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## Staff Report Memorandum December 14, 2023

To: Planning Commission  
 From: Community Development Department  
 Subject: Geraldine Johnson Piano Studio (Accessory Structure and Category II Home Occupation Conditional Use Permit) CUP11142023-006656  
 11 W. Cottage Avenue R-1-6  
 [Northwest Exposure, #1] .33 acres

**Public Meeting Notice:** This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

### Request

The applicant, Geraldine Johnson, is requesting approval of a conditional use permit for an accessory structure and a category II home occupation for the property located at 11 W. Cottage Ave. The request is to allow for a 320 square foot accessory structure to conduct group piano lessons. There is an existing 600 square foot detached garage. The applicant is requesting a 25% increase of the allowed square footage of accessory structures from 750 square feet up to 937 square feet. The applicant is proposing to have a total of 920 square feet of accessory structure space. See application letter (Exhibit A) and application materials (Exhibit B).

### Background

The subject property is approximately .33 acres (14,374 square feet) in the R-1-6 zone. The subject property is Lot 1 in the Perry Subdivision. Properties to the north and west are single family homes zoned R-1-6. To the north and east are commercial properties are zoned CN(HSN) (Neighborhood Commercial – Historic Sandy Neighborhood) and to the south it is zoned SD(EH). Special Development (Elderly Housing).



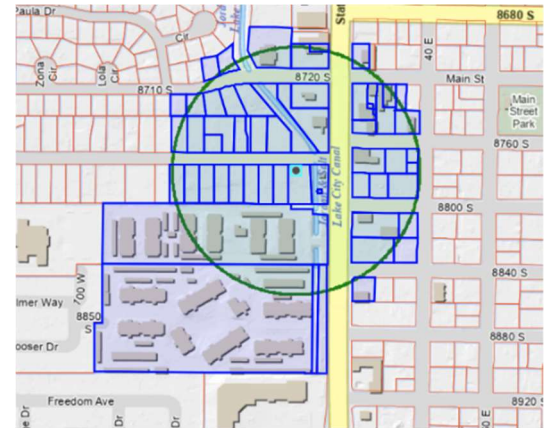
CUP11142023-006656  
Conditional Use Permit  
11 W Cottage Ave  
Sandy City, UT  
Community Development Department

**Public Notice and Outreach**

This item has been noticed to the property owners within 500 feet of the subject area by mail. A neighborhood meeting was held on November 29, 2023. The applicant and project architects were the only attendees. Staff received one email about the project (See Exhibit D).

**Analysis**

The applicant’s plan indicates they intend to build an accessory structure in the southeast portion of their property. The space is proposed to be used for group piano lessons. The building is proposed to be 320 square feet and 15 feet in height. The plans indicate that there is a proposed bathroom for use for students but no living space. They are proposing to place the structure 19 feet from the east side property line and 42 feet from the rear property line (See Exhibit B). Piano students will access the building by walking along the fence along the property and going through a gate. The applicant is proposing to use 100% of the accessory structure for her home occupation.



**Accessory Structure Building Size**

In **Section 21-11-2(a)(2)(d)** of the Sandy City Development Code it states that the total maximum square footage of all accessory buildings on the property may be increased up to 25% larger with permission from the Planning Commission. The applicant’s property is in the R-1-6 zone and is allowed up to two accessory structures with a maximum size of 750 square feet. With permission from the Planning Commission the applicant is requesting an increase of 25% in square footage to 937 square feet. The applicant has an existing 600 square foot detached garage. The proposed accessory structure is 320 square feet bringing the total square footage of the two accessory structures to 920 square feet.



Address	Accessory Structure	Rear Yard Area	Rear Yard Percentage
17 W Cottage Ave.	350	3,824	9%
47 W. Cottage Ave.	900	6,184	14%
53 W. Cottage Ave.	800	5,561	14%
37 W. Cottage Ave	261	5,936	4%
26 W. Cottage Ave.	468	2,650	17%
Project Address	Accessory Structure	Rear Yard Area	Rear Yard Percentage
11 W. Cottage Ave.	920	9,533	9%

**Category II Home Occupation – Group Child Activities**

**Section 21-11-5(f)(4)** of the Sandy City Development Code states the following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child group activities which are expected to generate or exceed eight children/students at any one time other than child day care:

- a. The following guidelines shall be used to determine the maximum number of students/children permitted:
  1. A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn-around areas.
  2. The existing residential street is sufficient width to accommodate additional vehicular traffic.
- b. a maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
- c. A maximum of four sessions per day may be permitted.
- d. All sessions combined shall not generate more than 24 vehicular stops per day.
- e. The total number of student/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time of the home occupation is conducted.
- f. No group child activities falling under a Category II home occupation may be established within 200 feet as measured from the property line to property line of another group child activity, Category II home occupation use.

The applicant is proposing to have group piano lessons inside the proposed 320 square foot accessory structure. She is proposing to use 100% of the space for the piano lessons. The applicant is proposing to have lessons primarily between 3:30pm – to 6:30pm and has no other employees. The applicant plans to have no more than 5 students during each lesson.

The applicant understands that no parking of vehicles is allowed, only drop off and pick up. A proposed traffic plan has been reviewed and approved by the Transportation Engineer, Britney Ward (see Exhibit C). This plan shows all drop-off and pick-ups are to occur curbside in front of the home. No on-street parking is allowed at any time, including employee parking.

#### **Conditional Use Standards**

The City may impose conditions based on certain standards of review found in section 21-33-04 of Sandy City Land Development Code. The following items from that list are applicable to this request and merit discussion or additional consideration by the Planning Commission (staff analysis is found below in *italics*):

#### **Sec. 21-33-4. Conditions.**

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address:

- (1) Size, configuration and location of the site and the proposed site plan layout.

*The proposed accessory structure is 15 feet tall to peak and will be 320 square feet. The structure will be sited 19 feet from the east property line and 42 feet from the south property line.*

- (5) Site circulation patterns for vehicular, pedestrian and other traffic.

*The applicant is proposing to have children dropped off and picked up in front of their property on Cottage Ave.*

- (6) Mass, size, number, location, design, exterior features, materials, and colors of buildings, structures and other facilities.

*The proposed accessory structure roof materials, pitch, and building materials will be consistent with the existing home.*

- (12) The regulation of operating hours for activities affecting normal schedules and functions.

*The applicant is proposing to operate Monday through Friday from 3:30pm – 6:30pm.*

- (14) Measures to assure compliance with all conditions and requirements of approval, including, but not limited to, bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, and restrictive covenants.

*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 title.

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

#### **Staff Concerns**

Staff has no concerns with the proposed use so long as the classes held only involve children and not the parents.

**Recommendation**

Staff recommends that the Planning Commission approve a Conditional Use Permit for a Category II Home Occupation for group child activities within a detached structure and approve a 25% increase to the allowed square footage of accessory structures as described in the staff report for the property located at 11 W. Cottage Ave. based on the following findings and subject to the following conditions:

**Findings:**

1. This type of business is allowed as a Category II Home Occupation and can comply with all applicable requirements.
2. The applicant has one existing accessory structure that is 600 square feet.

**Conditions:**

1. That the proposed accessory structure obtain necessary building permits and be located as per the enclosed site plan.
2. That classes are only held for children. No adults are allowed to participate in classes.
3. That the structure shall only be used for business or storage purposes and not be used as an accessory dwelling unit.
4. That the applicant complies with all Building & Safety, and Fire & Life Codes.
5. That the applicant be responsible for meeting all provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning Commission.
6. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:



Sarah Stringham  
Planner

File Name: S:\Users\PLN\STAFFRPT\2023\CUP11142023-006656 Geraldine Johnson Home Occupation

## Exhibit "A"

Geraldine Johnson  
11 W Cottage Ave  
Sandy, UT 84070  
[geraldineleejohnson@gmail.com](mailto:geraldineleejohnson@gmail.com)  
(818) 632-1843  
11/13/2023

Sarah Stringham  
Planner  
Sandy Community Development  
10000 S Centennial Pkwy  
Sandy, UT 84070

Subject: Conditional Use Permit Application for 11 W Cottage Ave

Dear Sarah,

I hope this letter finds you well. I am writing to formally request a Conditional Use Permit (CUP) for the property located at 11 W Cottage Ave, per our previous communications where I was informed that obtaining a CUP is the appropriate course of action for the proposed use of the property.

**Purpose and Scope:**

The primary purpose of this CUP application is to seek permission to conduct piano lessons from an accessory structure on the property. Music lessons contribute positively to the artistic and educational culture of the community, while not creating any substantial local inconvenience or need for local resources to be expended. My proposed use of an accessory structure would not even require significant parking availability, due to the drop-off nature of my teaching procedures.

Moving my music business into an accessory structure is the most feasible way to increase the number of students I can accommodate. The main dwelling on the property does not have enough appropriate space for the purpose of teaching piano lessons, so I currently travel to my students' homes. This reduces the number of hours I can teach, as well as the number of students I can see. Even with a teaching roster at full capacity, I am continually encountering a demand for music lessons that I am no longer able to accommodate without moving into an accessory structure on my property.

The secondary purpose of this CUP application is to seek permission for a size increase in the proposed accessory structure, per Sec. 21-11-2 of the code. There is already a 600 sq ft detached garage on the property. The remaining 150 sq ft available under code is not large enough for the number of students I hope to accommodate at a time, so I am seeking a conditional use permit

## Exhibit "A" Continued

for the structure to be up to 337 sq ft. In addition, I am seeking permission to use 100% of the space for the purpose of teaching piano lessons. Due to how large these musical instruments are and the type of environment required for effective music learning, I believe that the full structure will be necessary in order to provide a fulfilling and effective environment for my students.

The proposed accessory structure will be 320 sq ft, located behind the garage with entry along the easement on the east side of the property. Lesson times will primarily be 3:30 pm - 6:30 pm, with no lessons being scheduled later than 8:30 pm or earlier than 8:00 am. The structure will be locked when not in use. Currently I have no employees besides myself, and no plans to employ anyone else in the operation of this home business.

Addressing Potential Concerns:

I understand that there may be potential concerns regarding this proposal. I have begun to contact the owners and residents of the neighboring properties to hear their concerns, if any.

One possible concern is increased traffic on a residential street. Since I will only be able to accommodate up to 5 students an hour, and lesson times will naturally be outside of school traffic hours, predictions indicate that traffic will not significantly increase. Moreover, many families enroll multiple children in piano lessons, which creates a lower traffic volume as well.

Another concern is a need for parking. As mentioned earlier, my teaching method will not accommodate waiting parents inside the studio, which will reduce the need for parking availability. The age range I primarily teach lessons to is not old enough to drive, reducing the need for students to park at the property or on the street.

My aim is to ensure that this project minimizes any potential negative impact and creates a harmonious relationship with the surrounding community.

In conclusion, I appreciate the opportunity to present my case for a Conditional Use Permit for 11 W Cottage Ave. I kindly request a meeting or a formal review of my application to discuss the details further. I believe that my proposal aligns with the community's interests and will contribute positively to the area's development.

Thank you for considering my request. I look forward to the opportunity to discuss this matter further. Please feel free to contact me at (818) 632-1843 or [geraldineleejohnson@gmail.com](mailto:geraldineleejohnson@gmail.com) if you require any additional information or have any questions.

Sincerely,

  
Geraldine Johnson

Exhibit "B"

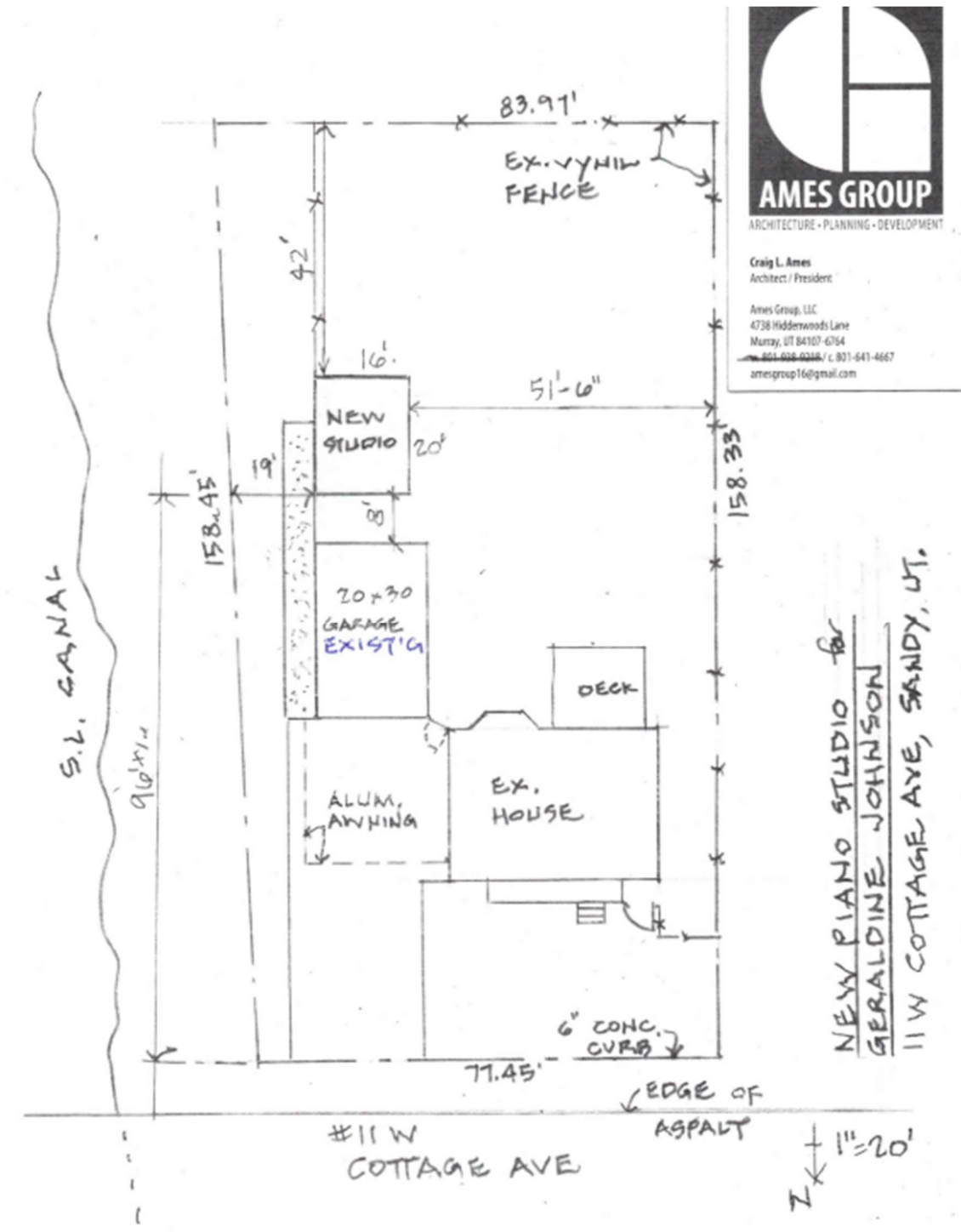


Exhibit "B" continued

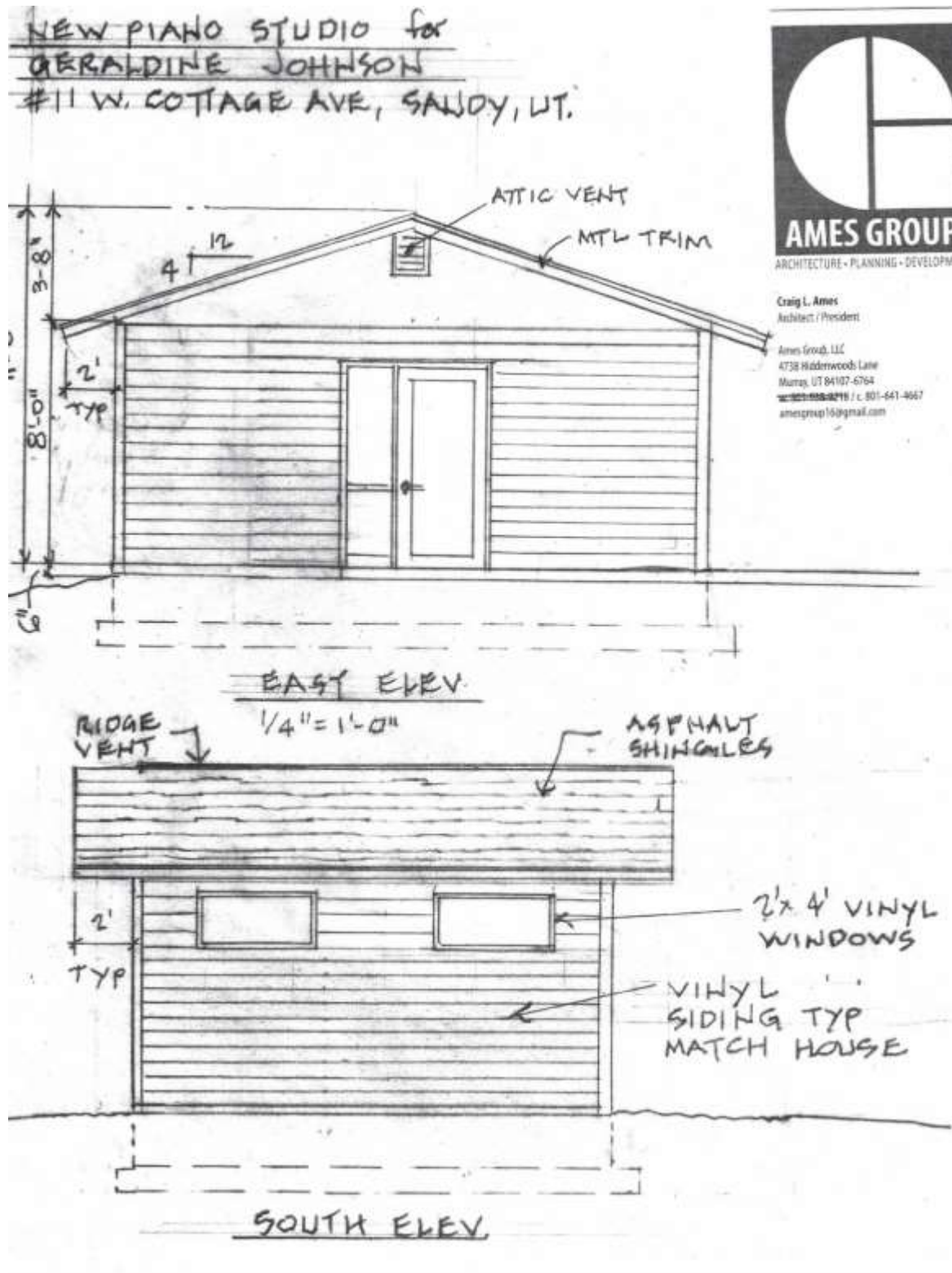
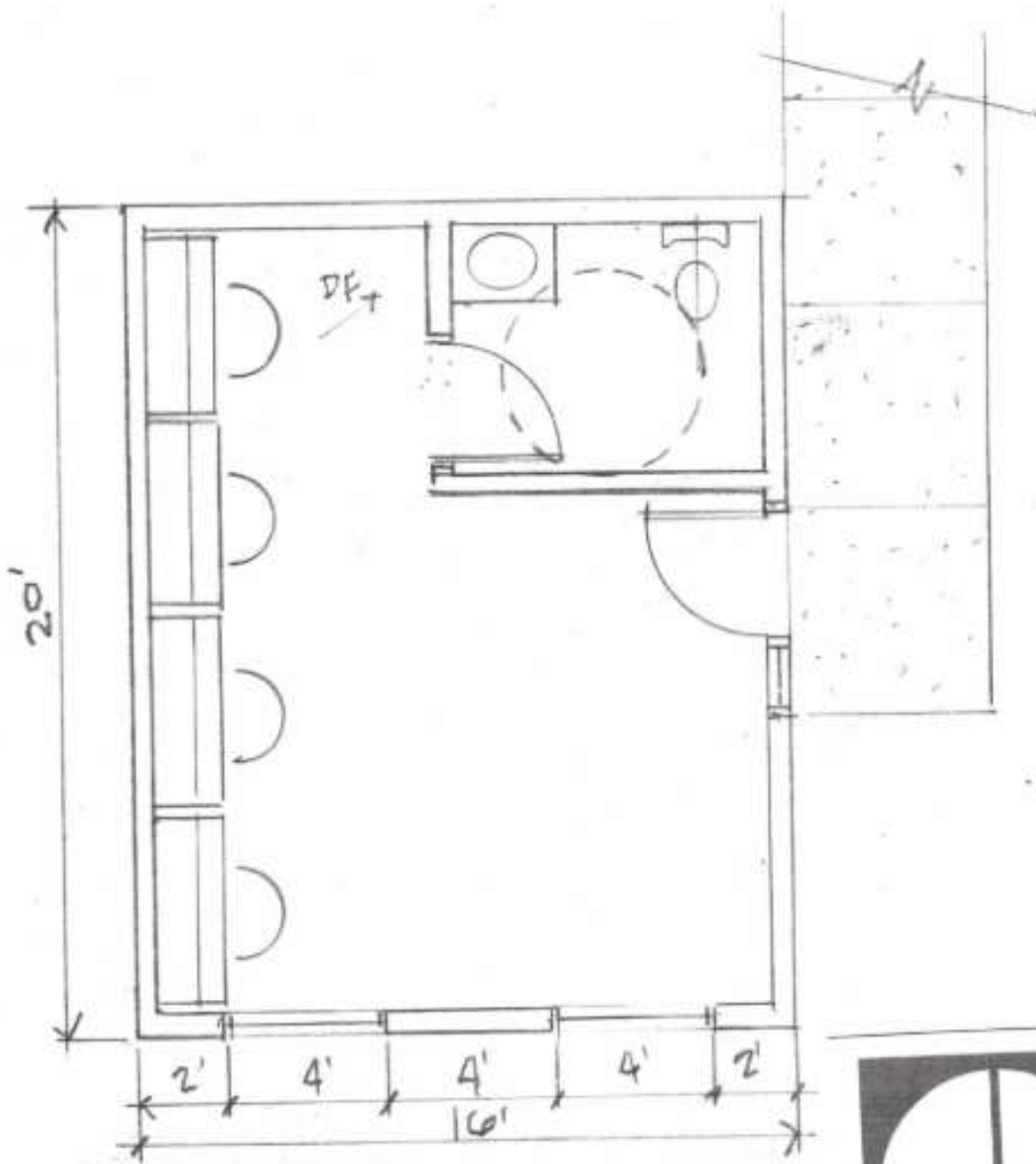




Exhibit "B" continued



PIANO STUDIO

1/4" = 1'-0"



GERALDINE JOHNSON  
#11 W. COTTAGE AVE,  
SANDY, UT.



Craig L. Ames  
Architect / President

Ames Group, LLC  
4738 Hiddenwoods Lane  
Murray, UT 84107-6764  
www.amesgroup.com / c. 801-641-4667  
amesgroup16@gmail.com

Exhibit "C"



## Exhibit "D"

**From:** Bench, Nikole <[Nikole.Bench@slcgov.com](mailto:Nikole.Bench@slcgov.com)>  
**Sent:** Monday, November 27, 2023 8:49 AM  
**To:** Sarah Stringham <[sstringham@sandy.utah.gov](mailto:sstringham@sandy.utah.gov)>  
**Cc:** PU Property <[PUProperty@slcgov.com](mailto:PUProperty@slcgov.com)>  
**Subject:** [EXTERNAL] 11 W Cottage Ave - CUP11142023-006656 - Conditional Use Permit

Good Morning Sarah,

I'm writing to inform you that the property located directly east of 11 W Cottage Ave, is owned by Salt Lake City Public Utilities, and where the Jordan and Salt Lake Canal is located. This canal is considered a vital facility.

In order to facilitate a comprehensive review, we kindly request that you have the owner submit the site/utility plans and the survey of the aforementioned property. Please direct these documents to our office at 1530 S West Temple, Salt Lake City, UT 84115.

If you have any questions or concerns, please let me know.

Thank you,



NIKOLE BENCH | *(She/Her/Hers)*  
Water Rights & Property Agent  
DEPARTMENT of PUBLIC UTILITIES | SALT LAKE CITY CORPORATION  
1530 South West Temple, Salt Lake City, Utah 84115  
Direct: (801) 483.6735 Office: 801.483.6727  
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