SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Issue: NIELSEN GUESTHOUSE

CONDITIONAL USE PERMIT AND ACCESSORY DWELLING UNIT

Meeting Date: 08/23/2022

Address: 1948 W. Ingot Way
File No: PLCUP202200159
PLALU202200118

Applicant: Lynn Nielsen

Submitted by: Damir Drozdek, Planner III

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** application:

- PLCUP202200159 to allow an existing detached accessory building (guesthouse) with the following requirements:
 - All City required permits and inspections are scheduled and passed as required by the City Building Division; and
- PLALU202200118 to allow for occupancy of above referenced guesthouse with the following requirements:
 - Fire access road is constructed as per International Fire Code and as approved by the City Fire Department,
 - o ADU parking is to be provided in location where it will not impede emergency vehicle access to the guesthouse.

ACREAGE: 2 acres

CURRENT ZONE: R-1.8 (Single-family residential, 1.8 lots per acre)

Zone

CURRENT USE: Residential

FUTURE LAND USE PLAN: SN (Stable Neighborhood)

NEIGHBORING ZONES/USES: North – R-1.8 / Single-family homes

South – R-1.8 / Ingot Way West – R-1.8 / Vacant Lot

East – R-1.8 / Single-family home

CONDITIONAL USE REVIEW:

A use is conditional because it may have unique characteristics that detrimentally affect the zone and therefore are not compatible with other uses in the zone, but could be compatible if certain conditions are required that mitigate the detrimental effect.

To impose a condition on a use, the detrimental effect must be identified and be based on upon substantial evidence, not simply a suspicion or unfounded concern. Any condition must be the least restrictive method to mitigate the detrimental effect.

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. Further, City Code § 17.18.050 provides:

I. 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 permitee's failure to commence or operate the conditional use in accordance with the requirements of subsection A of this section.

STANDARD OF REVIEW:

17.130.030.020: REVIEW PROCESS

C. Guesthouse Planning Commission Approval: In addition to the requirements of subsections A and B of this section, guesthouses that propose a floor area greater than thirty five percent (35%) of the living area for the primary dwelling or one thousand five hundred (1,500) square feet shall require review and approval by the Planning Commission.

BACKGROUND:

The applicant has applied for Conditional Use Permit (CUP) and Accessory Dwelling Unit (ADU) permit approval by the Planning Commission for an existing detached accessory building that he intends to renovate. It is located at 1948 W. Ingot Way.

The accessory building (the "Guesthouse") was originally constructed as a barn to shelter farm animals. Some time ago, the applicant converted the building into a residential living space. The City has no record of any permits being issued for the conversion, and the conversion went unnoticed until the applicant applied for a building permit to remodel the building.

The Guesthouse is located behind the main dwelling, approximately 150 feet from the street and around 90 feet from the west property line. There is a circular driveway in front of the main dwelling that provides enough room to park many vehicles. The required parking space for the ADU will be provided in the driveway but it will have to be located in a place where it will not impede emergency fire access to the Guesthouse.

The applicant will occupy the main dwelling while his son and son's family intend to occupy the Guesthouse. The main dwelling is a one-story building that is 21 feet high at the roof ridge. According to the County Assessor's records, it is 4,679 sq. ft. (2,672 sq. ft. on the main floor, and 2,007 sq. ft. in the basement). According to the applicant, the main dwelling has a fully-finished main floor with a few semi-finished bedrooms, one bathroom and no kitchen in the basement. Aside from the guesthouse ADU that the applicant is seeking a permit for, there are no other ADUs on the property.

The Guesthouse is a two-story building that is approximately 24 feet high at the ridge. Currently the Guesthouse has 1,662 sq. ft. of space on the main floor and 815 sq. ft. of space on the second floor, for a total of 2,477 sq. ft. of space. With the proposed remodel, there will be 1,896 sq. ft. of space on the main floor and 815 sq. ft. on the second floor, for a total of 2,711 sq. ft. of space. The majority of the additional space will come from enclosing the porch on the main floor. The finished product will have a total of three bedrooms, two bathrooms, a kitchen and a few multipurpose rooms. The guesthouse will be approximately 58% the size of the main dwelling unit.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high. (See City Code § 17.40.020:I.3.a.)
- Guesthouse Planning Commission Approval: In addition to the requirements of subsections A and B of this section, guesthouses that propose a floor area greater than thirty five percent (35%) of the living area for the primary dwelling or one thousand five hundred (1,500) square feet shall require review and approval by the Planning Commission. (See City Code § 17.130.030.020:C.)
- The Guesthouse is an existing structure that has been used as a residential space for many years. The City has not have record of any complaints the structure or use.
- The proposed site plan will have to be modified to provide a turnaround for emergency vehicles to meet the Fire Apparatus Access Roads requirements which are included in the support materials section of the report as Appendix D.
- Staff has not identified any potential detrimental effects that the Guesthouse may cause if approved as per Staff recommendations.
- The intent of the two applications is to bring an existing Guesthouse into compliance with City Codes and allow the applicant to move forward with improving the Guesthouse.

Conclusion:

• The proposed Guesthouse does not appear to violate any health, safety or welfare standards if approved as conditioned. In addition, staff was not able to identify any detrimental effects to the adjacent properties or the general area.

Recommendation:

• Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

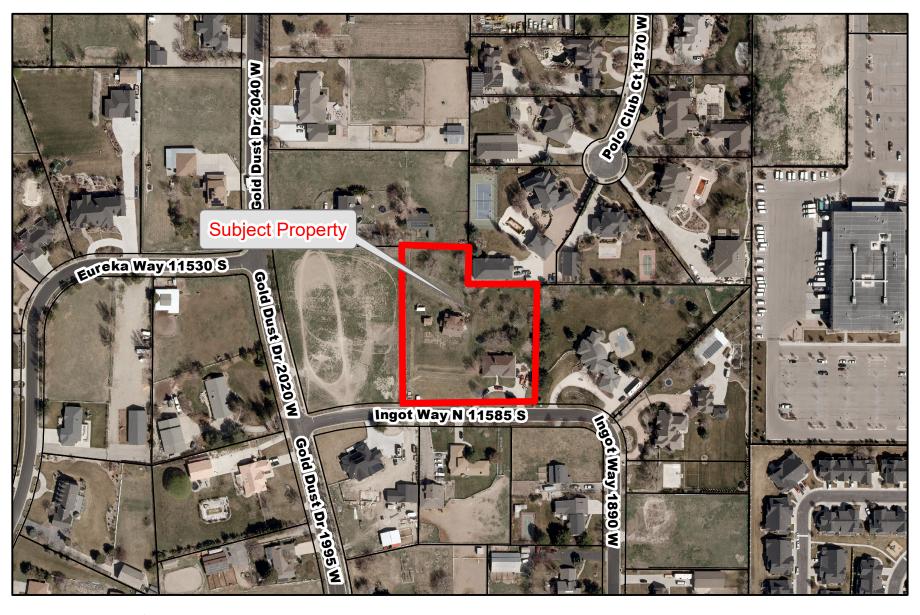
SUPPORT MATERIALS:

- Aerial Map
- Zoning Map
- Building Plans
- Appendix D Fire Apparatus Access Roads
- Assessor's Information

Damir Drozdek, AICP

Planner III

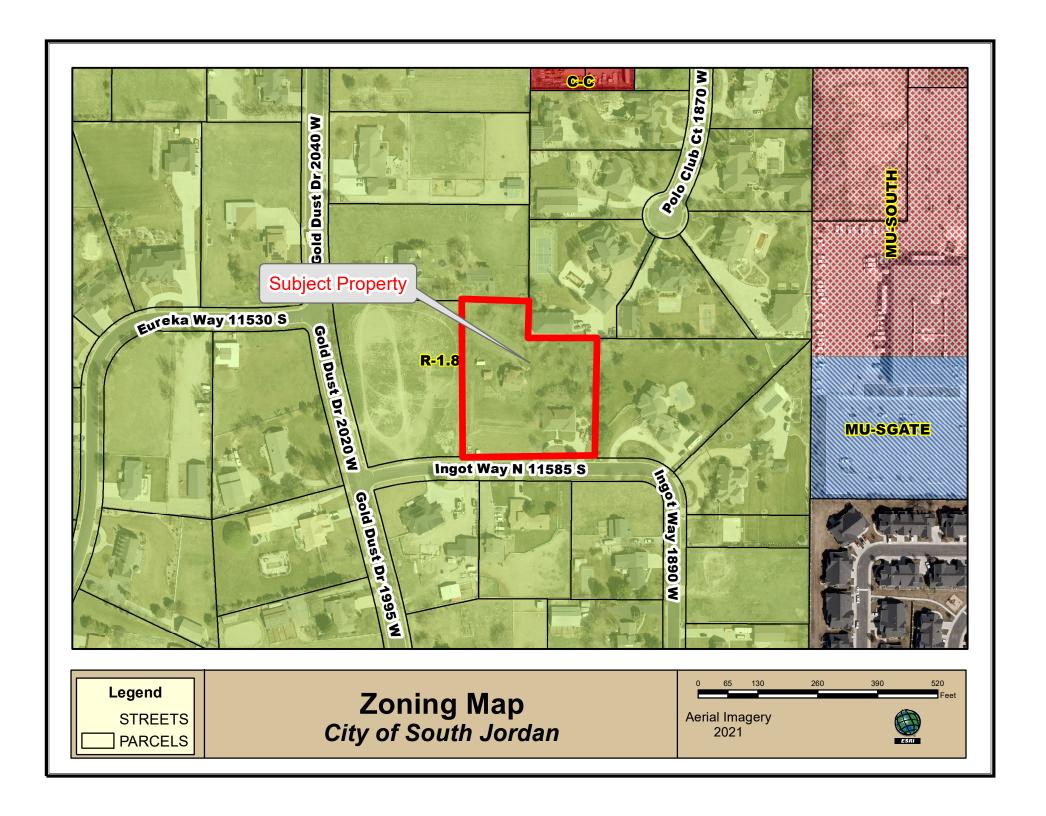
Planning Department



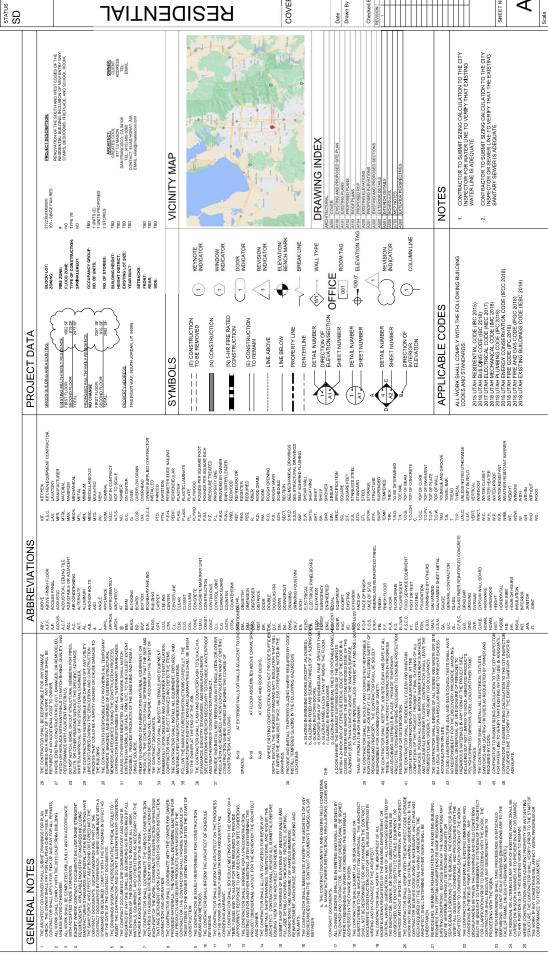
Legend
STREETS
PARCELS

Aerial Map
City of South Jordan





1948 INGOT WAY RESIDENTIAL RENOVATION





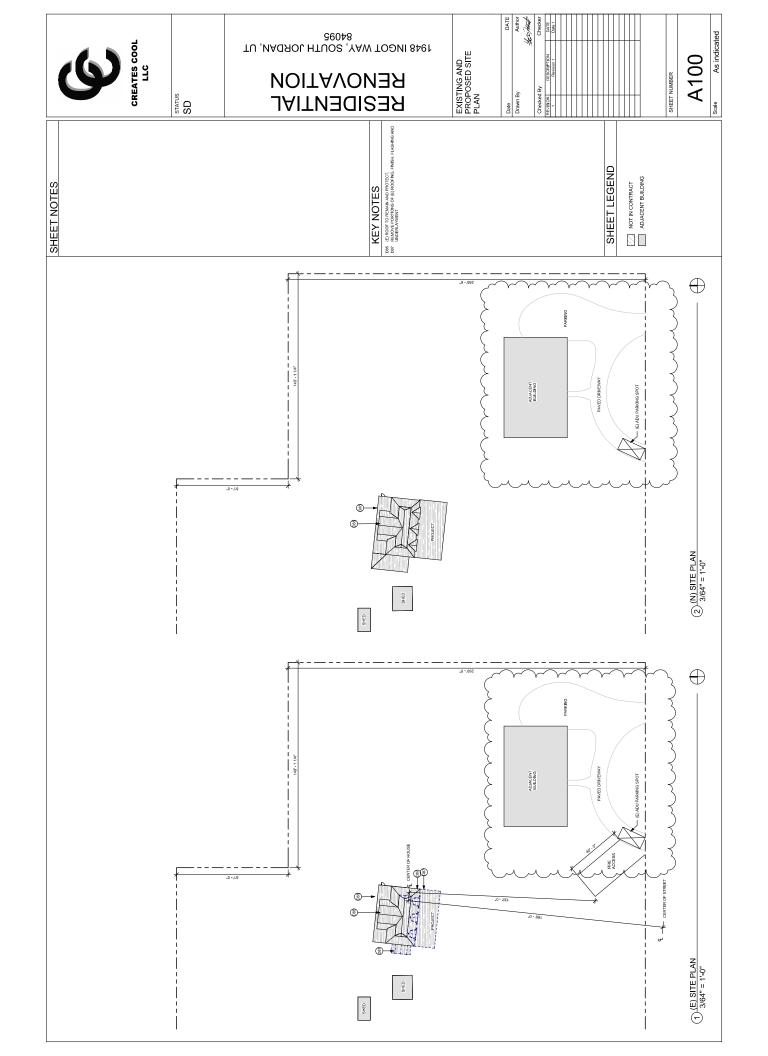
NOITAVON39 RESIDENTIAL

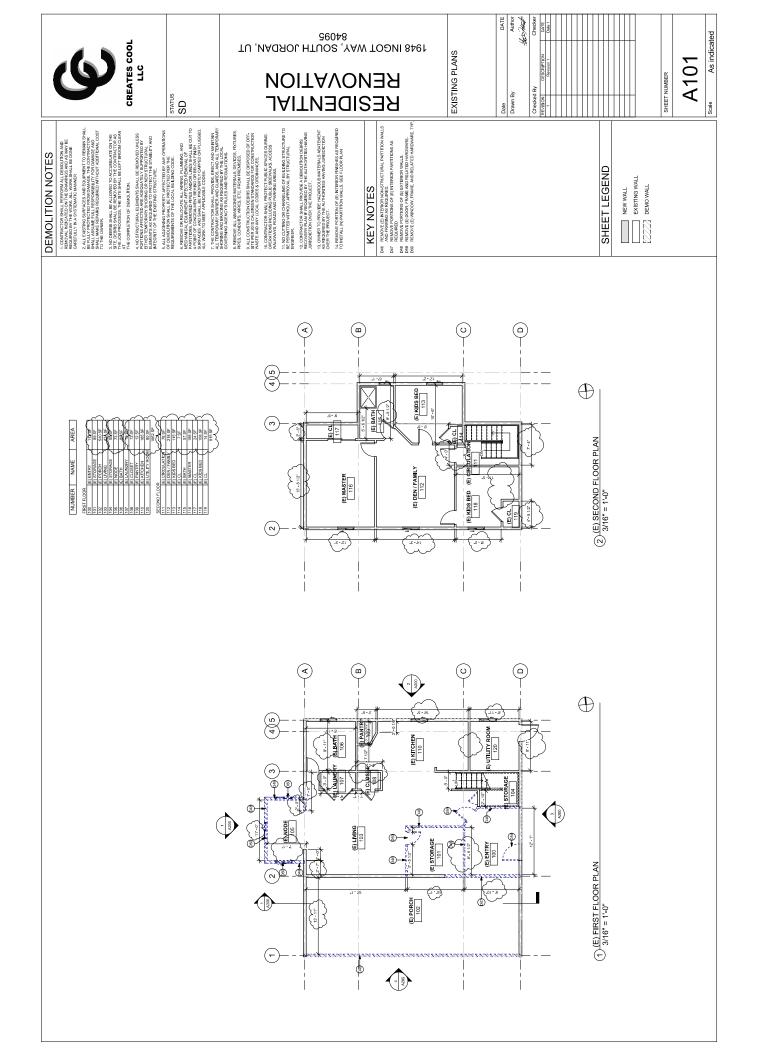
1948 INGOT WAY, SOUTH JORDAN, UT 84095

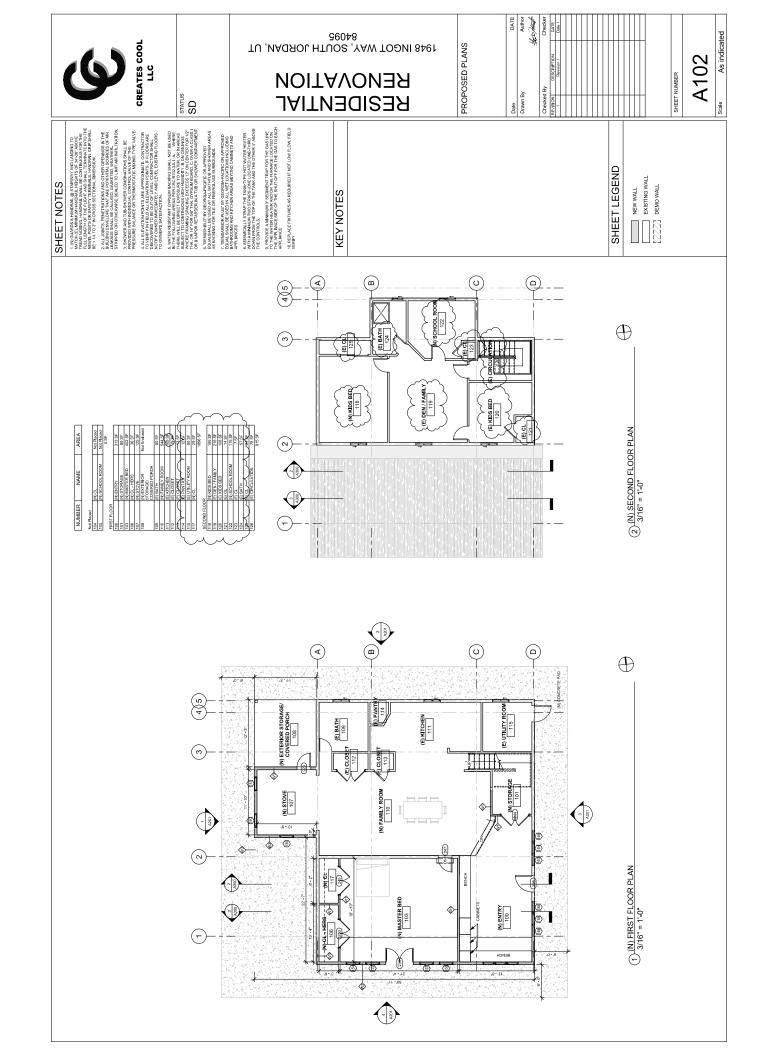
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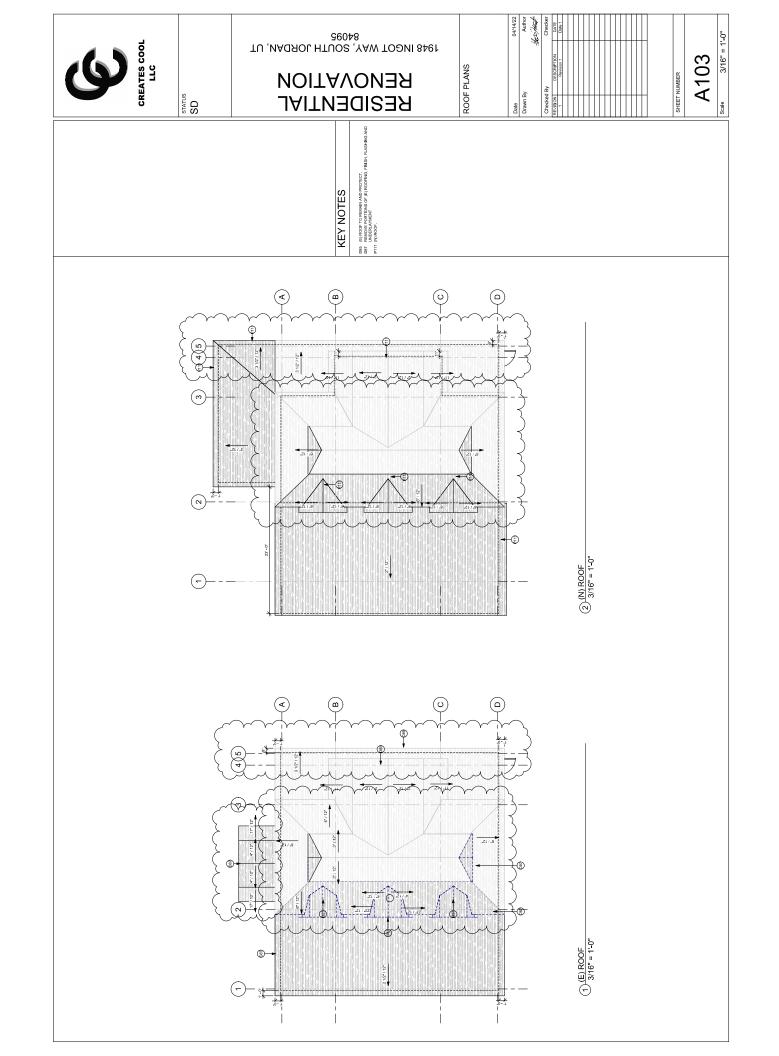
SHEET NUMBER

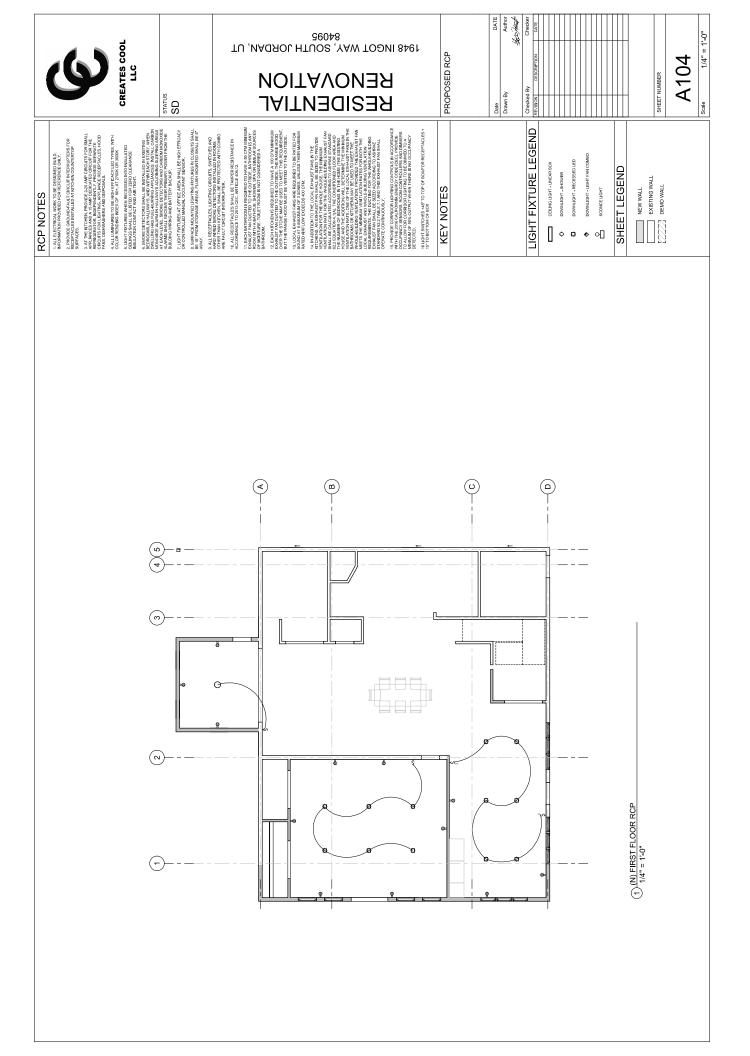
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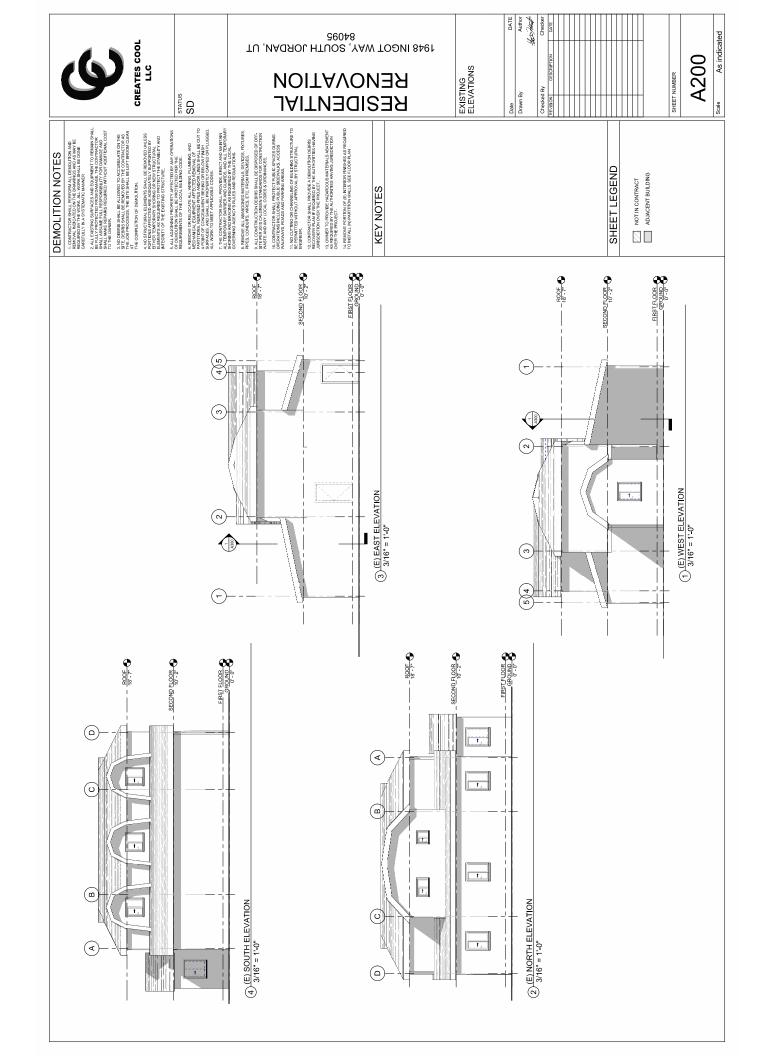


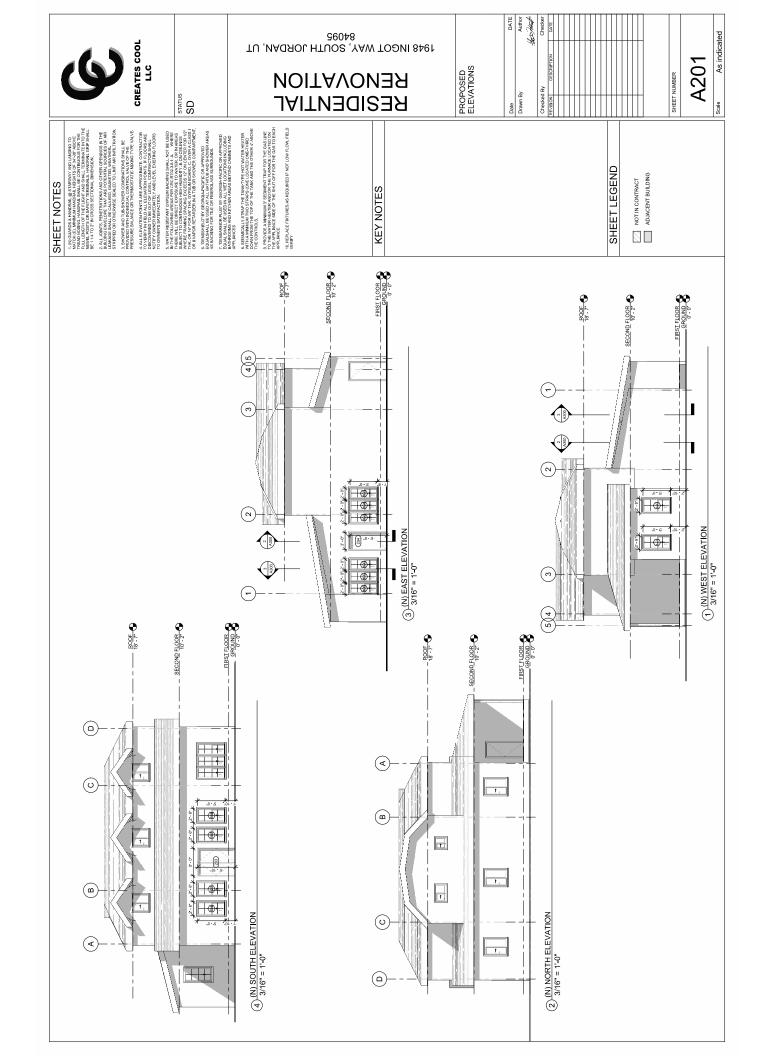


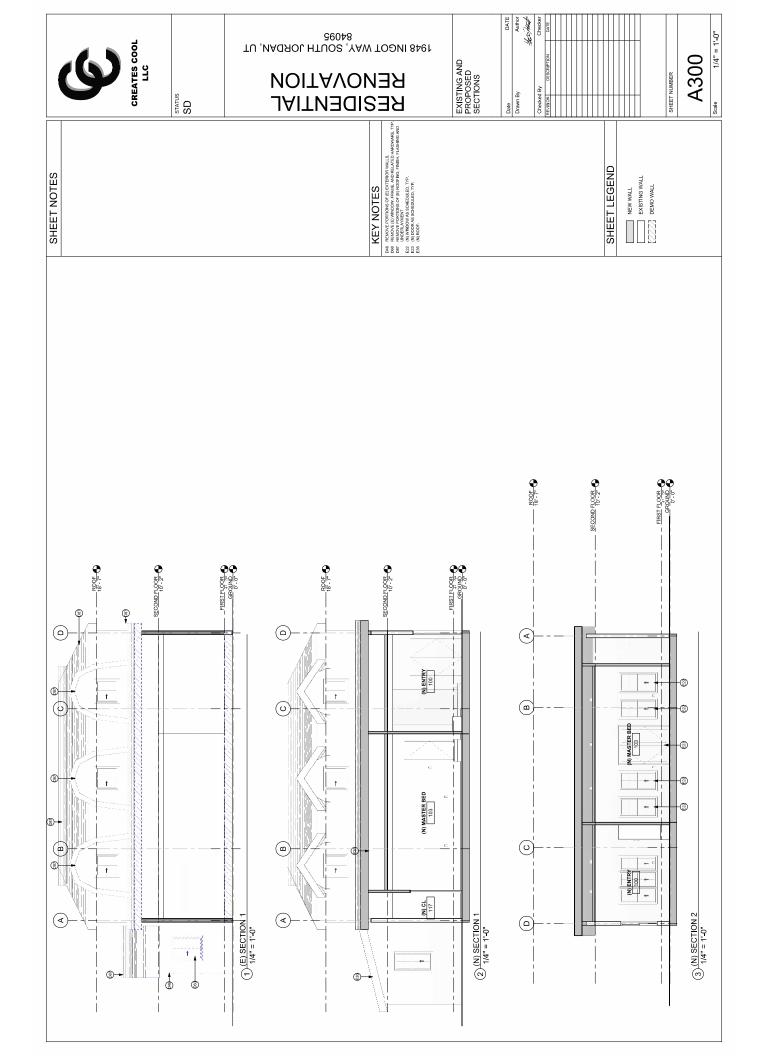




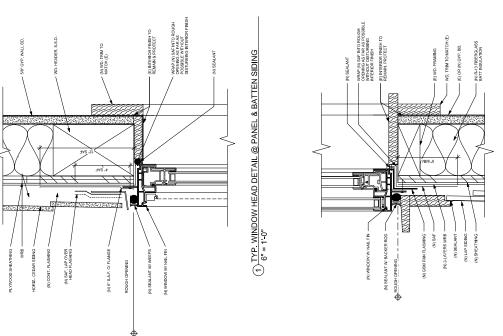


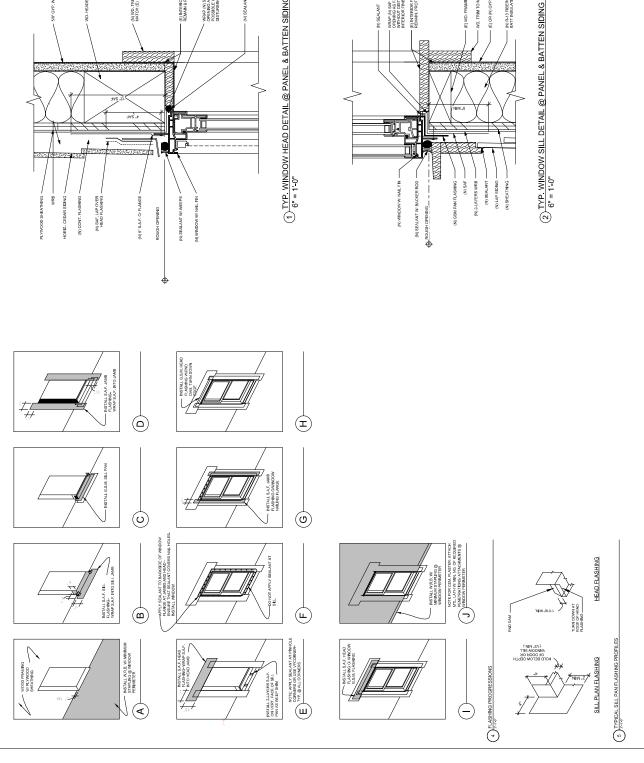


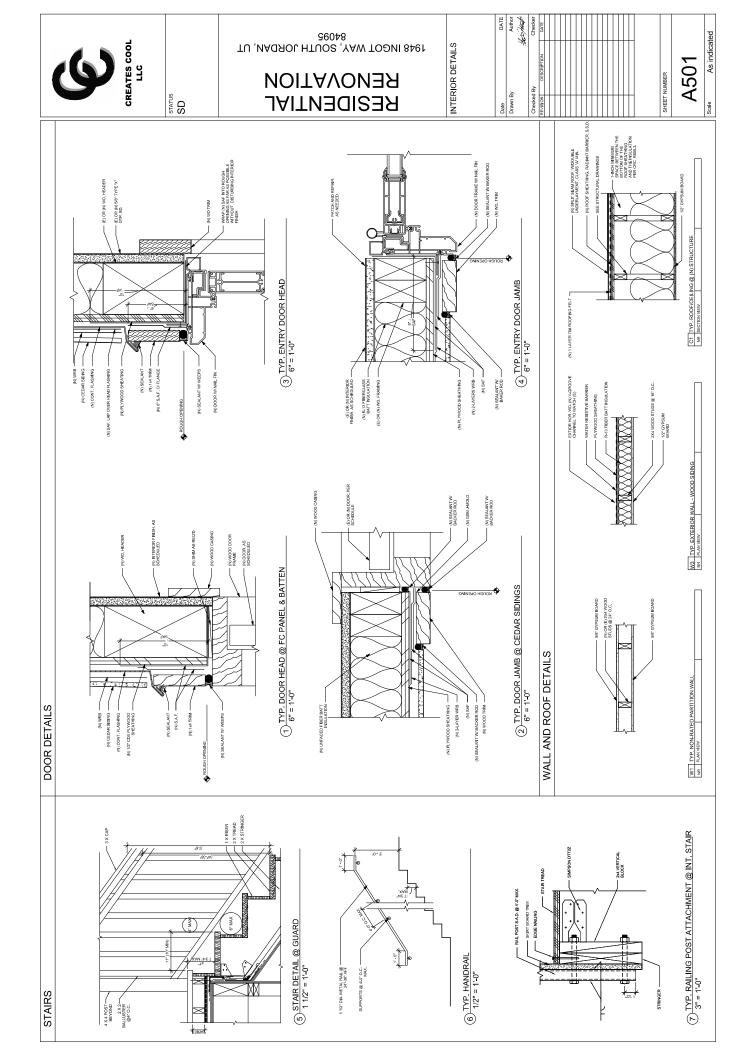




1948 INGOT WAY, SOUTH JORDAN, UT 84095 **EXTERIOR DETAILS** A500 **NOITAVON3** SHEET NUMBER STATUS RESIDENTIAL

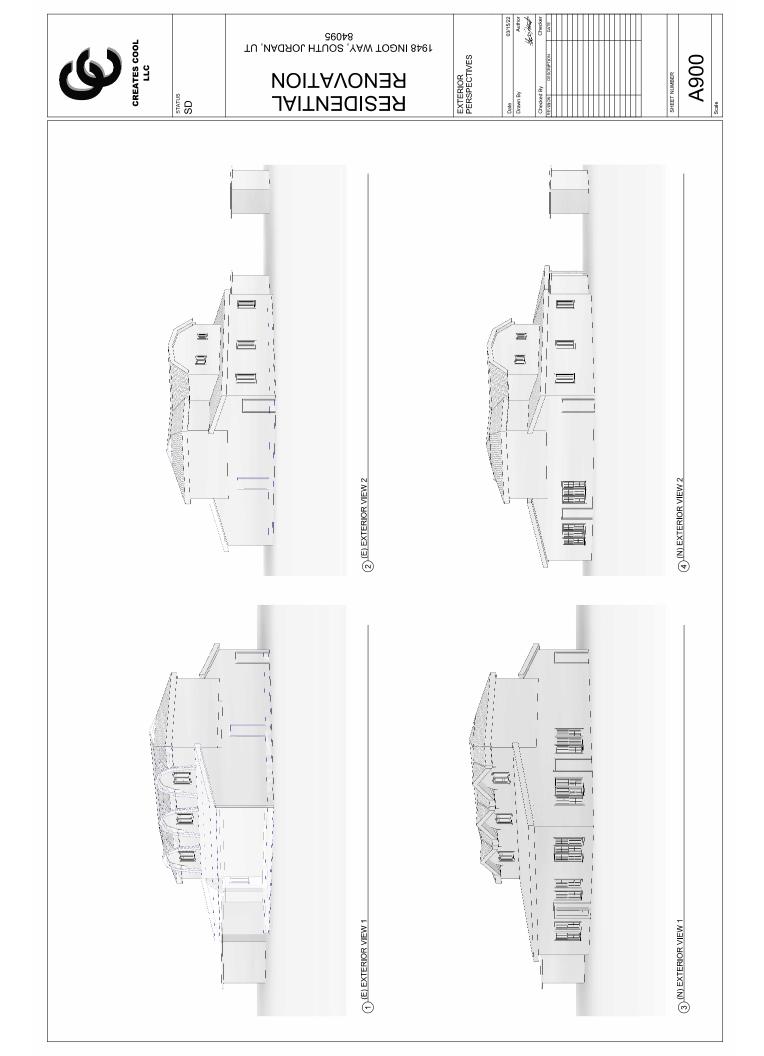






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	TYPE MANUFACTURER / MODEL TYPE FINSH / MODEL NUMBER L.X.W.X.H REQUIREMENTS & NOTES	PLUMBING SCHEDULE RM FIXTURE MANUFACTURER MODEL NUMBER FINISH NOTES 124 Stower Base-3D TABLE STATURE MANUFACTURER MODEL NUMBER FINISH NOTES			WINDOW SCHEDULE Schedule - Windows	ROOM TYPE (E)(N) WIDTH HEIGHT MANUFACTU EXTERIO	15 Z - G' G-NERIC F - 10" C - 10"	164 21 2 - 0' G-NERIC 6'-8' 1'-8' 167 21 2 - 0' 5 - 0' GENERIC 6'-10' 1'-10' 168 21 2 - 0' GENERIC 6'-10' 1'-10' 169 21 2 - 0' GENERIC 6'-10' 1'-10'	3 · 0 · 4 · 0 · GENERIC 7 · 0 7	15 2 c 0 GENERIC 6 c 0 c 1 1 1 2 c 0 c 0 C 0 C 0 C 0 C 0 C 0 C 0 C 0 C 0	15 2 6 5 0 1 1 1 2 1 0 1 1 1 1 1 1 1 1 1 1 1 1 1	OR 20 3 - 0" GENERIC	116 20 3-0" GENERIC 8-6" 5-6"	7 3-0 GENERIC 7-0 5-0	WINDOW LEGEND	NINDOXINOTES 1. VISITO ALL STALLATON REQUIREMENTS WITH MANAGOVICE REQUIREMENTS WITH MANAGOVICE REQUIREMENTS TO ACCURACY RESPONSE PROJUCE OF PROVINCE TO ORDERING THE PROPERTY REPORT OF ORDERING THREE THREE STATES AND ACCURACY RESPONSE AND ACC	
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APPENDIX D

FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the fire chief.

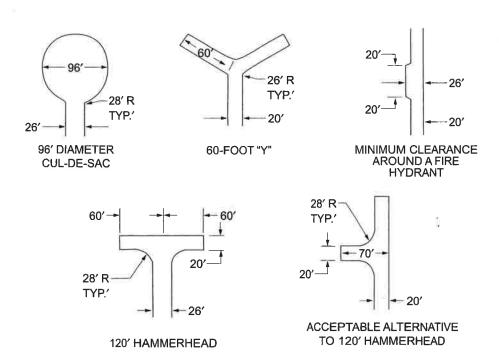
D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

TABLE D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accor- dance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND



Assessor

SLCo > Assessor > Parcel Search > Parcel 27223020060000

Parcel Details

Parcel Search form

This page shows the assessor's CAMA data, as it was, on May 22, 2022.

Parcel	27-22-302-006-0000
Owner	NIELSEN, LYNN S & GAYLA M; JT
Address	1948 W INGOT WY
Total Acreage	2.00
Above Grade sqft.	2672
Property Type	103 - SNGL FAM RES
Tax District	38
	_

2022 Land Value

\$500,000

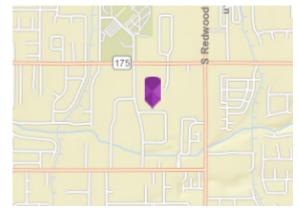
2022 Building Value

\$ 390,400

2022 Market Value

\$890,400





40.541262420 -111.943433630

		Land Value	Building Value	Market Value
2021	1	\$ 390,990	\$ 304,000	\$ 694,990
2020	1	\$ 390,990	\$ 266,800	\$ 657,790
2019	1	\$ 368,890	\$ 264,100	\$ 632,990
2018	1	\$ 368,890	\$ 220,900	\$ 589,790
2017	1	\$ 368,890	\$ 145,700	\$ 514,590

Land	Record
------	--------

Acres

27-22-302-006-0000

Land Record	2/-2	2-302-006-0000
Record ID	1	2
Lot Use	RESIDENTIAL	RESIDENTIAL
Lot Type	PRIMARY-LOT	SECNDRY-ACRE
Land Class		
Income Flag		
Seasonal use	N	N
Influence Type		
Influence Effect		
L Assessment Class	RES-PRIMARY	RES-SECONDRY
Lot Depth		

1.00

1.00

Land Record	27	'-22-302-006-0000
Record ID	1	2
Zone	1114	1114
Sewer	PUBLIC	PUBLIC
Number Lots	1	
Lot Shape	IRREGULAR	HIGHLY IRREG
Lot Location	INTERIOR	INTERIOR
Neighborhood	885	885
Nbhd Type	STATIC	STATIC
Nbhd Effect	TYPICAL	TYPICAL
Topography	LEVEL	LEVEL
Traffic	LIGHT	LIGHT
Traffic Influence	TYPICAL	TYPICAL
Street type	TWO-WAY	TWO-WAY
Street Finish	PAVED	PAVED
Curb Gutter	Υ	Y
Sidewalk	N	N
Residence Record		27-22-302-006-0000
Building Style		RN
Assessment Classification		Р
Exterior Wall Type		BRICK
Roofing		ASPHALT-SHNG
Central AC		NO
Heating		PRIMRY-CNTRL
Owner Occupied		
Number of Stories		1.0
Total Rooms		11
Bedrooms		3
Full Baths		1
3/4 Baths		1

Half Baths 1 Number of Kitchens 1 Finished Fire places Year Built 1986 **Effective Year Built** 2006 Interior Grade GOOD **Exterior Grade AVERAGE Overall Grade AVERAGE** Interior Condition GOOD **Exterior Condition** GOOD **Overall Condition GOOD** Visual Appeal **AVERAGE** Maintenance **MINIMUM** Conformity **EQUAL-IMPRVD** Livability **AVERAGE Primary Kitchen Quality STANDARD Primary Bath Quality MODERN Percent Complete** 100 Main Floor Area 2672 **Upper Floor Area** Finished Attic Area **Above Ground Area** 2672 **Basement Area** 2007 Finished Basement Area Finished Basement Grade Carport Surface Area Attached Garage S. Area Builtin Garage S. Area Basement Garage S. Area Above Grade Area + Basement Area: 4679

Detached Structures		27-2	2-30
Record ID	1	2	
Structure	BARN-GP- 1STY	FIN-UPPR-FL	
Description			
Assessment Class	RES-PRIMARY	RES-PRIMARY	RE
Units	SQUARE-	SQUARE-	
Offics	FEET	FEET	
Measure 1	36	20	
Measure 2	40	20	
Effective Year Built	2009	2009	
Actual Year Built	1995	1995	
Quality	AVERAGE	AVERAGE	
Condition	GOOD	GOOD	Е
Income Flag			
Replacement Cost New	\$ 42,149	\$ 39,480	
Replacement Cost New, Less Depreciation	\$ 29,926	\$ 35,532	
Sound Value	\$ 0	\$ 0	
Building Number	1	1	
4			•
Legal Description	2	27-22-302-006-0	000

LOT 15, BONANZA ACRES #3 5715-1115 5758-1093 5447-209

TTY Accessibility

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