

When recorded, mail to:

Brian Head Town
PO Box 190068
Brian Head, UT 84719

APNs: PARCEL # _____

AGREEMENT

This agreement is made and entered into on the _____ between the Brian Head Town (“**Town**”) and _____, owner of property described in Exhibit A (“**Property Owner**”).

RECITALS

- 1) Property Owner is the owner of property in Brian Head Town located in the Single Family Residential (R1) or the Medium Density Residential (R2) zone (including R1 and R2 subzones as well as R1 or R2 zones in combination with overlay zones). The property is described in Exhibit A and is hereinafter referred to as “**the Property**.”
- 2) Residential development is not regulated by the Town’s building design standards found in the following sections of the Brian Head Town Code, hereinafter referred to as “**Design Standards**” if the building footprint is equal to or more than 1,000 square feet:
 - a. Section 9-12-5: Landscaping and Fences;
 - b. Section 9-12-7B: Buildings – Architectural Design and Style;
 - c. Section 9-12-7F: Exterior Walls;
 - d. Section 9-12-7G: Colors.
- 3) The maximum building footprint in the R1 zone is 1,000 square feet and the R2 zone is 1,500 square feet.
- 4) The maximum building height in the R1 and R2 zones is 25 feet.
- 5) Pursuant to Chapter 9-7-10: Building Bonuses, a property owner may request that all of the chapters and sections specified in Recital 2 above be applied to the property. In such a case, the Town will grant a building size increase and a building height increase to development on the property.

AGREEMENT

- 1) Property Owner requests that the following code sections and chapters be applied to all development on the property:
 - a. Section 9-12-5: Landscaping and Fences;
 - b. Section 9-12-7B: Buildings – Architectural Design and Style;
 - c. Section 9-12-7F: Exterior Walls;
 - d. Section 9-12-7G: Colors.
- 2) Town grants a building size increase over the size otherwise permitted on the

Property up to forty percent building coverage including garages and patios.

- 3) Town grants a twenty-foot building height increase over the height otherwise permitted on the property up to 45 feet.
- 4) Property Owner shall submit complete applications for all required development, land use, and building permit approvals.
- 5) All other pertinent provisions of the Town Code apply to all development on the Property.
- 6) This agreement shall run with the land and shall be binding on all future property owners, agents, successors, and assigns.

I have read and understand this Agreement and agree to the terms contained herein.

PROPERTY OWNER

NAME DATE

NOTARY
State of Utah)
 : §
County of _____)

On this _____ day of _____, in the year 20____, before me,
_____ a notary public, personally appeared _____,
Proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

Notary Signature

Brian Head Town

ATTEST

EXHIBIT A**Legal Description:** |