

Minutes of the Hearings Officer meeting held on Wednesday, August 13, 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, Manager of Community Development Division
Brad McIlrath, Assistant Planner
G.L. Critchfield, Deputy City Attorney
Richard Lee, applicant
Bentley Williams, applicant

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

CONFLICT OF INTEREST

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

CASE # 1502 – A T & T – 6380 South Highland Drive – Project #14-138

Richard Lee was the applicant present to represent this request. Brad McIlrath reviewed the location and request for approval for an expansion of a non-conforming communications facility at the property addressed 6380 S. Highland 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 Hearing Officer. The applicant is requesting approval for the expansion of the legal non-conforming communications facility which was constructed in Salt Lake County prior to the annexation of this property into Murray City. The C-N-C zoning district does not allow cell towers. The applicant proposes to remove (5) existing LTE antennas and add six (6) new LTE antennas along with adding three (3) new Remote Radio Heads (RRHs). The proposed changes would not increase the overall height of the monopole which is sixty-one feet (61'). The proposed changes would comply with the standards of the ordinance which allow for each antenna to have a maximum height of eight feet (8') and for the maximum width of fifteen feet (15'). The proposed height of the antennas is eight feet (8') and the proposed width is thirteen feet (13'). Based on review and analysis of the application materials, 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 or development. Therefore, staff recommends approval subject to one condition.

1. The applicant shall obtain a Murray City Building Permit prior to the commencement of the proposed expansions and alterations.

Mr. Finlinson asked if the property is owned by Salt Lake County. Mr. Lee responded that the property is owned by Salt Lake County. He stated the county is considering selling the property to Crown Castle which is a major tower owner across the country. Mr. Lee stated he has submitted for a building permit simultaneously with the site plan review application.

The meeting was open for public comment. No comments were made.

Mr. Finlinson stated that he has enough information based on the record and what has been presented in this meeting to make a decision on the appeal. Mr. Finlinson stated his formal decision will be made and a report will be available in one week, by August

20, 2014, and will be available at the Murray City Public Works Building, 4646 South 500 West. He indicated that he would be approving the request as submitted.

CASE #1503 – UNLEASHED – 5241 South Commerce Drive – Project #14-140

Bentley Williams was the applicant present to represent this request. Jared Hall reviewed the location and request for a variance to not install the 10 foot depth of landscaping required at the property frontage with approval of a permitted use for a dog kennel business due to parking limitations on the site and compliance to parking regulations at the property addressed 5241 South Commerce Drive. Murray City Code Section 17.152.100: A. Ten feet (10') of landscaping shall be required along all frontage areas not occupied by drive accesses. The applicant is proposing to operate a kennel business in the north portion of the building. The buildings are non-conforming to the current landscaping requirement. The applicant indicated the building was constructed in 1960. With the current parking regulations the existing office and warehouse parking requires a total of 40 parking stalls based of the office/ warehouse parking ratios needed for the buildings. There are currently only about 36 legal size parking stalls on the site to comply with parking standards. A notice was mailed to the adjacent property owners on July 31, 2014. As of the date of this report, one comment has been received from PGA Architects stating they are not opposed to the variance. 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 a variance. Therefore, staff recommends approval of the landscaping variance.

The meeting was open for public comment. No comments were made.

Mr. Finlinson stated that he has enough information based on the record and what has been presented in this meeting to make a decision on the appeal. Mr. Finlinson stated that a decision will be made and a report will be available in one week, by August 20, 2014, and will be available at the Murray City Public Works Building, 4646 South 500 West. He indicated that he would be approving the request as submitted.

OTHER BUSINESS

There was a discussion regarding the training meeting scheduled for September 10, 2014, and possible items to be discussed at the training meeting.

Meeting adjourned 1:00 p.m.

Jared Hall, Division Manager
Community and Economic Development