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# MEMORANDUM

November 4, 2021

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Majestic Overlook Subdivision Amendment (Preliminary Review)  
 3253 E. Bell Canyon Rd. & 3238 E. Wasatch Overlook Ct.  
 [Community #29 – The Dell & Community #30 - Granite]

SUB09172021-006154  
 Zone: R-1-10 & R-1-15  
 .91 Acres

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**HEARING NOTICE:** *This item has been noticed to property owners within 500 feet of the subject area, in addition to posting a sign on the property.*

| PROPERTY CASE HISTORY |   |
|-----------------------|---|
| Case Number           | Case Summary  |
| SUB-?                 | Majestic Canyon Estates No. 2 Subdivision was approved July, 1978 in Salt Lake County     |
| Ord# 9-34             | Bell Canyon Road Annexation approved December 17, 2009                                    |
| Ord# 14-38            | Garside Annexation approved December 29, 2014   |
| SUB-05-17-5260        | Wasatch Overlook Preliminary Subdivision Approval by Planning Commission on March 1, 2018 |
| SUB-05-17-5260A       | Wasatch Overlook Final Subdivision Approval by Planning Commission on November 15, 2018   |

## DESCRIPTION OF REQUEST

The applicant, Michael Day, is requesting preliminary review for a two-lot single family subdivision amendment for a lot line adjustment. The applicant is not requesting any special exceptions or overlay zones with this request. However, both lots are located within Sandy City’s Sensitive Area Overlay (SAO) zone.

## **BACKGROUND & SITE CONDITIONS**

The subject property is approximately .91 acres in size and contains two lots. The northern lot (Lot 1) is vacant and is located in the current Wasatch Overlook Subdivision, which will access onto Wasatch Overlook Ct. The southern lot (Lot 2) contains an existing home and is located in the current Majestic Canyon Estates No. 2 subdivision, and accesses onto Bell Canyon Rd. The applicant currently owns both properties. Lot 1 is located in the R-1-15 zone, while Lot 2 is located in the R-1-10 zone. This subdivision amendment will change the property line between Lots 1 and 2 by moving it to the south.

The property is bordered to the north by single-family residences in the R-1-15 zone. It is bordered to the west by single-family homes in the R-1-15 and R-1-10 zones. To the south are single-family homes in the R-1-10 zone. Finally, to the east is Wasatch Boulevard and then single-family homes in the R-1-10 zone and R-1-15 zone.

## **NOTICE**

Notices were mailed to property owners within a 500-foot radius of the subject property as per Sandy City Land Development Code requirements, to notify them of the Planning Commission meeting. A physical sign was also placed on the property. No neighborhood meeting was required. There are no new lots being created as part of this subdivision amendment.

## **SUBDIVISION ANALYSIS**

### Sec. 21-20-3. - Required Lot Size, Frontage Requirement

The R-1-15 and R-1-10 zones are single-family zones. These zones are standard zones in the City, which means that all provisions for setbacks, building height, lot frontage, lot size, etc. are all pre-determined by ordinance and must be adhered to. The proposed plat conforms to the standards of the zones.

This type of application has historically been accomplished administratively through a lot line adjustment process, but due to a change in state statute, lots currently in a subdivision now must apply for a subdivision amendment to accomplish the adjustment. Both lots still meet the square footage requirement of their respective zones, as well as the setback requirements for the existing structure to the proposed new property line.

Planning staff is currently working on a future text amendment that will allow lot line adjustments to be approved through an administrative process. However, as the City code is written at this time, they are required to come to the Planning Commission for approval because they are subdivision amendments.

As both lots are located in the Sensitive Area Overlay (SAO) zone, both are subject to the City's ordinances regarding steep slopes. The purpose of the zone is to protect 30 percent or greater slopes for safety, and the vegetation on them. Lot 1 has 30 percent slopes that were determined by the City Engineer to be an anomaly, meaning that they can be disturbed and construction may occur there. The Majestic Canyon Estates No. 2 Subdivision, in which Lot 2 is currently located, does not display 30 percent slope areas, because it was not typical to show such areas on plats at the time it was recorded, which was in 1978. However, this proposed plat will need to show these slope areas and delineate whether they are protected

or non-protected slope areas. This will be a part of the final staff review process to ensure no protected 30 percent slope areas are disturbed in the future. Also, as part of the SAO zone, it is required that all primary and accessory structures be located at least an average of 20 feet from the protected slope areas, with no part of the structure being closer than 10 feet to them.

### **STAFF CONCERNS**

This proposed adjustment will result in a Lot (Lot 2) that will have two different zones applied to it. Majority of the lot will be within the R-1-10 and will need to meet the standards for the R-1-10 zone.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission determine that preliminary review is complete for the **Majestic Overlook Subdivision**, located at **3253 E. Bell Canyon Rd. & 3238 E. Wasatch Overlook Ct.**, based on the following findings and subject to the following conditions:

#### **Findings:**

1. That the proposed lot sizes, setbacks, and frontages conform to the requirements of the R-1-15 and R-1-10 zones.
2. That the various City Departments and Divisions have preliminarily approved the proposed subdivision plat.

#### **Conditions:**

1. That the applicant complies with each department's comments and redlines throughout the final review process and that all issues be resolved before the subdivision can be recorded.
2. That all City provisions, codes, and ordinances are adhered to during the review of this project, except as otherwise approved by waivers or special exceptions granted by the Planning Commission.
3. That all residential lots comply with all requirements of the Sensitive Area Overlay Zone and R-1-15 and R-1-10 zones, as applicable to each individual lot.
4. That all primary and accessory structures be located at least an average of 20 feet away from protected 30 percent or greater slope areas, with no part of the structure(s) being closer than 10 feet to them.

Planner: \_\_\_\_\_  
Craig Evans, Planner

Reviewed by: \_\_\_\_\_  
Brian McCuiston, Planning Director