



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

March 21, 2019

To: Planning Commission
From: Community Development Department
Subject: Doggie Castle Category II Home Occupation CUP-02-19-5610
11260 S. Hawkwood Dr. Zoned R-1-8
(Alta High-Community #13)

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject property.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
None	

DESCRIPTION OF REQUEST

The applicant, Todd Castle, is requesting a Conditional Use permit to operate a Category II Home Occupation business to be operated within an accessory structure on the property located at 11260 S. Hawkwood Drive *(See Exhibit #1 – Application Material)*.

The property is 8,000 square feet, and is located in the R-1-8 zone district. Surrounding properties are single-family homes zoned R-1-8. The property contains a 2,397 square foot home with a 200 square foot accessory structure. The accessory structure is two feet from the north (side) and west (rear) property lines. The property also contains a 950 square foot driveway that can park three vehicles. The property contains a 2,500 square foot rear yard with grass. Adjacent to the property, along the rear (west) property line, is a 50-foot wide paved canal trail *(See Exhibit #2 – Site Map)*.

The applicant has operated a dog grooming business in Sandy with a valid business license since 2013 at 8532 South 1300 East *(See Exhibit #3 – Business License)*. The applicant is proposing to move the business from the commercial space to his residence. Only the applicant and his wife will be employed with the business. The proposed business will operate Monday – Friday from 8:00 AM to 4:00 PM, and one Saturday a month from 8:00 AM to 2:00 PM. The applicant is

proposing to accommodate eight dogs a day. The accessory structure will be renovated to include a bathtub and vacuum system.

ANALYSIS

The purpose of the home occupation business according to the Sandy City Land Development Code is to:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with neighborhoods in which they are located. A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location.
2. Guide business activities that are not compatible with neighborhoods to appropriate commercial zones.
3. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards and other possible business uses that create significant impacts on a neighborhood.
4. Provide a means to enforce and regulate the businesses that are licensable through the authority of the Business License regulations of the Revised Ordinances of Sandy City, and if necessary terminate home occupations if violations of the ordinances regulating home occupations occur.

Per Section **15A-11-05.E.2** of the Sandy City Land Development Code, vehicular traffic from business related visitors and customers shall not exceed that which normally or reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors will not be significantly impacted by its existence. The home occupation shall be limited to two business related visitors or customers per hour, to a maximum of eight business related visitors or customers per day. Business related deliveries or pick-ups shall not exceed two per day. The applicant is proposing eight visits per day.

Per Section **15A-11-05.F.6** of the Sandy City Land Development Code, any home occupation which proposes or conducts activities within an accessory building, the following guidelines shall be used to determine the maximum impacts permitted:

- a. The applicant for a Home Occupation Business License shall designate the area of the home, attached/detached garage or accessory structure that will be used for the home occupation. If approved, the home occupation may be conducted only in the designated area.
- b. No more than a maximum of 200 square feet, or in the alternative, no more than 50 percent of the total floor space (whichever is greater) of any accessory structure, or attached or detached garage may be used for a home occupation unless there are specific exceptions granted by the Planning Commission.
- c. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone where in the home occupation is located.
- d. Any accessory structure used for a home occupation must maintain the aesthetic or compatibility of the home and the immediate neighborhood.

- e. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached the accessory structure where the home occupation is being conducted in lieu of a sign attached to the home of in a window. The sign may not have an area greater than one square foot.

The existing accessory structure is 200 square feet with a 190 square foot interior. Existing on the property is a 950 square foot driveway with additional parking. All parking, pick-up and drop-off will be done utilizing the existing driveway.

Per Section **15A-11-05.F.7** of the Sandy City Land Development Code, any home occupations proposing to conduct business utilizing any yard space, must obtain a Conditional Use Permit. The applicant is proposing to use the backyard for animal waste.

NOTICE

A neighborhood meeting was held on Wednesday, February 27, 2019. No neighbors attended the meeting. Notices were mailed to property owners within a 500-foot radius of the subject parcels in advance of the Planning Commission meeting. Staff has received no complaints regarding the home occupation business since its licensure in 2013.

STAFF CONCERNS

Staff is concerned with animal waste on the property. Upon discussion with the Public Utilities Department, animal waste cannot be disposed of in the storm water system, however, utilizing the rear yard for animal waste does not violate city ordinance.

Staff is also concerned with excessive traffic to and from the house. Staff has discussed this concern with the applicant, and he has agreed to keep the number of clients to eight per day, as well as utilize the existing on-site parking.

COMPLIANCE WITH SECTION 15A-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions, which address standards 15A-33-03 “A” to “O”, as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions “A” through “O”, except the following conditions, which merit discussion or additional consideration by the Planning Commission:

D. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas.

Access to the site will utilize Hawkwood Drive. Parking will utilize the additional parking spot on the north side of the property. The applicant will ensure that all pick-up and drop-off related to the business will utilize the existing driveway.

I. Fencing, screening, and landscape treatments, and other features, designed to increase attractiveness and safety of the site and protect adjoining property owners from noise, visual, and other impacts.

The accessory structure lies behind a 6-foot wood fence that provides significant screening of the structure and area used for the home occupation.

L. The regulation of operating hours for activities affecting normal schedules and functions.

The applicant is proposing to operate the business Monday – Friday from 8:00 AM to 4:00 PM, and one Saturday a month from 8:00 AM to 2:00 PM. This is within normal business hours.

O. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

That the applicant complies with all Building & Safety, and Fire & Life Codes.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Todd Castle to operate a Category II Home Occupation business to operate in an accessory structure, on the property located at 11260 South Hawkwood Drive, based on the following findings and conditions:

Findings

1. The proposed use meets the intent of the Home Occupation section of the Sandy City Land Development Code.
2. The applicant understands and is willing to comply with the Sandy City Land Development Code and conditions of approval.
3. The anticipated impacts could be mitigated as outlined in this report and with specific conditions of approval.
4. The applicant has operated a dog grooming business since 2013 with no complaints from adjacent property owners.

Conditions

1. That the applicant complies with all Building & Safety, and Fire & Life Codes.
2. That the applicant acquire an updated Sandy City business license.
3. That the applicant be responsible for meeting all provisions of the Sandy City Land Development Code, and all conditions of approval imposed by the Planning Commission.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.
5. That pick-up and drop-off for the site will utilize the existing 3-car driveway.

Planner:



Reviewed by:



Wade Sanner, Planner

File Name: S:\USERS\PLN\STAFFRPT\2019\CUP-02-19-5610 Doggie Castle

Exhibit #1 – Application Materials

February 5, 2019

Sandy City Planning Commission,

This letter is to request a Conditional Use Permit for our Business.

Doggie Castle is a local business owned and operated by Sandy residents Kahlia and Todd Castle (We / our). We own Doggie Castle, a Pet Grooming facility that has been in operation in Sandy Utah since July 1 2013 operating under the legal name of TK Doggie Castle LLC, or DBA Doggie Castle with Sandy City permit number 133857 and with the Sales Tax Use # 13737198-002-STC. Other than the owner operators we do not have any employees.

We are requesting the conditional use permit to move our business from our current commercial location to our home address of 11260 S Hawkwood Drive Sandy Utah 84094 and utilize the accessory building / detached garage that is located at the rear of our property (back yard).

The nature of our business is pet grooming (dogs and cats) and our hours of operation will be Monday – Friday 8am to 4pm and One Saturday a month 8am – 2pm. Our house is located on a through street and we are very close to major street 11400 South. The 8 dogs we will accommodate a day should have minimal impact on the neighborhood traffic. We have a 3-car driveway so no street parking will be allowed or needed. All of our clients that will be using our home business are current clients of ours and have been for several years, we have formed a personal relationship with all of them and they will be made aware of the move to a residential zone, what rules are different from a commercial zone and will be reminded of the speed limit and instructed to access our property from 11400 South. All clients will be required to have their pets on a leash at all time entering and leaving and will be directed to not use the neighborhood for their pets potty breaks for we have an enclosed designated space for that next to the facility entrance behind a fence in the rear of the property.

In reference to the conditions of permit issuance under chapter 15A-11-05 Section F.6 of the Home Occupation Ordinance, listed are the answers that may arise from conditions:

- A. Using a accessory building/ detached garage. No portion of the single family home on the property will be used for the business other than administrative duties.
- B. The accessory building has in internal square footage of 190sq ft and 100% of that area will be used for the home business.
- C. The parking will not be affected, we have a 3-car driveway and the building is in the rear of the property and all clients will be instructed to only use our driveway.
- D. The accessory building is built in the same style as the home, has the same exact style and color of siding as the single family home on the property.
- E. No signage will be used at all.

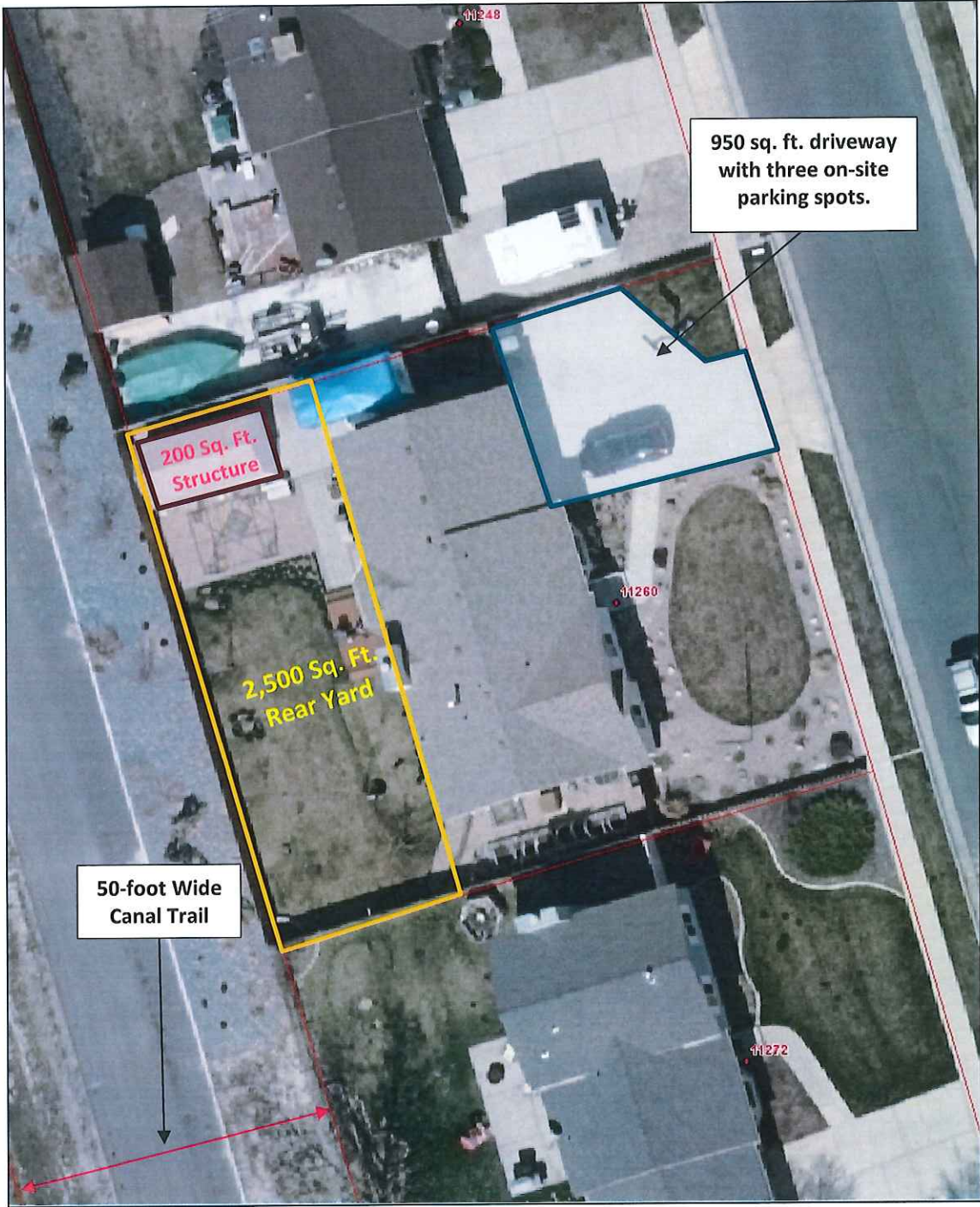
The pets groomed at our facility will only be groomed by the owner, Kahlia Castle, with the assistance of husband, Todd Castle. Kahlia is a Nationally Certified MASTER Groomer by the National Dog Grooming Association of America and is the Vice President of UPPGA, (Utah Professional Pet Groomers Association) a new organization which she helped create.

Please let us know of any other questions or concerns that we can help with in considering this request.
Thank you for your time.

Kahlia and Todd Castle
Owners
Doggie Castle

801-674-5947
801-432-8918

Exhibit #2 – Site Map



950 sq. ft. driveway with three on-site parking spots.

200 Sq. Ft. Structure

2,500 Sq. Ft. Rear Yard

50-foot Wide Canal Trail

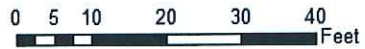


Exhibit #3 – Business License



Sandy City

COMMERCIAL LICENSE APPLICATION

Rec'd

5-14-13

Account #

138857

**** PLEASE PRINT OR TYPE IN DARK INK ****

Form updated 10/2011

BUSINESS NAME (DBA): <u>DOGIE CASTLE</u>		LOCAL BUS PHONE #: <u>801-432-8918</u>	
BUSINESS ADDRESS: <u>8532 South 1300 East</u>	CITY & STATE: <u>Sandy UT</u>	ZIP: <u>84094</u>	
BILLING ADDRESS: <u>170 E ANGEL ST</u>	CITY & STATE: <u>SANDY UT</u>	ZIP: <u>84070</u>	FAX:
ZONE:	CLASSIFICATION:	INITIALS:	STATE TAX#:(VERIFICATION)
DESCRIBE THE NATURE OF BUSINESS: <u>Pet Grooming NO BOARDING</u>		DBA, CORP, LLC,	STATE/FED PERMIT:
DO YOU USE, STORE OR MFG ANY CHEMICAL, COMBUSTIBLE OR HAZARDOUS MATERIALS? YES / <u>(NO)</u> IF 'YES', PLEASE EXPLAIN ON REVERSE			
SEXUALLY ORIENTED BUSINESS Y / <u>(N)</u> ARCADE Y / <u>(N)</u> SALES OR CONSUMPTION OF ALCOHOL Y / <u>(N)</u> PAWN/2ND HAND Y / <u>(N)</u>			
PROJECTED OPENING DATE <u>7-1-2013</u> , BUSINESS HOURS FROM <u>7am</u> TO <u>7pm</u> , <u>M T W T H F S S U</u>			

ALL OFFICERS & OWNERS (FIRST/MIDDLE/LAST)	HOME ADDRESS (INCL CITY, ST, ZIP)	HOME PHONE
1. <u>Todd Castle</u>	<u>170 E Angel St Sandy UT 84070</u>	<u>(801) 676 -- 9809</u>
2. <u>Kahlia Castle</u>	<u>170 E Angel St Sandy UT 84070</u>	<u>(801) 676 -- 9809</u>
3.		<u>() --</u>

DATE OF BIRTH (MM/DD/YYYY)	MISC INFORMATION/PROF LICENSES ETC	DRIVER LICENSE NUMBER
1. / /		# ST
2. / /		# ST
3. / /		# ST

Business Entity Type: Sole Prop Partnership Limited Liability Co Corporation Other

REGULATORY FEE/NEW	\$ 140	PRORATE <u>50%</u>	\$ <u>70</u>	DISPROPORTIONATE	\$	PRORATE <u> </u> %	\$
# OF APT <u> </u> @ \$17	\$	PRORATE <u> </u> %	\$	SPECIAL REG	\$	INSP/PROCESS	\$ 40
# OF EMP <u>0</u> @ \$11	\$	PRORATE <u> </u> %	\$	PENALTY	\$	TOTAL DUE: \$ 110.00	

This application is subject to approval by the Mayor, City Administrator and/or City Council and the Police Department. All businesses must pass inspections of Sandy Fire, Planning & Zoning, Building and Safety and/or City-County Health Department and some businesses may require a police background check to be completed before a license is issued. If a license is not obtained prior to opening your business, you may be subject to a DOUBLE LICENSE FEE PENALTY.

I hereby agree to the conditions of this application. I also agree to conduct my business in accordance with Sandy City Ordinances and any other State Statutes or Federal Laws governing operation of such business.

Signature of Applicant [Signature] Date 5-14-13
(Any one applicant as indicated above)

Print Name TODD CASTLE Title OWNER

(Eng)	6.6.13 KR	(Fire)	6.10.13 MT	(PD)	5.21.13 ET	(Dept Health)	6.5.13	(Plan/Zone)	6.4.13 JW	(Bldg)	6.10.13	(Admin Svcs.)	(Other/Describe)	5.21.13

(Handwritten: Animal Control)

Lesley Casaril - Fwd: Doggie Castle change of address 133857

From: Business License
To: Lesley Casaril; lcasaril@sandy.utah.gov
Date: 1/24/2017 9:03 AM
Subject: Fwd: Doggie Castle change of address 133857
Attachments: Doggie Castle change of address 133857

Please update the billing address (my home address) for license number 133857 to 11260 S Hawkwood Drive Sandy Utah 84094, we have moved from the Angel location. Thank you and if you need anything else please contact me at the number below.

Can you confirm the recipe of this email, thank you.

Todd Castle
Owner
Doggie Castle
Pet Grooming and Spa
801-432-8918
www.doggiecastle.us
doggiecastle@hotmail.com