

OFFICE OF TOWNSHIP SERVICES Planning and Development Services 2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050 Phone: (385) 468-6700 • Fax: (385) 468-6674 www.pwpds.slco.org

County Council Zoning Meeting

Public Meeting Agenda

Tuesday, May 3, 2016 4:00 P.M.

LOCATION: SALT LAKE COUNTY GOVERNMENT CENTER 2001 SOUTH STATE STREET, ROOM N1-110 NORTH BUILDING, MAIN FLOOR (385) 468-6700

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The County Council Public Meeting is a public forum where the Council receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Council's agenda. In addition, it is where the Council takes action on Zoning related items. Action may be taken by the Council on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

<u>Rezone – To be Heard –</u>

29453 – Dianne McDonald is requesting approval for a rezone from R-1-8 to R-2-8 of her property for the purpose of building a two-family dwelling. **Location:** 4318 South 900 East. **Community Council:** Millcreek. **Planner:** Tom C. Zumbado

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File #29453

Rezone Summary and Recommendation

Public Body: Salt Lake County Council – To Be Set Parcel ID: 2205127080 Property Address: 4318 South 900 East Request: R-1-8 to R-2-8 Rezone

Meeting Date: May 3, 2016 Current Zone: R-1-8 Proposed Zone: R-2-8

Community Council: Millcreek Township/Unincorporated: Millcreek Township Planner: Thomas C. Zumbado Planning Commission Recommendation: Recommendation for Approval Community Council Recommendation: Recommendation for Approval Planning Staff Recommendation: Recommendation for Approval Applicant Name: Dianne McDonald & Spence McDonald

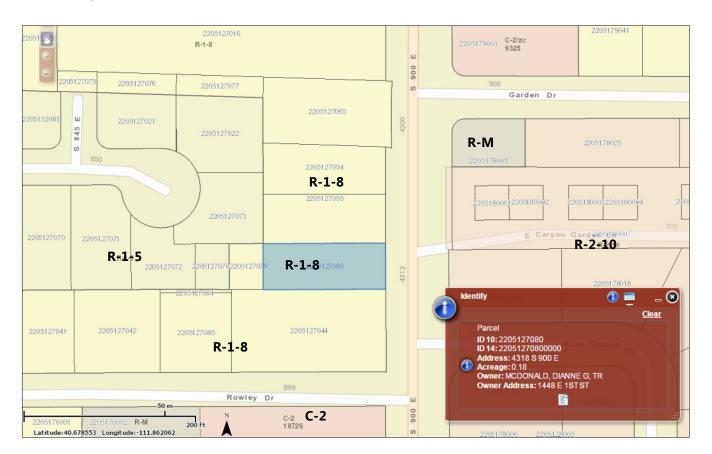
PROJECT DESCRIPTION

Dianne McDonald is requesting approval for an R-1-8 to R-2-8 rezoning of her property for the purpose of building a two-family dwelling.

SITE & VICINITY DESCRIPTION (see attached map)

The proposed rezone property is located at 4318 South and 900 East. It is located across the street (to the east) from the Garden Place Condominiums and a large R-2-10 zone. To the west is the Windsor subdivision, which is zoned R-1-5. Across Rowley Dr. to the south is a combined R-M and C-2 zone.

Request: R-1-8 to R-2-8 Rezone

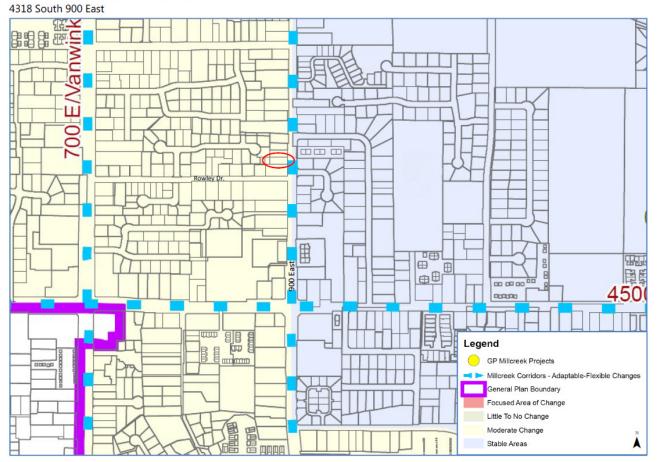


GENERAL PLAN CONSIDERATIONS

According to the Millcreek General Plan map, this property is located in an area of moderate change. In addition, the Millcreek General Plan expects that the aging housing infrastructure along corridors like 900 East will need to be renovated for higher density use. This rezone proposal is in line with this trend.

General Plan Map Detail

File # 29493 : R-1-8 to R-2-8 Rezone



ZONE CONSIDERATIONS

Requirement	Existing Zone	Proposed Zone
Height	30 Feet	30 Feet
Front Yard Setback	25 Feet	30 Feet
Side Yard Setback	20 Feet	20 Feet
Rear Yard (w/ Garage)	15 Feet	15 Feet
Setback	13166(131661
Lot Width	65 Feet	65 Feet
Lot Area	8000 Square Feet	8000 Square Feet
Parking	Residential Driveway	Residential Driveway

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with Landscaping Requirements Verified.	Yes
Compliance with the General Plan.	Yes

NEIGHBORHOOD RESPONSE

On March 16th 2016, Mr. Shosted returned to the planning commission to state his opposition to File #29453, saying that Ms. McDonald's proposed duplex is not congruent to the size of the parcel and would be too much use for too little property.

On February 10th 2016, Mr. Shosted returned to the planning commission to state his opposition to File #29453, saying that Ms. McDonald's proposed duplex is not congruent to the size of the parcel and would be too much use for too little property.

On January 13th 2016, Mr. Kenneth Shosted stood before the planning commission during the public comment section of File #29453's first hearing to ask the applicant questions about the project. Unfortunately, the applicant was not available for response due to work responsibilities. Both the applicant and their neighbor have since met (off campus) to discuss the scope of the project.

PLANNING COMMISSION RESPONSE

At their scheduled meeting on March 16th 2016, the Millcreek Planning Commission reviewed the professional survey acquired by the applicant along with a proposed site plan. After discussion, a motion was passed to recommend File #29453 for approval by a count of 4 in favor and 2 against.

At their scheduled meeting on February 10th 2016, the Millcreek Planning Commission selected to continue File #29453 to their March 16th meeting to allow the applicant to acquire a professional survey of the property.

At their scheduled meeting on January 13th 2016, the Millcreek Planning Commission selected to continue File #29453 to their February 10th meeting, after the width of the property had been measured and verified by Planning Staff.

COMMUNITY COUNCIL RESPONSE

On January 5th 2016, the Millcreek Community Council unanimously voted on a positive recommendation for the planning commission.

PLANNING STAFF ANALYSIS

Upon instruction of the planning commission at their February 10th 2016 meeting, Staff took delivery of the professional survey acquired by the applicant and presented it to the planning commission at their March 16th 2016 meeting.

Upon instruction of the planning commission at their January 13th 2016 meeting, Staff conducted an on-site measurement of the property width along 900 South (15JAN16). The measurement came out to sixty (60) feet in length.

Planning Staff has examined all angles of approach regarding this rezone and have found no issues of concern. The rezoning request is in accordance with the Millcreek General Plan, current zoning ordinances and the surrounding land use zoning patterns.

Referenced Land Use & Zoning Documents

• County Ordinance Chapter 19.14 (Zone R-1-8)

- County Ordinance Chapter 19.32 (Zone R-2-8)
- County Ordinance Chapter 19.80 (Off-Street Parking Requirements)
- County Ordinance Chapter 19.90 (Procedures for Rezoning)
- Millcreek General Plan
- Millcreek General Plan Map

PLANNING STAFF RECOMMENDATION

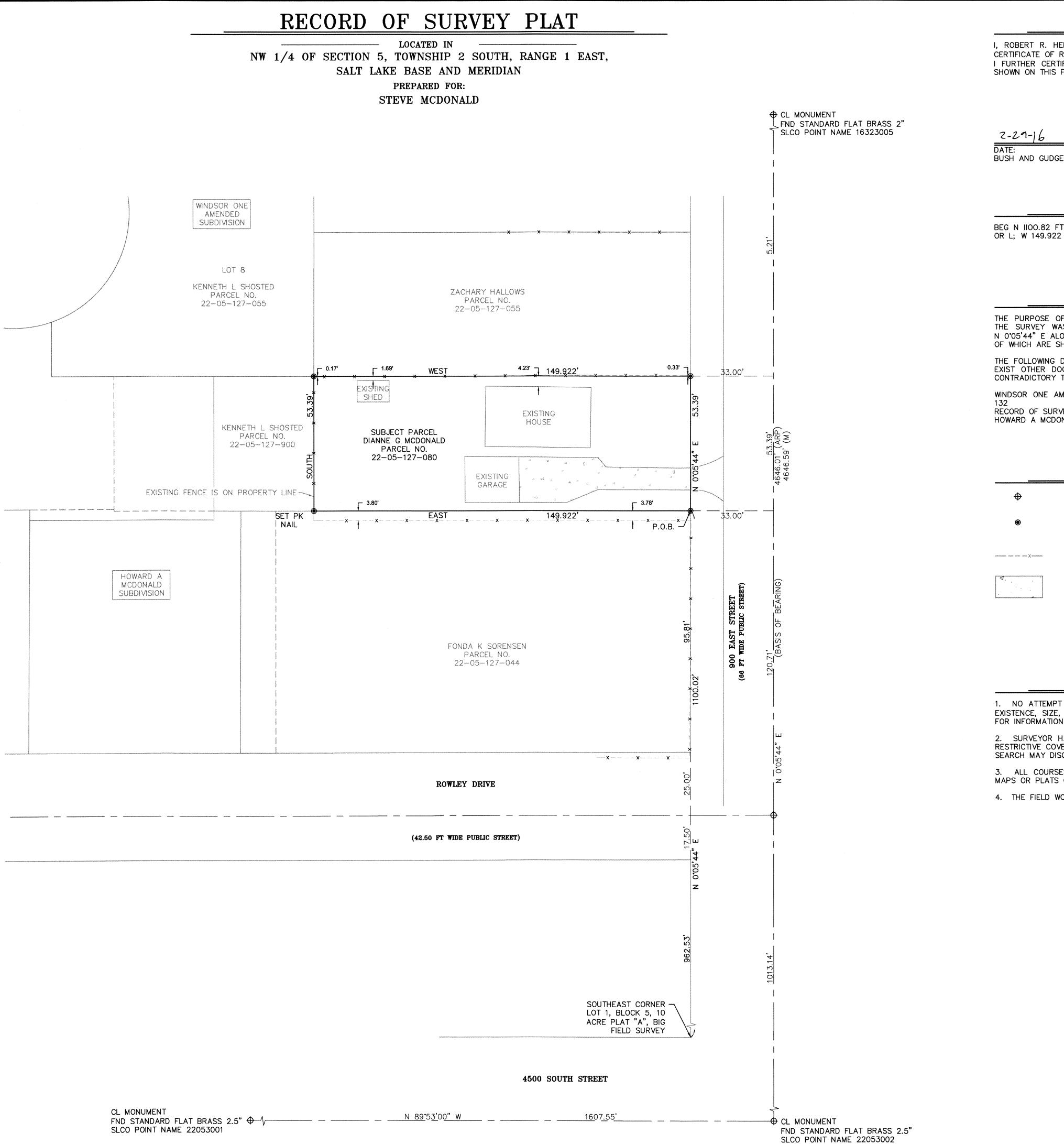
County Ordinance [19.90.030] "The county council, after review of the recommendation of the planning commission, may approve, deny, alter or remand for further review and consideration any application for zone change referred to the council by the planning commission."

Planning Staff recommended to the Millcreek Planning Commission that they recommend approval of File #29453 to the Salt Lake County Council.

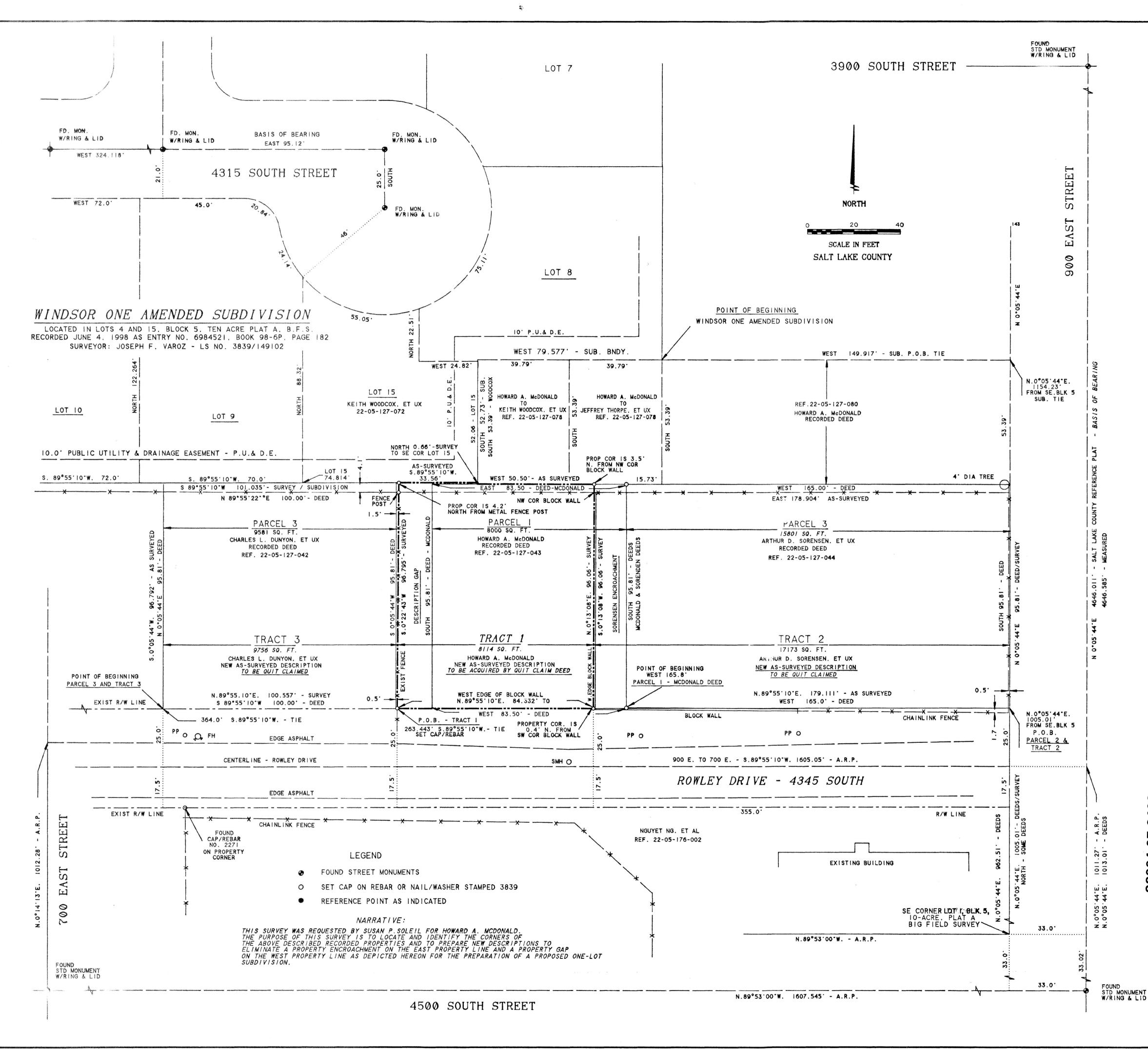
File #29453: Aerial Map

4318 South 900 East Proposed rezone from R-1-8 to R-2-8





SURVEYOR'S CERTIFICATE	
ERMANDSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD REGISTRATION (LICENSE) NUMBER 6362432, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. TIFY THAT BY AUTHORITY OF THE OWNER'S I HAVE SUPERVISED A SURVEY OF THE TRACT OF LAND PLAT AND DESCRIBED BELOW TO BE HEREAFTER KNOWN AS:	
SELL INC.	nois
BOUNDARY DESCRIPTION	Revision
TT FR SE COR LOT 1, BLOCK 5, 10 AC PLAT A, BIG FIELD SUR: N 53.39 FT M OR L; W 149.922 FT M 2 FT M OR L; S 53.39 FT M OR L; E 149.922 FT M OR L TO BEG. 0.18 AC M OR L.	No Date By
NARRATIVE	
OF THIS SURVEY IS TO RE-ESTABLISH THE BOUNDARY CORNERS OF THE ABOVE DESCRIBED PARCEL. AS PERFORMED AT THE REQUEST OF OUR CLIENT. THE BASIS OF BEARING FOR THIS SURVEY IS ONG THE CENTER LINE OF 900 EAST STREET, BETWEEN TWO FOUND MONUMENTS, TYPE AND LOCATIONS SHOWN ON THIS PLAT. DOCUMENTS OF RECORD WERE REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY. THERE MAY OCUMENTS EITHER PRIVATE OR OF RECORD THAT WOULD AFFECT THIS SURVEY. ANY NEW EVIDENCE TO THIS SURVEY SHOULD BE PRESENTED TO BUSH & GUDGELL, INC. FOR REVIEW AND CONSIDERATION. MENDED SUBDIVISION PLAT, J.F. VAROZ & ASSOCIATES, RECORDED NO. 6984521, BOOK 98-6P, PAGE VEY, PERFORMED BY J.F. VAROZ & ASSOCIATES, DATED 5-19-2003, S2004-07-0408 DNALD SUBDIVISION PLAT, J.F. VAROZ & ASSOCIATES, RECORDED NO. 9088513, BOOK 2004P, PAGE 154	SUDGELL, INC. Planners - Surveyors 4500 South Suite #100 ke City, Utah 84107 k4-1212 / Fax (801) 384-1225 bushandgudgell.com
	JSH & G Engineers - P ^{655 East 4} ^{Salt Lake} ^{Phone (801) 364} www.bu
LEGEND	BUSI Eng
SPECIFIES FOUND SURVEY CONTROL MONUMENT AS SHOWN AND NOTED (CLASS 1, RING & LID).	
ALL BOUNDARY AND PROPERTY (LOT) CORNERS TO BE SET WITH 5/8" REBAR AND CAP STAMPED BUSH & GUDGELL, UNLESS OTHERWISE SPECIFIED ON THE PLAT.	
EXISTING FENCE	
EXISTING CONCRETE	
	2-18-2016
NOTES	Date : 2-18
T HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING , DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE FACILITY.	
HAS MADE NO INVESTIGATION OF ANY OTHER FACTS WHICH AN ACCURATE AGENCIES OR OTHER. VENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SCLOSE.	Drawn : PJW/BRS Designer : Checked : RRH Approved : RRH Scale : 1" = 20' Job No : 162015
SES SHOWN IN PARENTHESIS ARE RECORD INFORMATION TAKEN FROM DEED DESCRIPTION OR OFFICIAL GOF RECORD. ALL OTHER COURSES ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.	
VORK WAS PERFORMED ON FEBRUARY 22, 2016.	RECORD OF SURVEY PLAT
	SHEET 1
	SHEETS FILE: 162015ROS



DESCRIPTIONS OF RECORD

PARCEL I

Ref. No. 22-05-127-043

BEGINNING on the North line of a street 1005.01 feet North along the Block along the West 165.8 feet from the Southeast corner of Block 5. Ten Acre Plat "A". Big Field Survey: and running thence West along the North line of said Street 83.5 feet: thence North 95.81 feet to a point 1100.82 feet North and 250 feet West from the Southeast corner of said Block 5: thence East 83.5 feet: thence South 95.81 feet to the point of BEGINNING. Contains 0.18 acre or 8000 sq. ft.

PARCEL 2 Ref. No. 22-05-127-044 BEGINNING 1005.01 ft. north from the southeast corner of Block 5. Ten Acre Plat "A". Big Field Survey: thence West 165 ft.: thence North 95.81 ft.: thence East 165 ft.: thence South 95.81 ft. to the point of BEGINNING. Contains 0.363 acre or 15801 sq. ft.

PARCEL 3 Ref. No. 22-05-127-042 BEGINNING N.0°05'44"E. 1005.01 ft. and S.89°55'10"W. 364 ft. from the southeast corner of Lot 1. Block 5. Ten Acre Plat "A". Big Field Survey: thence N.0°05'44"E. 95.81 ft.. more or less: thence N.89°55'22"E. 100.0 ft.: thence S.0°05'44"W. 95.81 ft.. more or less to a point 100.0 ft. east from beginning: thence S.89°55'10"W. 100.0 ft. to the point of BEGINNING. Contains 0.22 acre or 9581 sq. ft.

<u>AS SURVEYED - NEW DESCRIPTIONS</u> <u>TRACT 1</u> New Description - Howard A. McDonald. et ux Ref. No. 22-05-127-043

BEGINNING on the north line of Rowley Drive (4345 South) at a point 1005.01 ft. N.0°05'44°E, and 263.443 ft. S.89°55'10°W, from the southeast corner of Lot 1. Block 5. Ten Acre Plat "A", Big Field Survey: said point being in an existing north-south fence line: thence N.89°55'10°E. 84.332 ft. along said north line of Rowley Drive to the west edge of an existing cinderblock wall: thence N.0°13'08°E. 96.06 ft. along said west edge to the south boundary line of a tract of land owned by Jeffrey Thorp. et ux. recorded in Book 8443. Page 1979: thence West 50.50 ft.: thence North 0.66 ft. to the south line of Windsor One Amended Subdivision recorded as Entry No. 6984521. in Book 98-6P. Page 182. Salt Lake Recorders Office: thence S.89°55'10°W. 33.56 ft. along said southline to a point on extended north-south line of an existing fence: thence S.0°22'43°W. 96.795 ft. along said extended fence line and fence line to the point of BEGINNING.

Contains 0.186 acre or 8114 sq. ft.

TRACT 2 New Description - Arthur D. Sorensen, et ux Ref. No. 22-05-127-044

BEGINNING on the north line of Rowley Drive (4345 South) and the west line of 900 East Street at a point 1005.01 ft. N.0°05'44"E. from the southeast corner of Lot 1. Block 5. Plat "A". Big Field Survey: thence N.0°05'44"E. 95.81 ft.: thence West 178.904 ft. to a point on an extended west edge of a cinderblock wall: thence S.0°13'08"W. 96.06 ft. along said extended and west edge to the north line of said Rowley Drive: thence N.89°55'10"E. 179.111 ft. along said north line to the point of BEGINNING. Contains 0.394 acre or 17173 sq. ft.

TRACT 3 New Description - Charles L. Dunyon. et ux Ref. No. 22-05-127-042

BEGINNING on the north line of Rowley Drive (4345 South) at a point 1005.01 ft. N.0°05'44"E. and 364.0 ft. S.89°55'10"W. from the southeast corner of Lot 1. Block 5. Ten Acre Plat "A". Big Field Survey: thence N.89°55'10"E. 100.557 ft. to a point in an existing north-south fence line: thence N.0°22'43"E. 96.795 ft. along said existing fence line to a point on the south line of Windsor One Amended Subdivision: thence S.89°55'10"W. 101.035 ft. along said south line: thence S.0°05'44"W. 96.792 ft. to the point of BEGINNING.

Contains 0.224 acre or 9756 sq. ft.

SURVEYORS CERTIFICATE:

1. JOSEPH F. VAROZ. A REGISTERED LAND SURVEYOR. NO. 3839/149102. AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. DO HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE DESCRIBED TRACT OF LAND HEREON IN SALT LAKE COUNTY. UTAH. AS SHOWN AND DEPICTED ON THIS PLAT. THIS SURVEY WAS MADE WITH GENERALLY ACCEPTED LOCAL SURVEYING PRACTICES AND REPRESENTS THE RELATIONSHIP BETWEEN TITLE LINES AND ANY EVIDENCE OF USE OR POSSESSION. IT DOES NOT GUARANTEE TITLE TO THE LINES SET NOR PURPORT TO SHOW ALL EASEMENTS OF RECORDS: NOR IS IT PROOF OF OWNERSHIP. SURVEY DECLARATIONS AND CERTIFICATIONS ON THIS SURVEY ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS WITHOUT WRITTEN CONSENT OR RE-CERTIFICATION BY THE REGISTERED LAND SURVEYOR HEREON. ANY ADDITIONS. DELETIONS OR REVISIONS TO THIS SURVEY MUST BE CERTIFIED BY A REGISTERED LAND SURVEYOR AND OR PROFESSIONAL WHO MAKES THESE CHANGES.



REGISTERED LAND SURVEYOR 3839/149102

DATE: MAY 19. 2003

PROPER	TY BOUNDARY SURVEY	SCALE / -20'
HOWARD A. MCDONALD, ET AL 880 EAST ROWLEY DRIVE, S.L.C., UTAH 84107 LOCATED IN THE NW 1/4 OF SECTION 5. T.2 S.R.I E SALT LAKE BASE & MERIDIAN		DRWN CADD COMP JFV CHECKED LJV SURVEY JF VAROZ SURVEY B. ROSS FIELD 2-21-2003
MAY 19. 2003	J.F. VAROZ & ASSOCIATES Professional Surveyors • Engineers 220 East 3900 South. Suite 19. Salt Lake City. Utah 84107 (801) 264-8242	JOB NO. 03102-1 SHEET 1 OF 1 FILE MCDON NO.

2004-07-0408

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SALT LAKE COUNTY ORDINANCE

ORDINANCE NO.

, 2016

AN ORDINANCE AMENDING TITLE 19, ENTITLED "ZONING", OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE R-1-8 (SINGLE-FAMILY RESIDENTIAL) ZONE TO R-2-8 (MEDIUM DENSITY RESIDENTIAL) ZONE.

The County legislative body of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, Zoning Maps of Salt Lake County Code of Ordinances 2001, is

hereby amended, as follows:

The property described in Application #29453 filed by Dianne McDonald, located at 4318

South 900 East within Salt Lake County (the "Property"), is hereby reclassified from the R-1-8

(SINGLE-FAMILY RESIDENTIAL) zone to the R-2-8 (MEDIUM DENSITY RESIDENTIAL) zone.

The Property is specifically described as follows:

PARCEL: 22-05-127-080

BEGINNING ON THE NORTH LINE OF ROWLEY DRIVE (4345 SOUTH) AT A POINT 1005.01 FEET NORTH 00°05'44" EAST AND 263.44 FEET SOUTH 89°55'10" WEST FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 5. TEN ACRE PLAT "A", BIG FIELD SURVEY: SAID POINT BEING IN AN EXISTING NORTH-SOUTH FENCE LINE: THENCE NORTH 89°55'10" EAST. 84.332 FEET ALONG SAID NORTH LINE OF ROWLEY DRIVE TO THE WEST EDGE OF AN EXISTING CINDER BLOCK WALL: THENCE NORTH 00°13'08" EAST. 96.06 FEET ALONG SAID WEST EDGE TO THE SOUTH BOUNDARY LINE OF A TRACT OF LAND OWNED BY JEFFREY THORP ET UX. RECORDED IN BOOK 8443, PAGE 1979: THENCE WEST 50.50 FEET: THENCE NORTH 0.66 FEET TO THE SOUTH LINE OF WINDSOR ONE AMENDED SUBDIVISION RECORDED AS ENTRY NUMBER 6984521 IN BOOK 98-6P, PAGE 182, SALT LAKE RECORDERS OFFICE: THENCE SOUTH 89°55'10" WEST, 33.56 FEET ALONG SAID SOUTH LINE TO A POINT ON EXTENDED NORTH-SOUTH LINE OF AN EXISTING FENCE: THENCE SOUTH 00°22'43" WEST 96.795 FEET ALONG SAID EXTENDED FENCE LINE AND FENCE LINE TO THE POINT OF BEGINNING.

CONTAINS 0.186 ACRE OR 8114 SQUARE FEET

Section 2: The map showing such change shall be filed with the Salt Lake County Planning

Commission in accordance with Section 19.06.020 of the Salt Lake County, Code of Ordinances,

App. 29453 Page 2 2001.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted

this ordinance this _____ day of _____, 2016.

SALT LAKE COUNTY COUNCIL

By: _____ Max Burdick, Chair Salt Lake County Council

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:

R. Christopher Preston Deputy District Attorney Date: ______

ORDINANCE HISTORY

Council Member Wilson	
Council Member Snelgrove	
Council Member Bradley	
Council Member Bradshaw	
Council Member Jensen	
Council Member Newton	
Council Member Granato	
Council Member DeBry	
Council Member Burdick	

Vetoed and dated this _____ day of _____, 2016.

By____

Mayor Ben McAdams or Designee

(Complete As Applicable) Veto override: Yes__ No__ Date_____ Ordinance published in newspaper: Date_____ Effective date of ordinance:_____