

CUP 2021-093

Conditional Use Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: August 18, 2021

Parcel ID: 06-014-0-0003

Current Zone: A-20 (Agriculture, 20-Acre Min).

Property Address: Currently not addressed, Tooele, UT 84074

Request: Conditional Use Approval for Detached Accessory Housing Unit

Unincorporated: Tooele

Planners: Trish DuClos

Planning Staff Recommendation: Approval with Conditions

Applicant Name: Mike Burnett

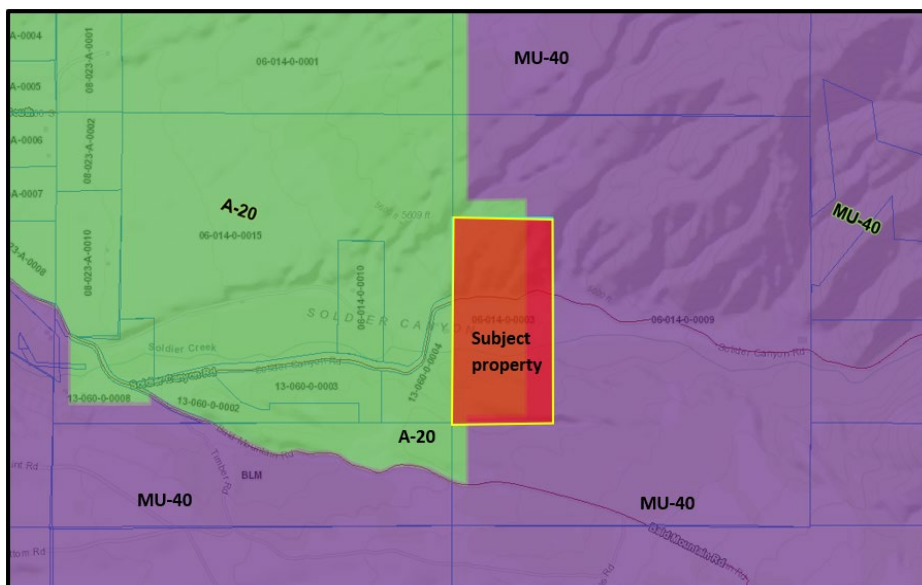
PROJECT DESCRIPTION

Mike Burnett is requesting conditional use approval for a detached accessory housing unit. The property is currently 80.65 acres in size. The proposed accessory dwelling unit and main house will be built in tandem. The proposed accessory housing unit is 1,666 square feet and will be attached to a garage. Adjacent to the proposed detached accessory housing unit is the main dwelling. The property is currently under review for a minor subdivision, but the main house and ADU will be placed in one parcel in proposed new minor subdivision.

SITE & VICINITY

DESCRIPTION (see attached map)

The subject property is located on Soldier Canyon Td, which is just Southeast of Stockton town limits. Immediately adjoining properties to the West are zoned A-20 (Agriculture, 20 acre minimum). Zones further South and East of the subject property are zoned MU-40 (Multiple Use, 40-acre minimum).



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)	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 will match 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	Will comply	Yes
Table 15-5-3.3.b.3	The accessory housing unit shall not result in excessive noise, traffic, or parking congestion	Can Comply	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 parking of adjacent properties	Can comply	Yes

Table 15-5-3.3.b.5	The accessory housing unit shall have the same address as the single-family dwelling	Will 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 to 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 will be 5,600 square feet. Proposed AHU is 1,666 Square Feet 30% would be 1,680 square feet. Complies	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	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. b. A one and one-half to two story detached	Single Story ADU is 13 feet in height.	Yes

	<p>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>		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>	<p>Planning Staff will record the required notice upon issuance of the permit.</p>	Can Comply
Table 15-5-3.3.b.11	<p>The use permit for the accessory housing unit shall be in effect only so long as the single-family dwelling is occupied by</p>	Can Comply	Yes

	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 August 18, 2021.

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.

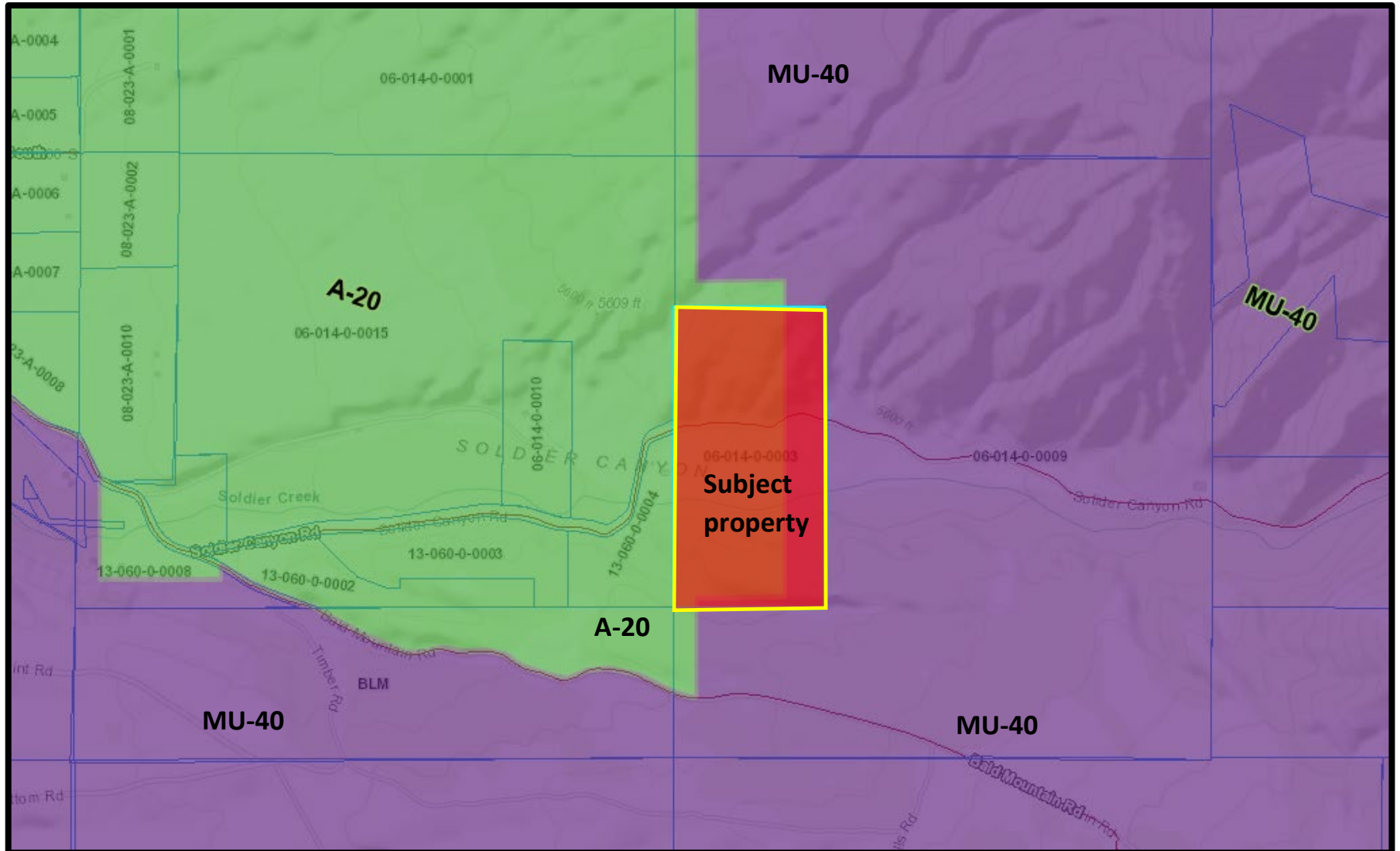
PLANNING STAFF RECOMMENDATION

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. Applicant must apply for a building permit of the main house before or at the same time as the ADU.

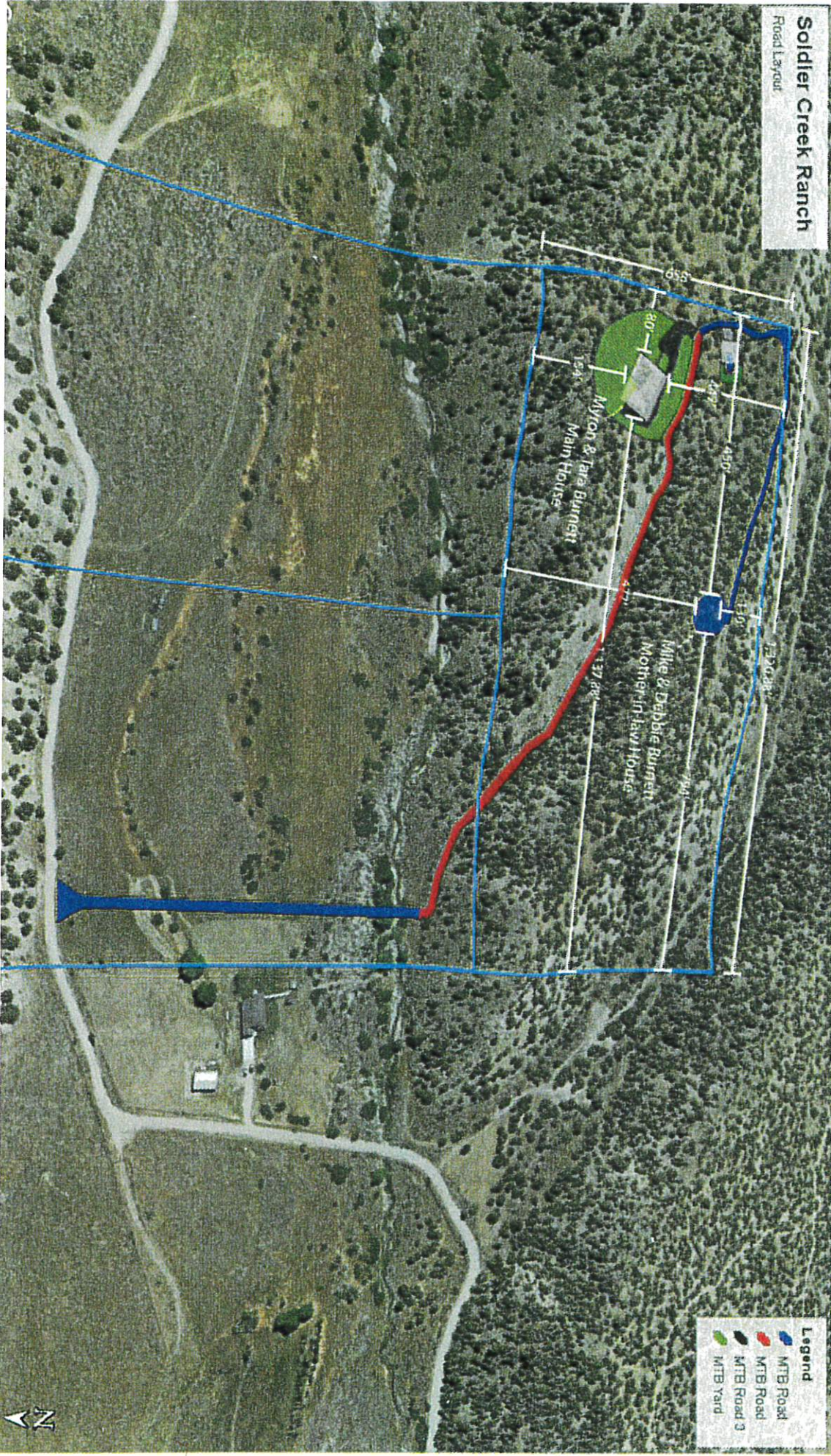
CUP 2021-093: Detached Accessory Housing Unit

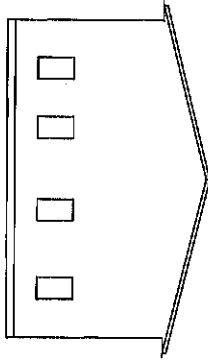
Tooele, UT 84074 (Parcel ID: 06-014-0-0003)



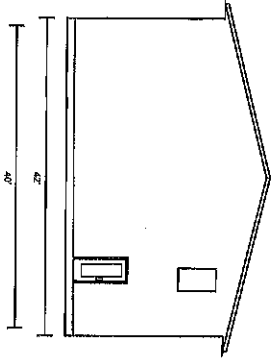
Soldier Creek Ranch

Road Layout

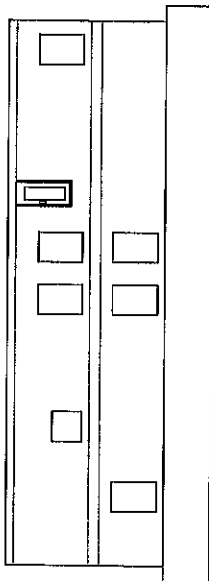




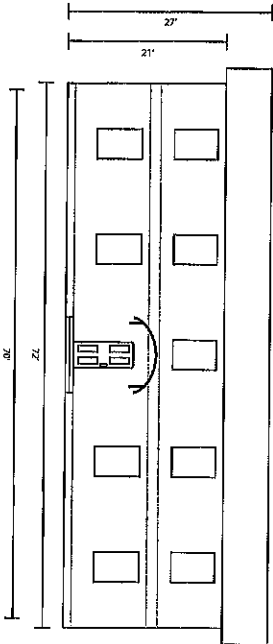
LEFT



RIGHT

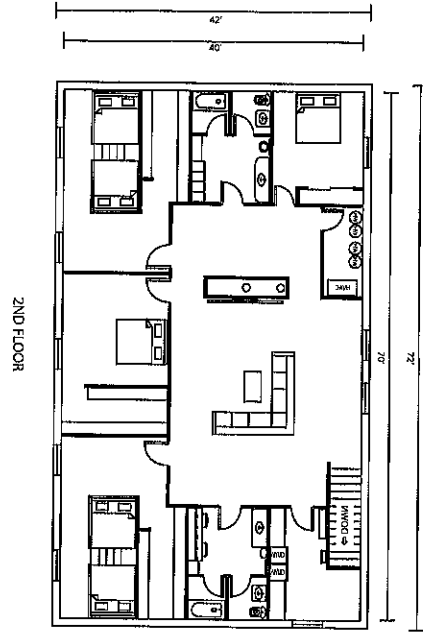
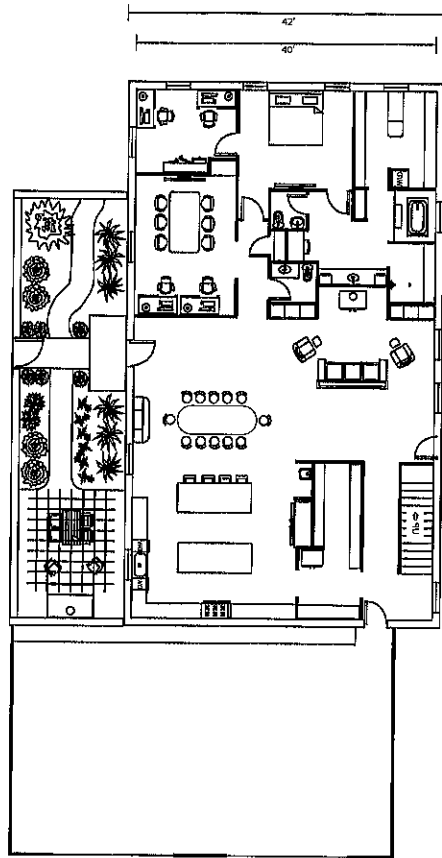


BACK



FRONT

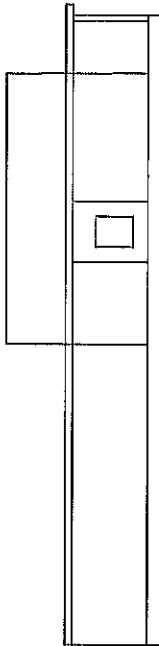
PROJECT # WO-4651	REVISION 1-A	DRAWINGS BY: OPC Inc 1814 E. 9400 SOUTH #417 SANDY, UTAH 84093 (801)668-6757	BURNETT RESIDENCE STOCKTON, UTAH	DATE 2/15/2021	SHEET # A-102
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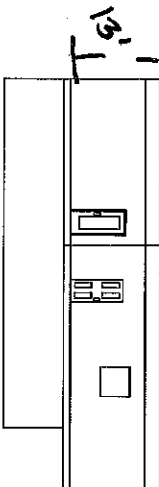
5,600 sq ft. 30% is 1,680

PROJECT # WO-4651	REVISION 1-A	DRAWINGS BY: OPC Inc 1914 E. 9400 SOUTH #417 SANDY, UTAH 84083 (801)598-6757	<p align="center">BURNETT RESIDENCE</p> <p align="center">STOCKTON, UTAH</p>	DATE 2/15/2021	SHEET # A-101
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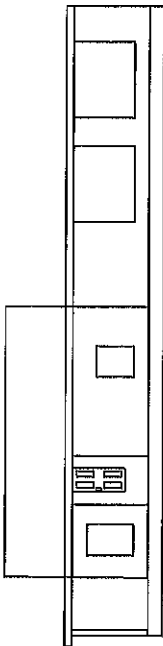
ELEVATIONS



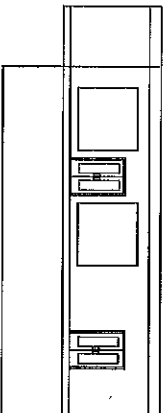
BACK



LEFT SIDE



FRONT



RIGHT SIDE

PROJECT #
WO-4651

REVISION
1-A

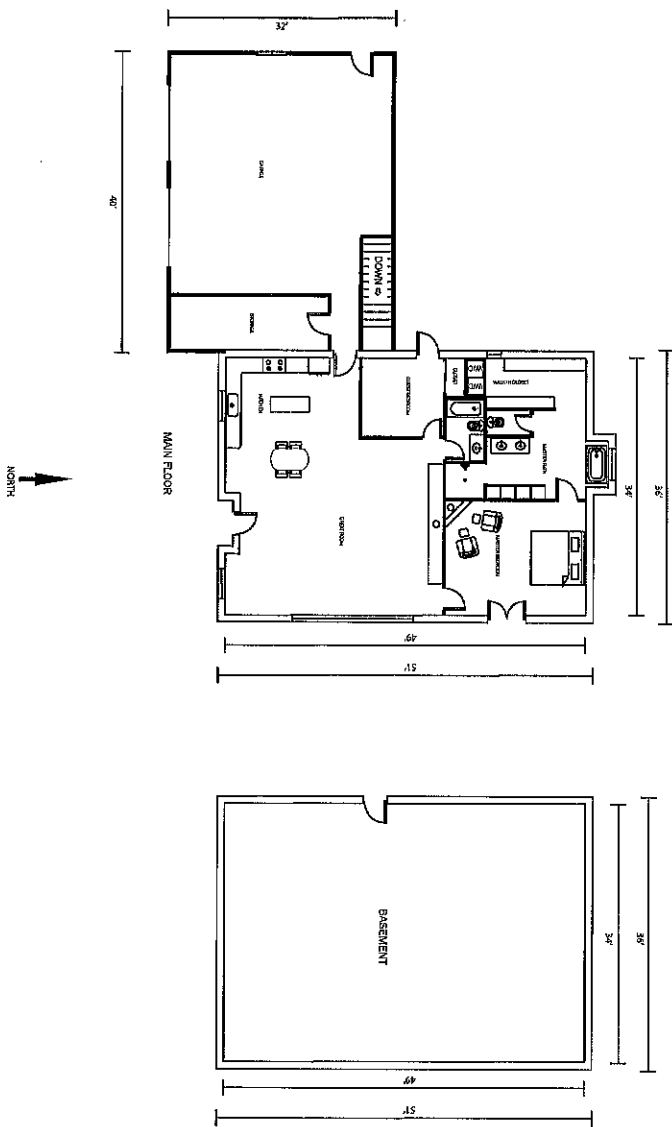
DRAWINGS BY:

OPC Inc
1914 E. 9400 SOUTH #417
SANDY, UTAH 84093
(801)668-6767

BURNETT GRANNY HOME
STOCKTON, UTAH

DATE
2/15/2021

SHEET #
A-102



1,161 sq. ft.

PROJECT # WO-4651	REVISION 1-A	DRAWINGS BY: OPC Inc 1914 E, 8400 SOUTH #417 SANDY, UTAH 84093 (801)568-8757	BURNETT GRANNY HOME STOCKTON, UTAH	DATE 2/15/2021	SHEET # A-101
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