



# SANDY CITY COMMUNITY DEVELOPMENT

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## MEMORANDUM

July 5, 2018

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Pepperwood Creek Phase 5 Reconsideration of Conditions      SUB-06-18-5438  
3000 E. Hiddenwood Dr.      Zone: PUD (1.62)  
[The Dell, Community #29]      4.45 Acres, 8 Lots

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**HEARING NOTICE:**      *This item has been noticed to property owners within 500 feet of the subject area.*

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PROPERTY CASE HISTORY	
Case Number	Case Summary
S#06-23	Pepperwood Creek #5 – received final approval on September 18, 2007 for an 8-lot single-family subdivision.
SUB-09-16-5141	Application for preliminary review of the subdivision after original approval expired. Planning Commission reviewed the application on October 6, 2016 and voted unanimous in favor.
Pepperwood Creek – Various Phases	Phases 1, 2, 3, 4, 6, and 7 have all been approved and constructed.

### DESCRIPTION OF REQUEST

The applicant, Mr. Skylar Tolbert, is requesting that the Planning Commission re-evaluate one of the conditions of approval that was attached to the subdivision approval in 2016. Mr. Tolbert, representing Ivory Homes, has stated that the company has found it difficult to comply with condition #5 of the original approval which states:

“5. That garages be de-emphasized by being setback from the living area (including front porches) of the home by at least ten (10) feet.”

The requirement to recess garages ten (10) feet back behind the living space of the home has been problematic in dealing with the grade of some of the lots within the subdivision. The applicant is requesting that the Planning Commission amend the condition of approval to require that the garages be de-emphasized without having the ten (10) foot setback requirement included.

**BACKGROUND**

The subdivision is part of a 7-phase master planned PUD on land between Wasatch Boulevard and Dimple Dell Road at about 10800 South. The master plan includes twin homes, estate lots, and pad lot units. This phase, along with phase 2 are comprised of large estate lots. All other phases of the master planned community have been approved and constructed. After the original approval for this phase in 2007, all of the improvements for the subdivision were installed and completed. However, the subdivision plat was never recorded and the approvals for this subdivision expired. The applicant re-applied for subdivision approval in 2016 with plans to develop the site exactly as it had previously been approved.

While the entire Pepperwood Creek area is located within the Sensitive Area Overlay Zone, phase 5 has comparably small amounts of 30% slope area, although all of the lots have significant changes in grades. The grade of the land, the irregular shape of some of the lots, and the desires of the owners of the lots in the subdivision have made it difficult to meet the ten foot setback requirement for garages in this development.

**NOTICE**

Notices were mailed to property owners within a 500 foot radius of the subject parcel to notify them of the Planning Commission meeting. The Community Development Director along with Planning Staff determined that a neighborhood meeting was not necessary for this application.

**ANALYSIS**

The PUD(1.62) zone is a zone specifically created for the Pepperwood area. Because it is a Planned Unit Development (PUD), the Planning Commission has some discretion in determining appropriate setbacks, architectural requirements, open space amenities, etc.

**Lot Shape and Grade**

Pepperwood Creek is located in an area with a great deal of grade change. The lots in the subdivision are all irregularly shaped as a result of the road configuration and surrounding development. These types of subdivisions require more flexibility than is generally afforded developments on flat ground and square lots. The condition to have a garage that is recessed ten (10) feet from the front of the house is a rigid and sometimes difficult requirement to meet on irregularly shaped lots with significant grade changes. Amending the condition of approval to provide flexibility would offer homeowners more options with regards to floor plans that could work on the lot while still meeting the intent to take the focus off of the garage.

**Context of Surrounding Phases**

Because the rest of the Pepperwood Creek master planned community is already built, it seems appropriate to consider this request based on the context of the other phases of Pepperwood Creek.

- **Phases 1 and 7B** consisted of townhome units on approved pad lots. The garages on these units are generally recessed by 3-4 feet.
- **Phases 3, 4, 6, and 7A** all consisted of single-family detached units on pad lots. These pad lots often had as little as a ten (10) foot front setback but, in order to accommodate off-street parking, full 18' minimum driveways were required. Many of the lots in these phases have courtyard garages (side entry) in order to meet this requirement.
- **Phase 2** is the most comparable phase to the one in question and is located adjacent to the subject property. Phase 2 consists of estate lots that have the similar setback requirements

as those in Phase 5. The conditions of approval for phase 2 state that *“covered porches, de-emphasized garages, columns, and varied window shapes/treatments will be required.”* All but one of the homes in phase 2 have courtyard garages that are nearly flush with the front setback. Only one house has a front entry garage, which is setback approximately two (2) feet from the living space.

Based on the existing context of the homes built in the phase 2 of Pepperwood Creek as well as the difficulties of development on the lots, it seems appropriate that the Planning Commission consider amending condition #5 of Pepperwood Creek Phase 5 to require de-emphasized garages without the requirement of a ten (10) foot setback from living space. Staff proposes that the condition be changed to match the condition given in phase 2 of the development.

#### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **amend condition #5 of the Pepperwood Creek Phase 5 subdivision** to read:

“5. Covered porches, de-emphasized garages, columns, and varied window shapes/treatments will be required.”

Planner:



Mitch Vance  
Planner

Reviewed by:



Brian McCuiston  
Planning Director