



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

November 19, 2020

To: Planning Commission
From: Community Development Department
Subject: Johnson Accessory Structure (Conditional Use Permit to allow for an individual accessory structure to exceed 1500 square feet)
1454 E. Churchill Downs Dr
[Community #22]

CUP-10-20-5926
Zoned SD(R-1-30A)

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

PROPERTY CASE HISTORY	
Case Number	Case Summary
	None

DESCRIPTION OF REQUEST

The applicant, Travis Johnson, is requesting a Conditional Use Permit (CUP) in order to add a covered porch to a 1,373 square foot pool house that is currently under construction. With the addition of the covered porch the structure will be 1,524 square feet. (*See Exhibit #1- Application Materials*). The property is located on the south side of Churchill Downs Drive east of Bay Meadows Drive and west of Whirlaway Ln.

The pool house is 22.9 feet wide and 59.9 feet long (approximately 1373 square Feet). The proposed covered patio is 7.75 wide and 19.5 feet long (approximately 151 Square Feet). This is a total of approximately 1,524 square feet 14.5 feet in height and located on the southeast corner of the property. (*See Exhibit #2 –Site Plan and Building Renderings*). The applicant proposes to use the structure as a pool house.

The property is zoned SD(R-1-30A) Bell Canyon Acres and is part of the Bell Canyon Acres 1 subdivision. The property is 1.1 acres (47,916 square feet). The property is surrounded by

residential single-family homes in the same zone. Access to the pool house is pedestrian only and can be accessed by the north and west sides of the structure.

NOTICE

A neighborhood meeting was held on Wednesday, October 28 at 7:00 PM by the Community Development Department. Six neighbors attended the meeting. Neighbors were informed of the project and had no concerns for the Planning Commission to address. Notices were mailed to the property owners within a 500-foot radius of the subject parcels in advance of the Planning Commission meeting.

ANALYSIS

Section 21-11-2-(a)(2)(a)(2) of the Sandy City Development Code states that no single accessory structure shall exceed 1,500 square feet, unless the Planning Commission approves a larger size through the Conditional Use Permit process. *The proposed accessory structure is 1,524 square feet requiring Planning Commission approval.*

Section 21-11-2 (2)(A) of the Sandy City Development code states that a property containing 40,000 square feet or larger is permitted up to 2,000 square feet of accessory structures on the property, unless the Planning Commission approves a larger size through the Conditional Use Permit process. *The proposed accessory structure is 1,524 square feet. In addition, there is an existing shed on the property that is approximately 350 square feet. The applicant is proposing to remove the existing shed making the total square footage of accessory structures on the property 1,524 square feet.*

Section 21-19-34-(4) SD (R-1-30) Bell Canyon Acres of the Sandy City Development Code states a minimum of 5,000 square feet of usable square footage must be designated and maintained on each lot for the housing and containment of farm animals (the "farm animal area set aside."), regardless of whether or not farm animals are maintained on the lot. This area may consist of stables, hay barn, turnouts, etc., or any other structure that its primary use is related to the keeping of farm animals. Areas that may not be used to satisfy the farm animal area set aside include front yard (front yard area of home or minimum 30- foot setback from street right of way whichever is greater); side yard (15 feet from primary dwelling); rear yard (30 feet from primary dwelling); and areas dedicated for other uses (bridle paths, etc.) Side and rear yard areas that are 25 feet or greater in width may be used as the farm animal set aside and must be contiguous areas on the lot. The farm animal area set aside may be used for other purposes when not needed for farm animal housing and confinement, but must be easily returnable to an area for housing and containment of farm animals. Structures and other improvements that would have to be removed or substantially modified in order to return the farm animal area set aside to farm animal housing and containment are not allowed within the farm animal area set aside. The farm animal area set aside may not be used at any time for residential dwellings. *The animal set aside area is approximately 10,837. The amount of land available for the animal set aside area is over double the minimum and leaves space that is easily returnable when needed for farm animals. (Exhibit 3- Animal Set Aside area)*

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, which 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, which merit discussion or additional consideration by the Planning Commission:

1. Size, configuration and location of the site and proposed site plan layout.
The location of the pool house is proposed to be 2 feet from the side (east) and 10' from the rear (south) property line.
2. Proposed site ingress and egress to existing and proposed roads and streets.
The site is accessible by pedestrians only. The entrances to the accessory structure are on the north and west sides of the structure.
6. Mass, size, number, location, design, exterior features, materials, colors of buildings, structures and other facilities.
The proposed pool house patio cover will be a stained wood in a neutral tone to match the existing home.
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 Building & Safety, and Fire & Life Codes.

STAFF CONCERNS

Staff has no concerns.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Travis Johnson for the property located at 1454 E. Churchill Downs 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 1,524 square feet which is compatible with the size of the accessory structures nearby. (See table below)

Address	Accessory Structure	Rear Yard Area	% Rear Yard
1451 E. Churchill Downs Dr	2,800	30,000	9%
1487 E. Churchill Downs Dr	1,424	24,299	6%
10735 S. Whirlaway Ln	2,500	28,805	6%
1430 E. Thistle Down Dr	2,443	21,459	11%
10657 S. Whirlaway Ln	2,000	32,922	6%
10665 S. Whirlaway Ln	1,656	29,993	5%
1445 E. Thistledown Dr	1,652	24,600	7%
Proposed Garage			
1454 E. Churchill Downs Dr	1,524	18,595	8%

2. The proposed use meets the intent of the accessory structure section of the Sandy City Land Development Code.
3. The applicant understands and is willing to comply with the Sandy City Land Development Code and conditions of approval.

Conditions

1. That the accessory structure be designed and constructed to be compatible with the architectural components of the main dwelling.
2. That the applicant complies with all Building & Safety, and Fire & Life Codes.
3. That the applicant be responsible for meeting all provisions of the Sandy City Land Development Code, and all conditions of approval imposed by the Planning Commission.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:

Claire Hague, Planner

Reviewed by:

S:\USERS\PLN\STAFFRPT\2020\CUP-10-20-5926 Johnson Pool House

Exhibit #1 – Application Materials



Phone: 801-523-4880 Email: travis@akmasonry.com
Fax: 844-232-6017 License#: 6085230-5501
9901 S Prosperity RD
West Jordan, Utah 84081

October 13, 2020

Sandy City
Planning and Zoning Dept.
10000 Centennial Pkwy.
Sandy, UT 84070

Re: Condition use permit
Property Address: 1454 E Churchill Downs Dr, Sandy UT 84092
Property Owner: Travis Johnson

To Whom It May Concern:

We are constructing a swimming pool and other improvements for the home located at 1454 E Churchill Downs Dr, Sandy UT, for our client, Travis Johnson. A component of the plan for these improvements includes a covered patio area adjacent to the pool. We were told that we need to submit a conditional use permit for this Covered Patio.

The Covered Patio will be located near the pool/storage shed building in the back yard adjacent to the pool. The Covered Patio will be used to relax in the shade, while being able to view and talk with those who are swimming. There will be no commercial use with this patio. The size and design of the Covered Patio will not impede the views for the neighbors, or encroach on any lot setbacks, easements, or other restrictions applicable this property, or adjoining neighbor's properties.

Enclosed is the application. Should you have any questions, please contact me.

Sincerely,

Travis Kimball

Exhibit #2 – Site Plan and Building Renderings



Plot Plan Approval

R-1-30A

Zone Bldg. Size

Min. Setbacks - F S 2 S Comb. R 2

Approved Setbacks:

Front - RCO - Porch Living Garage

Side - Left ^{over 100 ft} Right 2 Corner

Rear - 10 Irregular Lot - Avg. Rear -

Claire Hague 09/16/20

Planner Date

Conditions of Approval:

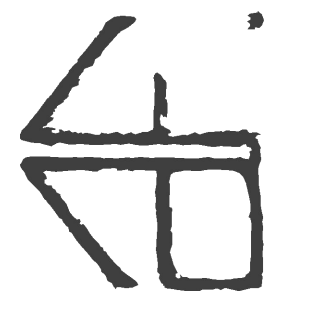
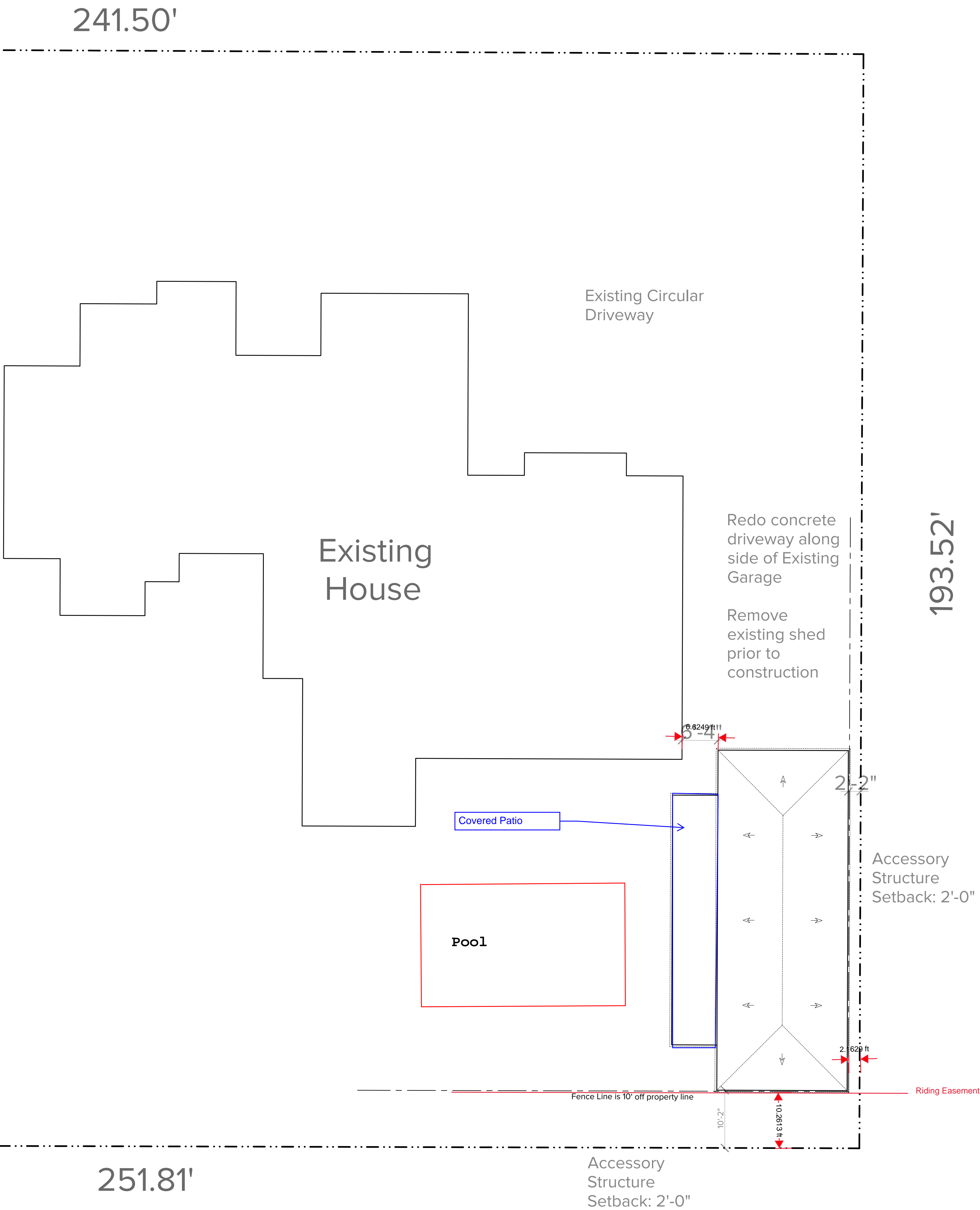
Cantilevers, bay widows, pop-outs, etc. must be shown on the plot plan. These items must meet minimum setback requirements. If they are not shown on the site plan, they are NOT approved.

Any deck over 24 inches above grade or covered patio is NOT approved on this site plan unless is shown on the plot plan.

Eaves may encroach into the required setback up to 2 feet for primary structures, 4 inches for detached structures.

Approval does not include the covered porch. Applicant is aware that a Conditional Use Permit is required in order to construct the covered porch.

SCALE: 3/16" = 1'-0"



ANSON FILLERUP DESIGN
1590 E. Preakness Lane
Heber City, Utah 84032
720-219-2525
ansonfillerupdesign@gmail.com

PLAN CREATED:	July 19, 2020
PLAN REVISED:	September 9, 2020
DRAWN BY:	Anson Peterson Fillerup

Johnson Garage
1454 E. Churchill Downs Drive
Sandy, Utah 84092

Site Plan

DRAWING
AS-101
SHEET
3 OF 5



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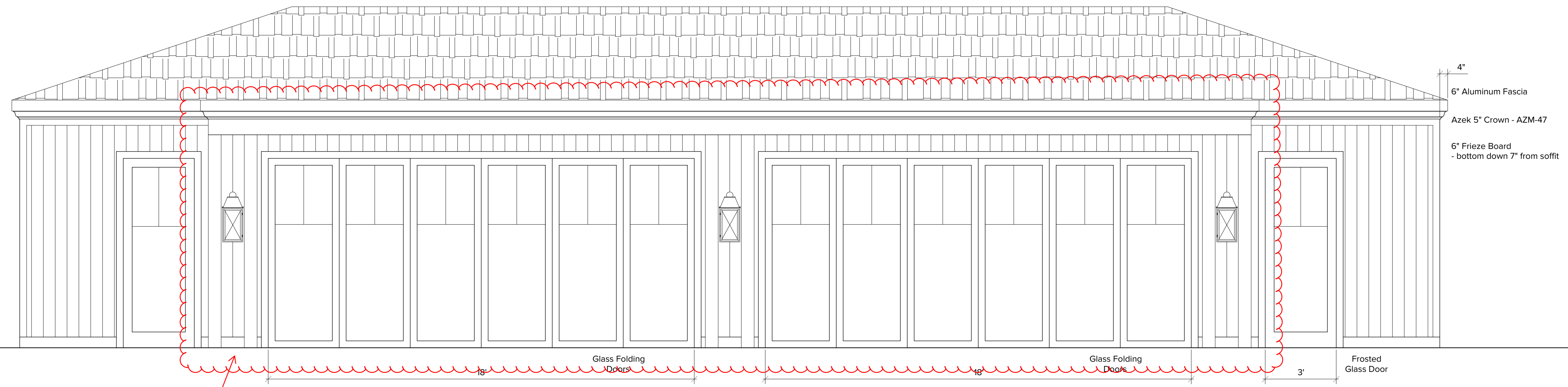
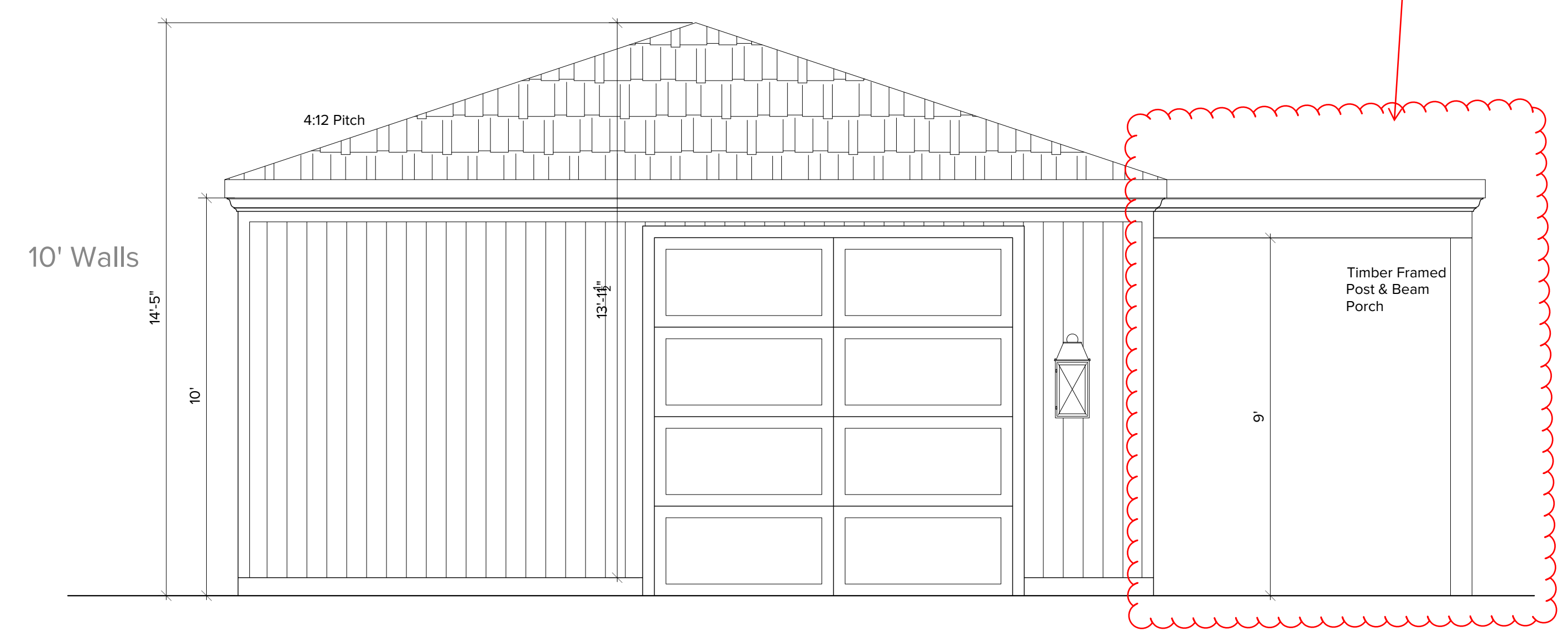
Johnson Garage
1454 E. Churchill Downs Drive
Sandy, Utah 84092

Exterior Elevations
(typical styles on sides not shown on plan)

DRAWING
A-201
SHEET
5 OF 5

Approval does not
include the covered
porch. Applicant is
aware that the
covered porch
requires a Conditional
Use Permit.

Covered Patio



Covered Patio

SCALE: 3/8" = 1'-0"

Exhibit #3 – Animal Set Aside Area

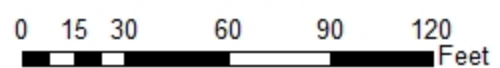
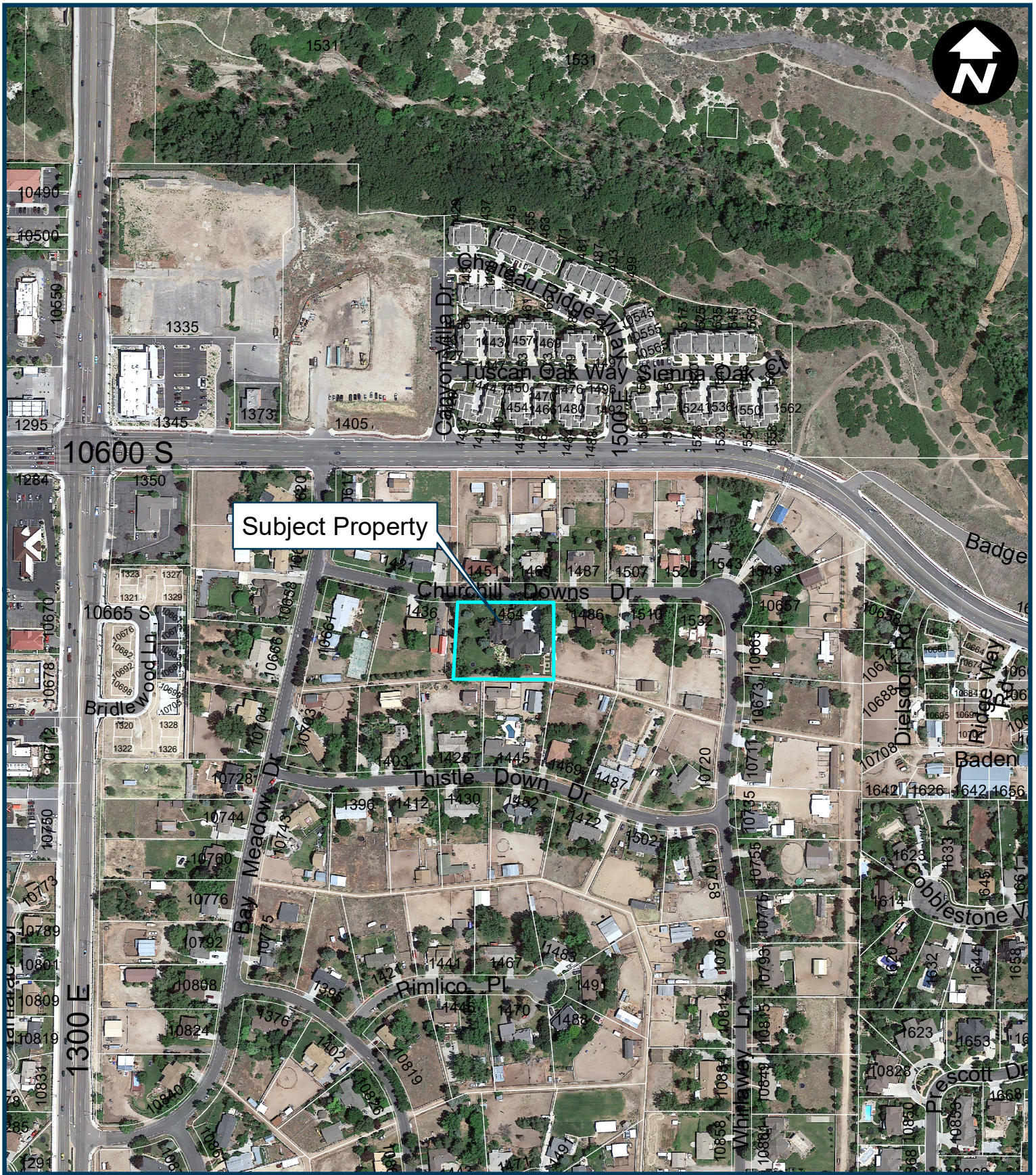


Exhibit #4 – Vicinity Map



CUP-10-20-5926
Johnson Pool House
1454 E. Churchill Downs Drive

