

Mapleton City Planning Commission Staff Report

Meeting Date: September 10, 2009

Item: 5

Applicant: Leslee Wells

Parcel #: 26:073:0065

Zone: A-2

Prepared by: Matt Brady

Public Hearing Item: Yes

Council Action Required: No

REQUEST

(Continued) Leslee Wells requests approval of a home occupation permit for Airika Home Improvement, located at 1000 South 1000 East in the A-2 (Agricultural-Residential) Zone. The proposed home occupation would involve visiting clientele.

FINDINGS OF FACT:

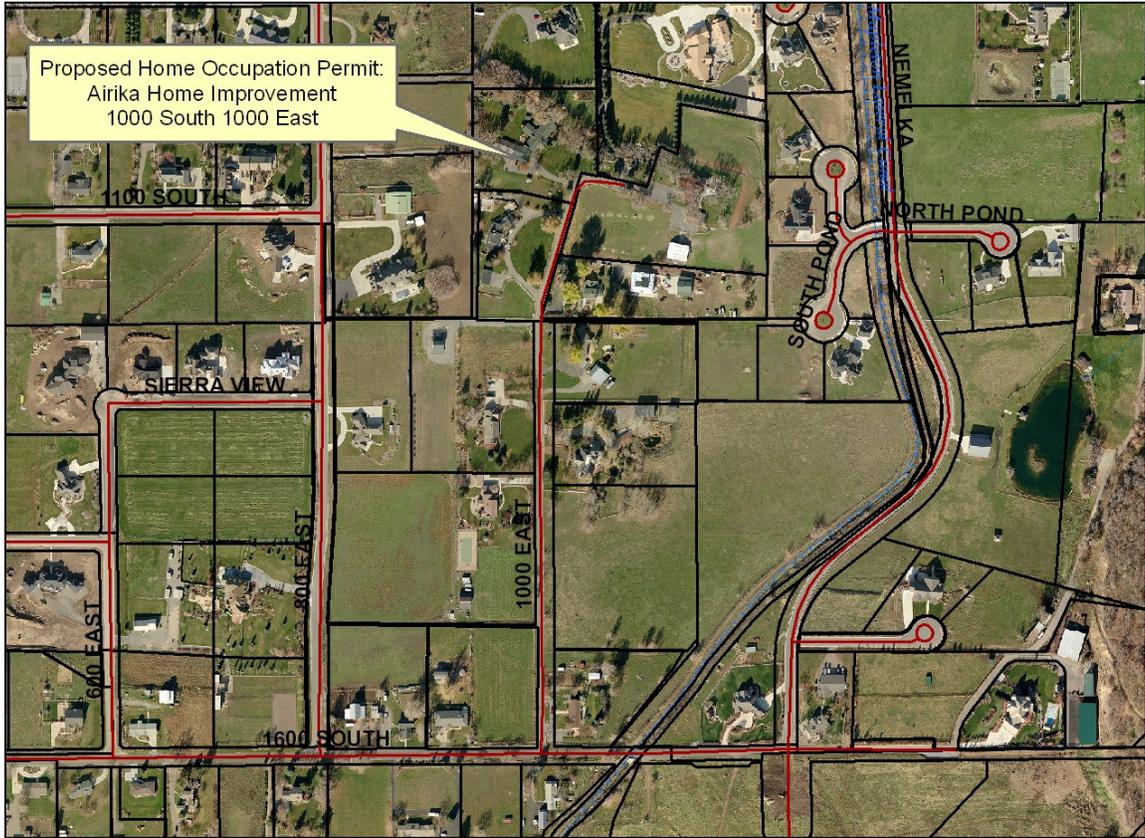
1. Home occupations that involve clientele visiting the business must be approved by the Planning Commission (see Mapleton City Code 18.84.380(G)(3)).
2. The Applicant is requesting approval of a home occupation permit for a home improvement business, with occasional classes to be held onsite (see Attachment #1 – Home Occupation Application Permit Application for more information). No employees are proposed.
3. The Planning Commission may attach conditions to the Home Occupation Permit which relate to “*health, safety and quality of the residential environment*” (see Mapleton City Code 18.84.380(E): Planning Commission May Attach Conditions).
4. An inspection by the Fire Inspector is still pending.

STAFF ANALYSIS:

1. According to the plans submitted by the Applicant, the total floor area of the home is approximately 6,658 square feet. The kitchen and office used for the home occupation total approximately 376 square feet, or approximately 5.65% of the home. Mapleton City Code 18.84.380(D)(3) states: “*The home occupation shall occupy not more than the equivalent of twenty five percent (25%) of the living area of the dwelling or five hundred (500) square feet, whichever is less. This shall also apply to detached structures.*” The applicant meets this requirement.
2. Mapleton City Code 18.84.380(D)(7) states: “*Not more than six (6) cars (including those owned by the resident family) may be parked at the residence at any one time and such vehicles shall be parked within the driveway or in front of the residence. Clients of the home occupation shall not park or store vehicles at the premises overnight.*” It is the opinion of Staff that the intent of this ordinance section is to limit the number of cars outside the garage to no more than six. The Planning Commission needs to discuss whether this is a correct interpretation of the ordinance. 1000 East Street (Petersen Lane) is approximately 16-18 feet wide; just wide enough for two cars to pass each other. There is no shoulder or extremely narrow shoulder area on the majority of Petersen Lane. The Applicant’s driveway is approximately 15 feet wide at the entrance, with additional parking and turn-around areas in front of the garage and on the west side of the home (see vicinity maps below). Mapleton City Code 18.08.305: PARKING SPACE defines a parking space as follows: “*“Parking space” means space within a building or parking area, exclusive of driveways, ramps, columns, office and working areas, for the parking of a motor vehicle, not less than twenty feet (20’) in length and not less than nine feet (9’) in width. (Ord. 2002-05, 3-20-2002)*” It is the opinion of Staff that there is

	<p>adequate parking in front of the garage and on the west side of the home to park up to 6 cars.</p> <ol style="list-style-type: none">3. It is the opinion of Staff that visiting clients should be required to park in the driveway areas off of the street so as not to impede regular traffic or emergency crews on 1000 East Street. <p><u>RECOMMENDED ACTION:</u></p> <p>Staff recommends approval of the home occupation with Conditions.</p> <p><u>CONDITIONS OF APPROVAL:</u></p> <ol style="list-style-type: none">1. Inspection for the home occupation must be passed by the Fire Inspector.2. That visiting clients be required to park in the driveway areas off of the street so as not to impede regular traffic or emergency crews on 1000 East Street. The maximum number of vehicles to be parked in the driveway areas shall be 6 (to be parked directly in front of the garage and on the west side of the home).3. That the Applicant comply with all other requirements of Mapleton City Code <u>18.84.380: HOME OCCUPATIONS</u>. <p><u>ALTERNATIVE ACTIONS:</u></p> <ol style="list-style-type: none">1. The Planning Commission may Deny the Home Occupation Permit. Reasons for denial should be stated in the motion.2. Continue to a Future Meeting Date: This action could be based upon findings that additional information is required prior to rendering a decision or to further consider information. <p><u>ATTACHMENTS:</u></p> <ol style="list-style-type: none">1. Home Occupation Permit Application
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VICINITY MAPS:



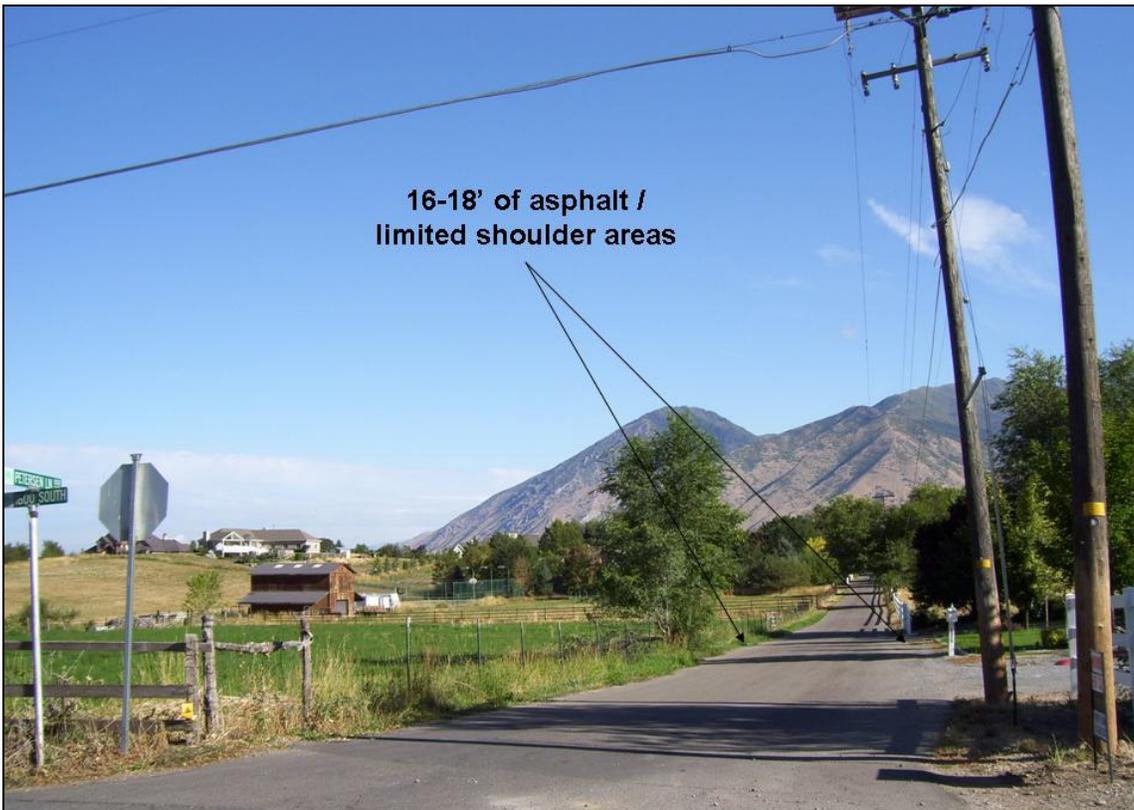
SITE PHOTOS:



Additional parking
around side

15'-wide driveway

Looking West at the home at 1000 South 1000 East



16-18' of asphalt /
limited shoulder areas

Looking north at 1000 East Street (Petersen Lane) from 1600 South



Mapleton City Corporation
 12 2st Community Center Way (400 North)
 Mapleton, UT 84664
 Phone: (801) 489-5655 Web: www.mapleton.org
 Fax: (801) 489-5657

BUSINESS LICENSE APPLICATION

BUSINESS LICENSE NUMBER

<input type="checkbox"/> Commercial Business		<input checked="" type="checkbox"/> Home Occupation Business		<input type="checkbox"/> Itinerant/Solicitations		<input type="checkbox"/> Temporary/Seasonal Sales	
Name of Business: <u>Airika Home Improvement</u>				Business Phone Number:		Business Fax Number:	
Business Address: <u>1000 So 1000 Ea Mapleton, ut 84664</u>				Email Address: <u>wellseslee@aol.com</u>			
Mailing Address: <u>Same</u>				State Tax # (if applicable)		Corporation # (Must attach a copy of Articles of Incorporation)	
State Registration:		DBA #		Expires / /		Federal Tax ID # (if applicable)	
<input checked="" type="checkbox"/> Sole-Proprietor		<input type="checkbox"/> Corporation		<input type="checkbox"/> LLC		<input type="checkbox"/> LP	
<input type="checkbox"/> LLP		Business Owner Name(s): <u>Lee Wells</u>		Owner's Address: <u>1000 So 1000 Ea</u> Street: <u>Mapleton</u> State <u>Ut</u> Zip <u>84664</u>		Owner's Phone Number(s): <u>801-318-8111</u>	
Nature of Business: <input type="checkbox"/> Manufacturing <input type="checkbox"/> Wholesale <input type="checkbox"/> Retail <input checked="" type="checkbox"/> Services <input type="checkbox"/> Daycare/Preschool - Number of children _____							
<input type="checkbox"/> Other _____							
Number of Full-time Employees (exclude self): <u>0</u> Number of Part-time Employees (exclude self): <u>0</u> Total Number <u>0</u>							
Briefly describe your business: <u>Home improvement projects & Management</u>							
Initial License fee rates: <ul style="list-style-type: none"> Commercial Business License - \$100 Plus - \$25 per employee Home Occupation License - \$100 Plus - \$25 per employee Itinerant/Solicitations - \$50 per day/per employee Temporary/Seasonal Sales Administrative Approval - \$50 Planning Commission Approval - \$100 				The receipt for payment of license fees does not constitute being approved to operate a business. The actual license will only be issued when all inspections are complete and approved. Business Licenses expire annually on December 31 st . Renewal is the responsibility of the business owner. Failure to receive a renewal notice does not excuse this responsibility. License renewal fees are due on or before January 1 st . Any license fee not paid within thirty (30) days of the due date will be issued a late fee.			
I hereby agree to conduct said business strictly in accordance with the Laws and Ordinances set forth by Mapleton City, Utah County, the State of Utah, and Federal standards, covering such business, and swear under penalty of law that the information contained herein is true to the best of my knowledge. I also agree that no other type of business will be conducted other than what has been stated above.				X <u>Lee Wells</u> <u>3.8.09</u> Signature Date			

THIS SECTION FOR OFFICE USE ONLY

Planning & Zoning	Date:	Zone: <u>A-2</u>	Signature:	Approved
Police Department	Date:	Comments:	Signature:	Yes / No
Fire Department	Date:	Comments:	Signature:	Approved
				Yes / No

Comments From Planning & Zoning:
~~Home office only Not approved for on-site storage of materials~~
 - Not approved for on-site storage of materials

Leslie Wells
1000 South 1000 East
Mapleton, Utah 84664

(801) 318-8111

To Whom it may Concern,

I have been asked to offer a brief overview of my new home-based business
As I am applying for a Business License.

My business has two legs. The first is Home Improvement as in remodeling rooms,
painting etc., and is done with clients in their home on a very part time basis (10-40 hrs
per month). I use my home office for phone calls, bookkeeping etc.

Secondly, I recently completed my certification to become an instructor with
"Pantry Secrets", (www.PantrySecrets.net) a Lindon, Utah based company with
a unique method for making homemade bread – out of the oven in one hour.

The company works on a "party plan", in which many of the classes are usually
taught in a home provided by a hostess(not onsite at my home).

I am applying for licensure to also instruct approximately one to two classes per month
with 10-15 attendees at my home on Peterson Lane. Our home has adequate space,
parking, bathroom facilities and emergency exits to facilitate this.

I have fire extinguishers and have completed training for my food handlers permit, an
completed my registration with the State and Federal Agencies

I will not store quantities of items needed for classes, as the company is nearby and I will
be able to purchase needed items the day of each class.

I am happy to address any further questions and can be reached at (801) 318-8111.

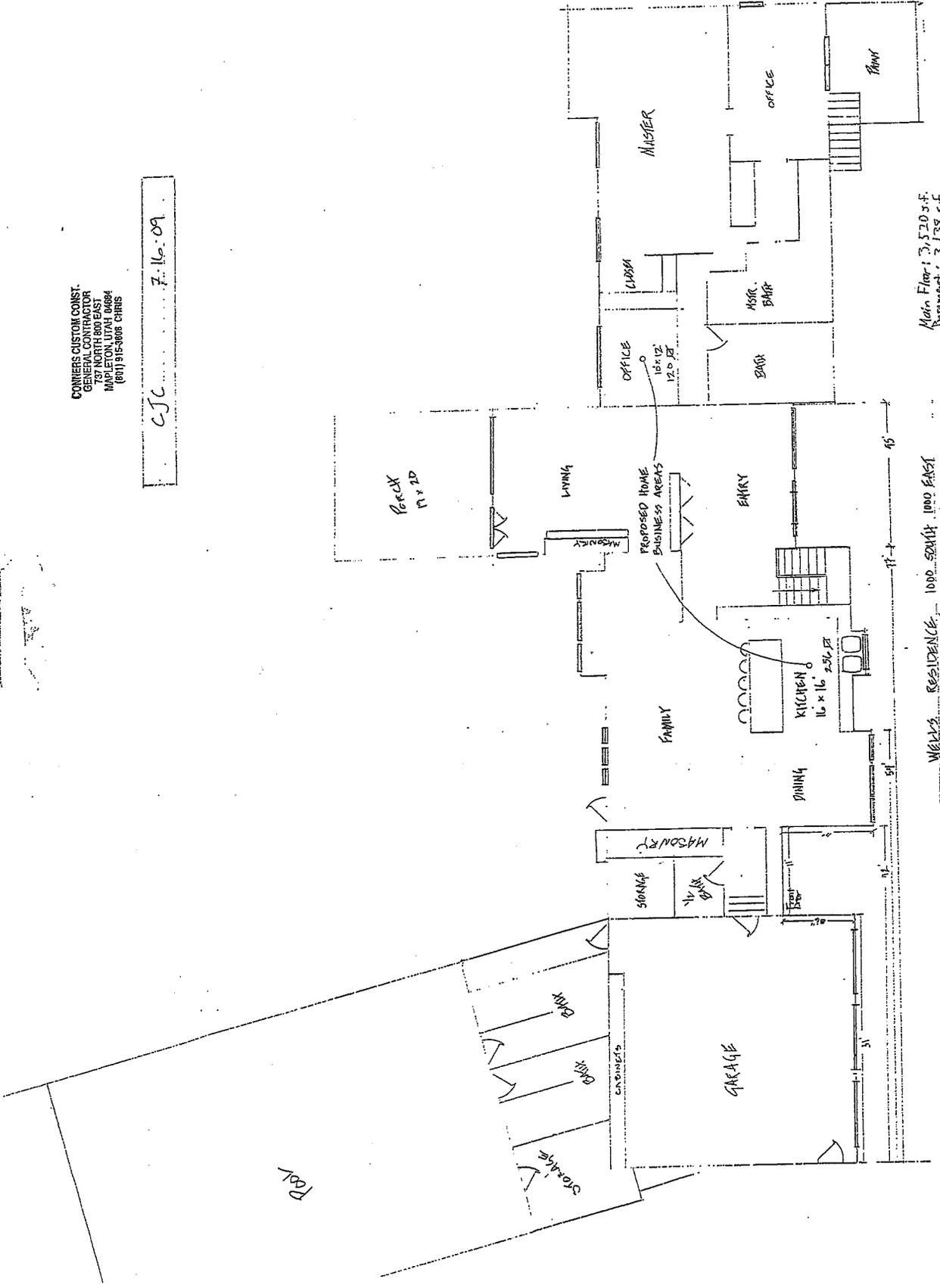
My Best Regards,

Leslie Wells

Leslie Wells

CONTERS CUSTOM CONST.
 GENERAL CONTRACTOR
 527 NORTH 800 EAST
 MAPLETON, UTAH 84864
 (801) 515-3608 CHRIS

CJC 7-16-09



Main Floor: 3,520 s.f.
 Basement: 3,138 s.f.

WELLS RESIDENCE, 1000 SOUTH 1000 EAST
 MAPLETON, UTAH

1/8" = 1'