



# SANDY CITY COMMUNITY DEVELOPMENT

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COMMUNITY DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

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CHIEF ADMINISTRATIVE OFFICER

## MEMORANDUM

August 5, 2021

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Pehrson Accessory Structure (Conditional Use Permit - Increased height, square footage, and setback waiver) 11099 S. Farnsworth Farms Lane  
(Community #11- Crescent) CUP07132021-6102 Zoned R-1-10

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**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, Brandon Pehrson, is requesting a Conditional Use Permit to allow for a 1,245 square foot, 19'11" high accessory structure for the property located at 11099 S. Farnsworth Farms Lane. In addition, the applicant is asking for setback waivers of four feet on both the side and rear property lines. (See Exhibit #1 -Application Materials).

The property is 0.34 acres or (15,009 square feet). The proposed structure will be 30 feet wide and 41'6" feet long. The proposed use for the structure is for additional garage space and storage. The proposed materials are stucco and wainscot stone to match the existing home. Access to the proposed garage will be via the existing driveway and RV pad on the south side of the property. (See Exhibit #2– Site Plan and Construction Drawings)

The property is zoned R-1-10 and is part of the Farnsworth Farms Phase 2 subdivision. The subject property is surrounded by single family homes zoned R-1-10. Southeast of the property there is a proposed PUD (-10) multi-family housing development.

**NOTICE**

A neighborhood meeting was held on Wednesday July 21, 2021. One neighbor attended the meeting and expressed no concerns. 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-1-10 (45.22) 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 19'11" 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 seven (7) feet from both the side and rear yard property lines would be required for the requested height. The applicant is proposing to place the structure five (5) feet from the rear and side property line. The applicant is requesting a setback waiver from the Planning Commission of three (3) feet.*

**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 15,000 to 19, 999 square feet shall not exceed 1,000 square feet (unless otherwise approved by the Planning Commission through a CUP) or 25% whichever is the lesser measurement. *The property is 0.34 acres or approximately 15,009 square feet. The proposed 1,250 square foot garage would comprise approximately 20% of the total square footage of the rear yard. In addition to the proposed garage the applicant has an approximately 150 square foot shed that will be demolished.*

**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 southeast side of the rear yard and will be 1,245 square feet with a proposed two-foot setback wavier.*

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

*The garage will be accessed from an existing driveway on the northeast side of the property.*

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.*

9. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety and protect adjoining property owners from noise, visual and other impacts

*The height of the structure will exceed the allowed maximum height of 15'. We have proposed a condition to landscape the side and rear of the structure to mitigate for the height.*

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**

Staff has no concerns.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve a Conditional Use Permit for Brandon Pehrson for the property located at 11099 S. Farnsworth Lane to allow for a 1,245 square foot accessory structure with a maximum height of 20 feet as described in

the application materials with a setback waiver of two feet (minimum setback of five feet from the property line) based on the two findings 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.
2. There is one similar structure located at 11175 Farnsworth Lane that is approximately 1,100 square feet.

### **Conditions**

1. That the applicant demolishes the current shed on his property.
2. That the exterior of the structure matches the existing exterior of the home.
3. That the proposed structure complies with all applicable Building & Safety, and Fire & Life Codes.
4. That the applicant landscapes the side and rear of the proposed structure with columnar trees spaced 20' on center to mitigate the height.
5. That the structure not be used as an accessory dwelling unit.
6. 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.
7. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner: Brynn Bohlender  
Brynn Bohlender, Zoning Technician

Reviewed by: 

S:\Users\PLN\STAFFRPT\2021\CUP07132021-006102 Pehrson Accessory Structure

**Exhibit #1 – Application Materials**

July 12, 2021

To Sandy City,

We are building a detached garage, per to your code. We are requesting the following:

Setbacks: We are looking for an exception on setbacks and requesting that we be approved for minimum setbacks.

Height - We are also requesting height adjustment based on elevation changes of roughly 2 ½ feet.

Footprint – And finally we are also looking for a variance, based on your code for 250 square feet, which is 25% larger than the approved amount.

I have attached a site plan, front elevation and footprint for your review.

Subject property:

We are located at 11099 south Farnsworth lane. Sandy UT 84070. .34 of an acre lot.

We have a large multifamily twin home/ town home project that has been approved being developed directly to the south of us. We have a retirement community to the back of our yard (2 story building to the north east/east).

We appreciate your consideration. Feel free to contact me with any questions.

Brandon Pehrson

801-915-4800

**Exhibit #2 – Site Plan and Construction Drawing**



TO BE PRINTED ON 22x34 SIZE SHEET OF PAPER

[illegible]

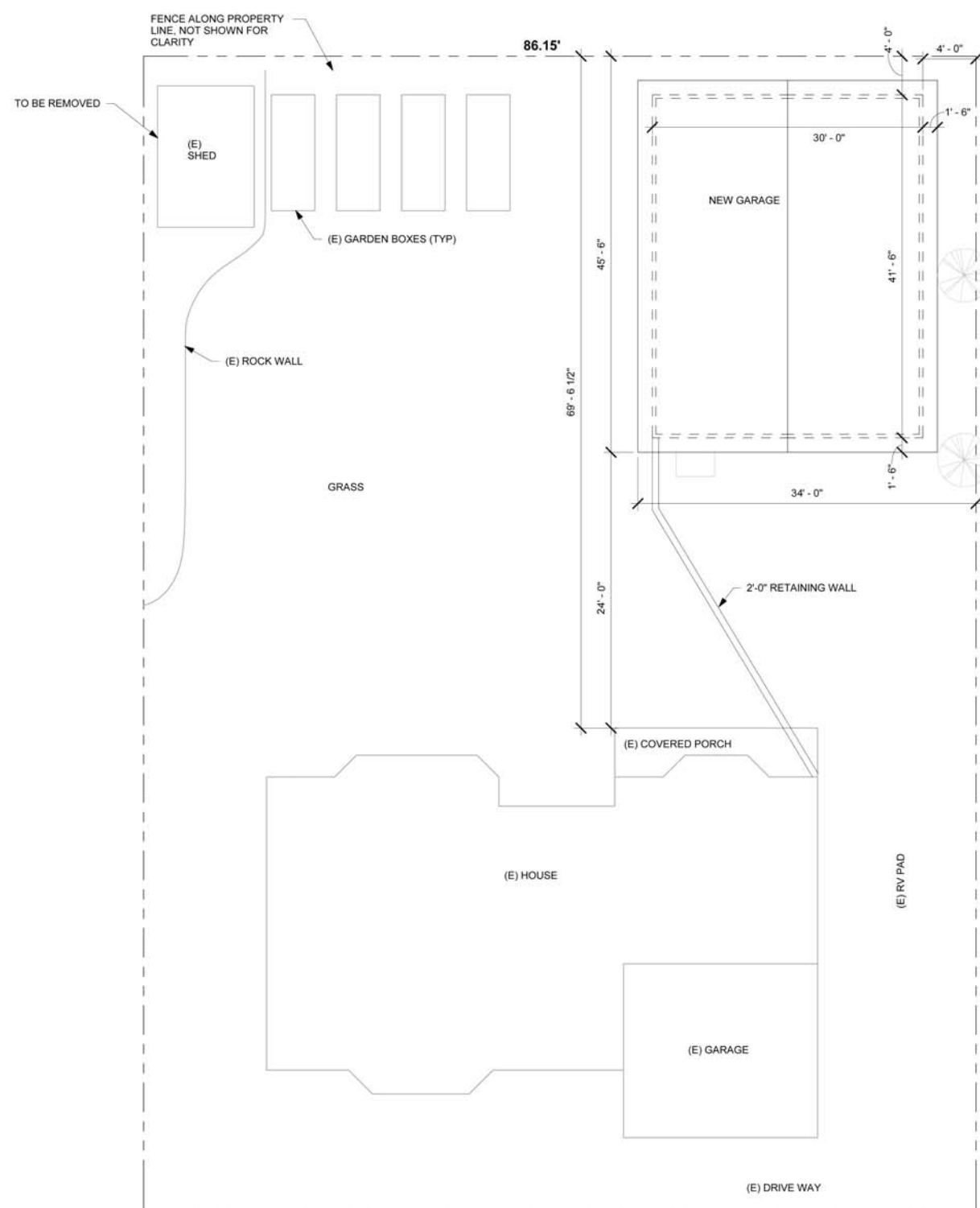
BRANDON PEHRSON  
GARAGE  
SITE PLAN

|                |         |
|----------------|---------|
| Project number | 180515A |
| Date           | 9/8/18  |
| Drawn by       | DS      |
| Checked by     | WW      |

C-101

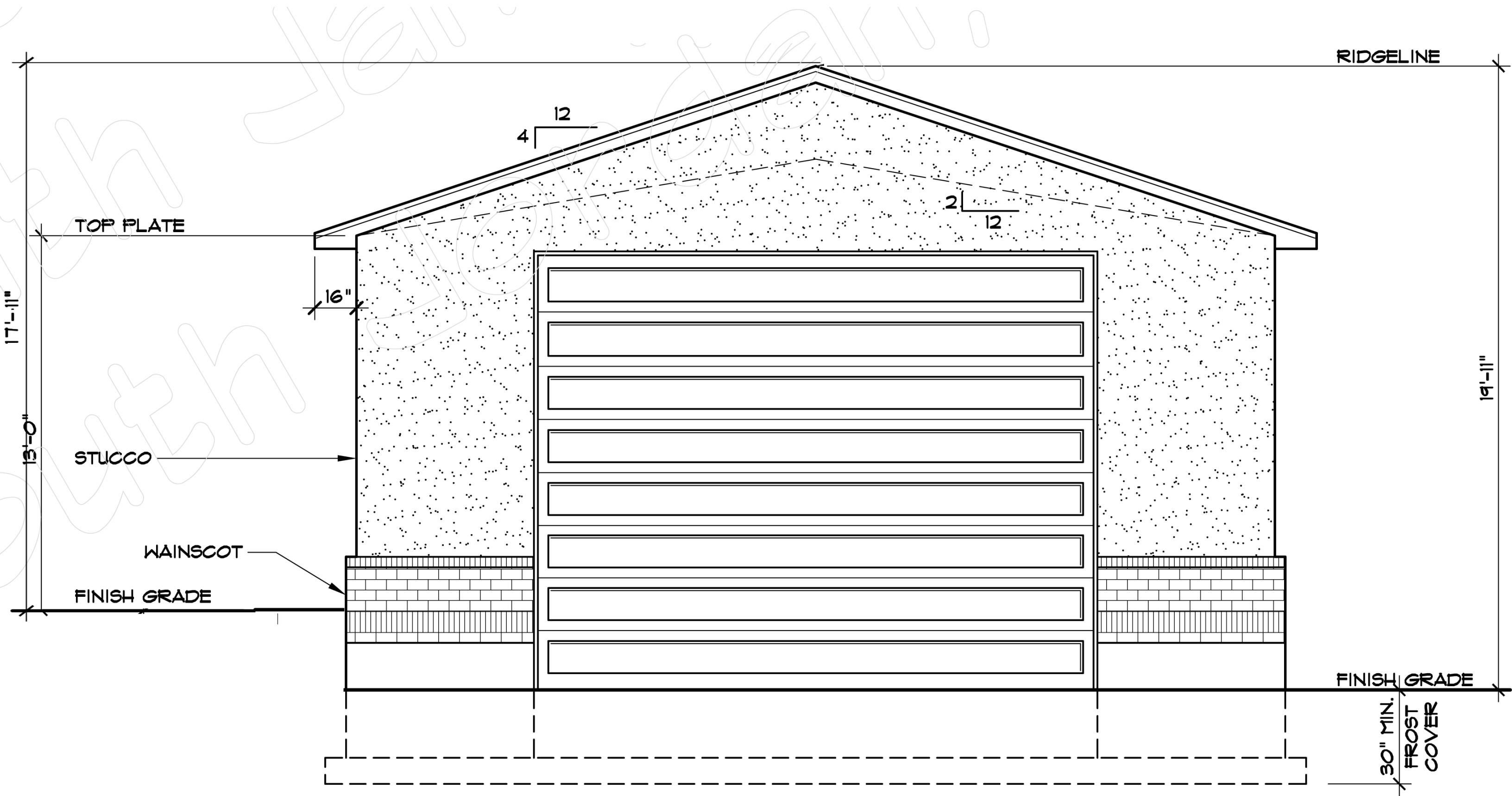
Scale  $1/8" = 1'-0"$

3/25/2019 2:51:19 PM

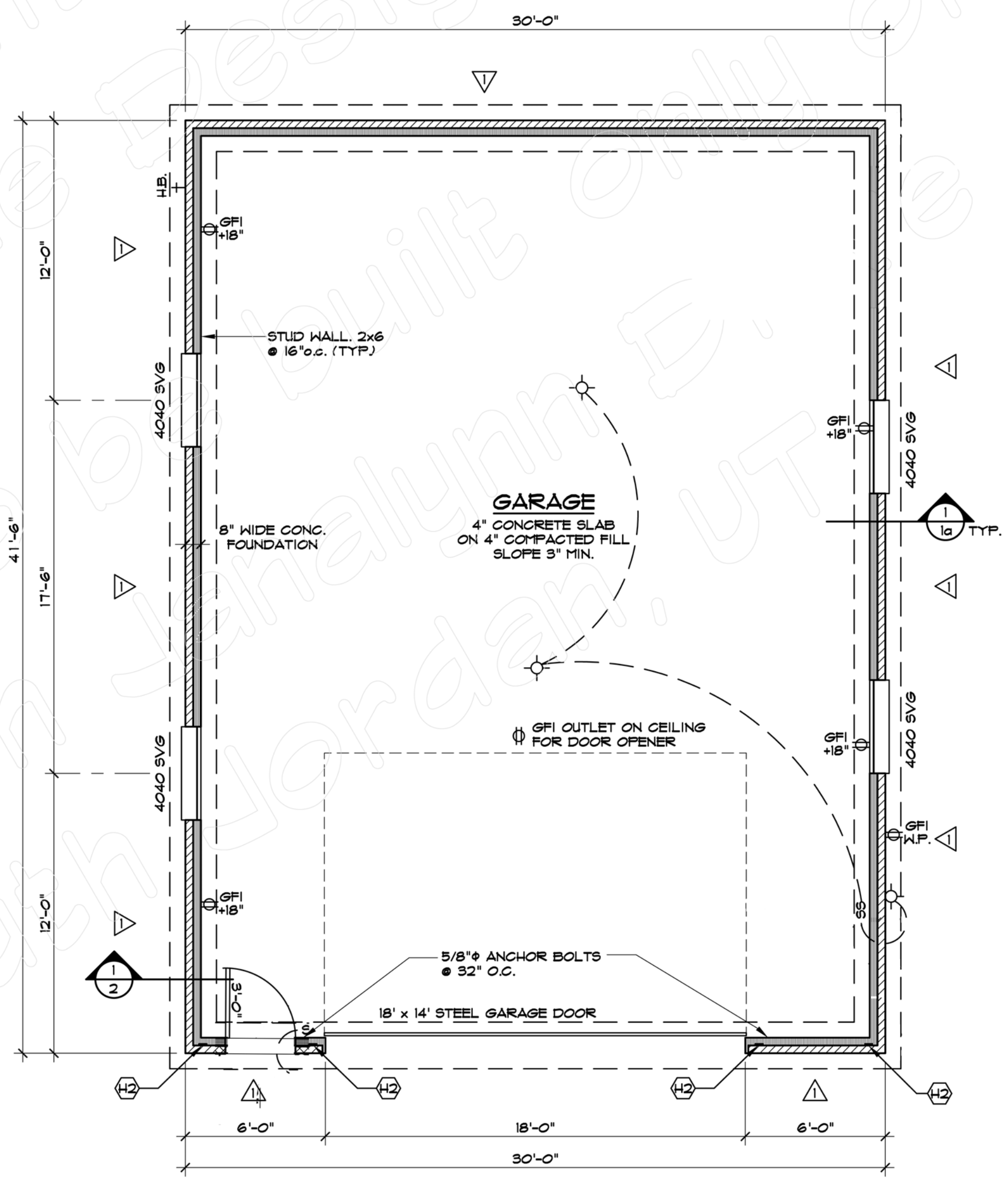


① SITE PLAN  
1/8" = 1'-0"





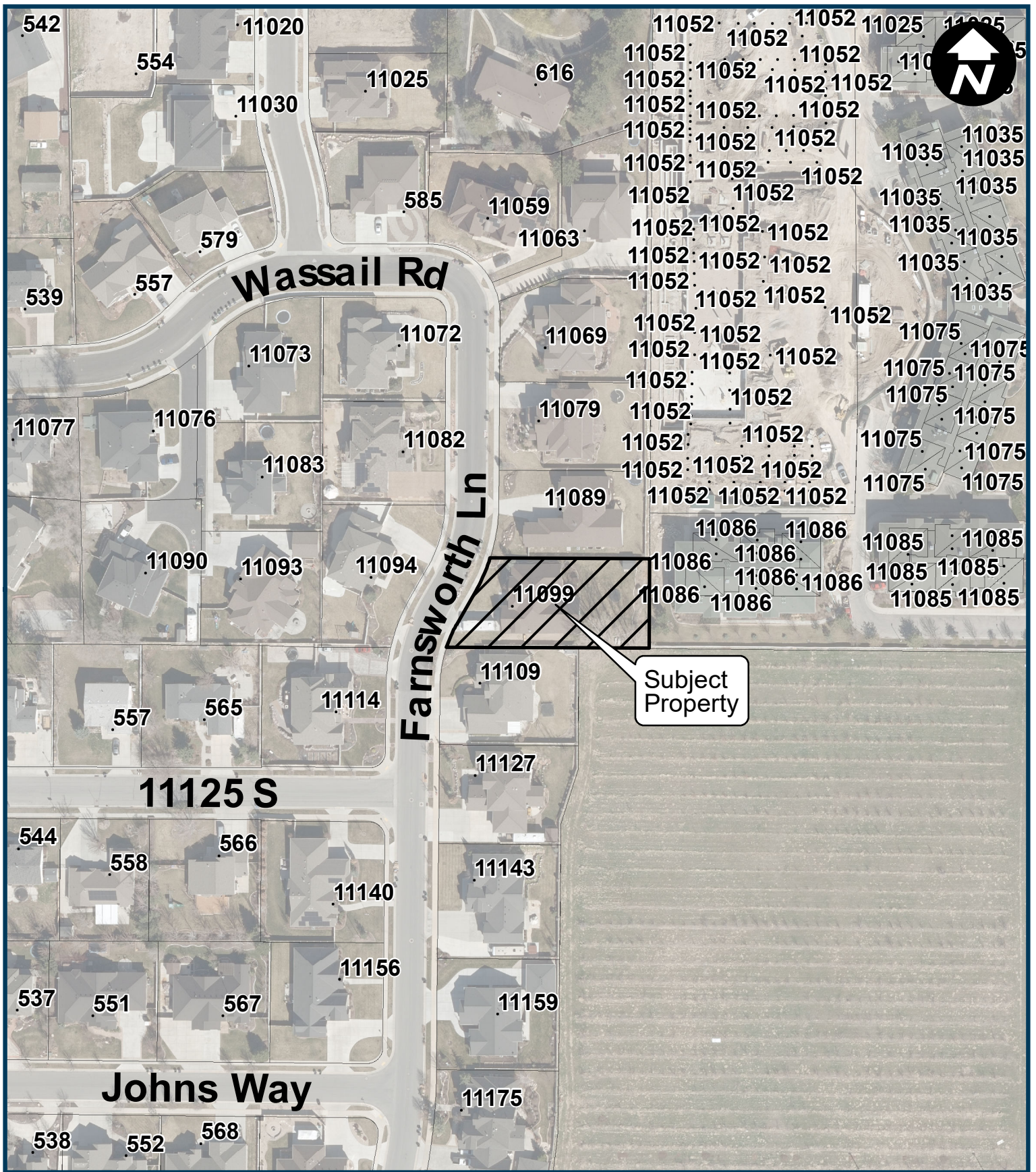
**FRONT ELEVATION**  
SCALE: 1/4"=1'-0"



**FOOTING AND FOUNDATION PLAN**  
SCALE: 1/4"=1'-0"

**Exhibit #3- Vicinity Map**





**CUP07132021-006102**  
**Pehrson Accessory Structure**  
**11099 S. Farnsworth Ln**

