

SANDY CITY COMMUNITY DEVELOPMENT



JAMES SORENSEN
COMMUNITY DEVELOPMENT DIRECTOR

MONICA ZOLTANSKI
MAYOR

CLIFFORD STRACHAN
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

June 16, 2022

To: Planning Commission
From: Community Development Department
Subject: Storm FabWorks (Conditional Use - Category II Home Occupation)
8502 South Fairoaks Way
[Community #3- Sandy Woods]

CUP05192022-006330
Zone: R-1-8

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

DESCRIPTION OF REQUEST

The applicant, Brock Christiansen, is requesting a Conditional Use Permit to operate a home-based welding shop within an existing detached garage. (*See Exhibit 1: Application Materials*)

The applicant is proposing to utilize all of the 572 square foot detached garage for the home occupation. The welding shop will be used to build custom off road gear including racks, bumpers, and flag mounts. The applicant is proposing to operate between 9:00 AM and 8:00 PM Monday through Saturday. All product is proposed to be custom made and shipped directly to customers.

The property is located in the Fairoaks #1 subdivision on a .21-acre (9,147 square feet) lot west of 700 East on the west side of Fairoaks Way. The home is zoned R-1-8 with properties on all sides being single family homes zoned R-1-8.

NOTICE

Notices were mailed to property owners within 500 feet of the subject property to notify them of the Planning Commission meeting. A neighborhood meeting was held on June 8, 2022. No neighbors attended the meeting and staff has not received any emails or phone calls regarding the project.

ANALYSIS

Section 21-11-05(F)(5) of the Sandy City Development Code states that any home occupation utilizing a workshop for repairs including **welding**, carpentry, sheet metal work, furniture manufacturing, upholstery, and other similar manufacturing activities, is classified as a Category II Home Occupation. Category II Home Occupations must be reviewed by the Planning Commission and granted a Conditional Use Permit before pursuing a Home Occupation Business License through the Business License Office.

The applicant is proposing to create custom offroad gear which involves cutting, welding, and grinding. The applicant wishes to use the entirety of the garage with the door closed during the welding process. The applicant has an approximately 600 square foot detached garage. In addition to the detached garage the applicant has an attached two car garage and driveway space totaling 1,543 square feet.

Section 21-11-05(D)(6) Off-Street Parking. All business-related vehicles which park at the location of the home occupation, including those of the applicant, employee, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles.

The applicant is proposing to pick up and drop off all materials and have all products shipped.

Section 21-11-05(F)(6) of the Sandy City Development Code identifies regulations for any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:

1. The applicant for the Home Occupation Business License shall designate the areas 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.
2. No more than a maximum of 200 sq. ft., or in the alternative, no more than 50% 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.
3. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone wherein the home occupation is located.
4. Any accessory structure used for a home occupation must maintain the architectural aesthetics or compatibility of the home and the immediate neighborhood.
5. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached to the accessory structure where the home occupation is being conducted in lieu

of a sign attached to the home or in a window. The sign may not have an area greater than one square foot.

The applicant is proposing to use the entirety of his 600 square foot garage for the home occupation. The proposed operating hours are from 9:00 AM to 8:00 PM Monday through Saturday. The proposed home occupation will be used on a case-by-case basis but any welding will be done during the proposed operating hours.

COMPLIANCE WITH SECTION 21-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions, which address standards 21-33-04 “1” to “15”, as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions “1” through “15”, except the following conditions, which merit discussion or additional consideration by the Planning Commission:

5. Site circulation patterns for vehicular, pedestrian and other traffic;
The applicant is proposing to pick up and drop off all products and materials.
9. Fencing, screening and landscape treatments and other features designed to increase the attractiveness and safety of the site and protect adjoining property owners from noise, visual and other impacts;
All activities will be performed inside of the garage/residence with the door closed in order to mitigate noise pollution.
10. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation;
Noise generated by the business should not exceed that of acceptable decibel levels during hours of operation.
12. The regulation of operating hours for activities affecting normal schedules and functions;
Proposed business hours are limited 9:00 AM to 8:00 PM Monday through Saturday.
13. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval;
To be reviewed upon legitimate complaint.
15. 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 be limited to 40 or fewer operating hours per week.

CONCERNS

Staff is concerned with the amount of proposed operating hours. The applicant has made staff aware that this is a side project and is not a full-time job. While staff is not concerned that the

current property owner will operate all 66 of the proposed hours a Conditional Use Permit runs with the land which allow a future resident to operate a much more intensive use.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Brock Christiansen for a Category II Home Occupation to operate a welding business as well as to utilize up to the entirety of his detached garage space.

Findings

1. The type of Home Occupation is allowed as a Category II Home Occupation provided it meets all of the standards and qualifications, or as amended by the Planning Commission.
2. The property has two driveways, a detached two car garage, and an attached two car garage.

Conditions

1. That the applicant not operate outside of the proposed hours of 9:00 AM and 8:00 PM, unless approved by Planning Commission.
2. That the applicant be responsible for meeting all of the provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning Commission.
3. That the applicant complies with all Building & Safety, and Fire & Life Codes.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.
5. All excess material and any waste material be stored inside the garage and/or be removed from the property. No outside storage is allowed.
6. That the garage doors and windows be closed during business operation to limit sound impacts.
7. That the use of the entire detached garage be contingent upon Planning Commission approval.

Planner: _____ Reviewed by: _____

Claire Hague, *Planner*

S:\Users\PLN\STAFFRPT\2022\CUP05192022-6330 Storm FabWorks

Exhibit #1 – Application Materials

Proposed Conditional Use Letter in relation to “Storm FabWorks” and or Brock Christiansen.

Storm FabWorks is a DBA through Brock Christiansen that deals with Metal Fabrication. I design and build custom offroad accessories such as bumpers, roof racks, rock sliders...etc for offroad trucks and vehicles. As with making these custom metal pieces, it deals with cutting, welding and grinding that does cause some noise. I plan on operating in a 4 car garage that is detached from the home on the west side of the property in a residential area. At this time, Storm FabWorks has no employees and is not my full time job and is a side project I'm interested in pursuing, thus operations will be off and on and not always continues.

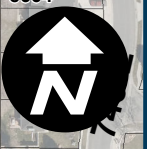
Noise being the number one concern and regarding the current noise ordinance in Sandy City that is in effect from 9pm till 7am, I do want to be considerate to my neighbors and am open to being flexible with those hours. For example, grinding on metal being the loudest operation, I'd be open to only doing so between the hours of 9am till 8pm to help respect my neighbors and can even fully close the garage door in the earliest and latest hours of the day to contain some noise.

Storm FabWorks products are bought and paid for online so there would be zero impact on road traffic or parking in the neighborhood roads.

Storm FabWorks does not install for the customer or do any repair work on site thus there will not be any client vehicles parked on the property being worked on at any time.

Activities such as welding, cutting and grinding have taken place for decades already on the property as my father and I have always worked on our own personal projects with zero complaints as we always try to be considerate to our neighbors.

Exhibit #2 – Vicinity Map



Subject Property

CUP05192022-6330
Storm Fabworks
8502 S. Fairoaks Way



PRODUCED BY BRYNN BOHLENDER
 THE COMMUNITY DEVELOPMENT DEPARTMENT