



**Millcreek City Planning and Community Development**

3330 South 1300 East

Millcreek, Utah 84106

Phone: (801) 214-2750

Inspections: (385) 468-6690

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**STAFF MEMORANDUM**

**From:** Blaine Gehring, AICP, Planner  
**To:** Canyon Rim Citizens Association  
**Meeting Date:** October 2, 2018

**RE:** RCOZ Option C Exception at 1401 E. Woodland Avenue

**Applicant:** William Miner

**File No.:** RB 18-006

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Request

The applicant is requesting Planning Commission approval for an RCOZ C Option exception to build a duplex in an R-2-8 Zone.

The purpose of the Residential Compatibility Overlay Zone (RCOZ) "is to promote public welfare and to balance neighborhood compatibility with the private property interests of those who wish to expand, develop, improve or otherwise make exterior modification to their residential property." There are three options in the RCOZ which allow for various ways of meeting the RCOZ standards. When an applicant cannot meet the requirements of Options A or B in the RCOZ standards, they may apply for a special exception (Option C) from the Planning Commission. Option C allows the Planning Commission to consider a special exception for unusual or extraordinary circumstances that justify deviations from one or more of the limitations under Options A or B. Mr. Miner is requesting such an exception for his duplex project. (For more information on the RCOZ and its options see Chapter 19.71 of the Millcreek Code on the city's website [www.millcreek.us](http://www.millcreek.us))

Mr. Miner is requesting an RCOZ C exception for his duplex project due to the unusual circumstances of the property being the only R-2 zoned property on the block, being directly adjacent to commercial uses in a C-3 Zone, being directly across the street from a large church and parking lot, and the property being very narrow (77 feet) to be able to build a duplex allowed in the R-2-8 Zone. The Planning Commission will discuss this matter at a public hearing on **Wednesday, October 24, 2018 at 5:00 pm.**



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### Existing Land Use and Proposed Change

The property is currently zoned R-2-8 which allows two-family dwellings as a permitted use. It is occupied by an older single family home built in 1938 which is in need of repairs. Rather than do those repairs, the applicant would like to build a new duplex and demolish the existing house. That will allow him to set the duplex back about 47 feet with landscaping in front which would add to rather than detract from the neighborhood. His intent is to occupy one side of the duplex and his son would occupy the other side. To do a side by side duplex would be difficult due to the narrowness of the lot, 77 feet. He is, therefore, proposing a three level duplex with parking on the ground level. The subject property is surrounded by commercial uses to the west, south and north, a church and parking lot to the south and single family residential to the east and north. It is directly adjacent to commercial on the west.

### Community Council Action

As per Chapter 2.56.100 of the Millcreek City Code, staff is seeking Canyon Rim Citizens Association's input on a the RCOZ C exception application. If the exception is appropriate to the existing area, the association is encouraged to make recommendations concerning the application to the city planning commission.

### Attachments

**Street View**  
**Zoning and Neighborhood Map**  
**Front and Rear Elevations**



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**Figure 1: Street view**







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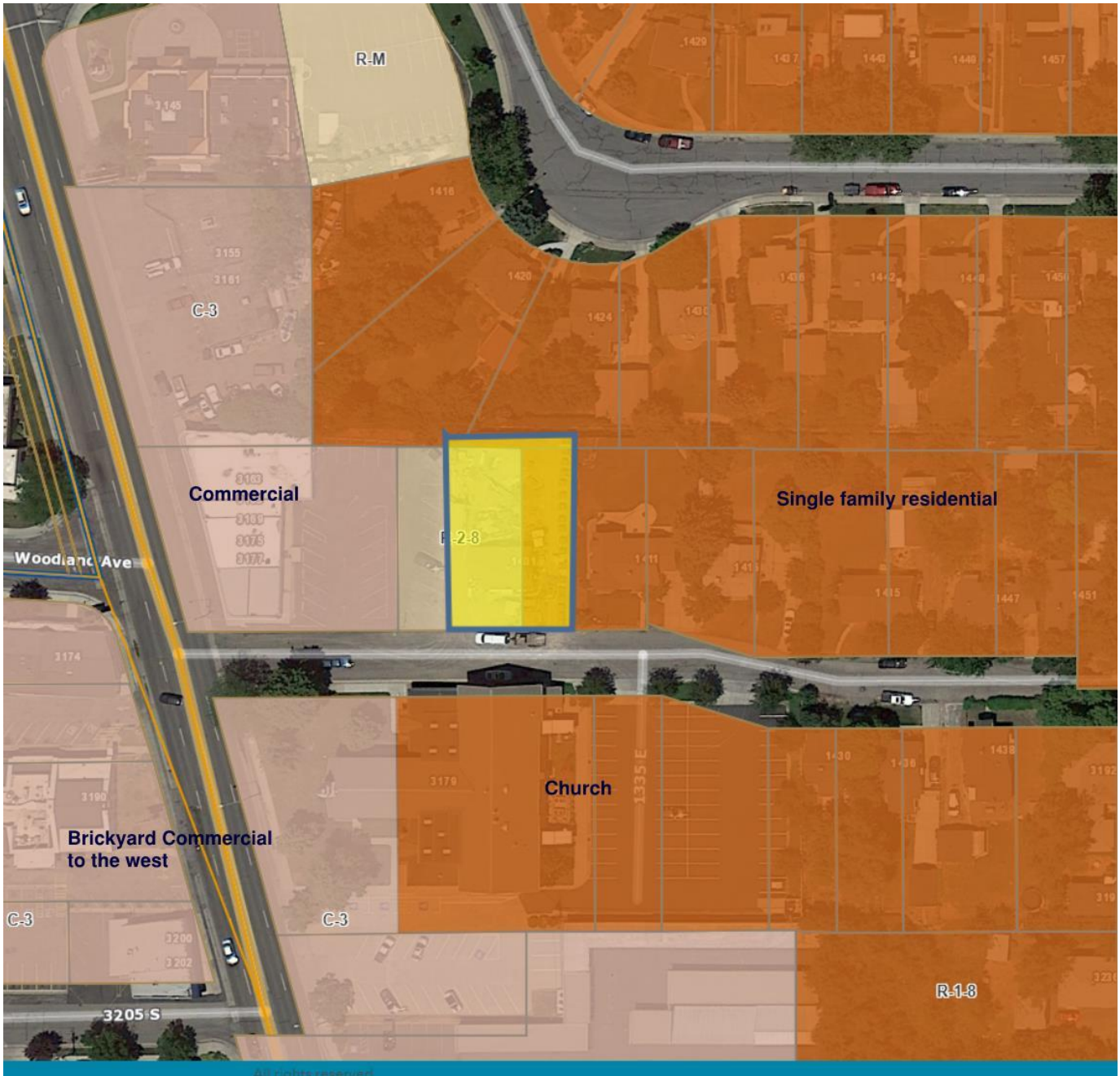
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**Figure 2: Zoning and Neighborhood Map**



(Note: Lot lines are off on the map. All of the subject property is zoned R-2-8)



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**Fig. 3 Front elevation**





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**Fig 4. Rear elevation**

