



SANDY CITY COMMUNITY DEVELOPMENT

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MEMORANDUM

July 19, 2018

To: Planning Commission
From: Community Development Department
Subject: Miles Olsen Subdivision (Preliminary Review) SUB-07-17-5285
8862 S. 220 E. Zone: R-1-7.5(HS)
[Historic Sandy, Community #4] 0.52 Acres, 2 Lots

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
SPEX-06-16-5099	Miles Olsen Special Exception to allow for a continuance of a non-conforming use. The Planning Commission heard the item on July 7, 2016 and voted 4-2 in favor of granting the special exception that allowed the applicant to add onto their home. The application was approved with the condition that a subdivision for the property be submitted within one year and that occupancy of the new addition would not be granted until the subdivision application was submitted.

DESCRIPTION OF REQUEST

Mr. Bryce Dallimore (applicant) and Miles Olsen (owner) are requesting preliminary subdivision review for a two lot single-family subdivision located at 8862 S. 220 E. The applicant is implementing the Historic Sandy Development (HSD) Overlay zone with this subdivision. The HSD Overlay zone is a floating zone meant to promote human scale pedestrian activity through the incorporation of specific development guidelines in exchange for reduced minimum lot size and frontage requirements. The 0.52 acre property currently has two single-family homes located on one parcel. The property has been legally non-conforming because the homes existed prior to the zoning ordinance. The proposed subdivision would divide the property and create an individual parcel for each home and bring the structures into compliance with the zoning requirement to have only one single-family home on each lot. No new vacant lots will be created as part of this subdivision.

BACKGROUND

The owner of the property applied for a building permit to substantially expand on one of the homes in 2016. Because the property had a legal non-conforming status, the applicant was required to go to the Planning Commission and obtain a Special Exception for the continuance and expansion of a non-

conforming use. The special exception was approved (see attached minutes) with the condition that a subdivision application be submitted within one year in order to bring the property into compliance. This application is in response to this condition of approval to subdivide the property. As part of the building permit application, the applicant submitted a plan for this subdivision showing the subject property divided into three lots – one for each home on the property, and one new lot. However, the plan for the property has since changed and the third new lot will not be part of this subdivision, rather it will simply divided the property into two for the existing homes.

NOTICE

Notices were mailed to property owners within a 500 foot radius of the subject parcel to notify them of the Planning Commission meeting. The Community Development Director along with Planning Staff determined that a neighborhood meeting was not necessary for this application.

ANALYSIS

The R-1-7.5(HS) zone allows for single-family housing on lots with a minimum size of 7,500 square feet. Because the property is implementing the HSD Overlay, the minimum allowable lot size is 5,000 square feet. As proposed, Lot 1 is 24,218 square feet and Lot 2 is 5,660 square feet in size. A note has been added to the plat that states that any new home or modification of existing homes on either of these lots will need to conform to the architectural design standards of the HSD Overlay zone. The home on Lot 2 will continue to be legally non-conforming because it does not meet the code requirement that all homes have a two-car enclosed garage on the property (Chapter 15A-20-05A). The applicant has shown on the plat a potential location of a detached garage that meets all the requirements of the code, however there are no immediate plans for the garage to be built. Because no new development will be happening as part of this application, no infrastructure improvements were required as part of the application.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission determine that preliminary review is complete for the **Miles Olsen Subdivision**, located at 8860 South 220 East, based on the following findings and subject to the following condition:

Findings:

1. That the proposed subdivision brings otherwise non-conforming uses more into compliance with requirements for single-family residences outlined in the Development Code.
2. That the application reflects the fulfillment of a conditional of approval imposed on the property during the review of a Special Exception in 2016.

Condition:

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.

Planner:



Mitch Vance
Planner

Reviewed by:



Brian McCuiston
Planning Director