



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Eric Daems, [eric.daems@slc.gov](mailto:eric.daems@slc.gov), 801-535-7236

Date: February 27, 2019

Re: PLNAPP2019-00071 Special Exception for In-line Addition to a Detached Garage

## Appeal of Administrative Special Exception

**PROPERTY ADDRESS:** 1305 E 2<sup>nd</sup> Ave  
**PARCEL ID:** 09-33-352-017-0000  
**MASTER PLAN:** Avenues Master Plan  
**ZONING DISTRICT:** R-1/5,000 (Single-Family Residential)

**REQUEST:** This is a request for an in-line addition special exception at 1305 E. 2<sup>nd</sup> Ave. The proposal is to add 300 square feet to the garage for additional vehicle parking. The existing garage is considered legal non-conforming as it does not meet current setback standards. The addition will continue in-line with the noncomplying wall line.

Planning Staff administratively approved the special exception on January 14, 2019. Jefferson Gross, neighbor to the east is appealing the administrative approval of the special exception. The Planning Commission must review the original request, based upon applicable procedures and standards for approval of a special exception for an in-line addition, and cannot give any deference to the original decision. A public hearing must be held prior to the Planning Commission making a decision.

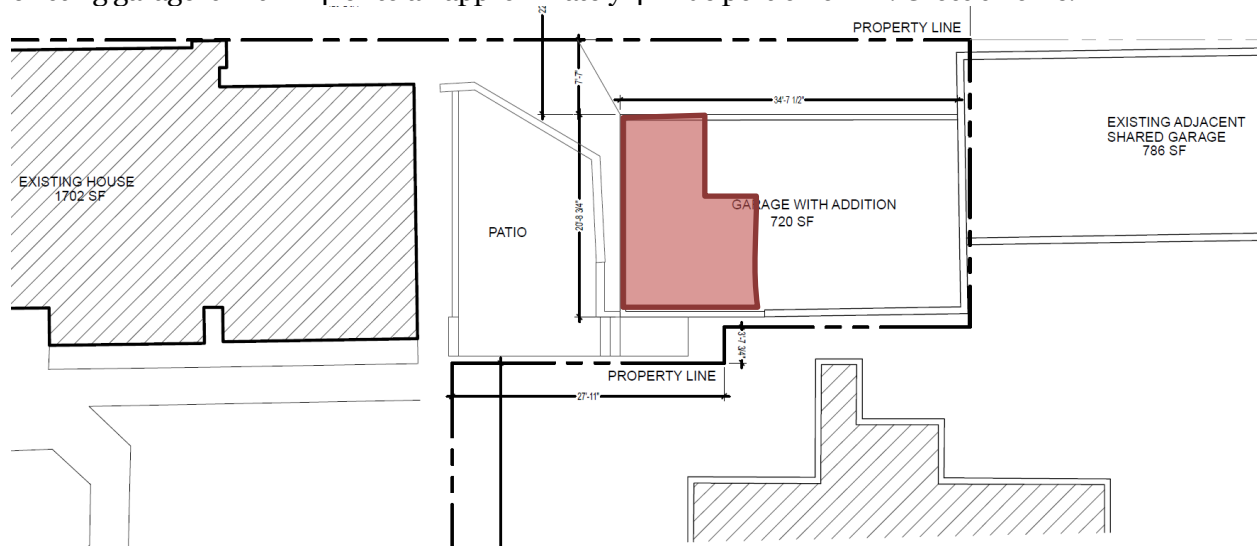
**RECOMMENDATION:** Based on the information in the staff report along with those in the Findings and Order document, Planning Staff recommends that the Planning Commission approve the special exception for an in-line addition to the garage of the home at 1305 E. 2<sup>nd</sup> Ave.

### ATTACHMENTS:

- A. Vicinity and Zoning Map
- B. Site Plans
- C. Building Elevations
- D. Site Photographs
- E. Zoning Standards Analysis
- F. Special Exception Application
- G. Appeal Application
- H. Administrative Approval Findings and Order
- I. Public Process and Comments

## PROJECT DESCRIPTION:

Paul Svendsen, owner of the single-family home at 1305 E. 2<sup>nd</sup> Avenue is proposing an in-line addition for detached garage. The garage is currently 420 square feet. The proposed addition would extend the garage to the west and would add an additional 300 square feet to the garage bringing it to 720 square feet total. The garage has a shared wall with the garage to the east. It is located adjacent to the alley at the rear of the property. The garage has a flat roof and simple squared-off shape. The exterior is brick with some stucco. The proposed addition would reuse brick from the demolished wall and would use additional stucco to match the existing. The garage is considered legal noncomplying as it is closer than 10' to the home on the property to the southeast, owned by Jefferson Gross. At one point, the existing garage is within 4' 6" to an approximately 4' wide portion of Mr. Gross's home.



*Site plan showing the proposed garage addition. For full size plan and additional plans see [Attachment B](#)*

The proposed addition requires approval as a special exception due to the noncomplying setback related to the adjacent home.

## KEY ISSUES OF THE SPECIAL EXCEPTION:

The key issues listed below have been identified through the analysis of the project. Issues specifically related to the special exception are listed below, while those that pertain to the appeal application are found in the next section.

1. Elevation to a Planning Commission Hearing
2. Compliance with special exception for an in-line addition

### Issue 1: Elevation to a Planning Commission Hearing

Section 21A.52.120(A) of the Salt Lake City Zoning Code states:

*Any party aggrieved by a decision of the planning director may appeal the decision to the planning commission pursuant to the provisions in chapter 21A.16 of this title.*

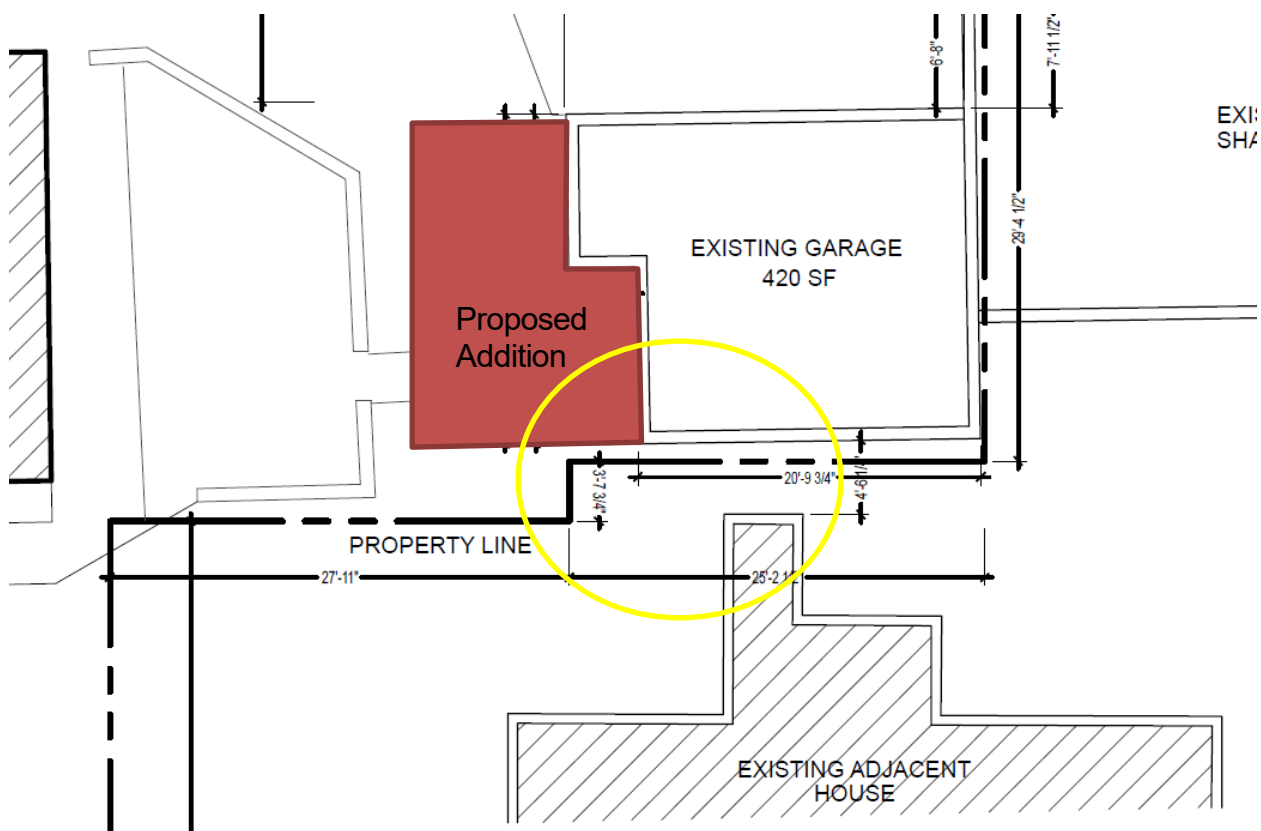
Chapter 21A.16, *Appeals of Administrative Decisions*, specifies the procedure for filing an appeal. Mr. Jefferson Gross submitted an appeal to the decision of the planning director in accordance with these provisions. The special exception application is now required to be reviewed by the Planning Commission in conjunction with a public hearing. The appeals chapter requires that the application be review "de novo" in accordance with the standards for approval as outlined in chapter 21A.52 *Special*

*Exceptions.* No deference to the original decision shall be given as part of the Planning Commission's decision.

### **Issue 2: Compliance with special exception requirements for an in-line addition**

Structures that do not meet current dimensional regulations, such as setbacks, but were legally built before current zoning regulations were established are considered legal noncomplying structures. Due to that status, any expansion of those structures must be authorized by specific allowances described in the current ordinance. This particular request is reviewed as a special exception for an in-line addition. The proposed garage addition is considered an in-line addition as the proposed expansion will maintain the same wall line in relation to the property line as the existing wall.

The key issue to consider with this proposal is if the proposed garage addition creates any new non-compliance. The existing detached garage was constructed prior to current zoning regulation which would require a detached garage to be located a minimum of 10' from any primary structures on an adjacent lot, such as the neighboring house. As the existing garage meets all other requirements of the current zoning ordinance, the proximity to the neighboring principle building (4' 6") is the only issue considered non-complying. The proposed wall line will not be any closer to the neighboring home than the current garage. The addition will begin at a point approximately 6' 6" and extend directly to the west. The wall line will actually move further away from the neighboring home as depicted below. As such, Staff feels that no new non-compliance is created. An additional analysis of compliance with the standards for an in-line addition can be found in Attachment E.



*Proposed site plan showing addition extending away from adjacent home towards the west*

**KEY ISSUES OF THE APPEAL:**

To assist the Planning Commission in reviewing this request, Staff has provided the claims from the appellant, along with responses to each claim. The claims are distilled from the application submitted from the appellant. The entire appeal application can be reviewed in [attachment G](#).

**Claim 1:**

The drawing fail to depict a fence separating the parcels which would need to be destroyed in order to have the expansion of the garage.

**Staff Response:**

It is correct that the submitted plans do not depict the fence that separates the two properties. The fence is inline with the southern wall of the garage. The proposed garage addition will be built in the same location as the fence. According to the surveyed plans submitted, the fence fully lies on Mr. Svendsen's property and would be allowed to be removed as part of this project.

**Claim 2:**

Due to the doctrine of boundary by acquiescence, the fence line that separates the two properties is actually the boundary line, rather than as depicted on the submitted plans.

**Staff Response:**

Salt Lake City and cities in general do not make determinations on boundary line disputes. Nor does the City have authority to establish a boundary line by acquiescence. The applicant has submitted surveyed plans that appear to conform with boundary lines as recorded with Salt Lake County. This project has been reviewed according to those plans and surveyed boundaries. Any boundary line disputes would be considered a civil matter and would not fall under the authority or responsibility of Salt Lake City to determine.

**Claim 3:**

The construction of the garage would create an undue adverse impact on the use of the property at 1315 2<sup>nd</sup> Avenue as it would contemplate the destruction of the fence between the two properties, which would impact the security of the property and allow the family dog to leave the property.

**Staff Response:**

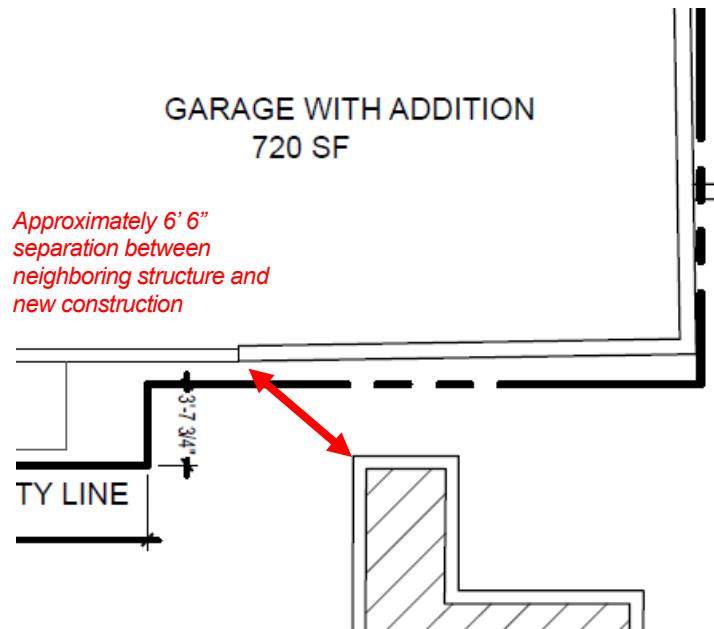
The above-mentioned fence does create a physical separation between the two properties. Its removal would create a loss of the physical barrier between the two properties, which could allow the dog to leave the property. However, according to the plans submitted, the fence is 1' 1" from the surveyed property line. The proposal would not impact the ability of the Mr. Gross from installing a fence on his property to provide security to his property and to contain the family dog.

**Claim 4:**

Construction of the garage would occur within mere feet from the northside of the adjacent residence and would constitute a trespass of the property.

**Staff Response:**

Construction of the garage would occur within 6' 6" of the adjacent residence and 1' 1" from the property line. Although construction crews will need to be considerate of the neighboring property and nearby structures, the garage should be able to be built entirely from Mr. Svendsen's property.

**DISCUSSION:**

The proposed addition will not create a new noncompliance and meets all other zoning regulations related to accessory structures, as well as the requirements for a special exception for an in-line addition. The boundary line issue mentioned may be an important issue to resolve between the two neighbors but is not an issue that can be considered by Salt Lake City at this stage of the proposal. As such, Staff is recommending approval of the proposed special exception for a garage addition as submitted.

**NEXT STEPS:**

If the administrative decision is upheld, the in-line addition to the garage at 1305 E 2<sup>nd</sup> Avenue can proceed as originally proposed as long as the applicant secures all required building permits.

If the administrative decision is denied (special exception is not approved), the planned garage addition could not continue as currently designed. If the design were changed to comply with the separation requirements and all other provisions of the R-1/5,000 zoning district, construction could proceed after securing all required building permits.

Any decision by the Planning Commission may be appeal to the Appeals Hearing Officer within 10 days of the date of that decision.



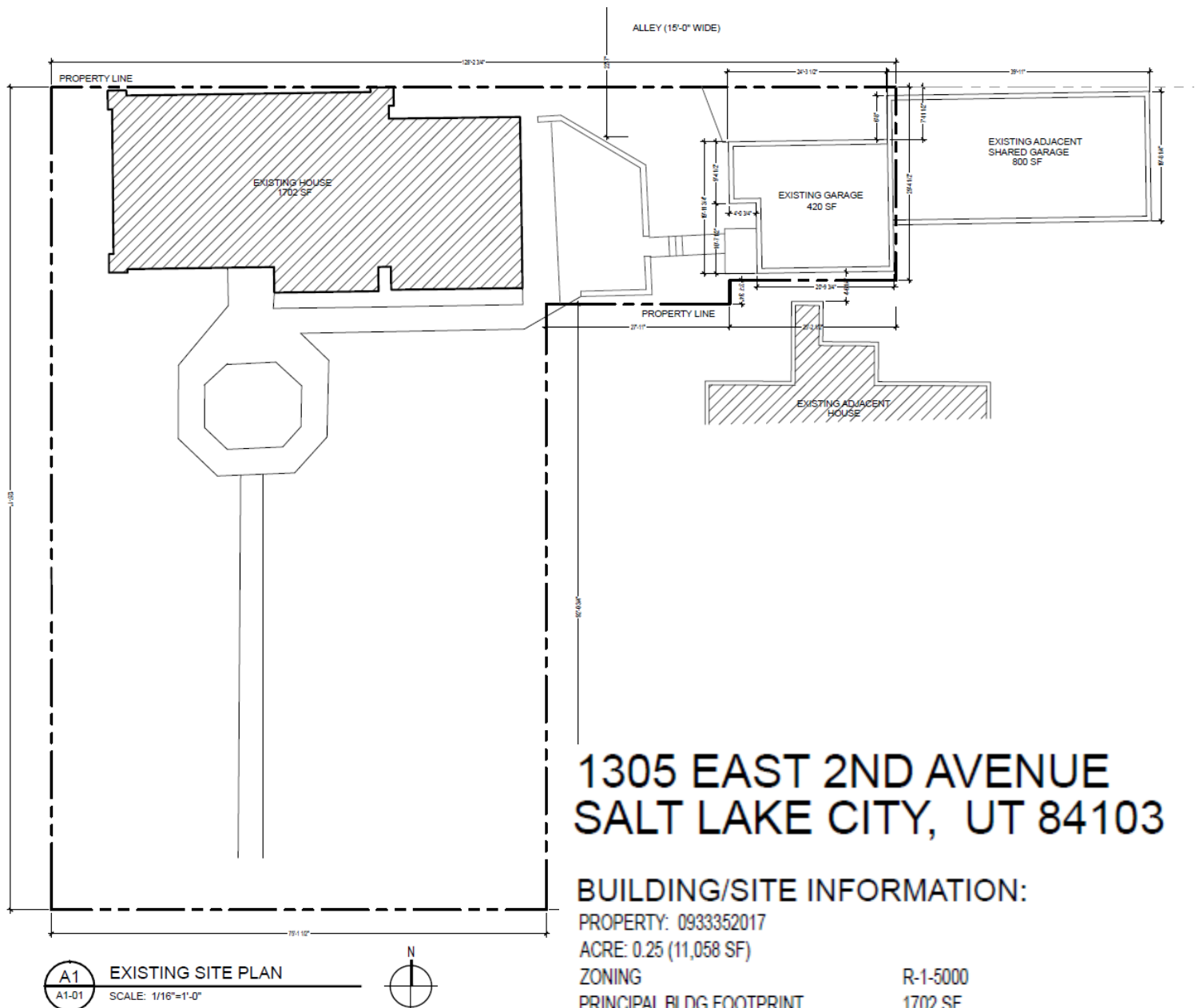
# ATTACHMENT A: VICINITY AND ZONING MAPS

## Vicinity Zoning Map

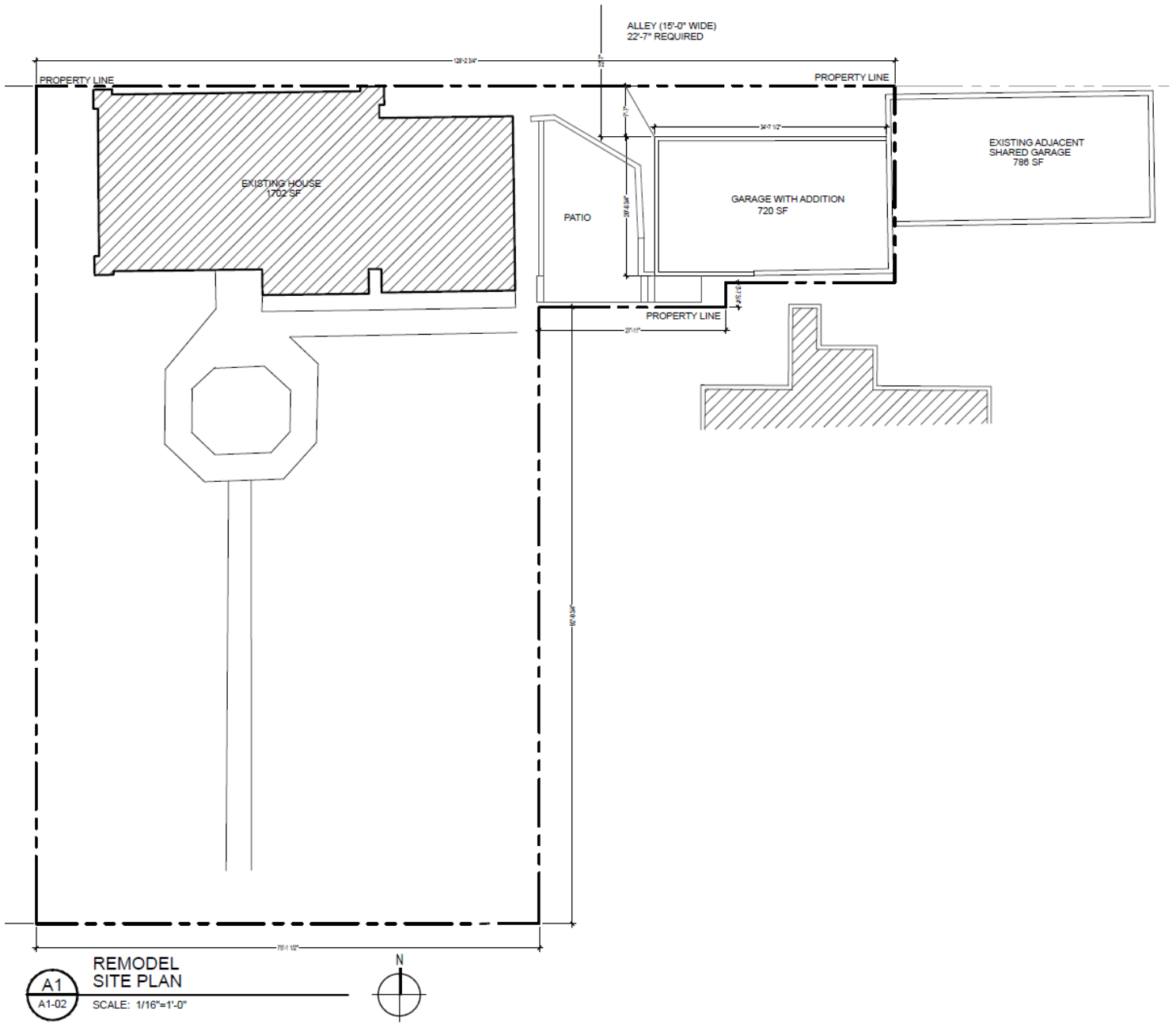


Salt Lake City Planning Division, 2/14/2019

## ATTACHMENT B: SITE PLANS

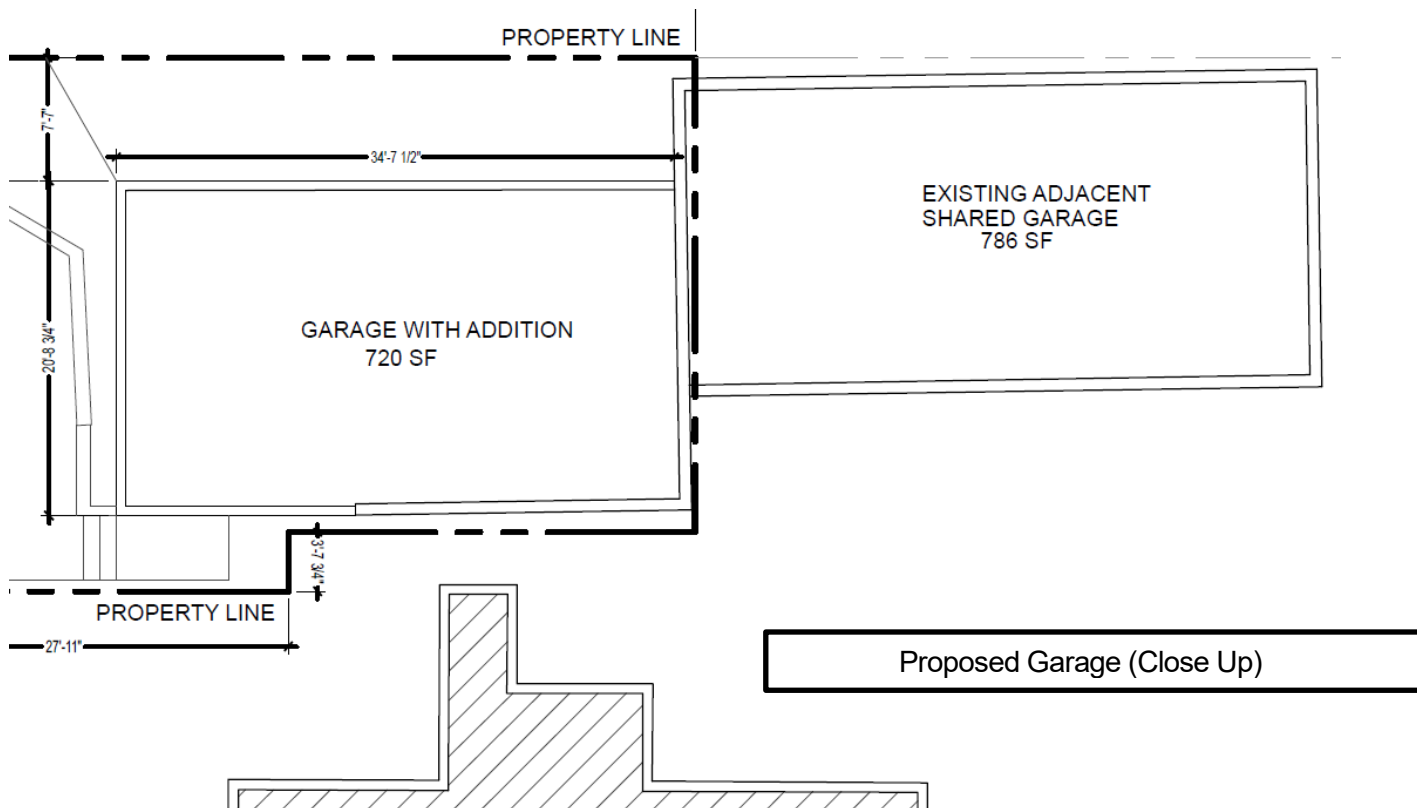
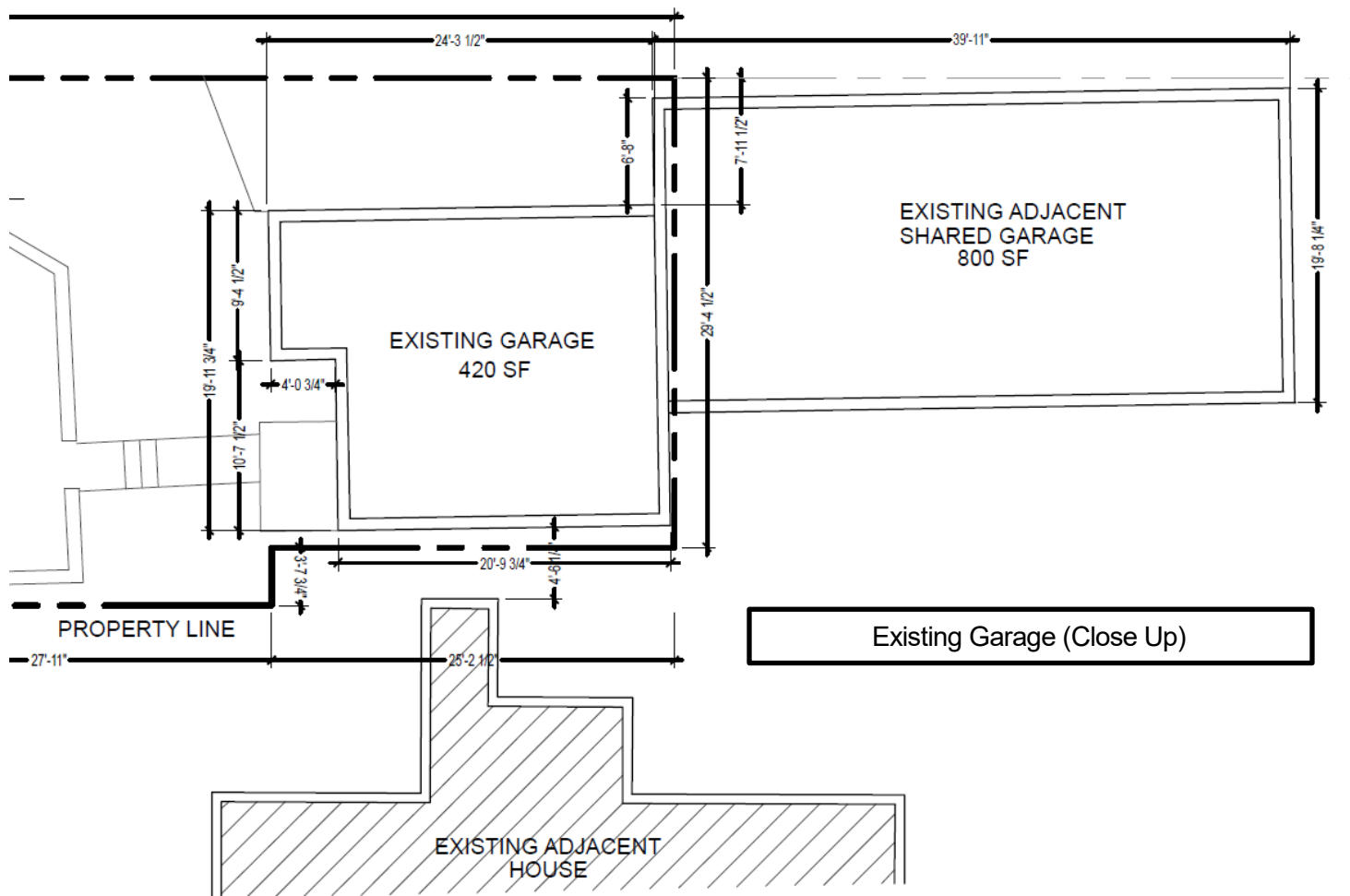


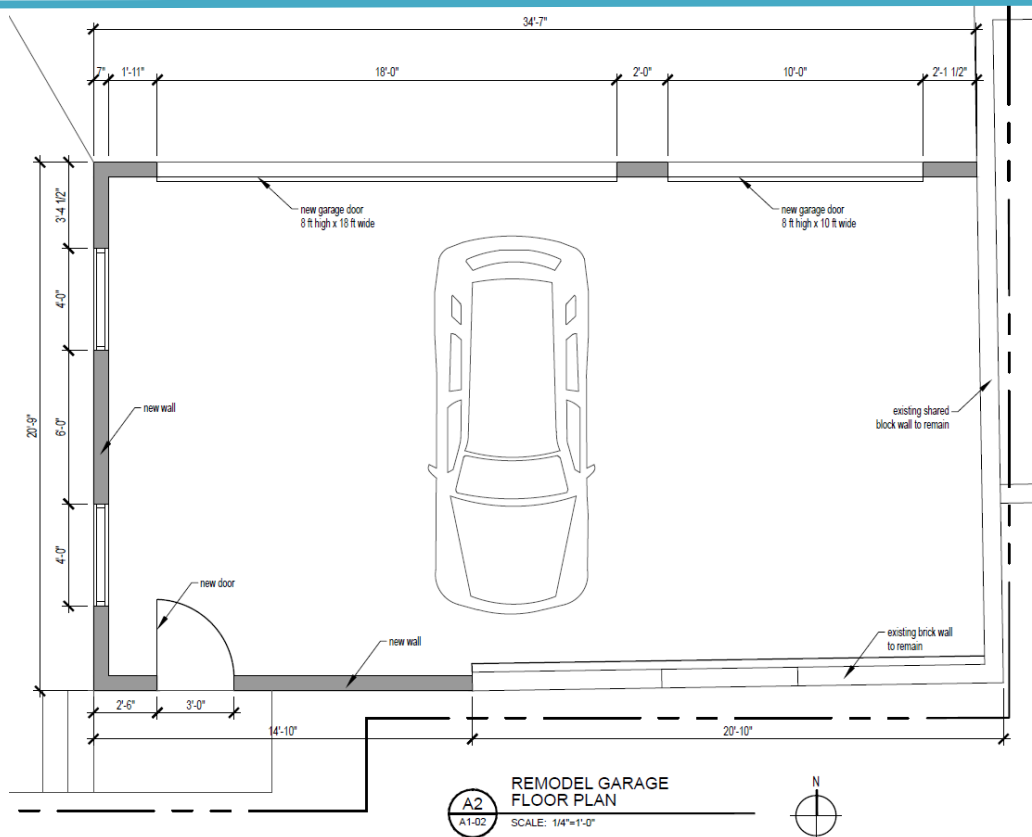
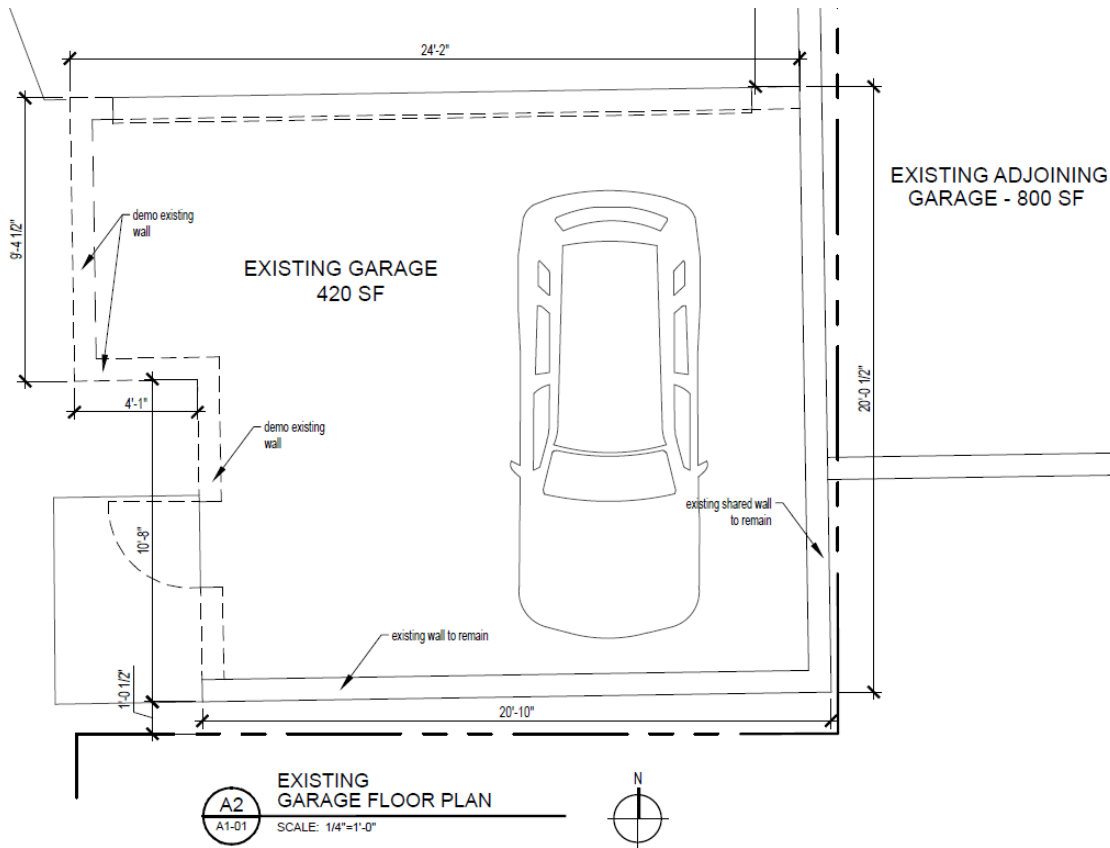
Overall Existing Site Plan



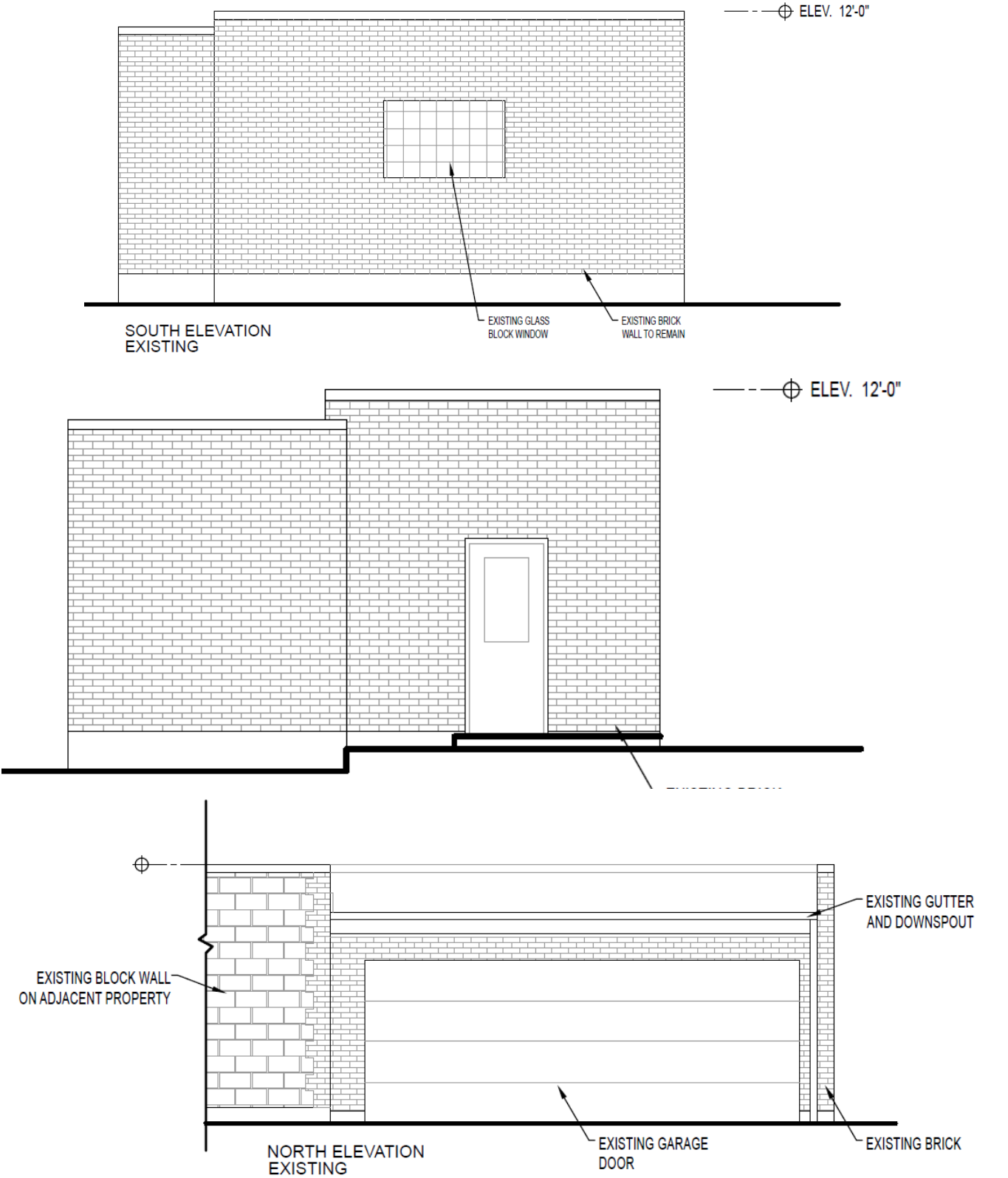
Overall Proposed Site Plan

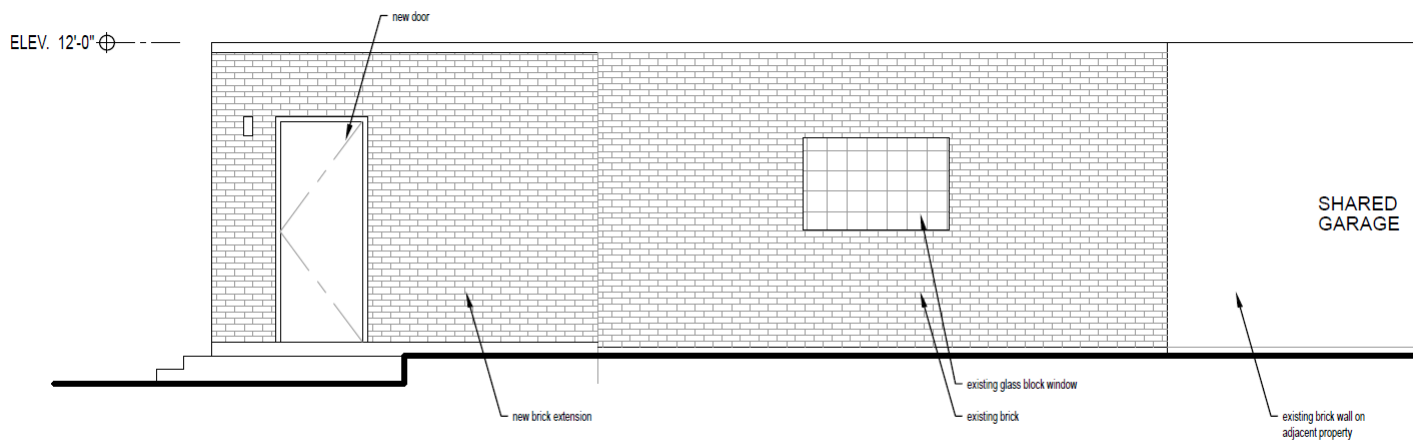
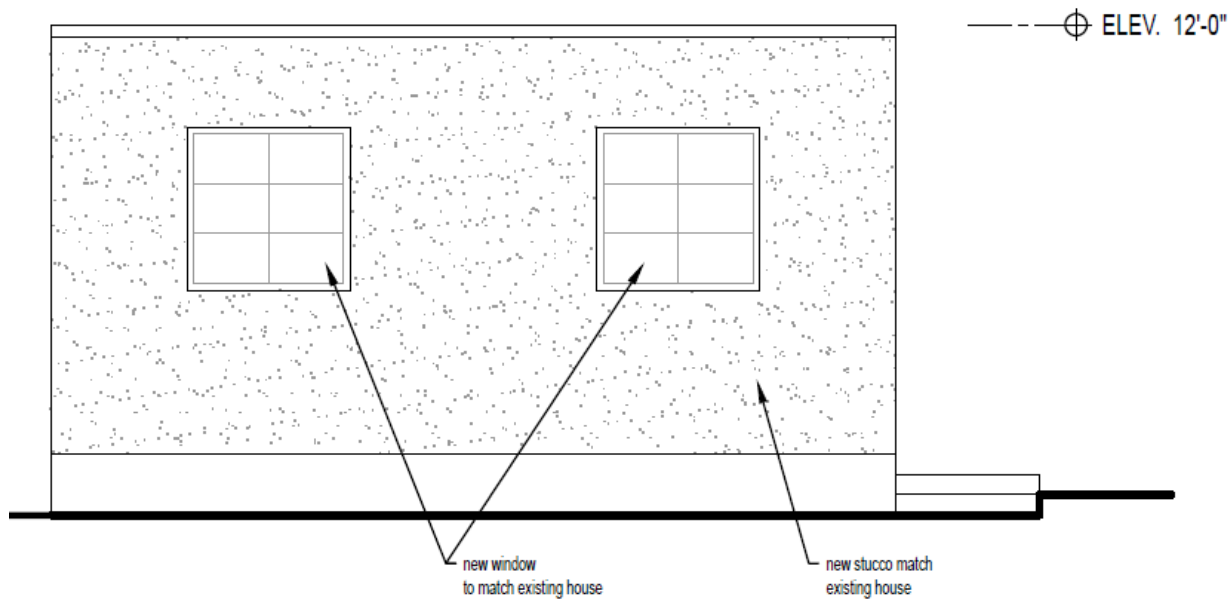




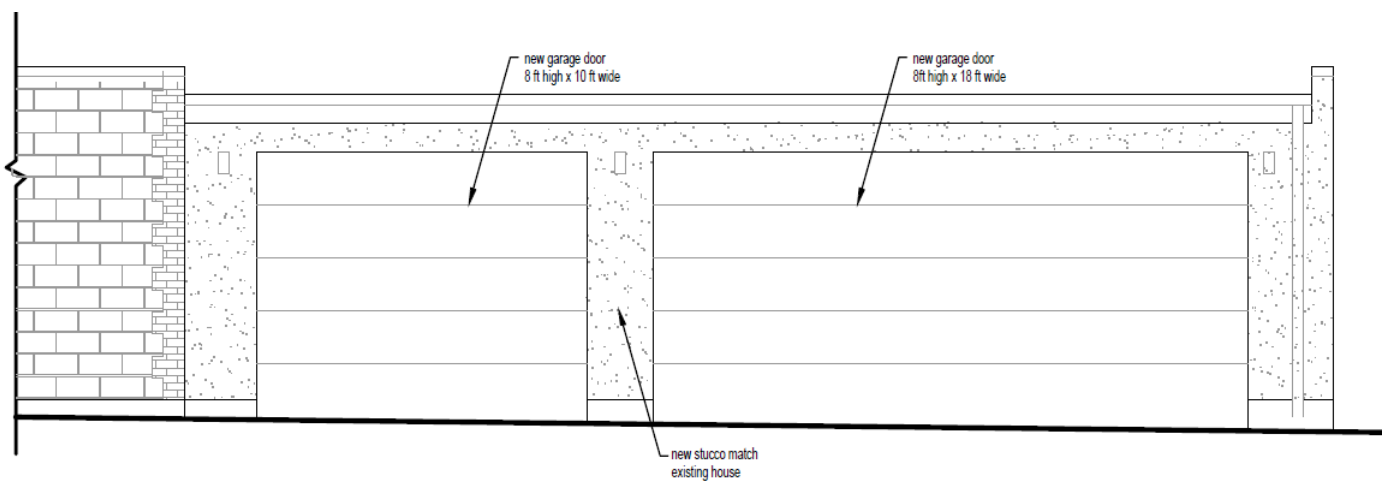


# ATTACHMENT C: BUILDING ELEVATIONS





SOUTH ELEVATION



NORTH ELEVATION

## ATTACHMENT D: SITE PHOTOGRAPHS

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*View from 2<sup>nd</sup> Ave (garage beneath trees on right)*



*View from alley looking west (garage to the left)*





*Looking east- (jog in fence and side of garage)*



*Looking west- (separation between garage and home)*

## ATTACHMENT E: ZONING STANDARDS ANALYSIS

### 21A.52.060: General Standards and Considerations for Special Exceptions

The following table includes analysis of the general standards for special exception approval.

Standard	Compliance Status	Explanation
A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.	Complies	<p>The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.</p> <p>The proposal is on an existing legal lot and will remain a single-family dwelling. The garage is a permitted accessory building and its expansion will not affect the character of the neighborhood. The expansion will meet all requirements of the zoning code.</p>
B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.	Complies	There is no evidence that the proposed addition would have a negative impact on property values within the neighborhood. The proposed addition would provide additional garage space which could be considered an asset to the property.
C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.	Complies	The garage expansion will not have an adverse effect on the character or welfare of the area. The demolition of the existing wall and construction of the new walls is to occur within the property lines established by survey. As such, the safety of the public should not be compromised. The garage is located at the rear of the property along an alley, similar to other garages in the area. The garage with the proposed addition would also meet height and size allowances for accessory buildings.

D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.	Complies	The proposed addition will reuse brick from the existing west wall for the new south wall. The materials and scale will be compatible with the rest of the garage and the surrounding homes. The garage will still be accessed from the alley as it is now.
E. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.	Complies	The garage is not a historic or otherwise significant feature. The proposed addition will not destroy or damage any features of significance.
F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution	Complies	There is no evidence indicating that the proposed garage addition will cause material, air, water, soil, noise, or other pollution.
G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.	Complies	There are specific standards outlined in the special exception chapter pertaining to in-line additions. Those are outlined in the table below. This proposal complies with those standards.

### **21A.52.030: Special Exceptions Authorized**

15. In line additions to existing residential or commercial buildings, which are noncomplying as to yard area or height regulations provided:

Standard	Compliance Status	Explanation
A. The addition follows the existing building line and does not create any new non-compliance.	Complies	The proposed garage addition follows the existing southern wall directly towards the west. The garage with the proposed addition would meet height and size regulations. No new non-compliance is created.
B. No additional dwelling units are added to the structure.	Complies	No new dwelling units are proposed with this addition.
C. The addition is a legitimate architectural addition with rooflines and exterior materials designed to be compatible with the original structure.	Complies	The proposed addition will use brick and stucco and maintain architectural lines compatible with the existing structure.



## **ATTACHMENT F: SPECIAL EXCEPTION APPLICATION**

Special Exception Application  
1305 E Second Ave, Salt Lake City, Utah 84103  
Parcel No. 09333520170000

Requesting an In Line Addition to existing shared garage

### **Project Description:**

We are submitting a Special Exception Application for consideration of a horizontal in line addition to an existing garage that is a noncomplying structure due to the required 10 ft setback from the adjacent property's principal building (Salt Lake City Ordinance 21A.40.A.5). The basis for this application is that the property owner wishes to extend the garage width to accommodate storage space for recreational gear, including a small fishing boat, and other household items.

The existing garage is a single structure shared with the adjacent property located to the east at 1315 E Second Avenue. The total square footage of the shared garage is approximately 1220 sf with 420 sf allotted to the 1305 E property and 800 sf allotted to the 1315 E property. It should be noted that the existing 420 sf size makes it the smallest garage space on the block face.

The existing accessory structure is considered noncomplying due to its proximity to the principal building located on the adjacent property at 1315 E Second Avenue. The property lines garage location, and principal building locations are unusual due to the fact that the two properties used to be joined into one large estate.

There is ongoing demand for off street parking in all Salt Lake City neighborhoods. Yet, the current size of the existing accessory structure is unable to accommodate two vehicles (SUV size) and storage for additional items such as bikes, boats, and other recreational gear. The additional requested space would allow parking for two larger vehicles in the garage, as well as provide sufficient storage for a small drift boat, while also allowing for storage of additional gear that cannot be easily stored in the existing house. The main house, built in 1923, has minimal closet space, no basement, and lacks sufficient storage space.

The proposed in line addition to the existing garage will remain the same height as the existing garage but the footprint will be expanded to 720 SF. Two of the existing walls will remain in place to maintain the existing setbacks and the existing shared wall at the east property line. The horizontal in line addition will not create a new nonconformance (as per 21A.38.050 B).

**Relevant Zoning Sections:**

**21A.40.050 General Yard, Bulk and Height Limitations**

**21A.40.050 A.5 Accessory Or Principal Lot:** No portion of an accessory building on either an accessory or principal lot may be built closer than ten feet (10') to any portion of a principal residential building on an adjacent lot when that adjacent lot is in a residential zoning district; excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants.

**21A.38.050 Noncomplying Structures**

**21A.38.050 B Enlargement:** A noncomplying structure may be enlarged if such enlargement and its location comply with the standards of the zoning district in which it is located. Horizontal in line additions or extensions to existing noncomplying building portions are considered not creating a new nonconformance and are subject to special exception standards and approval of subsection 21A.52.030A15 of this title. Vertical in line additions or extensions to existing noncomplying building portions are considered creating a new nonconformance and are not permitted.



# ATTACHMENT G: APPEAL APPLICATION



SALT LAKE CITY PLANNING

## Appeal of a Decision

OFFICE USE ONLY		
Project # Being Appealed: <i>PLNPCM2018-00987</i>	Received By: <i>CHRIS EARL</i>	Date Received: <i>1/22/2019</i>
Appealed decision made by:		
<input type="checkbox"/> Planning Commission	<input checked="" type="checkbox"/> Administrative Decision	<input type="checkbox"/> Historic Landmark Commission
Appeal will be forwarded to:		
<input type="checkbox"/> Planning Commission	<input checked="" type="checkbox"/> Appeal Hearing Officer	<input type="checkbox"/> Historic Landmark Commission
Project Name: <i>SPECIAL EXCEPTION APPEAL</i>		
PLEASE PROVIDE THE FOLLOWING INFORMATION		
Decision Appealed: 1305 E 2nd Avenue Special Exception Findings and Order dated January 14, 2019; PLNPCM2018-00987		
Address of Subject Property: <i>1305 E. 2nd Avenue</i>		
Name of Appellant: Jefferson W. Gross		Phone: 801-935-4611
Address of Appellant: <i>1315 E. 2nd Avenue, SLC, UT 84103</i>		
E-mail of Appellant: <i>jwgross@grossrooney.com</i>		Cell/Fax:
Name of Property Owner (if different from appellant):		
E-mail of Property Owner: <i>jwgross@grossrooney.com</i>		Phone: 801-935-4611
Appellant's Interest in Subject Property: Owner of 1315 E. 2nd Avenue which abuts 1305 E. 2nd Avenue		
AVAILABLE CONSULTATION		
Please call (801) 535-7700 if you have any questions regarding the requirements of this application.		
APPEAL PERIODS		
An appeal shall be submitted within ten (10) days of the decision.		
REQUIRED FEE		
Filing fee of \$253 Plus additional fee for required public notices. (Additional fees for multiple hearings.)		
SIGNATURE		
If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.		

Signature of Owner or Agent:

*[Handwritten Signature]*

Date:

*1/22/19*

#### SUBMITTAL REQUIREMENT



A written description of the alleged error and the reason for this appeal.

*See attached*

#### WHERE TO FILE THE COMPLETE APPLICATION

**Mailing Address:** Planning Counter  
PO Box 145471  
Salt Lake City, UT 84114

**In Person:** Planning Counter  
451 South State Street, Room 215  
Telephone: (801) 535-7700

#### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

#### Additional Guidelines for Those Appealing a Planning Commission or Landmarks Commission Decision

A person who challenges a decision by the Planning Commission or the Landmarks Commission bears the burden of showing that the decision made by the commission was in error.

The hearing officer, according to state statute, must assume that the decision is correct and only reverse it if it is illegal or not supported by substantial evidence in the record.

"Substantial evidence" means information that is relevant to the decision and credible. Substantial evidence does not include public clamor and emotion. It involves facts and not mere speculation. A witness with particular expertise can provide substantial evidence, but conjecture and public opinion alone are not substantial evidence.

The "record" includes information, including the application by the person seeking approval, the staff report, the minutes of the meeting, and any information submitted to the commission by members of the public, the applicant or others, before the decision was made. It does not include facts or opinion, even expert opinion, expressed after the decision is made or which was not available to the commission at the time the decision was made.

A decision is "illegal" if it is contrary to local ordinance, state statute or case law, or federal law. An applicant is entitled to approval if the application complies with the law, so a person challenging a denial should show that the application complied with the law; a person challenging an approval should show that the application did not conform to the relevant law. Issues of legality are not restricted to the record of the decision, but the facts supporting or opposing the decision are limited to those in the record.

With regard to the factual information and evidence that supports a decision, the person bringing the appeal, according to a long line of decisions handed down by the Utah State Supreme Court and the Court of Appeals, has a burden to "marshal the evidence" and then to demonstrate that the evidence which has been marshaled is not sufficient to support the decision.

The appellant is therefore to:

1. Identify the alleged facts which are the basis for the decision, and any information available to the commission when the decision is made that supports the decision. Spell it out. For example, your statement might begin with: "The following information and evidence may have been relied upon by the Commission to support their decision . . ."
2. Show why that basis, including facts and opinion expressed to the commission is either irrelevant or not credible. Your next statement might begin with: "The information and evidence which may have been relied upon cannot sustain the decision because . . ."

If the evidence supporting the decision is not marshaled and responded to, the hearing officer cannot grant your appeal. It may be wise to seek the advice of an attorney experienced in local land use regulation to assist you.

# JEFFERSON W. GROSS

136 EAST SOUTH TEMPLE, SUITE 1500

SALT LAKE CITY, UTAH 84111-1139

TELEPHONE: (801) 935-4611 | FACSIMILE: (801) 935-4612

## APPEAL OF FINDINGS AND ORDER DATED JANUARY 14, 2019

January 22, 2019

### VIA HAND DELIVERY

Salt Lake City Planning Commission  
451 South State Street  
Salt Lake City, UT 84111

Re: *Case PLNPCM2018-00987/1305 East 2nd Avenue*

### TO WHOM IT MAY CONCERN:

I am the owner of 1315 East 2nd Avenue, which property abuts 1305 East 2nd Avenue, on the North and West directions of the parcel. I hereby appeal the Findings and Order for a Special Exception dated January 14, 2019.

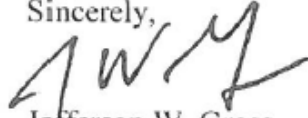
Grounds for appeal are as follows. The two properties were previously one parcel but the parcel was subdivided many years ago. In the application of Meredith Warner, drawings failed to depict a fence separating the parcels which would need to be destroyed in order to have the expansion of the garage; please see my notations on her drawing. I have enclosed photos showing where the existing garage ends and where the fence begins. Please note the concrete footings for the fence.

Indeed, due to the doctrine of boundary by acquiescence, that fence line separates 1305 2nd Avenue from 1315 2nd Avenue. *Q-2LLC v. Hughes*, 2016 UT 8, ¶¶ 10-14. As such, the application seeks to actually construct the garage on my property.

This special exception creates an undue adverse impact on my use and enjoyment of my property. First, it contemplates the destruction of the fence which we obviously have for security purposes and to keep our family dog from leaving the

property. Second, any construction for the garage would be occurring mere feet from the northside of my residence. Finally, this special exception, if acted upon, would constitute a trespass on my property.

Sincerely,



Jefferson W. Gross

JWG/tms

Encs.

Cc: Eric Daems (via e-mail) ([eric.daems@slgov.com](mailto:eric.daems@slgov.com))

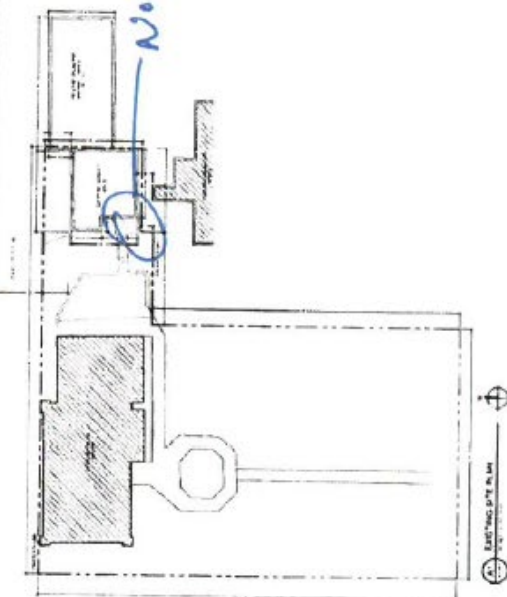


SVENDSEN PICIOCCHI GARAGE  
1304 EAST 34TH AVENUE

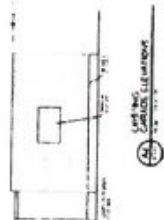
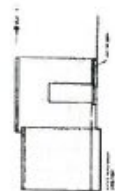
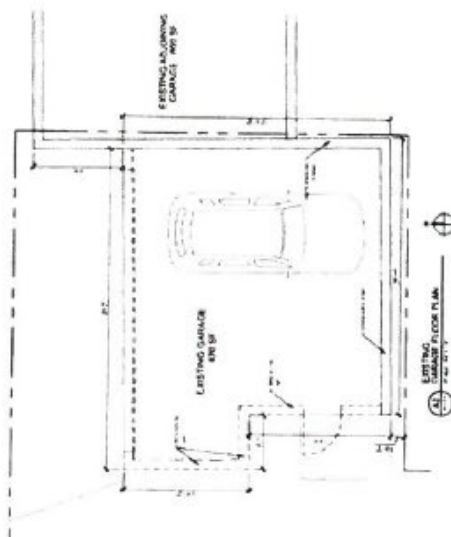
1305 EAST 2ND AVENUE  
SALT LAKE CITY, UT 84103

RESEARCH SITE INFORMATION

1. *Author's address:* Department of Psychology, University of California, San Diego, 3551 La Jolla Village Drive, San Diego, CA 92093, USA. E-mail: [shawn@ucla.edu](mailto:shawn@ucla.edu)



Wot accurate

[illegible]

SVENDSEN FLOCCH GARAGE  
101 E 2ND AVE 1B FLAK 200 (101-9411)









# **ATTACHMENT H: ADMINISTRATIVE APPROVAL – FINDINGS AND ORDER**

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**CASE PLNPCM2018-00987**  
**1305 E 2<sup>nd</sup> Ave**  
**SPECIAL EXCEPTION**  
**FINDINGS AND ORDER**

**Applicant:** Meredith Warner, representing Owners Paul Svendsen & Mary Piciocchi  
**Property Address:** 1305 E 2<sup>nd</sup> Ave  
**Special Exception Type:** In-line Garage Addition

The above applicant has requested Special Exception approval for an in-line addition to an existing detached garage at 1305 E 2<sup>nd</sup> Ave. The proposed addition will extend 10' to the west and add 300 square feet to the garage, bringing the total to 720 square feet. The garage will reuse existing brick to extend its south wall and use stucco for the north and west walls. A site plan showing the location of the proposed garage addition is attached to this Findings and Order.

## **STANDARDS OF REVIEW:**

No application for a special exception shall be approved unless the planning commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

The proposal must comply with the following general standards for a special exception:

1. Compliance with the Zoning Ordinance and zoning district purposes.
2. No substantial impairment of property value.
3. No undue adverse impact.
4. Compatible with surrounding development.
5. No destruction of significant features.
6. No material pollution of environment.
7. Compliance with any additional specific standards.

In-line additions to existing residential or commercial buildings, which are noncomplying as to yard area or height regulations shall be permitted when in compliance with the standards from Chapter 21A.52.030 are met:

- The addition follows the existing building line and does not create any new noncompliance.
- No additional dwelling units are added to the structure.
- The addition is a legitimate architectural addition with rooflines and exterior materials designed to be compatible with the original structure.

**FINDINGS:**

- The applicant submitted evidence that satisfied the standards related to size and location of the garage addition.
- Staff finds that the proposed garage in-line additions meets the general standards and considerations noted above with conditions as noted below.
- Notice of the application was sent to all abutting property owners and current residents on December 24, 2018.
- The notice period for the project expired on January 3, 2019.
- Inquiries were received from abutting property owners and discussed with Staff, however any objections received were not based on zoning standards or requirements.
- A decision to approve this special exception was made on January 14, 2019. The 10-day appeal period for this decision will expire on January 24, 2019.

**ORDER:**

The special exception **for the described garage in-line addition** is granted subject to compliance with all applicable City standards and compliance with the following conditions:

1. The special exception will expire if a permit has not been taken out or an extension granted within 12 months from the date of approval.

FAILURE OF THE APPLICANT TO ABIDE BY THIS ORDER SHALL CAUSE IT TO BECOME NULL AND VOID, WHICH IS IN EFFECT THE SAME AS IT HAVING BEEN DENIED.

Dated in Salt Lake City, Utah, this 14<sup>th</sup> day of January 2019.

  
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Eric Daems  
Principle Planner

## **ATTACHMENT I: PUBLIC PROCESS AND COMMENTS**

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### **Public Process:**

- Notice of application letters sent to abutting property owners on December 24, 2019
- Issued Administrative Findings and Order for approval on January 14, 2019
- Received Appeal application on January 22, 2019
- Public hearing notice mailed on January 15, 2019
- Public hearing notice posted on the City and State websites on January 15, 2019
- Public hearing sign posted on property on January 15, 2019

### **Public Comments:**

Staff did not receive any phone calls or correspondence from the public regarding this appeal.