

MEMORANDUM

DATE: August 19, 2010

TO: County Development Review Committee

FROM: John M. Salazar, Development Review Team Leader

VIA: Jack Kolkmeier, Land Use Administrator
Shelley Cobau, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

FILE REF.: CDRC CASE # MIS 10-5310 FOSTER ACCESSORY STRUCTURE

ISSUE:

Doug Foster, Applicant, Requests Approval To Construct An Accessory Structure, Which Will Exceed 2,000 Square Feet, On 160 Acres To Be Utilized For Personal Use.

The Property Is Located At 299 Rough Road, Within Section 5, Township 11 North, Range 10 East, (Commission District 3).

SUMMARY:

The Applicant requests approval from the CDRC to construct a 6,465 square foot accessory structure on a 160.0 acre parcel. The Applicant is in the process of constructing a dwelling on the property and states: “this will be our primary residence, the structure will not be used for a business and the shop/barn combination will be used for personal use only.

Article III, Section 2.1 (Location of Residential Uses) of the Land Development Code (Code), as amended by Ordinance 1997-4, states: “residential uses and accessory structures are allowed anywhere in the County provided all of the requirements of the code are met” (Exhibit “F”).

Article X, Section 1 (Definitions of words and phrases used in the Code), as amended by Ordinance 1997-4, defines an accessory structure as a structure which is incidental and subordinate to the principal use or structure.

Article II, Section 2.3.1 (Administrative Decisions), as amended by Ordinance 1997-4, states: “an accessory structure greater than 2,000 square feet shall be submitted with a site plan to the CDRC for approval”.

Staff has reviewed the plans submitted by the Applicant, for the 6,465 square foot accessory structure, and have determined the proposed structure meets the development criteria set forth in the Land Development Code.

REQUIRED ACTION:

The CDRC should review the attached material and consider the recommendation of staff; take action to approve, deny, approve with conditions or modifications or to table for further analysis of this request.

RECOMMENDATION:

Staff has reviewed this application and has found the following facts to support this submittal: accessory structures are allowed anywhere in the County; the accessory structure as a structure will be incidental and subordinate to the principal use of the residential property; the plans submitted by the Applicant meet the development criteria set forth in the Land Development Code.

Staff has established findings that this application is in compliance with, Article III, Section 2.1 (Location of Residential Uses), Article X, Section 1 (Definitions of words and phrases used in the Code) and Article II, Section 2.3.1 (Administrative Decisions) of the Land Development Code as amended by Ordinance 1997-4. Staff recommends **approval** of the Applicants request to allow a 6,465 square foot accessory structure on a 160.0 acre parcel.

Attachments:

- Exhibit “A”- Letter of Request
- Exhibit “B”- Site Plan
- Exhibit “C”- Vicinity Map
- Exhibit “D”- Plat of Survey
- Exhibit “E”- Building Plans
- Exhibit “F”- Ordinance 1997-4
- Exhibit “G” - Aerial of Site