

Minutes of the Hearing Officer meeting held on Wednesday, February 9, 2022, 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, Planning Division Manager
Briant Farnsworth, Deputy City Attorney
John and Shauna Nelson, Applicant

Jim 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 #1581 – John and Shawna Nelson – 812 East Silver Shadow Drive – Project #22-009

The request is for the expansion of a non-conforming building. Jared Hall presented the request to construct an addition to their existing single-family home, which is currently non-conforming to side setback regulations of the current R-1-8 zone as written in Section 17.100.080 of the Land Use Ordinance. Non-conforming refers to structures or uses that used to be allowed in the zoning but no longer are. This property was initially in the R-2 Zone. Under the R-2 Zone the regulations of side-yards were 8'. The home currently does not meet the requirement of the R-1-8 Zone for the side-yards to total 20'. The proposed addition will occur without impact to the existing side yard setbacks in any way, and without violating any other required setbacks or regulations. In short, the request for an addition to the rear of the home would not increase the existing nonconformity on the property. The main goal is to ensure the expansion doesn't make the nonconformity any more severe than it is already.

Staff found that 1. it is in harmony with the purpose of the title which is the new zone it is in and makes the property more usable and stabilizes the neighborhood and 2. found that the addition doesn't impose on any adjacent properties. Staff is recommending approval for the expansion of nonconforming use subject to the two conditions:

1. The applicant shall obtain the appropriate Murray City Building Permits necessary for the proposed addition.
2. The proposed addition shall not decrease the existing side yard setbacks and shall conform to all other yard and area requirements of the R-1-8 Zone.

Mr. Harland asked if the intended purpose was for a family room. Mr. Hall verified it is an extension for a great room.

Shauna Nelson, applicant, stated our kids have grown and we are looking for a large common space for everyone to gather.

Mr. Harland opened the hearing for public comment. The following comments were made:

Mr. Hall read the following emailed comments into the record:

Diane Nelson, 6426 Silver Bell Street

We heartily approve of the project the Nelsons are planning and will be a great addition to our neighborhood.

Daniel Lundwall, Murray

I received a letter from Murray City Corporation, Community & Economic Development informing me that a public hearing would be held on February 9, 2022 @ 12:30pm in regards to an addition to an existing structure. The existing structure being the home of John and Shawna Nelson, who reside at 812 E. Silver Shadows Dr.

This letter is to inform Murray City and its council members that as a neighbor to John and Shawna Nelson I have no issues having them improve their existing home by this addition.

For that matter, I don't see why it's anybody's business how we improve our property, especially with additions like that of John and Shawna Nelson, who want to simply improve their dwelling by adding this addition to their home.

No further comments were made and the comment portion was closed.

Mr. Harland stated we do need to go through this process, and we have had many problems with people building things that are not conducive to the neighborhood and are a hindrance to the neighbors and there is a very good reason we have the ordinance and follow those procedures. He asked the applicants if they would communicate that when they see him and are happy to follow the rules.

Mr. Harland stated this is pretty cut and dry and commending them for starting with a building permit. The final decision and report will be made by Wednesday, February 16, 2022, by noon.

There was no other business.

The meeting was adjourned at 5:45 p.m.



Jared Hall, Manager

Community Development Planning Division