

Oakley City Planning Commission Staff Report

CONDITIONAL USE PERMIT – Accessory Dwelling Applicant: Justin and Jennifer Harding

To: Oakley City Planning Commission

From: Stephanie Woolstenhulme, City Planner

Report Date: March 15, 2021 **Date of Meeting:** March 17, 2021

Type of Item: Conditional Use Permit – Public Hearing, Possible Action

Process: Administrative Review

RECOMMENDATION: Staff recommends that the Planning Commission hold a public hearing, review and approve the Harding Conditional Use Permit for an accessory dwelling according to the findings of fact, conclusions of law and any condition set forth by the Commission.

PROJECT DESCRIPTION

Project Name: Harding Accessory Dwelling Applicant(s): Justin and Jennifer Harding Justin and Jennifer Harding Location: 4450 N. New Lane Road

Parcel Number(s): OTBV-285 Size: 28.73 acres

Zone District: A-5 (1 unit of density per 5 Acres)

Adjacent Land Uses: Residential/Agricultural **Existing Uses**: Residential/Pasture

Public Hearing: Public notice was given for a public hearing at this Planning

Commission meeting

PROPOSAL:

The applicant wishes to comply with Oakley City Code for an existing accessory dwelling on his parcel. When Mr. Harding purchased the parcel is had a primary dwelling, accessory dwelling, and barn.

Subdivision application has been submitted that will make this property Lot 1 in the North Star Ranch Subdivision.

Please see site plan and photo of existing accessory dwelling below.

FINDINGS OF FACT

- 1. The dwelling is located at approximately 4450 N New Lane Road.
- 2. Property is located in the Agricultural 5 Acre (A-5) zone.
- 3. Project is an accessory dwelling 1100 sq. feet.
- 4. Septic Accessory Dwelling has it's own septic.
- 5. Water primary and accessory dwellings on a well.

CONCLUSIONS OF LAW

- 1. This type of development is allowed in A-5.
- 2. Planning Commission must find that neither the public nor person are materially injured by the proposed subdivision.

CITY ENGINEER COMMENTS

Fire hydrant within 250 feet of dwellings

ITEMS OF CONSIDERATION

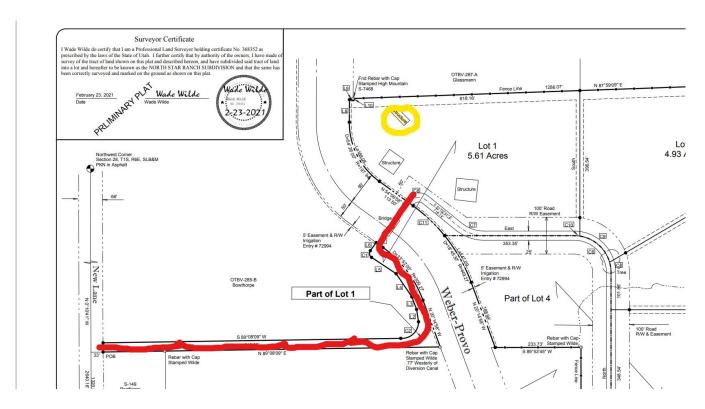
Accessory building was built in the 1980's as the primary dwelling and has since become the accessory dwelling. Owner purchased property with both dwellings and a barn already on the property.

CONDITIONS OF APPROVAL

- 1. At the time the water line for pending subdivision is installed, a fire hydrant needs to be placed within 250 feet of primary and accessory dwelling.
- 2. One of the buildings (primary or accessory) needs to be owner occupied per city code.
- 3. No living quarters in the barn.

The Planning Commission is empowered to require additional and reasonable improvements to mitigate any detrimental effects to surrounding property and residents and to safeguard the general welfare of the future inhabitants of the subdivision.

Site Plan:



ACCESSORY DWELLING



WATER LINE DESIGN – submitted with Subdivision. Fire Hydrant circled in blue.

