

9270 S. REALIGNMENT REZONE

ORDINANCE 21-16

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 0.09 TOTAL ACRES FROM PO “PROFESSIONAL OFFICE DISTRICT” TO R-1-8 “SINGLE FAMILY RESIDENTIAL DISTRICT”, LOCATED AT APPROXIMATELY 9262 SOUTH BENSON WAY; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, Utah, finds and determines as follows:

1. Pursuant to Sections 10-9a-501 through 10-9a-505 Utah Code Annotated 1953 as amended the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land.

2. A request has been made for a zoning amendment on the below described property.

3. The Planning Commission held a public hearing on March 6, 2021, which meeting was preceded by notice published in the Deseret News on April 23, 2021, and by posting in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on April 20, 2021; and to review the request for rezoning and has made recommendations thereon to the City Council.

4. The City Council of Sandy City, Utah met on June 1, 2021, and has taken into consideration citizen testimony, planning and demographic data, the desires of the owners of the property and the Planning Commission recommendation as part of the Council's deliberations.

5. The rezone of said parcel will be appropriate, it is in accordance with the General Plan, it will promote the health and general welfare of the City, it will be compatible with the best interests of the particular neighborhood involved and it will be sensitive to the needs of the City as a whole.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, Utah, as follows:

Section 1. Amendment. The zoning ordinance which sets forth the zone districts within Sandy City which portion of the said zoning ordinance is established by a zoning map, is hereby

amended as follows:

The property described in **EXHIBIT “A”**, which is attached hereto and by this reference made a part hereof, affects approximately 0.09 acres, located at approximately 9262 South Benson Way, Sandy, Utah, and currently zoned as the PO “Professional Office District”, shall be zoned to the R-1-8 “Single Family Residential District” to accommodate a potential subdivision that includes the property, and the zoning map is amended accordingly.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

PO “Professional Office District”

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

R-1-8 “Single Family Residential District”

Section 2. Severable. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED this ____ day of _____, 2021.

Cyndi Sharkey, Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this ____ day of _____, 2021.

APPROVED this ____ day of _____, 2021.

Kurt Bradburn, Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2021.

SUMMARY PUBLISHED this ____ day of _____, 2021.

EXHIBIT "A"
(Legal Description)

A parcel of land located immediately east of the intersection of the realigned 9270 S. (Rimando Way) and Benson Way.

Beginning at a Point on the centerline of Benson Way at a point which lies North $0^{\circ}16'43''$ East 1011.68 feet along the monument line in State Street and South $89^{\circ}48'33''$ East 462.48 feet from the Salt Lake County monument in the intersection of State Street and 9400 South Street, said Salt Lake County monument lies South $89^{\circ}45'00''$ East 90.77 feet from the Salt Lake County monument representing the Southwest Corner of Section 6, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence Northwesterly 90.68 feet along the arc of a 249.00 foot radius non-tangent curve to the right whose center bears North $44^{\circ}18'51''$ East, has a central angle of $20^{\circ}52'00''$ and a chord bearing an length of North $35^{\circ}15'10''$ West 90.18 feet to a point of compound curvature;

thence Northeasterly 23.51 feet along the arc of a 15.00 foot radius compound curve to the right whose center bears North $65^{\circ}10'51''$ East, has a central angle of $89^{\circ}49'10''$ and a chord bearing and length of North $20^{\circ}05'25''$ East 21.18 feet;

thence North $65^{\circ}00'00''$ East 15.43 feet to a point of curvature;

thence Northeasterly 37.88 feet along the arc of a 126.00 foot radius tangent curve to the left whose center bears North $25^{\circ}00'00''$ West, has a central angle of $17^{\circ}13'24''$ and a chord bearing and length of North $56^{\circ}23'18''$ East 37.73 feet to intersect said centerline of Benson Way;

thence along said easterly right-of-way line the following two (2) courses:

- (1) Southwesterly 12.32 feet along the arc of a 335.00 foot radius non-tangent curve to the left whose center bears South $87^{\circ}42'06''$ East, has a central angle of $2^{\circ}06'27''$ and a chord bearing an length of South $1^{\circ}14'40''$ West 12.32 feet to a point of tangency;
- (2) South $0^{\circ}11'27''$ West 108.63 feet to the Point of Beginning.

The above described portion of Benson Way contains approximately 3,743 square feet in area or 0.086 acre.