

BRAND ESTATES REZONE

ORDINANCE 23-15

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 0.647 TOTAL ACRES FROM R-1-15 "SINGLE-FAMILY RESIDENTIAL DISTRICT" TO R-1-10 "SINGLE-FAMILY RESIDENTIAL DISTRICT", LOCATED AT APPROXIMATELY 267 EAST AND 285 EAST 11000 SOUTH; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, Utah, finds and determines as follows:

1. Pursuant to Sections 10-9a-501 through 10-9a-505 Utah Code Annotated 1953 as amended the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land.

2. A request has been made for a zoning amendment on the below described property.

3. The Planning Commission held a public hearing on August 3, 2023, which meeting was preceded by emailing the notice to the Sandy Parks & Recreation, the Salt Lake County Library-Sandy, and posting in Sandy City Hall, the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on August 15, 2023. The notice was also mailed to affected entities and property owners on August 16, 2023.

4. The City Council of Sandy City, Utah met on August 29, 2023, and has taken into consideration citizen testimony, planning and demographic data, the desires of the owners of the property and the Planning Commission recommendation as part of the Council's deliberations.

5. The rezone of said parcel will be appropriate, it is in accordance with the General Plan, it will promote the health and general welfare of the City, it will be compatible with the best interests of the particular neighborhood involved and it will be sensitive to the needs of the City as a whole.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, Utah, as follows:

Section 1. Amendment. The zoning ordinance which sets forth the zone districts within Sandy City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The property described in **Exhibit “A”**, which is attached hereto and by this reference made a part hereof, affects approximately 0.20 acres, located at approximately 267 East and 285 East 11000 South, Sandy, Utah, and currently zoned as R-1-15 “Single-Family Residential District” shall be rezoned to R-1-10 “Single-Family Residential District” to align with the revised property layout, and the zoning map is amended accordingly.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

R-1-15 “Single-Family Residential District”

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

R-1-10 “Single-Family Residential District”

Section 2. Severable. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED this ____ day of _____, 2023.

Brooke D’Sousa, Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for her approval this ____ day of _____, 2023.

APPROVED this ____ day of _____, 2023.

Monica Zoltanski, Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2023.

SUMMARY PUBLISHED this ____ day of _____, 2023.

Exhibit "A"
(Legal Description)

R-1-10 REZONE AREA

BEGINNING AT A POINT WHICH IS NORTH 00°18'28" EAST 195.17 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING AT A 150.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 61.67 FEET THROUGH A CENTRAL ANGLE OF 23°33'23" (CHORD BEARS SOUTH 78°37'38" WEST 61.24 FEET); THENCE NORTH 89°35'40" WEST 33.23 FEET; THENCE SOUTH 64°16'43" WEST 57.89 FEET; THENCE NORTH 89°35'40" WEST 144.74 FEET; THENCE NORTH 00°24'20" EAST 100.24 FEET; THENCE SOUTH 89°35'40" EAST 333.76 FEET; THENCE SOUTH 00°18'24" WEST 50.60 FEET TO THE POINT OF BEGINNING.

CONTAINS 28,199 SQUARE FEET OR 0.647 ACRES, MORE OR LESS.