



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE
OFFICER

Staff Report Memorandum June 19, 2025

To: Planning Commission
From: Community Development Department
Subject: Burton Accessory Structure (Conditional Use Permit)
2277 E. Zermatt Circle
[Community #18]

CUP04242025-006960
R-1-8
0.28 acres

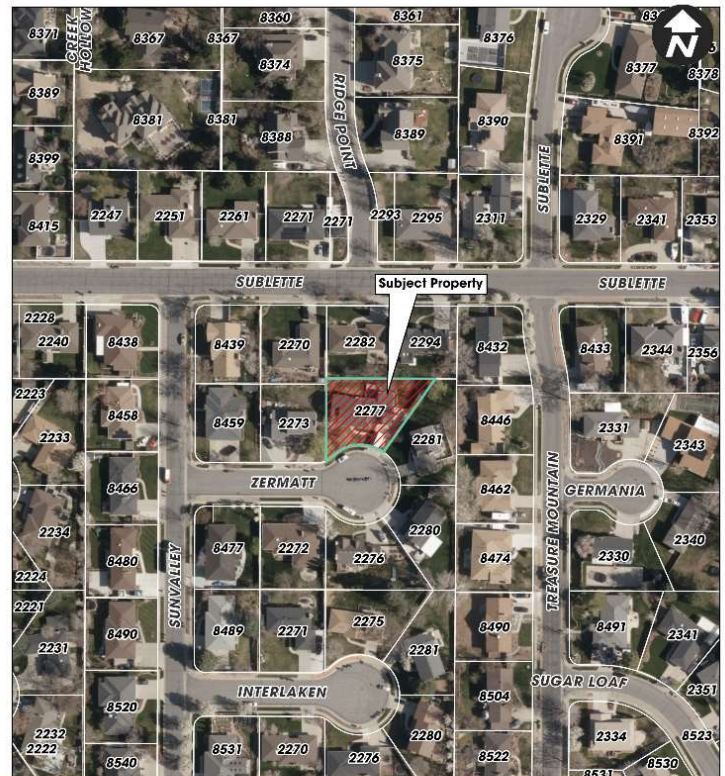
Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

The applicants, Leslie and Scott Burton, are requesting approval of a conditional use permit for an accessory structure with increased height and reduced setbacks for a property located at 2277 E. Zermatt Cir. The proposed structure is 650 square feet and 17 feet in height with a two-to-five-foot setback angling away from the rear property line, and a four-foot setback along the east side property line. The design, exterior, and roof are proposed to match the exterior of the main dwelling. See application materials for details in Exhibit A and B.

Background

The subject property is approximately .28 acres (12,196 square feet) in the R-1-8 zone. The subject property is lot 96 in the Quail Valley 5 subdivision. Properties to the north, south, and west are single family residential use zoned R-1-8. Properties to the east are single family residential use zoned R-1-10.



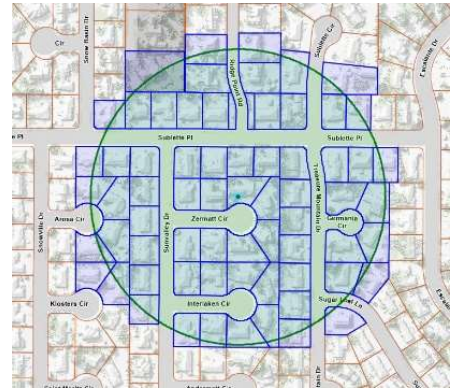
CUP04242025-006960
Conditional Use Permit
2277 E ZERMATT CIR

Sandy City, UT
Community Development Department

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 May 20th and three neighbors attended. The following comments were made about the proposal:

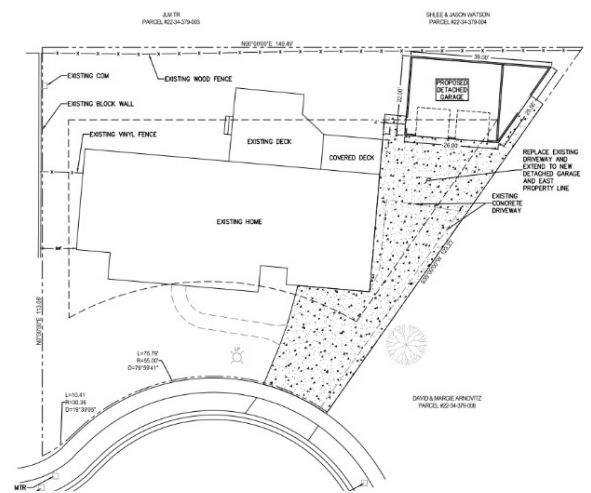
1. Neighbor to the rear of the applicant's property is concerned about the height of the structure. It will block their view. Doesn't want structure so close to the property line.
2. Concerned about drainage for structure and how that might effect drainage in the yard and possible height.
3. Building will affect light and air flow of other properties. Similar concerns to others.
4. Wants the city to only allow the "by right" height.



In addition, one email has been sent about the project (See Exhibit C).

Analysis

The applicant is proposing to build an accessory structure in the rear yard that will be used for parking and storage space. The original proposed structure was 650 square feet and 19 feet in height with a two-to-five-foot setback along angling away from the rear property line, and a four-foot setback along the west side property line. After the neighborhood meeting the applicant adjusted the height to 17' feet high with the same setbacks. The lower section of the roof along the east side will be 11 feet at its highest point. The applicant is proposing a concrete driveway to access the structure. (See Exhibit B for the site plan). The accessory structure is approximately 18% of the rear yard. The applicant is proposing a door on the side property line that may not be allowed with a four-foot setback due to meeting the building code requirements. Windows and doors are not allowed with a five-foot setback per the International Building Code. The applicant is proposing to match the exterior materials of the main dwelling.



Building Height and Setbacks

Properties in the R-1-8 zone are allowed to build up to 15 feet in height for an accessory structure. Section 21-11-2(a)(3)(c) of the Sandy City Development Code states that 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 Planning Commission. In Section 21-11-2(a)(3)(b) it states that a detached structure exceeding 15 feet in height shall increase the minimum setback one foot for each one foot of additional height, unless otherwise approved by Planning Commission. The proposed structure is 17 feet to the peak of the roof and would need to be setback four feet from the side and rear property line. The property slopes down toward the rear property line and the area will be filled in with dirt in order to make the structure level. The new finished grade will make the structure appear taller from the neighboring properties than the original grade. The applicant is proposing a two-to-five-foot setback angling away from the rear property line, and a four-foot setback along the east side property line (see exhibit B for site plan).

Table shows the rear yard percentage of the proposed accessory structure and other accessory structures in the area.

Address	Accessory Structure (sq. ft.)	Rear Yard Area (sq. ft.)	Rear Yard Percentage
8432 Treasure Mountain Dr.	300	2,980	10%
2282 E. Sublette Pl.	120	3,233	3%
8459 S. Sun Valley Dr.	220	2,865	7%

2280 E. Zermatt Cir.	200	5,200	3%
Project Address	Accessory Structure	Rear Yard Area	Rear Yard Percentage
2277 E. Zermatt Cir.	650	3,447	18%

Conditional Use Standards

The City may impose conditions on a 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 structure would be in the rear yard, 17 feet tall to peak and would be 650 square feet. The structure would be sited four feet from the rear and four feet from the west side property line.

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

There is a proposed driveway access to the accessory structure.

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

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

- (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 is concerned about the height of the structure appearing taller than 17 feet because of the fill that will be brought into level off the original grade. There is a maximum retaining wall height of up to five feet along a property line, but they are proposing three feet at most. Requiring a four-foot setback along the rear would help to reduce the impact of the height. The roof pitch could also be reduced to closer match that of the main dwelling and reduce the height of the structure. The main dwelling appears to have 5/12 or 6/12 roof pitch, and the planned detached garage shows an 8/12 roof pitch. Reducing the roof pitch would result in a building height of just over 15' for a 5/12 pitch, and 16' for a 6/12 pitch.

Recommendation

Staff recommends that the Planning Commission approve a Conditional Use Permit for increased height for an accessory structure as described in the staff report for the property located at 2277 E. Zermatt Cir 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 the proposed structure meets the intent of Section 21-11-2 provided the applicant complies with the proposed conditions.

3. Due to the fill being brought into the site, the height of the structure would have the effect of a taller building than the stated 17 foot building height.
4. The proposed building is angled away from the property line and the gable roof provides some relief in overall building height within close proximity to the property line.

Conditions:

1. That the requested setback waiver be denied due to the increased finished grade which would increase the effective building height of the structure.
2. That the accessory structure location as shown in the enclosed site plan be revised to meet the required minimum setback of four feet (4') and is built to 650 square feet and 17 feet high from finished grade to peak of roof.
3. That a retaining wall be built to retain any fill dirt brought onto the property per city code and building code requirements and that all drainage from the property be retained onsite.
4. That the applicant complies with all Building & Safety, and Fire & Life Codes.
5. 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.
6. That this Conditional Use Permit be reviewed upon a legitimate complaint

Planner:



Sarah Stringham
Planner

File Name: S:\USERS\PLN\STAFFRPT\2025\CUP04242025-006960 - BURTON ACCESSORY STRUCTURE\STAFF REPORT
BURTON CUP.DOCX

Exhibit "A"

April 21, 2025

Permit Request #: RAA04022025-036050

To Whom It May Concern,

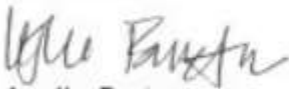
We would like to build a detached garage in our backyard. Our plot is irregular in shape because we reside within a circle. We are requesting this permit to help keep the structure parallel with the existing house and patio. This will allow for a 5' wide walkway between the existing patio and the proposed garage. The right side (east side) of the structure will have a 4' wide walkway from the garage to the property line.

The northwest corner of the garage measures 2.4' from our property line. The northeast side of the garage will measure 6.2' feet from our property line. The average distance of the north side of the garage to the property line will be 4.3'.

We are requesting a conditional use permit for a 17' vaulted roof. This structure is designed in keeping with the character of our home, the homes of those around us, and the existing zoning of the area and neighborhood. This structure will reflect the style of our home with brick and siding. The overall project will not contrast with homes directly behind our lot. Overall, this structure meets the 4' requirement and then some.

We thank you for your time and consideration of our project. The proposed garage will house and include space for parking, storage, garbage cans and yard maintenance equipment. Please let us know if there is any additional information needed.

Sincerely,



Leslie Burton



Scott Burton

801-916-1890

2277 E Zermatt Circle

Sandy, UT 84093

lwinch@gmail.com

Exhibit "B"

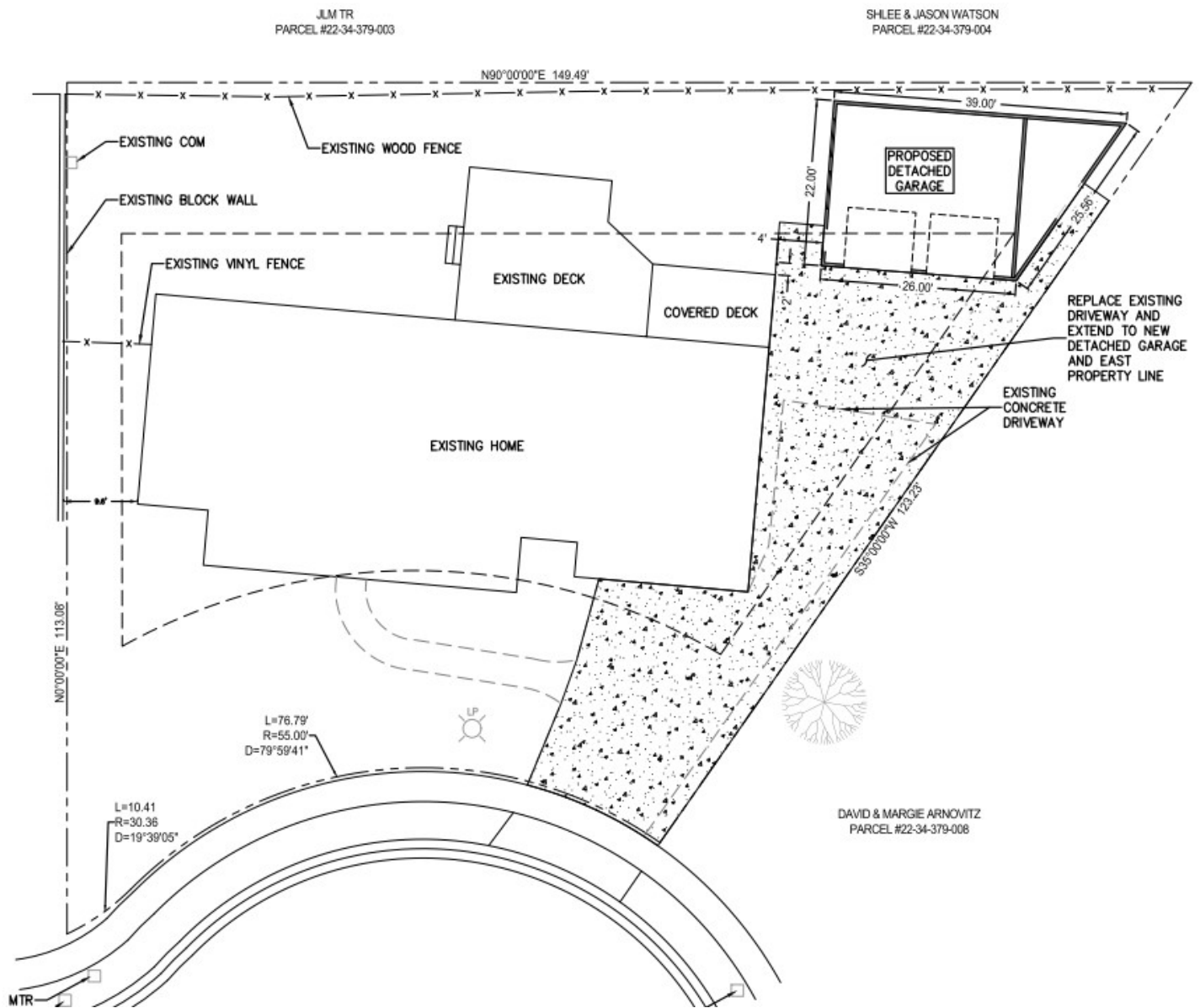
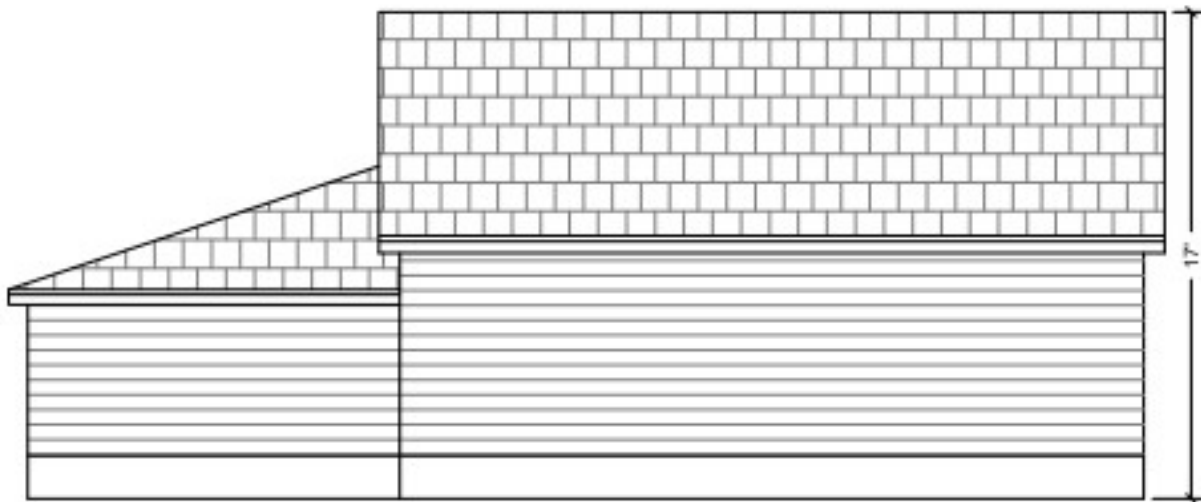


Exhibit "B" Continued



FRONT VIEW

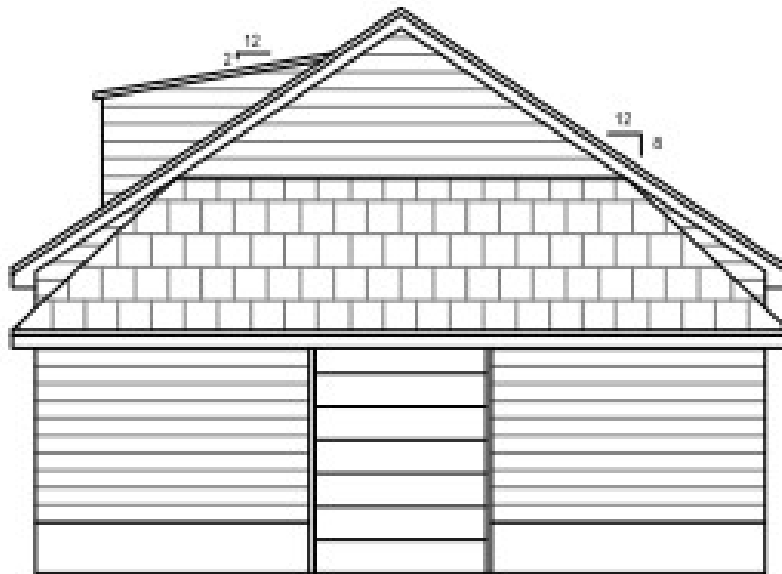


REAR VIEW

Exhibit "B" Continued



LEFT SIDE VIEW



RIGHT SIDE VIEW

Exhibit "C"

Sarah Stringham

From: Chris Mendel <cpmendel2@gmail.com>
Sent: Saturday, May 17, 2025 5:51 PM
To: Sarah Stringham
Subject: [EXTERNAL] Request for building at 2277 East Zermatt Circle, Sandy, UT

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

This request should NEVER be approved. It is a request for an additional building on a lot with a large home already on it. It is on a cul de sac and the parking and traffic would be adversely impacted. The new building would encroach on neighbors. This neighborhood is mostly ranch style homes on average lots. This would ruin the neighborhood and we strongly object to this request.

Please do not approve this request.

Christine Mendel
Ron Mendel
8438 Sun Valley Drive
Sandy, UT 84093