

TOWN OF INTERLAKEN  
Municipal Code

TITLE 09 BUILDING AND CONSTRUCTION

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CHAPTER 9.08 MAXIMUM HEIGHT FOR ALL BUILDINGS (Revised)

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Section 9.08.010 Maximum Heights for all Buildings (Text Relocated to Title 11)

Section 9.08.020 Exceptions (Text Relocated to Title)

Section 9.08.030 Procedures for Buildings With Regard to Maximum Height (Revised)

~~Section 9.08.040 Elevation Certificate Required (Revoked on 6/6/18)~~

**Section 9.08.040 Building Permit Plan Requirements** (New Content Proposed on 6/6/18)

~~Section 9.08.050 Procedure for Elevation Certificate Approval (Revoked on 6/6/18)~~

Section 9.08.050 Definitions (Revised 6/6/18)

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Section 9.08.010 Maximum Heights for all Buildings (Requirements Specified/Relocated to Title 11.06.070)

The height of any building shall not exceed 35 feet. The total height shall be measured as the vertical distance from the "Natural Grade," as defined herein, to any point to a roof.

Section 9.08.020 Exceptions (Requirements Specified/Relocated to Title 11.06.070)

To allow for unusual conditions or appurtenances, the following exception shall apply:

Antennas, chimneys, flues, vents, or similar structures may extend up to five feet above the specified maximum height limit.

Section 9.08.030 Procedures for Buildings With Regard to Maximum Height

**Maximum Building Height must be clearly shown and presented (as a profile drawing detail, at minimum) on the plan drawing submitted for the building permit, as either:**

**A. The measured vertical distance (in feet) from the natural grade to the highest point of the roof, or roof element or building structure above (for properties with an average natural grade of less than 25%),**

**or**

**B. The measured vertical distance (in feet) from the lowest flooring level which has an exterior entrance or a partially or fully exposed wall on the downhill side of the dwelling, and then as measured from that flooring level to the highest point of the roof, or roof element or building structure above (for properties with an average natural grade of 25 % or greater OR properties proposing building construction directly on top of any portion of land with a slope of 25 % or greater).**

~~— A. Whenever buildings exceed 30 feet above the “Natural Grade,” an Elevation Certificate shall be required before any Certificate of Occupancy is issued.~~

~~B. For any application which the Planning Commission finds is not clear enough to demonstrate compliance with the Maximum Height Provisions of this Chapter, the applicant may be required to submit an Elevation Certificate to help establish compliance with the height limitation requirements. If the applicant feels the request for the certificate is unreasonable, the applicant may appeal the request directly to the Appeal Authority who shall review the request and respond in writing to the applicant. All decisions of the Appeal Authority may be reviewed by the Interlaken Town Council.~~

**~~Section 9.08.040 Elevation Certificate Required~~**

~~A. The Elevation Certificate shall be accompanied by a Building Features Height Analysis that shows how no part of the roof shall pierce the Maximum Building Height Elevation if constructed in accordance with the submitted plans.~~

~~B. The Elevation Certificate, properly prepared, shall be submitted by a licensed surveyor or civil engineer who prepared the certificate with the following certification:~~

~~I, \_\_\_\_\_ do hereby certify that I am a licensed land surveyor, or a licensed civil engineer, in the State of Utah, license # \_\_\_\_\_, as prescribed under the laws of the State of Utah. I further certify that I have reviewed the plans for permit # \_\_\_\_\_, as (street address) \_\_\_\_\_ on (lot number) \_\_\_\_\_, (subdivision or PUD) \_\_\_\_\_ and have surveyed the property and prepared a topographic map to show the “Natural Grade” of the property prior to construction and to verify that the structure is situated on the property consistent with the approved plat or Condominium Record of Survey Map.~~

~~I certify that the elevations of the points of the foundation are as follows: Benchmark (location and elevation): \_\_\_\_\_ Garage Floor \_\_\_\_\_ in the middle of the largest garage door plane.~~

~~Elevation of the foundation at its highest point underneath the first floor of the building that the foundation supports, \_\_\_\_\_~~

~~The elevation at the top of the top wall as shown on the building plans shall be: \_\_\_\_\_~~

~~The elevation of the roof does not exceed 35 feet from the “Natural Grade” at any point.~~

**~~Section 9.08.050 Procedure for Elevation Certificate Approval~~**

~~A. The Surveyor or Civil Engineer shall place footing location stakes showing the location of the footings relative to the location of the footings as shown on the “Elevation Certificate”~~

~~B. Before any representative of Town of Interlaken shall authorize the placement of foundation walls, the applicant shall have the surveyor or engineer certify that the top of the highest point of the foundation wall to be poured matches that same elevation as shown on the “Elevation Certificate.”~~

~~C. When the final member of the roof structure for a building that is depicted on the Elevation Certificate is placed (but before any representative of Town of Interlaken shall authorize the placement of finish roofing material), the builder shall provide the elevation of the highest point of the roof and a statement signed by the surveyor, or civil engineer, and builder certifying that the building does comply with the height approved on the Elevation Certificate.~~

~~D. If at any point during the construction of a building for which an "Elevation Certificate" is required the builder finds it is necessary to change the elevation of any of the structure depicted in the "Building Features Height Analysis," no such change shall be made by the builder, or approved by the Town, until after a written request for such change has been approved by the Town Planning Commission.~~

~~E. A record of compliance with the building height approved by Town of Interlaken through the Building Elevation Certificate process shall be maintained by the Town Planning Commission for a period of not less than ten years.~~

### **Section 9.08.04060 Definitions**

A. Building Features Height Analysis. The building plans for a proposed structure that show the vertical elevation expressed in feet of the following points on each building relative to the Bench Mark used to develop the topographic map on the Elevation Certificate:

1. The top of the foundation walls at all points
2. The elevation of each floor of the proposed building
3. The elevation of the roof and any and all proposed appurtenances to the roof.

B. ~~Maximum Building Height Elevation.~~ **Depending on the slope of the property, Building Height is defined as either the vertical distance from** ~~A projected surface that follows the surface elevation of the property or building site where a structure is proposed that is 35 feet above the elevation of "Natural Grade"~~ **to the building roof, roof element or building structure above where the structure is to be built or the vertical distance from the lowest floor plane which has an exterior entrance or a partially or fully exposed wall on the downhill side of the dwelling to the highest point of the roof or roof element or building structure above. See Title 11, Section 11.06.070 specific maximum building height requirements and Section 9.08.030 on how to calculate (measure) maximum building height.**

~~C. Elevation Certificate. A document prepared by a duly licensed land surveyor or civil engineer that certifies the elevation "Natural Grade" expressed in feet, and of the building features and the lot, building pad or condominium unit location for the purpose of establishing compliance with the Town height limitations which has been accepted by the Interlaken Town Planning Commission.~~

**C. D. Grade. The ground surface elevation of a site or parcel of land.**

1. **Grade, Existing. The Grade of a Property prior to any proposed construction activity, including the effects of any previous man-made site disturbance.**

**2. Grade, Natural.** ~~Elevation of the “Natural Grade.”~~ The Elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous man-made site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property or the undisturbed grade of adjacent properties. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land, or redirecting the flow of run-off water. This term is a base point to be used to establish the basis for compliance with Town height limitations in stated circumstances.

~~Topographical liens or points on a map of the property where building permits are requested relative to a fixed point on an adjacent Town street or other established base point to be used to establish the basis for compliance with Town height limitations~~

**3. Grade, Final.** The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity.

**D.E. Grading.** Any earthwork or activity that alters the Natural or Existing Grade, including but not limited to excavation, filling or embanking.

**E. Slope, Percent.** The level of inclination of land from the horizontal plane determined by dividing the horizontal run or distance of the land into the vertical rise or distance of the same land and converting the resulting number value into a percentage value. *For example, if vertical rise is 2 feet and horizontal run is 10 feet, then percent slope =  $(2 \div 10) \times 100\% = 20\%$ .*

**F.E. Bench Mark.** The location and elevation in feet from mean sea level of the point from which the topographic map for the Elevation Certificate is started. That point is also labeled as “0” and all other points on the map are labeled relative to that in whole, or decimal fraction numbers per foot of change in elevation.

**G.F. Licensed Land Surveyor.** A professional that is licensed to practice land surveying in the State of Utah.

**H.G. Licensed Civil Engineer.** A professional that is licensed to practice civil engineering in the State of Utah.