

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 06/28/2022

Issue: WOOD DETACHED GARAGE
CONDITIONAL USE PERMIT
Address: 9447 S. 2500 W.
File No: PLCUP202200128
Applicant: Tim Wood

Submitted by: Damir Drozdek, Planner III

Staff Recommendation (Motion Ready):

- **Approve** application PLCUP202200128 to allow for construction of a detached garage on property located at 9447 S. 2500 W.

ACREAGE:	0.42 acres
CURRENT ZONE:	R-1.8 (Single-family Residential, 1.8 lots per acre) Zone
CURRENT USE:	Single-family Residence
FUTURE LAND USE PLAN:	SN (Stable Neighborhood)
NEIGHBORING ZONES/USES:	North – R-1.8 / 9435 S. street South – R-1.8 / Single-Family Residence West – R-1.8 / 2500 W. street East – R-2.5 / Single-Family Residence

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

BACKGROUND:

The applicant is requesting that the Planning Commission review and approve a Conditional Use Permit for a detached garage. The proposed garage will be constructed on property that is a corner lot located at 9447 S. 2500 W. Said garage will be situated at the east end of the property located to the rear of the home. The garage will be accessed off 9435 S. This will be a second access point to the property off the street. This access will have to be reviewed and approved by the City Engineer.

The house appears to be a split-level home. It is 22' tall at the ridge. The garage will be slightly higher than the house topping off at 25' at the ridge. The garage will also have a living space (ADU) on the second floor. The ADU permit (PLALU202200007) was approved by the planning staff in January of this year.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The subject property is located in the R-1.8 zone.
- It is not an unusual scenario for properties that have ramblers or split-level homes to have a detached structure or an accessory building that is higher than the main building (home).
- 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 (§17.40.020.I.3.a).
- Staff has not identified any potential detrimental effects that the proposed structure may cause.

Conclusion:

- The proposed use does not appear to violate any health, safety or welfare standards. In addition, staff was not able to identify any detrimental effects to the adjacent properties or the general area. And therefore the planning staff recommends approval of the application.

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 the Application with conditions.
- Deny the Application.
- Schedule the Application for a decision at some future date.


SUPPORT MATERIALS:

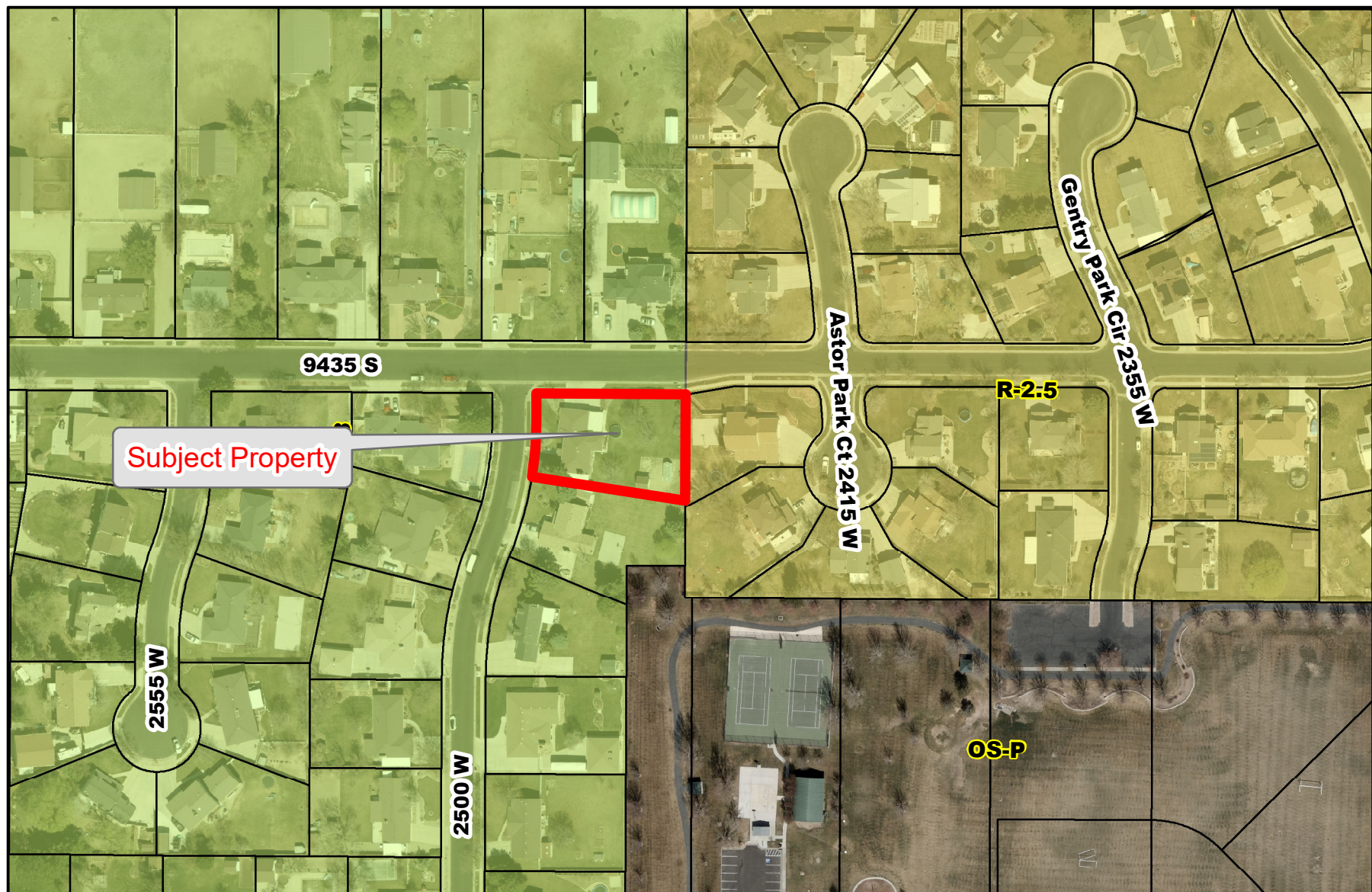
- Aerial Map
- Zoning Map
- Elevations and Floor Plans
- Site Plan


A handwritten signature in black ink, appearing to read 'D. Drozdek', is positioned above a horizontal line.

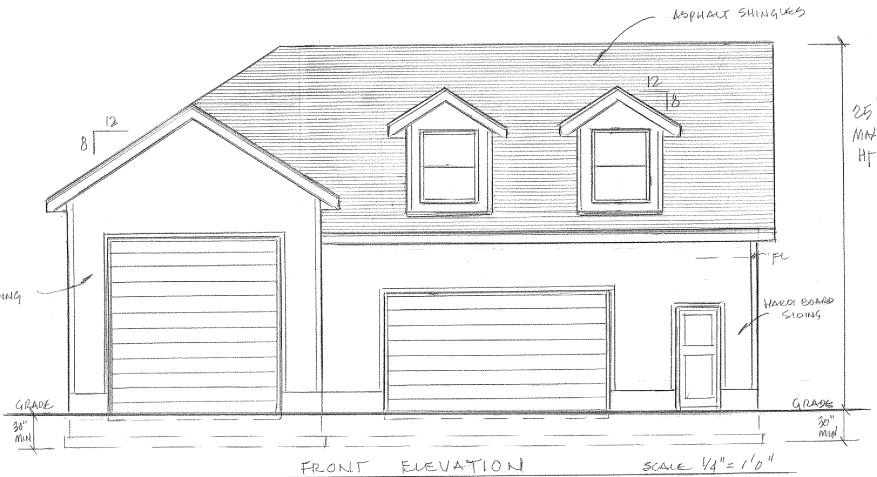
Damir Drozdek, AICP
Planner III
Planning Department



<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<p>Aerial Map</p> <p><i>City of South Jordan</i></p>	<p>0 50 100 200 300 400 Feet</p> <p>Aerial Imagery 2021</p> 
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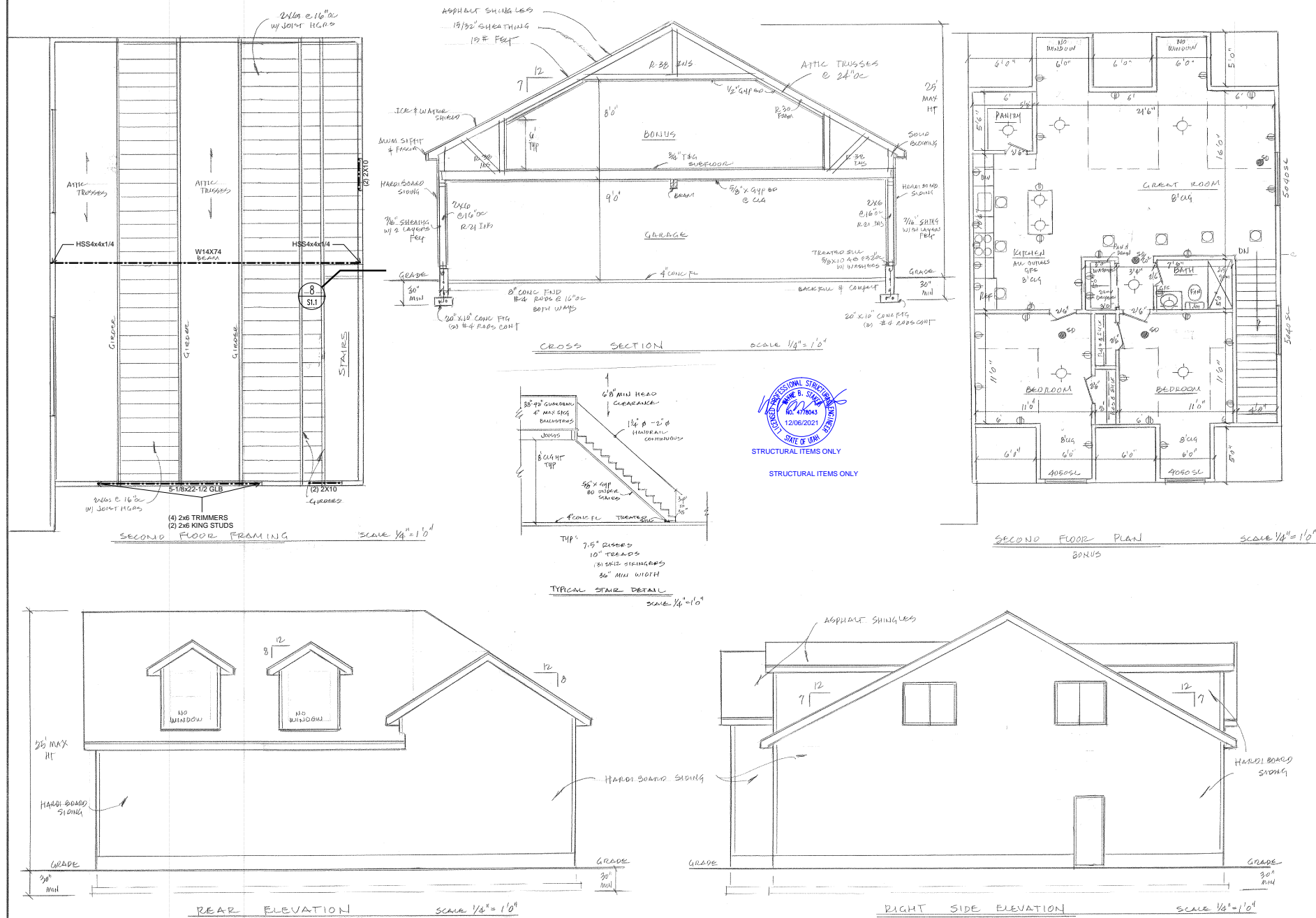


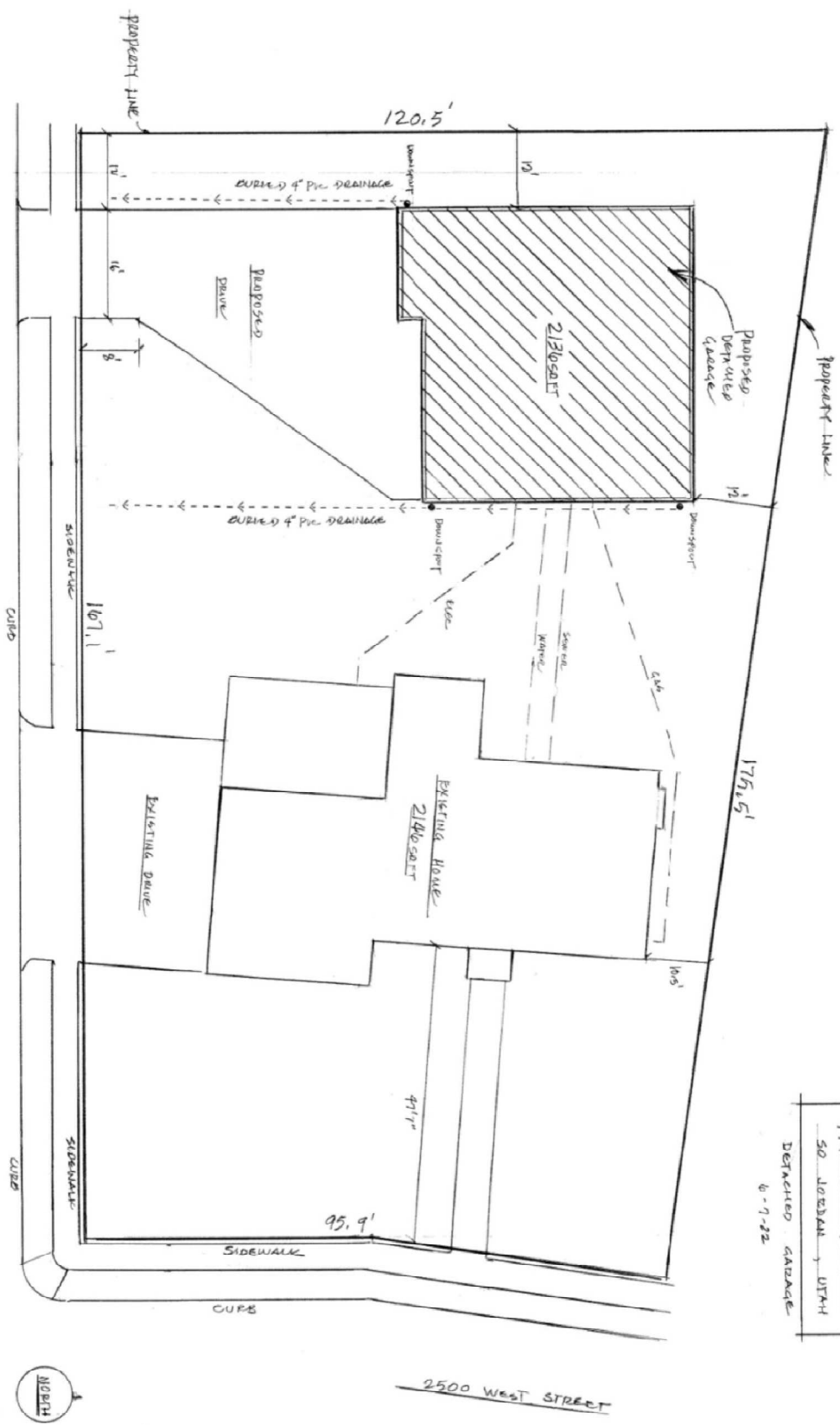
<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <p><i>City of South Jordan</i></p>	<p>0 50 100 200 300 400 Feet</p> <p>Aerial Imagery 2021</p> 
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DETACHED GARAGE
DRAWN BY CLARON PERRY HOME DESIGN

Date
Scale $\frac{1}{4}'' = 1'0''$
Drawn C Perry
Job
Sheet 2
Of 2 Sheets





WOOD RESIDENTS
 9447 SO. 2500 WEST
 SO. JORDAN, UTAH
 6-7-22
 DETACHED GARAGE

SITE PLAN
 SCALE: 1"=10'

