

Planning Commission Staff Report

August 13, 2015

Item 6

Applicant: Kristie & David
Cook

Location: 710 W Maple

Prepared by: Sean Conroy,
Community Development
Director

Public Hearing: No

Zone: RA-1

Attachments:

1. Application materials.
2. MCC Chapter 18.84.390.

REQUEST

To discuss a request to remodel an existing single family residence located at 710 West Maple Street.

BACKGROUND AND PROJECT DESCRIPTION

The subject site is a 1.29 acre parcel located in the Residential-Agricultural (RA-1) zone. The parcel is considered a metes and bounds lot that has not been part of a subdivision plat. A permit was issued for a modular home on the site in 2000 that included a conventional garage. Later a detached garage was also constructed. At some point prior to the current owners owning the property, the attached garage was converted to living space without a permit.

The applicant desires to demolish the existing residence and construct a new residence on the site. The purpose of this meeting is to discuss the implications of demolition and for the Commission to provide guidance on how to proceed.

EVALUATION

Mapleton City Code (MCC) Chapter 18.84.390 requires that a minimum level of improvements be installed prior to issuance of a permit for a new residence. These improvements include water, sewer and pressurized irrigation lines, a hard surface road, curb, gutter and sidewalk and that a plat be recorded with the Utah County Recorder.

The subject parcel is considered a legal nonconforming lot because it was established prior to the adoption of MCC Chapter 18.84.390. The home on the lot can be maintained, improved, remodeled, and added on to without installing the improvements required for a new home. However, if the existing home on the lot is demolished and a new home is proposed, the lot would have to be brought into conformance with MCC Chapter 18.84.390. For this lot, that would mean widening the street, installing a pressurized irrigation line along the frontage and the installation of curb, gutter and sidewalk.

The applicant has indicated that they could demolish the existing modular home and leave the conventionally built garage that has since been converted to living space. This would leave 22% of the footprint of the existing home intact.

Mapleton City Code does not define a “demolition” versus a “remodel” or “addition”. For this reason, staff is requesting guidance from the Commission on how to classify the proposed project. The difference between a demolition and a remodel is often defined by the percentage of structural walls that are proposed to remain. Since there is no definition in the code, the Commission should discuss whether it is reasonable to classify the proposed project as a remodel/addition as long as the existing garage remains intact and is attached to the new construction.

Regardless of the Commission’s decision on this project, staff will draft an amendment to be reviewed by the Planning Commission at a subsequent meeting to clarify this issue.

STAFF RECOMMENDATION

Provide direction to staff and the applicant.

Request for approval to remodel existing home

June 30, 2015

Location of existing home: 710 West Maple St. Mapleton Utah

Owner information: David L. and Kristie L. Cook

Serial Number: 26:063:0057

Total square footage = 1,432 SF

Existing home 40' X 28' = 1,120 SF or 78% (1996 year built?)

Master bedroom addition 12' x 26' = 312 SF or 22%

Existing Detached Garage 30' x 40' = 1,200 SF

Lot size = 1.29 Acres

Driveway currently is 37' long (front setback)

Frontage along Maple street = 216 LF

Description of project: David and Kristie Cook currently own and reside in a modular home located at the address above. It is the Cook's desire to remove the existing modular home portion of the structure and reconstruct it with a conventional built-in place home.

The existing modular home portion of the structure (40' x 28') has a conventional built-in place addition (12' x 26') on the West End of the home. The Cooks would prefer to remove the entire existing structure and replace it with a conventional built-in place new home, however if removing the entire existing structure requires the Cooks to then go through the subdivision process the Cooks would like to leave the existing built-in place portion of the existing home and remodel the modular home with a conventional built-in place structure.

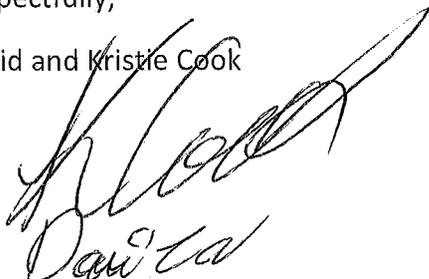
In our review of the city code we have been unable to find any codes that prohibit the remodel of an existing structure where the use is staying the same and all setback and zone requirements are met.

The proposed remodel of this existing home would in no way have any greater impact on any of the city's infrastructure. The occupant load and existing use would stay the same as it currently is.

We feel that by removing and renovating the modular portion of this home with a conventional built-in place brick home we would be improving the neighborhood and the entrance to Mapleton city.

Respectfully,

David and Kristie Cook



An aerial photograph of a residential area. A large red rectangular box highlights a specific parcel of land, labeled "Subject Parcel". The parcel contains several buildings, including a large white house with a dark roof, a smaller white building, and a dark-roofed structure. There are also several trees and a paved area. To the right of the subject parcel is a large, empty lot with a light-colored surface. To the left, there are more residential buildings and trees. A road is visible at the bottom of the image.

Subject Parcel



Convention Garage

Modular Home

Proposed Demolition

ATTACHMENT “2”

MCC CHAPTER 18.84.390: MINIMUM LEVEL OF IMPROVEMENTS TO BE INSTALLED BEFORE BUILDING PERMITS MAY BE ISSUED:

No building permit for the construction of a dwelling or other structure intended for human occupancy shall be issued unless and until the lot is served by the following minimum level of improvements:

- A. A culinary water main and pressurized irrigation, which conform to city standards and extends to and across the lot. (See [title 13, chapter 13.20](#) of this code for requirements regarding the extension of water lines to unserved lots.)
- B. A water service line and a pressurized irrigation line including the service tap, pipe and meter housing and assembly, constructed in accordance with city standards.
- C. A hard surfaced access road (city street) having a right of way width which conforms to the minimum city standard and extends to and across the lot (see [title 13, chapter 13.20](#) of this code for requirements regarding the extension of city streets to unserved lots). In the case of a road which is part of an approved subdivision plat or road extension, a building permit may be issued with only the subbase and gravel base installed, provided that the city holds a performance guarantee for the completion of the road improvements. Paving will be required from the existing edge of pavement to any required or existing curb and gutter.
- D. A sewer main, which conforms to city standards and extends to and across the lot. (See [title 13, chapter 13.20](#) of this code for requirements regarding the extension of sewer lines to unserved lots.)
- E. A permanent sewer service line constructed according to city standards.
- F. Curb, gutter and sidewalk as determined necessary by the city engineer.
 - 1. An applicant may petition the planning commission to waive the requirement for curb, gutter, and/or sidewalks. However, the planning commission may only waive or modify the requirements if it is determined to more effectively achieve the policies, goals, and objectives of Mapleton City. The modifications shall be consistent with appropriate engineering measures to protect public safety.
- G. A plat map has been recorded with the Utah County recorder in accordance with section [17.04.120](#) of this code. (Ord. 2014-04, 3-19-2014, eff. 4-13-2014)