



# SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

MONICA ZOLTANSKI  
MAYOR

SHANE E. PACE  
CHIEF ADMINISTRATIVE  
OFFICER

## Staff Report Memorandum November 6, 2025

To: Planning Commission  
From: Community Development Department  
Subject: Rushton Accessory Structure (Conditional Use Permit)  
135 E. 11000 S.  
[Community #11, Crescent]

CUP10022025-007050  
R-1-20A  
.96 Acres

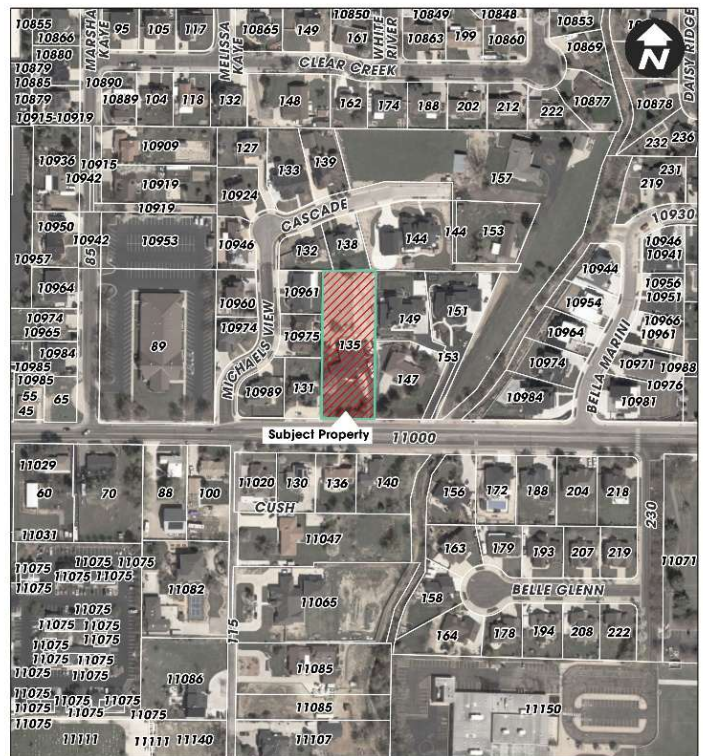
**Public Meeting Notice:** This item has been noticed to property owners within 500 feet of the subject area, on public websites and at public locations.

### Request

The applicant, John Rushton, is requesting approval of a conditional use permit for an accessory structure with increased size and height for the property located at 135 E. 11000 S. The request is for an accessory structure in the rear yard that is 2,618 square feet and 24 feet in height. See application materials for details in Exhibit A and Exhibit B.

### Background

The subject property is approximately .96 acres (41,389 square feet) in the R-1-20A zone. Properties to the north and east are zoned R-1-20A with single family residential. Properties to the north, west, and south are zoned R-1-10 with single family residential. There is also single family residential to the west that is zoned R-1-12.



CUP10022025-007050  
Conditional Use Permit  
135 E 11000 S

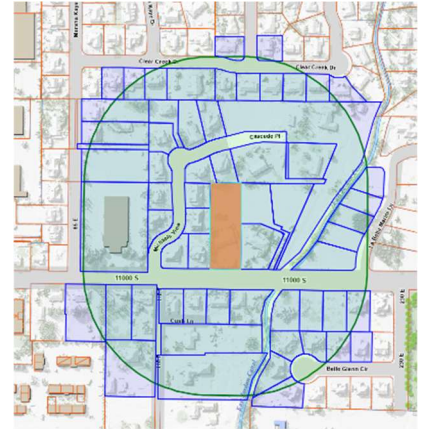
Community Development Department  
Sandy City, UT

### Public Notice and Outreach

This item has been noticed to property owners within 500 feet of the subject area by mail. A neighborhood meeting was held on October 21<sup>st</sup> and four neighbors attended. The following comments were made about the proposal:

1. What type of building materials will be used?
2. How far from the east property line will the structure be?
3. How far is the structure from the west property line?

During the meeting it was stated that the building would be 16 feet in height and the applicant stated that the building was several feet higher than that. The structure is proposed to be 24 feet high from finished grade to peak of roof. One email has been received regarding the project (See Exhibit D).

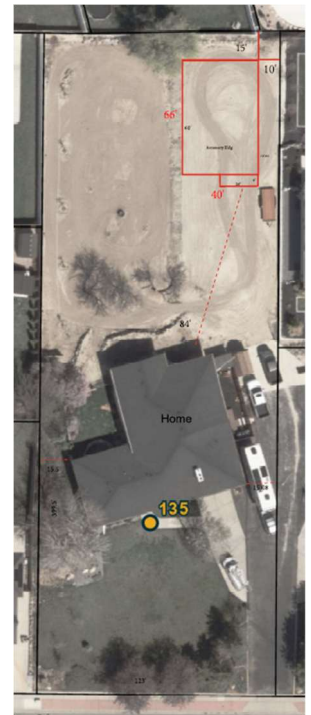


### Analysis

The applicant is proposing to build an accessory structure in the rear yard that will be used as a garage for RV and other personal storage. The applicant is proposing to build an accessory structure that is 2,618 square feet and 24.35 feet in height. The structure will be in the rear yard 15 feet from the north rear property line, 10 feet from the east side property line, and 70 feet from the west property line. The building is proposed to be a steel siding and roof. The structure would be approximately 12% of the rear yard. There are no other accessory structures on the property. The applicant is proposing to have a gravel driveway to access the accessory structure.

### Building Size

The allowed size for accessory structures for lots of 40,000 square feet or larger is 2,000 square feet. The subject property is in the R-1-20A zone and is just over one acre at 41,389 square feet. Section 21-11-2(a)(2)(d) of the Sandy City Development Code states that any property over 40,000 square feet, or with an "A" designation, the total maximum square footage of all accessory buildings on the property may be increased up to 50 percent larger than the permitted size through a conditional use permit. The Planning Commission shall consider the scale of the buildings in relation to the immediate surroundings, the nature of the zone and land uses in the immediate vicinity, architectural design, landscaping, access, proposed use, impact upon adjacent properties, in addition to other criteria normally considered during the conditional use permit process. The applicant is proposing to have a 2,618 square foot building (See Exhibit C). This request is to increase the allowed maximum of 2,000 square feet by 30%. A list of accessory structures and their size in the nearby vicinity is included.



Address	Accessory Structure (sq. ft.)	Rear Yard Area (sq. ft.)	Rear Yard Percentage
139 E Cascade Pl.	774	5,448	14%
157 E. 11000 S.	1,080	51,786	2%
144 E. Cascade Pl.	345	8,790	4%
10975 S. Michaels View St.	200	2,660	7%
Project Address	Accessory Structure	Rear Yard Area	Rear Yard Percentage
135 E. 11000 S.	2,618	20,416	12%

### Building Height and Setbacks

The proposed structure is 24 feet in height from finished grade to peak of roof. Properties in the R-1-15 zone or larger are allowed to build up to 20 feet in height for an accessory structure. Section 21-11-2(a)(3)(c) of the Sandy City Development Code states that a building may be built taller, up to the maximum building height for a permitted dwelling within the zone in which it is located, upon receipt of a conditional use permit from the Planning Commission. The applicant is proposing

to place the structure 15 feet from the north rear property line and 10 feet from the east side property line (See Exhibit B). In Section 21-11-2(a)(3)(b) it states that a detached structure exceeding 15 feet in height shall increase the minimum setback one foot for each on foot of additional height up to the minimum setback for the primary dwelling, unless otherwise approved by Planning Commission. The minimum side setback for the R-1-20 zone is 10 feet. The one-to-one rule for the rear setback of the building would need to be 11 feet. The applicant is proposing to place the building 15 feet from the rear. Sec. 21-11-2(a)(1)(a) of the Sandy City Land Development Code states that eave projections shall not encroach more than four inches into the setback area. The proposed roof eaves are 1.5 feet and would encroach approximately one foot two inches past the allowed four inches. The building meets the requirements for setbacks but the roof eaves need a waiver in order to encroach into the setback.

### **Conditional Use Standards**

The City may impose conditions on a conditional use based on certain standards of review found in section 21-33-04 of Sandy City Land Development Code. The following items from that list are applicable to this particular request and merit discussion or additional consideration by the Planning Commission (staff analysis is found below in *italics*):

### **Sec. 21-33-4. Conditions.**

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address:

- (1) Size, configuration and location of the site and the proposed site plan layout.

*The proposed structures will be in the rear yard, 24 feet tall to peak and would total 2,618 square feet. The structures will be sited 15 feet from the north rear property line, 10 feet from the west side property line, and 70 feet from the west property line.*

- (2) Proposed site ingress and egress to existing and proposed roads and streets.

*The structure will be accessed by a gravel driveway.*

- (14) Measures to assure compliance with all conditions and requirements of approval, including, but not limited to, bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, and restrictive covenants.

*To be reviewed upon legitimate complaint.*

- (15) Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this title.

*That the applicant complies with all Building & Safety, and Fire & Life Codes.*

### **Staff Concerns**

Staff has no concerns with the proposed project.

### **Recommendation**

Staff recommends that the Planning Commission approve a Conditional Use Permit for additional size and increased height of an accessory structure as described in the staff report for the property located at 135 E. 11000 S. based on the following findings and subject to the following conditions:

### **Findings:**

1. The proposed structure is consistent with rear yard area coverage for accessory structures.
2. Staff finds that the proposed structure meets the intent of Section 21-11-2 provided the applicant complies with the following conditions:

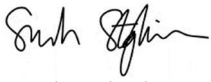
### **Conditions:**

1. That the structure be located as per the enclosed site plan and be built to 2,618 square feet and no more than 24 feet from finished grade to peak of roof. The structure will be setback 15 feet from the rear property line, 10 feet from

the east side property line, and 70 feet from the west side property line.

2. That roof eaves be allowed to encroach no more than one foot two inches into the setbacks described on the site plan.
3. That the applicant complies with all Building & Safety, and Fire & Life Codes.
4. That the applicant be responsible for meeting all provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning Commission.
5. That this Conditional Use Permit be reviewed upon a legitimate complaint.

Planner:



Sarah Stringham  
Planner

File Name: S:\USERS\PLN\STAFFRPT\2025\CUP10022025-007050 - RUSHTON ACCESSORY STRUCTURE\STAFF REPORT RUSHTON.DOCX



Exhibit "A"

October 1, 2025

Sandy City Planning Commission

Dear Planning Commission,

I am requesting a Conditional Use Permit for an increase in the maximum square footage allowed for accessory structures on my property at 135 E 11000 S, Sandy, Utah. The proposed building is a 40' x 60' x 16' engineered rigid-frame steel structure, to be located behind my residence.

The building will be used exclusively for personal storage, including my RV and other personal equipment. It will not be used for any business or commercial purposes. It will be constructed with steel siding and roofing in neutral tones consistent with the residence.

I do not anticipate any negative impacts on the neighborhood. The enclosed structure will allow me to consolidate items that might otherwise remain outside, protecting my personal items and improving the appearance of the property. The building will not generate additional traffic, noise, or lighting impacts.

Thank you for your consideration of this request.

Sincerely,



John Rushton (Oct 2, 2025 12:49:37 MDT)

John Rushton

Exhibit "B"



Exhibit "C"

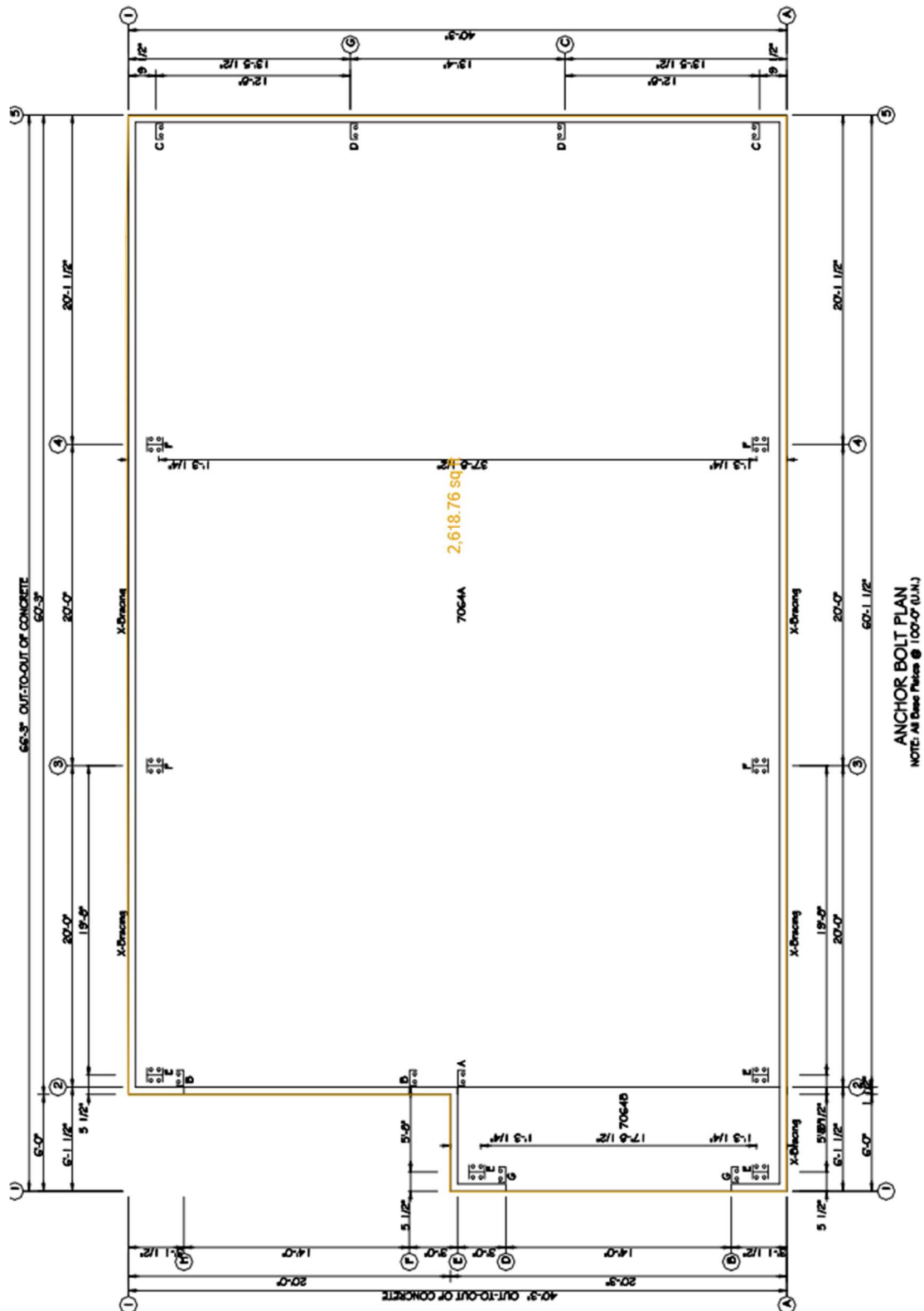


Exhibit "C" continued

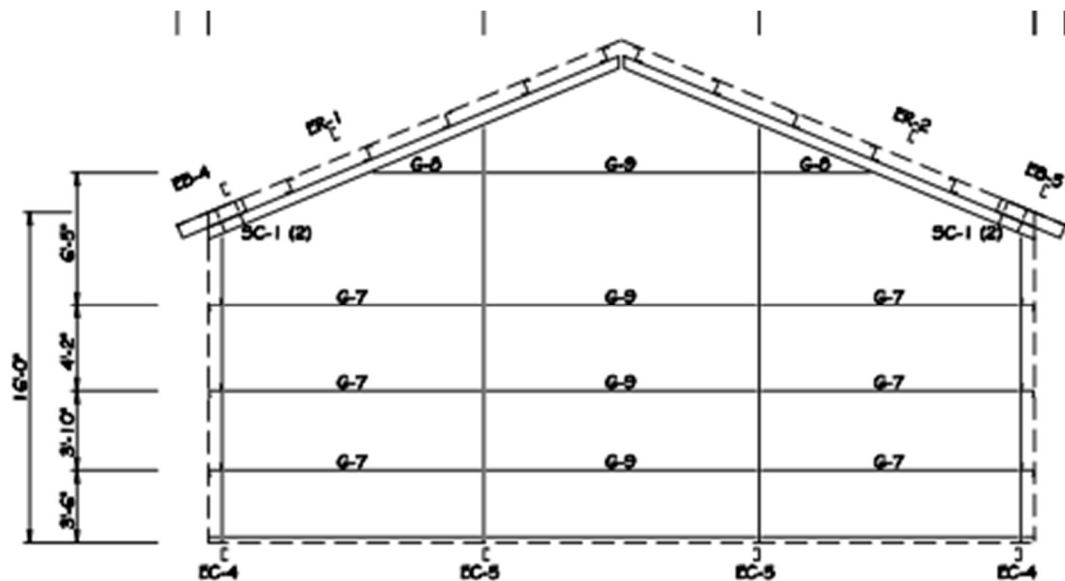
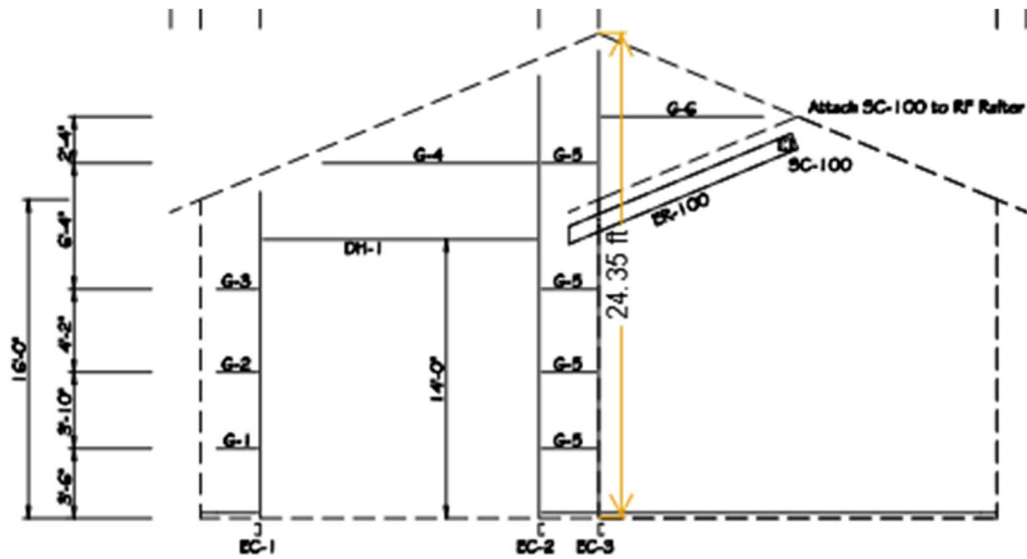




Exhibit "C" continued

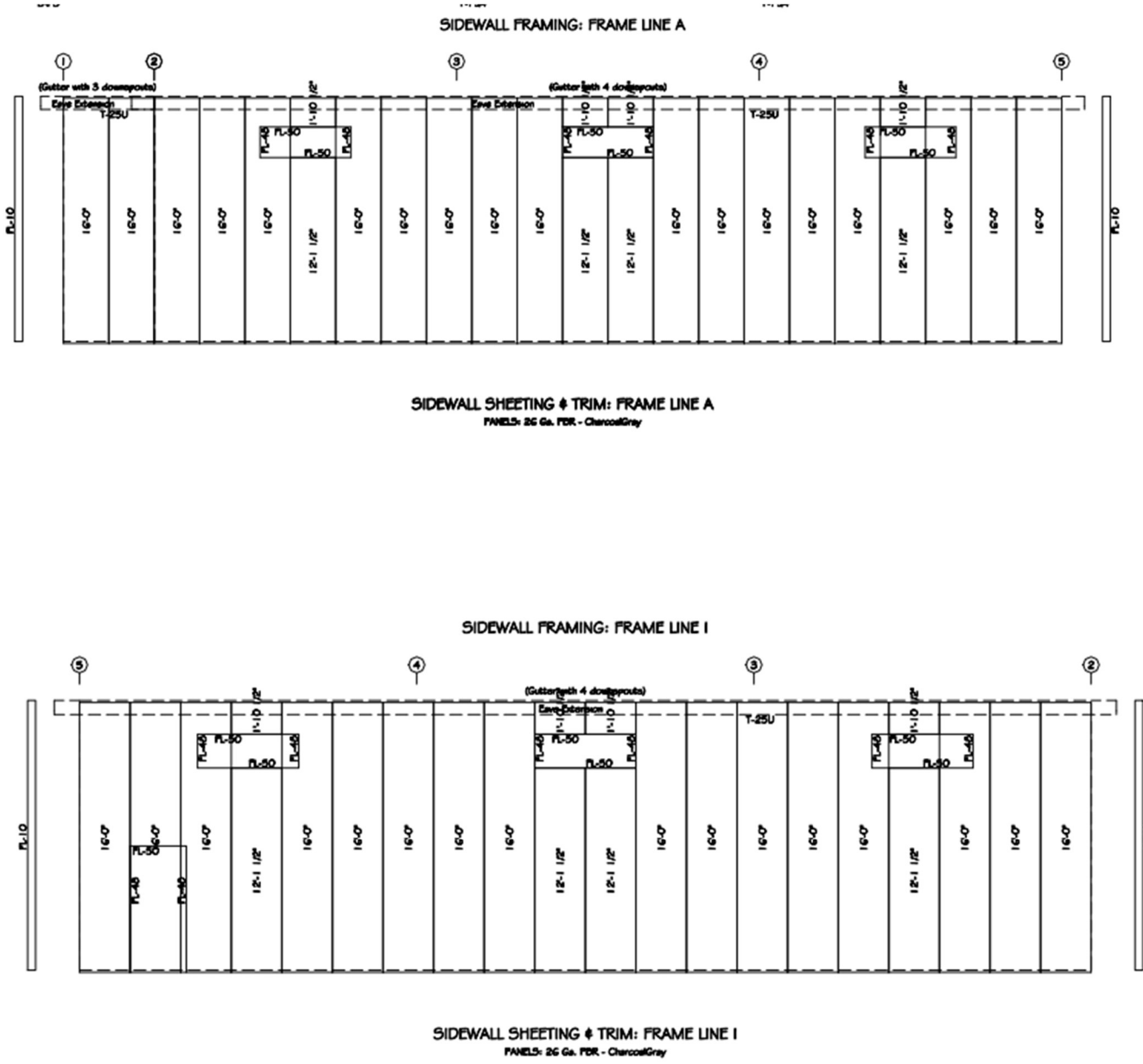


Exhibit "C" continued



Exhibit "C" continued

Color rendering of metal siding



## Exhibit "D"

**Sarah Stringham**

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**From:** McOmber, Jason <Jason.McOmber@dsisystemsinc.com>  
**Sent:** Tuesday, October 28, 2025 9:50 AM  
**To:** Sarah Stringham  
**Subject:** [EXTERNAL] Joshn Rushton - Accessory Structure Unit - 135 E 11000 S

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** Do not click links, open attachments, or reply, unless you recognize the sender's email address!

Hey Sarah,

My name is Jason McOmber and I'm building the home on 147 E 11000 S directly next door to John Rushton who is requesting a permit to build the Accessory Structure behind his house.

I just want to let you know that I think it will be a positive impact to the neighborhood to allow John to build the structure behind his house. Currently it's vacant land, and I don't think it would make sense to try and split that lot to allow for another house back there. So, I think the best path for development would be to allow the Rushton's to build something on that lot to best utilize the space.

The Rushton's are wonderful neighbors who have lived in the area a long time, and I know whatever they build behind their house will look great and create more property value for the neighborhood.

Please feel free to reach out if you have any additional questions.

Thanks,  
**Jason McOmber**  
**VP: Enterprise Sales**  
**DSI**  
C: 801-859-7183  
[jason.mcomber@dsisystemsinc.com](mailto:jason.mcomber@dsisystemsinc.com)