



**Board of Adjustment  
Staff Report  
Building Permit Appeal  
Hearing Date: November 21, 2019**

**ITEM 1** Jane Loftus requests an Appeal of an Administrative Decision regarding a building permit for a deck, located at 326 W 4620 N in the R2PD Zone. **Riverbottoms Neighborhood.** Robert Mills (801) 852-6407 PLABA20190279

**Applicant:** Jane Loftus

**Staff Coordinators:** Robert Mills and Marcus Draper

**Property Owners:** Jeffry and Cheryl Flake

**Parcel ID#:** 401030015

**Current Zone:** R2PD Zone

**Acreage:** 0.04 Acres (Lot 15, Georgetown on Park)

**Number of Properties:** 1

**Alternative Actions:**

Section 14.05.040(8) of the Provo City Code states:

*In exercising its powers, the Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order requirement, decisions, or determination as ought to be made, and to that end shall have all of the powers of the officer from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or agency or to decide in favor of the appellant on any matter upon which it is required to pass under any such section of the Provo City Code, or to affect any variation in such section of the Provo City Code.*

**Current Legal Use:** Single Family Attached Unit (townhouse)

**Relevant History:** A building permit for a deck (PRDK201900995) was on July 1, 2019.

**Summary of Key Issues:**

- A. Is the appellant's request to appeal timely?
- B. Has the appellant shown that the building permit for a deck at 326 W 4620 N was issued in violation of the Provo City Code?

## **OVERVIEW**

Jeffry and Cheryl Flake own a townhouse located at 326 W 4620 N in Provo. The Appellant, Jane Loftus, lives next door at 334 W 4620 N. Jason Arias, a representative of the Flakes, submitted an application for a building permit to construct a deck on the back of their townhome.

On July 1, 2019, City Staff issued a building permit to allow construction of an approximately 409-square foot deck attached to the rear of the subject townhouse. The townhouses in the Georgetown on the Park development are designed in a way that the main dwelling unit is built on the individual property lines at the front of the parcels and then a backyard space is provided between the townhouse and the detached garage. The backyard area of the subject property is approximately 22 feet wide and 20 feet deep.

The Georgetown on the Park development is in an R2PD zone. Briefly, this indicates that the underlying zone is the R2 Two-Family Residential Zone with a Performance Development (PD) overlay. Townhouses (one-family attached dwellings) are a permitted use in the R2 Zone, but only in approved planned developments (PDs). The table below provides the zoning requirements for lots within the R2 Zone.

|   |               |
|---|---------------|
| Minimum Lot Area                        | 6,000 sq. ft. |
| Minimum Lot Width                       | 60 ft.        |
| Minimum Lot Depth                       | 90 ft.        |
| Minimum Lot Frontage on a public street | 35 ft.        |
| Minimum Front Yard                      | 30 ft.        |
| Side Yard (interior)                    | 10 ft.        |
| Rear Yard                               | 30 ft.        |
| Maximum Lot Coverage                    | 40%           |

These are the requirements a development would be required to abide by for each individual lot in the R2 Zone. However, with the addition of the PD overlay, a development is treated as a single project on one lot based on the following text from Section 14.31.010 of the Provo City Code, relating to the purposes and objectives of the PD overlay zone:

*(1) The purpose of the Performance Development Overlay Zone is to encourage imaginative and efficient utilization of land, to develop a sense of community, and to insure compatibility with the surrounding neighborhoods and environment. This is accomplished by providing greater flexibility in the location of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and more desirable environments within the residential areas of Provo City.*

*(2) A Performance Development (PD) is a residential development planned as a whole, single complex. It incorporates a definite development theme which includes the elements of usable open spaces, diversity of lot design or residential use, amenities, a well planned circulation system, and attractive entrances as part of the design. The incorporation of one (1) or two (2) of these elements into a development does not make a PD. The combination of all these elements is necessary for the development of a PD.*

The table below demonstrates how the Georgetown on the Park development complies with the requirements of the R2 zone when viewed as a “whole, single complex” as intended.

|   |               | Georgetown on the Park |
|---|---------------|------------------------|
| Minimum Lot Area                        | 6,000 sq. ft. | 231,300 sq. ft.        |
| Minimum Lot Width                       | 60 ft.        | 650 ft.                |
| Minimum Lot Depth                       | 90 ft.        | 370 ft.                |
| Minimum Lot Frontage on a public street | 35 ft.        | 880 ft.                |
| Minimum Front Yard                      | 30 ft.        | 30 ft.                 |
| Side Yard (interior)                    | 10 ft.        | 50 ft.                 |
| Rear Yard                               | 30 ft.        | 30 ft.                 |
| Maximum Lot Coverage                    | 40%           | 30% Lot Coverage       |

Conversely, the table below demonstrates how the subject individual lot at 326 W 4620 N would not comply with the underlying zoning regulations if not viewed as part of the larger development on one lot.

|   |               | 326 W 4620 N    |
|---|---------------|-----------------|
| Minimum Lot Area                        | 6,000 sq. ft. | 1,742.4 sq. ft. |
| Minimum Lot Width                       | 60 ft.        | 22 ft.          |
| Minimum Lot Depth                       | 90 ft.        | 85 ft.          |
| Minimum Lot Frontage on a public street | 35 ft.        | 22 ft.          |
| Minimum Front Yard                      | 30 ft.        | 30 ft.          |
| Side Yard (interior)                    | 10 ft.        | 0 ft.           |
| Rear Yard                               | 30 ft.        | 0 ft.           |
| Maximum Lot Coverage                    | 40%           | 82%             |

The only way the Georgetown on the Park development would have been approved is by viewing it as one entire development on one lot. Only in this way can the development meet the requirements of the underlying R2 Zone. Parcels are created to delineate ownership; however, the zoning regulations of the R2 Zone do not apply to the individual ownership parcels (hence, why the townhouses and garages are built directly on the parcel lines). If the intent were treat each ownership parcel as subject to the specific regulations of the underlying R2 Zone, they would all be noncompliant. Rather, the development as a whole is compliant with the underlying zoning regulations, while the ownership parcels can be fully developed (100% coverage) with structures within the parcel. Even if each of the parcels is

fully covered with structures, the overall lot coverage of the development is still below the maximum allowed by the underlying zone.

Customarily, when a PD overlay is granted by the City Council, a specific agreement is made between the developer and the City which details the requirements of the PD overlay for that particular development and is then recorded. Unfortunately, there is no record of a specific agreement. In the absence of a specific agreement; it is the common practice to review projects based on the provisions of the underlying zone and the PD regulations enumerated in code.

## **ISSUES**

There are two issues at the crux of this appeal application—1) Is the appeal application timely; and, 2) Was the Building Permit issued in violation of the Provo City Code? This section will address these two issues and include the alleged errors the applicant believes were made in granting the approval of the building permit. The appellant's allegations have been grouped together as appropriate and will be followed by staff's response.

### **A. The Board of Adjustments only has jurisdiction to hear an appeal if the appeal is timely filed.**

***I was only notified that I could file an appeal on Monday 22<sup>nd</sup> of July, 2019, so I am still within the 10-day appeal period. My appeal would have been submitted even earlier but I was not given the information needed from the city and I was told the plans were copy righted and I couldn't see them when I first called the city and registered concerns.***

A decision, such as a building permit approval, may be appealed to the Board of Adjustments within 14 calendar days of the decision. The subject building permit was approved on July 1, 2019, thus, technically, the appeal period expired on July 15, 2019. However, the Utah Supreme Court has found that decisions may also be appealed 14 calendar days from the date of being informed of an approval or evidence of construction.

As noted in Attachment 1, the applicant was informed by staff on July 11, 2019 that a building permit had been approved for the proposed deck. The appeal period would have started from that date and would have expired on July 25, 2019.

**For these reasons, staff contends the subject appeal is untimely and the Board of Adjustments is not authorized to make a decision on the subject appeal.**

**B. Was the Building Permit issued in violation of the Provo City Code?**

Jane Loftus has the burden of proof to show that the subject building permit for a deck at that Flakes' property was issued in violation of the Provo City Code. Again, the appellant has made the following allegations to show a preponderance of evidence indicating the building permit was issued in error. These allegations have been grouped together according to topic with staff responses following.

*I was informed today [July 31, 2019] (see attached Tara1) that the building permit was approved based on a structure as defined in [Section] 14.11.090 Subsection 4:*

**4) The structure listed below may project into a rear yard not more than twelve (12) feet.**

**(a) Patio, provided such structure is not more than one (1) story in height and is open on at least three (3) sides, except for necessary supporting columns and customary architectural features.**

*I contend that the definition of a patio as per Provo City definitions ('Patio' means a relatively flat outdoor living or recreational area that is no more than thirty (30) inches above grade level and may be either detached or attached to another building or structure on the property.) does not apply to the deck built in the yard at 326 W 4620 N. The deck is six feet above grade level and is at least 15 feet long and was permitted for 18 feet. Furthermore, a patio does not require a building permit.*

**Provo City Code: 14.11, R2 – Two family residential zone 14.11.090 Projections into the yard**

**(a) Patio, provided such structure is not more than one (1) story in height and is open on at least three (3) sides, except for necessary supporting columns and customary architectural features. If the board considers the deck is defined by their definition of 'Patio' then building permit PRDK201900995 is non-compliant. The deck was permitted to be an overall height of 10+ feet (including side railings) and is higher than 1 story.**

**Provo City Code: 14.11, R2 – Two family residential zone 14.11.090 Projections into the yard**

**(4) The structure listed below may project into a rear yard not more than twelve (12) feet. If the board considers the deck is defined by their definition of 'Patio'**

***then building permit PRDK201900995 is non-compliant. The deck was permitted to project 18 feet into the yard and is currently project 15+feet into the yard.***

This is an incorrect interpretation. The deck is not projecting into a required rear yard because it is entirely contained within the subject parcel line. As noted above, the entire Georgetown on the Park development is to be viewed singularly as one lot in the underlying R2 Zone, rather than the individual parcels.

Additionally, the subject structure is not a patio, as noted by the applicant; it is a deck, but, again, it is entirely within the individual parcel lines and not subject to the regulatory requirements of the R2 Zone.

***I further contend that the structure built at 326 W 4620 N is an ‘Accessory Building’ as defined in Provo City definitions, (‘Accessory Building’ means a building or structure, the use of which is incidental to and subordinate to the main building or structure.) and is therefore subject to the setbacks and limitations of the available ‘Buildable Area.’ (‘Buildable Area’ means that portion of a lot or parcel which is eligible to place a building or structure and complies with the setbacks of the zone where property is located.)***

***I also assert that the deck permitted at 326 W 4620 N is built outside the ‘Buildable Area’ and is thus subject to the zoning regulations of an accessory structure built outside the buildable area and violates the R2 zoning for yard requirements. This is defined in [Section] 14.11.080 subsection 5.***

***I will now outline the R2 and PD zoning regulations that were violated by the issuance of building permit PRDK201900995. (For reference see attached Lot size 326 W 4620 N).***

***Provo City Code: 14.11, R2 – Two family residential zone 14.11.080 Yard Requirements (Subsections 5 and 6)***

***(5) Accessory Buildings Within the Buildable area. Accessory Buildings meeting all setback requirements (within the buildable area) for the main dwelling shall:***

***(a) Have a building footprint and height less than the main dwelling. If the board considers the yard ‘Buildable Area’ (see John Dester email) then building permit PRDK201900995 is compliant.***

**(d) Only be used for those accessory uses allowed in the respective zone. If the board considers the yard 'Buildable Area' (see John Dester email) then building permit PRDK201900995 is compliant.**

**(6) Accessory Building Outside the Buildable area. Accessory buildings that do not meet the setback requirements (outside the buildable area) for the main dwelling shall meet the conditions in Subsection (5) above and the following:**

**(a) Be no closer to the front property line than the main building. If the board considers the yard 'Outside the Buildable Area' (see John Dester email) then building permit PRDK201900995 is compliant.**

**(b) Be no larger than ten percent (10%) of the actual lot area of said property. If the board considers the yard 'Outside the Buildable Area' (see John Dester email) then building permit PRDK201900995 is non-compliant. The permit issued allows for a 312 sq. ft. deck (16.275% lot coverage) but my neighbor claims he has deviated from the permitted plan and reduced it to 245 sq. ft. (14.253% lot coverage). Either way the structure is too large for the lot.**

**(c) Be set back a minimum of three (3) feet from any property line. If the board considers the yard 'Outside the Buildable Area' (see John Dester email) then building permit PRDK201900995 is non-compliant as the deck has been permitted to span the width of the entire yard.**

**(d) Not be located within a recorded public utility easement, unless a release can be secured from all public utilities. If the board considers the yard 'Outside the Buildable Area' (see John Dester email) then building permit PRDK201900995 is compliant.**

**(e) Have no portion of the building exceed twelve (12) feet in height within ten (10) feet of a property line. If the board considers the yard 'Outside the Buildable Area' (see John Dester email) then building permit PRDK201900995 is non-compliant. The deck is 10+ feet in height and is built right up to the property line.**

**(f) Not be located within a front or street side yard. If the board considers the yard 'Outside the Buildable Area' (see John Dester email) then building permit PRDK201900995 is non-compliant.**

The appellant has cited several Provo City Code sections and has made several statements relating to the interpretation that the deck is considered an "Accessory Structure." Additionally, the appellant has made several statements that the subject deck does not comply with the allowable "Buildable Area" for the parcel.

**The subject deck is not an accessory building/structure.** According to Section 14.06.020 of the Provo City Code, *“Accessory Building” means a building or structure, the use of which is incidental to and subordinate to the main building or structure.*

If the subject dwelling and deck were located on a lot in a traditional subdivision, then an “Accessory Building” would be considered something like a detached garage or shed, either of which would be obviously incidental to the “main structure” located on the lot, which would be the single-family dwelling.

In this case, the subject dwelling and deck are located in a Performance Development (PD) and, as mentioned above and in Section 14.31.010(2) of the Provo City Code, *A Performance Development (PD) is a residential development **planned as a whole, single complex** (emphasis added).*

Essentially, the entire development is the “main structure” in a PD and examples of accessory buildings would include a clubhouse or maintenance shed for the development. If this were not the case, as an example, all the detached garages in the Georgetown on the Park development would not comply with the provisions of the Provo City Code relating to accessory buildings, many of which the appellant has cited as evidence for approving the subject building permit in error.

**The deck is not built outside the “Buildable Area.”** According to Section 14.06.020 of the Provo City Code, *“Buildable Area” means that portion of a lot or parcel which is eligible to place a building or structure and complies with the setbacks of the zone where property is located.*

Because the Georgetown on the Park development is a PD, for regulatory purposes, it is viewed as one, single complex on one lot and the entire development must adhere to the underlying setback requirements of the R2 Zone.

The R2 Zone required yard and setback regulations are enumerated in Chapter 14.11 and in the tables above. The R2 Zone requires that buildings be setback at least 30 feet from the front and rear property boundary and at least 10 feet from interior side yards and 20 feet from street side yards. For the Georgetown on the Park PD, that means that the entire project must be setback 30 feet from the front property line (along 4620 North/300 West), 30 feet from the rear property line (the church parking area to the north), and 20 feet from 450 West. Everything within those boundaries would be considered the “Buildable Area” for the project.



The PD as a whole complies with these setback requirements, but it would be impossible for the individual parcels to comply with these specific requirements given the incredibly small parcel sizes.

For example, the appellant owns the townhouse located at 334 West 4620 North. The parcel is approximately 22 feet in width and 88 feet in length. If the strict setback requirements of the underlying R2 Zone were applied, then the "Buildable Area" for the appellant's parcel would be 2 feet wide and 28 feet long, which is unbuildable for obvious reasons.

The appellant's arguments that the building permit for the deck on the Flakes' property was approved in error because it is outside the "Buildable Area" is incorrect because the entire property is within the "Buildable Area" for the PD. For something to be built outside the "Buildable Area" it would have to be built within a required yard of the entire project site (Georgetown on the Park property).

***My neighbor at 326 W 4620 N has informed me that he is planning to build the fence at my east side rear property line to a height [of] 12 feet to protect his privacy as the deck is built up to our shared property line and overlooks my yard. I have informed him of my objection. As my townhome is at a 90 degree angle to the end unit property located to the west of me I already have limited light at the rear of my property because my west side property line is the brick wall of the end unit that extends the full height of my townhome. Adding the deck and associated privacy fence is undoubtedly affecting the light and view from my unit.***

Noted, however, it is not possible to appeal something that hasn't happened yet.

Additionally, staff does not see a way the zoning regulations would prevent someone from building to the underlying height limit along the parcel line (similarly to how the townhouse is built on the parcel line to a specific height). Although, it is difficult to imagine that specific deed restrictions administered by a home owners' association (HOA) would not prevent this as well as specify what type of fencing materials and heights are allowed within the development.

***I requested the original PD from the city for the Georgetown on the Park development but the city informed me that they were 'lost.' Given the absence of these documents I will use the PD requirements outlined by Provo city found in [Section] 14.31.060 (Variations to the Underlying Zone Permitted) along with an email from the developer, John Dester, which outlines the intent of the Georgetown on the Park PD. This email states:***

**'I still build many projects patterned after your project [Georgetown on the Park]. The "Buildable area" then...and now...would be the area occupied by the original home footprint. In other words, no one could add to their homes living space by making an addition in their backyard fenced area.'**

It is unfortunate that the original PD documents are not available; however, as noted above, the entire development is considered a "whole, single complex" on one lot for zoning compliance purposes.

Staff acknowledges that the intent of the Georgetown on the Park project and others like it may be to preserve the area between the townhouse and the detached garage as an open backyard; however, there is nothing in the zoning regulations, both the underlying R2 Zone standards and the PD Overlay standards that would prevent the infill of that space. There may be deed restrictions which prohibit or at least regulate that, but those restrictions would be administered by the HOA.

As noted above, the deck is not considered an "Accessory Structure" nor is it constructed outside the "Buildable Area". The development, as a whole, complies with the underlying zoning.

**(b) Comply with all lot coverage requirements. If the board considers the yard 'Buildable Area' (see John Dester email) then according to 14.11.120 subsection 1 building permit PRDK201900995 is non-compliant. The original lot coverage allowed in the PD for 326 W 4620 N is approximately 68% which already exceeds the 40% lot coverage in R2 zoning as per 14.11.120 subsection 1. The original PD would have been approved for this because the PD is required to have common areas for the residents but R2 zoning does not allow this lot coverage to be further increased.**

Again, as explained previously, the entire Georgetown on the Park project complies with the underlying zoning lot coverage requirements because it is viewed as one whole project. The tables in the Overview Section of this report show how the overall development is compliant with the zoning regulations and they also show how the individual units would not comply with the zoning regulations if viewed as individual lots.

If the building permit for the deck was approved in error because it exceeds the lot coverage requirements for the zone, then the appellant's dwelling, deck, and detached garage also exceed the lot coverage requirements, as would every other dwelling within the development if lot coverage was applied to the individual parcels rather than the Georgetown on the Park PD as a whole.

**(c) Comply with the latest adopted edition of the International Building code. If the owners at 326 W 4620 N put the hot tub on the deck (as they informed me they were doing) then building permit PRDK201900995 is non-compliant.**

The approved building permit plans for the deck do not show a hot tub location; however, more importantly, the deck will be required to comply with the adopted building code standards.

It should be noted that, as of the time of this report, no inspections have been scheduled or performed by Provo City Building Inspectors. It is the responsibility of the building permit applicant to call for those inspections to ensure the deck complies with the building code.

**(e) Maintain architecturally similar material and colors with main building. If the board considers the yard 'Buildable Area' (see John Dester email) then building permit PRDK201900995 is non-compliant. There are no other structures of this nature in the development so it could be argued that building permit PRDK201900995 does not maintain the architectural integrity of the development.**

The deck seems to be consistent with the architectural style of the development; however, architectural requirements would be under the purview of the HOA if there are deed restrictions requiring a specific material. Additionally, staff has visited the development and has observed other decks in the backyard area of several other units.

**(g) Comply with distance between buildings requirements. This is arguable as the deck is attached to the main dwelling.**

This argument is also incorrect because, again, if the underlying zoning regulations were applied to each parcel individually, the minimum distance between each townhouse would be 20 feet. As noted by the appellant the deck is attached to the main dwelling. The deck is compliant with this requirement.

**Provo City Code: 114.11, R2 – Two family residential zone 14.11.120 Permissible Lot Coverage**

**(1) In an R2 zone, all building, including accessory buildings and structures, shall not cover more than forty percent (40%) of the area of the lot or parcel of land. Building permit PRDK201900995 is non-compliant as the total coverage including the permitted deck is 93.9%.**

As noted above, the lot coverage for the entire Georgetown on the Park development is less than 40%. The appellant notes that if lot coverage were based

on individual parcels, then the entire project would have been noncompliant from the beginning.

**(2) At least fifty percent (50%) of the area of any lot shall be maintained in landscaping as defined in Section 15.20.040, Provo City Code. On any lot, concrete or asphaltic cement shall not cover more than fifty percent (50%) of a front yard, fifty percent (50%) of a rear yard, and one hundred percent (100%) of one (1) side yard. Building permit PRDK201900995 is non-compliant a concrete pad is being installed under the deck at ground level by the owner of 326 W 4620 N.**

More than 50% of the project site is developed with landscaping.

**14.11.150 (Subsection 4 (c)) Other Requirements**

**(4) Fencing Standards. Structural fences six (6) feet or less in height shall not require a building permit. Structural fences over six (6) feet in height shall require a building permit from the Building Inspection Division. A structure or vegetative fence shall not create a sight distance hazard to vehicular or pedestrian traffic as determined by the Provo City traffic engineer.**

**(c) Rear Yard. Walls and fences in a rear yard may exceed six (6) feet provided that a building permit is first obtained from the Building Inspection Division prior to construction.**

**Fence**

**(a) A structure used as a boundary, screen, separation, means of privacy, protection or confinement that is constructed of posts, rails, and a barrier consisting of lumber, vinyl, wire mesh, masonry or similar fencing materials, or (b) A hedge or other continuous growth of vegetation.**

***The neighbor at 326 W 4620 N is installing a 12-foot screen along our common property line as I would not allow him to build on top of the fence. As the deck is [sic] has been permitted to run along my east side property line the screen they will be using will be a structure used as a boundary screen and is constructed of posts and rails.***

A screen does not meet the definition of a fence, but, again, infill of the parcel could extend to the height of the townhome structure.

***Provo City Code: 14.31, PD – Performance development overlay zone***

***14.31.060 Variations to Underlying Zone Permitted***

**(1) R2 – 2 units per 8,000 square feet. This is the only limitation for the R2 zone given for a PD. This assumes all original common areas are to be kept as open space to satisfy R2 requirements.**

The backyard areas in the individual parcels are not considered part of the open space for the entire project and are not counted in the common area.

- 8. *In conclusion, regardless of whether the deck has been determined to be a patio or an accessory building the permitted deck (PRDK201900995) violates both the R2 and the PD zoning regulations. The email from the developer, John Dester, indicates that these small yards were never intended for structures such as this. I tried to explain to my neighbor that this would affect my privacy, views, and the overall fell of the community but he insists that since the city issued this permit that he was going ahead and building it. My husband and I asked Bill Peperone if he would like to live beside a structure like this and he, without hesitations, said ‘No.’***

The deck is neither a “Patio” nor an “Accessory Building,” as noted repeatedly in this report. The project and the deck are compliant with the R2PD Zoning for the property.

### **Conclusions**

Based on the foregoing analysis, staff concludes that, even if the appellant’s application for an appeal to building permit (PRDK201900995) for a deck at 326 W 4620 N was timely, the appellant has not shown a preponderance of evidence that the building permit was approved in violation to Provo City Code. The deck is within the “Buildable Area” of the project site for the Georgetown on the Park development. The deck does not result in any type of noncompliance with the applicable zoning regulations.

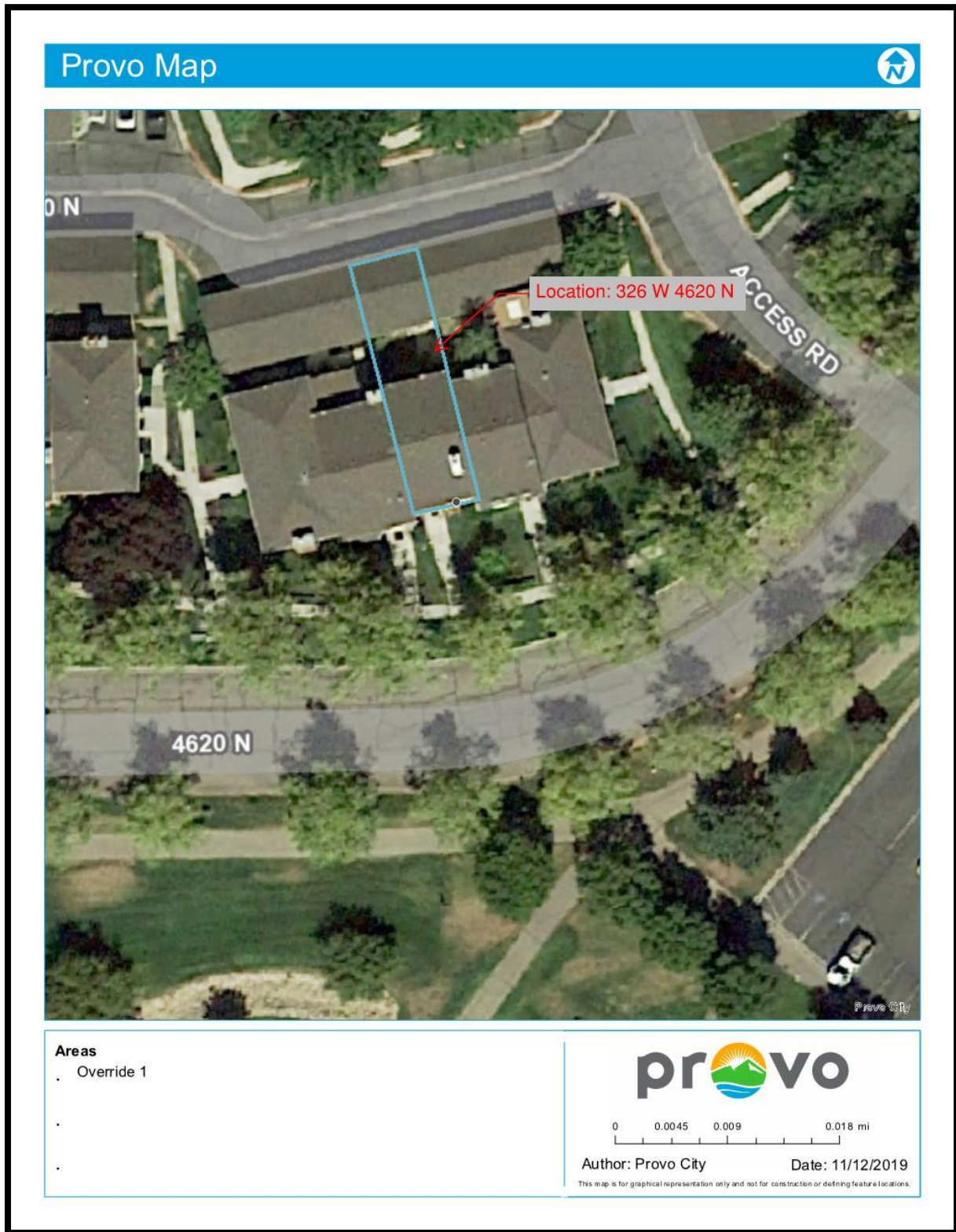
If the Board of Adjustments concludes that the appellant’s arguments are valid and concludes that Staff approved the building permit for the deck in violation of the Provo City Code, then it would also need to conclude that the entire Georgetown on the Park PD was approved in error, including the appellant’s own home. Any recommendation to correct such violation would have to also apply to all other properties within the development.

**ATTACHMENTS**

1. The applicant's appeal packet (provided electronically because of volume)
2. Location Map
3. Building Permit PRDK201900995
4. Architectural Plans for Deck


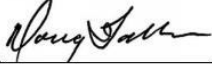

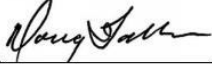

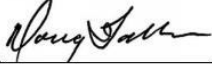

Attachment 1: Applicant's Appeal Packet (provided electronically because of volume).

Attachment 2: Location Map





Attachment 3: Building Permit PRDK201900995

|   |  |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|---|--|---|---|----------------------------|---|-----------------|-------------|---|------------|---------------------|---|--------------------|-------------|--|------------|-----------------|--|-----------------|-------------|---|------------|
| <br><b>COMMUNITY DEVELOPMENT</b><br><b>Condo/Townhouse Building Permit</b><br>Date Submitted: 05/28/2019   | Address: 326 W 4620 N, Provo, UT 84604   |   | <b>Permit</b><br><b>PRDK201900995</b>   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | Applicant: Jason Arias                   |   | Issued: July 01, 2019   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | Phone: --                                |   | Lot #: --   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | Email: ariasjw@gmail.com                 |   | Plat #: --  |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | Owner: FLAKE, JEFFRY L & CHERYL L        |   | Subdiv.: --   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | <b>Contractor</b>                        |   | Zone #: R2PD  |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | Name: TIMBERFRAME LLC                    |   | Parcel #: 40-103:0015   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | Work Phone: --                           |   | <b>SQFT Per Floor</b>   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | Cell Phone: --                           |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px;">1</td> <td style="width: 20px;">0</td> <td style="width: 20px;">2</td> <td style="width: 20px;">0</td> </tr> <tr> <td>3</td> <td>0</td> <td>B</td> <td>0</td> </tr> </table> |                            | 1 | 0               | 2           | 0   | 3          | 0                   | B | 0                  |             |  |            |                 |  |                 |             |   |            |
|   | 1  | 0   | 2   | 0                          |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| 3   | 0  | B   | 0   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| Subdivision:  |  | Bedrooms: 0   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| Building Use: Condo/Townhouse   |  | Basement Finished: <input type="checkbox"/>   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| Valuation: \$15,000.00  |  | <b>Permit Fees</b>  |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| <b>Description:</b>   |  | Building Permit: \$251.25   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| There is an existing 5x8 deck off the back of our townhouse that connects to stairs to our fenced in back yard. We would like to expand the size of the deck.   |  | Plan Check Fee: \$163.31  |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   |  | State Surcharge: \$2.51   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   |  | <b>Total Fees: \$417.07</b>   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| <b>PLEASE READ THE FOLLOWING INFORMATION, IT IS IMPORTANT!</b>  |  | <b>Department Approvals</b>   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| <p><b>TOILET FACILITIES</b> - Are to be provided at the time of foundation inspection.</p> <p><b>INSPECTIONS</b> - Must be requested 24 hours in advance by calling Provo City Building Inspection at 852-6450 or on the website at: <a href="https://cvportal.provo.org/cityviewportal">https://cvportal.provo.org/cityviewportal</a></p> <p><b>SITE ADDRESS</b> - Must be posted on a sign legible from the road with house number first, street name/number second.</p> <p><b>IMPROVEMENT BONDS</b> - Side walk must be without cracks or breaks. Curb, gutter and strip paving must be in line and functional to the satisfaction of the Engineering Department at the time of bond release. Contact the Provo City Engineering Office for improvement inspections and bond release at 852-6740.</p> <p><b>SENSITIVE LANDS</b> - Prior to connection of permanent power for those structures in the "SENSITIVE LANDS", the geotechnical engineer who signed the geological report must certify in writing that the requirements of the report have been met and that the structure, grading and improvements conform to the requirements of that report. Provo City Code Section 15.05.100.</p> <p><b>PROPERTY LINE</b> - Prior to submittal of plans and construction, property lines and/or property corners need to be identified on the site plans and at the construction site.</p> <p style="text-align: center;"><b>NO FRAMING ALLOWED ON FAST TRACK PERMIT!!!<br/>DOUBLE FEE PENALTY IMPOSED.</b></p> <p style="text-align: center;">This plan has been reviewed by Provo City.</p> |  | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><b>Building Inspection</b></td> </tr> <tr> <td style="width: 70%;">Building Review</td> <td style="text-align: center;"><b>Date</b></td> </tr> <tr> <td style="text-align: center;"></td> <td style="text-align: center;">06/25/2019</td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>Public Works</b></td> </tr> <tr> <td>Engineering Review</td> <td style="text-align: center;"><b>Date</b></td> </tr> <tr> <td></td> <td style="text-align: center;">06/03/2019</td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>Planning</b></td> </tr> <tr> <td>Planning Review</td> <td style="text-align: center;"><b>Date</b></td> </tr> <tr> <td style="text-align: center;"></td> <td style="text-align: center;">06/04/2019</td> </tr> </table> |   | <b>Building Inspection</b> |   | Building Review | <b>Date</b> |  | 06/25/2019 | <b>Public Works</b> |   | Engineering Review | <b>Date</b> |  | 06/03/2019 | <b>Planning</b> |  | Planning Review | <b>Date</b> |  | 06/04/2019 |
|   |  | <b>Building Inspection</b>  |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   |  | Building Review   | <b>Date</b>   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|    | 06/25/2019                               |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| <b>Public Works</b>   |  |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| Engineering Review  | <b>Date</b>                              |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|   | 06/03/2019                               |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| <b>Planning</b>   |  |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| Planning Review   | <b>Date</b>                              |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
|    | 06/04/2019                               |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| I will personally confirm that all contractors and workers read and comply with the plan for that portion of the work they are doing.   |  |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| By signing below I agree this structure will not be occupied prior to receiving a CERTIFICATE of OCCUPANCY or CERTIFICATE of COMPLETION, I also agree to assume responsibility for all improvements to be unbroken and uncracked at the time of the improvement bond release.   |  |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| <table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"> <u>Jason Arias</u><br/> <small>Owner/Contractor/Agent Electronic Signature</small> </td> <td style="width: 50%; text-align: center;"> <u>07/01/2019</u><br/> <small>Date</small> </td> </tr> </table>  |  | <u>Jason Arias</u><br><small>Owner/Contractor/Agent Electronic Signature</small>  | <u>07/01/2019</u><br><small>Date</small>  |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| <u>Jason Arias</u><br><small>Owner/Contractor/Agent Electronic Signature</small>  | <u>07/01/2019</u><br><small>Date</small> |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |
| Notes:  |  |   |   |                            |   |                 |             |   |            |                     |   |                    |             |  |            |                 |  |                 |             |   |            |

Attachment 4: Architectural Plans for Deck

