

Minutes of the Hearing Officer meeting held on Wednesday, October 12, 2016 at 12:15 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
Ray Christensen, Senior Planner
G.L. Critchfield, Deputy City Attorney
Marvin Hendrickson
Rick Campagna

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 although he notes that he has some mutual acquaintances between his family and the applicant's family although he does not believe they will pose any conflict of interest as they are not involved in any way with this transaction.

CASE #1535 – MARVIN HENDRICKSON – 6567 South Daniel Way– Project #16-134

Marvin Hendrickson and Rick Campagna were the applicants present to represent this request. Ray Christensen reviewed the location and request for a five foot variance to have a front yard setback of 20 feet in order to build a 27 ft. by 43 ft. dwelling on the lot which will be located to the south west side of the lot due to the power line easement restrictions. The property is located within the R-1-8 zoning district. Murray City Code Section 17.100.080 A. Front Yard Setback: The minimum depth of the front yard shall be twenty five feet (25'). There is a 50 foot wide power line easement which runs across the east side of this lot and the lot to the north. A five ft. front yard setback and 10 ft. rear yard variances were granted for the lot to the north addressed 6553 South Daniel Way Case #1336 due to the Rocky Mountain Power line easement on July 9, 2007. A condition that must be met would be the approval of Rocky Mountain Power for the encroachment on the easement. 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 recommends approval of the request for a variance due to the hardship of the shape of the lot for five feet to the required front yard setback in the R-1-8 zone with the following conditions:

1. A building permit shall be obtained from the Murray City Building Division prior to construction.
2. The applicant shall obtain approval from the Rocky Mountain Power Company for the power line clearance.

Mr. Finlinson asked if the area on the map that needs encroachment approval is a parking pad or a structure. Mr. Christensen replied it is a parking pad and reviewed the easement measurements.

Marvin Hendrickson, 6567 South Daniel Way, he is the contractor for this project. He responded he could get a letter from Rocky Mountain Power about what they can and can't do relating to the encroachment on the easement and then talk to Trae Stokes, Murray City Engineer, regarding the easement. Depending on the outcome that footprint might change as far as the house location where he could make some slight adjustments to make it fit in the required setbacks.

Mr. Finlinson stated he will take it under advisement, review it and then submit his answer to the Public Works Department but right now as he has listened he feels comfortable to say he will most likely approve it as it is straight forward and simple as long as any changes do not significantly alter the lay out as it is now. Mr. Christensen replied that the plan does have a very small amount of space to allow for slight adjustments that may still fit within the setback standards.

Mr. Hendrickson commented that he staked out the perimeter of the setbacks, gave the effected neighbors a copy of the plan and they were not opposed to the proposal.

The public portion of the meeting was opened.

Rick Campagna, 6567 South Daniel Way, stated he is the current property owner. He stated that he is aware of what is going on with the proposal and agrees with the setback adjustment.

Mr. Finlinson stated he will make his ruling within the next week and the decision will be available after noon on Wednesday, October 19, 2016 at the Community Development Office at 4646 South 500 West.

The meeting was adjourned at 12:41 p.m.



Jared Hall, Division Manager
Community and Economic Development