



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

November 4, 2021

To: Planning Commission
From: Community Development Department
Subject: Tyrell Accessory Structure (Conditional Use Permit - Increased height, square footage and setback waiver) 757 E Dry Creek Road (Community #14) CUP10052021-006168 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, Aaron Tyrrell is requesting a Conditional Use Permit to allow for a 936 square foot, 19’6" high accessory structure for the property located at 757 E Dry Creek Road. In addition, the applicant is asking for setback waivers of two feet on the side property line and four-foot setback on the rear. (See Exhibit #1 -Application Materials).

The property is 0.25 acres, 10,890 square feet in an R-1-8 zone. The proposed structure will be 26 feet wide and 36 feet long. The proposed use for the structure is for additional garage space and storage. The proposed materials are vinyl siding to match the existing home materials. Access to the proposed garage will be through a shared access agreement with the neighbor’s driveway approach. (See Exhibit #2– Site Plan and Construction Drawings)

The property is Lot 415 of the Storm Mountain Terrace 4 Subdivision. The subject property is adjacent to single family homes zoned R-1-8 on the north, south and east sides. To the north is 11400 South Street and to the west is a Maverik gas station, which is in Draper City, that is adjacent to a portion of the applicants property.

NOTICE

A neighborhood meeting was held on Wednesday October 20, 2021. No residents attended the meeting. Notices were mailed to property owners within a 500-foot radius of the subject parcel in advance of the Planning Commission meeting.

ANALYSIS

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 19'6" feet in height.*

Additional Setback Requirement. Detached structures exceeding 10 feet in height on a multi-frontage lot 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 twelve (12) feet the north property line would be required for the requested height. A seven-foot setback would be required from the side property line. The applicant is proposing to place the structure eight (8) feet from the rear and five (5) feet from the side property line. There is a 7'5" public utility easement across the rear property line. The applicant is requesting a setback waiver of four (4) feet on the rear and two (2) feet on the side yard.*

Section 21-11-2. (a)(2)(a) of the Sandy City Development Code states that the combined square footage of all accessory structures in the rear yard of a lot that's between 14,999 square feet or smaller shall not exceed 750 square feet (unless otherwise approved by the Planning Commission through a CUP) or 25% whichever is the lesser measurement. *The property is 0.25 acres or approximately 10,890 square feet. The proposed 936 square foot garage would comprise approximately 20% of the total square footage of the rear yard.*

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 southwest side of the rear yard and is proposed to be 936 square feet with an eight-foot setback on the rear and a five-foot setback on the side.

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

The garage will be accessed from the neighbors drive approach through a shared access agreement.

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

The proposed detached garage will match the existing home in color and materials.

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

The applicant originally proposed a secondary access from the road. This was determined to not be allowed because there is not enough distance between the main driveway and the secondary access. The neighbor to the south is interested in widening out his driveway and providing a shared access to the applicants' garage. The City Engineer has reviewed this proposal and is comfortable with this proposal. Staff is proposing that the applicant provide staff with a shared access agreement that will be recorded at the Salt Lake County Recorder's Office.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Arron Tyrrell for the property located at 757 E Dry Creek Rd., to allow for a 936 square foot accessory structure with a maximum height of 19'6" feet as described in the application materials with a setback waiver of four feet from the rear property line and two feet from the side property based on the one finding and subject to the following conditions.

Finding

1. Staff finds that the proposed structure meets the intent of section 21-11-2 provided the applicant complies with the following conditions.

Conditions

1. That a shared access agreement (with the south neighbor) be signed and recorded before the Certificate of Occupancy is granted for the proposed structure.
2. That the exterior of the structure matches the existing exterior of the home.
3. The applicant removes the vehicles on the east side of the property and clean it up to comply with property maintenance ordinance.
4. That the proposed structure complies with all applicable 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 legitimate complaint.

Planner: Brynn Bohlander

Brynn Bohlander, Zoning Technician

Reviewed by: _____

S:\Users\PLN\STAFFRPT\2021\CUP10052021-006168 Tyrrell Accessory Structure

Exhibit #1 – Application Materials

Sandy City Planning Commission,

10/4/2021

We are requesting building size variance, building height variance and a setback variance. We request the building size variance to accommodate our recreational vehicles. We are in R-1-8 zone, we are permitted 750 sq ft of accessory structure square footage. We request 936 sq ft (26x36) which is just under 25% over the allowed amount. We request the building height variance of 19' 6". That would be a 16 foot wall with a 3 1/2 foot roof, this will accommodate a 14 foot door height for our RV. We request the setback variance to help get the auxiliary building primarily behind our residence. We are requesting a setback of 7 ft on the north property line (boarders 11400 South), 7 feet on the west property line (boarders Maverick parking lot) and a setback of 5 ft along the southwest fence line (boarders 11430 So. Sage Mesa Dr). We have spoken to the neighbor/home owner and he has no concerns about this project.

This project will improve the quality of the neighborhood because it will actually block the view of Maverick and the sound from the traffic of 11400 South. There are multiple properties within the neighborhood that have oversized and over height buildings.

Aaron Tyrrell
757 East Dry Creek Rd
Sandy, Utah 84094
623-261-3509

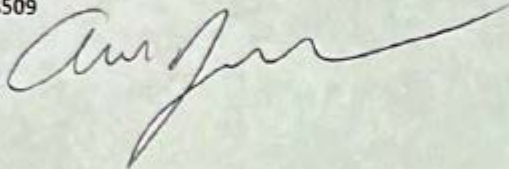
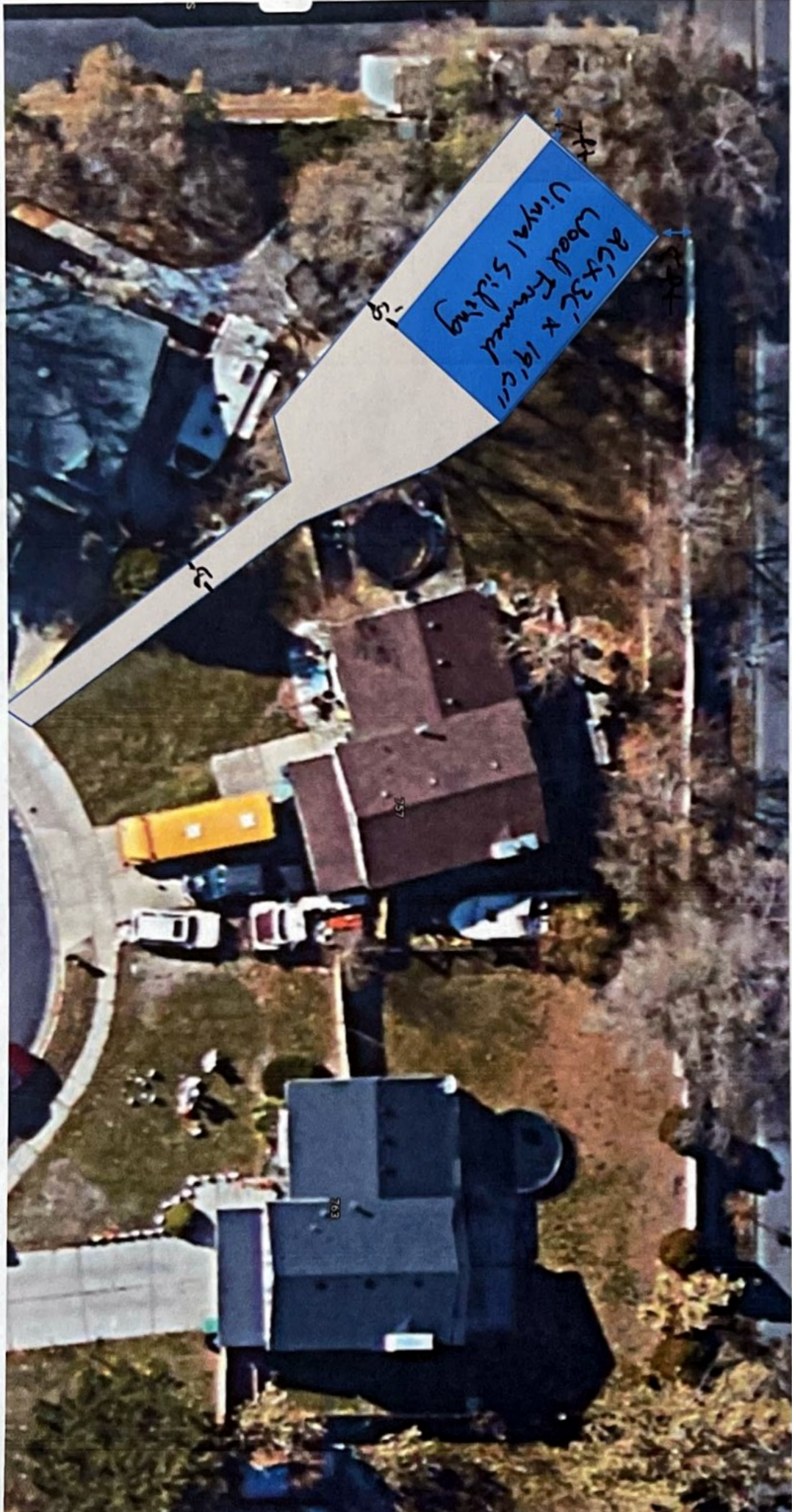
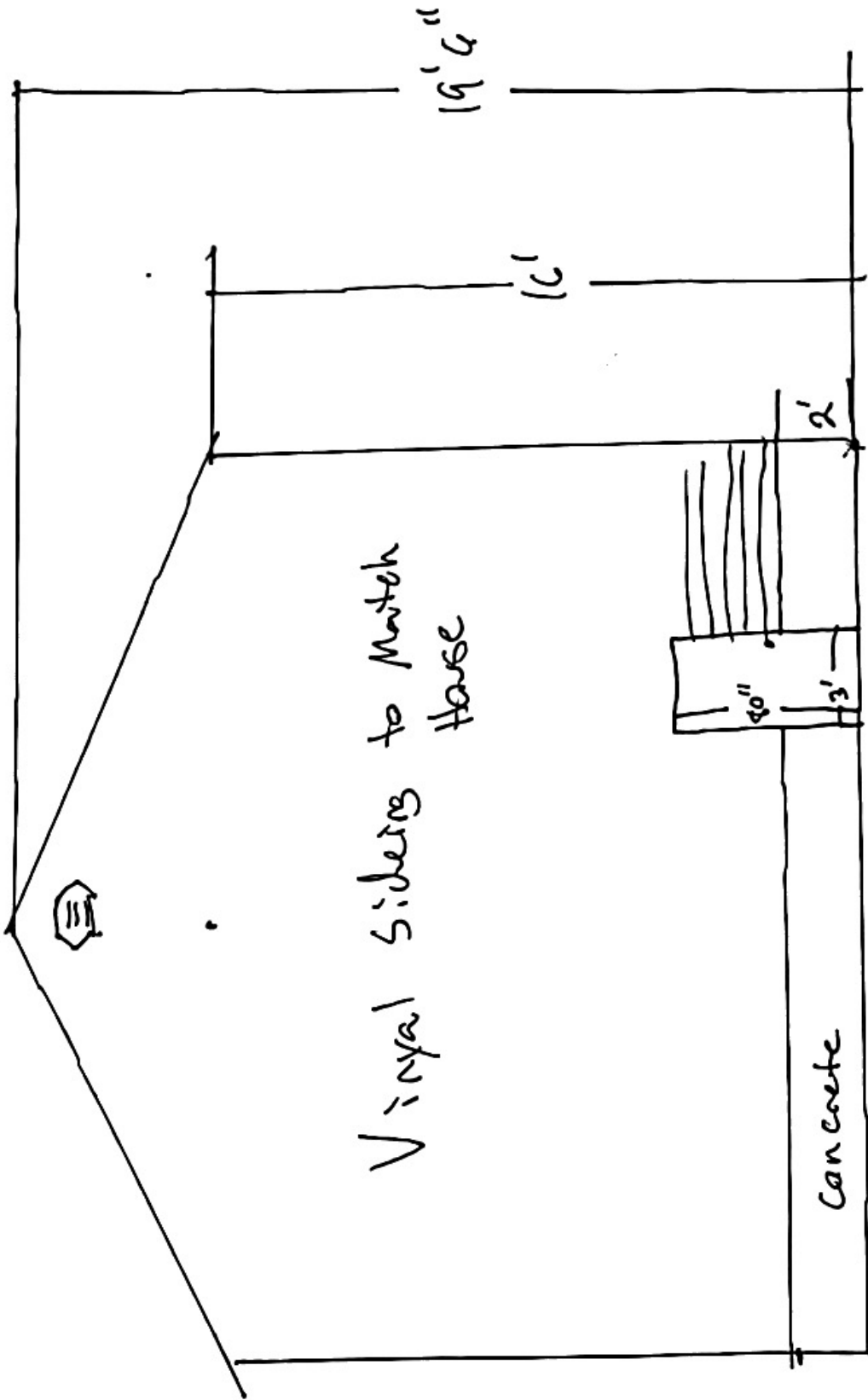


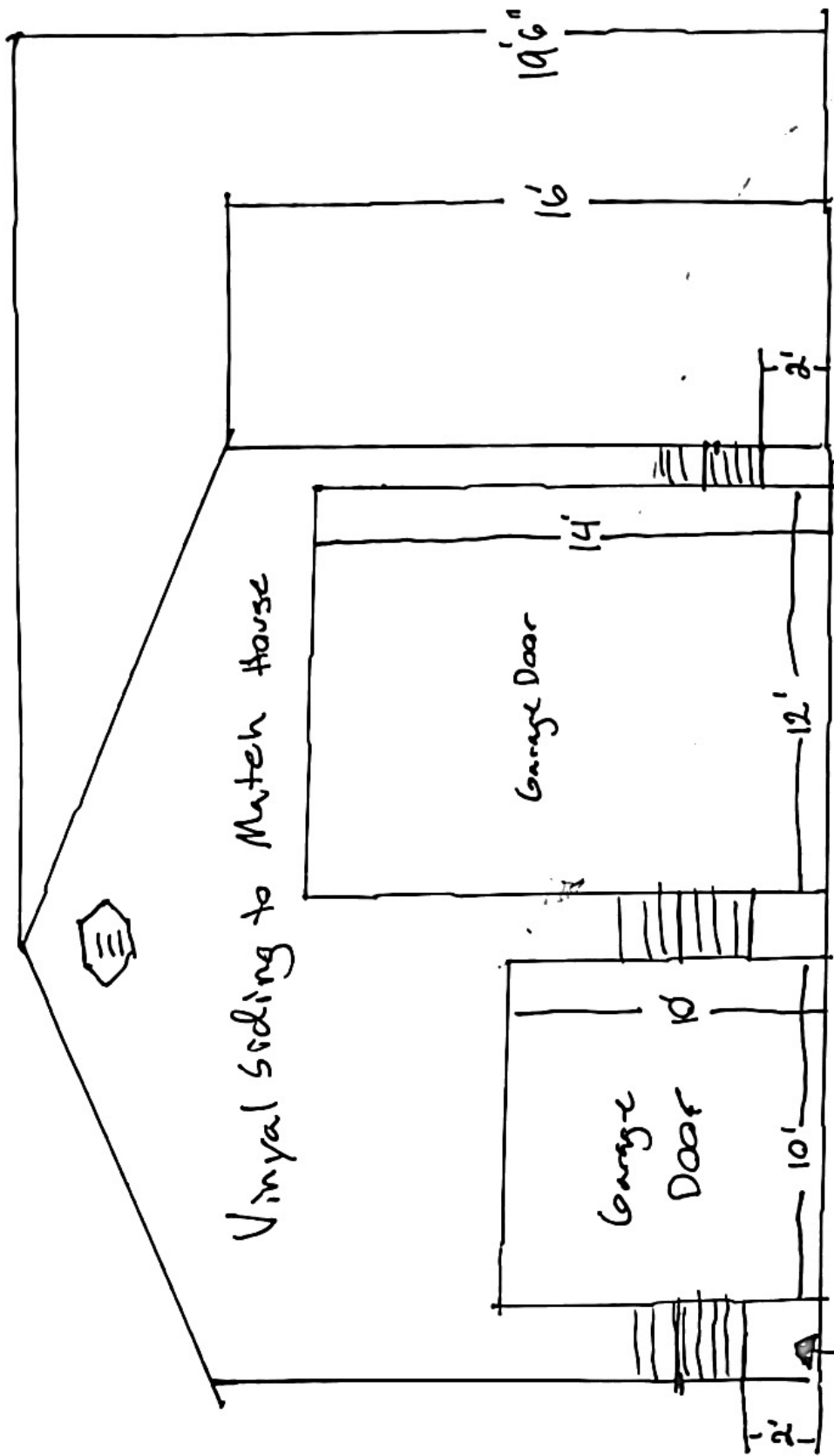
Exhibit #2 – Site Plan and Construction Drawing

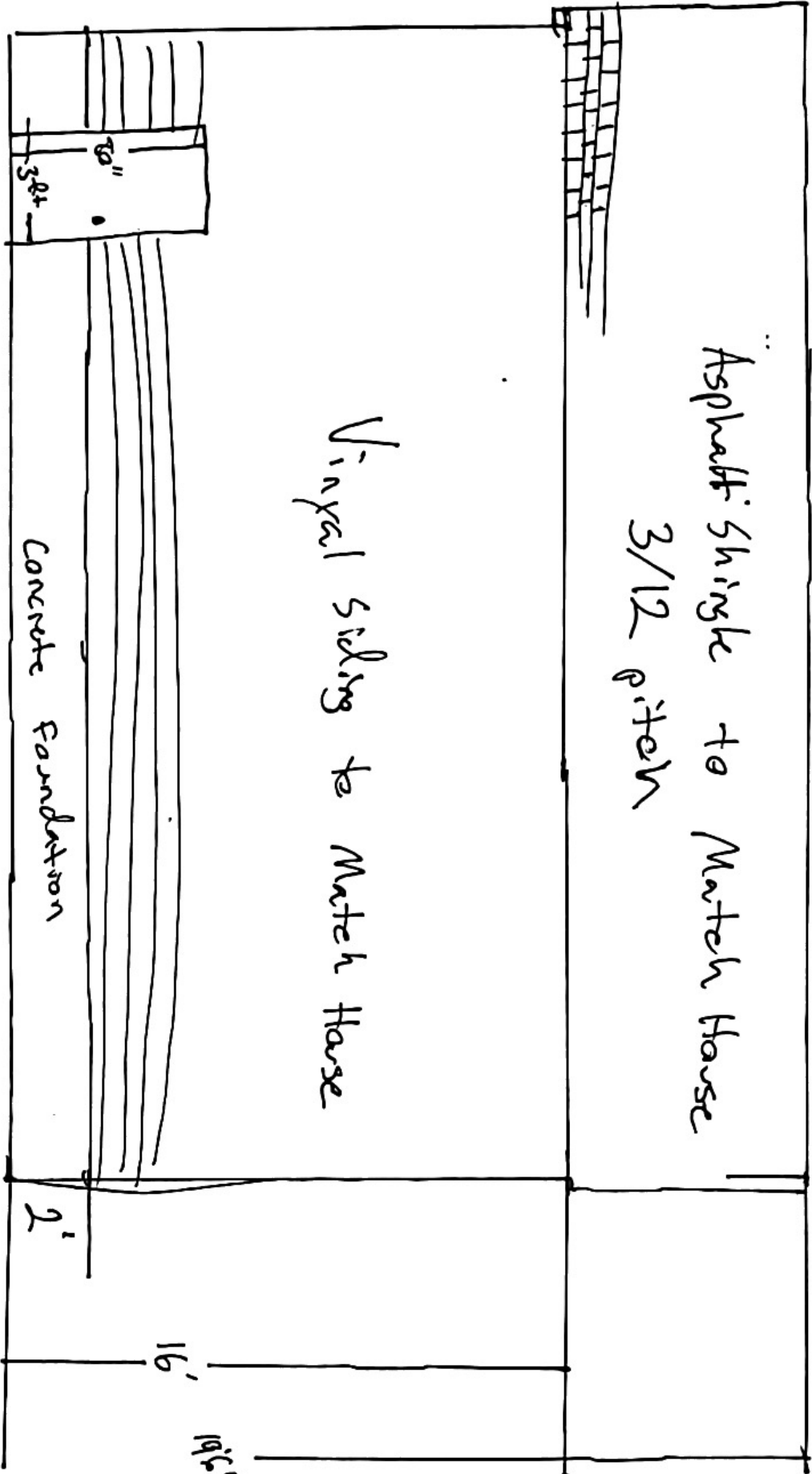


$26' \times 36' \times 19' 6''$
 Garage with 2 Garage Doors 1 (12x14) 1 (10x10)
 2x6 wood construction Vinyl Siding to Match House

295







Asphalt Shingle to Match House

3/12 pitch

Vinyl Siding to Match House

Concrete Foundation

19'5"

16'

2'

30"

38"

Exhibit #3- Vicinity Map



CUP10052021-006168
Tyrrell Accessory Structure
757 E. Dry Creek Road

