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COMMUNITY DEVELOPMENT
DIRECTOR

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MEMORANDUM

July 15, 2021

To: Planning Commission
From: Community Development Department
Subject: Derricott Subdivision (Preliminary Review) SUB05172021-006052
8566 S Johnsonway Dr. Zone: R-1-8
[Community #6 – High Point] .45 Acres

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

DESCRIPTION OF REQUEST

The applicant, Daniel Derricott, is requesting preliminary review for a two-lot single family subdivision. The applicant is not requesting any special exceptions or overlay zones with this request.

BACKGROUND & SITE CONDITIONS

The subject property is approximately .45 acres in size and currently contains an existing home, which will be demolished as part of the subdivision, and an existing barn which will be mostly demolished, although he is proposing to keep a portion of it for the storage of materials during subdivision development and home construction. New homes will then be built on both Lot 1 and Lot 2. The property is in the R-1-8 zone and both lots will be accessed from Johnsonway Dr. The property is bordered on the west and south by the Good Shepherd Lutheran Church located in the R-1-8 zone. Across the street to the east, and also to the north, the property is bordered by single family homes also located in the R-1-8 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. A neighborhood meeting was held Wednesday, June 16, 2021. No residents attended the meeting.

SUBDIVISION ANALYSIS

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

The R-1-8 zone is a single-family zone that requires lots to be at least 8,000 square feet in size. The zone is a standard zone 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 zone.

The property is currently located on an existing 50-foot right-of-way. The applicant will need to dedicate one foot of property to Sandy City to make their half-width 26 feet, to comply with the City standard 52-foot right-of-way profile. There is currently a four-foot-wide sidewalk existing on the property. That will need to be removed and replaced with a five-foot-wide sidewalk and a five-foot-wide parkstrip. The property line will be the back of sidewalk.

STAFF CONCERNS

The applicant is proposing to demolish a large portion of the existing barn, which is currently larger than what is allowable in the R-1-8 zone, while keeping a smaller portion of it for the storage of construction materials while the subdivision is being developed and the homes constructed. The barn appears to be very close to the property line, so a survey will need to show that it is located at least two feet away from the north property line, with the eaves encroaching no more than four inches into the two-foot setback. The size of the remaining structure may not be larger than 750 square feet, which is the largest an accessory structure may be in the R-1-8 zone. It also must comply with the maximum height limit of 15 feet.

Finally, ordinance states that an accessory structure may not exist on a lot unless there exists a primary dwelling which it is an accessory to. For that reason staff has added conditions of approval explicitly stating that a building permit must be obtained within six months of recordation of the plat, and also that a certificate of occupancy be obtained within one year of the recordation of the plat. If either of these conditions are not met, then the remainder of the barn will be required to be demolished. This will ensure the lot does not ultimately end up as an illegal lot with an accessory structure, but with no primary dwelling.

Staff has prepared an affidavit for the applicant to sign to ensure compliance with Section 21-11-02 of the Sandy City Land Development Code. If the Planning Commission is not comfortable with the recommended time frame, a different time period can be stipulated in the affidavit. This affidavit will be recorded at the Salt Lake County Recorder's office.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission determine that preliminary review is complete for the **Derricott Subdivision**, located at 8566 S. Johnsonway Dr., based on the following findings and subject to the following conditions:

Findings:

1. That the proposed subdivision is an infill development.
2. That the proposed lot configuration is an efficient use of the land.
3. That the proposed lot sizes and frontages conform to the requirements of the R-1-8 zone.
4. 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, construction, and operations process 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 R-1-8 zone.
4. That the applicant dedicate property along Johnsonway Dr. as required by the Public Works Department to ensure a half-width of 26 feet of right-of-way.
5. That the remaining portion of the barn comply with all setback, height, and size requirements for the R-1-8 zone.
6. That the applicant work with staff relative to the affidavit providing assurance that the existing detached structure and the timing of a future home comply with City Code within specific time frames.

Planner: _____
Craig Evans, Planner

Reviewed by: _____
Brian McCuiston, Planning Director