



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

September 2, 2021

To: Planning Commission
From: Community Development Department
Subject: Graff Accessory Structure (Conditional Use Permit CUP07282021-6114
- Increased square footage) Zoned R-1-40A
10673 S. 390 E.
(Community #11- Crescent)

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

PROPERTY CASE HISTORY	
Case Number	Case Summary
None	None

DESCRIPTION OF REQUEST

The applicant, Larry Graff, is requesting a Conditional Use Permit to allow for a 1,120 square foot, 16' high accessory structure for the property located at 10673 S. 390 E. (See Exhibit #1 -Application Materials).

The property is 0.33 acres or (13,749 square feet). The proposed structure will be 28 feet wide and 40 feet long. The proposed use for the structure is for additional RV and car storage. The proposed material for the project is gray steel. Currently the applicant has a gravel pad on the north side of his two-car driveway. The applicant is proposing to pave the driveway at a future date so that the driveway would extend from the northwest side of the property to the southeast corner. (See Exhibit #2– Site Plan and Construction Drawings)

The property is located on the east side of 390 E. between 10600 S. and 10695 S. The property is zoned R-1-40A and is part of the Crescent Estates Lot 12 Mini subdivision. The subject property is surrounded by single family homes zoned R-1-40A.

NOTICE

A neighborhood meeting was held on Wednesday August 25th, 2021. There were no neighbors that attended the meeting. Notices were mailed to property owners within a 500-foot radius of the subject parcel in advance of the Planning Commission meeting.

ANALYSIS

Section 21-11-2 (2)(d) of the Sandy City Development Code states that the total maximum square footage of all accessory buildings on the property may be increased up to 25 percent of the rear yard. For any properties 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 Planning Commission may require additional setback from side and rear property lines as a condition of approval.

The subject property is in the R-1-40A zone giving it an “A” designation which allows the applicant to request an increase in square footage of up to 50% of it’s permitted size through a Conditional Use Permit.

The property is 13, 769 square feet which is permitted up to 750 square feet of accessory structure square footage. A 50% increase of that maximum size is 1,125 square feet which is five square feet larger than what the applicant is requesting. The applicant is requesting an 1,120 square foot accessory structure which would comprise approximately 19% of the total rear yard.

Section 21-24-4 of the Sandy City Land Development Code states that all areas utilized for the parking of vehicles shall be paved with a hard surface (e.g. concrete, asphalt, brick, or other water impenetrable surfaces). This includes the front yard, side yard, and rear yard of the home. The exceptions are as follows:

1. A six-inch gravel-based complying with City specification may be used for storage of recreational vehicles. This area must be kept weed free.
2. Single-family residential properties with animal rights will be allowed to store animal transport trailers. These trailers are not required to be parked on a gravel or hard surface but must be parked within the rear setback of the home.

The applicant is proposing to access the garage via the existing gravel driveway and paving the driveway at a future date.

Section 21-11-2(4)(c) Architectural Guidelines – Generally, accessory structures and buildings shall be designed and constructed to be compatible with the architectural components of the main dwelling or building.

The applicant is proposing an 1,120 square foot steel garage, which is within the allowable standard in an R-1-40A zoned property with Planning Commission approval.

COMPLIANCE WITH SECTION 21-33-04

Staff response in *italics*.

Conditions.

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address standards 21-33-04 “1” to “15”, as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions “1” through “15”, except the following conditions that merit discussion or additional consideration by the Planning Commission:

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

The accessory structure will be located on the southeast side of the rear yard.

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

The garage will be accessed from an existing driveway on the northwest side of the property.

6. Mass, size, number, location, design, exterior features, materials, colors of buildings, structures and other facilities.

The proposed detached garage will be setback approximately 4 feet from both the side and rear property lines. The proposed materials are gray steel and do not match that of the home. However, the property is located on an R-1-40A lot and is surrounded by other properties with animal rights. The Sandy City Land Development Code allows for steel structures on lots with animal rights for current or future housing of animals.

14. Measures to ensure 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, 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 Code.

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

CONCERNS

Staff has three concerns on this project; public utility easements, storage buildings currently on-site and the driveway access. The subject property has an existing

seven-foot easement on the side and rear property line. Staff has informed the applicant that in order to place the proposed structure in the easement the applicant must obtain easement release letters from the required utility companies.

There are three other accessory structures on the site that will need to be removed in order to comply with the proposed square footage limitation for this property.

In addition, staff is concerned about the proposed access to the driveway. The applicant is proposing to place the accessory structure on the southeast side of the property which is opposite the driveway. The access to the garage would cut across the rear yard which currently is not paved. The applicant is constructing the garage as an owner builder and paving the driveway at a future date. Staff is concerned that the proposed access to the structure is not direct and could potentially lead to driving over gravel or grass as well as cars parking on an unpaved surface. The owner will need to be mindful of the overall amount of hardsurface this lot may have, which is no more than 35% of the rear yard.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Larry Graff for the property located at 10673 S. 390 E. to allow for an accessory structure as described in the application materials based on the findings and subject to the following conditions.

Findings

1. Staff finds that the proposed structure is in character with the surrounding properties.

Address	Accessory Structure	Rear Yard Area	% Rear Yard
10665 S. 390 E.	2,000	19,159	10%
10681 S. 455 E.	1,700	12,000	14%
467 E. 10695 S.	1,000	8,176	12%
442 E. 10600 S.	1,400	35,892	4%
Proposed Garage			
10673 S. 390 E.	1,120	5,861	19%

2. Staff finds that the proposed accessory structure meets the intent of **Section 21-11-02(B) and Section 21-11-02** of the Sandy City Land Development Code regarding accessory structures in R-1-40A zoned properties.

Conditions

1. That the gravel driveway is not utilized for the parking of vehicles other than RV's.

2. That the applicant obtains easement letters from the required utility companies or change the proposed setbacks to be 7 feet from both the side and rear property lines.
3. That all other accessory structures be removed from the property.
4. That the proposed structure complies with all applicable Building & Safety, and Fire & Life Codes.
5. 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.
6. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner: _____ Reviewed by: _____

Claire Hague, Planner

S:\Users\PLN\STAFFRPT\2021\CUP07282021-006114 Graff Accessory Structure

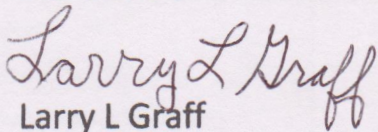
Exhibit #1 – Application Materials

Brynn Bohlender
Zoning Technician
Sandy Community Development
10000 S Centennial Pkwy
Sandy, UT 84070

July 16, 2021

I am applying for a building permit to build a detached garage in my back yard. I have located a Olympia Steel 28' x 40' RV garage that is available for a reasonable price at today's cost and can be delivered in September/October. I want to place this building in the southeast corner of my back yard. We plan for it to be a garage to house a RV and my two vehicles, a 1957 Chevy 2D Hardtop 283 CID V8 engine and 1971 SS 454 Chevell Convertible w/Turbo 400 and 410 positive track rear end. Also, for additional parking for relatives visiting from North Colorina, Florida, Missouri, Illinois, Wisconsin. Colorado and Utah. The garage and apron will provide off street parking for them, keeping their vehicles off of the street and out of public sight.

My property may be the only one within 600' of it that does not have a large outbuilding on it, I just want to be like my neighbors. I have already talked to some of them, telling them I was planning on doing this and they all said that was good as far as they were concerned. That will make you look like me.



Larry L Graff
10673 S 390 E
Sandy, UT 84070-6016
801-572-0929
herssonny@gmail.com

Exhibit #2 – Site Plan and Construction Drawing

$\frac{1}{4}'' = 4'$

157.05'

117.94'

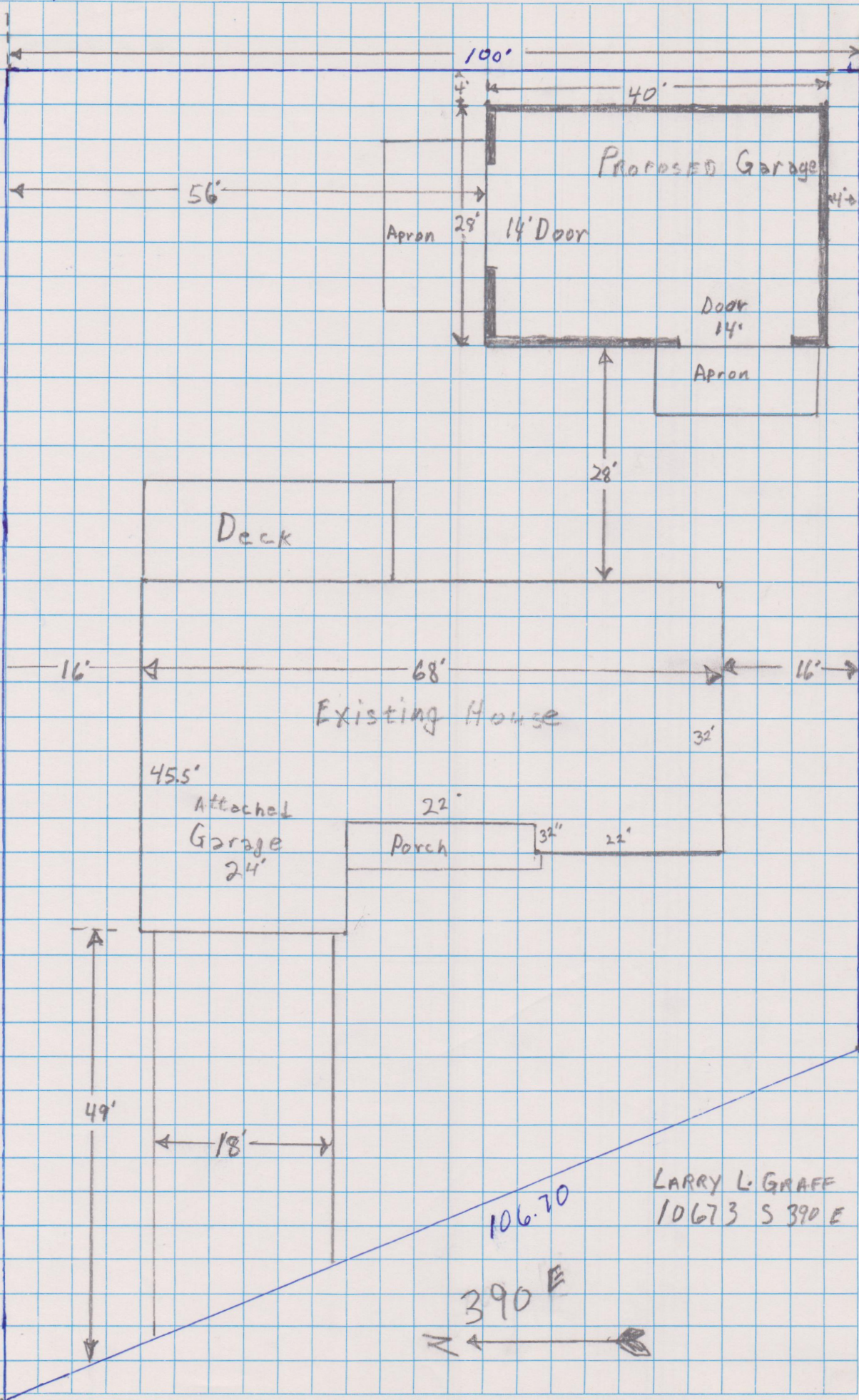


Exhibit #3- Vicinity Map



CUP07282021-6114
Graff Accessory Structure
10673 S. 390 E.

