



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Planning Commission
From: Christopher Lee (801.535.7706)
Date: May 19, 2014
Re: PLNPCM2014-00195 2568 Filmore Street In-line Addition

SPECIAL EXCEPTION

PROPERTY ADDRESS: 2568 S. Filmore Street
PARCEL ID: 16-21-327-036
MASTER PLAN: Sugar House Master Plan
ZONING DISTRICT: R-1/7,000 (Single Family Residential District)

REQUEST: Dave Webster, representing the owner of the property (Chad Morton), is requesting an in-line addition to an existing residential building which does not currently comply with the required setback. The applicant is specifically requesting an addition to the north side of the building which would contain a two car garage on the lower level with additional living space above.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission approve the application as proposed.

ATTACHMENTS:

- A. Vicinity Map
- B. Site Plan
- C. Building Elevations
- D. Existing Conditions
- E. Public Process and Comments
- F. Department Comments
- G. Motions

PROJECT DESCRIPTION:

1. General Information

The subject property is located at 2568 S. Filmore Street within the Highland Park Plat A Subdivision and is zoned R-1/7000 (Single Family Residential District). The subject property is on a corner bounded by Stratford Street to the south and Filmore to the east. There is an existing single family residence on the parcel which faces east toward Filmore and has a large yard to the north that is currently undeveloped. The subject property abuts two similarly sized residential lots to the north and west and there is a similar lot located diagonally across the intersection to the southeast. There is a church across Stratford Street to the south and a small commercial building to the east across Filmore Street. All of the parcels mentioned are zoned R-1/7000 with the exception of the commercial parcel which is zoned CN (Neighborhood Commercial District).

2. Proposal Details

The applicant wants to construct an addition to the north side of the existing single family dwelling at 2568 S. Filmore Street which would consist of a two car garage with additional living space above. The addition would considerably increase both the width and height of the house. He has also proposed a bay window on the south side of the building that would project slightly into the front yard setback.

KEY ISSUES:

1. Elevation to a Planning Commission Hearing

Section 21A.52.040(5)(b) of the Salt Lake City Municipal Code states that: *“The planning director or the planning director’s designee may refer any application to the planning commission due to the complexity of the application, the significance in change to the property or the surrounding area.”*

This application has been elevated to a Planning Commission hearing based on the fact that the proposed addition will cause a significant change to the property. Also, feedback from the community was received that is not supportive of the project and staff is seeking to provide a forum for any concerns to be heard.

2. Corner Side Yard Set Back

Section 21A.24.060(E)(2) of the Salt Lake City Municipal Code states that: *“The minimum depth of the corner side yard for all principal buildings shall be equal to the average of the existing buildings on the block face. Where there are no other existing buildings on the block face, the minimum depth shall be twenty feet (20’). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.”*

The required setback for a corner side yard in the R-1/7000 zoning district is the average of the other buildings on the block face. The existing set back on this property is 17 feet 1 inch, whereas the average setback for all the other structures on the Filmore block face has been determined to be 30 feet 5 inches. Therefore, it doesn’t meet the requirement. In spite of having sufficient space in the north yard for the proposed addition, it can only be achieved through a Special Exception if it is to be aligned with the original façade.

3. Width of Attached Garage

Section 21A.24.060(H)(2) of the Salt Lake City Municipal Code states that: *“The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front facade of the house. The width of the garage is equal to the width of the garage door, or in the case of multiple garage doors, the sum of the widths of each garage door plus the width of any intervening wall elements between garage doors.”*

Due to the proposal for two additional garage doors, this section of the Code is of vital importance to ensure that the resulting structure is in harmony with this standard. Upon examination of the elevation drawings, the proposed garage space will be just less than 50% of the total width of the eastern façade of the structure. (see attachment B)

4. Maximum Building and Wall Height adjacent to Interior Side Yards

Sections 21A.24.060(D)(1) and **21A.24.060(D)(3)** of the Salt Lake City Municipal Code state that: *“The maximum height of buildings with pitched roofs shall be: a. Twenty eight feet (28’) measured to the ridge of the roof; or b. The average height of other principal buildings on the block face.”* And, *“Maximum exterior wall height adjacent to interior side yards shall be twenty feet (20’) for exterior walls placed at the building setback established by the minimum required yard. Exterior wall height may increase one foot (1’) (or fraction thereof) in height for each foot (or fraction thereof) of increased setback beyond the minimum required interior side yard. If an exterior wall is approved with a reduced setback through a special exception, variance or other process, the maximum allowable exterior wall height decreases by one foot (1’) (or fraction thereof) for each foot (or fraction thereof) that the wall is located closer to the property line than the required side yard setback.”*

The elevation drawings indicate that the ridgeline of the highest point of the addition will reach a height of 26 feet, 6 3/8 inches and that the wall height will be 16 feet, 3 1/8 inches. Both measurements comply with the standards established by the Code. (see attachment C)

STANDARDS:

Special Exception Standards for Administrative Approval

21a.52.060: General Standards and Considerations for Special Exceptions: No application for a special exception shall be approved unless the planning commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

| Standard | Finding | Rationale |
|--|------------------|--|
| A. Compliance With Zoning Ordinance And District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established. | Complies | This proposed in-line addition will comply with the zoning ordinance and district purposes. The R-1/7000 zoning district is meant to provide single family dwellings on lots not less than 7000 square feet. The project is in harmony with these purposes. |
| B. No Substantial Impairment Of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located. | Complies | It does not appear that this addition would have any substantial impairment of property value. The improvements to the house, which currently appears to be vacant and a bit dilapidated, could actually serve to increase the value of neighboring properties. |
| C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare. | Complies | There will be no undue adverse impact. The proposed addition follows existing façade lines and has a complimentary design style. It should not impact the character of the area. The height of the addition and the percentage of garage access on the façade of the building both meet zoning requirements. |
| D. Compatible With Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations. | Complies | The addition will be compatible with the use and the development of the neighboring property. While the front yard setback for the existing structure is less than the street average it fits well within the neighborhood and this addition will not likely alter that status. Elimination of at least a portion of the fence on the north east side of the property could actually serve to increase compatibility with surrounding development. |
| E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance. | Complies | No significant features will be destroyed. A small tree and streetlight may need to be relocated but neither is of significant importance. |
| F. No Material Pollution Of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution. | Complies | This addition will not cause material, or other types of pollution. |
| G. Compliance With Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter. | See below | See below. |
| The following Standards apply to this specific type of Special Exception | | |
| a. The addition follows the existing building line and does not create any new noncompliance. | Complies | The addition does follow the existing building line and does not create any new noncompliance. |
| b. No additional dwelling units are added to the structure. | Complies | No additional units will be added to the structure. This is simply an addition to the existing single family dwelling. |
| c. The addition is a legitimate architectural addition with rooflines and exterior materials designed to be compatible with the original structure. | Complies | The proposed addition is compatible with the existing structure. |

PUBLIC PROCESS AND INPUT

Timeline

- The application was submitted on 4/4/2014.
- Notices were sent out to abutting neighbors on 4/7/2014.
- Due to a petition against the proposal, a hearing by the Planning Commission was scheduled for 5/28/2014.
- The sign for the Planning Commission hearing was posted at 2568 S. Filmore Street on 5/19/2014.

Comments received

- One petition against the special exception was received via email on 4/21/14. (see attachment E)
- Another petition against the special exception via telephone was also received on 4/21/2014. The caller didn't identify himself but said that he was a neighbor. He expressed concerns mostly about the size of the garage and potentially changing the character of the street.
- One petition in support of the special exception was received via email on 5/19/14. (see attachment E)

NEXT STEPS:

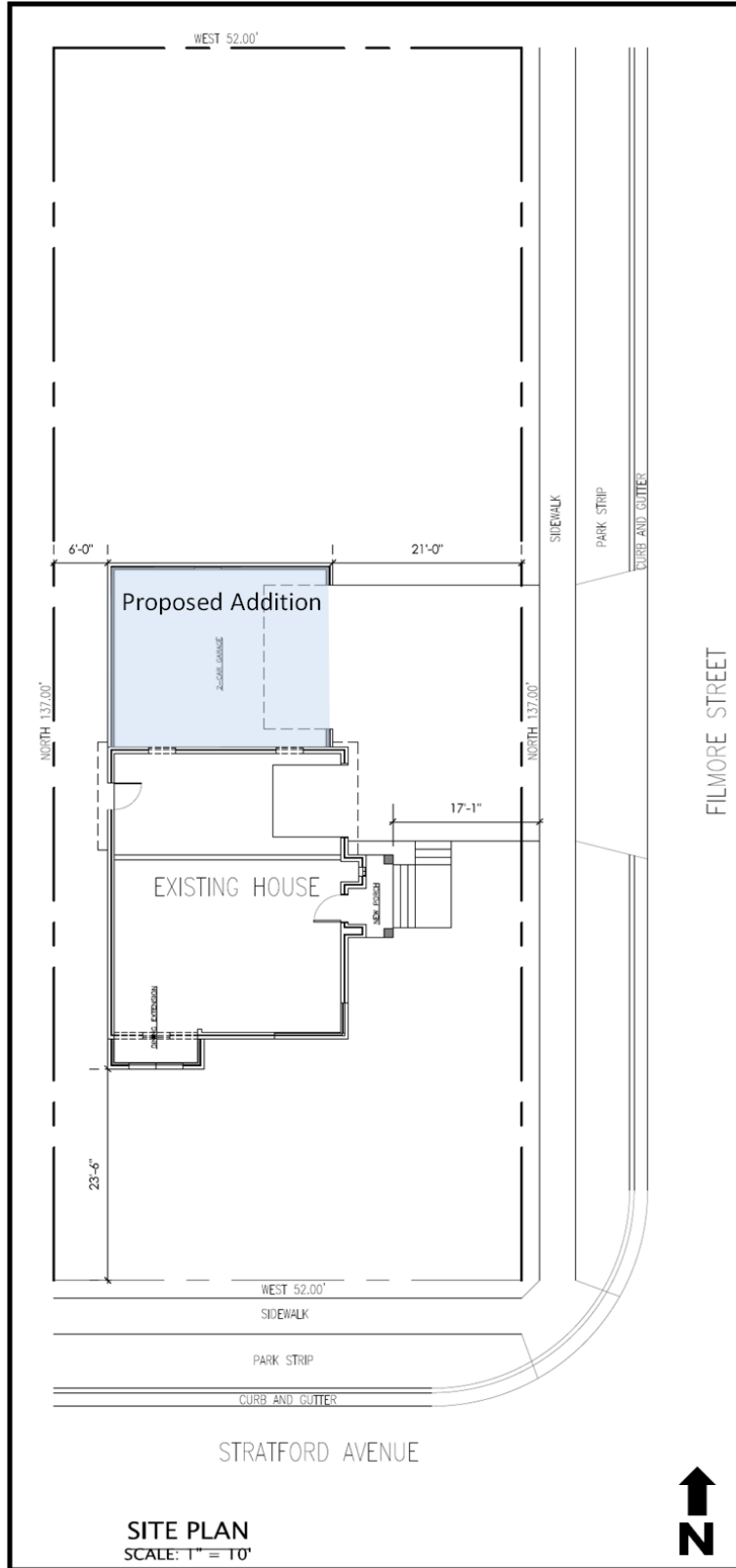
If approved, the applicant can move forward with obtaining necessary building permits for the project as proposed.

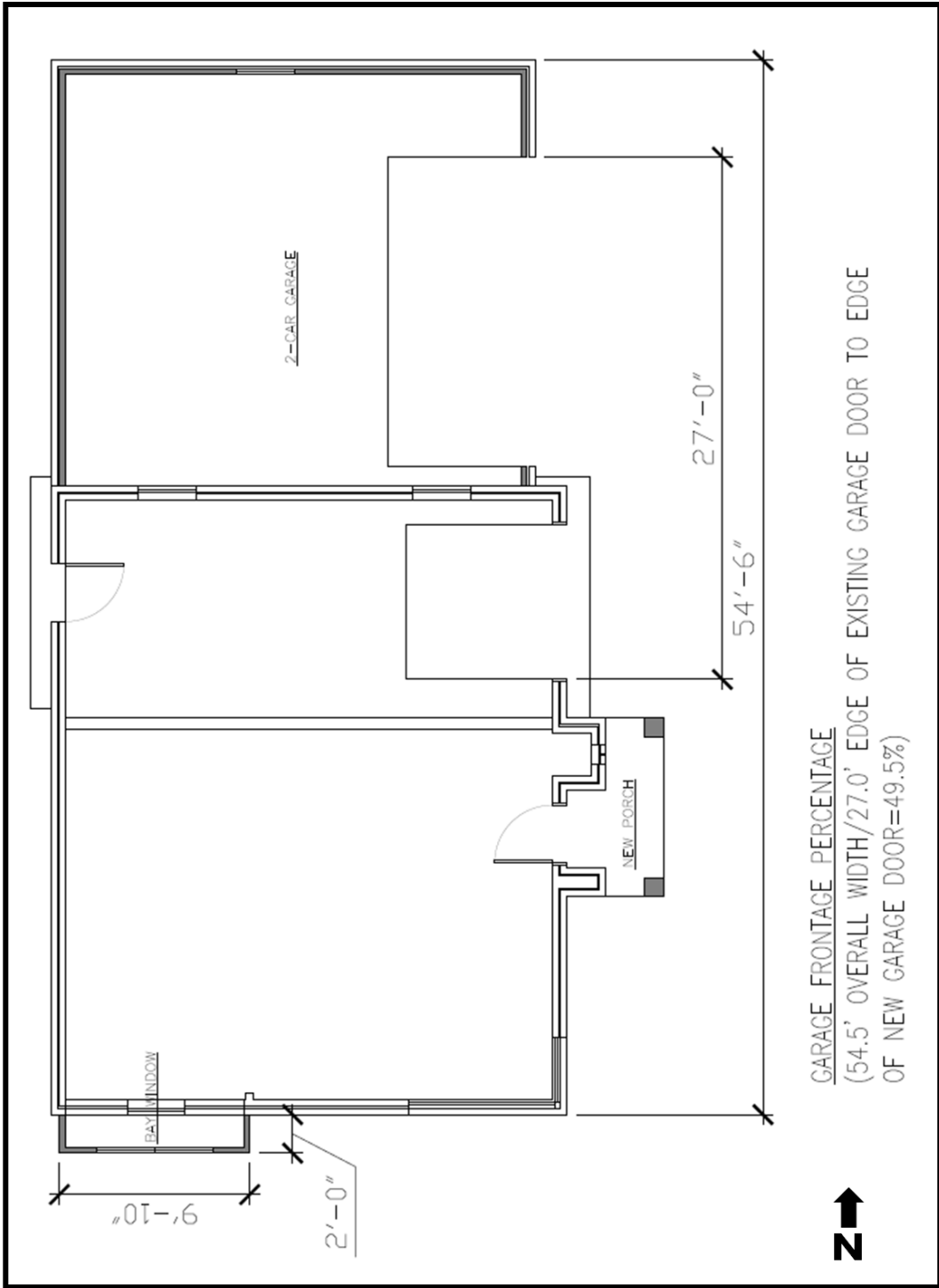
If denied, the applicant will not have City approval to build the addition with a reduced corner side yard and will have to meet the zoning ordinance regulations.

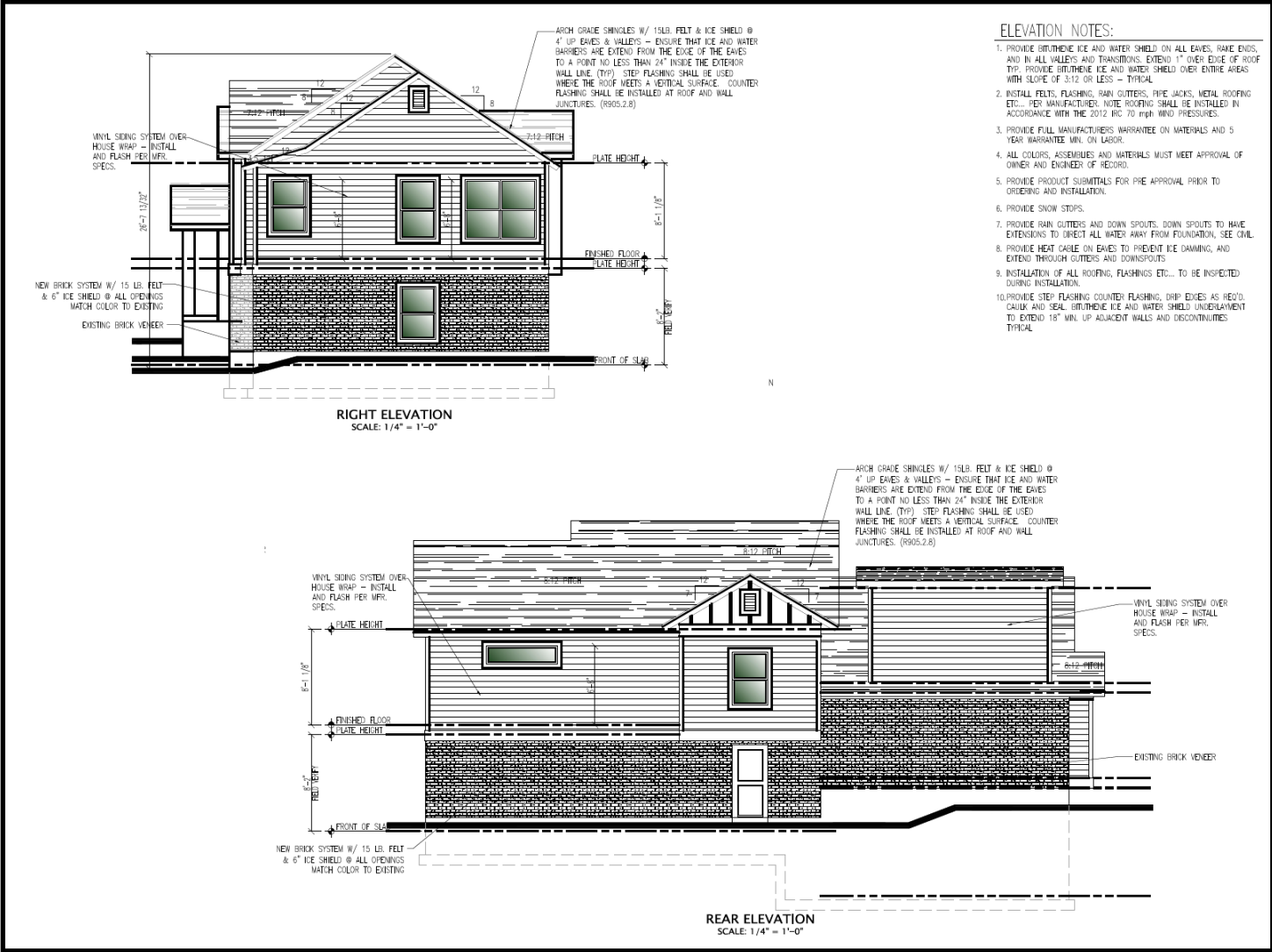
ATTACHMENT A: Vicinity Map



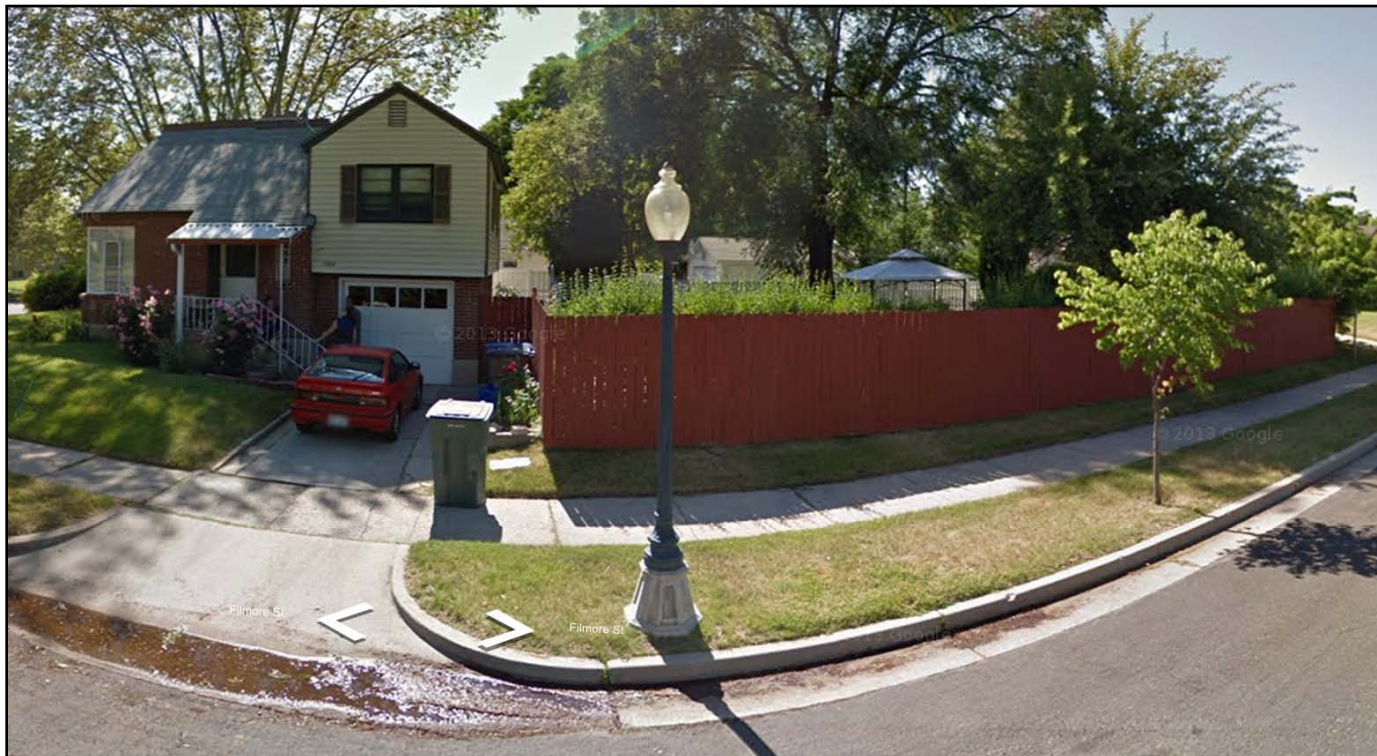
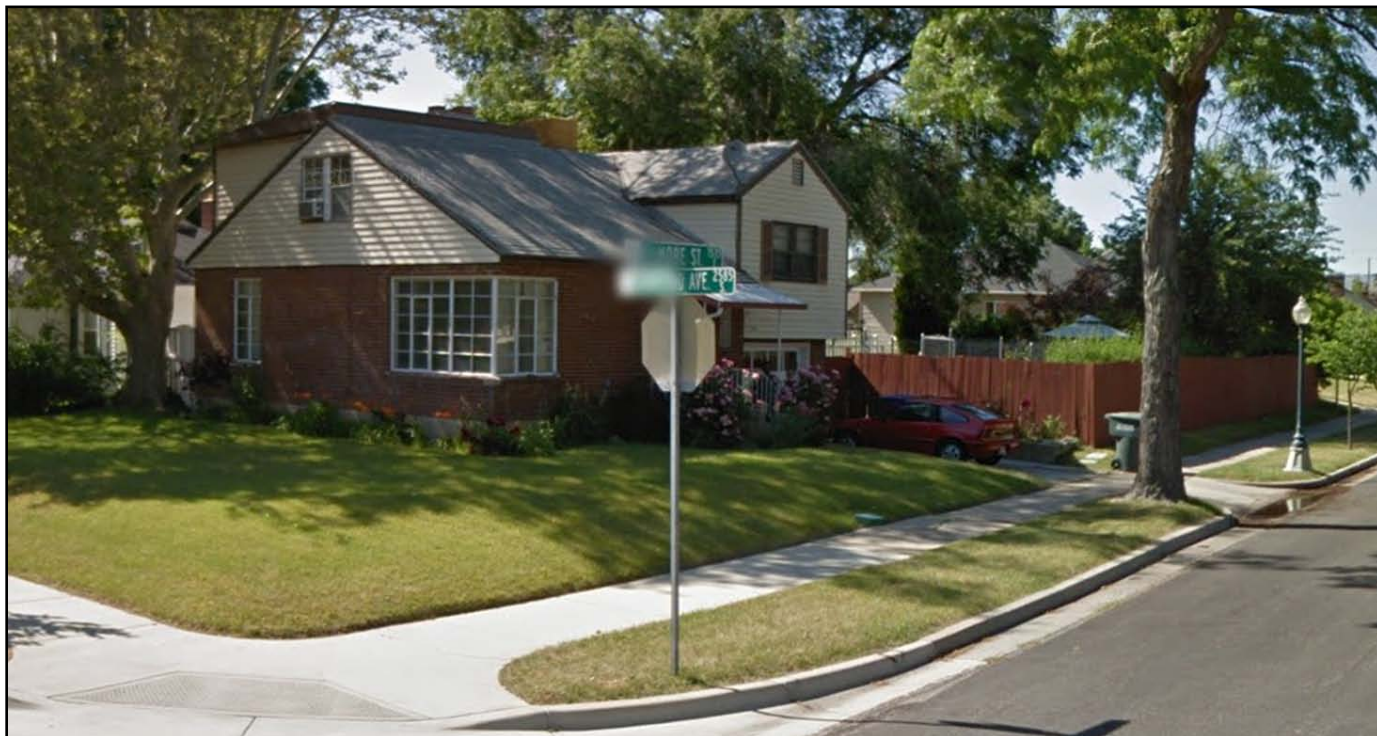
ATTACHMENT B: Site Plans







ATTACHMENT D: Existing Conditions



ATTACHMENT E: Public Process and Comments

Email 1:

From: CenturyLink Customer [<mailto:brentapponie@q.com>]
Sent: Monday, April 21, 2014 7:36 AM
To: Irvin, Thomas
Subject: Special exception #PLNPCM2014-00195

I am writing in regards to a notice of application for Special Exception received by a neighbor for a home on the street where I live. I wish to strongly urge that the request for exception be denied. There are no other homes on our street or even in all of Highland Park that have similar let alone identical car storage. The adjoining neighbor on Stratford Ave. is a rental whose owner may not have as much concern for the changes as those of us who live on Filmore St. The planned changes would not conform to the neighborhood specifically Filmore Street. To facilitate the construction would also require removal of a street lamp and tree that the entire street funded financially and donated labor to install. I would request that the homeowners on Filmore Street be allowed the opportunity to be heard on the request.

Email 2:

From: Aaron Weaver [aaronutah2@hotmail.com]
Sent: Sun 5/18/2014 10:21 PM
To: Lee, Christopher
Subject: Addition at 2568 S. Filmore

To whom it may concern

We approve of the planned remodel. Whatever they do will be an improvement to the house and the neighborhood. Their North side yard is huge. An addition will not cramp the property.

Best regards
Aaron Weaver
2546 S. Filmore

ATTACHMENT F: Department Comments

Zoning (Alan Hardman):

1. “The maximum height of buildings with pitched roofs shall be 28 feet measured to the ridges of the roofs from existing grades. Provide overall building heights on the Exterior Elevations.
2. The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing building within the block face. The block face, to determine the average front yard setback, would include the following addresses: 1503 Stratford, 1509 Stratford, 1515 Stratford, 1523 Stratford, and 2568 Filmore. This is necessary to establish the setback for the new dining room extension. This average must be stamped and signed by a licensed architect or engineer. Provide the average setback documentation.
3. Provide approval for corner side yard in-line addition Special Exception PLNPCM2014-00195.
4. The surface coverage of all principal and accessory buildings shall not exceed 40% of the lot area. Please provide calculations for lot coverage.
5. The width of an attached garage facing the street may not exceed 50% of the width of the front façade. The width of the garage is equal to the width of the garage door, or in the case of multiple garage doors, the sum of the widths of each garage door plus the width of any intervening wall elements between garage doors. Provide overall building width on the floor plan and all garage door widths. Verify compliance.
6. Provide dimension for the new driveway approach.
7. Widened drive approach must maintain 5 foot clearance from all public way improvements such as street lights, fire hydrants, water meters, street trees, utility poles, etc. Please show all existing improvements and clearances. It appears that the approach is going where a street light currently exists. Provide approval from city engineering, or whoever has jurisdiction, to remove or relocate it.”

Engineering (Scott Weiler):

“Engineering has no objection to the proposed house addition. However, the existing sidewalks on Fillmore Street and Stratford Avenue have uneven joints or cracks posing tripping hazards to pedestrians. Also, the gutter at the base of the existing drive approach traps drainage, causing the adjacent asphalt in Fillmore Street to deteriorate prematurely. It is recommended that replacement of the defective public concrete improvements be included in this house addition project. Prior to performing any work in the public way, a Permit to Work in the Public Way must be obtained from SLC Engineering.”

Transportation (Barry Walsh):

“Indicate existing public way elements - Driveway, trees, power poles, water meter, utilities, etc. Note width of new driveway and approach to align with garage doors as maximum width. Coordinate with SLC Engineering for public way permit and APWA standards. In keeping with residential street scape the APWA 225 open approach is recommended. The site plan notes that the garage is set back 21 feet from the property line. Transportation requires a minimum of 17.5 feet.”

Public Utilities (Justin Stoker):

“The proposed inline addition doesn’t appear to impact the public or private utility systems. It is assumed that the addition will draw utilities from the existing building and such improvements will be reviewed for compliance at the time of permitting.

With regards to the streetlight, it should be noted that it is a privately owned street light (basically an extension of their porch light) that the property owner can do whatever they want with. There may be some backlash from the neighborhood though because it was installed as part of a larger neighborhood project, but ultimately we have no say in it. Of course, any work in the right of way would require permits from the SLC Engineering office.”

ATTACHMENT G: Motions

Based on the findings listed in the staff report, it is the Planning Staff's opinion that the project meets the applicable standards for an in-line addition and therefore recommends that the Planning Commission approve the application as proposed.

Consistent with Staff Recommendation:

Based on the testimony, plans presented, and the following findings, I move that the Planning Commission approve the special exception for an in-line addition requested at 2568 S. Filmore (petition PLNPCM2014-00195) subject to compliance with all applicable zoning and building requirements as well as the department comments listed in attachment F of this staff report.

Not Consistent with Staff Recommendation:

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission deny the special exception for an in-line addition requested at 2568 S. Filmore (petition PLNPCM2014-00195). Planning Commission should support this determination with findings.