

BOARD OF ADJUSTMENT STAFF REPORT

Pixton Garage Relocation

420-08-150 386 'J' Street

Special Exception Request To Relocate An Existing
Garage Which Exceeds Maximum Square Footage

July 21, 2008



Planning and Zoning Division
Department of Community
Development

Applicant:

Jim Pixton

Staff:

Katia Pace, Associate Planner
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Tax ID:

09-32-161-001

Current Zone:

SR-1A (Special Development
Pattern Residential District)

Master Plan Designation:

Low Density Residential

Council District:

Council District 3
Eric Jergensen

Acreage:

0.11 acres

Current Use:

Residential

Applicable Land Use

Regulations:

- 21A.40.050B2 Accessory
Uses, Buildings and
Structures
- 21A.52 Special Exceptions
- 21A.38.080C Moving
Nonconforming Structures

Attachments:

- A. Existing and Proposed
Site Plan
- B. Proposed Elevations
- C. Photos

REQUEST

The applicant is requesting that the Board of Adjustment grant a special exception to relocate an existing garage which exceeds the maximum size allowed in the SR-1A (Special Development Pattern Residential District.) The garage is located at 386 'J' Street and the proposal is to move it approximately 23 feet west and 1 foot south from its current location. There is no new construction involved with this request.

The SR-1A zoning district allows garages to be a maximum of 480 square feet; the existing garage is 528 square feet. The garage was legally built in 1984, but since the 1995 Zoning Rewrite the garage has been legal nonconforming. Section 21A.38.080 of the Salt Lake City Zoning Ordinance authorizes the moving of a nonconforming structure as long as the use conforms to the regulations of the zoning district into which the structure is moved. By relocating the existing nonconforming structure, the applicant is not able to adhere to the current standards found in the Zoning Ordinance

PUBLIC NOTICE

Notice was mailed to all property owners within eighty five feet (85') radius of the subject property on July 3, 2008, over fourteen (14) days prior to the scheduled public hearing. The subject property was also posted on July 10, 2008, over ten (10) days in advance of the public hearing. Community council review is not required by city code. An announcement was also sent to all those on the City's Listserve and was posted on the City's website.

POTENTIAL MOTIONS

Approval

From the evidence and testimony presented and pursuant to the plans submitted, I move that the Board of Adjustment grant the special exception for the relocation of the garage which exceeds the 480 square feet allowed for an accessory structure in the SR-1A zoning district located at 386 'J' Street.

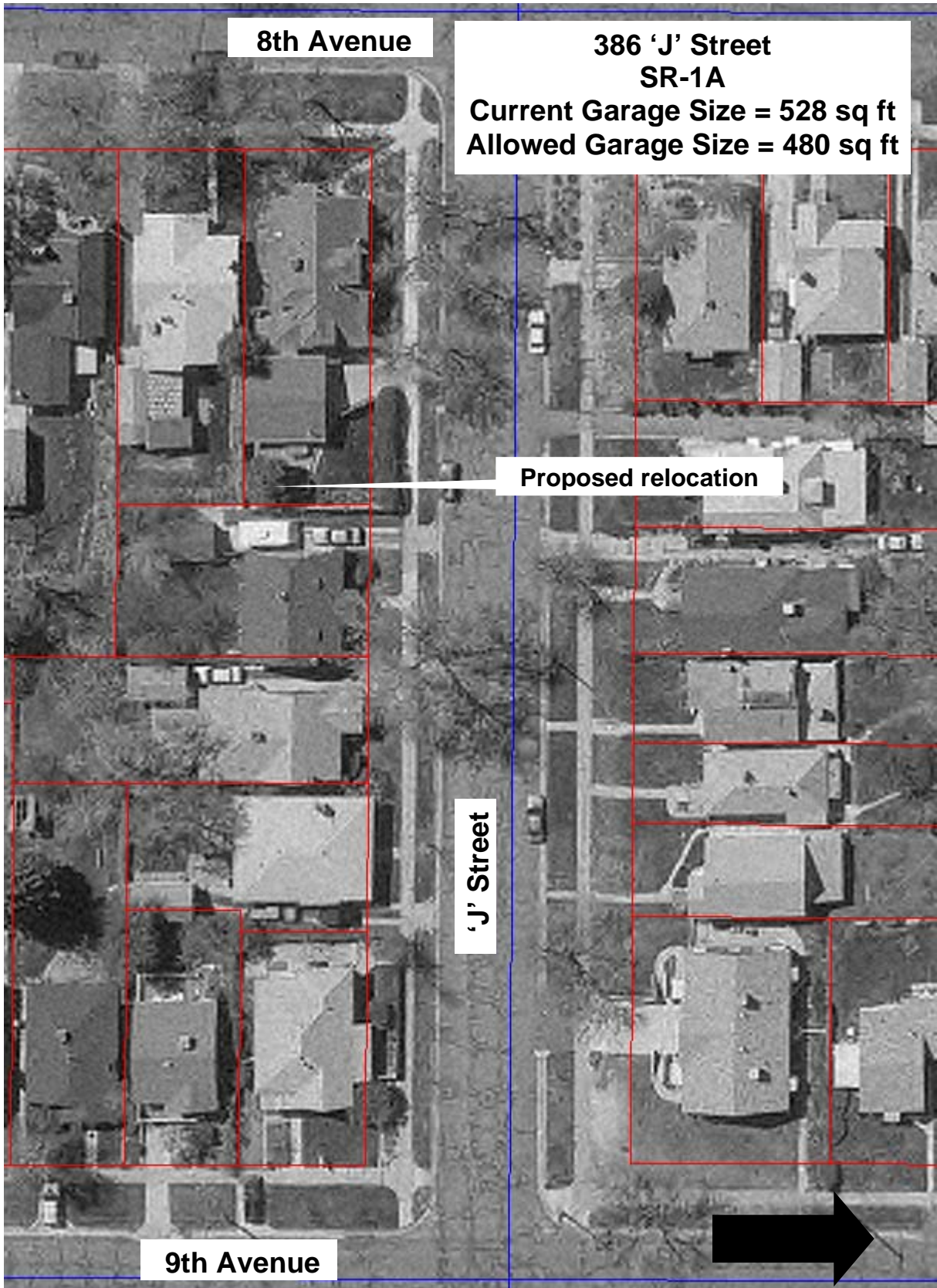
The approval is granted because:

1. The accessory structure is in compliance with district purposes;
2. The accessory structure will not diminish neighboring property values;
3. The accessory structure will not have a material adverse effect upon the character of the area;
4. The accessory structure is compatible with surrounding development;
5. There will be no damage to natural and scenic features of the property;
6. No pollution of air, water, soil, or noise is evident by the request; and
7. There are no additional standards imposed on this proposal.

Denial

From the evidence and testimony presented and pursuant to the plans submitted, I move that the Board of Adjustment deny the relocation of the garage which exceeds the 480 square feet allowed for an accessory structure in the SR-1A zoning district located at 386 'J' Street.

Vicinity Map



Analysis

Background Information

The purpose for moving the garage is to improve the access from the garage to the house and to optimize the backyard. The proposed relocation shifts the garage approximately 23 feet west and 1 foot south from its current location. A new driveway approach will be required.

The garage was built in 1984 after the Zoning Administrator approved a special exception for a detached 22 feet by 24 feet garage in the rear yard without the required 15 feet distance (this requirement changed to 10 feet) to the neighbor’s dwelling and back from 8th Avenue as far as the width of the lot would permit.

Currently, the garage does not comply with building coverage, location of the garage in the rear yard, and distance between the garage and principal building in the adjacent lot as it is required in the SR-1A zoning district. With the exception of building coverage, moving the garage would bring it to conformance with the other requirements, as stated in the table below:

Requirement	Allowed	Existing	Proposed
Building Coverage	480 sq. ft.	528 sq. ft.	528 sq. ft.
40% Lot Coverage	1,905.75 sq. ft.	1,765 sq. ft.	1,765 sq. ft.
Garage Setback – Rear Yard	1 to 5 feet	24 feet 7 inches	1 foot
Garage Setback – Side Yard	No less than 1 ft.	2 feet	3 feet
Height	14 feet	13 feet	13 feet
Distance between the garage and principal building	4 feet	7 feet 2 inches	30 feet 9 inches
Distance between the garage and principal building in the adjacent lot	10 feet	2 feet	20 feet

General Standards of Review

The standards of review for a special exception are set forth in Section 21A.52.060 of the Salt Lake City Zoning Ordinance. The standards are as follows:

Standard 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:

- Section 21A.24.010F of the Zoning Ordinance allows accessory uses and structures in residential zoning districts.
- Section 21A.40.020 authorizes accessory use, building or structure in conjunction with the approval of the principal use.

- Section 21A.38.080 authorizes the moving of a nonconforming structure as long as the use conforms to the regulations of the zoning district into which the structure is moved.

Standard 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 garage is in existence. The relocation brings the building closer to compliance with required setbacks and location. This action will not diminish or impair the value of the property within the neighborhood.

Standard 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: The relocation of the garage will not adversely affect public health, safety or general welfare.

Standard 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: Other garages in the block face are smaller than this garage. However, staff finds that since the garage was legally built at 528 square feet, and that it is in existence on this block for 24 years, it is part of the development pattern of the neighborhood. Furthermore, the SR-1A zoning district recognizes diversity in development patterns as something it needs to preserve.

Standard 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: The subject property is located on the Avenues Historic District; consequently, the relocation of this garage would have to be reviewed by the Historic Landmark Commission. In addition, there is mature vegetation that would need to be removed for the new driveway approach to be placed. Staff finds that the Salt Lake City Urban Forester should review the replanting of the trees in the public right-of-way.

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.

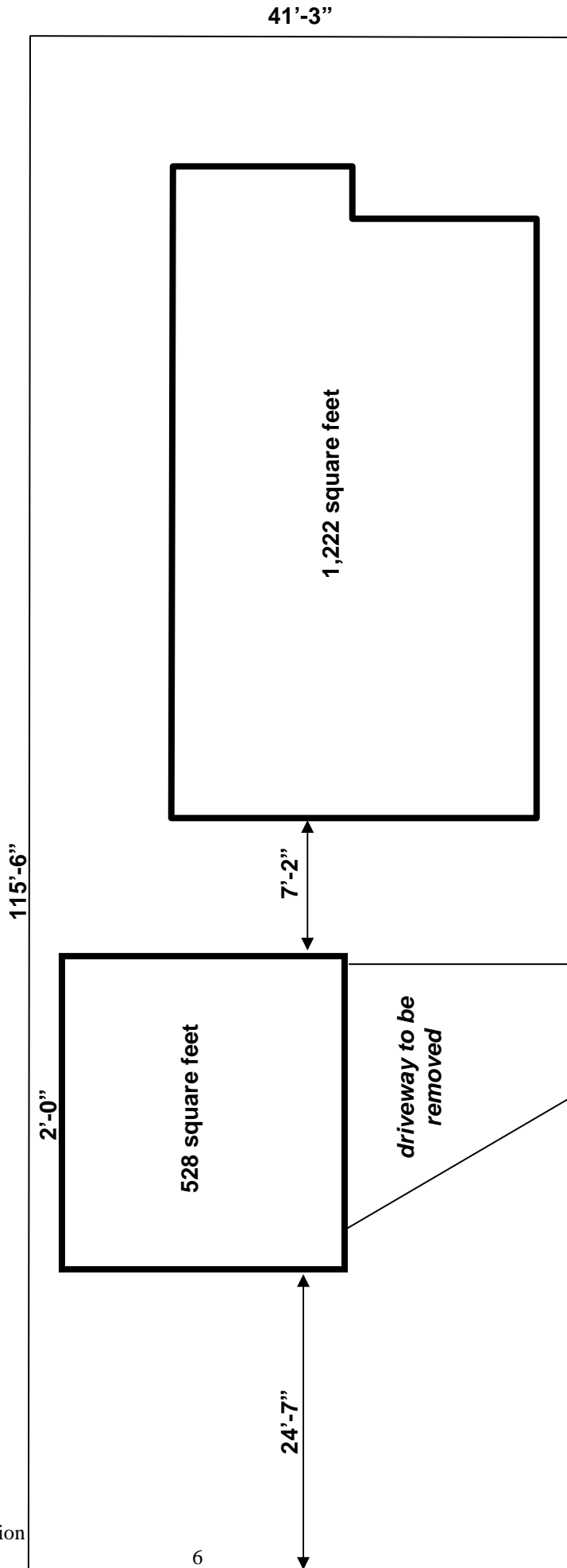
Analysis: No potential pollution of air, water, soil, or noise is evident by the requested use.

Standard G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to Section 21A.52.100 of this Chapter.

Analysis: There are no additional standards imposed on this proposal in Section 21A.52.100 of the Zoning Ordinance.

Exhibit A
Existing and Proposed Site Plan

Existing Site Plan



Proposed Site Plan

115'-6"

3'-0"

528 square feet

30'-9"

1,222 square feet

41'-3"

new driveway

1'-0"

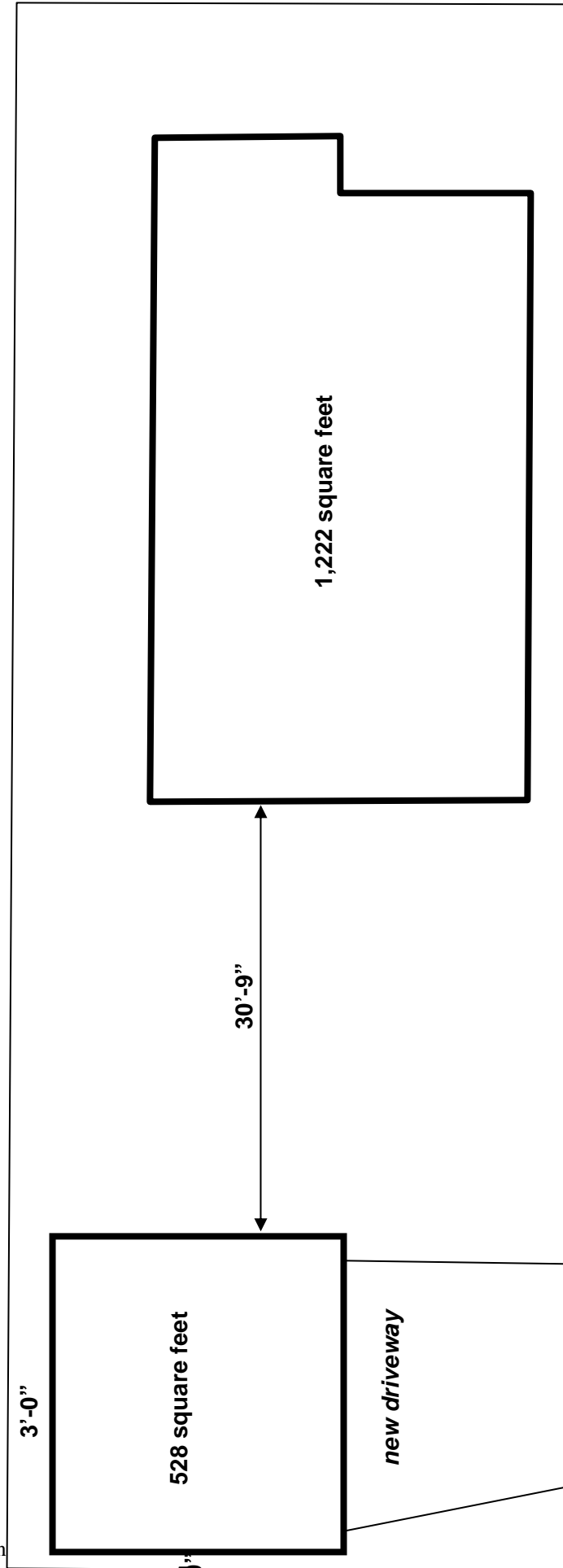


Exhibit B
Proposed Elevations

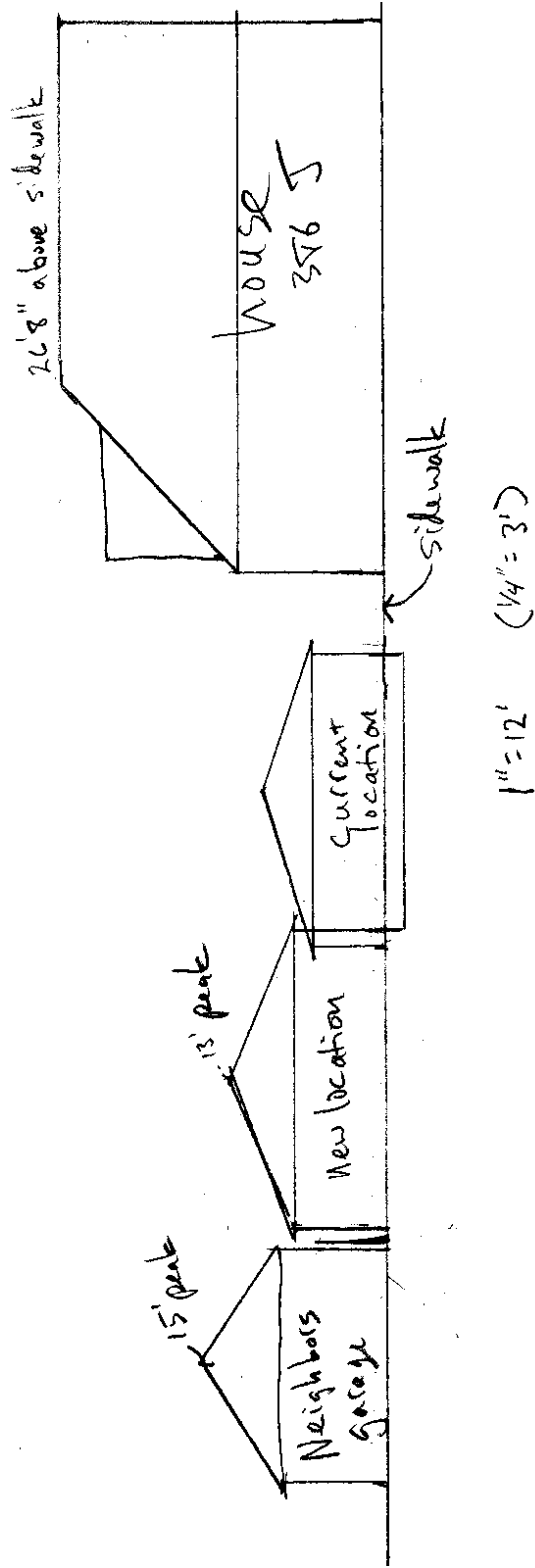


Exhibit C
Photos



