

Toquerville City

Printed: 05/23/2023

932 S Mulberry Dr

04/13/2023 - 04/12/2024

5735154

Conditional Use

General

27a41520-da35-11ed-9dc9-abd2433f289a

Under Review

Active

Application Review Status

Pre-Review	Approved	04/13/2023
Zoning Administrator	Reviewing	
Final-Review	Not Reviewed	

Fees

Conditional Use	\$400.00
Subtotal	\$400.00
Amount Paid	\$400.00
Total Due	\$0.00

Payments

04/13/2023	Online	\$400.00
Total Paid		\$400.00

Application Form Data

(Empty fields are not included)

Applicant First Name

Dustin

Applicant Last Name

Black

Applicant Address

City

State

Zip Code

Phone Number

Contact Email

Are you preparing this application for someone other than yourself?

No

Does this business have an agent?


No

Is this application in regards to the maximum height of a secondary structure?

Yes

Please provide your reason for requesting a conditional use permit to exceed the permitted maximum height
The engineers designed the accessory building to match the existing home and the height proposed is of a correct proportion and not excessively tall.

Upload a vicinity map showing the project location with any city boundaries, major roads and minor roads that serve the property. Drawings showing the proposed land use, including building descriptions, building setbacks, parking, height or other requirements that are being sought.

 **Black Accessory Building - Architectural Plan.pdf**

Upload a warranty deed, preliminary title report, or other document showing evidence that the applicant has control of the property

 **image.jpg**

Upload a map showing all properties within 300 feet of property boundaries.

 **Black map.pdf**

Upload a Public Notice mailing list of all properties within 300 feet of property boundaries.

 **image.jpg**

 **image.jpg**

Project Name and Subdivision

Black Residence - Accessory Building

Street Address of Subject Property

932 S Mulberry Dr

City

Toquerville

State

UT

Zip Code

84774

Tax ID/ Parcel #

T-AHP-A-121

Will the conditional use protect the safety of persons and property, and not result in traffic congestion or traffic hazards to vehicles or pedestrians?

Yes

Will the conditional use have adequate and necessary access for safety services, i.e. police, fire?

Yes

Will the conditional use exceed the obligations and / or financial capacity of the city?

No

Will the conditional use protect environmental values, such as air, water, groundwater, light or noise pollution?

Yes

Is the conditional use consistent with the General Plan and compatible with the surrounding area?

Yes

Is the applicant prepared to provide assured performance of obligations by posting bond or other adequate security?

Yes

Please describe the proposed conditional use

Building will be taller than code by about 4 feet but will not be taller than many other homes in the neighborhood

Project name and subdivision?

Yes

Applicants name, address and phone number?

Yes

Preparer's company name, address and phone number?

Yes

Statement from owner (if not applicant) authorizing applicant to make submittal

N/A

North arrow, scale?

Yes

Legend (for symbols used on drawing)?

Yes

Vicinity map showing project location relative to Toquerville City?

Yes

Site boundaries with dimensions?

Yes

Protection area boundaries (wetlands, spring/well protection areas, floodplains)?

Yes

Existing topography?

Yes

Slopes over 15% highlighted with red hatching pattern?

No

Existing vegetation?

No

Existing roads, including names, grades, pavement widths. Show right of way?

Yes

Existing utilities, by type, including location and dimension of easements?

Yes

Existing emergency access, fire lanes, fire hydrants?

Yes

Footprint of existing structures, with uses indicated?

Yes

Proposed vegetation, general landscape plan?

Yes

Proposed drainage system (include location and dimensions of easements)?

Yes

Proposed utilities, by type, including location and dimensions of easements and location of fire hydrant?

Yes

Proposed roads-names, grades, pavement widths and right of way?

Yes

Calculations of building coverage, units, bedrooms, parking spaces?

Yes

Layout and dimensions of parking lots, with stalls shown?

Yes

Proposed locations for gas tanks, LP gas, dumpsters?

Yes


Proposed locations, and types, for signage and lighting?


Yes

Phasing plan?

Yes

Upload Conditional Use site Plan

 Black Accessory Building - Architectural Plan.pdf

 Black Accessory Building - Site Plan 4.13.23.pdf

Signature

PURPOSE The purpose of this permit is to allow persons, in compliance with the requirements and who are issued a conditional use permit, to utilize a portion of their residential premises as a place of business. Such business shall only be operated by the residents in the home and shall not be of such nature or scope that the operation of the business disrupts neighbors or detracts, changes or modifies the character of the neighborhood in which it is located.

WHEN REQUIRED The conditional use permit is primarily required whenever an in-home business or occupation is operated in an R-1-12, R-1-15, R-1-20, MU-20, A, RM-1 or RM-2 zone.

APPROVAL STANDARDS (From Section 10-7-9 of Land Use Code) To authorize a conditional use, permit the Planning Commission at a public meeting must find that the evidence presented establishes:

- a) That no persons other than the residents of the residential premises shall be employed in the home occupation. No independent contractors shall come upon the residential premises to conduct the work of the home occupation.
- b) The home occupation shall not alter the residential character of the residential premises by reason of activity, color, design, materials, storage, construction, lighting, sounds, noises, vibrations, dust, odors, noxious fumes, etc., nor shall it unreasonably disturb the peace and quiet of an individual and/or the residential neighborhood, nor interfere with area radio or television reception.
- c) Outside storage of equipment and/or materials associated with the home occupation business shall not be permitted.
- d) Only two (2) vehicles may be used in association with the home occupation, and they shall be capable of being parked in the garage (or regularly parked areas normally used by the resident). Any vehicles used for the home occupation shall be limited to a maximum size of one-ton gross vehicle weight.
- e) The number of square feet used for conducting the home occupation, whether in the residence or other permitted structure, shall not exceed twenty-five percent (25%) of the total area of the residence, plus attached garage, not to exceed five hundred (500) square feet.
- f) The home occupation may be conducted in a garage or other structure on the premises, subject to the following: 1. The garage may not be altered in any way that prevents the parking vehicles within. 2. Sufficient off street parking must be available for the vehicles displaced by using the garage to conduct the home business.
- g) No business signs are to be displayed on the residential premises in the connection with the home occupation.
- h) The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zoning in which the use is located.
- i) The home occupation shall not create noise in excess of that which is customary to the immediate neighborhood.
- j) The proposed home occupation will not place the residence or permitted structure out of conformity with all applicable fire, building, plumbing, electrical and health codes, as well as with all federal and state regulations and other ordinances of the city. The residential premises shall be subject to inspection by the city for compliance purposes.
- k) The proposed home occupation will not cause a demand for municipal or utility services, or community facilities, in excess of those usually and customarily provided for similar residential premises in the affected zoning area.
- l) Promotional meetings for the purpose of selling merchandise, taking orders or training shall not be held more than once in any calendar month.
- m) No sales of goods or materials requiring regular or frequent delivery to a customer by a semi-tractor/trailer truck are permitted.

n) No hours of operation between ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. are permitted.

o) No storage, usage or disposal of hazardous or flammable materials is permitted.

p) All trash and refuse created by the home occupation is to be disposed of regularly and the storage of all trash/refuse will be kept in appropriate containers out of the sight of the public from in the front of the residence.

q) Applicant shall maintain a valid business license issued by the City, or in the case of satellite operation, in the city where the main center of operations for the home occupation is located.

APPEALS: A home occupation permit denial, revocation or non-renewal may be appealed to the City Council by filing a written notice of appeal with the City Recorder within ten (10) days of an applicant's receipt of the written notice of denial, revocation or non-renewal. The City Council shall hear the appeal within sixty (60) days of the notice of appeal being filed.

Dustin Black - 04/13/2023 1:55 pm

Messages

There are a few things missing from your application. Please upload the stamped Site Plan for the application as well as the recorder's map showing the 300' notice distance. Additionally, you will need to bring the required stamped and addressed envelopes to the City Office before the application can be reviewed for completeness. Let me know if you have any questions.

