

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
July 14, 2020**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Trevor Darby, Commissioner Sean Morrissey, City Attorney Ryan Loose, Deputy City Engineer Jeremy Nielson, City Planner Greg Schindler, Planner David Mann, Planning Intern Meadow Wedekind, Deputy Recorder Cindy Valdez

Absent: Commissioner Catmull, Commissioner Michael Peirce

Others: John Kirby, G. Simonson, Heather Riding, Joseph Lewis, Josh Johnson, Spencer Llewelyn, Natalie Marquez Dan Millar

6:30 P.M.

REGULAR MEETING

I. Welcome and Roll Call – *Commission Chair Michele Hollist*

Chair Hollist welcomed everyone to the Electronic Meeting and noted that all Commissioners have joined the electronic meeting except, Commissioner Catmull and Commissioner Peirce, and they are excused from tonight's meeting. We have been holding our meeting in an electronic format since the Governor gave an Executive Order and declared a State of Emergency, which has allowed us to do so. That order expired at the end of June 2020 however, we were allowed to apply for a 30 day extension if we felt that it merited that, so I have a statement to read:

In accordance with Governor Herbert's Utah Executive Order 2020-1, declaring a state of emergency in response to COVID-19, and pursuant to Utah Executive Order 2020-5, modifying the Open and Public Meetings Act requirements allowing electronic meetings without an anchor location and authorizing resolution or ordinance, the City of South Jordan will be holding City Council, Planning Commission, and meetings of other South Jordan Committees and Boards electronically, until further notice is given. Utah Executive Order 2020-5 allows a public body to hold an electronic meeting, to "provide means by which interested persons and the public may remotely hear or observe, live, by audio or video transmission the open portions of the meeting", and "comments from the public will be accepted during the electronic meeting".

In the event an electronic meeting is disrupted in any way that the City in its sole discretion deems inappropriate, including the posting of offensive pictures, remarks, or making offensive statements, the City reserves the right to immediately remove the individual(s) from the meeting and, if needed, end the electronic meeting with or without a motion and vote. If a meeting is ended prior to all items being addressed, any items not addressed shall be moved to the next regularly scheduled meeting or a special meeting, whichever is first.

Attendees will be allowed to join via phone or video, using Zoom phone and video conferencing. Note, public comment will be accessed through video conferencing, and a participant must have their video on and working to speak. Those who join via phone may listen, but not comment. Ability to connect and comment is dependent on an individual's internet connection, not the City. To ensure your

comments are taken regardless of technical issues, please have them submitted in writing to the City Planner, Greg Schindler at GSchindler@sjc.utah.gov, by 5:00 p.m. on July 14, 2020.

I, Michelle Hollist, Chair of the South Jordan City Planning Commission, hereby determine that conducting the Planning Commission meeting at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The President of the United States, The Governor of Utah, the County Health Department and Mayor, the Mayor of South Jordan City, and the World Health Organization have all recognized a global pandemic exists related to the new strain of the coronavirus, SARS- CoV-2 and outbreaks of the coronavirus disease COVID-19 that has now spread globally including in UTAH. Due to the State of emergency caused by the global pandemic, the current situation in Utah and specifically in Salt Lake County, and the manner in which the COVID-19 virus spreads in groups, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the anchor location. According to information from State Epidemiology, the State is currently in an acceleration phase, which has the potential to threaten the State's healthcare system. This determination not to meet in an anchor location shall be valid for thirty days.

II. Motion to Approve Agenda

Commissioner Gedge made a motion to approve the July 14, 2020 Planning Commission Agenda. Commissioner Hollist seconded the motion. Vote was unanimous in favor; Commissioner Catmull, and Commissioner Peirce were absent from the vote.

III. Approval of the Minutes

Commissioner Gedge made a motion to approve the June 23, 2020 Planning Commission Meeting Minutes with correction. Commissioner Hollist seconded the motion. Vote was unanimous in favor; Commissioner Catmull and Commissioner Peirce were absent from the vote.

IV. STAFF BUSINESS

City Attorney Ryan Loose said our new staff Attorney Greg Simonson is on our meeting tonight. He joins our City with lots of years of experience in land use, construction law and litigation, and we are grateful to have him. He has already been extremely helpful, and he will be someone you can count on.

Staff Attorney Greg Simonson said I really do appreciate everybody's service on this Planning Commission. I served on the West Jordan Planning Commission 5 years ago, and I know it is a lot of work with very little pay, so I am here to help in any way that I can. If you need to call or talk to me, I will be available. I am hoping that joining the Legal Team will help relieve City Attorney Loose of some of his duties, because he has been doing double duty for quite some time.

V. COMMENTS FROM PLANNING COMMISSION MEMBERS

Chair Hollist said I would like to cover some business real quickly. It is Commissioner Catmull's anniversary and so he was excused from tonight's meeting, but when I realized that he would not be present I reached out to Commissioner Peirce to let him know. I don't know if everyone is aware that he is called a Floating Member, and was appointed by Mayor Ramsey. He is always welcome to participate in our meetings and can comment in the discussions, but if all (5) Commissioners are present that evening he does not have a vote. On the evenings that one of us is missing he would have a vote, and so in

discussing that with him we would like to request that in the future if you are not able to attend a meeting that you would reach out to him, and I, and let us know so that he will attend in your place. I will send you his contact information privately so you will have it for the future.

VI. SUMMARY ACTION – None

VII. ACTION – None

VIII. ADMINISTRATIVE PUBLIC HEARINGS –

A. JOHNSON DETACHED GARAGE CONDITIONAL USE PERMIT

Location: 2988 W. 10755 S.
File No: PLCUP202000042
Applicant: Kemm Construction LLC

Planner Damir Drozdek reviewed background information on this item from the staff report. (Attachment A-D)

Chair Hollist said in the staff findings it indicated that in a R.1-8 Zone, the maximum for accessory building is equal to the footprint of the main home, is that correct?

Planner Drozdek said yes, that is correct.

Chair Hollist said would it be correct to say that allowing this to go through would be an acceptance to an ordinance?

Planner Drozdek said the way we have done conditional uses in the past is, this use is permitted unless there is a detrimental effect that the City or the applicant cannot mitigate, and it would need to be identified to the City.

Josh Johnson, South Jordan – said I don't live at the residence, I bought it because my sister-in-law needed a place to live. She is going to live there and be part owner of the property and take care of it. I thought it would be a win, win, for me and I could park some of my trailers in the back. I thought it would be a good idea to build a shop in the back, because my wife and I own a construction company. I run my business out of my other home that is in South Jordan, I don't run my business out of this address. I do park a few trailer there, I think there is about (4) trailers there now, but it is a 3/4 acre lot. The garage will be for some antique cars that I have, and I work on them periodically. I also plan to put a batting cage out there for my son for the winter time. There won't be a lot of traffic, the traffic that has been there now is because we have been working on the property. We have done things to level the property, so I had an excavator back there, and I still need to haul off some dirt. As you can see from the aerial view, it used to be just like a forest of trees. We removed about (50) trees, and we have also done a lot of work to the house, so the traffic that has been there the last 6 months has been because we have been working on the home and yard, it has not been because we were running my company from there. My father in law was parking his dump truck there, but I did not know that was against the code, so I have told him he needs to move it out of there. I would like this garage to be larger, and I don't see a detriment in doing that, the neighboring property is about (50ft.) higher than my property, so I don't see a problem.

Chair Hollist said why did you file this under your business?

Mr. Johnson said that is how we closed the property, but if you would like me to transfer it into my name, I can do that, I don't think it really matters.

City Attorney Loose said legally it doesn't matter whether it is owned, or rented, we don't regulate rentals under (4) units.

Chair Hollist said you mentioned that the traffic has been because of you working on the property, but have you done any business there?

Mr. Johnson said I have parked a few trailers there, so it has been just pulling a few trailers in, and out.

City Attorney Loose said you do not need to make it part of the condition, because the requirement are already in the code and we can work that out with Mr. Johnson.

Commissioner Gedge said I live just a few doors away from Mr. Johnson, but I would like to know that if you moved the trailers to your other residence, is that going to create traffic there?

Mr. Johnson said I don't have anywhere to park my trailers there, so they would be in a different location.

Chair Hollist opened the Public Hearing to comments.

Dan Millar, South Jordan – said I am also in construction, and I am a builder, so I would like to give some clarity. The out by the road to the top of the house is 19ft., and there is 17ft. of climb where Josh said it flattened out up there. The peak of the property is actually 32ft. up, or 13ft. above the house, but Planner Drozdek said the code is relative to the grade around the thing, so we are looking at about 7ft. higher than the peak of an out building that is on the neighboring property to the west, so the ridge line runs the entire east to west length of it. It is our opinion as a builder to put a hip roof would cost the same as doing the other kind of roof with gables. My concern is that the other kind of roof would block views, this is just a way to mitigate the detriment, so if he could do a hip roof that would minimize the blocking views for the neighbors, so that would be my request.

Mr. Johnson said I have no problem doing a hip roof; I would be willing to do that, if it helps your view let's do it.

Heather Riding, South Jordan – said I live just east of Dan Millar, so most of his yard is adjacent to my yard. I really don't want something that is going to block or change the atmosphere to the collection of homes, and I really don't want to see him put this in and then business would start to occur. I would like to know the total dimensions of this building. I think the Dan Millar has a good solution to this situation, and putting a hip roof would be a good option. My concern is not really the building itself, but all of the equipment that I can see in the back, and the dogs that are barking all of the time. I would also like to know what materials would need to be used on the garage to meet the covenants. I really don't want to see this being used for his business, because there is already a decent amount of traffic for one person living there. Our bedroom window is where his dog kennel is right now, so we open our window and we hear dogs and traffic, so I would like to know what the setbacks are from the fence to this building.

John Kirby, South Jordan – said is this going to be the only building put back there, because there is already another structure being built behind the house?

Kim and Carol Christensen, South Jordan – said my concern is if this is going to become a multi-family residence. I want to make sure this garage is not going to be used for another residence with people

living in it. If he is building batting cages, are there going to be baseball teams there with cars parked and creating traffic? Would there be a bathroom in this garage for the baseball team to use? As well as the fact that our irrigation, and secondary water runs back there and if he is going to be working on cars will he have a place for hazardous waste? I am also concerned if he will have other people working on his antique cars that will be causing a lot of noise.

Chair Hollist said I should have stated earlier that I did receive the emails that were forwarded earlier from the residents. Did the Deputy Recorder Cindy Valdez receive them for the record?

Deputy Recorder Cindy Valdez said I did not receive them in my email.

Chair Hollist asked Planner Drozdek to email them to her so they can be included in the record.

Planner Drozdek said I will email them to her after the meeting.

Gail Evans, South Jordan – said my biggest concern is that this is going to turn into a commercial business, and that appears like it is already happening with all of the welding going on at very late hours. After the renters moved in they have been welding and there are multiple cars on the street, so it appears that another business is going on. How can we be assured that his company equipment is not going to be used for this garage, and how can we be assured that this baseball-batting cage is not going to be used commercially?

Dan Millar, South Jordan – said I would also like to echo the concern about the dogs barking and the noise.

Chair Hollist closed the Public Hearing.

Chair Hollist I would like to address the suggestion for a hip roof. Can we make a condition on the Conditional Use permit for a hip roof?

Planner Drozdek said you would have to find a detriment, then you could, but he has already agreed to put in a hip roof as a good neighbor, so it can be added as a condition

Chair Hollist said Ms. Riding wanted to know the dimensions of the building and it is 50 X 74ft. and it will be 24ft. tall. It sounds like the equipment has been removed from the property, but I would like to verify that with Planner Drozdek.

Planner Drozdek said I haven't been to the site, so I don't know that for sure, but when I spoke with Mr. Johnson I informed him of the zoning code. The zoning code inhibits any commercial vehicles over 8,000 pound in curb weight, and he said all that he had was a dump truck that exceeded that, and he stated he was having that removed from the property.

Commissioner Gedge said I would like to clarify that he can have any equipment on the property that is less than 8,000 pounds, and not be in violation of the City Code, is that correct?

Planner Drozdek said that is correct.

Chair Hollist said I know on accessory building units we can require them to use the same materials as the primary structure so that it blends, are we allowed to put any material requirements on a garage?

Planner Drozdek said there is nothing in the code for requirements, it just says that it needs to be durable in quality.

Chair Hollist said so we don't have the ability at this time to address specific materials that it will be made of, and what it will look like?

City Attorney Loose said only if you find that due to the increased size and the non-coordination will cause a detrimental effect.

Chair Hollist said there was a concern that this may turn into a business, and also a concern that the batting cages may be turned into a business, could you address that concern.

City Attorney Loose said if anyone calls the City we will go out and handle it, but from a code enforcement prospective, we can't prospectively go out on behavior they haven't started yet. If it becomes a violation, we will enforce it.

Chair Hollist said we had a question about the setbacks, and looking at the drawings in our packet the offset from the west wall 11ft., the back wall, which is the north, is 20ft, and the east wall is 20ft., and I believe all of those setbacks meet our City Code.

Chair Hollist said Mr. Kirby asked if this was the only building on this property. Is there something else being constructed right now, is that the case Mr. Johnson?

Mr. Johnson said I have started framing a shed. I called City Hall and received the minimum square footage that I could build without a permit; I have started framing a shed to put some things in it until this garage it built. It has two walls up, but once Damir sent me an email stating that people were concerned about it, so I stopped until we had this meeting,

Chair Hollist said what is the size of the shed?

Mr. Johnson said it is 200sq.ft. That is what is allowed without a permit.

Commissioner Gedge said I personally have (2) separate sheds on my property, is there a limit for the neighbors to be aware of that you can have that are detached?

City Planner Schindler said in that zone, 40% of the property can be covered by detached structures.

Chair Hollist said can you re-educate us on multi- family dwellings.

City Attorney Loose said if it is an accessory dwelling unit the owner has to live on the property. If you rent out the property, you can't have more than (4) unrelated people in the same home. They don't want a rental to turn into a college dorm with a bunch of people. These requirements are for anyone is South Jordan City, so if they rented out their home, the same rules would apply.

Chair Hollist said there has been some concern that this could be turned into a dwelling of some sort, do you know if it will have water hookups to make that a possibility?

Mr. Johnson said I haven't thought that far ahead, I was waiting to see if this was approved first. I would like to have a sink and a toilet, so if I am out there and I have to go to the bathroom it would be nice to have it out there, but I haven't really thought that far ahead.

Chair Hollist said there were some environmental concerns; does the City have any enforcement or requirements?

City Attorney Loose said if it is a business, there are a lot of things that apply, and if it is a hobby all of us are subject to something called UPDS, which is for water protection.

Chair Hollist said there was concern about noise, and dogs barking. This will be education for us too, because I don't know what the rules are for noise and dogs.

City Planner Schindler said the noise would be reported to Code Enforcement for noise, and the barking would be reported to animal control.

Mr. Johnson said the dogs, are my sister in laws dogs, and she put them in the corner thinking that would keep them away from the neighbors, so I will have them move the kennel closer to their home to keep the barking away from the back neighbors. The welding that my brother in law was doing was to build a rack for his truck, it was not for business.

Commissioner Gedge said there was a concern about the covenants, but I want to confirm that this is not an HOA situation, so they would be following the City and Planning Codes.

City Attorney Loose said even if this was an HOA, we would not be the ones to govern those covenants. That is a private contract and it would be enforced by the parties, we would not get involved.

Mr. Johnson said I would like to clarify that this is not a commercial business; most of the stuff that has been done there is cleaning up this house that was a disaster. We have taken loads, and loads of stuff out of there in the clean-up process. I will be parking some trailers in the back and that should not be a problem on this large property. If the neighbors have a problem, I would like them to come and talk to me and work something out. I will work with them; I am not trying to make anyone mad. I will try to make it as easy as possible.

Commissioner Gedge said to clarify, if the trailers that are in the back are screened that meets the City requirement, and that would apply to the other homes on the street with large vehicles.

Commissioner Gedge said it looks like the neighbors are concerned about the size of the building, but I think Mr. Johnson is willing to work with them. He is willing to change they type of roof to a hip roof, and is open to changes to be a good neighbor, so I don't think we need to add any conditions to the motion. That is how I feel about this.

Commissioner Morrissey said I share the same sentiments as Commissioner Gedge. I don't think that a view is a detriment, I think if a tree was planted and it was obstructing the view in the same way we wouldn't be here. My only concern would be, someone brought up him working on cars, baseball team activity and noise levels. The applicant has made some concessions already that has satisfied my concerns, and the resident's concerns, so I would move to approve this "as is" right now.

Commissioner Darby said I am in agreement with the other Commissioner's. I think most of the concerns were related to potential violations to the City Code, or future violations of City Code and don't really affect what we are addressing here, so I would be inclined to approve this tonight.

Chair Hollist said I am concerned about the size of the building, because we make ordinance and codes for a reason. I understand that it make sense not to have structures bigger than the primary dwellings, but you inferred in the beginning that as a Commission we don't have a lot of latitude to deny a conditional use permit like this, except to identify issues and try to mitigate them.

City Attorney Loose said that is correct. If you can identify the detrimental effect that cannot be mitigated, that is the only circumstance under which you can deny.

Commissioner Gedge said I have disclosed that I live a few doors down from this property, would I be allowed to vote on this item.

City Attorney Loose said it is been disclosed so you can make a motion and are allowed to vote

Commissioner Gedge motioned to approve application PLCUP202000042 to allow for construction of a detached garage on property located at 2988 W. 10755 S has an added condition:

- **The attached Garage is required to have a Hip Style roof**

Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor;

Commissioner Catnull and Commissioner Peirce were absent from the vote.

**B. PARKWAY OFFICE CONDOS 3RD AMENDMENT CONDOMINIUM PLAT
AMENDMENT**

Location: 922 W. Baxter Dr.

File No: PLPLA201900260

Applicant: Ravath Pok

Planner Damir Drozdek reviewed background information on this item from the staff report.

Commissioner Gedge said by going from (8) units to (2) units, will that change what kind of businesses are allowed on this property?

Planner Drozdek said it will not change.

Ravath Pok (Applicant) – said I am here as well as the architect that we have had working on this building. I just want to add that when we went to purchase this building there were quite a bit of problem relating to the condominium floor plan as it was originally recorded, versus how it was actually built out. I want to add that this change is extremely beneficial for everybody involved, including the City. The layout of the plans were quite a disaster, so having us take the (7) suites and consolidating it to (1) suite, I think is a benefit for everyone involved. We also have full support from the other tenant that is in there, so I don't think this will be a detriment at all, unless you have some concerns.

Chair Hollist said does that mean that all the floors will be occupied by (1) business.

Mr. Pok said how the business sits now, it has several HVCA units, and multiple entry doors to the suites. Our plan is to keep it the way it is and not modify the existing floor plan. We have short term and long term tenants in there right now, and the shortest term is (1) year, and the longest term is (5) years. We do not have a lot of high turnover, so our plan is to keep it the way that it is.

Commissioner Gedge my property is on the other side of the field, so I just want to make sure that there will not be any change with noise, lighting, and etc. because that would personally impact me.

Mr. Pok said there will not be any additional impact to you, because we want to keep it as Class (A-B) Office space.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing.

Commissioner Gedge motioned to approve a condominium plat amendment, File No. PLPLA201900260 which purpose is to consolidate certain condominium units. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Darby and Commissioner Peirce were absent from the vote.

IX. LEGISLATIVE PUBLIC HEARINGS – *None*

A. GENERAL PLAN AMENDMENT – REVISING THE FUTURE LAND USE MAP

Location:

File No: R2020-50

Applicant: City of South Jordan

Intern Meadow Wedekind reviewed background information from Planning Commission presentation (Attachment E)

Commissioner Gedge I have a question regarding Public Noticing, are the current owner's and adjoining properties noticed for this type of change to the Future Land Use Map either at this stage, or the City Council stage.

Intern Wedekind said for this kind of change we did the noticing the way we did the General Plan, and was noticed in the newspaper, but individual notices were not sent out, and as I understand it, it wasn't noticed to the individuals because there wasn't a change to the use, or the zone, it is just the land use designation.

Commissioner Gedge said so unless someone subscribes to the newspaper to get the Public Notice, they probably are not going to be aware of this.

City Attorney Loose said or, if they do what I do and subscribe to the Utah Public Notice website they would get an email like I do.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing.

Chair Hollist looking at the map that Meadow Wedekind showed us, the obvious changes make sense, so is there any other issues?

Commissioner Gedge motioned to send a positive recommendation to the City Council to approve [Resolution R2020-50](#) amending the Future Land Use Map of the 2020 General Plan as indicated in the staff report. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Catmull and Commissioner Peirce were absent from the vote.

X. OTHER BUSINESS

City Attorney Loose said with there being so many changes with Covid -19 and going to electronic meetings, so kudos to our Recorder's Office and Planning Department they have done an incredible job. I think that even at the City Council Meetings there has not been as much interaction as there has been

tonight. The Public discourse tonight was about as much as we have had on any item, and the Commission handled it incredibly well. I don't think that anyone can complain that they didn't get a chance to be heard and have their ideas addressed. Thanks for letting me be a part of your meetings.

ADJOURNMENT

Commissioner Gedge motioned to adjourn the July 14, 2020 Planning Commission meeting. Commissioner Morrissey seconded the motion. Vote was unanimous in favor.

The July 14, 2020 Planning Commission Meeting adjourned at 8:30 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

This is a true and correct copy of the July 14, 2020 Planning Commission minutes, which were approved on July 28, 2020.

Cindy Valdez

South Jordan Deputy Recorder

Cindy Valdez

From: KIM and CAROL CHRISTENSEN <KIMANDCAROL7@msn.com>
Sent: Friday, July 10, 2020 9:33 PM
To: Damir Drozdek
Subject: Re: Kemm Construction LLC Permit for a detached garage.

Thanks for your response.

This does appear to be a permit for a business Kemm Construction LLC not for a single family home. Has Kemm Construction applied for a business license at this address?

Is the owner of Kemm Construction going to live in the home?

The current home business owners on our street live in their homes in majestic heights. They applied through south Jordan City for a variance for their home business. We had the opportunity to comment on their home businesses before the business was approved by the city. They wrote a detailed resume of what we could expect the impact of their business would be. The current businesses on our street use pickup trucks and/or trailers. Current home business do not drive commercial trucks and dump trucks on our residential street.

It is noted that the new garage built will be larger and taller than the home. The garage will be used to repair antique cars and for a batting cage for his son. Will this antique car repair garage be a commercial business? Will he have employees/mechanics working in the garage? Is the garage designed to handle hazardous waste oil and gas and other chemicals in a secondary water irrigation area? We don't want to contaminate the watershed. Hazardous waste plans should be approved by the city. What will the noise impact be from this auto shop?

Will the batting cage be used for a commercial business? Will the garage have a bathroom or kitchen? Will people be living in the garage?

I noticed that construction on a building has already started with foundation and framing already completed in the back of the house. Does the city know about this building?

It appears there will be 3 different people/families/ businesses using this property. 1. One person/family renting the top floor, 2. one person/family renting the basement of the home and 3. Kemm Construction using the back yard to store commercial equipment with garage for car repair and batting cage. Are there more people or businesses that are going to use this property? Again majestic heights is zoned for single family residence.

I want home owners to follow local zoning and South Jordan ordinances.

Kim and Carol Christensen

Sent from my LG G8 ThinQ, an AT&T 5G Evolution capable smartphone

----- Original message-----

From: Damir Drozdek
Date: Fri, Jul 10, 2020 8:31 AM
To: KIM and CAROL CHRISTENSEN;
Cc:
Subject:FW: Kemm Construction LLC Permit for a detached garage.

Kim and Carol,

Please see the applicant's response below my email. My email is in regards to the questions that the applicant had for me in response to your email. I left your names and the email address out of the thread.

Let me know if you have any questions or concerns.

Thanks,

Damir Drozdek | Planner III | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
O: 801.253.5203 Ext. 1290 | C: 801.946.4377



13 July 2020

South Jordan City Planning Commission,

We are writing this in response to your notice regarding a conditional use permit for Kemm Construction LLC for a detached garage. We the surrounding neighbors have concerns that we would like the Planning Commission to be aware of.

The first concern we have is, the applicant is requesting to build this large garage on a piece of property that he does not reside at. We are told that the applicant is renting this home and plans to add additional renters to the basement if the City permits him to. Our protective covenants do not allow for duplexes.

Our second concern is the height of the requested building. The planner indicated that the plans show for the height to be 24' and that the existing dwelling is 22', making it just 2' higher. However, the grade of the property slopes up towards the back of the parcel therefore making this building possibly 10+ feet higher than the home.

Another concern, we understand that the applicant is an owner of a construction company, does he plan on using this garage to store his equipment and run his business from? There have already been large equipment coming and going from this property.

Please take our concerns into consideration when making your decision on this application.

Sincerely,

Brent & Sheila Bowles

Kim & Carol Christensen

Randy Kirby

Murry & Sandra Llewellyn

Jill Thompson

7-14-20 PC Meeting
Attachment C

Cindy Valdez

From: Joe Lewis <dj0eq@hotmail.com>
Sent: Monday, July 13, 2020 10:11 AM
To: Damir Drozdek
Subject: Re: Notice of Public Hearing

Thank you for your reply. We have another concern. There is currently considerable construction equipment and trucks in the area of the proposed garage, which gives the appearance of some kind of business operation.

Is there a licensed business operation at this residence, now?

Will the proposed garage be used for storage of trucks and construction equipment that is on the property now?

Sincerely,

Joseph Lewis

Sent from [Outlook](#)

From: Damir Drozdek <DDrozdek@sjc.utah.gov>
Sent: Monday, July 13, 2020 9:44 AM
To: Joe Lewis <dj0eq@hotmail.com>
Subject: RE: Notice of Public Hearing

Mr. Lewis,
Please see my response below. Keep in mind this is information I received from the applicant.
Thanks,

Damir Drozdek | Planner III | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
O: 801.253.5203 Ext. 1290 | C: 801.946.4377



From: Joe Lewis <dj0eq@hotmail.com>
Sent: Sunday, July 12, 2020 7:21 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: [QUAR] Notice of Public Hearing
Importance: Low

Dear Mr. Drozdek,

You state that the building will be "higher than the main building (home) and it will also have a larger footprint".

What are the actual dimensions? It is 50'x74'

What necessitates this large structure? To work on cars and as batting cage for their sons baseball team.

What business will it be for? No business, personal use.

What is the name of the family living there? The applicant is Josh Johnson. It is his sister in law that resides at this address.

Who is Kemm Construction LLC ? It is the applicant.

Your timely answers to these questions will be very much appreciated. Thank you.

Sincerely,

Joseph Lewis
3008 W 10755 S
South Jordan, UT 84095

Sent from [Outlook](#)

7-14-20 PC meeting
Attachment D

Cindy Valdez

From: Damir Drozdek
Sent: Tuesday, July 14, 2020 7:14 PM
To: Cindy Valdez
Subject: FW: Planning Commission Meeting 07/14/20
Attachments: Document1.docx; ATT00001.txt; Kemm Construction LLC; Re: Notice of Public Hearing; Re: Kemm Construction LLC Permit for a detached garage.

-----Original Message-----

From: Damir Drozdek
Sent: Monday, July 13, 2020 5:32 PM
To: 'nate@nathangedge.com' <nate@nathangedge.com>; 'micheleholist@gmail.com' <micheleholist@gmail.com>; 'darbytreavor@yahoo.com' <darbytreavor@yahoo.com>; 'slc.sendonly@gmail.com' <slc.sendonly@gmail.com>; 'sdmorissey79@gmail.com' <sdmorissey79@gmail.com>; 'mikepeirce3@hotmail.com' <mikepeirce3@hotmail.com>
Subject: FW: Planning Commission Meeting 07/14/20

-----Original Message-----

From: Damir Drozdek
Sent: Monday, July 13, 2020 3:03 PM
To: PLANNING COMMISSION <PlanningCommission@sjc.utah.gov>
Cc: Greg Schindler <GSchindler@sjc.utah.gov>; Gregory Simonsen <GSimonsen@sjc.utah.gov>
Subject: Planning Commission Meeting 07/14/20

Attached you will find public comment concerning the Kemm Cnstruction LLC (detached garage) CUP on the agenda for tomorrow.

For your information, the applicant has told me that the garage will be used for personal use only (to work on cars and as a batting cage for son's baseball team, that his sister in law lives at this residence and that she is on title, no other people live there, dump truck is owned by the applicant and will be removed from the property since he was not aware of the city requirements, other vehicles are there due to improvements being made to the property).

Let me know if you have any questions.

-----Original Message-----

From: Sandra <mursan98@yahoo.com>
Sent: Monday, July 13, 2020 1:12 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: Planning Commission

From: Damir Drozdek
Sent: Friday, July 10, 2020 8:25 AM
To: 'Josh Johnson' <joshjco@gmail.com>
Subject: RE: Kemm Construction LLC Permit for a detached garage.

Josh,

To rent out the basement you will need to get an ALU (accessory living unit) permit with the planning department. See section 17.130.030 of the City Code for more details.

Dump trucks are illegal to be parked or stored for more than 48 hrs. See Code section 17.18.030.010.D.:

D. Commercial vehicles or earthmoving or material handling equipment, such as semitrailer trucks and trailers, trucks and trailers exceeding eight thousand (8,000) pounds curb weight, "truck" as defined in section [10.04.020](#) of this code, delivery vehicles, dump trucks, backhoes, graders, loaders, cement trucks, bulldozers, belly dumps and scrapers, forklifts or other similar vehicle or equipment, may not be parked or stored on a residential lot or parcel for any length of time or on a nonresidential lot or parcel for not longer than forty eight (48) hours, except as the following applies:

1. In conjunction with and required for an active and approved development or construction project.
2. While loading or unloading said vehicle.

3. When commonly associated with an approved use on a nonresidential lot or parcel and in an area designated for parking or storage on an approved site plan or stored completely within an approved enclosed building or opaque fence enclosure.

Please let me know if you have any other questions or concerns.

Thanks,

Damir Drozdek | Planner III | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
O: 801.253.5203 Ext. 1290 | C: 801.946.4377



From: Josh Johnson <joshjco@gmail.com>
Sent: Friday, July 10, 2020 1:26 AM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: Re: Kemm Construction LLC Permit for a detached garage.

Damir,

We do have trailers that have been parked in the back yard of the home, We are planning on continuing to park them there. I believe there 3 other homes on the street that run a business out of their home that have detached garages and park more trailers in their back yards than we have. We don't run a business out of the home. Just park some trailers there. We have parked our dump truck in the back as well, Not sure if that violates anything. When we build the garage it will be used for me to work on my personal antique cars and I also want to have a place to put a batting cage for my son to hit baseballs into. That's all. Not for business and it definitely will not have any living space in it.

As far as the home goes, it does have a basement apartment in it. It doesn't have a separate renter in it. Only one family is in the home. Can an owner not rent out his basement if they want to? I'm not planning on it but didn't know if it is an option in the future.

Josh

Sent from my iPhone

On Jul 9, 2020, at 3:45 PM, Damir Drozdek <DDrozdek@sjc.utah.gov> wrote:

Heather and Josh,

The email below was received today where certain concerns were brought up by the neighbors. Will you please read the email below and respond to it the best you can?

Thanks,

Damir Drozdek | Planner III | City of South Jordan

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.253.5203 Ext. 1290 | C: 801.946.4377

<image001.gif>

<image002.gif>

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<image004.gif>

To the South Jordan Planning Department:

Regarding Public Hearing Conditional use permit for property at
2988 West 10755 South is In Majestic Heights Development which is a single family residential
zoned area in South Jordan.

We would like to know if this property is going to be used for commercial construction use with heavy construction, earth moving, and large trucks stored or working on the property. Our residential road is narrow and not in the best repair. There is also an older bridge over the canal which is ok for cars but I'm certain will not be satisfactory for large commercial gravel trucks. This is not commercial property. We have not received notification that the owner of this property has applied for a business permit on this property.

We would also like to know if this address is going to be used as multi-family or multi person residences. Majestic Heights is zoned for single family residence. Remodeling of the existing home seems to indicate this will be a multi-family or multi person residence.

We would like to know if the proposed garage in the back will be also used as a business and/or additional residence for other renters.

We feel that those living on the street follow the zoning requirements of the area.

Sincerely,