



LUHO-25-010

Land Use Hearing Staff Report

Meeting Date: 9/24/2025

Applicant: Karl Jakob

Re: Enlargement of a Noncomplying Structure

Property Address: 3867 E Thousand Oaks Cir

Zone: R-1-10

Prepared By: Zack Wendel

REQUEST AND SYNOPSIS

The applicant is seeking approval to enlarge an existing non-complying roof located at 3867 E Thousand Oaks Cir. The property is located within Millcreek's R-1-10 Zone which has a 32-foot height limit as measured from original or existing grade to the highest point of the structure. ([MKZ 18.36.050](#)) Due to the sloping of the property the existing roof and home does not meet this height limit as the rear of the home is about 42 feet in height as measured from the existing grade to the top of the roof. This also results in the home and the proposed enlargement out of compliance with the building envelope requirement.

The applicant is proposing to change the roof design, changing the north corner of the roof from a hip style to a gable style roof to match the existing gable in the center of the home, enlarging the interior space of the home. The roof height itself will not change staying at the current height and will not be expanded staying within the existing footprint of the current roof. The only change will be the style of the roof.

The Land Use Hearing Officer may allow for a noncomplying structure to be expanded pursuant to Millcreek's Nonconformities Code ([MKZ 18.60.050](#)).

18.60.050 Noncomplying Structures

Expansion and Enlargement.

1. Compliant Expansions and Enlargements. A noncomplying structure may be expanded or enlarged if the expansion or enlargement complies with the standards of the zone district and the applicable requirements of this title. The cumulative expansion since the structure became nonconforming does not exceed 50% of the structure's height, footprint, lot or parcel coverage, and/or area when it

became nonconforming.

2. Noncompliant Expansions and Enlargements. A noncomplying structure may be expanded or enlarged upon a permit authorized by the land use hearing officer, provided that the land use hearing officer shall find the following:
 - a. The expansion or enlargement of the structure is compatible with existing development within a reasonable distance in terms of height, mass, applicable building envelope requirements, and lot or parcel coverage; and
 - b. The expansion or enlargement of the structure is not detrimental to the health, safety and general welfare of persons residing within a reasonable distance of the subject property.
 - c. The cumulative expansion since the structure became nonconforming does not exceed 50% of the structure's height, footprint, lot or parcel coverage, and/or area when it became nonconforming.

FINDINGS, CONCLUSIONS, & RECOMMENDATION

Findings:

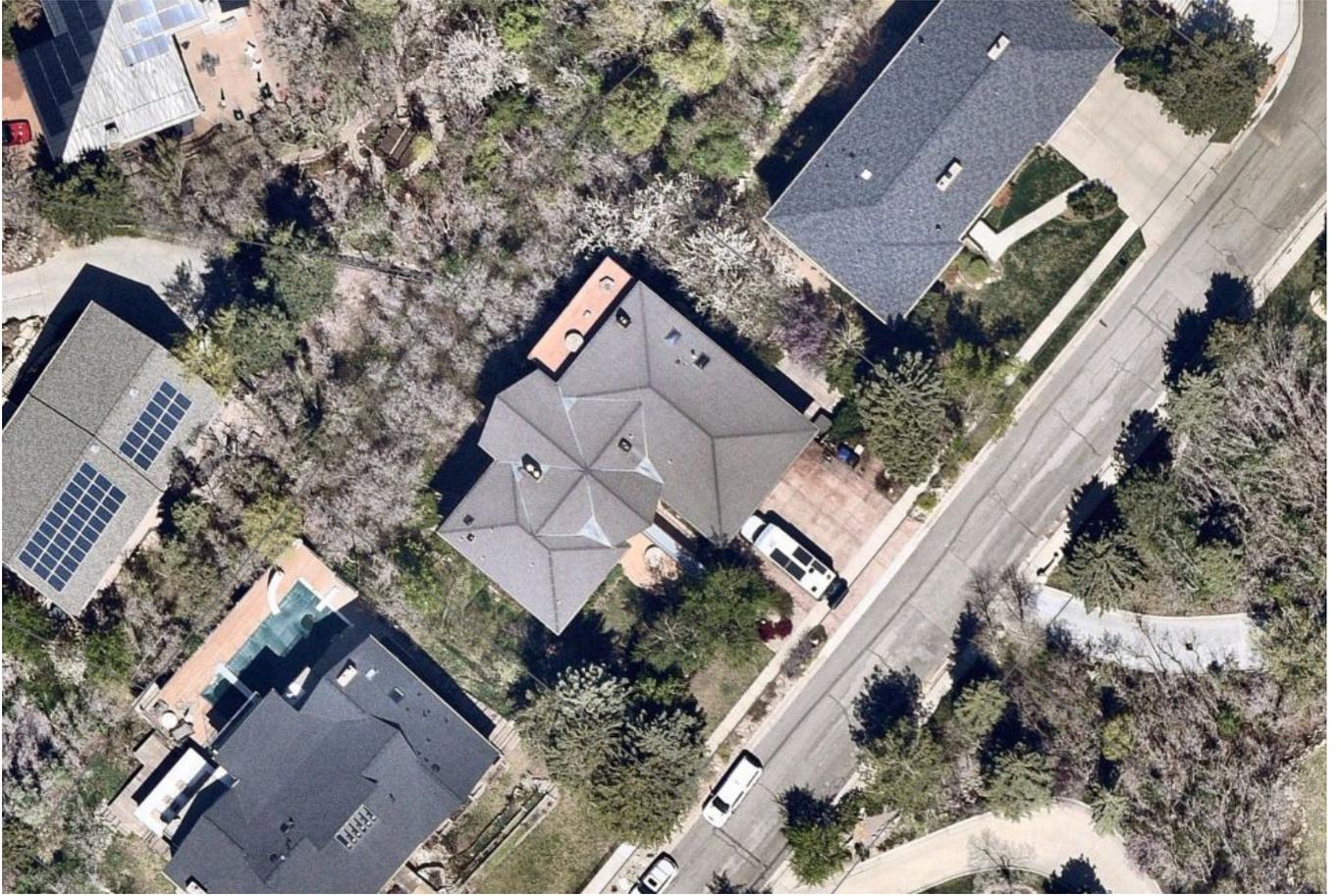
1. Non-conforming structures may be expanded according to the terms set forth in the land use ordinance. [MKZ 18.60.050](#).
2. The property is currently located within the R-1-10 Zone.
3. According to the Office of the Salt Lake County Recorder the home was constructed in 1980. In 1980, the height limit for the R-1-10 Zone was 35 feet. The RCOZ/building envelope ordinance was not in effect at this time and Staff believes that there were different methods on how to measure the height, as the home was permitted.
4. The footprint of the proposed roof expansion will stay the same as the existing roof.
5. The height of the proposed roof expansion will stay the same as the existing roof.
6. This proposal does not result in a cumulative expansion of the noncomplying structure. Only the style of the roof is changing from a hip style to a gable style.

Conclusions:

1. The enlargement will not be detrimental to the health, safety and general welfare of persons residing within a reasonable distance of the subject property, nor does it impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure and otherwise meets the criteria set forth by Millcreek Code [MKZ 18.60.050](#).

SUPPORTING DOCUMENTS

- **Aerial Image**
- **Letter of Intent**
- **Proposed Plans**



August 6th, 2025

Karl Jakob
3867 Thousand Oaks Circle
Millcreek, UT 84124

Dear Hearing Officer,

I am requesting a noncomplying structure expansion permit to change a section of my roof at the rear of my home from a hip to a gable. This change will allow me to vault my ceiling in my family room. My new gable roof will not exceed the maximum height of my current roof.

The addition, enlargement, or reconstruction of the structure at a new location complies with the standards and regulations of the current zone and the applicable requirements of this title?

My home was built in 1980 and does not confirm to the current height limit. This non-confirming request is to change a section of my roof from a hip to gable which will not exceed the existing maximum ridge height of the associated roof.

The addition to, enlargement of, moving of, or reconstruction of the structure at a new location of the lot is compatible with existing development within a reasonable distance in terms of height, mass, applicable building envelope requirements, and lot or parcel coverage?

The change to my roof style will confirm with building envelope and will not increase the parcel coverage.

The addition to, enlargement of, moving of, or reconstruction of the structure at a new location of the lot will not be detrimental to the health, safety and general welfare of persons residing within a reasonable distance of the subject property?

The change to my roof style will not be detrimental to the health, safety and general welfare of persons residing within a reasonable distance of my property. My neighbors on either side of me have and will continue to have higher roofs than mine.

The cumulative expansion since the structure became nonconforming does not exceed 50% of the structure's height, footprint, lot or parcel coverage, and/or area when it became nonconforming.

The expansion will not exceed my current roofs highest ridge and only a small section of my roof, as seen in my drawings will change.

I have enclosed drawings of the current and proposed heights along with pictures of the current and proposed roof change.

Regards,

A handwritten signature in black ink that reads "Karl Jakob". The signature is written in a cursive, slightly slanted style.

Karl Jakob





