



Murray City Hearing Officer Meeting
Electronic Meeting Only – April 14, 2021, 12:30 p.m.

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Hearing Officer has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain. (See attached Hearing Officer determination.)

To view or listen to the meeting electronically, please register at: <https://tinyurl.com/ho041421> or contact the Planning Division at 801-270-2420 or planning@murray.utah.gov so we can make arrangements to accommodate your participation.

BUSINESS ITEM:

1. Conflict of Interest

NONCONFORMING ADDITION

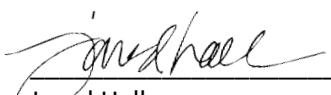
2. Case #1577 – Amir Ali Akbar Khah
371 East Vine Street
Addition to Nonconforming Structure

Project #21-023

OTHER BUSINESS

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

On the 1st day of April 2021, before 5:00 p.m. a copy of the foregoing Notice of Meeting was posted in accordance with Section 10-9a-201 through 209, U.C.A. A copy of this notice was also posted on Murray City's internet website www.murray.utah.gov



Jared Hall
Manager

Hearing Officer Meeting Opening Statement

As the Hearing Officer of Murray City, I, Jim Harland, have determined that due to the continued rise of COVID-19 case counts, holding an in-person meeting with an anchor location presents a substantial risk to the health and safety of those in attendance.

Under these circumstances, House Bill 5002, an amendment to the Open and Public Meetings Act, allows for electronic meetings to be held without an anchor location so long as the public has an opportunity to view the meeting and submit public comments.

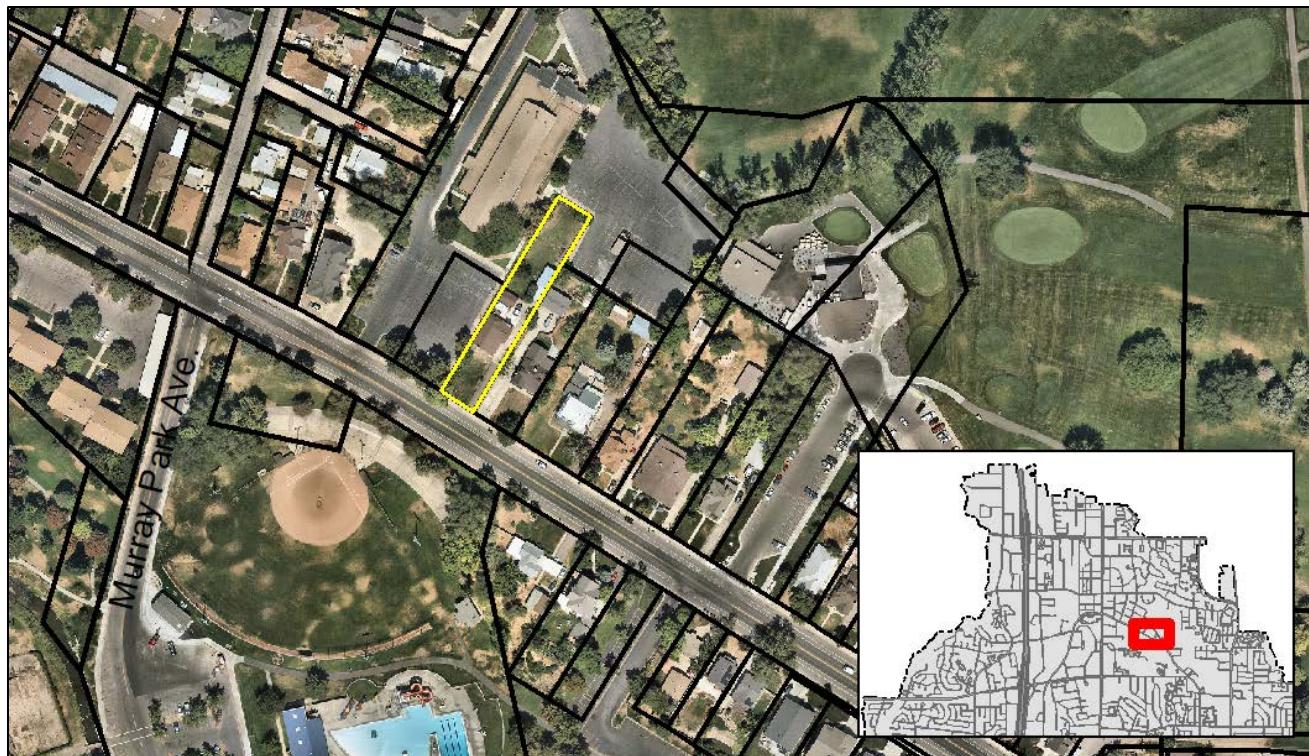
We are holding today's Hearing Officer meeting via video conference. If you have a public comment to submit to the Hearing Officer, please do so via email at planning@murray.utah.gov.

Jim Harland
Hearing Officer



AGENDA ITEM #2

ITEM TYPE:	Expansion of a Non-Conforming Use/Building		
ADDRESS:	371 East Vine Street	MEETING DATE:	April 14, 2020
APPLICANT:	Amir Ali Akbar Khah	STAFF:	Zachary Smallwood, Associate Planner
PARCEL ID:	22-07-253-013	CASE NUMBER:	1577
ZONE:	R-1-8, Low density single family	PROJECT NUMBER:	21-023
SIZE:	.34 acre site 1,688 ft ² existing residence 1,400 ft ² Addition		
REQUEST:	The applicant would like to construct an addition to an existing single family house that is currently non-conforming to side setback regulations as written in Section 17.100.080 of the Land Use Ordinance.		



I. LAND USE ORDINANCE

Section 17.52.040 of the Murray City Land Use Ordinance allows for a building or structure occupied by a nonconforming use, or a building that is nonconforming as to height, area, or yard regulations to be added to, enlarged or moved to another location on the lot subject to review by the Hearing Officer. The building on the subject property is nonconforming to yard regulations, and the proposed addition will increase the size of the structure.

II. PROJECT REVIEW

Subject Property + Background

The subject property is a single-family residence located along Vine Street at approximately 371 East. The request for expansion is to allow the property owner to construct an approximately 1,400 ft² garage and second floor addition to the front of the home and enclose a small portion of the existing entrance. This will include building a second story to the home. Single-family dwellings are allowed to build up to thirty-five feet (35') in height within the Land Use Ordinance.

According to the Salt Lake County Assessor's office the existing dwelling was built in 1944. Since then, zoning on the property has changed and created a nonconforming structure. The site plan provided by the applicant shows the following setbacks:

	Existing	Proposed	Required
Front	78'	58'	25'
Rear	176'	176'	15'
Side	West: 3' East: 12'4"	West: 3' East: 12'4"	West: 8' East: 12'

Proposed Addition

The applicant would like to construct a 700 ft² garage and second floor master suite as an addition to their existing home. The home currently does not meet the requirements of the R-1-8, Low Density Single Family Zone. The home encroaches into the side yard setback by approximately five feet (5'). The request for an addition to the front of the home would not increase any nonconformity on the property. The applicant's proposal for an addition does not encroach into the already established nonconforming side yard setback. The addition would be built to the front of the home elongating the existing home. Staff believes that this would not cause any additional burden to neighboring properties.

III. FINDINGS

The Hearing Officer acting as the Murray City Appeal Authority may authorize approval of an addition, enlargement, or moving of a structure occupied by a nonconforming use or a structure that is nonconforming as to height, area, or yard regulations subject to the following findings:

1. The addition to, enlargement of, or moving of the building will be in harmony with one or more of the purposes of this title;

The proposed addition of the single-family home is in harmony with the purpose of the R-1-8, Single Family Residential Zone that promotes and encourages family life by adding additional square footage to an existing dwelling.

The proposed addition is in harmony with the following statements that are located in Section 17.04.020(D), (F), and (H) of the Murray City Land Use Ordinance:

- Preserve and create a favorable environment for the citizens and visitors of the city.
 - Reinvestment in existing dwellings contributes to a favorable environment for the citizens of the city.
- Foster the city's residential, business and industrial development.
 - The proposed addition would allow for a more useable single-family home in an established area of Murray.
- Promote the development of a wholesome, serviceable and attractive city resulting from an orderly, planned use of resources.
 - The reinvestment of this property will help to increase its and neighboring home values in the area.

2. That the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure.

Staff does not believe that the proposed attached garage and addition will impose any unreasonable burden upon the lands located in the vicinity of the nonconforming structure. The neighboring property that would potentially be affected is a church parking lot. Staff does not see any impact to the operations of the church. The existing dwelling has been in its current state since it was built in 1944 and Staff does not anticipate any concerns with the proposed request.

IV. CONCLUSION / RECOMMENDATION

Based on a review and analysis of the submitted material and applicable sections of the Murray City Land Use Ordinance, Staff finds that the proposal meets the standards for an expansion of a nonconforming structure and recommends **APPROVAL**.

HEARINGS OFFICER APPLICATION

Permit # 21-023

Case # 1577

Type of Application (check all that apply):

Variance

Expansion of Non-Conforming Use

Appeal

Subject Property Address: 371 E VINE ST MURRAY UT 84107

Parcel Identification (Sidwell) Number: 22-07-253-013

Parcel Area (acreage): 1.657 Current Use: 1.657

Floor Area: 1330 Zoning Classification: R-1-B

Applicant Name: Amir Ali Akbar khah

Mailing Address: 371 E VINE ST

City, State, ZIP: MURRAY UT 84107

Daytime Phone #: 801 300 1225 Fax #: _____

Email address: Ariana Transport LLC. ut@gmail.com

Business Name (If applicable): Ariana Transport LLC

Property Owner's Name (If different): Amir Ali Akbar khah

Property Owner's Mailing Address: 371 E VINE ST MURRAY

City, State, Zip: MURRAY UT 84107

Property Owner Email Address: Ariana Transport LLC. ut@gmail.com

Daytime Phone #: 801 300 1225 Fax #: _____

Type of variance request, exact measurement, and reason for request: _____

Authorized Signature:  Date: 2-24-2021

Property Owners Affidavit

STATE OF UTAH

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COUNTY OF SALT LAKE

I (we) Amir Ali Albar Khan, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.



Owner's Signature

Owner's Signature (co-owner if any)

Subscribed and sworn to before me this 24th day of February, 2021.



Notary Public



Residing in Salt Lake County
My commission expires: 5/9/23

Agent Authorization

I (we), Amir Ali Albar Khan, the owner(s) of the real property located at 371 E VINE ST, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

On the _____ day of _____, 20 _____, personally appeared before me

_____ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public

Residing in _____

My commission expires: _____



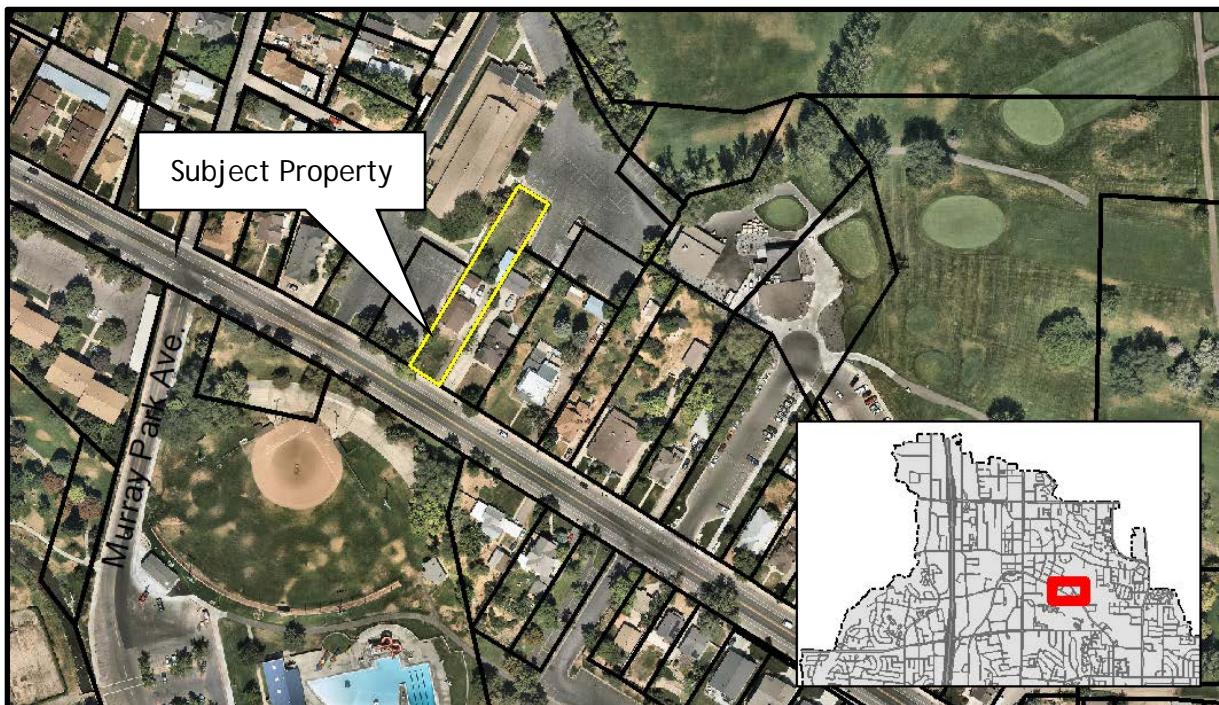
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The Murray City Hearing Officer will hold a public meeting regarding the following application: **Amir Ali Akbar Khah is requesting an expansion of a nonconforming use to expand his dwelling at the property addressed 371 East Vine Street. Please see the attached plans.** If you would like to view or comment on this agenda item at the meeting please register at: <https://tinyurl.com/ho041421> or you may submit comments via email at planningcommission@murray.utah.gov.

Comments are limited to 3 minutes or less and will be read into the meeting record.



This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this proposal, please call Zachary Smallwood with the Murray City Planning Division at 801-270-2420, or e-mail to zsmallwood@murray.utah.gov.

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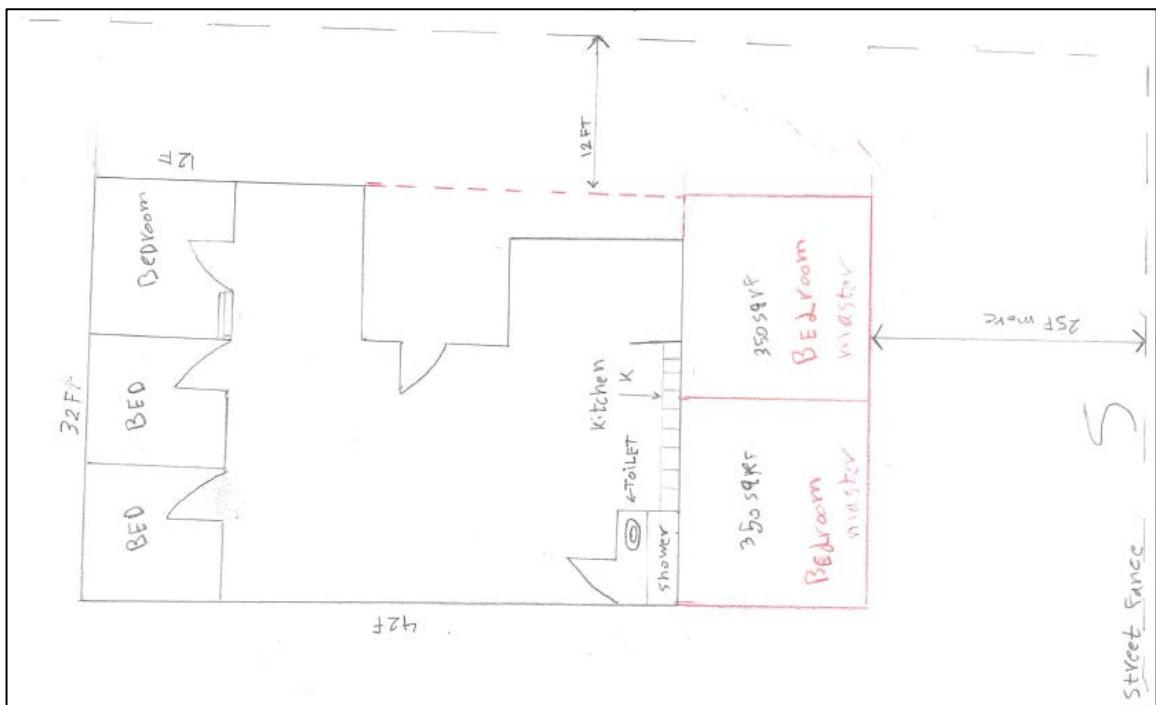


Figure 1: Proposed addition in red

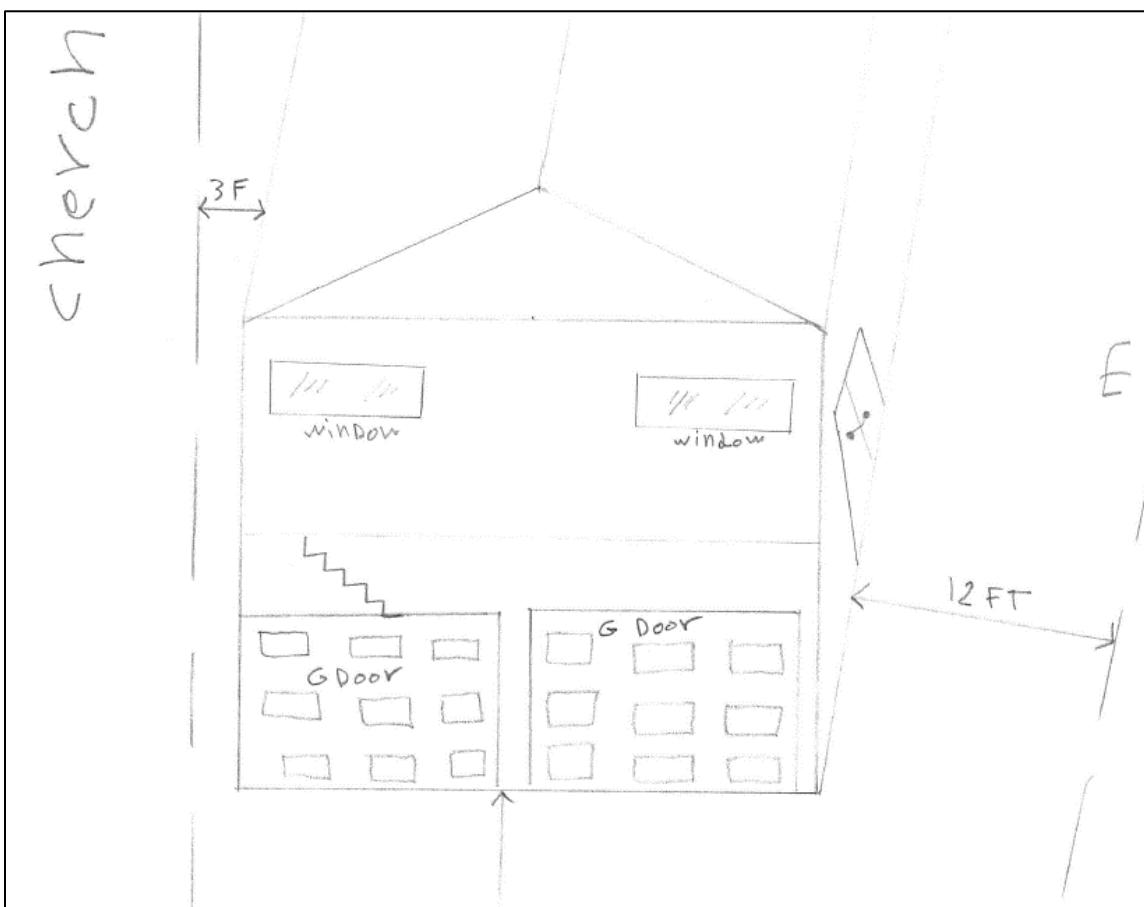


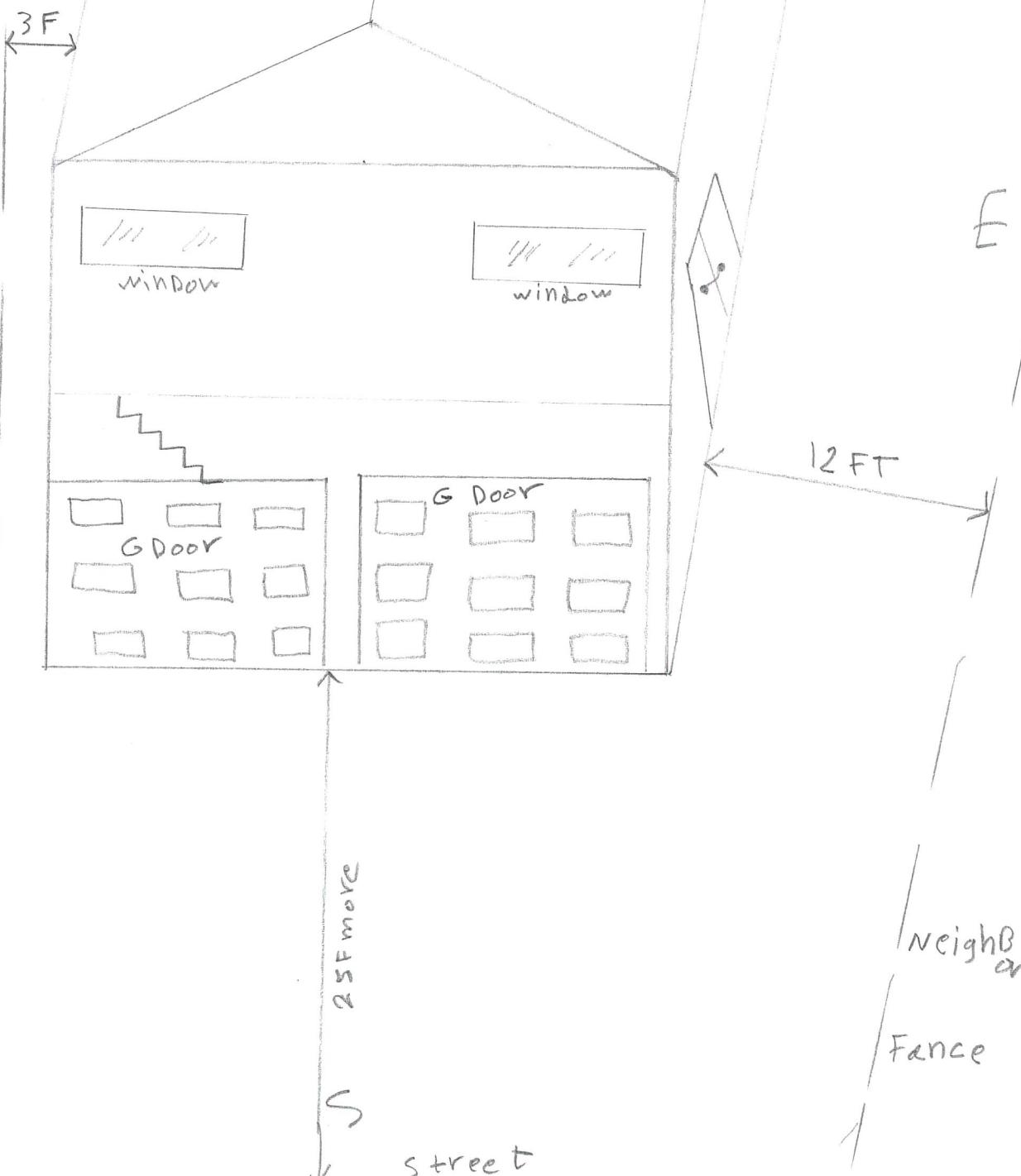
Figure 2: Proposed elevation

Black = Existing
Red = Proposed

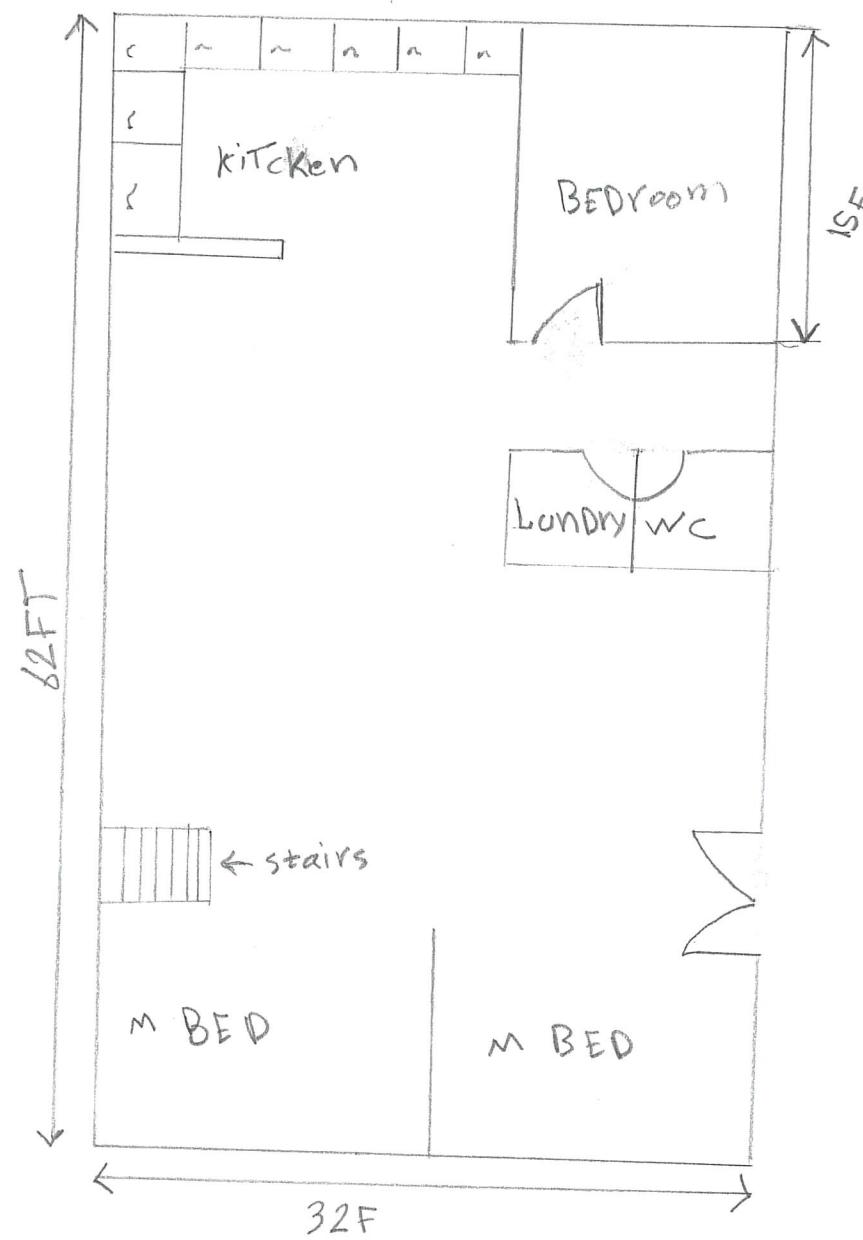


proposed

church

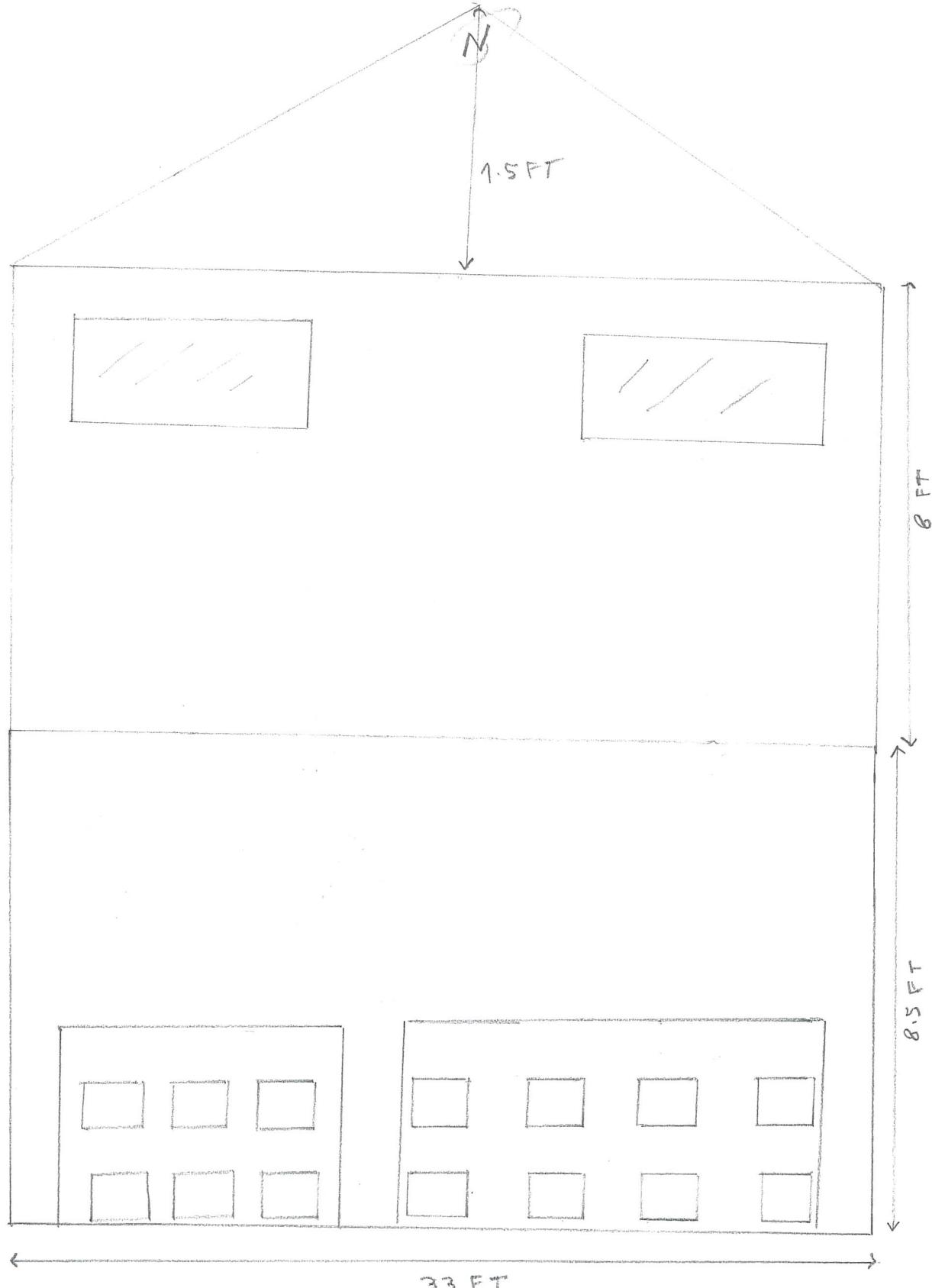


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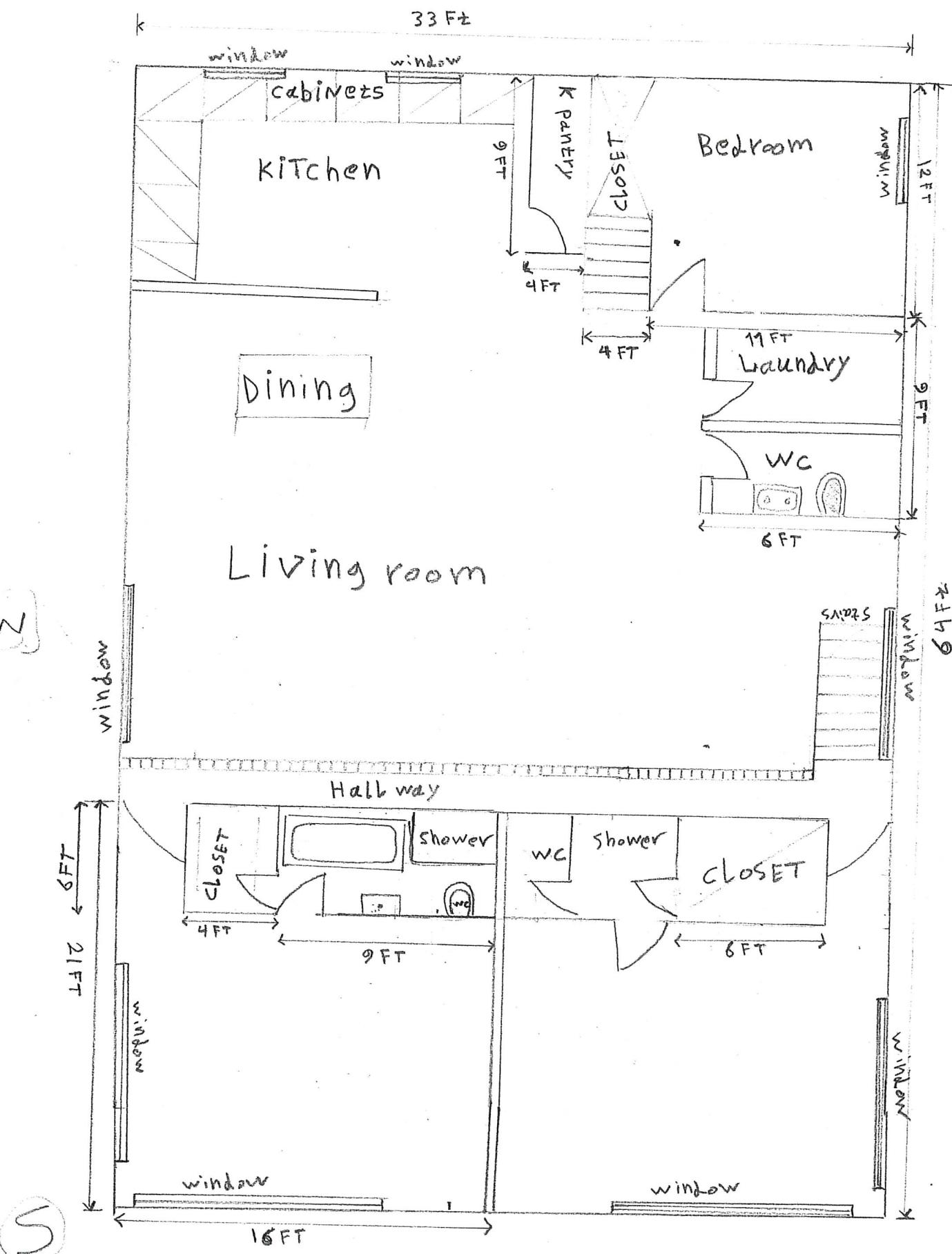
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