

# COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING AGENDA

October 4, 2023



Notice is hereby given that the **Cottonwood Heights Administrative Hearing Officer** will convene on **Wednesday October 4, 2023**, at **Cottonwood Heights City Hall** (2277 E. Bengal Blvd., Cottonwood Heights, UT 84121) for an **Administrative Hearing**.

The meeting will begin at **12:00 p.m.** in the City Hall Room 5 (Council Chambers).

## **12:00 p.m. ADMINISTRATIVE HEARING MEETING**

### **1.0 Business Items**

#### **1.1 Project CUP-23-010 (Revised)**

Request from Vizion Construction and Landscape, LLC for conditional use approval of construct a four-foot fence on top of a previously approved eight-foot retaining wall (total height of 12 feet) along the west and a portion of the north property line at 7834 S. Danish Pine Ln.

### **2.0 Consent Agenda**

#### **2.1 Approval of Administrative Hearing Officer Minutes from October 4, 2023**

*(The Administrative Hearing Officer will approve the minutes of the October 4, 2023 meeting after the following process is met. The City Recorder will prepare the minutes and email them to the Hearing Officer. The Hearing Officer will have five days to review the minutes and provide any changes to the Recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until the changes are made and the hearing officer is in agreement, at which time the minutes shall be deemed approved.)*

### **3.0 Adjourn**

## **Meeting Procedures**

Items will generally be considered in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Each speaker during the public hearing will be limited to three minutes.
4. Close Public Hearing
5. Administrative Hearing Officer Deliberation
6. Administrative Hearing Officer Decision

Administrative Hearing applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Hearing Officer feels there are unresolved issues that may need further attention before the Officer is ready to make a decision. The Hearing Officer may carry over agenda items to the next regularly scheduled meeting.

## **Submission of Written Public Comment**

Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department no later than 12:00 p.m. MDT on Tuesday, October 3, 2023, a day before the meeting. Comments should be emailed to [Planning@ch.utah.gov](mailto:Planning@ch.utah.gov). After the public hearing has been closed, the Community and Economic Development Department will not accept any additional written or verbal comments on the application.

**Notice of Compliance with the Americans with Disabilities Act (ADA)**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801) 944-7021 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

**Confirmation of Public Notice**

On Wednesday, September 27, 2023, a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at [www.cottonwoodheights.utah.gov](http://www.cottonwoodheights.utah.gov) and the Utah public notice website at <http://pmn.utah.gov>.

DATED THIS 27 DAY OF SEPTEMBER 2023

Attest: Paula Melgar, City Recorder

# COTTONWOOD HEIGHTS CITY ARCHITECTURAL REVIEW COMMISSION STAFF REPORT



October 4, 2023

## Summary

**Project #:**

CUP-23-010 (Revised)

**Subject Property:**

7834 S. Danish Pine Ln.

**Action Requested:**

Conditional Use Wall Height  
Extension

**Owner:**

Kevin Hughes

**Applicant:**

Vizion Construction and  
Landscape, LLC

**Recommendation:**

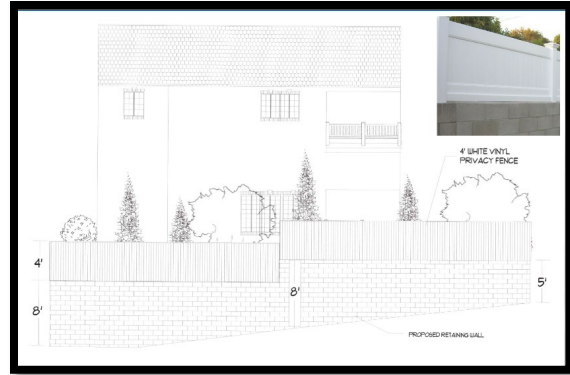
Approve, with conditions



*This aerial image shows the subject property in context of the neighborhood. The blue line shows the location of the proposed wall height extension. Red lines show the other property lines of the home.*

## Applicant's Proposal

The applicant proposes the construction of a four-foot fence on top of a previously approved eight-foot retaining wall (total height of 12 feet) along the west and a portion of the north property line. The Administrative Hearing officer previously approved the eight-foot retaining wall at the August 2 meeting. The four-foot fence is requested because the applicant's lot slopes down from the foundation to the property line. The elevation change is eight feet in height over a width of twenty-five feet. The amended application to install a four-foot fence will help block radiant light between their neighbors and provide more privacy and safety. This retaining wall and fence, standing at a combined height of twelve feet, further enhances and creates some family activities space and privacy in the backyard.



### **Existing retaining wall/Fence**

- *Approved eight-foot retaining wall.*

### **Proposed Fence**

- *Four-foot white vinyl fence on top of a previously approved eight-foot retaining wall (total height of 12 feet)*
- *Four-foot fence provides added privacy and safety.*

## Background

### **Zoning**

The zoning designation of the property is R-1-10 (Residential Single-Family). Fences and walls may be allowed to a maximum height of eight feet in any zone as a conditional use, and up to twelve feet as a conditional use with neighbor consent, as outlined in section 19.76.050.E CH Code.

**As this proposal requests twelve feet, signed consent from adjacent neighbors is required.**

**Conditional use.** *Fences in the side and rear yards may be erected to a maximum height of twelve feet as a conditional use upon a clear and convincing showing by the property owner in accordance with subsections (a) and (b) below:*

- The existence of unique or special circumstances of a natural, material and adverse nature relating to the property that will be substantially minimized or eliminated by the increased height of the requested fence; and*
- That erection of such a fence is the most reasonable solution under the circumstances. Any such conditional use permit may be granted by the director or his designee following an administrative hearing preceded by all required notifications. A building permit shall be required for all fences approved as a conditional use.*

**Neighbor consent.** *Side and rear yard fences may exceed eight feet in height to a maximum height of 12 feet in cases where the applicant has neighbor consent, and has received conditional use approval in accordance with subsection 19.76.050(E)(3).*

## Impact Analysis

**Staff Analysis: Staff find the increased wall height proposed by this application to be reasonable to create some usable space for family activities and provide more privacy. Staff recommends a condition of approval that the applicant needs to finish the impacted drainage system permit application process.**

### Noticing

Property owners within 300 feet of the subject property have been mailed notices. Notices were mailed, as well as posted on noticing websites and the City Hall bulletin board, on September 22, 2023.

### Conditional Use Permit Determining Criteria

Staff has found enough evidence that the standards for the issuance of a conditional use permit have been satisfied (see Section 19.84.080 CH Code).

## Findings For Approval

1. There is clear and convincing evidence shown by the property owner relating to privacy will be substantially minimized or eliminated by the implementation of the requested wall and fence combination; (19.76.050.E.1.e)
2. That construction of such wall and fence is the most reasonable solution under the circumstances. The additional fence height is necessary to ensure mitigation of aforementioned issues.
3. The conditional use permit is granted by the director or his designee following an administrative hearing preceded by all required notifications. (19.76.050.E.1.b)
4. The evidence presented with the proposed conditional use has been found to be compliant with the requirements of section 19.84.080 (Conditional Uses – Determination) and section 19.76.050.E (Miscellaneous – Fences).
5. There is sufficient evidence that the standards for the issuance of a conditional use permit as outlined in Section 19.84.080 CH Code have been satisfied.
6. The applicant has obtained the requisite signed neighbor consent forms for walls/fences over 12 feet in height.

## Recommended Conditions Of Approval

1. A building permit and all necessary inspections shall be obtained and completed.

2. The building permit will clearly state materials, design, landscape plan and shall not exceed a total height of twelve feet from existing grade.
3. The conditional approval is specific to the fence and does not include the hot tub and outdoor court lighting shown on the plan. These improvements need a separate building permit as applicable.
4. Applicant needs to finish the impacted drainage system permit application process and record it with Salt Lake County.

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## Model Motions

### **Approval**

I move to approve item CUP-23-010 (Revised) pursuant to the conditions of approval outlined in the item's staff report

- Add any additional conditions of approval...

### **Denial**

I move to deny item CUP-23-010 (Revised) based on the following findings..."

- List reasons for denial...

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## Attachments

1. Existing conditions
2. Proposed layout
3. Proposed materials



COMMON NAME	QTY	SIZE
FLOWER GRASS	34	1 GAL
FESTUCE - SILVIA BLUE	23	1 GAL
GRASS, FEATHERS & FEATHER REED	7	1 GAL
GRASS, PEARL FOUNTAIN	7	1 GAL
FLOWER PERENNIAL		
DANTLY, STELLA D'ORO	27	1 GAL
DANTLY, BATH'S PINK	11	1 GAL
HERSCOLS, BIG RED	1	5 GAL
HERSCOLS, WHITE CHIFFON	3	5 GAL
HERSCOLS, SILVER VAREGATED SWEET	15	1 GAL
SHRUB, DECIDUOUS		
BURGESSY, CHERRY BOMB	11	5 GAL
ROSE, APRICOT DRIFT	6	5 GAL
ROSE, DOUBLE KNOCKOUT, RED	3	5 GAL
ROSE, DRIFT PEACH	4	5 GAL
ROSE, ICEBERG, WHITE FLOREINDA	5	5 GAL
SHRUB, EVERGREEN, IRIDIOLIFLOR		
BONWOOD, LILITER GEM	6	5 GAL
COTONEASTER, BEAVERBERRY, LOUIE AST	1	5 GAL
ELON, DOG, HANLON	7	5 GAL
ELON, DOG, SANDERSON	3	5 GAL
AUREN, DOG, OTTO LUKKEN	3	5 GAL
MAHONIA, OSBENTON	12	5 GAL
YELL, QUERQUONA CAPITATA	12	5 GAL
YELL, HICKS	6	5 GAL
TREE, DECIDUOUS		
ASH, HANCOCKIAN	1	2"
CHERRY, CANADA RED - CLIPP	3	2"
CRABAPPLE, SPRING SNOW	1	2"
LOCUST, SKITLINE	1	2"
HAWK, KORILATI	3	2"
SUNLAC, HIGER EYE	7	5 GAL
TREE, EVERGREEN		
CEDAR, ATLAS, COLUMNAR BLUE	2	10"
CEDAR, BLUE ATLAS	3	10"
CEDAR, DEODAR 2	4	10"



**HUGHES RESIDENCE LANDSCAPE PLAN 5**  
**7834 S DANISH PINES LANE**

SCALE 1/8" = 1'  
 11" X 17" SHEET

1667 SQUARE FEET LANDSCAPE AREA  
 1790 SQUARE FEET HARDSCAPE AREA  
 (PICKLEBALL COURT AND PATIO)  
 2300 SQUARE FEET LAWN AREA - 30% LANDSCAPE AREA  
 NO LAWN ON ANY SLOPE GREATER THAN 25%

NOTES:  
 NET ARI 1/2" DRIP LINE FOR ALL PLANTER AREAS  
 RAINBIRD 18/04 5AMP POP UP FOR ALL LAWN AREAS  
 WITH MPR NOZZLES  
 RAINBIRD ESP CONTROLLER WITH WIFI AND RAIN SENSOR  
 PLANTER BEDS TO RECEIVE 3" WOOD FIBER MULCH

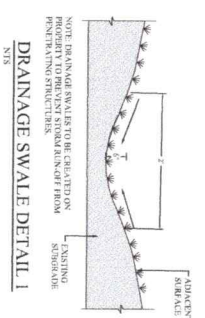
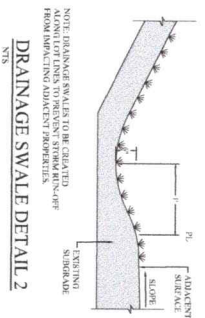
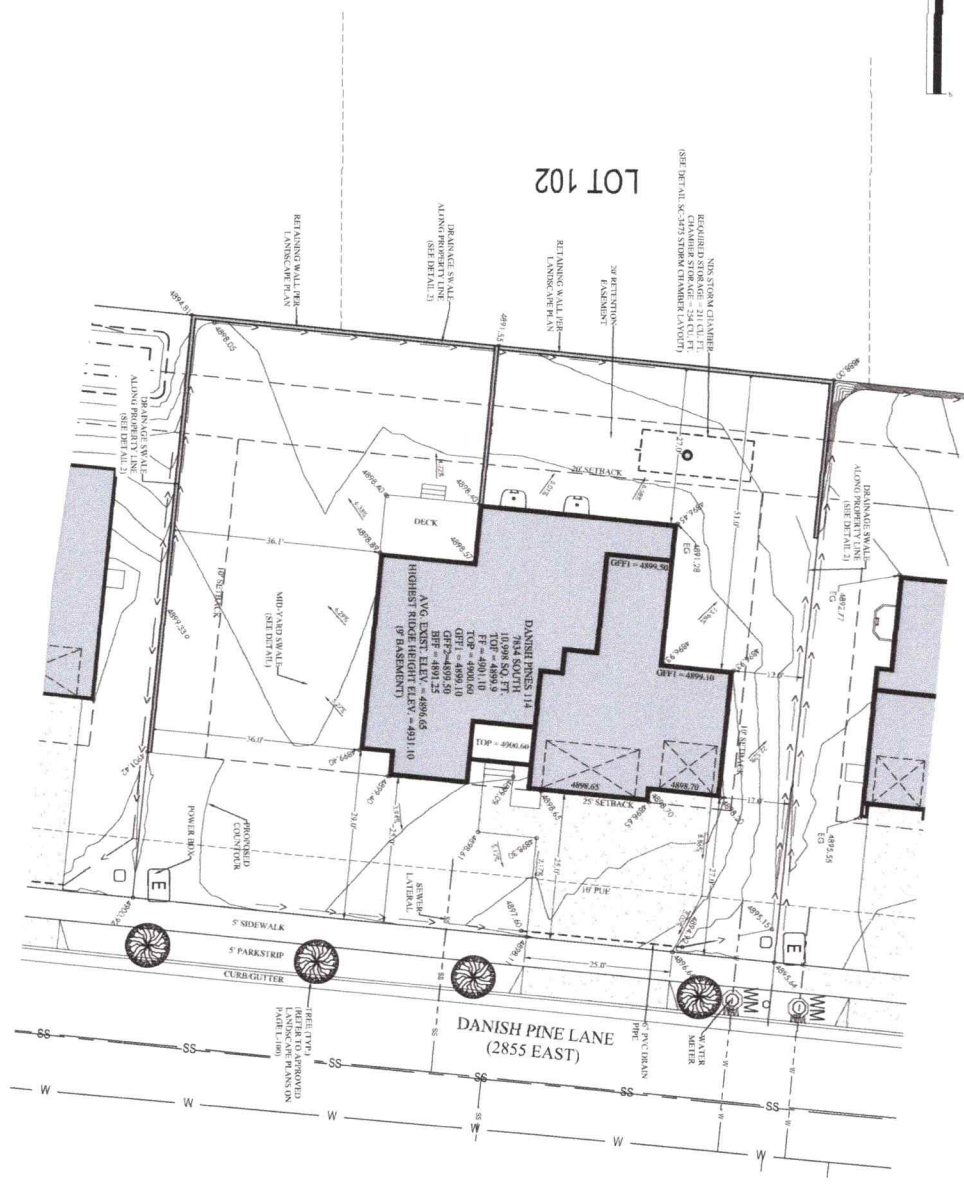


white vinyl fence. Our proposal is for this color and style at 4' height



# HUGHES RESIDENCE - REAR ELEVATION WITH FENCE

7834 SOUTHDAY "SH PINES LANE



**LEGEND:**  
 FF - FINISHED FLOOR  
 GF - GARAGE FLOOR  
 GP - GARAGE FLOOR  
 GR - GRAVEL FLOOR  
 GS - GRAVEL FLOOR  
 GR - GRAVEL FLOOR

**SETBACKS:**  
 FRONT - 25'  
 SIDE - 5'  
 REAR - 25'

**NOTES:**

- DRAINAGE SWALES SHALL BE INSTALLED ALONG ALL PROPERTY LINES TO BE SERVED.
- ALL SWALES SHALL BE CONSTRUCTED TO A MINIMUM OF 2% SLOPE AWAY FROM THE PROPERTY TO BE SERVED.
- ALL SWALES SHALL BE CONSTRUCTED TO A MINIMUM OF 7" ABOVE FINISHED GRADE.
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**REVISION BLOCK**

#	DATE	DESCRIPTION
1	04/12/22	Updated title plan with correct address, stamp by licensed engineer, street names, & highest neighbor elevation. - DJM
2		
3		
4		
5		
6		

**SITE PLAN**

Scale: 1" = 10'

Date: 04/22/2021

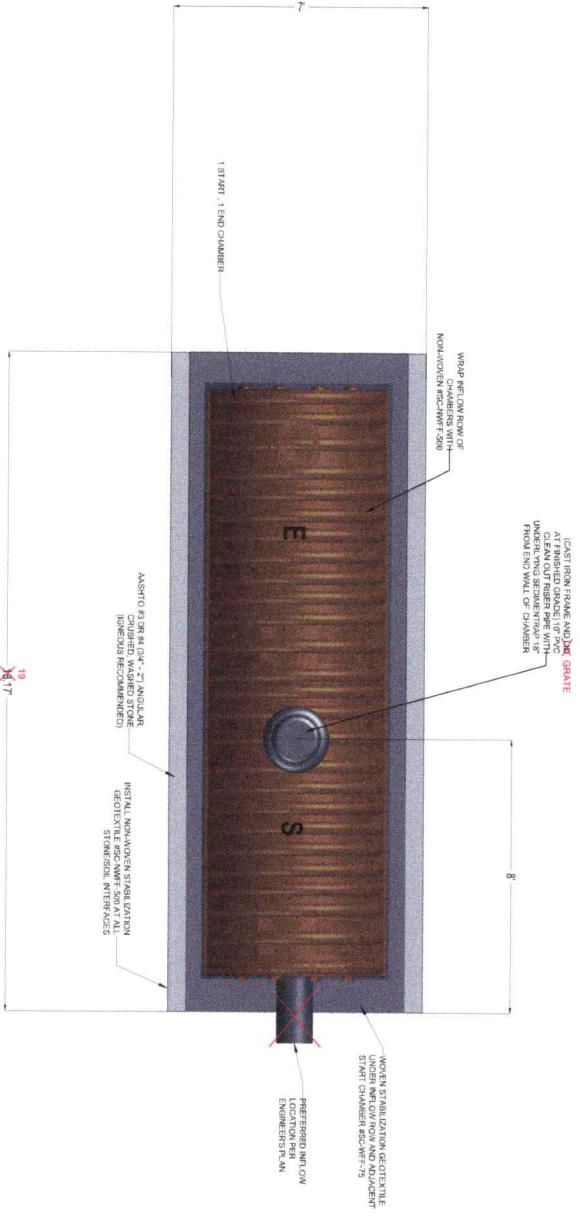
Sheet: 11 of 18

SP-1

**DANISH PINES LOT 114**  
 7834 SOUTH DANISH PINE LANE  
 COTTONWOOD HEIGHTS, UT  
**SITE PLAN**

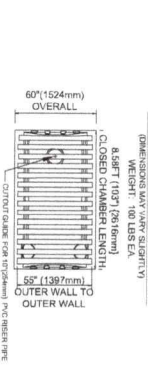
**FOCUS**  
 ENGINEERING AND SURVEYING, LLC  
 6949 S. HIGH TECH DRIVE, SUITE 200  
 MIDVALE, UTAH 84047 PH: (801) 355-0075  
 www.focusutah.com

**PLAN VIEW**

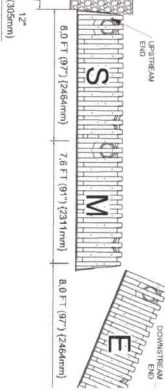
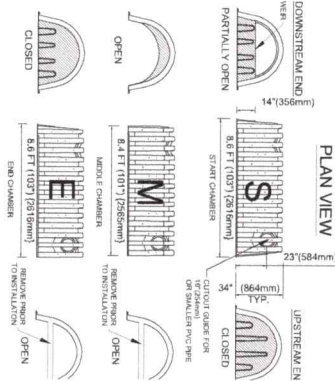


CHAMBER PART	WIDTH (ft/in)	HEIGHT (ft/in)	WEIGHT (LBS)	LENGTH (ft/in)	INSTALLED STORAGE VOLUME (cu ft)	INSTALLED STORAGE VOLUME (cu ft) @ 1.5'
START	60(1524)	34(864)	100	103(2618)	97(2464)	79(2021)
MIDDLE	60(1524)	34(864)	100	101(2565)	97(2464)	79(2021)
END	60(1524)	34(864)	100	103(2618)	97(2464)	79(2021)
6\"/>						

**SC-3475 DIMENSIONS**



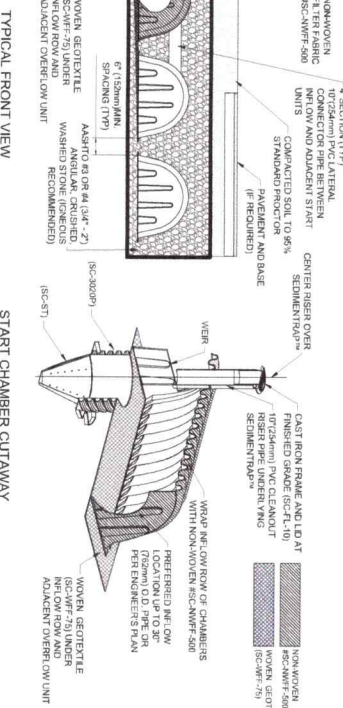
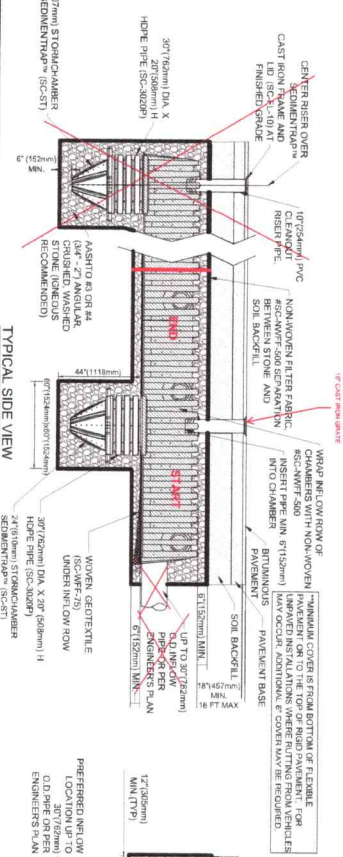
**DELIVERY LENGTHS ELEVATION VIEW**



- NOTES**
1. START CHAMBERS (CLOSED AT THE SIDE PORTAL END)
  2. ARE PLACED AT THE NE LOW END OF THE ROWS
  3. AND END ROWS WITH END CHAMBERS
- PLACE FIRST END OF THE NEXT CHAMBER IN THE ROW OPEN FROM THE NEXT CHAMBER IN THE ROW
- INSTALLED LENGTHS ELEVATION VIEW**

**MATERIAL LIST**

DESCRIPTION	STOCK CODE	QTY	LN
CHAMBERS AND ACCESSORIES:			
START CHAMBER	SC-3475-S-0	1	EA
MIDDLE CHAMBER	SC-3475-M-0	N/A	EA
END CHAMBER	SC-3475-E-0	1	EA
CLOSED CHAMBER	SC-3475-C-0	N/A	EA
NON-WOVEN GEOTEXTILE 4oz	SC-WF-40	95	SC
NON-WOVEN GEOTEXTILE 2oz	SC-WF-20	95	SC
WOVEN STABILIZATION GEOTEXTILE	SC-WF-75	1	EO
3\"/>			



PROJECT NAME : RESIDENCE CHAMBER SYSTEM  
 PROJECT LOCATION : UTAH

PROJECT # :  
 DATE: 2/20/22  
 DRAWN BY: ASH



SC-3475 STORMCHAMBER LAYOUT  
 MEETS OR EXCEEDS ASTM D1242 AND ASTM 2797  
 MEETS OR EXCEEDS H-20, H-25 AND H-30 LIVE LOADS PER ASTM D1393 SECTION 12

STORMCHAMBER DESIGN CALCULATOR

Project Name: RESIDENCE CHAMBER SYSTEM 2

Engineer: NDS  
Location:  
Date: 2/7/2022

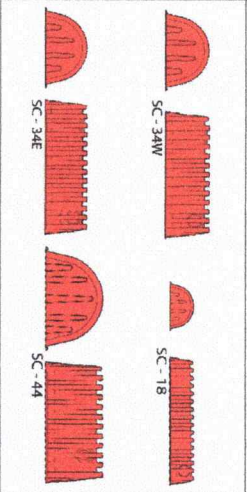


Please note, while the SC-44 and SC-18 are available in all locations the SC-34W only ships from the West Coast of the US while the SC-34E only ships from the East Coast of the US.

ENTER SYSTEM PARAMETERS

Choose Measurement Type	Imperial
Required Storage Volume	250 ft <sup>3</sup>
Choose the Chamber Model	SC-34E
Choose Design Constraint	
Design Constraint Dimension	Width
Stone Above Chambers (min, 6 inches; max, 192 inches)	7 ft
Stone Below Chambers (min, 6 inches)	6 in
Total Cover Over Chambers (min, 18 inches; max, 192 inches)	18 in
Stone Void (Industry Standard is 40%)	40 %
Desired Number of Layers	
Space between each layer (min, 12 inches)	Number of Rows Desired
Maximum Number of Rows Based on Constraint Dimension	1
Space Between Each Row (min, 9 inches)	9 in
Number of Sediment Traps Desired	1
Minimum Suggested Number of Sediment Traps (per inflow row)	1
Do you need impervious liner to reduce infiltration?	no
Number of Inflow Rows	1

Trench depths beyond the range suggested may be achievable. For assistance please contact us at (888) 825-4716.



SYSTEM RESULTS

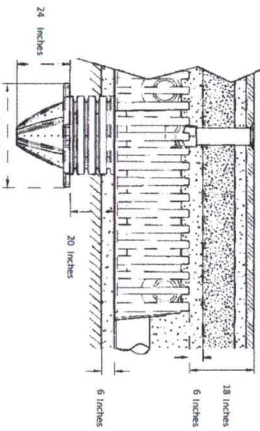
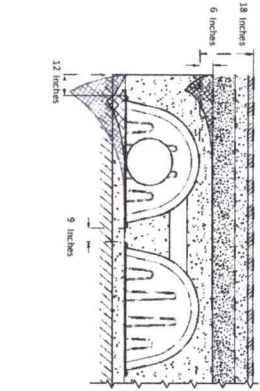
Total Chamber Storage Volume	155.20 Cubic Feet
Total Stone Storage Volume	132.91 Cubic Feet
Installed System Storage Volume	288.11 Cubic Feet
Minimum Internal Storage of a Chamber	72.8 Cubic Feet
Minimum Installed Storage with Stone	103.54 Cubic Feet
Total Number of Chambers Required	2

*Try adjusting the number of rows until you are satisfied with the layout.*

SYSTEM LAYOUT	
Layer Length	18.17 ft
Layer Width	7 ft
Layer Depth	3.83 ft
Total Chambers in Layer	2

NO COVER	
Layer Length	6.52 ft
Layer Width	9 ft
Layer Depth	3.83 ft
Total Chambers in Layer	0
NO LAYER	
Layer Length	6.52 ft
Layer Width	9 ft
Layer Depth	3.83 ft
Total Chambers in Layer	0
NO LAYER	
Layer Length	6.52 ft
Layer Width	9 ft
Layer Depth	3.83 ft
Total Chambers in Layer	0

System Components	
Minimum Amount of Stone Required (34" x 24" concrete, recycled, angular stone or concrete only)	15,92 Cubic Yards
Volume of Escarpment Fill (including fill)	28,03 Cubic Yards
Non-woven Filter Fabric Required	52,04 Square Yards
Stabilization Fabric	1 Yards
Impervious Liner	0.00 Square Yards
Minimum Trench Length	18.17 ft
Minimum Trench Width	7.00 ft
System Depth	3.83 ft
Trench Depth	4.83 ft
Minimum Bed Size Required	127.17 Square Feet



PROJECT NAME : RESIDENCE CHAMBER SYSTEM 2  
PROJECT LOCATION :

PROJECT # :  
DATE: 2/20/22  
DRAWN BY: ARH  
REVISION:



SC-3475 STORMCHAMBER CALCULATOR  
MEETS OR EXCEEDS ASTM F2922 AND ASTM F2781  
MEETS ASHFTO HS-20, HS-25 AND HS-31 LIVE LOADING PER ASHFTO LRFD SECTION 12