



MURRAY CITY HEARING OFFICER

NOTICE OF MEETING AND AGENDA

June 12, 2024

12:30 PM

Murray City Hall, 10 East 4800 South,
Poplar Conference Room #151

CALL MEETING TO ORDER

1. Conflict(s) of Interest

Declaration of Conflict(s) of Interest.

VARIANCE(S)

2. Jana Darby - 657 East Spruce Glen Drive

Variance to Front Yard Setback
Case #1612
Project #24-002

Attachments

1. [Edited_Packet, Darby VAR.pdf](#)

3. Quick Quack Carwash

Variance to Landscape Setback in Front Yard
Case #1613
Project #24-003

Attachments

1. [Packet, Quick Quack VAR.pdf](#)

ANNOUNCEMENTS AND QUESTIONS

ADJOURNMENT

The next scheduled meeting will be held on **Wednesday, July 10th 2024, at 12:30 p.m. MST** located at **Murray City Hall, Poplar Room #151, 10 East 4800 South, Murray UT 84107.**

Special Accommodations for the hearing or visually impaired will be made upon a request to the office of Murray City Recorder (801-264-2662). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Committee members may participate in the meeting via telephonic communication. If a Committee member does participate via telephonic communication, the Committee member will be on speakerphone. The speakerphone will be amplified so that the other Committee members and all other persons present

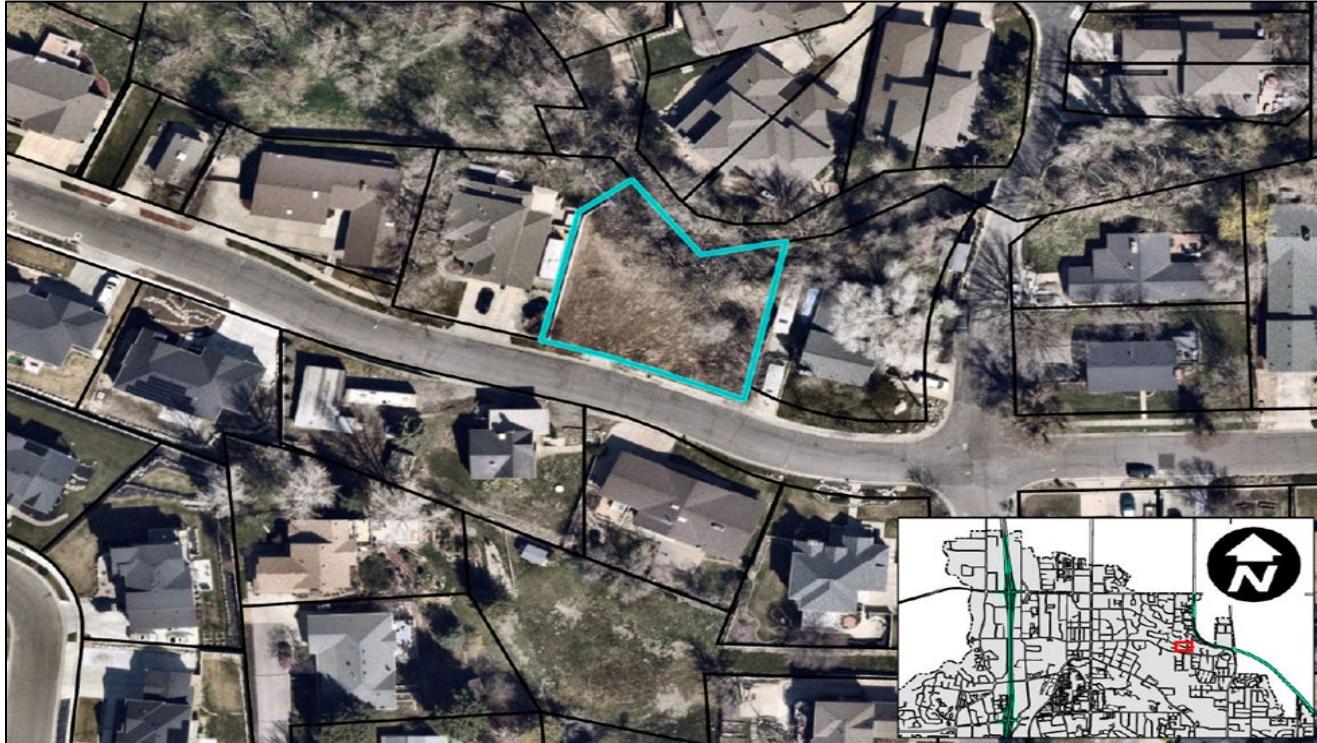
will be able to hear all discussions.

At least 24 hours prior to the meeting, a copy of the foregoing notice was sent to the City Recorder to post in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. A copy of this notice was also posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.



AGENDA ITEM # 2 - Jana Darby

ITEM TYPE:	Variance Application		
ADDRESS:	657 East Spruce Glen Road	MEETING DATE:	June 12, 2024
APPLICANT:	Jana Darby	STAFF:	David Rodgers, Senior Planner
PARCEL ID:	22-07-227-031	CASE NUMBER:	1612
ZONE:	R-1-8, Low Density Residential	PROJECT NUMBER:	HO-24-002
SIZE:	.249-acre lot		
REQUEST:	The applicant is requesting a variance to Section 17.100.080(A) of the Murray Land Use Ordinance, which states the minimum depth of a front yard in the R-1-8 Zone shall be twenty-five feet (25').		





I. DESCRIPTION of REQUEST

The applicant is requesting a variance to a standard in the land use ordinance that requires the minimum depth of a front yard in the R-1-8 zone to be twenty-five feet (25'). The applicants are requesting the variance to reduce the front yard setback to fifteen feet (15'). All other land use regulations would apply as normal (setbacks, lot width, etc.).

The subject property is currently a vacant lot. The applicant is in the process of purchasing the parcel to build a single-family home. Due to the lot's proximity to Big Cottonwood Creek, there is a requirement from Salt Lake County Flood Control that states that a structure must maintain a minimum of twenty feet (20') in distance from the creek. Due to a bend in the creek at this location, this only allows eighteen feet (18') of front to back buildable space for the lot. The applicant states that amending the front yard setback would allow them to build a house that has similar visual appeal as other dwellings in the community.

II. LAND USE REGULATIONS

The subject property is located in the R-1-8, Single-Family Low Density Residential Zone. Section 17.100.080(A) of the Murray Land Use Ordinance states that the "minimum depth of a front yard in the R-1-8 Zone shall be twenty-five feet (25')."

III. PROJECT REVIEW

The subject property is a vacant lot located within a single-family residential neighborhood. The applicant is in the process of purchasing the property in order to build a single-family style dwelling. The parcel is located adjacent to Big Cottonwood Creek, at a location where the river bends and juts off into the parcel. There are strict requirements imposed by Salt Lake County Flood Control to prevent people from building structures any closer than twenty feet (20') to the bank of the river.

Due to the lot being in the R-1-8 Zone and the Future Land Use map of the general plan indicating the area as Single Family residential, the applicant fully intends to build a single-family dwelling once they have acquired the parcel. However, when you combine the twenty foot (20') rear setback imposed by Salt Lake County with the twenty-five foot (25') front setback required by Murray City, there is a smaller amount of land area available to be used for building the structure than on other comparable lots in the R-1-8 Zone.

The applicant is looking to build a dwelling with similar characteristics to others in the neighborhood, including in size and design. By getting a variance allowing for a fifteen-foot (15') setback rather than a twenty-five-foot (25') setback, it will allow the applicant to build a dwelling that is more compatible with the surrounding homes and allow them the maximum value out of the property.

Applicant's Narrative and Materials

The applicant has provided written responses on the "Variance Analysis Form" which has been attached for review. The applicant has also provided a site plan for the proposed development of the property, showing the space that is currently available to be used based on all current setback requirements from both Murray City and Salt Lake County.

Public Input

Thirty (30) notices were sent to all property owners within 300 feet of the subject property. No comments or questions were received as of the date of this report.

IV. VARIANCE FINDINGS

Staff analysis and findings for compliance with standards for a variance as contained in Land Use Ordinance Section 17.16.060 are listed below.

- A. The literal enforcement of the Land Use Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance.**

The R-1-8 low-density residential zone was established to provide areas for the encouragement and promotion of an environment for family life by providing for the

establishment of one-family detached dwellings on individual lots. The building setback requirements due to the location of Big Cottonwood Creek creates an unreasonable hardship for redevelopment of the property under the current land use standards. Staff finds that the application meets this requirement for granting a variance.

B. There are special circumstances attached to the property that do not generally apply to other properties in the district.

This property has a special circumstance that does not generally apply to other properties in the R-1-8 Zoning District. The depth of the lot and its relationship to this specific bend in Big Cottonwood Creek means the lot has extra requirements that other lots in the same zone do not have. Salt Lake County Flood Control has a requirement that structures are not permitted within twenty feet (20') of Big Cottonwood Creek. When you add this to the other setback requirements, it creates a special circumstance regarding the ability for the parcel to be built on that does not exist on other parcels in the surrounding area.

Staff finds that the application meets this requirement for granting a variance.

C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the district.

Strict adherence to the restriction of a twenty-five foot (25') front yard setback when the rear yard has strict limitations due to the natural flow of the creek means that the applicant is limited in how they can develop on the property. Staff finds that the development of the property into a single-family dwelling within the R-1-8 Zone can be considered a substantial property right and finds that the application meets this requirement for granting a variance.

D. The variance will not substantially affect the General Plan and will not be contrary to the public interest.

The General Plan designates this area as “low-density residential” in the Future Land Use Map. The applicant intends to build a single-family home on the parcel after the variance has been approved. This type of dwelling is comparable to the dwellings on the surrounding properties and would not be contrary to the public interest of this area. Allowing this variance would be a step toward implementing the general plan and will not be contrary to the public interest.

Staff finds that the application meets this requirement for granting a variance.

E. The spirit of the Land Use Ordinance is observed, and substantial justice done.

The applicant will be able to comply with all other aspects of the Land Use Ordinance and provide a development that is in harmony neighboring properties. Staff finds that granting the specific variance will not violate the spirit or intent of the ordinance, and that the application meets this requirement for granting a variance.

V. UNREASONABLE HARDSHIP ANALYSIS

In determining whether enforcement of the Land Use Ordinance would cause unreasonable hardship, the Hearing Officer may not find an unreasonable hardship unless the applicant proves that the alleged hardship:

A. Is located on or associated with the property for which a variance is sought.

The alleged hardship is associated with the property for which the variance is sought.

B. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. Special circumstances must: (1) Relate to the hardship complained of, and (2) Deprive the property owner of privileges granted to other properties in the same district.

As established in the analyses of the tests of hardship, there are circumstances that arise from the nature of the particular parcel which combined with the specific requirements for setbacks in this zone create a hardship. Staff finds that if the applicant moves forward without the requested variance that it may deprive the property owner of development opportunity similar to the other properties in the area due to the restriction in buildable land on the parcel caused by the setback requirements.

VI. CONCLUSION/RECOMMENDATION

Based on review and analysis of the application materials, the subject property, the surrounding area, and applicable sections of the Murray City Land Use Ordinance, Staff finds that the application meets all applicable standards of review for the granting of a variance and recommends APPROVAL of the requested variance to the requirements of Section 17.100.080(A) of the Murray City Land Use Ordinance subject to the following conditions:

1. The applicant shall obtain required building permits for the development of the property and construction of the proposed dwelling.
2. The proposed development shall meet all other applicable requirements of Chapter 17.100 of the Murray City Land Use Ordinance.

VARIANCE APPLICATION

Application Information

Project Name: _____

Project Address: 457 Spruce Glen Rd. Murray UT 84107Parcel Identification (Sidwell) Number: 22-07-227-031-0000Parcel Area(acres): .249 Zoning District: 1108Applicant InformationName: Jana DarbyMailing Address: 4029 Fairglen Cir. City: S Jordan State: UT ZIP: 84009Phone #: (801) 842-2126 Fax #: _____ Email Address: Janadarby11@gmail.comProperty Owner's Information (If different)Name: Cynthia DunnivantMailing Address: 3501 S. Kirk Cir City: S. L. C. State: Ut ZIP: 84106Phone #: 801-891-2520 Fax #: _____ Email Address: cdunnivant@emihealth.com

Describe the requested variance in detail, include exact measurements, and reason for the request:

Variance request to have 25 front easement reduced to 15 foot (plus the sidewalk space which is not part of the parcel). Reason for the request is the creek backing the property has 16.5 feet in the creek then requires 20 feet additional on back easement, leaving 18 feet available for building in the middle of lot.

Authorized Signature: Cynthia Dunnivant Date: May 2, 2024

For Office Use Only

Project Number: _____ Date Accepted: _____

Planner Assigned: _____



HEARING OFFICER
NOTICE OF PUBLIC MEETING

June 12th, 2024, 12:30 PM

This notice is to inform you of a public meeting scheduled before the Murray City Hearing Officer to be held at Murray City Hall located at 10 East 4800 South, Poplar Conference Room #151. **Jana Darby is requesting a variance for the property located at 657 East Spruce Glen Road. The request is to reduce the front yard setback from twenty-five feet (25') to fifteen feet (15') due to Big Cottonwood Creek.** Please see the attached plans. You may attend the meeting in person, or you may submit comments via email at planning@murray.utah.gov.

Comments are limited to 3 minutes or less and will be included in the meeting record.



This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this request, please call Zachary Smallwood with the Murray City Planning Division at 801-270-2430, or email zsmallwood@murray.utah.gov.

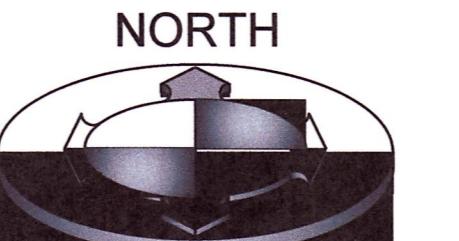
Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Public Notice Dated May 29, 2024

Murray City Hall | 10 East 4800 South | Murray | Utah | 84107

BOUNDARY SURVEY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 7,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
SALT LAKE COUNTY, UTAH



GRAPHIC SCALE

(IN FEET)
1 inch = 10ft.
SCALE



SURVEYOR'S CERTIFICATE:

RIAN A. LINAM, SALT LAKE CITY, UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL SURVEYOR AND THAT I HOLD LICENSE NO. 7240531 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH; THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY; THAT THIS PLAT CORRECTLY SHOWS THE TRUE DIMENSIONS OF THE BOUNDARIES SURVEYED AND OF THE VISIBLE IMPROVEMENTS AFFECTING THE BOUNDARIES AND THEIR POSITION IN RELATIONSHIP TO SAID BOUNDARIES;

No.	DATE	DESCRIPTION
CHECKED BY BAL		
FIELD CREW VP/KO		
DATE 01/05/2024		
DWG FILE 2311211b.dwg		

RECORD DESCRIPTION:

7B, SPRUCE GLEN TWO LOT SUBDIVISION (BEING SHANDOWNS AMENDED SUBDIVISION),
CORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT
KE COUNTY RECORDER,

ARRATIVE OF BOUNDARY:

COPE
ANCHMARK ENGINEERING AND LAND SURVEYING, LLC WAS RETAINED BY CYNTHIA
NNAVANT TO PERFORM A BOUNDARY SURVEY AS SHOWN HEREON.

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS NORTH 66°35'41" WEST, AS SHOWN HEREON.

PERSONAL REPRESENTITIVES DEED, RECORDED AS ENTRY NO. 13752187, IN BOOK 26 AT PAGE 4316 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

SPRUCE GLEN TWO LOT SUBDIVISION, RECORDED AS ENTRY NO. 8695965, IN BOOK 2003

LEGEND AND ABBREVIATIONS:

STREET MON. (FOUND) _____

PROPERTY CORNER (PLAT NOTED) _____

ADJACENT PL or LOT LINES _____ - - - - -

EXISTING RIGHT-OF-WAY LINE _____ - - - - -

CURB & GUTTER _____

FENCE, CHAIN _____ o - - - - o

FENCE, IRON _____ o - - - - o - - - - o

FENCE, VINYL _____ o - - - - o

FENCE, WOOD _____ * - - - - -

POB POINT OF BEGINNING

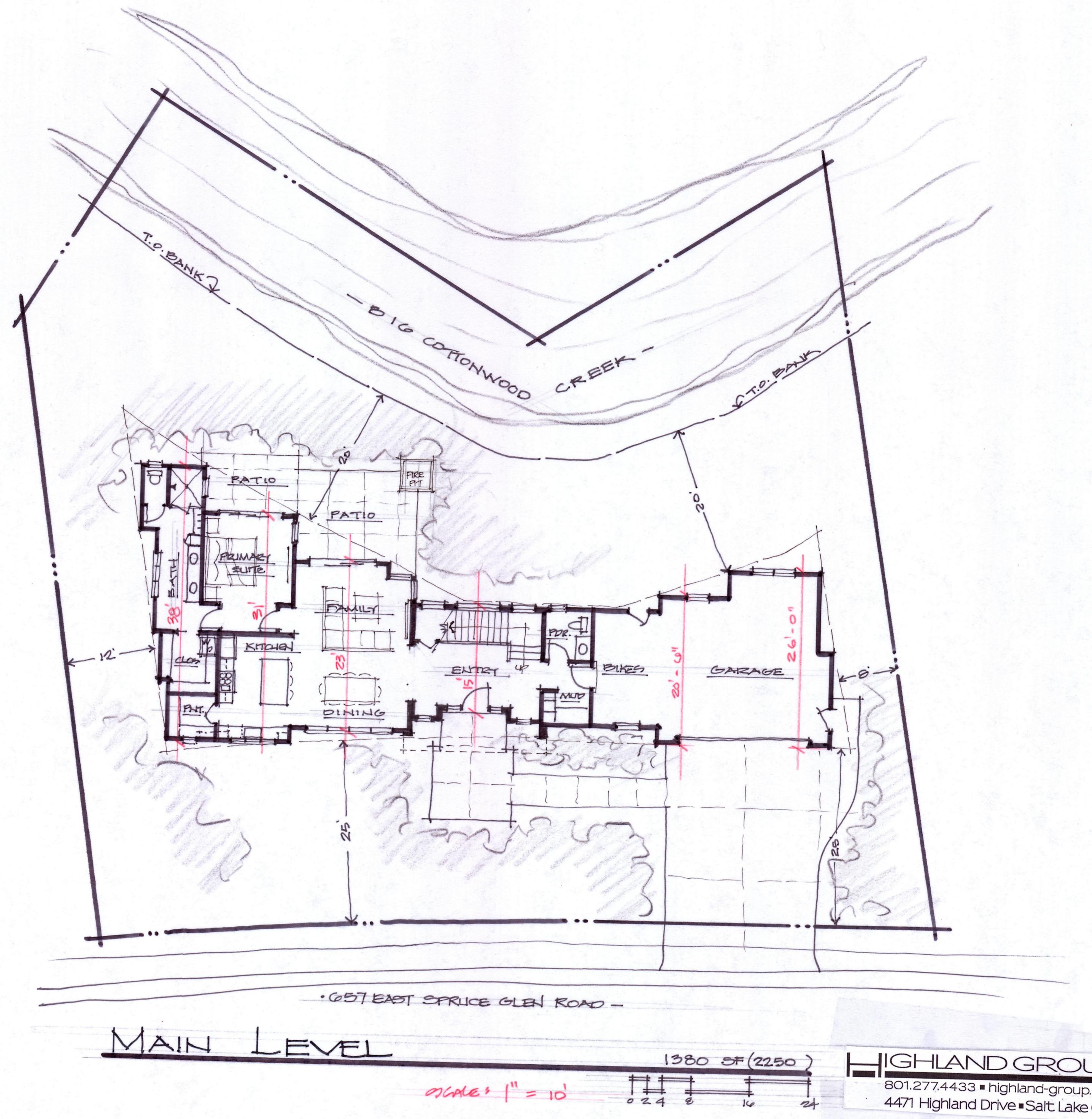
CYNTHIA DUNNAVANT
657 EAST SPRUCE GLEN ROAD

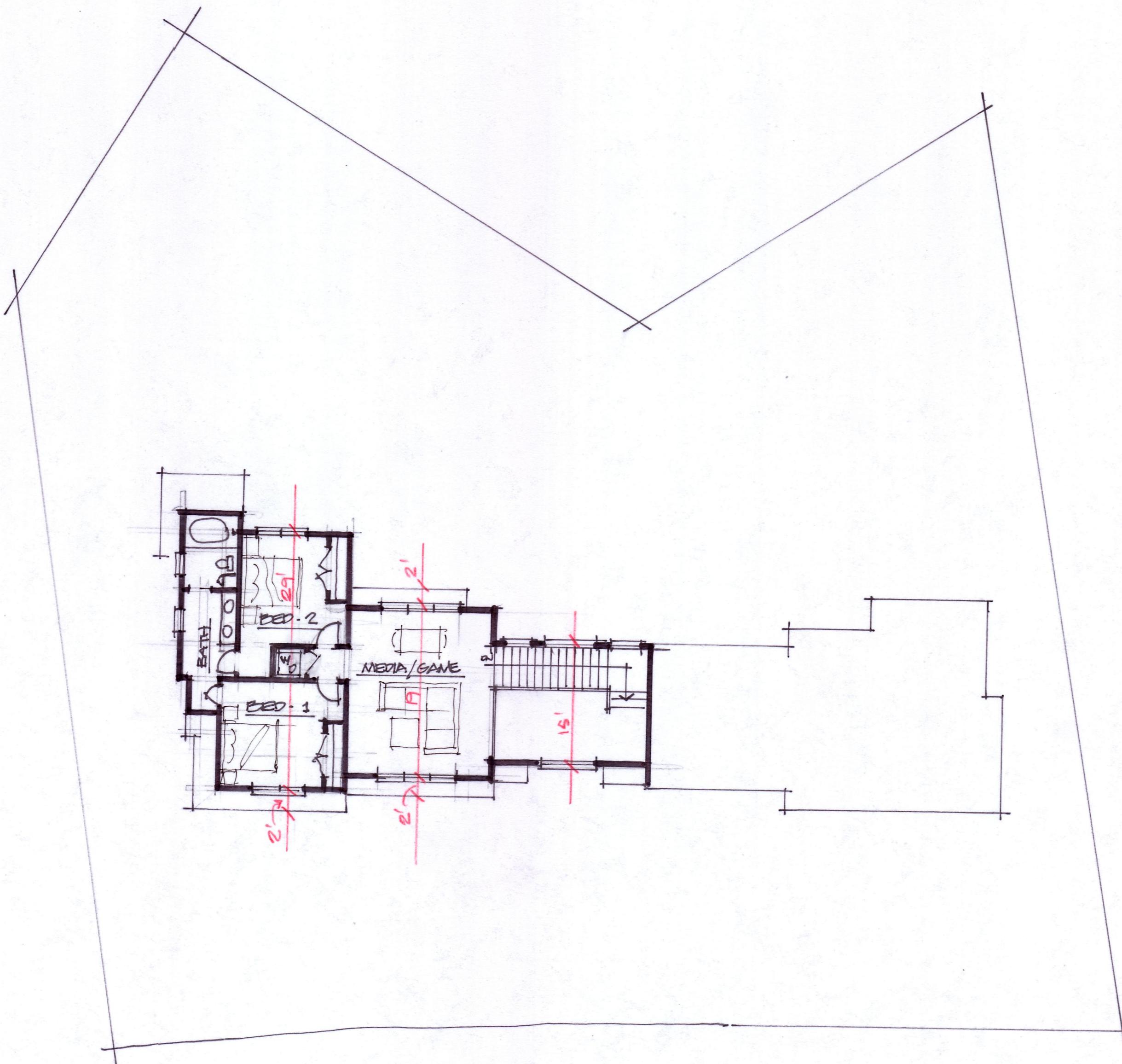
SYNTHIA DUNNAVANT
57 EAST SPRUCE GLEN ROAD
MURRAY, UTAH

PROJECT NO. 001101

BOUNDARY SURVEY

SVB.01





UPPER LEVEL

870 SF

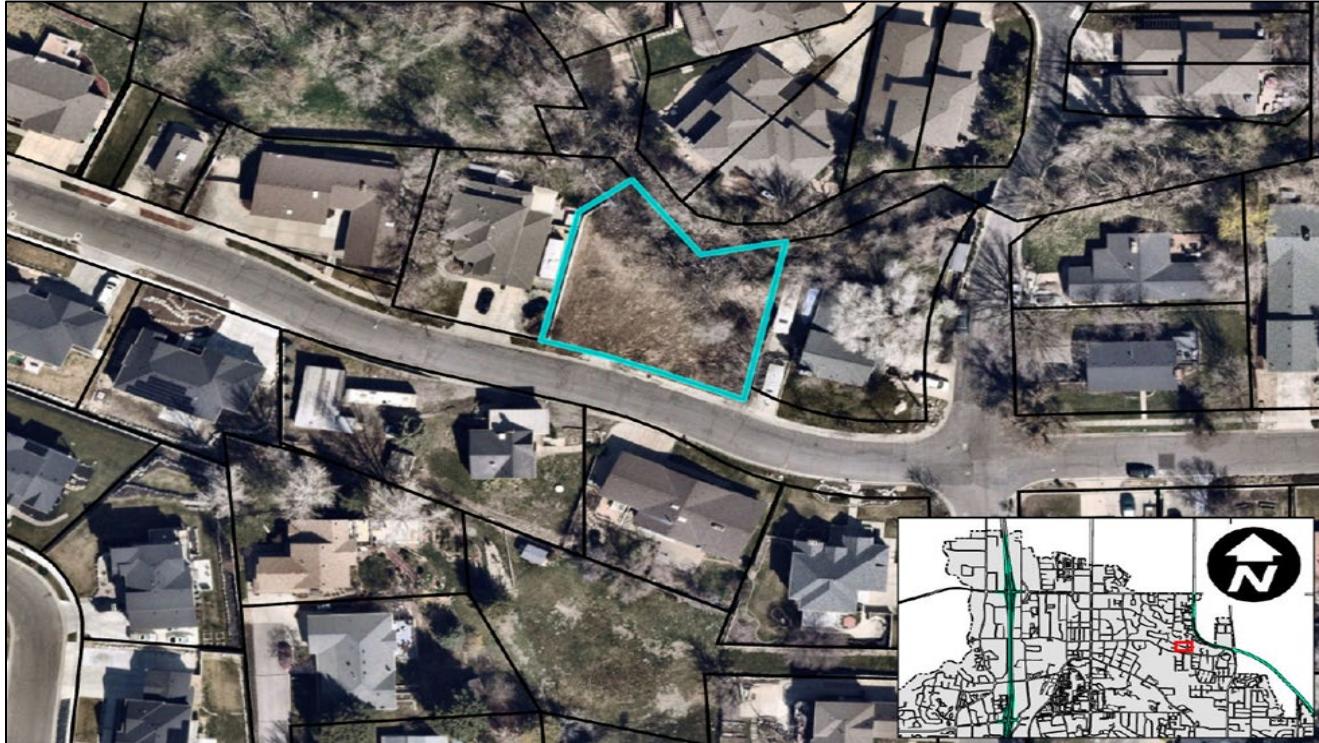
SCALE: 1" = 10'

0 2 4 6 8 10 12 14 16 18



AGENDA ITEM # 3 - Quick Quack Carwash

ITEM TYPE:	Variance Application		
ADDRESS:	420 West 4500 South	MEETING DATE:	June 12, 2024
APPLICANT:	Hailey Peterson, Lonestar Builders Inc	STAFF:	Zachary Smallwood, Planning Manager
PARCEL ID:	21-01-326-002	CASE NUMBER:	1613
ZONE:	M-G, Manufacturing General	PROJECT NUMBER:	HO-24-003
SIZE:	.70 - acre lot		
REQUEST:	The applicant is requesting a variance to Section 17.152.100(A) and 17.68.040(A)(c) of the Murray Land Use Ordinance, which requires a minimum ten feet (10') of landscaping behind the sidewalk.		



I. DESCRIPTION of REQUEST

The applicant is requesting a variance to two standards in the land use ordinance that requires a minimum depth of landscaping of ten feet (10') adjacent to the front yard area sidewalk. The applicants are requesting the variance to reduce the front yard landscaping to three feet (3') in depth for approximately seventy-two feet (72') of frontage along 4500 South. All other land use regulations would apply as normal (setbacks, lot width, etc.).

II. LAND USE REGULATIONS

The subject property is located in the M-G, Manufacturing General Zoning District. Section 17.152.100(A) of the Murray Land Use Ordinance states that “Ten feet (10') of landscaping shall be required along all frontage areas not occupied by drive accesses.”

In addition, Section 17.68.040(A)(1)(c) states that “In no case shall the front landscaped area be less than ten feet (10') behind the back side of sidewalk or street right of way line.”

III. PROJECT REVIEW

The property currently operates as a Denny's restaurant and the applicant is in the process of purchasing the parcel to build a new quick-quack carwash facility. The Denny's restaurant has been in existence for many years and is currently legal nonconforming to multiple standards in the M-G, Manufacturing General zone, including front yard landscaping.

For the applicant to redevelop the property the new use would need to comply with current standards. This would include the front yard landscaping of ten feet (10') in the front yard area. The applicant approached the city because the only access to the property is through a twenty-four foot (24') access easement provided across the property located to the west at 4489 South Century Drive. This access would allow for appropriate ingress and egress for the subject property.

The applicant has attempted relocate the access easement to the north to come into compliance, but the neighboring property owner would not accept a change in the access easement. Additionally, the Utah Department of Transportation (UDOT) will not grant an access to their property along 4500 South due to its proximity to the intersection of 4500 South and I-15. Because of these issues, staff recommended seeking a variance to the front yard landscaping area as this would be the least intrusive approach.

Applicant's Narrative and Materials

The applicant has provided written responses on the “Variance Analysis Form” which has been attached for review. The applicant has also provided a site plan and elevations for the proposed development of the property, indicating where they propose the new carwash to be located.

Public Input

Seven (7) notices were sent to all property owners within 300 feet of the subject property. No comments or questions were received as of the date of this report.

IV. VARIANCE FINDINGS

Staff analysis and findings for compliance with standards for a variance as contained in Land Use Ordinance Section 17.16.060 are listed below.

A. The literal enforcement of the Land Use Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance.

The M-G, Manufacturing General zoning district was established to provide for areas in appropriate locations where light industrial processes necessary to the economy may be conducted. The ten foot (10') landscape setback requirement poses an unreasonable hardship for redevelopment of the property under the current land use standards due to the access easement that provides the sole access to the property. Staff finds that the application meets this requirement for granting a variance.

B. There are special circumstances attached to the property that do not generally apply to other properties in the district.

This property has a special circumstance in that it does not have direct access to a street frontage. The sole access for this property is provided by an access easement off of Century Drive on the property adjacent to the subject property. The applicant cannot amend the access easement to allow the required landscape setback because the neighboring property owner's building is located immediately off the access easement. When accounting for this, the property cannot redevelop and provide ingress and egress for any new user besides the existing Denny's. Staff finds that the application meets this requirement for granting a variance.

C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the district.

Strict adherence to the requirement of a ten foot (10') front yard landscape setback when the only access to the property is provided along an access easement that abuts the sidewalk means that the applicant would be unable to redevelop the property and come into compliance. Staff finds that the redevelopment of the property can be considered a substantial property right and finds that the application meets this requirement for granting a variance.

D. The variance will not substantially affect the General Plan and will not be contrary to the public interest.

The applicant intends to build a carwash on the property if the variance is approved. This type of use is comparable to the uses that would be found adjacent to areas of high auto traffic utilization and would not be contrary to the public interest of this area. Allowing this variance would be a step toward implementing the general plan and will not be contrary to the public interest. Staff finds that the application meets this requirement for granting a variance.

E. The spirit of the Land Use Ordinance is observed, and substantial justice done.

The applicant will be able to comply with all other aspects of the Land Use Ordinance and provide a development that is in harmony neighboring properties. Staff finds that granting the specific variance will not violate the spirit or intent of the ordinance, and that the application meets this requirement for granting a variance.

V. UNREASONABLE HARDSHIP ANALYSIS

In determining whether enforcement of the Land Use Ordinance would cause unreasonable hardship, the Hearing Officer may not find an unreasonable hardship unless the applicant proves that the alleged hardship:

A. Is located on or associated with the property for which a variance is sought.

The alleged hardship is associated with the property for which the variance is sought.

B. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. Special circumstances must: (1) Relate to the hardship complained of, and (2) Deprive the property owner of privileges granted to other properties in the same district.

As established in the analyses of the tests of hardship, there are circumstances that arise from the nature of the particular property which combined with the limitation on available access to the property creates a hardship. Staff finds that any redevelopment cannot occur without the requested variance and that it deprives the property owner of development opportunity similar to the other properties in the area due to the access restrictions.

VI. CONCLUSION/RECOMMENDATION

Based on review and analysis of the application materials, the subject property, the surrounding area, and applicable sections of the Murray City Land Use Ordinance, Staff finds that the application meets all applicable standards of review for the granting of a variance and recommends APPROVAL of the requested variance to the requirements of Sections 17.152.100(A) and 17.68.040(A)(c) of the Murray City Land Use Ordinance subject to the following conditions:

1. The applicant shall not exceed more than seventy-two (72') feet along the 4500 South frontage at a depth of three feet (3') of landscape setback.
2. The applicant shall obtain required building permits for the development of the property and construction of the proposed dwelling.
3. The proposed development shall meet all other applicable requirements of Chapter 17.152 of the Murray City Land Use Ordinance.

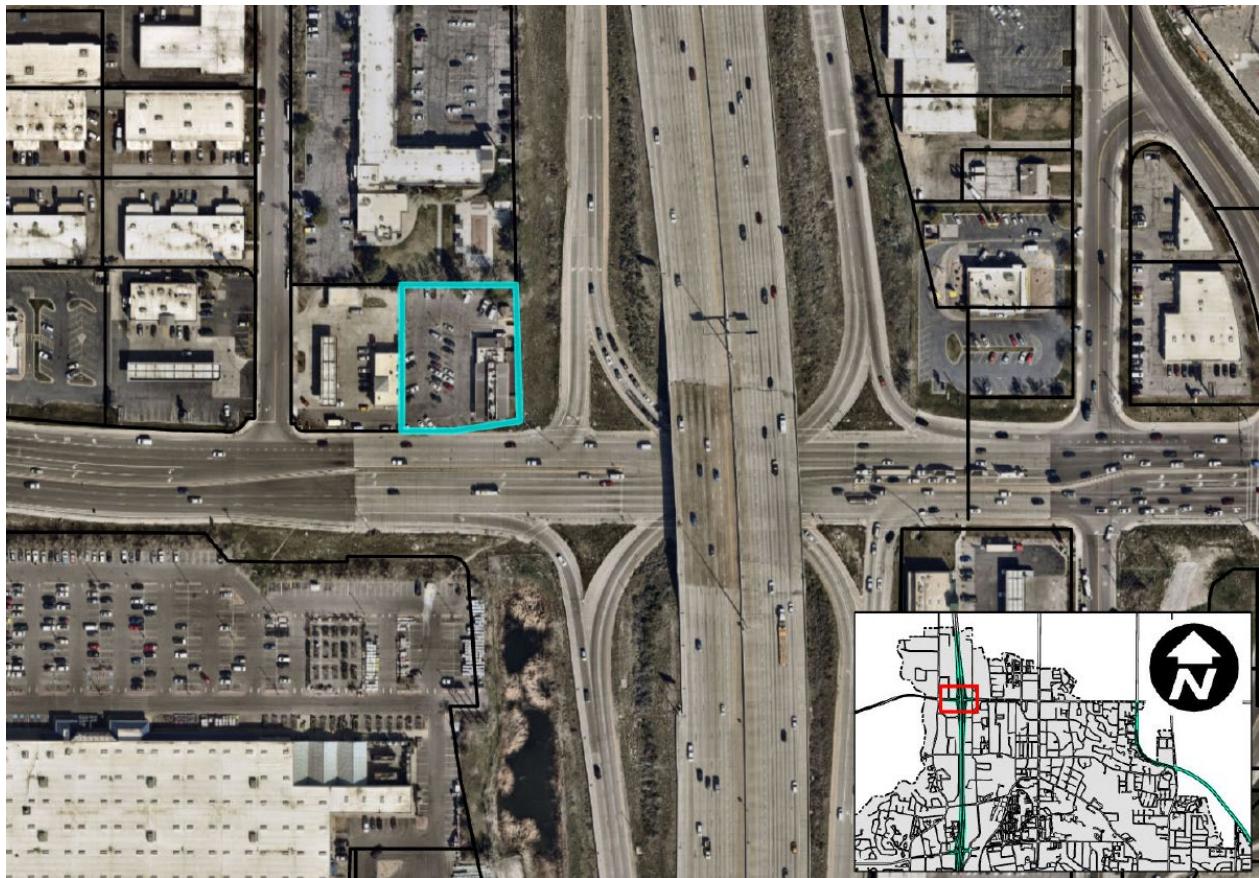


HEARING OFFICER
NOTICE OF PUBLIC MEETING

June 12th, 2024, 12:30 PM

This notice is to inform you of a public meeting scheduled before the Murray City Hearing Officer to be held at Murray City Hall located at 10 East 4800 South, Poplar Conference Room #151. **Representatives of Lonestar Builders are requesting a variance for the property located at 420 West 4500 South. The request is to reduce a portion of the front yard landscaping setback from ten feet (10') to three feet (3') due to an access easement.** Please see the attached plans. You may attend the meeting in person, or you may submit comments via email at planning@murray.utah.gov.

Comments are limited to 3 minutes or less and will be included in the meeting record.



This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this request, please call Zachary Smallwood with the Murray City Planning Division at 801-270-2430, or email zsmallwood@murray.utah.gov.

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Public Notice Dated May 29, 2024

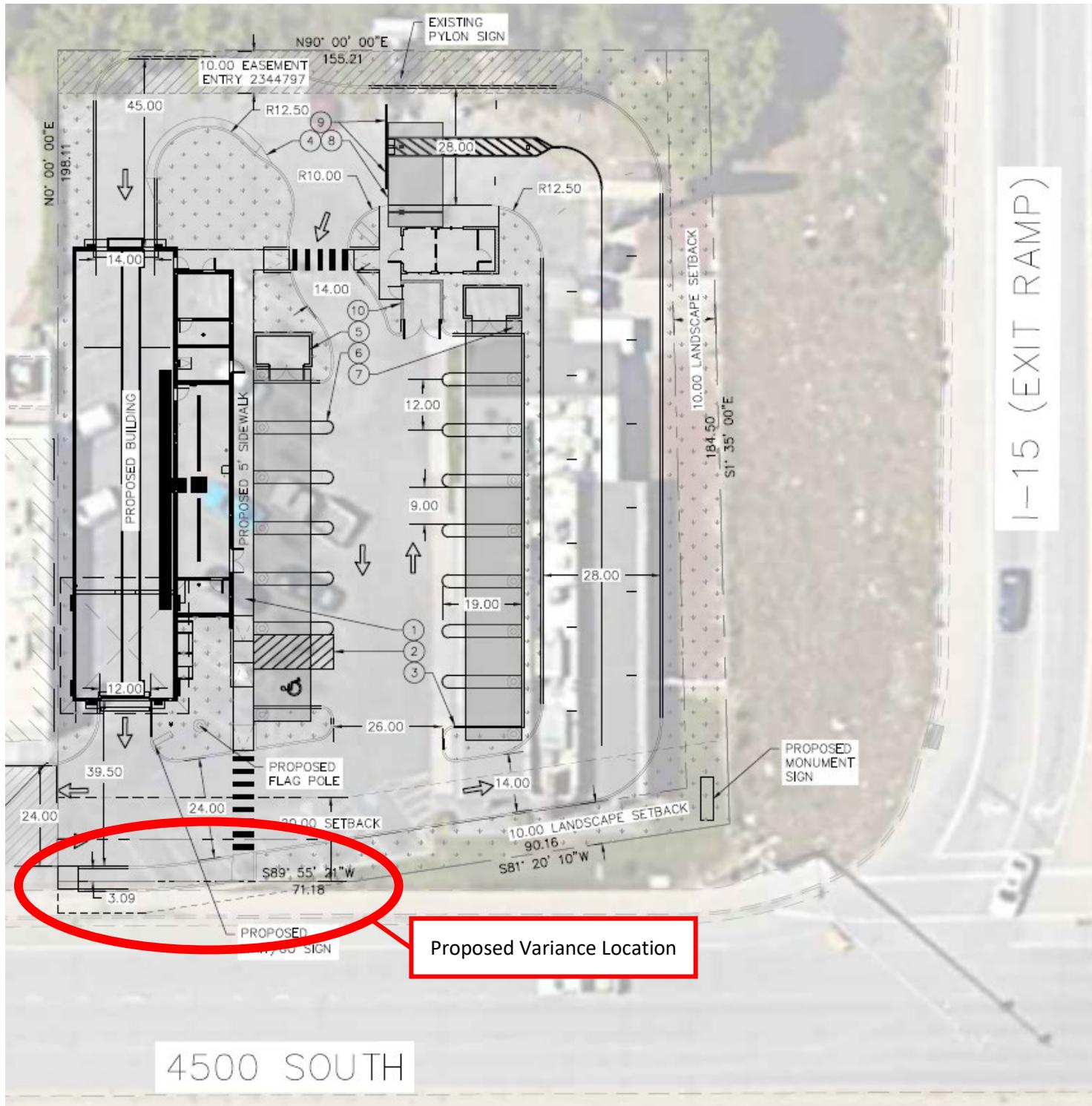


Figure 1: Propose Site Plan

VARIANCE APPLICATION

Application Information

Project Name: Quick Quack Automatic Car Wash

Project Address: 420 West 4500 South, Murray, UT 84123

Parcel Identification (Sidwell) Number: 21013260020000

Parcel Area(acres): .70 Zoning District: M-G

Applicant Information

Name: Hailey Peterson

Mailing Address: 2208 W 700 S City: Springville State: UT ZIP: 84663

Phone #: 801-735-1421 Fax #: _____ Email Address: Hailey@lonestarbuildersinc.com

Property Owner's Information (If different)

Name: Rob Jackson

Mailing Address: 9380 S Redwood Rd City: West Jordan State: UT ZIP: 84088

Phone #: 801-263-1800 Fax #: _____ Email Address: _____

Describe the requested variance in detail, include exact measurements, and reason for the request:

We are requesting a variance to reduce a portion of the required 10-foot landscape setback along our property that abuts 4500 South. We can maintain a 10-foot setback along 75% of our frontage and where necessary, reduce it to a setback of approximately three feet. If the setback required by the zoning ordinance were to remain in place, access to our site would be impossible. Please see the attached plans and variance application form for additional information. If there are any additional questions, please reach out to our office via email or phone.

Authorized Signature: Hailey Peterson Date: 5/15/2024

For Office Use Only

Project Number: _____ Date Accepted: _____

Planner Assigned: _____

Property Owners Affidavit

I (we) Rob Jackson, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Owner's Signature

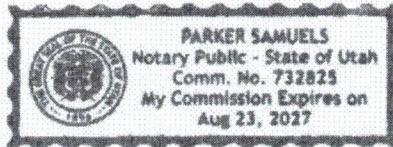
State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 6 day of May, 2024.

Parker Samuels
Notary Public



N. a

Owner's Signature (co-owner if any)

Residing in West Jordan

My commission expires: Aug 23, 2027

Agent Authorization

I (we), Rob Jackson, the owner(s) of the real property located at 420 West 4500 South, in Murray City, Utah, do hereby appoint Lonestar Builders, LLC as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Lonestar Builders, LLC to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

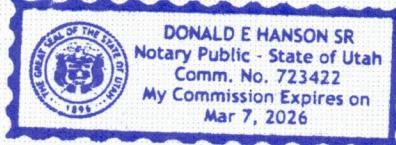
State of Utah

§

County of Salt Lake

On the 16th day of MAY, 2024, personally appeared before me Donald E Hanson the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary public



Residing in Salt Lake City

My commission expires: 3-7-2026

Variance Analysis Form

(to be completed by the applicant)

1. Can you describe how the enforcement of the zoning ordinance creates a hardship specific to the land of your property, distinct from personal or economic issues, and not self-imposed?

The zoning ordinance enforcement poses a significant hardship on our property due to its unique physical layout and shared access arrangement with the neighboring property. This hardship stems directly from the land's characteristics and is not self-imposed. The requirement for a full 10-foot landscape setback becomes impractical given the limited space available for development while still ensuring proper 24-foot wide, two-way access.

2. What unique physical features or circumstances of your property, such as shape or topography, differentiate it from others in the same district and hinder adherence to the zoning ordinance?

Our property stands out in the district due to its irregular shape and placement. Sandwiched between the I-15 off-ramp to the east, a filling station to the west, and 4500 South to our south, we have no natural access points. Our only option for this proposed cross access on the south side of the convenience store along our western property boundary. This utilizes the existing intersection of Century Drive and 4500 South and is the solution that the existing building has been using for 50+ years.

3. How does the zoning ordinance prevent you from enjoying a substantial property right that is available to other properties in the same district, and how would the variance rectify this?

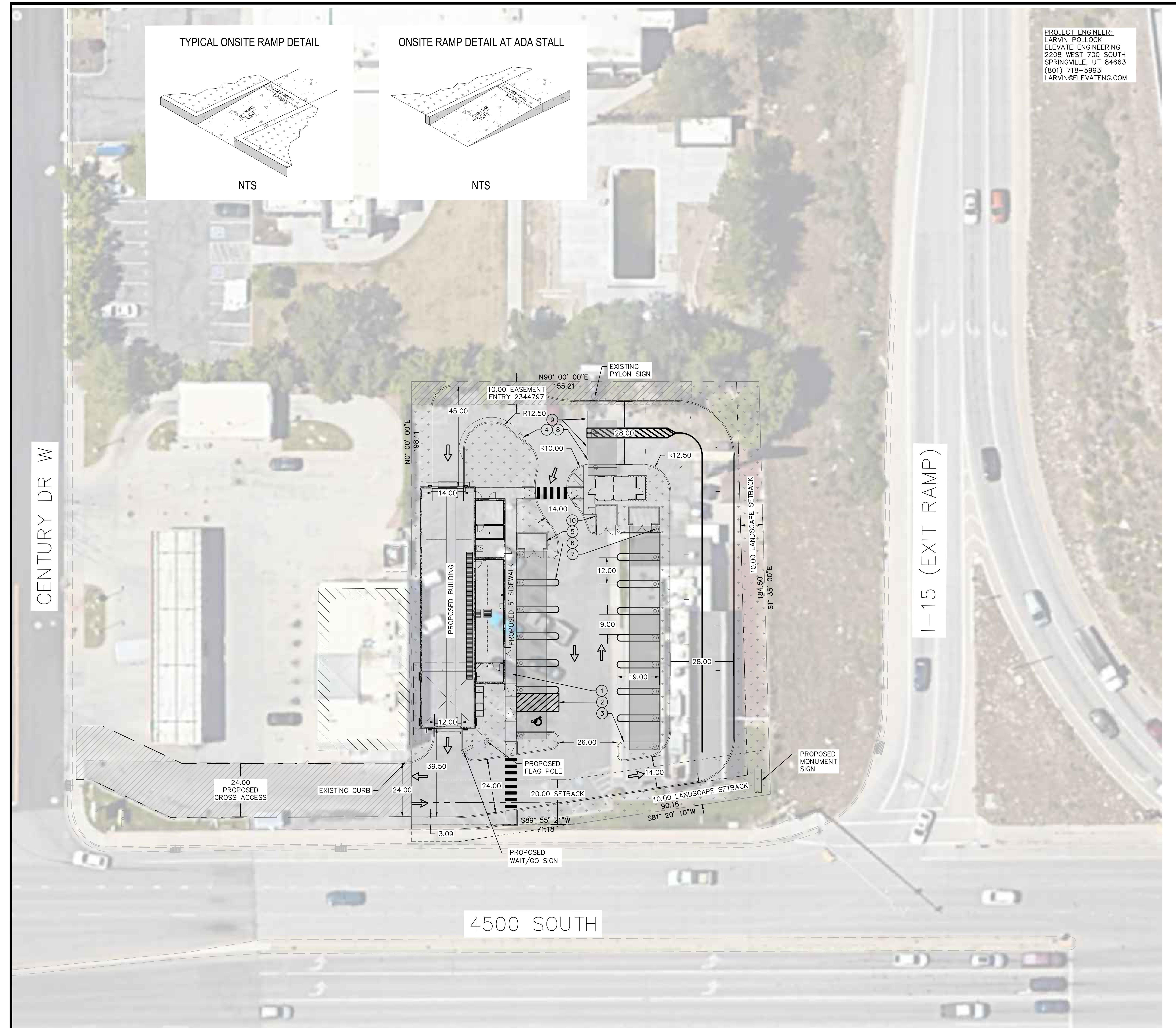
Our substantial enjoyment of the property is based wholly off our ability to access the property. If the zoning ordinance were to remain in place, without having a variance granted, access would be impossible. By granting the variance, we can rectify this disparity and ensure equitable treatment, allowing us to utilize the property to its fullest potential while still maintaining a reasonable level of compliance.

4. How will your requested variance align with the Murray City General Plan and not be contrary to the public interest, while not substantially affecting the general plan?

The Murray City General Plan calls for a landscape setback on all property with right-of-way along 4500 South. Presently, there is no landscape buffer at the subject parcel. Granting the variance would not contradict the public interest; rather, it would facilitate efficient land use without substantially deviating from the general plan's objectives. Our requested variance is fully aligned with the Murray City General Plan's goals of promoting responsible land use while also accommodating unique property circumstances when necessary. In this case, while we cannot accommodate the full 10-foot landscape setback requirement along our entire frontage, we can maintain it for 75% of our frontage and, where necessary, reduce it to a setback of approximately three feet. We are doing what is necessary to ensure substantial enjoyment while also improving the aesthetics of the property for citizens of the city and community.

5. How does your request for a variance uphold the spirit of the zoning ordinance and ensure substantial justice, despite not meeting its literal terms?

Despite not meeting the literal terms of the zoning ordinance, our request for a variance remains true to its underlying spirit. By considering the specific challenges posed by our property and striving for a balance between regulatory compliance and practicality, the variance would uphold the ordinance's intent of promoting fair and just land use practices within the community, while maintaining an aesthetically pleasing atmosphere.



LEGEND

LOT LINES (PROPERTY)	
EXISTING CURB AND GUTTER	
PROPOSED CURB AND GUTTER	
STRIPING	
BUILDING SETBACK	
LANDSCAPE SETBACK	
EXISTING BUILDING	
EXISTING FENCE	
TOP BACK OF CURB	TBC
FINISHED FLOOR ELEVATION	FFE
LANDSCAPE AREA	
CONCRETE AREA	
CANOPY	

SITE DATA

LOT AREA: 30,671 SF (0.70 ACRES)
BUILDING AREA: 3,835 SF ± 12.5%
PAVEMENT AREA: 18,842 SF ± 61.4%
LANDSCAPE AREA: 7,994 SF ± 26.0%

ZONING: MANUFACTURING GENERAL (M-G)
PERMITTED USE
PARCEL ID#: 21013260020000

BUILDING DATA

CONSTRUCTION TYPE: V-B
SPRINKLERS: NO
SETBACKS:
FRONT=20 FEET
REAR=0 FEET
SIDE=20 FEET WHEN FACING STREET ON CORNER LOT,
0 FEET OTHERWISE

PARKING TABULATION

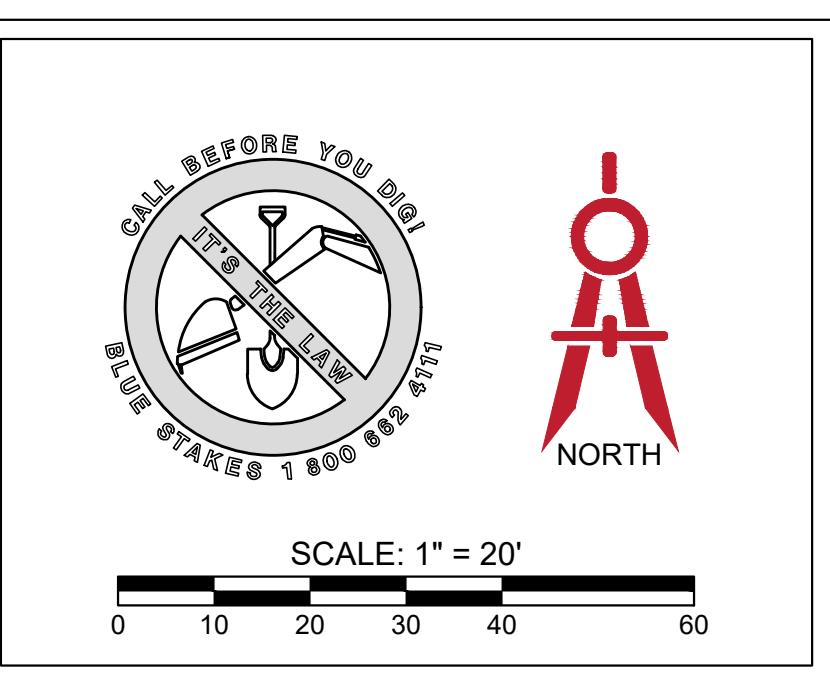
REQUIRED: 4 STALLS FOR EACH 1,000 SF NET USABLE FLOOR AREA

PROVIDED: 1 STALL
1 ADA STALL

VACUUM STALLS: 14 STALLS
TUNNEL LENGTH: 108 FEET
STACKING: 22 STALLS

NOTES:

- 1 PROPOSED 5' SIDEWALK PER APWA PLAN 231. SEE SHEET C-5 FOR DETAILS.
- 2 ALL HANDICAP STALLS AND RAMPS TO BE INSTALLED PER ADA AND APWA STANDARDS SEE SHEET C-5 FOR DETAILS.
- 3 PROPOSED CURB & GUTTER TYPE E PER APWA PLAN 205. SEE SHEET C-5 FOR DETAILS.
- 4 PROPOSED CURB TYPE F PER APWA PLAN 205. SEE SHEET C-5 FOR DETAILS.
- 5 CONSTRUCT VACUUM ENCLOSURE WITH CONCRETE PAD AND APRON. INSTALL OWNER PROVIDED VACUUM EQUIPMENT, UNDERGROUND TRUNK LINES, PIPING, ETC. COORDINATE WITH ARCHITECTURAL PLANS.
- 6 PAINT 4" SOLID YELLOW PAINT STRIPE AS SHOWN (TYPICAL).
- 7 INSTALL OWNER PROVIDED "TOMMY BALL" PLANTERS/GARBAGE RECEPTACLE (TYPICAL). COORDINATE WITH ARCHITECTURAL PLANS FOR DETAILS.
- 8 INSTALL OWNER PROVIDED PAY STATIONS WITH CANOPY. COORDINATE WITH ARCHITECTURAL PLANS FOR DETAILS.
- 9 INSTALL OWNER PROVIDED GATES AND LOOP DETECTION SYSTEM. COORDINATE TIMING OF INSTALLATION PRIOR TO CONSTRUCTION OF PAVEMENT. SEE ARCHITECTURAL PLANS FOR DETAILS.
- 0 PROPOSED DUMPSTER LOCATION. SEE SHEET C-5 FOR DETAILS.



QUICK QUACK MURRAY 4500 SOUTH SITE PLAN

THE ELEVATE

ELEVATE ENGINEERING

2208 WEST 700 SOUTH
SODDINGSVILLE, UTAH 84662

SHEET: C-2

DATE:
Apr 15, 2024