

# Memo – Oak Hill Plat E Zone Change



Planning Commission – 14 January 2010

Applicant – Fred Gowers

## Background

Mr. Fred Gowers who owns lot 1 of Oak Hill Estates plat E located at approximately 110 South Hillside DR. is requesting that his 1.5 acre lot be rezoned. Currently the lot resides within two zoning districts. The northeastern portion of the lot is within the R-1-15,000 zone, the southwestern portion is located within the Hillside Residential 1 (HR-1) zone. Mr. Gowers is proposing to rezone the HR-1 portion to R-1-15,000. Though he is not proposing splitting his lot in this process, his future intention is to split the lot into 2 building lots (the applicant actually first approached the city wanting to create three lots by using shared driveways and a flag lot- he was told that neither are allowed). The HR-1 zoning would not allow this since the zone only allows 1 acre or larger lots. The R-1-15,000 zone allows third acre lots. This lot was created a few years ago by RL Yergensen. Half of the lot has had extensive grading to provide access to one buildable area. This lot also has had considerable discussion about the need to re-vegetate the hillside on the eastern edge of the property abutting Hillside DR.

## Staff Findings

The lot should be rezoned to be within one zoning district. The question is should the rules and regulations of the HR-1 zone apply or the R-1-15,000 rules. Though there has been considerable grading on the property that has taken away much of the vegetation that the HR-1 zone is written to protect, there is still an undisturbed steeper area of the lot that should be protected. Whichever zone the lot is placed in, creating two lots in this terrain will be difficult due to slopes and driveway requirements. If and when the applicant wants to amend the subdivision to create additional lots, he will need to demonstrate that these obstacles (driveway grades, retention walls) can be overcome in either zone. The HR-1 zone would add more requirements for cuts and fills and re-vegetation, but would only allow one lot. The R-1-15,000 zone would allow 2 lots.

## Proposal

1. Re-zone southern portion of lot from HR-1 zone to R-1-15,000.

## Public Hearing

The public hearing should be opened; comments from the public should be taken on the proposed code amendment.

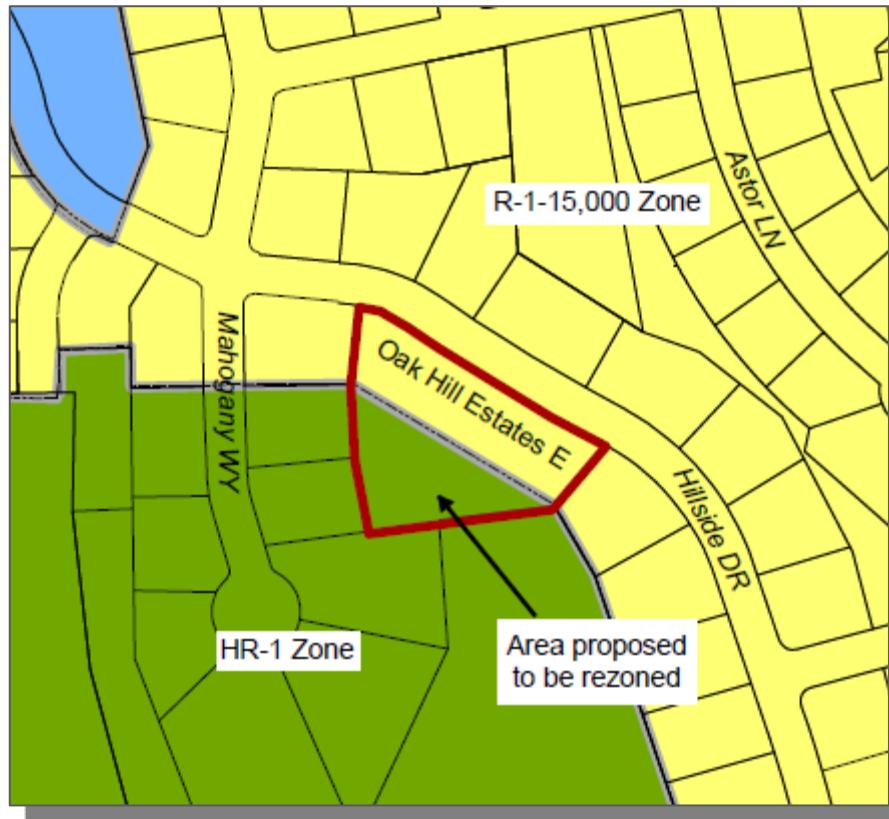
## Commission Discussion

1. Is this area appropriate for third acre lots?
2. Are the protections of the HR-1 zone needed for this land or does the R-1-15,000 requirements suffice?
3. Should re-vegetation be an issue?

## Staff Recommendation for Commission Motion

Motion will depend on which zoning type is recommended to the council. Whichever zone is recommended two motions need to be made, updating the Future Land Use map and update the zoning map.

Proposed rezone of Oak Hill Estates E from HR-1 to R-1-15,000



Proposed rezone boundary description

BOUNDARY DESCRIPTION

COMMENCING AT A POINT LOCATED SOUTH 89°03'44" EAST 648.326 FEET AND SOUTH 404.799 FEET FROM THE NORTH 1/4 CORNER OF SECTION 26, TOWNSHIP 9 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN; THENCE AS FOLLOWS:

COURSE	DISTANCE	REMARKS
ALONG A CURVE	84.65'	RADIUS = 200.00' (CHORD BEARS S 67°22'44" E 84.02')
ALONG A CURVE	263.60'	RADIUS = 2628.00' (CHORD BEARS S 58°07'37" E 263.49')
S 61°00'02" E	43.77'	
S 39°52'59" W	110.47'	
S 82°20'54" W	256.33'	
N 11°08'47" W	104.16'	
N 02°55'58" W	100.07'	
N 05°30'00" E	109.95'	
		TO THE POINT OF BEGINNING
		AREA = 1.506 ACRES