

**DATE:** April 25, 2007

**TO:** Salt Lake City Planning Commission

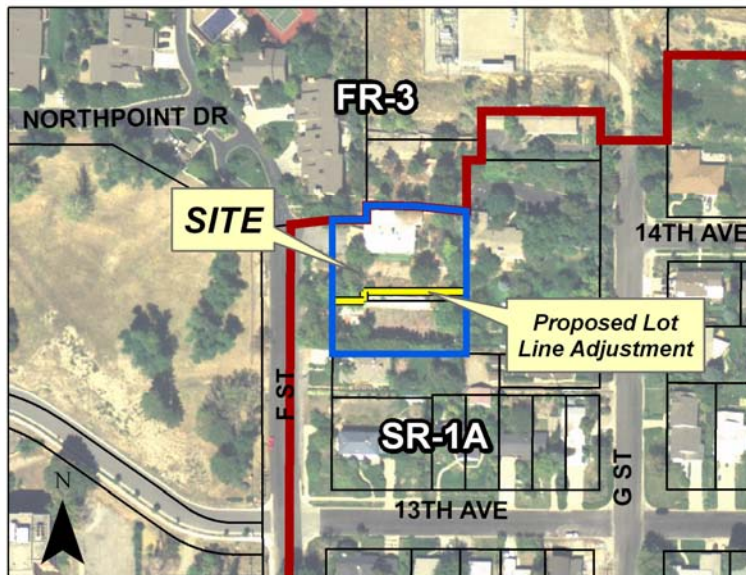
**FROM:** Ray McCandless, Senior Planner at 535-7282 or ray.mccandless@slcgov.com

**RE:** **STAFF REPORT FOR THE APRIL 25, 2007 PLANNING COMMISSION MEETING** (This item was forwarded to the Planning Commission by the Planning Division Administrative Hearing Officer)

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**CASE NUMBER:** 490-07-08

**REQUESTED ACTION:** **The applicant requests preliminary minor subdivision approval to adjust the property line between two parcels located at approximately 678 and 688 North “F” Street to correct a survey error and provide the required 4’ side yard setback for the building at 678 North “F” Street. Routine and Uncontested Lot Line Adjustments are forwarded to the Planning Commission for consideration and approval action at the discretion of the Administrative Hearing Officer when the applicant is unable to obtain the signatures from all abutting property owners.**



**APPLICANT:** Ken Millo  
308 W. Broadway St. #LL2, Salt Lake City,  
Utah

**STATUS OF APPLICANT:** Property owner of 678 North F Street

**PROJECT LOCATION:** Approximately 678 and 688 North F Street  
Sidwell Number(s) 09-30-477-012 & 013

**PROJECT/PROPERTY SIZE:** Existing:  
678 North F Street 10,725 Sq. Ft.  
688 North F Street: 18,417 Sq. ft.

**COUNCIL DISTRICT:** District 4, Council Member Eric Jergensen

**PROPOSED USE(S):** 678 North F Street: Duplex (Existing)  
  
688 North F Street: Single family dwelling  
(Existing but proposed to be demolished)

**SURROUNDING ZONING DISTRICTS:**  
**North** – FR-3/12,000 (Foothills Residential District)  
**South** – SR-1A (Special Development Residential District)  
**East** – SR-1A (Special Development Residential District)  
**West** – FR-3/12,000 (Foothills Residential District)

**SURROUNDING LAND USES:**  
**North** – Residential  
**South** – Residential  
**East** – Residential  
**West** – Residential

**FUTURE LAND USE:**

- North** – Very Low Density Residential (1-4 Units Per Gross Acre)
- South** – Very Low Density Residential (1-4 Units Per Gross Acre)
- East** – Very Low Density Residential (1-4 Units Per Gross Acre)
- West** – Very Low Density Residential (1-4 Units Per Gross Acre)

**APPLICABLE LAND USE REGULATIONS:**

The proposed subdivision is subject to the Salt Lake City Code, Title 20 – Subdivisions.

**MASTER PLAN SPECIFICATIONS:**

The property is located in the area subject to the Avenues Master Plan.

**SUBJECT PROPERTY HISTORY:**

**688 North “F” Street** - Preliminary subdivision approval was granted by the Planning Commission on August 23, 2006 to subdivide this property into two lots. There is an existing single family dwelling on the property. The owner has submitted a pre-demolition application to the City to demolish the structure. However, no building plans have been submitted nor has a Notice of Minor Subdivision Approval been recorded to date to finalize the subdivision.

**678 North “F” Street** – Preliminary condominium approval for a duplex was granted by the Planning Commission on September 13, 2006. The condominium plat has not been recorded to date.

**ACCESS:**

The subject property has access from “F” Street.

**PROJECT DESCRIPTION:**

The lot line adjustment is being requested to resolve a survey error for the property located at 678 North “F” Street. During the construction of this duplex, it was discovered that the property was incorrectly surveyed. The north property line actually runs along the northern wall of the recently constructed building as shown on the preliminary plat drawing (Exhibit 1). The lot line adjustment will relocate the property line 4 feet to the north in order for the duplex to meet the required 4’ foot side yard setback.

According to Section 20.29.050 City Internal Review, where signatures cannot be obtained from abutting property owners, the Administrative Hearing Officer may either approve the lot line adjustment or forward the application through the minor subdivision process. The Administrative Hearing Officer has opted to forward this request to the Planning Commission for review as the owner was unable to obtain the necessary signature from abutting property owners.

### **COMMENTS, ANALYSIS AND FINDINGS:**

The applicant is requesting preliminary minor subdivision approval of a Minor Subdivision. Minor Subdivisions are administered in Section 20.20, Minor Subdivisions of the Salt Lake City Subdivision Ordinance.

### **COMMENTS**

The applicable City Departments/Divisions have provided the following comments regarding the proposed minor subdivision. The full text of the comment letters received are attached to the staff report as Exhibit 2:

1. **Public Utilities Department:** (Jason Brown) The Public Utilities Department has no objections to the proposed lot line adjustment.
2. **Transportation Division:** (Barry Walsh) The Transportation Division has no concerns with the proposed request.
3. **Fire Department:** (Ted Itchon) The Fire Department has no concerns with the proposed request.
4. **Engineering:** (Scott Weiler) The Engineering Division is in favor of the proposed Lot Line Adjustment to provide the required side yard for the structure that was recently built at 678 North “F” Street. Assuming this is approved, the Engineering Division anticipates the new lot line to be shown on the next submittal of the condominium plat for the 678 North “F” Street condominium project.
5. **Building Services and Licensing Division:** (Larry Butcher) The plan lists an air conditioning unit in the proposed lot line adjustment area. Per Section 21A.36.020B, of the Salt Lake City Zoning Ordinance, air conditioning units must be 4’ from the property line unless otherwise authorized by a Special Exception.

### **ANALYSIS**

#### **MINOR SUBDIVISION REVIEW AND APPROVAL PROCESS:**

The Planning Commission shall find that the proposed subdivision meets the following standards:

## **20.20.020 Required Conditions and Improvements for Minor Subdivisions:**

**A Minor Subdivision shall conform to the following standards:**

- 1. The general character of the surrounding area shall be well defined, and the Minor Subdivision shall conform to this general character.**

**Discussion:** The Planning Commission determined that the development of the properties at 678 and 688 North “F” Street is in conformance with the general character of the area when the preliminary subdivision and condominium plans were approved. Shifting the boundary as proposed does not change the character of the area beyond what was previously approved.

**Finding:** The general character of the surrounding area in this case is residential. The proposed lots would be used for residential purposes and are therefore in conformance with the general character of the area.

- 2. Lots created shall conform to the applicable requirements of the zoning ordinances of the City.**

**Discussion:**

**678 North “F” Street:** The maximum lot size permitted through the subdivision process that would comply with the Compatible Residential Infill Ordinance would be 12,000 square feet or 1.5 times the size of the minimum lot size for the zone. The lot area of the parcel at 678 North “F” Street will be increased from 10,725 to 11,293 square feet which is consistent with this standard.

A building permit for the duplex at 678 North “F” Street was issued on May 23, 2005. The building plans were therefore reviewed in accordance with the development standards for the SR-1 Zone at that time; prior to the adoption of the Compatible Residential Infill Ordinance. In effect, the applicant’s right to build a duplex was vested at the time that the building permit was issued under the previous development standards of the SR-1 Zone.

**688 North “F” Street:** This property is zoned SR-1A (Special Development Pattern Residential District). This zone allows for single family residential development as well as two-family and twin home dwellings. The minimum lot area for a two-family dwelling is 8,000 square feet while the minimum lot area for a twin home is 4,000 square feet per dwelling unit. The minimum lot area for a single family dwelling is 5,000 square feet.

On August 23, 2006 the Planning Commission granted preliminary subdivision approval to split this 18,417 sq. ft. parcel into 2 parcels. The northern parcel, Lot 1, was approved at 10,124 sq. ft. The southern parcel, Lot 2, was approved at 8,284 sq. ft.

**The proposed request will reduce the lot area of the south parcel to 7,716.08 which is below the minimum lot area required for a duplex or twin home but is of sufficient size to accommodate a single family dwelling. Any reconfiguration of this lot to make it larger will require future subdivision approval by the City.**

**Also, in order for Lot 2 to maintain the required 50' wide lot width, the 'jog' in the proposed property line will need to be shifted to the east from the proposed 23.03 feet to 24.34 feet which is the average front yard setback of the homes at 668 and 678 North "F" Street.**

**The site plan shows an air conditioning unit on the north side of the building at 678 North "F" Street. According to Section 21A.36.020B, of the Zoning Ordinance, air conditioning units must be 4' from the property line unless a special exception is granted.**

**Finding:** The proposed lot line between 678 and 688 North "F" Street will need to be reconfigured so that Lot 2 at 688 North "F" Street meets lot width requirements of the SR1-A Zoning District. In addition, a special exception is required to allow the air conditioning unit to be less than 4 feet from the property line at 678 North "F" Street. Any reconfiguration of lot 2 at 688 North "F" Street to make it larger will require future subdivision approval by the City.

**3. Utility easements shall be offered for dedication as necessary.**

**Finding:** No utility easements were identified by City Departments/Divisions as noted in this report, therefore it is not necessary to dedicate any utility easements as a condition of this proposed subdivision.

**4. Water supply and sewage disposal shall be satisfactory to the City Engineer.**

**Finding:** Public utilities reviewed this proposal and provided comments above. No additional water or sewage disposal is required as part of this lot line adjustment request.

**5. Public improvements shall be satisfactory to the Planning Director and City Engineer.**

**Finding:** The City Engineering Division has no concerns with the lot line adjustment and noted no additional requirements for additional public improvements.

**RECOMMENDATION:** Based on the noted findings, Planning Staff recommends that the Planning Commission grant preliminary subdivision approval of the requested Lot Line Adjustment / Minor Subdivision for the properties located at 678 and 688 North “F” Street subject to the following:

1. Compliance with all applicable Salt Lake City departmental requirements.
2. Revising the property line so that the minimum lot width requirement of 50 feet at the setback line for 688 North “F” Street is met.
3. A special exception is required to allow the air conditioning unit to encroach into the required side yard at 678 North “F” Street.
4. Any reconfiguration or modification to lot 2 at 688 North “F” Street to make it larger or alter approved property lines will require future subdivision approval by the City.

Ray McCandless, Senior Planner

**EXHIBIT 1**  
**• Preliminary Subdivision Plat**



**EXHIBIT 2**  
**Salt Lake City Departmental**  
**Comments**