

Minutes of the Planning Commission meeting held on Thursday, June 20, 2019, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Ned Hacker, Chair
Sue Wilson, Vice Chair
Phil Markham
Travis Nay
Lisa Milkavich
Zac Smallwood, Associate Planner
Susan Nixon, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Scot Woodbury
Maren Patterson

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Division Office.

Ned Hacker opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Mr. Nay made a motion to approve the minutes from the June 6, 2019 Planning Commission meeting. Seconded by Mr. Markham.

A voice vote was made, motion passed 5-0.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

There were no findings of fact.

MURRAY HILL GARDENS SUBDIVISION AND MURRAY HILL GARDENS – Plat B – 4727 South Rainbow Drive & 285 East Mountain View Drive - Project #19-063

Erik Fetzer was present to represent this request. Zac Smallwood reviewed the location and request to allow for a Lot Line Adjustment between the properties addressed 4727 South Rainbow Drive and 285 East Mountain View Drive, in the R-1-8 Zone. All Platted Subdivisions are required to be heard by the Planning Commission. Mr. Smallwood explained that the Fetzer's wish to purchase additional abutting property to the east of their home with the intention of securing well rights. The change would increase the Fetzer's property from .46 acres to .85 acres. The property at 285 East Mountain View Drive would decrease in size from .72 acres to .32 acres. Both lots will meet all current setback requirements and will not create a non-conforming lot. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission approve the requested amended Subdivision and Lot Line Adjustment for the properties located at 4727 South Rainbow Drive and 285 East Mountain View Drive, subject to the three conditions.

Erik Fetzer, 4727 South Rainbow Drive, stated he has reviewed the staff recommendations and will comply with the conditions. Mr. Fetzer stated he has lived at this home for 20 years and recently purchased the home to the North and split that property to create a bigger yard for himself. The intent of purchasing additional property from the Andersons is to make an even larger back yard and to farm.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Markham made a motion of approval for the requested amended subdivision and lot line adjustment for the properties located at 4727 South Rainbow Drive and 285 East Mountain View Drive, subject to the following conditions:

1. That the application shall meet all Murray City subdivision amendment requirements and Lot Line Adjustment.
2. The PUE's (public utility easements) and easements on existing lot(s) must remain in place.
3. Proof of recordation of Notice of Approval of Lot Line Adjustment document to be submitted to the Community & Economic Development Planning Division.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. Smallwood.

 A Phil Markham
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Ned Hacker

Motion passed 5-0.

MICHELLE RUBEN – 689 East Silver Shadows Drive - Project #19-068

Michelle Ruben was present to represent this request. Zac Smallwood reviewed the location and request to allow an Accessory Dwelling Unit (ADU) in the R-1-8 Zone on the property located at 689 East Silver Shadows Drive. Mr. Smallwood explained that the single-family home is on a 14,810 square foot (sq. ft.), lot. The home is multi-tiered and the ADU would be on the 2nd level with a walkout basement. The 3rd level below the ADU consists of two additional bedrooms and a storage area for the use of the homeowner. The ADU is 671 square feet which is 19% of the total square feet and one bedroom. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed Accessory Dwelling Unit meets the Design Standards in Section 17.78 of the Murray City Land Use Ordinance pertaining to Accessory Dwelling Units as well as the requirements of the R-1-8 Zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Mr. Markham asked if there has been any comment from neighbors. Mr. Smallwood stated that there have been two comments, and both were curious if the ADU would be detached or

within the home. Mr. Smallwood explained that he informed the neighbors that the ADU would be located in the home and they were fine with it.

Michelle Ruben, 689 East Silver Shadows Drive, stated she had read the conditions of approval and will be able to comply.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Markham made a motion to approve a Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) on the property located at 689 East Silver Shadows Drive subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. Interconnected smoke detectors and CO sensors shall be provided throughout the house.
3. Separately controlled heating shall be provided for each area, such as base board heating, a dual zone furnace, etc.
4. Access from the ADU to a circuit breaker panel shall be provided.
5. Appropriate egress windows and window wells shall be provided.
6. The applicant will obtain Murray City Building Permits for any new work needed in conjunction with the ADU.
7. Inspections by the Murray City Building Division will be required prior to occupancy of the ADU, and will include general inspection of the items mentioned in the Staff Report.
8. The proposed Accessory Dwelling Unit shall comply with all applicable ordinance standards outlined in Chapter 17.78.
9. The ADU shall be occupied by no more than two (2) related or unrelated adults and their children.
10. The property owner shall complete and record with the Salt Lake County Recorder's Office, the Accessory Dwelling Unit – Owner Occupancy Affidavit (Provided by Community & Economic Development). A copy of the recorded document shall be provided to the Murray City Community and Economic Development Division prior to occupancy of the ADU.
11. The property owners shall obtain a rental business license from Murray City prior to allowing occupancy of the ADU. Rental of the ADU must meet the requirements of the Murray City Land Use Ordinance.
12. Temporary Rentals are not allowed; neither the Primary nor Accessory Dwelling Unit may be used as temporary rentals such as an Air B&B or VRBO.

Seconded by Ms. Wilson.

Call vote recorded by Mr. Smallwood.

 A Phil Markham
 A Sue Wilson
 A Lisa Milkavich
 A Travis Nay
 A Ned Hacker

Motion passed 5-0

OTHER BUSINESS


Mr. Smallwood reminded the commissioners that due to the 4th of July Holiday, there will only be one meeting in July on the 18th. The July 18th, 2019 schedule is very full.

Mr. Markham made a motion to adjourn. Seconded by Mr. Nay.

 A Phil Markham
 A Sue Wilson
 A Lisa Milkavich
 A Travis Nay
 A Ned Hacker

Motion passed 5-0

The meeting was adjourned at 6:44 p.m.



Jared Hall, Supervisor
Community and Economic Development