

Minutes of the Hearing Officer meeting held on Wednesday, July 25, 2018 at 12:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jim Harland, Hearing Officer  
Jared Hall, Community & Economic Development Supervisor  
Applicant

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

### CONFLICT OF INTEREST

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

### CASE #1559 – CLUB 48 – 16 West 4800 South – Project #18-88

Corey Billings was the applicant present. Jared Hall reviewed the location and request to allow an expansion of a nonconforming structure for the property addressed 16 West 4800 South. Mr. Hall stated that this application is the result of a request to expand the patio area on a site which no longer conforms to the standards of the MCCD zone. Mr. Hall explained that the proposed patio addition is 23' X 27' and encloses one of four doors on the front property of the building facing the parking lot. Mr. Hall stated the parking area is accessed from either the alley way that runs between the two adjacent parcels or from Box elder. The proposed addition eliminates a few parking stalls, but the business is over-parked at about 1 to 175 sq. feet, this zone only requires 1 to every 500 sq. feet. Mr. Hall explained that this addition requires a Certificate of Appropriateness because in this zone buildings are required to be located closer to the curb, this business is non-conforming as it is located further back from the curb. The applicant provided a detailed site plan of the patio area that shows where the access to the building would be located, the wrought iron enclosure, table and seats as well as landscape pots. The applicant plans to cover the patio at a later point, this element will be reviewed during the design review process. Mr. Hall reviewed the findings for this application and stated the Hearing Officer must approve the addition to the structure if it meets two standards, the first, is that the proposed addition is in harmony with goals and intents of the MCCD because it provided outdoor dining that relates to the street. Secondly, that the proposed change does not impose any unreasonable burden upon the lands located in the vicinity, Staff can find no burdens.

Based on review and analysis of the application material and applicable sections of the Murray Land Use Ordinance, Staff finds that the proposal meets the standards for an expansion/alteration of a nonconforming structure and recommends approval of the request for expansion of a non-conforming structure with the following conditions:

1. The applicant shall obtain the appropriate Murray City Building Permits necessary for any proposed remodeling work associated with the patio expansion.
2. The proposed addition shall meet all requirements identified within the staff report.
3. The applicant shall include bicycle parking with the site plan to accompany a request for a Certificate of Appropriateness.

Corey Billings, 16 West 4800 South, stated he wants to add the cover onto the patio sooner than he initially planned, about the same time as the patio is built. Mr. Billings added that he does have plans for the bicycle rack as well. Mr. Harland asked what the cover will be made of. Mr. Billings answered that the cover will be made from wood and metal and the sides will be open. Mr. Billings comments that the patio addition will take the use of one door, but the business still has three additional doors on the front of the building to access the building. Mr. Harland asked hypothetically, what if Mr. Billings wanted to expand the patio beyond the proposed measurements, what would be the process. Mr. Hall answered that Mr. Billings would have to go through an approval process again.

Mr. Harland opened the public comment portion.

Frank Diana, 16 West 4800 South, stated he is the property owner. He stated that wishes to upgrade his building as a result of the new Murray City projects. The outdoor expansion would help the business. Mr. Diana added that the proposed planters along the patio would create a buffer between the parking and patio area. The planters would be modeled after some that are used in the downtown Salt Lake City area for similar purposes.

Mr. Harland closed the public comment portion.

Mr. Harland asked if this is approved today what would be the next steps for the applicant. Mr. Hall explained that it would be forwarded to the MCCDRC next, and then it would go to the Planning Commission.

Mr. Harland stated he will forward his written decision to the Community Development Office at 4646 South 500 West, by noon on Wednesday, August 1, 2018.

There was no other business.

The meeting was adjourned at 12:45 p.m.

  
Jared Hall, Community & Economic  
Development Supervisor