



SANDY CITY COMMUNITY DEVELOPMENT

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COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE
OFFICER

Staff Report Memorandum May 7, 2026

To: Planning Commission
From: Community Development Department
Subject: Mortimer Accessory Structure (Conditional Use Permit)
8383 S. Mesa Dr.
[Community #15]

CUP03262026-007179
R-1-8 Zone
.23 Acres

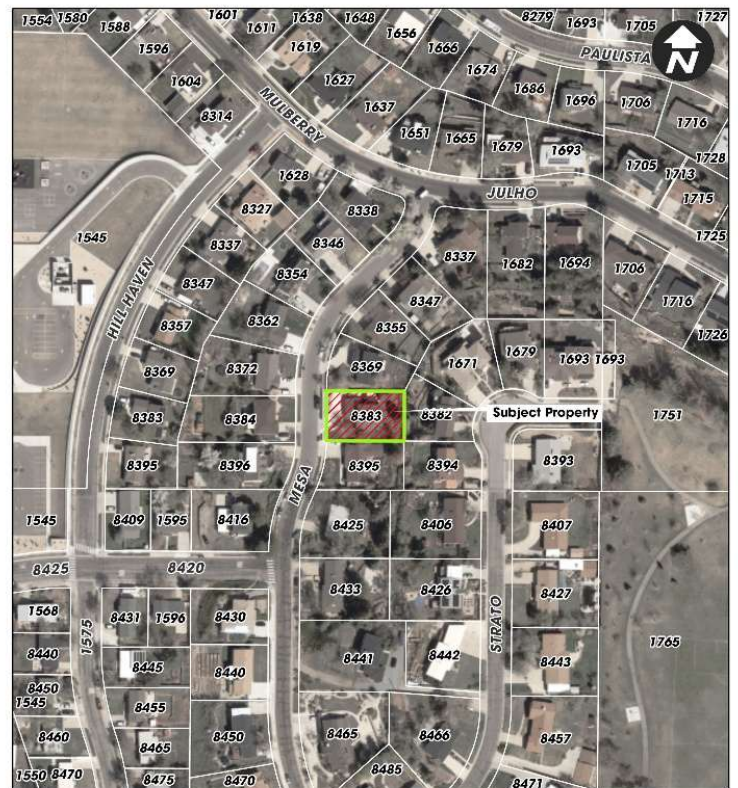
Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

The applicant, Felix Guzman, on behalf of the property owner, Ron Mortimer, is requesting approval of a conditional use permit for increased building height and reduced setbacks for a property located at 8383 S. Mesa Dr. The proposed structure is 747 square feet and 19 feet seven and a half inches in height. The proposed setback is three feet from the north side property line. The design of the exterior and roof is proposed to match the exterior of the main dwelling. See application materials for details in Exhibit A and Exhibit B.

Background

The subject property is approximately .23 acres (9,878 square feet) in the R-1-8 zone. The subject property is Lot 13 in the Sunrise Terrace subdivision. The property is located within the Sensitive Area Overlay Zone, but was developed in the prior to the establishment of those requirements for hillside protections. Properties to the north, south, east, and west are single family residential zoned R-1-8.



CUP03262026-007179
Conditional Use
8383 S MESA DR

Community Development Department
Sandy City, UT

Public Notice and Outreach

This item has been noticed to property owners within 500 feet of the subject area by mail. A neighborhood meeting was held on April 21st and eight neighbors attended. The following comments were made about the proposal:

1. Will there be any plumbing put in the building?
2. How tall is the building and has an analysis on the viewshed of the neighbor behind him been done?
3. Is there any risk with cutting out the slope before putting the building in?
4. Does the building have a second level?
5. Is there any possibility for the structure to be habitable?
6. How high will the retaining wall be?
7. Is it a two-car garage?



Analysis

The applicant is proposing to build an accessory structure in the rear yard that will be used as a garage and for storage space. The proposed structure is 747 square feet and 19 feet seven and half inches in height. The structure is proposed to be three feet from the north side property line and seven feet from the east rear property line. There is an existing shed that will be torn down in the place of the new structure. The proposed structure will be approximately 22% of the rear yard. The applicant is proposing to match the exterior materials with the existing exterior of the main dwelling.

Approximate location. See site plan in Exhibit B.



The subject property is in the Sensitive Area Overlay (SAO) zone with slopes exceeding 30%. The property was developed prior to 1978 before city ordinances were in place and it has been determined the slopes are man-made and does not need to be protected. There will be cuts over 10 feet during construction and the applicant will need to ensure that protection is in place so as not to affect any neighboring properties.

Building Height and Setbacks

The proposed structure is 19 feet and seven and a half inches tall to peak of roof from finished grade. Properties in the R-1-8 zone are allowed to build up to 15 feet in height for an accessory structure. Section 21-11-2(a)(3)(c) of the Sandy City Development Code states that a building 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 Planning Commission. In Section 21-11-2(a)(3)(b) it states that a detached structure exceeding 15 feet in height shall increase the minimum setback one foot for each one foot of additional height, unless otherwise approved by Planning Commission. The proposed building would need to be to be setback seven feet from the rear property line and seven feet from the north side property line. The applicant is requesting to have the setback back on the north side property line reduced to three feet. The east rear setback would remain seven feet.

Conditional Use Standards

The City may impose conditions on a conditional use based on certain standards of review found in section 21-33-04 of Sandy City Land Development Code. The following items from that list are applicable to this particular request and merit discussion or additional consideration by the Planning Commission (staff analysis is found below in *italics*):

Sec. 21-33-4. Conditions.

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address:

- (1) Size, configuration and location of the site and the proposed site plan layout.

The proposed structure would be in the rear yard, 19 feet and seven and a half inches tall to peak and would be 747 square feet. The structure would be sited seven feet from the rear and three feet from the north side property line.

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

There is existing driveway access to the accessory structure.

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

The proposed accessory structure, roof materials, and building materials will be consistent with the existing home.

- (14) Measures to assure 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, and 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 title.

That the applicant complies with all Building & Safety, and Fire & Life Codes.

Staff Concerns

Staff is concerned about the methods of construction that will be used to ensure that the neighboring properties will not be negatively affected.

Recommendation

Staff recommends that the Planning Commission approve a Conditional Use Permit for increased height and reduced setbacks and as described in the staff report for the property located at 8383 S. Mesa Dr. based on the following findings and subject to the following conditions:

Findings:

1. The proposed structure is consistent with rear yard area coverage for accessory structures.
2. There is an existing shed that will be torn down.
3. Staff finds that the proposed structure meets the intent of Section 21-11-2 provided the applicant complies with the proposed conditions

Conditions:

1. That the structure be located as per the enclosed site plan and is built to 747 square feet and 19 feet and seven and a half inches high from finished grade to peak of roof. The structure will be sited three feet from the north side property line and seven feet from the rear property line.
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 Development Code, and all conditions of approval imposed by the Planning Commission.
4. That the property owner obtain temporary construction easements from the neighboring property owners to allow for over-excavation of the footing and foundations of the proposed structure; alternatively, the property owner and building contractor demonstrate with their building permit application appropriate shoring methods such that the construction will not cause damage or disturbance to those surrounding properties and that those methods be implemented during construction of the accessory building.

5. That no habitable space be constructed within this structure without separate approval.
6. That this Conditional Use Permit be reviewed upon a legitimate complaint.

Planner:



Sarah Stringham
Senior Planner

File Name: S:\USERS\PLN\STAFFRPT\2026\CUP03262026-007179 - MORTIMER ACC. STRUCTURE\STAFF REPORT
MORTIMER CUP.DOCX

Exhibit "A"

Fefrank Designs

Felix Guzman

Pre-Construction Manager

385-209-5213

Date: March 26, 2026

To: Sandy City Planning Commission

Re: Conditional Use Permit Request

Project: Ron Mortimer's Accessory Shed Project

Address: 8383 Mesa Dr, Sandy, UT 84093

Parcel #: 22-33-332-007

Legal Description: LOT 13, SUNRISE TERRACE (5072-0451, 7797-1053, 8273-7666, 08309-7850)

Good Afternoon,

On behalf of Mr. Ron Mortimer, I'm submitting this request for a Conditional Use Permit for a detached accessory storage shed located on the northeast side of the property at 8383 Mesa Dr.

This request is driven by the existing conditions of the lot. The rear yard has a fairly steep upward slope that has never been disturbed, which creates a unique situation when applying standard height limits.

Instead of flattening the site or over-excavating, we designed the structure to work with the terrain. The shed steps with the grade through a split-level layout, allowing it to follow the natural slope rather than fight it.

As part of that approach, the foundation wall will also function as a retaining wall, holding back approximately 11 feet of soil. This allows us to preserve the hillside while maintaining structural stability and minimizing site disturbance.

Due to the changing grade, portions of the structure will measure taller from the lowest point. However, across the footprint, the building averages approximately 7 feet above the adjacent grade, keeping the overall scale consistent with what would typically be permitted on a flat lot.

This is a non-habitable accessory structure intended strictly for personal storage. There is no commercial use associated with this request.

We're not looking to increase height beyond what's reasonable—this is simply a response to the site conditions. Given the slope, this approach allows the property to be used appropriately without unnecessary grading or impact to the land.

Happy to provide any additional information as needed during your review.

Cheers,

Felix Guzman

Pre-Construction Manager

Fefrank Designs

Exhibit "B"

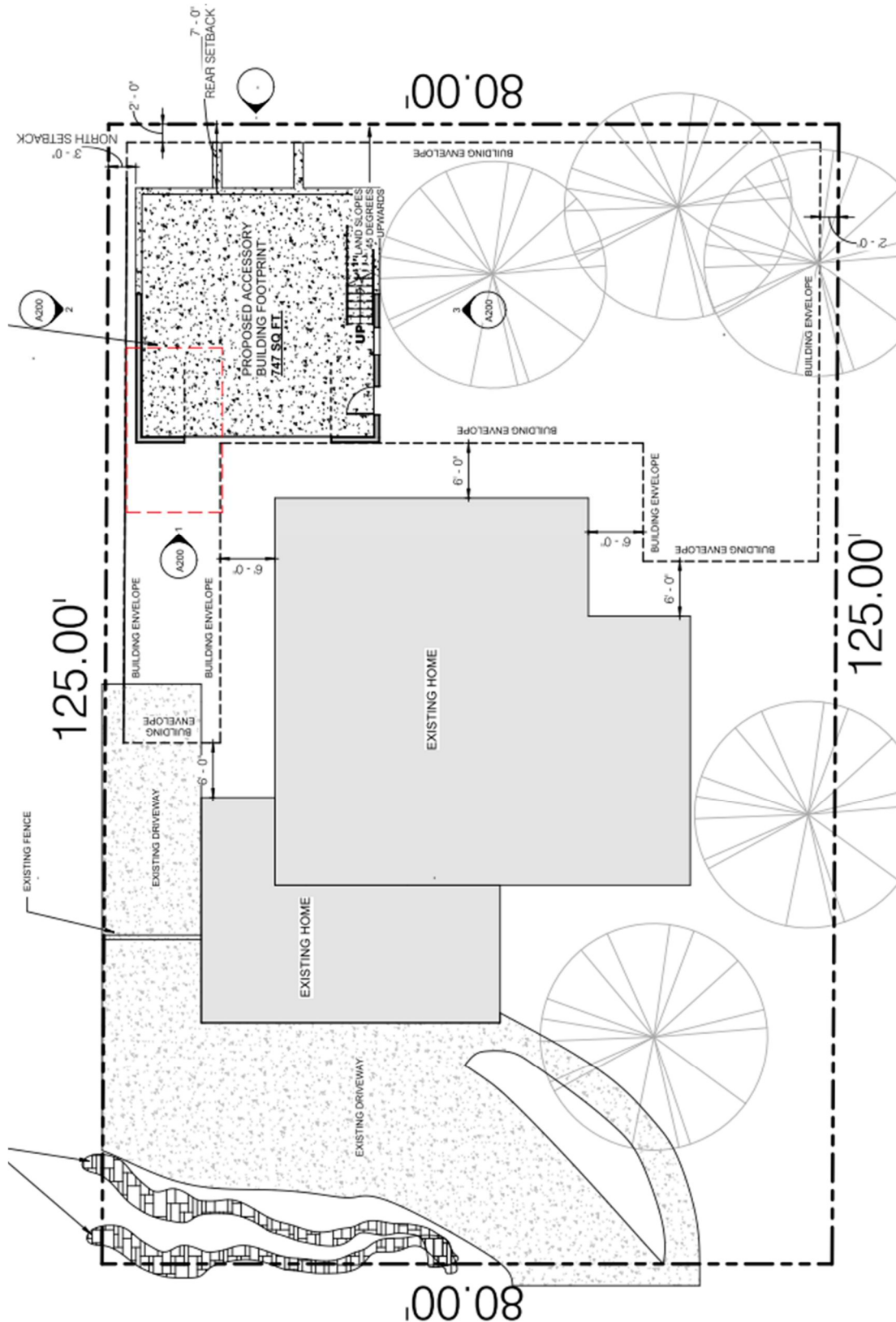


Exhibit "C"

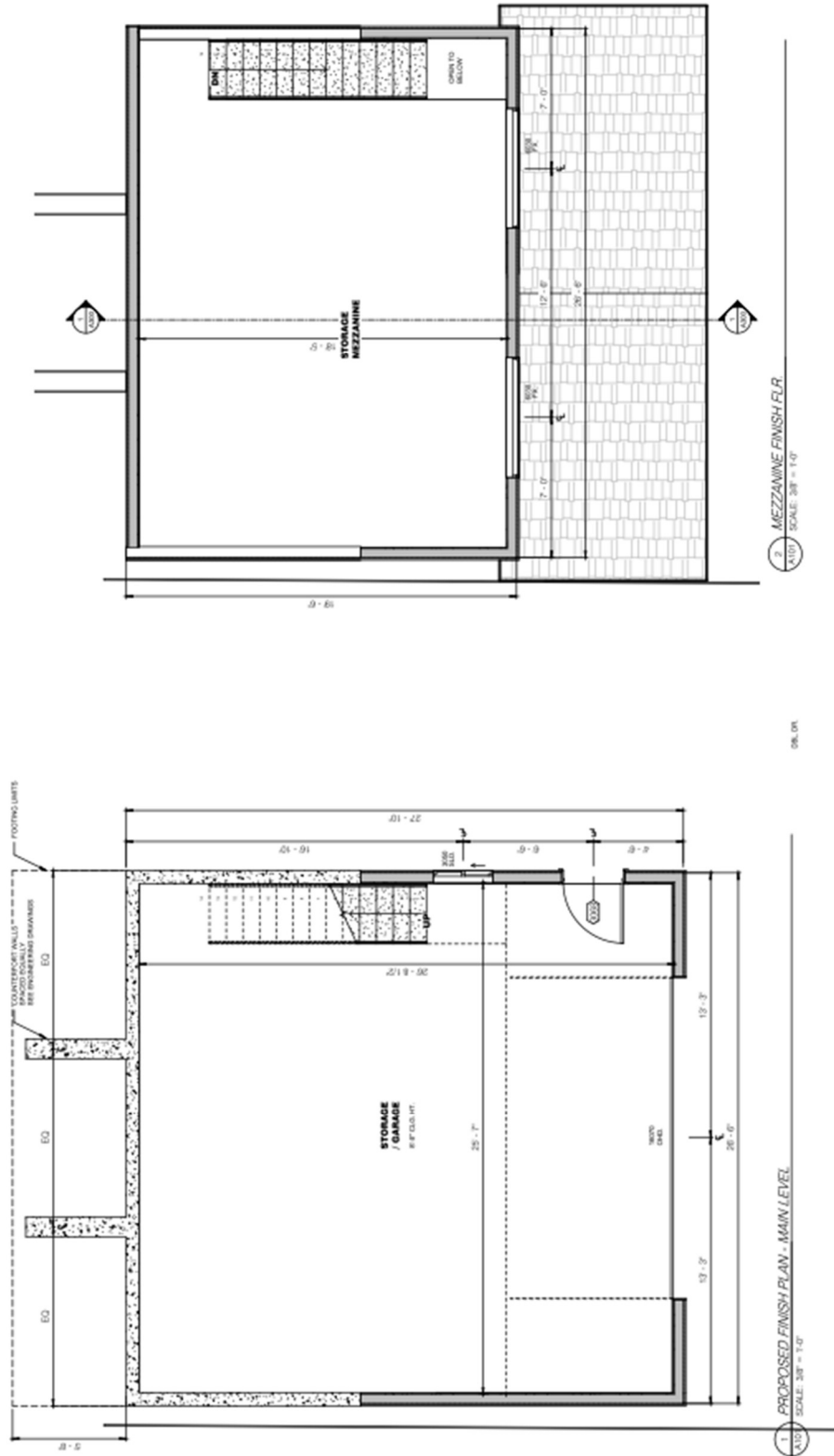
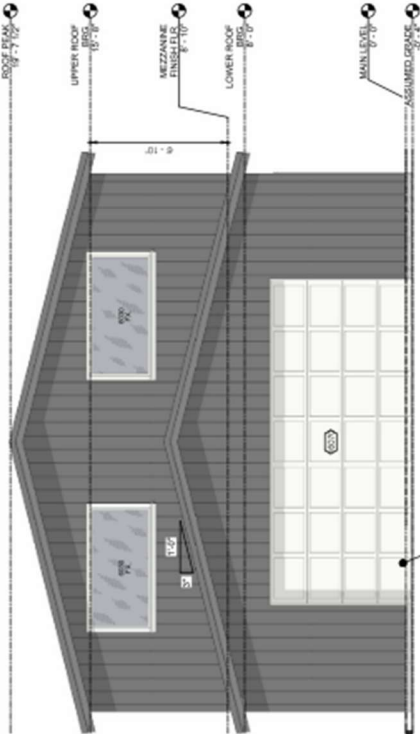
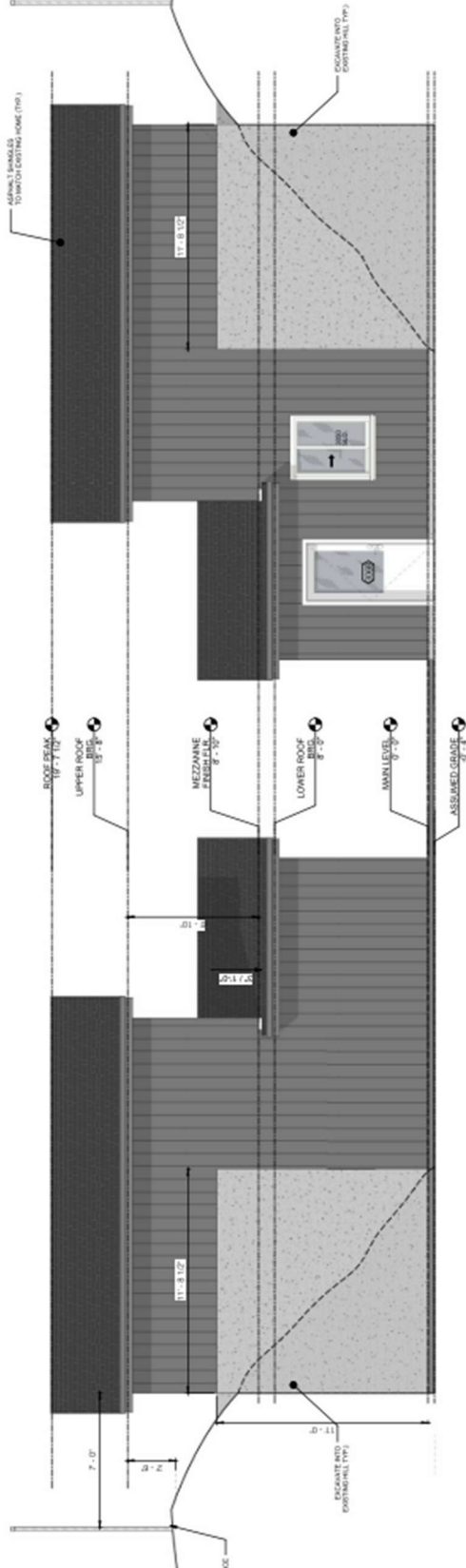


Exhibit "C" continued

- GENERAL NOTES:**
1. CONSTRUCTION AND BUILDING METHODS, INCLUDING ELECTRICAL, PLUMBING, AND MECHANICAL ITEMS SHALL FOLLOW THE 2021 IRC OR OTHER CODES. IF ANOTHER REGISTRY CODE HAS BEEN ADOPTED.
 2. DOORS LEADING FROM DWELLINGS TO THE GARAGE SHALL BE 1" THICK SOLID CORE OR 20 MINUTE FIRE RATED GLASS DOORS WITH 20 MINUTE RATED DOORS SHALL NOT OPEN INTO A SLEEPING ROOM. DOORS SHALL BE EQUIPPED WITH AUTOMATIC CLOSING DEVICES (ICC R310.2.1).
 3. EXTERIOR SIDING SHALL COMPLY WITH R310.3.
 4. EMERGENCY EGRESS REQUIREMENTS: EXTERIOR EGRESS DOORS SHALL BE 20" MINIMUM CLEAR HEIGHT WITHIN 4" OF THE FLOOR. (ICC R310.2.3). SHALL HAVE A MINIMUM NET CLEAR OPENABLE AREA OF 5.7 SQ. FT. (ICC R310.2.4). SHALL HAVE A NET CLEAR OPENABLE WIDTH OF 20" AND MINIMUM NET CLEAR OPENABLE HEIGHT OF 24" (ICC R310.2.1).
 5. TEMPERED GLASS OR APPROVED SAFETY GLAZING IS REQUIRED ON ALL GLASS IN HAZARDOUS LOCATIONS AS SPECIFIED IN IRC R608.4.
 6. AUTOMATIC GARAGE DOOR OPENERS, IF USED, SHALL BE TESTED IN ACCORDANCE WITH UL224, IRC R320.4.
 7. SLAB-ON-GRADE FLOORS WITH A FLOOR SURFACE LESS THAN 12 INCHES BELOW GRADE SHALL BE INSULATED R10 @ 2 FEET OR R15 @ 3.7 FEET FOR UNFINISHED FLOORS (ICC SECTION R502.2).
 8. ALL GLASS AND GLAZING WITHIN GARAGES LOCATIONS AS DEFINED BY IRC SECTION 308.4 SHALL BE TEMPERED.



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



2 LEFT ELEVATION
SCALE: 3/8" = 1'-0"

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