

# **SOUTH JORDAN CITY PLANNING COMMISSION REPORT**

**Meeting Date: 03/26/2024**

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**Issue:**           **ACCESSORY BUILDING:  
CONDITIONAL USE PERMIT FOR THE ARCHITECTURAL STANDARDS OF  
ACCESSORY BUILDINGS IN THE R-1.8 ZONE**

**File No.:**           PLCUP202400026  
**Property Address:** 2269 W. Bonanza Cir.  
**Applicant:**       David King  
**Submitted By:**   Andrew McDonald, Planner I

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

I move the Planning Commission **approve** the Conditional Use Permit (File No. **PLCUP202400026**) based on the Findings and Conclusion listed in this report.

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<b>ACREAGE:</b>	(.37) Acre
<b>CURRENT ZONING:</b>	Residential (R-1.8, 1.8 Units per Acre)
<b>CURRENT/FUTURE LAND USE:</b>	Stable Neighborhood (SN)
<b>NEIGHBORING ZONING/LAND USE:</b>	Single-Family Residential (R-1.8)

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## **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.
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## **BACKGROUND:**

The subject property is Lot 58 of the Bonanza Acres 4 Subdivision. The application proposes to construct a detached garage in southeast corner of the property. The applicant is requesting conditional use approval for the architectural standards for accessory buildings found in City Code (see Supporting Materials). The applicant is requesting the Commission review an exception for architectural standards (A) because the proposed detached garage is taller than the main dwelling; and (C) because the average wall height above grade exceeds the wall height requirement.

## **ANALYSIS, CONCLUSION, & RECOMMENDATION:**

### **Analysis:**

- The applicant provided responses to Staff's concerns (see Supporting Materials). The response clarifies the applicant's intent and plans for the detached garage. Access to the building will use an existing approach on the west side of the home. The driveway access to the garage will be paved. The proposed Site Plan is included in the supporting materials.
- Accessory buildings are common to the subdivision. The Commission has approved conditional use permits for detached garages in the past. The most recent in the subdivision was approved in May 2023.
- The application does not propose livable space in the garage. A separate ADU permit would be required to add livable space.
- The proposed building elevations and floor plan are included in the Supporting Materials.
- The existing home is a classic brick and siding rambler with a shingle roof. The application proposes an exterior design of vinyl board and batten siding.
- The overall height of the existing home is roughly 17-feet. The proposed height of the detached garage is 23.43-feet, which exceeds the main home by roughly 6.5-feet and requires Planning Commission CUP approval.
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- The proposed height requires the detached garage to be setback 11-feet from the property lines. The application proposes setbacks of 11-feet from the south and east property lines, which meet the minimum requirements of City Code.

- Any portion of an accessory building that is located within 20 feet of a property line shall not have an average wall height that exceeds 16 feet above grade. The application proposes an average wall height of 17.4-feet above grade. The proposal exceeds the maximum allowed average wall height above grade by roughly 1.4-feet, and requires Planning Commission CUP approval.
- The footprint of accessory structures in the R-1.8 Zone must be equal to or less than the footprint of the main building (including attached garages). The footprint of the existing building (including attached garage) is 1,894 sf<sup>2</sup>. The proposed garage has a footprint of 800 sf<sup>2</sup>.
- Properties in the R-1.8 are allowed to have 40% of the property covered by buildings and structures. Currently, the building coverage for the property is roughly 12%. With construction of the proposed building, the building coverage would be roughly 17%.

**Conclusion:**

Staff did not identify any detrimental effects; and the application is consistent with the General Plan and City Code.

**Recommendation:**

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 future date

**SUPPORT MATERIALS:**

- Location Map & Current Zoning Map
- §17.40.020(I) “Architecture Standards for Accessory Buildings”
- Applicants Response to City Staff
- Proposed Elevations
- Proposed Floor Plan
- Proposed Site Plan
- Public Mailing Notice

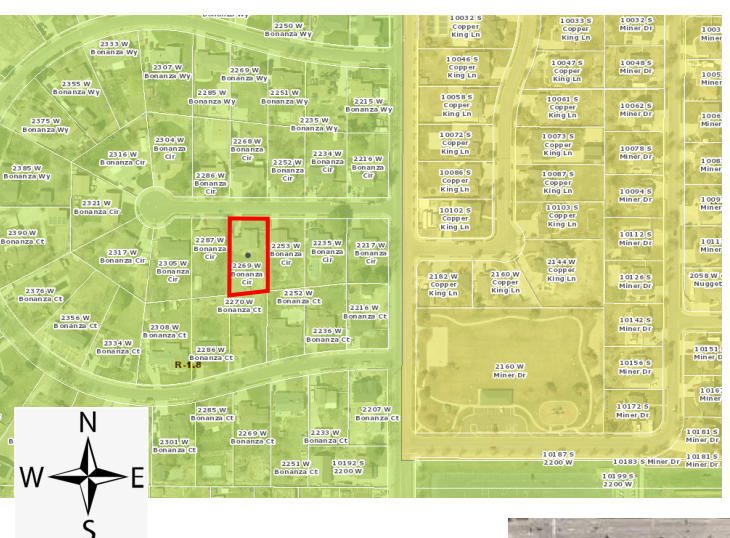
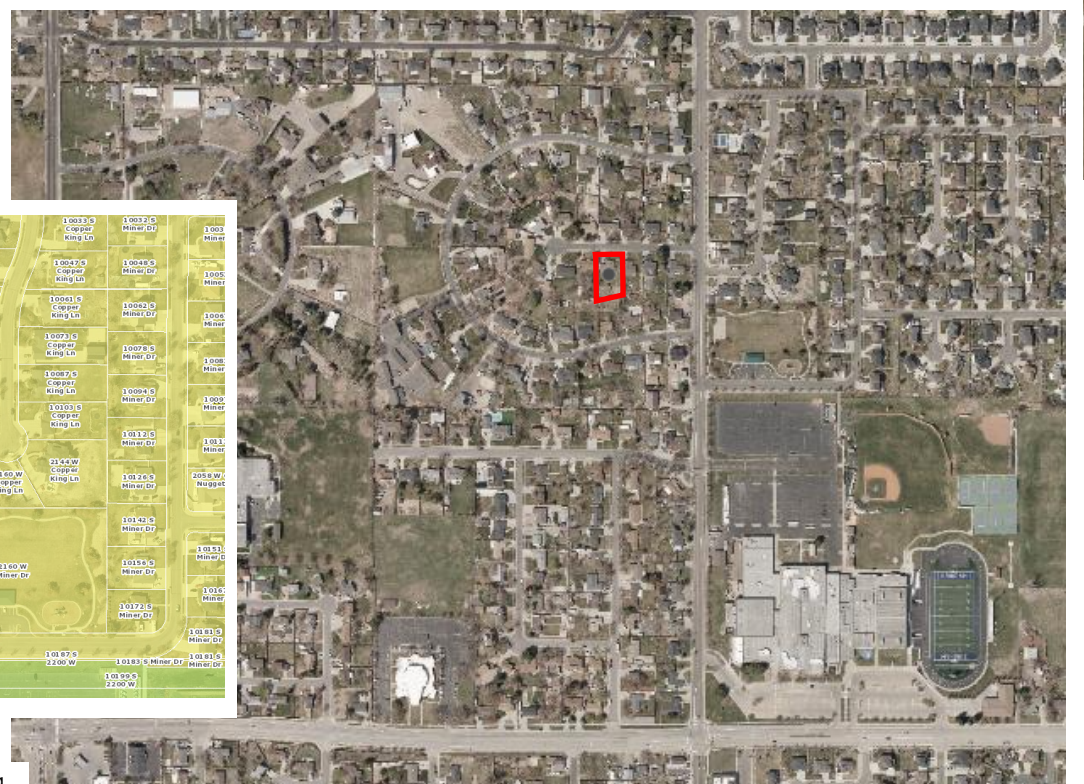
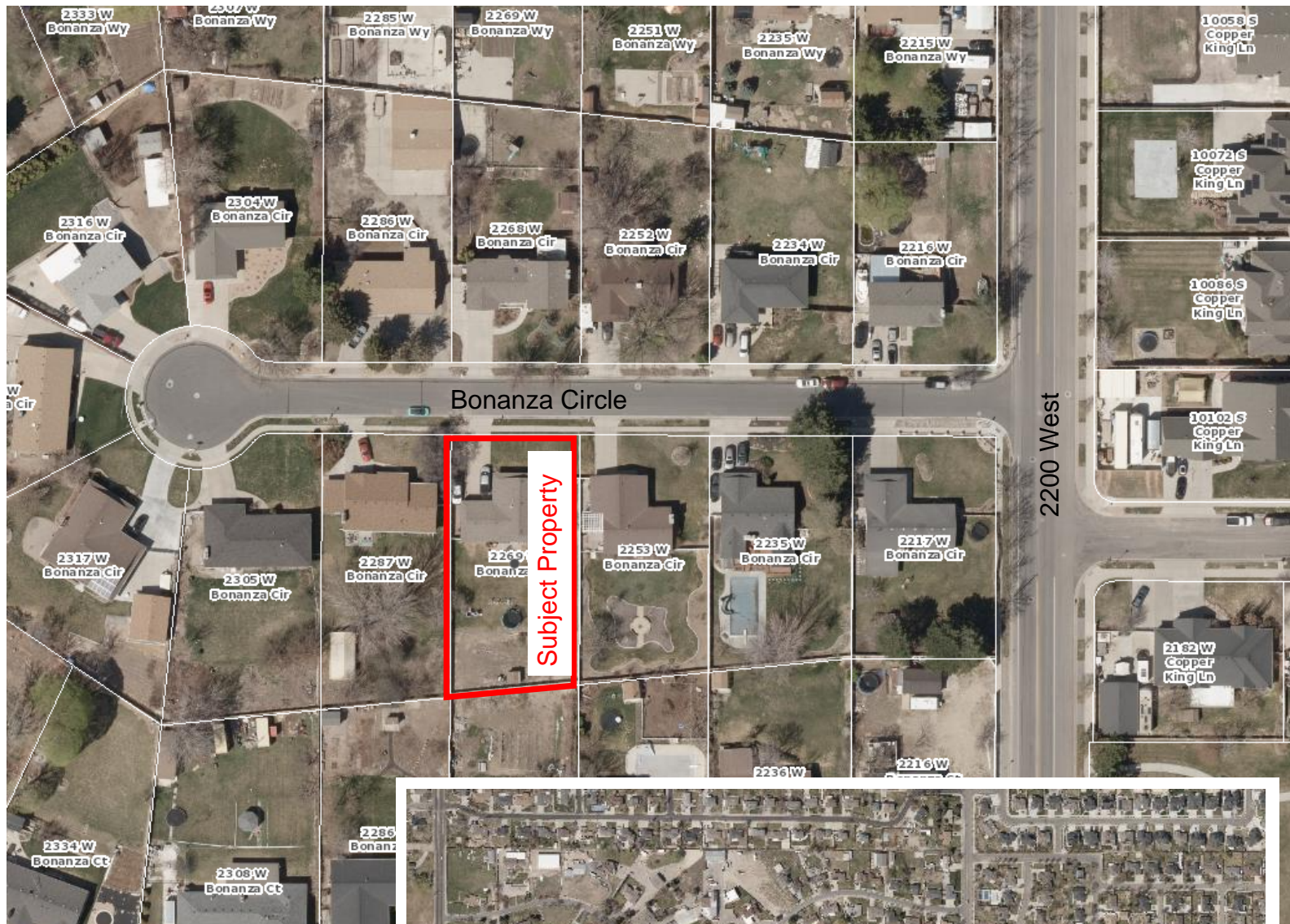



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Andrew McDonald, AICP Candidate  
Planner I, Planning Department



# Location and Current Zoning Map





# Title 17.40.020(I) "Architecture Standards for Accessory Buildings"

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:

- a. All building materials shall be high quality, durable and low maintenance.
- b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.
- c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.
- d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

- a. Residential main buildings shall include a minimum two car garage (minimum twenty-two feet (22') by twenty-two feet (22'), or an approved equivalent area).
- b. The minimum total floor area, finished and unfinished, of any residential main building shall be one thousand (1,000) square feet not including a garage.
- c. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

### 3. Architectural Standards For Accessory Buildings:

a. 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.

b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.

c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:

(1) Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.

(2) The average wall height shall not exceed sixteen feet (16') above grade.

d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.

e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

Dawn R. Ramsey, *Mayor*  
Patrick Harris, *Council Member*  
Kathie L. Johnson, *Council Member*  
Donald J. Shelton, *Council Member*  
Tamara Zander, *Council Member*  
Jason T. McGuire, *Council Member*



## CUP Corrections Notice

PH: 801.446-HELP @SouthJordanUT

**TO:** *David King* **DATE:** *March 04, 2024*  
**FROM:** *City of South Jordan*  
**SUBJECT:** *800 SF Detached Garage*  
*20' x 40'*  
*Detached Accessory PRDA202400220*  
*CUP required for proposed height being taller than the existing*  
*home, and the average wall height exceeding (16') when the building*  
*is within (20') of the property lines. Conditional Use Permit*  
*(PLCUP202400026)*

Please see the reviewed documents under the “Documents and Images” tab on the online city portal, which have been marked up to show any required corrections. **Resubmit corrected drawings using the “New Version” button in the appropriate submittal item spot. Ensure that you’re uploading the entire set of plans, not just pages with corrections. Any added sheets should be added at the end of the plans so that redlines will remain in their proper locations.** Please note that additional redlines may be shown upon resubmitted plans during subsequent reviews.  
Please contact Staff with any questions.

### Items to be addressed prior to approval:

**Planning Review** Completed By: Andrew McDonald (amcdonald@sjc.utah.gov)

1. Remove the ADU reference from all the sheets. The building plans no longer include an ADU, right?
2. The second floor ADU space has been removed, right? Respond in writing why there is the need for a building (24') tall?
3. What will be happening in all the now empty space above the garage doors?
4. If there is no ADU, why is this former ADU access door remaining ?
5. Provide the new average wall height for the building. The CUP will have to approve any wall height that exceeds (16') because this building is within (20') of the property lines.

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Patrick Harris, *Council Member*  
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Jason T. McGuire, *Council Member*



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6. Respond in writing what the intended use of the garage will be for. What will be stored, kept, and take place in the garage?
7. Please provide in writing why the garage is being placed on the east side of the property, and not along the west side where it would be more aligned with the existing driveway access.

**Sincerely,**

**Andrew McDonald**  
**Planner I**



Applicant's Response to above  
Correction Notice items

Andrew McDonald,

Please see my responses below that correspond with your questions for the plan review and the CUP review.

3. I currently have a fair amount of my personal items at storage at my Dad's garage and need to remove them from their in order to store them here. i.e. bikes, decorations, Christmas lights, lawn mowers, snow blower, etc.

4. I have attached that in the online portal as a new update plan

5. I have had the architect do so and you can see that plan in the online portal upload.

6. Correct. It is no longer on the plans and and ADU and it will no longer be added to the building as the requirements were too difficult to meet and leave my property in a functional layout. Further evidence of that is that I have also removed the mechanical room, windows, furnace, water heater, gas line diagram, power line diagram, structural requirements etc.

7. That has been address and is now on the new plan

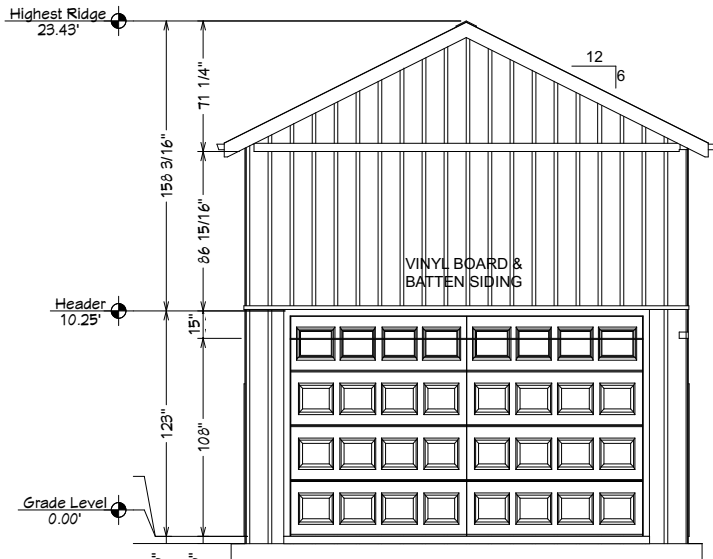
8. Due the fact that in the future I plan on demolishing the house in the future at an unknown date and adjusting it so that it will workout better for the layout of the lot. I also would not like to have to get a an engineering permit. If there are problems with this I would like to know why my neighbor down the road was allowed a detached pole barn with the same scenario as mine meaning that he put the pole barn on the opposite side of the houses' driveway and approach.

9. Below are my responses for the CUP.

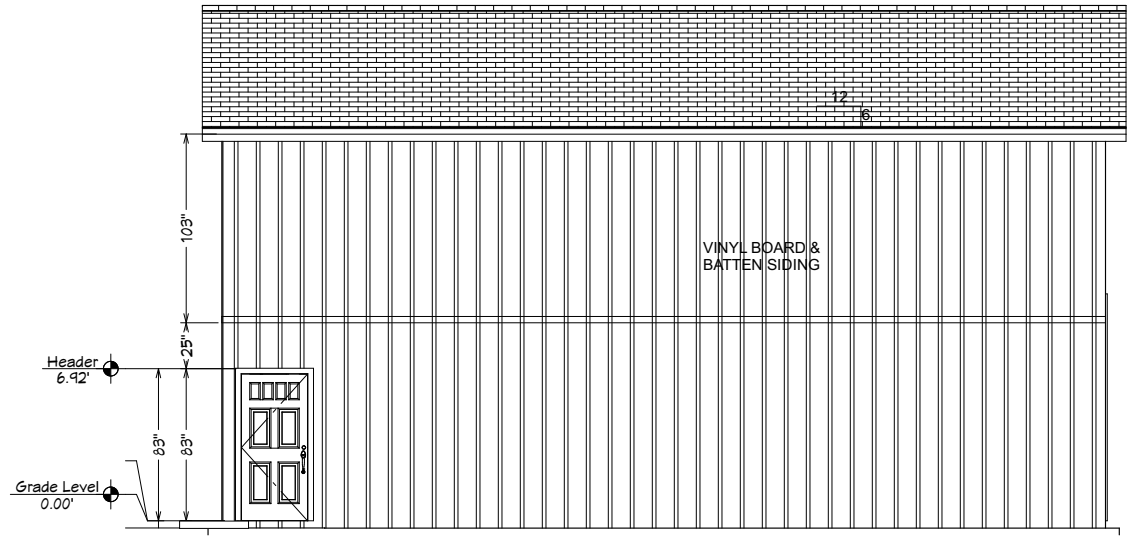
1. See response 6 above.
2. See response 5/6 above.
3. Shelving to store my personal items.
4. As there will be my F350, camping trailer, flat bed and atv parked at the front of the garage I will need the other door to remove my smaller engine items i.e. lawn mowers, snow blower, etc.
5. The average wall height is 17.4' according to the plan provided.
6. Storage of my personal items as listed above.
7. See response 8 above.

Thanks  
David King

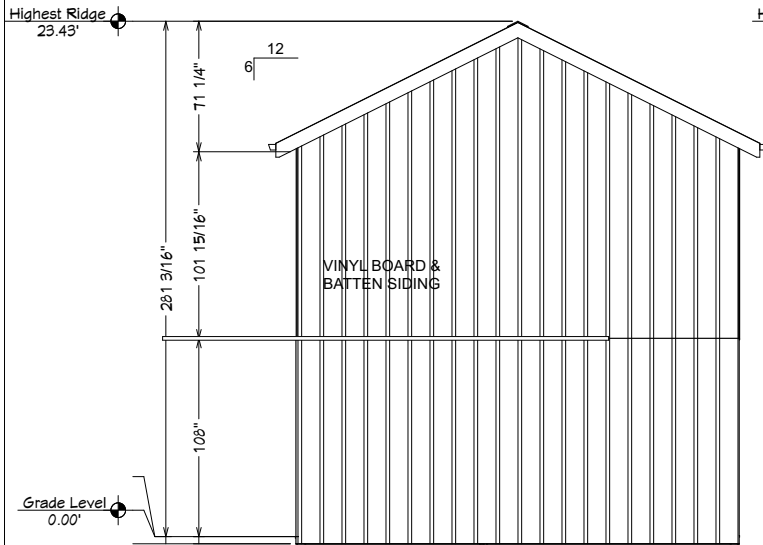
12  
6 ROOF PITCH THROUGHOUT



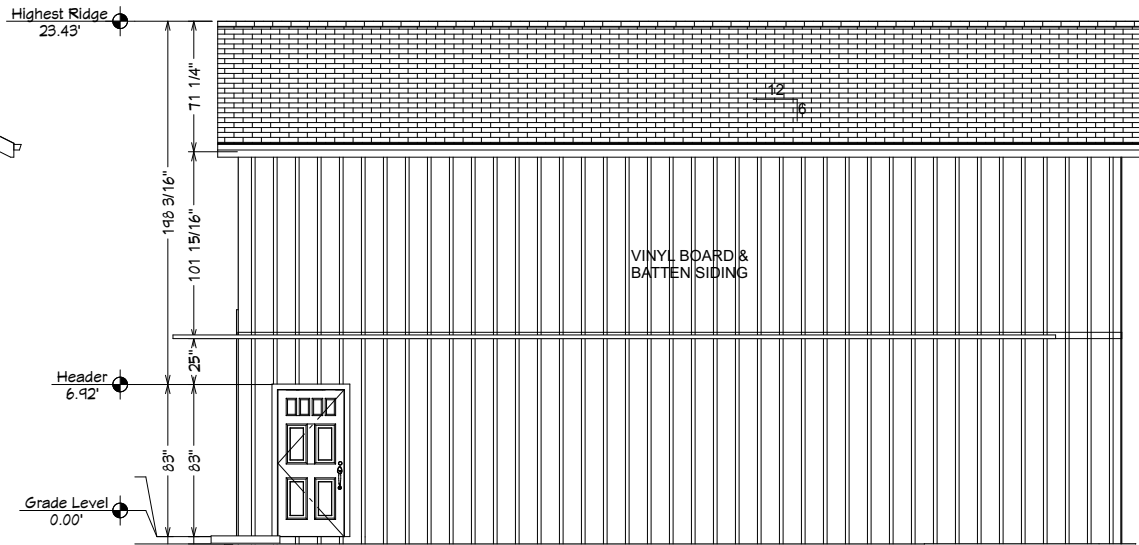
FRONT ELEVATION  
1/4" = 1'



RIGHT ELEVATION  
1/4" = 1'



REAR ELEVATION  
1/4" = 1'



LEFT ELEVATION  
1/4" = 1'



NO.	DESCRIPTION	CITY	REVIEW	DATE	BY	JB
1				07/15/2024		

SHEET TITLE:  
**ELEVATION**

PROJECT DESCRIPTION:

DRAWINGS PROVIDED BY:  
**Jesse Beus**  
jesse.beus@gmail.com

DATE:

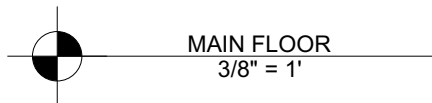
3/1/2024

SCALE:

1/4" = 1'

SHEET:

**A-1**



MAIN FLOOR  
3/8" = 1'



NO.	DESCRIPTION	BY	DATE
1	CITY REVIEW	JB	01/18/2024

SHEET TITLE:

MAIN FLOOR

**PROJECT DESCRIPTION:**

DRAWINGS PROVIDED BY:  
**Jesse Beus**  
**jesse.beus@gmail.com**

DATE:

3/1/2024

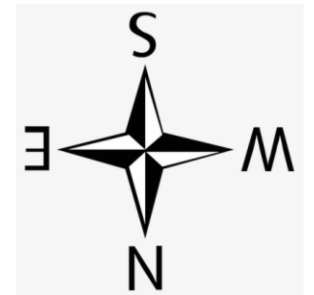
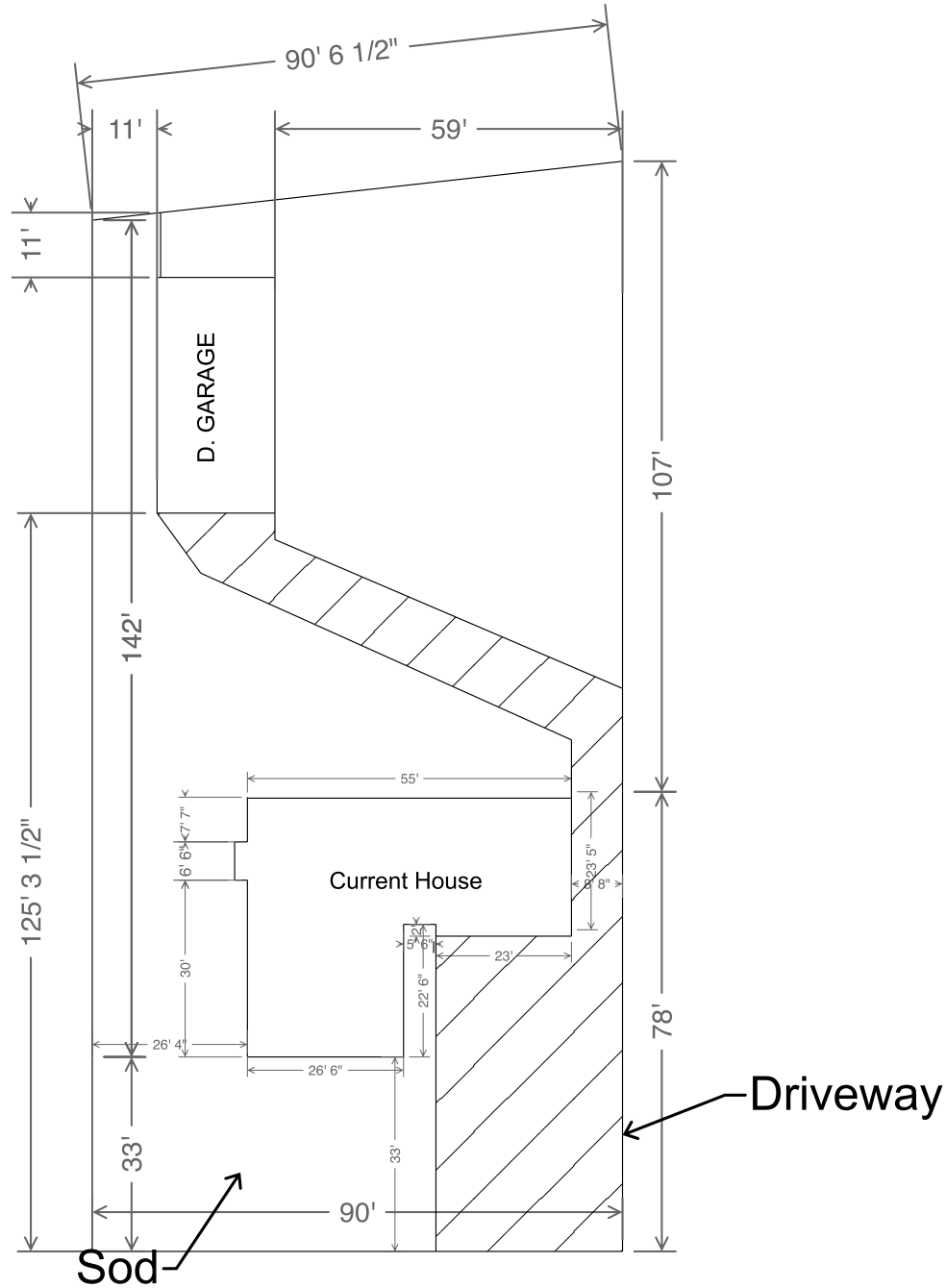
SCALE:

$$1/4" = 1'$$

SHEET:

**A-2**

# Site Plan



Dawn R. Ramsey, *Mayor*  
Patrick Harris, *Council Member*  
Kathie L. Johnson, *Council Member*  
Donald J. Shelton, *Council Member*  
Tamara Zander, *Council Member*  
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PH: 801.446-HELP @SouthJordanUT

## **NOTICE OF PUBLIC HEARING**

March 14, 2024

Dear Recipient:

David King filed an application (File #**PLCUP202400026**) for property located at **2269 W. Bonanza Circle**. The applicant is requesting that the South Jordan City Planning Commission review a conditional use permit application to construct a detached building on the subject property.

You are receiving this notice because Salt Lake County records indicate that you own property that is within 300' (feet) of the subject property; or are listed as an affected entity. A map showing the property location is attached to this notice.

A public hearing regarding this proposal will be held before the South Jordan City Planning Commission **at 6:30 p.m. on Tuesday March 26, 2024** in the South Jordan City Council Chambers (1600 W. Towne Center Drive). All interested parties are invited to attend. Virtual attendance can be done by following instructions provided at: **<http://www.sjc.utah.gov/planning-commission/>**. Virtual attendance is contingent upon on individual's internet connection, not the City.

Public comments may be submitted by in writing by mail or by emailing Andrew McDonald at **[amcdonald@sjc.utah.gov](mailto:amcdonald@sjc.utah.gov)**, **by 12:00 p.m. on March 26, 2024**. This ensures that any comments received can be reviewed by the Commission, and included in the record prior to the meeting. Any emails or signed letters received will be placed on record. **There is a 10 MB file size limit on emailed comments**. Comments may also be given, and added to the record, during the public comment portion of the hearing.

Should you desire further information, you may contact the South Jordan Planning & Zoning Department: **(801) 446-4357** during regular business hours or by contacting the email provided.



Respectfully,  
Andrew McDonald, AICP Candidate  
City of South Jordan Planning Department

## Location Map

