

Richardson Special Exception for Excess Height
Petition #420-07-241; located at approximately
570 East 10th Avenue
January 28, 2008



Planning and Zoning Division
Department of Community
Development

Applicant:

David Richardson

Staff:

Nick Norris 535-6173
nick.norris@slcgov.com

Tax ID: 09-31-279-006

Current Zone: SR-1A

Master Plan Designation:

Low Density Residential

Council District:

District 3
Eric Jergensen

Lot size: 0.15 acres (6,600
square feet)

Current Use:

Duplex

Applicable Land Use

Regulations:

- Section 21A.24.080 D –
Maximum building height

Attachments:

- A. Site Plan
- B. Elevation Drawings
- C. Data of buildings on block

REQUEST

The applicant is requesting approval of a special exception to allow an addition to a principal building to exceed the maximum exterior wall height (16 feet), the maximum height for a pitched roof (23 feet) and the maximum height for a flat roof (16 feet) established by the SR-1A zoning district. The project involves an addition to the rear of the existing building. The addition would include a pitched roof with a height of 26 feet, a flat roof with a height of 22 feet and an exterior wall height of 22 feet.

PUBLIC NOTICE

A notice of public hearing was mailed to all property owners within 85 feet of the subject property on January 14, 2008. The site was posted with a notice of public hearing on January 14, 2008.

COMMUNITY COUNCIL COMMENTS

This request was not forwarded to the community council for review. Special Exceptions are not reviewed by community councils.

RECOMMEND MOTIONS:

Approval: From the evidence, testimony and plans presented, I move that the Board grant the special exception request for additional building height at 482 East 10th Avenue based on the following findings:

1. The proposal will be in compliance with ordinance and district purposes;
2. The proposal will not diminish neighboring property values;
3. The proposal will not have a material adverse effect upon the character of the area;
4. The proposal will be compatible with surrounding development;
5. There are no significant features that will be destroyed or any material pollution of the environment;
6. The proposal is in compliance with the general and specific standards of review for a special exception.

Denial: From the evidence, testimony, and plans presented, I move that the Board deny the special exception request for additional building height and wall height at 570 East 10th Avenue based on the following findings (to be determined by the board):

VICINITY MAP



Staff Analysis and Findings

Governing Ordinance(s)

Section 21A.24.080.D.1.b – Maximum Building Height

D. Maximum Building Height: *Maximum building height limits vary, depending upon the location. The following regulations apply for each area within the SR-1 district:*

1. Pitched Roofs: *The maximum height of buildings with pitched roofs shall be:*

a. SR-1: *Twenty eight feet (28') measured to the ridge of the roof, or the average height of other principal buildings on the block face.*

b. SR-1A: *Twenty three feet (23') measured to the ridge of the roof, or the average height of other principal buildings on the block face.*

2. Flat Roofs: *The maximum height of a flat roof building shall be:*

a. SR-1: *Twenty feet (20').*

b. SR-1A: *Sixteen feet (16').*

3. Exterior Walls: *Maximum exterior wall height adjacent to interior side yards:*

a. SR-1: *Twenty feet (20') for exterior walls placed at the building setback established by the minimum required yard.*

b. SR-1A: *Sixteen feet (16') for exterior walls placed at the building setback established by the minimum required yard.*

c. *In both the SR-1 and SR-1A districts, the 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.*

i. Cross Slopes: *For lots with cross slopes where the topography slopes, the downhill exterior wall height may be increased by one-half foot (0.5') for each one foot (1') difference between the elevation of the average grades on the uphill and downhill faces of the building.*

Section 21A.24.080.D.6.a Additional Building Height

6. Additional Building Height:

a. *For properties outside of the H historic preservation overlay district, additional building height may be granted as a special exception by an administrative hearing officer subject to the special exception standards in [chapter 21A.52](#) of this title and if the proposed building height is in keeping with the development pattern on the block face. The administrative hearing officer will approve, approve with conditions, deny or refer the application to the board of adjustment to be considered as a special exception pursuant to [chapter 21A.52](#) of this title. Any person adversely affected by a decision of the administrative hearing officer may appeal the decision to the board of adjustment.*

Standards

General Standards of Review

The standards required for granting a special exception are set forth in Salt Lake City Code 21A.52.060.

A. Compliance with 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;

Analysis: *The purpose for height restrictions is to limit and maintain the overall height of buildings in the zoning districts. Particularly in residential districts, it is to maintain some conformity and consistency of the buildings in relation to their purpose and to minimize the impacts on adjacent properties. The purpose of the SR-1A Zoning District is to maintain the unique character of older predominantly low density neighborhoods that display a variety of yards, lot sizes and bulk characteristics. The highest point of the proposed addition is the pitched roof, which is approximately 26 feet tall. The property slopes from the front of the house to the back. Due to the slope of the property, the peak of the roof on the addition would be at the same elevation as the peak of the pitched roof on the existing house. The portion of the addition with the pitched roof is set to the west side of the addition and a small amount of addition would be visible from the street. However, the amount visible is small and does not exceed the height of the existing roof. Therefore, the appearance of the block face from the street would not be significantly altered by the proposed addition. The proposal would extend the existing house approximately 36 feet to the south. An alley to the west of the subject property provides a buffer between the subject property and the adjacent properties to the west. The east wall of the addition has a single window that is under the maximum height. A retaining wall approximately 6 feet in height is on the east property line. Due to the retaining wall, the rear yard of the property to the east sits higher than the subject property. The wall height of the east side of the addition is approximately 20 feet. The property slopes from the front wall of the house to the rear wall of the proposed addition approximately 9 feet 3 inches. Ordinance allows for an increase in wall height of 6 inches for every foot of grade change. The wall height can be increased approximately 4 feet 6 inches. The change in grade between the two properties changes the impacts that additional height may have if there was not a change in grade between the two properties.*

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;

Analysis: *The proposed addition will not substantially diminish or impair the value of the property within the neighborhood. The addition to the structure would add to the square footage of the existing duplex. The addition would not violate the maximum allowed lot coverage. The minimum setback standards of the SR-1A Zoning District would be complied with so that potential impacts could be mitigated in a similar manner as other properties in the zoning district.*

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;

Analysis: *Due to the nature of the block face and the subject property, the proposed addition will not create any materials adverse impact upon the character of the area of the public health, safety and general welfare. The subject property sits lower than the other properties on the block face. The proposed addition will not exceed the maximum allowed building coverage for lots in the SR-1A Zoning District. The rear wall of the proposed addition will be approximately 77 feet 9 inches from the rear property line. An alley is located adjacent to the rear property line that increases the distance of the addition and the property to the south. An alley runs along the west side of the subject property so that there is approximately 18 feet between the addition and the rear property lines of the properties to the west. The property to the east is approximately 6 feet higher than the subject property.*

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;

Analysis: *The block face contains a total of 5 properties. The block slopes from the north to the south. According to the definition of “development pattern,” a development pattern exists when three or more properties on a block face have similar characteristics. The definition does state that if three properties constitutes more than 50% of the block face, than 50% of the properties can be used. In this case, 50% would be 2.5 properties. Rounded up, a total of three properties that had similar height characteristics would be required. The property on the corner of 10th Avenue and H Street has a wall height of approximately 18 feet and a roof ridge height of approximately 20 feet . The property to the east is a single story structure that has a wall height of approximately 12 feet and roof ridge height of approximately 18 feet. The property located at 580 East 10th Ave has a wall height of approximately 22 feet and a roof ridge height of approximately 26 feet. The property located on the corner of 10th Ave and I Street has an approximately wall height of 17 feet and a roof ridge height of approximately 23 feet. All wall heights and roof heights are measured on the south facing walls of the structures. On all of the properties on the block face, the south wall (downhill) is taller than the north wall (uphill, street facing). The existing downhill wall of the subject property is approximately 16 feet 6 inches tall. Measured at the highest point, the peak of the roof on the subject property is 23 feet 8 inches. The applicant did submit elevation drawings of the block face. Although the proposed addition is above the maximum building height and wall height, the addition is compatible with the block face due to grade changes along the block face and the distance from the adjacent properties to the west and south (please refer to the analysis under “C” on page 4).*

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;

Analysis: *There are no known natural, scenic or historic features of significant importance located on the subject property. The property is not located in a local historic district..*

Finding: *The proposed project will not result in destruction, loss or damage of natural, scenic or historic features of importance. The request meets this standard.*

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;

Analysis: *The project involves construction of an additional to the existing structure. This type of construction will not cause air, water, soil or noise pollution beyond a typical home addition project.*

Finding: *The request will not cause material pollution and therefore meets this standard.*

G. Compliance with Standards: The proposed use and development comply with all additional standards imposed on it pursuant to section 21A.52.100 of this chapter. (Ord. 26-95 § 2(26-5), 1995).

Analysis: *This type of request is not subject to additional standards of the Special Exception section.*

Finding: *This standard is not applicable.*

Attachment A Site Plan

Attachment B

Elevation Drawings

Attachment C
Data for Buildings on Block Face