

# **SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT**

**Meeting Date: 08/22/2023**

---

**Issue:**                **CONDITIONAL USE PERMIT FOR DETACHED ACCESSORY GARAGE**

**File No.:**                **PLCUP202300113**

**Property Address:**    11149 S 2865 W South Jordan, UT 84095

**Applicant:**             Jon Bowen (Property Owner)

**Submitted By:**        Miguel Aguilera, Planner I

---

## **Staff Recommendation (Motion Ready):**

**Approve** the Conditional Use Permit (File No. **PLCUP202300113**) with no conditions, based on the Findings and Conclusions listed in this report.

---

## **CONDITIONAL USE REVIEW STANDARDS:**

A conditional use shall not be established or commenced without a conditional use permit approved by the Planning Commission or City Council in conformance with the requirements of City Code §17.18.050; and other pertinent laws and ordinances. Unless amended, revoked, or otherwise specified, the permit shall be indefinite and shall run with the land.

The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards. The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

City Code §17.18.050 also provides standards for compliance and revocation:

1. A conditional use may be commenced and operated only upon:
    - a. Compliance with all conditions of an applicable conditional use permit;
    - b. Observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and
    - c. Compliance with all applicable local, State, and Federal laws.
  2. A conditional use permit may be revoked by the City Council at any time due to the permittee's failure to commence or operate the conditional use in accordance with the requirements of subsection I1 of this section.
-

## **BACKGROUND:**

The applicant is requesting that the Planning Commission review and approve a Conditional Use Permit for a detached accessory garage; located at 11149 S 2865 W. The subject property is zoned R-1.8, has an area of 1.08 acres, and belongs to the Thaxton Acres recorded subdivision. The proposal is to construct a detached garage with an accessory dwelling unit on the second floor of the garage. The proposed garage will be 25 feet in height with an average wall height of 16 feet 8 inches. The existing home on the subject property is 22 feet in height. The left elevation of the accessory garage will have windows at roughly 9 feet 6 inches above grade and will be 15 feet from the closest property line to the north. City Code §17.40.020.I(3a) allows the height of an accessory building to exceed that of the main building with the approval of a conditional use permit (CUP) by the Planning Commission. City Code §17.40.020.I(3c) allows the average wall height of an accessory building to exceed 16 feet above grade with the approval of a Conditional Use Permit by the Planning Commission. City Code This code section also allows the Planning Commission to approve openings or windows that are 4 feet above grade and within 20 feet of a property line through a conditional use permit. No detrimental effects were found to be associated with the accessory garage's design.

## **FINDINGS, CONCLUSION, & RECOMMENDATION**

### **FINDINGS:**

- The footprint of the existing single-family home (main building) is 2,820 sqft and has a height of 22 feet, according to the Official County Records.
- The applicant proposes an accessory garage with 2,108 sqft footprint, a footprint within the allowed range for the R-1.8 zone.
- The proposed roof pitch is 3.5:12 and above. Accessory buildings in the R-1.8 Zone are only required to have a minimum 1:12 roof pitch.
- The proposed average wall height is 16' 8", exceeding the 16' limit unless additional height is approved by the Planning Commission as per City Code §17.40.020.I(3c).
- The proposed windows on the left elevation will be 9 feet 6 inches tall and be 15 feet from the property line. This exceeds the required 20 foot distance for windows above 4 feet unless approved by the Planning Commission as per City Code §17.40.020.I(3c).
- City Code §17.40.020.F (2c) requires a minimum setback, from foundation to property line, of at least (3'). The application proposes a setback of (15') to the north property line, which is the property line that will be closest to the structure.
- The subject property has a (10') Irrigation, Drainage, and Utility Easement located in the middle of the property. The proposed setback will not be encroaching into this easement and will not require Easement Release & Encroachment Letters from the Utility Providers.
- Without a CUP, the applicant is able to build up to a maximum height of 22 feet, at average wall height maximum of 16 feet, must remove the windows on the left elevation, and still comply with City Zoning & Development Standards applicable to the subject property.

### **Conclusion:**

Based on the application materials and the findings listed in this report, staff concludes that the proposed application is consistent with City Code pertaining to the R-1.8 Zone. Staff does not anticipate any significant detrimental effects. Staff is unaware of any findings of fact based on substantial evidence to support denial of this application.

**Recommendation:**

Staff recommends that the Planning Commission take comments at the public hearing, and **Approve** the Conditional Use Permit Application (File No. **PLCUP202300113**) with no conditions, based on the findings listed in this report.

**ALTERNATIVES TO RECOMMENDATION:**

- Approve the Conditional Use Permit with reasonable conditions imposed
- Deny the Conditional Use Permit, if detrimental effects are identified, and cannot be reasonably mitigated via imposition of reasonable conditions
- Require additional examination, and motion to table for a future meeting

**SUPPORT MATERIALS:**

- Location Map
- Current Zoning Map
- Site Plan
- Building Elevation & Layout

\_\_\_\_\_  
*Miguel Aguilera*  
MIGUEL AGUILERA, PLANNER I  
PLANNING DEPARTMENT

# Location Map South Jordan City

11149 S 2865 W, Thaxton Acres Subdivision

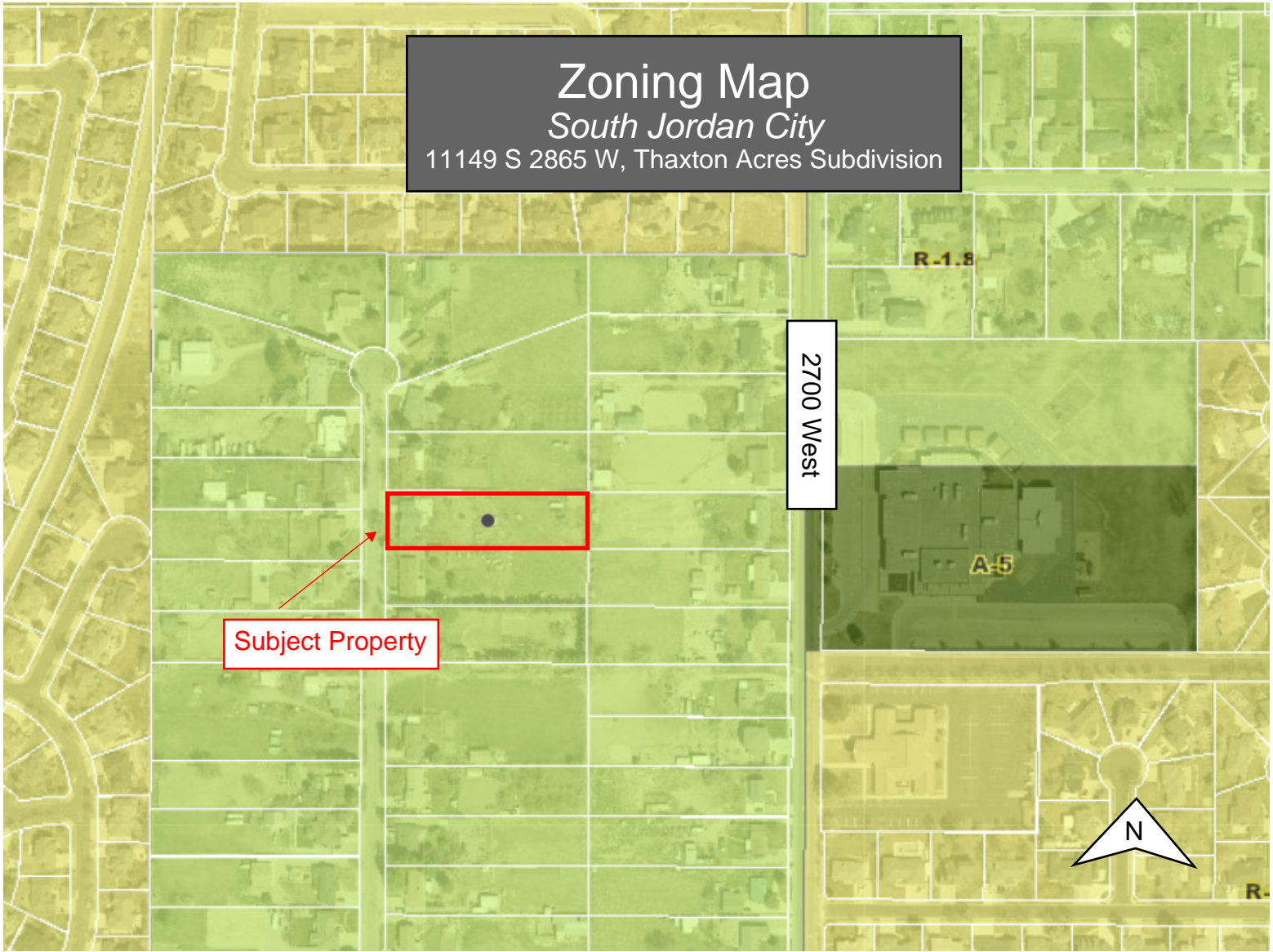
2700 West




Subject Property

N







Legend	
Single-Family Residential (R-1.8)	
Single-Family Residential (R-2.5)	
Agriculture (A-5)	

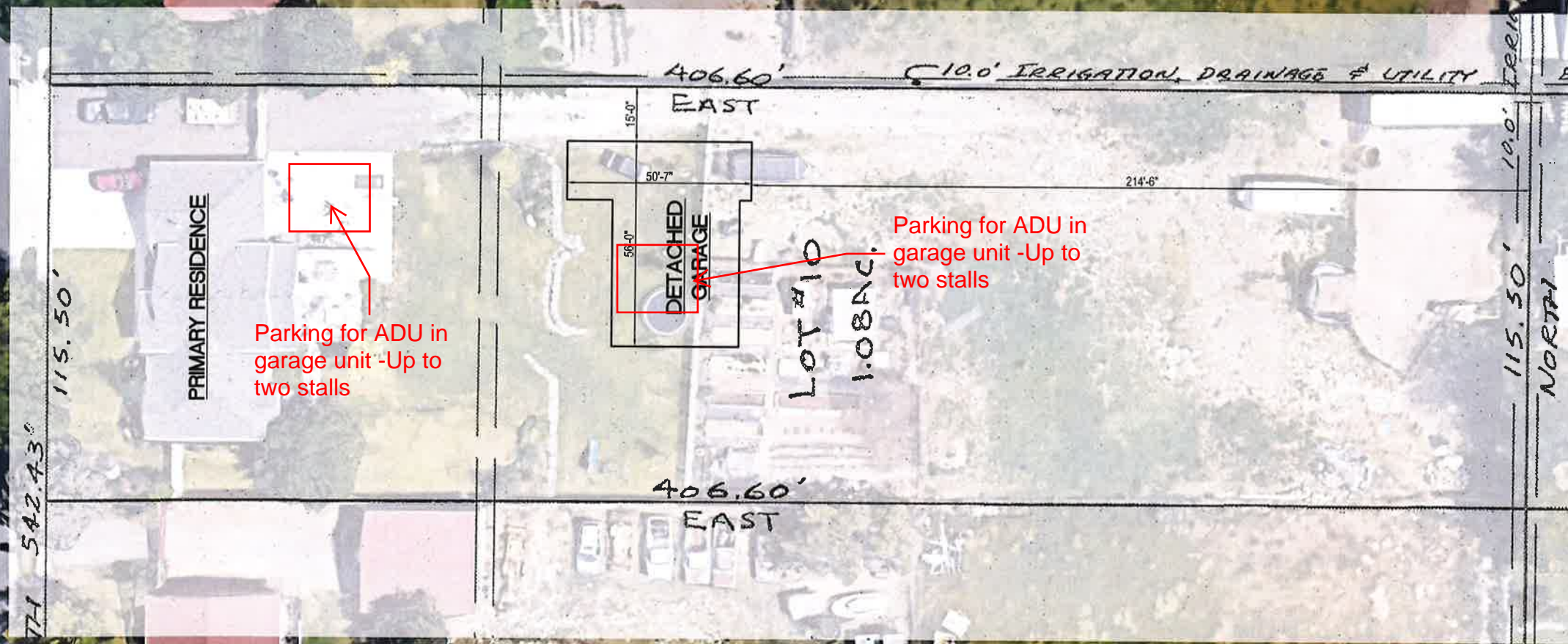


# Bowen Property

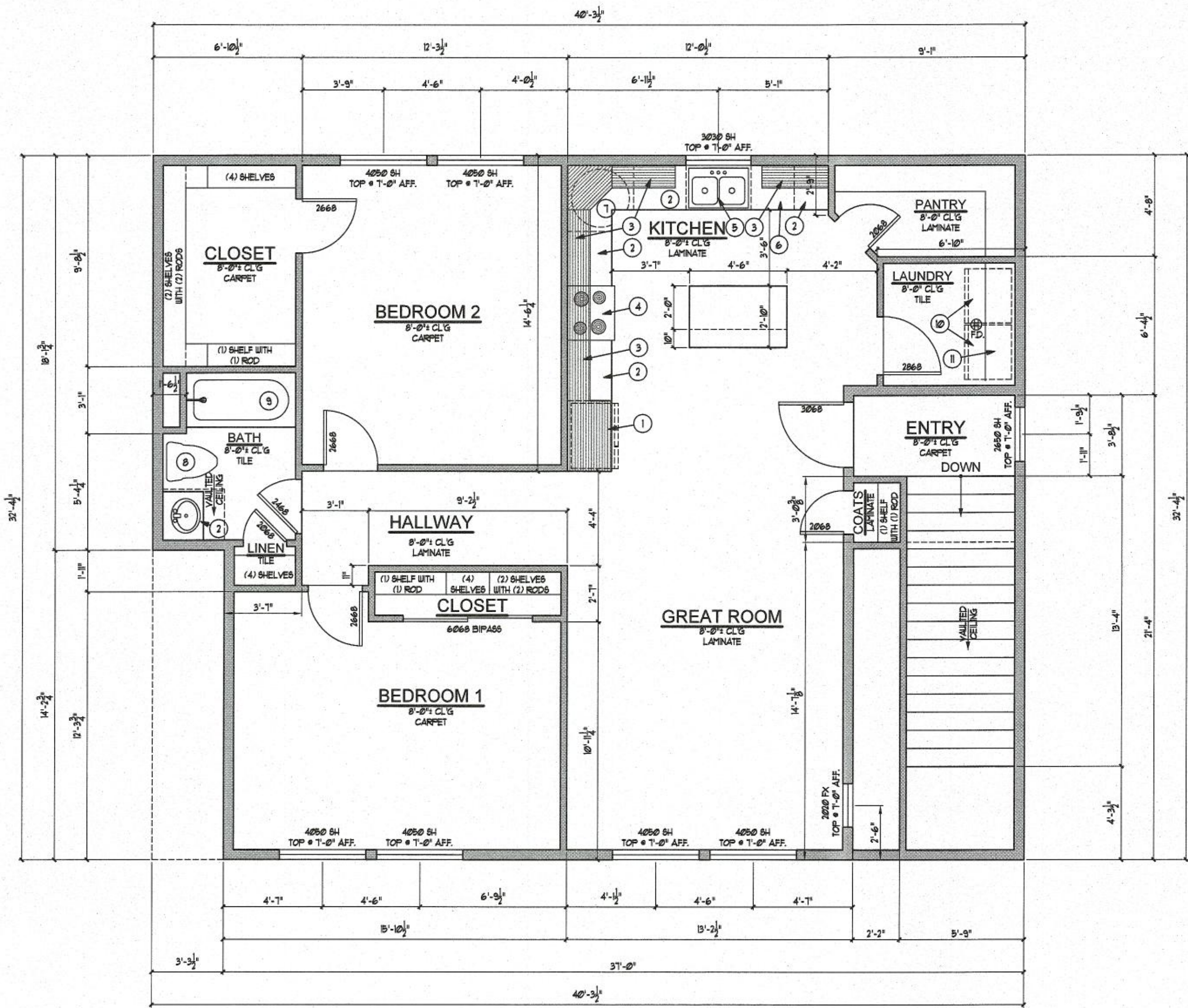
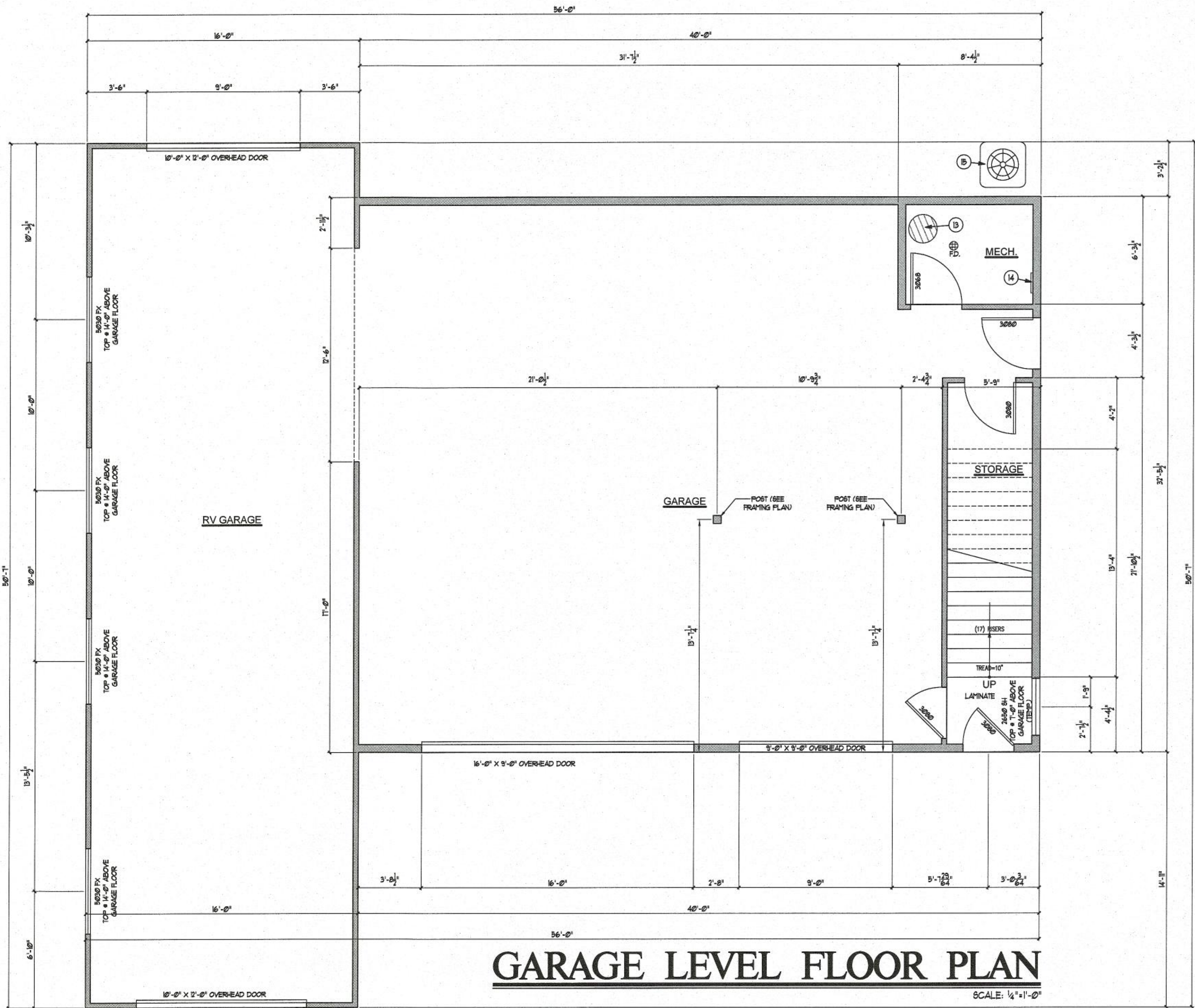
11149 S 2865 W

Dale D Stokes Properties

Google Earth







**IVORY HOMES**  
Utah's Number One Homebuilder

978 Woodlark Lane  
Salt Lake City, Utah 84117  
801-747-7000  
www.ivoryhomes.com

REVISIONS: 01-SARAFI.DWG 05/01/23 11:53

**KEYNOTES**

1. 39" WIDE REFRIGERATOR SPACE (INSTALL WATER LINE)
2. LAMINATE (or OTHER) COUNTERTOP ON 3/4" HIGH BASE CABINET
3. UPPER CABINETS (TOP = 1'-6")
4. 30" WIDE RANGE W/ MICROWAVE ABOVE (VENT MICRO TO EXTERIOR)
5. SINK W/ DISPOSAL
6. DISHWASHER
7. LAZY SUSAN
8. TOILET (1/2 GALLON FLUSH)
9. 30" X 60" TUB/SHOWER
10. WASHER + DRYER HOOKUPS (WASHER IS ON THE LEFT - VENT DRYER TO EXTERIOR)
11. SHELF ABOVE WASHER AND DRYER
12. 36" HIGH RAILING W/ BALUSTERS SPACED SUCH THAT A 4" DIA. SPHERE CANNOT PASS THROUGH
13. 40 GALLON WATER HEATER
14. ELECTRICAL PANEL
15. MINI SPLIT HVAC SYSTEM

**Electrical Installation Guide**

ALL SWITCHES	48"
WALL OUTLETS	48"
WASHER + DRYER OUTLETS	48"
WALL OUTLETS OVER 30" COUNTER	48"
WALL OUTLETS OVER 30" COUNTER	48"
KITCHEN ISLAND OUTLET	ON BOTTOM PLATE
KITCHEN RANGE OUTLET	ON BOTTOM PLATE
KITCHEN REFRIGERATOR OUTLET	48"
KITCHEN WALL W/ MICROWAVE OUTLET	48"
GARAGE GFCI (ABOVE GARAGE FLOOR)	48"
BASEMENT WALL OUTLETS	48"
EXTENSION GFCI OUTLETS	48"
WATER SOFTENER AND PUMP OUTLETS	48"
TV, PHONE & DATA OUTLETS	48"
BATH VANTY LIGHT	7" BELOW TOP OF DOOR
FRONT DOOR COACH LIGHT	7" BELOW TOP OF DOOR
GARAGE DOOR COACH LIGHT	7" BELOW TOP OF DOOR
THROBSTAT	48"
DOORBELL CHIMES	102"
DOORBELL BUTTON	48" ABOVE PORCH SURFACE

\* ALL DIMENSIONS ARE HEIGHT ABOVE FINISHED FLOOR TO TOP OF  
\* HEIGHTS NOTED ON PLAN SUPERSEDES HEIGHTS IN THIS GUIDE

**Symbol Legend**

- 110v Duplex Outlet
- 110v Switched Outlet
- 110v 4-Plex Outlet
- 220v Outlet
- Light Fixture
- Wall Light Fixture
- Recessed Light
- Disk Light (surface mount)
- Switch
- Dimmer Switch
- Phone Jack (CAT5e)
- TV Jack (RG6)
- Network Jack (CAT5e)
- Low-Voltage Wire (16/4)
- 110v Floor Outlet
- Exhaust Fan
- Smoke Detector
- Smoke & CO Detector
- SD/CO

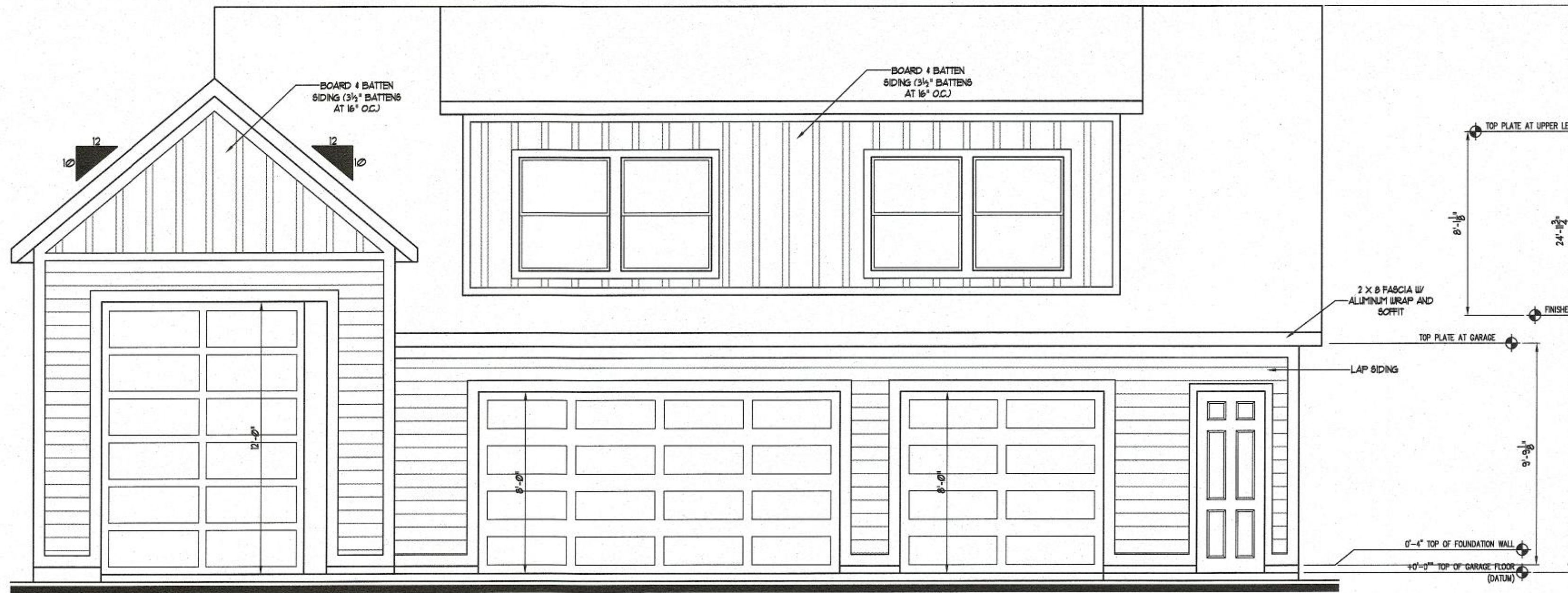
**NOTE!**  
OUTLETS SHALL BE SPACED  
ACCORDING TO PREVAILING CODES AT  
THE DISCRETION OF THE ELECTRICIAN.  
ACTUAL OUTLET LOCATION MAY VARY  
FROM WHAT THIS PLAN SHOWS.

Copyright © 2022 Ivory Homes. All rights reserved.  
The use of these plans is expressly limited to  
Ivory Homes. Re-use, reproduction, or publication by  
any method, in whole or in part, is prohibited.

**Detached Garage  
(with ADU)**

UPPER LEVEL	1097	Date Created	2023
TOTAL FINISHED	1097	Scale	NOTED
GARAGE	2108	Drawn	2/26
		Job	2108
		Sheet	1
		of 3 Sheets	

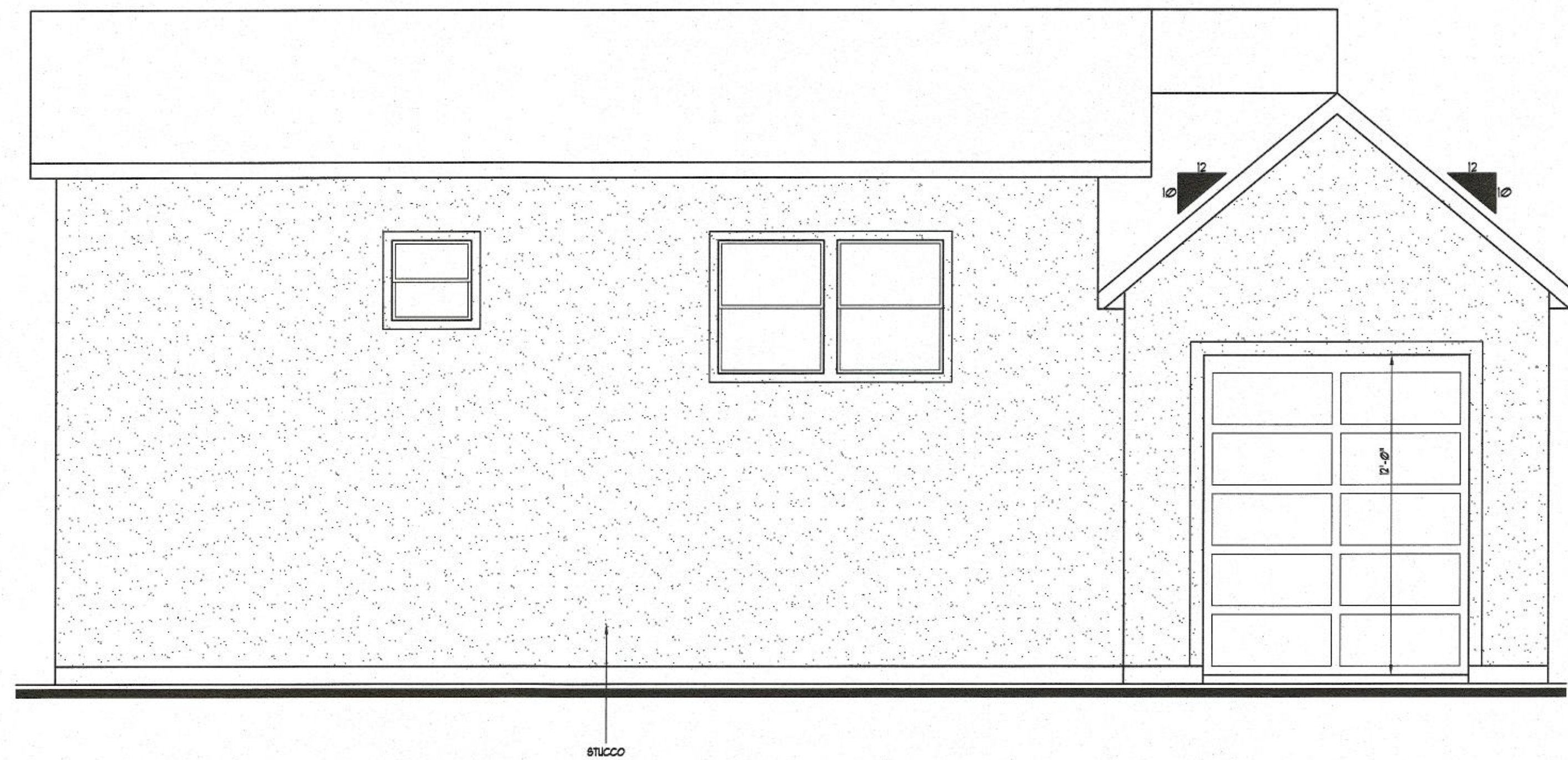




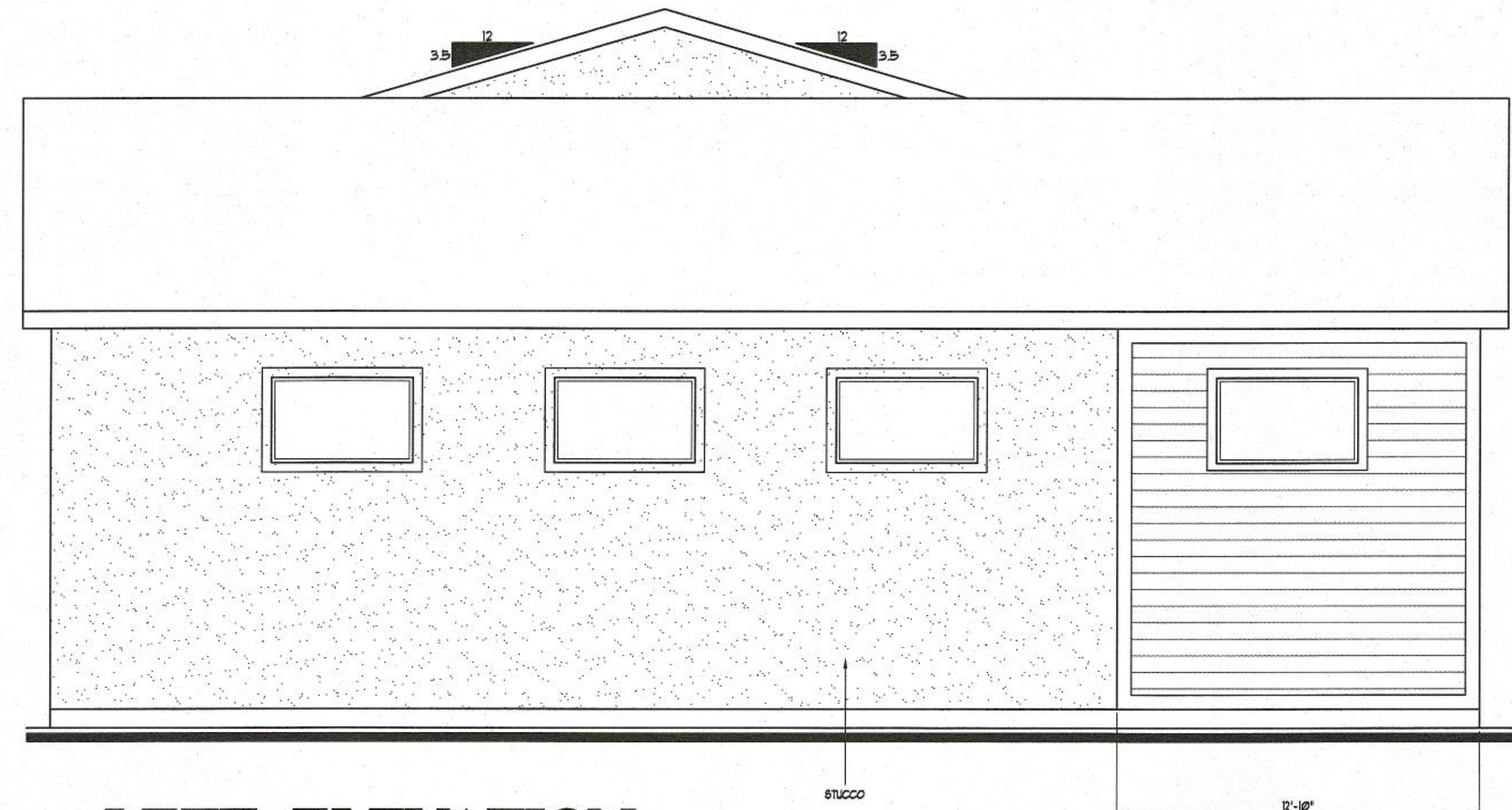
**FRONT ELEVATION**  
SCALE: 1/4"=1'-0"



**RIGHT ELEVATION**  
SCALE: 1/4"=1'-0"

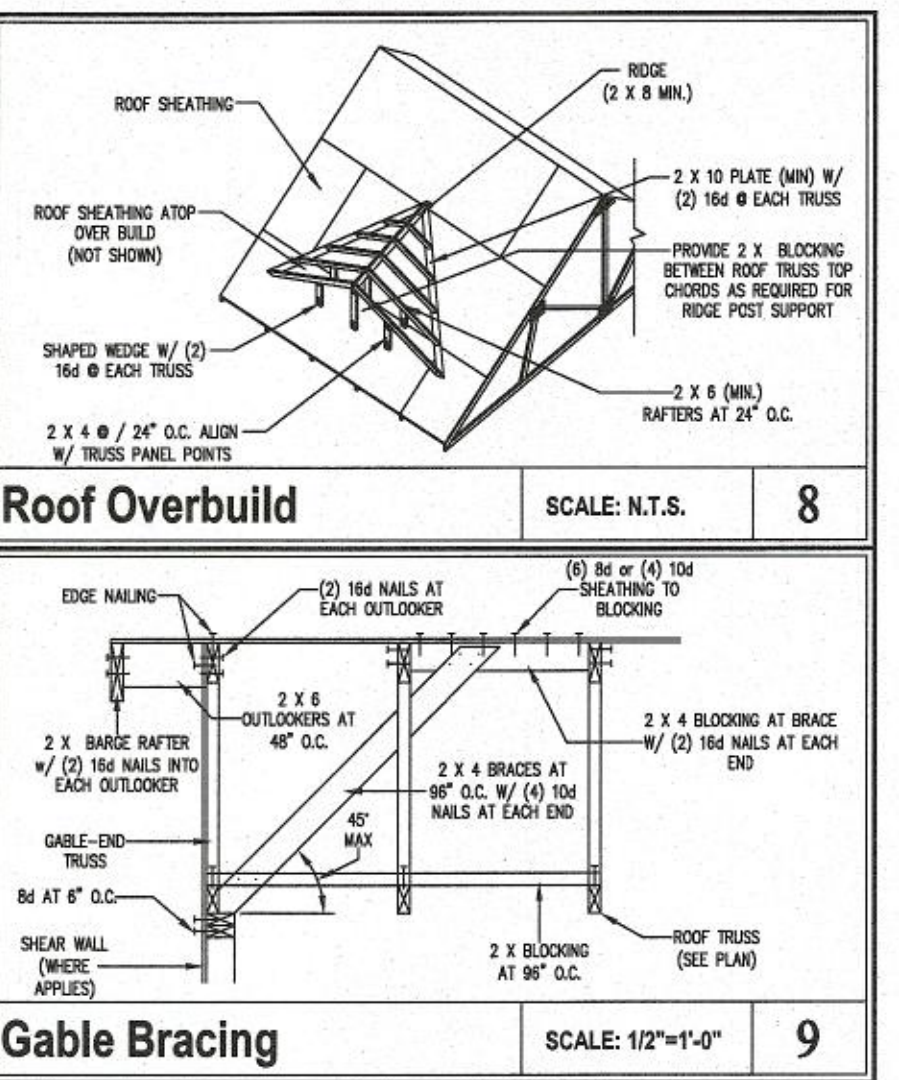
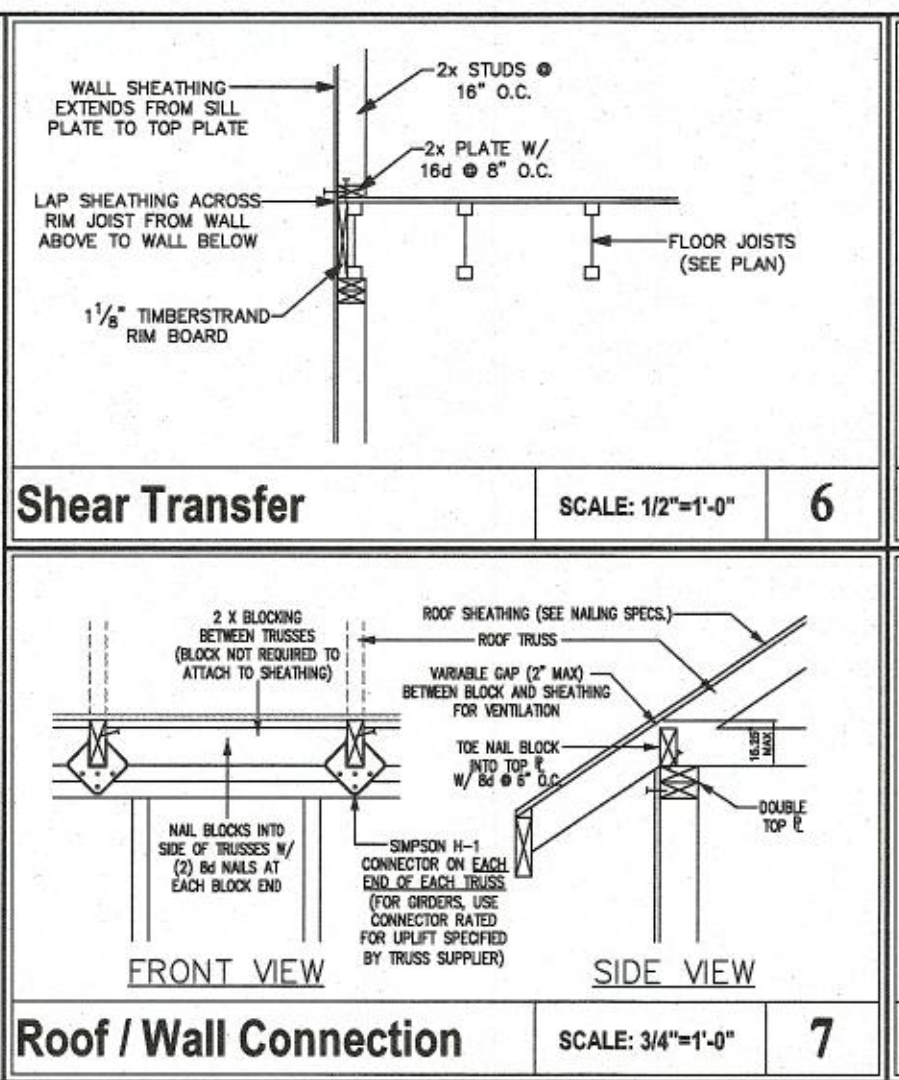
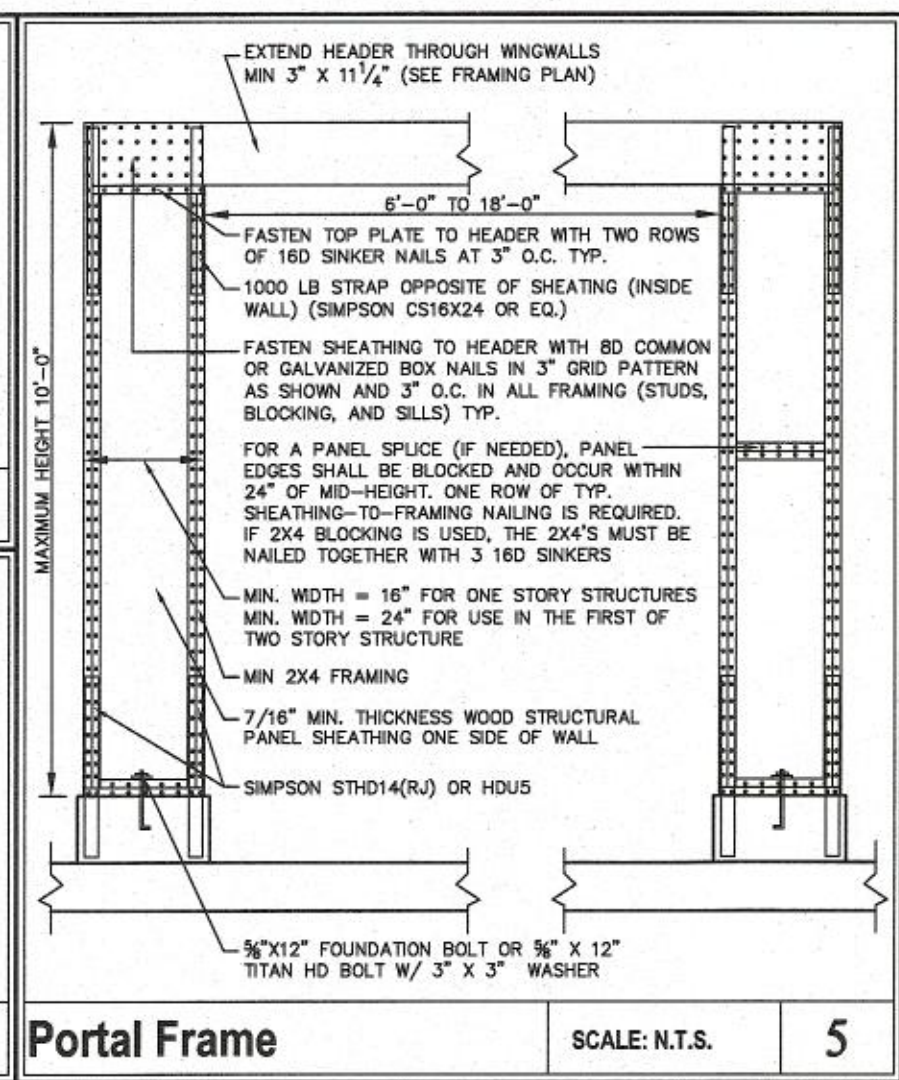
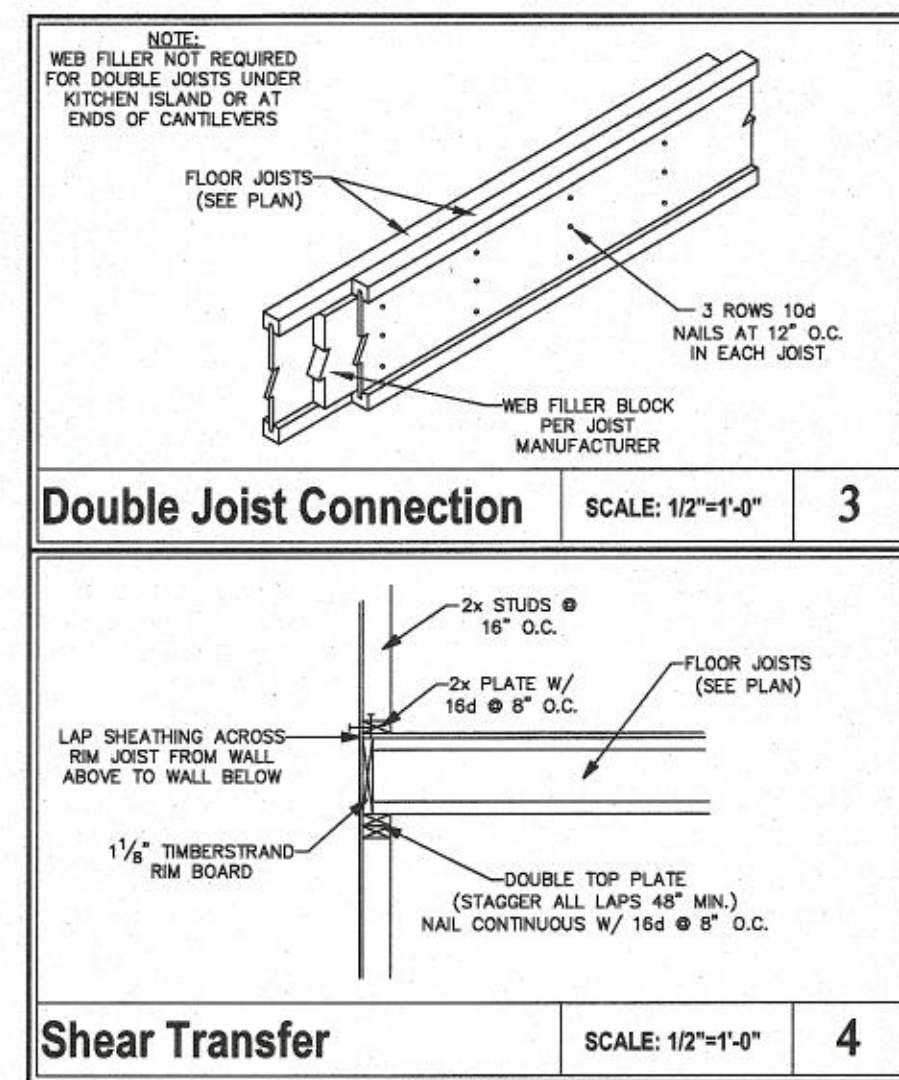
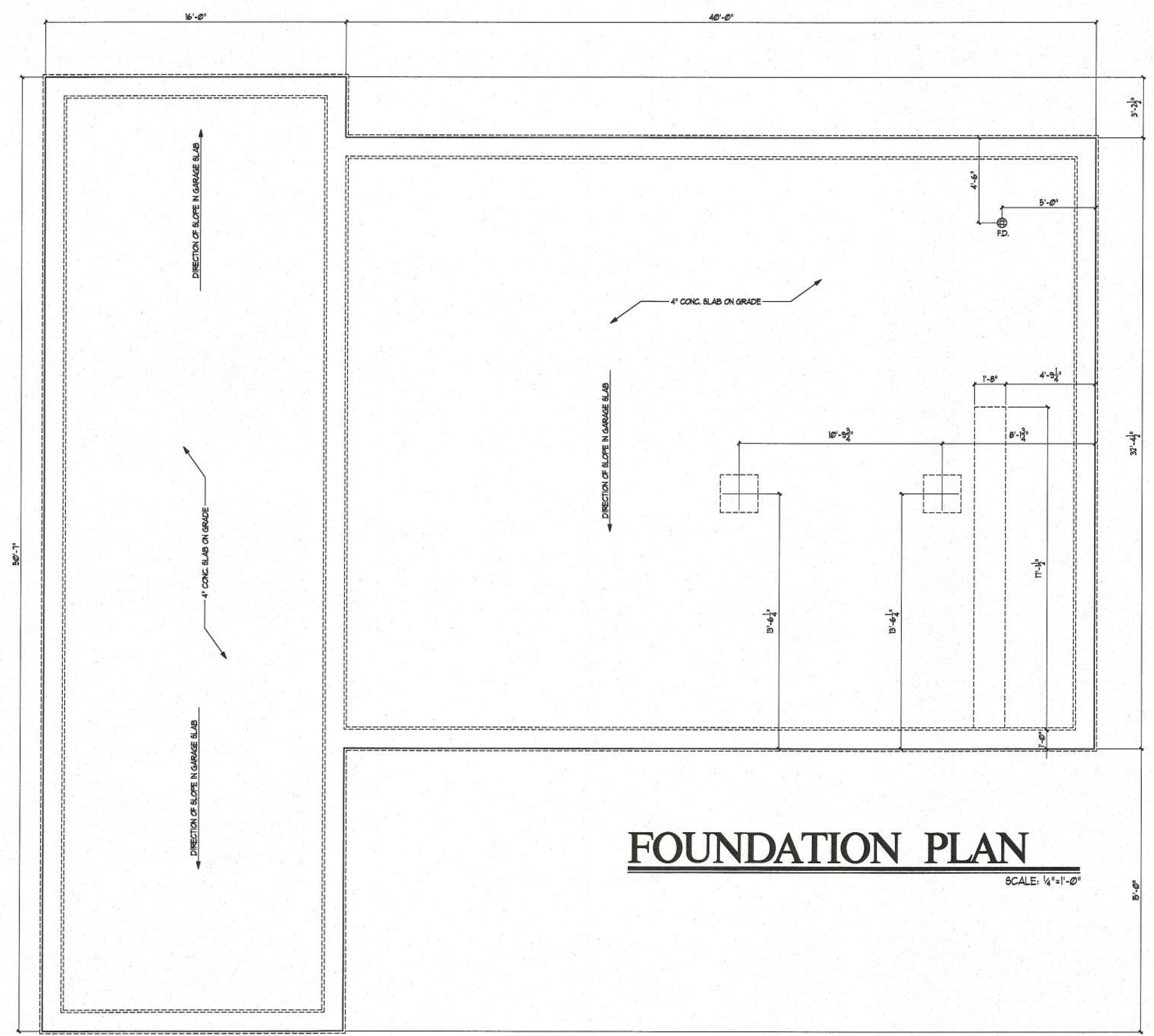


**REAR ELEVATION**  
SCALE: 1/4"=1'-0"



**LEFT ELEVATION**  
SCALE: 1/4"=1'-0"



[illegible]



**KEYNOTES**

**Electrical Installation Guide**

ALL SWITCHES	48"
WALL OUTLETS	48"
WASHER / DRYER OUTLETS	48"
WALL OUTLETS OVER 3" COUNTER	42"
WALL OUTLETS OVER 3" COUNTER	38"
KITCHEN ISLAND OUTLET	32"
KITCHEN RANGE OUTLET	32"
KITCHEN REFRIGERATOR OUTLET	ON BOTTOM PLATE
KITCHEN WALL FURN. MICROWAVE OUTLET	48"
GARAGE GFCI (ABOVE GARAGE FLOOR)	48"
BASEMENT WALL OUTLETS	18"
EXTERIOR GFCI OUTLETS	18"
WATER SOFTENER AND PUMP OUTLETS	48"
TV, PHONE & DATA OUTLETS	18"
BATH VANITY LIGHT	64"
FRONT DOOR COACH LIGHT	8" BELOW TOP OF DOOR
GARAGE DOOR COACH LIGHT	8" BELOW TOP OF DOOR
THERMOSTAT	54"
DOORBELL CHIMES	102"
DOORBELL BUTTON	48" ABOVE PORCH SURFACE

\* ALL DIMENSIONS ARE HEIGHT ABOVE FINISHED FLOOR TO TOP OF  
\* ALL DIMENSIONS ARE HEIGHT ABOVE FINISHED FLOOR TO TOP OF  
\* DIMENSIONS NOTED ON PLAN SUPERSEDES HEIGHTS IN THIS GUIDE

**Symbol Legend**

- 110v Duplex Outlet
- 110v Switched Outlet
- 110v 4-Plex Outlet
- 220v Outlet
- Light Fixture
- Wall Light Fixture
- Recessed Light
- Disk Light (surface mount)
- Switch
- Dimmer Switch
- Phone Jack (CAT5e)
- TV Jack (RG6)
- Network Jack (CAT5e)
- Low-Voltage Wire (16/4)
- 110v Floor Outlet
- Exhaust Fan
- Smoke Detector
- Smoke & CO Detector

**NOTE!**  
OUTLETS SHALL BE SPACED  
ACCORDING TO PREVAILING CODES AT  
THE DISCRETION OF THE ELECTRICIAN.  
ACTUAL OUTLET LOCATION MAY VARY  
FROM WHAT THIS PLAN SHOWS.

Copyright © 2022 Ivory Homes. All rights reserved.  
The use of these plans is expressly limited to  
Ivory Homes. Re-use, reproduction, or publication by  
any method, in whole or in part, is prohibited.

**Detached Garage  
(with ADU)**

UPPER LEVEL	1097	Date Created	2/23
TOTAL FINISHED	1097	Scale	NOTED
GARAGE	2108	Drawn	eds
		Job	Bowen
		Sheet	1
		of 3 Sheets	

