

Ent: 320362 - Pg 1 of 4  
Date: 2/10/2009 5:10 PM  
Fee: \$0.00 NO CHARGE  
Filed By: MT  
CALLEEN B PESHELL, Recorder  
Tooele County Corporation  
For: TOOELE COUNTY ENGINEERING DEP

## **AMENDMENT TO CONDITIONAL USE PERMIT #07-00100017**

(Issued pursuant to Chapter 7 of the Uniform Zoning Ordinance of Tooele County)

### ***Facts***

***THIS SUBMITTAL IS HEREBY AMENDING CUP #07-00100017, ENTRY #311025 AS RECORDED ON JULY 18, 2008. THE APPLICANT AMENDED THE INITIAL CONDITIONS AS PREVIOUSLY APPROVED, AS DECLARED IN THE PRECEEDING RECORD.***

1. On October 11, 2007, the applicant submitted a complete application to operate a dance studio out of their proposed basement located in Lake Point Estates;
2. On November 7, 2007, CUP #07-00100017 was approved by the Tooele County Planning Commission;
3. On September 8, 2008, the applicant submitted an application to amend CUP #07-00100017, requesting to address the following conditions:  
\*re-locate dance studio to an accessory structure  
\*increase time and days of services
4. Upon review of the application, staff found that the proposed use of land as a home occupation does not present an intensity of used that creates a potential hazard or nuisance that cannot be abated with the conditions issues which would preclude the issuance of this permit;
5. Chapter 7 allows a home occupation as a conditional use to be issued administratively by the Tooele County Planning Commission;
6. The property or parcel of land is located in a RR-1 zoning district; and
7. The applicant has demonstrated that they have ownership interest of the land to make an application for this permit.

## ***Decision and conditions issued***

We, the Tooele County Planning Commission, do hereby **GRANT** this Conditional Use Permit for, Mark and Kathie Steinagel, to use the property known as or described as,

NE1/4 OF SE1/4, SEC 10 T2S, R4W, SLB&M, LESS 1.67 TO CO RD, LESS 13.53 AC TO LAKE POINT EST PH 1 (16-17). BALANCE OF 5-28-1 AFTER LAKE POINT EST PH 1 (16-17) FOR 2007 YEAR, for the following purpose:  
CONDITIONAL USE PERMIT TO OPERATE A DANCE STUDIO FROM AN ACCESSORY STRUCTURE, SECONDARY TO THEIR PRIMARY RESIDENTIAL STRUCTURE.

Due to the unique characteristics of the use of the property or the potential impact on the county, surrounding neighbors or adjacent land, to mitigate or eliminate the detrimental impacts and for protection of adjacent properties and the public welfare (see Sections 7-1 and 7-5 of the Uniform Zoning Ordinance of Tooele County), we hereby find it necessary to and do hereby impose the following conditions, which must be complied with to establish and continue the use:

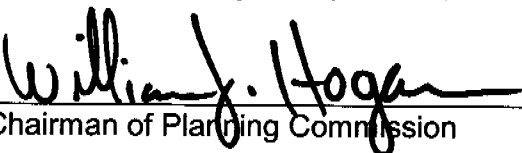
1. Eliminate the driveway path that leads to the parking stalls. Provide another access for students, parents/guardians, and the public to commute and participate.
2. Limit the amount of traffic, to and from their residence, by way of new proposed access way.
3. Require the proposed driveway path shall comply with the County Engineering Department pertaining asphalt or concrete road details and driveway approach standards, as depicted by the County Engineer.
4. Any differences to the driveway and driveway approach, i.e. material, shall be approved by the County Engineer.
5. Parking stalls will be limited to a maximum of five, of which, one will comply to van accessible and ADA dimensions. No parking of vehicles shall be allowed along directional driveway from point of entrance to point of exit.
6. Un-surfaced and undeveloped land between driveway path and culvert shall be landscaped and well-maintained and no shrubs can extend past 3 feet height, as to not interfere with vehicular line of sight.

7. Parent(s)/guardian(s) make written permission for names of people to pickup or take children.
8. Records shall be kept for no less than 7 years.
9. Maintain a list of medical insurance information and phone numbers appointed by parent(s)/guardian(s) for emergencies.
10. Require landscaping, drainage (if applicable) and/or parking and loading areas (if applicable) that satisfies the integrity of a cottage industry description.
11. Follow their personal submittal stipulating noise, vegetation, no dance recitals, and no signage upon property for advertising.
12. Use allowed to be located within an accessory structure, secondary from the primary residential structure.
13. Include one more day, Friday, to their weekly schedule of Tuesday and Thursday.
14. Increase the start time for each restricted day by thirty-minutes, beginning at 3:00 pm.
15. No changes to the permitted activities shall be allowed unless the permit is amended by the Tooele County Planning Commission.

Failure of the permittee to observe any condition specified herein may result in revocation of this permit (Section 7-13). Unless there is substantial action under this permit within one year of its issuance, the permit expires (Section 7-10). The zoning administrator will make periodic inspections to insure compliance with all conditions imposed (Section 7-9).

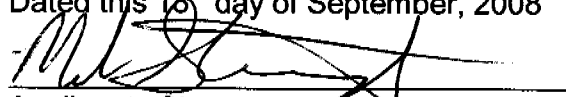
Any person aggrieved by a decision of the planning commission or the zoning administrator regarding the issuance, denial or revocation or amendment of a conditional use permit may appeal such decision to the board of county commissions within 30 days of the date of the decision appealed from (Section 7-8).

Dated this 17<sup>th</sup> day of September, 2008

  
Chairman of Planning Commission

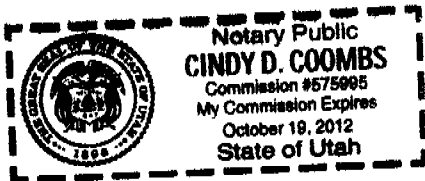
I, the above-Mark/Kathie Steinagel, do hereby accept the foregoing conditions and agree to abide by all of them.

Dated this 18<sup>th</sup> day of September, 2008

  
Applicants Signature

State of Utah)  
                  )s.s.  
County of Tooele)

On the 18<sup>th</sup> day of September, 2008, personally appeared before me, Mark/Kathie Steinagel, the signer of the Conditional Use Permit, who duly acknowledged to me that they signed it freely and voluntarily and for the uses and purposes therein mentioned.



Cindy D. Coombs  
Notary residing in Tooele County

My Commission expires on Oct. 19, 2012