

Minutes of the Hearing Officer meeting held on Wednesday, June 10, 2020 at 12:30 p.m. electronically in accordance with Executive Order 202-05 Suspending the Enforcement of Provision of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19. The meeting was held virtually. No physical location was held for this meeting in the Murray City, Murray, Utah.

Present (online): Scott Finlinson, Hearing Officer
 Bill Rowley, Hearing Officer
 Zachary Smallwood, Associate Planner
 Jared Hall, Community Development Supervisor
 Melinda Greenwood, Community and Economic Development Director
 Briant Farnsworth, Deputy City Attorney
 Wayne Gordon, Applicant's Representative

Mr. Harland opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures. He stated that he will hear the comments and prepare a written summary and decision by next Wednesday, April 15th.

CONFLICT OF INTEREST

Mr. Finlinson stated that he has no conflicts of interest for this agenda.

CASE #1572 – BARBARA ZAKARIAN – 420 East Vine Street – Project #20-060

Wayne Gordon was online to represent this request. Zachary Smallwood reviewed the location and request for an expansion to a nonconforming structure. Mr. Smallwood stated he spoke with Ms. Zakarian and she is unable to attend the meeting. She stated she wanted Mr. Gordon to represent her at the meeting. The property is zoned R-1-8, Single-Family Residential which are typically 8,000 sq. ft. lots. The front setback is 25 feet and the rear setback is 15 feet. The side setbacks are a minimum of 8 feet but need to be a total of 20 feet. This home was built in 1928 and has 8 feet 2 inches on one side and 7 feet 7 inches on the other side, making it a non-conforming structure.

The applicant would like to build a sunroom and deck. The deck would meet regulations and is not an issue. The issue is with building the sunroom and the addition of a stairwell going to the basement which will encroach into the side yard setback. The sunroom is approximately 110 square feet excluding the stairwell.

Murray City Code requires two findings be met when expanding a non-conforming structure. This first one is the addition to, enlargement of, or moving of the building will be in harmony with one or more of the purposes of this title. There are multiple reasons why this would be in harmony with the zoning ordinance including: it preserves and creates a favorable environment for the citizens and visitors of the city, reinvestment in existing dwellings contributes to a favorable environment, and it fosters the residential, business and industrial development. The second one is the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming structure. This will not impose a burden because this is purely expanding to the rear of the property.

Based on review and analysis of the application materials, staff is recommending approval with the following condition:

1. The applicant must obtain a Murray City Building Permit before any construction begins.

Mr. Finlinson stated he has reviewed the application and had no questions.

The meeting was open for public comment.

Zachary Smallwood said he received an email from Gail Rapp stating the following: *"Thank you for the notice about the changes at 420 East Vine Street. We think the proposed addition is beautiful. It will make a very handsome addition to the home. We support the approval of the request. Thank you for the opportunity to comment."*

The public comment portion of the meeting was closed.

Mr. Finlinson said this will be approved. He will forward his written decision to the Community Development Office at 4646 South 500 West, by noon on Wednesday, June 17, 2020.

There was no other business.

The meeting was adjourned at 12:46 p.m.



Jared Hall, Manager

Community Development Planning Division