____
BOOK: _____ PAGE: _____
FEE \$ _____
CACHE COUNTY RECORDER

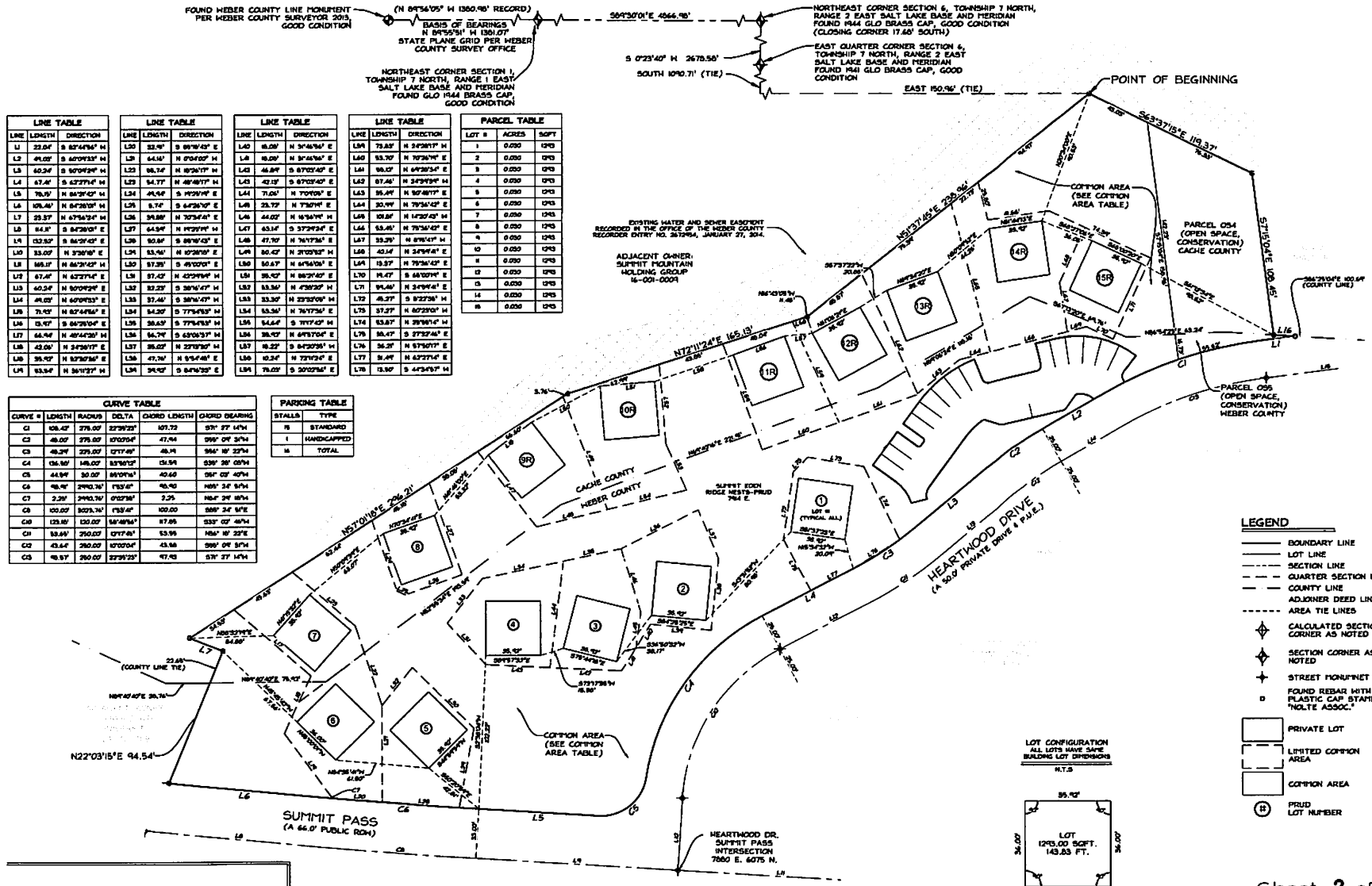
Sheet 1 of 2
N1V15
NOLTE VERTICALISSE
5217 SOUTH PLATE STREET, SUITE 300
PO BOX 1202 TEL: 801.463.0000 FAX: 801.463.0010

Page 5 of 18

SUMMIT EDEN RIDGE NESTS-PRUD AMENDMENT 1

LOCATED IN THE SOUTH 1/2 OF SECTIONS 5 & 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN
JANUARY 2016

Exhibit A-Proposed Subdivision Amendment



LINE TABLE		LINE TABLE		LINE TABLE		LINE TABLE		PARCEL TABLE	
LINE	LENGTH	DIRECTION	LINE	LENGTH	DIRECTION	LINE	LENGTH	DIRECTION	LOT # ACRES SQFT
L1	23.07'	N 82°47'41" W	L11	32.91'	S 89°16'42" E	L41	16.00'	N 5°46'34" E	L1 0.050 1293
L2	49.02'	S 42°04'53" W	L12	44.61'	N 8°04'02" W	L42	16.00'	N 5°46'34" E	L2 0.050 1293
L3	42.24'	S 50°29'54" W	L13	54.77'	N 49°40'17" W	L43	42.15'	S 67°02'40" E	L3 0.050 1293
L4	47.41'	S 42°27'41" W	L14	45.49'	S 4°02'49" E	L44	71.00'	N 7°01'03" W	L4 0.050 1293
L5	76.19'	N 84°28'42" W	L15	51.74'	S 64°28'42" E	L45	23.72'	N 7°01'03" W	L5 0.050 1293
L6	106.40'	N 84°28'42" W	L16	34.88'	N 7°01'03" W	L46	44.02'	N 16°54'18" W	L6 0.050 1293
L7	29.37'	N 67°34'24" W	L17	64.94'	N 17°29'17" W	L47	63.14'	S 37°23'42" E	L7 0.050 1293
L8	84.18'	S 64°28'42" E	L18	90.81'	N 37°03'52" W	L48	42.14'	N 24°54'41" E	L8 0.050 1293
L9	132.52'	N 84°28'42" E	L19	90.81'	N 37°03'52" W	L49	33.29'	N 8°16'47" W	L9 0.050 1293
L10	33.02'	N 37°03'52" E	L20	53.78'	S 45°02'04" E	L50	80.47'	N 21°03'52" W	L10 0.050 1293
L11	58.17'	N 84°28'42" W	L21	57.42'	N 42°29'54" W	L51	36.02'	N 64°28'42" E	L11 0.050 1293
L12	67.41'	N 67°34'24" W	L22	32.22'	S 26°16'47" W	L52	33.30'	N 47°29'27" W	L12 0.050 1293
L13	42.54'	N 60°04'24" W	L23	37.41'	S 38°16'47" W	L53	33.30'	N 22°50'49" W	L13 0.050 1293
L14	76.19'	N 82°47'41" W	L24	34.02'	S 77°16'42" W	L54	15.34'	N 76°17'54" E	L14 0.050 1293
L15	132.52'	N 84°28'42" W	L25	36.19'	S 77°16'42" W	L55	54.64'	S 71°17'42" W	L15 0.050 1293
L16	76.19'	N 84°28'42" W	L26	54.74'	S 42°02'57" W	L56	38.47'	N 67°34'24" E	L16 0.050 1293
L17	44.94'	N 49°40'17" W	L27	36.02'	N 27°10'17" E	L57	16.22'	S 64°28'42" E	L17 0.050 1293
L18	43.00'	N 34°28'17" E	L28	47.76'	N 9°14'48" E	L58	10.24'	N 73°19'42" E	L18 0.050 1293
L19	36.47'	N 67°34'24" E	L29	34.70'	S 64°28'42" E	L59	76.02'	S 20°02'54" E	L19 0.050 1293
L20	53.54'	N 34°28'17" E	L30	34.70'	S 64°28'42" E	L60	13.90'	S 44°34'57" W	L20 0.050 1293

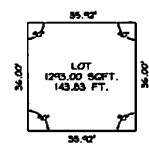
CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	108.42'	276.00'	22°39'23"	107.72'	S71°27'14"W
C2	46.29'	276.00'	10°02'04"	47.44'	S99°04'34"W
C3	46.29'	276.00'	10°02'04"	47.44'	S66°30'22"W
C4	108.42'	276.00'	22°39'23"	107.72'	S39°28'02"W
C5	44.94'	30.00'	160°10'14"	42.60'	S91°02'47"W
C6	46.19'	276.00'	7°53'41"	46.90'	N05°24'51"W
C7	2.29'	276.00'	0°02'50"	2.25'	N08°24'18"W
C8	102.02'	3073.74'	7°51'41"	100.00'	N88°24'54"E
C9	133.80'	133.00'	54°48'54"	87.89'	S33°07'48"W
C10	53.69'	250.00'	13°17'41"	53.99'	N64°10'22"E
C11	43.64'	260.00'	10°02'04"	43.96'	S99°04'34"W
C12	46.17'	260.00'	22°39'23"	47.93'	S71°27'14"W

PARKING TABLE	
STALLS	TYPE
N	STANDARD
I	HANDICAPPED
M	TOTAL

SMHG PHASE I, LLC.
3632 N. WOLFCREEK DR.
EDEN, UT, 84310

COMMON AREA TABLE							
COUNTY	TOTAL ACRES	TOTAL SQFT	COMMON AREA ACRES	COMMON AREA SQFT	LIMITED COMMON AREA ACRES	LIMITED COMMON AREA SQFT	OPEN SPACE AREA ACRES
HEBER	1.729	76,344	1.298	56,964	0.431	21,380	6.609
CACHE	1.298	60,780	0.464	21,049	0.464	20,322	0.960

LOT CONFIGURATION
ALL LOTS HAVE SAME BUILDING LOT DIMENSIONS
N.T.S.



- LEGEND**
- BOUNDARY LINE
 - LOT LINE
 - - - SECTION LINE
 - - - QUARTER SECTION LINE
 - - - COUNTY LINE
 - - - ADJONER DEED LINES
 - - - AREA TIE LINES
 - ◆ CALCULATED SECTION CORNER AS NOTED
 - ◆ SECTION CORNER AS NOTED
 - ◆ STREET MONUMENT
 - ◆ FOUND REBAR WITH PLASTIC CAP STAMPED "NOLTE ASSOC."
 - PRIVATE LOT
 - LIMITED COMMON AREA
 - COMMON AREA
 - ⊙ PRUD LOT NUMBER

CACHE RECORDED @
STATE OF UTAH, COUNTY OF CACHE
RECORDED AND FILED AT THE
REQUEST OF _____
ENTRY NO. _____
DATE: _____ TIME: _____
BOOK: _____ PAGE: _____
FEE \$ _____

CACHE COUNTY RECORDER

HEBER RECORDED @
STATE OF UTAH, COUNTY OF HEBER
RECORDED AND FILED AT THE
REQUEST OF _____
ENTRY NO. _____
DATE: _____ TIME: _____
BOOK: _____ PAGE: _____
FEE \$ _____

HEBER COUNTY RECORDER

NIVIS
NOLTE VERTICAL FIVE
817 SOUTH 1000 WEST, SUITE 300
MIDLAND, UT 84402
PHONE 801.733.1200

SUMMIT EDEN PHASE 1B

LOCATED IN THE SOUTH 1/2 OF SECTION 6, SOUTHEAST 1/4 OF SECTION 8 AND NORTH 1/2 OF SECTION 8 OF TOWNSHIP 7 NORTH, RANGE 2 EAST, SUBD. JANUARY 20, 2014

SURVEYOR'S CERTIFICATE

I, RICHARD H. PELLER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR...



RICHARD H. PELLER
PROFESSIONAL LAND SURVEYOR
UTAH CERTIFICATE NO. 18664

LEGAL DESCRIPTION

BEGINNING AT A POINT THAT IS SOUTH 67°04'00" WEST 48.78 FEET ALONG THE SECTION LINE AND EAST 16.93 FEET FROM THE HEAVY QUARTER CORNER OF SECTION 8...

SUMMIT EDEN PHASE 1B COVER SHEET, SIGNATURES, & VICINITY MAP

LOCATED IN THE SOUTH 1/2 OF SECTION 6, SOUTHEAST 1/4 OF SECTION 8 AND NORTH 1/2 OF SECTION 8 OF TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, HEDER COUNTY, UTAH

MEER COUNTY ATTORNEY
I HAVE EXAMINED THE ORIGINAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION...

MEER COUNTY SURVEYOR
I HEREBY CERTIFY THAT THE MEER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAN FOR CONFORMANCE WITH THE SURVEYING ACT...

MEER COUNTY PUBLIC
I HEREBY CERTIFY THAT THE MEASURED PERIMETER, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND POINTS ON RECORD IN THE COUNTY OFFICES...

MEER COUNTY PLANNING AND DEVELOPMENT
I HEREBY CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN APPROVED BY THE MEER COUNTY PLANNING DEPARTMENT...

MEER COUNTY RECORDS
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAN, THE DESIGNATION OF STREETS AND OTHER PUBLIC MAPS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS...

PLAT NOTES:

- 1. THIS PLAN IS SUBJECT TO THAT CERTAIN MEASURED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SURVEY EDEN MOUNTAIN HOMES...
2. PURSUANT TO THE NEIGHBORHOOD DECLARATION, THE SURVEY EDEN MOUNTAIN HOMES ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION (NEIGHBORHOOD ASSOCIATION) IS RESPONSIBLE FOR MAINTAINING ALL COMMON AREA, IF ANY...

PLAT NOTES (CONT.)

- 16. CERTAIN PARCELS MAY BE DESIGNATED NEIGHBORHOOD OPEN SPACE. SUCH OPEN SPACE ARE UNDEVELOPED AREAS THAT ARE NOT PART OF ANY COMMON AREA DESIGNATED AS SUCH BY DECLARANT OR CONVEYED BY DECLARANT TO THE NEIGHBORHOOD ASSOCIATION OR COMMUNITY ASSOCIATION...
17. DECLARANT GRANTS HERETO THAT THE LOTS SHOWN HEREIN ARE IN A SUBJECT AREA THAT HAS THE POTENTIAL TO CAUSE AVALANCHES IN CERTAIN AREAS...

SURVEY NARRATIVE:

1- THIS SURVEY SUBDIVIDES THE APPROVED TRACT OF LAND INTO LOTS, STREETS, PARCELS AND EASEMENTS AS SHOWN HEREIN AND AS DIRECTED BY THE CLIENT
2- BASIS OF BEARINGS FOR THIS PLAN IS SOUTH 87°04'00" WEST ALONG THE LINE BETWEEN THE HEAVY QUARTER CORNER OF SECTION 7 NORTH, RANGE 2 EAST AND THE HEAVY QUARTER CORNER OF SECTION 8 AND THE SET MEER COUNTY POINT ON THE INTERSECTION OF THE HEDER/CACHE COUNTY LINE AND THE SECTION LINE...

OWNER'S DEDICATION:

SPRING PHASE I LLC (DECLARANT), AS THE OWNER OF THE HEREBY DESCRIBED TRACT OF LAND, DOES HEREBY SET APART SPRING PHASE I LLC (DECLARANT) AS THE OWNER OF THE HEREBY DESCRIBED TRACT OF LAND, SUBJECT TO ALL OF THE RESTRICTIONS, EASEMENTS AND LIMITATIONS...

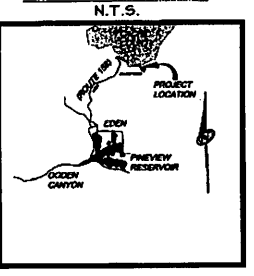
IN WITNESS WHEREOF, DECLARANT HAS EXECUTED THIS OWNER'S DEDICATION AS OF THE 20th DAY OF JANUARY, 2014.

SPRING PHASE I LLC, A DELAWARE LIMITED LIABILITY COMPANY
BY: SPRING INVESTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY
ITS SOLE MEMBER
BY: MTKS
NAME: ELLIOTT BRONKHORST
TITLE: MANAGER

ACKNOWLEDGEMENT:

STATE OF UTAH
COUNTY OF WASHINGTON
I, THE FOREGOING INSTRUMENT HAS BEEN ACKNOWLEDGED BEFORE ME THIS 20th DAY OF JANUARY 2014 BY ELLIOTT BRONKHORST, MANAGER OF SPRING INVESTMENTS LLC, THE SOLE MEMBER OF SPRING PHASE I LLC...
BY: J. GREGORY WICKHAM
NOTARY PUBLIC
BY: J. GREGORY WICKHAM
NOTARY PUBLIC

VICINITY MAP



MEASURED VERTICAL CURVE
CAGRE RECORDED 8
STATE OF UTAH, COUNTY OF CACHE, RECORD NO. 22-9L
DATE: 1/20/14
ENTERED: 1/20/14
BOOK: 104-2
PAGE: 104-2
FEE 2

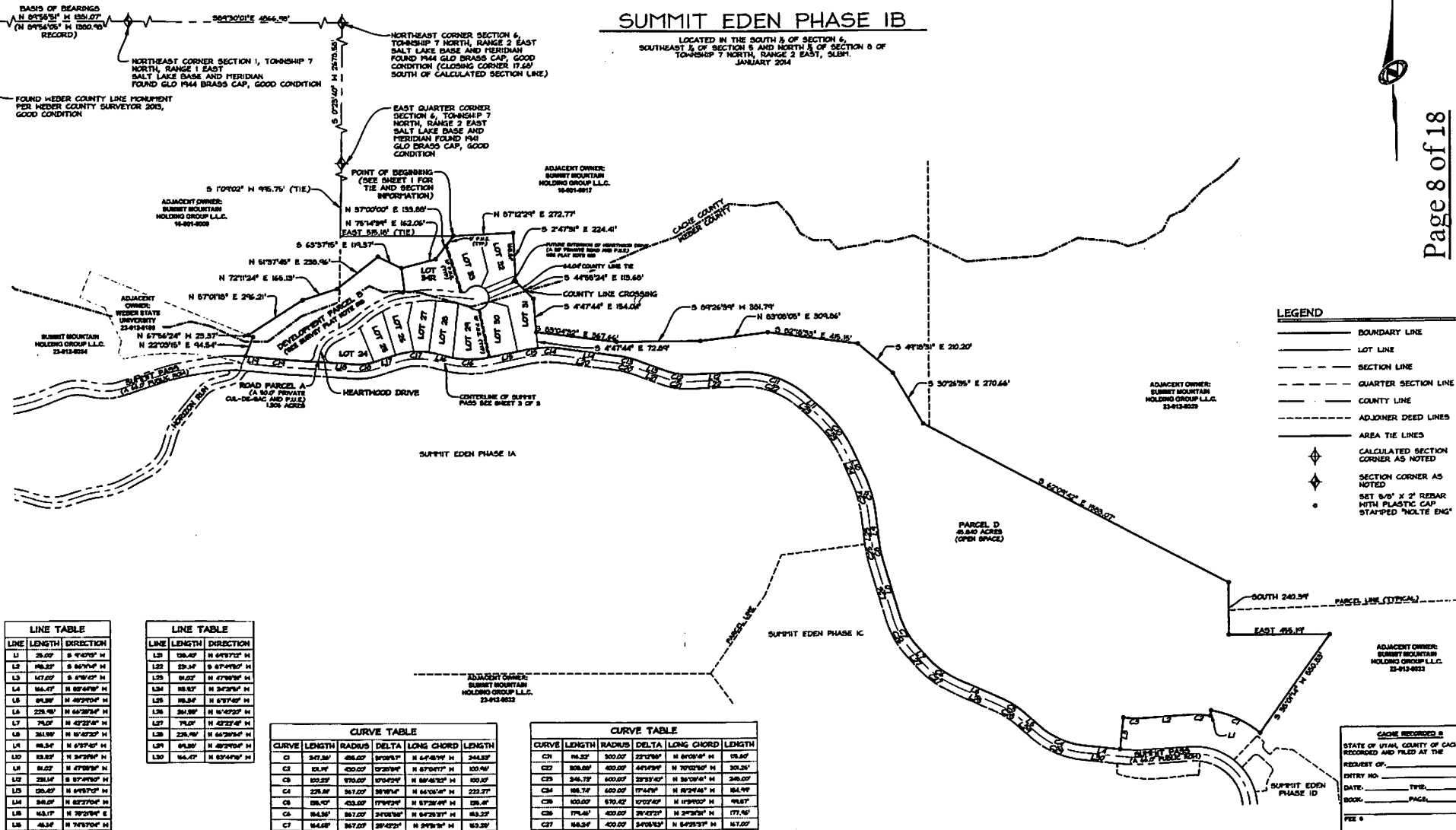
Sheet 1 of 3

Exhibit B-Summit Eden Phase 1B Subdivision

Page 7 of 7

SUMMIT EDEN PHASE IB

LOCATED IN THE SOUTH 1/2 OF SECTION 5,
SOUTHEAST 1/4 OF SECTION 6 AND
NORTH 1/2 OF SECTION 6 OF
TOWNSHIP 7 NORTH, RANGE 2 EAST, SLEB.
JANUARY 2004



- LEGEND**
- BOUNDARY LINE
 - - - LOT LINE
 - - - SECTION LINE
 - - - QUARTER SECTION LINE
 - - - COUNTY LINE
 - - - ADJONER DEED LINES
 - AREA TIE LINES
 - ◆ CALCULATED SECTION CORNER AS NOTED
 - ◆ SECTION CORNER AS NOTED
 - SET 5/8" X 2" REBAR WITH PLASTIC CAP STAMPED "MOLTE ENG"

LINE TABLE

LINE	LENGTH	DIRECTION
L1	26.00'	N 91°05'00" W
L2	146.20'	S 80°10'00" W
L3	471.00'	S 47°00'00" W
L4	164.00'	N 82°40'00" W
L5	84.00'	N 82°40'00" W
L6	228.00'	N 64°20'00" W
L7	74.00'	N 42°20'00" W
L8	241.00'	N 64°20'00" W
L9	86.00'	N 82°40'00" W
L10	86.00'	N 82°40'00" W
L11	86.00'	N 82°40'00" W
L12	238.00'	S 87°00'00" W
L13	120.00'	N 84°20'00" W
L14	84.00'	N 82°40'00" W
L15	84.00'	N 82°40'00" W
L16	84.00'	N 82°40'00" W
L17	120.00'	S 87°00'00" W
L18	120.00'	S 87°00'00" W
L19	120.00'	S 87°00'00" W
L20	120.00'	S 87°00'00" W

LINE TABLE

LINE	LENGTH	DIRECTION
L21	120.00'	N 87°00'00" W
L22	29.00'	S 87°00'00" W
L23	84.00'	N 87°00'00" W
L24	164.00'	N 82°40'00" W
L25	84.00'	N 82°40'00" W
L26	228.00'	N 64°20'00" W
L27	74.00'	N 42°20'00" W
L28	241.00'	N 64°20'00" W
L29	86.00'	N 82°40'00" W
L30	86.00'	N 82°40'00" W
L31	86.00'	N 82°40'00" W
L32	238.00'	S 87°00'00" W
L33	120.00'	N 84°20'00" W
L34	84.00'	N 82°40'00" W
L35	84.00'	N 82°40'00" W
L36	84.00'	N 82°40'00" W
L37	120.00'	S 87°00'00" W
L38	120.00'	S 87°00'00" W
L39	120.00'	S 87°00'00" W
L40	120.00'	S 87°00'00" W

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C1	347.30'	486.00'	100°00'00"	N 64°20'00" W	244.30'
C2	81.00'	400.00'	100°00'00"	N 87°00'00" W	100.00'
C3	100.20'	170.00'	100°00'00"	N 82°40'00" W	100.20'
C4	228.00'	267.00'	100°00'00"	N 64°20'00" W	228.00'
C5	86.00'	430.00'	100°00'00"	N 82°40'00" W	86.00'
C6	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C7	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C8	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C9	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C10	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C11	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C12	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C13	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C14	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C15	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C16	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C17	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C18	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C19	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'
C20	84.00'	420.00'	100°00'00"	N 82°40'00" W	84.00'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C21	16.20'	300.00'	22°00'00"	N 80°00'00" W	19.40'
C22	308.80'	400.00'	64°00'00"	N 70°00'00" W	303.20'
C23	246.70'	400.00'	28°00'00"	N 80°00'00" W	249.00'
C24	86.70'	400.00'	17°00'00"	N 80°00'00" W	84.90'
C25	400.00'	170.00'	100°00'00"	N 82°40'00" W	400.00'
C26	174.40'	400.00'	24°00'00"	N 20°00'00" W	171.90'
C27	163.50'	400.00'	24°00'00"	N 82°40'00" W	161.20'
C28	128.60'	400.00'	18°00'00"	N 82°40'00" W	125.20'
C29	246.10'	400.00'	24°00'00"	N 82°40'00" W	243.20'

**SUMMIT EDEN PHASE IB
BOUNDARY AND PARCEL D**

LOCATED IN THE SOUTH 1/2 OF SECTION 5,
SOUTHEAST 1/4 OF SECTION 6 AND
NORTH 1/2 OF SECTION 6 OF
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE
BASE AND MERIDIAN, WEBER COUNTY, UTAH

SCALE
HORIZONTAL 1" = 200'
VERTICAL 1" = 100'

Sheet 2 of 3

NIV5
MOLTE VERTICALIVE

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF:
ENTRY NO. 2672844
DATE: 7/5 TWELVE, 2023 PAGE 33
FEE \$

CACHE COUNTY RECORDER
WEBER COUNTY RECORDER

Exhibit B-Summit Eden Phase 1B Subdivision

SUMMIT EDEN PHASE 1B

LOCATED IN THE SOUTH 1/2 OF SECTION 5,
SOUTHEAST 1/4 OF SECTION 6 AND NORTH 1/2 OF SECTION 6 OF
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE
JANUARY 2014

LINE	LENGTH	DIRECTION
L01	12.80	N 72°59'4" E
L02	122.80	N 72°59'4" E
L03	46.12	S 74°57'0" E
L04	24.40	S 69°54'0" E
L05	17.47	S 82°27'4" N
L06	2.64	S 80°09'4" N
L07	17.80	S 80°09'4" N
L08	10.71	S 60°09'4" N
L09	18.27	S 60°09'4" N
L10	16.50	S 82°44'4" N
L11	34.97	S 82°44'4" N
L12	74.97	N 82°58'3" N
L13	47.20	S 80°58'3" E
L14	40.00	N 80°09'4" E
L15	42.50	N 80°09'4" E
L16	17.47	N 82°27'4" E
L17	70.10	S 82°27'4" E
L18	18.27	N 72°59'4" E
L19	47.27	N 82°27'4" E
L20	10.24	N 80°09'4" E
L21	49.00	N 80°09'4" E
L22	71.40	N 82°44'4" E
L23	7.00	S 82°44'4" E
L24	32.44	S 72°42'4" E

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C00	17.16	300.00	82°48'4"	S 82°38'4" N	64.87
C01	304.84	480.00	34°08'3"	S 86°17'2" E	207.67
C02	87.60	800.00	11°02'7"	S 87°47'7" N	84.82
C03	64.84	833.00	11°07'7"	S 87°47'0" N	63.97
C04	164.40	471.00	22°02'4"	N 89°48'0" E	88.20
C05	374.91	471.00	1°48'0"	N 78°02'0" E	271.70
C06	184.40	333.00	1°54'0"	N 87°22'7" N	173.20
C07	47.70	333.00	1°48'0"	N 87°22'7" N	47.20
C08	84.30	385.00	1°30'0"	N 79°24'0" E	84.00
C09	0.00	333.00	0°00'0"	N 72°00'0" E	0.00
C10	1.00	234.00	0°00'0"	N 72°22'0" E	1.00
C11	67.60	234.00	2°23'3"	N 82°34'0" E	67.17
C12	84.00	30.00	103°04'0"	S 34°47'1" E	47.00
C13	78.72	48.00	48°40'4"	S 34°00'7" N	73.74
C14	37.37	228.00	10°00'4"	S 88°09'4" N	34.27
C15	88.70	278.00	22°38'3"	S 77°27'4" N	86.14
C16	74.80	378.00	12°31'4"	S 88°24'4" N	74.20
C17	12.80	378.00	1°01'4"	N 84°43'4" N	12.80
C18	84.44	36.00	184°27'0"	S 72°50'7" E	82.34
C19	84.74	36.00	180°00'0"	N 80°09'4" E	82.34

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C20	44.64	68.00	12°07'4"	N 87°37'4" E	44.87
C21	44.64	68.00	12°07'4"	N 87°37'4" E	44.87
C22	11.74	68.00	12°07'4"	N 80°34'3" N	11.72
C23	70.00	68.00	72°58'4"	S 74°08'7" N	68.97
C24	4.80	68.00	2°00'7"	S 87°00'4" N	4.80
C25	48.00	68.00	102°37'4"	N 88°08'4" E	48.87
C26	48.00	428.00	1°17'2"	S 87°14'4" N	48.12
C27	48.00	278.00	1°00'0"	N 84°00'0" E	47.74
C28	48.20	228.00	1°17'4"	N 84°00'0" E	48.10
C29	284.50	148.00	83°00'0"	S 38°28'0" N	139.90
C30	44.64	30.00	87°03'4"	S 10°24'0" E	40.62
C31	48.40	390.70	1°08'4"	S 88°44'0" E	48.10
C32	128.10	120.00	84°48'4"	S 32°02'4" N	117.80
C33	63.80	260.00	12°17'4"	N 88°08'2" E	63.80
C34	48.40	230.00	12°38'3"	S 88°08'4" N	48.80
C35	48.87	230.00	12°38'3"	S 77°14'4" N	47.90
C36	48.00	400.00	1°19'3"	S 84°28'4" N	48.80
C37	84.80	184.00	18°22'2"	S 88°00'0" N	84.87
C38	43.37	300.00	7°16'3"	N 88°00'0" E	43.30

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C39	84.90	300.00	12°00'4"	N 87°00'4" E	84.87
C40	43.30	388.00	7°28'4"	N 88°34'3" E	43.20
C41	42.84	100.00	34°29'4"	N 34°34'3" E	41.40
C42	78.24	88.00	60°40'0"	S 77°47'4" N	72.91
C43	78.24	88.00	60°40'0"	N 88°47'4" N	78.14
C44	12.80	80.00	42°00'0"	S 87°00'4" N	12.00
C45	12.80	80.00	42°00'0"	N 88°00'0" E	12.00
C46	14.00	378.00	1°17'4"	N 88°00'0" E	14.00
C47	14.00	378.00	1°17'4"	N 88°00'0" E	14.00
C48	100.00	300.00	7°46'4"	S 88°00'0" E	100.00

LINE	LENGTH	DIRECTION
L00	80.00	N 17°44'4" E
L01	70.00	S 88°58'4" E
L02	80.00	S 88°58'4" E
L03	80.00	S 88°58'4" E
L04	60.80	S 88°58'4" E
L05	48.67	S 87°22'2" E
L06	32.54	S 84°58'4" N
L07	42.80	N 87°00'4" N
L08	48.70	N 87°00'4" E
L09	78.47	S 82°58'4" E
L10	34.87	S 88°58'4" E
L11	34.87	S 74°00'0" E
L12	44.77	S 78°00'4" N
L13	88.54	N 87°22'2" E
L14	44.00	S 17°44'4" E
L15	43.87	N 48°00'4" E
L16	56.22	N 47°44'4" E
L17	84.87	S 87°00'4" E
L18	70.64	S 78°00'4" E
L19	30.80	S 48°00'4" N
L20	30.70	S 38°00'4" N
L21	82.67	N 87°00'4" N
L22	78.80	S 87°00'4" N

LEGEND

- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- COUNTY LINE
- ADJONDER DEED LINES
- NO ACCESS LINE
- AREA TIE LINES
- CALCULATED SECTION CORNER AS NOTED
- SECTION CORNER AS NOTED
- STREET MONUMENT
- SET 5/8" X 2" REBAR WITH PLASTIC CAP
- STAMPED "NOLTE ENG"
- BUILDING ENVELOPE
- P.U.E. AND FUTURE EXTENSION OF HEARTWOOD DRIVE

LOT #	WEBER COUNTY ACRES	CACHE COUNTY ACRES	WEBER COUNTY SQ. FT.	CACHE COUNTY SQ. FT.
ROAD PARCEL 5A	0.767	0.378	33,347	16,446
DEVELOPMENT PARCEL 5B	1.791	1.390	76,744	60,760
SI	0.682	0.174	24,733	7,560

SUMMIT EDEN PHASE 1B
DEVELOPMENT PARCEL 5B, ROAD PARCEL A AND LOTS 24 TO 34
LOCATED IN THE SOUTH 1/2 OF SECTION 5,
SOUTHEAST 1/4 OF SECTION 6 AND
NORTH 1/2 OF SECTION 6 OF
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE
BASE AND MERIDIAN, WEBER COUNTY, UTAH

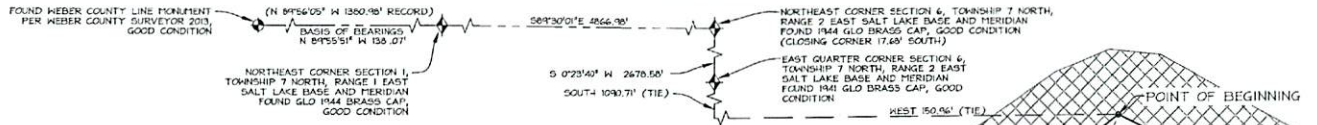
Sheet 3 of 3

NIVIS
NOLTE VERTICAL LLP
1000 SOUTH MAIN STREET, SUITE 200
SALT LAKE CITY, UT 84143
PHONE: 801.466.1234
WWW.NIVISLLP.COM

CACHE RECORDED 8
STATE OF UTAH, COUNTY OF CACHE,
RECORDED AND FILED AT THE
REQUEST OF:
ENTRY NO. _____
DATE: _____ TIME: _____
BOOK: _____ PAGE: _____
FEES: _____
CACHED COUNTY RECORDER
HEBER RECORDED 8
STATE OF UTAH, COUNTY OF WEBER,
RECORDED AND FILED AT THE
REQUEST OF: **Summit Eden LLC**
DATE: **2/10/2014** TIME: **02:15 PM**
BOOK: **75** PAGE: **34**
BOOK: **104** PAGE: **1**
FEES: _____
Ernest D Rowley
WEBER COUNTY RECORDER

SUMMIT EDEN RIDGE NESTS - PRUD

A PART OF SUMMIT EDEN PHASE 1B SUBDIVISION, LOCATED IN THE SOUTH 1/2 OF SECTIONS 5 & 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN JANUARY 2014

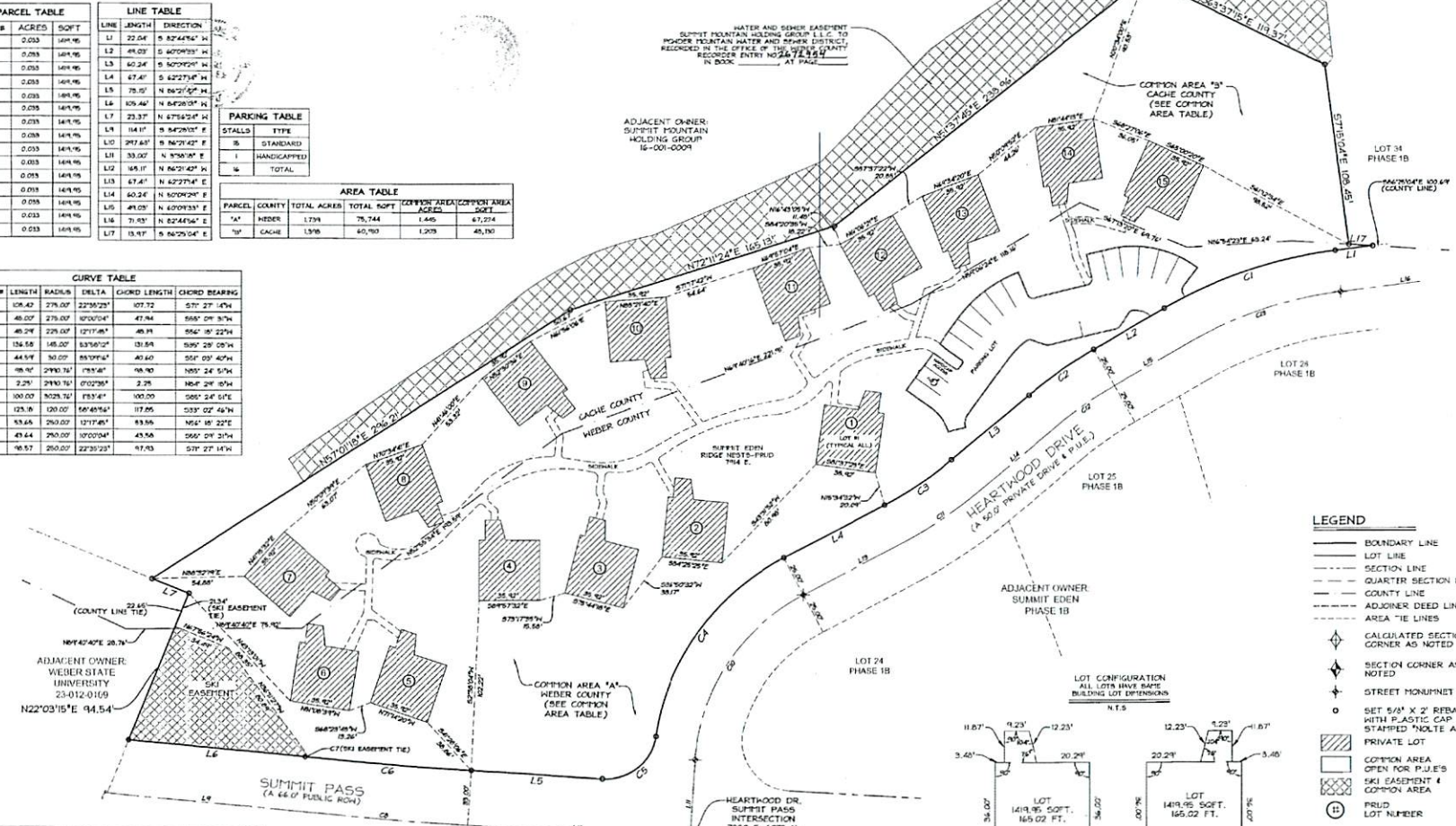


PARCEL TABLE	LINE TABLE
LOT # ACRES SQFT	LINE LENGTH DIRECTION
1 0.033 1419.95	L1 22.64 S 82°44'54" W
2 0.033 1419.95	L2 48.03 S 80°09'33" W
3 0.033 1419.95	L3 60.24 S 80°09'33" W
4 0.033 1419.95	L4 67.41 S 82°27'34" W
5 0.033 1419.95	L5 75.02 N 86°27'52" W
6 0.033 1419.95	L6 105.46 N 84°28'03" W
7 0.033 1419.95	L7 23.37 N 87°54'24" W
8 0.033 1419.95	L8 14.14 S 84°28'03" W
9 0.033 1419.95	L9 291.63 S 84°28'03" W
10 0.033 1419.95	L10 33.02 N 83°00'00" W
11 0.033 1419.95	L11 145.11 N 84°27'42" W
12 0.033 1419.95	L12 67.41 N 82°27'34" W
13 0.033 1419.95	L13 67.41 N 82°27'34" W
14 0.033 1419.95	L14 60.24 N 80°09'33" W
15 0.033 1419.95	L15 49.03 N 80°09'33" W
16 0.033 1419.95	L16 71.83 N 82°44'54" W
17 0.033 1419.95	L17 13.87 S 84°28'04" E

PARKING TABLE	
STALLS	TYPE
18	STANDARD
1	HANDICAPPED
19	TOTAL

AREA TABLE			
PARCEL	COUNTY	TOTAL ACRES	TOTAL SQFT
A*	WEBER	1.779	75,744
B*	CACHE	1.976	85,760
COMMON AREA		1.445	67,274
TOTAL		5.200	228,778

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	106.42	276.00	22°35'23"	107.72 S77°27'14"W
C2	48.00	276.00	10°00'04"	47.84 S68°09'33"W
C3	48.24	276.00	10°17'48"	48.11 S56°18'22"W
C4	136.58	148.00	53°36'02"	131.84 S09°29'05"W
C5	44.94	300.00	8°33'04"	43.60 S01°09'40"W
C6	18.17	290.70	3°31'48"	18.00 S01°24'51"W
C7	2.24	290.70	0°02'38"	2.28 N04°28'10"W
C8	100.00	1028.70	5°33'41"	100.00 S00°24'01"E
C9	123.16	130.00	56°48'54"	117.85 S03°02'48"W
C10	53.65	260.00	12°17'46"	53.56 N05°18'22"E
C11	43.64	260.00	10°00'04"	43.58 S66°09'31"W
C12	43.64	260.00	10°00'04"	43.58 S66°09'31"W
C13	16.57	260.00	22°35'23"	16.73 S77°27'14"W



LEGEND

- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- COUNTY LINE
- ADJOINER DEED LINES
- AREA TIE LINES
- CALCULATED SECTION CORNER AS NOTED
- SECTION CORNER AS NOTED
- STREET MONUMENT
- SET 5/8" X 2" REBAR WITH PLASTIC CAP STAMPED 'NOLTE ASSOC.'
- PRIVATE LOT
- COMMON AREA OPEN FOR P.U.E'S
- SKI EASEMENT
- COMMON AREA
- PRUD LOT NUMBER

CACHE RECORDED
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF: 2672949
ENTRY NO. 2672949
DATE: 75 TIME: 44
BOOK: _____ PAGE: _____
FEE \$ _____

WEBER RECORDED
STATE OF UTAH, COUNTY OF WEBER, RECORDED AND FILED AT THE REQUEST OF: 2672949
ENTRY NO. 2672949
DATE: 75 TIME: 44
BOOK: _____ PAGE: _____
FEE \$ _____

SUMMIT EDEN RIDGE NESTS - PRUD PLAT
LOCATED IN THE SOUTH 1/2 OF SECTIONS 5 & 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH

Exhibit C-Summit Eden Ridge Nests PRUD



Exhibit D-OVPC Minutes

Minutes of the Ogden Valley Commission Regular Meeting held October 22, 2013, in the Weber County Commission Chambers, 1st Floor, commencing at 5:00 p.m.

Present: Pen Hollist, Chair; Ann Miller; Laura Warburton, John Howell, Kevin Parson

Absent/Excused: Greg Graves; Dennis Montgomery

Staff Present: Rob Scott, Planning Director; Sean Wilkinson, Planner; Chris Allred, Legal Counsel;
Kary Serrano, Secretary

-
- **Pledge of Allegiance**
 - **Roll Call:** Chair Hollist stated that Dennis Montgomery resigned, Greg Graves was excused, and all others are present.

1. Minutes:

- 1.1.** Approval of the August 8, 2013 and September 24, 2013 meeting minutes

MOTION: Chair Hollist declared the meeting minutes of August 8, 2013 and September 24, 2013 approved as written.

Chair Hollist asked if any Planning Commissioners had any conflicts of interest or ex parte communications to declare for any of the items. There were no conflicts of interest or ex parte communications reported.

2. Petitions, Applications and Public Hearings:

2.1. Administrative Items

a. New Business:

- 1. UVS9241A:** Consideration and action on final approval of Summit at Powder Mountain Phase 1A located at Powder Mountain Ski Resort within the Forest Valley-3 Zone (FV-3), Forest-40 Zone (F-40) (Summit Mountain Holding Group LLC, Applicant)

Sean Wilkinson reviewed the staff report and mentioned that there will be a potential change in the future to this phase. The restricted lots had to be rechecked for accuracy and staff recommends approval of the current 24 lot proposal. If there are changes, the amendments will come back to the Planning Commission for an amendment. The potential change will consist of Lots 1-4, 9, and 10 being separated as Phase 1E due to access concerns, and extra engineering work that is necessary. Any approval tonight is subject to the requirements of the County Engineering Division, Weber Fire District, Weber County Surveyor, and any other agency reviews. This phase will not go to the County Commission for final approval until all review agencies have granted approval.

Eric Langvardt, Langvardt Design Group, said that he didn't have anything new and as staff has indicated the access on Lots 1-4, 9-10 need to be studied further so they can most sensibly place the access on the land. They need to clarify with their engineers with the restricted lot issue but everything else is as it was in the PRUD submittals.

MOTION: Commissioner Howell moved to recommend to the County Commission approval of UVS9241A subject to staff and other agencies listed in the staff report and in conformance with the General Plan and County Ordinance to include the corrections on Exhibit A, Sheets 2, 3 and 4. Commissioner Parson seconded.

FRIENDLY AMENDMENT: Commissioner Warburton recommended that the County receives clear information on the topographies so they can identify which lots are restricted and which are not.

VOTE: A vote was taken with all members voting aye and Chair Hollist declared that the motion carried (5-0).

- 2. UVS9241B:** Consideration and action on final approval of Summit at Powder Mountain Phase 1B located at Powder Mountain Ski Resort within the Commercial Valley Resort Recreation-1 Zone (CVR-1), Forest Valley-3 Zone (FV-3) (Summit Mountain Holding Group LLC, Applicant)

Sean Wilkinson said Phase 1B consists of Lots 24 through what was Lot 35. Lot 35 is now Developable Parcel B, where the 15 nest units are located. Those 15 nest units are located on this parcel and the others are lots for single family dwellings. Phase 1B is the smallest phase but it does have quite a large area for open space further down into the development. Phase 1B is also split by the county line and is located in both Weber and Cache County. There is an Interlocal Agreement that was signed by both counties and Weber County has been designated as the Land Use Authority for the Cache County land.

Sean Wilkinson said these lots were identified as cabin single family lots except for the nest units on Development Parcel B, and the setbacks and height requirements were specified in the PRUD approval. Lots 24-41 all have frontage on two roads. There is the main public road (Summit Pass) and there is Heart Wood Drive which is a private road. A no access line designation is required on Summit Pass. Any approval is subject to the review agency requirements and staff is recommending approval of this phase.

Kimbal Wheatley, who resides in Huntsville, said this is the first development where the impact of the units resides in Weber County and the taxes belong to another county. He asked if the units in Cache County are in addition to the units approved in Weber County. Chair Hollist stated that the units in Cache County count against the 154 that are approved. The only thing that happens here is Lots 32, 33, & 34 will pay their taxes to Cache County. They are not bonus lots because they appear in another county.

Commissioner Howell asked how much property is in Cache County and Russ Watts, Development Director for Summit, said there are about 3,700 acres in Cache County, which is mostly ski terrain.

MOTION: Commissioner Parson moved to recommend to the County Commission approval of UVS9241B subject to all review agency requirements and conditions of approval in the staff report, based on its compliance with applicable land use codes. Commissioner Warburton seconded.

VOTE: A vote was taken with all members voting aye and Chair Hollist declared that the motion carried (5-0).

3. UVS9241C: Consideration and action on final approval of Summit at Powder Mountain Phase 1C located at Powder Mountain Ski Resort within the Forest Valley-3 Zone (FV-3) (Summit Mountain Holding Group LLC, Applicant)

Sean Wilkinson reviewed the staff report and said this phase has several lots with potential frontage on two roads so they will need no access lines to clarify where the access will actually come from. In addition, the lots closer to the village have no setbacks on side property lines and are very narrow lots some as small as 17-18 feet wide. Parking standards are a problem for these lots and the parking variance that was granted as part of the PRUD was for the nest units. Where these are single family dwellings, each one is required to have two side by side parking stalls. During that PRUD approval the developers stated they would be able to meet that requirement except for the nest units. On some of these lots it is impossible to meet this requirement because the lots are too narrow.

Sean Wilkinson said there are these options for parking; 1. Require the lot width to increase to accommodate side by side parking. 2. Adjust the number of side by side spaces, by allowing tandem back-to-back parking spaces. 3. Reduce the number of required parking spaces from two to one. Approval is subject to the requirements the Engineering Division, Fire District, Water and Sewer District, and other review agencies. This phase will not go to the County Commission until all the agency requirements have been satisfied.

Chair Hollist asked about access involving Lots 42 and 41; Sean Wilkinson replied this is an access exception for Lot 42 through Lot 41. That is part of the access exception application that has already been submitted.

Eric Langvardt said he wanted to address the parking issue. They would like to explore the opportunity to adjust the parking stalls whether they allow for a narrower stall or do two of them side by side. Their smallest lots are 18 feet and have 16 foot doors for two small cars. They do think it's less of a size issue on these lots and would ask for either a reduced side by side or a tandem allowance because on some of these lots tandem parking works better.

**MINUTES
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, January 21, 2014 - 10:00 a.m.
Commission Chambers, 2380 Washington Blvd., Ogden, Utah

In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the County Clerk records in the minutes the names of all citizens who appear and speak at a County Commission meeting and the substance "in brief" of their comments. Such statements may include opinion or unreported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.

COMMISSIONERS: Kerry W. Gibson, Chair, Jan M. Zogmaister and Matthew G Bell.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; Fátima Fernelius, of the Clerk/Auditor's Office, took minutes.

A. WELCOME – Chair Gibson

B. PLEDGE OF ALLEGIANCE – Deputy Ray Day

C. THOUGHT OF THE DAY – Commissioner Bell

D. CONSENT ITEMS:

1. Purchase Orders for \$1,367,920.56
2. Warrants #305551- #305757 for \$1,433,915.96
3. Minutes for the meetings held on January 7 and 14, 2014
4. New business licenses
5. New beer licenses
6. Retirement Agreement with Ann M. Stark – Contract C2014-11

Commissioner Bell moved to approve the consent items; Commissioner Zogmaister seconded, all voting aye.

E. ACTION ITEMS:

1. **FIRST READING OF FEE ORDINANCE AMENDMENTS RELATING TO THE SOLID WASTE DIVISION OF THE WEBER COUNTY OPERATIONS DEPARTMENT**

Gary Laird, of the County Solid Waste Division, presented changes to the transfer station tipping fee (increasing to \$32/ton from \$30/ton) and the demolition and construction waste tipping fee (decreasing to \$26/ton from \$30/ton). No price change has occurred in seven years. He noted that they have seen a decrease in waste for the last several years at the Transfer Station. The commissioners noted that a lot of related discussion has occurred recently, including at a WACOG meeting. The changes take effect July 1, 2014.

Commissioner Zogmaister moved to approve the first reading of the fee ordinance amendments relating to the Solid Waste Division of the County Operations Department; Commissioner Bell seconded, all voting aye.

2. **CONTRACT WITH WHITAKER CONSTRUCTION FOR THE OGDEN BAY WATERFOWL MANAGEMENT AREA PROJECT AS PART OF THE WEBER EMERGENCY WATERSHED PROTECTION PROJECT – CONTRACT C2014-12**

Jared Andersen, County Engineer, stated that the county went through a qualification bid process on awarding this contract. The selection committee unanimously selected Whitaker Construction. Commissioner Bell moved to approve Contract C2014-12 with Whitaker Construction for the Ogden Bay Waterfowl Management Area project as part of the Weber Emergency Watershed Protection Project; Commissioner Zogmaister seconded. Commissioners Bell and Commissioner Zogmaister voted aye and Chair Gibson voted nay.

3. **FIRST AMENDMENT TO THE CITYWATCH ONLINE SERVICE AGREEMENT EXTENDING OUR CURRENT CONTRACT WITH CITYWATCH FOR ANOTHER YEAR – CONTRACT C2014-13**

Lance Peterson, of County Emergency Management, noted that for the past three years the county has had an emergency alert notification computer program service through CityWatch. This renews the contract for one more year at the same price of the past contract. The \$66,000 is 100% reimbursable through a Homeland Security grant.

Exhibit D-County Commission Minutes

Commissioner Bell moved to approve Contract C2014-13, first amendment to the CityWatch Online Service Agreement extending our current contract with CityWatch for another year; Commissioner Zogmaister seconded, all voting aye.

4. **CONTRACT WITH PING4ALERTS INC., TO PROVIDE WIDER AREA EMERGENCY NOTIFICATIONS VIA CELL PHONE – CONTRACT C2014-14**

Lance Peterson, of County Emergency Management, presented this license agreement for \$20,001 through 12/31/2015 with two extensions for a \$20,000 total. He noted that alerts can now be sent to geographic areas.

Commissioner Bell moved to approve Contract C2014-14 with Ping4Alerts Inc., to provide wider area emergency notifications via cell phone; Commissioner Zogmaister seconded, all voting aye.

5. **SITE DEVELOPMENT AGREEMENT FOR \$2,475.00 FOR REMOVAL OF THE TEMPORARY TRAILER AND LANDSCAPING AT WOLF MOUNTAIN (NOW KNOWN AS SKYLINE MOUNTAIN BASE) – CONTRACT C2014-15**

Sean Wilkinson, County Planning Division Director, noted that Wolf Mountain is undergoing some changes, including a name change and updates to their site plan. The temporary trailer had been approved for up to five years and the associated landscaping was never installed. The developers have put up a financial guarantee for the removal of the trailer and the four 6 ft. pine trees in pots.

Commissioner Zogmaister moved to approve Contract C2014-15, Site Development Agreement for \$2,475.00 for the removal of the temporary trailer and landscaping at Wolf Mountain/Skyline Mountain Base; Commissioner Bell seconded, all voting aye.

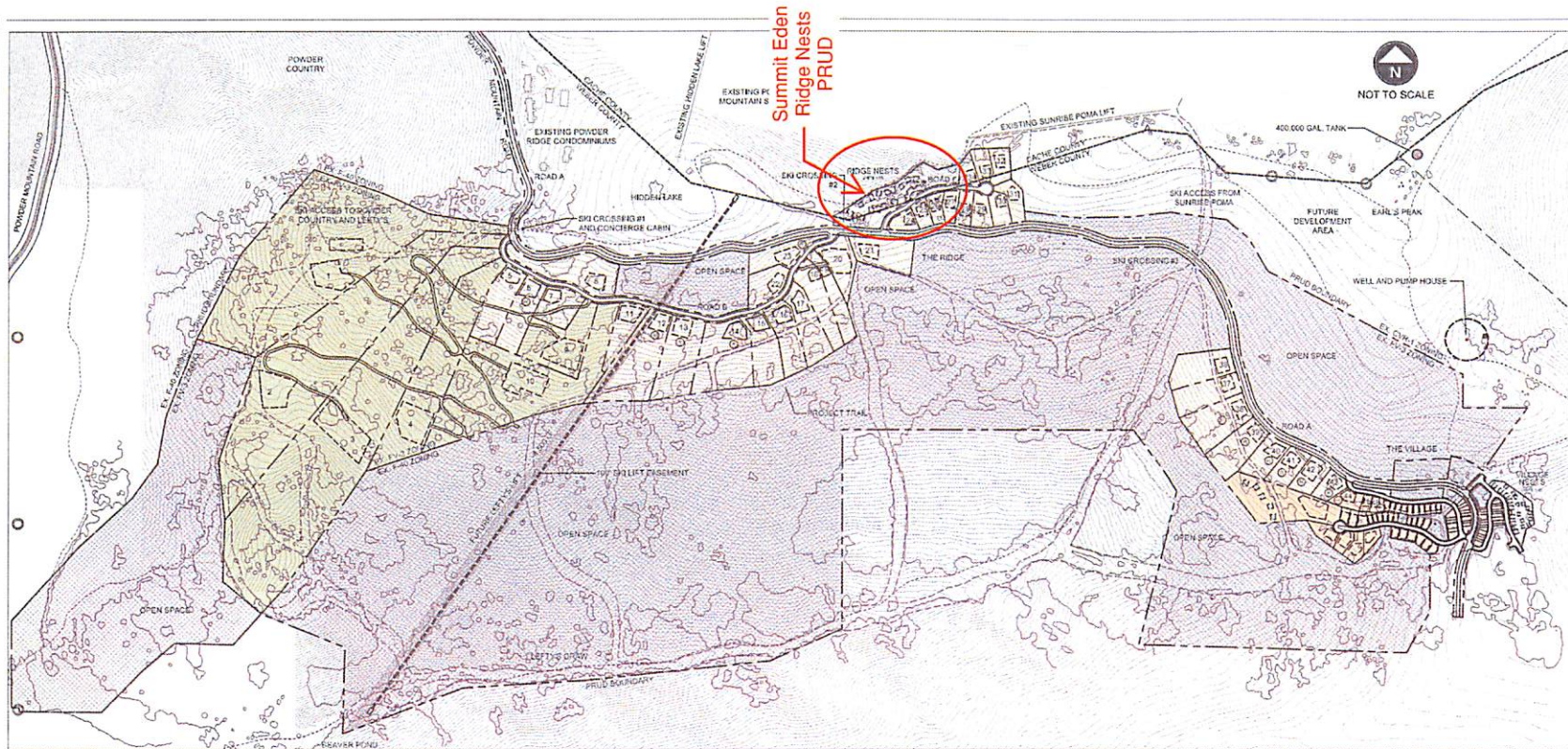
6. **FINAL APPROVAL OF SUMMIT EDEN PHASES 1A, 1B, 1C, 1D, SUMMIT EDEN RIDGE NESTS –P.R.U.D., SUMMIT EDEN VILLAGE NESTS CONDOMINIUMS AND THE ROAD DEDICATION PLAT FOR SUMMIT PASS AND SPRING PARK**

Sean Wilkinson, County Planning Division Director, showed an area map. He said that these subdivision and road dedication plats for the development at Powder Mountain are complete. All the agency reviews have come back favorable, all necessary changes have been made, and the Mylar plats have been signed by the County Surveyor's Office.

In 2013 the P.R.U.D. was approved for 154 units at Powder Mountain. These phases encompass 148 of those 154 units. Six units that were in the very first phase are not being developed at this time. All P.R.U.D. and Planning Commission conditions have been addressed. The Utah Division of Drinking Water has granted plan approval of the Hidden Lake Well, construction has begun on the water tank, and Summit has filed for annexation into the Powder Mountain Water & Sewer District. The Powder Mountain District engineer has concluded his plan review and is waiting for the District Board to authorize the release of the approval letters for the upgrade of the sewer system. There are approximately 40 documents (easements, agreement, conveyances, etc.) associated with this subdivision. Some of those are still under review but will be completed and recorded at the same time as all of the plats.

Almost all of the improvement costs for the subdivision are currently in escrow but there is a shortage of approximately \$233,866.94, based on cost estimates submitted by Summit. This amount will have to be provided before all the plats can be recorded. There are only two public roads (Summit Pass and Spring Park) and construction began last year. Commissioner Bell said that this is a major milestone for this project. He noted that most county departments have been involved with it, and that county staff has put in thousands of hours into this project, which has been scrutinized from many angles, and that it is difficult for the public to grasp and see all the work that has been done. Commissioner Zogmaister echoed Commissioner Bell's comments about the time, effort and expertise that have been put into this project and stated that the public will see an excellent product that comes from all parties.

Tom Jolley, Executive Vice President/General Counsel for Summit Mountain Holding Group, on behalf of the developer sincerely thanked the commissioners and county staff for the thousands of hours stating that it represents a major milestone for the development. They are grateful to all county staff for the enormous amount of work. He had the signed documents by the developer that included changes requested by the County Attorney and Surveyor's Offices.



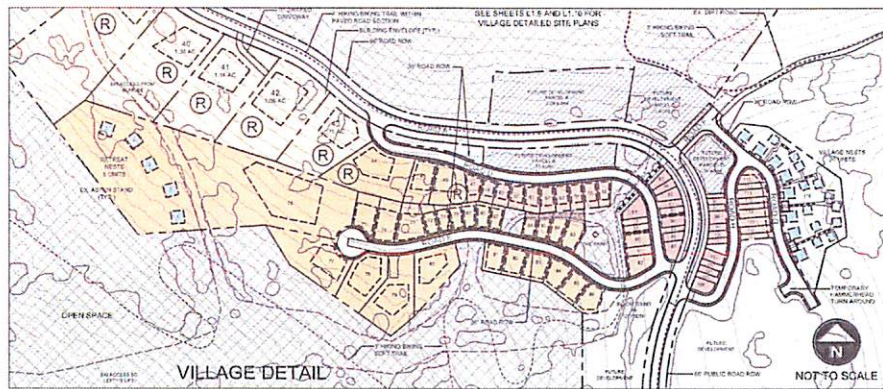
LOT LEGEND AND MIN. SETBACK STANDARDS

	RANCH SINGLE FAMILY	FRONT 50 SIDES 20' REAR 30'
	ESTATE SINGLE FAMILY	FRONT 25' SIDES 12' REAR 30'
	CABIN SINGLE FAMILY	FRONT 25' SIDES 15' REAR 30'
	HILLSIDE SINGLE FAMILY	FRONT 5' SIDES 5' REAR 30'
	VILLAGE SINGLE FAMILY	FRONT 0' SIDES 0' REAR 5'
	VILLAGE LIVE/WORK SINGLE FAMILY	FRONT 0' SIDES 0' REAR 0'
	NESTS	FRONT 0' SIDES 0' REAR 0'

RESTRICTED LOT

PRUD DEVELOPMENT DATA

TOTAL PRUD BOUNDARY AREA	594.23 ACRES
ZONE FV-3 AREA	392.04 ACRES
ZONE F-40 AREA	194.83 ACRES
ZONE CVR-1 AREA	2.46 ACRES
CACHE COUNTY AREA	4.90 ACRES
ROAD ROW AREA	18.96 ACRES
SLOPES > 40%	111.85 ACRES
NET DEVELOPABLE AREA	462.42 ACRES
PROPOSED LOTS	116 LOTS
PROPOSED UNITS	154 UNITS
RANCH SINGLE FAMILY	6 UNITS
ESTATE SINGLE FAMILY	25 UNITS
CABIN SINGLE FAMILY	11 UNITS
HILLSIDE SINGLE FAMILY	27 UNITS
VILLAGE SINGLE FAMILY	24 UNITS
VILLAGE LIVE/WORK SF	21 UNITS
NESTS	40 UNITS
PROPOSED DENSITY	1 UNIT/3.85 ACRES
PROPOSED OPEN SPACE	384.19 ACRES (64.6%)



SUMMIT EDEN
PHASE 1 PRUD SUBMITTAL
POWDER MOUNTAIN, WEBER COUNTY, UTAH

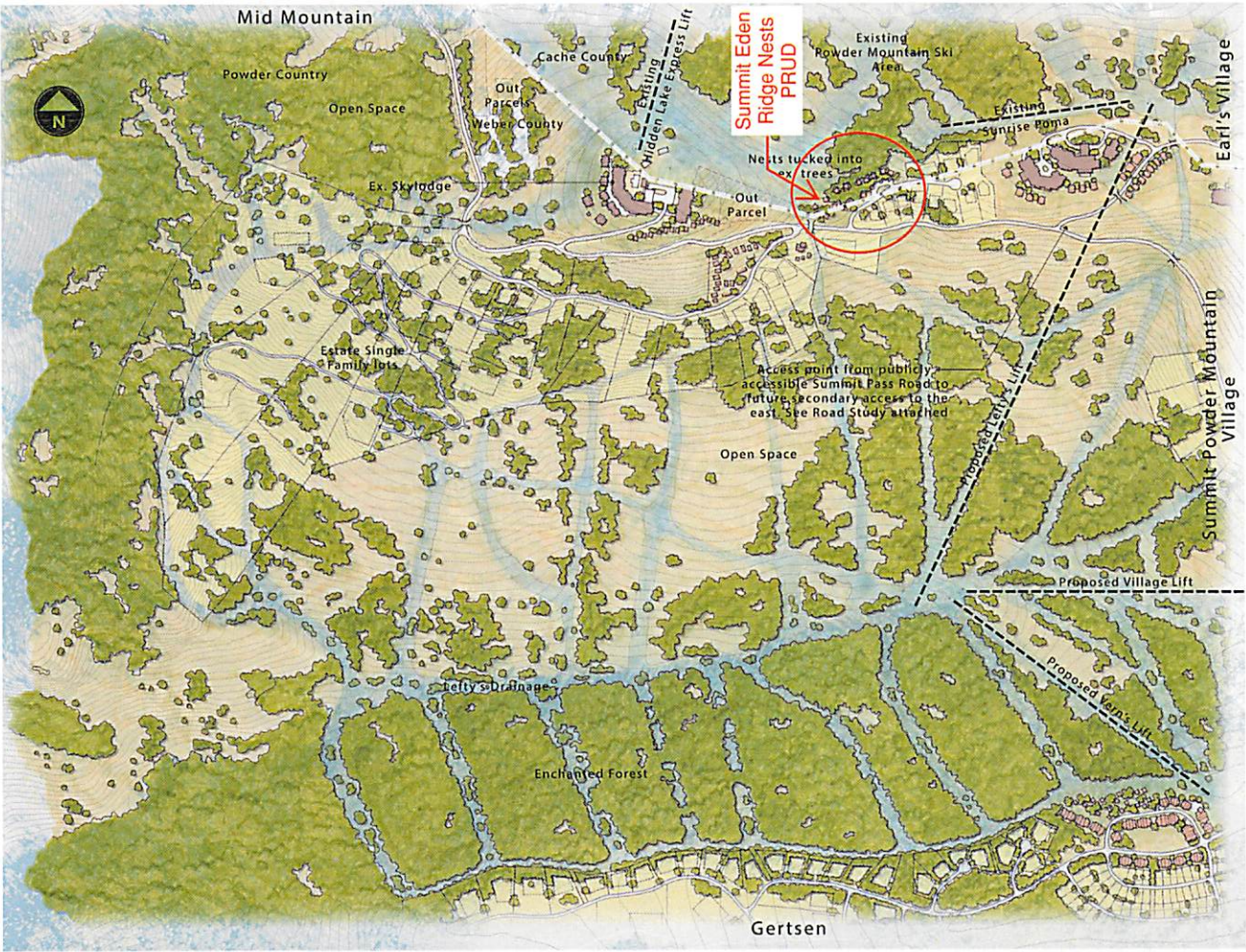


DATE:	MARCH 14, 2013
PROJECT:	2013-000101
DRAWN BY:	EL
REVIEW BY:	EL
VERSION:	PHASE
REVISIONS:	

SHEET TITLE: **OVERALL SITE PLAN**
SHEET NUMBER: **L1.2**

The Ridge Illustrative Plan

Exhibit E-Zoning Development Master Plan



Placement of development within the Ridge area has been sensitive to the existing ski experience at Powder Mountain with future hotels and multi family units designed to be within ski access to the existing mountain while maintaining the existing ski accesses. Single family units have been located on the mountain within existing tree massing to provide visual and physical protection as well as to maintain those important open meadow and hillsides for the remainder of the Resort.

Page 17 of 18

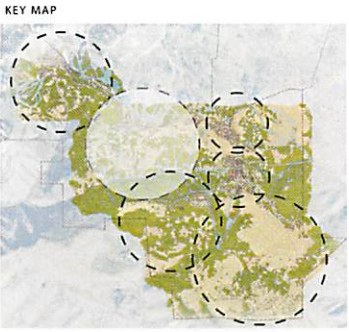


Exhibit F-Master PRUD Conditions of Approval

Findings, Conditions, and Requirements from the April 9, 2013 Staff Report to the Weber County Commission for the Summit at Powder Mountain PRUD

Conditions of Approval

The following items must be addressed prior to final subdivision approval:

- Requirements of the Weber County Engineering Division
- Requirements of the Weber Fire District
- Requirements of the Weber-Morgan Health Department
- Requirements of the Weber County Building Inspection Division
- Requirements of the State Division of Drinking Water and Division of Water Quality
- Requirements of Powder Mountain Water and Sewer Improvement District including updated sewer and culinary water feasibility letters
- Sewer capacity assessment letter verifying adequate sewer capacity for the PRUD
- Requirements of the zoning development agreement
- All development parcels must be brought under the same taxing districts
- All delinquent taxes on development parcels must be paid
- Compliance with all applicable county ordinances whether listed in this staff report or not
- Approval of the Cache County units subject to the interlocal agreement or county line adjustment being completed prior to final subdivision approval
- Compliance with Chapter 36-B (Hillside Review) lot size tables

Ogden Valley Planning Commission Recommendation

The OVPC unanimously recommended approval of this PRUD on March 19, 2013 subject to several conditions and requirements. The OVPC included the following findings, conditions, and requirements in its recommendation for approval:

OVPC Findings:

- The architectural design of the proposed housing units is acceptable and complies with the PRUD criteria of Chapter 22-D.
- Accessory buildings are not proposed for any of the single-family dwelling lots.
- The landscape plans for the village and nest areas are sufficient and comply with applicable ordinance requirements.
- The units in Cache County are approved subject to an interlocal agreement with Cache County.
- The trails master plan is acceptable subject to the developers providing access and connections to existing trails on the Weber Pathways Ogden Valley Master Plan.
- The road pattern and public/private designations are adequate; however a road maintenance agreement between the developers and Weber County is required.
- Alternative road design elements will require a variance to the Weber County Subdivision Ordinance from the County Commission.
- A secondary access road in Cache County is required.
- The Access Exception application is approved subject to meeting design requirements.
- The restricted lots meet applicable standards.
- The zoning development agreement has been complied with, but the real estate transfer fee must remain at 1.5%.
- Delinquent property taxes on property within the PRUD boundary must be paid prior to final subdivision approval from the County Commission.
- Certification is required from the Summit Eden Design Review Board that each house plan submitted for a building permit complies with their Design Guidelines and the PRUD approval.
- The site plan with 116 lots and 154 units is approved.
- PRUD variations of the FV-3 zoning requirements for lot size, setback, and building heights are approved.
- Time share/nightly rental units shall be designated on the site plan.
- The conference center on Lot 76 is approved as a non-residential accessory use.
- Parking space adjustments from two spaces to one space are allowed for the nest units.
- The conditions of approval in the staff report must be complied with.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action for the final plat approval of Summit Eden Phase 1D Amendment 1
Type of Decision:	Administrative
Agenda Date:	Tuesday, January 26, 2016
Applicant:	SMHG Phase 1, LLC
File Number:	UVS101315B

Property Information

Approximate Address:	Summit Eden Phase 1D, Summit Pass
Project Area:	6.938 Acres
Zoning:	Ogden Valley Destination and Recreation Resort Zone (DRR-1)
Existing Land Use:	Ski Resort
Proposed Land Use:	Resort Development
Parcel ID:	Weber County: 23-131-0001 through 23-131-0026 and 23-012-0130

Township, Range, Section: T7N, R2E, Section 8

Adjacent Land Use

North:	Ski Resort	South:	Ski Resort
East:	Ski Resort	West:	Ski Resort

Staff Information

Report Presenter:	Ronda Kippen rkippen@co.weber.ut.us 801-399-8768
Report Reviewer:	JG

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable

Background and Summary

Summit Eden Phase 1D Amendment 1 is a subdivision phase within an approved PRUD consisting of four development parcels (see Exhibit A for the proposed amendment). The original Summit Eden Phase 1D consisted of 20 lots, four small open space parcels, and a condominium development parcel with 20 "Nest Units" (see Exhibit B for the recorded Summit Eden Phase 1D Subdivision plat and Exhibit C for the proposed Summit Eden Village Nests). Summit Eden Phase 1D received preliminary subdivision approval in conjunction with the County Commission's approval of the Summit at Powder Mountain PRUD on April 9, 2013 with subsequent amendments on July 9, 2013. Summit Eden Phase 1D final subdivision was heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013 and received final approval by the Weber County Commission on January 21, 2014 (see Exhibit D for the PC and CC minutes).

The applicant would now like to amend the plat to create four development parcels; one of which will be platted as the Summit Eden Village Nests Condominiums Subdivision consisting of 20 "Nest Units". The remaining three development parcels are intended for future development into lots, units, or other subdivided property interests per plat note# 16 (see Exhibit A). The proposed plat amendment will amend in its entirety, restate, supersede and replace the Summit Eden Phase 1D plat that was recorded in the official records of Weber County as Entry# 2672946 on January 27, 2014.

The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies a subdivision amendments as a "Small Subdivision" and can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots;

however, based on the need to vacate two public utility easements and amend the subdivision improvement agreement, the proposed amendment is being forwarded for consideration and approval by the County Commission after receiving a recommendation from the Planning Commission per the approval process outlined in LUC §106-1-8. The proposed subdivision amendment and lot configuration is in conformance with the approved PRUD, current zoning and the Zoning Development Agreement Master Plan (see Exhibit E) as well as the applicable subdivision requirements as required in the LUC.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related commercial areas.

Zoning: The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

“The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land.”

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, the approved PRUD and the standards in the DRR-1 zone in LUC §104-29. The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: The proposed amendment will create “Development Parcel D4R” consisting of 0.77 acres with frontage along a private road identified as Meridian Avenue. The “Development Parcel D5R” will be platted as Summit Eden Village Nests Condominiums Subdivision immediately upon the recordation of the Summit Eden Phase 1D Amendment 1 and will gain access and frontage along a private road identified as Daybreak Ridge. Rolling Drive, a private road that provided access to the currently platted Lots 96-115 will be vacated along with the public utility easements to create “Development Parcel D6”; which will consist of 3.21 acres and will gain access and frontage along Daybreak Ridge. “Development Parcel D7R” will be created along the southern most boundary of Summit Eden Phase 1D, consisting of 0.80 acres and will gain access and frontage along a public road identified as Spring Park.

Based on the proposed lot configuration, the development parcels meets the minimum lot area requirement per LUC §104-29-2(h) of 6,000 sq. ft. for a single family residential/main building and a minimum lot width of 60'. There is not a minimum lot area or width for all multifamily, commercial and mixed use in the DRR-1 zone.

Flood Plain: The proposed subdivision is located in a Zone “D” as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone “D” are typically areas in which no analysis of flood hazards has been conducted.

Culinary water and sanitary sewage disposal: Culinary water and sewer service are provided by Powder Mountain Water and Sewer Improvement District.

Review Agencies: The Weber County Engineering Division and the Weber County Surveyor’s Office have reviewed the proposal and the applicant has addressed the areas of concern. Final approval from these review agencies is forthcoming. The Weber Fire District has reviewed and approved the proposal. The conditions of approval and review agency comments from the PRUD remain in effect (see Exhibit F), in addition to the review agency comments specific to this phase.

Additional design standards and requirements: Pathways for the overall Powder Mountain development were approved with the PRUD. A note has been made part of the subdivision plat to notify future property owners of a blanket trail and ski easement to allow for constructing and maintaining hiking, biking and ski trails (see notes 11 & 12 on Exhibit A).

Tax clearance: The 2015 property taxes have been paid in full. The 2016 property taxes will be due in full on November 1, 2016.

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Summary of Planning Commission Considerations

- Does this subdivision meet the requirements of applicable County Land Use Codes?
- Does this subdivision comply with the applicable PRUD approvals?
- Does this subdivision comply with the applicable Zoning Development Agreement Master Plan approval?

Staff Recommendation

Staff recommends final plat approval of Summit Eden Phase 1D Amendment 1. This recommendation for approval is subject to following conditions:

1. Prior to recording the subdivision amendment, an ordinance must be approved and recorded to vacate the applicable public utility easements.
2. Requirements of the Weber County Engineering Division.
3. Requirements of the Weber-Morgan Health Department.
4. Requirements of the Weber Fire District.
5. Requirements of the Weber County Surveyor's Office.
6. Requirements of the Weber County Recorder.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Proposed Summit Eden Phase 1D Amendment 1
- B. Recorded Summit Eden Phase 1D Subdivision Plat
- C. Recorded Summit Eden Village Nests
- D. Minutes from the Oct 22, 2013 PC meeting and Jan 21, 2014 CC meeting
- E. PRUD site plan and Zoning Development Master Plan
- F. List of PRUD conditions of approval

Location Map 1



Location Map 2



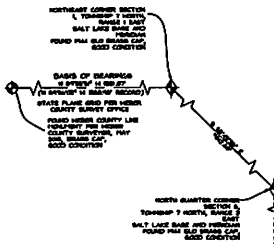
SUMMIT EDEN PHASE ID - AMENDMENT 1

LOCATED IN THE NORTHEAST 1/4 OF SECTION 6,
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN
JANUARY 2016

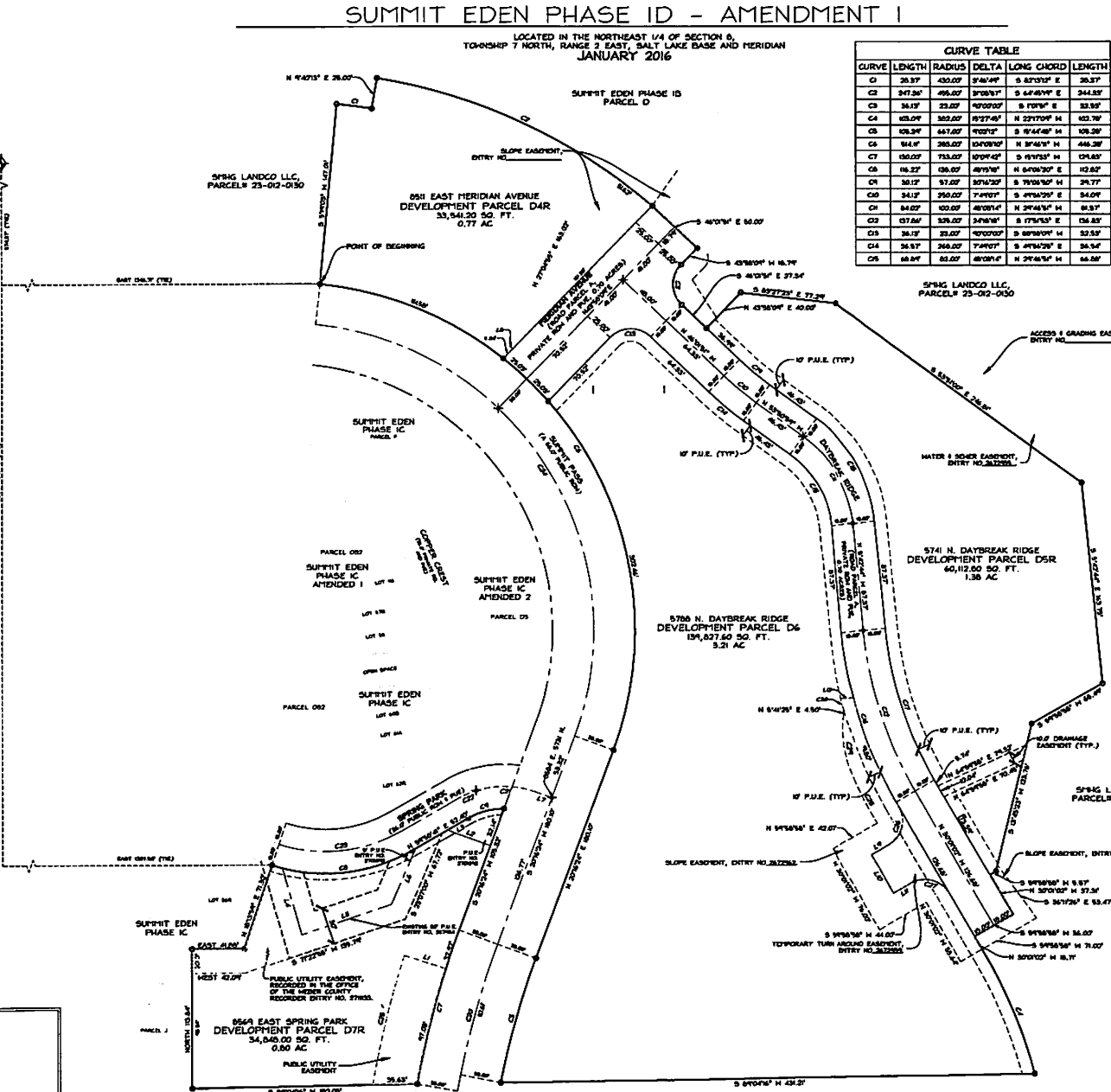
CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	LONG CHORD
C1	28.37	430.00	87°44'44"	378.00
C2	347.26	495.00	87°03'07"	544.88
C3	34.12	23.00	107°02'07"	33.58
C4	103.09	302.00	107°27'48"	103.78
C5	108.34	441.00	103°07'13"	108.28
C6	54.61	283.00	107°02'07"	448.28
C7	100.00	733.00	107°04'42"	104.83
C8	18.27	136.00	88°18'18"	112.82
C9	30.12	97.00	80°14'30"	29.77
C10	34.12	250.00	7°41'07"	34.09
C11	84.02	100.00	88°08'14"	81.97
C12	137.84	329.00	34°48'18"	136.83
C13	38.12	25.00	107°02'07"	33.53
C14	36.97	248.00	7°41'07"	36.94
C15	88.84	80.00	88°08'14"	88.88

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	LONG CHORD
C16	148.80	543.00	24°08'31"	144.81
C17	130.22	307.00	24°08'31"	128.24
C18	94.64	18.00	48°04'15"	94.29
C19	94.64	290.00	7°41'07"	94.64
C20	134.91	300.00	107°04'42"	128.96
C21	47.94	75.00	34°27'14"	47.11
C22	14.74	75.00	12°47'41"	14.74
C23	13.07	100.00	48°18'18"	13.07
C24	49.48	290.00	107°02'07"	49.48
C25	100.49	740.00	87°03'07"	100.49
C26	36.13	23.00	107°02'07"	33.53
C27	36.13	23.00	107°02'07"	33.53
C28	34.09	250.00	7°41'07"	34.09
C29	53.99	100.00	107°02'07"	53.99
C30	10.24	55.00	17°01'41"	10.24

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	28.00	S 72°00'00" E
L2	36.74	N 49°02'00" W
L3	75.00	N 89°58'00" E
L4	36.50	S 87°51'00" E
L5	75.00	N 72°32'00" E
L6	49.32	N 22°07'00" E
L7	14.67	S 69°47'00" E
L8	5.44	N 54°17'30" W
L9	8.00	N 89°58'00" E
L10	36.00	N 30°00'00" W
L11	8.00	S 89°58'00" W
L12	10.00	N 89°44'00" E



- LEGEND**
- BOUNDARY LINE
 - LOT LINE
 - SECTION LINE
 - QUARTER SECTION LINE
 - COUNTY LINE
 - ADJOINER DEED LINES
 - NO ACCESS LINE
 - AREA TIE LINES
 - CALCULATED SECTION CORNER AS NOTED
 - SECTION CORNER AS NOTED
 - STREET MONUMENT
 - SET 5/8" X 2" REBAR WITH PLASTIC CAP STAMPED "MOLTE ENG"
 - EASEMENT AS NOTED
 - EASEMENT AS NOTED
 - EASEMENT AS NOTED
 - SLOPE EASEMENT AS NOTED



SMHG PHASE I, LLC.
3632 N. WOLF CREEK DR.
EDEN, UT, 84310

Sheet 2 of 2

NIVIS
NOTICE VERBALE

1011 SOUTH FERRY DRIVE, SUITE 100
20101 SOUTH W. 90 N. MIDVALE, UT 84002-1001

RECORDED &
STATE OF UTAH, COUNTY OF MIDDLE,
RECORDED AND FILED AT THE

REQUEST OF: _____

ENTRY NO. _____

DATE: _____ TIME: _____

BOOK: _____ PAGE: _____

FEES: _____

MIDDLE COUNTY RECORDER

SUMMIT EDEN PHASE ID

LOCATED IN THE NORTHEAST 1/4 OF SECTION 6,
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN
JANUARY 2014

BASIS OF BEARINGS
N 87°53'14" W 5861.27'
(N 07°16'05" W 1380.16'
RECORD)

NORTHEAST CORNER SECTION 6,
TOWNSHIP 7 NORTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN
FOUND 1/4" GLO BRASS CAP, GOOD
CONDITION (CLOSING CORNER 17.64'
SOUTH)

NORTHEAST CORNER SECTION 1,
TOWNSHIP 7 NORTH, RANGE 1 EAST
SALT LAKE BASE AND MERIDIAN
FOUND GLO 1/4" BRASS CAP,
GOOD CONDITION

FOUND WEBER COUNTY LINE MONUMENT
PER WEBER COUNTY SURVEYOR 2013,
GOOD CONDITION

EAST QUARTER CORNER
SECTION 6, TOWNSHIP 7
NORTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN
FOUND 1/4" GLO BRASS CAP, GOOD
CONDITION

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C01	16.67	23.07	107°02'	S 87°53'14" E	32.84
C02	16.67	23.07	107°02'	S 87°53'14" E	32.84
C03	16.67	23.07	107°02'	S 87°53'14" E	32.84
C04	16.67	23.07	107°02'	S 87°53'14" E	32.84
C05	16.67	23.07	107°02'	S 87°53'14" E	32.84
C06	16.67	23.07	107°02'	S 87°53'14" E	32.84
C07	16.67	23.07	107°02'	S 87°53'14" E	32.84
C08	16.67	23.07	107°02'	S 87°53'14" E	32.84
C09	16.67	23.07	107°02'	S 87°53'14" E	32.84
C10	16.67	23.07	107°02'	S 87°53'14" E	32.84
C11	16.67	23.07	107°02'	S 87°53'14" E	32.84
C12	16.67	23.07	107°02'	S 87°53'14" E	32.84
C13	16.67	23.07	107°02'	S 87°53'14" E	32.84
C14	16.67	23.07	107°02'	S 87°53'14" E	32.84
C15	16.67	23.07	107°02'	S 87°53'14" E	32.84
C16	16.67	23.07	107°02'	S 87°53'14" E	32.84
C17	16.67	23.07	107°02'	S 87°53'14" E	32.84
C18	16.67	23.07	107°02'	S 87°53'14" E	32.84
C19	16.67	23.07	107°02'	S 87°53'14" E	32.84
C20	16.67	23.07	107°02'	S 87°53'14" E	32.84

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C1	16.67	23.07	107°02'	S 87°53'14" E	32.84
C2	16.67	23.07	107°02'	S 87°53'14" E	32.84
C3	16.67	23.07	107°02'	S 87°53'14" E	32.84
C4	16.67	23.07	107°02'	S 87°53'14" E	32.84
C5	16.67	23.07	107°02'	S 87°53'14" E	32.84
C6	16.67	23.07	107°02'	S 87°53'14" E	32.84
C7	16.67	23.07	107°02'	S 87°53'14" E	32.84
C8	16.67	23.07	107°02'	S 87°53'14" E	32.84
C9	16.67	23.07	107°02'	S 87°53'14" E	32.84
C10	16.67	23.07	107°02'	S 87°53'14" E	32.84
C11	16.67	23.07	107°02'	S 87°53'14" E	32.84
C12	16.67	23.07	107°02'	S 87°53'14" E	32.84
C13	16.67	23.07	107°02'	S 87°53'14" E	32.84
C14	16.67	23.07	107°02'	S 87°53'14" E	32.84
C15	16.67	23.07	107°02'	S 87°53'14" E	32.84
C16	16.67	23.07	107°02'	S 87°53'14" E	32.84
C17	16.67	23.07	107°02'	S 87°53'14" E	32.84
C18	16.67	23.07	107°02'	S 87°53'14" E	32.84
C19	16.67	23.07	107°02'	S 87°53'14" E	32.84
C20	16.67	23.07	107°02'	S 87°53'14" E	32.84

CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C01	16.67	23.07	107°02'	S 87°53'14" E	32.84
C02	16.67	23.07	107°02'	S 87°53'14" E	32.84
C03	16.67	23.07	107°02'	S 87°53'14" E	32.84
C04	16.67	23.07	107°02'	S 87°53'14" E	32.84
C05	16.67	23.07	107°02'	S 87°53'14" E	32.84
C06	16.67	23.07	107°02'	S 87°53'14" E	32.84
C07	16.67	23.07	107°02'	S 87°53'14" E	32.84
C08	16.67	23.07	107°02'	S 87°53'14" E	32.84
C09	16.67	23.07	107°02'	S 87°53'14" E	32.84
C10	16.67	23.07	107°02'	S 87°53'14" E	32.84
C11	16.67	23.07	107°02'	S 87°53'14" E	32.84
C12	16.67	23.07	107°02'	S 87°53'14" E	32.84
C13	16.67	23.07	107°02'	S 87°53'14" E	32.84
C14	16.67	23.07	107°02'	S 87°53'14" E	32.84
C15	16.67	23.07	107°02'	S 87°53'14" E	32.84
C16	16.67	23.07	107°02'	S 87°53'14" E	32.84
C17	16.67	23.07	107°02'	S 87°53'14" E	32.84
C18	16.67	23.07	107°02'	S 87°53'14" E	32.84
C19	16.67	23.07	107°02'	S 87°53'14" E	32.84
C20	16.67	23.07	107°02'	S 87°53'14" E	32.84

LOT #	AREA (SQUARE FEET)
96	0.004
97	0.004
98	0.004
99	0.004
100	0.004
101	0.004
102	0.004
103	0.004
104	0.004
105	0.004
106	0.004
107	0.004
108	0.004
109	0.004
110	0.004
111	0.004
112	0.004
113	0.004
114	0.004
115	0.004

LOT #	STREET ADDRESS
96	5783 N. ROLLING DRIVE
97	5787 N. ROLLING DRIVE
98	5790 N. ROLLING DRIVE
99	5794 N. ROLLING DRIVE
100	5798 N. ROLLING DRIVE
101	5802 N. ROLLING DRIVE
102	5806 N. ROLLING DRIVE
103	5810 N. ROLLING DRIVE
104	5814 N. ROLLING DRIVE
105	5818 N. ROLLING DRIVE
106	5822 N. ROLLING DRIVE
107	5826 N. ROLLING DRIVE
108	5830 N. ROLLING DRIVE
109	5834 N. ROLLING DRIVE
110	5838 N. ROLLING DRIVE
111	5842 N. ROLLING DRIVE
112	5846 N. ROLLING DRIVE
113	5850 N. ROLLING DRIVE
114	5854 N. ROLLING DRIVE
115	5858 N. ROLLING DRIVE
116	5862 N. ROLLING DRIVE
117	5866 N. ROLLING DRIVE
118	5870 N. ROLLING DRIVE
119	5874 N. ROLLING DRIVE
120	5878 N. ROLLING DRIVE
121	5882 N. ROLLING DRIVE
122	5886 N. ROLLING DRIVE
123	5890 N. ROLLING DRIVE
124	5894 N. ROLLING DRIVE
125	5898 N. ROLLING DRIVE
126	5902 N. ROLLING DRIVE
127	5906 N. ROLLING DRIVE
128	5910 N. ROLLING DRIVE
129	5914 N. ROLLING DRIVE
130	5918 N. ROLLING DRIVE
131	5922 N. ROLLING DRIVE
132	5926 N. ROLLING DRIVE
133	5930 N. ROLLING DRIVE
134	5934 N. ROLLING DRIVE
135	5938 N. ROLLING DRIVE
136	5942 N. ROLLING DRIVE
137	5946 N. ROLLING DRIVE
138	5950 N. ROLLING DRIVE
139	5954 N. ROLLING DRIVE
140	5958 N. ROLLING DRIVE
141	5962 N. ROLLING DRIVE
142	5966 N. ROLLING DRIVE
143	5970 N. ROLLING DRIVE
144	5974 N. ROLLING DRIVE
145	5978 N. ROLLING DRIVE
146	5982 N. ROLLING DRIVE
147	5986 N. ROLLING DRIVE
148	5990 N. ROLLING DRIVE
149	5994 N. ROLLING DRIVE
150	5998 N. ROLLING DRIVE
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152	6006 N. ROLLING DRIVE
153	6010 N. ROLLING DRIVE
154	6014 N. ROLLING DRIVE
155	6018 N. ROLLING DRIVE
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178	6110 N. ROLLING DRIVE
179	6114 N. ROLLING DRIVE
180	6118 N. ROLLING DRIVE
181	6122 N. ROLLING DRIVE
182	6126 N. ROLLING DRIVE
183	6130 N. ROLLING DRIVE
184	6134 N. ROLLING DRIVE
185	6138 N. ROLLING DRIVE
186	6142 N. ROLLING DRIVE
187	6146 N. ROLLING DRIVE
188	6150 N. ROLLING DRIVE
189	6154 N. ROLLING DRIVE
190	6158 N. ROLLING DRIVE
191	6162 N. ROLLING DRIVE
192	6166 N. ROLLING DRIVE
193	6170 N. ROLLING DRIVE
194	6174 N. ROLLING DRIVE
195	6178 N. ROLLING DRIVE
196	6182 N. ROLLING DRIVE
197	6186 N. ROLLING DRIVE
198	6190 N. ROLLING DRIVE
199	6194 N. ROLLING DRIVE
200	6198 N. ROLLING DRIVE

INTERSECTION	ADDRESS
MERIDIAN AVENUE & SUFFLET PASS	6470 E. 8776 N.
FERRISMAN AVENUE & DAYBREAK RIDGE	6484 E. 8794 N.
DAYBREAK RIDGE & ROLLING DRIVE	6498 E. 8754 N.
ROLLING DRIVE & SUFFLET PASS	6472 E. 876 N.
SPRING PARK & SUFFLET PASS	6464 E. 878 N.

- LEGEND**
- BOUNDARY LINE
 - LOT LINE
 - - - SECTION LINE
 - - - QUARTER SECTION LINE
 - - - COUNTY LINE
 - - - ADJOINER DEED LINES
 - NO ACCESS LINE
 - AREA TIE LINES
 - ◆ CALCULATED SECTION CORNER AS NOTED
 - ◆ SECTION CORNER AS NOTED
 - + STREET MONUMENT
 - SET 1/4" X 1/4" REBAR WITH PLASTIC CAP STAMPED "MOLTE ENG"
 - ▨ BUILDING ENVELOPE
 - ▩ EASEMENT
 - ▧ SLOPE EASEMENT

SUMMIT EDEN PHASE ID
LOTS 96-115 PARCELS K, L, N & O
DEVELOPMENT PARCEL D

LOCATED IN THE NORTHEAST 1/4 OF SECTION 6 OF TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH

RECORDED & FILED IN THE OFFICE OF THE COUNTY CLERK, WEBER COUNTY, UTAH

DATE: 7/5/14

TIME: 9:42 AM

BOOK: 75

PAGE: 9442

WEBER COUNTY RECORDER

SUMMIT EDEN VILLAGE NESTS CONDOMINIUMS

SURVEYOR'S CERTIFICATE

I, RICHARD H. MILLER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 56, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED IN THIS PLAT, AND THAT THIS PLAT SUPPRT EDEN VILLAGE NESTS CONDOMINIUMS IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS INCLUDING SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH. THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT, UTAH CODE ANNOTATED, TITLE 57, CHAPTER 6.



RICHARD H. MILLER
PROFESSIONAL LAND SURVEYOR
UTAH CERTIFICATE NO. 155441

LEGAL DESCRIPTION

DEVELOPMENT PARCEL D 'M' OF SUPPRT EDEN PHASE ID, AS RECORDED AND ON FILE IN THE OFFICE OF THE WEBER COUNTY RECORDER,
CONTAINING .91,407 SQFT OR 1.375 ACRES

SURVEY NARRATIVE:

- 1) THIS SURVEY AND PLAT WERE COMPLETED AT THE REQUEST OF SUPPRT MOUNTAIN HOLDING GROUP, L.L.C. FOR THE PURPOSE OF SUBDIVIDING THEIR PROPERTY TO CREATE THIS RESIDENTIAL CONDOMINIUM DEVELOPMENT.
- 2) THE BASIS OF BEARINGS FOR THIS PLAT IS NORTH 89°58'11" WEST BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND A FOUND WEBER COUNTY LINE MONUMENT SET BY THE WEBER COUNTY SURVEYOR'S OFFICE. THIS BASIS DIFFERS FROM WEBER COUNTY SURVEYORS BASIS BY 0°00'14" AS SHOWN ON COUNTY LINE DECLARATION RECORDED PLAT BOOK 74, PAGE 64.

OWNER'S DEDICATION:

5296 PHASE I, LLC ("DECLARANT"), AS THE OWNER OF THE HEREON DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE RECORDED OF THIS PLAT AND SUBMIT THE SAME TO THE UTAH CONDOMINIUM OWNERSHIP ACT, UTAH CODE ANNOTATED, TITLE 57, CHAPTER 6, AND SET APART AND SUBDIVIDE THE SAME INTO UNITS AND COMMON AREAS AND FACILITIES AS SHOWN HEREON, SUBJECT TO ALL OF THE RESTRICTIONS, RIGHTS AND LIMITATIONS SET FORTH IN THE PLAT NOTES, AND MAKE SAID TRACT, TO BE KNOWN AS SUPPRT EDEN VILLAGE NESTS CONDOMINIUMS, AND DOES HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE COMMON AREAS AND FACILITIES AS PUBLIC UTILITY EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES.

IN WITNESS WHEREOF, DECLARANT HAS EXECUTED THIS OWNER'S DEDICATION AS OF THE DAY OF _____, 2014.

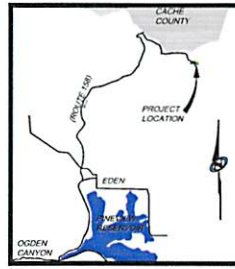
5296 PHASE I, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY

BY: 5296 INVESTMENTS L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, ITS SOLE MEMBER

BY: ELLIOTT BISHOP, MANAGER

BY: GREGORY VINCENT MAURO, MANAGER

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,
TOWNSHIP 7 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN
JANUARY 14, 2014



PLAT NOTES:

- 1. THIS CONDOMINIUM PLAT ("PLAT") DEPICTS THE SUPPRT EDEN VILLAGE NESTS CONDOMINIUM PROJECT ("PROJECT") CREATED AND GOVERNED BY THAT CERTAIN DECLARATION OF CONDOMINIUM FOR SUPPRT EDEN VILLAGE NESTS CONDOMINIUMS ("DECLARATION") WHICH SHALL BE RECORDED IN THE WEBER COUNTY RECORDER'S OFFICE. THIS PLAT IS ALSO SUBJECT TO THE MASTER DECLARATION OF COMMON AREAS AND FACILITIES ("MASTER DECLARATION") CERTAIN TERMS NOT OTHERWISE DEFINED IN THIS PLAT SHALL HAVE THE MEANING SET FORTH IN THE MASTER DECLARATION OR CONDOMINIUM DECLARATION. THE CONDOMINIUM DECLARATION AND MASTER DECLARATION SET FORTH THE EASEMENTS, RESTRICTIONS AND GENERAL PLAN OF IMPROVEMENT FOR THE PROJECT.
- 2. THE PROJECT IS WITHIN DEVELOPMENT PARCEL D OF THE SUPPRT EDEN PHASE ID SUBDIVISION PLAT ("SUBDIVISION PLAT") AND SUBJECT TO THE NOTES, TERMS AND CONDITIONS OF SUCH PLAT.
- 3. ACCESS TO THE PROJECT IS THROUGH AN EASEMENT OVER THE PRIVATE ROAD AS NOTED ON THE SUBDIVISION PLAT. ACCESS TO EACH UNIT IS BY PRIVATE ROADS AND IS NOT WARRANTED BY WEBER COUNTY.
- 4. INTENTIONALLY DELETED.
- 5. THE LOCATIONS, DIMENSIONS AND BOUNDARIES OF THE UNITS AND SQUARE FOOTAGE CALCULATIONS ARE BASED SOLELY ON DRAWINGS SUPPLIED BY NULTE VERTICAL FIVE. THE SQUARE FOOTAGES SHOWN ON THIS PLAT ARE CALCULATED IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT AND THE CONDOMINIUM DECLARATION. SUCH CALCULATION TYPICALLY DIFFERS SOMEWHAT FROM THE SQUARE FOOTAGE DETERMINED BY THE ARCHITECT OR OTHERS USING DIFFERENT METHODS OF DETERMINING LOT SIZE. IT IS INTENDED THAT THE SIZE AND BOUNDARIES OF THE UNITS SHALL BE AS CONSTRUCTED.
- 6. PURSUANT TO THE CONDOMINIUM DECLARATION, THE SUPPRT EDEN VILLAGE NESTS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION (ASSOCIATION) IS RESPONSIBLE FOR MAINTAINING CERTAIN PORTIONS OF THE PROJECT, INCLUDING BUT NOT LIMITED TO, THE COMMON AREAS AND FACILITIES, AND THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND PROJECT FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE CONDOMINIUM DECLARATION. SUCH RESPONSIBILITY AND EASEMENT MAY BE DELEGATED AND ASSIGNED TO THE SUPPRT EDEN OWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("COMPANY ASSOCIATION").
- 7. PURSUANT TO THE MASTER DECLARATION, THE COMPANY ASSOCIATION IS RESPONSIBLE FOR MAINTAINING ALL COMMON AREAS WITHIN SUPPRT EDEN, AND SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE MASTER DECLARATION AND CONDOMINIUM DECLARATION.
- 8. THE PROPERTY AS DEPICTED ON THIS PLAT IS SUBJECT TO THE DEVELOPMENTAL RIGHTS AS DESCRIBED IN THE CONDOMINIUM DECLARATION AND DECLARATION OF EASEMENT. THE DECLARANT HEREBY AGREES TO FORFEIT ANY DEVELOPMENTAL RIGHT PROVIDED FOR IN THE DECLARATION, INCLUDING, WITHOUT LIMITATION, RESERVATION AND GRANTING OF CERTAIN EASEMENTS, RESERVING OR RELOCATING IMPROVEMENTS, INCLUDING ADDITIONAL RESIDENTIAL AREAS, HIGHWAYS, FACILITIES AND MAKING SUCH OTHER DEVELOPMENT DECISIONS AND CHANGES AS DECLARANT SHALL DETERMINE IN ITS SOLE AND EXCLUSIVE DISCRETION.
- 9. THE LISTED COMMON AREAS AND FACILITIES AS DEPICTED ON THIS PLAT ARE RESERVED FOR THE USE OF CERTAIN OWNERS TO THE EXCLUSION OF OTHER OWNERS. EACH RESPECTIVE IMPROVEMENT DESIGNATED ON THIS PLAT AS "LISTED COMMON AREAS AND FACILITIES" IS AN IMPROVEMENT IDENTIFIED WITHIN THE RESPECTIVE UNIT IDENTIFIED THEREIN FOR THE USE AND ENJOYMENT OF THE OWNERS OF SUCH UNIT, SUBJECT TO THE RIGHT OF THE DECLARANT AND ASSOCIATION TO REALLOCATE LISTED COMMON AREAS AND FACILITIES ON THE CONDOMINIUM DECLARATION.
- 10. ALL UTILITIES WITHIN THE PROJECT SHALL BE UNDERGROUND. NOTWITHSTANDING DECLARANT'S GRANT OF BLANKET UTILITY EASEMENTS, DECLARANT RESERVES THE RIGHT TO RECORD ONE OR MORE INSTRUMENTS WHICH NARROW AND LIMIT SUCH GRANT OF UTILITY EASEMENT TO THE EQUALITY IN THOSE SPECIFIC AREAS WHICH ACTUALLY CONTAIN THE UTILITY FACILITIES AS DESCRIBED IN SUCH INSTRUMENT AND FOR THE PURPOSES DESCRIBED THEREIN. SUCH RESERVED RIGHT IS SUBJECT TO THE UTILITY COMPANIES' RIGHTS THEN LOCATED UNDER THE REAL PROPERTY DEPICTED ON THIS PLAT.
- 11. AS FURTHER DESCRIBED IN THE MASTER DECLARATION, ALL UNITS SHALL COMPLY WITH THE DESIGN GUIDE, NO CONSTRUCTION, INSTALLATION, OR OTHER WORK WHICH IN ANY WAY ALTERS THE APPEARANCE OF ANY PROPERTY OR UNIT WITHIN THE PROJECT SHALL BE MADE OR DONE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ARCHITECTURAL REVIEW COMMITTEE.
- 12. ALL OF THE PROPERTY WITHIN THE BOUNDARY DESCRIPTION IS DESIGNATED AS WITHDRAWABLE LAND PURSUANT TO THE UTAH CONDOMINIUM OWNERSHIP ACT, AS FOLLOWS FULLY SET FORTH IN THE CONDOMINIUM DECLARATION.
- 13. DECLARANT HEREBY GRANTS TO ALL UTILITY PROVIDERS AN EASEMENT OVER AND ACROSS ALL AREAS SHOWN HEREON AS COMMON AREAS AND FACILITIES FOR THE PURPOSE OF INSTALLING, MAINTAINING AND OPERATING EQUIPMENT AND FACILITIES ABOVE AND BELOW GROUND AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE UNITS, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REMOVE, REMOVE OR ALTER SUCH FACILITIES, INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY HAVE BEEN PLACED WITHIN THE EASEMENTS. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE COMMON AREAS AND FACILITIES WHICH INTERFERES WITH THE USE OF THE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE APPLICABLE UTILITY PROVIDERS.
- 14. DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO UNILATERALLY AMEND THE PLAT, WITHOUT THE CONSENT OF ANY OWNER OR THE ASSOCIATION, AT SUCH TIME AS THE UNITS ARE CONSTRUCTED TO REFLECT THE AS-BUILT LOCATION OF SUCH UNITS. DECLARANT FURTHER RESERVES THE RIGHT TO UNILATERALLY AMEND THE PLAT, WITHOUT THE CONSENT OF THE AFFECTED OWNER, AT ANY TIME AND FROM TIME TO TIME IF SUCH AMENDMENT IS NECESSARY TO SATISFY THE REQUIREMENTS OF ANY GOVERNMENTAL AUTHORITY, TO CORRECT MISTAKES, REMOVE/CLARIFY AMBIGUITIES OR FOR ANY OTHER PURPOSE SO LONG AS SUCH AMENDMENT TO THE PLAT DOES NOT MATERIALLY ADVERSELY AFFECT TITLE TO ANY PROPERTY AND IS IN ACCORDANCE WITH WEBER COUNTY ORDINANCES AND UTAH LAW.
- 15. DECLARANT GIVES NOTICE THAT THE UNITS ARE IN A SKI RESORT AREA ("SKI RESORT") IN WHICH HEAVY SNOW FALLS, WIND PATTERNS, AND OTHER CONDITIONS OF NATURE AVALANCHES CAN OCCUR. AVALANCHES ARE DANGEROUS AND NO STUDIES HAVE BEEN CONDUCTED TO DETERMINE WHETHER ANY OF THE UNITS ARE WITHIN POTENTIAL AVALANCHE INFLUENCE AND AVALANCHE CONTROL ZONES. CERTAIN AREAS WITHIN THE SKI RESORT MAY BE SUBJECT TO AVALANCHE CONTROL BY THE OPERATOR OF THE SKI RESORT AND SUCH CONTROL PROCEDURES MAY INVOLVE THE USE OF EXPLOSIVE CHARGES AND THAT TRIGGER AVALANCHES AS WELL AS OCCASIONAL ROAD CLOSURES, AND 95% TRAIL CLOSURE. DECLARANT MAKES NO REPRESENTATION WITH RESPECT TO THE OPERATIONS OF THE SKI RESORT OR THE POTENTIAL RISKS OR HAZARDS ASSOCIATED WITH AVALANCHE CONTROL. EACH OWNER OF A UNIT SHOULD CONDUCT ITS OWN STUDIES PRIOR TO CONSTRUCTING ANY IMPROVEMENTS.
- 16. ALL UNITS AS DEPICTED ON THIS PLAT ARE LOCATED IN A LIGHTLY DEVELOPED SEMI-WILDERNESS AREA CONTAINING ANIMALS TYPICALLY FOUND IN THE ROCKY MOUNTAINS, INCLUDING WITHOUT LIMITATION, BEARS, MOUNTAIN LIONS, MOOSE, DEER, ELK, SKUNKS, SQUIRRELS, RACCOONS, AND OTHER ANIMALS, BIRDS, INSECTS, AND REPTILES NATIVE OR MIGRATORY TO THE AREA. SUCH ANIMALS MAY FREELY AND FREELY ENTER THE UNITS AND OTHER PRIVATELY OWNED PROPERTIES, SCAVENGING, EATING AND DAMAGING PLANTS, FLOWERS, SHRUBS AND TREES, AND CREATING POTENTIAL HAZARDS, NUISANCES AND DAMAGE TO PERSONS AND PROPERTY. EACH OWNER SHALL ASSUME ALL SUCH RISKS AND CONDITIONS FOR ANY SUCH DAMAGE.
- 17. THE CONDOMINIUM DECLARATION AND MASTER DECLARATION SET FORTH THE TERMS AND RESTRICTIONS FOR NIGHTLY RENTALS AND LEASING OF UNITS IN THE PROJECT.
- 18. IF ANY UNITS ARE REQUIRED, OR REQUESTED BY A PURCHASER, TO BE ADA COMPLIANT THEN ONE OR MORE OF UNITS 1-8 AND 9-20 CAN BE CONSTRUCTED TO MEET SUCH REQUIREMENTS. NO CHANGES WILL NEED TO BE MADE TO THE BOUNDARIES OR AREA OF SUCH UNITS AS SHOWN ON THIS PLAT IN ORDER TO BE CONSTRUCTED IN ACCORDANCE WITH ADA REQUIREMENTS. ANY DESIGNS FOR ADA COMPLIANT UNITS WILL BE SUBMITTED TO WEBER COUNTY FOR REVIEW AND APPROVAL PRIOR TO PERMIT.
- 19. ACCESS TO THE PROJECT IS BY WAY OF A STATE HIGHWAY MAINTAINED BY THE UTAH DEPARTMENT OF TRANSPORTATION, WEBER COUNTY PUBLIC ROADS, AS WELL AS PRIVATE ROADS. SEVERE WEATHER CONDITIONS MAY MAKE CERTAIN ROADS IMPASSABLE OR SUBJECT TO REDUCED VISIBILITY, SNOW, ICE AND OTHER RISKS, AND ROADS MAY BE CLOSED DURING CERTAIN PERIODS.
- 20. THIS PLAT DOES NOT AMEND ANY WEBER COUNTY ORDINANCES. IN THE EVENT OF A CONFLICT BETWEEN THIS PLAT AND WEBER COUNTY ORDINANCES, THE WEBER COUNTY ORDINANCES SHALL CONTROL.

ACKNOWLEDGEMENTS:

STATE OF UTAH)
COUNTY OF _____) S.S.

THE FOREGOING INSTRUMENT HAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2014 BY ELLIOTT BISHOP, MANAGER OF 5296 INVESTMENTS LLC, THE SOLE MEMBER OF 5296 PHASE I, L.L.C.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN: _____

STATE OF UTAH)
COUNTY OF _____) S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2014 BY GREGORY VINCENT MAURO, MANAGER OF 5296 INVESTMENTS LLC, THE SOLE MEMBER OF 5296 PHASE I, L.L.C.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN: _____

Sheet 1 of 4

N1V15

NULTE VERTICAL FIVE
521 SOUTH 950 WEST, SUITE 500
WASATCH, UTAH 84053
TEL: 435.586.7600 FAX: 435.586.7601
WWW.NULTE.COM

RECORDED 8

STATE OF UTAH, COUNTY OF WEBER,
RECORDED AND FILED AT THE
RECORDS OF:
ENTRY NO. _____
DATE: _____ TIME: _____
BOOK: _____ PAGE: _____
FEE \$ _____
CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY PLANNING COMMISSION APPROVAL
THIS IS TO CERTIFY THAT THIS CONDOMINIUM PLAT HAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE DATE OF _____, 20____.

WEBER COUNTY ATTORNEY ACCEPTANCE
THIS IS TO CERTIFY THAT THIS CONDOMINIUM PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS CONDOMINIUM PLAT THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COATTORNEYS OF WEBER COUNTY, UTAH
THIS _____ DAY OF _____, 20____.

WEBER COUNTY ENGINEER
I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS CONDOMINIUM PLAT CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.
SIGNED THIS _____ DAY OF _____, 20____.

WEBER COUNTY SURVEYOR
I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN THE COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR'S OFFICE DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM RESPONSIBILITIES AND LIABILITIES ASSOCIATED THEREWITH.
SIGNED THIS _____ DAY OF _____, 20____.

SUMMIT EDEN VILLAGE NESTS CONDOMINIUMS
LOCATED IN THE NORTHEAST CORNER OF SECTION 8 TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS CONDOMINIUM PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THEREON AND NON IN FORCE AND EFFECT.
SIGNED THIS _____ DAY OF _____, 20____.

Exhibit C-Summit Eden Village Nests Condominiums PRUD

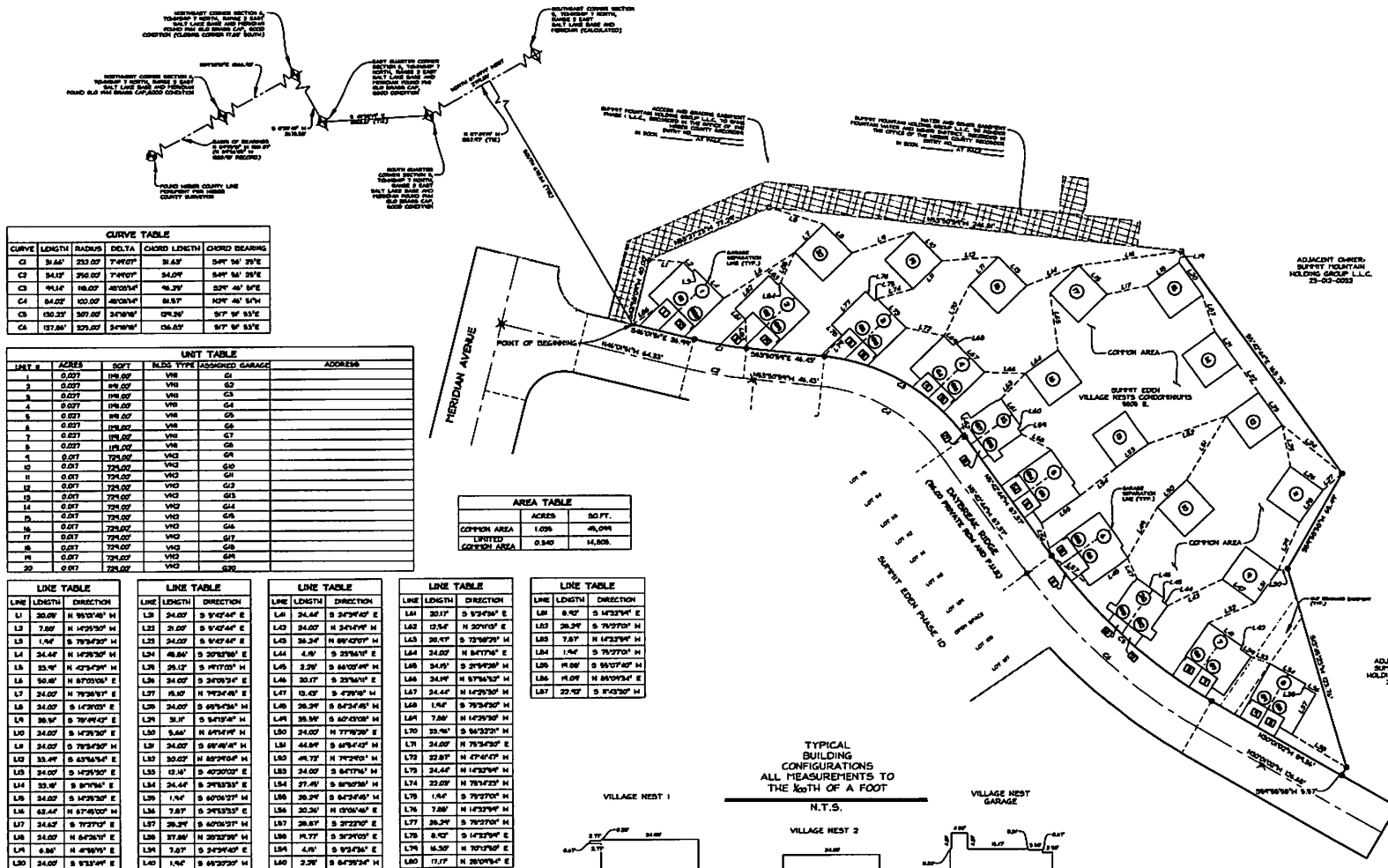
Page 9 of 20

SUMMIT EDEN VILLAGE NESTS CONDOMINIUMS

LOCATED IN THE NORTHEAST QUARTER SECTION 8,
TOWNSHIP 7 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN
JANUARY 14, 2014

ADA NOTE:
IF ANY UNITS ARE REQUIRED, OR REQUESTED BY A PURCHASER, TO BE ADA COMPLIANT THEN ONE OR MORE OF UNITS 1-9 AND 18-20 CAN BE CONSTRUCTED TO MEET SUCH REQUIREMENTS. NO CHANGES WILL BE MADE TO THE BOUNDARIES OR AREA OF SUCH UNITS AS SHOWN ON THIS PLAN IN ORDER TO BE CONSTRUCTED IN ACCORDANCE WITH ADA REQUIREMENTS. ANY DESIGNS FOR ADA COMPLIANT UNITS WILL BE SUBMITTED TO WEBER COUNTY FOR REVIEW AND APPROVAL PRIOR TO RECORD.

Exhibit C-Summit Eden Village Nests Condominiums PRUD



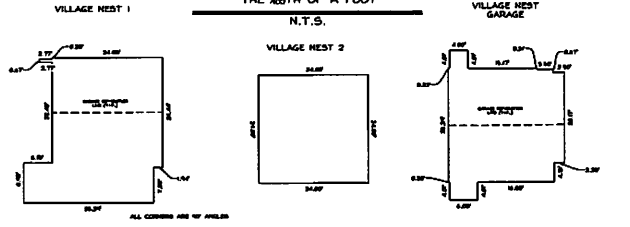
CURVE	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	34.44'	232.02'	7°49'07"	34.23'	S 81° 34' 29" E
C2	34.42'	232.02'	7°49'07"	34.23'	S 81° 34' 29" E
C3	34.16'	183.02'	48°03'14"	46.23'	S 07° 42' 57" E
C4	34.22'	120.02'	48°03'14"	45.87'	N 07° 42' 57" E
C5	130.22'	327.02'	3°49'36"	130.33'	S 17° 36' 53" E
C6	137.84'	327.02'	3°49'36"	136.93'	S 17° 36' 53" E

UNIT #	ACRES	SQFT	BLDG TYPE	ASSIGNED GARAGE	ADDRESS
1	0.027	118.00	VH0	G1	
2	0.027	118.00	VH0	G2	
3	0.027	118.00	VH0	G3	
4	0.027	118.00	VH0	G4	
5	0.027	118.00	VH0	G5	
6	0.027	118.00	VH0	G6	
7	0.027	118.00	VH0	G7	
8	0.027	118.00	VH0	G8	
9	0.027	118.00	VH0	G9	
10	0.027	118.00	VH0	G10	
11	0.027	118.00	VH0	G11	
12	0.027	118.00	VH0	G12	
13	0.027	118.00	VH0	G13	
14	0.027	118.00	VH0	G14	
15	0.027	118.00	VH0	G15	
16	0.027	118.00	VH0	G16	
17	0.027	118.00	VH0	G17	
18	0.027	118.00	VH0	G18	
19	0.027	118.00	VH0	G19	
20	0.027	118.00	VH0	G20	

AREA TABLE	ACRES	SQ. FT.
COMMON AREA	1.028	44,094
"UNITED"		
CONDOMINUM AREA	0.340	14,806

LINE TABLE	LINE TABLE	LINE TABLE	LINE TABLE	LINE TABLE
L1 20.09' N 94°01'48" W	L18 24.00' S 89°23'33" E	L23 24.00' S 89°23'33" E	L28 24.00' S 89°23'33" E	L33 24.00' S 89°23'33" E
L2 7.89' N 14°23'30" W	L19 24.00' S 89°23'33" E	L24 24.00' S 89°23'33" E	L29 24.00' S 89°23'33" E	L34 24.00' S 89°23'33" E
L3 1.94' S 78°34'30" W	L20 24.00' S 89°23'33" E	L25 24.00' S 89°23'33" E	L30 24.00' S 89°23'33" E	L35 24.00' S 89°23'33" E
L4 24.44' N 14°23'30" W	L21 24.00' S 89°23'33" E	L26 24.00' S 89°23'33" E	L31 24.00' S 89°23'33" E	L36 24.00' S 89°23'33" E
L5 33.94' N 42°34'30" W	L22 24.00' S 89°23'33" E	L27 24.00' S 89°23'33" E	L32 24.00' S 89°23'33" E	L37 24.00' S 89°23'33" E
L6 50.94' N 87°09'30" E	L23 24.00' S 89°23'33" E	L28 24.00' S 89°23'33" E	L33 24.00' S 89°23'33" E	L38 24.00' S 89°23'33" E
L7 24.00' N 79°26'30" E	L24 24.00' S 89°23'33" E	L29 24.00' S 89°23'33" E	L34 24.00' S 89°23'33" E	L39 24.00' S 89°23'33" E
L8 24.00' S 14°23'30" E	L25 24.00' S 89°23'33" E	L30 24.00' S 89°23'33" E	L35 24.00' S 89°23'33" E	L40 24.00' S 89°23'33" E
L9 24.00' S 14°23'30" E	L26 24.00' S 89°23'33" E	L31 24.00' S 89°23'33" E	L36 24.00' S 89°23'33" E	L41 24.00' S 89°23'33" E
L10 24.00' S 14°23'30" E	L27 24.00' S 89°23'33" E	L32 24.00' S 89°23'33" E	L37 24.00' S 89°23'33" E	L42 24.00' S 89°23'33" E
L11 24.00' S 14°23'30" E	L28 24.00' S 89°23'33" E	L33 24.00' S 89°23'33" E	L38 24.00' S 89°23'33" E	L43 24.00' S 89°23'33" E
L12 33.44' S 43°14'30" E	L29 24.00' S 89°23'33" E	L34 24.00' S 89°23'33" E	L39 24.00' S 89°23'33" E	L44 24.00' S 89°23'33" E
L13 24.00' S 14°23'30" E	L30 24.00' S 89°23'33" E	L35 24.00' S 89°23'33" E	L40 24.00' S 89°23'33" E	L45 24.00' S 89°23'33" E
L14 33.44' S 87°09'30" E	L31 24.00' S 89°23'33" E	L36 24.00' S 89°23'33" E	L41 24.00' S 89°23'33" E	L46 24.00' S 89°23'33" E
L15 24.00' S 14°23'30" E	L32 24.00' S 89°23'33" E	L37 24.00' S 89°23'33" E	L42 24.00' S 89°23'33" E	L47 24.00' S 89°23'33" E
L16 49.44' N 87°09'30" E	L33 24.00' S 89°23'33" E	L38 24.00' S 89°23'33" E	L43 24.00' S 89°23'33" E	L48 24.00' S 89°23'33" E
L17 24.00' S 14°23'30" E	L34 24.00' S 89°23'33" E	L39 24.00' S 89°23'33" E	L44 24.00' S 89°23'33" E	L49 24.00' S 89°23'33" E
L18 24.00' N 64°26'30" E	L35 24.00' S 89°23'33" E	L40 24.00' S 89°23'33" E	L45 24.00' S 89°23'33" E	L50 24.00' S 89°23'33" E
L19 6.84' N 47°36'30" E	L36 24.00' S 89°23'33" E	L41 24.00' S 89°23'33" E	L46 24.00' S 89°23'33" E	L51 24.00' S 89°23'33" E
L20 24.00' S 87°34'30" E	L37 24.00' S 89°23'33" E	L42 24.00' S 89°23'33" E	L47 24.00' S 89°23'33" E	L52 24.00' S 89°23'33" E

TYPICAL BUILDING CONFIGURATIONS ALL MEASUREMENTS TO THE 80th OF A FOOT



LEGEND:

- BOUNDARY LINE
- - - LOT LINE
- · - · SECTION LINE
- · - · QUANTER SECTION LINE
- ▭ BUILDING
- ▭ COMMON AREA
- CALCULATED SECTION CORNER AS NOTED
- SECTION CORNER AS NOTED
- SEE CAP 2 OF 8900 WITH PLATT AND FACILITIES AREA
- DIMENSIONED UNIT TO DIMENSIONED UNIT
- LAYED OFF UNIT AREA AND FACILITIES (PLAN)
- DIMENSIONED UNIT TO DIMENSIONED UNIT

SUMMIT EDEN VILLAGE NESTS CONDOMINIUMS PLAT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8 TOWNSHIP 7 NORTH, RANGE 2 EAST SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH

Sheet 2 of 4

NIV5
NOTICE VERTICAL/VRH

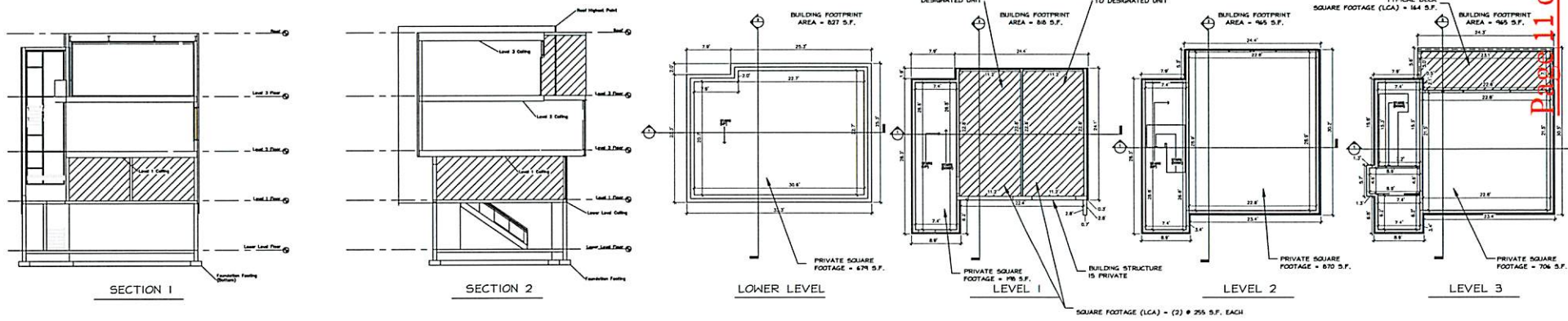
STATE OF UTAH, COUNTY OF WEBER,
RECORDED AND FILED AT THE
REQUEST OF:
ENTRY NO. _____
DATE: _____ TYPE: _____
BOOK: _____ PAGE: _____
FEE \$ _____
WEBER COUNTY RECORDER

DATE: _____
SCALE: _____
BY: _____
CHECKED BY: _____

VILLAGE NEST I (VNI)
FOR
UNITS 1,2,3,4,5,6,7,& 8

N.T.S.

JANUARY 14, 2014



NOTE: SEE BUILDING UNIT ELEVATION TABLE FOR ELEVATION OF CEILING, FLOORS, FOUNDATION, AND ROOF ELEVATIONS.

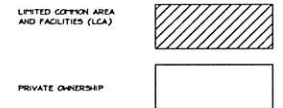
BUILDING UNIT ELEVATION TABLE

BUILDING UNIT #	Foundation Footing (Bottom)	Lower Level Floor	Lower Level Ceiling	Level 1 Floor	Level 1 Ceiling	Level 2 Floor	Level 2 Ceiling	Level 3 Floor	Level 3 Ceiling	Roof	Roof Highest Point
1	2620.87	2631.50	2640.00	2640.50	2649.44	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11
2	2621.11	2632.00	2640.50	2641.00	2649.94	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11
3	2621.35	2632.50	2641.00	2641.50	2650.44	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11
4	2621.59	2633.00	2641.50	2642.00	2650.94	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11
5	2621.83	2633.50	2642.00	2642.50	2651.44	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11
6	2622.07	2634.00	2642.50	2643.00	2651.94	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11
7	2622.31	2634.50	2643.00	2643.50	2652.44	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11
8	2622.55	2635.00	2643.50	2644.00	2652.94	2649.50	2655.45	2651.50	2644.50	2671.00	2672.11

AREA DESIGNATION TABLE

PRIVATE SQUARE FOOTAGE	2463 S.F.
LIMITED COMMON SQUARE FOOTAGE	674 S.F.

LEGEND



NIV5

NOLTE VERTICAL FIVE

227 SOUTH STATE STREET, SUITE 200 • WENATCHI, WA 98801

PH: 509.399.7600 • FAX: 509.399.7601 • WWW.NVF.COM

RECORDED &

STATE OF UTAH, COUNTY OF HEBER, RECORDED AND FILED AT THE

REQUEST OF _____

ENTRY NO. _____

DATE: _____ TIME: _____

BOOK: _____ PAGE: _____

FEES: _____

HEBER COUNTY RECORDER

SUMMIT EDEN VILLAGE NESTS
CONDOMINIUMS
BUILDING FLOOR PLANS AND SECTIONS

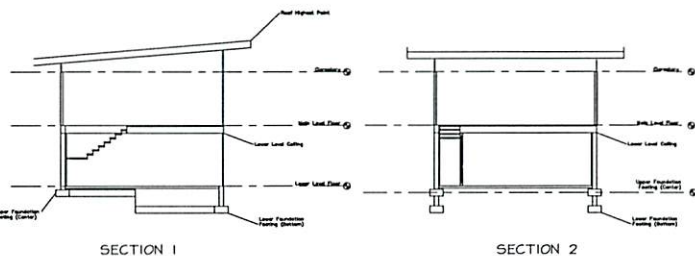
LOCATED IN THE NORTHEAST QUARTER OF SECTION 8
TOWNSHIP 7 NORTH, RANGE 2 EAST SALT LAKE BASE AND
MERIDIAN, WEBER COUNTY, UTAH

Page 11 of 20

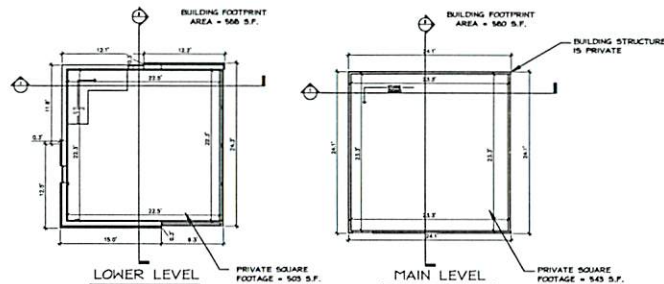
VILLAGE NEST 2 (VN2)
FOR
UNITS 9,10,11,12,13,14,15,16,17,18,19, & 20

N.T.S.

JANUARY 14, 2014



NOTE: SEE BUILDING UNIT ELEVATION TABLE FOR ELEVATION OF CEILING, FLOORS, FOUNDATION, AND ROOF ELEVATIONS.



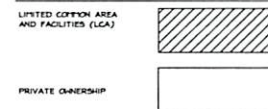
BUILDING UNIT ELEVATION TABLE

BUILDING UNIT #	Lower Foundation Footing (Bottom)	Upper Foundation Footing (Center)	Lower Level Floor	Lower Level Ceiling	Main Level Floor	Roof Highest Point
9	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
10	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
11	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
12	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
13	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
14	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
15	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
16	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
17	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
18	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
19	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27
20	8623.00	8623.00	8623.00	8623.00	8623.00	8623.27

AREA DESIGNATION TABLE

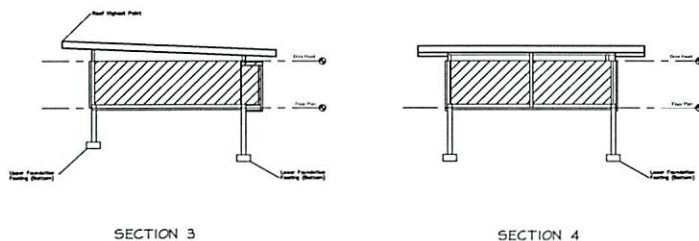
PRIVATE SQUARE FOOTAGE	1046 S.F.
LIFTED COMMON SQUARE FOOTAGE	0 S.F.

LEGEND

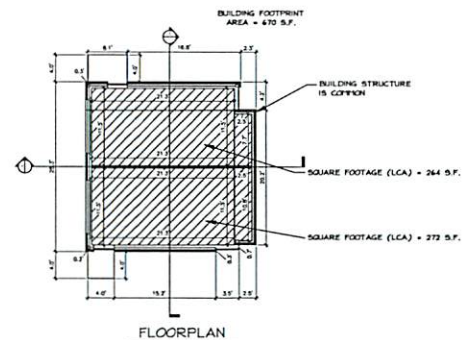


VILLAGE NEST GARAGES (VNG)
FOR 1G & 2G

N.T.S.



NOTE: SEE BUILDING UNIT ELEVATION TABLE FOR ELEVATION OF CEILING, FLOORS, FOUNDATION, AND ROOF ELEVATIONS.



BUILDING ELEVATION TABLE

Building #	Lower Foundation Footing (Bottom)	Upper Foundation Footing (Bottom)	Floor	Door Head Point	Roof Highest Point
1G	8623.00	8623.00	8623.00	8623.00	8623.00
2G	8623.00	8623.00	8623.00	8623.00	8623.00

AREA DESIGNATION TABLE

PRIVATE SQUARE FOOTAGE	0 S.F.
LIFTED COMMON SQUARE FOOTAGE	536 S.F.

Sheet 4 of 4

NIV5

NGATE VERTICALIVE
311 SOUTH STATE STREET, SUITE 300 • WENATCHI, WA 98801
800.743.8889 • 509.743.0000 FAX • WWW.NIV5.COM

RECORDED

STATE OF UTAH, COUNTY OF HIDER, RECORDED AND FILED AT THE

REQUEST OF _____

ENTRY NO. _____

DATE _____ TIME _____

BOOK _____ PAGE _____

FEE \$ _____

HIDER COUNTY RECORDER

Chair Hollist asked Sean if it was possible for them to specify two parking spaces and they can be either side by side or tandem depending upon the topography. Sean Wilkinson replied the only problem that they would have is the size of the side by side where there is an actual standard that says nine feet wide.

Commissioner Howell asked about snow removal. Sean Wilkinson said some of these lots may not actually have driveways; they have zero front yard setbacks.

Eric Langvardt asked if they could they have the flexibility to do side by side or tandem depending on lot width. Side by side parking is allowed. If it is less than 20 ft. tandem parking is required.

Rob Scott said his concern is about the limited visitor parking. Russ Watts described the plan for parking at mid-mountain and shuttling to the homes.

Commissioner Howell asked for the distance from the shuttle area to the village area? Russ Watts replied that it is about 2.25 miles from mid-mountain. This issue will be addressed as part of their DRR-1 submittal.

Steve Clarke said he wanted clarification on the concept for the commercial area, the residential area, and the zero lot setbacks from the road. Chair Hollist replied that along the Summit Pass road, they have moved from the large ranchettes and the housing gets closer together with more density as they move towards the village. Sean Wilkinson replied as part of the PRUD there is no commercial in Phase 1C; this is entirely residential except for the conference center.

Commissioner Hollist asked Summit to briefly remind the Planning Commission of what is coming next. Eric Langvardt mentioned the DRR-1 rezone and future commercial areas inside and outside of the PRUD boundary.

Commissioner Parson asked if there was any overflow parking. Eric Langvardt replied there will be places for parking but for right now there is no commercial proposed. As part of the DRR-1 rezone, Summit is proposing.

MOTION: Commissioner Miller moved to recommend to the County Commission approval of UVS9241C including allowing tandem or side by side parking with the requirement that they need more than 20 feet to do the side by side parking. Commissioner Warburton seconded.

VOTE: A vote was taken with all members voting aye and Chair Hollist declared that the motion carried (5-0).

4. UVS9241D: Consideration and action on final approval of Summit at Powder Mountain Phase 1D located at Powder Mountain Ski Resort within the Forest Valley-3 Zone (FV-3), Forest-40 Zone (F-40) (Summit Mountain Holding Group LLC, Applicant)

5. UVS924DP: Consideration and action on final approval of Summit at Powder Mountain Phase 1D, Development Parcel D located at Powder Mountain Ski Resort (Daybreak Ridge) within the Forest Valley-3 Zone (FV-3), Forest-40 Zone (F-40) (Summit Mountain Holding Group LLC, Applicant)

Sean Wilkinson reviewed both staff reports UVS9241D and UVS9241DP and said Phase 1D is a 20 Lot Subdivision and the access for these lots will be on a private road. There is still a need for no access lines to determine access locations. Phase 1D has a similar situation with the parking as they had with Phase 1C because of the lot sizes. Phase 1D Development Parcel D is the "Village Nest" with 20 units in this parcel. These units have garage parking spaces designated on the subdivision plat. Some of the garage units are located underneath some of the nest units and others are just stand alone garages for parking. The unit layouts are very similar to what was proposed before, and they do meet the PRUD standards for architecture. Both of these phases will have to meet all the agency review requirements.

Chair Hollist asked what the maximum height requirement is. Sean Wilkinson said the maximum height is 35 ft.

Eric Langvardt and Ray Bertoldi discussed the design elements and how they work with the land. The units step down the hill to preserve views and they blend in with the trees.

Commissioner Warburton asked about the square footage, not including the garage. Eric Langvardt replied that these are 1800 square feet.

Chair Hollist excused Commissioner Parson from the meeting and said they still had a quorum to continue.

MOTION: Commissioner Miller moved to recommend to the County Commission approval of UVS9241D including allowing tandem or side by side parking with the requirement that they need more than 20 feet to do the side by side parking. Commissioner Warburton seconded.

VOTE: A vote was taken with all members voting aye and Chair Hollist declared motion carried (4-0).

MOTION: Commissioner Howell moved to recommend approval to the County Commission of UVS924DP subject to staff and any other agency requirements. Commissioner Warburton seconded.

VOTE: A vote was taken with all members voting aye and Chair Hollist declared that the motion carried (4-0).

3. **Public Comments for Items not on the Agenda:** Russ Watts reported on the status of the well at Powder Mountain. They are in the final stages of testing the well; they are around 180-200 gallons per minute. They still need to pass the 24 hour test. They will have an aquifer report to present later on.
4. **Remarks from Planning Commissioners:** Commissioner Warburton reported on the Utah APA Conference. This Planning Commission does a lot of administrative work that could be done by staff. She discussed streamlining a process for administrative approvals by staff so that the Planning Commission can focus on long range planning. Commissioner Howell concurred with Commissioner Warburton.

Chair Hollist brought up the Ogden Valley Charrette that will be worked on in January and February. Several professors from Utah State and Weber State will lead teams on various topics affecting Ogden Valley.

Dr. Bell scheduled Thursday at 10:00 A.M. to look at things that they are talking about in Ogden Valley.

5. **Report from the Planning Director:**
 - a. **Information Item:** Powder Mountain Park and Ride Extension: Sean Wilkinson said two years ago the Powder Mountain Park and Ride was granted a two extension through October 2013. The request is for an extension until October 2015. Two years ago when the Planning Commission approved the first extension they had indicated that staff would do the review and determine whether or not another extension would be granted. They have received some documents from Summit indicating they have been very successful with the Park and Ride. Last year there were 15, 560 riders between UTA and the Powder Mountain Shuttles. Of those riders 57% began their journey in Ogden on the bus up to the mountain. The Park and Ride lot in Eden seems to be working very well and there have not been any complaints or any problems. Staff has determined that a two year extension will be granted through October 2015, however this issued will be opened up further as part of the upcoming DRR-1 Rezone application.

Steve Clarke said he has worked with Dr. Lee Schussman and other individuals on future general planning for a transportation center that would provide the option for many people to come to Eden and be able to enjoy commercial aspects of Eden area. He is pleased with the two year extension and hoped that would continue to develop.

Rob Scott mentioned the APA UT award of merit for the Agri-Tourism Ordinance and acknowledged the Planning Commission and Scott Mendoza who was the project coordinator. The next item is that Dennis Montgomery has resigned from the Planning Commission and we have advertised for his replacement. The County Commission has made some significant decisions; they approved the Ogden Valley Pathway

Exhibit D-CC Minutes

Commissioner Bell moved to approve Contract C2014-13, first amendment to the CityWatch Online Service Agreement extending our current contract with CityWatch for another year; Commissioner Zogmaister seconded, all voting aye.

4. **CONTRACT WITH PING4ALERTS INC., TO PROVIDE WIDER AREA EMERGENCY NOTIFICATIONS VIA CELL PHONE – CONTRACT C2014-14**

Lance Peterson, of County Emergency Management, presented this license agreement for \$20,001 through 12/31/2015 with two extensions for a \$20,000 total. He noted that alerts can now be sent to geographic areas.

Commissioner Bell moved to approve Contract C2014-14 with Ping4Alerts Inc., to provide wider area emergency notifications via cell phone; Commissioner Zogmaister seconded, all voting aye.

5. **SITE DEVELOPMENT AGREEMENT FOR \$2,475.00 FOR REMOVAL OF THE TEMPORARY TRAILER AND LANDSCAPING AT WOLF MOUNTAIN (NOW KNOWN AS SKYLINE MOUNTAIN BASE) – CONTRACT C2014-15**

Sean Wilkinson, County Planning Division Director, noted that Wolf Mountain is undergoing some changes, including a name change and updates to their site plan. The temporary trailer had been approved for up to five years and the associated landscaping was never installed. The developers have put up a financial guarantee for the removal of the trailer and the four 6 ft. pine trees in pots.

Commissioner Zogmaister moved to approve Contract C2014-15, Site Development Agreement for \$2,475.00 for the removal of the temporary trailer and landscaping at Wolf Mountain/Skyline Mountain Base; Commissioner Bell seconded, all voting aye.

6. **FINAL APPROVAL OF SUMMIT EDEN PHASES 1A, 1B, 1C, 1D, SUMMIT EDEN RIDGE NESTS –P.R.U.D., SUMMIT EDEN VILLAGE NESTS CONDOMINIUMS AND THE ROAD DEDICATION PLAT FOR SUMMIT PASS AND SPRING PARK**

Sean Wilkinson, County Planning Division Director, showed an area map. He said that these subdivision and road dedication plats for the development at Powder Mountain are complete. All the agency reviews have come back favorable, all necessary changes have been made, and the Mylar plats have been signed by the County Surveyor's Office.

In 2013 the P.R.U.D. was approved for 154 units at Powder Mountain. These phases encompass 148 of those 154 units. Six units that were in the very first phase are not being developed at this time. All P.R.U.D. and Planning Commission conditions have been addressed. The Utah Division of Drinking Water has granted plan approval of the Hidden Lake Well, construction has begun on the water tank, and Summit has filed for annexation into the Powder Mountain Water & Sewer District. The Powder Mountain District engineer has concluded his plan review and is waiting for the District Board to authorize the release of the approval letters for the upgrade of the sewer system. There are approximately 40 documents (easements, agreement, conveyances, etc.) associated with this subdivision. Some of those are still under review but will be completed and recorded at the same time as all of the plats.

Almost all of the improvement costs for the subdivision are currently in escrow but there is a shortage of approximately \$233,866.94, based on cost estimates submitted by Summit. This amount will have to be provided before all the plats can be recorded. There are only two public roads (Summit Pass and Spring Park) and construction began last year. Commissioner Bell said that this is a major milestone for this project. He noted that most county departments have been involved with it, and that county staff has put in thousands of hours into this project, which has been scrutinized from many angles, and that it is difficult for the public to grasp and see all the work that has been done. Commissioner Zogmaister echoed Commissioner Bell's comments about the time, effort and expertise that have been put into this project and stated that the public will see an excellent product that comes from all parties.

Tom Jolley, Executive Vice President/General Counsel for Summit Mountain Holding Group, on behalf of the developer sincerely thanked the commissioners and county staff for the thousands of hours stating that it represents a major milestone for the development. They are grateful to all county staff for the enormous amount of work. He had the signed documents by the developer that included changes requested by the County Attorney and Surveyor's Offices.

Exhibit D-CC Minutes

Commissioner Bell moved to grant final approval of Summit Eden Phases 1A, 1B, 1C, 1D, Summit Eden Ridge Nests – P.R.U.D., Summit Eden Village Nests Condominiums and the road dedication Plat for Summit Pass and Spring Park; Commissioner Zogmaister seconded, all voting aye.

7. REQUEST FOR CONTRACT WITH WEBER COUNTY MOSQUITO ABATEMENT DISTRICT TO PROVIDE EFFECTIVE AND EFFICIENT CORE ADMINISTRATIVE SERVICES TO THE DISTRICT

This item had been handled last week.

8. FIRST READING OF AN ORDINANCE WHICH WOULD SEPARATE THE OFFICE OF THE WEBER COUNTY RECORDER/SURVEYOR INTO SEPARATE OFFICES; WITH THE WEBER COUNTY RECORDER AND WEBER COUNTY SURVEYOR TO BE ELECTED IN THE 2014 ELECTION CYCLE, WITH THIS ORDINANCE TO TAKE EFFECT ON THE FIRST MONDAY IN JANUARY, 2015

Chair Gibson noted that a public meeting was held Friday on this item. The commissioners have been available since then to speak with those who wished to address the issue privately. The commissioners continue to study efficiency and budgetary implications. David Wilson, Deputy County Attorney, explained that if the Commission approved a first reading today they would have opportunity to consider it next week and if they did not take action today this issue could not be addressed for six years.

Commission Zogmaister noted that people have been coming to the commissioners' offices since Friday to voice their opinions and the commissioners have also received emails and telephone calls. It has been good to hear the perspectives from those who receive the services, etc. She noted that there are differences on the proposed budgets by Mr. Rowley and Ms. Kilts; some of that is due to the philosophy on how they would run the offices and she would like those figures clarified. The reasons given for consolidation seven years ago were for efficiency and to save money and it is important to see if those have been accomplished.

Commissioner Zogmaister moved to approve the first reading of the ordinance which would separate the office of the Weber County Recorder/Surveyor into separate offices; with the Weber County Recorder and Weber County Surveyor to be elected in the 2014 election cycle, with this ordinance to take effect on the first Monday in January 2015; Commissioner Bell seconded, all voting aye.

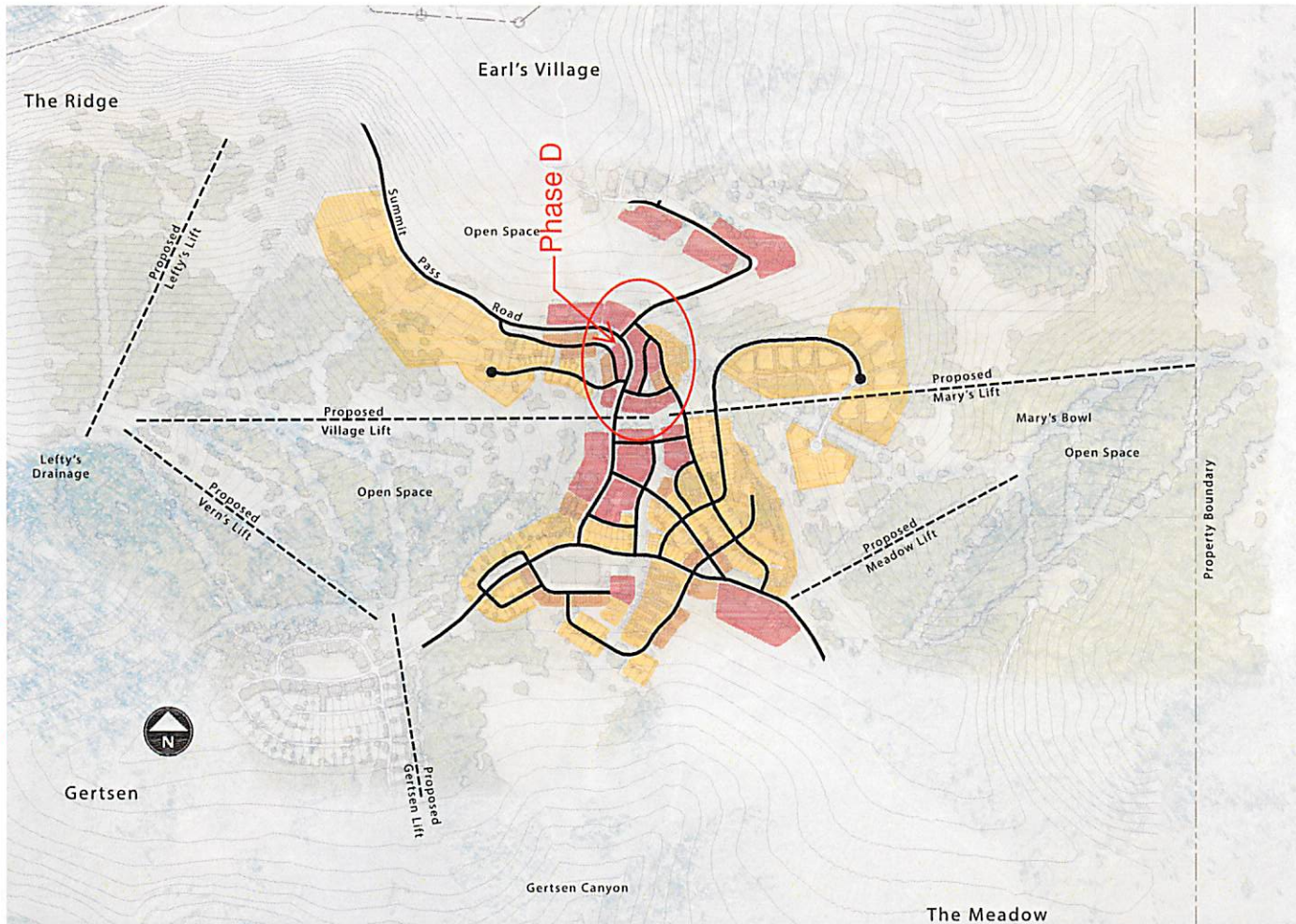
F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, JANUARY 28, 2014, 10 A.M.

G. PUBLIC COMMENTS:

Jeanen Smith, Recorder/Surveyor mapper, stated that when she started working for the Recorder's Office 20 years ago she had been impressed by the dedication and work ethic in that office. She added that all the mappers are State certified cadastral mappers.

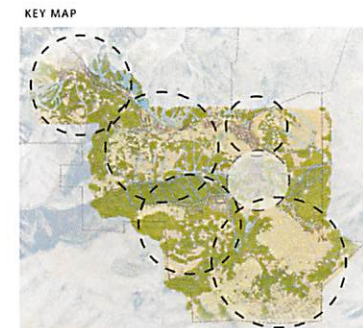
When the offices combined in 2007, they hoped this would work and tried very hard to make it work; unfortunately it did not. She has witnessed the Recorder's Office slide slowly down in efficiency and morale. The Recorder's Office is down five employees and she asked why. She stated that there is no clear leadership within the Recorder's Office. She asked why the Surveyors have a chief deputy, an administrative assistant and the elected official but the Recorder has no voice, no clear leadership. They have the knowledge and expertise but no authority was assigned to anyone to carry out those duties. Sometimes the problems pile up and there has been no authority to handle them. There is no supervisor with Recorder knowledge that is over the front counter and the chain of command has been broken. Because of this the office is not functioning efficiently. Other county offices have told her that because of some of the policies their work load has increased dramatically. The abstracts of taxpayer records have been abstracted against when there was no description, and her understanding is that a description is necessary. Over abstracting of documents can cause this problem, which she said is another current policy. Ms. Smith did not wish to portray that Mr. Rowley had intentionally caused these problems, stating that he is an excellent surveyor but thinks like a surveyor. She outlined inherent differences between the Recorder's Office and the Surveyor's Office, stating that there has to be a check and balance. She stated that one person cannot wear both hats in that office.

Summit Powder Mountain Village Master Plan



Summit Powder Mountain Village is the activity center for the Resort with Main Street retail shops, destination amenities such as lodges, public plazas, recreational facilities and trail heads to access the outdoors. The Summit Powder Mountain Village is modeled after small mountain villages in North America and Europe with walkable, interconnected streets and is made up of boutique hotels, condominiums, townhomes, small single family lots and "nests" making it the most diverse development area at the Resort.

DEVELOPMENT LEGEND		DEVELOPMENT DATA
	MIXED USE HOTELS COMMERCIAL/SKIER SERVICES RETREATS	580 ROOMS 100,000 SF
	MULTI FAMILY	90 ROOMS 150 UNITS
	SINGLE FAMILY SINGLE FAMILY LOTS NESTS	268 UNITS 186 NESTS



Summit Powder Mountain Village Illustrative Plan

Exhibit E-Zoning Development Master Plan



The heart of the Summit Powder Mountain Village is Main Street. Main Street will be comprised of boutique hotels and shops, residential lofts over retail, various lodges and amenities all focused around vibrant pedestrian streets littered with public spaces and access to the abundant outdoors. The Summit Powder Mountain Village was located to provide access to three drainages from its core; East to Mary's Bowl, South to Gertsen Canyon and West to Lefty's while also positioning this diverse development area to be in the least visually sensitive area on the mountain.

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KEY MAP

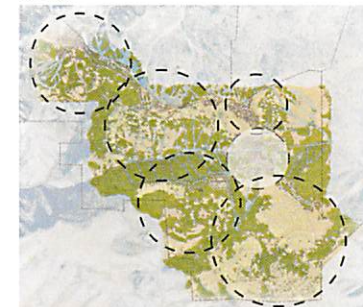


Exhibit F-Original Master PRUD conditions of approval

Findings, Conditions, and Requirements from the April 9, 2013 Staff Report to the Weber County Commission for the Summit at Powder Mountain PRUD

Conditions of Approval

The following items must be addressed prior to final subdivision approval:

- Requirements of the Weber County Engineering Division
- Requirements of the Weber Fire District
- Requirements of the Weber-Morgan Health Department
- Requirements of the Weber County Building Inspection Division
- Requirements of the State Division of Drinking Water and Division of Water Quality
- Requirements of Powder Mountain Water and Sewer Improvement District including updated sewer and culinary water feasibility letters
- Sewer capacity assessment letter verifying adequate sewer capacity for the PRUD
- Requirements of the zoning development agreement
- All development parcels must be brought under the same taxing districts
- All delinquent taxes on development parcels must be paid
- Compliance with all applicable county ordinances whether listed in this staff report or not
- Approval of the Cache County units subject to the interlocal agreement or county line adjustment being completed prior to final subdivision approval
- Compliance with Chapter 36-B (Hillside Review) lot size tables

Ogden Valley Planning Commission Recommendation

The OVPC unanimously recommended approval of this PRUD on March 19, 2013 subject to several conditions and requirements. The OVPC included the following findings, conditions, and requirements in its recommendation for approval:

OVPC Findings:

- The architectural design of the proposed housing units is acceptable and complies with the PRUD criteria of Chapter 22-D.
- Accessory buildings are not proposed for any of the single-family dwelling lots.
- The landscape plans for the village and nest areas are sufficient and comply with applicable ordinance requirements.
- The units in Cache County are approved subject to an interlocal agreement with Cache County.
- The trails master plan is acceptable subject to the developers providing access and connections to existing trails on the Weber Pathways Ogden Valley Master Plan.
- The road pattern and public/private designations are adequate; however a road maintenance agreement between the developers and Weber County is required.
- Alternative road design elements will require a variance to the Weber County Subdivision Ordinance from the County Commission.
- A secondary access road in Cache County is required.
- The Access Exception application is approved subject to meeting design requirements.
- The restricted lots meet applicable standards.
- The zoning development agreement has been complied with, but the real estate transfer fee must remain at 1.5%.
- Delinquent property taxes on property within the PRUD boundary must be paid prior to final subdivision approval from the County Commission.
- Certification is required from the Summit Eden Design Review Board that each house plan submitted for a building permit complies with their Design Guidelines and the PRUD approval.
- The site plan with 116 lots and 154 units is approved.
- PRUD variations of the FV-3 zoning requirements for lot size, setback, and building heights are approved.
- Time share/nightly rental units shall be designated on the site plan.
- The conference center on Lot 76 is approved as a non-residential accessory use.
- Parking space adjustments from two spaces to one space are allowed for the nest units.
- The conditions of approval in the staff report must be complied with.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for Conditional Use Permit CUP 2016-01 approval for an accessory apartment attached to a single family dwelling, located at 6429 E 1900 N, Eden.

Decision Type: Administrative

Agenda Date: Tuesday, January 26, 2016

Applicant: Derek Pontius

File Number: CUP 2016-01

Property Information

Approximate Address: 6429 E 1900 N, Eden UT.

Project Area: 3.0 acres

Zoning: Agricultural Valley Zone AV-3

Existing Land Use: Residence

Proposed Land Use: Residence

Parcel ID: 20-054-0005

Township, Range, Section: T6N, R1E, Section 1

Adjacent Land Use

North:	Residential	South:	Pineview/ Shoreline
East:	Residential	West:	Residential

Staff Information

Report Presenter: Ben Hatfield
bhatfield@co.weber.ut.us
801-399-8766

Report Reviewer: JG

Applicable Ordinances

- Weber County Land Use Code Title 104 Zones Chapter 6 Agricultural Valley Zone (AV-3)
- Weber County Land Use Code Title 104 Zones Chapter 10 Shoreline Zone (S-1)
- Weber County Land Use Code Title 108 Standards Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Standards Chapter 19 (Accessory Apartments)

Background

The applicant is requesting approval of a Conditional Use Permit CUP 2015-23 for an accessory apartment attached to an existing single family dwelling. The home and property is currently in the Agricultural Valley (AV-3) and Shoreline (S-1) Zone, and located at 6429 E 1900 N Eden, UT. An accessory apartment is permitted as a conditional use in any zone in which single family dwellings are allowed.

The newly constructed home on the 3.0 acre property was designed and built so as it could comply with the zoning standards regarding accessory apartments. The 800 square foot, 2 bedroom apartment is located on half of the second story of the home. Exhibit B contains the site and house plans which highlight the apartment portion of the home. The applicant in Exhibit C has provided a narrative demonstrating the applications compliance to the standards of the code.

The home is serviced by Eden Water and a private septic system which anticipated the bedrooms of the apartment.

Conditional Use: The proposed apartment is attached to an existing single family dwelling. Adequate additional parking is available on this property. Any potential harmful effects of the apartment have been addressed and mitigated.

Summary of Planning Commission Considerations

Is the project layout and building design consistent with applicable Weber County Ordinances?

Conformance to the General Plan

This site plan conforms to the General Plan by meeting the outline of permitted land uses of the zone in which it is located; all of the applicable requirements of Land Use Codes have been met.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Building Inspection Division
- Requirements of the Weber Fire District
- Requirements of the Weber Morgan Health Department

Staff Recommendation

Staff recommends approval of this conditional use application for an accessory apartment attached to a single family dwelling. The recommendation is subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is based on the following findings:

- The proposed accessory apartment is permitted as a conditional use in any zone in which single family dwellings are allowed, and meets the applicable code standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Exhibits

- A. Application
- B. Site and house plans
- C. Narrative of code compliance



Weber County Conditional Use Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed
1/7/2016

Fees (Office Use)

Receipt Number (Office Use)

File Number (Office Use)

Property Owner Contact Information

Name of Property Owner(s)
Derek Pontius & Sarah Renee Pontius

Mailing Address of Property Owner(s)
PO BOX 1022
Eden, UT 84310

Phone
801-829-7122

Fax

Email Address (required)
derek@pontius.us

Preferred Method of Written Correspondence
 Email Fax Mail

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)

Mailing Address of Authorized Person

Phone

Fax

Email Address

Preferred Method of Written Correspondence
 Email Fax Mail

Property Information

Project Name
Pontius Accessory Apartment

Total Acreage
3.0

Current Zoning
AV-3

Approximate Address
6429 E 1900 N
Eden, UT 84310

Land Serial Number(s)
200540005

Proposed Use
Accessory Apartment attached to Primary Residence

Project Narrative

We have constructed a home on the parcel that includes an accessory apartment. We are filing for a conditional use permit so that the apartment can be rented out as an accessory apartment.

Exhibit A-1

Basis for Issuance of Conditional Use Permit

Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise. There are no anticipated impacts.

That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use. Yes, the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards.

The home is new construction, and has been reviewed by Weber county Engineering, Building Inspection, Environmental Health and Planning.

The septic system, approved by Environmental Health, that is installed for the residence has been sized for 7 bedrooms, which accounts for the 5 bedrooms in the home + 2 bedrooms in the accessory apartment.

Property Owner Affidavit

I (We), Derek Pontius + Sarah Renee Pontius depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

[Signature]
(Property Owner)

[Signature]
(Property Owner)

Subscribed and sworn to me this 7th day of January, 20 16.

(Notary)

Authorized Representative Affidavit

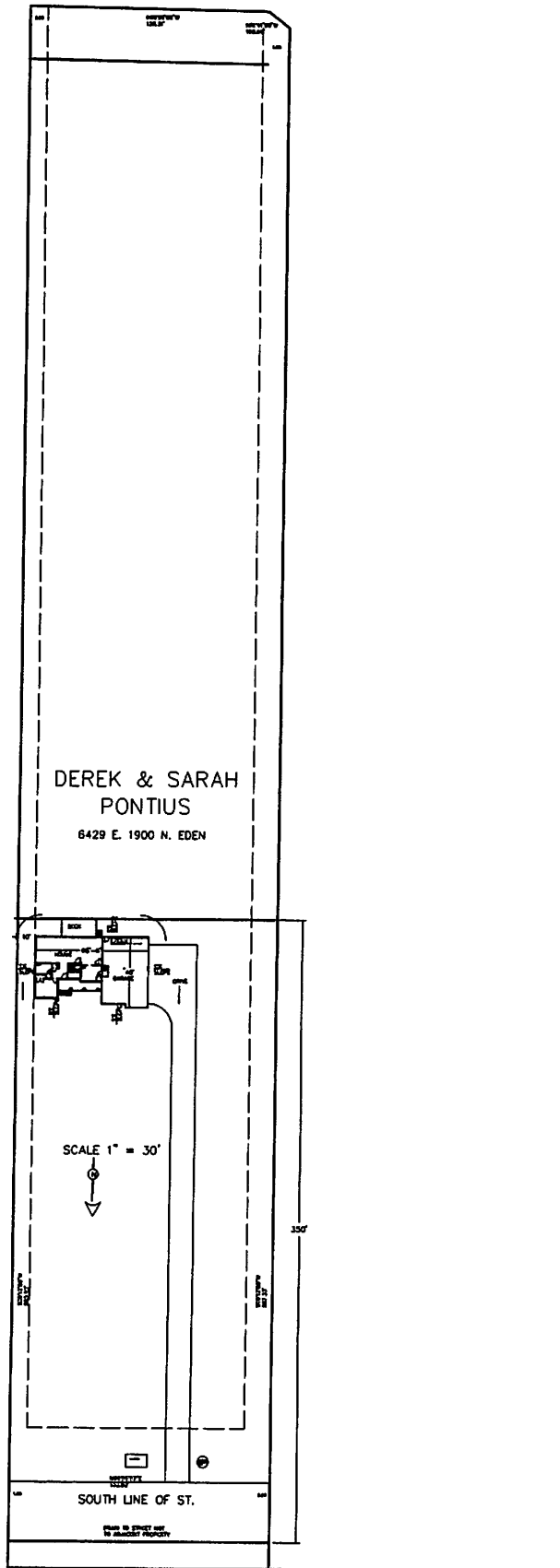
I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20 _____, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

(Notary)



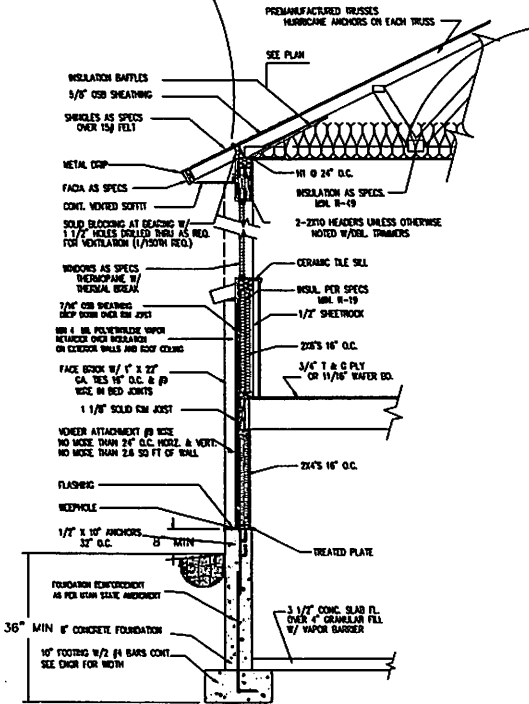
ALL DIMENSIONS ARE TO BE
 TAKEN FROM THE CENTER
 OF THE LOT UNLESS
 OTHERWISE NOTED.
 THE OWNER SHALL BE RESPONSIBLE
 FOR THE ACCURACY OF THE
 DIMENSIONS AND FOR THE
 CONSTRUCTION OF THE
 IMPROVEMENTS.
 THE OWNER SHALL BE RESPONSIBLE
 FOR THE ACCURACY OF THE
 DIMENSIONS AND FOR THE
 CONSTRUCTION OF THE
 IMPROVEMENTS.
 THE OWNER SHALL BE RESPONSIBLE
 FOR THE ACCURACY OF THE
 DIMENSIONS AND FOR THE
 CONSTRUCTION OF THE
 IMPROVEMENTS.

1900 N. ST.

Exhibit B-1

Exhibit B-2

An ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet, shall be used in lieu of normal underlayment and extend from the eave's edge to a point at least 24 inches inside the exterior wall line of the building.



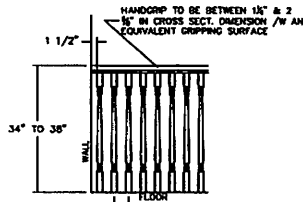
TYP. WALL SECTION

NO SCALE

FLOOR PLAN GENERAL NOTES

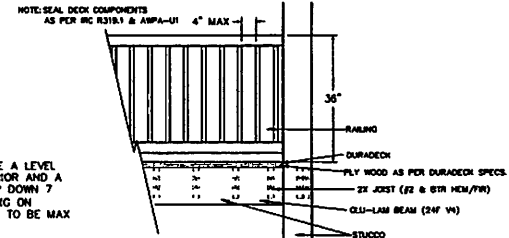
1. All dimensions are in feet and inches unless otherwise noted.
2. All doors are 36\"/>

NOTE:
3" MIN SEPARATION BETWEEN GAS AND ELECTRIC METER



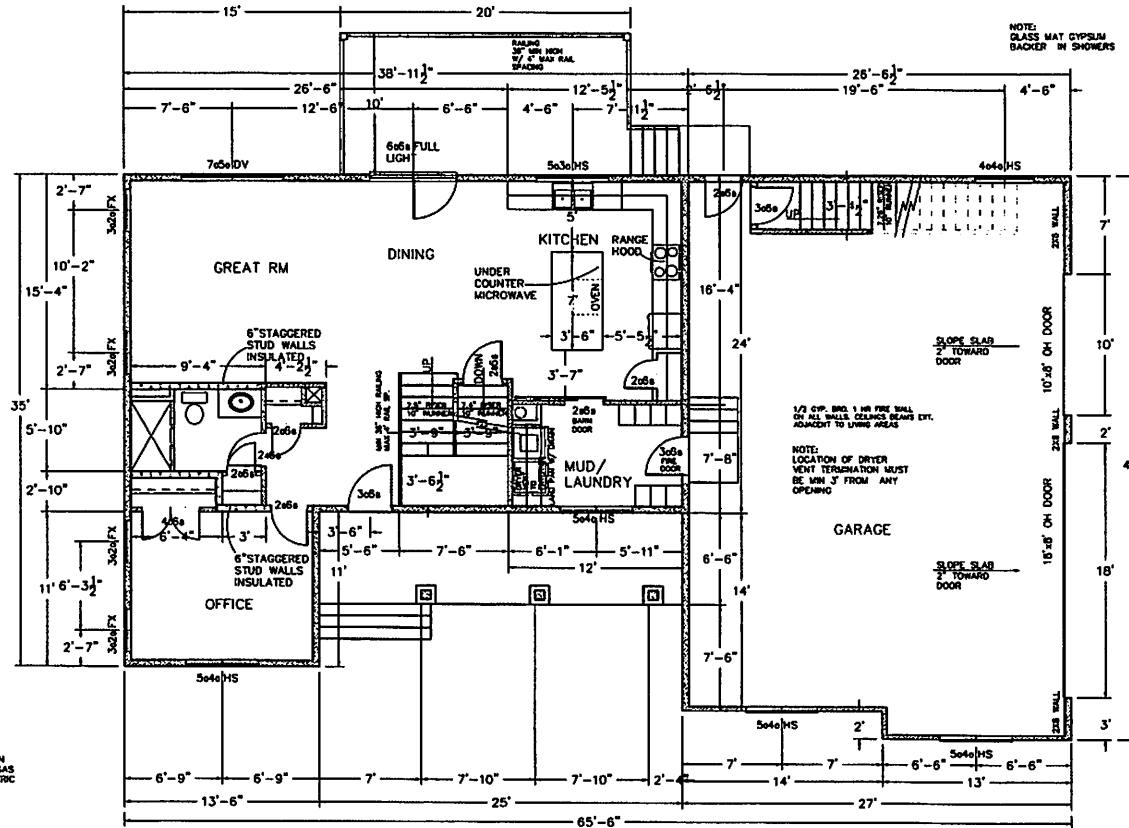
RAILING DETAIL

NOTE: SEAL DECK COMPONENTS



DECK/GUARDRAIL DETAIL

NOTE: DOORS MUST HAVE A LEVEL LANDING ON INTERIOR AND A MAX OF ONE STEP DOWN 7 3/4\"/>



MAIN FLOOR PLAN

SCALE 1/4" = 1' 0" AREA = 1072 FT²
GARAGE = 1050 FT²

PLAN #
2-2798-15

York Engineering Inc
Structure Design And Analysis
2329 W. Spring Hill Rd.
Aurora, IL 60005
(800) 376-3501

DEREK & SARAH
PONIUS

DEREK & SARAH
PONIUS

6429 E. 1900 N. EDEEN

MAFI DESIGN
Residential Design & Build
2143 E. Morgan Way Dr.
Morgantown, WV 26505
(801) 828-0545



Exhibit B-3

PLAN #
2-2798-15

York Engineering INC
Structural Design And Analysis
2329 W. Spring Hollow Rd.
Moraga, CA 94556
(925) 876-3501

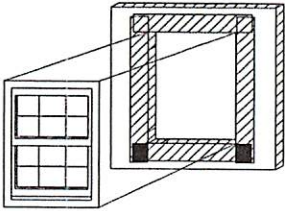
THIS DOCUMENT IS UNCLASSIFIED
DATE 08-14-2013 BY 60322 UCBAW/STP
REASON: EXECUTIVE ORDER 13526, SECTION 1.4
AUTHORITY: 50 CFR 17.102 (a)

DEREK & SARAH
PONTIUS
6429 E. 1900 N. EDEEN

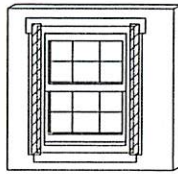
MAFI DESIGNS
Designer: Shane Mafi
214 E. Morgan Way Dr.
Moraga, CA 94556
(925) 823-3448



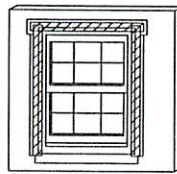
INSTALL WINDOW



INSTALL JAMB FLASHING



INSTALL HEAD FLASHING

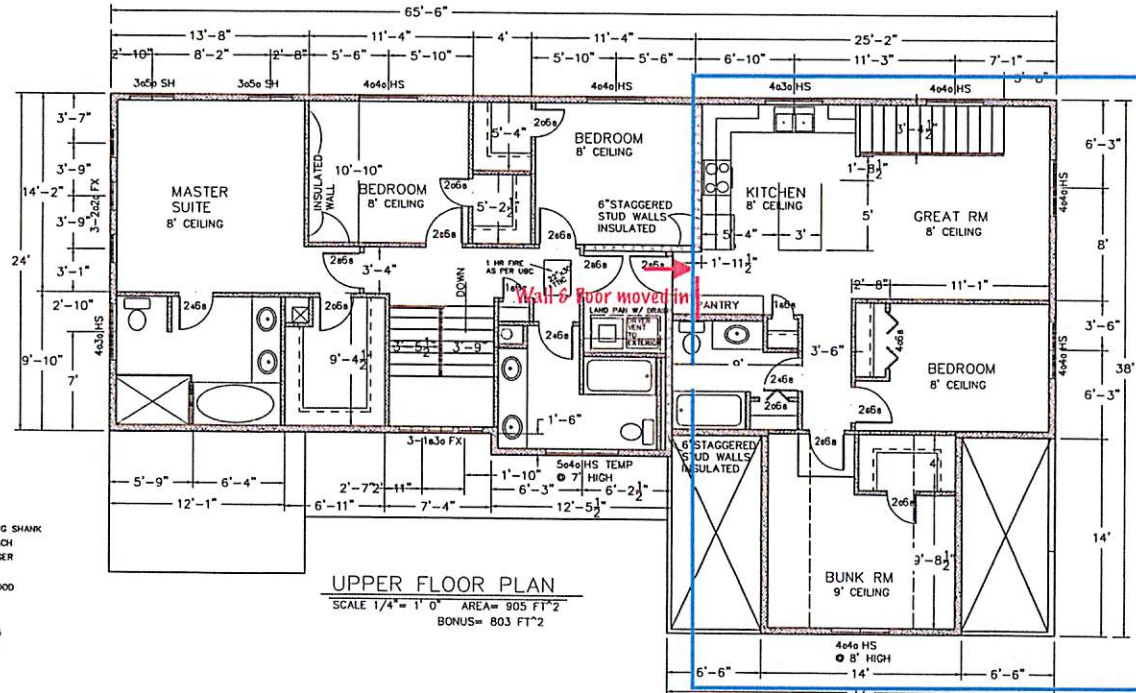


NOTES:

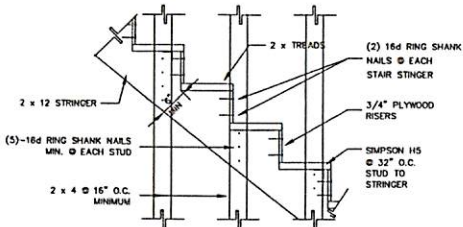
1. SURFACES SHALL BE CLEAN AND DRY AND PRIMED.
2. FLASHINGS SHOULD BE A MINIMUM OF 6" WIDE. THE FLASHING SHALL COVER WINDOW FLANGE AND LAP ONTO SHEETING A MINIMUM OF 3".
3. SEQUENCE FLASHING INSTALLATION TO PROVIDE SHINGLED OVERLAPS.
4. OVERLAPS SHALL BE A MINIMUM OF 2".

NOTE: MEET EXCESS REQUIREMENTS AS PER R310
- MAX. SILL HEIGHT IS 44 IN.
- MIN. OPEN AREA = 3.7 SQ. FT.
- MIN. NET OPENING WIDTH = 20 IN.
- MIN. NET OPENING HEIGHT = 24 IN.
- MIN. WINDOW SILL AREA = 9 SQ. FT.
- WINDOW SILLS DEEPER THAN 44 IN SHALL HAVE ATTACHED LUGGER

NOTE: THIS ENGINEERING ASSUMES THAT OTHER THE SETBACK REQUIREMENTS LISTED IN IPC SECTION 4433.1.2 ARE MET, OR THAT A 20' DEEP LEVEL YARD OR GRADE OR LESS EXISTS ON ALL SIDES OF THE HOME. IF THIS IS NOT TRUE THEN CONTACT ENGINEER FOR FURTHER ANALYSIS AND DESIGN.
NOTE: THIS ENGINEERING ASSUMES THAT THE SITE IS STABLE HAVING NO GLOBAL STABILITY CONCERNS OR HAZARDS. IF THIS IS NOT TRUE THEN CONTACT ENGINEER FOR FURTHER ANALYSIS AND DESIGN.



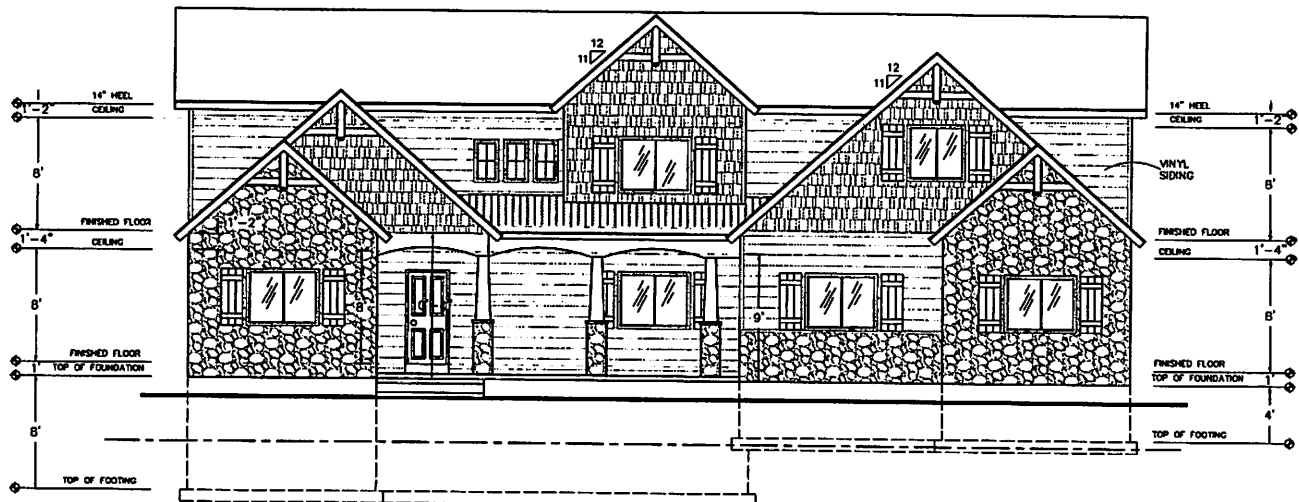
UPPER FLOOR PLAN
SCALE 1/4" = 1' 0" AREA = 905 FT²
BONUS = 803 FT²



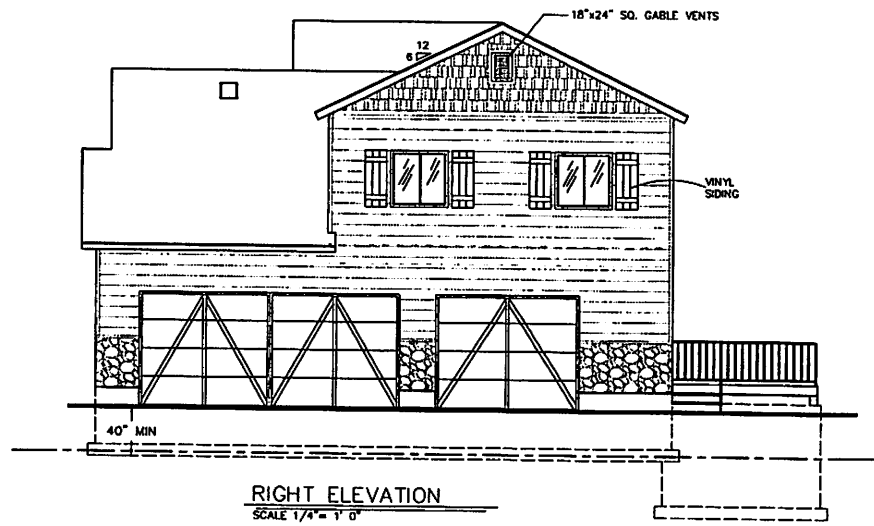
Apartment shown above. All parts are finished

25 YR ARCHITECT
ASPHALT SHINGLE ROOF

PLAN #
2-2798-15



FRONT ELEVATION
SCALE 1/4" = 1' 0"



RIGHT ELEVATION
SCALE 1/4" = 1' 0"

York Engineering INC
Structural Design And Analysis
2329 W. Spring Hollow Rd.
Morgan, Utah 84050
(801) 916-3501

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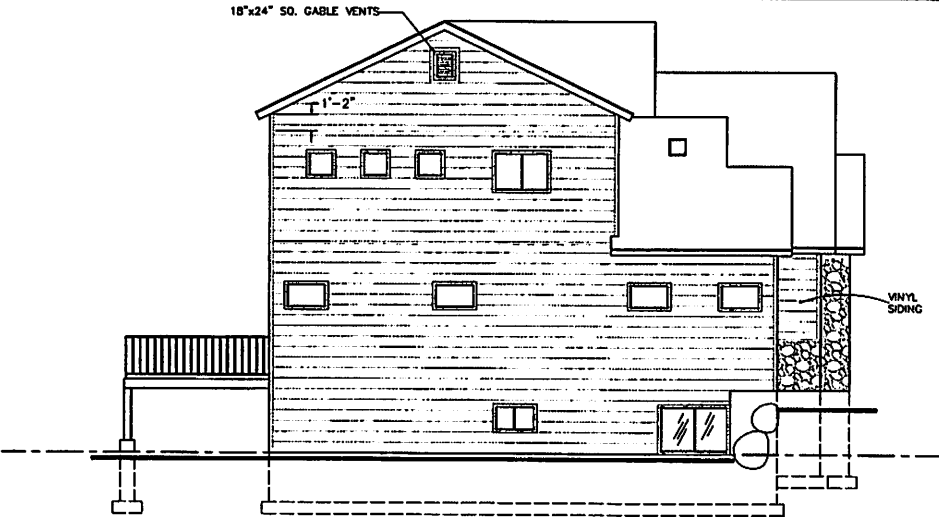
DEREK & SARAH
PONTIUS
6429 E. 1900 N. EDEN

MAFI DESIGNS
Derek & Sarah Mafi
6429 E. 1900 N. Eden
(801) 854-5646

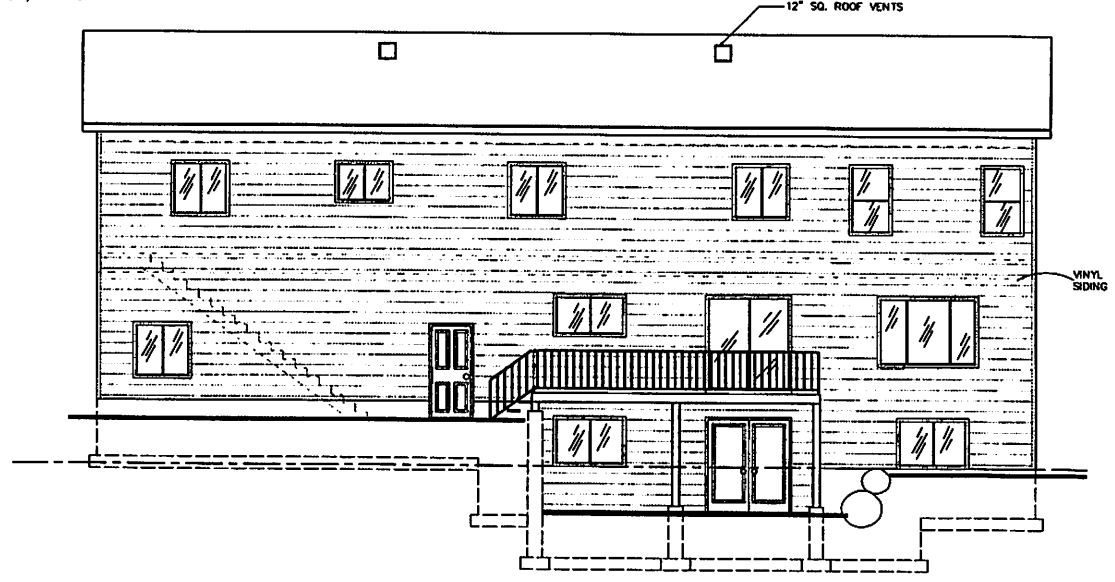


Elevation B-4

Exhibit B-5



LEFT ELEVATION
SCALE 1/4" = 1' 0"



BACK ELEVATION
SCALE 1/4" = 1' 0"

12" TRIPLE 4 CENTER VENT ALUMINUM SOFFIT REQUIREMENTS

ATTIC AREA=	2140 sq.ft.
AREA / 300= REQUIRED AREA IN SQ FT.	7.1 sq. ft.
REQUIRED AREA IN SQ IN.	1027 sq. in.
80% INTAKE SOFFIT VENTILATION	616 sq. in.
(4.5 SQ IN/LIN FT)	137 lin. ft.
50% EXHAUST ROOF VENTILATION	514 sq.in

VENT REQUIRED PER ATTIC SECTION 50% EXHAUST ROOF VENTILATION 490 sq.in

AREA FT ²	VENT TYPE	# OF VENTS REQUIRED PER	AREA FT ²
2140	LOUVERS SQ sq.in	4	196
220	GABLE 12" SQ.in	2	294

PLAN #
2-2798-15

York Engineering INC
Structural Design And Analysis
2329 W. Spring Hollow Rd.
Morgan, Utah 84050
(801)878-3501

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DEREK & SARAH PONIUS
6429 E. 1900 N. EDEN

MAFI DESIGNS
Designer: Chad Mafi
2143 N. Morgan Wy. Dr.
Morgan UT 84050
(801) 838-9343

6429 E 1900 N
Eden, UT 84310

Compliance with Ordinance

All of the following items have been accounted for in the construction & design of the accessory apartment.

42 2 Conditional Use

Accessory Apartments may be permitted, by Conditional Use Permit, in any zone in which single family residential dwelling units are allowed, under the following specifications;

1. Relationship to principal use; appearance. An apartment may be established only accessory to a permitted dwelling. The apartment unit shall have common wall(s), roof, and/or floor(s) with the principal dwelling. The minimum width shall be twenty feet (20) ft. with the liveable floor area of the main home, with an opening from the accessory apartment to the main home, into a common living area of the main home. The opening can be closed off by a door. Basement apartments meet this requirement with the common floor. The stairs which lead to the main floor and open up into the common living space of the main home can be closed off by a door. The accessory apartment opening into a garage or storage is not considered livable space. The outward appearance of the accessory dwelling shall be consistent with the design and character of the principal dwelling in its construction, materials and finish treatment. There shall be no more than one apartment accessory to a permitted dwelling. There shall be no separate address, mailbox or utilities. **All of these items are accounted for.**
2. Floor area. Living area of an accessory apartment shall contain a minimum of four hundred (400) square feet and shall not exceed a maximum of eight hundred (800) square feet; there shall be no more than two (2) bedrooms in such apartments. In no case shall the floor area exceed twenty five (25) percent of the gross livable floor area of the total structure. **The apartment is 800 square feet and has 2 bedrooms.**
3. Location. An accessory apartment shall be so located upon a lot to comply with all dimensional requirements of the zoning district for new construction. An apartment located within the perimeter of an existing (by location) non conforming dwelling, shall not be subject to such requirements. No apartment shall be located in a basement or cellar unless such basements or cellar constitutes a walk out basement. Additions for the purpose of an accessory apartment shall be made only above or to the side or rear of the principal dwelling.
4. Access. An accessory apartment shall have a minimum of one (1) separate external door access from the principal dwelling located on either the side or the rear of the principal dwelling. **The apartment has an exit to the rear of the dwelling, which is a separate access from the principal dwelling.**
5. Amenities. An accessory apartment shall contain separate amenities from the principal dwelling: kitchen facilities, full bath, electric panel with separate disconnect, telephone service. **These amenities are in place and separate from the principal dwelling.**

Exhibit C-1

6. Parking. In addition to the two (2) parking spaces required for the principal dwelling, two (2) off street parking spaces shall be provided for an accessory apartment in a designated location on the premises. Such spaces shall be on an area prepared to accommodate vehicle parking. ***There are 2 parking spaces available.***

42 3 General Provisions

In addition to the section above, the following general provisions shall apply:

1. Either the principal dwelling or accessory apartment shall be occupied by the owner of the premises at all times, excepting reasonable vacation absences.
2. Nothing shall prevent the owner of the premises from deed restricting aspects of the use of the apartment as long as such restrictions legally conform to any local, state or federal law or regulation.
3. There shall be no limitation on age of structure, time of ownership, or construction of additions to establish an accessory apartment, except as provided in this section.
4. All provisions of the State of Utah Building Code, as amended from time to time, including the securing of requisite building Land Use Permits, Building Permits, and certificates of occupancy, together with the requirements of all other applicable construction codes or regulations, shall be met to establish an accessory apartment.
5. The Fire Marshal shall review and approve any proposal to establish an accessory apartment to assure adequate fire safety.
6. The Morgan Weber Environmental Health Department or Sewer Service provider shall review and approve any proposal to establish an accessory apartment to assure the premises conforms to the minimum requirements for sewage disposal.

Exhibit C-2

NORTH SIDE (FRONT)

Apartment



Exhibit C-3



Exhibit C-4

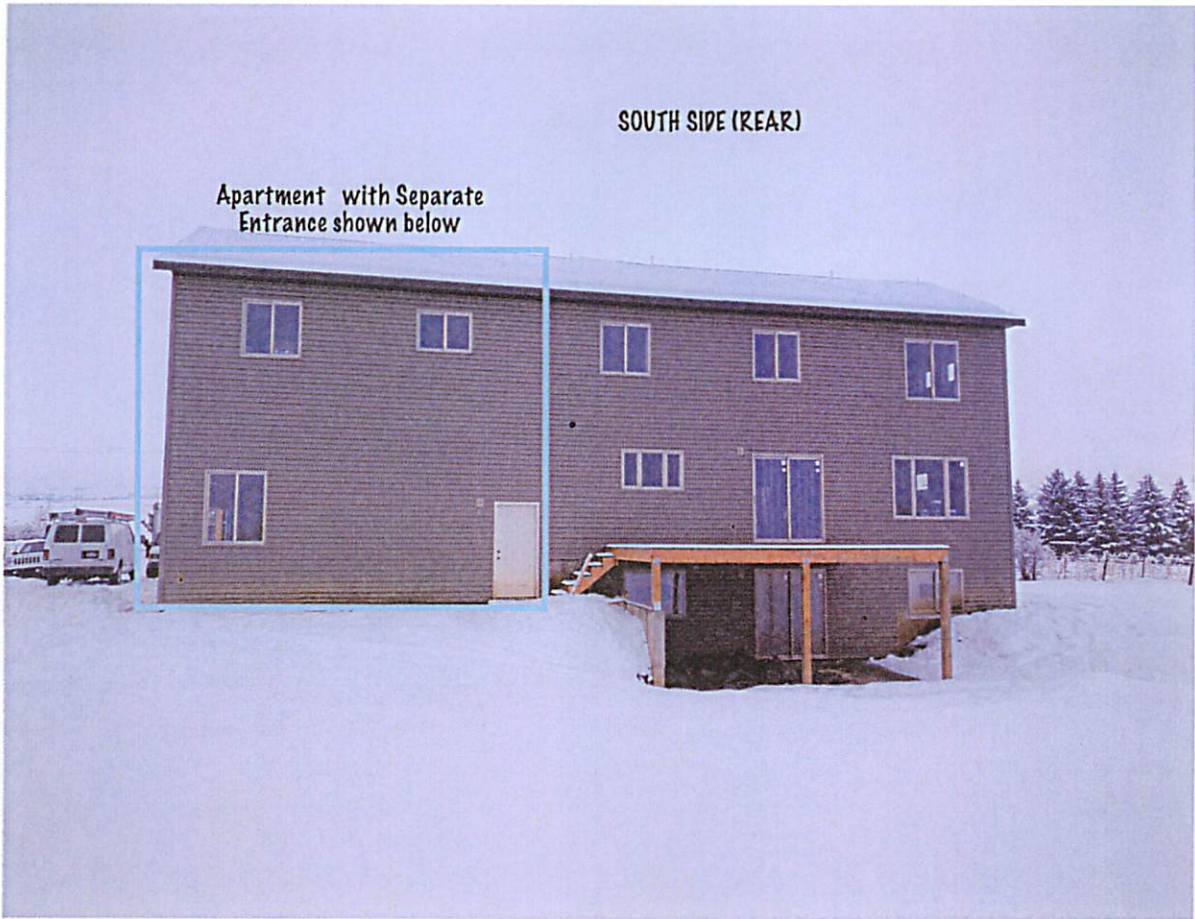


Exhibit C-5



Exhibit C-6

2016

JANUARY

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31						

FEBRUARY

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MARCH

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27	28	29	30	31		

CALENDAR KEY :

	Western Weber County Planning Commission
	Ogden Valley Planning Commission (1 st Tues. Work Session)
	Board of Adjustment (Scheduled only if a case is received)
	WACOG
	County Holidays
	Pay Days
	Agency Review Committee (ARC)

NOTES



Wed. Jan 20 – PC/BOA Annual Dinner

If a Primary Election is needed: June 28

APRIL

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MAY

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JUNE

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2016

JULY

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AUGUST

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SEPTEMBER

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25	26	27	28	29	30	

CALENDAR KEY :

	Western Weber County Planning Commission
	Ogden Valley Planning Commission (1st Tues. Work Session)
	Board of Adjustment (Scheduled only if a case is received)
	WACOG
	County Holidays
	Pay Days
	Agency Review Committee Meeting (ARC)

NOTES

★ Wed. Jan 20 – PC/BOA Annual Dinner

OCTOBER

S	M	T	W	T	F	S
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30	31					

NOVEMBER

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DECEMBER

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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



RULES OF ORDER
WEBER COUNTY PLANNING COMMISSIONS
November 19, 2013

A. ORGANIZATION

1. Appointment of Chair and Vice Chair

The Commission, at its first regular meeting in January of each year, shall select a Chair and Vice Chair who may be elected to succeed themselves for one additional term only.

2. Chair - Duties

(a) The Chair shall preside at all meetings of the Commission providing general direction for the meetings, assuring proper order of the Commission and public in all proceedings. Such duties shall include:

- i. Announcing the business before the Commission in the order in which it is to be acted upon;
- ii. Receiving and submitting in the proper manner all motions and propositions presented by the members of the Commission;
- iii. Putting to a vote all questions, which are properly moved, or necessarily arise in the course of proceedings and to announce the result thereof;
- iv. Informing the Commission, when necessary, or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon Legal Counsel for advice;
- v. Maintaining order at the meetings of the Commission;
- vi. Moving the agenda along, holding down redundancy, referencing handouts and procedures in a sensitive way during meetings;
- vii. Recognizing speakers and Commissioners prior to receiving comments and presentations of physical evidence, i.e., plans and pictures; and
- viii. Receiving documents or other physical evidence as part of the record.

(b) It shall be the duty of the Chair to authenticate by signature when necessary, or when directed by the Commission, all of the acts, orders and proceedings of the Commission.

(c) The Chair may rule out of order any comment which is irrelevant, personal, or not pertinent to the matter being heard.

3. Duties of the Vice Chair

The Vice Chair, during the absence of the Chair, shall have and perform all the duties and functions of the Chair.

4. Temporary Chair

In the event of the absence of, or disability of both the Chair and Vice Chair, the Commission shall elect a temporary Chair to serve until the Chair or Vice Chair so absent or disabled shall return, or the disability shall be removed, as the case may be. In such event, the temporary Chair shall have all the powers and perform the functions and duties herein assigned to the Chair of the Commission.

5. Secretary - Duties

The Planning Director or his designee shall serve as secretary of the Commission. The secretary shall have the following duties:

- (a) Give notice of all Commission meetings as hereinafter provided; attend every meeting of the Commission, to record for the record all members in attendance, to read communications, resolutions and other papers which are ordered to be read by the Chair of the meeting, and to receive and bring to the attention of the Commission messages and other communications from other sources;
- (b) Keep the minutes of the proceedings of the Commission and to record the same;
- (c) Keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission; and
- (d) Perform such other duties as may be required by these rules.

B. CONDUCT OF MEMBERS OF THE COMMISSION

1. Addressing Members

Commission members shall be addressed as "Commissioner" or Mr. or Ms. and their last name.

2. Preparation

Members of the Commission shall take such time as necessary to prepare themselves for hearings and meetings. If members visit a site or have familiarity with a site, they shall disclose any observations.

3. Members Shall Attend Meetings

Every member of the Commission shall attend the meetings of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall call the same to the attention of the Chair. If a member of the Planning Commission is absent from three consecutive regular or work session meetings or four regular or work session meetings within a calendar year without being excused by the Chair, the Chair may recommend to the County Commission that the member be removed from the Commission for cause. A member may be removed from office for misconduct or failure to comply with attendance requirements by an affirmative vote of the majority of the County Commission.

Planning Commission members shall attend required training.

4. Conflict of Interest

A Planning Commission member with a conflict of interest in a matter before the Commission shall state that such a conflict of interest exists and withdraw from participation in the public hearing, work session or regular meeting on such matter. A member of the Planning Commission who feels he/she, or any other member of the Commission, may have a conflict of interest on any matter that is on the Commission agenda shall explain the possible conflict to the Commission. The Commission shall then vote to decide whether an actual, apparent, or reasonably foreseeable conflict of interest does exist, and whether the Commissioner should withdraw from participation and voting. If a Commissioner has a conflict of interest, that person shall not participate in the discussion and voting on that matter, nor attempt to use his/her influence with other Commissioners before, during or after the meeting. A Commissioner who has a conflict of interest shall leave the Commission Chamber during the time in which the matter in question is being discussed and voted upon.

(a) Disqualification

No member of the Planning Commission shall participate in the discussion of an application or vote on an application for any action when any of the following conditions exist:

- i. Any of the following have a direct or substantial financial interest in the proposal: members of the Planning Commission or the member's spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which the member is then serving or has served within the past two (2) years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
- ii. For any other reason, the member has determined that participation in the decision cannot be in an impartial manner.

(b) Disclosure of Potential Conflict of Interest

Whether or not he/she is disqualified, a public official shall disclose any potential conflict of interest as required by state law.

(c) Ex Parte Contacts

An ex parte contact is any communication with a party or person outside of a planning commission meeting regarding administrative applications. Commissioners are not to engage in these communications. Anyone speaking to Commissioners on administrative matters should do so at a regular meeting so their comments, concerns, and evidence are on the public record. Communications regarding legislative matters are generally permitted.

Planning Commission members shall reveal any pre-meeting or ex parte contacts with regard to administrative matters at the commencement of the public meeting on the matter. Prearranged private meetings between a Planning Commissioner and applicants, their agents, or other interested parties are prohibited. Partisan information on an application received by a Planning Commissioner whether by mail, telephone or other communication should be made part of the public record. If such contacts have impaired the member's impartiality or ability to vote on the matter, the member shall so state and shall abstain.

(d) Planning Commission Members Wishing to Give Comment

A member who desires to make comments at a meeting may do so only after declaring intent to comment, abstaining from voting on the proposal, and vacating the seat and physically joining the audience. Before commenting, the Commission member shall make full disclosure of his/her status and position at the time of addressing the Planning Commission and disclose that the person is commenting as an interested member of the public and not in his/her capacity as a member of the Commission; upon commenting the member shall leave the Commission Chamber during the time in which the matter in question is being discussed and voted upon. If a member is an applicant, he / she can fully participate in the matter.

(e) Gifts and Favors. Gifts and favors standards are found in UCA 67 16 5. No public officer or employee shall knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift, compensation or loan for themselves or another if it tends to influence them in the discharge of duties. Exceptions to this are: an occasional non-pecuniary gift, having a value less than \$50 or an award publicly presented in recognition of public service.

(f) Treatment of Information. Reports and official records of a public planning agency must be open on an equal basis to all inquiries. Planning advice should not be furnished to some unless it is available to all. All reports in an official meeting agenda are public information. Communication with planning staff members is not an ex parte contact and is allowed.

(g) Political Activity. Membership in a political party and contributions to its finances or activities are matters of individual decision that should neither be required of nor prohibited to Planning Commissioners. The extent of participation in political activities should be governed by professional judgment as well as limited by any applicable civil service law or regulation. The special position of a Planning Commissioner should not be used to obtain contributions or support for a political party and should not be used to obtain partisan favors.

C. MEETINGS

1. Place

Meetings of the Commission shall be held in the Weber County Commission Chambers on the first floor of the Weber Center Building, Ogden, Utah, 2380 Washington Blvd., Ogden. If the Chambers is not available on those dates, then the meeting may be held in another room of the Weber Center Building or at such other place in Weber County as the Commission may designate. A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within Weber County for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place.

2. Regular Meetings

Regular meetings of the Western Weber Planning Commission shall be held on the second Tuesday of each month at 5:00 p.m. Field trips may be held on the second Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

Regular meetings of the Ogden Valley Planning Commission shall be held on the fourth Tuesday of each month at 5:00 p.m. Field trips may be held on the fourth Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

The date of the regular meeting may be changed by the majority of the total membership of the Planning Commission provided at least one week notice is given each member of the new date of a regular meeting.

3. Special Meetings

A special meeting may be called at any time by the Chair or by a majority vote of the Commission at any regular meeting of the Commission. Notice shall be given to each Commission member of the time and purpose of every special meeting of the Commission at least twenty four (24) hours prior to such meeting. Such notice shall be delivered to each member of the Commission personally, or may be given by telephone to the member of the Commission. Such notice may also be given by United States Mail, directed to the member of the Commission so to be notified at the member's residence and mailed not less than three (3) days prior to the time fixed for such special meeting. It is specifically provided, however, that any member may, in writing, waive prior notice of the time, place and purpose of such meeting; and such waiver, if made, shall be deemed a waiver of prior notice of the time and purpose thereof.

4. **Meetings - Matters Considered**
Any matter pertaining to the affairs of the Planning Commission and falling within the authority and jurisdiction of the Commission may be considered and acted upon at any regular meeting of the Commission.
5. **Quorum**
Four members of the Commission shall constitute a quorum thereof for the transaction of all business except where unanimous consent of all members is required. An abstaining or disqualified member of the Planning Commission shall not be counted as if present for purposes of forming a quorum. Except as otherwise specifically provided in these Rules, a majority vote of the Commission members present at a meeting shall be required and shall be sufficient to transact any business before the Commission. If a quorum is not present, the Chair shall call the meeting to order, announce the lack of a quorum, and adjourn the meeting.
6. **Work Sessions**
A regular work session of the Western Weber Planning Commission shall be held on the second Tuesday of each month at the hour of 5:00 p.m.

A regular work session of the Ogden Valley Planning Commission shall be held on the first Tuesday of each month at the hour of 5:00 p.m.

Work sessions may be held as part of a regular Commission meeting or called in the same manner as a special meeting in order for the Commission to discuss matters at greater length or to obtain additional background information. The Commission shall take no vote during such work session, except to give directions to Staff regarding the presentation of options for future consideration.
7. **Open Meetings Law**
All meetings of the Planning Commission shall be open to the public. All meetings of the Planning Commission shall be noticed in conformance with the requirements of the Open and Public Meetings Law of the State of Utah.
8. **Length of Meetings**
At 8:30 p.m. the Planning Commission will finish the item presently being considered. All items remaining to be heard will be forwarded to the next agenda for consideration.

D. PROCEDURE - ORDER OF BUSINESS

1. **Order of Business**
The order of business in the Commission shall be as follows:
 - (a) Chair opens the meeting and welcomes those in attendance
 - (b) Pledge of Allegiance
 - (c) Roll call. At all meetings before proceeding to business, the roll of the Commission members shall be taken and the names of those present and those absent shall be entered on the record.
 - (d) Approval of minutes of prior meetings
 - (e) Planning Director reads opening meeting statement
 - (f) Chair asks commissioners if there are any exparte communications or conflicts of interest to disclose
 - (g) Consent Agenda
 - (h) Petitions, Applications and Public Hearings
 1. Administrative Items

- a. Old Business
- b. New Business
- 2. Legislative Items
 - a. Old Business
 - b. New Business
- (i) Public Comment for Items not on the Agenda
- (j) Planning Commission Remarks
- (k) Planning Director Report
- (l) Legal Counsel Remarks
- (m) Chair Adjourns Meeting

2. Agenda for Meetings

The secretary shall prepare a written agenda for each meeting as far in advance thereof as possible. The secretary shall make every effort to deliver the agenda, along with Staff Reports and related documents, to the members of the Commission at least seven (7) days in advance of a regular meeting.

3. Deadline for Agenda

Requests to be on a Planning Commission agenda shall be filed thirty (30) days prior to consideration by the Planning Commission. The Planning Staff shall certify completeness of requests. Certified requests which have been filed in a timely manner shall be placed on the agenda. The deadline may be waived by the Planning Director if he/she determines that good cause exists for waiving the deadline, the application is complete, and determined that Staff has sufficient time to analyze the request, adequately prepare a Staff Report and give proper notice.

4. Special Order of Business

The Commission may suspend the rules as to the order of business, or return to an order already passed, on a motion supported by a majority of the members present.

E. ORDER AND DECORUM

1. Order of Consideration of Items

The following procedure will normally be observed in a public hearing or other matter before the Commission; however, it may be rearranged by the Chair for individual items, if necessary, for the expeditious conduct of business:

- (a) Chair introduces item;
- (b) Abstentions, conflicts of interest and challenges are entertained and any declaration of conflicts of interest and ex parte contacts;
- (c) Staff makes a presentation on the criteria, standards, and recommendations;
- (d) Applicant or applicant's agent presents evidence for the proposal;
- (e) Any opponents and/or proponents may comment;
- (f) Planning Commission members may question staff, applicant, or opponents on all the above;
- (g) Applicant's rebuttal if requested;
- (h) Closing of the public hearing, if applicable;
- (i) Concluding comments of Staff or Staff summary and recommendations;
- (j) Motion is made and seconded; the Planning Commission discusses the item and votes. Members are allowed to openly discuss the proposal and may further question any party appearing for or against the proposal as necessary, but generally questions should

asked while the public hearing is open. The Chair outlines possible actions: approval, disapproval, continue, or approval with conditions.

2. Consideration of Items

All parties shall have an opportunity to be heard, to present and rebut evidence before an impartial tribunal, to have the proceedings recorded, and to have a decision rendered in accordance with the facts on record and the law.

The Chair of the Planning Commission shall have authority to:

- (a) Regulate the course and decorum of the meeting.
- (b) Dispose of procedural requests and similar matters.
- (c) Set reasonable time limits for individual public input, oral presentations, questions, and rebuttal information.
- (d) Question any person appearing, and allow other members to question any such person.
- (e) Waive, at his/her discretion, the application of any rule herein where the circumstances of the hearing indicate that it would be expedient and proper to do so, provided that such waiver does not act to prejudice or deny any party his/her substantial rights as provided herein or otherwise by law.
- (f) Take such other action as authorized by the Planning Commission to appropriately conduct the hearing.

A ruling of the Chair may be challenged by any member of the Planning Commission present at the hearing. The challenge must be seconded. A ruling may be reversed by a majority of the members present and voting. A tie vote upholds the Chair's decision.

3. Time Limits

The Chair may impose equitable time limits, if deemed necessary for the expeditious conduct of the public hearing.

4. Conduct of Persons before the Commission

Proceedings shall at all times be orderly and respectful. The Chair may refuse to recognize or exclude from the hearing anyone who:

- (a) Is disorderly, abusive, or disruptive.
- (b) Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing.
- (c) Comments without first receiving recognition from the Chair and stating his/her full name and residence.
- (d) Presents irrelevant, immaterial, or repetitious evidence.

Persons making presentations or providing comments to the Planning Commission shall address the Commission from the podium or microphone and not from the audience; shall address all comments to the Planning Commission; and may not directly question or interrogate other persons in the audience.

F. PROCEDURE - MOTIONS

1. Making of Motions

Upon review of the full public record on a request and due deliberation among the members of the Planning Commission, any Planning Commissioner, except for the Chair, may make a motion; however, any Planning Commissioner may second a motion. The motion shall include not only the direction of the motion, but shall also include the recitation of specific findings of fact

supporting such motion. A second shall be required for each motion citing compatible findings. Other members of the Commission may support the motion adding compatible findings. A motion shall die in the absence of a second. Discussion of the motion should not take place until it has been seconded and the Chair has stated the motion and called for discussion.

2. Withdrawing or Modifying a Motion

- (a) When a motion has been made but not yet stated by the Chair, whether or not it has been seconded, it can be withdrawn or modified by the mover if the member simply says, "Chair, I withdraw the motion."
- (b) If the mover wishes to modify his/her motion, he/she should specify the modification. Any member may suggest that the mover withdraw or modify his/her motion, but only the mover may do so.
- (c) If a motion is modified before being stated by the Chair, the second may withdraw his/her second.
- (d) After the Chair states a motion, it is the property of the Commission. It can be withdrawn or modified at any time before voting by a majority vote to withdraw or modify.

3. Motions in Order During Debate

When a question is under debate, no motion shall be received except:

- (a) To fix the time to adjourn;
- (b) To adjourn;
- (c) To continue, table, or postpone indefinitely to a specified time;
- (d) To amend; to substitute;
- (e) Refer to committee;
- (f) Previous question (immediately close debate);
- (g) Limit or extend limits of debate;
- (h) Take a recess;
- (i) Call for orders of the day;
- (j) Suspension of the rules;
- (k) Appeal rulings by the Chair;
- (l) Reconsider an undebatable motion.

4. Motion must be Germane

No motion or proposition on a subject different from that under consideration is in order and no such motion or proposition shall be admitted under color of amendment.

5. Motions to Deny

Where a motion to deny a request has been defeated, a member of the Commission shall make another motion to dispose of the issue.

6. Substitute Motions

A motion to amend by striking out an entire section or paragraph of a main motion and inserting a different section or paragraph is called a motion to substitute. Substitute motions shall supersede the main motion upon receiving the approval of a majority vote.

7. Amendments

All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance. All amendments to the main motion require a second. If any amendment is offered, the question shall be first upon the amendment. An amendment may be tabled without prejudice to the main motion or question. When an amendment is proposed to any pending

measure shall be laid on the table, such action shall not carry with it or prejudice such measure. If any amendment be offered, the question shall be first upon the amendment.

8. Friendly Amendments

A Commissioner may make a friendly amendment without a formal motion with unanimous consent of the members present. Typically, such motions are appropriate for clean-up items or an issue discussed but inadvertently neglected by the maker of the motion.

G. PROCEDURE - RECONSIDERATION

1. Motion to Reconsider

A motion to reconsider must be made in the same meeting as the motion that was voted on. It can only be made by a member who voted on the prevailing side and must be seconded. Any Commission member, regardless of vote on the main motion, may second the motion. It is a debatable motion. It can be made to a vote that was either affirmative or negative. This type of motion proposes no specific change in a decision but simply proposes that the original question be reopened. It requires a majority vote and cannot be reconsidered.

H. PROCEDURE - DEBATE

1. Interruptions and Questions

No member of the Commission shall interrupt or question another Commissioner without obtaining the Commissioner's consent. To obtain such consent, the Chair shall be addressed requesting to interrupt or ask a question; e.g., "Chair (name) I would like to ask Commissioner (name) a question or make a comment." The Commissioner speaking has the discretion to allow an interruption.

I. PROCEDURE - VOTING

1. Roll Call on Final Passage

The vote upon the final passage of all business shall be by aye (yesses) and nay (no's) given by members of the Commission by voice vote. In recording votes on roll call, the secretary shall record and report those absent or not voting. The Chair shall announce the result.

2. Minute Approval

The Chair shall ask the Commission if they have had the opportunity to read the minutes and if there are any additions or corrections. Upon hearing from the Commission the Chair shall declare the minutes approved either as presented or amended. If the Commission has not had an opportunity to review the minutes, approval shall be postponed to the next regular meeting.

3. Voting or Changing Vote Before Decision Announced

On any such vote any member may change his/her vote before the decision of the question has been announced by the Chair unless the member has the permission of the Planning Commission by general consent or motion if a member objects.

4. Voting or Changing Vote After Decision Announced

When a vote is taken on roll call on any question, no member shall be permitted to vote or to change his/her vote after the decision is announced by the Chair.

5. **Commission Members Required to Vote - Late Voting**
No member may abstain from voting unless there is a conflict of interest except as noted below. A member entering the Chamber after the question is put and before it is decided, may have the question stated, record his/her vote and be counted. A member who has not been present during the discussion of any matter and feels he/she has insufficient information on which to act may abstain.
6. **Tie Votes**
If a motion regarding any matter before the Commission receives an equal number of votes in the affirmative and in the negative, the motion fails. The Commission shall continue to make motions until a majority vote is obtained. The option of continuing an item with the possibility that an odd number of members of the Commission would be at a subsequent meeting may be considered.
7. **Explaining Vote**
After the vote is taken, any member of the Commission desiring to explain his/her vote shall be allowed an opportunity to do so.
8. **Not to Vote Unless Present**
No member of the Commission shall vote on any question unless the member shall be present when the vote is taken and when the result is announced. No member shall give his/her proxy to any persons whomsoever.

J. DOCUMENTS OF THE COMMISSION

1. Any and all materials submitted to the Planning Commission regarding a request shall be entered into the public record by the Chair by indicating that the material is "accepted for the record;" provided, however, that the Staff Report submitted to the Planning Commission as part of the agenda shall automatically become part of the public record.
2. All notices, agendas, requests, agency or consultant letters or reports, Staff Reports, minutes of meetings, and resolutions of record shall constitute the documents of the Planning Commission and shall be indexed as public record.

K. AMENDMENT

These Rules of Order may be amended at any meeting of the Commission held after not less than fourteen days written notice of the proposal to amend the Rules, upon a majority vote of all the members of the Commission.

Adopted Rules of Order may be amended at any regular meeting by a vote of the majority of the entire membership; or if the amendment was submitted in writing at the previous meeting, then they may be amended by a two-thirds vote of those voting, a quorum being present.

L. RECORDING OF RULES - COPIES TO BE FURNISHED

These Rules, and all subsequent amendments thereto, shall be recorded by the secretary in the book kept for the recording of such business and shall be furnished to each member of the Commission.

Effective Date:

_____, Chair
Ogden Valley Planning Commission

_____, Chair
Western Weber Planning Commission