
4. Dimple Dell Ridge Subdivision – Preliminary Review
1713 E. Dimple Dell Rd [Community #26] SUB-09-17-5300

The applicant, Mr. Adam Nash, is requesting preliminary subdivision and Sensitive Area Overlay review for a proposed three lot subdivision. The subject property is 3.21 acres in size and is located on the southern rim of Dimple Dell Park. The proposed subdivision includes a 1.68 acre lot for an existing home, and the creation of two lots (0.68 and 0.81 acres) that have large portions of steep slope area. The two new lots will be accessed via Dimple Dell Road to the south, while the existing home is accessed via Badger Cove. The proposed subdivision also defines the boundaries for a parcel currently used as a utility station located between the two proposed new lots. The utility parcel is not a buildable residential lot.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission determine that the preliminary subdivision and Sensitive Area Overlay zone reviews area complete for the Dimple Dell Ridge Subdivision, located at 1713 East Dimple Dell Road subject to the following 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, construction and operations process of this project.
3. That all residential lots comply will all requirements of the R-1-20A zone and Sensitive Area Overlay zone.
4. That dwelling structures be prohibited from any area that is equal to or in excess of a 30% slope. The location of a dwelling structure shall be within an average of 20 feet (no point being closer than 10 feet) of a continuous hillside slope of 30% or greater.
5. That any area equal to or in excess of a 30% slope be indicated (cross-hatched) on the final plat, and that perspective builders and homeowners be apprised of the restrictive nature of the hillside lots.
6. That the existing slope ratio be unaltered and that grading and landscaping of any of the hillside areas have approval of the Sandy City Engineering Division in accordance with the Sensitive Area Overlay Zone prior to building permits being issued.
7. That grading, home placement, and vegetation plans be submitted and approved for all lots prior to issuance of a building permit. The grading plan shall include a driveway plan and profile to assure conforming driveway slope. Any down sloping driveway will require approval by the City Engineer.
8. That structures comply with the Urban Wildland Interface requirements. This means that all homes and accessory structure be constructed of materials approved with a minimum

of a one hour rated fire resistive construction on the exterior side or constructed with approved noncombustible materials. This will be determined on a case by case basis at building permit review. Also, that an approved noncombustible or fire treated roof covering be utilized for each home.

9. That homes be placed in a manner that minimizes the removal of vegetation on each property. Where it must be removed to accommodate a house, areas with the least mature vegetation should be prioritized for home locations over areas with more mature vegetation.
10. That compliance be made with the Sandy City Water Policy, e.g., water line extensions, connections, water rights, and fire protection.
11. That a shared maintenance and access agreement for Lots 1 and 2 be recorded with the plat for the shared driveway access and private trail easement that provides access to Dimple Dell Park.
12. That the driveway access for Lot 1 be installed as part of the subdivision improvements and not by the future owner of Lot 1, that the installation of the driveway will be bonded as part of the subdivision improvements, and that the engineering and configuration of the driveway be reviewed and approved by the City Engineer.
13. That Lot 4 be approved as a public utility station lot and not deemed as a buildable residential lot.

Mitch Vance introduced this item to the Planning Commission. He stated since the staff report was written, staff has received new information and is recommending that this item is continued to a new date.

Adam Nash, 6076 S. 900 E., Sandy, Applicant, stated he would like to commend staff. He has been working with staff for about a year on this project. This property is in a sensitive area overlay zone so there are lots of challenges. Historically, the property has had challenges as well with non-compliance because of prior property owners. Most of these issues have been remediated. Since that time, the applicant purchased the property from the prior property owner. As to, the owner of the proposed lot 3. The previous owner sold property on metes and bounds descriptions rather than through a subdivision. He also stated he was notified by staff of this when the application was made. He tried to comply with staff, which was to have all the property subdivided properly. Dominion Energy stated they are not an illegally created subdivision. They are a public utility and they can be on this size of property. They are opposing to being involved in signing the plat. Dominions Energy's lot is what makes his lot difficult to use. He stated he has worked around this and has put a plan together. He thinks the real issue is working out the technicalities of an actual subdivision. There will be no widening of roads or dedications. He is happy to delay this process to make sure this is properly done.

Commissioner Monica Collard opened this item to public comment.

Joyce Walker, 2486 E. Sego Lily Drive, Sandy, stated she is addressing concerns with this item. She believes the homes would not fit on such tiny lots. Pumping of the sewage presents some challenges. The previous owner of this land has a long history of being out of compliance. Cars lights may shine in the window.

Camille Trapp, Owner of lot 3, stated she had no idea that the previous owner conducted an illegal sale of this property. She purchased this property 16 years ago. She then proceeded to buy an extra .75 acre for the widening of the road. She stated she is not opposed to a home being built on the property, she would have liked to have been informed. She would like to find out how this would impact her. She also stated Mr. Nash has never discussed this with her. Until a day ago, she had no idea the lots were undivided.

Commissioner Monica Collard closed this item to the public.

Commissioner Joe Baker moved that this item is continued to a later date.

James Sorenson stated there was an issue that came up on the zoning. He wants to assure that this property is zoned R-1-20A for animal rights. There's been no exceptions asked for. Staff is committed to keeping the zoning as is. Whatever can fit and be built in this zone is what staff would recommend.

Brian McCuistion stated since we are not sure of the date this item should come back to the Planning Commission, this item should be tabled instead of continued.

Commissioner Monica Collard stated she believes an item can be continued without a specific date. This would save the applicant from refiling.

Darian Alcorn stated it's a continuation if it is date specific.

Brian McCuistion stated the applicant would not have to reapply. Reapplying occurs when the item is denied. If it is tabled or continued, we can wait until the applicant is ready to come back.

Commissioner Joe Baker moved that the Dimple Dell Ridge Subdivision – Preliminary Review is tabled to a later date.

Commissioner Cyndi Sharkey seconded the motion. The votes were as follows. Joe Baker, yes; Cyndi Sharkey, yes; Dave Bromley, yes; Monica Collard, yes. The vote was unanimous in favor.