

Planning Commission Staff Report

File # 3Z23/ DCA-000325-2023

Public Hearing and Recommendation to the City Council
for a Zoning Map Amendment for the Property Located
at 5758 S. 1300 W. in Taylorsville, Utah, from Single-
Family R-1-40 to Single-Family R-1-15 and R-1-20.



Department of Community Development

Date:	May 5, 2023
Meeting Date:	May 9, 2023
Agenda Item:	Public Hearing and Recommendation to the City Council for a Zoning Map Amendment for property located at 5758 S. 1300 W. in Taylorsville, Utah.
Subject Property Address:	5758 S. 1300 W.
Applicant:	Tim Covington & Misty Covington
Applicant Agent:	n/a
Author:	Terryne Bergeson, Planner I
Parcel #:	21152790100000
Applicable Ordinances:	Including, but not limited to Chapter 13.05
Agenda Item #:	5

Attachments:

- Exhibit A:** Zoning Map
- Exhibit B:** General Plan Map
- Exhibit C:** Subject Properties
- Exhibit D:** Vicinity Map
- Exhibit E:** Plat
- Exhibit F:** Aerial Including Lots 110-104
- Exhibit G:** Proposed Concept Site Plan

Summary:

Tim and Misty Covington own parcel #21152790100000 located at 5758 S. 1300 W. The parcel is described as Lot 109 of the Kashmir Amended and Extended Subdivision. The property owners are seeking to submit a subdivision amendment application to subdivide the parcel and create a flag lot where they plan to build a home for Misty Covington's father.

Concept plans have been submitted for a flag lot. The resulting parcel sizes will not meet minimum requirements of the current zoning designation (R-1-40) which requires a minimum of 40,000 square feet per lot. Proposed property lines and existing and proposed structure will meet requirements of R-1-20 for the front lot with existing home, and R-1-15 for the rear, proposed lot and home. Concept plans illustrate that existing and proposed homes would meet setbacks for the requested zoning designations.

City Council approval of the zoning map amendment is necessary for the proposed lots to meet underlying zoning requirements and allow for a subdivision amendment. During the initial distribution for comments, applicants were advised that fire hydrant access will need to be established. During the subdivision process, additional considerations such as Planning Commission approval of staff length and fire hydrant address will need to be addressed.

Site Description

The subject property is a single parcel fronting 1300 West, zoned R-1-40 and contains approximately 55,756 square feet. The parcel has a General Plan designation of Low-Density residential.

North	South	East	West
Single-Family R-1-10	Single-Family R-1-15	Single-Family R-1-40	PO

General Plan Analysis

The Taylorsville General Plan is intended to guide land use and development decisions that address the present and future needs of the City and to accomplish coordinated, efficient, and harmonious growth and development within the City.

The subject property is currently designated as "Low-Density Residential" on the Proposed Land Use Map. The following statement describes the intent of the Low-Density Residential designation (pg 3-4):

"Low Density Residential (LDR) districts are residential areas that contain existing or proposed residential developments less than 6 dwelling units per acre (excluding ER districts). Properties that are assigned the LDR classification are generally (but not necessarily limited to) neighborhoods consisting of single family dwellings."

The Kashmir Amended and Extended subdivision originally consisted of 18.26 acres and 40 lots. Today the subdivision now contains 43 dwelling units on the same acreage as a result of subdivisions of similar large lots fronting 1300 W; Lot 110, 104, and 105.

The applicant's request is consistent with the adopted policies and goals in the City's General Plan. Approval of the request and later subdivision amendment application would result in 44 units on 18.26 acres, consistent with the Low-Density Residential definition of less than 6 dwelling units per acre.

Zoning Map Analysis

The current zoning designation of the subject property is Single-Family Residential (R-1-40). This designation allows for the construction of single-family detached dwellings on lots at least 40,000 square feet in size. The portion that is proposed to be the rear flag lot, Lot 109.1, will be designated R-1-15 and concept plans illustrate the proposed home would meet required setbacks of the zone listed in [13.20](#) Residential Standards. Lot 109.1 will have an area of 16,825 square feet including the staff, and 15,225 square feet not including the staff portion. The area of the proposed flag lot meets city requirement [13.21.220\(G\)](#) for minimum 8,000 square feet of area, not including the staff portion. The front lot with existing home would have an area of approximately 38,931 square feet, which falls short of the R-1-40 area requirements but exceeds the minimum requirements for the requested R-1-20 zoning designation.

The City Council may consider a proposed Zoning Map amendment and may adopt or reject the amendment as it deems appropriate ([Section 13.05.030\(B\)\(2\)](#)). Additionally, the City Council may amend the Zoning Map consistent with the purposes set forth in the Taylorsville Land Development Code, the General Plan, and the Land Use Development and Management Act (Section 13.05.010).

Public Comment

A public notice was sent to all affected entities and residents within 300 feet of the property on April 28, 2023. Additionally, a notice was posted in City Hall on April 28, 2023.

As of May 5, 2023, one public comment has been received as a result of this notice. Rick Dalrymple stated, "we are 100% for it".

Findings

1. This application was initiated by Tim and Misty Covington.
2. The subject property contains approximately 55,756 square feet.
3. The subject property is designated in the General Plan as "Low-Density Residential" and has a zoning map designation of Single-Family Residential R-1-40.
4. The property owners plan to submit a subdivision amendment application to subdivide the property and create one flag lot.
5. The resulting lot lines will not meet requirements of R-1-40 designation.
6. The applicant is requesting a Zoning Map amendment for the property located at 5758 S. 1300 W. from Single-Family Residential R-1-40 to Single-Family Residential R-1-15 for a rear portion of lot, and Single-Family Residential R-1-20 for the front portion of the lot.
7. The proposed concept plan meets General Plan "Low-Density Residential" standards.
8. The proposed lots meet the minimum requirements of requested R-1-15 and R-1-20 designations.

9. Subdivision amendment will be separate application.
10. The City Council is the decision-making authority for a Zoning Map amendment request and may adopt or reject the amendment as it deems appropriate pursuant to Section 13.05.030 and other applicable sections of the Taylorsville City Code.

Conditions

Staff does not recommend that additional conditions be considered with this request.

Staff Recommendation

Staff recommends the Planning Commission consider and discuss the information and findings presented in this staff report. Potential motions are listed below for Planning Commissioners to consider regarding File # 3Z23 / DCA-000325-2023, request for a zoning map amendment for the property located at 5758 S. 1300 W. in Taylorsville, Utah, from Single-Family R-1-40 to Single-Family R-1-15 and R-1-20.

Potential Motions

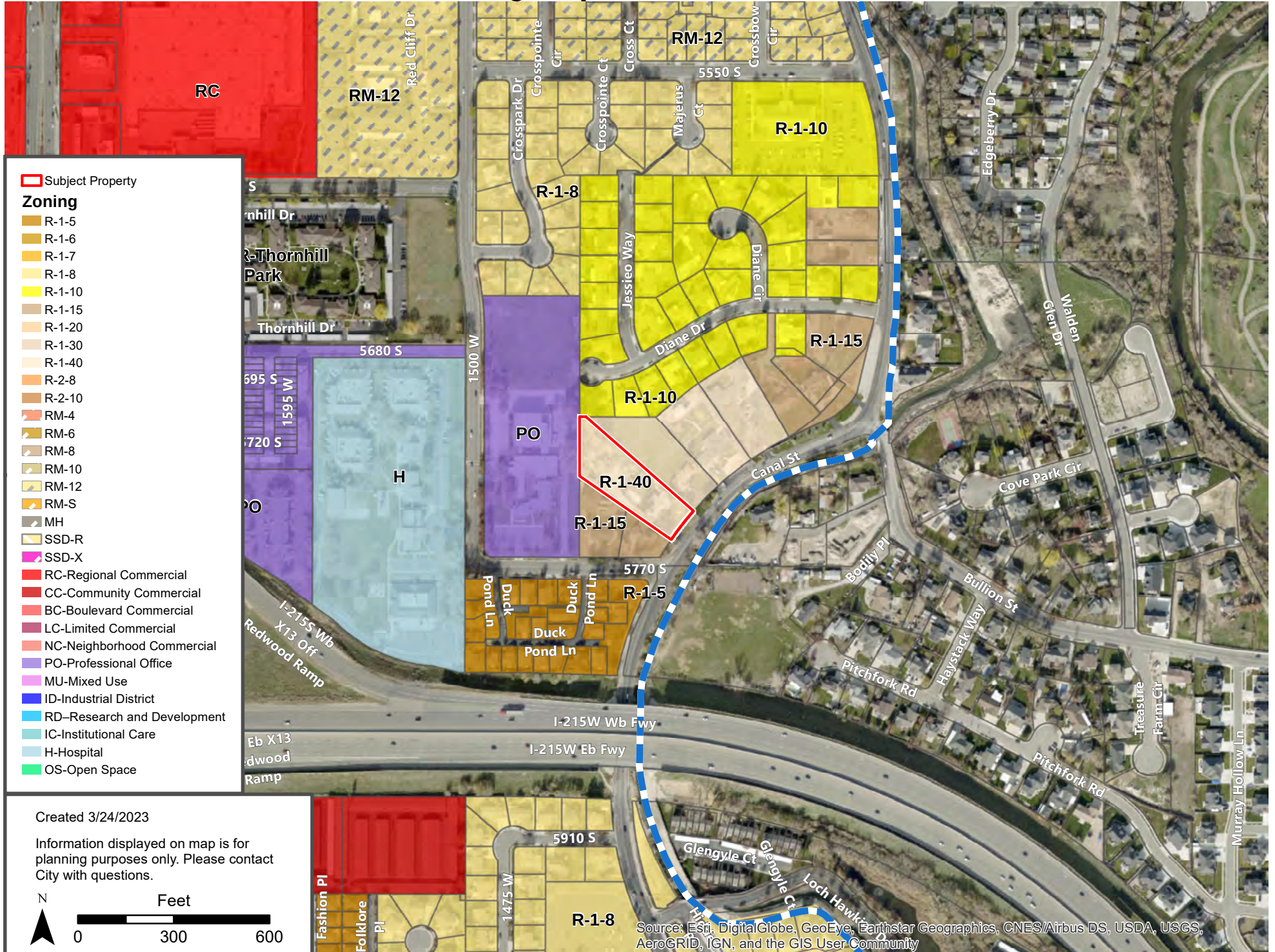
Approval:

I move that we send a positive recommendation to the City Council for File #3Z23/ DCA-000325-2023, a zoning map amendment for the property located at 5758 S. 1300 W. in Taylorsville, Utah, from Single-Family R-1-40 to Single-Family R-1-15 and R-1-20.

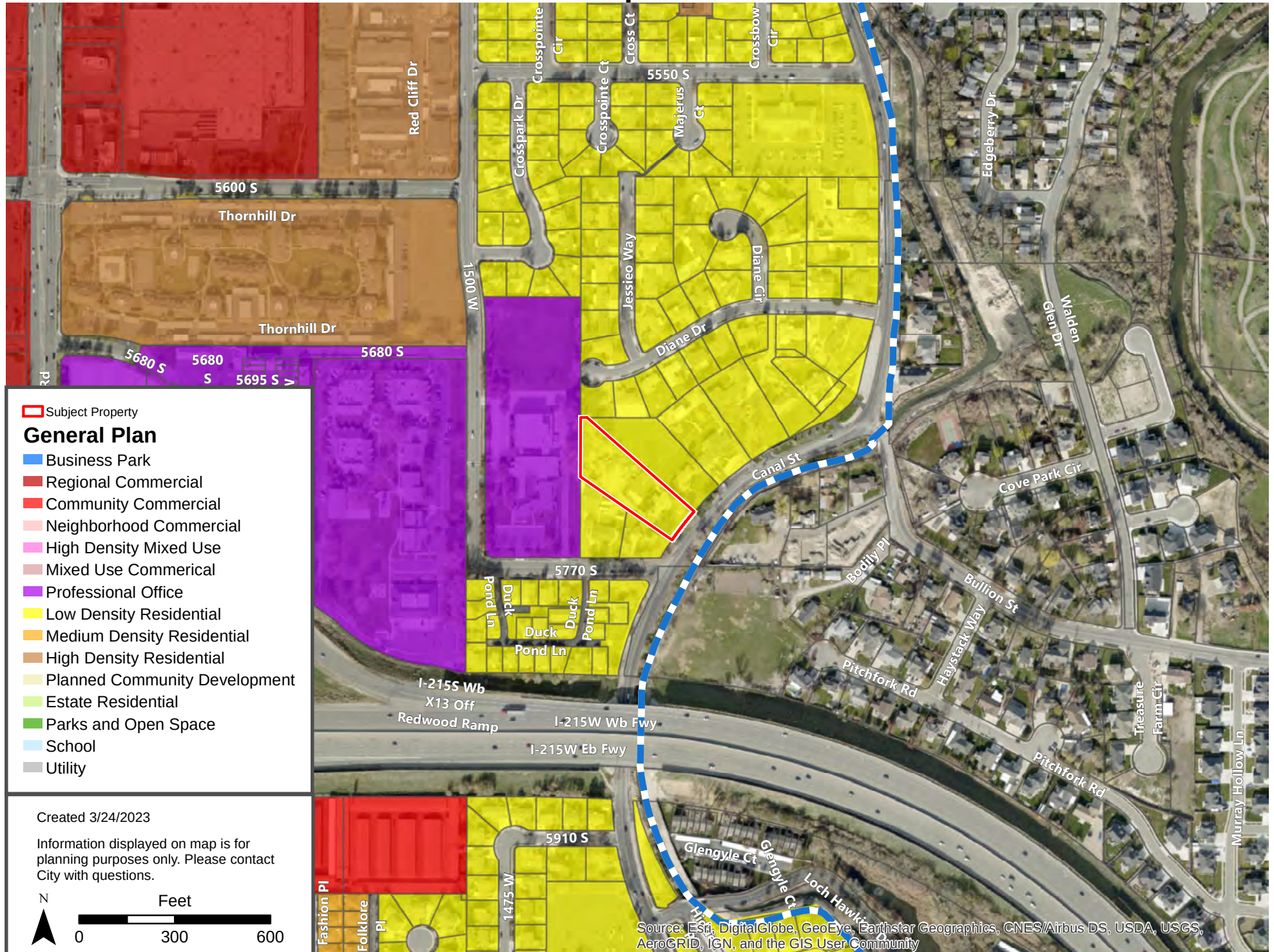
Denial:

I move that we deny File #3Z23/ DCA-000325-2023, a zoning map amendment for the property located at 5758 S. 1300 W. in Taylorsville, Utah, from Single-Family R-1-40 to Single-Family R-1-15 and R-1-20. {Commissioners can list reasons for denial.}

Zoning Map: 5758 S. 1300 W.



General Plan Map: 5758 S. 1300 W.

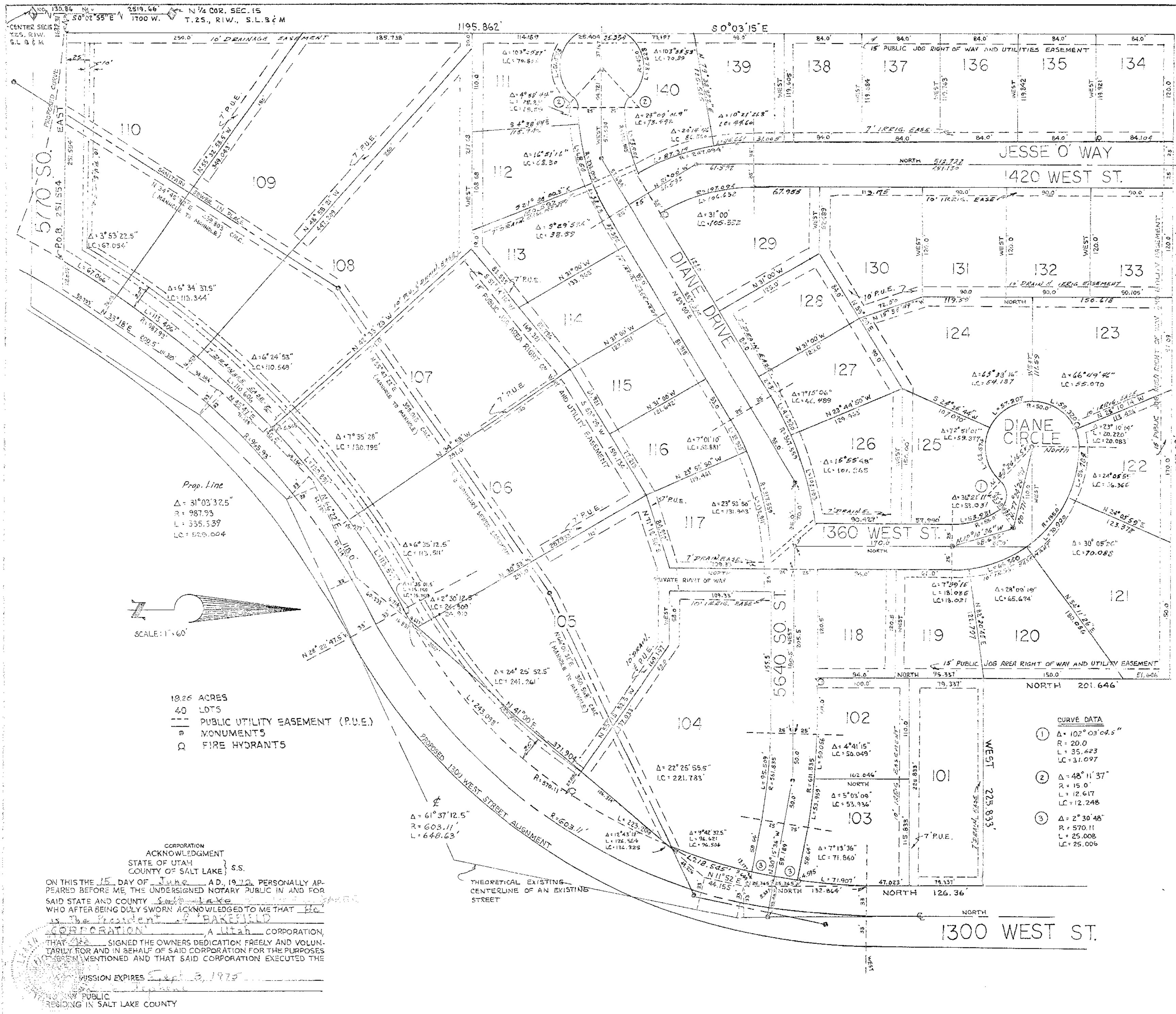


Site Map: 5758 S. 1300 W.



Vicinity Map: 5758 S. 1300 W.





SURVEYOR'S CERTIFICATE

I, W. S. GARDINER, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. 2681, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as KASHMIR SUBDIVISION AMENDED & EXTENDED and that same has been correctly surveyed and staked on the ground as shown on this plat.

COURSE		BOUNDARY DESCRIPTION	
DIST.		REMARKS	
NORTH		FROM THE CENTER OF SEC. 15 T.2S., R.1W., S.L.B. & M.	
EAST		TO THE POINT OF BEGINNING, THENCE	
NE 1/4		535.539 FT. ALONG THE ARC OF A 987.93 FT. RADIUS CURVE	
NE 1/4		TO THE RIGHT, (Brg. to center 539°24'31"E), THENCE	
NE 1/4		15.759 FT. ALONG THE ARC OF A 570.11 FT. RADIUS CURVE	
NE 1/4		TO THE LEFT, (Brg. to center N29°23'47.5"W), THENCE	
N41°00'E		371.904 FT. THENCE	
NE 1/4		218.545 FT. ALONG THE ARC OF A 570.11 FT. RADIUS CURVE	
NORTH		TO THE LEFT, (Brg. to center N46°02'10.6"W), THENCE	
NORTH		126.36 FT. THENCE	
WEST		225.933 FT. THENCE	
NORTH		201.546 FT. THENCE	
S89°57'W		707.09 FT. THENCE	
S0°03'E		1145.332 FT. THENCE	
EAST		251.554 FT. TO THE P.O.B.	

Feb 27 1972
DATE

W. S. Gardiner
SURVEYOR

OWNER'S DEDICATION

Know all men by these presents that we, the 2 undersigned owner (s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

KASHMIR AMENDED & EXTENDED

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof we have hereunto set our hand this 15 day of June A.D., 1972

BAKEFIELD CORP.

Maurice G. Baker PRES.
MAURICE G. BAKER MD. PRES.

JOINT VENTURE WITH

GARY O. SPENCER INDIVIDUAL
DIANE T. SPENCER INDIVIDUAL

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
County of Salt Lake }

On the 15 day of June A.D., 1972, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, the signer(s) of the above Owner's dedication, six in number, who duly acknowledged to me that They signed it freely and voluntarily and for the uses and purposes therein mentioned.

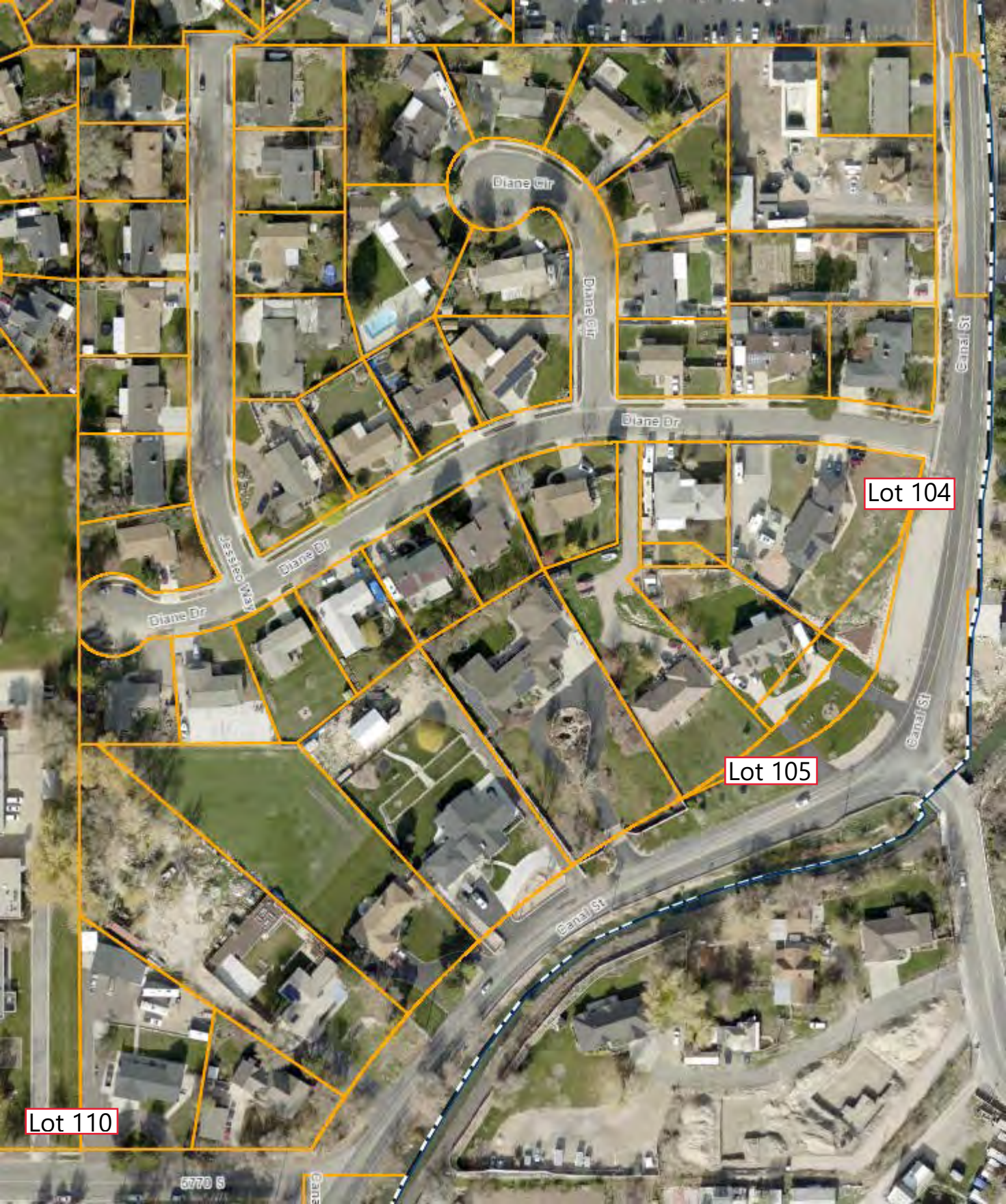
MY COMMISSION EXPIRES Sept. 3, 1975

NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

KASHMIR AMENDED & EXTENDED

BEING A SUBDIVISION LOCATED IN THE NE 1/4 OF SEC. 15 T.2S., R.1W.,

PLANNING COMMISSION APPROVED THIS <u>23</u> DAY OF <u>Nov</u> A.D. 19 <u>71</u> BY THE SALT LAKE COUNTY PLANNING COMMISSION <u>Robert M. Miller</u> CHAIRMAN, PLANNING COMMISSION	BOARD OF HEALTH APPROVED THIS <u>13</u> DAY OF <u>December</u> A.D. 19 <u>71</u> <u>Richard A. Johnson</u> CHAIRMAN, BOARD OF HEALTH	FLOOD CONTROL DIST. APPROVED THIS <u>13</u> DAY OF <u>December</u> A.D. 19 <u>71</u> <u>Richard A. Johnson</u> CHAIRMAN, FLOOD CONTROL DIST.	SURVEYOR'S CERTIFICATE I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. <u>W. S. Gardiner</u> SALT LAKE COUNTY SURVEYOR	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>13</u> DAY OF <u>December</u> A.D. 19 <u>71</u> <u>W. S. Gardiner</u> SALT LAKE COUNTY ATTORNEY	COUNTY COMMISSION PRESENTED TO THE BOARD OF SALT LAKE COUNTY COMMISSIONERS THIS <u>13</u> DAY OF <u>December</u> A.D. 19 <u>71</u> AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ADOPTED. <u>W. S. Gardiner</u> CO. CLERK, CHAIRMAN, BD. OF CO. COMM.	RECORDED # 2467676 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF <u>McGhie Land Title Co.</u> DATE <u>July 5, 1972</u> TIME <u>8:36 AM</u> BOOK <u>11</u> PAGE <u>80</u> FEE \$ <u>30.00</u> <u>Gerard Martin</u> SALT LAKE COUNTY RECORDER
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Diane Cir

Diane Dr

Diane Dr

Diane Dr

Diane Dr

Jesse Dr

Canal St

Lot 104

Lot 105

Canal St

Lot 110

5770 S

Canal St

