



Planning and Zoning

47 S. Main Street • Room 208 • Tooele, UT 84074

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<http://www.co.tooele.ut.us/Building/planning.htm>

CUP 2020-114

Conditional Use Summary and Recommendation

Public Body: Tooele County Planning Commission
Parcel ID: 08-024-E-0013

Meeting Date: December 16, 2020

Current Zone: RR-5 (Rural Residential, 5 Acre Min).

Property Address: 1436 Country Lane, Erda, UT 84074

Request: Conditional Use Approval for Detached Accessory Housing Unit

Unincorporated: Erda

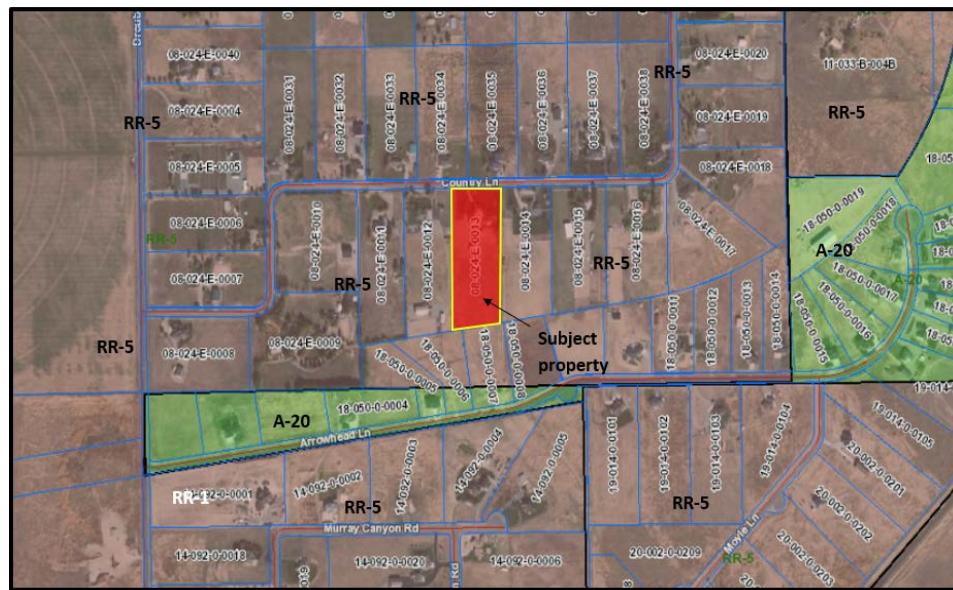
Planners: Trish DuClos

Planning Staff Recommendation: Approval with Conditions

Applicant Name: Ryan Probst

PROJECT DESCRIPTION

Ryan Probst is requesting conditional use approval for a detached accessory housing unit. The property is 5.01 acres in size. The proposed accessory dwelling unit is an existing garage and shop in which the applicant wishes to join together and convert to the accessory housing unit. The proposed accessory housing unit 1,607 square feet with an attached garage. Adjacent to the proposed detached accessory housing unit is the main dwelling. There is one large existing garage/barn located about the middle of the property.



SITE & VICINITY

DESCRIPTION (see attached map)

The subject property is located on Country Lane in Erda, which is just South of Erda way and East of Droubay Rd. Immediately adjoining properties along Country Lane consist of single-family residences in the RR-5 (rural-residential, 5 acre minimum) zone. There are a couple of small A-20 (Agriculture, 20 acre minimum) zones further South and East of the subject property.

LAND USE CONSIDERATIONS (RR-1 Zone, Detached Accessory Housing Units)

Requirement	Standard	Proposed	Compliance Verified
Height	22 Feet (1.5 to 2 story detached accessory housing unit)	25 feet 6 inches	Yes (special pitched roof)
Front Yard Setback (same as Main Building)	30 Feet	More than 30 Feet	Yes
Rear Yard Setback (same as Main Building)	30 Feet	More than 30 Feet	Yes
Side Yard Setback (same as Main Building)	15 Feet	More than 15 Feet	Yes
Lot Coverage	10%	Less than 10%	Yes
Lot Area	5 Acre	5.01 Acres	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 detached accessory housing unit matches the existing single-family residence in the usage of building materials and design. Landscaping materials.	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	The property has an existing single-family dwelling	Yes
Table 15-5-3.3.b.3	The accessory housing unit shall not result in excessive noise, traffic, or parking congestion	The accessory housing unit shall have minimal impacts on the surrounding neighbors and must abide by existing noise ordinances	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 compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access or	Proposed accessory housing unit meets the minimum setback requirements of a Main Dwelling as required by Table 15-5-3.3.b.8 Other requirements can comply	Yes

	parking of adjacent properties		
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	Attached garage	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. For lots 4.7 and larger, accessory housing shall not exceed 1,500 square feet or 30% of the primary residence, whichever is greater. In no case may any combination of buildings occupy more than the required rear yard for the district in which it is located;	Main house is over 6,000 square feet. Proposed AHU is 1,607 Square Feet	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	9. Building height and stories shall be as follows: a. A one story detached accessory housing unit shall be no more than thirteen feet in height.		Yes

	<p>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.</p> <p>c. An attached accessory housing unit may occupy a first or second story of a main residence if it is designed as an integral part of the single family dwelling and meets the setbacks required for the single family dwelling.</p> <p>d. If the design of the main dwelling has special roof features that should be matched on the detached accessory housing unit, the maximum building height of the accessory housing unit may be exceeded to include such similar special roof features subject to review and approval of the Zoning Administrator;</p>	25 feet 6 inches (special roof features)	Yes
Table 15-5-3.3.b.10	<p>The accessory housing unit shall not be sold separately or converted to a condominium or any other form of legal 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</p>	Planning Staff will record the required notice upon issuance of the permit	Can Comply
Table 15-5-3.3.b.11	The use permit for the accessory housing unit shall be in effect only so	Can Comply	Yes

	long as the single-family dwelling is occupied by the owner of record as the principal residence		
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

Planning Staff has not identified any issues of concern with the proposed request.

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 December 16, 2020.

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.

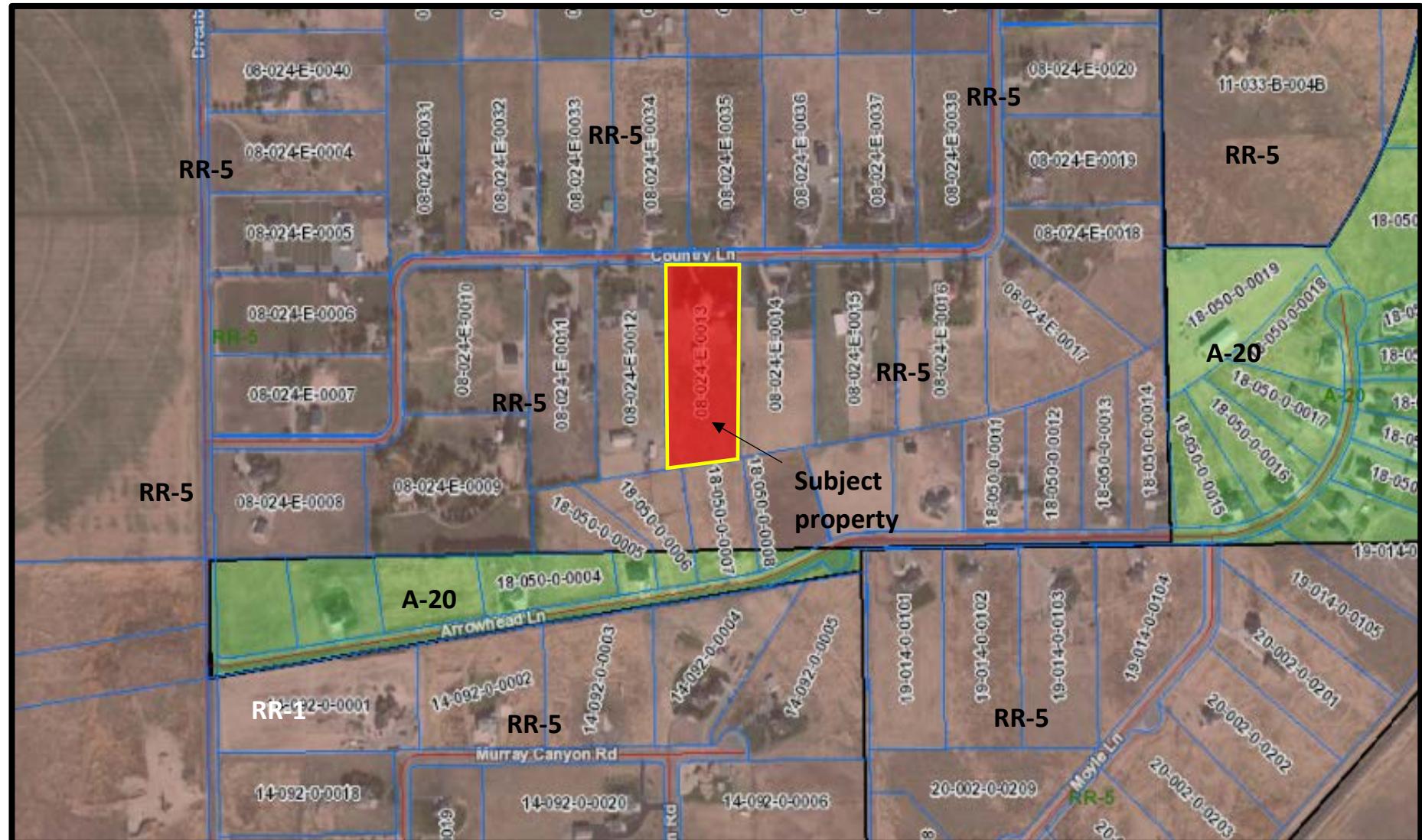
PLANNING STAFF RECOMMENDATION

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.

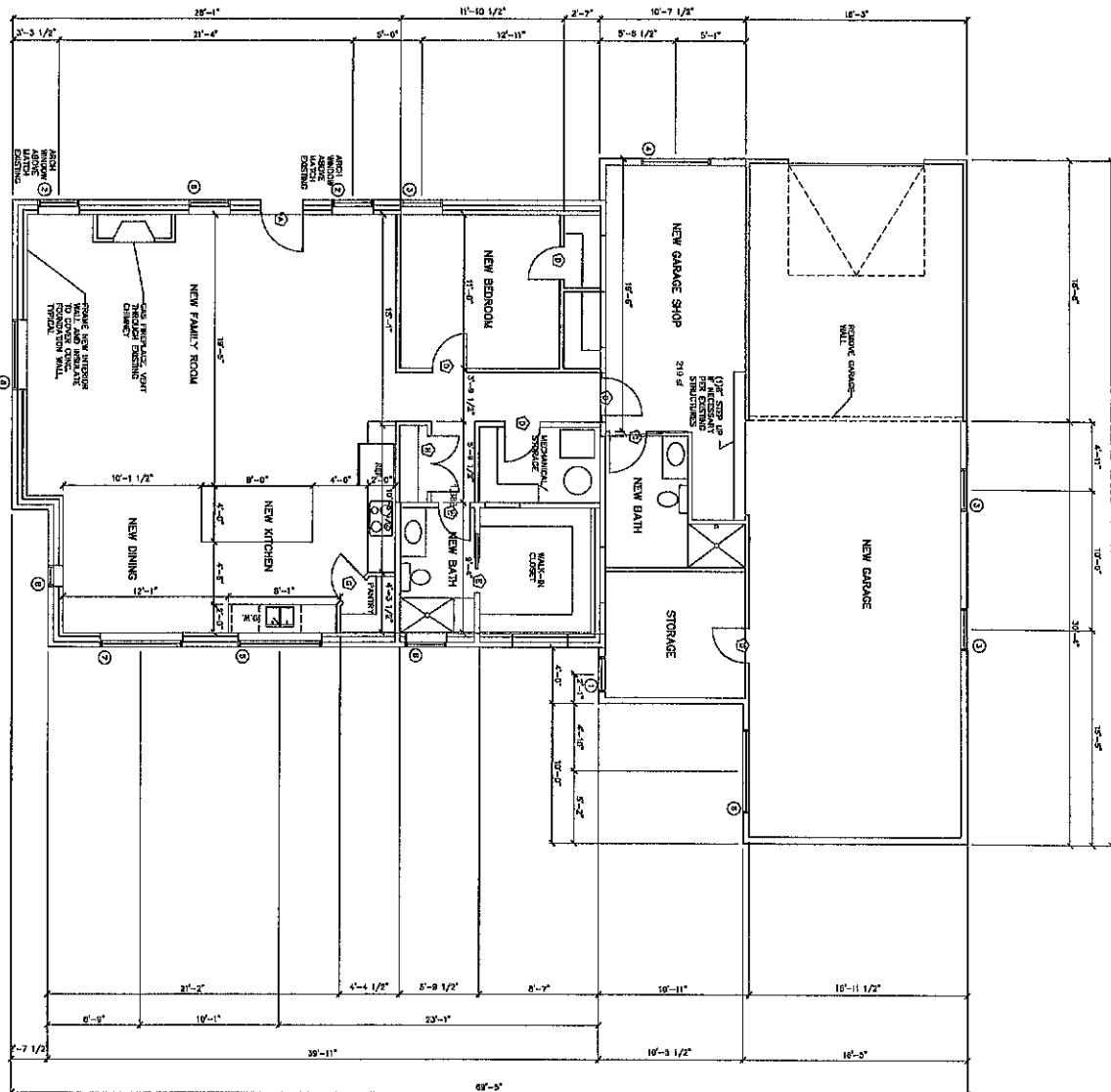
CUP 2020-114: Detached Accessory Housing Unit

1436 Country Lane, Erda, UT 84074 (Parcel ID: 08-024-E-0013)





3388 sq. ft. + 219 sq. ft. if garage shop is included.
1607 sq. ft. Total



2. INSPECTING THE FAN. INSPECTING THE FAN WILL BE REQUIRED FOR TROUBLE SHOOTING PURPOSES. THE FAN SHALL BE TURNED 90 DEGREES FROM THE POSITION SHOWN IN FIGURE 1. A BORE, THAT MEASURES 1/2" INCHES, OF THE THROTTLE VALVE SHALL BE PREPARED A MINIMUM OF 20 FEET UNDER LUGER.

3. BATHROOM EXHAUST FAN DUCTS MUST HAVE A CONTINUOUS AND IRREVERSIBLE SUPPORT. THE STRUCTURE A 4" EXHAUST DUCT IS REQUIRED.

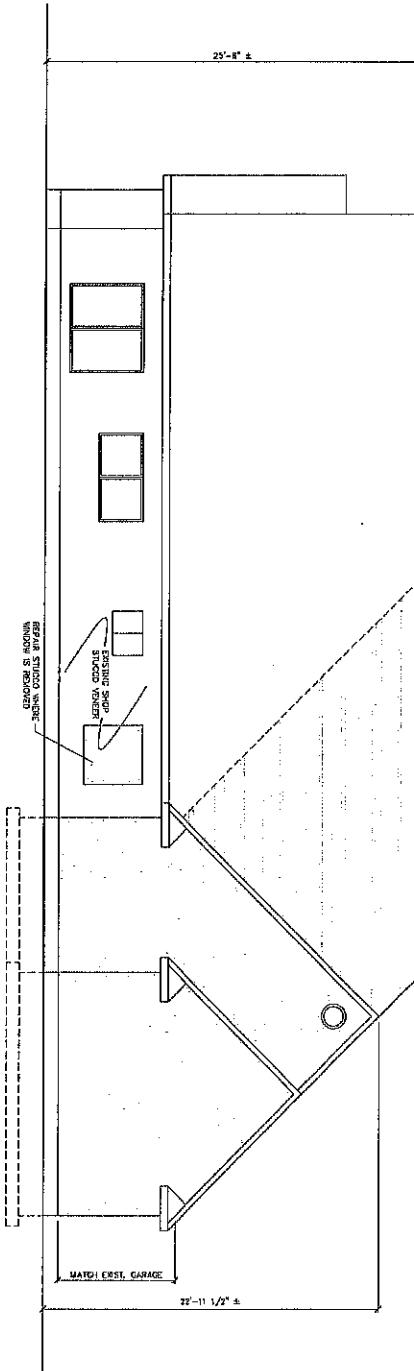
PROBST RESIDENCE ADDITION
1436 COUNTRY LANE

RESIDENCE
1436 COUNTRY LANE
SODA HOLLOW

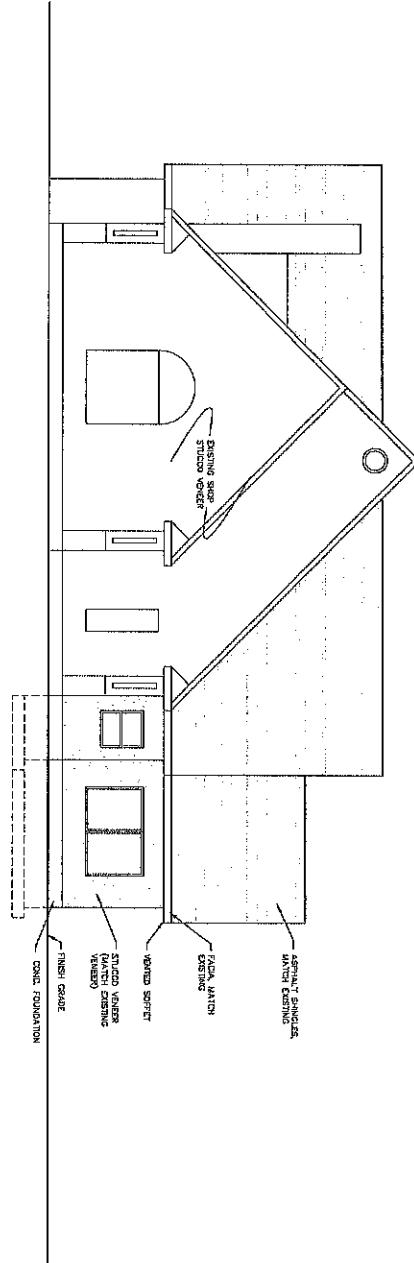
NEW MAIN FLOOR PLAN

A-2

NEW MAIN FLOOR
SCALE: $1\frac{1}{4}'' = 1'-0''$



FRONT ELEVATION
SCALE: $1/4'' = 1'-0''$



NOTES

- FLASH AND SEAL WALK-THROUGH HIGHLIGHTS AND
DOCS AND PULLMAN-ETC. ETC. INSTRUCTIONS.
- PROVIDE 9" FLASHING AROUND ALL WINDOWS AND
DOORS WITH PLATE FLASHING.
- PROVIDE COMPARISON RESISTANT FLASHING BETWEEN
STUDDED AND BRICK STONE OR SIMILAR WALKTHROUGH
WALLS WHERE CONTINUOUS NYLON BARRIER AND
WALLS WHERE NYLON COULD NOT BE BURIED.
- FIELD PERMIT ALL EXISTING MEASUREMENTS PRIOR TO
CONSTRUCTION.

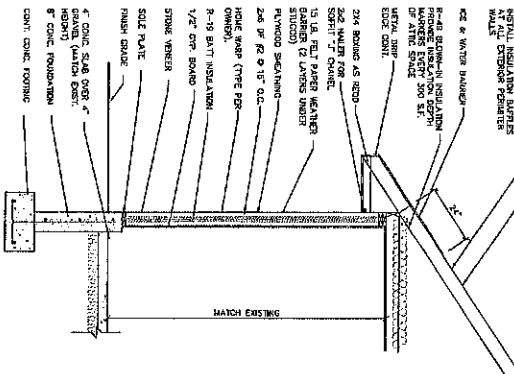
IT IS IMPORTANT FOR THE GENERAL CONTRACTOR TO UNDERSTAND THAT IT IS HIS RESPONSIBILITY TO BE SURE THIS PROJECT IS CONSTRUCTED IN FULL COMPLIANCE WITH THE PLANS AND SPECIFICATIONS. THESE PLANS AND SPECIFICATIONS ARE NOT ALL INCLUSIVE OF ALL MAXIMUM CODES AND ORDINANCES. THIS FACT IS NOT THE CONTRACTOR'S RESPONSIBILITY, BUT ALL MAXIMUM CODES AND ORDINANCES ARE TO BE OBSERVED. THE CONTRACTOR IS RESPONSIBLE FOR THE PLANS AND SPECIFICATIONS AND IS RESPONSIBLE FOR THE APPROVAL AND APPROVALS OF ANY CODE OR ORDINANCE AND APPROVALS. ENCL. QUOTE FROM THE CONTRACTOR'S AGREEMENT:

THE GREATEST EFFORT HAS BEEN MADE TO GRAVE THESE PLANS WITHOUT ERRORS. THE CONTRACTOR IS NOT RESPONSIBLE FOR ANY ERRORS WHICH MAY EXIST. THE DESIGNER IS RESPONSIBLE TO BE HELD HARMLESS OF ANY FINANCIAL LOSSES RESULTING FROM ERRORS IN THESE PLANS. ANY USE OF THESE PLANS IS AT THE CONTRACTOR'S OWN RISK. THE CONTRACTOR IS RESPONSIBLE FOR THE PLANS CAREFULLY BEFORE CONSTRUCTION.

PROBST RESIDENCE ADDITION

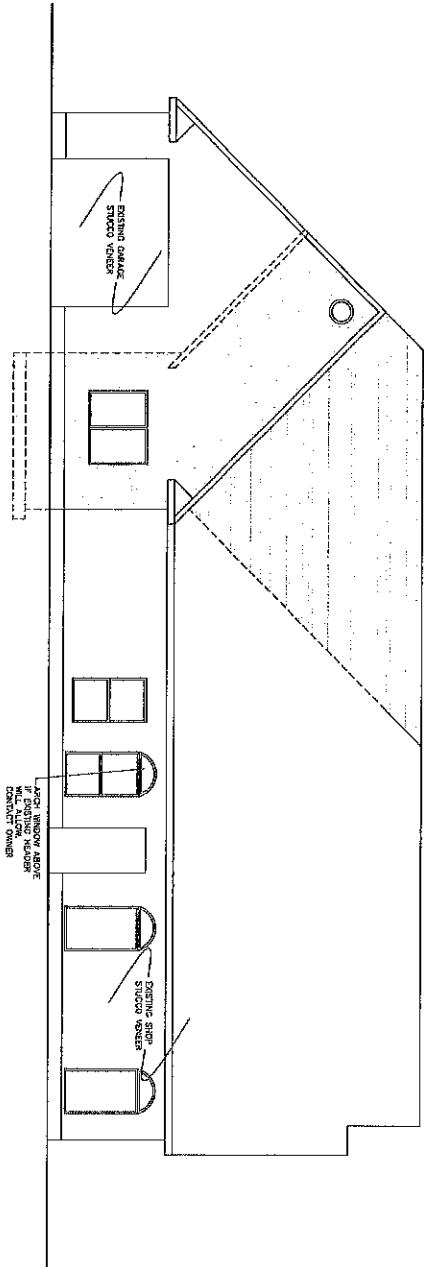
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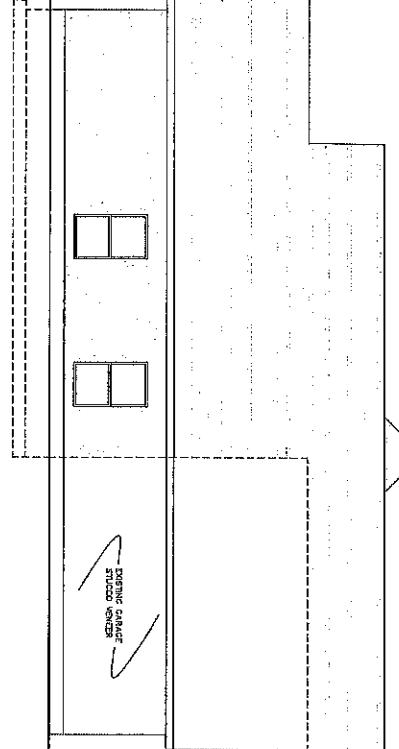


WALL SECTION
SCALE: $1/4"$ = $1'-0"$

SIDE ELEVATION
SCALE: $1/4'' = 1' - 0''$



REAR ELEVATION
SCALE: $1/4'' = 1'-0''$



IT IS IMPORTANT FOR THE GENERAL CONTRACTOR TO UNDERSTAND THAT IT IS HIS/HER RESPONSIBILITY TO BE SURE THAT PROJECT IS CONSTRUCTED IN FULL COMPLIANCE WITH ALL STATE AND LOCAL CODES AND ORDINANCES. THE PLAITS DO NOT AND WILL NOT INCUR ANY FINANCIAL LIABILITY FOR ANY VIOLATION. THE CONTRACTOR BEARS COMPLIANCE WITH ALL MUNICIPAL, STATE AND FEDERAL CODES AND ORDINANCES. THE CONTRACTOR AGREES NOT TO RECEIVE PAYMENT FOR ANY WORK WHICH IS CONSTRUCTED IN VIOLATION OF ANY CODE OR ORDINANCE. NO APPROVAL, EVEN ORAL, FROM THE CONTRACTOR'S ENGINEER, ARCHITECT, OR SUPERVISOR, WILL EXEMPT THE CONTRACTOR FROM BEING HELD LIABLE FOR THESE PLANS. FINANCIAL LIABILITY REMAINS WITH THE CONTRACTOR IN THESE PLANS. ANY FINANCIAL LIABILITY WHICH MAY OCCUR AS A RESULT OF VIOLATION OF CODES OR ORDINANCES IS THE CONTRACTOR'S FULL RESPONSIBILITY. (CHECK PLANS CAREFULLY BEFORE CONSTRUCTION)

1. FLASH AND DRAFT DEFENSE MEASURES AND NOTES AS PER MANUFACTURERS' INSTRUCTIONS

2. PROTECT BY PAVING AREAS ALREADY WORN OUT AND FLOOR WITH SCAFFOLDING OR OTHER MATERIALS.

3. PROVIDE CONTINUOUSLY FLOWING SCAFFOLDING AND STOOL STORE FOR SCAFFOLDING SUPPORTS. SCAFFOLDING NEED NOT BE BURIED AND DRAINED. REEDS CANNOT BE REBURRED.

4. FLOOR LEVEL ALL EXISTING MEASUREMENTS PRIOR TO CONSTRUCTION.

ATMOSPHERIC VENTILATION

2750 SF. OF ATC AREA WITH ATM. VENTS AND SCAFFOLDING PROVIDED.

RECOMMENDED: 2750 SF. OF ATC VENTS
 10' - 15' HGT. ATM. VENTS REQUIRED OR
 CONTINUOUS ROCK VENT.

REVISIONS

PROBST RESIDENCE ADDITION

ERUA, UTAH

BUILDING ELEVATIONS

A-4