



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
Property Owner(s): 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.

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

