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COMMUNITY DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

# MEMORANDUM

May 21, 2020

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Morrill Accessory Structure (Conditional Use Permit requesting increase in height, and setback waiver) 10308 S. Ashley Meadow Circle [Community #21] CUP-04-20-5847 Zoned R-1-9

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

PROPERTY CASE HISTORY	
Case Number	Case Summary
	None

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## DESCRIPTION OF REQUEST

The applicant, Brett Morrill, is requesting a Conditional Use Permit (CUP) in order to construct a 17 foot high detached garage (See Exhibit #1- Application Materials). The property is located on the northeast side of Ashley Meadows Circle.

The proposed accessory structure will be 12 feet wide and 24 feet long (480 square feet), 17 feet in height and located on the northeast corner of the property. (See Exhibit #2 – Building Renderings). The applicant proposes to use the structure as a garage and workshop.

The property is zoned R-1-9 and is part of the Ashley Park 2 subdivision. The property is 0.26 acres (11,325 square feet). The property is surrounded by residential single-family homes zoned R-1-9. Access to the garage will be via a future concrete driveway on the east side of the property.

**NOTICE**

A neighborhood meeting was held on Monday, May 11 at 8:00 PM by the Community Development Department. Two neighbors attended the meeting and were in favor of the project. Notices were mailed to the property owners within a 500-foot radius of the subject parcels in advance of the Planning Commission meeting.

**ANALYSIS**

**Section 21-11-02. (a)(3)(a)** of the Sandy City Land Development Code, allows for properties that are zoned R-1-12 or smaller a maximum height of 15 feet. The applicant is requesting to go up to 17' which is permitted with the approval of the Planning Commission.

Increased Height. Per Section **21-11-02(a)(3)(c)** of the Sandy City Land Development Code 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 Sandy City Planning Commission. In considering the height of the structure, the Planning Commission shall consider the scale of the building 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 the side and rear property lines as a condition of approval.

The rear of the property slopes down approximately 24 inches. The proposed accessory structure would need to be raised by that amount in order to be level with the sidewalk and the front of the home. The front of the structure would be approximately 16 feet whereas the rear would be approximately 18 feet and would average at 17 feet.

Additional Setback Requirement. Per Section **21-11-02(a)(3)(b)** of the Sandy City Land Development Code detached structures exceeding 15 ft. in height shall increase the minimum setback one foot for each additional foot of height up to the minimum setback for the primary dwelling. The Planning Commission, through a Conditional Use Permit process may also waive this requirement. With the proposed height, the minimum setbacks to the side and rear property lines are four feet on both sides. The applicant is proposing to have a setback of three feet on the side and six feet in the rear. Which is permitted provided the Planning Commission grants a one foot setback waiver.

**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, which 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, which merit discussion or additional consideration by the Planning Commission:

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

*The location of the detached garage is proposed to be 3 feet from the side (east) and 6 feet from the (north) property line. The proposed structure will be 17 feet in height.*

2. Proposed site ingress and egress to existing and proposed roads and streets.  
*Access to the garage will utilize a proposed concrete driveway on the east 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 match the existing home.*

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 Building & Safety, and Fire & Life Codes.*

**STAFF CONCERNS**

Staff has no concerns.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve a Conditional Use Permit for Brett Morrill 10308 S. Ashley Meadows Circle for a 17' accessory structure as described in the application materials and subject to the following findings and conditions.

**Findings**

1. The proposed use meets the intent of the accessory structure section of the Sandy City Land Development Code.
2. The applicant understands and is willing to comply with the Sandy City Land Development Code and conditions of approval.

**Conditions**

1. That the accessory structure be designed and constructed to be compatible with the architectural components of the main dwelling.
2. That the applicant complies with all Building & Safety, and Fire & Life Codes.
3. That the applicant be responsible for meeting all provisions of the Sandy City Land Development Code, and all conditions of approval imposed by the Planning Commission.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner: \_\_\_\_\_

Claire Hague, Planner

Reviewed by:         *BMM*

**Exhibit #1 – Application Materials**

# Brett Morrill



10308 Ashley meadows Cir•Sandy City, Utah 84092• Phone: 801-891-0702  
E-Mail: brettmorrill28@gmail.com

Date: 4/26/2020

Sandy City  
Community Development  
10000 Centennial Parkway  
Sandy, Utah 84070

To whom this may concern:

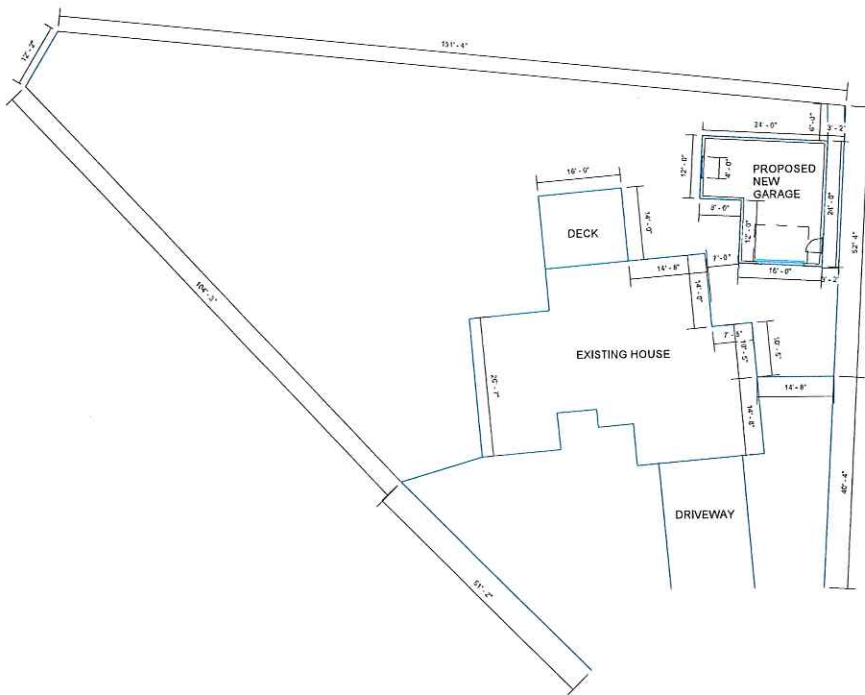
The reason I am applying for a conditional use permit is because in my backyard on the east side where the proposed garage/workshop is going to be built. There is a 24 inch slope going away from the house and if I were to build a structure as it sits now, I would have drainage issues from rain water resulting in a flood. To avoid this issue I need to raise the floor up about 24 inches to be level with the sidewalk in the front yard. A future driveway will connect the detached garage and sidewalk as funds become available.

The current plans for the garage has the roofline at 15 feet, I am requesting an extra 24 inches from grade to avoid water drainage issues.

Sincerely,

Brett Morrill  
Home Owner

**Exhibit #2 – Building Renderings**



PROJECT NAME  
**MORRILL  
 RESIDENCE**

10308 ASHLEY  
 MEADOWS CIRCLE  
 SANDY, UTAH  
 84092



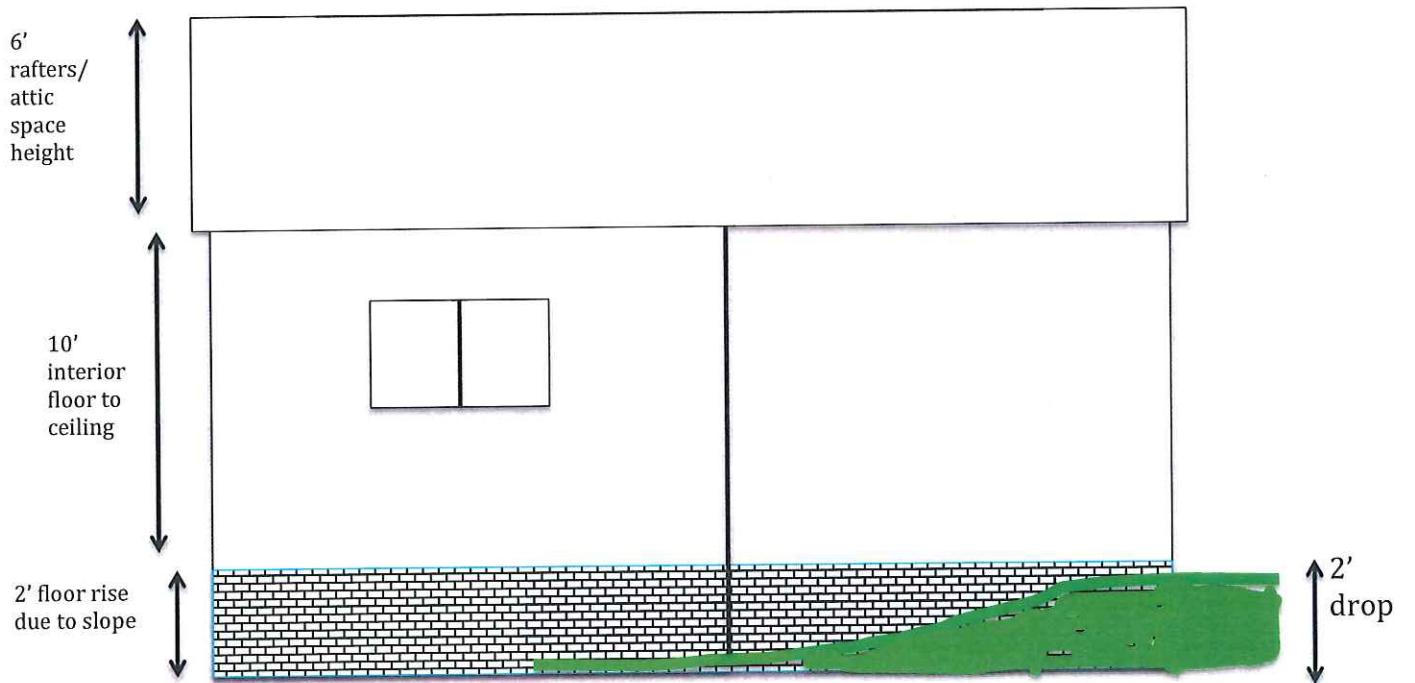
SHEET NAME  
**OPTION 1**

SCALE  
**1/16" = 1'**

SHEET NUMBER:  
**A101**

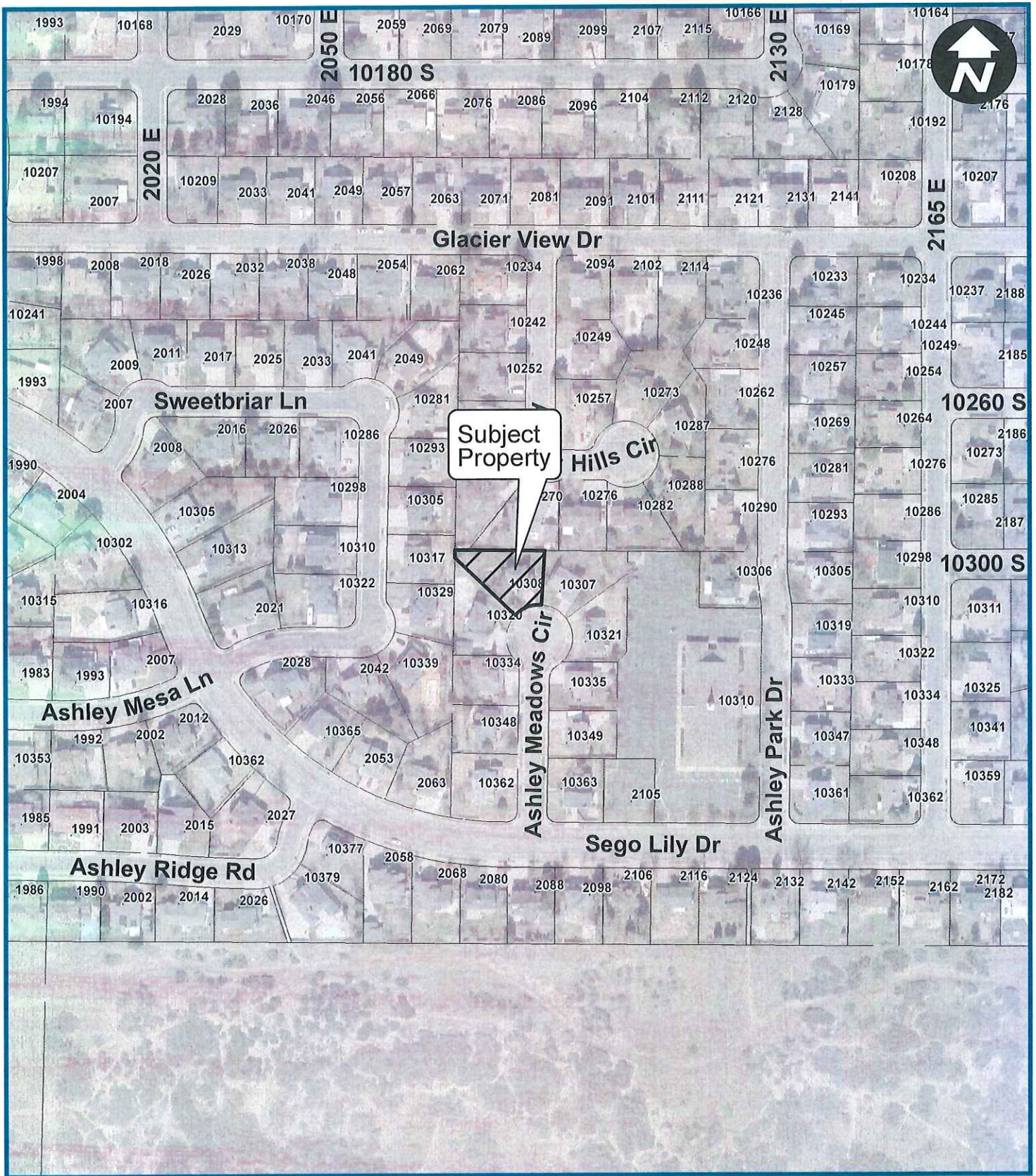


### West side elevation view of grade/slope





**Exhibit #3 – Vicinity Map**



Subject Property



**CUP-04-20-5847**  
**Morrill Accessory Structure**  
**10308 S Ashley Meadows**



PRODUCED BY CLAIRE HAGUE  
 THE COMMUNITY DEVELOPMENT DEPARTMENT