TOWN OF APPLE VALLEY
PLANNING COMMISSION STAFF REPORT

Conditional Use Permit — Robert Zitting | Proposed accessory garage height

Applicant	**Robert Zitting**
Property	1810 E 2000 S, Apple Valley, Utah (verify address against parcel record)
Application received	October 13, 2026
Request	Conditional use approval for accessory building height above the otherwise permitted limit
Hearing date	To be scheduled
Zoning / parcel number	Confirm against Town zoning map and County parcel record

1. Request and background

The applicant proposes a private, two-story, barn-style garage on an approximately five-acre residential property. The application describes the proposed conditional use as a "2nd story floor." The submitted building plans and elevations indicate a proposed accessory structure exceeding the generally applicable 25-foot accessory-building height limit; staff previously identified a plan height of approximately 28 feet 3 inches. The Planning Commission is asked to consider the additional height, not to approve construction plans or a commercial use.

The applicant states that the garage will be for personal use, with no retail or commercial operation, vehicle painting, or vehicle repair business. The narrative describes a barn-like appearance, an approximately 38-foot separation from the closest property line, and approximately 107 feet from the road. These dimensions and the height measurement require verification against the final site plan and applicable code measurement method.

2. Applicable municipal code

Apple Valley Municipal Code §10.07.090(B)(1) authorizes the Planning Commission to consider conditional use permits for accessory buildings taller than otherwise permitted. Section 10.07.090(C) requires conditional use approval before issuance of a building permit for the conditional use. Section 10.07.090(E)(3) calls for a staff report, and §10.07.090(E)(4) requires approval when reasonable conditions can mitigate reasonably anticipated detrimental effects under applicable standards. Section 10.07.090(F)(1) requires authorization as a conditional use under the zoning title. The accessory-height provision and zoning designation should be confirmed before final action.

3. Staff evaluation

Compatibility and appearance. The applicant proposes barn-style architecture intended to complement the rural and agricultural character of the neighborhood. Elevations and color examples are included. Height and massing may affect views or visual compatibility; the Commission should evaluate the final elevations and neighboring property context.

Site layout and setbacks. The application includes aerial maps, site plans, and building drawings. The applicant reports substantial separation from the road and nearest property boundary. Staff should confirm the structure location, setbacks, access, and any easement or drainage constraints before building permit issuance.

Traffic, utilities, and public safety. The applicant states the garage is private, with no additional traffic associated with a business, and that water, power, and septic infrastructure already serve

the residence. Building, fire, drainage, and utility compliance remain subject to applicable technical reviews. The CUP does not substitute for these reviews.

Noise and neighboring impacts. The applicant represents that no commercial activity, painting, or repair business will occur. Limiting approval to the described private accessory use would address potential increases in traffic, noise, fumes, and outdoor activity. The Commission may identify other reasonably anticipated impacts supported by the record.

4. Recommended conditions if approved

1. Approval is limited to the proposed private accessory garage and the height and configuration specifically approved by the Planning Commission; final plans shall show the approved maximum height measured as required by Town code.
2. Before issuance of a building permit, the applicant shall submit a final site plan and elevations for staff verification of building height, setbacks, property boundaries, easements, access, and applicable zoning standards.
3. The structure shall not be used for commercial vehicle repair, painting, retail operations, or other business activities under this CUP. Any change of use requiring additional land-use approval shall be reviewed separately.
4. The applicant shall obtain all required building and other permits and satisfy applicable building, fire, engineering, drainage, and utility requirements before construction or occupancy, as applicable.
5. Exterior lighting shall be directed and shielded to minimize spillover onto adjacent properties, consistent with applicable Town standards.
6. Any material change to the approved building location, height, design, or use shall be evaluated by Town staff to determine whether an amendment to the CUP is required.

5. Proposed findings for Commission consideration

7. The Town code provides a conditional use review process for accessory-building height above the otherwise permitted limit.
8. The applicant submitted plans, elevations, and a narrative describing a private barn-style garage and its proposed relationship to surrounding properties.
9. Potential impacts from additional building height and accessory use may be addressed through conditions concerning the approved height, location, design, use, and applicable technical standards, subject to Commission review of the evidence.
10. Approval of a CUP does not waive other applicable permits or code requirements.

6. Staff recommendation and suggested motion

Staff recommends that the Planning Commission consider APPROVAL WITH CONDITIONS, provided the zoning designation, applicable height provision, exact requested height, and final setbacks are verified and the Commission finds the reasonably anticipated detrimental effects can be substantially mitigated.

Suggested motion: “I move to approve the conditional use permit for Robert Zitting for an accessory garage exceeding the otherwise permitted accessory-building height at 1810 E 2000 S, subject to the findings and six conditions in the staff report, with the approved maximum height of [insert height] feet as measured under Town code.”

Alternative: The Commission may modify reasonable conditions based on the evidence, continue the item for needed information, or deny only if identified reasonably anticipated detrimental effects cannot be substantially mitigated by reasonable conditions under applicable standards.

7. Materials reviewed

Robert Zitting Conditional Use Permit application and attachments (90 pages), including applicant narrative, site plans, elevations, and engineering documents; Apple Valley Municipal Code §10.07.090 Conditional Use Permit (5 pages).

Staff verification before agenda publication: confirm zoning district, parcel ID, street address, the governing accessory-height subsection, the exact proposed height and height measurement method, and any department comments.