



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Date Received: 11/12/2024
Fee: \$800.00
Payment Method: Cash
Receipt Number: 53220

CONDITIONAL USE PERMIT

Applicant Information

Name: Stacy Christine Spencer Telephone: [REDACTED]

Address (City, State, Zip): [REDACTED]

Agent (If applicable): _____ Agent Phone: _____

Address of Subject Property: 1747 N Apple Valley Dr

Tax ID of Subject Property: AV-AVR-1-2

Proposed Conditional Use: Home build under required minimum square footage

Stacy Spencer
Applicant Signature

11 / 08 / 2024
Date

This application shall be accompanied by the following:

- ☒ A vicinity map showing the general location of the application
- ☒ Three (3) copies of a plot plan showing the following:
 - ☐ Property boundaries, dimensions and existing streets
 - ☐ Location of existing and proposed buildings, parking, landscaping and utilities
 - ☐ Adjoining property lines and uses within one hundred feet of subject property
- ☒ A reduced copy of all plans (8.5x11 if readable, or 11x17) if original plans are larger
- ☒ Building elevations for new construction, noting proposed materials and colors
- ☐ Traffic impact analysis, if required by the Town Engineer or the Planning Commission
- ☒ Applicant's responses to the Conditional Use Permit standards for review (attached)
- ☒ A statement indicating whether the applicant will require a variance in connection with the proposed conditional use permit.
- ☒ Warranty deed, preliminary title report, or other document (see Affidavit of Property owner attached) showing evidence that the applicant has control of the property.

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Contact the Planning Department for the deadline date of submissions. Once your application is deemed complete, it will be put on the agenda for the next planning Commission meeting. A deadline missed due to an incomplete application could result in a month's delay.

Conditional Use Permit Overview

PURPOSE

It is the purpose of a conditional use permit to allow flexibility in zoning, by permitting a discretionary review of a project or use that by its character may not be compatible with uses which are permitted in the zone, and allowing such use when it can be found to be compatible with the neighborhood in which it is located.

WHEN REQUIRED

The conditional use permit is primarily required whenever the Land Use Ordinance specifies the use as a conditional use. It is also used for other specified situations such as allowing building heights that exceed the maximum allowed within the zone.

APPROVAL STANDARDS (from section 10:20 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) The proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity
- b) The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community; and
- c) The proposed use will comply with regulations and conditions specified in Land Use Ordinance for such use.

The Planning Commission may request additional information as may be reasonably needed to determine whether the requirements of this subsection can be met.

APPEALS

Any person adversely affected by a decision of the Planning Commission regarding the transfer, issuance or denial of a conditional use permit, may appeal such decision to the Board of Adjustment by filing written notice of appeal, stating the grounds therefore within fourteen (14) days from the date of the Planning Commission decision. The appeal is filed with the Clerk

for the Board of Adjustment located in the Planning Department. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction within thirty (30) days from the date of decision of the Board of Adjustment.

Conditional Use Permit Standards for Review

Please provide response to the following for the Commissions review:

- a. The harmony and compliance of the proposed use with the objectives and requirements of the Town's General Plan and the Land Use Code;
- b. The suitability of the specific property for the proposed use;
- c. The development or lack of development adjacent to the proposed site and the harmony of the proposed use with existing uses in the vicinity;
- d. Whether or not the proposed use or facility may be injurious to potential or existing development in the vicinity
- e. The economic impact of the proposed facility or use on the surrounding area;
- f. The aesthetic impact of the proposed facility or use on the surrounding area;
- g. The number of other similar conditional uses in the area and the public need for the proposed conditional use;
- h. The present and future requirements for transportation, traffic, water, sewer, and other utilities, for the proposed site and surrounding area;
- i. The safeguards proposed or provided to ensure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, and pedestrian and vehicular circulation
- j. The safeguards provided or proposed to prevent noxious or offensive emissions such as noise, glare, dust, pollutants and odor from the proposed facility or use.
- k. The safeguards provided or proposed to minimize other adverse effects from the proposed facility or use on persons or property in the area; and
- l. The impact of the proposed facility or use on the health, safety, and welfare of the Town, the area, and persons owning or leasing property in the area.

Affidavit

Property Owner

State of Utah)

§

County of Washington)

I (we) Star Christine Spencer being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Apple valley Town planning staff have indicated they are available to assist me in making this application.

Star Christine Spencer
(Property Owner)

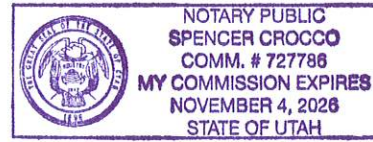
(Property Owner)

Subscribed and sworn to me this 8th day of Nov 2021.

Witness my hand and official seal.

[Signature]

(Notary Signature)



(seal)

Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20____.

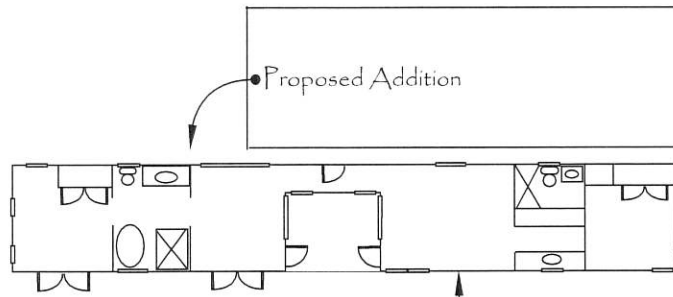
Witness my hand and official seal.

(Notary Signature)

(seal)

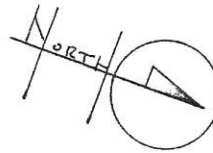
255.00'

175.00'



New Construction Modular Home

1000g approved and operating septic



AVR 1-2 Legend

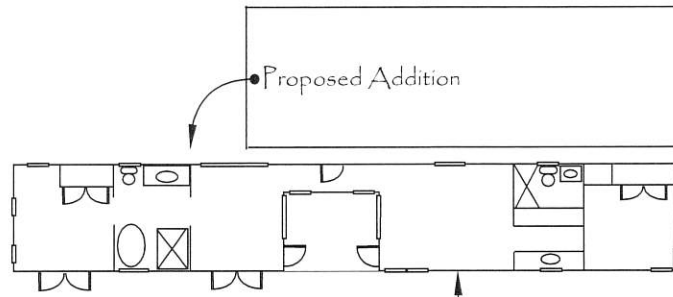
- Water
- Electrical
- Fiber at property line
- 100 amp Electric post
(to be updated to 200amp)
- Water meter

Drainage Ditch

Existing Driveway

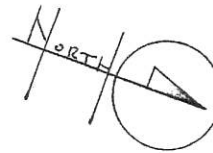
255.00'

175.00'



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AVR 1-2 Legend

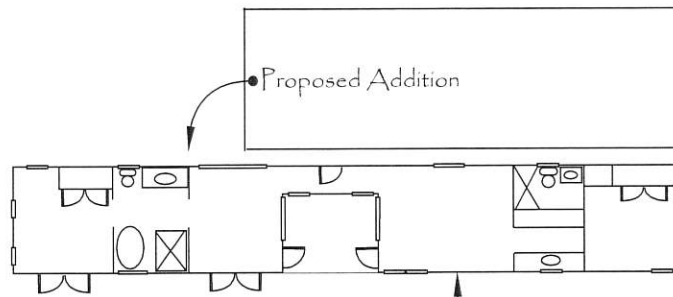
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- Water meter

Drainage Ditch

Existing Driveway

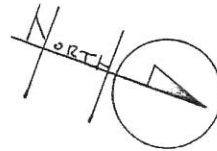
255.00'

175.00'



New Construction Modular Home

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AVR 1-2 Legend

- Water
- Electrical
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- [] 100 amp Electric post
(to be updated to 200amp)
- [] Water meter

Existing Driveway

Drainage Ditch

Property Address:

1747 N Apple Valley
Drive, Apple Valley Utah
84737

Notes:

New home will be
situated 50' from N, S and
W property lines,
respecting setback
requirements, single story,
400 sf modular home with
400 sf future addition,
adheres to all local
building codes and
aesthetic regulations.



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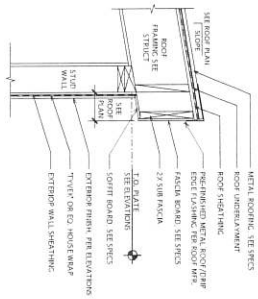




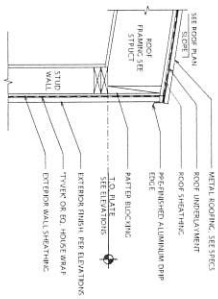


Subject Property

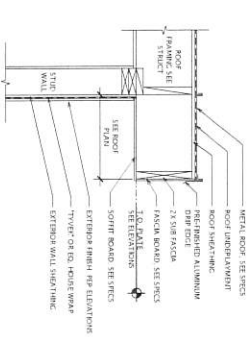
AVR 1-2



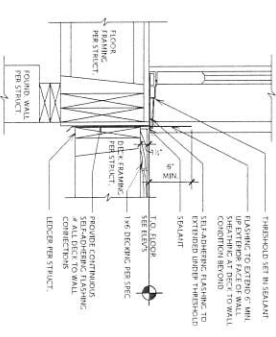
7 ROOF FASCIA @ UPPER EAVE



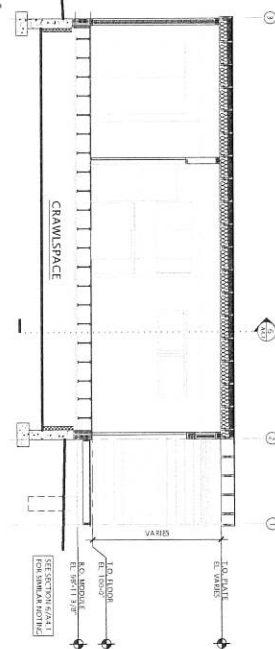
8 ROOF FASCIA @ EAVE
A3.0 SCALE: 1" = 1'-0"



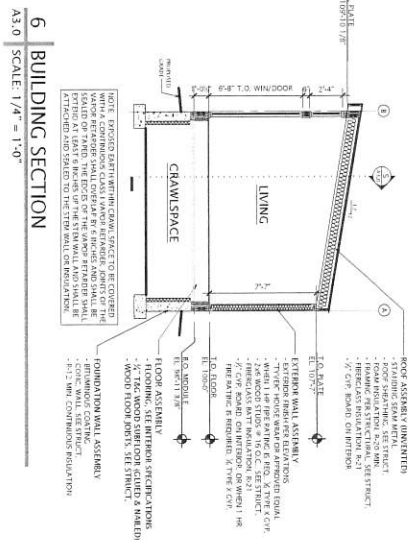
9	ROOF FASCIA RAKE
A3.0	SCALE: 1" = 1'-0"



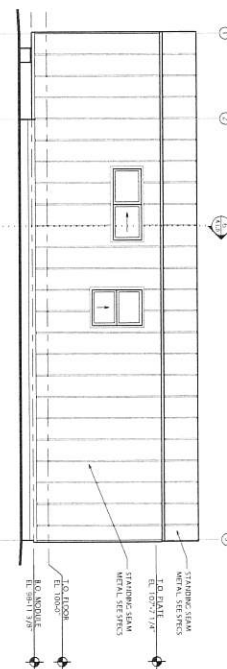
10 DECK TO RIM JOIST JUNCTION



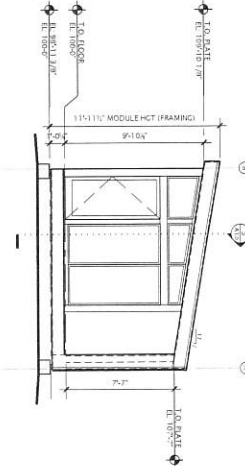
5 BUILDING SECTION
A3.0 SCALE: 1/4" = 1'-0"



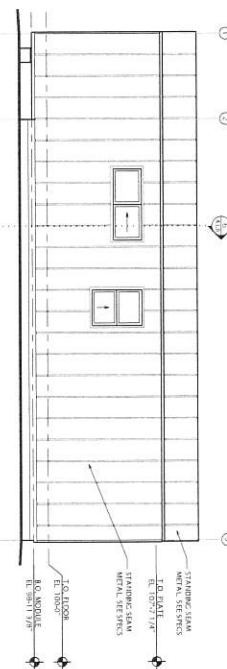
6 BUILDING SECTION
A3.0 SCALE: 1/4" = 1'-0"



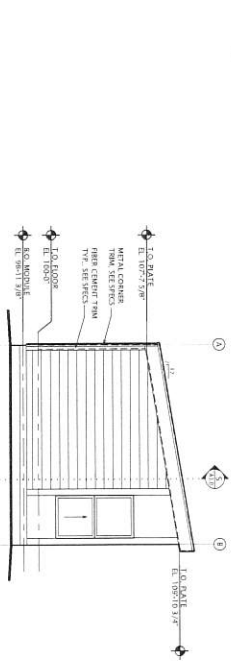
1 FRONT ELEVATION
A3.0 SCALE: 1/4" = 1'-0"



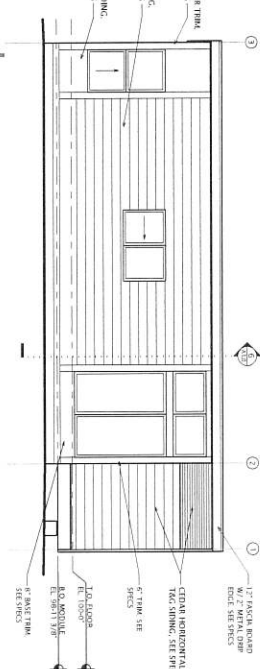
1 FRONT ELEVATION
A3.0 SCALE: 1/4" = 1'-0"



2 RIGHT SIDE ELEVATION
A3.0 SCALE: 1/4" = 1'-0"



3 REAR ELEVATION
A3.0 SCALE: 1/4" = 1'-0"



4 LEFT SIDE ELEVATION
A3.0 SCALE: 1/4" = 1'-0"

DATES	
STATE SUBMITTAL	09-19-2024
 KITCHEN CEILING STAFF & WINDOW LABELING, READING	09-19-2024

DOSSOIL - CABANA 400

79 W. GILA BEND
WILLIAMS, AZ 86046

BUILDING
ELEVATIONS
& SECTIONS

A3.0

NO.	QTY	DESCRIPTION	MATERIAL	CLASS	TRANSOM	CHES	IF	SHED	SHEDS
W01	2	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W02	2	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W03	2	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W04	1	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W05	1	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W06	1	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W07	1	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W08	1	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W09	1	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
W10	1	WIND	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO

NO.	QTY	DESCRIPTION	MATERIAL	CLASS	TRANSOM	CHES	IF	SHED	SHEDS
D01	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
D02	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
D03	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
D04	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO

WINDOW FLASHING INSTALLATION

1. PREPARE FLASHING MATERIAL AS SHOWN IN SECTION.

2. APPLY FLASHING MATERIAL TO WINDOW FRAME AS SHOWN IN SECTION.

3. APPLY FLASHING MATERIAL TO WINDOW FRAME AS SHOWN IN SECTION.

4. APPLY FLASHING MATERIAL TO WINDOW FRAME AS SHOWN IN SECTION.

5. APPLY FLASHING MATERIAL TO WINDOW FRAME AS SHOWN IN SECTION.

GENERAL NOTES:

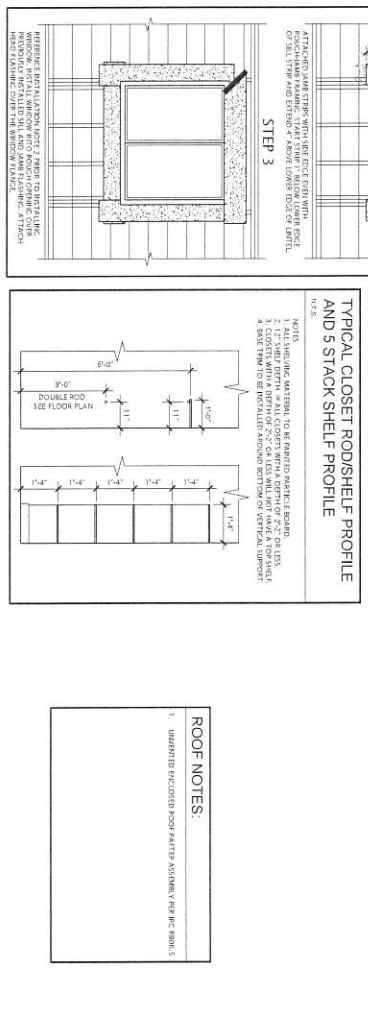
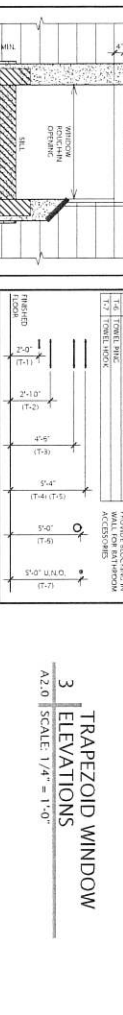
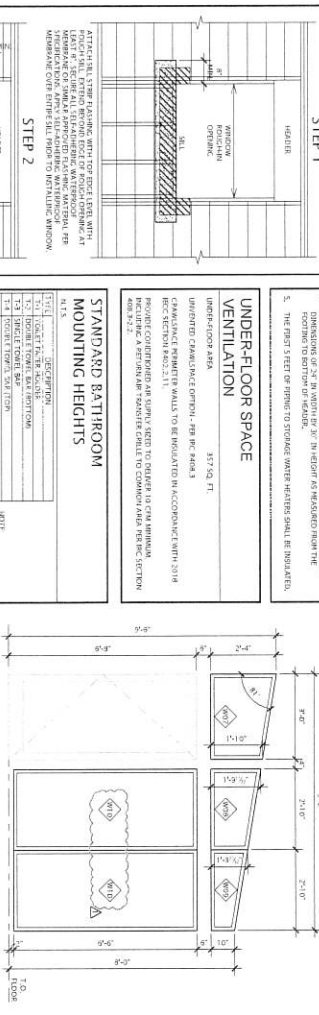
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC.

2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC.

3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC.

4. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC.

5. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC.



NO.	QTY	DESCRIPTION	MATERIAL	CLASS	TRANSOM	CHES	IF	SHED	SHEDS
D01	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
D02	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
D03	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO
D04	1	DOOR	SEE SPEC	SEE SPEC	CLAS	NO	NO	NO	NO

DOOR FLASHING INSTALLATION

1. PREPARE FLASHING MATERIAL AS SHOWN IN SECTION.

2. APPLY FLASHING MATERIAL TO DOOR FRAME AS SHOWN IN SECTION.

3. APPLY FLASHING MATERIAL TO DOOR FRAME AS SHOWN IN SECTION.

4. APPLY FLASHING MATERIAL TO DOOR FRAME AS SHOWN IN SECTION.

5. APPLY FLASHING MATERIAL TO DOOR FRAME AS SHOWN IN SECTION.

GENERAL NOTES:

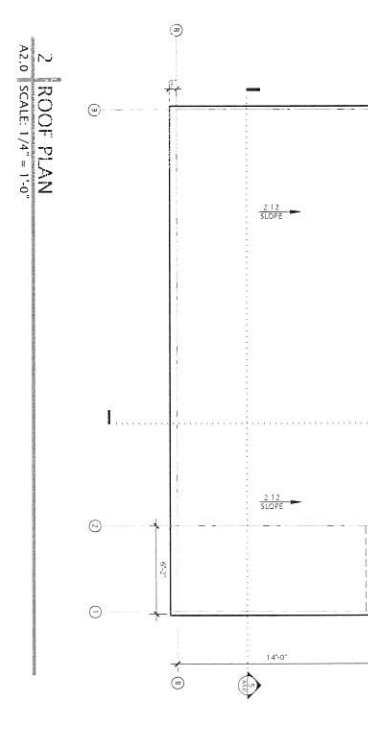
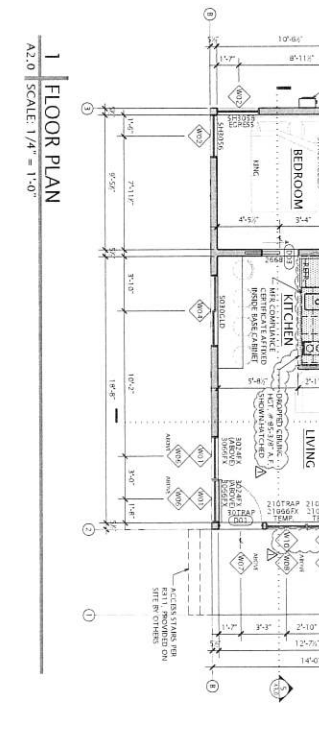
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5. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC.



Please provide response to the following for the Commissions review:

a. The harmony and compliance of the proposed use with the objectives and requirements of the Town's General Plan and the Land Use Code;

My home will comply with residential requirements per land use code except for minimum square footage requirements. Home will be finished 800sf instead of 1000sf with the first phase being 400 sf.

b. The suitability of the specific property for the proposed use;

My personal residential home will be well suited due to my property being zoned for residential purposes.

c. The development or lack of development adjacent to the proposed site and the harmony of the proposed use with existing uses in the vicinity;

My home will exist in harmony with surrounding homes due to similar residential developments to my property as theirs. I currently have all utilities, and there will be minimal construction and disturbances due to part of the home being a pre-built modular home.

d. Whether or not the proposed use or facility may be injurious to potential or existing development in the vicinity

My home will not be injurious to potential or existing development in the vicinity.

e. The economic impact of the proposed facility or use on the surrounding area;

Due to residential comps for resale, my home will not negatively impact larger homes and will positively impact surrounding areas by building an aesthetically pleasing, efficient and updated home and property.

f. The aesthetic impact of the proposed facility or use on the surrounding area;

My home will adhere to all building codes and requirements for aesthetics and will not take from the beautiful surrounding scenery.

g. The number of other similar conditional uses in the area and the public need for the proposed conditional use;

I'm unaware of other similar conditional uses in the area and there is an outstanding public need for this proposed conditional use as well as code update. Due to rising building costs, reduced home square footage need and more efficient building practices, it's growing more and more popular to build small. This has less of an environmental impact, requires less water and utility usage and helps to maintain the natural state of surrounding areas by increasing yard size resulting in more natural residential areas.

h. The present and future requirements for transportation, traffic, water, sewer, and other utilities, for the proposed site and surrounding area;

With more "off-grid" living practices available, building smaller homes will have a positive impact in surrounding areas due to relying on public utilities less. Small homes can often power themselves with solar, utilize rainwater, and can be built with a more economically sustainable practices than large homes. Allowing smaller homes also shouldn't affect traffic due to fewer people living per home. If property sizes stay large, traffic shouldn't be affected negatively.

i. The safeguards proposed or provided to ensure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, and pedestrian and vehicular circulation

Same safeguards would be expected as larger homes.

j. The safeguards provided or proposed to prevent noxious or offensive emissions such as noise, glare, dust, pollutants and odor from the proposed facility or use.

Same safeguards would be expected as larger homes.

k. The safeguards provided or proposed to minimize other adverse effects from the proposed facility or use on persons or property in the area; and

Same safeguards would be expected as larger homes.

l. The impact of the proposed facility or use on the health, safety, and welfare of the Town, the area, and persons owning or leasing property in the area.

This could have a very positive impact on the health, safety and welfare of the Town. People could have more time, energy, and resources to offer to the community due to less home responsibilities. People can still build large homes if they like, but it

would allow those of us that would like to build small and contribute back to their community the opportunity to do so. I, personally, enjoy volunteering and being active in my community. Instead of being house-poor and working around the clock to afford a large mortgage, I'd prefer to build quaint and spend my time helping others.

Apple Valley Variance Need:

Dear Apple Valley Building Commission,

Due to code 10.10.050 B1 which states: "Single-family dwellings not less than 1,000 sq. ft. on the main floor;" a variance will be necessary. I'd like my proposed home to be less than 1000 square feet because I don't need anything greater. Ideally, this variance would be an update to the code to allow any square footage of home be built while still requiring they provide positive feedback to the community and surrounding areas.

Most codes are in place to protect the community and preserve it's charm, Town vision and impact. Keeping a minimum square footage code in an area impacted by reduced water availability seems to be counterintuitive. If community members are allowed to build small, while not impacting lot size, their utility use will also be minimized. This would positively affect our community. Doing away with the square footage minimum would still require folks to go through proper channels to build a responsible home that meets all local building requirements. This would continue the course of allowing Apple Valley to grow responsibly at a moderate pace as the process will not change.

In my personal case, my immediate household is quite small unfortunately. I also have relocated to be closer to family and am a self-employed female general contractor who cares greatly about small communities since I was raised in Oklahoma. Being a small household, I'd like to maintain my small-living lifestyle within my means and need. Being a country lover, I don't want to be forced into a highly dense area just to have a small house. I appreciate the openness of the Town of Apple Valley and know this is home for me. I'd be happy to help adjust this code so it can help many others like me that want to give back to the community while living small.

Thank you for your time and consideration and I look forward to being a positive part of this community.

Christine Spencer

1747 N Apple Valley Drive

Apple Valley, UT 84737

541-980-9717

Warranty Deed Page 1 of 1

Gary Christensen Washington County Recorder

11/27/2023 11:31:45 AM Fee \$40.00 By

SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:

Stacy Christine Spencer
8080 SW Wareham Cir
Portland, OR 97223-6991



**SOUTHERN UTAH
TITLE COMPANY**
"Doing good Deeds for over 70 years"
sutc.com

Order No. 229532 - EFP
Tax I.D. No. AV-AVR-1-2

Space Above This Line for Recorder's Use

WARRANTY DEED

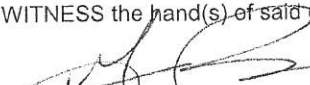
Vincent Barker and Nancy Barker, grantor(s), of Ogden, County of Weber, State of Utah, hereby **CONVEY and WARRANT** to

Stacy Christine Spencer, grantee(s) of Portland, County of Washington, State of Oregon, for the sum of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** the following described tract of land in Washington County, State of Utah:

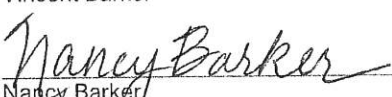
Lot Two (2), APPLE VALLEY RANCH SUBDIVISION, PHASE 1, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

TOGETHER WITH all improvements and appurtenances there unto belonging, and being **SUBJECT TO** easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 17th day of November, 2023.



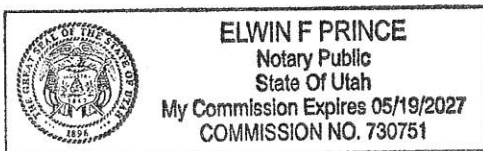
Vincent Barker

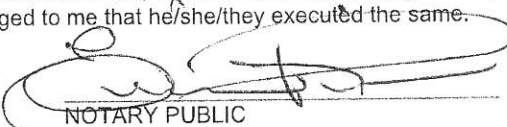


Nancy Barker

STATE OF Utah)
) ss.
COUNTY OF Washington)

On the 17th day of November, 2023, personally appeared before me, Vincent Barker and Nancy Barker, the signer(s) of the within instrument who duly acknowledged to me that he/she/they executed the same.





NOTARY PUBLIC

My Commission Expires: