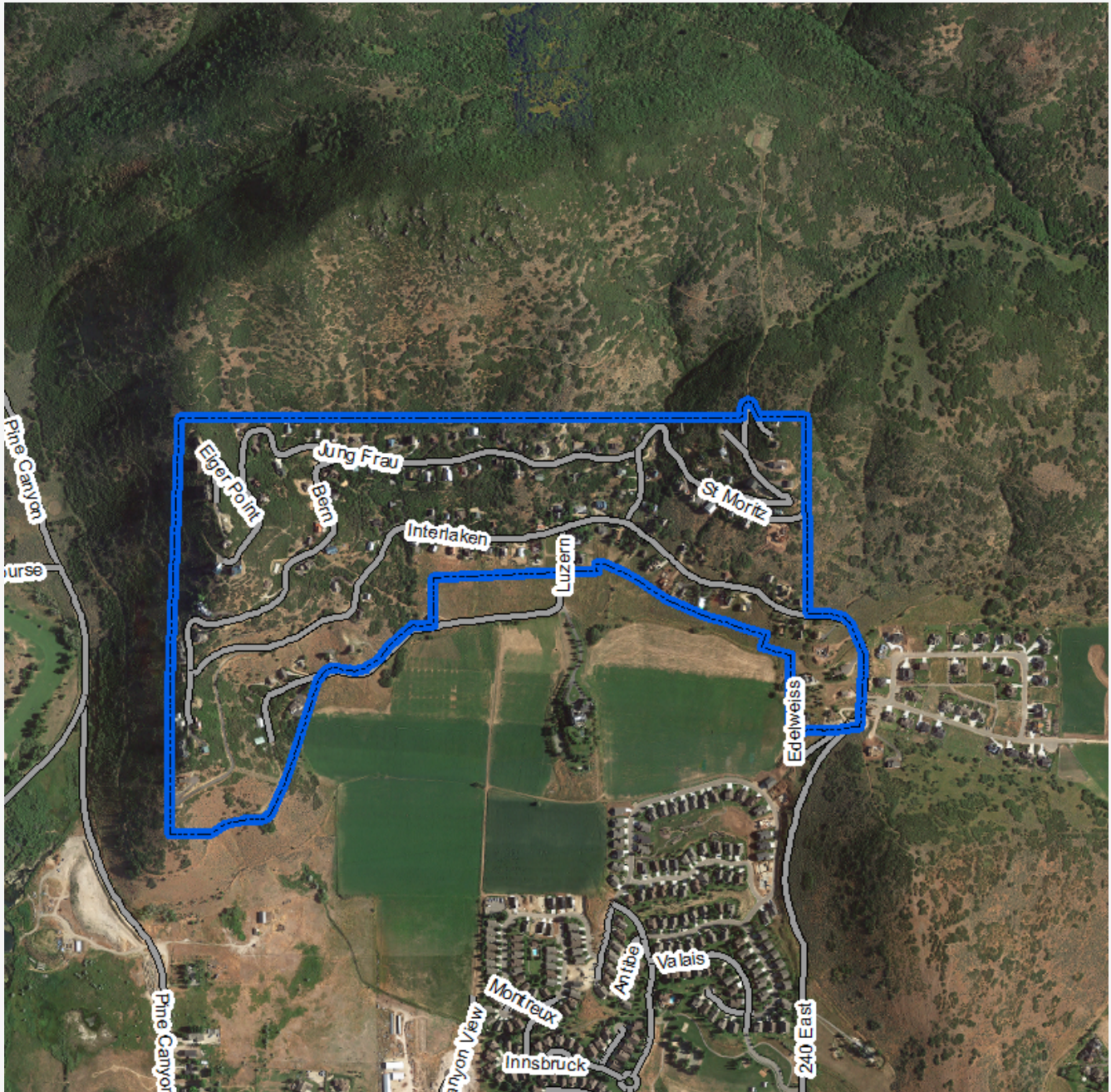


GENERAL PLAN



What do you need
to know?



THE TOOLS

General Plan

“A practical vision for the future”

Zoning /Land Use Code

“Where the rubber meets the road”



THE GENERAL PLAN



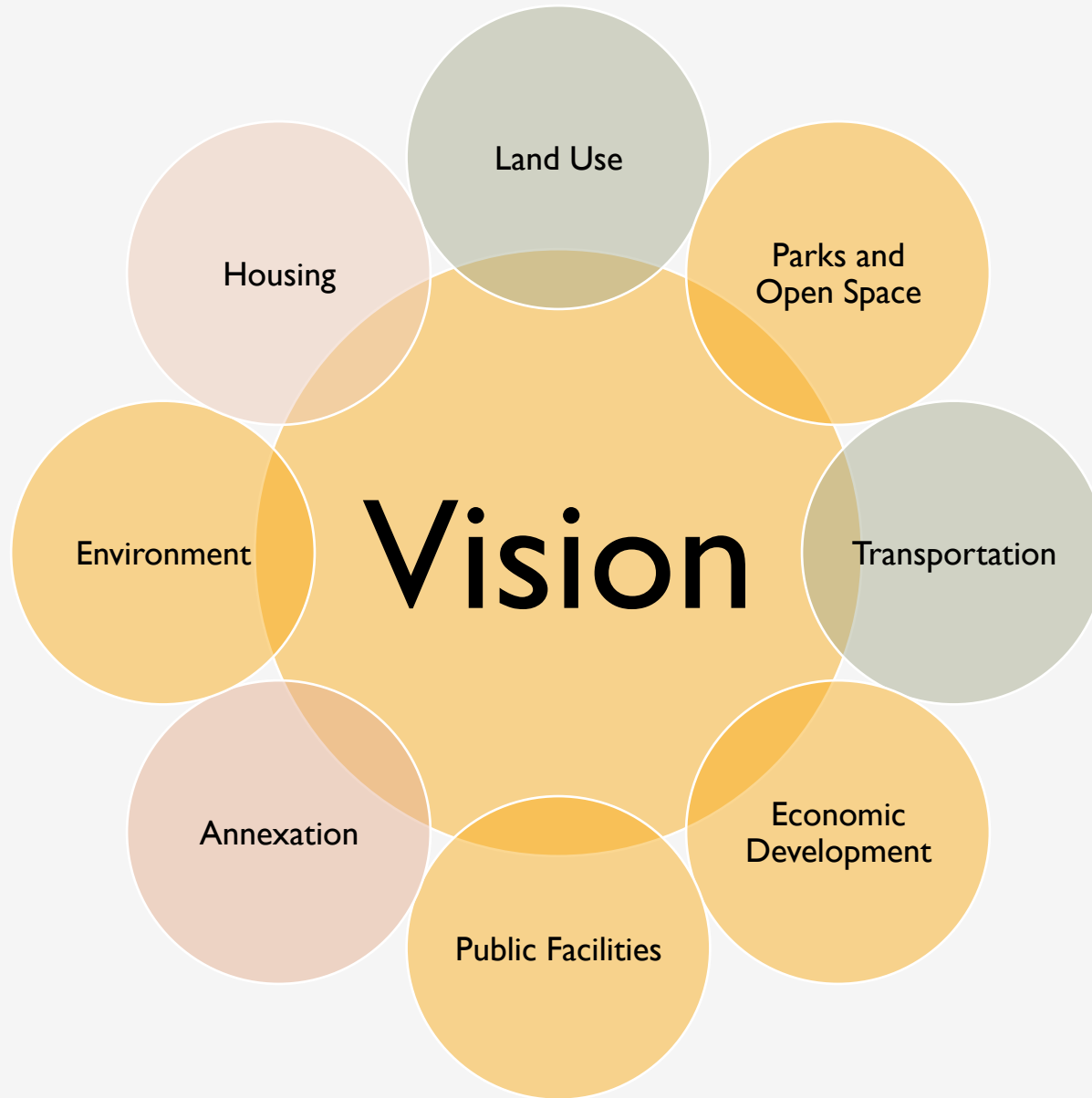
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THE GENERAL PLAN

- A practical vision and plan for the future.
- Not law. The plan is an advisory document or guide to aid land use authority in making decisions. “small decisions lead to big results”



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Open House

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Recommendation by the Planning Commission

Adoption by City Council



QUESTIONS?

Robert Allen

801-229-3813

rallen@mountainland.org



Interlaken Town
P.O. Box 1256
Midway, UT 84049
(435) 565-3812

November 3, 2017

From: Bart Smith, Interlaken Town Clerk

Staff Report: review of Mr. Soper's application for reasonable accommodation to construct an amateur radio support structure

To: Michael Soper (333 Bern Way) and the Interlaken Town Council

This report is a summary of my review of Mr. Soper's application, received with changes, on October 28, 2017. Interlaken Town's Ordinances prohibit the construction of the amateur radio support structure as proposed in Mr. Soper's application, but the town recognizes a federal statute requiring municipalities to make a "reasonable accommodation" for individuals wishing to construct an amateur radio tower and antenna. In determining what is reasonable, the town can examine the evidence regarding tower height, location, and issues regarding the visual impact of the tower. In addition, once those issues have been addressed, the structure will have to meet all building codes and engineering and structural specifications as determined by the town engineer. The town has the obligation and right to examine the evidence and make an administrative decision regarding reasonable accommodation for this proposed project.

An additional concern is the Interlaken Estates CC&Rs that prohibit the construction of a structure besides "one dwelling house and one garage." The CC&Rs remain in effect until November 7, 2022. The FCC ruling requiring "reasonable accommodation" does not apply to CC&Rs. The town's legal council is currently reviewing this issue and will make a recommendation to the town.

Regarding the Mr. Soper's application, I have the following comments and recommendations for the town council.

Review of the Application

1. Tower Height. I recommend the council consider the evidence provided by Mr. Soper regarding the necessity of his proposed tower/antenna height of 55 feet, as well as consult other radio operators or sources in the vicinity to determine what constitutes reasonable accommodation, based upon Mr. Soper's intended use. The Town would like additional information to see if Mr. Soper can meet his communication goals by constructing a shorter tower. It may also be possible for Mr. Soper to use an existing

tower in the valley, with repeaters, to accomplish his communication goals.

2. Tower Placement. Mr. Soper's documentation does not demonstrate he needs to attach the tower to his house. Mr. Soper's application suggests constructing the tower in the proposed location attached to the west side of his house "should be a minimal visual obstruction to other homeowners' views" (page 11). As both the value and enjoyment of Interlaken properties are directly linked to the availability of views of the surrounding mountains, valleys, lakes, and other natural features, this issue should be more closely investigated. Mr. Soper should examine if there are alternative locations on his property that will minimize or eliminate the visual impact of the tower on adjacent properties. Further, the site plan provided by Mr. Soper does not provide enough detail to show the relationship of the tower to the uphill residence at 322 Bern Way. The elevation data provided by Mr. Soper appears to have been obtained using Google maps. This data may not accurately represent the actual elevations and relationships between the structures and sight lines. I recommend Mr. Soper provide written documentation from his neighbors, supporting his opinion that the tower would not impact their views, as well as provide more detailed information and drawings illustrating the sight lines and how the proposed tower will impact the site lines on the neighboring properties.

Mr. Soper's current antenna is mounted downhill from his house. If this location was adequate for his current antenna structure, it may also be suited for his new tower. There may be other locations on his property that serve his needs with less impact on his neighbors' views. I also recommend that Mr. Soper invite the council to visit his lot and inspect the property to help ascertain the impact of the tower on his neighbors' views.

3. Site Plan. The site plans shown in Mr. Soper's application do not provide an accurate, dimensional representation of the buildings, lot lines, roads, and existing antenna structures on his property. In addition, there is no dimensional drawing showing the elevation aspect of his tower in relationship to his home, neighboring homes, the placement of the tower support, or any detail regarding how the supports would be attached to the house. Also missing from his application is an electrical plan showing the power source to the antenna structure. As per Interlaken code, in compliance with the IRC, his plans should show how electricity is to be provided to the structure.
4. Engineered drawings and tower specifications. In addition to the concerns expressed in item 3) above, I have received some concerns from Epic Engineering regarding the information provided by Mr. Soper in his application. From Josh Call, October 26, 2017: I have spoken with John Riley, our structural engineer, he recommends that Mr. Soper hire a structural engineer to do the drawings and calculations. In Mr. Soper's latest email, he stated, "I have

a log home, so no worries about securing the heavy duty house bracket to framing.” Unfortunately this does not work for an engineering review, as town engineer we need to be certain that this structure will not cause structural issues to the home. I am struggling with how to communicate this with Mr. Soper, as we haven’t begun official review and I can’t really spend time on this without having to bill it somewhere. In answer to your question, I think it is in the town’s best interest to know exactly how tall this tower will be above the home, and that should be identified in the SUP.

Summary

The above issues lead me to conclude that Mr. Soper’s current application does not provide the town with the necessary information to make a decision regarding “reasonable accommodation” for his tower. In addition, Epic has voiced their concern over the lack of detail provided by Mr. Soper’s plans, and their inability to perform an adequate engineering review based on the provided information. Epic has been instructed by the town not to begin their plan review until the council reviews and accepts the application. This process was implemented in order to allow the council to review the site plan and other aspects of the application, prior to passing the plans to Epic for review. This is Epic’s preferred approach, as it saves the applicant the expense of reviewing a plan that may not meet council approval.

In this case, Epic Engineering recommends that Mr. Soper hire an outside engineer to provide the necessary documents for his application. However, prior to submitting engineering drawings to Epic for review, Mr. Soper should first work with the town to discuss whether the town can reasonably accommodate Mr. Soper by approving a shorter tower, and explore whether there is alternative location for the tower. If the town can accommodate Mr. Soper by approving a smaller tower in a different location, thereby minimizing the visual impact of the tower, the town could protect the aesthetic value of neighborhood and facilitate Mr. Soper’s radio communications.

Once the tower height and location have been determined, Mr. Soper can submit engineering drawings and calculations for Epic to review. It is in everybody’s interest to explore potential alternatives before the Town considers Mr. Soper’s request for a reasonable accommodation and before Mr. Soper hires an engineer to complete the drawings.

Based upon my review the application materials submitted thus far, it is my recommendation that Mr. Soper and the town explore alternative heights and locations for a radio tower before the Town formally considers his request.

Sincerely,

Bart Smith, Interlaken Town Clerk

Agenda 8) 11-6-17

Dear Mayor Simkins and Council Members Greg Harrigan, Scot Neuner and Chuck O'Nan,

I am writing to express my opposition to the proposed radio tower on Mr. Soper's property. As discussed by the planning commission at their September 20, 2017 meeting, Interlaken's current code does not allow conditional uses in residential zones. The request for a radio tower will require the council to rewrite the codes or come up with a new zoning. This action should not be undertaken in an expeditious manner but should, at least, be studied to determine the long term effects of changing our existing codes. Part of such a change to our codes should at least require a "balloon fly" to allow residents to see exactly how tall this tower will be and from where it can be seen. No permit should be issued prior to a well advertised public hearing.

Interlaken has a strong Swiss heritage that is celebrated throughout our community. Our annual Swiss Days festival and our many architecturally accurate homes and buildings are evidence of how strongly we identify with our Swiss heritage. Many people come from far away to see our quaint community and honor what is unique to Interlaken. I believe a 55 foot radio tower would greatly impact the character of our town and quite possibly destroy the view shed for other residents of the mountain.

I respectfully request that a decision on this matter be delayed until more research can be conducted. I further request that you deny Mr. Soper's permit and seriously consider what changing our existing code could do to our town, our tourist industry and Mr. Soper's neighbors.

Respectfully,

Heidi Knight
327 Bern Way

Agenda 8) 11-6-17

November 5th, 2017

332 Bern Way 171 85th Street
PO Box 1478 Brooklyn, NY
Midway, UT, 84049 11209

Bart Smith
Interlaken Town Clerk
PO Box 1256
Midway, UT, 84049

Dear Bart,

It is my understanding that on Monday November 6th, 2017 during the Interlaken Town Council Regular Meeting there will be an agenda item to discuss a request for "Reasonable Accommodation for Radio Tower Application" by Michael Soper of 333 Bern Way.

As I will not be able to attend the meeting, due to the short notice (less than two days) and the fact that I live full time in New York City, NY, I would request that the Town Council allow my father, Wayne DeBrusk to speak on my behalf. As he lives in my home and is a full-time resident of the town, he will also be directly impacted by any accommodation the Town provides to Mr. Soper. I would also request that this letter be entered into the official record as representative of my concerns on this issue and objection to the permission by the town of an antenna tower as currently proposed.

My understanding is that under FCC rules, specifically the PRB-1 document, states that "local governments must reasonably accommodate amateur operations, but they may still zone for height, safety and aesthetics concerns.". I would like to make it clear that I do not have any issue with Mr. Soper enjoying his HAM radio hobby, nor do I have an issue with him placing an antenna on his property as long as it does not impact my enjoyment of my property by interfering with the view, create a safety concern, reducing my property values, or make it more difficult for me to sell my property, should I make a decision to do so.

I purchased my home in Interlaken primarily because of the amazing views that the town is known for. At the moment, I have an unrestricted view of the valley, the mountains and reservoir from both of my decks and the main level and loft level of my home via extensive windows. This view adds significantly to the enjoyment that my family gets from our home, and adds materially to the value of the property, something that is easily evidenced by comparing the purchase values of similar homes located in Midway on the valley floor.

Based on the diagrams that Mr. Soper has shared with me (Figure 1), his proposed location for the antenna tower will result in it bisecting the view off both of my decks, and from the inside of my home. His diagram also misstates the reality of the lower slope of my property. There are not “lots of trees” as he indicates (a point that is irrelevant because they would not block the view of the tower), and he specifies the height of my upper deck (an elevation I have not validated), but not my lower deck where I have a hot tub. This is evident from the photo I have included as Figure 2 below, that shows the view from approximately 10 feet above the surface of the upper deck.

Figure 1: Diagram of proposed tower location as provided by Michael Soper

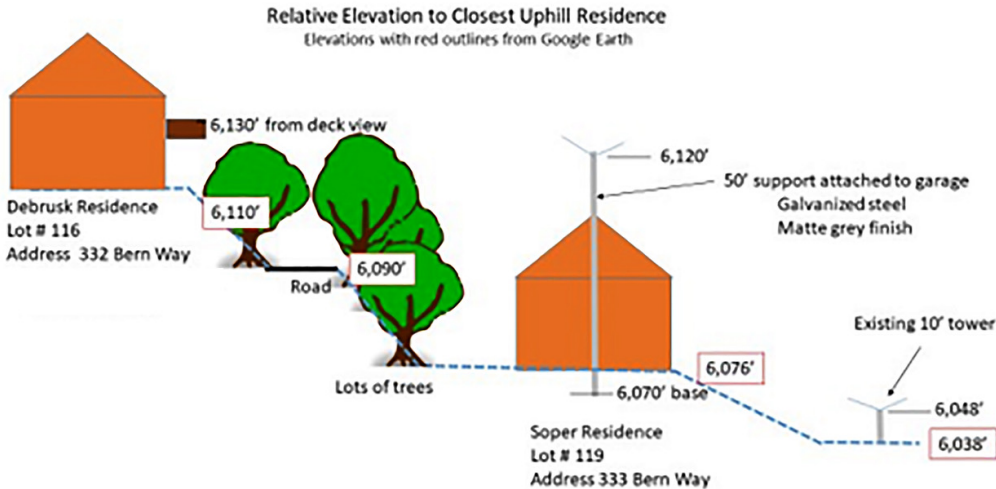


Figure 2: View from the upper deck of 332 Bern Way



In an email to me on October 24th, Mr. Soper indicates that the proposed antenna will result in “minimal visual obstruction of your view, especially given that neither side of your deck overlooks the West side of my home where the proposed antenna would be placed.” His statement is patently false, as can be seen clearly from Figure 2. Irrespective of where he places the antenna tower, if its base is level with the upper foundation of his home, it will significantly impact the quality of the view, both from the upper deck and from the lower deck where I have placed my hot tub.

I would like to make it clear to the town that I strongly object to this proposed antenna tower as is currently proposed. I see no reason why the town would need to accommodate the proposed location or height, irrespective of the FCC rules that limit the ability for towns to fully restrict HAM radio towers via local ordinances. It seems completely reasonable for Mr. Soper to instead place his proposed antenna at a location on his property that is closer to Interlaken Drive, and of a height such that the only view that is blocked is his own. Any tower that is permitted should not be visible from anywhere on my property.

I further object to any tower being placed in a location that would allow it to fall on my property, were its support structure to fail. Interlaken is located in a geographic area that is susceptible to high winds, excessive snowfall and earthquakes. It is not unreasonable to assume that under extreme weather conditions, the supports for proposed tower could fail and the tower fall on my property. As such there is the potential for property damage and injury or death to anyone it hit. It is unreasonable that my family should bear that safety risk.

In addition, it is reasonable to assume that were I to attempt to sell my property, potential buyers would object to an antenna tower being visible from any part of the property, given that the views are a primary reason that Interlaken residents put up with the downsides of living on the side of a mountain (including excessive slope, erosion, the need for complex and expensive foundations, lack of town services, etc.). As a result, the existence of such a tower would limit the potential pool of buyers and likely reduce the value of the property. It is not reasonable that I bear this financial impact as a result of Mr. Soper’s hobby.

Given the concerns that I have outlined above, I would therefore encourage the town council to deny Mr. Soper’s application until such point that he submits a plan under which his proposed antenna tower is not visible from anywhere on my property, is proven to create no safety hazard, and does not impact me and my family in a financial or non-financial way. I also strongly feel that any modification to this proposed plan should not impact my neighbors. I believe this is reasonable based on current town ordinances, and the requirement to accommodate amateur radio operators under FCC rules.

To ensure my rights are protected as this issue is resolved, I have retained Patricia Kuendig of Dodd and Kuendig as my attorney in this matter. She can be reached at Patricia@kuendiglaw.com and at 435-200-4961.

Thank you,

A handwritten signature in black ink, appearing to read "Chris DeBrusk", is displayed on a light green rectangular background.

Chris DeBrusk
chris@debrusk.com
617.285.4183

CC: Lisa Simpkins, Greg Harrigan, Sue O'Nan, Chuck O'Nan
CC: Patricia Kuendig, Wayne DeBrusk, Heather Haavaldsrud

Report - Effect of Water Master Salary on Base Water Rate Fees

FY2018 Expense Line Item	Fund	Description	Amount	Operating Expenses	System Maint. & Investment	Who Pays	# of Shares	Amount per Share
20-109	Water Rev-General	Trfr to General Fund for Water System Admin Expenses	\$ (30,550)		\$ (30,550)	All Lots	184	\$ (166)
105-154	Water System Reserves	Trfr to Reserve Capital Fund for 5-yr plan improvements	\$ (7,770)		\$ (7,770)	All Lots	184	\$ (42)
114	Water Revenue	Water Bond Payment	\$ (77,732)		\$ (77,732)	All Lots	184	\$ (422)
116,123	Water Revenue	Payroll & Taxes for Water Master & Asst	\$ (10,400)	\$ (9,360)	\$ (1,040)	Connected	143	\$ (73)
117	Water Revenue	Meter Repair/Replacement	\$ (4,700)	\$ (4,700)		Connected	143	\$ (33)
118	Water Revenue	Chemicals & Monitoring	\$ (2,300)	\$ (2,300)		Connected	143	\$ (16)
119	Water Revenue	Telemetry System Operating Costs	\$ (1,127)	\$ (1,127)		Connected	143	\$ (8)
120	Water Revenue	Water Share fee/education	\$ (800)	\$ (800)		Connected	143	\$ (6)
121	Water Revenue	Gas Heat	\$ (350)	\$ (350)		Connected	143	\$ (2)
122	Water Revenue	Electricity	\$ (6,000)	\$ (6,000)		Connected	143	\$ (42)
123a	Water Revenue	Misc. Water Expenses	\$ (492)	\$ (492)		Connected	143	\$ (3)
126	Water Revenue	Pump Replacements, Telemetry System Upgrades	\$ (8,400)		\$ (8,400)	All Lots	184	\$ (46)
126a	Water Revenue	General Maintenance & Repair	\$ (5,000)		\$ (5,000)	All Lots	184	\$ (27)
95	Water Revenue	Charge for Services: Metered Water (overages)	\$ 7,500	\$ 7,500		Connected	143	\$ 52
TOTALS			\$ (148,121)	\$ (17,629)	\$ (130,492)			
Lot Status				# Lots	Annual Lot Pmt	Monthly Lot Pmt	Total Fees Collected	
Unconnected Lots pay 1/184 of System Maintenance & Investment				41	\$ (709.20)	\$ (59.10)	\$ (29,077)	
Connected Lots pay 1/184 of System Maintenance & Investment, plus 1/143 of Operating Expenses				143	\$ (832.48)	\$ (69.37)	\$ (119,044)	
TOTAL							\$ (148,121)	
Table of Base Water Rate Fees vs. Water Master Salary								
Water Master Salary plus Payroll Taxes			\$ 10,400	\$ 20,000	\$ 30,000	\$ 40,000	\$ 50,000	
			Current Base Fee	New Base Fee	New Base Fee	New Base Fee	New Base Fee	
Annual Base Water Fee - Connected Lots			\$ 828	\$ 898	\$ 966	\$ 1,035	\$ 1,103	
Annual Base Water Fee - Unconnected Lots			\$ 696	\$ 715	\$ 720	\$ 725	\$ 731	

Interlaken Planning Commission Report Thru 2017-11-06

To: Interlaken Planning Commission

From: Epic Engineering (Joe Santos)

General Comments:

1. Meeting(s)

1.1. Town Council Meeting November 6, 2017.

2. Key Task(s)

2.1. Approval of Permit Requests

2.2. Update members of outstanding permits

3. Key Schedule(s)

3.1. N/A

4. Item(s)

4.1. N/A

Project / Task(s)	Description	Initiation Date	Status	Responsible Party	Projected Completion Date	Completion Date
Modified/Changed Dates in Red		Required/Requested Information in Orange		Completed/Old Tasks in Grey		
General	Water Rights					
		2016/2017	Preparing update on transfer recommendation.	Epic		
	Conference Call and Prepare Amended Memo	7/25/2017	To clarify the confusion surrounding Town water rights, conference call was held with PC member Bill Goodall, Don Olsen of Epic, Lindsay Minck of Epic, Josh Call of Epic, and Eric Jones of the UTDWR. Amended memo will be delivered based upon conversation.	Epic	7/25/2017	7/25/2017
	Amended Memo	7/25/2017	Memo Amendments complete, submitted to Town Council 8/29/2017	Epic	8/28/2017	8/29/2017
	Town Council Action	8/29/2018	Awaiting Action by Town Council	TC	?	
General	Code Update					
	Mapping	5/4/2017	Basemaps built and sent to PC/TC	Epic		6/7/2017
		6/7/2017	Review and awaiting comments	PC/TC		
General	Pablo Road Excavation					
	Notification		Epic Geotech Josh White inspected the site and wrote a memo for how to fix the site. Memo was sent to Pablo and PC, Pablo's response to PC did not address the violation of the ROW. Epic is unaware of any updates to the status of this issue.	TC		



Project / Task(s)	Description	Initiation Date	Status	Responsible Party	Projected Completion Date	Completion Date
16IKB001	Lot 202- Wilson Residence					
	Building Permit		Approved and issued 6/8/2016	Epic		6/8/2016
	Inspections	6/8/2016 6/21/2017 10/11/2017	Initial Inspections Pre-final Final	Epic		6/8/2016 6/21/2017 10/11/2017
	Update	9/15/17	Construction nearing completion, Spoke with homeowners and they are waiting on contractors. Likely to wrap up before 10/17		10/17/2017	
	Issuance of CO	10/12/17	Construction has been completed, Home has passed final inspection and a Certificate of Occupancy has been issued.	NA	NA	10/16/2017
16IKB002	Lot 115- Howard Residence					
	Building Permit		Approved and issued 6/29/2016	Epic		6/29/2016
	Stop Order		Issued stop order due to missing dumpster and porta-potty.	Epic		
	Stop Order Lifted		Issues resolved and work to resume.	Epic		
	Inspections	8/8/2016 10/11/2016	Initial Inspections Underslab Plumbing			8/8/2016 10/11/2016
	Update	9/15/17 11/6/17	Framed, Windows installed. No electricity in house, waiting for Heber Power. Waiting on permission from neighbors to dig trench for powerline. Called for Update, no answer.	Epic		

Project / Task(s)	Description	Initiation Date	Status	Responsible Party	Projected Completion Date	Completion Date
16IKB003	Lot 102- Connor Residence					
	Building Permit	7/18/2016	Approved and issued	Epic		8/17/2016
	Building Permit Revoked	12/1/2016	Revoked due to structural changes and errors	Epic		
	Inspections	9/1/2016	Initial Inspections			9/1/2016
	Building Permit Reinstated		Lee Ewell, the new contractor from Ewell Enterprises picked up building permit, construction to resume.			6/13/2017
	Inspections	6/23/2017	Temp power Out house completed 4-way		7/25/2017 10/1/2017	6/23/2017
	Update	9/18/2017	HVAC is in, working on Plumbing, Electrical, Insulation, Drywall and 4-way. Needs water meter set.	Epic		
16IKB004	Lot 218- Frank Residence					
	Building Permit		Approved and issued	Epic		3/23/2016
	Inspections		Footing Underground Temp power			12/6/2016
	Update	9/15/17	Having problems with steel fabricators, contractor hopes to have steel in by end of month.	Builder	11/15/2017	
	Site Issues	9/18/17	Erosion and No Dumpster Issues Reported to Epic.	Epic/PC	9/18/2017	9/18/2017

Project / Task(s)	Description	Initiation Date	Status	Responsible Party	Projected Completion Date	Completion Date
	Site Issues	9/17/17	Contractor will get a dumpster to the property, Contractor reports there is no erosion, that it is due to roadbase.	Epic/PC	9/21/2017	9/27/2017
	Update	11/2/2017	Framing is completed, Windows and Doors ordered, experiencing delays with Questar Gas Install see 17IKB005.	Builder	3/1/2018	
17IKB001	Lot 11- Sheldon Garage					
	Building Permit	6/16/2017	Approved and recommended to PC for Approval, with Geotech study.	PC	6/16/2017	6/16/2017
	Planning Commission	6/27/2017	PC denied approval due to too many accessory buildings.	Builder/Owner?		6/27/2017
	Application Withdrawn	6/30/2017	Sheldon's have withdrawn their application and are working on a redesign	Builder/Owner	NA	6/30/2017
	Communication	8/24/2017	Sheldon's Architect would like to present new design to PC prior to submittal. PC instructed Architect to submit plans to Epic, Epic has yet to receive plans.	Architect	8/29/2017	
17IKB002	Lot 203- Simpkin's Landscaping					
	Landscape Permit	6/16/2017	Epic sent memo regarding proposed approval on 6/16/2017 with understanding no work to be performed in ROW. Previous ROW work to be examined after attorneys look at it.	PC	6/16/2017	6/16/2017
	Town ROW	6/26/2017	Town attorney is trying to get to the bottom of the ROW issue and where to go with the ROW for this lot and all ROW in the Town.	Town Attorney		6/30/2017

Project / Task(s)	Description	Initiation Date	Status	Responsible Party	Projected Completion Date	Completion Date
	Planning Commission	6/26/2017	PC to measure from platted/surveyed centerpoint of "cul-de-sac" based upon measurements of retaining walls from the centerpoint determines next step.	PC	8/1/2017	8/7/2017
	Recommendation to TC	8/7/2017	PC made recommendation to TC regarding project approval. TC to decide how to proceed.	TC	8/7/2017	8/7/2017
17IKB003	Lot 126-Schnieder Driveway					
	Bluestakes	7/5/2017	Bluestakes request notified PC of project.	-	7/5/2017	7/5/2017
	Correspondence	7/5/2017	Confusion/misinformation between PC, TC and Owner led to project starting without a permit or review.	-	7/6/2017	7/6/2017
	Site Investigations	7/5/2017	Joe from Epic visited the site, and made several requests to ensure the driveway will stay put.	Epic	7/7/2017	7/7/2017
	Inspections	7/10/2017 7/18/2017 8/25/2017	Site Plan Review Plumbing Gas Inspection & Final	Epic	7/10/2017 7/18/2017 8/29/2017	7/10/2017 7/18/2017
	Final Status	N/A	Project Complete	N/A	8/29/2017	8/29/2017
17IKB005	322 Jung Frau Hill Gas Line Road Cut					
	Application	10/09/2017	Dominion Energy applied for a permit to cut asphalt to install gas line in conjunction with permit 16IKB003	Epic	10/11/2017	10/12/2017
	Inspections	10/12/2017	Inspected asphalt cut, photographed and documented lack of road base in shoulder	Epic	10/19/2017	10/19/2017

Project / Task(s)	Description	Initiation Date	Status	Responsible Party	Projected Completion Date	Completion Date
	Requirements	10/19/2017	Epic Engineering reported to the Town, that the patch was missing road base, and that a minimum of 4" of compacted road base must be brought in along the length of the disturbance	Dominion/ Tempest	11/1/2017	
17IKB005	249 Matterhorn Way Gas Line Road Cut					
	Application	10/09/2017	Dominion Energy applied for a permit to cut asphalt to install gas line in conjunction with permit 16IKB004	Epic	10/11/2017	10/12/2017
	Inspections	10/12/2017	Inspected site, asphalt cut has not been performed. Photographed and documented site.	Epic	10/19/2017	10/19/2017
	Updates	10/19/2017	Epic Engineering reported to Questar(Dominion) that the cut had not been performed. We were notified that the cut may not need to be made to service the property.	Dominion/ Tempest	11/1/2017	
17IKBXXX	Soper SUP					
	Application	10/4/2017	Official review of this project has yet to begin, however, Epic has informed Town Clerk that supplied plans to date, are not adequate for approval of the permit.	Epic/TC	?	

Town Council Meeting November 6, 2017

CC&R References to Setbacks

5. No dwelling house or garage shall be erected or placed on the premises hereby conveyed nearer than 30 feet from the exterior line of said premises.

References to Setbacks from Title 11 “Land Use” revised 2016-09-12

CHAPTER 11.02 DEFINITIONS

For the purpose of this Title, the following words and phrases shall, unless defined differently in a particular section, have the meanings respectively ascribed to them:

1. Building. Any structure built for the support, shelter, or enclosure of persons, animals, or property of any kind.
 - a. Main building. The principal building upon a lot.
 - b. **Setback** line requirement. A line requirement designating the minimum distance which buildings must be set back from a street or lot line.
 - c. Building, accessory. A subordinate building, the use of which is incidental to that of the main building
- ...
27. Lot Width. The distance between the two (2) side lot lines of a parcel measured at the required minimum building **setback**.
28. Manufactured Home. See State of Utah law and definitions.
29. Modular Home. See State of Utah law and definitions.
30. Non-Complying Structure. A structure that: (a) legally existed before its current land use designation; and (b) because of one or more subsequent land use ordinance changes, does not conform to the **setback**, height restrictions, or other regulations, excluding those regulations which govern the use of land.
- ...
38. **Setback**. The shortest distance between the property line and the foundation, wall, or a framing member of the building supporting a floor or roof (a deck shall not be considered a floor; however, a support for a roof over a deck shall be the point for measuring **setbacks**).

Section 11.04.070 Location Requirements

- A. The main dwelling unit shall be **set back** at least 30 feet from all lot lines or 30 feet from the closest edge of the roadway right of way.
- B. The accessory building shall be **set back** at least 30 feet from all lot lines, or 30 feet from the center of the roadway right of way.

C. A 10 foot setback shall be permitted along the property line that abuts an entity other than Interlaken property, such as the State Park boundary.

D. For corner lots, the main dwelling and any accessory building shall be set back from the rear property line a distance of at least 30 feet.

Section 11.06.120 Exception to Front and Side Setback Requirements

The setback from the street for any dwelling located between two existing dwellings in any residential zone may be the same as the average for the said two dwellings, provided the existing dwellings are on the same side of the street and are located within 150 feet of each other. However, no dwelling shall be located closer than 30 feet from the street surveyed road right of way.

Section 11.12.030 Notice Regarding Changes to Zoning Ordinance Requirements

A. For public hearings to hear proposed changes to General Plan provisions or Land Use requirements for any one or more of the following subjects, the Town shall provide notice as required in this Chapter:

1. A ten percent or more increase or decrease in the number of square feet or units that may be developed.
2. A ten percent or more increase or reduction in the allowable height of a building.
3. An increase or reduction in the allowable number of stories.
4. A ten percent or more increase or decrease in the setback or open space requirements.
5. An increase or reduction in permitted uses.
6. Rezoning proceedings that may change the zoning classification of an individual real property owner's property.

CC&R References to Setbacks

5. No dwelling house or garage shall be erected or placed on the premises hereby conveyed nearer than 30 feet from the exterior line of said premises.

INTERLAKEN TOWN, UTAH
FEE RESOLUTION AMENDMENT AND REPLACEMENT
November 6, 2017

RESOLUTION NO. 2017-11-06

A RESOLUTION AMENDING THE FEE RESOLUTION AND REPLACING RESOLUTION NO. 2016-05-09 IN ITS ENTIRETY

WHEREAS, it is necessary to update the fee resolution to reflect the changing costs of performing services,

NOW, THEREFORE, it is hereby RESOLVED, by the Town Council of Interlaken, Utah, that the Interlaken Town Fee Schedule is hereby re-adopted with the following changes:

A. Building Permits

Interlaken Building Permit Application Fee	\$350.00
Interlaken Water Connect Fee	\$200.00
Interlaken Road Impact Fee	\$2,500.00
Interlaken Damage Deposit	\$2,500.00
Interlaken Completion Deposit	\$1,500.00

B. Special Use Permit

Interlaken Special Use Permit Application Fee	\$100.00
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C. Parking Violations

Parking in the road right of way from November 1 through April 1, of each year, any time of day.	\$100.00 per incident
Parking in the road right of way for 24 or more consecutive hours from April 2, through October 31, of each year, any time of day.	\$50.00 per incident

APPROVED AND ADOPTED this 6th day of November 2017.

TOWN OF INTERLAKEN

Mayor: Lisa Simpkins

(Seal)

ATTEST:

Town Clerk: Bart Smith

Agenda 15) 11-6-17

Interlaken Town Statement of Revenue and Expense ¹													
July 01, 2017 through September 30, 2017													
Interlaken Town Statement of Revenue and Expense													
	Water Bond Sinking Fund		Water Revenue Fund		Water System Reserve		Transportation Reserve		Building Fund		General Fund		
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	
Income													
4 Private Entity (IMWC) Contribution													\$0
5 Annual Assessment Revenue- Water Utility Base Fees				\$146,940									\$0
5a Annual Road Tax Assessment - Wasatch County													\$73,860
6 Prior Year Assessments													\$0
7 Late Fees - Assessments (all years)													\$75
7a Water Overage charges collected through assessment				\$7,500									\$0
8 1% State Sales Tax (estimate)													\$5,275
9 IMWC Insurance Policies reimbursement													\$0
all Interest Income	\$59	\$173	\$2	\$7	\$64	\$223	\$27	\$115	\$2	\$7	\$7		\$30
11 Revenue from BHR Settlement													\$10,000
12 New Owner Transfer Fees													\$100
13 B&C Road Tax (estimate)													\$6,519
14 Building App & Inspection Fees (Direct Deposit)													\$0
15 Reimbursement of Water Bond Expenses (DWB)													\$0
169 Building Application Fees (varies with application)										\$2,200			
170 Water Connect Fees (\$200 per project)										\$600			
171 Road Impact Fees (\$2,500 per project)										\$9,100			
172 Damage Deposits (\$2,500 per project, refundable)										\$12,500			
173 Completion Deposits (\$1,500 per project, refundable)										\$4,500			
173a Plan Review & Inspections (Town Engineer)										\$13,600			
173b Variance Application Fees										\$500			
Total Income	\$59	\$173	\$2	\$154,447	\$64	\$223	\$27	\$115	\$2	\$43,007	\$12,726		\$119,515
Transfers into General Fund													
19 Transfer from Building Fund (Application Fees for admin costs)													\$2,200
20 Transfer from Water Revenue Fund (50% of admin. expenses)													\$30,550
21 Transfer from Transportation Reserve Fund for Capital expenses												\$101,000	\$101,000
Transfers out of General Fund													
28 Transfer to Transportation Reserve of B&C Road Tax													(\$18,000)
28a Transfer to Transportation Reserve net BHR Settlement													\$0
29 Transfer to Transportation Reserve Capital Improvements													(\$25,000)
30 Transfer to Building Fund												(\$150)	(\$6,000)
Transfers into Water Revenue Fund (Checking)													
99 Transfer from General for Annual Assessment portion for water system						\$0							\$0
100 Transfer from Building Fund (Water Connect Fees)				\$600									
101 Transfer from Bond Sinking Fund for current year Water Bond payment				\$77,732									
102 Transfer from Water Reserve Fund													
102a Transfer to Water Revenue to balance year end													
Transfers out of Water Revenue Fund													
105 Transfer to Water System Reserve Capital Fund				(\$7,770)									
106 Transfer to General Fund													
107 Transfer to Bond Sinking Fund				(\$77,732)									
108 Transfer to Water System Capital Facilities Replacement Reserve Acct													
109 Transfer to General Fund for 50% of Administrative expenses				(\$30,550)									
109a Transfer to Transportation Reserve Fund													

Interlaken Town Statement of Revenue and Expense ¹												
July 01, 2017 through September 30, 2017												
Interlaken Town Statement of Revenue and Expense												
	Water Bond Sinking Fund		Water Revenue Fund		Water System Reserve		Transportation Reserve		Building Fund		General Fund	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Transfers into Transportation Reserve Fund												
77								\$18,000				
77a												\$0
78								\$25,000				
80								\$9,100				
Transfers out of Transportation Reserve Fund												
83								(\$101,000)	(\$101,000)			
Transfers into Water System Capital Reserves Fund												
154						\$7,770						\$0
Transfers into Building Fund												
177									\$150	\$6,000		
Transfers out of Building Fund												
180										(\$2,200)		
181										(\$600)		
182										(\$9,100)		
Transfers into Bond Sinking Fund												
138		\$77,732										\$0
Transfers out of Water Bond Sinking Fund												
141		(\$77,732)										
Total Transfers Between Funds	\$0	\$0	\$0	(\$37,720)	\$0	\$7,770	(\$101,000)	(\$48,900)	\$150	(\$5,900)	\$100,850	\$84,750
General Fund Expenses												
Administrative Expense												
37											(78.80)	(\$1,000)
38											(4443.75)	(\$18,000)
39												\$0
39a												(\$461)
40												(\$149)
40a											(\$1,003)	(\$950)
41											(\$369)	(\$500)
42											(\$1,251)	(\$7,700)
43												\$0
44											(\$5,631)	(\$40,000)
44a												(\$10,000)
45												(\$5,000)
45a												(\$2,000)
45b												(\$300)
46												\$0
47												(\$4,039)
48											(\$145)	(\$1,000)
49												
50												
51												(\$10,000)
Total Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$12,922)	(\$101,099)

Interlaken FY2018 QTR 01 Report

Interlaken Town Statement of Revenue and Expense ¹												
July 01, 2017 through September 30, 2017												
Interlaken Town Statement of Revenue and Expense												
	Water Bond Sinking Fund		Water Revenue Fund		Water System Reserve		Transportation Reserve		Building Fund		General Fund	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Annual Road Maintenance Expense from General Fund												
55 Annual Road Repair & Maintenance												(\$102)
56 Additional Contract Services												(\$1,100)
56a Road Signage												(\$418)
57 Contract Service (Snow Removal)												(\$37,200)
58 Supplies - Salt, Sand, etc												(\$3,400)
Annual Road Capital Expenses												
60 Capital Repairs, Maintenance & Improvements												(\$58,615)
Total Road Maintenance and Capital Expenses:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$59,135)	(\$151,300)
Total Misc Expenses for Water System taken out of General Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total General Fund Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$72,056)	(\$252,399)
Increase/Decrease in General Fund Balance												(\$48,134)
Water Revenue Fund Expenses												
Bond Payment												
114 Water Bond Payment, Due annually in January				(\$77,732)								
Operating Expenses												
116 Payroll - Water Master & Asst Water Master			(\$2,032)	(\$8,800)								
117 Meter Repair/Replacement				(\$4,700)								
118 Chemicals & Monitoring			(\$80)	(\$2,300)								
119 Telemetry System Operating Costs				(\$1,127)								
120 Water Share Fee, Education, etc.			(\$375)	(\$800)								
121 Gas Heat			(\$47)	(\$350)								
122 Electricity			(\$1,967)	(\$6,000)								
123 Payroll Taxes - Water Master & Asst Water Master			(\$4)	(\$1,600)								(\$337)
123a Workman's Comp Insurance for Water Master & Asst				(\$492)								
123b Misc. Water Expenses			(\$2,100)									
Repair and Maintenance												
125 Tank Cleaning (Midco)												
126 Pump Replacements, Telemetry System Upgrades			(\$8,305)	(\$8,400)								
126a General Maintenance & Repair				(\$5,000)								
Total Water Revenue Fund Expenses	\$0	\$0	(\$14,910)	(\$117,301)	\$0	\$0	\$0	\$0	\$0	\$0	(\$337)	\$0
Building Fund Expenses												
187 Refunds of Damage Deposits												(\$7,500)
188 Refunds of Completion Deposits												(\$4,500)
188a Plan Review & Inspections (Town Engineer)												(\$13,600)
188b Additional Contractual Services (Town Engineer)												(\$10,000)
Total Building Fund Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$35,600)	\$0
Total Expenses (General, Water Revenue, Building)	\$0	\$0	(\$14,910)	(\$117,301)	\$0	\$0	\$0	\$0	\$0	(\$35,600)	(\$72,393)	(\$252,399)
Add: Beginning Balance	\$158,514	\$158,514	\$30,613	\$30,613	\$171,750	\$171,750	\$128,583	\$128,583	\$19,854	\$19,854	\$71,143.69	\$71,143
Rounding Adjustment											1	
Ending Balance	\$158,573	\$158,687	\$15,706	\$30,039	\$171,814	\$179,743	\$27,611	\$79,798	\$20,006	\$21,361	\$112,327	\$23,009