Planning and Zoning
47 S. Main Street • Room 208 • Tooele, UT 84074
Phone: (435) 843-3160 • Fax: (435) 843-3252
http://www.co.tooele.ut.us/Building/planning.htm

CUP 2019-02

Conditional Use Summary and Recommendation

Public Body: Tooele County Planning Commission **Meeting Date: March 6, 2019**
Parcel ID: 05-034-0-0004 **Current Zone: A-20 (Agricultural, 20 Acre Minimum)**

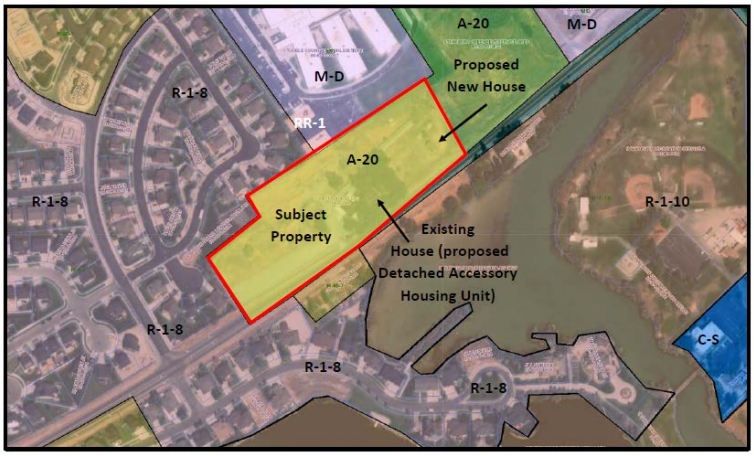
Property Address: 175 East SR-138
Request: Conditional Use Approval for existing house to be declared accessory to new single-family dwelling
Unincorporated: Stanbury Park
Planners: Jeff Miller
Planning Staff Recommendation: Approval with Conditions
Applicant Name: Bryan Coulter

PROJECT DESCRIPTION

Bryan Coulter is requesting conditional use approval for an existing house to be declared as a detached accessory dwelling unit to a proposed new single-family dwelling. The existing house is known as "The Coulter House", and most of the square footage within the building is being used as a reception center under previous approval as a "Cottage Industry", which, "means a business conducted entirely within a dwelling or in an accessory structure without altering the residential character, manufacturing artistic, handicraft, and other craft items and (providing) services rendered on the premise."

The Tooele County Zoning Administrator has determined that a detached accessory housing unit could be classified as an accessory structure, which would allow for the detached accessory housing unit and the existing reception center to continue to co-exist. Currently, the main dwelling is 3,255 square feet in size, with only 677 square feet being utilized strictly for residential purposes.

SITE & VICINITY DESCRIPTION (see attached map)



The subject property is located immediately west of the Benson Grist Mill and is located along SR-138. There are single-family residential uses in the R-1-8 zone to the south, west, and north. The Old Mill Elementary School is located immediately north of the subject property. The Mill Pond is located southeast of the subject property.

LAND USE CONSIDERATIONS (A-20 Zone, Detached Accessory Housing Units)

Requirement	Standard	Proposed	Compliance Verified
Height	22 Feet (1.5 to 2 story detached accessory housing unit)	Approximately 22 Feet or less.	Yes
Front Yard Setback (same as Main Building)	30 Feet	Approximately 30 Feet (existing)	Yes
Rear Yard Setback (same as Main Building)	50 Feet	More than 50 Feet	Yes
Side Yard Setback (same as Main Building)	20 Feet	More than 20 Feet	Yes
Lot Coverage	10%	Less than 10%	Yes
Lot Area	20 Acres	4.09 Acres (Legal Nonconforming)	Yes
Table 15-5-3.3.b.1	Exterior design of the accessory housing unit shall be compatible with the existing family dwelling on the lot through architectural use of building forms, construction, materials, colors, landscaping, and other methods that conform to acceptable construction practices	The proposed (existing main dwelling) detached accessory housing unit will match the proposed single-family residence in the usage of building materials and design. Landscaping materials can comply	Yes
Table 15-5-3.3.b.2	The accessory housing unit shall be subordinate to the single-family dwelling. A single-family dwelling exists or will be constructed in conjunction with the accessory housing unit	A new Single-Family Dwelling Unit will be built, if the existing main dwelling is declared as a Detached Accessory Housing Unit.	Yes
Table 15-5-3.3.b.3	The accessory housing unit shall not result in excessive noise, traffic, or parking congestion	A reception center exists within the current main house (Cottage Industry), but due to the location on SR-36 there isn't excessive nuisance created for surrounding residential uses.	Yes
Table 15-5-3.3.b.4	The location and design of the accessory housing unit shall be in close proximity to the primary residence and maintain a	An existing historic structure is being proposed to be modified for the new single-family residence. The buildings	Yes

	compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access or parking of adjacent properties	will be as close as feasibly possible with using the historic structure.	
Table 15-5-3.3.b.5	The accessory housing unit shall have the same address as the single-family dwelling	Can Comply	Yes
Table 15-5-3.3.b.6	There shall be one parking space provided on-site for each studio and one-bedroom accessory housing unit. Two parking spaces shall be provided on-site for each two-bedroom accessory housing unit. Parking for the accessory housing unit is in addition to the required parking for the primary residence	There is adequate parking available to accommodate residential uses on the property.	Yes
Table 15-5-3.3.b.7	The floor area for the accessory housing unit shall not exceed 800 square feet or 30% of the primary residence, whichever is greater, for lots between 1 and 4.69 acres.	There is approximately 677 square feet inside the proposed detached accessory housing unit, which is being used strictly for residential uses.	Yes
Table 15-5-3.3.b.8	Accessory housing units shall meet the same setbacks as a single-family dwelling in the zoning district	Proposed setbacks meet the same setback requirements as a single-family dwelling (Main Building) in the RR-5 zone	Yes
Table 15-5-3.3.b.9.b	A one and one-half to two story detached accessory housing unit shall be no more than twenty-two feet in height measured to the roof peak	Approximately 22 Feet or less.	Yes
Table 15-5-3.3.b.10	The accessory housing unit shall not be sold separately or converted to a condominium or any other form of legal	Planning Staff will record the required notice upon issuance of the permit	Can Comply

	ownership different from the ownership of the primary residence. The Engineering Department (now known as Community Development) shall record a notice of this limitation against the property upon issuance of the permit		
Table 15-5-3.3.b.11	The use permit for the accessory housing unit shall be in effect only so long as the single-family dwelling is occupied by the owner of record as the principal residence	Can Comply	Yes
Table 15-5-3.3.b.12	The above conditions are binding upon any successor in ownership of the property; lack of compliance shall be cause for ordinance enforcement and revoking the conditional use permit	Can Comply	Yes

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

There is a grandfathered second access to the property, immediately west of the proposed new house (which is proposed to be built out of an existing historic structure). This access is for residential use only, and cannot be used for patrons of the existing reception center.

NEIGHBORHOOD RESPONSE

Planning Staff has not received any comments from the surrounding neighbors or the general public. Any comments that are received will be presented to the Planning Commission on March 6, 2019.

PLANNING STAFF ANALYSIS

Planning Staff has reviewed the proposed conditional use and has found that it is cohesive with surrounding uses, the Tooele County General Plan Update 2016, and the Tooele County Land Use Ordinance.

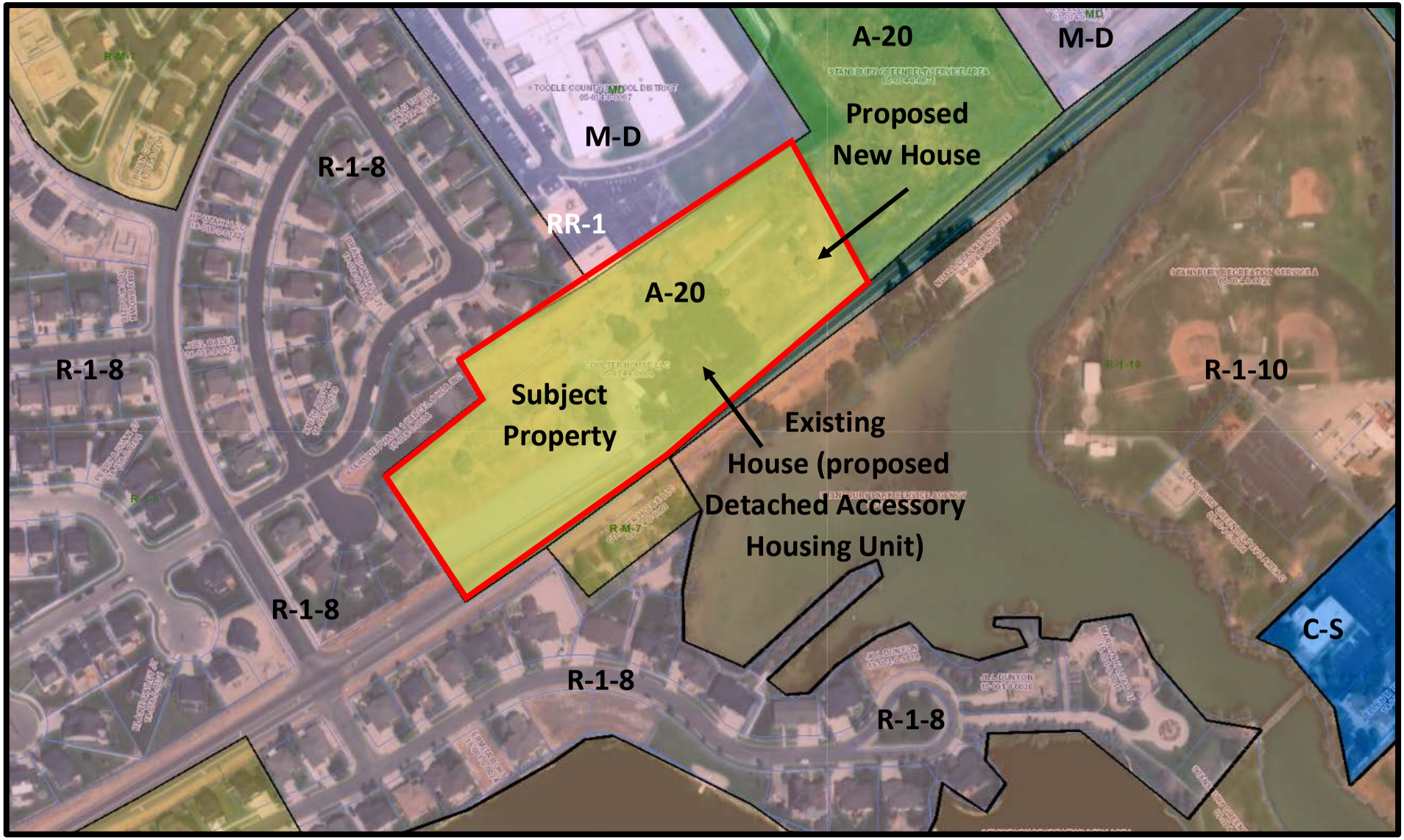
PLANNING STAFF RECOMMENDATION

Staff recommends that the Tooele County Planning Commission makes a motion to grant approval for the proposed conditional use, subject to the following conditions of approval:

1. The applicant complies with the requirements outlined in Table 15-3.3.b1-12.
2. Planning Staff records the required notice in Table 15-3.3.b.10 upon issuance of the permit.
3. The grandfathered second access will only be uses for residential access, not for patrons of the existing reception center.

CUP 2019-02: Detached Accessory Dwelling Unit

175 East SR -138 (Parcel ID: 05-034-0-0004)



BOUNDARY SURVEY

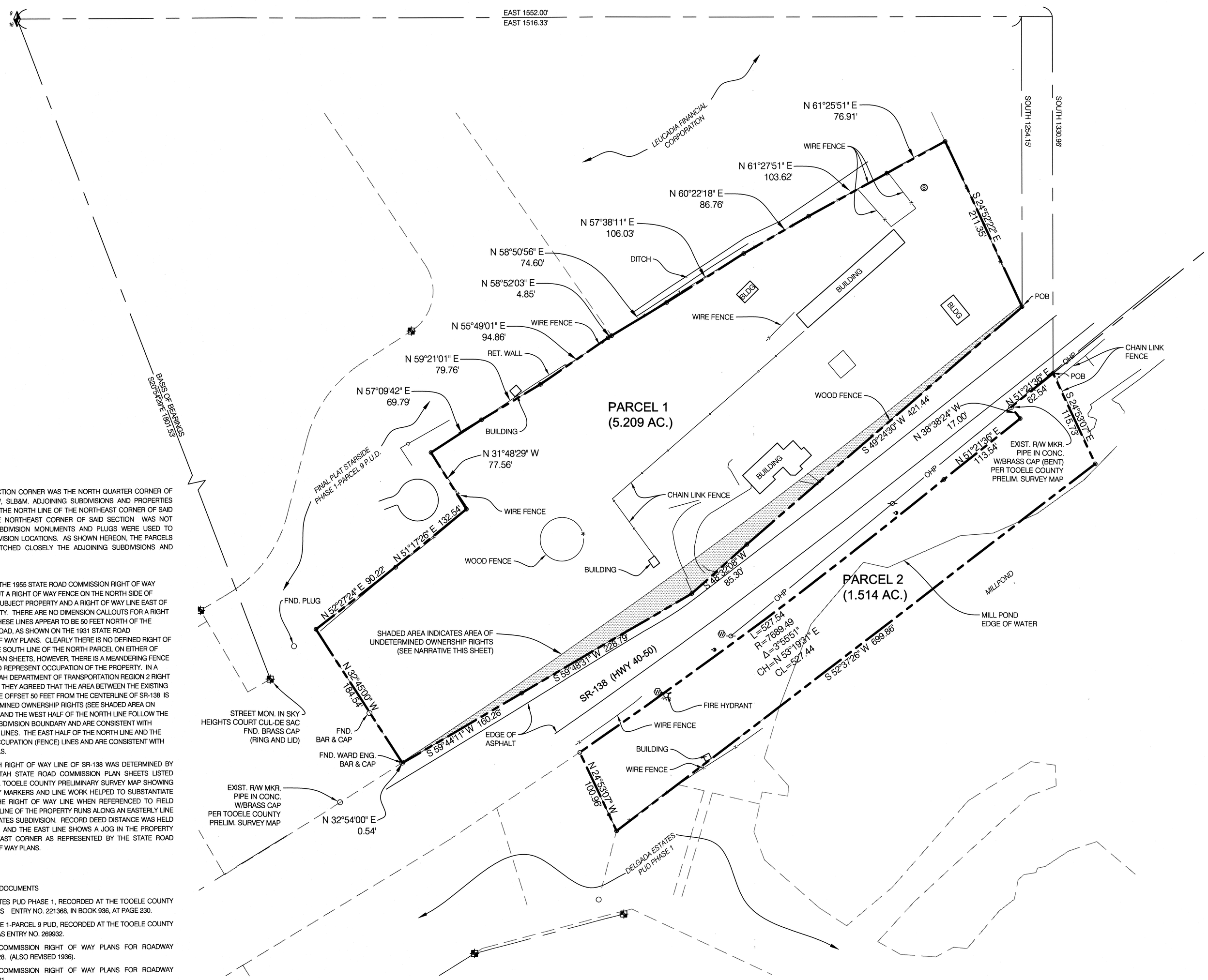
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN

GRAPHIC SCALE

60 0 30 60 120

(IN FEET)
1 inch = 60ft.

NORTH



(NARRATIVE CONT'D)

THE ONLY FOUND SECTION CORNER WAS THE NORTH QUARTER CORNER OF SECTION 16, T2S R4W, SLB&M. ADJOINING SUBDIVISIONS AND PROPERTIES ARE CONTROLLED BY THE NORTH LINE OF THE NORTHEAST CORNER OF SAID SECTION. SINCE THE NORTHEAST CORNER OF SAID SECTION WAS NOT FOUND, LOCATED SUBDIVISION MONUMENTS AND PLUGS WERE USED TO ESTABLISH THE SUBDIVISION LOCATIONS. AS SHOWN HEREON, THE PARCELS ON THIS SURVEY MATCHED CLOSELY THE ADJOINING SUBDIVISIONS AND OCCUPATION LINES.

PARCEL 1:

FOR THE SOUTH LINE, THE 1955 STATE ROAD COMMISSION RIGHT OF WAY PLAN SHEET CALLS OUT A RIGHT OF WAY FENCE ON THE NORTH SIDE OF SR-138 WEST OF THE SUBJECT PROPERTY AND A RIGHT OF WAY LINE EAST OF THE SUBJECT PROPERTY. THERE ARE NO DIMENSION CALLOUTS FOR A RIGHT OF WAY WIDTH, BUT THESE LINES APPEAR TO BE 50 FEET NORTH OF THE CENTERLINE OF THE ROAD, AS SHOWN ON THE 1931 STATE ROAD COMMISSION RIGHT OF WAY PLANS. CLEARLY THERE IS NO DEFINED RIGHT OF WAY LINE ACROSS THE SOUTH LINE OF THE NORTH PARCEL ON EITHER OF THE RIGHT OF WAY PLAN SHEETS, HOWEVER, THERE IS A MEANDERING FENCE LINE THAT APPEARS TO REPRESENT OCCUPATION OF THE PROPERTY. IN A MEETING WITH THE UTAH DEPARTMENT OF TRANSPORTATION REGION 2 RIGHT OF WAY DEPARTMENT, THEY AGREED THAT THE AREA BETWEEN THE EXISTING FENCE LINE AND A LINE OFFSET 50 FEET FROM THE CENTERLINE OF SR-138 IS AN AREA OF UNDETERMINED OWNERSHIP RIGHTS (SEE SHADED AREA ON PLAT). THE WEST LINE AND THE WEST HALF OF THE NORTH LINE FOLLOW THE STARSIDE PHASE 1 SUBDIVISION BOUNDARY AND ARE CONSISTENT WITH OCCUPATION (FENCE) LINES. THE EAST HALF OF THE NORTH LINE AND THE EAST LINE FOLLOW OCCUPATION (FENCE) LINES AND ARE CONSISTENT WITH ADJOINING DEED CALLS.

PARCEL 2: THE SOUTH RIGHT OF WAY LINE OF SR-138 WAS DETERMINED BY REFERENCING THE UTAH STATE ROAD COMMISSION PLAN SHEETS LISTED HEREON. FURTHER, A TOOELE COUNTY PRELIMINARY SURVEY MAP SHOWING FOUND RIGHT OF WAY MARKERS AND LINE WORK HELPED TO SUBSTANTIATE THE LOCATION OF THE RIGHT OF WAY LINE WHEN REFERENCED TO FIELD EVIDENCE. THE WEST LINE OF THE PROPERTY RUNS ALONG AN EASTERLY LINE OF THE DELGADA ESTATES SUBDIVISION. RECORD DEED DISTANCE WAS HELD FOR THE SOUTH LINE, AND THE EAST LINE SHOWS A JOG IN THE PROPERTY LINE AT THE NORTHEAST CORNER AS REPRESENTED BY THE STATE ROAD COMMISSION RIGHT OF WAY PLANS.

LIST OF REFERENCED DOCUMENTS

R1) DELGADA ESTATES PUD PHASE 1, RECORDED AT THE TOOELE COUNTY RECORDERS OFFICE AS ENTRY NO. 221368, IN BOOK 936, AT PAGE 230.

R2) STARSIDE PHASE 1-PARCEL 9 PUD, RECORDED AT THE TOOELE COUNTY RECORDERS OFFICE AS ENTRY NO. 269932.

UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR ROADWAY PROJECT NO. 86-A, 1928. (ALSO REVISED 1936).

UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR ROADWAY PROJECT NO. 86-B, 1931.

UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR ROADWAY PROJECT NO. F-86(12), 1955.

QCD FROM LEUCADIA FINANCIAL CORPORATION TO BRYAN COULTER, ENTRY NO. 397093, TOOELE COUNTY RECORDS, DATED APRIL 1, 2014

SURVEYOR'S CERTIFICATE:

I, DALE K. BENNETT, SALT LAKE CITY, UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 103381 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH; THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY; THAT THIS PLAT CORRECTLY SHOWS THE TRUE DIMENSIONS OF THE BOUNDARIES SURVEYED AND OF THE VISIBLE IMPROVEMENTS AFFECTING THE BOUNDARIES AND THEIR POSITION IN RELATIONSHIP TO SAID BOUNDARIES;

PROFESSIONAL LAND SURVEYOR
DALE K. BENNETT
No. 103381
STATE OF UTAH
6-23-14

BOUNDARY DESCRIPTIONS:

RECORD DEED DESCRIPTION (PERSONAL REPRESETATIVE'S DEED FROM PAUL SHEPHERD TO COULTER HOUSE, LLC, ENTRY NO. 396310, TOOELE COUNTY RECORDS, DATED MARCH 11, 2014).
PARCEL 1: 05-034-0-0004
BEGINNING AT A POINT ON THE NORTH SIDE OF HIGHWAY 40-50, WHICH POINT IS 1218.78 FEET SOUTH AND 1133.86 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 24°52' WEST 208.4 FEET; THENCE SOUTH 52°45' WEST 923 FEET; THENCE SOUTH 32°45' EAST 184.5 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50; THENCE IN A NORTHWEST DIRECTION ALONG A CURVE TO THE LEFT ALONG THE SAID NORTH LINE OF SAID HIGHWAY 896 FEET TO THE POINT OF BEGINNING.

PARCEL 2: 05-034-0-003
COMMENCING 420 FEET SOUTH AND SOUTH 52°30' WEST 1385 FEET FROM THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 52°30' WEST 700 FEET; THENCE SOUTH 27°55' WEST 100 FEET; THENCE NORTH 52°30' EAST 700 FEET; THENCE NORTH 27°55' EAST 100 FEET TO THE POINT OF BEGINNING.

ALSO, QCD FROM LEUCADIA FINANCIAL CORPORATION TO BRYAN COULTER, ENTRY NO. 397093, TOOELE COUNTY RECORDS, DATED APRIL 1, 2014:
NE 1/4 OF SEC 16, T2S, R4W, SLB&M, LYING N OF HWY 138, EX 4.596 AC TO N CLARK; 1.61 AC TO R COURT AND 2.67 AC TO SW CLARK ETAL. WASTEWATER TREATMENT SITE. LESS 2.03 AC TO TOOELE COUNTY. LESS 4.14 AC TO TOOELE COUNTY. LESS 3.59 AC DEEDED TO DELAUN BLAKE-320/384---LESS 3.00 AC TO ENGLAND CONST CO 388/705---LESS 5.15 AC TO BRIGHAM ROAD---LESS 3.57 AC TO TOOELE COUNTY PARCEL SHOWN AS LOT A AND LESS .57 AC TO TOOELE COUNTY PARCEL SHOWN AS LOT B ON THE ROADWAY DEDICATION PLAT, A PORTION OF BRIGHAM ROAD #219711 928/759. ---LESS 8.01 AC TO OLD MILL PUD PHASE 1 #221626 937/170 (BALANCE OF 5-34-36 AFTER PT TO OLD MILL PUD PHASE 1 (15-3-1 THRU 29); ADJUSTED ACREAGE FOR 2005 YEAR.) ---LESS 9.47 AC TO OLD MILL PUD PHASE 2 *240318 BALANCE OF 5-34-38 AFTER OLD MILL PUD PHASE 2, 15-46) ---LESS 6.26 AC (5-34-41 & 5-34-45) BY STANSBURY SERVICE AGENCY OF TOOELE COUNTY RESOLUTION NO 05-1 - ANNEXING PARCEL INTO TAXING DISTRICT 007 - STANSBURY PARK FOR 2006 YEAR --- LESS 0.01 AC TO QWEST CORPORATION FOR 2007 YEAR. ---LESS 10.27 AC TO RICHMOND AMERICAN HOMES OF UTAH (268325). BALANCE OF 5-34-50 AFTER 5-34-51 FOR 2007 YEAR. 15.19 AC---LESS 2.05 AC TO 5-34-53 AND LESS 5.70 AC TO 5-34-55 FOR 2007 YEAR. BALANCE OF 5-34-52 AFTER 5-34-53 AND 5-35-55 FOR 2007 YEAR.---LESS 9.392 AC TO 5-34-67 AND 5-34-68. BALANCE OF 5-34-57 AFTER 5-34-67 AND 5-34-68 FOR 2008 YEAR. .6941 AC.

AS-SURVEYED DESCRIPTIONS:

PARCEL 1: 05-034-0-0004
BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50, SAID POINT BEING EAST 1516.33 FEET AND SOUTH 1254.15 FEET FROM THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY 40-50 AS SHOWN BY OCCUPATIONAL EVIDENCE SUPPORTED BY THE UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR PROJECT NO. 86-B, DATED 1931, AND PROJECT NO. F-86(12), DATED 1955 THE FOLLOWING FOUR (4) COURSES; 1) S49°24'30"W 421.44 FEET; 2) THENCE S48°32'08"W 85.30 FEET; 3) THENCE S59°48'31"W 228.79 FEET; 4) THENCE S59°44'11"W 160.26 FEET; THENCE N32°45'00"W 0.54 FEET TO A FOUND WARD ENGINEERING REBAR AND CAP AT THE SOUTHEAST CORNER OF LOT 104 OF STARSIDE PHASE 1-PARCEL 9 P.U.D. SUBDIVISION; THENCE CONTINUING ALONG SAID STARSIDE PHASE 1-PARCEL 9 P.U.D. SUBDIVISION THE FOLLOWING EIGHT (8) CALLS: 1) N32°45'00"W 184.54 FEET; 2) N52°27'24"E 90.22 FEET; 3) N51°17'26"E 132.54 FEET 4) N31°48'29"W 77.56 FEET; 5) N57°09'42"E 69.79 FEET; 6) N59°21'01"E 79.76 FEET; 7) N55°49'01"E 94.86 FEET; 8)N 58°52'03"E 4.85 FEET; THENCE N58°50'56"E 74.60 FEET; THENCE N57°38'11"E 106.03 FEET; THENCE N60°22'18"E 86.76 FEET; THENCE N61°27'51"E 103.62 FEET; THENCE N61°25'51"E 76.91 FEET; THENCE S24°52'22"E 211.35 FEET TO THE POINT OF BEGINNING (CONTAINS 5.209 ACRES, MORE OR LESS).

PARCEL 2: 05-034-0-003
BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50, SAID POINT BEING EAST 1552.00 FEET AND SOUTH 1330.96 FEET FROM THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE S24°53'07"E 115.73 FEET; THENCE S52°37'26"W 699.86 FEET TO THE CORNER OF LOTS 7 AND 8 OF THE DELGADA ESTATES P.U.D. PHASE 1 SUBDIVISION; THENCE N24°53'07"W 100.96 FEET ALONG SAID LOT 7 TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES: 1) NORTHEASTERLY 527.54 FEET ALONG THE ARC OF A 7689.49 FOOT RADIUS CURVE TO THE LEFT (WITH A CENTRAL ANGLE OF 03°55'51" AND A CHORD BEARING AND DISTANCE OF N53°19'31"E 527.44 FEET); 2) THENCE N51°21'36"E 113.54 FEET; 3) THENCE N38°38'24"W 17.00 FEET TO AN EXISTING RIGHT OF WAY MARKER (BRASS CAP IN CONCRETE); 4) THENCE N51°21'36"E 62.54 FEET TO THE POINT OF BEGINNING (CONTAINS 1.514 ACRES, MORE OR LESS).

NARRATIVE OF BOUNDARY:

SCOPE
BENCHMARK ENGINEERING & LAND SURVEYING, LLC WAS RETAINED BY BRYAN COULTER TO PERFORM A BOUNDARY SURVEY OF SUBJECT PROPERTY AS SHOWN HERON.

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS S20°54'29"E, BETWEEN THE SECTION MONUMENT FOUND MARKING THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE STREET MONUMENT IN THE CUL-DE-SAC ON SKY HEIGHTS COURT, IN THE STARSIDE PHASE 1-PARCEL 9 P.U.D. SUBDIVISION. (CONT'D)

LEGEND AND ABBREVIATIONS:

- SECTION CORNER & LINE (FOUND)
- STREET MON. (FOUND)
- PROPERTY LINE
- SET BAR AND CAP
- FOUND BAR AND CAP
- ADJACENT PL or LOT LINES
- CENTERLINE of ROAD
- CURB & GUTTER
- EDGE OF EXISTING ASPHALT
- INDEX CONTOUR LINE
- INTERMEDIATE CONTOUR LINE
- SANITARY SEWER MANHOLE & PIPE
- STORM DRAIN MANHOLE & PIPE
- CATCH BASIN
- MANHOLE & CULINARY PIPE LINE
- WATER VALVE & WATER METER
- = EXISTING FIRE HYDRANT
- GAS LINE & MANHOLE
- LIGHT POLE
- UNDERGROUND QWEST UG TELEPHONE
- IRRIGATION MANHOLES, BOXES

CB	CATCH BASIN	SMH	SEWER MANHOLE
EOA	EDGE OF ASPHALT	SD	STORM DRAIN
I.E.	INVERT ELEVATION	TBC	TOP BACK OF CURB
FL	FLOW LINE	TOA	TOP OF ASPHALT
MH	MANHOLE	TOG	TOP OF GRATE

No.	DATE	DESCRIPTION

DRAWN BY ROB/KMD
CHECKED BY DKB/KMD
FIELD CREW BTW/ALK
DATE 5/27/2014
DWG. FILE 1402013b

SCALE MEASURES 1-INCH ON FULL SIZE SHEETS
ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS
0 0.5 1

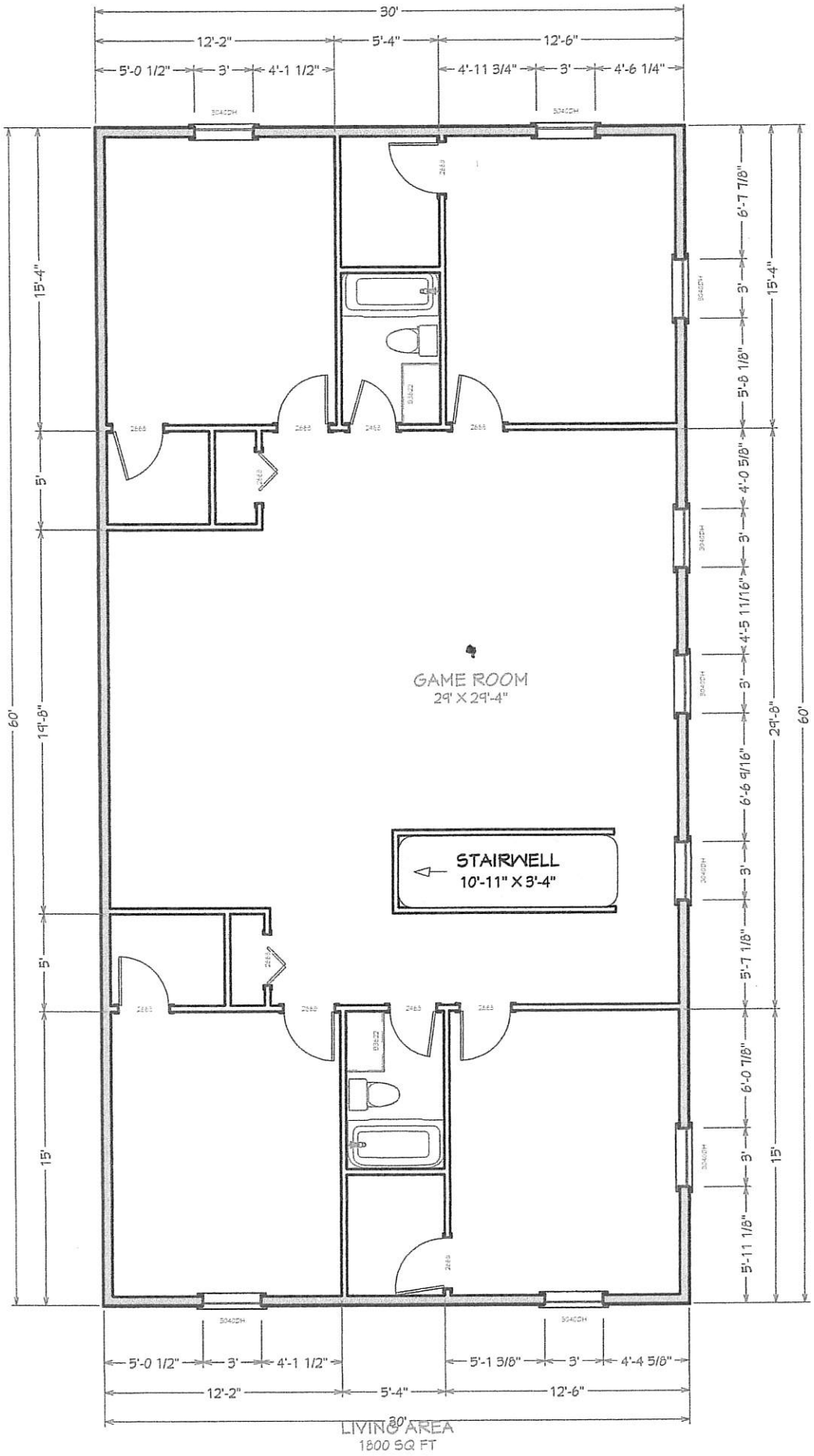
BENCHMARK ENGINEERING & LAND SURVEYING
9130 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com

BRYAN COULTER
175 EAST HIGHWAY 40
STANSBURY PARK, UTAH

PROJECT NO. 1402013

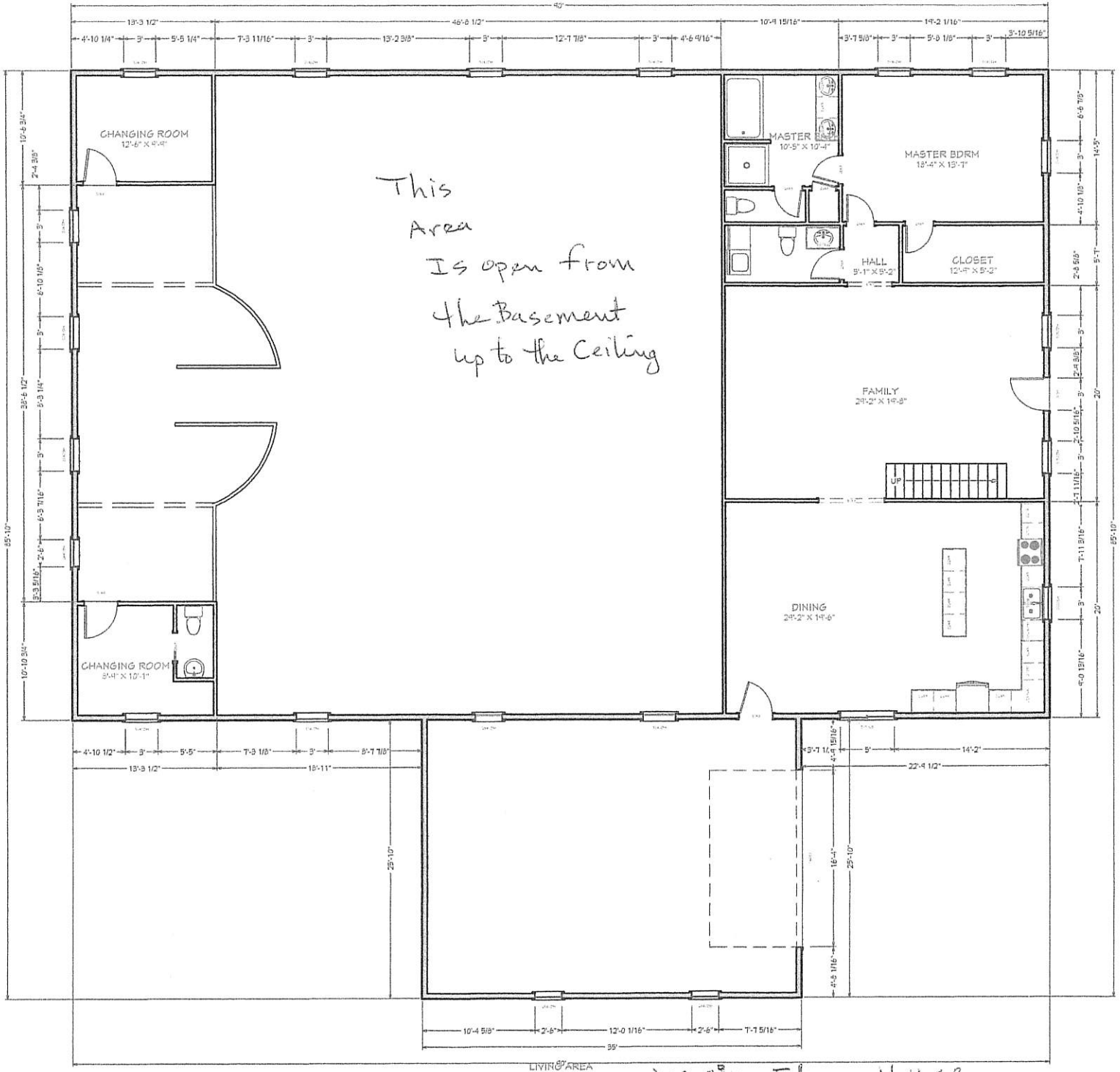
BOUNDARY SURVEY

SVB.01
1 OF 1



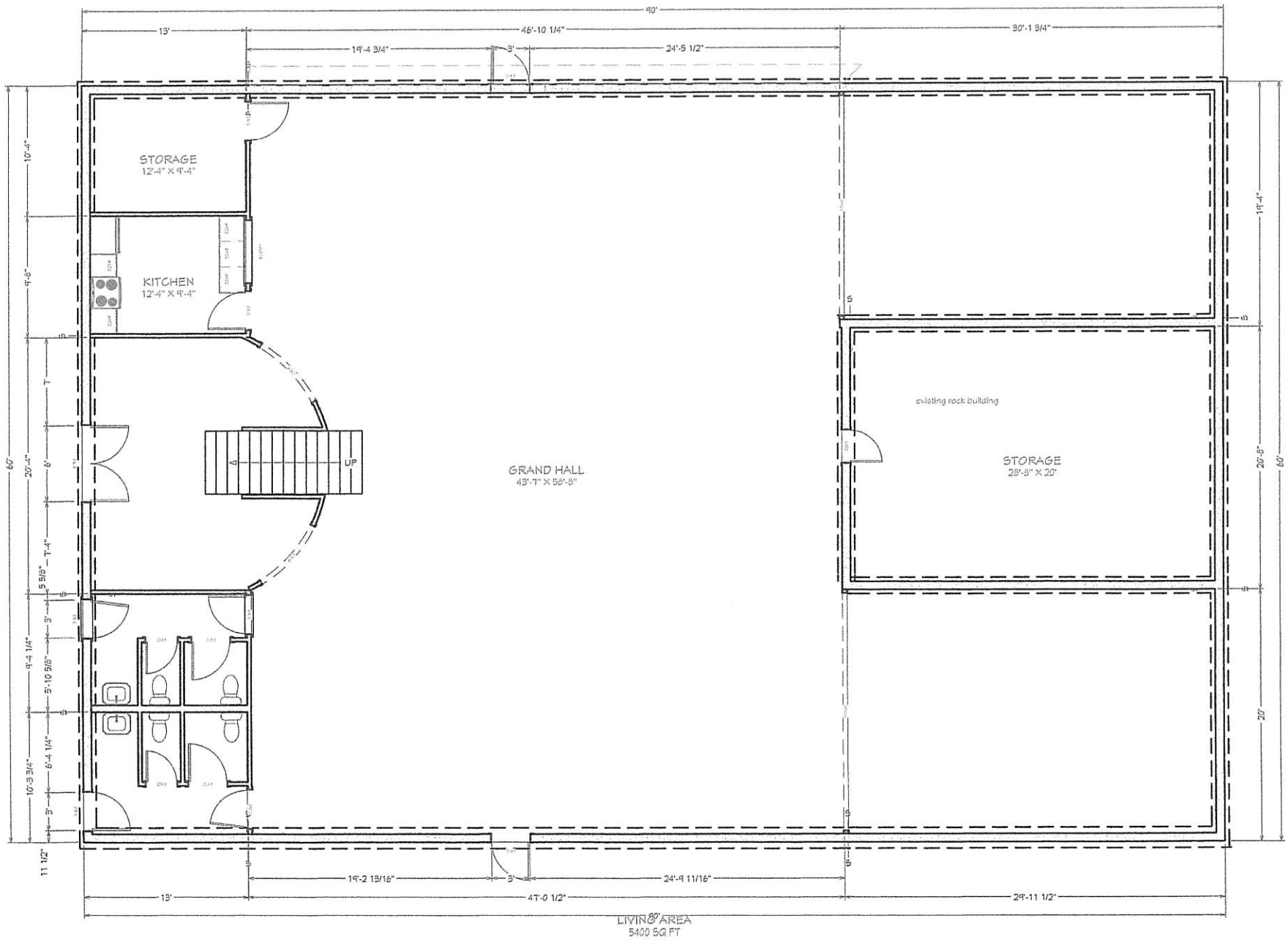
LIVING AREA
1800 SQ FT

Top Floor House Area



Main Floor House

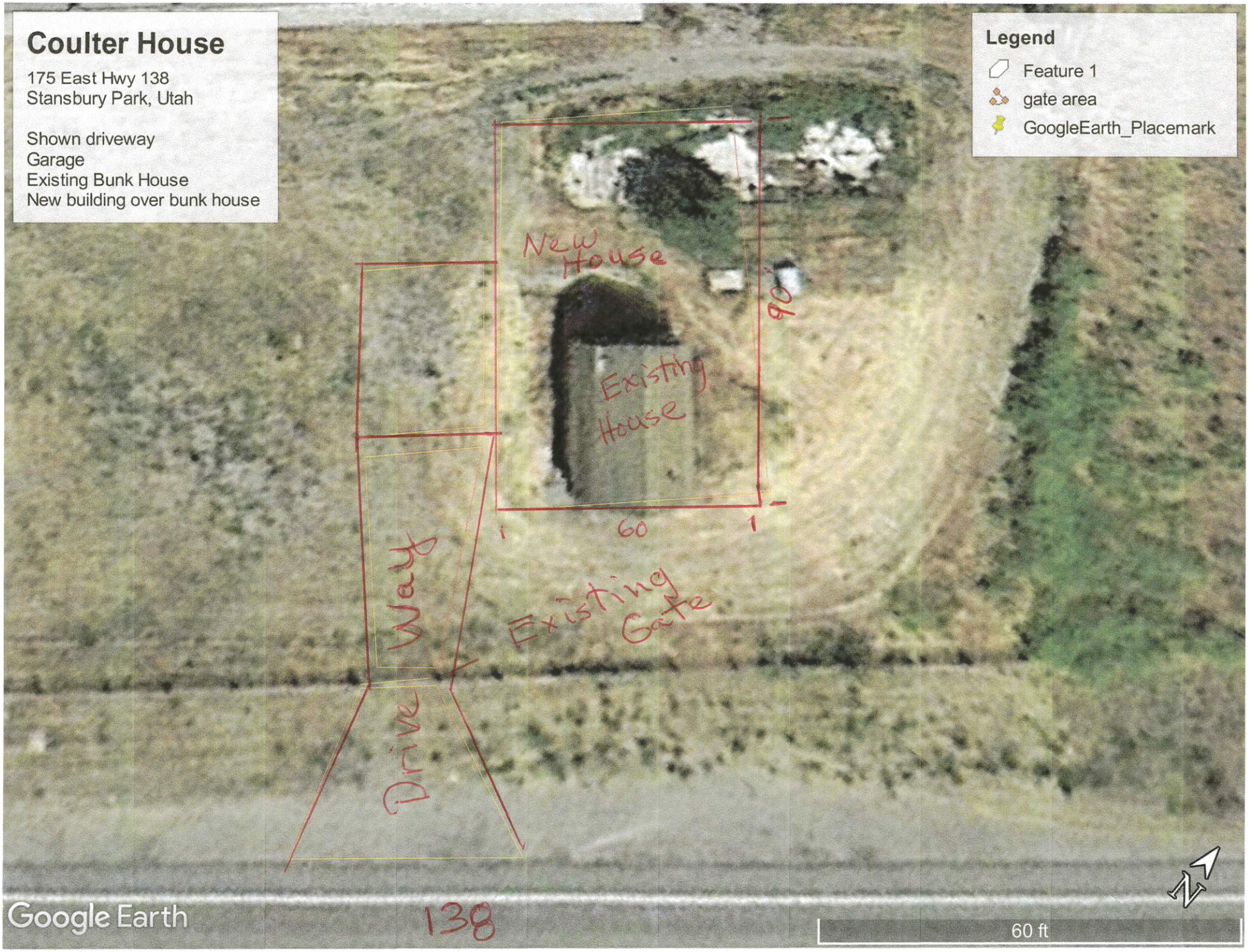
Basement formed by Concrete



Coulter House

175 East Hwy 138
Stansbury Park, Utah

Shown driveway
Garage
Existing Bunk House
New building over bunk house



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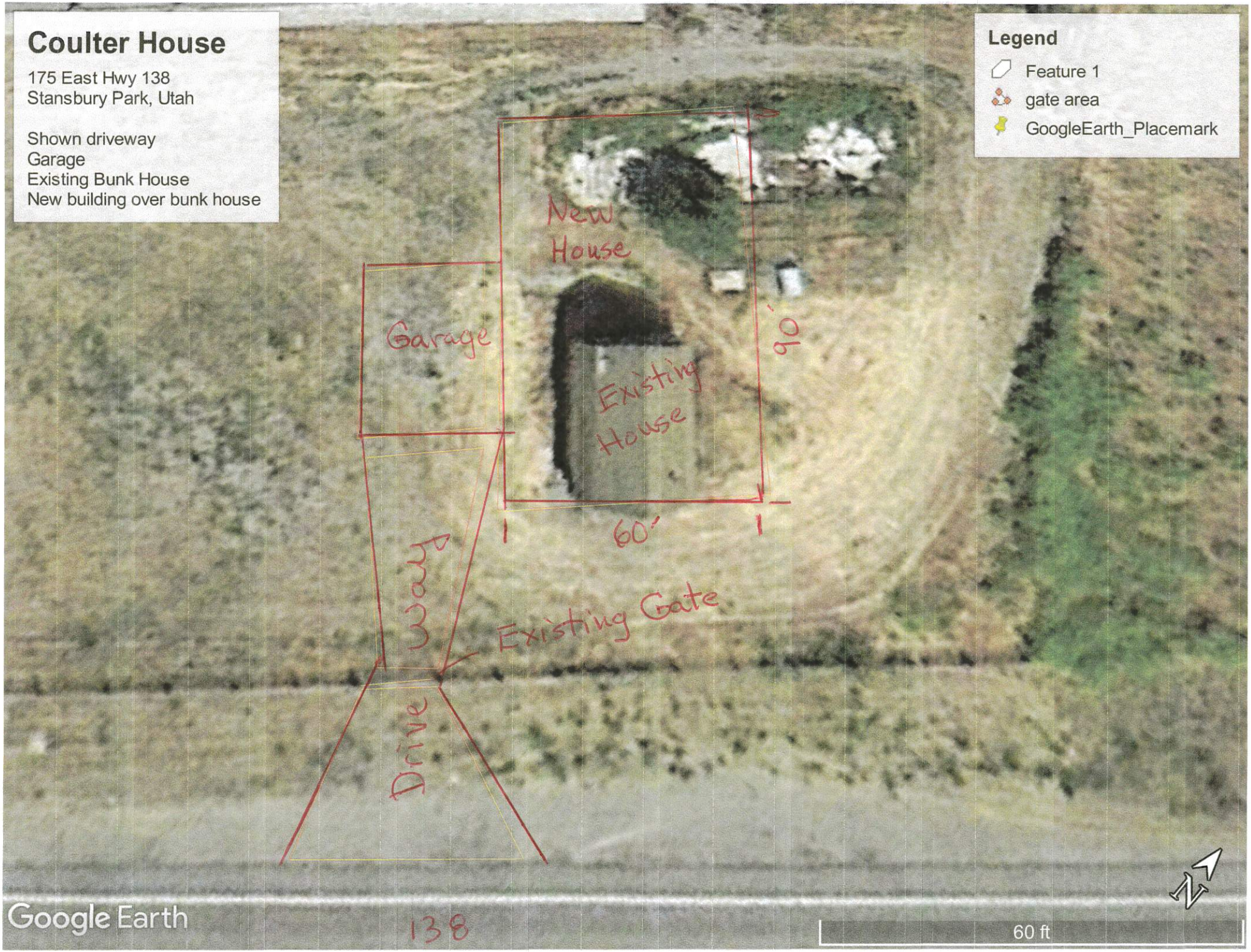
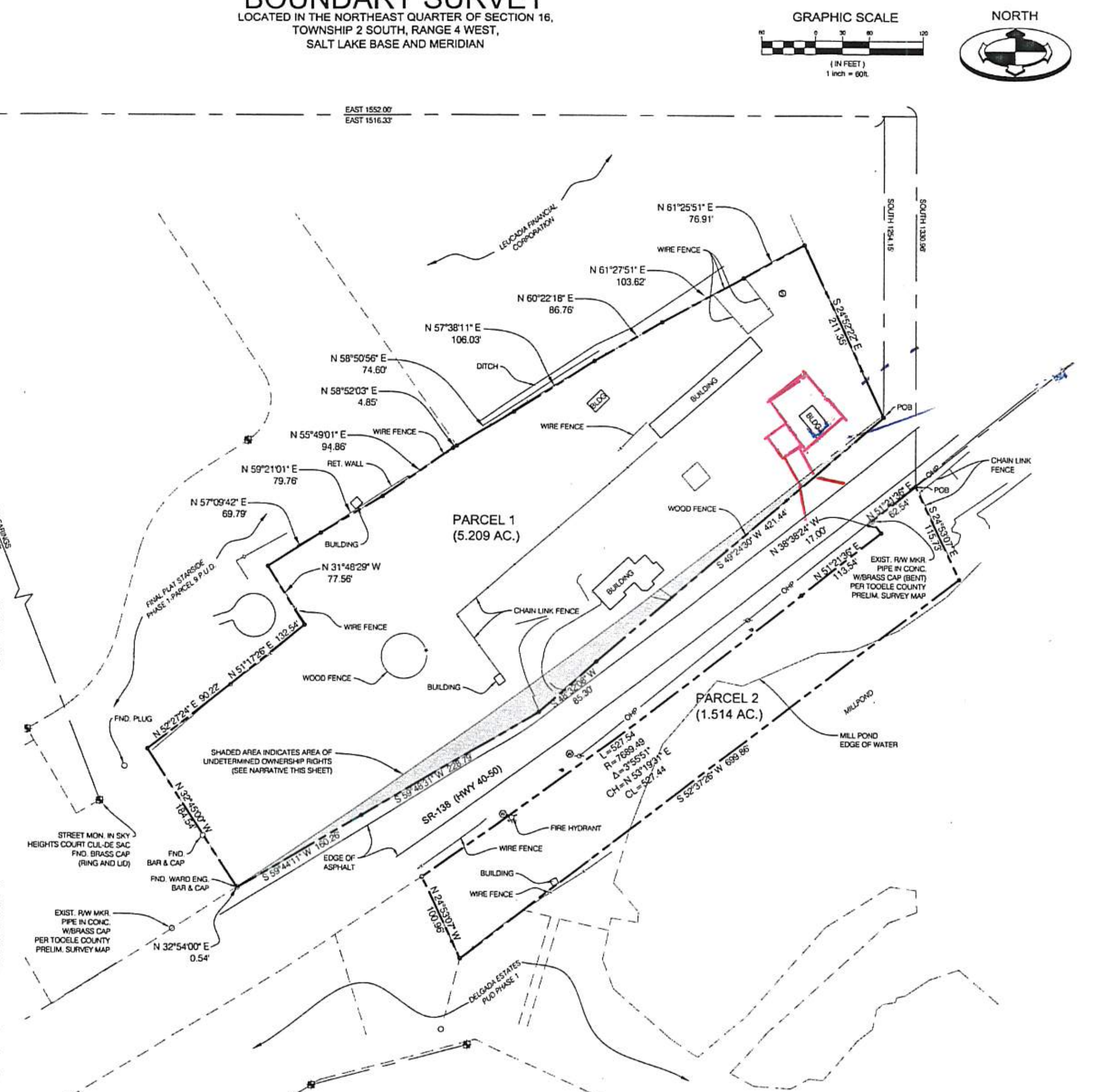


BOUNDARY SURVEY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN



(NARRATIVE CONT'D)

THE ONLY FOUND SECTION CORNER WAS THE NORTH QUARTER CORNER OF SECTION 16, T2S R4W, SLB&M. ADJOINING SUBDIVISIONS AND PROPERTIES ARE CONTROLLED BY THE NORTH LINE OF THE NORTHEAST CORNER OF SAID SECTION. SINCE THE NORTHEAST CORNER OF SAID SECTION WAS NOT FOUND, LOCATED SUBDIVISION MONUMENTS AND PLUGS WERE USED TO ESTABLISH THE SUBDIVISION LOCATIONS. AS SHOWN HEREON, THE PARCELS ON THIS SURVEY MATCHED CLOSELY THE ADJOINING SUBDIVISIONS AND OCCUPATION LINES.

PARCEL 1:

FOR THE SOUTH LINE, THE 1955 STATE ROAD COMMISSION RIGHT OF WAY PLAN SHEET CALLS OUT A RIGHT OF WAY FENCE ON THE NORTH SIDE OF SR-138 WEST OF THE SUBJECT PROPERTY AND A RIGHT OF WAY LINE EAST OF THE SUBJECT PROPERTY. THERE ARE NO DIMENSION CALLOUTS FOR A RIGHT OF WAY WIDTH, BUT THESE LINES APPEAR TO BE 50 FEET NORTH OF THE CENTERLINE OF THE ROAD, AS SHOWN ON THE 1931 STATE ROAD COMMISSION RIGHT OF WAY PLANS. CLEARLY THERE IS NO DEFINED RIGHT OF WAY LINE ACROSS THE SOUTH LINE OF THE NORTH PARCEL ON EITHER OF THE RIGHT OF WAY PLAN SHEETS, HOWEVER, THERE IS A MEANDERING FENCE LINE THAT APPEARS TO REPRESENT OCCUPATION OF THE PROPERTY. IN A MEETING WITH THE UTAH DEPARTMENT OF TRANSPORTATION REGION 2 RIGHT OF WAY DEPARTMENT, THEY AGREED THAT THE AREA BETWEEN THE EXISTING FENCE LINE AND A LINE OFFSET 50 FEET FROM THE CENTERLINE OF SR-138 IS AN AREA OF UNDETERMINED OWNERSHIP RIGHTS (SEE SHADED AREA ON PLAT). THE WEST LINE AND THE WEST HALF OF THE NORTH LINE FOLLOW THE STARSIDE PHASE 1 SUBDIVISION BOUNDARY AND ARE CONSISTENT WITH OCCUPATION (FENCE) LINES. THE EAST HALF OF THE NORTH LINE AND THE EAST LINE FOLLOW OCCUPATION (FENCE) LINES AND ARE CONSISTENT WITH ADJOINING DEED CALLS.

PARCEL 2: THE SOUTH RIGHT OF WAY LINE OF SR-138 WAS DETERMINED BY REFERENCING THE UTAH STATE ROAD COMMISSION PLAN SHEETS LISTED HEREON. FURTHER, A TOOELE COUNTY PRELIMINARY SURVEY MAP SHOWING FOUND RIGHT OF WAY MARKERS AND LINE WORK HELPED TO SUBSTANTIATE THE LOCATION OF THE RIGHT OF WAY LINE WHEN REFERENCED TO FIELD EVIDENCE. THE WEST LINE OF THE PROPERTY RUNS ALONG AN EASTERLY LINE OF THE DELGADA ESTATES SUBDIVISION. RECORD DEED DISTANCE WAS HELD FOR THE SOUTH LINE, AND THE EAST LINE SHOWS A JOG IN THE PROPERTY LINE AT THE NORTHEAST CORNER AS REPRESENTED BY THE STATE ROAD COMMISSION RIGHT OF WAY PLANS.

LIST OF REFERENCED DOCUMENTS

R1) DELGADA ESTATES PUD PHASE 1, RECORDED AT THE TOOELE COUNTY RECORDER'S OFFICE AS ENTRY NO. 221368, IN BOOK 936, AT PAGE 230.

R2) STARSIDE PHASE 1-PARCEL 9 PUD, RECORDED AT THE TOOELE COUNTY RECORDERS OFFICE AS ENTRY NO. 269932.

UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR ROADWAY PROJECT NO. 86-A, 1928. (ALSO REVISED 1936).

UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR ROADWAY PROJECT NO 86-B, 1931.

UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR ROADWAY PROJECT NO. F-86(12), 1955.

QCD FROM LEUCADIA FINANCIAL CORPORATION TO BRYAN COULTER, ENTRY NO. 397093, TOOELE COUNTY RECORDS, DATED APRIL 1, 2014

SURVEYOR'S CERTIFICATE:

I, DALE K. BENNETT, SALT LAKE CITY, UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 103381 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH; THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY; THAT THIS PLAT CORRECTLY SHOWS THE TRUE DIMENSIONS OF THE BOUNDARIES SURVEYED AND OF THE VISIBLE IMPROVEMENTS AFFECTING THE BOUNDARIES AND THEIR POSITION IN RELATIONSHIP TO SAID BOUNDARIES;

LICENSED PROFESSIONAL LAND SURVEYOR · DALE K. BENNETT · No. 103381 · 6-22-14 · STATE OF UTAH

BOUNDARY DESCRIPTIONS:

RECORD DEED DESCRIPTION (PERSONAL REPRESETATIVE'S DEED FROM PAUL SHEPHERD TO COULTER HOUSE, LLC, ENTRY NO. 396310, TOOELE COUNTY RECORDS, DATED MARCH 11, 2014)

PARCEL 1: 05-034-0-0004
BEGINNING AT A POINT ON THE NORTH SIDE OF HIGHWAY 40-50, WHICH POINT IS 1218.78 FEET SOUTH AND 1133.86 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 24°52' WEST 208.4 FEET; THENCE SOUTH 52°45' WEST 923 FEET; THENCE SOUTH 32°45' EAST 184.5 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50; THENCE IN A NORTHWEST DIRECTION ALONG A CURVE TO THE LEFT ALONG THE SAID NORTH LINE OF SAID HIGHWAY 896 FEET TO THE POINT OF BEGINNING.

PARCEL 2: 05-034-0-003
COMMENCING 420 FEET SOUTH AND SOUTH 52°30' WEST 1385 FEET FROM THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 52°30' WEST 700 FEET; THENCE SOUTH 27°55' WEST 100 FEET; THENCE NORTH 52°30' EAST 700 FEET; THENCE NORTH 27°55' EAST 100 FEET TO THE POINT OF BEGINNING.

ALSO, QCD FROM LEUCADIA FINANCIAL CORPORATION TO BRYAN COULTER, ENTRY NO. 397093, TOOELE COUNTY RECORDS, DATED APRIL 1, 2014:
NE 1/4 OF SEC 16, T2S, R4W, SLB&M, LYING N OF HWY 138, EX 4.596 AC TO N CLARK; 1.61 AC TO R COURT AND 2.67 AC TO SW CLARK ETAL. WASTEWATER TREATMENT SITE. LESS 2.03 AC TO TOOELE COUNTY. LESS 4.14 AC TO TOOELE COUNTY. LESS 3.59 AC DEEDED TO DELAUN BLAKE-320/384--LESS 3.00 AC TO ENGLAND CONST CO 388/705--LESS 5.15 AC TO BRIGHAM ROAD--LESS 3.57 AC TO TOOELE COUNTY PARCEL SHOWN AS LOT A AND LESS .57 AC TO TOOELE COUNTY PARCEL SHOWN AS LOT B ON THE ROADWAY DEDICATION PLAT, A PORTION OF BRIGHAM ROAD #219711 928/759. --LESS 8.01 AC TO OLD MILL PUD PHASE 1 #221626 937/170 (BALANCE OF 5-34-36 AFTER PT TO OLD MILL PUD PHASE 1 (15-3-1 THRU 29); ADJUSTED ACREAGE FOR 2005 YEAR.) --LESS 9.47 AC TO OLD MILL PUD PHASE 2 "240318 BALANCE OF 5-34-38 AFTER OLD MILL PUD PHASE 2, 15-48) --LESS 6.26 AC (5-34-41 & 5-34-45) BY STANSBURY SERVICE AGENCY OF TOOELE COUNTY RESOLUTION NO 05-1 - ANNEXING PARCEL INTO TAXING DISTRICT 007 - STANSBURY PARK FOR 2006 YEAR -- LESS 0.01 AC TO QWEST CORPORATION FOR 2007 YEAR. --LESS 10.27 AC TO RICHMOND AMERICAN HOMES OF UTAH (268325). BALANCE OF 5-34-50 AFTER 5-34-51 FOR 2007 YEAR. 15.19 AC--LESS 2.05 AC TO 5-34-53 AND LESS 5.70 AC TO 5-34-55 FOR 2007 YEAR. BALANCE OF 5-34-52 AFTER 5-34-53 AND 5-35-55 FOR 2007 YEAR --LESS 9.392 AC TO 5-34-67 AND 5-34-68. BALANCE OF 5-34-57 AFTER 5-34-67 AND 5-34-68 FOR 2008 YEAR. .6941 AC.

AS-SURVEYED DESCRIPTIONS:

PARCEL 1: 05-034-0-0004
BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50, SAID POINT BEING EAST 1516.33 FEET AND SOUTH 1254.15 FEET FROM THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY 40-50 AS SHOWN BY OCCUPATIONAL EVIDENCE SUPPORTED BY THE UTAH STATE ROAD COMMISSION RIGHT OF WAY PLANS FOR PROJECT NO. 86-B, DATED 1931, AND PROJECT NO. F-86(12), DATED 1955 THE FOLLOWING FOUR (4) COURSES; 1) S49°24'30"W 421.44 FEET; 2) THENCE S48°32'08"W 85.30 FEET; 3) THENCE S59°48'31"W 228.79 FEET; 4) THENCE S59°44'11"W 160.26 FEET; THENCE N32°45'00"W 0.54 FEET TO A FOUND WARD ENGINEERING REBAR AND CAP AT THE SOUTHEAST CORNER OF LOT 104 OF STARSIDE PHASE 1-PARCEL 9 P.U.D. SUBDIVISION, THENCE CONTINUING ALONG SAID STARSIDE PHASE 1-PARCEL 9 P.U.D. SUBDIVISION THE FOLLOWING EIGHT (8) CALLS: 1) N32°45'00"W 184.54 FEET; 2) N52°27'24"E 90.22 FEET; 3) N51°17'26"E 132.54 FEET 4) N31°48'29"W 77.56 FEET; 5) N57°09'42"E 69.79 FEET; 6) N59°21'01"E 79.76 FEET; 7) N55°49'01"E 94.86 FEET; 8)N 58°52'03"E 4.85 FEET; THENCE N58°50'56"E 74.60 FEET; THENCE N57°38'11"E 106.03 FEET; THENCE N60°22'18"E 86.76 FEET; THENCE N61°27'51"E 103.62 FEET; THENCE N61°25'51"E 76.91 FEET; THENCE S24°52'22"E 211.35 FEET TO THE POINT OF BEGINNING (CONTAINS 5.209 ACRES, MORE OR LESS).

PARCEL 2: 05-034-0-003
BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50, SAID POINT BEING EAST 1552.00 FEET AND SOUTH 1330.96 FEET FROM THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S24°53'07"E 115.73 FEET; THENCE S52°37'26"W 699.86 FEET TO THE CORNER OF LOTS 7 AND 8 OF THE DELGADA ESTATES P.U.D. PHASE 1 SUBDIVISION; THENCE N24°53'07"W 100.96 FEET ALONG SAID LOT 7 TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 40-50, THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES: 1) NORTHEASTERLY 527.54 FEET ALONG THE ARC OF A 7689.49 FOOT RADIUS CURVE TO THE LEFT (WITH A CENTRAL ANGLE OF 03°55'51" AND A CHORD BEARING AND DISTANCE OF N53°19'31"E 527.44 FEET); 2) THENCE N51°21'36"E 113.54 FEET; 3) THENCE N38°38'24"W 17.00 FEET TO AN EXISTING RIGHT OF WAY MARKER (BRASS CAP IN CONCRETE); 4) THENCE N51°21'36"E 62.54 FEET TO THE POINT OF BEGINNING (CONTAINS 1.514 ACRES, MORE OR LESS).

NARRATIVE OF BOUNDARY:

SCOPE
BENCHMARK ENGINEERING & LAND SURVEYING, LLC WAS RETAINED BY BRYAN COULTER TO PERFORM A BOUNDARY SURVEY OF SUBJECT PROPERTY AS SHOWN HERON.

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS S20°54'29"E, BETWEEN THE SECTION MONUMENT FOUND MARKING THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE STREET MONUMENT IN THE CUL-DE-SAC ON SKY HEIGHTS COURT, IN THE STARSIDE PHASE 1-PARCEL 9 P.U.D. SUBDIVISION. (CONT'D)

LEGEND AND ABBREVIATIONS:

SECTION CORNER & LINE (FOUND)	CATCH BASIN
STREET MON. (FOUND)	MANHOLE & CULINARY PIPE LINE
PROPERTY LINE	WATER VALVE & WATER METER
SET BAR AND CAP	EXISTING FIRE HYDRANT
FOUND BAR AND CAP	GAS LINE & MANHOLE
ADJACENT PL or LOT LINES	LIGHT POLE
CENTERLINE of ROAD	UNDERGROUND QWEST UG TELEPHONE
CURB & GUTTER	IRRIGATION MANHOLES, BOXES
EDGE OF EXISTING ASPHALT	
INDEX CONTOUR LINE	
INTERMEDIATE CONTOUR LINE	
SANITARY SEWER MANHOLE & PIPE	
STORM DRAIN MANHOLE & PIPE	

CS	CATCH BASIN	SMH	SEWER MANHOLE
EOA	EDGE OF ASPHALT	SD	STORM DRAIN
IE	INVERT ELEVATION	TBC	TOP BACK OF CURB
FL	FLOW LINE	TOA	TOP OF ASPHALT
MH	MANHOLE	TOG	TOP OF GRATE

No	DATE	DESCRIPTION

DRAWN BY	ROB/KMD
CHECKED BY	DKB/KMD
FIELD CREW	BTW/ALK
DATE	5/27/2014
DWG FILE	1402013b

SCALE MEASURES 1-INCH ON FULL SIZE SHEETS
ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS

BENCHMARK ENGINEERING & LAND SURVEYING
9130 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com

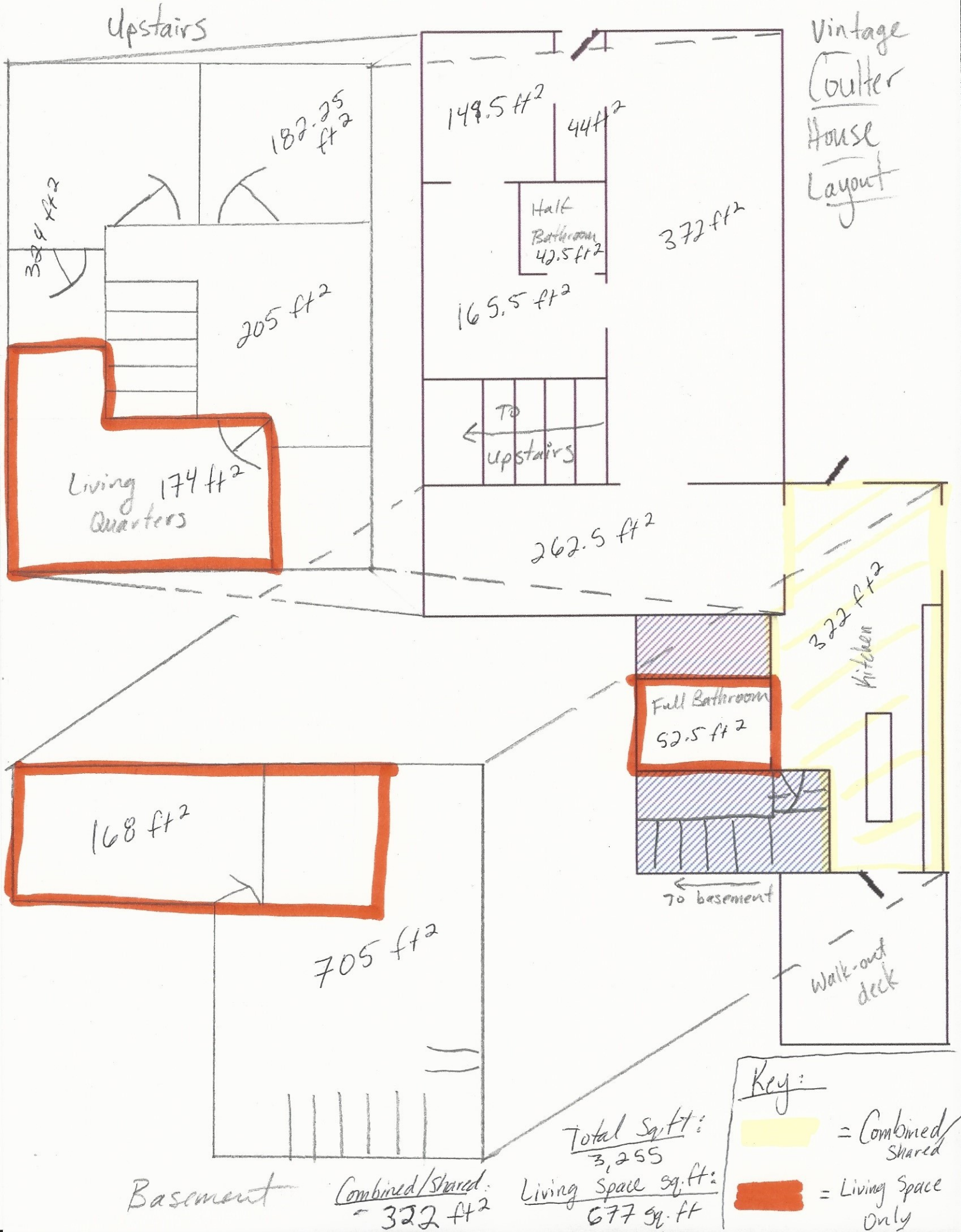
BENCHMARK CIVIL

BRYAN COULTER
175 EAST HIGHWAY 40
STANSBURY PARK, UTAH

PROJECT NO. 1402013

BOUNDARY SURVEY

SVB.01
1 OF 1


Upstairs
Vintage Coulter House Layout
182.25 ft²
149.5 ft²
44 ft²
Half Bathroom 42.5 ft²
372 ft²
324 ft²
205 ft²
165.5 ft²
To upstairs
Living Quarters 174 ft²
262.5 ft²
322 ft²
Kitchen
Full Bathroom 52.5 ft²
168 ft²
705 ft²
To basement
Walk-out deck
Key:
= Combined/Shared
= Living Space Only
Total Sq.ft: 3,255
Living Space sq.ft: 677 sq.ft
Basement
Combined/Shared: 322 ft²

Agent for the Property Owner(s) Information

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

A copy of the deed, offer or tax notice MUST be included to demonstrate ownership

There shall be no presumption of approval of any aspect of the process.

Each application for a conditional use permit shall have all required submittals before it is accepted as a complete application.

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING THAT:

Rebuild and add onto the older home called the bunkhouse
Make the now primary home become secondary to the Bunkhouse remodel
Allow the handicap owner the ability to live on site safely
The roof of the bunkhouse is in poor condition. It would be removed
and a new house would be built around it. Keeping most of the
rock structure intact and accessible. The existing front would be
seen from the street. The rest of the building will be seen on the inside.

Total acreage of parcel: 4.09 Area occupied by this use: 4.09 Acres

Current zoning designation: A-20 Current use of land: Cottage Industry/Farm

I (We) understand that the Planning Commission or zoning administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Tooele County zoning ordinance for such use.

Byron Coulter Dec 18, 2018

SIGNATURE DATE

Desciption Cont.

The new home will be complimentary in building materials pending architectural and engineering designs.

This project will preserve the bunkhouse for many years to come. It will finally have a good Roof and the poorly added interior will be removed and the building will be brought to code. More of the Rock structure will be visible.

There will be a basement area dug around the old bunk house so the walls will be more visible on the sides and rear. We will have the footings reinforced with the walls.

FARM HOUSE