



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE
OFFICER

Staff Report Memorandum

June 18, 2026

To: Planning Commission
From: Community Development Department
Subject: Brand Estates (Reconsideration of Conditions of Approval for Subdivision and Special Exception Review)
285 E. 11000 S.
(Community 11, Crescent)

SUB10112022-006417
SPX05262023-006540
R-1-10 & R-1-15
4.8 Acres

Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

The applicants and property owners, Ryan and Davina Brand, are requesting a reconsideration of the conditions of approval for the subdivision and special exception for a property located at 285 East 11000 South. The current approval limited access onto Sophie Court, a private street, to the existing three homes that were originally part of the Mertlich Subdivision. The applicant is requesting that Lots 11, 12, 13, and 14 of the Brand Subdivision (see Exhibit "A") and Lot 2 of the Mertlich Subdivision (see Exhibit "B") be granted access to Sophie Court. The full details of the applicant's request can be found in Exhibit "C".

Background

This project was originally reviewed and granted preliminary approval by the Planning Commission on June 1, 2023 (see Exhibits "E" and "F") and received final approval on November 1, 2024. The plat was recorded on February 20, 2026, after all the required improvements were completed. The subject property includes two zoning districts. The front portion facing 11000 South was recently re-zoned to R-1-15, while the rear portion is zoned R-1-10. The surrounding properties reflect similar zoning with those facing 11000 South being R-1-15 and the remainder being R-1-10. All adjoining properties are developed as single-family residential lots except for the property south of 11000 South which has been developed as Crescent Park.



SPX05262023-006540
Subdivision and Special Exception
Reconsideration
285 E 11000 S
Community Development Department

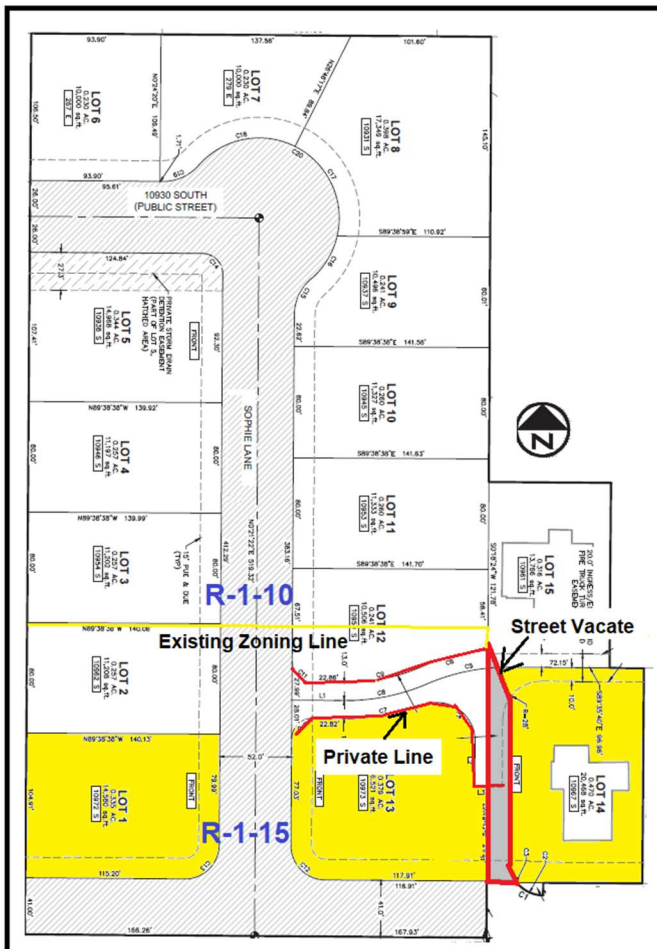
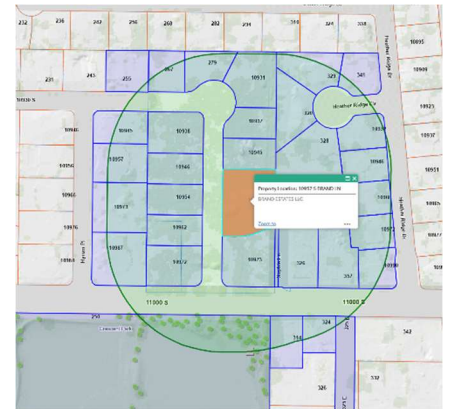
Property Case History	
Case Number	Case Summary
A #79-2	Fiarborn Annexation (2/13/1979) – 640.8 acres
S #03-09	Mertlich Subdivision Plat (6/5/2003)
REZ05042022-6315	Brand Estates Rezone (6/16/2022)

Public Notice and Outreach

This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Analysis

Sophie Lane was originally developed with the Mertlich Subdivision and accessed three homes that were developed with that subdivision. It was a public road stub that was intended to be expanded with further development in the area. With the Brand Estates Subdivision, this stub street caused issues with their subdivision layout, and Sophie Lane was subsequently vacated, and the homes were reconnected to a new public street via a realigned and redesigned private street named Sophie Court. It was designed with a lesser overall width than typically required for a private street (26 foot right of way easement) and the road



improvements were reduced to curb and gutter on one side with an asphalt width of 25 feet (eliminating sidewalks, parkstrips, and curb/gutter on one side of the street). This design was approved since the number of homes accessing this street was limited to those existing homes (Lots 13 and 14 of the Brand Estates Subdivision and Lot 2 of the Mertlich Subdivision). The subdivision plan did not intend to provide vehicular access to the new lots within the Brand Estates subdivision (despite this road being made part of the ownership of these adjacent lots) since those lots have public frontage onto the new public street, Brand Lane.

The new property owners of Lots 11 and 12 have submitted a request to amend this restriction and allow these lots to have vehicular access onto Sophie Court. They feel this will help make lots 11 and 12 of the Brand Estates Subdivision function better, improve marketability, and improve access and circulation within the development. To allow for this change, it requires an amendment to the original conditions of approval for the subdivision and special exception. They are requesting to broaden access to include all five (5) lots that have frontage onto this private street with no additional width or improvements.

This request has been reviewed by staff. This proposal would only slightly increase the load onto this private street, and the

existing improvements would be adequate to support the five (5) lots without need for further improvements. Please see the full City Engineer's analysis shown in Exhibit "E" for full details.

Staff Concerns

Staff is concerned that the subdivision plat is not being amended but has a clear restriction shown thereon that limits access to Sophie Court. By amending this access restriction, an amended access and maintenance agreement will be needed to be recorded on title to ensure the access is clarified and maintenance responsibilities for this private roadway are made clear. Staff has included an additional finding and four (4) additional conditions to the original subdivision's approval that would address this concern.

Recommendation

Staff recommends that the Planning Commission approve the revised conditions of approval for the Brand Estates Subdivision and Special Exception as described in the staff report for the property located at 285 E. 11000 S. based on the following revised additional findings and conditions as follows:

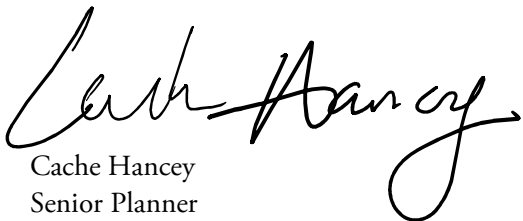
Additional Findings:

5. That sufficient improvements exist on Sophie Court to provide access to all 5 lots as determined by the Planning Staff and City Engineer.

Additional Conditions:

7. That the proposed private lane (Sophie Court) may be used by Lots 11, 12, 13, and 14 of the Brand Subdivision and Lot 2 of the Mertlich Subdivision.
8. That a private access and maintenance agreement for Sophie Court is recorded that grants access and delineates maintenance responsibilities for all five (5) lots.
9. That Lots 11 and 12 be deemed corner lots and be required to be addressed from and front the homes onto Brand Lane with an option to have side loaded garages with vehicular access onto Sophie Court.
10. No on-street parking is permitted along Sophie Court and it's hammerhead terminus and at least three (3) signs restricting on-street parking must be erected along this private street.

Planner:



Cache Hancey
Senior Planner

File Name: S:\USERS\PLN\STAFFRPT\2026\SPX05262023-006540 BRAND ESTATES RECONSIDERATION\STAFF REPORT.DOCX

Exhibit “A” – Brand Estates Subdivision

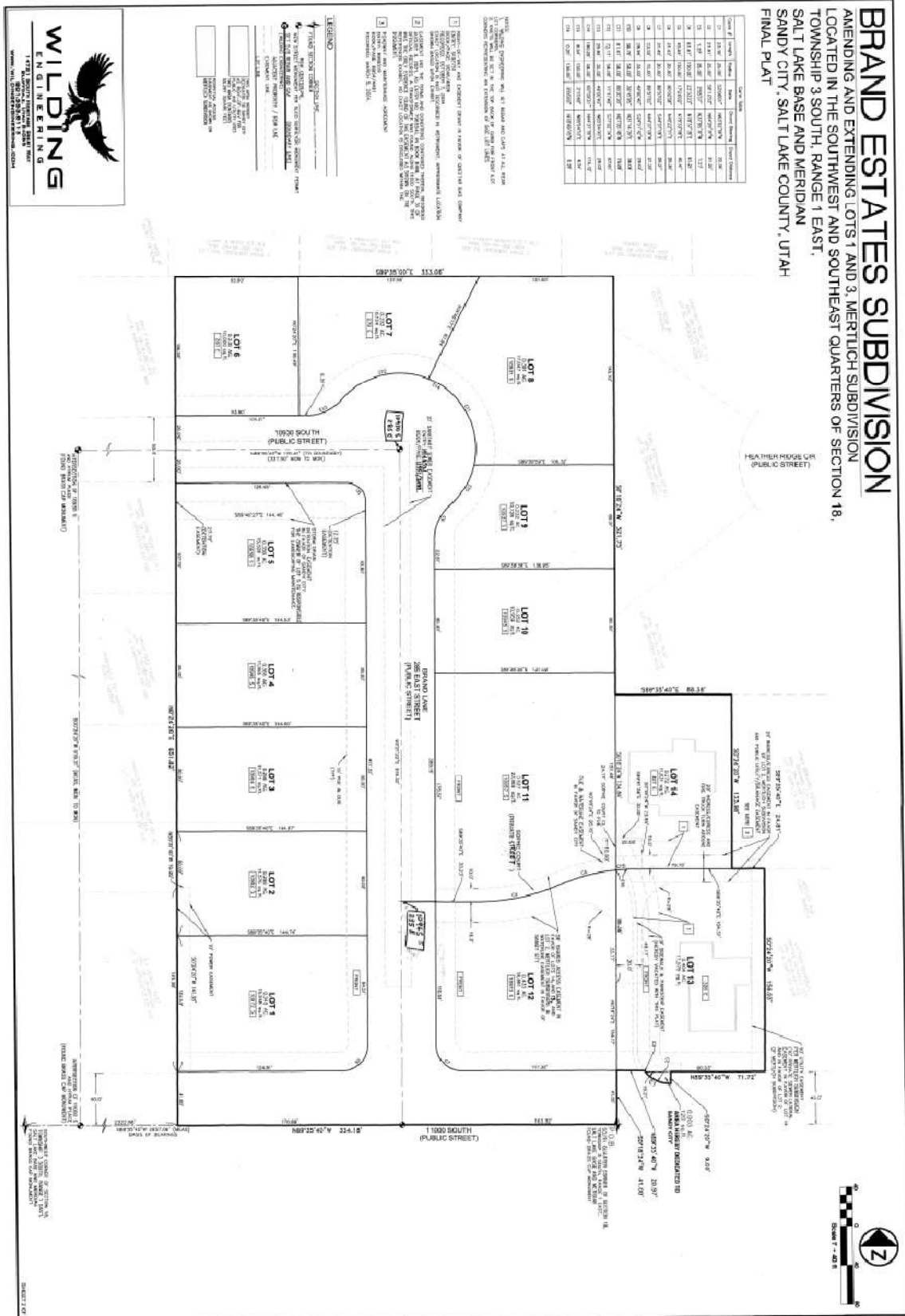


Exhibit “C” – Applicant Request and Submitted Materials (See Attachments for Full Letter)

Applicant: Ryan and Davina Brand
Property: Lot 11 – Brand Estates (.527 acres)
Subdivision: Brand Estates (formerly part of the Mertlich Subdivision)
Request: Approval for garage access from the 26’ private lane extension

To the Sandy City Planning Commission,

I respectfully submit this request for a Special Exception to allow garage access for Lot 11 (.527 acres) of the Brand Estates subdivision from the 26-foot private lane extension, which connects directly to the long-established private lane serving the original Mertlich subdivision.

For more than 21 years, the residents which includes us currently living in lot 15 (which was lot 1 of the original Mertlich subdivision) have maintained, improved, and relied upon this private lane as our primary access point. This lane has functioned safely and consistently throughout its entire history, and its continued use is essential to the established access pattern of the neighborhood. We plan on keeping our current home in hopes that one of our children will want to purchase it in the future. We will also be taking ownership of lot 10 Brand estates.

The developer of Brand Estates has confirmed that garage access from the private lane extension is essential to the functional layout, marketability, and sale of Lot 11, the largest lot in the subdivision. Lot 11 was designed with the understanding that its garage would be accessed from this lane, ensuring proper circulation, safe ingress/egress, and compliance with the subdivision’s intended design.

Conformance With All Other Requirements

All other aspects of our development, site layout, and improvements are fully in conformance with Sandy City subdivision requirements, zoning standards, and recorded subdivision restrictions.

We have made no other special requests of the City.

Fire Code Access Compliance

The 26’ private lane extension meets the width, turning, and access requirements necessary for Sandy City Fire Code compliance, ensuring that emergency vehicles can safely reach the residence on Lot 11.

This access configuration improves emergency response efficiency and maintains continuity with the existing private lane that has served the area for over two decades.

In fact it was put to the test when I was carried out of my home in a bag instead of stretcher after having my very first panic attack a few weeks ago. Because of this development taking twice as long as when the entire empire state building was built .

Developer’s Determination of Necessity

The developer has verified that:

The private lane extension was engineered and constructed to support garage access for Lot 11.

The access is practical, safe, and essential to the subdivision’s intended design.

Without this access, Lot 11 would face significant functional limitations and reduced market viability.

Approval of this exception supports the subdivision’s overall planning objectives and protects property values.

Exhibit “D” – City Engineer Recommendation (See Attachments for Full Letter)



DEPARTMENT OF PUBLIC WORKS

Monica Zoltanski
Mayor

Shane Pace
Chief Administrative Officer

Ryan Kump, P.E.
Director

CITY ENGINEERS RECOMMENDATION MEMORANDUM

Date: June 11, 2026
To: Cache Hancey, Senior Planner
From: Britney Ward, P.E., Assistant Public Works Director/City Engineer

Project Name: Brand Estates Subdivision
Plan Case Number: SPX05262023-006540
Project Address: 285 East 11000 South

Davina Brand has requested a modification to the June 2023 conditions of approval for the above-referenced project. I have reviewed this request, understand the intent, and am recommending that the changes be approved to grant cross-access between lots 11 and 12.

Findings include the following:

1. The original subdivision, known as case number SUB10112022-006417, was issued final approval and signatures in October 2024. After completing the final bond payment, the plat was recorded in January 2026. The subdivision approval and plat recordation vacated Sophie Lane and converted it into a Shared Access Easement, titled Sophie Court. Sophie Court was created in favor of Lots 13 and 14 of the subject subdivision, and Lot 2 of the Mertlich subdivision. As currently recorded, Lots 14 and 2 do not have street frontage and although Lot 13 does have street frontage along 11000 South, it is an existing home that is accessed from Sophie Court. Sophie Court can be accessed from either Brand Lane or 11000 South. Brand Lane is public right-of-way, dedicated by recordation of the subject subdivision.
2. Sophie Court is a fully-improved access with pavement, curb and gutter, and utilities, straddling through lots 13 and 14 along their shared lot line. The owner of Lots 11 and 12 would like to utilize Sophie Court rather than creating two additional access points onto Brand Ln.
3. While Sophie Court was not approved as a roadway, it was recorded as a 26' wide easement with a pavement width of 25'. Flag-lots and emergency accesses require only 20' of pavement width. Roadways (private and public) require a minimum 27' pavement width. A 25' pavement width is adequate for 2-way traffic, so long as on-street parking is restricted. A 20' pavement width is not wide enough for 2-way traffic.
4. Each single family home generates an average of 11 trips per day, or 55 trips per day for all 5 lots. This is a low volume of traffic and Sophie Court is adequately wide

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Exhibit “E” – Original Staff Report (See Attachments for Full Report)



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE OFFICER

Staff Report Memorandum

June 1, 2023

To: Planning Commission
From: Community Development Department
Subject: Brand Estates Subdivision
285 East 11000 South
(Community #11, Crescent)

SUB10112022-006417
SPX05262023-006540
R-1-10 & R-1-15
4.8 Acres

Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and a sign posted on site.

Request

The applicant, Kyle Denos representing the property owner John D. Thomas, is requesting Preliminary Subdivision approval and a Special Exception to create a private lane for the property at 285 East 11000 South. The proposal consists of subdividing the 4.8-acre parcel into 13 residential lots and modifying the access for the three existing lots of the Mertlich Subdivision located east of this proposal by vacating Sophie Lane and providing access through the use of a private lane.

Background

The subject property includes two zoning districts. The front portion facing 11000 South was recently re-zoned to R-1-15, while the rear portion is zoned R-1-10. The surrounding properties reflect similar zoning with those facing 11000 South being R-1-15 and the remainder being R-1-10. The property to the south is zoned OS.

All adjoining properties are developed as single-family residential lots except for the property south of 11000 South which has been developed as Crescent Park.



SUB10112022-006417
Residential Subdivision
285 E 11000 S

Community Development Department
Geography/Elevation Module

Exhibit “F” – Planning Commission Minutes from June 1, 2023

Planning Commission	Meeting Minutes	June 1, 2023
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Yes: 4 - Monica Collard
Cameron Duncan
Daniel Schoenfeld
Jamie Tsandes

Absent: 4 - Dave Bromley
Ron Mortimer
Steven Wrigley
David Hart

3. [SUB10112022-006417](#) Brand Estates Subdivision
285 East 11000 South
[Community #11, Crescent]

Attachments: [Staff Report](#)
[Exhibit A - Application Materials](#)

Thomas Irvin introduced this item to the Planning Commission.

John Thomas, 11616 S State St #1504, Draper, is relieved that the project is moving along.

Daniel Schoenfeld asked John Thomas if he's read the staff report.

John Thomas said yes.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Monica Collard seconded by Cameron Duncan that the Planning Commission determine that a special exception for a private lane be approved with a lesser width and preliminary subdivision review is complete for the Brand Estates Subdivision located at 285 East 11000 South based on the four findings and subject to the six conditions detailed in the staff report.

Yes: 4 - Monica Collard
Cameron Duncan
Daniel Schoenfeld
Jamie Tsandes

Absent: 4 - Dave Bromley
Ron Mortimer
Steven Wrigley
David Hart