



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

June 4, 2020

To: Planning Commission
From: Community Development Department
Subject: Haislip Accessory Structure CUP-05-20-5849
 Accessory Structure (Conditional Use - Increased square
 footage, height, and setback waiver)
 801 E. Silver Sage Dr.
 [Community #21] Zoned R-1-8

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	None

DESCRIPTION OF REQUEST

The applicant, Jason Haislip, is requesting a Conditional Use Permit to allow for a 1,250 square foot, 21' 6" high accessory structure for the property located at 801 E. Silver Sage Dr. In addition, the applicant is asking for setback waivers of six feet on both the side and rear property lines. (See Exhibit #1 – Application Materials).

The proposed structure will be 27 feet wide and 46 feet long (1,242 square feet) and located on the northwest corner of the property. The proposed use of the structure is for the applicant's RV and for general storage. (See Exhibit #2– Site Plan and Construction Drawings).

The property is zoned R-1-8 and is part of the Silver Sage 1 subdivision. The property is located on the north side of Silver Sage Dr between Pampas Dr and Savannah Dr. The property is currently calculated at approximately 0.34 acres (15,000) square feet. The property is surrounded on all sides by single family homes zoned R-1-8.

NOTICE

Neighbors within a 500-foot radius of the property were notified of a neighborhood meeting, which was held on May 13, 2020. Four neighbors attended the meeting with one in support of the project and three with concerns. The neighbor in support of the property felt that the garage would cover the existing RV parked on the property and overall improve the aesthetic appeal of the property. The neighbor also felt the approval of the conditional use would promote property rights. The concerns were as follows:

1. The size of the proposed accessory structure is too large in relation to the size of the other accessory structures in the area.
2. Concerns that due to the size of the accessory structure it could become a future home occupation.
3. Proximity to the property lines in the surrounding area may create shade pollution.
4. Aesthetically unappealing.
5. The zoning of the neighborhood has a size and height restriction for a reason and any increase outside of that should be prohibited.
6. Allowing such a large accessory structure will decrease the property values of the homes surrounding it.
7. The RV should be in rental storage rather than on the property as the property is not large enough to accommodate it.

In addition to the neighborhood meeting staff received two phone calls and five emails regarding the project. One of the phone calls and emails came from a neighbor who attended the meeting and their concerns are expressed as part of the neighborhood concerns listed above as well as attached as part of Exhibit #3. In addition one of the emails received was also from a neighbor who attended the neighborhood meeting.

Two of the emails were in support of the applicant while the other was concerned that the proposed structure would result in diminished property values in the surrounding area. The phone call was concerned that the structure would result in the diminished aesthetic appeal of the neighborhood. All of the emails have been included in the staff report. (*See Exhibit #3 – Neighborhood Meeting*).

ANALYSIS

Section 21-11-2-(a)(2)(d) of the Sandy City Development Code states the total maximum square footage of all accessory structures on the property may be increased up to 25% larger than the permitted size upon receipt of a Conditional Use Permit from the Sandy City Planning Commission. For any properties over 40,000 square feet, or with an “A” designation, the total maximum square footage of all accessory structures on the property may be increased up to 50% larger than the permitted size through a Conditional Use Permit. The Planning Commission shall consider the scale of the buildings 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 side and rear property lines as a condition of approval.

The permitted size of an accessory structure is determined by the square footage of the property. The property in question is 15,000 square feet which is permitted to construct an accessory structure up to 1,000 square feet according to the Sandy City Development Code (Section 21-11-2(a)(2)(a)).

The applicant is requesting a 25% square footage increase to allow the proposed structure to be approximately 1,250 square feet.

Section 21-11-2-(a)(3)(c) of the Sandy City Development Code states that an accessory structure 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 Sandy City Planning Commission. 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 side and rear property lines as a condition of approval. The proposed structure is in an R-1-8 zone allowing the structure to be up to 15 feet high in the rear yard (Section 21-11-2-(a)(3)(a)).

The applicant is requesting that the Planning Commission approve the accessory structure to be 21' 6" feet in height.

Additional Setback Requirement. Detached structures exceeding 15 feet in height shall increase the minimum setback one foot for each foot of additional height up to the minimum setback for the primary dwelling (Section 21-11-2-(a)(3)(b)). A setback of 9 feet from both the side and rear yard property lines would be required for the requested height.

The applicant is proposing a 3 foot setback on both the rear and side property lines. The applicant is requesting a 6 foot setback waiver on both the side and rear property lines.

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.

The applicant is proposing to construct the accessory structure with hardie fiber board and brick to match the existing home.

COMPLIANCE WITH SECTION 21-33-04

Staff response in *italics*.

Conditions.

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address standards 21-33-04 "1" to "15", as contained in the Sandy City Development Code. This proposed conditional

use meets or satisfies all of Conditions “1” through “15”, except the following conditions that merit discussion or additional consideration by the Planning Commission:

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

The accessory structure will be located on the northwest side of the rear yard.

2. Proposed site ingress and egress to existing and proposed roads and streets;

The garage will be accessed via an extension of the existing driveway on the southwest side of the property.

13. 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.

14. 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.

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 Code.

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

CONCERNS

Based on the height of the proposed structure staff would recommend the nine-foot setback unless the Planning Commission determines the waiver is warranted. In addition, there is an existing approximately 100 square foot shed on the property. Staff recommends the removal of any existing accessory structure prior to construction of the proposed accessory structure.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Jason Haislip for the property located at 801 E. Silver Sage Dr. to allow for an accessory structure as described in the application materials based on the findings and subject to the following conditions:

Findings

1. The proposed square footage of the structure is 1250 square feet which is compatible with the size of the accessory structures nearby (See table

Address	Accessory Structure	Rear Yard Area	% Rear Yard
825 E. Silver Sage Dr.	1,000	8,979	11%
10851 S. Savannah Dr.	1,200	9,465	12%
747 E. Pecos Dr.	1,000	Side Yard	Side Yard
777 E. Lafayette St.	1,200	6,509	18%
909 E Silver Sage Dr.	1,000	6,399	16%
Proposed Garage			
801 E Silver Sage Dr.	1,250	8,612	14%

- below).
2. There is a 6 foot public utility easement on the side and rear yards. The applicant is aware of this and has agreed to obtain the necessary easement letters.
 3. Generally, Staff finds that the proposed structure meets the intent of section 21-11-2 based on the findings and the following conditions:

Conditions

1. That the proposed structure comply with all applicable Building & Safety, and Fire & Life Codes.
2. Setbacks along the side and rear yard should be a minimum of 9 feet from the side and rear property lines, unless this requirement is waived by the Planning Commission.
3. The removal of any existing accessory structures on the property.
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 the applicant obtain the required easement waiver letters prior to applying for a building permit.
6. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner: 
 Claire Hague, Planner

Reviewed by: 

Exhibit #1 – Application Materials

Jason Thomas Haislip

801 E. Silver Sage Drive, Sandy Utah | 801-599-5443 | jhaislip@Incurtis.com

5/12/2020

Board Members

Building Department

Re: 801 E. Silver Sage Drive, Sandy Utah

I am requesting a conditional use permit to build a RV/storage garage in the north west corner of the property. We are requesting an approval for the proposed garage to be positioned 3 feet from the property line which is closer than the city guidelines. The garage gross square footage would be 25% larger than then general square footage for the properties lot size. The overall roof height is set to be approximately 22 feet which would exceed the allowed height that has been set by the city.

We are requesting the conditional use permit for the proposed garage to store an RV out of the weather and snow. This garage would also eliminate the visual impact of outside storage. The building will be designed to match all existing house finishes and features to compliment the property.

Thank you for your consideration.

Jason Thomas Haislip

Exhibit #2 – Site Plan and Construction Drawing

PROFESSIONAL ENGINEER
STATE OF CONNECTICUT
REGISTERED PROFESSIONAL ENGINEER
NO. 10100
DATE: 10/15/2014
PROJECT: 10100
REVISIONS: 1

project:
**DETACHED
GARAGE**

BY: EAST SULLIVAN PAGE DR
SANDY UT BROOM

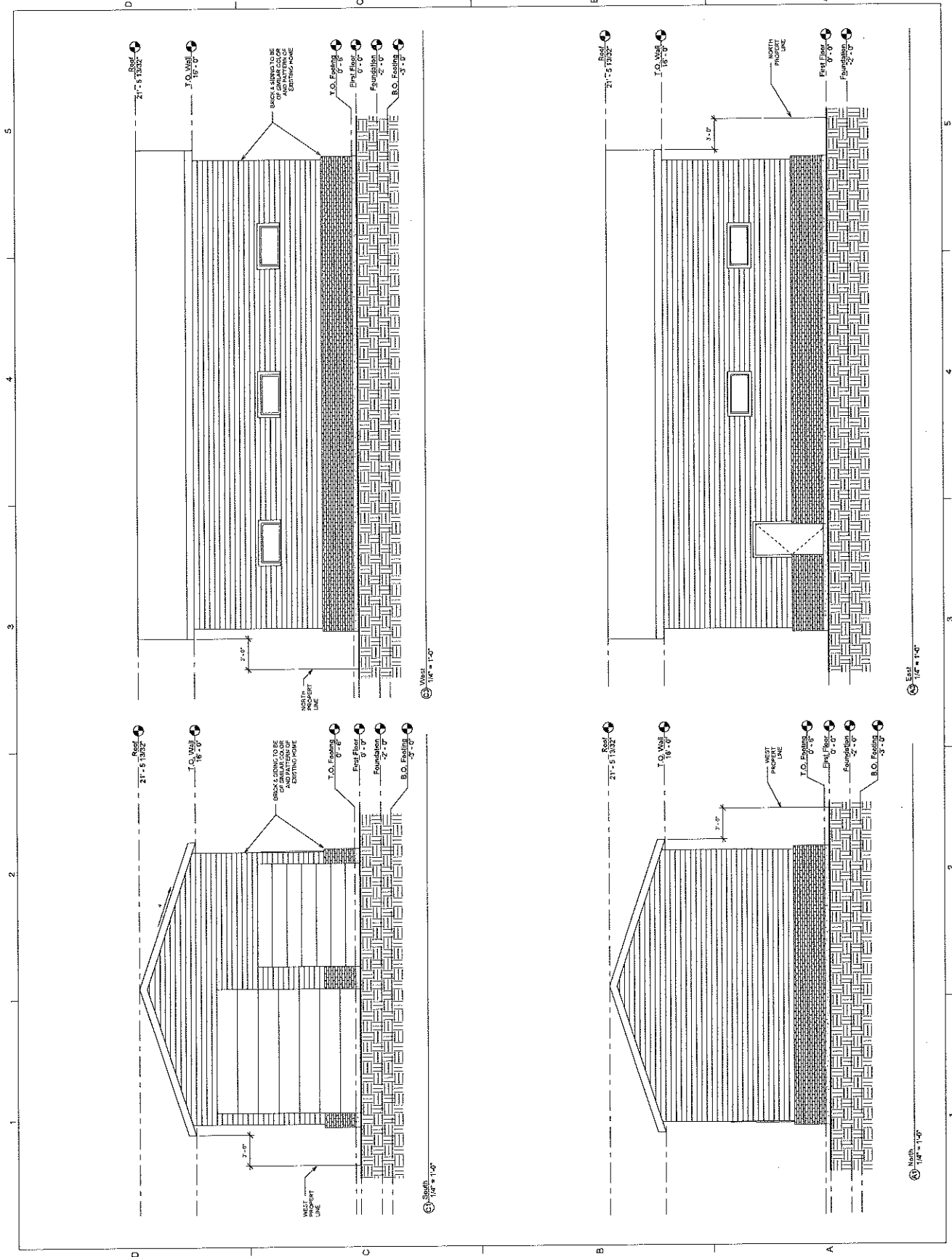
PROJECT: 10100
DATE: 10/15/2014
REVISIONS: 1

title:
Elevations

sheet:

3

CONDITIONAL USE
PERMIT



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project:
**DETACHED
GARAGE**

801 EAST SILVERSPACE DR
SANDY, UT 84094

project: 201
date: 6/20/2010
revisions:

title:
**Satellite
Images**

sheet:

4

CONDITIONAL USE
PERMIT



Exhibit #3 – Neighborhood Meeting

Claire Hague

From: Teia <lisa.vanwagenen825@gmail.com>
Sent: Friday, May 15, 2020 9:13 AM
To: Claire Hague
Subject: [EXTERNAL] Atten: Jason Haislip (801 Silver Sage Dr.)

Dear Claire Hague,

I am writing this letter to inform you that I do not oppose Jason Haislip building a detached garage on his property at 801 E. Silver Sage Dr. The lots in this area from Silver Sage Dr. to 110th South are bigger lots and at the time it was developed the land owners were allowed to add large detached buildings. Many of the lots in this area do have the large detached garages or have added on to their houses. Having the bigger lots the garages add value to the homes. I was not available to go on the zoom meeting Wednesday, but felt it was important to let you know my opinion being that I am a neighbor to the property at hand.

Thanks for taking the time to read this,

Lisa Van Wagenen
825 E. Silver Sage Dr.
(801 680-4686)

Sent from [Mail](#) for Windows 10

Claire Hague

From: L S <pheonixforever1@yahoo.com>
Sent: Wednesday, May 13, 2020 7:49 PM
To: L S; Claire Hague
Subject: [EXTERNAL] Fw: Jason Haislip 801 E Silver Sage Dr Conditional Use Permit

I am a resident of Sandy for 12 cumulative years (4 of which are at my present address of 806 E Lafayette St, Sandy, Utah). I echo what my neighbor, Kate, has typed so eloquently below.

I want to thank Claire for the voicemail she left on my phone Monday afternoon, as well as her e-mail in response to my request for

Jason's specs, although as of Tuesday "he still did not meet his Friday deadline for submitting an explanation of his intended usage". The site plans indicate approximately 21 ft high, 27 ft wide, 45 ft long, 1250 sq ft surprisingly huge "garage". My understanding is he did finally submit it today saying it was a garage for his RV. That does not change the fact that it violates our code which existed long before Jason's recent move into our neighborhood.

Respectfully,
Linda Strouse

From: Kate Schoenhals <kate.schoenhals@gmail.com>
To: "chague@sandy.utah.gov" <chague@sandy.utah.gov>
Cc: "pheonixforever1@yahoo.com" <pheonixforever1@yahoo.com>
Sent: Wednesday, May 13, 2020, 10:43:30 AM PDT
Subject: Jason Haislip 801 E Silver Sage Dr Conditional Use Permit

To Whom It May Concern:

I am a four-year resident of a house in Sandy that is directly behind the property involved in the Conditional Use Permit being discussed in the neighborhood meeting tonight. I have a direct conflict with the meeting this evening and may not be able to attend unfortunately but wanted to be sure to voice my concerns and adamant opposition to the proposed building via email here. These are items to which I wish to bring attention:

1. The proposed building was described to me (through my East Neighbor Linda Strouse) as being 3 ft from my property line, 21.5 feet tall x 27ft wide x 44 ft long. Is this correct?
2. This is large enough that it will obstruct my view, disrupt the neighborhood culture and impede on the health and safety of our quiet local streets - regardless of use. This not only directly impacts my and my neighbors' property values but it upsets my quality of life and the quality of our neighborhood ambiance.
3. Per your email to Linda Strouse "A Conditional Use is essentially an intense enough use that it requires input from neighboring properties and a review conducted by city staff." I am confused as to why this meeting and a planning commission meeting can even be taking place without the pre-requisites required of the home owner to disclose his intentions behind the construction of this building. This makes it impossible to have a legitimate conversation about the project at all. It leads me to question the ability of community officials to manage code enforcement and oversight of this project effectively and justly.
4. The sandy.utah.gov website describes "A Conditional Use Permit is required when a property owner proposes to use its land for purposes listed as a conditional use in associated zoning or which by the uses nature could negatively impact surrounding properties." Per this wording, it explicitly states that this proposed project will negatively impact my property. This is not OK.
5. I am deeply concerned that the reasons for building this large garage have not been openly discussed and can only assume that it is business related. We are a quiet residential community with a culture centered on family values, peace and quiet suburban life. This is NOT a neighborhood for commercial/business real estate nor is it one for large warehouses. There are plenty of opportunities elsewhere in the valley for such things that do not serve to negatively impact surrounding neighbors.
6. What will happen to the trees bordering the fence line on both sides? Will it affect access to utilities services?
7. I have been in communication with my neighbors directly to the East and West of me and we all share in our concerns about the damage this type of building and potential options for use will do to our little community as

well as the ability of enforcing any violations made to Sandy Code now and in the future. We are concerned about maintaining the integrity of the Silver Sage Neighborhood and hope that it can be made a priority by all.

Thank you for your time.

Sincerely,
Kate Schoenhals @ 796 E Lafayette Street

Claire Hague

From: DONNA SINDORF <dawnafive@msn.com>
Sent: Wednesday, May 13, 2020 5:15 PM
To: Claire Hague; Claire Hague
Subject: [EXTERNAL] Jason Haislip, 801E. Silver Sage Dr. for a detached garage

To: Claire Hague

I received your notice concerning the above garage. I will be unable to attend the meeting this evening but I would like to express my objection to the proposed garage. I believe this size of garage would devalue my property value as well as many others in my community. If the use of the garage is for an RV an storage it seems to be excessive. Many people in our area have RVs and storage but are consistent in size of the normal residential home site. The size requested sounds more like a commercial building than a family residence. Not only does this effect property values but also residence scenic value. As to my house mountain views are already limited by the large garage built directly behind my house (which I don't know how it got approved) But putting another such metal building right next to it would completely block mountains as well as sky views.

Please express my opposition to such a commercial size structure in our neighborhood. Even though no mention was given as to the materials used for such a size, I'm concerned that it is going to be like the metal one already built right next to it.

Thank you for giving this request in view of our nice residential community not being intruded upon by a commercial size building.

Donna Sindorf
790 E. Lafayette St.

Claire Hague

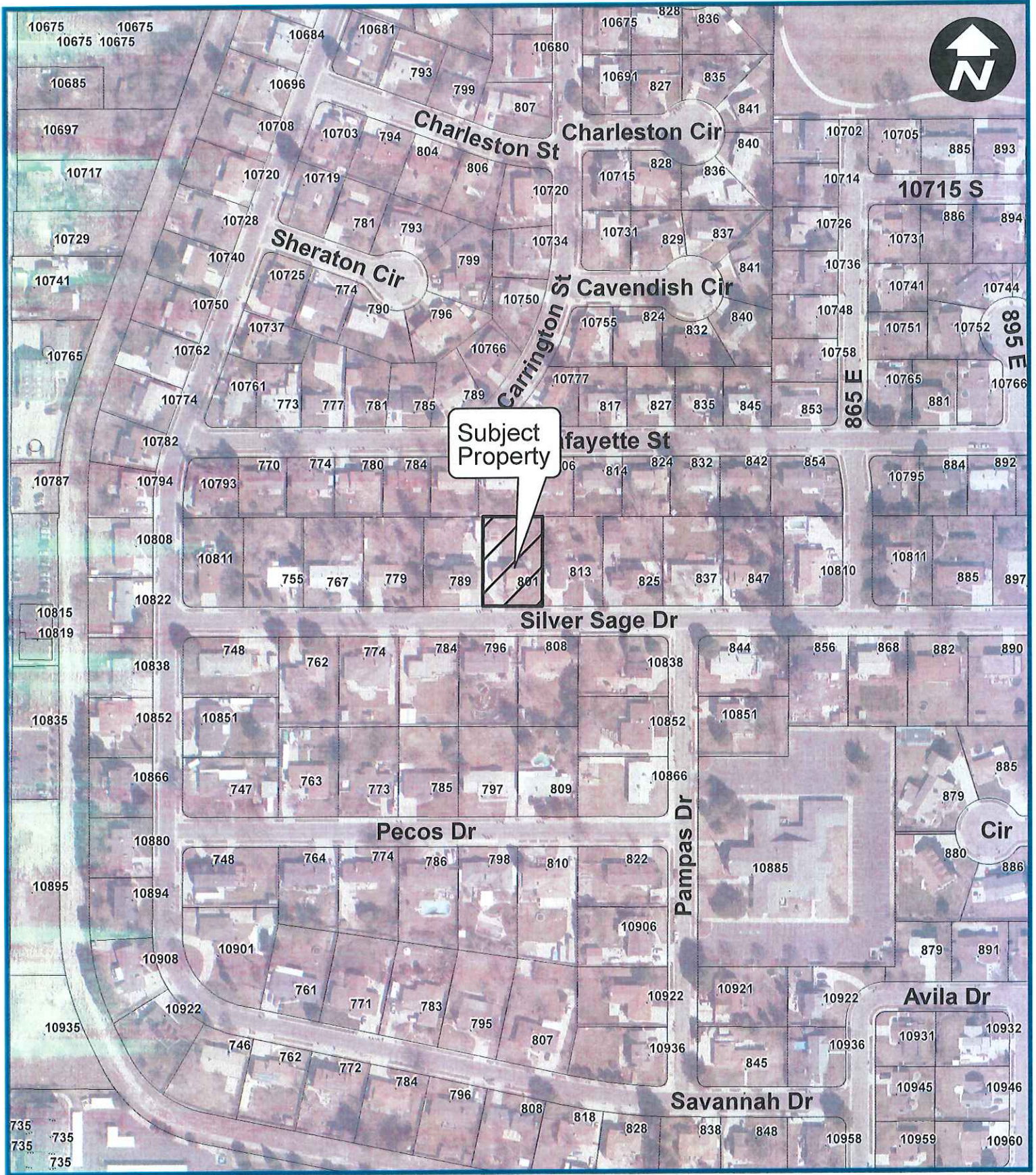
From: daniels@myfriendlyplumber.com
Sent: Thursday, May 14, 2020 7:47 PM
To: Claire Hague
Subject: [EXTERNAL] 801 E Silver Sage

Claire, I'm a current homeowner living at 784 E Silver Sage Dr Sandy, UT 84094. I wanted to write to let you know that I'm ok with the conditional use permit for the taller shed for the address of 801 E Silver Sage. I believe the resident is Jason Haislip.

Thank you for your help

Daniel Scott
Owner/Founder
Friendly Home Services
O: 801-410-0644
C: 801-674-5282

Exhibit #4- Vicinity Map



Subject Property

CUP-05-20-5849
Haislip Accessory Structure
801 E Silver Sage Dr.

