



APPEALS HEARING OFFICER STAFF REPORT

Expansion of a Non-Conforming Use

Meeting Date: September 9, 2021

Staff Contact: Andy Hulka, Senior Planner

Summary

Applicant:

Mitch Evans (on behalf of Praxair Distribution Inc.)

Subject Property:

6880 S. 2300 E.

Action Requested:

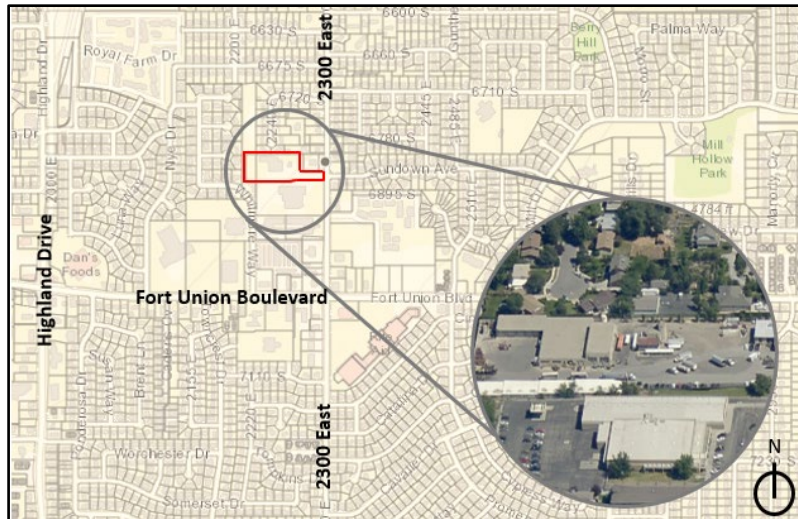
Expansion of a Non-Conforming Use

Recommendation:

APPROVE

Project #:

AHO-21-001



Context Map

Context

Property Owner:

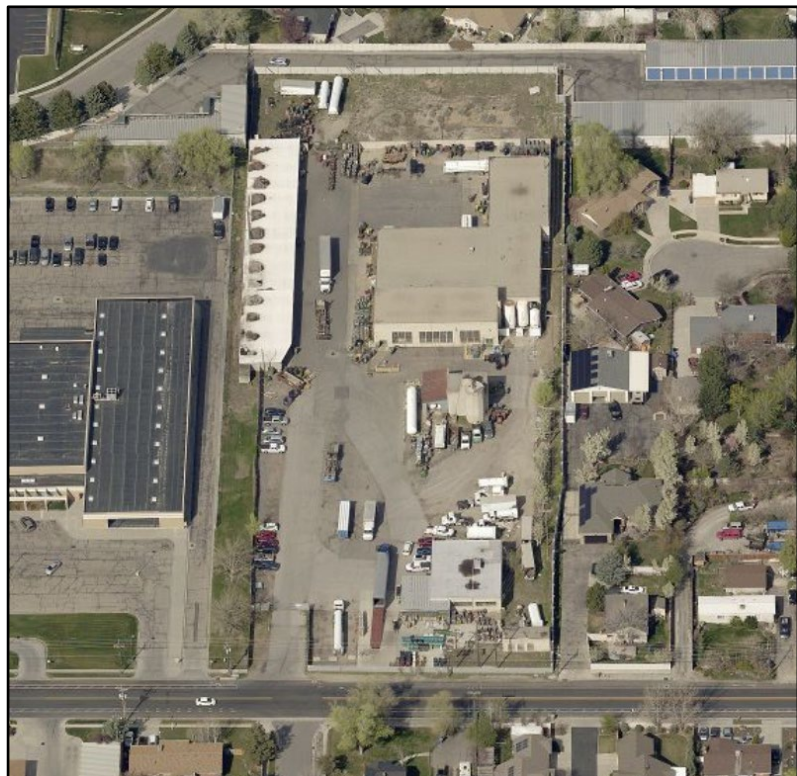
WHITMORE OXYGEN CO

Acres:

2.81 acres

Parcel #

22-22-377-007



Aerial Imagery (West Facing)

Analysis

Request

The applicant is proposing to install a trailer office to provide two offices and two bathrooms approximately 17 feet from the north property line near the existing building on site. The applicant's narrative states that the trailer office install project will include the decommissioning and removal of three bulk tanks existing at that location.



Proposed Trailer Office



Proposed Site Plan

The subject property is zoned CR (Regional Commercial), but the existing use is industrial in nature. The property is used by Praxair, Inc. for the storage, management, and processing of industrial/medical gases, supply, equipment, and services. Per Section 19.40, this land use is not one allowed in the underlying zone, neither as a permitted nor conditional use. This use was established in 1951, prior to the incorporation of Cottonwood Heights as a city. The site is a non-conforming use which “legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance governing the land changed; and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.” (Section 19.04.1810). Further, Praxair has maintained an active business license with the city since incorporation in 2005. The addition of a new trailer office constitutes an expansion of a non-conforming use.

The CR zone requires all structures to maintain a 15-foot side yard setback when adjacent to a residential zone. All buildings must be separated by a minimum distance of six feet. The proposed location meets all required setbacks of the CR zone. The project must receive an approved building permit from the City’s building department. Chapters 19.88 & 19.92 of the Cottonwood Heights Zoning Ordinance allows for the expansion of non-conforming uses upon approval from the city’s Appeals Hearing Officer.

Appeals Hearing Officer Authority

Section 19.88.070 governs proposals to add, enlarge, move, or reconstruction noncomplying buildings:

19.88.070 Additions, enlargements, moving and reconstruction of building.

B. A building occupied by a nonconforming use or a building noncomplying as to height, area, or yard regulations may be added to or enlarged or moved to a new location on the lot or reconstructed at a new location on the lot upon a permit authorized by the Appeals Hearing Officer provided that the Appeals Hearing Officer, after the hearing, shall find:

- 1. The addition to, enlargement of, moving of, or reconstruction of the noncomplying building at a new location on the lot will be in harmony with one or more of the purposes stated in section 19.02.020, and shall be in keeping with the intent of this title;*
- 2. That the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or noncomplying building.*

Section 19.02.020, referred to in the previous section, is the purpose statement of the zoning ordinance:

19.02.020 Purpose of provisions.

This title is designed and enacted for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city, including, among other things, the lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, and securing economy in governmental expenditures, fostering the city’s industries, and the protection of both urban and non-urban development.

Staff finds that permitting the proposed trailer office will not violate or negatively affect the provisions of Section 19.02.020. Staff finds that the proposed addition does not impose any unreasonable burden on adjacent property, because it is taking the place of three bulk tanks, there is an existing 8-foot fence

separating the business from the residential neighborhood, and the proposed structure exceeds the minimum required setbacks in the zone.

Recommendation & Findings

Staff recommends APPROVAL of the request for an expansion of a non-conforming use with the following findings:

1. The proposal will not negatively affect the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city because the use is the same as currently exists;
2. The proposal will not create any additional congestion in the streets or roads;
3. The proposal will not create a fire safety issue;
4. The proposal will not affect air flow or block natural light from adjoining properties by conforming with all height regulations;
5. The proposal will have no apparent negative effect on the city's tax base;
6. The proposal is in keeping with the intent of the Cottonwood Heights Zoning Ordinance.
7. The proposal does not impose any unreasonable burden on adjacent property.

Attachments

1. Applicant's Narrative
2. Proposed Trailer Office Plans



Cottonwood Heights, Salt Lake City, UT Trailer Office Project Justification August, 2021

Making our world more productive



Project Justification

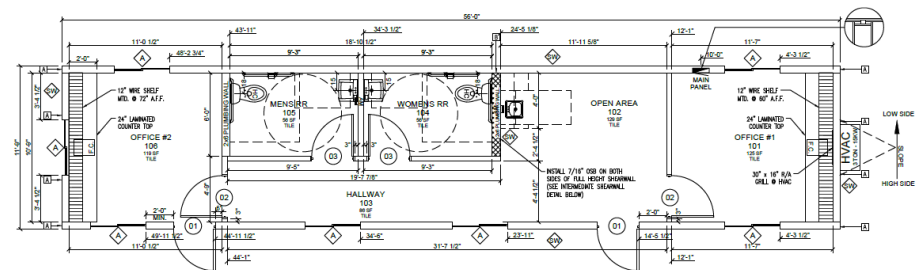


Linde plc has leased a 12' X 56' trailer office to be installed at its facilities located in 6880 South 2300 East, Cottonwood Height, SLC, UT 84121. Among other products, this facility produces and supplies medical oxygen to hospitals and other healthcare institutions. The Department of Homeland Security, Cybersecurity and Infrastructure Security Agency has declared Medical Gases "Essential" to COVID-19 response. This mobile office will have 2 offices and 2 ADA bathrooms to accommodate the personnel that manages the site. This unit has been built as per Utah code 2018 IBC (Including appendix J), 2018 IPC, 2018 IMC, 2018 IECC, 2017 NEC, and ICC A117.1-2009. The trailer office install project will include the decommissioning and removal of three bulk tanks as illustrated in the picture. The trailer office plans have been reviewed, approved and stamped by a Utah licensed engineer.

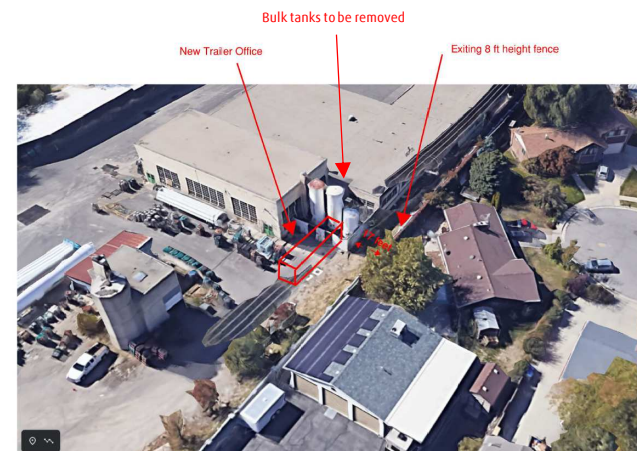
The addition of this trailer office will be in harmony with one or more of the purposes stated in section 19.02.020 and shall be in keeping with the intent of the following title: ***19.02.020 Purpose of provisions. This title is designed and enacted for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city, including, among other things, the lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, and securing economy in governmental expenditures, fostering the city's industries, and the protection of both urban and non-urban development.***

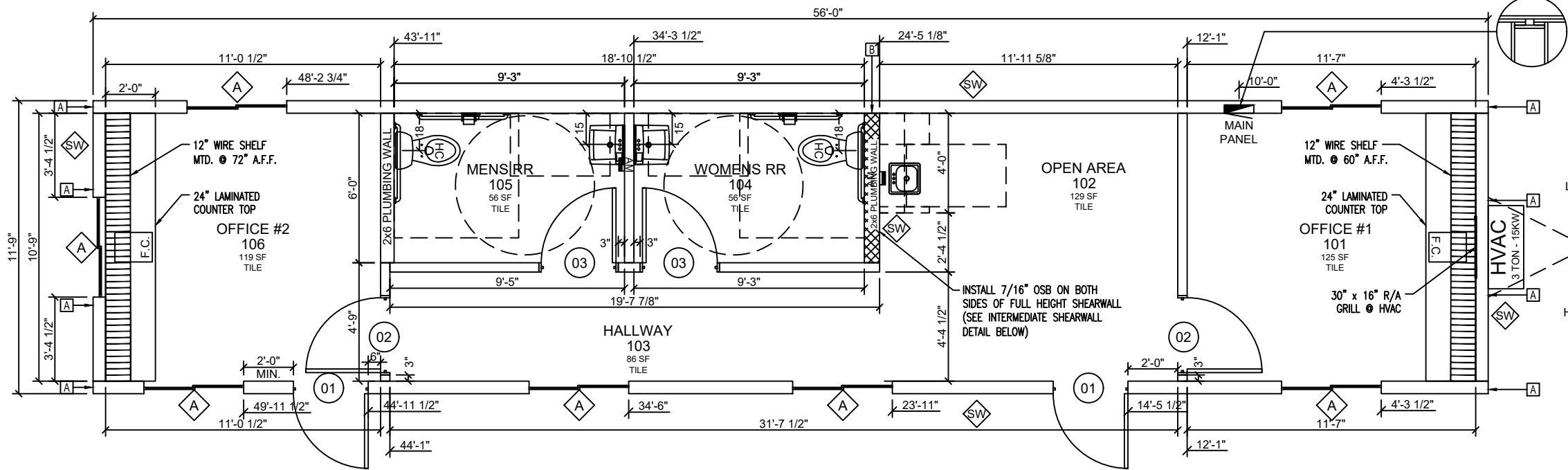
The proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or noncomplying building.

– Trailer Office Floor Plan

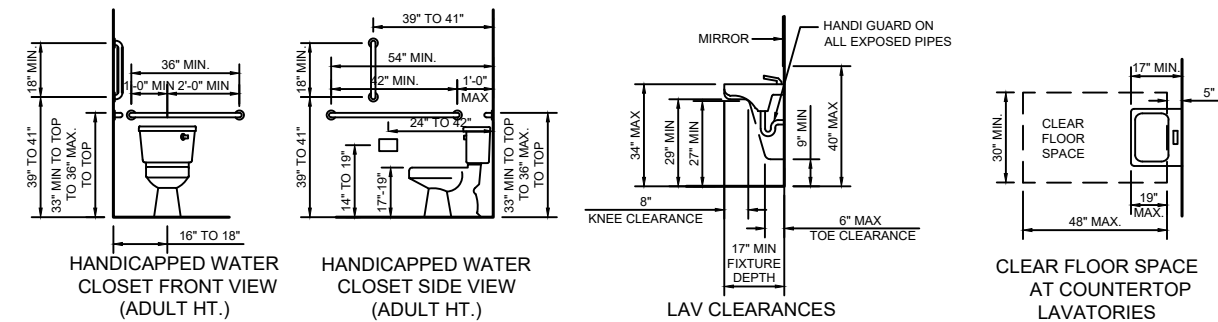


– Trailer Office Location





1 FLOOR PLAN
3/16"=1'-0" SQUARE FOOTAGE - 658 S.F.
OCCUPANCY LOAD = 4



PLUMBING:				
Symbol	Type	Qty	Note	Description
	Water Closet	2		Floor mtd. ADA elongated tank type with shut off valve / flush handle to be on open side of r.r. (Factory standard)
	Grab Bars	2		Set(s) with (1) each 42", 36" horizontal, and 18" vertical (Factory standard)
	Paper Holder	2		Single roll chrome wall mount toilet paper holder mtd. ADA height (Factory standard)
	Lavatory	2		19" X 17" White vitreous wall hung with ADA handles and shut off valves (Factory standard)
	Sink	1		15" X 15" Stainless steel bar sink with gooseneck faucet, ADA handles, and shut off valves (Factory standard)
	Mirror	2		18"x36" w/ channel frame mtd. 38" to bottom edge (Factory standard)
	Water Heater	2	Eemax AM005240T or equal w/ tempering valve	Insta-Hot (Electric - 240V)
	Supply	1	Overhead	Pex with copper inlet and 1" pipe insulation as required
	DWW System	1		PVC Schedule 40 (Manifold is by others)

WINDOWS:									
Qty	NO.	Type	Glazing	Size	Rough Opening	U-Factor	SHGC	Mini-Blind	Notes
7	A	VINYL HORIZONTAL SLIDER, COLOR TO BE: ()	CLEAR, DUAL GLAZED, LOW-E, ARGON	4/0 X 3/0	48 1/2" x 36 1/2"	0.30	0.24	36-1/2" X 36" THIN LINE METAL MINI-BLINDS. COLOR TO BE: ()	TOP OF WINDOW AT 6'-8" AFF (T.O. REAR WINDOW @ 5'-8")

DOORS:																
Qty	NO.	Type	Jamb	Wall Thickness	Glazing	Size	Rough Opening	U-Factor	Color	Closer	Deadbolt	Hardware	Fire Rating	Keying	Notes	
2	01	TELSTAR INSULATED 20 GA.	18 GA.	6 3/8"	SNG GLAZE CLEAR 1/4X10X10 TEMPRED PANE	3/0X6/8	36" x 80"	0.14	T.B.D. (DOOR & JAMB)	HYDRAULIC	STD ADA DEADBOLT, TELL BRAND, GRADE 2 (DB2051)	PASSAGE LEVER TELL GRADE #2 (LC2675)	NONE	ALIKE (SATELLITE MASTER & STAMP)		
2	02	6-PANEL GRAY HOLLOW CORE	WITH WOOD JAMB	4 1/2"	NONE	3/0X6/8	38 1/4" x 82 1/2"	N/A	IBI INDUSTRIAL GRAY	NONE	N/A	PASSAGE LEVER, TELL BRAND, GRADE 2	NONE	N/A	FLOOR MOUNT STOPS	
2	03	6-PANEL GRAY HOLLOW CORE	WITH WOOD JAMB	4 1/2"	NONE	3/0X6/8	38 1/4" x 82 1/2"	N/A	IBI INDUSTRIAL GRAY	NONE	N/A	PRIVACY LEVER, TELL BRAND, GRADE 2	NONE	N/A	FLOOR MOUNT STOPS	

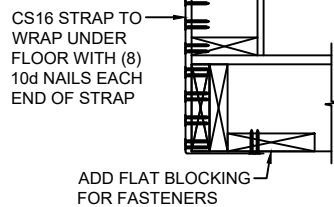
STRUCTURAL LEGEND

**ALL INTERIOR DIMENSIONS ARE FROM FINISH TO FINISH
& ALL EXTRIOR DIMENSIONS ARE FROM STUD TO STUD**

Symbol	Description	Qty
	SHEARWALL TAG (SEE CROSS SECTION FOR FASTENING)	TYP @ 5 LOCATIONS
	HOLD DOWN STRAP (SEE DETAIL)	TYP @ 1 LOCATIONS
	HOLD DOWN STRAP (SEE DETAIL)	TYP @ 8 LOCATIONS

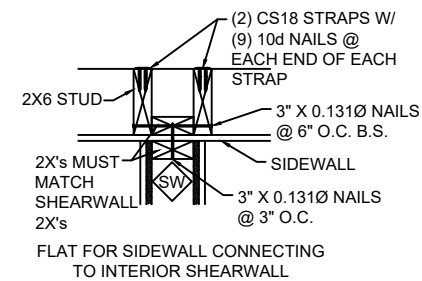
HATCHING LEGEND:

2x4 INTERIOR FULL HEIGHT SHEAR WALL W/ 7/16" OSB ON BOTH SIDES & NO INSULATION (SEE DETAIL 4/4)



A HOLD-DOWN

3/4" = 1'-0"



B INT. SHEARWALL FLAT

3/4" = 1'-0"

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SATELLITE
SHELTERS, INC.

PROJECT:
STOCK OFFICE -
WET

PROJECT #:
S1260-10

STATES:
CO., UT (N/C)

SERIAL NUMBERS:
#16875

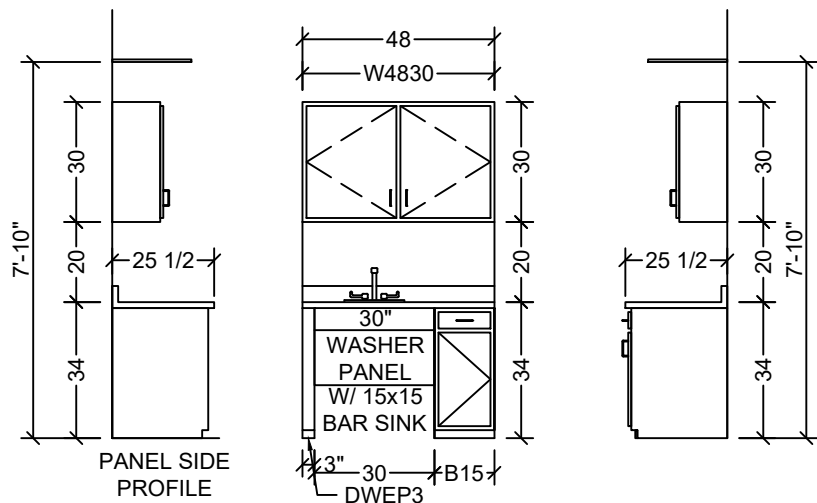
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PLOT DATE:
7/6/2021

REV # / DATE:

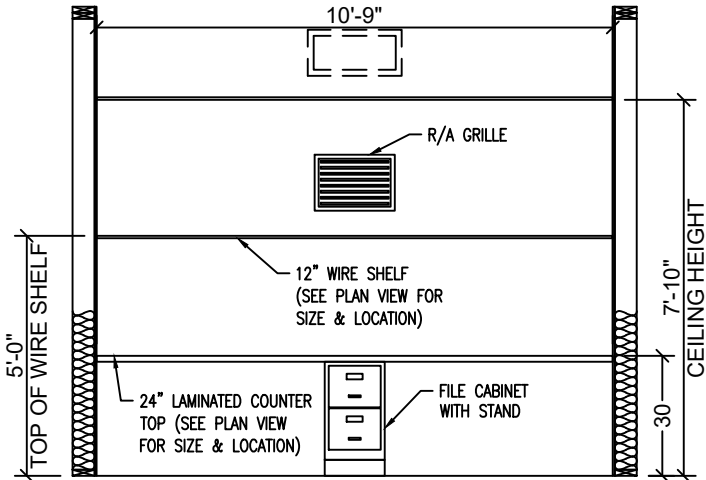
ROGER DE CHAVEZ, P.E.
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PHOENIX, AZ 85043
(602) 447-6460

SHEET:

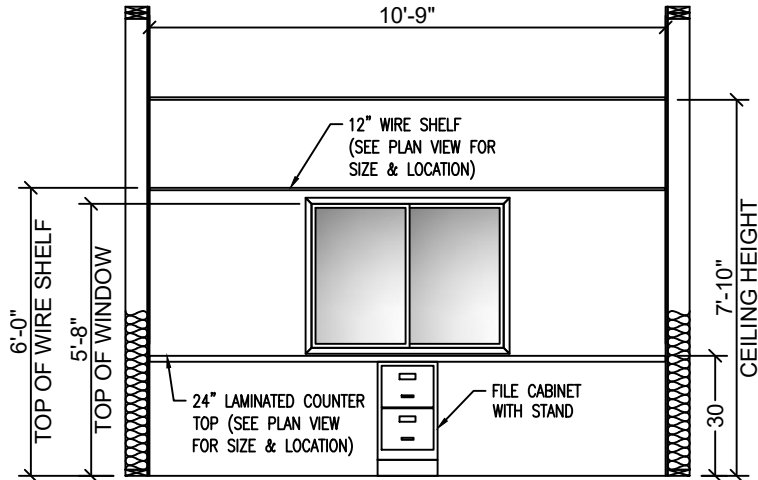


1 CABINETS AT OPEN AREA
1/4" = 1'-0" (1) REQ'D AS SHOWN

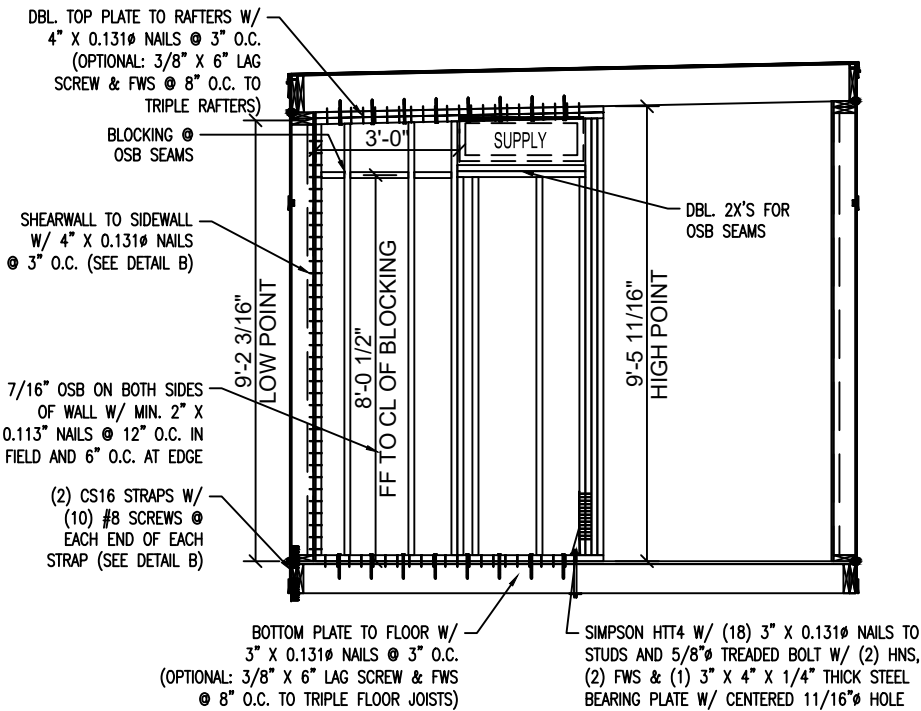
ADDITIONAL ITEMS:				
Symbol	Type	Qty	Note	Description
F.C.	File Cabinet	2	Managers 255501 or equal	File cabinet (Black)
	Base Cabinet	2	(1) DWEP3	Espresso or Oak Woodgrain cabinets with wire pulls
	Sink Apron	1	30 inches	ADA sink washer panel (Finish same as base cabinets)
	Wall Cabinet	1		Espresso or Oak Woodgrain cabinets with wire pulls
	Countertop	1	24L.F. (No Back Splash)	24" Laminate top color to be: ()
	Countertop	1	4L.F. (4" Back Splash)	25 1/2" Laminate top color to be: ()



2 COUNTER TOP @ OFFICE #1
1/4" = 1'-0" (1) REQ'D AS SHOWN



3 COUNTER TOP AT OFFICE #2
1/4" = 1'-0" (1) REQ'D AS SHOWN



4 INTERMEDIATE SHEARWALL DETAIL
1/4" = 1'-0" (1) REQ'D AS SHOWN

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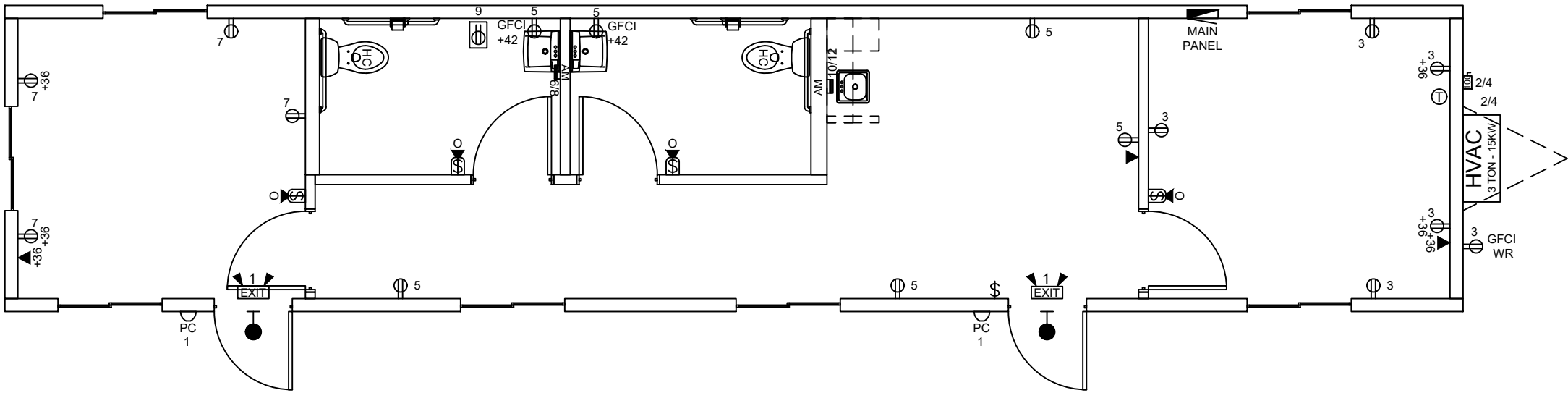
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1 ELECTRICAL PLAN
3/16"=1'-0"

Main Breaker: 22kAIC				150 AMP 120/240V 1 PHASE				INTERIOR: NEMA 1	
Branch Breakers: 10kAIC				PANEL WITH 150 AMP MAIN BREAKER					
WS	Description	Circuit	BRK	A	B	BRK	Circuit	Description	WS
12	Lights	1	20	916 10080		90	2	AC Unit 3 Ton w/15KW	4
12	Receptacles	3	20			1080 10080	2		4
12	Receptacles	5	20	1080 2400		20	6	AM005240T	12
12	Receptacles	7	20			720 2400	2		8
12	Heat Tape GFI Breaker	9	20	1800 2400		20	10	AM005240T	12
	Space	11	0			0 2400	2		12
	Space	13	0	0 0		0	14	Space	
	Space	15	0			0 0	0	16	Space
	Space	17	0	0 0		0	18	Space	
	Space	19	0			0 0	0	20	Space
				18676	16680	Total			
<u>ELECTRICAL CALCULATION:</u>									
GENERAL LIGHTING:									
916 LIGHTS x 125% = 1145 watts									
16 RECEPTACLES = 2880 watts									
1 HVAC UNITS = 20160 watts									
2 WATER HEATER = 9600 watts									
1 Recept Dedicated = 1800 watts									
0 = 0 watts									
0 = 0 watts									
0 = 0 watts									
35585 watts				divide by 240 volts = 148 AMPS TOTAL					

2 ELECTRICAL PANEL & CALC'S
N.T.S.

Circuit	QTY	ITEM	WATTS	TOTAL
1	2	2x2' LED	x 32	64 watts
1	5	2x4' 5K LED	x 40	200 watts
1	0	LED Dome Light	x 15	0 watts
1	0	30W LED Porch Light	x 30	0 watts
1	2	26W LED Porch Light	x 26	52 watts
1	0	Exhaust Fan 70 cfm	x 138	0 watts
1	2	Exhaust Fan 110 cfm	x 156	312 watts
3	6	Recept Duplex	x 180	1080 watts
5	6	Recept Duplex	x 180	1080 watts
7	4	Recept Duplex	x 180	720 watts
9	0	Powered J-Box	x 1800	0 watts
11	0	Recept Duplex	x 180	0 watts
9	1	Recept Dedicated	x 1800	1800 watts
0	1	AM005240T	x 4800	4800 watts
0	1	AM005240T	x 4800	4800 watts
10 & 12	0	Res. Refrigerator	x 840	0 watts
10 & 12	0	Res. Range (240v)	x 10600	0 watts
10 & 12	0	Res. Range Hood	x 300	0 watts
1	2	Emergency / Exit W Remote Head	x 144	288 watts
1	0	Exit Sign	x 4	0 watts
1	0	Smoke & Heat Detectors	x 6	0 watts
2 & 4	1	AC Unit 3 Ton w/15KW	x 20160	20160 watts
10 & 12	0	1P HP Unit 3.5 Ton w/ 10KW	x 20160	0 watts
10 & 12	0	AC Unit 3 1/2 Ton w/15KW	x 19920	0 watts
			Total Watts:	35292
			Total Amps:	147

ELECTRICAL:				
Symbol	Type	Qty	Note	Description
	Elec Service	1		120/240V 60 HZ. single phase
	Elec Raceway	1		MC Cable/flex with min. #12 THWN wire
	Elec Panel	1	16-Space	120/240V 1 PH 150 amp panel w/ 150 amp main breaker. Interior NEMA 1 mtd. 60" a.f.f. to top (service entrance: 1-1/2" emt conduit thru floor) (Factory standard)
	Elec. Disconnect	1	For HVAC	100a/240v Exterior NEMA-3R electrical disconnect w/ 90a non-fuse mtd. 36" a.f.f. (Factory standard)
	Lights	5	5000 Lumen	2'x4' Flat panel LED recessed lay-in with dimmable electronic ballast (Factory standard) (Input wattage=40)
	Lights	2	3450 Lumen	2'x2' Flat panel LED recessed lay-in with electronic ballast (Factory standard) (Input wattage=32)
	Exterior Lights	2	DW26BRZ5K	26W LED porch light with photocell mtd. 86" a.f.f.
	Emerg. Light	2	Green lens	Combo dual emergency light/exit sign with battery backup mtd. 88" a.f.f. (Factory standard)
	Emerg. Light	2		Exterior remote head mtd. 90" a.f.f. (Factory standard)
	Switch	1		20a/120v Standard single toggle w/ cover plate mtd. 42" a.f.f. (Factory standard)
	Switch	4		20a/120v Wall mtd. occupancy / vacancy sensor w/ cover plate mtd. 42" a.f.f. (Factory standard)
	Occupancy Sensor	1		Ceiling mounted occupancy sensor (Factory standard)
	Receptacle	13		20a/120v Duplex w/ cover plate mtd. 15" a.f.f. (Factory standard)
	Receptacle	2		20a/120v GFCI protected w/ cover plate mtd. 42" a.f.f. (Factory standard)
	Receptacle	1		20a/120v GFCI 'WR' rated exterior receptacle with weatherproof extra duty in-use cover mtd. 15" a.f.f. (Factory standard)
	Receptacle	1		20a/120v GFCI protected 'WR' rated weatherproof heat tape receptacle w/ metal cover below floor (Factory standard)
	J-Box	3	3/4" ENT stubbed above ceiling & below floor	2x4 Empty box w/ blank cover plate mtd. 15" a.f.f. for future phone/data (Factory standard)
	Exhaust Fan	2		110 CFM Ceiling mounted / vent thru roof (Factory standard)
	T-Stat	1		Programmable T-Stat(s) mtd. 46" a.f.f. (Factory standard)
	Device Color	1		Color to be: (WHITE OR IVORY) / Exterior device(s) and masonry boxes with metal cover plate as applicable

- NOTE:
- ALL A.F.F. DIMENSIONS ARE TO THE BOTTOM OF THE DEVICE BOX UNLESS NOTED OTHERWISE (REFER TO SCHEDULE AND PLANS FOR HEIGHTS).
 - ALL ELECTRICAL ITEMS ARE FACTORY STANDARD UNLESS NOTED OTHERWISE.
 - BLANK COVERS WILL BE PROVIDED ON J-BOXES UNLESS NOTED OTHERWISE.
 - ALL EXTERIOR ELECTRICAL DEVICES TO BE WEATHERPROOF.
 - ELECTRICAL DEVICE UNOBSTRUCTED REACH HEIGHT(S):
 - ADULTS: 15" MIN. TO 48" MAX

PANEL GROUNDING	
PANEL:	GRND:
100A:	#8
125A:	#6
150A:	#6
200A:	#4
300A:	#2
400A:	#1/0
600A:	#2/0

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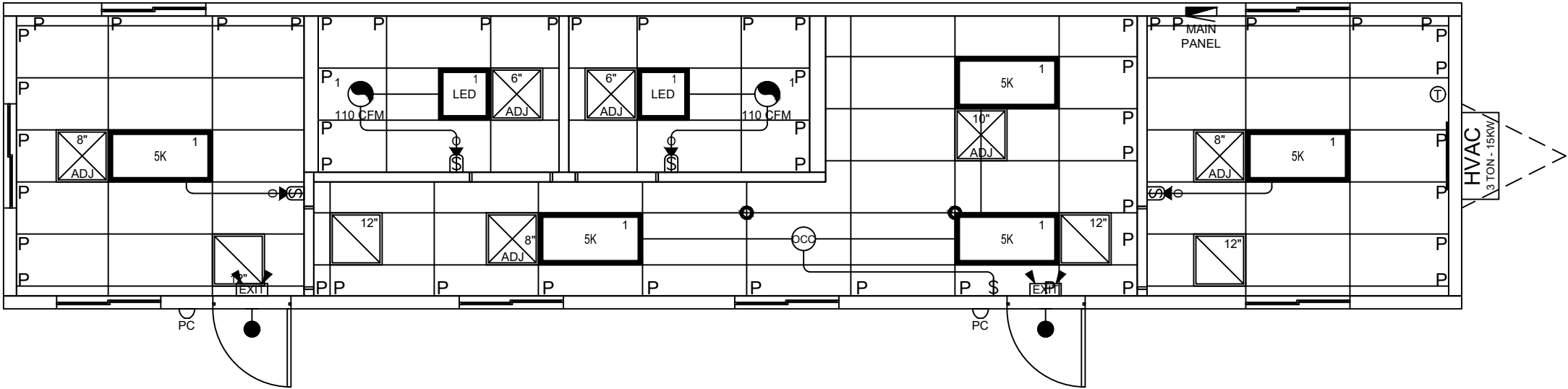
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SHEET:



1 REFLECTED CEILING PLAN
3/16"=1'-0"

NOTE: INSTALL 2-12GA TIES @ CORNERS OF LIGHTS

X = SIESMIC JOINT

P = POP RIVIT

CEILING LEGEND

	INDICATES T-GRID SUSPENDED CEILING INSTALLED @ FACTORY
--	--

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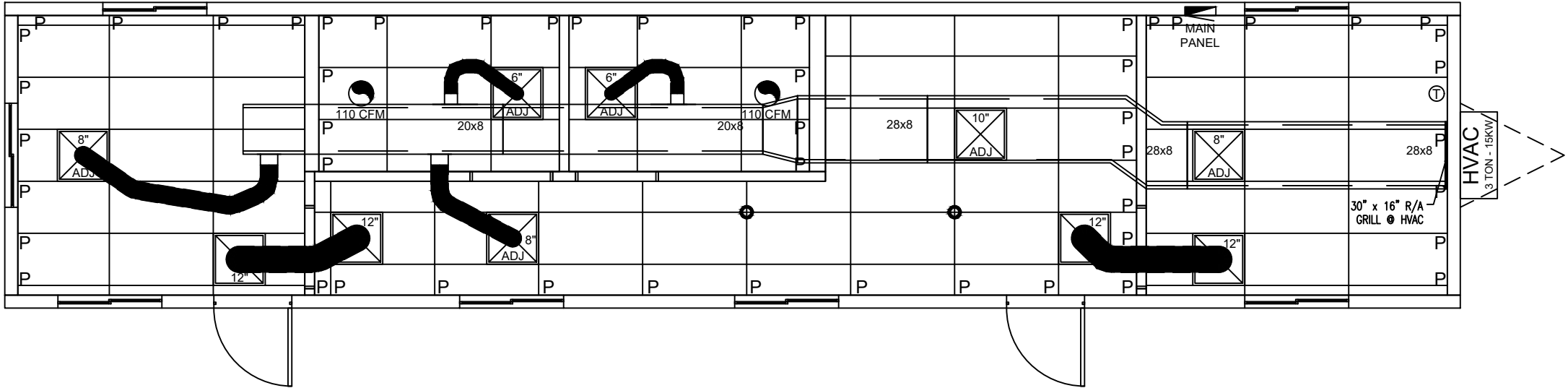
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1 HVAC PLAN
3/16"=1'-0"

HVAC:				
Symbol	Type	Qty	Note	Description
	HVAC Unit	1	FAD	3 Ton cooling with 15KW heat strip 11 EER end mount unit / Model: W36AC-A15 or equal (Extend condensate below trim) (Color: Gray or Beige)
	Fiberglass Duct	2		20"x8"x10'-0" Fiberglass
	Fiberglass Duct	2		28"x8"x10'-0" Fiberglass
	Fiberglass Duct	1		28"x8"x5'-0" Fiberglass
	Fiberglass Duct	1	28x8 to 20x8	Fiberglass duct transition, 16" long
	Supply Diffusers	2	6"	24" x 24" 4-way lay-in w/ radial damper, collar w/ scoop, and flex (Factory standard)
	Supply Diffusers	3	8"	24" x 24" 4-way lay-in w/ radial damper, collar w/ scoop, and flex (Factory standard)
	Supply Diffusers	1	10"	24" x 24" 4-way lay-in w/ radial damper, collar w/ scoop, and flex (Factory standard)
	R/A Grille	1	30"x16"x6" Sleeve	30"x16" Stamp faced return air grill (Factory standard)
	R/A Grille	4	12"	24" x 24" Perforated lay-in with start collar, collar, and flex (Factory standard)
	Duct type	1	Wall sleeve first 3 feet	R-6 Fiberglass insulation. Flex duct not to exceed 14' (Factory standard)
	Duct System	1		Plenum wall(s) with fully ducted supply and return air

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E.L.V.

PLOT DATE:
7/6/2021

REV # / DATE:

ROGER DE CHAVEZ, P.E.
ENGINEER
SUNBELT MODULAR, INC.
5301 W. MADISON ST.
PHOENIX, AZ. 85043
(602) 447-6460

SHEET:

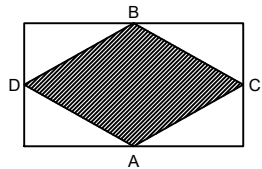
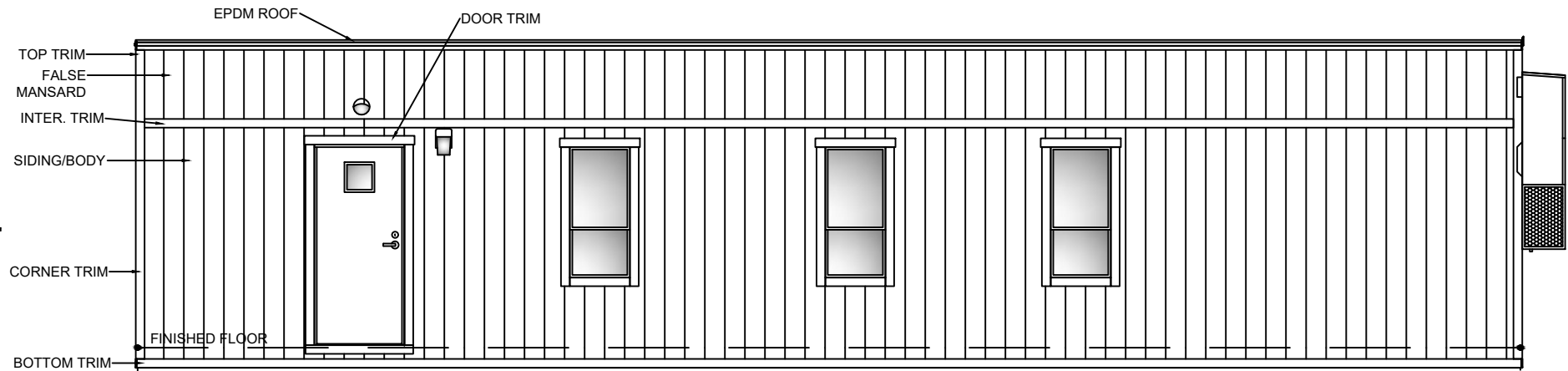
AMTEX

832 E WALNUT ST. - GARLAND, TX 75040
PH 972-276-7626 FAX 972-276-5105

CORP.

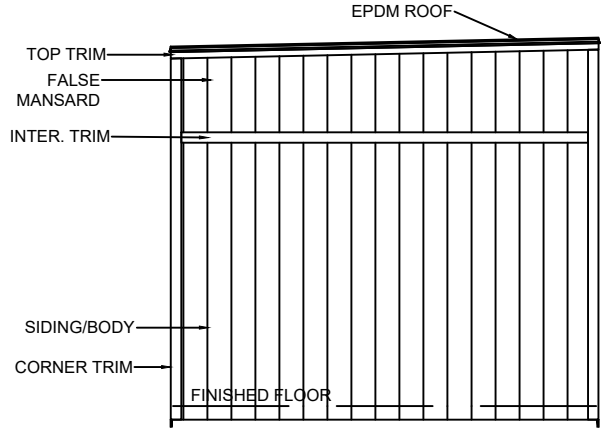
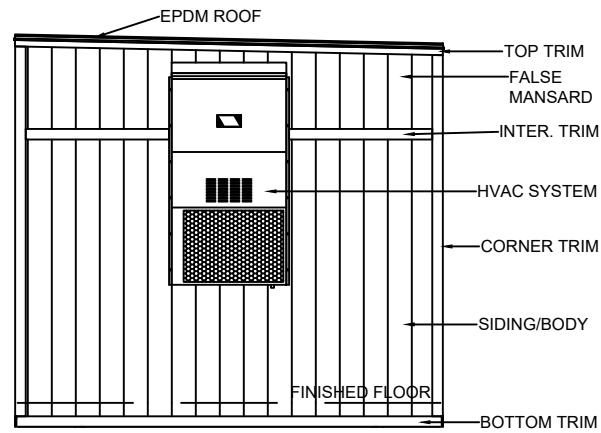
SUNBELT MODULAR, INC.

1 CURB SIDE
N.T.S.



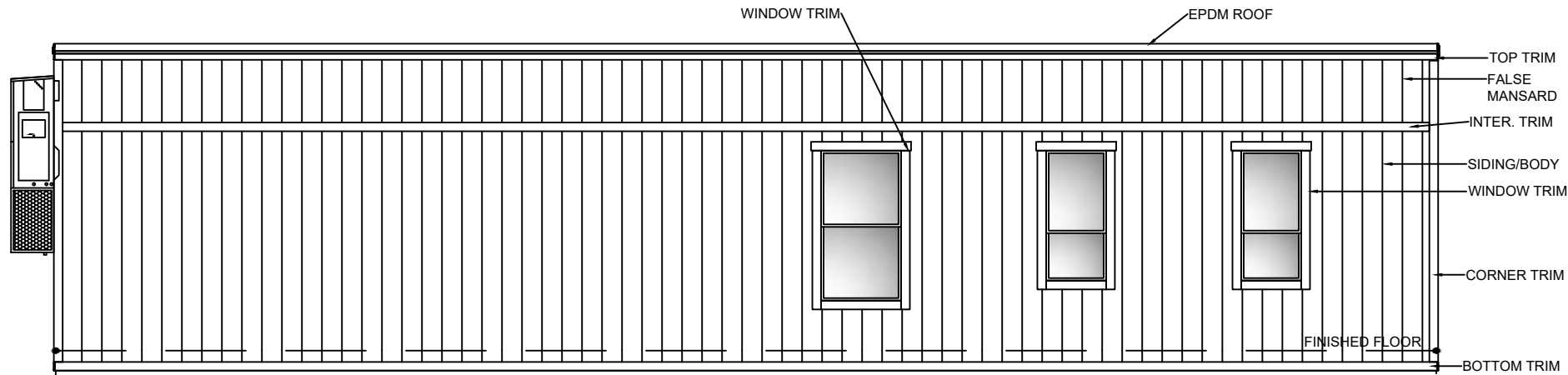
SIGN DEALER SIGN (PROVIDED BY
DEALER & INSTALLED @
FACTORY)

2 HITCH END
N.T.S.



3 REAR END
N.T.S.

4 STREET SIDE
N.T.S.



CORP.
AMTEX

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DEALER:
SATELLITE
SHELTERS, INC.

PROJECT:
STOCK OFFICE -
WET

PROJECT #:
S1260-10

STATES:
CO., UT (N/C)

SERIAL NUMBERS:
#16875

DRAWN BY:
E.L.V.

PLOT DATE:
7/6/2021

REV # / DATE:

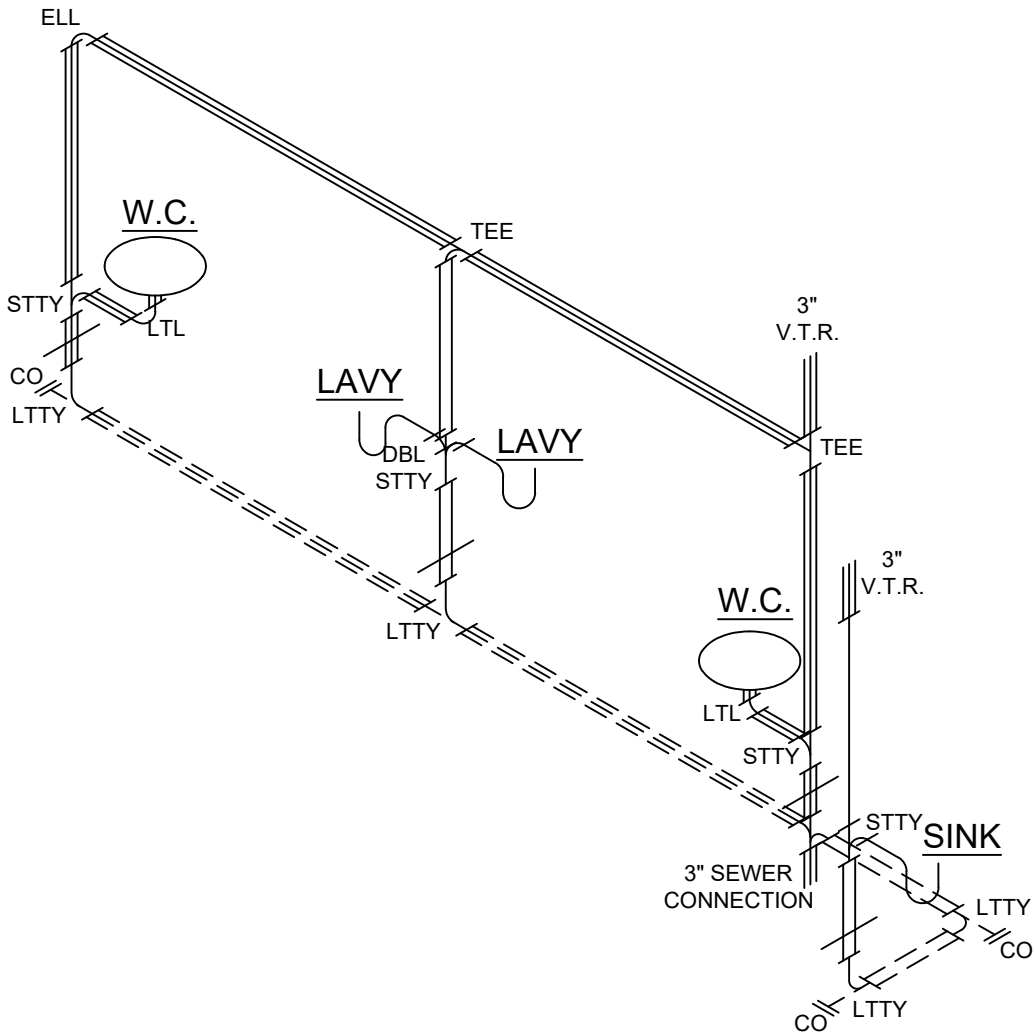
ROGER DE CHAVEZ, P.E.
ENGINEER
SUNBELT MODULAR, INC.
5301 W. MADISON ST.
PHOENIX, AZ. 85043
(602) 447-6460

SHEET:

DRAIN/WASTE PIPING LEGEND

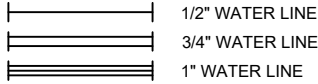


1. DWV IS STUBBED THRU FLOOR ONLY AT FACTORY. MANIFOLD (DASHED LINE) UNDER THE BUILDING AND FINAL CONNECTION(S) IS TO BE COMPLETED AT SITE BY OTHERS IN ACCORDANCE WITH THE IPC.
2. PER IPC, TABLE 308.5 FOOTNOTE B, PIPING SHALL BE SUPPORTED 4' O.C. HORIZONTALLY AT FLOOR, CEILING, AND MID-STORY VERTICALLY.



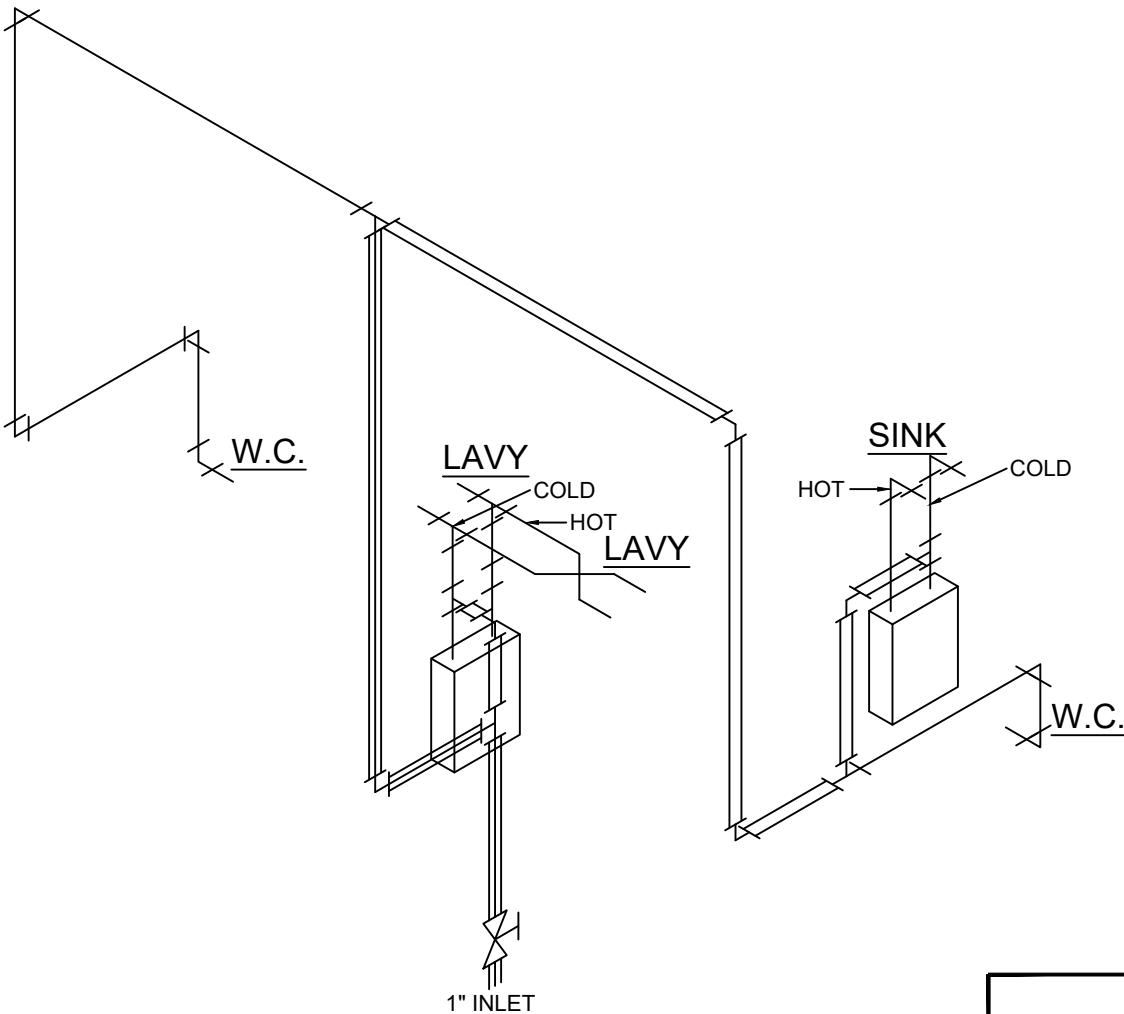
1 DWV
N.T.S.

SUPPLY LINE LEGEND



ASSUMED DESIGN PRESSURE RANGE OF 50-60 PSI

1. PER IPC SECTION 606.2, A SHUT-OFF VALVE SHALL BE INSTALLED AT EACH FIXTURE AND WATER HEATER.
2. PER IPC, TABLE 308.5 FOOTNOTE B, PIPING 1" OR SMALLER SHALL BE SUPPORTED 32" HORIZONTALLY AT FLOOR, CEILING, AND MID-STORY VERTICALLY.
3. TANKLESS WATER HEATER SHALL CONFORM TO SECTION 501.6 OF THE IPC.



2 HOT / COLD SUPPLY
N.T.S.

AMTEX CORP.

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STOCK OFFICE -
WET

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SHEET: