

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 08/13/2024

Issue: 60'S GUESTHOUSE
CONDITIONAL USE PERMIT AND ACCESSORY DWELLING UNIT
Address: 2660 W. 10950 S.
File No: PLCUP202400127
PLADU202400125
Applicant: Mary Nielson

Submitted by: Damir Drozdek, Planner III

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

- PLCUP202400127 to allow for second floor windows, the proposed average wall height, and the overall building height; and
- PLADU202400125 to allow an accessory dwelling unit (guesthouse) proposed size.

ACREAGE:	Approximately 0.42 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-2.5 / Single-family home South – R-1.8 / 10950 S. West – R-1.8 / Single-family home 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 permittee's failure to commence or operate the conditional use in accordance with the requirements of subsection A of this section.
3. No conditional use permit shall be revoked until after a public hearing is held before the City Council. The permittee shall be notified in writing of such hearing. The notification shall state the grounds for complaint, or reasons for revocation, and the time and location of the hearing. At the hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his or her behalf. Upon conclusion of the hearing, the City Council shall determine whether or not the permit should be revoked.

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 to construct a detached building located at 2660 W. 10950 S. The proposed building will be located in the northeast corner of the property. The property is surrounded by other single-family residential properties similar in size and layout.

The proposed building is two stories tall. The main floor consists of a kitchen area, living room, a bathroom and two bedrooms. The second floor contains a loft and a bathroom. There are windows on the second floor that will face north and east. They are within 20' of property lines. Additionally, the proposed structure will have an average wall height exceeding 16' in height, which also requires an approval through the CUP process (See City Code § 17.40.020.I.3). The average wall height will measure roughly 18' to the peak. The main dwelling is a single level rambler that reaches 16' in height. The proposed guesthouse is almost 22' in height as measured from finished grade to the peak.

The ADU permit application is regarding the proposed ADU size. According to the MLS listing, the home contains 2,408 sq. ft. of living space. The Planning Commission is required to review and approve all guest homes exceeding 1,500 sq. ft., or 35% of the main dwelling living area. In this particular case, 35% of the home is 843 sq. ft. The proposed ADU contains 1,272 sq. ft. of living space and that exceeds the allowed 35% as required by the City Code (See City Code § 17.130.030.020:C.).

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- To the best of staff's knowledge, the applicant owns at least three properties in the City.
- The applicant is listed on the title together with Russell Thornton as the owners of the property.
- Mary Nielson filed the ADU affidavit with the City. She will reside on the property full-time.
- Staff has not identified any potential detrimental effects that the Guesthouse may cause if approved as long as the residency and all other City ADU requirements continue to be met.

Conclusion:

- The proposed Guesthouse does not appear to violate any health, safety or welfare standards if approved as proposed. 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:

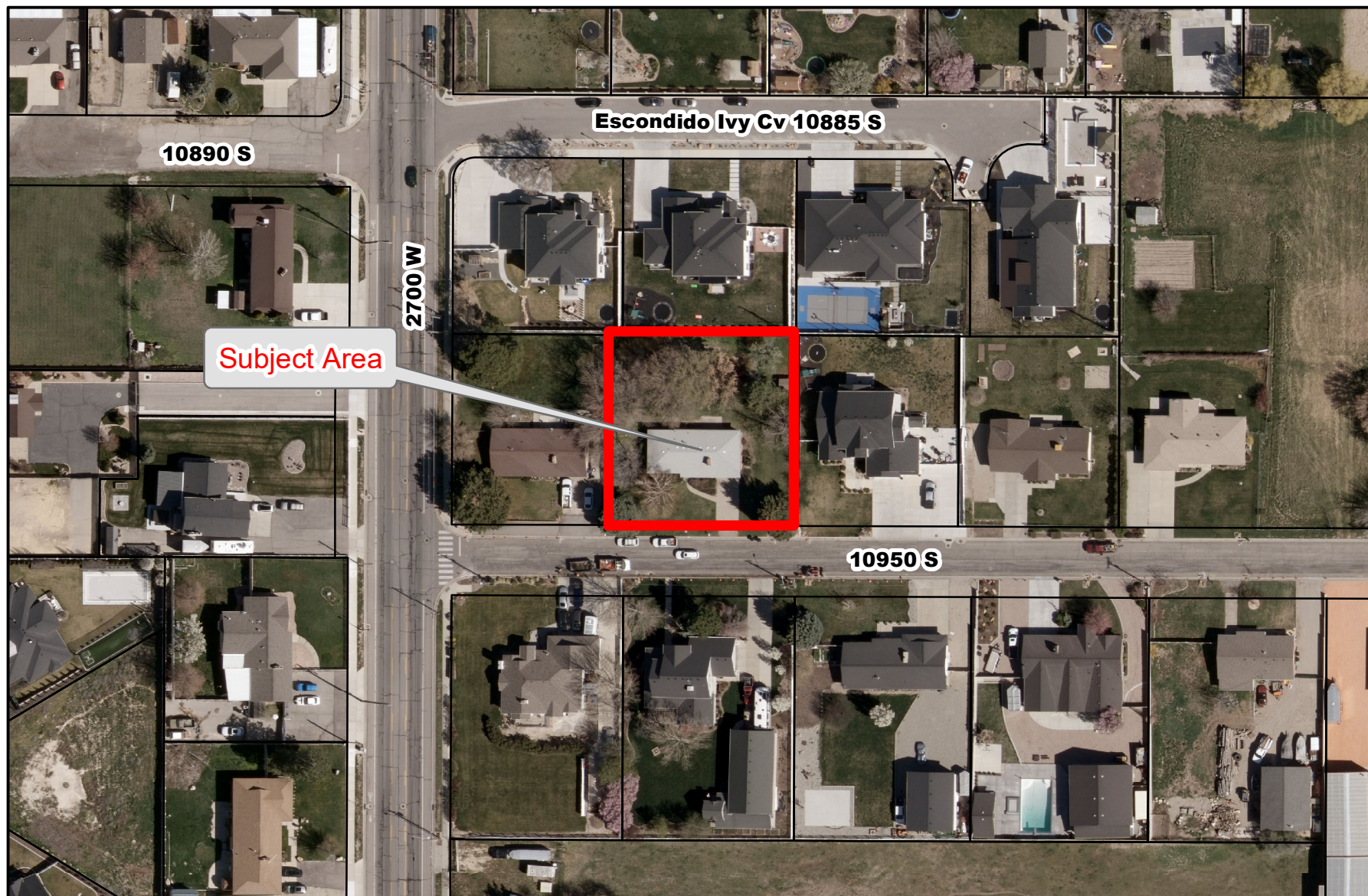
- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.


SUPPORT MATERIALS:

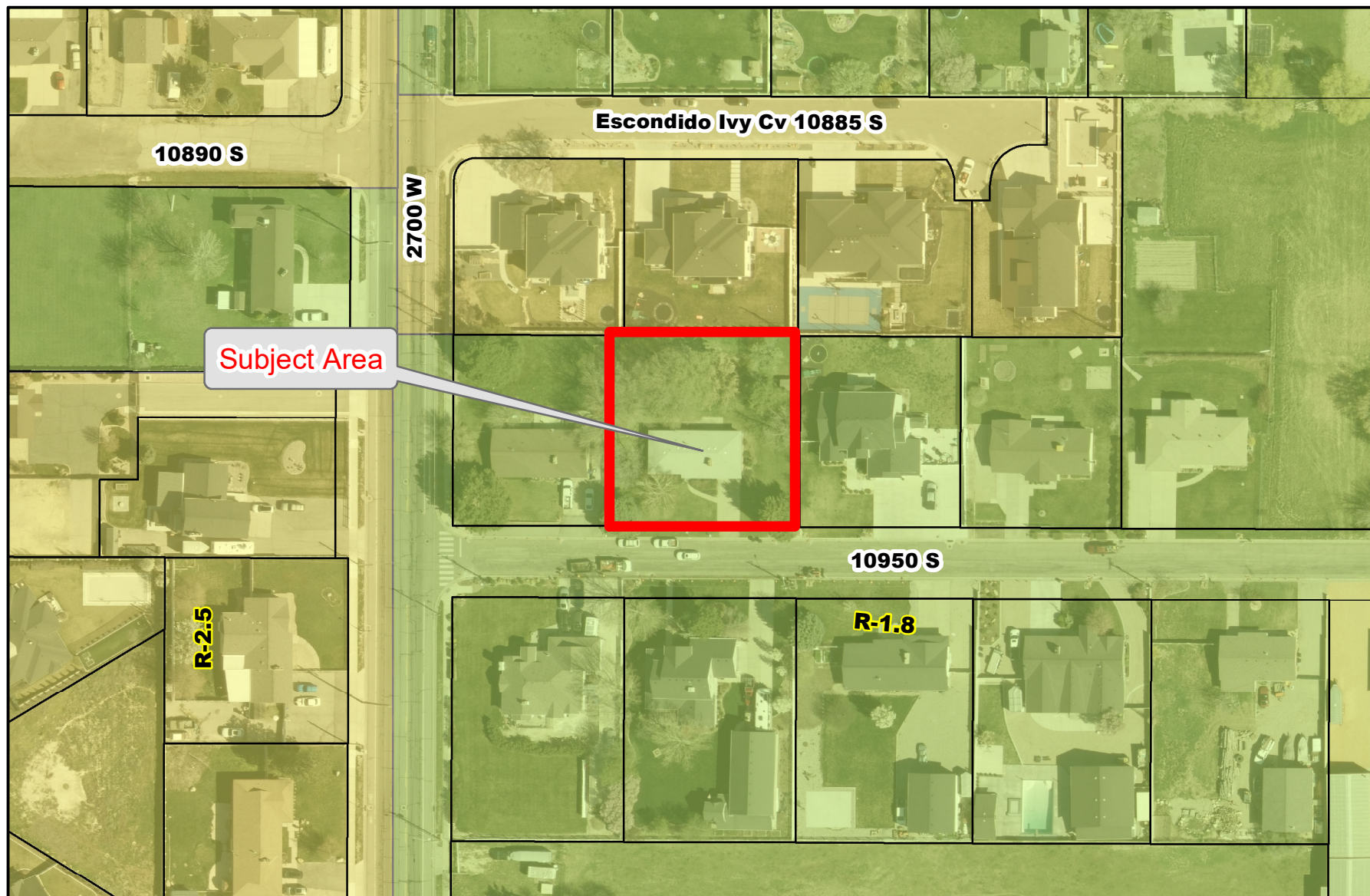
- | | |
|--------------------|---------------------------------|
| • Aerial Map | • Floor Plans |
| • Zoning Map | • ADU Affidavit |
| • Site Plan | • Driver's License Verification |
| • Parking Location | • MLS Listing |
| • Elevations | |




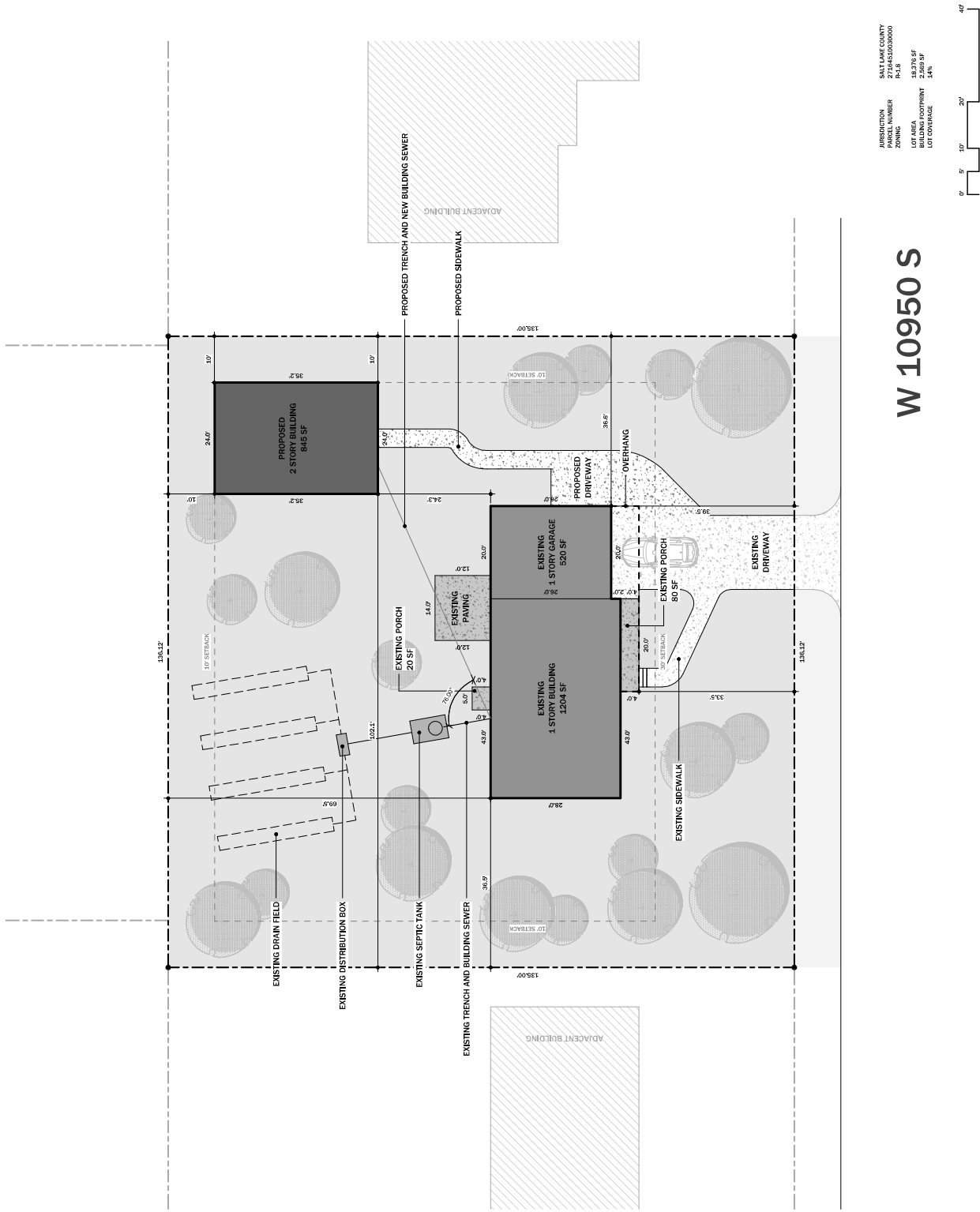
Damir Drozdek, AICP
Planner III



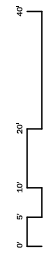
<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<p>Aerial Map</p> <p><i>City of South Jordan</i></p>	<p>0 30 60 120 180 240 Feet</p> <p>Aerial Imagery 2024</p> 
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<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <p><i>City of South Jordan</i></p>	<p>0 30 60 120 180 240 Feet</p> <p>Aerial Imagery 2024</p> 
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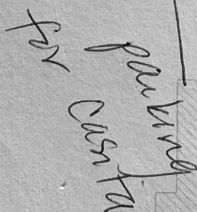
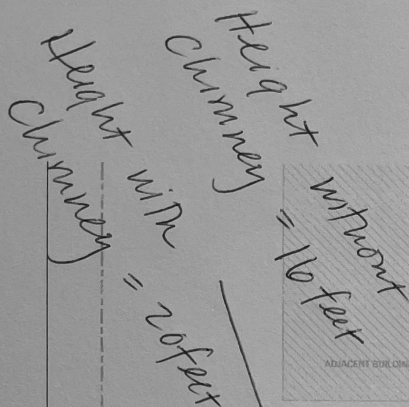
W 10950 S



PROJECT NO:	
SCALE:	1" = 10'-0"
DATE:	07/02/24
DRAWN BY:	
CHECKED BY:	

SET NO: **C100**

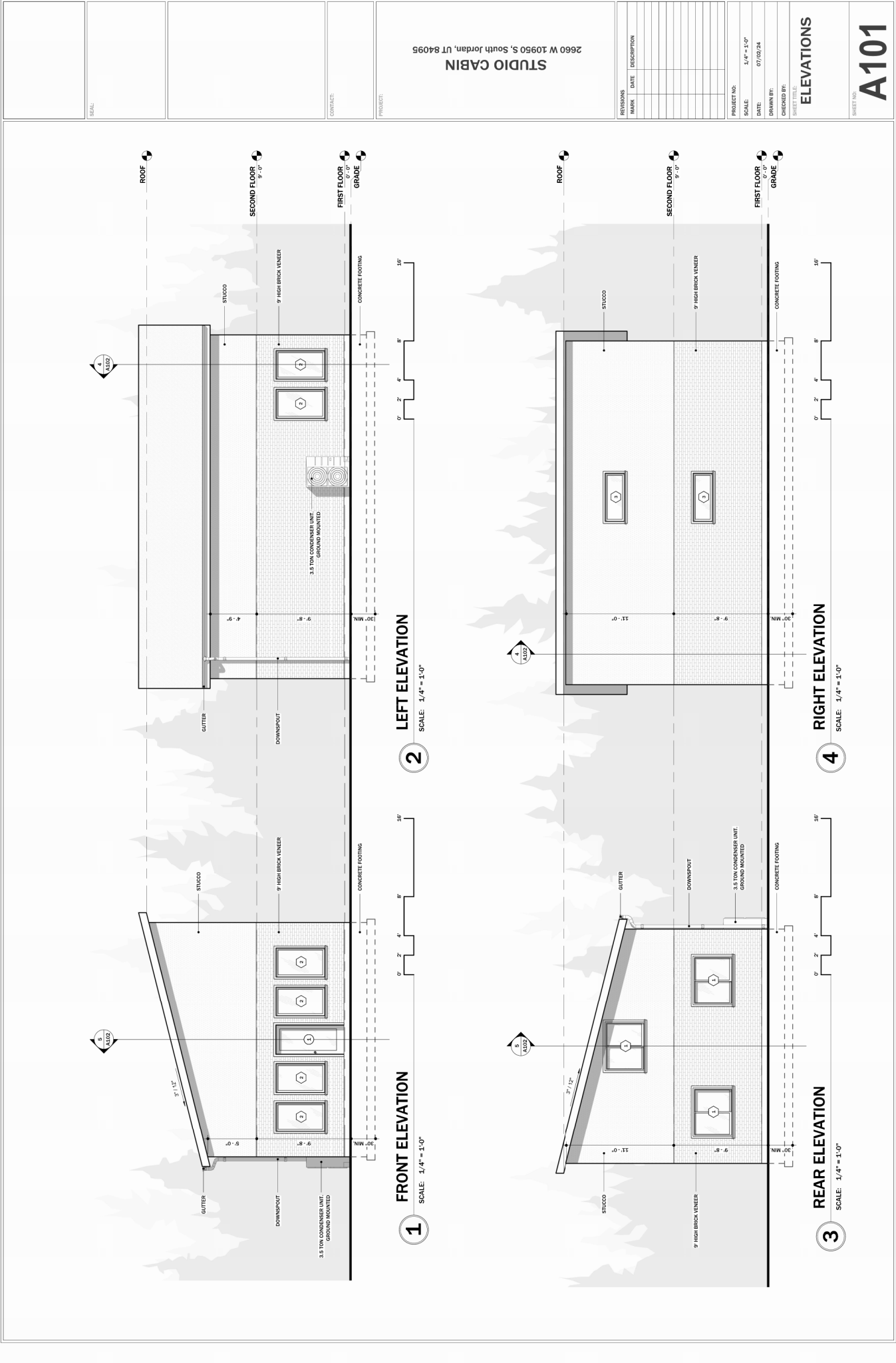
CONTACT:		PROJECT:	
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A vertical scale bar with markings at 0, 5, 10, 20, and 40.

ADDRESS/SECTION	SALT LAKE COUNTY
PANCEL NUMBER	271945120-00000
ZONING	R-1.5
LOT AREA	18.579 SF
BUILDING FOOTPRINT	2,869 SF
LOT COVERAGE	14%

[illegible]



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

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

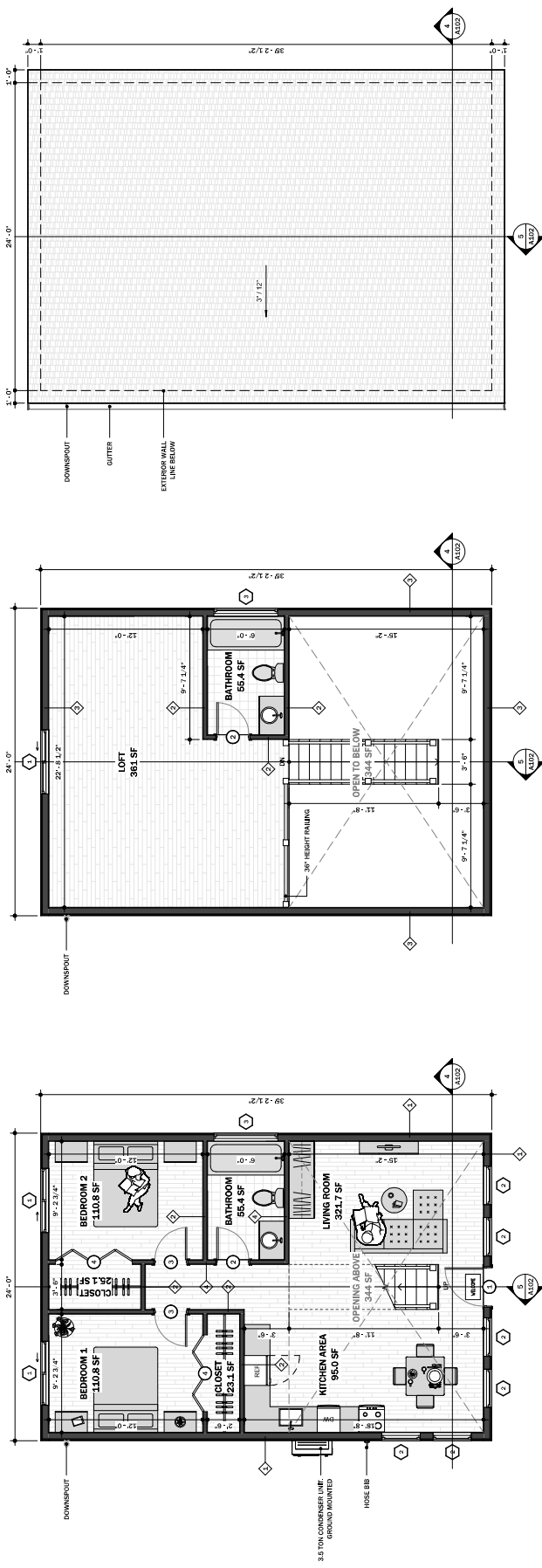
3 REAR ELEVATION
SCALE: 1/4" = 1'-0"

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

REVISIONS	MARK	DATE	DESCRIPTION

PROJECT NO.	14" = 1'-0"
SCALE	07/02/24
DATE	DRAWN BY:
CHECKED BY:	SHEET TITLE:

ELEVATIONS



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

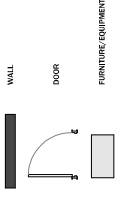
2 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

3 ROOF PLAN
SCALE: 1/4" = 1'-0"

CONSTRUCTION NOTES

- A. TYPICAL INTERIOR WALL IS 2x4 WOOD STUD AT 16" O.C. WITH 1/2" DRYWALL TO BOTH SIDES, U.V.O.
- B. DIMENSIONS SHOWN ARE FROM FINISHED FACE OF DRYWALL TO FINISHED FACE OF DRYWALL.
- C. USE MOISTURE-RESISTANT DRYWALL AT ALL WET LOCATIONS.
- D. DOORS ARE TO BE LOCATED 6" FROM THE NEAREST PERPENDICULAR WALL OR CENTERED ON WALL, U.V.O.
- E. DOORS AT CLOSETS SHALL BE LOCATED AT THE CENTER OF THE INTERIOR FINISHED SPACE, U.V.O.
- F. THIS DRAWING IS BEING PROVIDED AS A GRAPHIC REPRESENTATION OF THE KITCHEN LAYOUT. ASSOCIATED PLANS, ELEVATIONS AND OTHER RELATED INFORMATION WILL BE PROVIDED BY A KITCHEN VENDOR.

PLAN LEGEND



DOOR SCHEDULE

MARK	MATERIAL	TYPE	NOMINAL SIZE	THICKNESS	FRAME	AREA	U VALUE	SHGC	PRC RATING	LOOK TYPE	CLOSER	INCHES	DOOR SCHEDULE	WEATHER STRIPPING	PANIC HARDWARE	REMARKS	COUNT
1	WOOD	SINGLE SWING	3'-0"	1 1/2"	WOOD	21.5 SF	0.4	0.4	0.4	ENTRY LOOK	*	*	*	*	*	*	2
2	WOOD	SINGLE SWING	2'-0"	1 1/2"	WOOD	17.5 SF	0.4	0.4	0.4	ENTRY LOOK	*	*	*	*	*	*	2
3	WOOD	SINGLE SWING	2'-0"	1 1/2"	WOOD	17.5 SF	0.4	0.4	0.4	ENTRY LOOK	*	*	*	*	*	*	2
4	WOOD	SLIDING	6'-0"	1 1/2"	WOOD	42 SF	0.4	0.4	0.4	ENTRY LOOK	*	*	*	*	*	*	2

WINDOW SCHEDULE

MARK	MATERIAL	TYPE	OPENING SIZE	HEAD HEIGHT	AREA	U VALUE	SHGC	COUNT	REMARKS	SAFETY GLASS	PROTECTED
1	WOOD	DOUBLE SLIDING	4'-0" x 5'-0"	7'-0"	20.00 SF	0.3	0.4	3			
2	WOOD	FIXED	3'-0" x 5'-0"	7'-0"	15.00 SF	0.3	0.4	6			
3	WOOD	FIXED	2'-0" x 5'-0"	7'-0"	10.00 SF	0.3	0.4	2			

4 WALL TYPES
SCALE: 3/4" = 1'-0"

EXTERIOR 2x6 STUD WALL
LOAD-BEARING
INTERIOR 2x4 STUD WALL

EXTERIOR 2x6 W/ VENEER
INTERIOR 2x4 STUD WALL

SHEET TITLE

CHECKED BY:

DRAWN BY:

DATE:

SCALE:

PROJECT NO:

PROJECT NAME:

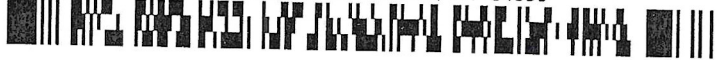
REVISIONS

MARK

DATE


DESCRIPTION

WHEN RECORDED RETURN TO:
CITY OF SOUTH JORDAN
1600 W TOWNE CENTER DRIVE
SOUTH JORDAN, UT 84095



Accessory Dwelling Unit Affidavit


Mary Nielson is the landowner of record of real property (the "subject property") located at 2660 W. 10950 S. in the City of South Jordan, Utah (the "City"). The landowner is applying to construct an Accessory Dwelling Unit (as that term is defined in the ordinances of South Jordan City) on the subject property. I am either the owner or co-owner of the subject property or I am the beneficiary of a trust that owns the subject property or I am an owner of a legal entity that owns the subject property. As a condition of receiving all necessary permits and entitlements to construct and use an Accessory Dwelling Unit on the subject property I personally pledge that myself and any co-owners will comply with all regulations of the Accessory Dwelling Unit Floating Zone as set forth in the ordinances of the City and will personally occupy the property as a full time resident. As a further condition of receiving all necessary permits and entitlements to construct and use an Accessory Dwelling Unit on the subject property I authorize annual inspections of the Accessory Dwelling Unit by authorized South Jordan representatives. I understand that this affidavit must be signed, notarized and recorded at the Salt Lake County Recorder's Office before any permit is issued allowing the construction or use of the proposed Accessory Dwelling Unit.

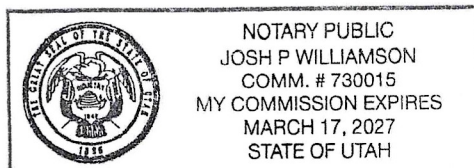

(signature of property owner)

Dated this 23 day of July, 2024

State of Utah)
)ss
County of Salt Lake)

On the 23 day of July, 2024, personally appeared before me Mary Nielson the signer(s) of the above instrument, who duly subscribed and swore before me that they executed the same.


NOTARY PUBLIC
Residing in Salt Lake County, Utah



Driver License Address Change - Step 2

Current information on file for: MARY FRANCES NIELSON

Contact Information

Phone: (801) 558-8750
Email: mary.f.nielson@gmail.com

Edit

Residence (Physical) Address

2660 W 10950 S
SOUTH JORDAN, UT 84095

Edit

Driver Resources

- [Utah Driver License Division](#)
- [Driver Privacy Protection Act](#)
- [How We Protect your Data](#)
- [Utah State ID Information](#)
- [Yes Utah - Organ Donation](#)
- [UCAIR](#)
- [BREATHE UTAH](#)
- [Utah mDL Registration](#)

MLS# 1989615

List Price: \$512,000

Price Per: \$212

DOM: 3

Time UC: 1

Tour/Open: None

Status: UNDER
CONTRACT

Entry Date: 04/02/2024

Contract Date: 04/05/2024

Sold Date:

Sold Terms:

Concessions: \$0

Address: 2660 W 10950 S

NS/EW: 10950 S / 2660 W

City: South Jordan, UT 84095

County: Salt Lake

Restrictions: No

Proj/Subdiv:

Tax ID: 27-16-451-003

Est. Taxes: \$2,320

Zoning: 1114

HOA?: No

Pre-Market:

School Dist: Jordan

Sr High: Bingham

Elem: Monte Vista

Other Schl: Hawthorne Academy

Jr High: South Jordan

Lvl	Approx Sq Ft	Bed Rms	Bath	Fam	Den	Formal Living Rm	Kitchen Dining	Laun dry	Fire place
			FTH				KBFS		
4	-	-	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-	-	-
1	1204	3	1 1	-	-	1	1 1	1	1
B1	1204	1	-	1	-	-	-	1	1
B2	-	-	-	-	-	-	-	-	-
B3	-	-	-	-	-	-	-	-	-
Tot	2408	4	1 1	1	0	1	1 1 0 0	2	2

Roof: Asphalt Shingles

Heating: Forced Air; Gas: Central

Air Cond: Central Air; Electric

Floor: Carpet; Hardwood; Vinyl

Window Cov: None

Pool?: No

Pool Feat:

Possession: Recording

Exterior: Brick

Has Solar?: No

Landscape: Landscaping: Full; Mature Trees

Lot Facts: Fenced: Part; Road: Paved; Sprinkler: Auto-Full

Interior Feat: Dishwasher, Built-In; Kitchen: Updated; Range/Oven: Free Stndg.

Amenities: Electric Dryer Hookup; Gas Dryer Hookup

Inclusions: Ceiling Fan; Range; Storage Shed(s); Wood Stove

Exclusions: Dryer; Refrigerator; Washer

Terms: Cash; Conventional; FHA; VA

Storage: Basement

Tel Comm: DSL

Utilities: Gas: Connected; Power: Connected; Sewer: Connected; Water: Connected

Zoning: Single-Family

Remarks: Solid brick rambler on 1/2 acre on a quiet dead-end street. Updated kitchen in 2015. New roof in 2013, new carpets in 2015. Original hardwood floors under carpets. Most of the upstairs and exterior are newly painted. Main floor laundry in 1/2 bath up. There are also laundry hookups in the basement. 80% efficient furnace. Some newer vinyl windows. Large basement family room with cozy wood-burning stove. Cold storage under the front porch. 4th bedroom down lacks carpet.

Agt Remarks: Schedule showings through Aligned Showing. please give feedback. Email offers to doug@dougwinder.com. Earnest Money MUST be held in Brokerage Trust Account (yours or mine). No exceptions. Please put the owner's name on REPC: Jacqueline R Hatch Estate. Sq footage from county records. Water softener has not been used for years, but will be left in home.



Type: Single Family

Style: Rambler/Ranch

Year Built: 1965

Const Status: Blt./Standing

Acres: 0.50

Deck | Pat: 0 | 0

Frontage: 0.0

Garage: 2

Side: 0.0

Carport: 0

Back: 0.0

Prkg Sp: 0

Irregular: No

Fin Bsmt: 65%

Basement: Full

Garage/Park: Attached; Opener

Driveway: Concrete

Water: Culinary

Water Shares: 0.00

Spa?: No Community Pool?: No

Master Level: 1st floor

Senior Comm: No

Animals:



Showing Requests Available Soon



Attached Documents

Show Inst: Appt/Use Lockbox; Vacant; Use Aligned Showings

Owner: Jacqueline R Hatch Estate

Special Owner Type:

Contact: Aligned Showing

Contact Type: Agent

Ph 1: 801-573-7858

Ph 2:

UtahRealEstate.com - Agent Full Report - Residential

L/Agent: Doug Winder	Email: doug@dougwinder.com	Ph: 801-573-7858	Mobile: 801-573-7858
L/Office: Real Broker, LLC		Ph: 646-859-2368	Fax:
B/Agent: MLS NON	Email:	Ph: 000-000-0000	Mobile:
B/Office: NON-MLS		Ph:	Fax:
BBC: 2.5%	Dual/Var: No	List Type: Exclusive Right to Sell (ERS)	Comm Type: Net
Withdrwn Dt:	Off Mkt Dt:	Exp Dt: 10/02/2024	