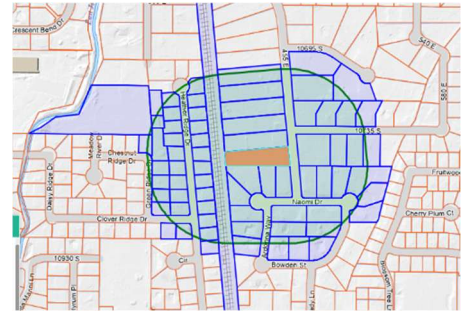


Public Notice and Outreach

This item has been noticed to property owners within 500 feet of the subject area by mail. A neighborhood meeting was held on April 1st and 17 residents attended. Staff also received two phone calls and two emails regarding the applicant's request. There were concerns about the structure being used as a detached accessory apartment, side setback waivers and location of the structure. The neighborhood meeting minutes can be found in Exhibit C and public comments received can be found in Exhibit D.



Analysis

The applicant is proposing to build an accessory structure in the rear north side of the yard that will be used as a garage for recreation vehicles, storage and a physical therapy foam mat gym for their children. The proposed structure includes half a bathroom and is proposed to be 1,785 square feet and 23 feet tall. The applicant is proposing to use metal materials as allowed in the R-1-40A zone but also having colors and other materials to coincide with the existing exterior of the primary dwelling.

Building Size

The Proposed structure is 1,785 square feet. Section 21-11-2(a)2(a)2 of the Sandy City Development Code states that 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 Section 21-11-2(a)2(d) of Sandy Development Code states that properties over 40,000 square feet or with an "A" designation, the total maximum square footage for all accessory buildings on the property may be increased up to 50 percent larger than the permitted size through a conditional use permit. The total square footage of the proposed structure and existing shed that will remain is 2,146 square feet.

Approximate location. See site plan in Exhibit B.



Address	Accessory Structure (sq. ft.)	Rear Yard Area (sq. ft.)	Rear Yard Percentage
10714 S. 455 E.	3,656	35,665	10%
10722 S. 455 E.	1,319	35,652	3%
10706 S 455 E.	3,965	33,711	11%
10743 S. 455 E.	3,741	18,106	20%
10665 S. 390 E.	2,102	19,804	10%
Project Address	Accessory Structure	Rear Yard Area	Rear Yard Percentage
10746 S. 455 E.	1,785	35,522	5%

Building Height and Setbacks

The applicant is proposing to build the structure 23 feet high. Properties in the R-1-15 zone or larger are allowed to build up to 20 feet in height for an accessory structure. The Property is in the R-1-40A zone, which is larger than the R-1-15 zone and can be built up to 20 feet. Section 21-11-2(a)3(c) of the Sandy Development Code states that a building may be built taller, up to the maximum building height for a permitted dwelling within the zone it is located, upon receipt of a conditional use permit from the Planning Commission. The applicant is proposing to place the structure 10 feet from the north side

property line and 247-foot setback from the west rear property line which is in compliance with minimum zoning setbacks for this structure. In Section 21-11-2(a)3(b) it states that a detached structure exceeding 15 feet high shall increase the minimum setback one foot for each one foot of additional height up to minimum setback of the primary dwelling, unless otherwise approved by the Planning Commission. The proposed structure is 23 feet at its tallest and would require a ten-foot setback from the rear and side property lines.

Conditional Use Standards

The City may impose conditions on conditional use based on certain standards of review found in section 21-33-04 of Sandy City Land Development Code. The following items from that list are applicable to this particular request and merit discussion or additional consideration by the Planning Commission (staff analysis is found below in *italics*):

Sec. 21-33-4. Conditions.

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address:

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

The proposed accessory structure is 23 feet tall to peak and will have a 1,785 square footprint. The structure will be situated ten feet from the north side property line and 247 feet from the west rear property line.

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

The garage will be accessed by the internal driveway.

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

The proposed accessory structure roof materials, pitch, and building materials will be consistent with the existing home and zoning designation.

- (14) Measures to assure 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, and 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 title.

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

Staff Concerns

Staff has no concerns with the proposed project.

Recommendation

Staff recommends that the Planning Commission approve a Conditional Use Permit for building size, height increase as described in the staff report for the property located at 10746 S. 455 E. based on the following findings and subject to the following conditions:

Findings:

1. The proposed structure is consistent with rear yard area coverage for accessory structures.
2. Staff finds that proposed structure meets the intent of Section 21-11-2 of the Sandy City Development code provided

the applicant complies with the conditions.

Conditions:

1. The proposed accessory structure is 23 feet tall to peak and will have a 1,785 square footprint. The structure will be situated 10 feet from the north side property line and 247 feet from the west rear property line.
2. That no portion of the proposed structure be used for livable areas nor accessory dwelling use.
3. That the applicant complies with all Building & Safety, and Fire & Life Codes.
4. 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.
5. That this Conditional Use Permit be reviewed upon a legitimate complaint.

Planner:



Brynn Bohlender
Planning and Zoning Technician

File Name: S:\Users\PLN\STAFFRPT\2025\CUP03052025-006919 - Lamb Detached Garage

Exhibit "A"

To Whom it May Concern,

I am writing to request permission to build a shop in our backyard in Sandy. The shop will be used to store vehicles, 4wheelers, side-by-sides, as well as general storage.

Our lot size is over an acre but the county info shows it is only .86 of an acre. We are asking to be recognized as an acre. We are also hoping for some small deviations from the existing code.

The current code only allows for a total of 2000 ft.² of outbuildings. The square footage of the proposed shop would be 1785 ft.². We currently have an existing outbuilding of 361 ft.² which would put us over the total aloud square footage by 146 ft.²

We are also asking for a slightly larger peak height. Current code allows for 20 feet, we are asking for a peak height of 23'4".

The current code requires a 7 foot setback with the maximum peak height, we are asking for a 10 foot setback from the north fence property line.

We will potentially move the building 4 feet west from the original site plan, making the distance from the NE corner of the building to the east property boundary line 116ft.

Please feel free to contact me with any questions or concerns.

Zeke Lamb

801-889-7294

Exhibit "B"

See the attached file for full plans

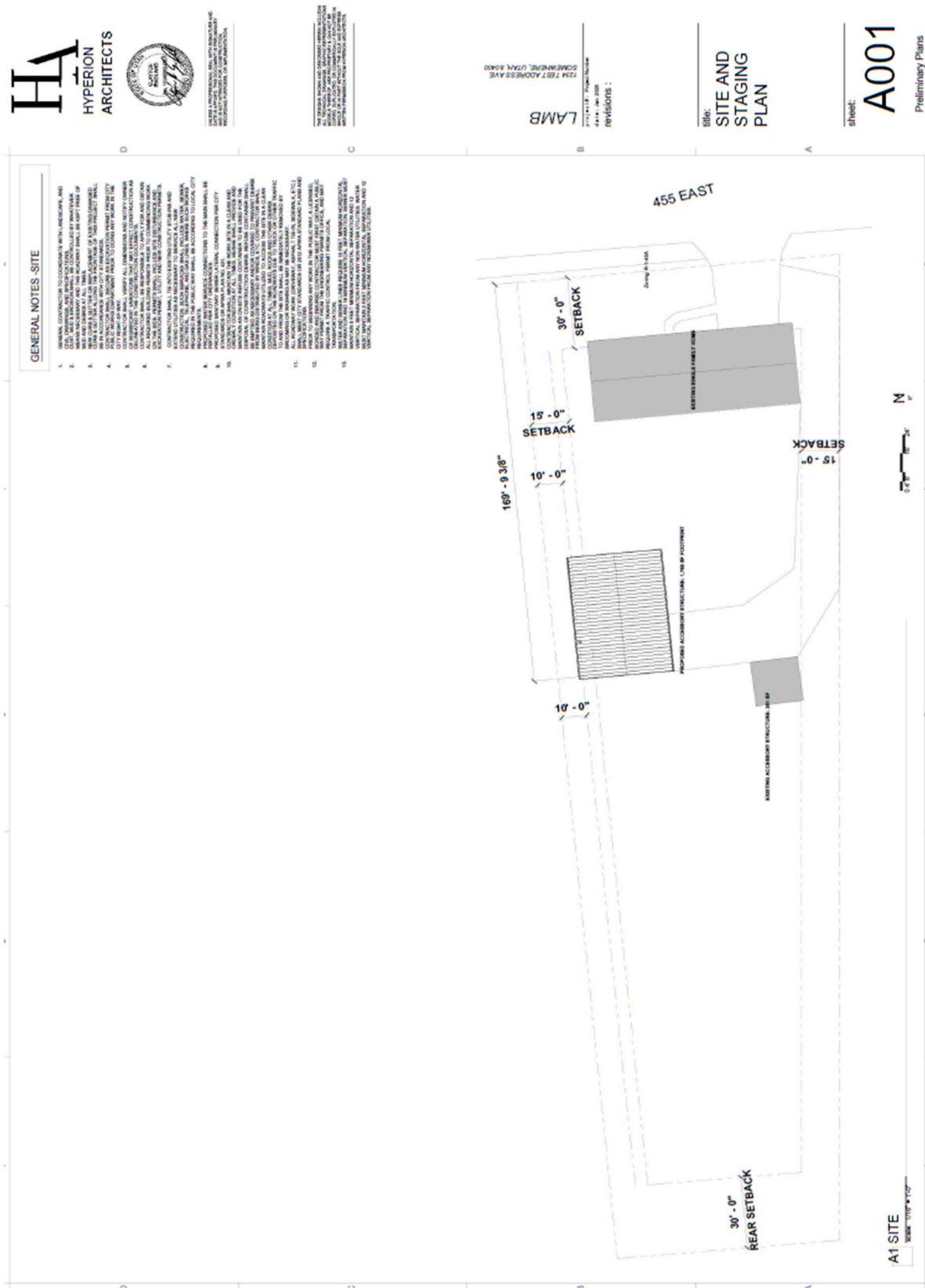


Exhibit "C"

Neighborhood Meeting Summary

Meeting Date: April 1, 2025
Neighborhood: Crescent #11
Project: Lamb Accessory Structure
Applicant: Zeke Lamb

Project Summary

The applicant, Zeke Lamb, is requesting approval of a Conditional Use Permit for a property located at 10746 S, 455 E. to allow for an accessory structure with additional size, height and reduced setbacks. The proposed structure is 1,785 and 23 feet tall with setbacks five feet from the north side property line. The design of the structure and roof is proposed to match the exterior of the main dwelling.

Meeting Minutes Summary

The neighborhood meeting was conducted online, via Zoom, with 17 participants.

April Barton asked about the plumbing for the half bathroom and the possibility of being converted to a full bathroom and kitchen for an ADU.

Staff explained that detached ADU's are not permitted within Sandy City limits. Staff also explained that the structure will only be approved for the plumbing, no gas and a condition of approval and affidavit would be recorded that the structure would not be converted to a detached ADU.

Scott Price asked about the difference between detached ADU's and Guest houses.

Staff explained the differences and parameters for a guest house for temporary familial stays.

Vanisha Griggs is okay with potential small accessory dwelling units but is more concerned with possible future subdivisions if ADU's were to be allowed.

April Barton asked about the height and if it will be stories based off the height.

The applicant said no.

Scott Price asked about the Rocky Mountain easement and powerline work.

Staff explained that it would be a condition of approval by the City and Rocky Mountain power if the setback waiver were to be approved. If the setback waiver is not granted then the powerline work would not be done and the structure would be at the required seven feet from the property line.

Exhibit "D"

From: [Nathan Evans](#)
To: [Brynn Bohlender](#)
Cc: [maren.m.evans](#)
Subject: [EXTERNAL] Conditional Use Permit :: 10746 S 455 E
Date: Tuesday, April 1, 2025 4:46:58 PM

CAUTION: Do not click links, open attachments, or reply, unless you recognize the sender's email address!

Hi Brynn,

Just wanted to share my thoughts on our neighborhood. I appreciate the city taking the time to consider feedback.

Our neighborhood is zone for agriculture and has attracted many people to it who are interested in homesteading right here in Sandy. Many people in my neighborhood have large gardens, chickens, horses, goats, sheep, etc. To me, it is an amazing and unique neighborhood that is in the heart of Sandy while having the feel of Heber City.

It's not lost on me that not everyone in my neighborhood wants that type of neighborhood. However, with so few places like this, I think it's in the city's best interest to preserve these unique areas. I moved here for this very purpose (along with many of the newer residents).

To that end, buildings that support a homesteading type of development such as barns, greenhouses, sheds, or workshops are welcome to that type of neighborhood. Putting in additional housing diminishes from the uniqueness. Once that change happens, I don't foresee it being undone.

Thanks for your time in considering my perspective on how to approach these zoning and permit requests.

Nate Evans
479 E 10695 S

From: [Maren Evans](#)
To: [Brynn Bohlender](#)
Subject: [EXTERNAL] Conditional Use Permit 10746 S 455 E
Date: Friday, April 4, 2025 10:30:48 AM

CAUTION: Do not click links, open attachments, or reply, unless you recognize the sender's email address!

Hi Brynn,

I wanted to follow up to the zoom meeting on Tuesday about the permit for the property at 10746 S 455 E. We've lived in our home for 8 years and have loved this neighborhood. We moved here because of the unique zoning and love that we can be a part of a thriving community while still enjoying the outdoor space for gardening and raising animals.

At the time that we moved into our home we already had two neighbors with large outbuildings that touch our fenceline. Had we lived here when our neighbors were in the building process, we would have wanted to give our feedback. It's been frustrating to us that our neighbors were given allowances on the setbacks and now we have large buildings right on our fence line, plus two other large outbuildings visible from our property. It has made it tricky to get enough sunlight to grow trees to improve our sight lines and there's no good way to block the buildings from feeling like they loom over our property. Once a building is in place it'll likely be there longterm and in our experience outbuildings typically aren't well maintained, we've seen many deteriorate since we've lived here. We also worry about how future homeowners may use the outbuildings.

I also acknowledge that had we been living here when our neighbors were building these outbuildings it would have been a really sensitive issue for us to share our opinions while still wanting to maintain our relationships with the neighbors. In these instances I wish that Sandy City wouldn't grant exceptions to the zoning laws already in place, there's a reason they are there. Zoning laws can help maintain neighborhoods and the relationships between neighbors.

I've attached some photos of the outbuildings we can see from our yard. We've recently replaced the fence line to try to improve the view we have from inside our home and on our existing patio. We have been struggling for years to get trees to grow to try to diminish the impact the buildings have on our yard. One of my concerns is that the proposed building at 10746 S 455 E is significantly larger than the one touching our yard and to then also have an allowance on the setback feels imposing to present and future homeowners and neighbors.

Thank you for taking the time to read this and listen.
Maren Evans





