

WINDCROFT ON HIGHLAND #2 REZONE

ORDINANCE #17-11

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 1.82 ACRES FROM THE CN “NEIGHBORHOOD COMMERCIAL DISTRICT” TO THE R-1-6 “SINGLE-FAMILY RESIDENTIAL DISTRICT”, LOCATED AT APPROXIMATELY 2111 EAST OAK DRIVE; 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 change of zoning on the below described property.

3. The Planning Commission held public hearings on February 16, 2017, which meeting was preceded by notice published in the Salt Lake Tribune on February 2, 2017, 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 January 27, 2017; and to review the request for rezoning and has made recommendations thereon to the City Council.

4. The City Council of Sandy City, Utah has held public hearings before its own body on March 14, 2017 which hearing was preceded by publication in the Salt Lake Tribune, on February 28, 2017, 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 February 23, 2017; 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, which property is located at approximately 2111 East Oak Drive, Sandy, Utah, and is currently zoned the CN “Neighborhood Commercial District”, shall be zoned to the R-1-6 “Single-Family Residential District”, and the land use map is amended accordingly.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

CN “Neighborhood Commercial District”

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

R-1-6 “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 _____, 2017.

Stephen P. Smith, Chairman
Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this ____ day of _____, 2017.

APPROVED this _____ day of _____, 2017.

Thomas M. Dolan, Mayor

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2017.

SUMMARY PUBLISHED this _____ day of _____, 2017.

EXHIBIT A
LEGAL DESCRIPTION

Rezoning – Windcroft on Highland #2
ZONE-01-17-5185

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT LOCATED NORTH 89°44'22" WEST 1392.83 FEET ALONG THE SECTION LINE AND THE SOUTHERLY BOUNDARY OF HIDDEN OAKS, A PLANNED RESIDENTIAL COMMUNITY PHASE II, FROM THE SOUTH QUARTER CORNER OF SECTION 22, AND RUNNING THENCE NORTH 89°44'23" WEST 235.88 FEET TO THE PROJECTED CENTERLINE OF HIGHLAND DRIVE; THENCE NORTH 27°00'00" WEST 219.00 FEET ALONG SAID PROJECTED CENTERLINE TO THE INTERSECTION WITH THE CENTERLINE OF OAK MANOR DRIVE; THENCE ALONG SAID OAK MANOR DRIVE CENTERLINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 63°00'00" EAST 162.25 FEET TO A POINT WHICH LIES ON A 291.57 FOOT RADIUS CURVE TO THE RIGHT, (2) 137.40 FEET ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 27°00'00" (CHORD BEARS NORTH 76°30'00" EAST 136.13 FEET), (3) EAST 58.36 FEET TO THE WESTERLY BOUNDARY OF HIDDEN OAKS, A PLANNED RESIDENTIAL COMMUNITY PHASE II; THENCE SOUTH 301.64 FEET ALONG SAID WESTERLY BOUNDARY TO THE POINT OF BEGINNING.

CONTAINS 79,925 SQ FT OR 1.83 ACRES