

# Planning Commission Staff Report

January 28, 2016

## Item 4

**Applicant:** Mark & Lori  
Sheranian

**Location:** 1805 E 1200

**Prepared by:** Sean Conroy,  
Community Development

Director

**Public Hearing:** No

**Zone:** A-2

**Attachments:**

1. Application materials.
2. Correspondence.
3. PC minutes dated 12/11/14.

### REQUEST

Consideration a review of a Conditional Use Permit issued on December 11, 2014 to operate a Reception Facility located at approximately 1805 East 1200 North in the Agricultural-Residential A-2 Zone.

### BACKGROUND AND PROJECT DESCRIPTION

The Sheranians own approximately 135 acres of land that includes property in the A-2 Zone and the CE-1 Zone. The property is developed with a single family residence and a large barn. The property has frontage on Quite Meadow Lane, 1600 North and 1200 North.

On December 2, 2014 and the City Council adopted an ordinance allowing reception facilities as a conditional use in the A-2 zone under limited circumstances. On December 11, 2014 the Planning Commission approved a conditional use permit for the Quiet Meadow Farm reception facility that allowed receptions to be held in the existing barn and surrounding outdoor property. One of the conditions included in the approval required the applicant to return to the Commission after one year. The purpose of this item is to comply with the Commission's requirement for a one year review.

### EVALUATION

**Public Hearing & Conditional Use Permit Review:** According to Mapleton City Code, conditional use permits require review by the Planning Commission, but do not require a public hearing. Whether to allow for public comment on this item is at the discretion of the Commission. If public comment is allowed, it is important to note that conditional use permits are considered administrative in nature. Administrative decisions cannot be made based simply on public clamor or because the Commission or public is not supportive of a particular use.

The Commission's discretion is limited to determining whether the applicant has complied with the conditions of the permit and whether issues have arisen that would justify modifying or adding conditions. The purpose of this meeting is not to determine whether the original permit ever should have been issued or whether a reception center should be allowed at all.

Below is a summary of the conditions imposed by the Planning Commission on December 11, 2014 followed by a brief staff response to each condition. The applicant has also provided a cover letter included in attachment "1".

1. *A building permit shall be submitted to, and approved by, Mapleton City prior to any construction activities occurring that require a building permit per the 2012 International Building Code.*

Response: The applicant has obtained all required building permits.

2. *The applicant shall consult with the Mapleton City Public Works Department prior to creating any new driveway/private drive connections with City streets.*

Response: The applicant has complied with this condition.

3. *No overnight events are permitted.*

Response: Staff is not aware of any evidence that this condition has been violated.

4. *The Planning Commission shall review the conditional use permit in one year and modify the conditions if necessary to address any issues that may have arisen.*

Response: This condition is the purpose of this meeting. Staff received a letter on October 29, 2015 from a neighboring property owner, Eldon Taylor (see attachment “2”). The letter indicated that an event occurred in April, 2015 that violated many of the conditions of the permit. The applicants submitted a letter in response stating that no such violations had occurred (see attachment “2”). Other than the letter from Mr. Taylor, staff has not received any complaints.

5. *The facility shall be located on a legal lot of record of five (5) acres in size or larger with at least 300 feet of frontage on a City or private road.*

Response: The project site complies with this condition.

6. *The facility shall be accessory to a legally established single-family dwelling on the same parcel.*

Response: The facility is accessory to a legally established dwelling on the parcel.

7. *No more than eight (8) receptions shall be permitted per calendar month.*

Response: The applicant has complied with this condition. However, the applicant is requesting the flexibility of allowing more than eight events some months, if during other months, particularly in the winter, they have fewer events. No more than 96 events would occur during a calendar year, but the applicant could have more flexibility in determining when those events occurred.

The condition limiting the number of events to eight per month is codified in Mapleton City Code Chapter 18.28.040. Therefore, without an application to amend the ordinance, the Commission cannot modify this condition. An ordinance amendment requires review by the Planning

Commission and final approval by the City Council. The Commission should discuss whether it could support an amendment.

Staff respects the applicants' desire for more flexibility, but has some concerns. The purposes of this condition include ensuring that the commercial use of the property remains accessory in nature to the single-family use of the property, and to limit impacts on adjacent properties. If up to 96 events could occur during the year without a limit on the number of events per month, it is conceivable that the majority of those events could occur in a very short time span, particularly during the summer months. This could create greater impacts on adjacent properties.

8. *Events shall conclude by no later than 10:00 p.m.*

Response: Other than the letter from Mr. Taylor, staff has not received any complaints regarding receptions extending later than 10 p.m.

9. *Off street parking shall be provided at a rate of one space per 200 square feet of floor area for the facility. If weddings are not held indoors, the Planning Commission shall determine the amount of parking to be required. A site plan shall be submitted with a proposed parking and circulation plan.*

Response: The applicants have installed a large gravel parking area near the barn and have provided sufficient parking for the use.

10. *An enclosed wedding reception facility shall be classified as an Assembly Group (A-2) Occupancy type for the purposes of the International Building Code. All requirements of an A-2 occupancy shall apply.*

Response: The barn complies with this requirement.

11. *A business license shall be required.*

Response: The applicants have obtained a business license.

12. *A building and fire inspection shall be required prior to issuance of a business license.*

Response: The applicants have complied with this requirement.

13. *Failure to comply with the standards of this section and/or conducting the wedding reception facility in a manner constituting a disturbance of the peace or creating a menace to the public health, safety, morals or welfare may result in a revocation of the conditional use permit by the Planning Commission. For the purposes of this section, the disturbing the peace ordinance in section 9.12.040.A of this code shall include any disturbances between the hours of 10:00 p.m. to 7:00 a.m.*

Response: Again, the only complaint the City has received is from Mr. Taylor, and the applicants adamantly deny the allegations in the complaint.

*14. The applicant shall agree, at its sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any appeal, claim, suit or other legal proceeding related to the operation of the conditional use.*

Response: The applicant has signed an acknowledgment of this condition.

**RECOMMENDATION**

Staff recommends that the Commission determine that no changes to the Conditional Use Permit are required.

Quiet Meadow Farm 1805 E, 1200 N. Mapleton, Utah 84664  
Phone: 801-830-5999 • quietmeadowfarms@gmail.com [Your E-Mail]

January 12, 2016

Sean Conroy Community Development Director

Mapleton City  
125 W. Community Center Dr.  
Mapleton, UT  
84664

Dear Sean,

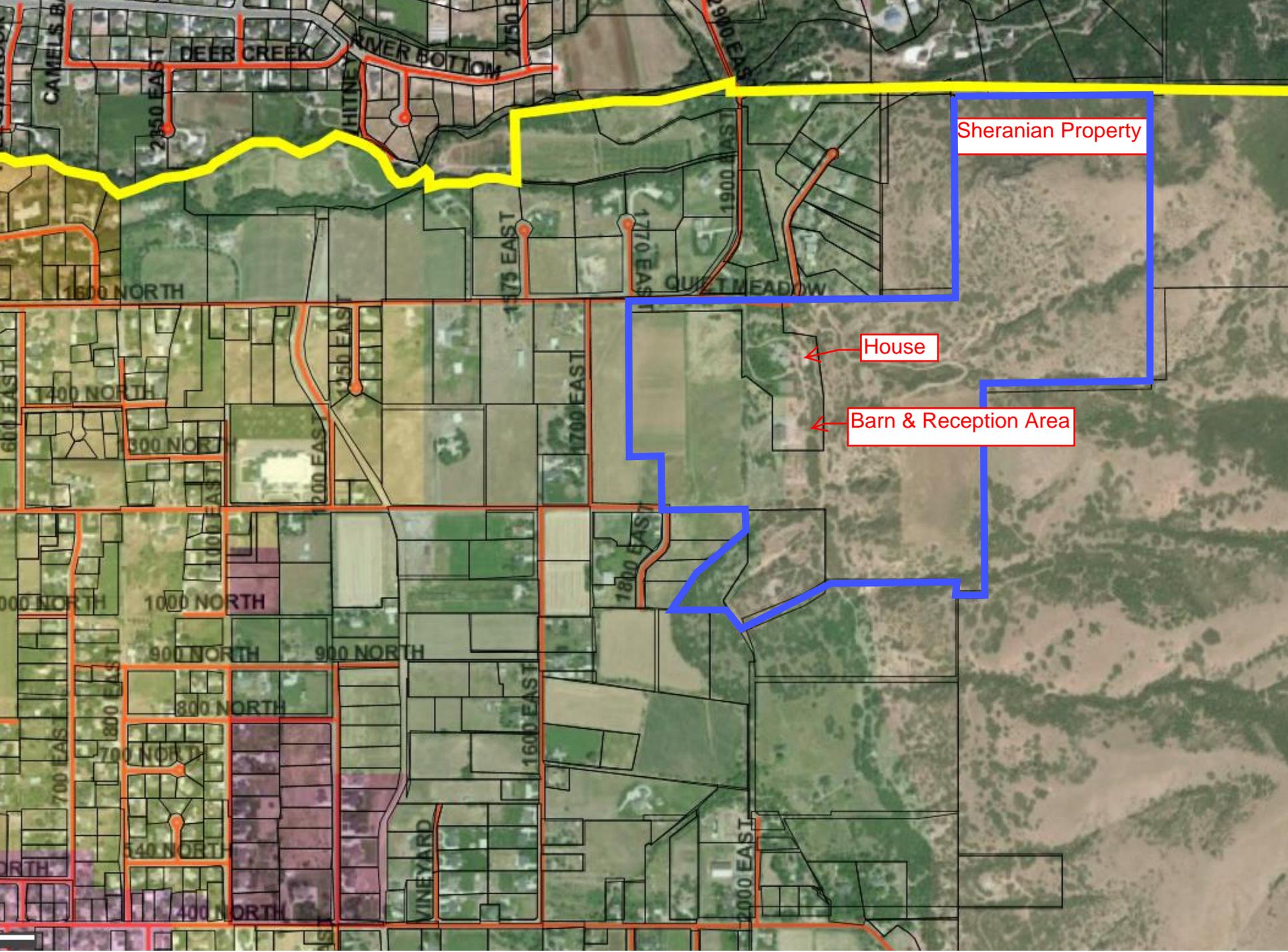
I appreciate you setting up the review meeting for Quiet Meadow Farm on January 28, 2016. I feel that our business has been going really well. I regularly ask our neighbors on all sides of our property if they have had any problems, or can hear too much noise. They have all said that they have hardly noticed we are here. With the exception of Eldon Taylor who said that we had a drunken party here, which did not happen and there was actually no event at all here on the date he claimed this happened. We have been 100% compliant with every condition set forth in our permit.

A far as impact to our neighbors that are the closest to Quiet Meadow Farm, they said they have had no problems. We have had 9 semi loads of gravel brought in so there is no longer any dust from the driveway. This spring, we are planting 50 trees along the driveway that borders our neighbors to the south, to beautify and to lessen any impact on them.

We have a request to amend one part of our permit. In the original permit, we were allowed 8 wedding per month. We have had somewhat of a hard time in a few of the winter months keeping the snow off of our driveway, as it drifts huge banks of snow out of the field and over the driveway. Being gravel, it has been costing a lot to clear it sometimes 2 times a day. It cannot be plowed in the usual method, as it would remove the gravel.

We wondered if it would be possible to not increase the amount of events we have, but change the amount we can have by the year, not by the month. So, no more events, just the ability to have the same number of events per year, but when it isn't so hard to access the facility.

Sincerely, Lori Sheranian Owner/Manager of Quiet Meadow Farm

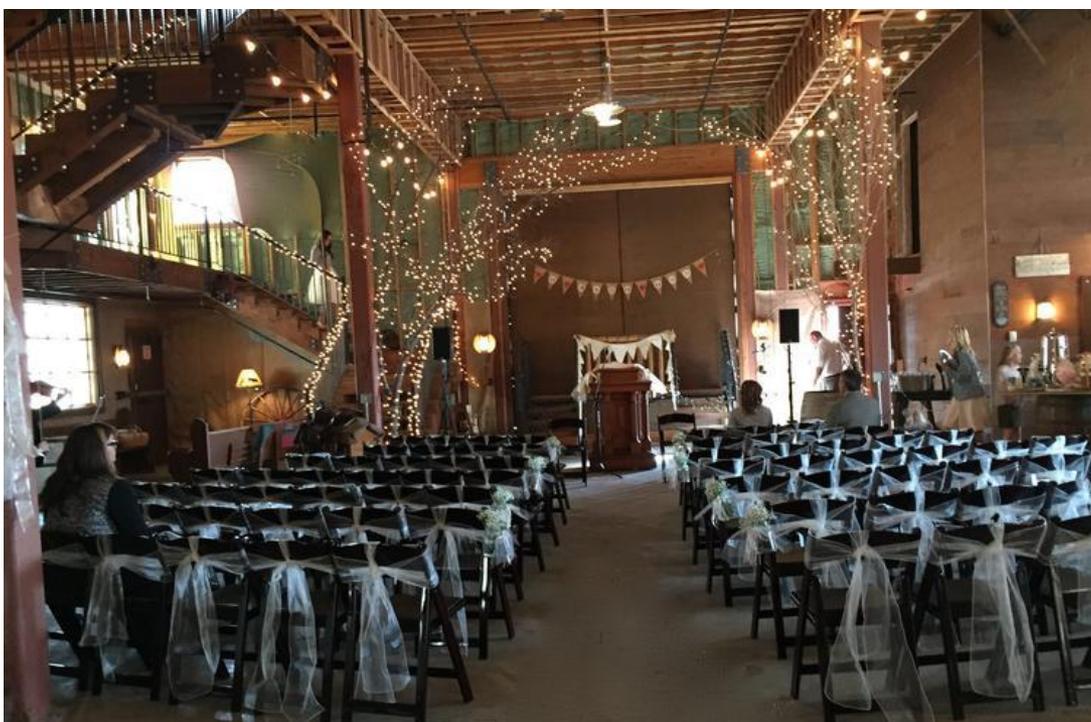


Sheranian Property

House

Barn & Reception Area

Map labels include street names: CAMELS B, DEER CREEK, RIVER BOTTOM, 2950 EAST, 2750 EAST, 2550 EAST, 1600 NORTH, 1400 NORTH, 1300 NORTH, 1200 NORTH, 1000 NORTH, 900 NORTH, 800 NORTH, 700 NORTH, 540 NORTH, 400 NORTH, 1750 EAST, 1770 EAST, 1700 EAST, 1800 EAST, 1900 EAST, 2000 EAST, and VINEYARD.



**ELDON R. TAYLOR**

1150 North 1700 East  
Mapleton, UT 84664  
(801) 489-7977

October 29, 2015  
**Via First Class Mail**

Sean Conroy, Dir. Community Development  
Mapleton City Council / Planning Commission  
Mapleton City Corporation  
125 West Community Center Way  
Mapleton, UT 84664

**Re: Proposed Renewal of Conditional Use Permit for Mark and Lori Sheranian  
Wedding Reception Facility**

Dear Sean, City Council and Planning Commission:

On December 11, 2014, Mapleton City granted a Conditional Use Permit to Mark and Lori Sheranian to operate a Wedding Reception Center out of their Barn in northeast Mapleton. The Permit conditions required that the Permit be reviewed at the end of one year to "ensure all conditions are being met, and that any additional conditions of concern are able to be addressed."

It has now been nearly one year since the Conditional Use Permit was approved. I initially objected to the grant of the Permit because I was concerned that such a commercial activity was inconsistent with the character of the neighborhood and that it may adversely impact upon my homestead, property and way-of-life. I now write again to request that the Permit be revoked or not be renewed.

Although some of the conditions of the Permit appear to have been met, there was one Saturday evening on April, 2015 (approximately April 18, 2015), when a large raucous group that was having an event at the Barn did not comply with the requirements of the Permit. The large group assembled that evening about 8:00 PM and throughout the evening used noisemakers, flashing lights, whistles, and honked horns made loud celebratory noises on the property until well after midnight. It appeared that some of the revelers were also using alcohol and they drove cars both in and out of the Sheranian property until after midnight. These activities are all contrary to the Permit that was granted.

I am not certain about any impacts upon other families living in the area. However, up until that time, there was a small family of mule deer that were resident on my property. After this incident, the deer left and have never returned. It is my fear that other wildlife may also be adversely impacted by such atypical and insensitive

commercial activities in a sensitive area.

If you determine not to revoke the Conditional Use permit for this enterprise, and allow it to continue, I would ask that you again condition the renewal of the Permit on an additional review again at the end of another year. This will make the owners of the business continue to be accountable for their acts and the acts of their customers and patrons and will help to protect those who have hoped to maintain the serenity and beauty and character of the area.

Thank you for your assistance and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Eldon R. Taylor". The signature is fluid and cursive, with the first name "Eldon" being the most prominent.

Eldon R. Taylor

Cc: Maple Glen Residents

Mark and Lori Sheranian  
2020 E. Quiet Meadow Lane  
Mapleton, UT 84664  
801-830-5999

Sean Conroy, Director of Community Development  
Mapleton City Council  
Mapleton City Planning Commission  
125 West Community Center Way  
Mapleton, UT 84664

Re: Complaint made by Eldon R. Taylor

Dear Sean, City Council and Planning Commission,

On November 2, 2015, we received an email from Sean Conroy, addressing a complaint that he received from Eldon R. Taylor, regarding activity that supposedly went on at our Venue that did not comply with the Ordinance or the Conditional Use Permit that we were granted.

*In part of Eldon Taylor's letter he states that the following activities occurred on our property, at our barn on Saturday April 18, 2015. Quote..."Although some of the conditions of the Permit appear to have been met, there was one Saturday evening on April 2015 (approximately April 18, 2015, when a large raucous group that was having an event at the Barn did not comply with the requirements of the Permit. The large group assembled that evening about 8:00 PM and throughout the evening used noisemakers, flashing lights, whistles, and honked horns made celebratory noises on the property until well after midnight. It appeared that some of the revelers were also using alcohol and they drove cars both in and out of the Sheranian property until after midnight.*

**THIS IS AN OUTRIGHT, BLATENT LIE. WE KNOW ELDON TAYLOR HAS BEEN AGAINST OUR BUSINESS FROM THE START, BUT TO STOOP SO LOW, AS TO MAKE UP A STORY AND SPREAD FALSEHOODS THAT HURT ARE REPUTATION AND COULD COST US OUR BUSINESS IS UNACCEPTABLE.**

We have complied with every rule right down to the last detail. We have had our events closed down, with not one guest remaining on our property after 10:00 PM. The one exception was this October 10, 2015 when a guest had their car fail to start, and we had to help him fix it so he could leave. He left before 10:30.

Eldon Taylor claims that we had an event on April 18, 2015. We DID NOT have any event that day. We only had one event the entire month of April, which was April 17<sup>th</sup>. The event on April 17th was a mild, local, LDS wedding, and the gates were shut with all guests gone before 10:00 PM. I have many witnesses to this, as I

have since called the clients we had that night, and they are willing to testify to what I have said.

If Eldon Taylor really saw this terrible, raucous, wild, loud, drunken behavior going on at our venue, and people driving wildly in and out of our property, why didn't he call the police? Why did this distraught man wait for over five months to write a letter or place a call to the city with a complaint? Why has Mapleton Police Department never been contacted by other neighbors that are much closer to our barn than Eldon Taylor. Why? Simply, because it NEVER HAPPENED.

There may have been the activity he describes down in his area, but they certainly were not on our property. Our gates were locked. Our neighbors to the south, (The Haslems) who reside right by our venue entrance, contact the police regularly, if they see anything going on in the Maple Glen Cul-de-sac. The Maple Glen Cul-de-sac has been a regular place, for many teens to gather, park, prepare to trespass to the house on the hill etc. These watchful neighbors, (as the Police well know) have cut down on this problem as they vigilantly keep an eye out for such activity. I spoke with Jami Haslem who said that she and her husband were home the 17<sup>th</sup> and 18<sup>th</sup> of April, 2015. She said that they did not hear of see any problems or unusual noise on those dates.

Eldon R. Taylor has now opened himself up for a libel suit, which we will pursue, if he does not retract his false accusations against us, in writing, and mail a copy of the retraction to every person and group that he sent the above-mentioned letter, to by **November 10, 2015**. We would also like the letter sent to us, so that we know that it was done. We will not sit idly by, while a person fabricates untruths about our business or the way we conduct it. Being falsely accused is extremely offensive to us.

Please contact us if you have any further concerns or questions regarding our conduct at Quiet Meadow Farm. The Haslems, are also ready and willing to talk to you about our events here, and the hours we keep.

P.S. I'm pretty sure all the new loud construction in his front yard drove the deer away.

Sincerely,

Mark Sheranian



Lori Sheranian



Cc: Maple Glen Residence  
Eldon R. Taylor

**MAPLETON CITY  
PLANNING COMMISSION MINUTES  
December 11, 2014**

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**PRESIDING AND CONDUCTING:** Chairman Rich Lewis

**Commissioners in Attendance:** Golden Murray  
Thomas Quist  
Justin Schellenberg

**Staff in Attendance:** Sean Conroy, Community Development Director  
Brian Tucker, Planner

**Minutes Taken by:** April Houser, Executive Secretary

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Chairman Lewis called the meeting to order at 6:30pm. Justin Schellenberg gave the invocation and Golden Murray led the Pledge of Allegiance.

*Items are not necessarily heard in the order listed below.*

Alternate Commissioner Justin Schellenberg was seated as a voting member this evening.

**Item 4. Consideration of a request for a Conditional Use Permit to operate a Reception Center at 2020 East Quiet Meadow Lane in the Agricultural-Residential (A-2) Zone.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. The City Council approved the adopted Ordinance with the recommendations given by the Planning Commission at their meeting on November 13, 2014. The application is for a Reception Center. The primary intention is for wedding type events, although the Conditional Use would not be limited to these events only. The Commission can attach additional conditions, but as long as the ordinance can be met the use should be approved. The ordinance would require a minimum of 35 off street parking stalls. A one way street would be installed on the applicant's property, by the applicant, continuing from the City street to the proposed Reception Center. A letter was provided to the Commission from the Taylor's attorney, Tobler Law Office, prior to the meeting this evening.

**Mark and Lori Sheranian** stated that Sean did a great job of outlining their request. They hope to use a repurposed type of hard surfacing for the private street they will be installing. The current proposed street location is the most esthetically pleasing, with the least amount of disruption on the remaining property. The Sheranian's would prefer to utilize only one entrance and exit to the Reception Center, but are willing to install the entire drive through road if required.

**Chairman Lewis** opened the Public Hearing. **LaRon Taylor**, representing Eldon Taylor, objects to this plan. They did not have enough time before the initial hearing to gather their comments. They wish to voice their strong objection to this. When they developed the Maple Glen Subdivision it was designed as a secluded location, and this request would go against that. There is approximately 500-800 feet from the barn (proposed Reception Center) to the closest residential home in the Maple Glen Subdivision. If this Conditional Use Permit was approved the Taylor's would like a review done after one year to ensure this business was meeting all conditions given. The dust concern and Reception Center itself is not something

the Taylor's would like in their neighborhood. **Lori Sheranian** stated that the Haslem's, who own the home closest to their proposed Reception Center, do not have any objections to this request. **Jacob Lake** lives down 1600 North and is here to support the Sheranian's request. His wife is a wedding planner and feels the traffic should not be a concern as traffic typically comes and goes at different times. Mr. Lake stated that in his experience most Reception Facilities may host upward towards 200 guests in an evening. No additional comments were given and the Public Hearing was closed. **Commissioner Schellenberg** felt the applicants could be responsible for the dust concerns and that if traffic is mitigated correctly they could dictate which way those visiting the Reception Center enter and exit the facility. **Mark Sheranian** felt that the Commission can put whatever conditions on this use as they deemed appropriate, but had a concern with the upfront improvement costs they incur before the opening of the Reception Center. The parking area will have lighting installed similar to those by the applicant's home. They will have a security system with cameras as well.

**Motion:** Commissioner Murray moved to approve a Conditional Use Permit to operate a Reception Center at 2020 East Quiet Meadow Lane in the Agricultural-Residential (A-2) Zone with the conditions listed below:

1. A building permit shall be submitted to, and approved by, Mapleton City prior to any construction activities occurring that require a building permit per the 2012 International Building Code.
2. The applicant shall consult with the Mapleton City Public Works Department prior to creating any new driveway/private drive connections with City streets.
3. No overnight events are permitted.
4. A review is done on the Conditional Use Permit after one year to ensure all conditions are being met, and that any additional conditions of concern are able to be addressed.

**Second:** Commissioner Schellenberg

**Vote:** Unanimous