

## **SOUTH JORDAN CITY**

### **PLANNING COMMISSION STAFF REPORT**

**Meeting Date: 06/13/2023**

---

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

**File No.:**                PLCUP202300088  
**Property Address:**    2216 W. Bonanza Circle  
**Applicant:**            Benjamin Fetzer (Property Owner)  
**Submitted By:**        Andrew McDonald, Planner I

---

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

**Approve** the Conditional Use Permit (File No. **PLCUP202300088**) 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 2216 W. Bonanza Circle. The proposal is to construct a detached garage on the subject property that is roughly (24'x80') 1,920 ft<sup>2</sup>. The footprint of the main building is 1,286 ft<sup>2</sup>. The subject property is currently zoned Residential (R-1.8), and is Lot 47 of the Bonanza Acres Phase 4 Subdivision. City Code §17.40.020.I(3b) allows the footprint of an accessory building to exceed that of the main building with the approval of a conditional use permit (CUP) by the Planning Commission.

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

### **FINDINGS:**

- Staff is unaware of any Covenants, Conditions, and Restrictions (CC&RS) that would further restrict the development of the subject property. If such exist, The City does not enforce them; and any disputes would be a civil matter between the involved parties.
- Staff compared the subject property with the immediately surrounding properties in the area. The immediate area refers to the properties within the Bonanza Acres Phase 4 Subdivisions as they are the most comparable to the subject property.
- The maximum building coverage for the subject property is 6,272.64 sf<sup>2</sup>. The current lot coverage for the subject property is roughly 1,646 sf<sup>2</sup>. The subject property still has roughly 4,626.64 sf<sup>2</sup> remaining (excluding the proposed garage).
- The applicant proposes an accessory building with a 1,920 sf<sup>2</sup> (24'x80') footprint. This is 634 sf<sup>2</sup> over what would be allowed by current Code.
- The proposed application does not propose an Accessory Dwelling Unit (ADU), but one could be allowed in the future.
- The proposed roof pitch is 3:12. The minimum R-1.8 standard is 1:12.
- The proposed average wall height is 12'. The overall height is near 15'. The overall height of the main building is roughly 17'-18'.
- There will be no upper second-story floors with doors and windows.
- The proposed setback is 10' to both the north and east property lines. The minimum R-1.8 standard is three feet.
- The proposed building would shelter miscellaneous recreational vehicles that are currently kept on the property, and screened from public view by a six-foot obscuring fence. The construction of the proposed garage would better serve to shelter and screen these miscellaneous vehicles from public view.
- There are other detached accessory garages in this subdivision. Although these garages vary in size less than what is being proposed, they could have been constructed larger, to be equal to or larger than 1,920 sf<sup>2</sup>, by right had those property owners choose to construct larger buildings.
- Lot 26 has a CUP for a detached accessory building that was approved in 2018. This detached building is 2,688 sf<sup>2</sup> (42'x64'). In comparison to the subject property, Lot 26 is .44 acres, and has a home footprint of 1,924 sf<sup>2</sup>.

- Without a CUP, the applicant is able to construct two 1,286 sf<sup>2</sup> detached accessory buildings, 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. PLCUP202300088) 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



---

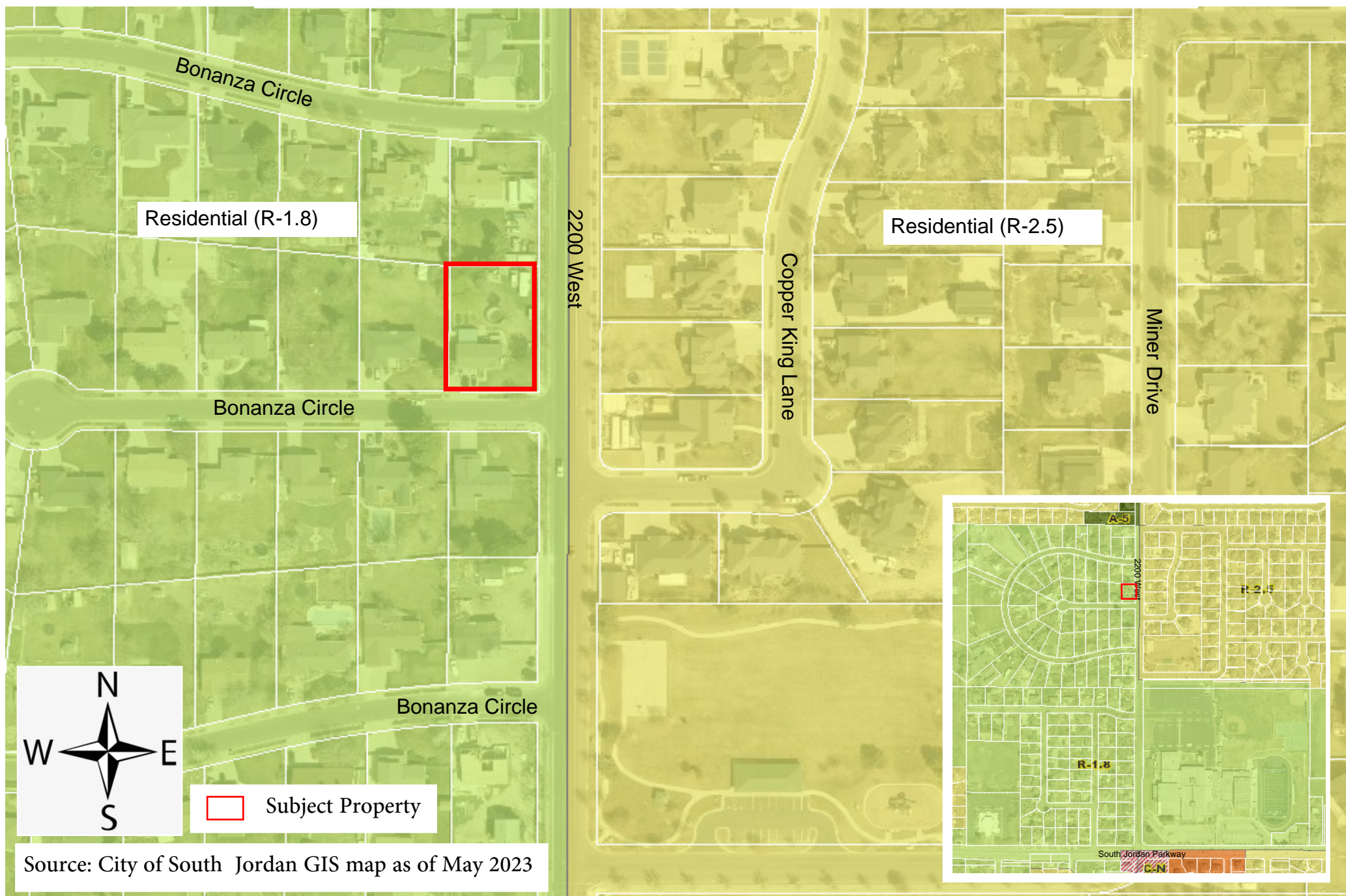
ANDREW MCDONALD, PLANNER I  
PLANNING DEPARTMENT

# Location Map





# Current Zoning Map



Hand-drawn site plan of a property. The plan shows a house with a driveway, RV parking, a front yard, and a rear yard. Key features include a house, a deck, a paved patio, an awning, and a fence. Dimensions are provided for various areas: 38 ft. for the front yard, 28 ft. for the paved patio, 24 ft. wide for the deck, 10 ft. for the rear yard, and 68 ft. for the total depth. A red line indicates the 'Edge of patio'. A blue arrow points to a '(10') Public Utility & Lot Drainage Easement' area. The property is bounded by 'West Property Line' and 'Rear Property Line'. The address '2200 West' is written at the bottom.

RV parking

Driveway

house

awning

Paved Patio

Deck

Edge of patio

Paved Patio

Front yard

38 ft.

28 ft.

24 ft wide

10 ft

68 ft

West Property Line

Rear Property Line

(10') Public Utility & Lot Drainage Easement

2200 West



\*Provided by Applicant 22  
Conceptual to express location. Not to scale.

# Building Elevation View & Layout

