

Minutes of the Hearings Officer meeting held on Wednesday, July 9, 2014 at 12:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Scott Finlinson, Hearing Officer  
Jared Hall, Community and Economic Division Manager  
Ray Christensen, Senior Planner  
G.L. Critchfield, Deputy City Attorney  
Citizens

Mr. Finlinson opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

### CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

### CASE #1497 – JAY KESLER – 6430 South Malstrom Lane – Project #14-107

Jay Kesler was the applicant present to represent this request. Ray Christensen reviewed the location and request for Hearings Officer approval for a building addition onto the front of the existing dwelling. The existing house is non-conforming to the required side yard setback at the property addressed 6430 South Malstrom Lane. Murray City Code 17.52.040 allows for a building or structure occupied by a nonconforming use, or a building nonconforming as to height, area, or yard regulations to be added to, enlarged or moved to another location on the lot subject to authorization by the Hearings Officer. The existing dwelling has five ft. six inch setback on one side yard and 13 ft. side yard setback on the other side setback and requires Hearing Officer Approval for an expansion onto a non-conforming dwelling. The zoning regulations require a minimum of eight ft. on one side yard and 20 ft. total side yards. The existing dwelling was constructed in 1950 which has a 5.5 ft. side yard setback in the R-1-8 zone. See the attached plan. The applicant's plan show the new addition will be 6 ft. setback at the northeast side of the property. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal meets the standards for an expansion/alteration of a nonconforming use. Therefore, staff recommends approval.

Mr. Finlinson asked Mr. Christensen if the property on the North curves or is the property line is straight. Mr. Christensen answered that with the addition, it's showing a 6 ft. setback on the northeast corner and then it tapers to the existing house, which is showing 5.5 ft. so there is a bit of a taper that widens by 6 inches on the addition to the northeast. Mr. Finlinson asked if this was a problem with staff. Mr. Christensen stated that staff is looking at the minimum setback, so the 5.5 feet is the minimum setback to consider on the north side of the property.

Mr. Finlinson opened the meeting for public comment. There were no comments made and the public comment portion of the meeting was closed.

Jay and Mary Kesler, 6430 South Malstom Lane, were present.

Mr. Finlinson stated that a decision will be made and a report will be available in one week, July 16, 2014, at the Public Works Building, 4646 South 500 West.

CASE #1498 – NICK KOUKOUVETAKIS – 4554 South Creekview Drive – Project #14-111

Nick Koukouvetakakis was the applicant present to represent this request. Ray Christensen reviewed the location and request for Hearings Officer approval for a building addition onto the back of the existing dwelling, which is non-conforming to the required side yard setback at the property addressed 4554 South Creekview Drive. Murray City Code 17.52.040 allows for a building or structure occupied by a nonconforming use, or a building nonconforming as to height, area, or yard regulations to be added to, enlarged or moved to another location on the lot subject to authorization by the Hearings Officer. The applicant is requesting approval for a residential addition onto the back of the existing dwelling which has a 4.5 ft. side yard setback. The zoning ordinance requires a minimum 8 ft. side yard setback and requires Hearing Officer Approval for an expansion onto a non-conforming dwelling. The Salt Lake County Recorder record indicates the existing dwelling was constructed in 1963 which currently has a 4.5 ft. side yard setback in the R-1-8 zone. This dwelling was previously constructed in Salt Lake County and was later annexed into Murray City. Murray does not have any records for any building additions onto this dwelling since it was originally constructed within Salt Lake County. The new addition will comply with the minimum side yard setback requirements of the R-1-8 zone. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal meets the standards for an expansion/alteration of a nonconforming structure. Therefore, staff recommends approval subject to the following condition:

1. The plans are provided for building permit and the new addition construction shall comply with current code for the side yard setbacks.

Mr. Finlinson opened the meeting for public comment. There was no public comment made and that portion of the meeting was closed.

Nick Koukouvetakakis, 4554 South Creekview Drive, was present and supported staff's recommendation.

Mr. Finlinson stated that a decision will be made and a report will be available in one week, July 16, 2014, at the Public Works Building, 4646 South 500 West.

OTHER BUSINESS

There was no other business.

Meeting adjourned 12:43 p.m.

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Jared Hall, Division Manager  
Community and Economic Development