



SURVEYOR'S CERTIFICATE

I, W. KENT BROWN, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. 3261, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as TORRY PINES N^o 3 and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION		REMARKS
COURSE	DIST.	
		BEGINNING AT THE SOUTHWEST CORNER OF
		LOT 9, TORREY PINES, A RECORDED
		SUBDIVISION, SAID POINT BEING N89°56'34"E
		330.00 FEET AND S0°03'26"E 673.00 FEET
		FROM THE CENTER OF SECTION 7, T. 35.,
		R 1 E., S. L. B. & M.; AND RUNNING THENCE
S0°03'26"E	507.00	FEET, THENCE
N89°56'34"E	200.59	" "
N61°41'00"E	130.68	" "
N80°56'00"E	78.00	" "
N9°04'00"W	165.00	" "
S80°56'00"W	46.25	" "
N9°04'00"W	103.47	" "
S89°56'34"W	25.00	" "
N0°03'26"W	210.00	" "
S89°56'34"W	115.00	" "
S0°03'26"E	35.00	" "
S89°56'34"W	165.00	FEET TO THE POINT OF BEGINNING.

JUNE 1, 1971
DATE

1971 *W Kent Brown*
GARDNER ENGINEERING
MIDVALE, UTAH
OWNER'S DEDICATION

Know all men by these presents that _____, the _____ undersigned owner () of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the _____

TORRY PINES N°3

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof _____ have hereunto set _____ this
22nd day of July A.D., 1971

SECURITY TITLE CO. ~ TRUSTEE

GORDON H. DICK
EXECUTIVE VICE PRES.

N. Gayle Nielson
N. GAYLE NIELSON
SENIOR VICE PRES.

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH }
County of Salt Lake } S.S.

On the _____ day of _____ A.D., 19____, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, the signer() of the above Owner's dedication, _____in number, who duly acknowledged to me that _____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

TORRY PINES No 3

A SUBDIVISION,
A PART OF THE S.E. 1/4 OF SECTION 7, T. 35., R. 1 E.,

SALT LAKE BASE & MERIDIAN

RECORDED # 2399936

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF

QUEST OF Security Title Co.
DATE 28 July 1971 TIME 12:26 PM BOOK JJ PAGE 59

\$18.⁰⁰
 \$\$\$ \$

Veradean Martin
 SALT LAKE COUNTY RECORDER

PLANNING COMMISSION
APPROVED THIS 7th DAY OF
June A.D., 1971 BY THE SANDY
CITY PLANNING COMMISSION.
Manuel Lopez
CHAIRMAN, SANDY CITY PLANNING COMM.

BOARD OF HEALTH

APPROVED THIS _____ DAY
OF _____ A.D., 19____

DIRECTOR, S. L. CO. BOARD OF HEALTH

~~FLOOD CONTROL DEPT.~~

~~APPROVED THIS _____ DAY OF~~

~~_____, A.D. 19_____~~

~~_____~~

~~FLOOD CONTROL COORDINATOR~~

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS OFFICE HAS
EXAMINED THIS PLAT AND IT IS CORRECT IN
ACCORDANCE WITH INFORMATION ON FILE
IN THIS OFFICE.

DATE SALT LAKE COUNTY SURVEYOR

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 22nd
DAY OF July A.D., 19 71
John B. Anderson
SANDY CITY ATTORNEY

SANDY CITY COUNCIL

PRESENTED TO THE SANDY CITY COUNCIL
THIS 9th DAY OF JUNE
A.D. 19 71, AT WHICH TIME THIS SUBDIVISION WAS APPROVED
AND ACCEPTED.

Ray B. Leonard Frank M. Mumford
ATTEST: SANDY CITY CLERK Mayor

RECORDED # 2399936
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE RE-
QUEST OF _____
Security Title Co.
DATE 28 July 1971 TIME 12:26PM BOOK JJ PAGE 59
\$ 18.00 _____
FEE \$ Jeradean Martin
SALT LAKE COUNTY RECORDER



DRAWING NOTES:

1.

LEGEND

EXISTING INDEX CONTOUR (5')
EXISTING CONTOUR (1')

NO.	REVISION	DATE

PROJECT INFORMATION

FITZGERALD PROPERTY

PHASE I

GRADING PLAN

SANDY, UTAH

DRAWN
TGK

CHECKED	MEC
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PROJECT #
25427



DATE 9/17/2025

SCALE
 $1'' = 10'$

SHEET

C101

**Corrections
Required**

Please Adjust and Resubmit

Case: SPX03182025-006929
Date: 10-30-2025
By: Melissa Anderson
Planning

Neighbor's property impacted by grading

G:\DATA\25427 Fitzgerald, Tully\dwg\25427 Fitzgerald.dwg
PLOT DATE: Sep 17, 2025



1. DATE OF FIELD SURVEY: SEPTEMBER 15, 2025.
2. THIS DRAWING ONLY REPRESENTS THE EXISTING CONDITIONS AND TOPOGRAPHY ON THE SUBJECT SITE. THE PARCEL LINES REPRESENTED HEREON ARE SIMPLY DRAFTED FROM THE RETAILER'S SALT-TREATMENT RECORDS. NO FIELD ATTEMPTS WERE MADE TO VERIFY THE PARCEL BOUNDARY NOR ITS PLACEMENT ON THE GROUND. THIS DRAWING DOES NOT CONSTITUTE A CERTIFIED BOUNDARY SURVEY.
3. CONTRACTOR IS RESPONSIBLE FOR ALL BURIED UTILITIES, SHOWN OR NOT SHOWN.
4. THE MAXIMUM ALLOWABLE SLOPE ANYWHERE ON THE SITE IS TO BE 2:1.
5. THE INTENT OF THE DESIGN IS TO RESTORE THE SLOPE TO HISTORICAL CONDITION BEFORE THE CONSTRUCTION OF THE RETAILER'S WALLS. THE GRADING CONTRACTOR HAS TAKEN PLACE ON THE SLOPE SO THE EXISTING CONTOURS SHOWN ON THIS PLAN TO NOT FULLY REPRESENT THE HISTORICAL TOPOGRAPHY. THIS PLAN IS TO SERVE AS A GUIDE FOR CONSTRUCTION BUT IT IS ANTICIPATED THAT SOME FIELD MODIFICATIONS WILL BE REQUIRED TO MATCH THE GRADE OF THE EXISTING PROPERTIES. THE CONTRACTOR IS TO WORK CLOSELY WITH SANDY CITY INSPECTORS TO ENSURE THE GRADING MEETS CITY REQUIREMENTS. THE CONTRACTOR IS TO ENSURE NO EROSION OCCURS ON SANDY CITY OF ANY FIELD MODIFICATIONS THAT ARE MADE.

1. NATIVE PLANT MATERIALS TO BE USED FOR ALL LANDSCAPING
2. ANY EXISTING PLANT OR TREE THAT IS REMOVED IS TO BE REPLACED WITH THE SAME SPECIES.
3. CLUMP TREES AND SHRUBS TO MIMIC THE EXISTING NATURAL VEGETATION PATTERN RATHER THAN APPLYING A MANICURED LINEAR DESIGN.

EXISTING INDEX CONTOUR (5')

EXISTING CONTOUR (1')

PROPOSED INDEX CONTOUR (5')

PROPOSED CONTOUR (1')

30%-OR-GREATER-SLOPE (PROTECTED HILLSIDE) AREA - TO REMAIN IN ITS NATURAL CONDITION. NO GRADING, CUTTING, FILLING, OR CONSTRUCTION OF ANY KIND IS ALLOWED, EXCEPT AS APPROVED BY THE SANDY CITY ENGINEER

NO.	REVISION	DATE

FITZGERALD PROPERTY
PHASE II
SITE & GRADING PLAN
400 E TONYA DRIVE
SANDY, UTAH

DRAWN BDA	CHECKED MEC	PROJECT # 25427
		DATE 10/13/25
		SCALE 1" = 10'
ENGINEER'S STAMP C101		

G:\DATA\25427 Fitzgerald, Tully\dwg\25427 Fitzgerald - Phase 2.dwg
PLOT DATE: Oct 13, 2025

CODE	DESCRIPTION	QTY
1 LANDSCAPE		
1-01	NATIVE REVEGETATION SEEDING MIX FROM GRANITE SEED 801.701.9418. SEE NOTES THIS SHEET. Streambank wheatgrass 25% Western wheatgrass 30% Rocky Mountain beeplant 15% Blanketflower 10% Blue flax 10% Utah serviceberry 5% Fourwing saltbush 2% Brittlebush 2% Wyoming sagebrush 1%	1,630 sf

REVEGATATION NOTE:

Apply the above seed mix at a rate of 2.5 lbs./1000SF. Apply using one of the following methods:

1. Hydroseed (recommended)
2. Broadcasting with a handheld or push fertilizer spreader or similar, followed up by gently raking it into the soil (disregard raking if soil control blanket is being used). Add a thin layer of mulch over the top.

Recommendation: Prior to seeding with either of the above methods, install an erosion control blanket (straw or coconut fiber in either plastic or biodegradable netting) to the hillside to prevent washouts which would push seed to the bottom of the hill and leave the top bare.

Note: Granite Seed has a 5# minimum quantity.

Once planting is completed, continue ongoing monitoring and maintenance. This includes regular assessments of plant survival and supplemental watering during the first two growing seasons. Install temporary above-ground PVC irrigation system with pop-up rotor or rotary heads at the top of the slope.

These efforts will help the plants establish deep root systems, eventually reducing the need for continued intervention. By implementing this plan, we can achieve a self-sustaining native ecosystem that stabilizes soils, improves water retention, and enhances habitat for pollinators, small mammals, and other local wildlife.



ATTENTION: PRIOR TO PERFORMING ANY WORK ON THIS PLAN CONTRACTOR SHALL IDENTIFY THROUGH BLUESTAKES AND ON-SITE OBSERVATION ANY AND ALL UTILITIES AND HAZARDS OR CONDITIONS THAT MAY PREVENT WORK FROM BEING PERFORMED ACCORDING TO THESE PLANS ABOVE OR BELOW GROUND. IF CONDITIONS ARE FOUND THAT MAY PREVENT WORK FROM BEING PERFORMED AS PER PLAN, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT PRIOR TO PROCEEDING. ANY DAMAGE TO UTILITIES SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY (I.E. ELECTRICAL, GAS, WATER, SEWER, ETC.). EVERY EFFORT HAS BEEN MADE TO ENSURE ACCURACY WITH THESE DRAWINGS. QUANTITIES (IF AND IF) LISTED ARE FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND QUANTITIES ON THESE PLANS. ARCHITECT SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN QUANTITIES LISTED IN LEGENDS AND PLAN. WHERE DISCREPANCIES EXIST BETWEEN SPECIFICATIONS, DETAILS, AND/OR DRAWINGS, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT PRIOR TO PROCEEDING. CONTRACTOR SHALL INSPECT THE SITE TO VERIFY THAT DRAWINGS ARE CONSISTENT WITH SURVEYED BASE INFORMATION. DURING CONSTRUCTION IF DISCREPANCIES ARE FOUND BETWEEN THESE PLANS AND THE SITE, CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT PRIOR TO PROCEEDING.





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

City Engineer Recommendation Letter

DATE: October 30, 2025
TO: Melissa Anderson, Zoning Administrator
FROM: Britney Ward, P.E., Assistant Public Works Director/City Engineer
SUBJECT: 400 East Tonya Dr, SPX03182025-006929

Background:

In July of 1971, 400 E Tonya Dr was platted as Lot 45 of the Torry Pines No. 3 subdivision. This occurred prior to the adoption of Sandy's 1979 Sensitive Area Overlay Zone (SAOZ). The SAOZ requires grading plans to be in conformance with Sandy's Hillside Ordinance, to be submitted to the City and approved before building permits are issued. Further, it requires that the hillsides remain substantially undisturbed, and any grading or vegetation removal be approved by the City. The subject property is located within Sandy's Sensitive Area Overlay Zone.

Recent Development:

In the beginning of March 2025, the city was alerted to unauthorized building and grading into the protected slope of this lot. Investigations revealed that shortly before 2007, a prior homeowner built a garage into the protected slope area and a second structure on the west side of the home without permits. Sometime after this, much of the lot's mature native landscaping was removed from the protected slope. After acquiring the property in 2020, the current homeowners spouse constructed retaining walls around the perimeter of the illegal garage as well as multiple large block retaining walls at the bottom of and through the protected hillside. The entire protected slope within the property boundary was cut into and regraded, removing rotted railroad ties and most of the landscaping. Further, access trails for a mini excavator were created to provide progressive level ground and stabilized work areas for the installation of the block walls.

The current structural soundness of the garage and massive block retaining walls is unknown at this time as neither were designed by licensed engineers nor submitted to Sandy City for review and approval. The garage does not meet required setbacks, and it does not appear to have been constructed on a proper foundation.

Following the City's discovery, a Violation Notice and Stop Work Order were promptly issued for the property, dated March 05, 2025. In response, the city collaborated with the owner of Lot 45 to submit a plan to restore the disturbed slope. Mrs. Megan Ashley Capdeville, the owner of Lot 45, and her spouse, Mr. Tully Fitzgerald, have included restoration of the affected area in the proposed plan.



EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

Restoration Plan:

The restoration plan involves the following two phases:

Phase I: To be completed immediately

- Removing the block retaining wall structures along the southern property line and behind the garage.
- Restoring the terrain between the back of the garage to the southern property line, to its original natural contours, aligning it as closely as feasible to the former undisturbed state.
- Revegetate the hillside with plant species matching those of the adjacent undisturbed area.
- Install temporary irrigation until the new native grass seedlings are established.
- Implementation of erosion control measures to safeguard the region until the native vegetation fully reestablishes itself.

Phase II: To be completed prior to future development or sale of the property

- Removal of the illegal garage structure
- Removal of the illegal structure on the west side of the home
- Restoring the terrain between the back of the garage to the home, to its original natural contours, aligning it as closely as feasible to its former undisturbed state.
- Revegetate the restored hillside with plant species matching those of the adjacent undisturbed area.
- Install temporary irrigation until the new native grass seedlings are established.
- Implementation of erosion control measures to safeguard the region until the native vegetation fully reestablishes itself.

Recommendation:

Having assessed the details of the restoration proposal, Sandy City Engineering recommends the Planning Commission's approval of this restoration plan for the 400 E Tonya Dr Special Exception, with the condition that the Phase I and II plans are updated and implemented accordingly to address staff comments.



EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

March 2025 Site Photo



Contour Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2025 Aerial Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2024 Aerial Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2023 Aerial Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2022 Aerial Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2020 Aerial Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2009 Aerial Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2006 Aerial Map





EXHIBIT "D"

SANDY CITY PUBLIC WORKS

RYAN KUMP, PE
PUBLIC WORKS DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE PACE
CHIEF ADMINISTRATIVE OFFICER

2003 Aerial Map



EXHIBIT “E”

400 E Tonya Drive

Site Conditions October 29, 2025



EXHIBIT “E”

400 E Tonya Drive

Site Conditions October 29, 2025



EXHIBIT “E”

400 E Tonya Drive

Site Conditions October 29, 2025



EXHIBIT “E”

400 E Tonya Drive

Site Conditions October 29, 2025



EXHIBIT “E”

400 E Tonya Drive

Site Conditions October 29, 2025



EXHIBIT “E”

400 E Tonya Drive
Site Conditions October 29, 2025



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Site Conditions October 29, 2025



EXHIBIT "E"

400 E Tonya Drive
Site Conditions October 29, 2025

