

Mapleton City Planning Commission Staff Report

Meeting Date: December 13, 2012

Item: 2

Applicant: Dixie Peacock

Business Name: Springlake Ventures LLC

Prepared by: Sean Conroy, Community Development Director

Public Hearing Item: Yes

Zone: RA-2

REQUEST

Consideration of a home occupation permit for Dixie Peacock/Springlake Ventures LLC to operate a salon located at 1864 N 1350 W in the RA-2 Zone.

FINDINGS OF FACT:

1. Home occupations are listed as a permitted use in the RA-2 Zone.
2. Home occupations that involve clientele visiting the business must be approved by the Planning Commission (see Mapleton City Code (MCC) 18.84.380(G)(3)).
3. MCC Section 18.84.380(D) outlines the required conditions of approval for a home occupation. Those conditions are outlined in the attachment 1 "Standard Conditions of Approval".
4. In 2004, the Applicant was approved for a home occupation permit for a salon located at 1410 W 1200 N.
5. The applicant is nearing completion of a new residence at 1864 N 1350 W.
6. MCC Section 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 proposed home occupation will occupy an area of approximately 200 square feet. The main residence is approximately 2,400 square feet in size.
7. 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).

STAFF ANALYSIS:

The proposed application is consistent with MCC Section 18.84.380. The applicant has operated a similar business at a different location in the City for approximately 8 years. There have been no enforcement issues or records of any negative neighborhood impacts. Staff supports the application.

STAFF RECCOMENDATION:

Approve the application with the attached Standard and Special Conditions.

SPECIAL CONDITION:

1. The home occupation business shall not commence until a Certificate of Occupancy has been issued by the City for the home and an inspection from the Fire Inspector has been completed.

ALTERNATIVE ACTIONS:

1. Approve the application with revised conditions.
2. Continue the application with a request for changes/additional information.
3. Deny the application and adopt findings for decision.

ATTACHMENTS:

1. Standard Conditions.
2. Applicant Cover Letter in Information.

Attachment "1" Standard Home Occupation Conditions

No.	Condition	
1.	Home occupations shall be listed as a permitted or conditional use in the zone.	✓
2.	The home occupation shall be conducted entirely within a completely enclosed structure on the property. Detached structures where a home occupation is being conducted must be located within fifteen feet (15') of the residential dwelling.	✓
3.	The home occupation shall be conducted entirely within a completely enclosed structure on the property. Detached structures where a home occupation is being conducted must be located within fifteen feet (15') of the residential dwelling.	✓
4.	The activities of the home occupation shall be conducted by members of the residing family. Provided that not more than one person, not a member of the residing family, may be engaged in the home occupation.	✓
5.	Any sale of goods not produced as part of the home occupation shall constitute a clearly incidental part of the operation of the home occupation. There shall be no display of goods produced by the home occupation observable from outside the dwelling.	✓
6.	No commercial vehicles shall be stored at the premises except one delivery truck which shall not exceed ten thousand (10,000) GVW rated capacity.	✓
7.	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.	✓
8.	The home occupation shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not have the effect of changing the character of the building or the attendant yard area from that of a dwelling.	✓
9.	Signs shall be limited to one non-illuminated identification nameplate not larger in area than four (4) square feet. Electric or electronic signs shall not be permitted. No on site advertising signs shall be permitted. The sign must be attached to the building where the home occupation is to take place.	✓
10.	The home occupation shall be registered with the license agency of the city and shall maintain a current business license in accordance with city regulations.	✓
11.	Entrance to the home occupation from outside shall be through the same entrance normally used by the residing family except when a separate entrance may be required by regulation of the state health department or other public agency. The garage door shall not be used to satisfy this requirement.	✓
12.	The activities of the home occupation shall not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire, explosion or safety to the structure or occupants of the dwelling or adjacent dwellings.	✓
13.	The operation of the home occupation shall not produce any noise, smoke, glare, light, fumes, dust, electronic interference or similar condition which is readily discernible outside the dwelling.	✓

14.	The physical appearance, traffic, and other activities in connection with the home occupation will not be contrary to the intent of the zone in which the home occupation is located and will not depreciate surrounding property values or the quality of the area for residential purposes as determined by the city.	✓
15.	The home occupation shall be operated in compliance with any applicable city or state requirements.	✓
16.	The home occupation applicant must either be the bona fide owner of the home (as shown on the current Utah County tax assessment rolls) or if the applicant is renting or leasing the home, the homeowner must provide written permission allowing the applicant to conduct a business in the home. Said letter of permission must be signed and notarized by the homeowner.	✓

Attachment "2"

I have been running an in-home business in Mapleton for the past 8+ years. I am moving into a new home and would like to relocate my business to this address.

The business I would like to continue is a small hair salon. It will be located in an area that takes the place of a third car garage. The space is approximately 200 square feet and would include a restroom. The main house is approximately 2400 square feet.

In the salon I offer mainly hair services, with some make-up and nail services available. I currently am working Wednesday evenings 3-4 hours, every other Saturday 7-8 hours and every now and then a few hours on Friday. On weekdays I usually have between 3-4 clients and Saturdays usually about 5-8 clients. I usually only service one client at a time, sometimes two. Our driveway could provide ample parking for the clients.

I would appreciate your attention in considering the relocation of my current business.

Thanks,
Dixie Peacock



Location of Home Occupation

