

**ORDINANCE 2003-25**

**AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE, TITLE 13, CHAPTER 7, SECTION 2 OF THE TOOELE COUNTY CODE; ALLOWING THE BOARD OF ADJUSTMENT TO GRANT SPECIAL EXCEPTIONS WHERE LOTS ARE SPLIT BY ROADS.**

**THE LEGISLATIVE BODY OF THE COUNTY OF TOOELE ORDAINS AS FOLLOWS:**

**SECTION I - AMENDMENT.** Title 13, Chapter 7, Section 2 of the Subdivision Ordinance of the Tooele County Code is hereby amended to read as attached hereto.

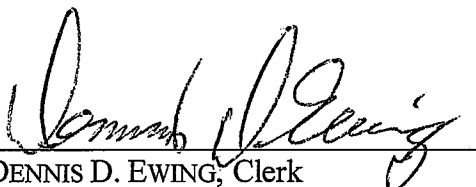
**SECTION II - REPEALER.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.


**SECTION III - EFFECTIVE DATE.** This ordinance shall take effect fifteen (15) days after its passage, provided the same has been published, with the name of the members voting for and against the same, for at least one publication in one issue of a newspaper published in and having general circulation in Tooele County.

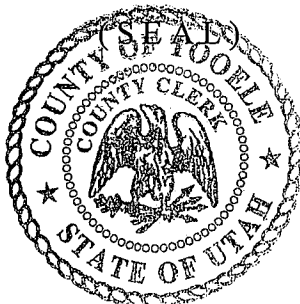
**IN WITNESS WHEREOF**, the legislative body of Tooele County passed, approved and enacted this ordinance this 14<sup>th</sup> day of October 2003.

**ATTEST:**

**TOOELE COUNTY COMMISSION**

  
DENNIS D. EWING, Clerk

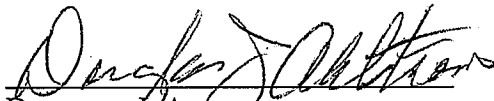
  
DENNIS L. ROCKWELL, Chairman



Ord. 2003- 25

Commissioner Rockwell voted aye  
Commissioner White voted aye  
Commissioner Lawrence voted aye

**APPROVED AS TO FORM:**



DOUGLAS J. AHLSTROM  
Tooele County Attorney

**13-7-2. Lots.**

(1) No single lot shall be divided by a municipal, service or improvement district, or county boundary line.

(2)(a) A lot shall not be divided by a road or another lot.

(b) The board of adjustment may issue a special exception to Subsection (a) if a division of land by a publicly dedicated or maintained road existing prior to January 10, 1975, creates a substandard lot that cannot be absorbed into another parcel or lot under the same ownership on the same side of the road to create standard sized lot or parcel. The special exception must be applied for and issued prior to application for final plat being submitted. Upon issuance of a special exception, the board of adjustment may:

(i) allow a connection across the road to combine with the acreage of a larger parcel increasing the total acreage; or

(ii) make the lot buildable by classifying it as a legal non-conforming lot. If the board determines that the lot is to be a legal nonconforming lot, it shall issue setbacks in proportion to the minimum lot size in the zoning district where the lot is located.

(3) The frontage of a wedge-shaped lot shall not be less than 30 feet in width.

(4) Side lot lines shall be at substantially right angles or radial to street lines.

(5) All lots shall front on a publicly dedicated street

except as may be approved in planned unit developments, or upon private roads approved by the planning commission, subject to the requirements of Section 15-2-6. Seasonal cabin lots require no public street or private road frontage.

(6) All lots shall conform to area requirements of the existing zoning district. (Ord.2000-38, 1/02/01)