

Minutes of the Hearing Officer meeting held on Wednesday, July 22, 2015 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  
Applicants

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. Mr. Finlinson stated his written decision will be available one week from today, Wednesday, July 29, 2015 after noon at the Community Development office. A copy may be picked up at the Public Services Building, 4646 South 500 West at that time.

### CASE #1517 – LAURY TRANTER – 5487 South Dunbarton Drive – Project #15-103

Laury Tranter was present to represent this request. Brad McIlrath reviewed the location and request for approval to construct an addition to a nonconforming dwelling for the property addressed 5487 S. Dunbarton Drive. The existing single family dwelling is nonconforming to the total side yard setback of twenty feet (20') required in the R-1-8 Zone. 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 a residential addition onto the back of the existing dwelling with current side yard setbacks of nine feet four inches (9'4") on each side of the dwelling. The property is located in the R-1-8 zoning district which requires dwellings to have a minimum side yard setback of eight feet (8') and a total side yard setback of twenty feet (20'). The dwelling conforms to the minimum setback of eight feet (8') but does not comply to the total side yard setback of twenty feet (20') with a total side yard setback of eighteen feet eight inches (18'8"). This property is located in an area which was annexed into Murray City in 2001 and at the time of annexation the property was located in the R-1-8 zoning district. The Salt Lake County R-1-8 zone has minimum side yard setback standards of, "5 feet on one side and 11 feet on the garage or driveway side, or 8 feet on each side" for dwellings. According to Salt Lake County Planning Division Staff, the R-1-8 zone included the same setback standards at the time that the subject property was annexed into Murray City. Therefore, with side yard setbacks of nine feet four inches (9'4") the dwelling would have been conforming to the minimum side yard setback standards of Salt Lake County and would be considered to be a legal non-conforming dwelling by Murray City Staff. As of the date of this report, Murray City Staff has not received any public comment regarding the request. 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 or development. Therefore, Staff recommends approval with conditions:

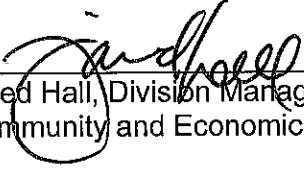
1. The applicant shall obtain a Murray City Building Permit prior to the construction of the residential addition.

2. The proposed addition shall comply with all other setback and height requirements of the R-1-8 Zoning District outlined in Chapter 17.100 of the Murray Municipal Code.

The meeting was opened for public comment. No public comments were made and the public comment portion of the meeting was closed.

Mr. Finlinson stated he did not have any questions for the applicant and that he has sufficient information to make his decision regarding the addition to a nonconforming dwelling. He stated that he intends to approve the addition to a nonconforming dwelling as requested, but the official written decision will be available next Wednesday, July 29, 2015 at the Murray City Community and Economic Development office, 4646 South 500 West, Murray.

The meeting was adjourned 12:43 p.m.

  
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Jared Hall, Division Manager  
Community and Economic Development