



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

December 20, 2018

To: Planning Commission
From: Community Development Department
Subject: Perkins Accessory Structure
1488 E. Pimlico Pl.
[Community #22]

CUP-11-18-5566
Zone: SD(R-1-30A)
Bell Canyon Acres
1.00 Acres

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	

DESCRIPTION OF REQUEST

The applicant, Rob Perkins, is requesting a Conditional Use Permit (CUP) to construct a 64'11" x 40' (2,597 square foot) barn on his property located at 1488 East Pimlico Place. The property is one acre (43,560 square feet), and is zoned SD(R-1-30A) Bell Canyon Acres. Surrounding properties are large lot single-family homes with the same zone. Along the south and east property lines is a 10-foot public utility easement, in conjunction with a 20-foot equestrian path shared with property owners throughout the subdivision. The property is part of Bell Canyon Acres 3 Subdivision.

The proposed barn will be 2,597 square feet, with a height of 19 feet (*See Exhibit #1 – Building Renderings*). The applicant is proposing to construct the new barn on the south side of the property 20 feet from the south property line, and 80 feet from the east property line. The new barn will be a pre-engineered metal building with cupolas and colored metal siding, with standing seam metal roofing. The barn will contain four horse stalls to accommodate large animals on the property, and a 6-foot hayloft. The proposed barn will replace the 1,055 existing barn on the property, as well as removing an existing 175 square foot shed to meet the accessory structure square footage requirements for the property.

The applicant began construction of the new barn without a building permit. Neighbors contacted staff regarding the new barn construction. The applicant then contacted staff, where upon further investigation it was found that the new barn exceeded the square footage allowed for accessory structures on the property.

NOTICE

A neighborhood meeting was held on December 4, 2018. Four neighbors attended the meeting (*See Exhibit #2 – Neighborhood Meeting Summary*). Neighbors expressed support of the project. Notices were mailed to property owners within a 500-foot radius in advance of the Planning Commission meeting. Staff received one objection to the project upon noticing to the neighbors. The objection is related to the applicant constructing without a building permit, and the applicant trespassing on their property during construction.

ANALYSIS

Section 15A-11-02(2)(a) of the Sandy City Development Code states that accessory structures in the rear yard of any properties 40,000 square feet or larger, and with an “A” designation, the total maximum square footage of all accessory buildings on the property may be increased up to fifty (50%) larger than the permitted size through a Conditional Use Permit. Further, no single accessory building shall exceed 1,500 square feet, unless the Planning Commission approves a larger size through the Conditional Use Permit process.

In considering the size 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.

Additional Setback Requirement. Detached structures exceeding 15 ft. in height shall increase the minimum setback one foot for each foot of additional height up to the minimum setback for the primary dwelling. This requirement may also be waived by the Planning Commission through the Conditional Use Permit process. Required setbacks for the proposed barn is a minimum of 6-feet unless the Planning Commission waives this additional setback requirement.

Architectural Guidelines. Generally, accessory structures and buildings shall be designed and constructed as to be compatible with the architectural components of the main dwelling or building. However, if the accessory structure is intended to be an outdoor animal domicile other standards may apply, such as, location, visibility, scale, general aesthetics in the immediate vicinity, etc.

The total square footage for all accessory structures allowed with a CUP on this property is 3,000 square feet. The total square footage of accessory structures on the property proposed by the applicant is 2,824 square feet, 176 square feet less than allowed on the property.

The applicant is proposing to keep the existing barn on the property, and then tear it down when the new barn is constructed. In addition to the removal of the old barn, the applicant is also

proposing to remove one of the sheds on the property (*See Exhibit #3 – Structures to Be Removed*). The structures to remain on the property are the following: a covered fire pit, a shed, a second shed, and the new barn. The total proposed square footage of accessory structures are 2,861 square feet.

Structure	Sq. Ft.
Covered Fire Pit	120
Shed 1	80
Shed 2	64
New Barn	2,597
Total	2,861

The surrounding properties contain a number of large accessory structures. Through aerial analysis, staff has calculated the following square footage of accessory structures of properties within 250 feet of the subject property (*See Exhibit #4 – Surrounding Accessory Structures*).

Map #	Address	Number of Accessory Structures	Largest Structure Sq. Ft. (Approx.)
1	1483 Pimlico Pl.	2	2,600
2 (Applicant)	1488 Pimlico Pl.	4	2,597
3	10834 Whirlaway Ln.	1	2,000
4	1446 Pimlico Pl.	1	1,600
5	1491 Pimlico Pl.	3	1,590
6	1491 E. Ascot Cir.	3	1,290
7	1499 E. Ascot Cir.	4	1,290
8	1470 Pimlico Pl.	4	1,250
9	10858 Whirlaway Ln.	4	1,215
10	10814 Whirlaway	4	1,025

The proposed height of 19 feet is within the allowable standard in an R-1-30A zone district. The proposed height would require a 6-foot setback from the south property line. The applicant is proposing a 20-foot setback from the south property line, and 80 feet from the east property line, exceeding this requirement.

COMPLIANCE WITH SECTION 15A-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 15A-33-03 “A” to “O”, as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions “A” through “O”, except the following conditions that merit discussion or additional consideration by the Planning Commission:

A. Size Configuration and location of the site and the proposed site plan layout.

The proposed barn will be 64'11" x 40' (2,597 square foot), and 19 feet in height. The barn is proposed to be 20 feet from the southern property line and 80 feet from the eastern property line. The new barn will be located in the southern portion of the rear yard.

F. Mass, size, number, location, design, exterior features, materials, and colors of buildings collection.

The proposed barn will be 2,597 square foot, and 19 feet in height. The new barn will be a pre-engineered metal building with cupolas, and red colored metal siding, and standing seam metal roofing. The barn will contain four horse stalls and a 6-foot hayloft.

Currently there are five accessory structures on the property. The existing barn and smaller shed will be removed to allow for the new barn and to bring the overall square footage of accessory structures on the property to 2,861 square feet.

I. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protected adjoining property owners from noise, visual and other impacts.

The applicant is proposing to utilize existing fencing on the property. No new landscaping is being proposed for the site.

M. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.

Compliance with conditions is reviewed during the building permit process.

N. 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.

O. 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 would like to ensure that the applicant removes the existing barn and smaller shed on the property. Staff is recommending that the structures be removed within one year after possible issuance of the CUP. Staff has prepared an affidavit for the applicant to sign to ensure compliance with Section 15A-11-02 of the Sandy City Land Development Code (*See Exhibit #5 – Affidavit*). The affidavit sets the time frame for removal of the structures to be on or before December 20, 2019. If the Planning Commission is not comfortable with this time frame, a different time period can be stipulated in the affidavit. The applicant has agreed to sign the affidavit. This affidavit will be recorded at the Salt Lake County Recorder's office.

Staff would like to reiterate the farm set aside area described in Section 15A-19-31 of the Sandy City Land Development Code. For properties located in the SD(R-1-30A) Bell Canyon Acres zone district, minimum of 5,000 square feet of usable square footage must be designated and maintained on each lot for the housing and containment of farm animals, regardless of whether or not farm animals are maintained on the lot. This area

may consist of stables, hay barns, turnouts, etc. or any other structure that its primary use is related to keeping of farm animals. Based on the lot size and the use of the proposed structure, it appears that this requirement will be satisfied.

STAFF RECOMMENDATION


Staff recommends that the Planning Commission approve a Conditional Use Permit for Rob Perkins for the property located at 1488 East Pimlico Place. Based on the following findings and conditions:


Finding

1. Staff finds that the proposed accessory structure meets the intent of **Section 15A-11-02** of the Sandy City Development Code regarding accessory structures in the SD(R-1-30A) Bell Canyon Acres zoned properties.

Conditions

1. That the proposed structure comply with all applicable Building & Safety, and Fire & Life Codes.
2. 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.
3. That this Conditional Use Permit be reviewed upon legitimate complaint.
4. That the applicant construct the structure according to the renderings provided at 2,597 square feet and 19 feet in height.
5. That the applicant sign the affidavit providing assurance that the 1,055 square foot barn and 175 square foot shed be removed on or before December 20, 2019.
6. That the applicant obtain a demolition permit to remove the existing 1,055 square foot barn and 175 square foot shed.
7. That the property not exceed 3,000 total square feet in accessory structures.

Planner: 

Reviewed by: 

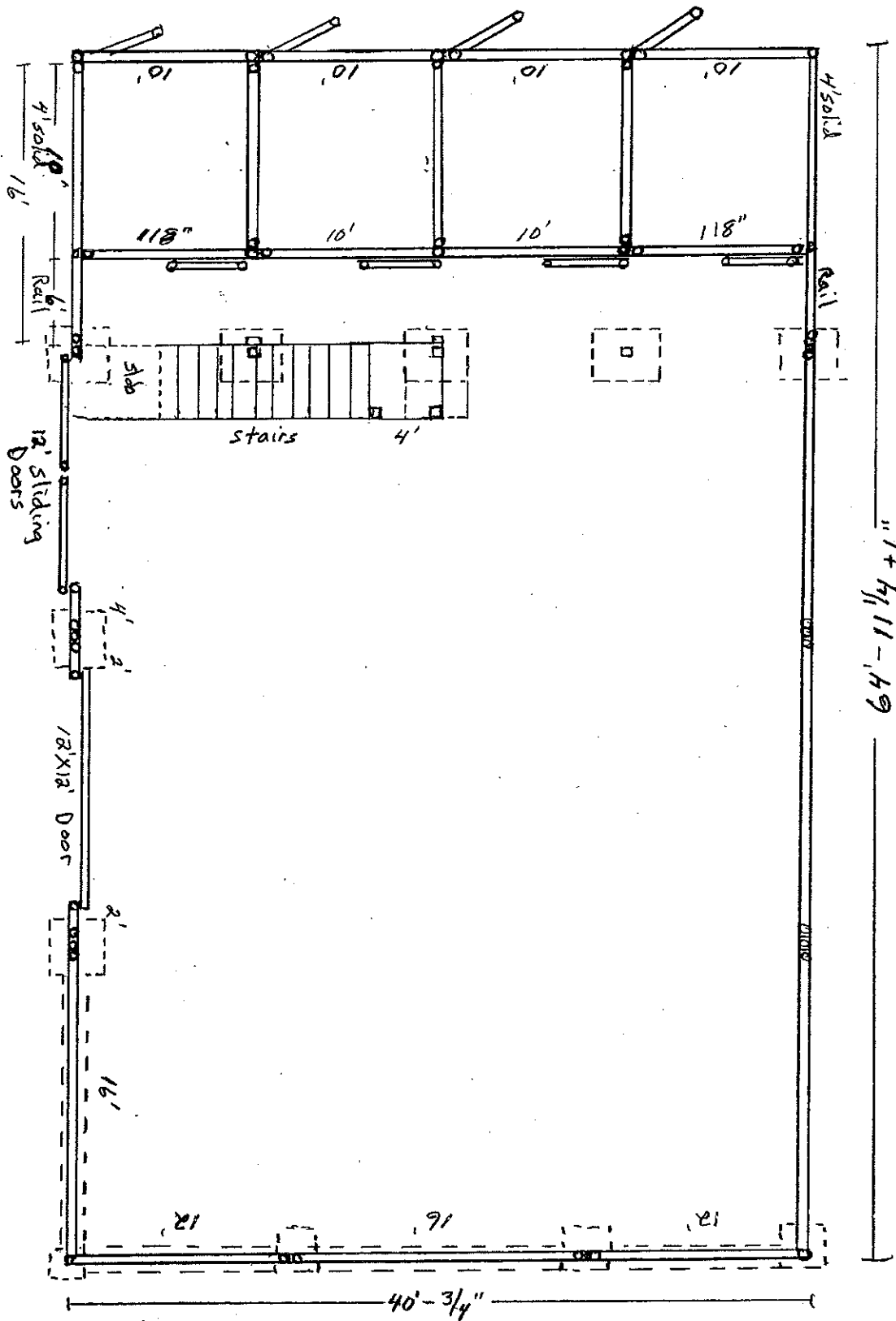
Wade Sanner, Planner

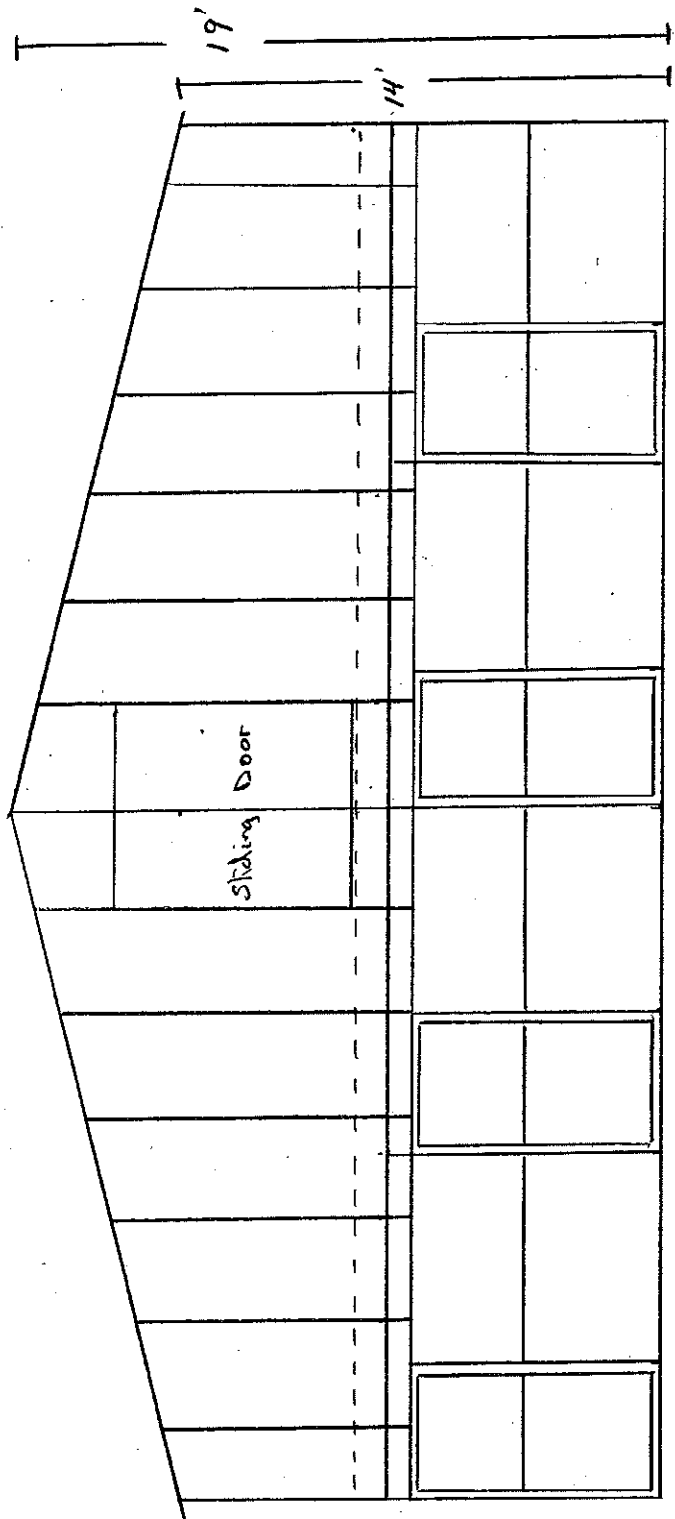
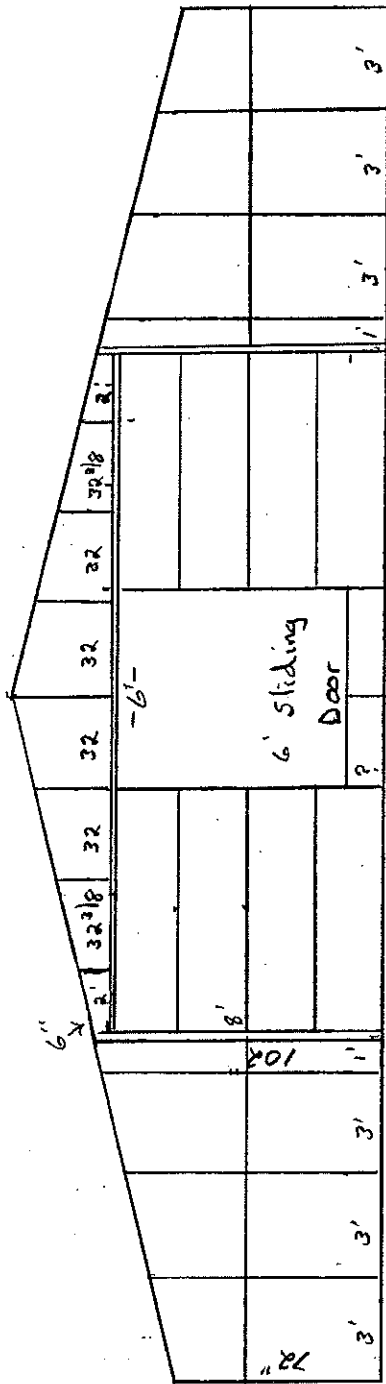
File Name: S:\USERS\PLN\STAFFRPT\2018\CUP-11-18-5566 Perkins Accessory Structure

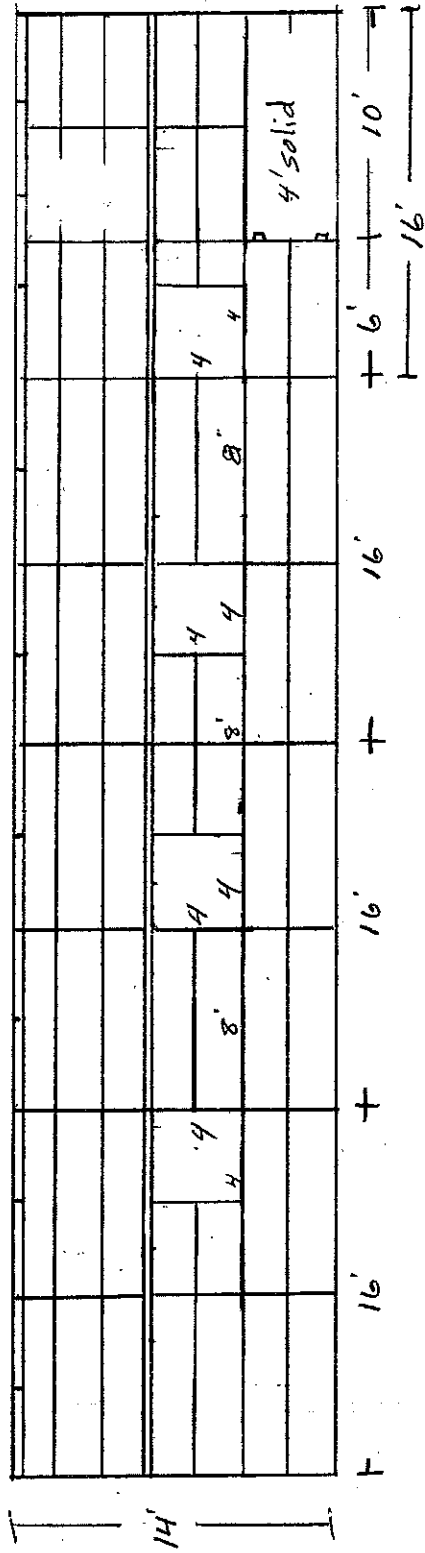
Exhibit #1 – Building Renderings

ROBERT/JANICE PERKINS
1488 E. PIMLICO PL. SANDY UT.

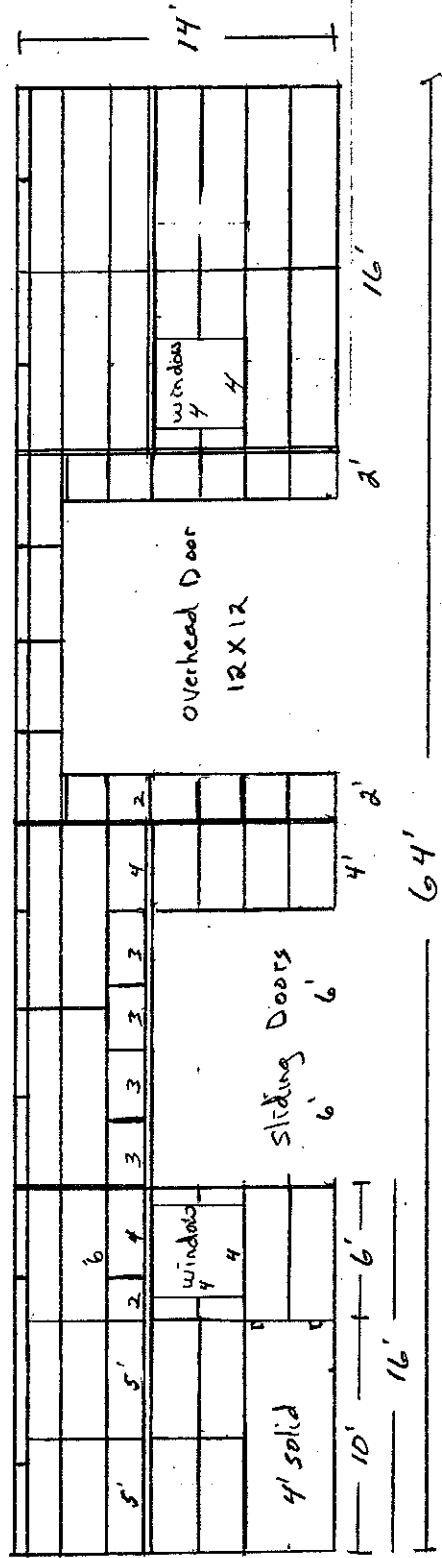
WE CURRENTLY RESIDE AT THE ADDRESS LISTED ABOVE. WE HAVE LIVED THERE FOR 24 YRS, IT IS ZONED AS R-1-30 (RESIDENTIAL, SINGLE FAMILY, 30,000 A MIN. W/ANIMAL RIGHTS). WE HAVE A HORSE BARN CURRENTLY ON THE PROPERTY. IT WAS IN BAD SHAPE WHEN WE BOUGHT THE PROPERTY & HAVE REPAIRED/UPGRADED IT MANY TIMES. WE HAVE DECIDED TO BUILD A NEW BARN. IT WILL REPLACE THE OLD BARN WHICH WILL BE TORN DOWN. IT WILL BE A PRE-ENGINEERED METAL BUILDING WITH CUPOLAS & COLORED METAL SIDING & ROOFING THAT WILL BE AESTHETICALLY PLEASING. AS YOU CAN SEE FROM THE AERIAL PHOTO ATTACHED, IT WILL BE VERY SIMILAR TO STRUCTURES ON THE SURROUNDING PROPERTIES AND WILL BE AN UPGRADE TO THE NEIGHBORHOOD. THE NEW BARN WILL BE CONSTRUCTED AS S+S BARNS & WILL BE 40X64. THIS IS UNDER THE 3,000 S.F. INCLUDING EXISTING STRUCTURES PER THE ALLOWABLE S.F. ALLOWED W/A C.U.P. THE BUILDING IS DESIGNED TO BE 19' HIGH - 1 FOOT UNDER THE ALLOWED HEIGHT. ATTACHED ARE A DIMENSIONED FLOOR PLAN & 2 ELEVATIONS SHOWING DESIGN HEIGHTS. WE DESIRE THAT THE EXISTING BARN REMAIN UNTIL THE NEW BARN IS COMPLETED TO PROVIDE SHELTER FOR OUR HORSES. THANK YOU FOR YOUR CONSIDERATION.







South Elevation

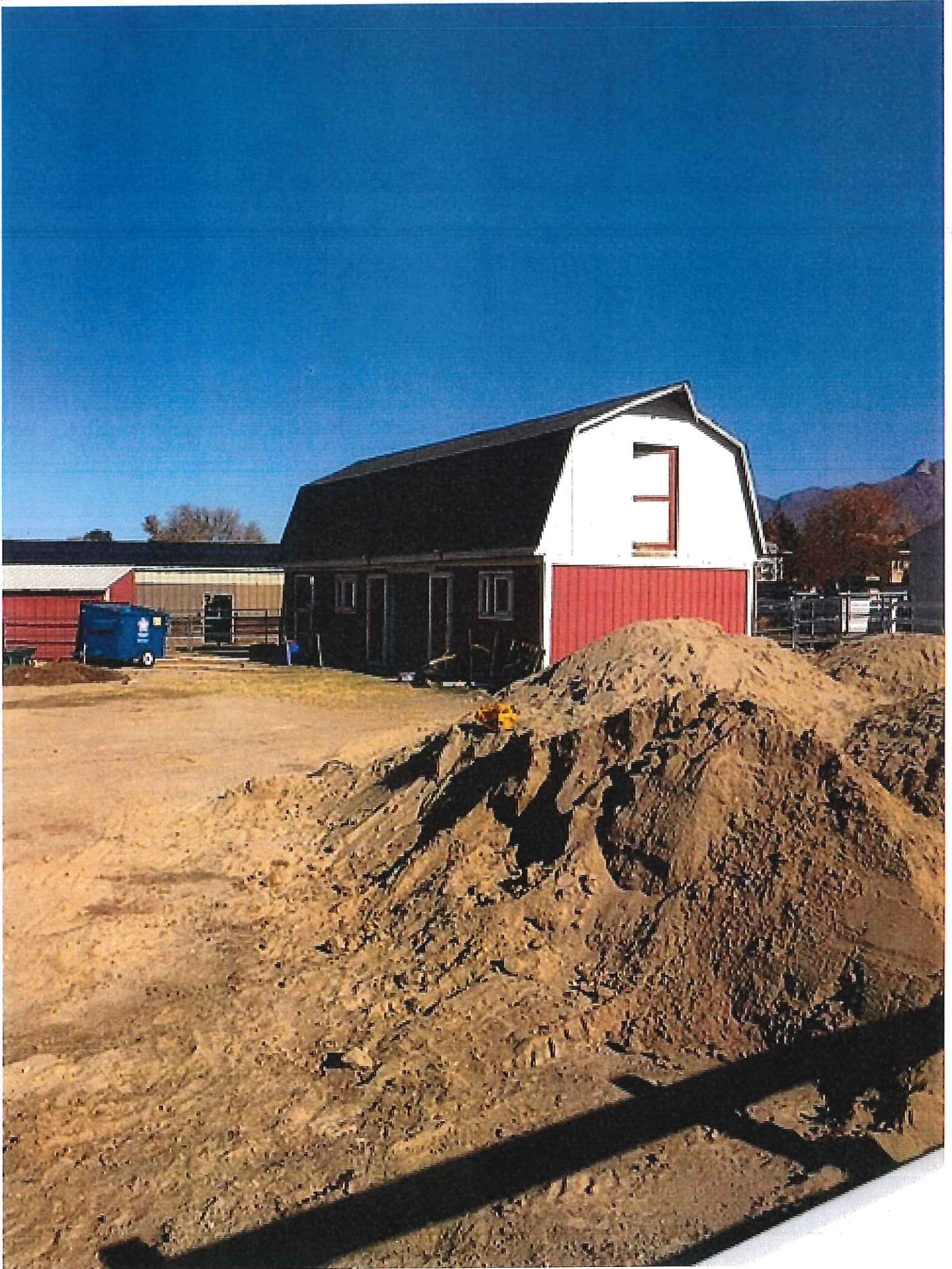


North Elevation

OUR PLANNED BARN



OUR "OLD" BARN

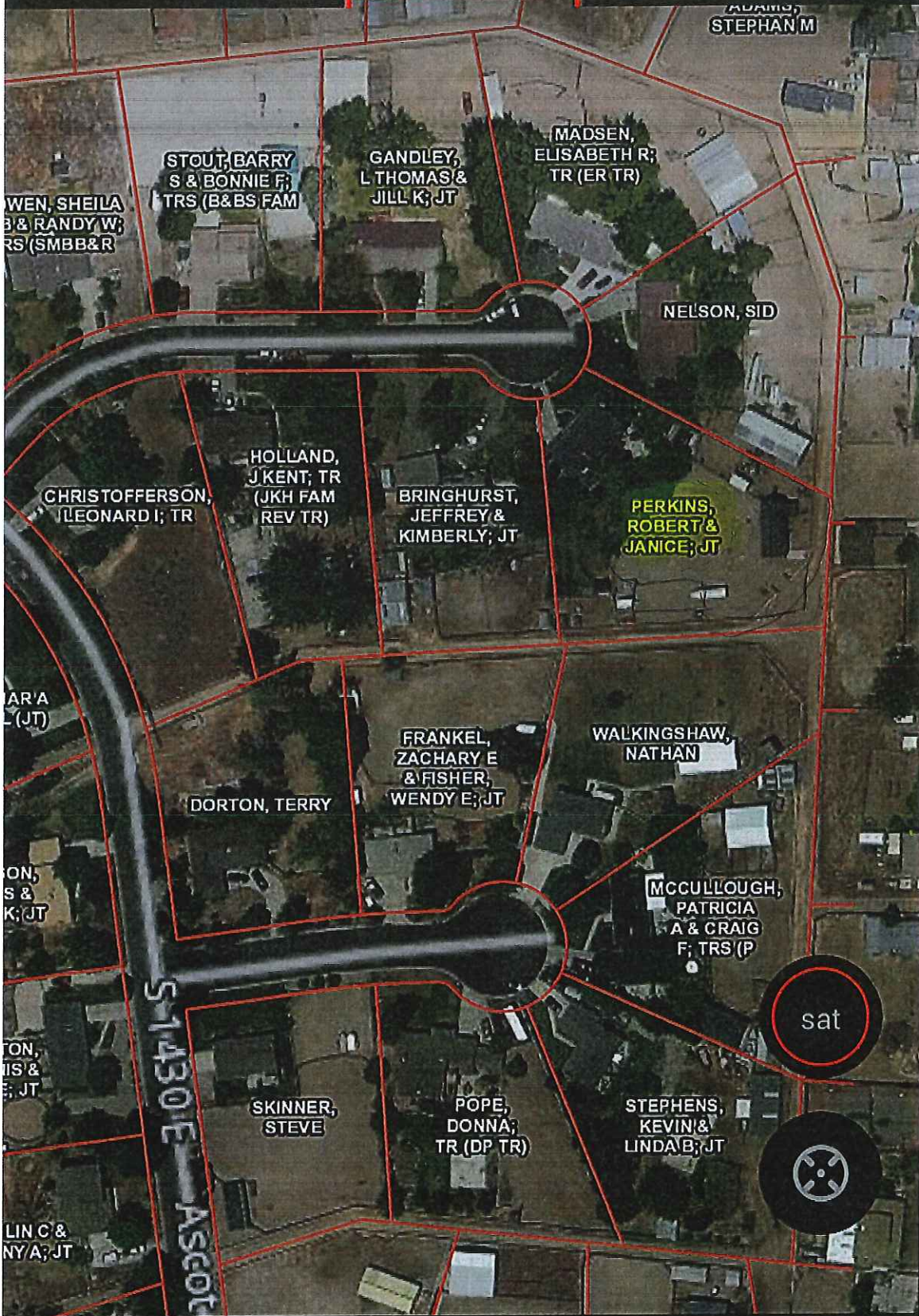


Elevation 4766 ft

200 ft

40.55449,
-111.84930

ADAMS,
STEPHAN M



AERIAL OF SURROUNDING PROPERTIES.

Exhibit #2 – Neighborhood Meeting Summary



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

Neighborhood Meeting Summary – Community #22

Date: 12.4.18

Location: City Hall – Multipurpose Room

Community #/Name: 22

Community Coordinator: LaMar Beckstead

Project Name: Perkins Accessory Structure

Number of Attendees: 4

Applicants: Robert Perkins

Number of Invitees: 52

Length of Meeting: 30 minutes

Notice Radius: 500 ft.

Project Description: Applicant, Robert Perkins is requesting a conditional use permit to construct a 2,560 sq. ft. barn on his property at 1488 E. Pimlico Pl.

Community Comments:

1. Residents were all in favor of this project.
 - a. Barn will beautify the property and will be better than their old barn.
 - b. Neighbors want to encourage people to have animals and to build barns.
 - c. Robert was thanked for being transparent and compliant with city ordinances.

Exhibit #3 – Structures to be Removed



Elevation 4792 ft

50 ft

40.55461,
-111.84859

NELSON, SID

PERKINS,
ROBERT &
JANICE, JT

OLD BARN
TO BE TORN
DOWN

NEW
40 X 64 BARN

2 TRAILER

20' MIN. FROM P.L.

PROPERTY LINE

WALKINGSHAW,
NATHAN

sat



Map Layers



Off-Grid



My Content



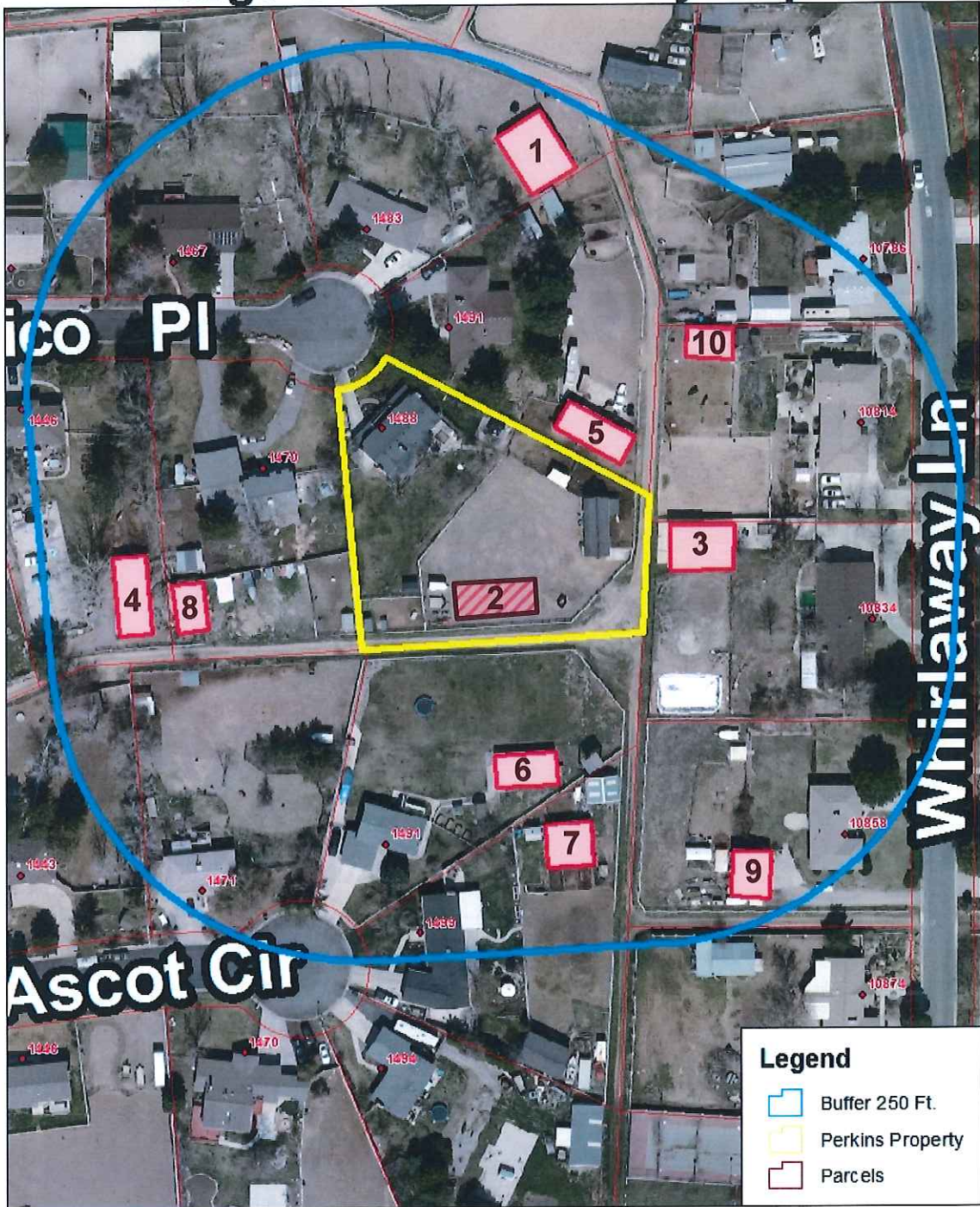
Map Tools



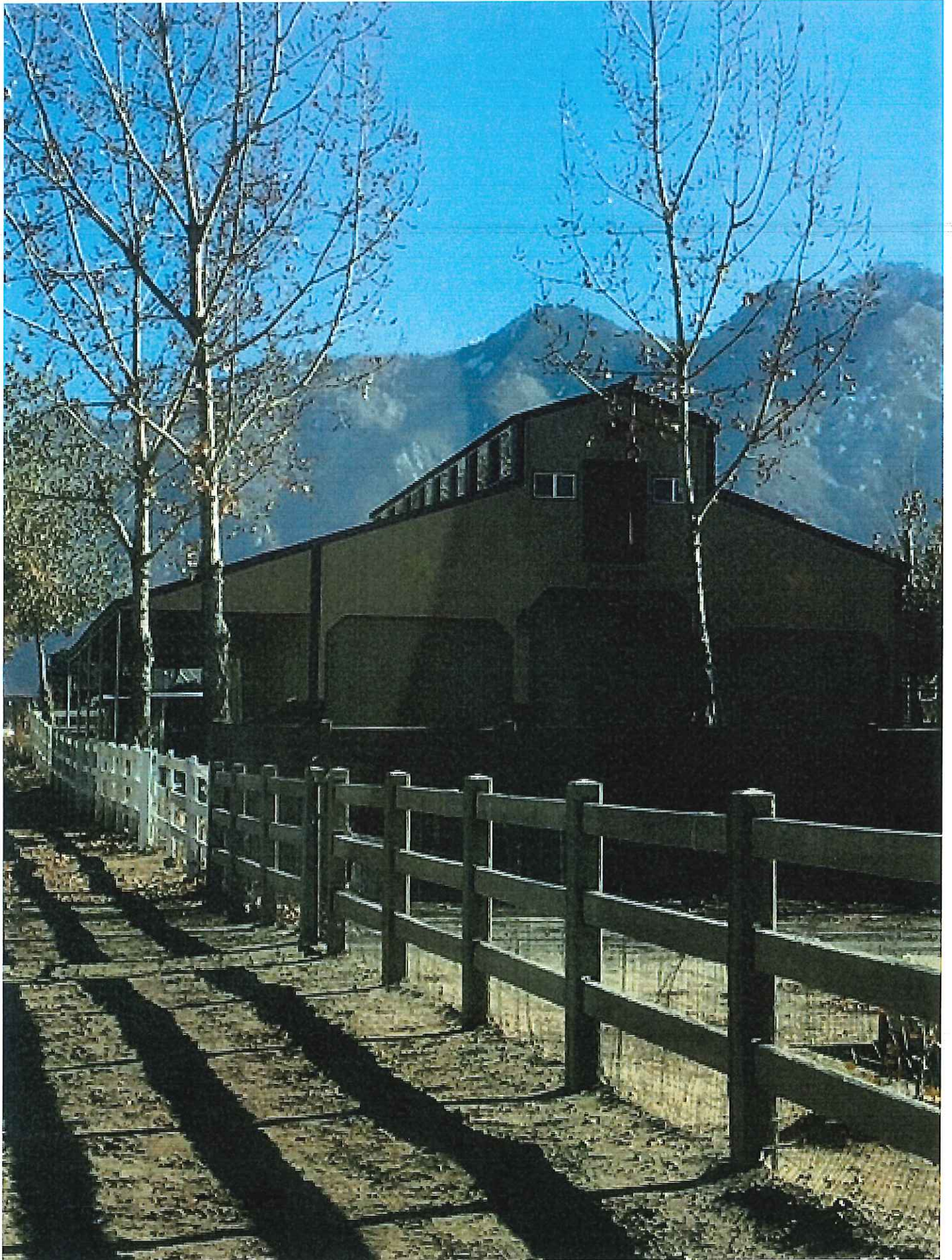
Tracker

Exhibit #4 – Surrounding Accessory Structures

Large Structure Vicinity Map



NEIGHBORHOOD BARN



BARN DIRECTLY BEHIND OURS



NEIGHBORHOOD PLAN



NEIGHBORHOOD BARN

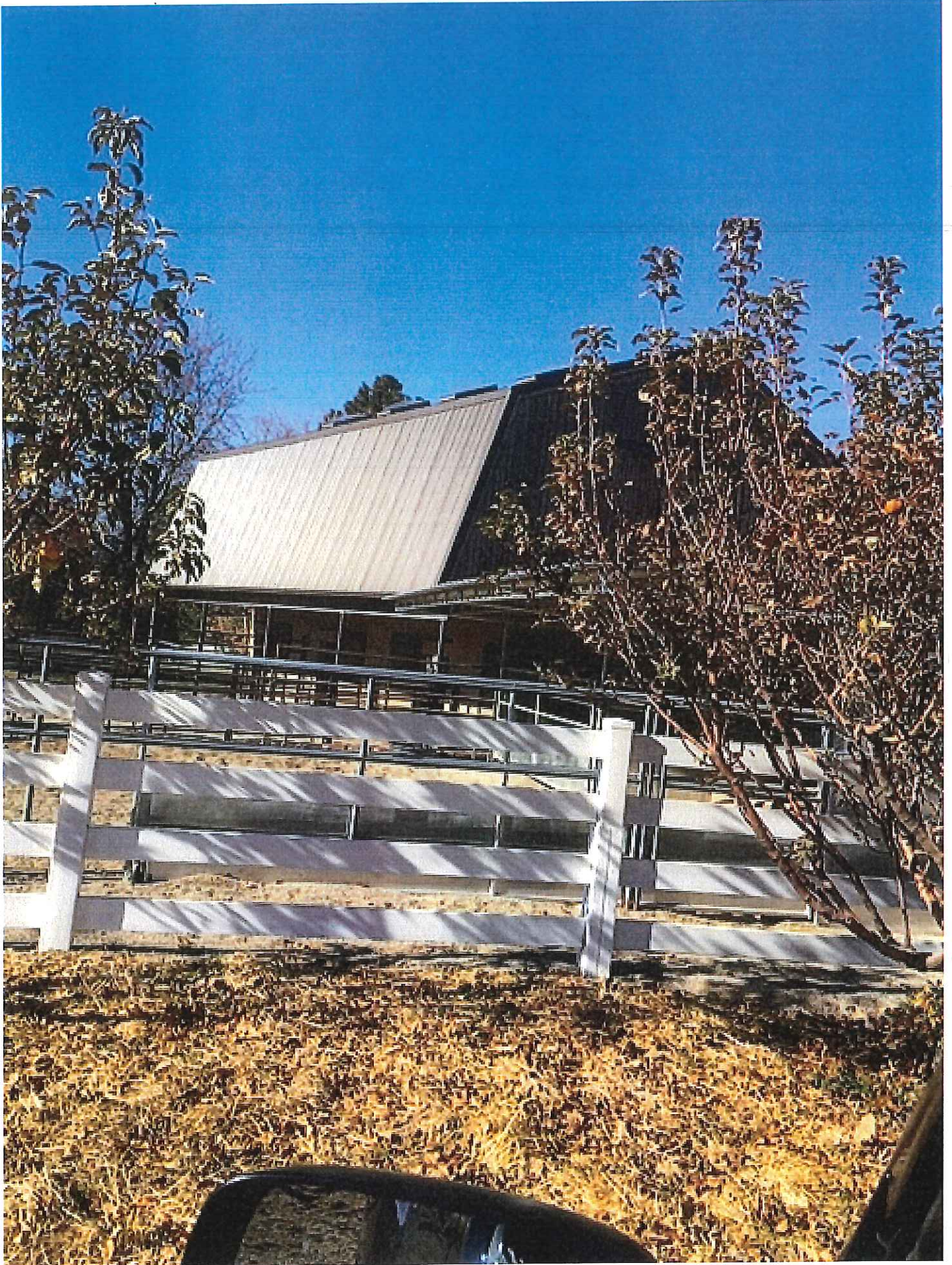


Exhibit #5 – Affidavit

When Recorded Please Return to:
Sandy City Corporation
Attn: Planning Division
10000 Centennial Parkway, STE #210
Sandy, Utah 84070-4148

AFFIDAVIT OF UNDERSTANDING

On this _____ day of _____, 20____, in the State of Utah, County of Salt Lake, I, Robert Perkins, being duly sworn, do hereby affirm that I am the legal owner of the property located at 1488 Pimlico Place, also known as parcel number 28-16-351-019-0000 (the "Property").

I do also affirm that the Property received a Conditional Use Permit approved by the Sandy City Planning Commission on December 20, 2018, to allow for the construction of a 2,597 square foot barn (the "New Barn"). I do understand that certain conditions of approval are attached to this permit and must be followed. Said permit is on file with the Sandy City Community Development Department as file no. CUP-11-18-5566.

Specifically, the conditions of approval grant to me the ability to construct the New Barn on the Property while retaining the existing 1,055 square foot barn accessory structure (the "Old Barn"), subject to the condition that I will demolish the Old Barn and 175 square foot shed on or before December 20, 2019. I understand that demolition permits and processes must be followed in accordance with all applicable laws and ordinances.

I understand that construction of the New Barn and demolition of the Old Barn and shed must be complete prior to any sale of the Property and prior to December 20, 2019, and that failure to timely complete construction and demolition will constitute "Failure to Comply" with the Conditional Use Permit. I further understand that Failure to Comply will result in automatic termination of the Conditional Use Permit, and any future owners of the Property, successors, heirs, and/or assigns will not be allowed to continue the conditional use. I will inform future owners of this restriction before entering into any transaction to transfer ownership of the Property.

WITNESS the hand of said Robert Perkins this _____ day of _____, 2018.

Robert Perkins

STATE OF UTAH)
County of SALT LAKE)ss.

On this _____ day of _____, 20____, personally appeared before me, **Robert Perkins**, the signer of the foregoing instrument who duly acknowledged to me that he executed the same.

(stamp)

Notary Public
Residing in: