

Minutes of the Hearing Officer meeting held on Wednesday, September 12, 2018 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 & Economic Development Supervisor
Briant Farnsworth, 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.

CASE #1560 – SHAWN BARR – 6571 & 6575 South Jefferson Street – Project #18-104

Shawn Barr was the applicant present. Jared Hall reviewed the location and request for a variance to the lot width requirement of the R-1-8 zone for the two subject properties located at 6575 & 6571 South Jefferson Street in the R-1-8 zone. The applicant is preparing to request subdivision approval to create two new lots to the rear of each of the existing homes utilizing the flag lot subdivision requirements. While the properties are large enough in area to meet the regulations for a flag lot subdivision and accommodate the construction of new homes (including the demolition of one of the existing homes), the lots are only 75' wide, which does not meet the requirement of 80' in the R-1-8 zone. The granting of the variance is necessary to allow a proposed subdivision application to move forward. In this case, the applicant will propose the use of a 38' easement to access the rear lots. All proposed lots will meet the requirements of the R-1-8 zone and Section 17.76.140 (Flag Lots), with the exception of the requested variance to allow 75' widths for the front lots. Mr. Hall reviewed the tests of hardships and explained that the applicant's request for variance will not impact the existing lot widths; it will only allow for further subdivision to the rear, having no visual or real impact on the spacing between homes, or appropriate setbacks for homes on the lots. Staff finds that the subject properties' lot area as compared to their width creates a special circumstance attached to the property. Staff finds that the requested variance to Section 17.100.050 is necessary for the enjoyment of a substantial property right that is generally available to other properties in this area. Staff finds that granting the variance will support the goals and objectives of the General Plan to create infill housing and will not be contrary to public interest. Staff also finds that granting the variance will observe the spirit of the land use ordinance and meet this test. Based on review and analysis of the application materials, subject property and surrounding area, and applicable sections of the Murray City Land Use Ordinance Staff finds that the application meets the standards for a variance, and recommends approval of the requested variances to the requirement of Section 17.100.050, allowing lot widths of seventy five feet (75') for the properties located at 6575 South and 6571 South Jefferson Street.

Mr. Finlinson asked if this variance would cover the current homes and the proposed future homes. Mr. Hall answered, yes.

Shawn Barr stated he current lives at 6575 South Jefferson Street.

The meeting was open for public comment.

Margie Barr, 6571 South Jefferson Street, stated that when John David Lane was added water utilities were piped into the rear of both lots and was told Murray City would add a water meter in the future and asked if the water for the flag-lots will have to be brought from the Jefferson Street or from the existing pipping on the property. Mr. Finlinson replied that his is unaware of how the utilities will be installed and that this question would best be addressed with the City Engineer.

The public comment portion was closed.

Mr. Finlinson stated that it seemed the present audience was in support of the variance.

Mr. Hall stated that he took several calls about this request and stated most were concerned if the new homes would have access out onto Jefferson or John David Lane. A few callers asked if they would be single-family homes or multi-family homes. Mr. Finlinson asked if any of the houses would have egress onto John David Street. Mr. Hall answered that all egress will be onto Jefferson Street only.

Mr. Finlinson stated he will forward his written decision to the Community Development Office at 4646 South 500 West, by noon on Wednesday, September 19, 2018.

There was no other business.

The meeting was adjourned at 12:43 p.m.



Jared Hall

Community & Economic Development Supervisor