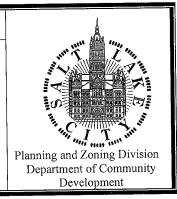
PLANNING COMMISION STAFF REPORT

Preliminary Minor Subdivision 490-08-18 for Bilanzich Subdivision located at 2347 S Lakeline Drive June 25, 2008



Applicant: Russ Naylor

Staff: Doug Dansie 535-6182

doug.dansie@slcgov.com

Tax ID: 16-23-179-005

16-23-179-021

Current Zone: FR-3

<u>Council District</u>: Five, Council Member Remington Love

Acreage: 0.45 and 0 33 acres. Total 78 acres

Current Use: Single-family

Applicable City Code Land Use Regulations:

- Section 20.08.210
- Section 20.20 020
- Section 20.20.070
- Section 20 28 010
- Chapter 20.24
- Chapter 21A.24.040.J

Attachments:

- A. Department Comments
- B. Community Comments
- C. Preliminary Plat

REQUEST

The applicant requests preliminary approval of a minor subdivision plat for Bilanzich subdivision. The subdivision is comprised of combining to whole lots, originally platted as part of the Benchmark subdivision. The subdivision is being heard by the Planning Commission, rather than the Administrative hearing officer because it exceeds the maximum lot size allowed in the district.

PUBLIC NOTICE

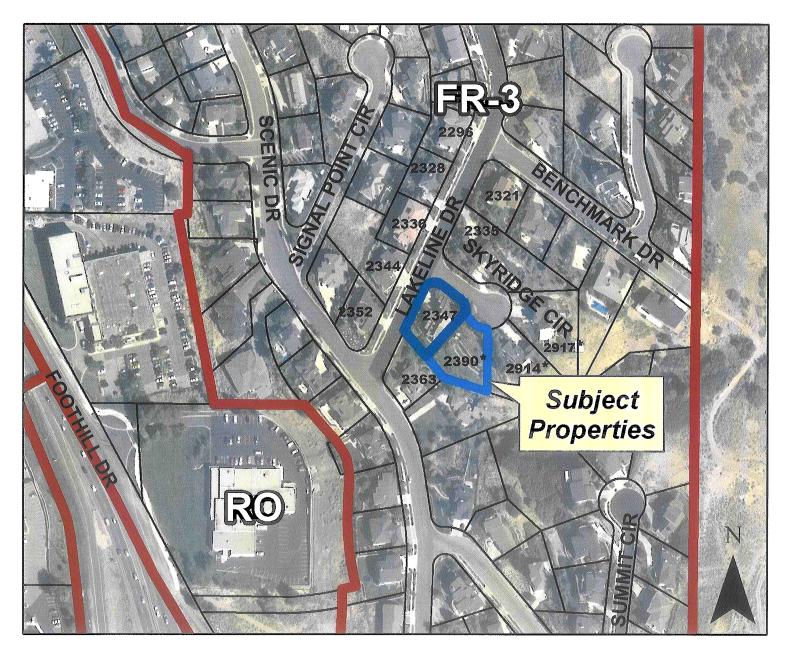
Notice of the proposed minor subdivision was mailed to all property owners within four-hundred fifty feet (450') of the subject property on June 10, 2008, meeting the minimum noticing period of fourteen (14) days prior to the scheduled Planning Commission Hearing. The agenda was also sent to names on the Divisions list-serve and posted on the Divisions website. The subject property was posted by the city with a notice of the public hearing on a sign on June 11, 2008, meeting the fourteen (14) day posting requirement in advance of the public hearing. Community Council review is not required under the subdivision ordinance.

STAFF RECOMMENDATION

Planning Staff finds the request consistent with Section 20.20.070 of the Subdivision Ordinance and recommends that the Planning Commission grant preliminary minor subdivision approval for Bilandzich subdivision. located at approximately 2347 Lakeline Drive subject to the following conditions:

- 1. Approval is conditioned upon compliance with all departmental comments as outlined in this staff report. If during the building permit review process, additional requirements are stipulated by the Building Department, the applicant shall satisfy said requirements prior to the recording of any approved final subdivision plat.
- Upon preliminary approval, the Petitioner shall submit for Final Plat approval with the Salt Lake City Planning Division, which is necessary to prepare a recordable final plat with the Salt Lake County Recorder's Office. The final subdivision plat submittal shall conform to the requirements of Chapter 20 24 of the Code.
- 3. Any future development activity associated with the properties will require that all substandard or absent public improvements be installed in accordance with the departmental comments noted in this staff report. Any future redevelopment shall be subject to the requirements of the zoning ordinance.
- The execution and recording of the Covenants, Conditions and Restrictions. The document must be approved by the Salt Lake City Attorney for compliance with State of Utah and Salt Lake City Code requirements.
- The applicant shall work with the City Engineer to make any required improvements to the public way and obtain a "Permit to Work in the Public Way"

VICINITY MAP



^{*}Addresses with asterisk are located on Skyridge Circle, others are on Lakeline Drive

PROJECT DESCRIPTION

The proposed subdivision is the combining of two existing lots: 2347 Lakeline Drive and 2910 E Skyridge Circle. The petition is being reviewed by the Planning Commission (rather than a hearing officer) because the proposed new lot exceeds the size allowed by the compatibility review ordinance. The original *Benchmark Subdivision* (where these two lots are located) was recorded prior to the adoption of the maximum lot size requirement. There is an existing single-family residence on 2347 Lakeline Drive. Currently, 2910 Skyridge Circle is vacant. It is the intent of the petitioner to add onto the existing home at 2347 Lakeline. The lot consolidation is necessary to eliminate lots lines so that the proposed addition will meet zoning and building codes. The effective result of this subdivision will be in allowing the existing home at 2347 Lakeline Drive to become larger, by eliminating the opportunity to build an additional home on the existing vacant lot at 2910 Skyridge Circle.

COMMENTS

City Department Comments

The comments received from pertinent City Departments/Divisions are attached to this staff report.

Community Comments

Comments were received from a neighboring property owner after posting the site. The issue raised was not able to be fully clarified by the time the staff report was due. Additional clarifying information will be provided at the Planning Commission meeting.

Staff Analysis and Findings

Master Plan Discussion

The 1987 East Bench Community Future Land Use Plan identifies the subject property as Very Low-Density Residential. The East Bench Community Plan further states that development on the foothills "should be limited to maximum density of 4 units per gross acre or less as physical conditions dictate." The existing land use is consistent with this designation. The effective result of this lot consolidation will be to reduce density in the immediate neighborhood by eliminating the opportunity to construct another home on the presently vacant lot.

Zoning Ordinance Standards

FR-3/12,000 Foothill Residential District

Section 21A.24.050. J of the FR-3/12,000 Foothill Residential District contains specific guidelines for the creation of parcels that would result in a lot larger than 18,000 square feet. The Planning Commission may approve the proposed subdivision amendment if the Planning Commission finds that:

1. The size of the new lot is compatible with other lots on the same block face;

Analysis: The block face as defined on Section 21A.62 Definitions means all of the lots facing one side of a street between two (2) intersecting streets. The proposed subdivision has two block faces. Lakeline Drive and Skyridge Circle.

Frontage:

The lot frontage on Lakeline will not change, therefore it remains compatible.

On Skyridge Circle, the block face is considered to be the lots facing the circle.

Existing Lots same block face - Lakeline	Street frontage in feet
New lot 2347 Lakeline and 2930 Skyridge	98.4 (plus corner radius)
(new lot frontage remains unchanged)	
2363 Lakeline	101.82
2335 Lakeline	102.44 (plus corner radius)
2321 Lakeline	87.27 (plus corner radius)

Existing Lots opposite block face - Lakeline	Street frontage in feet
2352 Lakeline	76.21 (plus corner radius)
2344 Lakeline	129
2336 Lakeline	111
2328 Lakeline	108
2296 Lakeline	93.66

Existing Lots same block face - Skyridge	Street frontage in feet
New lot 2347 Lakeline and 2930 Skyridge	147 28 (plus corner radius)
2335 Lakeline (frontage on Skyridge)	151 94 (plus the corner radius)
2914 Skyridge	49 88
2917 Skyridge	60

Square footage:

Existing Lots	Acres	Square Footage
2347 Lakeline plus 2930 Skyridge	0 78*	33,976.8*
2335 Lakeline	0 60	26,136.0
2914 Skyridge	0.48	20,908.8
2917 Skyridge	0.37	16,117.2
2363 Lakeline	0.27	11,761.2
2321 Lakeline	0.28	12,196.8

^{*} The proposed new lot has a significant portion of the lot that is unbuildable due to slope It is delineated the proposed plat. The buildable area is reduced by 0 145 acres or 6.301 square feet.

Lots on the larger block (bounded by Lakeline, Benchmark, Promontory and Summit) vary in size from 0.25 to 0.93 acres

Finding:

Staff finds that even though the proposed lot is larger in square footage than those on the block face, the size of the proposed lot is compatible because it is functionally reduced in size because of slope, it is within the range of lot sizes in the general neighborhood and the dimensions of the lot on the street are compatible with other lots on the block face.

Specifically it is similar in size and shape to the companion lot directly across Skyridge Circle - 2335 Lakeline

2. The configuration of the lot is compatible with other lots on the same block face; and

Analysis: The lots on this block face front a cul-de-sac and consequently are irregular in shape. The irregular shapes of the proposed lot fits the pattern found around Skyridge Circle and is compatible with other lots on the same block face. In addition, the exterior boundary of the proposed subdivision amendment will not change, only the interior elimination of lot lines.

Finding: Staff finds that the configuration of the proposed lot is compatible with other lots on the same block face.

3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

Analysis: The proposed amendment changes the lot width on Skyridge (depth when viewed from Lakeline). The relationship of the lot widths to the lot depths remains similar to the lots within the Circle. The companion lot on the opposite of the Circle was also the result of combing two lots and has a near identical width and depth.

Finding: Staff finds that the relationship of the proposed lot widths and depths to be compatible with other lots on the same block face.

Approval of Subdivision Amendment

According to Section 20.31 090 Standards for Approval of Amendment, an amendment petition shall be approved only if it meets all of the following requirements.

A minor subdivision must conform to the standards specified in Section 20.28 010 of the Salt Lake City Code, or its successor, of this Title, and meet the following standards of Section 20.20.020

A. The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character.

Finding: The Staff finds that despite the fact that the proposed lot exceeds the maximum size limit, it generally meets the condition of neighborhood compatibility

B. Lots created shall conform to the applicable requirements of the zoning ordinances of the city.

Finding: The lot will comply with all applicable zoning standards except the maximum lot size as defined by the Chapter 21A.24 040.J The maximum lot size may be modified within the authority of the Planning Commission. The project meets the density limits set by the Zoning Ordinance.

Chapter 21A.24 040.J states. **Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed eighteen thousand (18,000) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards.

- 1. The size of the new lot is compatible with other lots on the same block face.
- 2. The configuration of the lot is compatible with other lots on the same block face; and
- 3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

The proposed combined lot will be 0 78 acres. The proposed new combined lot is larger than most lots on Lakeline Drive, which vary in size from 0.24 to 0.60 acres; but it is generally the same size as the similarly located lot across the street (Skyridge Circle) on the same cul-de-sac (2335 S Lakeline) which is 0.60 acres and also fronts onto both Lakeline Drive and Skyridge Circle. The remaining two lots on Skyridge Circle have areas of 0.37 and 0.48 acres. Lots on the larger block (bounded by Lakeline, Benchmark, Promontory and Summit) vary in size from 0.25 to 0.93 acres; therefore this will not be the largest lot in the immediate vicinity

A portion of the proposed combined lot is considered unbuildable because of slope, further diminishing its development potential The unbuildable area is indicated on the plat.

The Staff finds that the size of the proposed lot is compatible with other lots on the same block face, the configuration is compatible with other lots on the same block face; and the relationship of the lot width to the lot depth is compatible with other lots on the same block face.

C. Utility easements shall be offered for dedication as necessary.

Finding: All Utilities exist. Any necessary and required dedications will be made upon recordation of the final subdivision plat.

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

Finding: Water supply and sewage disposal must be adequate and found to be satisfactory to the City Engineer and the Public Utilities Department prior to recordation of the final plat.

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

Finding: Public improvements are generally in place. Any changes will be addressed through the Building Permit process.

In addition, the Planning Commission may approve the proposed minor subdivision if it finds that:

- A. The subdivision will be in the best interest of the City,
- B. All lots comply with all applicable zoning standards;
- C. All necessary and required dedications are made;
- D. Provisions for the construction of any required public improvements are included,

- E. The subdivision otherwise complies with all applicable laws and regulations;
- F The minor subdivision does not materially injure the public or any person and there is good cause for the subdivision.

Finding: Based upon the comments, analysis and findings in this report, Planning Staff finds the request consistent with Section 20.20.070 of the City Code. The maximum lot size would be appropriate to be modified by the Planning Commission.

Attachment A Department Comments

MEMORANDUM

451 South State Street, Room 406 Salt Lake City, Utah 84111 (801) 535-7757



Planning and Zoning Division
Department of Community Development

TO:	Scott Weiler, Engineering	5506
	Edward Itchon, Fire Code Review	5490
	Peggy Garcia, Public Utilities	5528
	Larry Butcher, Building Permits and Licensing	5490
	Barry Walsh, Transportation	5502
	Dave Askerlund, Police,	5497
	Candee Penman, Attorney	5478
FROM:	Doug Dansie, Planning	5480
DATE:	April 14, 2008	
SUBJECT:	490-08-18 – Bilanzich Subdivision located at 2347 Lakeline.	

Attached is a request for a Subdivision **Amendment** submitted by Russ Naylor The proposed development is located at 2347 Lakeline.

Please review the attached documents and respond with comments by April 28, 2008 If you have questions or need additional information, please contact me at 535-6182, or doug.dansie@slcgov.com.

Thank you.

TO DOUG DANSIE, PLANNING

FROM RANDY DRUMMOND, P.E., ENGINEERING

DATE: APRIL 18, 2008

SUBJECT Bilanzich Subdivision

490-08-18

2347 Lakeline

Engineering review comments are as follows

- This submission consists of a dwelling on two lots being combined into one lot. It is located at 2347 Lakeline. It is a corner lot and both frontages are improved with curb, gutter, and asphalt paving. The street has sufficient dedication, and the only requirement is that there are two sections of curb and gutter on the Jerry Circle frontage where a tree has raised the curb so that proper drainage does not occur, and the curb and gutter needs to be replaced as per APWA Std. Dwgs No. 205A and 252. We would recommend that the tree be removed to eliminate this problem from occurring again. This replacement shall be done by a licensed, bonded and insured contractor after obtaining a Public Way Permit to do so.
- 2. The plat is being reviewed and any concerns will be made known to the applicant's surveyor via a 'red-lined' copy for correction and re-submission.

Thank you.

cc Scott Weiler
Brad Stewart
Barry Walsh
Craig Smith
George Ott
Vault

Fire: no issues

Doug,

Public Utilities has reviewed the above mentioned petition and offer the following comments,

According to our records, lot 46 is serviced with both water and sanitary sewer. These services must remain, no new services will be allowed. If there is any proposed construction on the new parcel then plan must be submitted to our office fore review and approval

If you have any questions please do not hesitate to contact me.

Jason Brown, PE

Development Review Engineer Salt Lake City Public Utilities 1530 South West Temple Salt Lake City, UT 84115 (801) 483-6729 (801) 483-6855 fax

April 23, 2008

Doug Dansie, Planning

Re. Pet 490-08-18 – Bilanzich Subdivision to combine two lots at 2347 So Lakeline Dr and 2910 E. Skyridge Cir

The division of transportation review comments and recommendations are for approval as follows:

The existing public transportation right of way corridors show no change per the proposal to combine the two residential lots. All public way improvements are existing and subject to engineering review for upgrades and repairs as needed.

Verify the street name noted as Jerry Circle, our files show Skyridge Circle (2340 So)

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Randy Drummond, P.E.
Ted Itchon, Fire
Peggy Garcia, Public Utilities
Larry Butcher, Permits
File

Doug,

Building Services has the following comments.

• The proposed lot area of the lot consolidation is .78 acres or 33,976 square feet. The maximum allowed lot size in the FR3/12,000 district is 18,000 square feet. There are exceptions to allow for greater lot size based on some standards of compatibility. The other lots within the cul-de-sac are not greater than or equal in size than the proposed lot consolidation. Please review these standards 21A.24 040 J (exceptions)

Thanks, Nole

Nole Walkingshaw Salt Lake City Planning and Zoning Senior Planner 801-535-7128

Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed eighteen thousand (18,000) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards

- 1 The size of the new lot is compatible with other lots on the same block face,
- 2. The configuration of the lot is compatible with other lots on the same block face, and
- 3 The relationship of the lot width to the lot depth is compatible with other lots on the same block face

MEMO

TO Doug Dansie

FROM Candee Penman, Paralegal, City Attorney's Office

DATE. April 22, 2008

RE. Review for the Bilanzich Subdivision

There are just a few things that need to be addressed regarding the Bilanzich Subdivision.

- 1 We will need a title report ran. The title report should be dated within two weeks of being submitted to the City Attorney's office.
- 2 Regarding the Owner's Dedication, it needs to be specific as to who is signing the dedication. It should read

OWNER'S DEDICATION

Know all men by these presents that I(name),(title), of(company), the
undersigned owner of the above-described tract of land, having caused same to be subdivided into lots
and streets to be hereafter known as the (Name of the Subdivision), and does hereby dedicate for
perpetual use of the public all parcels of land shown on this plat as intended for public use.
In witness whereof I,(name),(title) have hereunto set my hand this day of
$\frac{1}{1}$, $\frac{1}{200}$
(Name, Title,)
**** The Acknowledgement is fine.
3 Is there a lender on this project? If so the lender will need to give consent for the plat to be recorded.
Let me know if you have any questions – Thanks! Candee – 7632

Attachment B Community Comments

Dear Mr Dansie,

Thanks again, Phil Dykstra

Thank you for your prompt reply I think that your explanation overcomes most of my concerns

I am concerned about making certain that the boundary between my lot 44 and his lot 45 is properly identified in the petition

The original Benchmark Subdivision Lot layout was modified for my lot 44 by removing a portion of the most southerly corner as follows, "BEGINNING at the most Southerly corner of said lot 44; thence along the Westerly line of said lot 44 North 00 12' 14" East 81 55 feet; thence leaving said Westerly line South 72 45' 07" East 116 71 feet to the most Northerly corner of Lot 55 in said Benchmark Subdivision; thence along the Southeasterly line of said Lot 44 South 67 12'48" West 121 21 feet to the poInt of BEGINNING "

Was this portion transferred in its entirety to Lot 45 and is it described in surveyor's terms in petition 490-08-18?

As an aside, Mr Bilanzich has put up a fence that is located 35 feet south of the most Westerly corner of my Westerly property line Do you estimate that this is the approximate beginning of his property? I don't find the fence objectionable, but I don't want to countenance a clear violation of my property line Do you have any suggestions?

----Original Message---->From: "Dansie, Doug" <Doug Dansie@slcgov com> >Sent: Jun 16, 2008 3:19 PM >To: Phil Dykstra <prdykstral@earthlink net> >Subject: RE: 490-08-18 Subdivision Amendment >The amendment involves combining the two existing lots into one >Presently the vacant lot could be developed into another home >the lots are combined: the property owner at 2347 Lakeline will be able >to expand their home and yard onto the vacant site, but a second home >could no longer be built on the now vacant lot >Doug Dansie >Senior Planner >----Original Message---->From: Phil Dykstra [mailto:prdykstral@earthlink.net] >Sent: Monday, June 16, 2008 8:31 AM >To: Dansie, Doug >Cc: Nancy Dykstra >Subject: 490-08-18 Subdivision Amendment >Good Morning Doug, >My name is Phil Dykstra and I live at 2914 Skyridge Circle and this >morning a notice was posted next door for a Subdivision Amendment for >490-08-18. On June 25th there will be a meeting

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>Could you please tell me what the amendment entails?
>
>Thank you,
>
>Phil Dykstra
>801-487-7320
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