



# HEARING OFFICER MEETING

## MEETING MINUTES

March 12, 2025

12:30 P.M. MST

Poplar Conference Room #151, 10 East 4800 South, Murray, Utah

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### CALL MEETING TO ORDER

#### PRESENT

Jim Harland, Hearing Officer  
Mark Richardson, Deputy City Attorney  
Chad Wilkinson, CED Director  
Zachary Smallwood, Planning Division Manager  
David Rodgers, Senior Planner  
Man Ye So, appellate  
Walter Keane, legal representation

Mr. Harland called the meeting to order at 12:30 P.M. MST.

#### CONFLICT(S) OF INTEREST

There are no conflicts of interest for this meeting.

#### VARIANCE REQUESTS

##### Man Yee So c/o Keane Law, PLLC - Project # 25-001 - Case #1619 - 421 East 6270 South

Mr. Harland introduced the appeal regarding an accessory dwelling unit, specifically the size of the property.

Mr. Richardson presented the appeal, providing a summary of the request. He said there are two issues with the appeal. He indicated the date of the letter was originally one issue but has been resolved. The second issue is the decision regarding the ADU. Mr. Harland said this request is different than others, which usually come after a Planning Commission meeting and has more concrete documentation to review. The ADU fails to meet the requirement for minimum lot size of 10,000 square feet.

Mr. Smallwood said that any resident may petition for a variance. Staff reviews it against five state standards that have been laid out for approval of variances. Every one of those five standards must

be met in order to grant variance. He said he doesn't feel a request to reduce the lot size requirement will meet the criteria. Mr. Wilkinson said that kind of request would be a zoning standard. He said there are two additional considerations for approval of variances. One is that it can't be an economics consideration and the other is that it can't be self-imposed.

Walter Keane, the appellate's attorney, provided background for the request. He said that his client purchased the property and attempted to pursue a business license to lease the ADU. The client purchased the property based on representations made by the seller. He said that this appeal is just to go through the motions, so they can move onto the next step.

Man Yee So spoke about the history of purchasing the property and the information provided to her by the seller. She wants to comply with the city regarding the use of the ADU but feels deceived by the previous owner of the property as to how she can legally use it.

A discussion was had regarding the permitted use of the ADU. It's considered an accessory structure. It couldn't be determined in the scope of this meeting whether or not the structure would need to be taken down or that the kitchen appliances inside would need to be removed, nor could the needed setbacks be determined. Mr. Smallwood said that's a conversation staff needs to have with the applicant and their legal representation outside this meeting. He said they should file a zoning verification letter to proceed. These are determined on a case-by-case basis, which includes a review of the characteristics of the property.

Mr. Harland said staff will do their best to work with them in any way. He indicated he'd provide a response by next week.

#### ANNOUNCEMENTS AND QUESTIONS

The next scheduled meeting will be held on Wednesday, April 9, 2025, at 12:30 p.m. MST in the Poplar Conference Room #151, 10 East 4800 South, Murray, Utah.

#### ADJOURNMENT

Mr. Harland adjourned the meeting at 12:52 p.m. MST.

A recording of this meeting is available for viewing at <http://www.murray.utah.gov> or in the Community and Economic Development office located at 10 East 4800 South, Suite 260.

The public was able to view the meeting via the live stream at <http://www.murraycitylive.com> or <https://www.facebook.com/Murraycityutah/>. Anyone who wanted to make a comment on an agenda item was able to submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov).



Zachary Smallwood, Planning Division Manager  
Community & Economic Development Department