



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

November 1, 2018

To: Planning Commission
From: Community Development Department
Subject: Dimple Dell B&B
(Bed and Breakfast)
1743 E. Dimple Dell Rd.
[Community #26]

CUP-10-18-5504
Zone: R-1-20A

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

PROPERTY CASE HISTORY	
Case Number	Case Summary
	None

DESCRIPTION OF REQUEST AND BACKGROUND

The applicants, Jess and Deanna Knight, are requesting that the Planning Commission consider a request for a conditional use permit (CUP) to allow for a Bed and Breakfast on the property located at 1743 East Dimple Dell Road (*See Exhibit #1 – Application Materials*).

The subject property is bordered to the east and west by large lot single-family homes zoned R-1-20A. The property to the south is the Larkin Cemetery zoned R-1-20A. The property to the north is the Dimple Dell Park zoned SD(OS).

The applicant is proposing to operate a 3-bedroom bed and breakfast in the basement of their home. The applicant is proposing to rent out the three rooms in their entirety, and not individually. The property contains a 5,425 square foot home. The applicant is proposing to use approximately 1,900 square feet of the 2,728 square feet of the basement. The bed and breakfast would constitute approximately 35% of the home's total square footage.

The property has a 14-foot wide horseshoe driveway, with direct access on to Dimple Dell Road. Parking for the bed and breakfast will utilize the existing driveway and open area on the east side of the property.

The property is semi-isolated from surrounding properties. There is significant separation from the proposed bed and breakfast and the two adjacent residential property's homes. There is a 96-foot separation from the proposed bed and breakfast and the home to the northwest. In addition to this separation, there is a 58-foot grade change. There is a 125-foot separation from the proposed bed and breakfast and the home to the east (*See Exhibit #2 – Separation Map*). The nearest bed and breakfast is 0.4 miles from the subject property (*See Exhibit #3 – Bed and Breakfast Separation*).

ANALYSIS

Section 15A-11-11 of the Sandy City Land Development Code, provides regulations and site standards for bed and breakfast facilities within residentially zoned districts. Bed and breakfast facilities may be allowed by Conditional Use Permit where the applicant can show evidence of compliance with outlined standards and procedures and where there is clearly minimal impacts on adjacent residential properties and neighborhoods.

A. Requirements for Approval. A Conditional Use Permit may be granted by the Planning Commission for a bed and breakfast facility provided the requirements herein are met. The granting of a Conditional Use Permit for a bed and breakfast facility shall not exempt the applicant from meeting other applicable ordinances, covenants, codes, or laws recognized by Sandy City. The following pre-conditions and documentation are required:

1. A letter of application sworn before a notary public shall be provided by the owner(s) stating that such owners or live-in residential manager will occupy the facility except for bona-fide temporary absences. Said letter shall be recorded by the Salt Lake County Recorder with a certified copy to accompany the building permit application.
2. The effective period of the conditional use permit for bed and breakfast facilities shall be 2 years from the date of the original permit. At the end of every 2 years, renewal shall be automatically granted upon receipt by the Director of certification by the property owner that the property remains the principal residence of the owner or live-in residential manager, and that all other conditions required at the time of approval remain unchanged. Notification shall be sent to the owner for response. Failure to obtain such certification may be the basis for revocation of the Conditional Use Permit. The Planning Commission, at its discretion, may require a new application and a demonstration of compliance with all conditions necessary for a Conditional Use Permit.
3. Building plans or a floor plan (1/4 inch to the foot) showing the bed and breakfast facility shall be provided.

B. Development Standards and Requirements for Bed and Breakfast Facilities. In order to ensure compliance with the following regulations, staff has made comments regarding this case to each item in *italics*.

1. The owner(s) of the property or live-in residential manager shall live within the facility, except for bona-fide temporary absences.
The applicant will be living on-site within the residence.
2. The location of a bed and breakfast facility shall have direct access to an arterial or collector through street. Said facility will typically be isolated somewhat from adjoining residential properties and will not unduly increase local traffic in the immediate neighborhood.
The proposed bed and breakfast will have access via a horseshoe driveway, onto Dimple Dell Road to the south.
3. The location of a bed and breakfast facility shall be at least 1/4 mile from any other similarly approved facility unless it is determined by the Planning Commission that extraordinary circumstances warrant a shorter distance.
The nearest bed and breakfast is 0.4 miles away, further than the 0.25 mile separation requirement.
4. The bed and breakfast facility shall be located on a larger parcel than a typical residential lot. The parcel shall also be of sufficient size to be in scale with the size of structures, the number of people using the facility, parking areas, open space areas, etc. In no case shall the parcel be less than one-half acre in size unless it is determined by the Planning Commission that the site is architecturally or historically significant enough to justify a smaller parcel.
The property is located on a 1.43 acre lot zoned R-1-20A. The two adjacent lots are 1.73 acres and 2.6 acres zoned R-1-20A.
5. The bed and breakfast facility shall be designed or modified so that, to the degree reasonably feasible, the appearance of the structure remains as a residential dwelling. Unique architecture is encouraged, where possible, in keeping with the local area.
The applicant is proposing to have the bed and breakfast in the basement, with the entrance in the rear. The single-family home will maintain the character of a single-family home.
6. Signage for a bed and breakfast facility shall be low key, identifying the name of the facility without any advertising copy. Natural materials are encouraged for sign construction and should be architecturally compatible with the bed and breakfast facility. Sign size shall be no more than four square feet.
The applicant is proposing a four square foot sign located on the west side of the property.
7. The Planning Commission may require additional setbacks, buffering, landscaping, and natural setting to mitigate impacts on adjoining residential properties.

There is a 125-foot separation from the single-family home to the east, and a 96-foot separation from the home to the west with a 58-foot grade change.

8. At least one off-street parking space shall be provided for each guest room in addition to needed parking for owners/employees of the facility.
Three off-street parking spaces are required for this application. There is sufficient parking utilizing the horseshoe shaped driveway.
9. The design and size of the bed and breakfast facility shall conform to all applicable standards in the fire, building, and health codes. The facility shall be licensed in conformance with all City ordinances.
The bed and breakfast has been inspected by the Building Department. The inspections have passed, with the only requirement being the installation of a hand rail in addition to the basement steps. The applicant is pursuing this requirement to follow the building code.
10. Any other appropriate or more stringent conditions deemed necessary for bed and breakfast facilities protecting public health, safety, welfare, and the residential character of the neighborhood may be required by the Planning Commission.
The applicant has reached out to the Salt Lake County Health Department to ensure compliance with their regulations. The property is semi-isolated and maintains the character of a single-family neighborhood.

The applicant will need to provide at least three off-street parking stalls on the property. Per **Section 15A-24-02** of the Sandy City Land Development Cod, standard parking stall dimensions are 9 feet wide by 20 feet long. Further, per **Section 15A-24-04** of the Sandy City Land Development Code, all areas utilized for parking of vehicles shall be paved with hard surface, e.g., concrete, asphalt, brick, or other impenetrable surface.

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:

- A. Size, configuration and location of the site and proposed site plan layout.
The bed and breakfast will operate in the basement of the home. The proposed bed and breakfast is surrounded by large lot single-family homes with the Dimple Dell Park to the north and the Larkin Cemetery to the south. There is sufficient separation from the proposed site and surrounding properties.
- B. Proposed site ingress and egress existing and proposed roads and streets.
Access to Dimple Dell Road will utilize the existing 14-foot wide horseshoe driveway ingress/egress to the property.

E. Site circulation patterns for vehicular, pedestrian and other traffic.
Vehicular circulation will utilize the existing ingress/egress point of access, parking for the bed and breakfast will utilize the existing driveway.

I. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protect adjoining owners from noise, visual and other impacts.
The bed and breakfast is screened from the residential property to the east by two detached garages and a 6-foot high fence. The 58-foot elevation change provides sufficient separation and buffering from the single-family home to the northwest.

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.

NOTICE

A neighborhood meeting was held on Tuesday, October 23, 2018. One neighbor attended the meeting. He was in support of the bed and breakfast, and wanted to inquire regarding short-term rentals. Notices were mailed to the property owners within a 500-foot radius of the subject parcels in advance of the Planning Commission meeting.

CONCERNS

Staff has no concerns.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit to allow for bed and breakfast on the property located at 1743 East Dimple Dell Road for Jess and Deanna Knight based on the findings listed below and the subject to the following conditions:

Finding

1. Staff finds that there is significant separation from the bed and breakfast and the nearest residential properties, and impact will be minimal.
2. The applicant is willing and able to comply with the bed and breakfast development standards.

Conditions

1. That the proposed structure comply with all applicable Building & Safety, and Fire & Life Codes.
2. 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 to mitigate a reasonably anticipated detrimental effects of the proposed use.
3. That the applicant obtain a business license from the Community Development Department.

4. That all areas utilized for parking of vehicles shall be paved with hard surface, e.g., concrete, asphalt, brick, or other impenetrable surface.
5. That the use be reviewed upon legitimate complaint.

Planner: _____

Reviewed by: Em

Wade Sanner, *Planner*

File Name: S:\USERS\PLN\STAFFRPT\2018\CUP-10-18-5504 Dimple Dell Bed and Breakfast

Exhibit #1 – Application Materials

Dimple Dell B & B

Jess and Deanna Knight

1743 E. Dimple Dell Rd. Sandy Ut 84092

To Whom It May Concern,

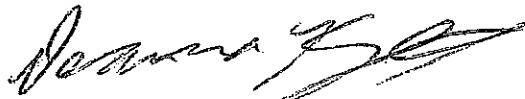
As "Owner Occupied" owners of the property at 1743 E. Dimple Dell Rd, Sandy Utah 84092, we are requesting approval of a Conditional Use Permit to operate a Bed and Breakfast home business in the basement of our home. We live on a main collector road, behind a private block wall, on 1.46 acres adjoining Dimple Dell Park, and have ample off street parking.

The operation of a small Bed and Breakfast business will not impact the traffic in our area or cause problems for our neighbors, who also live on large parcels of land with substantial distances between homes.

Our walk out basement has its own private entrance and will not alter the appearance of our residence.

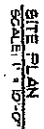
After addressing the breakfast service options with the S.L. Co Board of Health, we will offer a self-serve continental breakfast which avoids the necessity for a commercial kitchen or a food handlers permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Deanna Knight", with a stylized flourish at the end.

Deanna Knight

"P" Parking Spaces



0-A

KNIGHT RESIDENCE

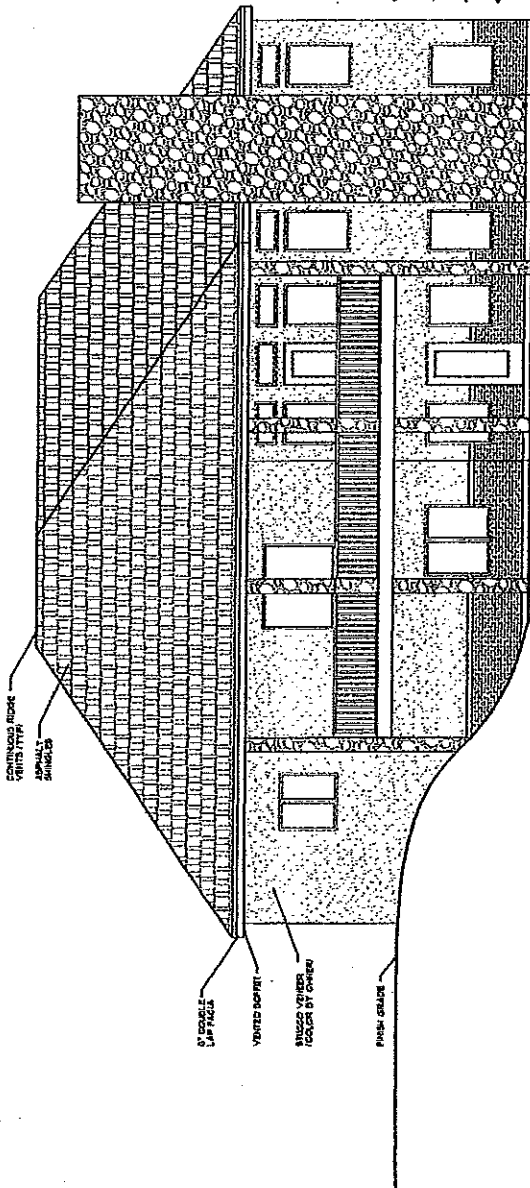
1743 E. DINGLE DELL ROAD
SANDT, UTAH

SITE PLAN

Activities

PHOTOGRAPH BY

NOTES
 1. PLAN AND CALC. ALL EXTERIOR DOORS AND
 DOORS TO PER MANUFACTURER'S INSTRUCTIONS
 2. ALL EXTERIOR FINISHING AROUND ALL WINDOWS
 AND DOORS TO BE DONE BY THE CONTRACTOR

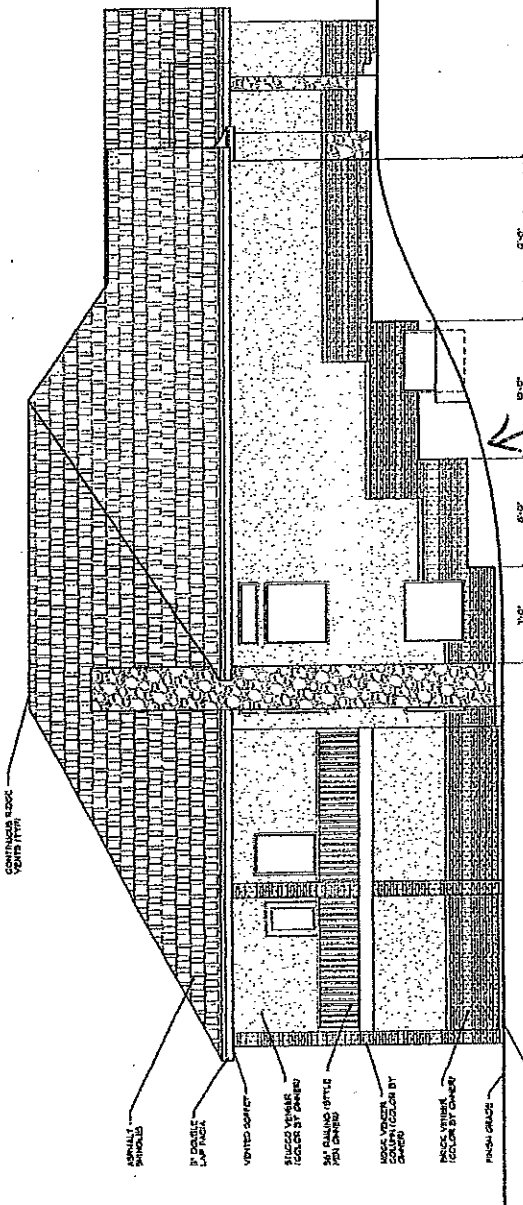


Back Entrance "Walk Out"

REAR ELEVATION
 FINISHING INSTRUCTIONS
 SCALE: 1/4" = 1'-0"

KNIGHT RESIDENCE
 1143 E. DRYDEN ROAD
 SALT LAKE CITY, UT 84111

A-1



Side stairs to back entrance

SIDE ELEVATION
 SCALE: 1/4" = 1'-0"

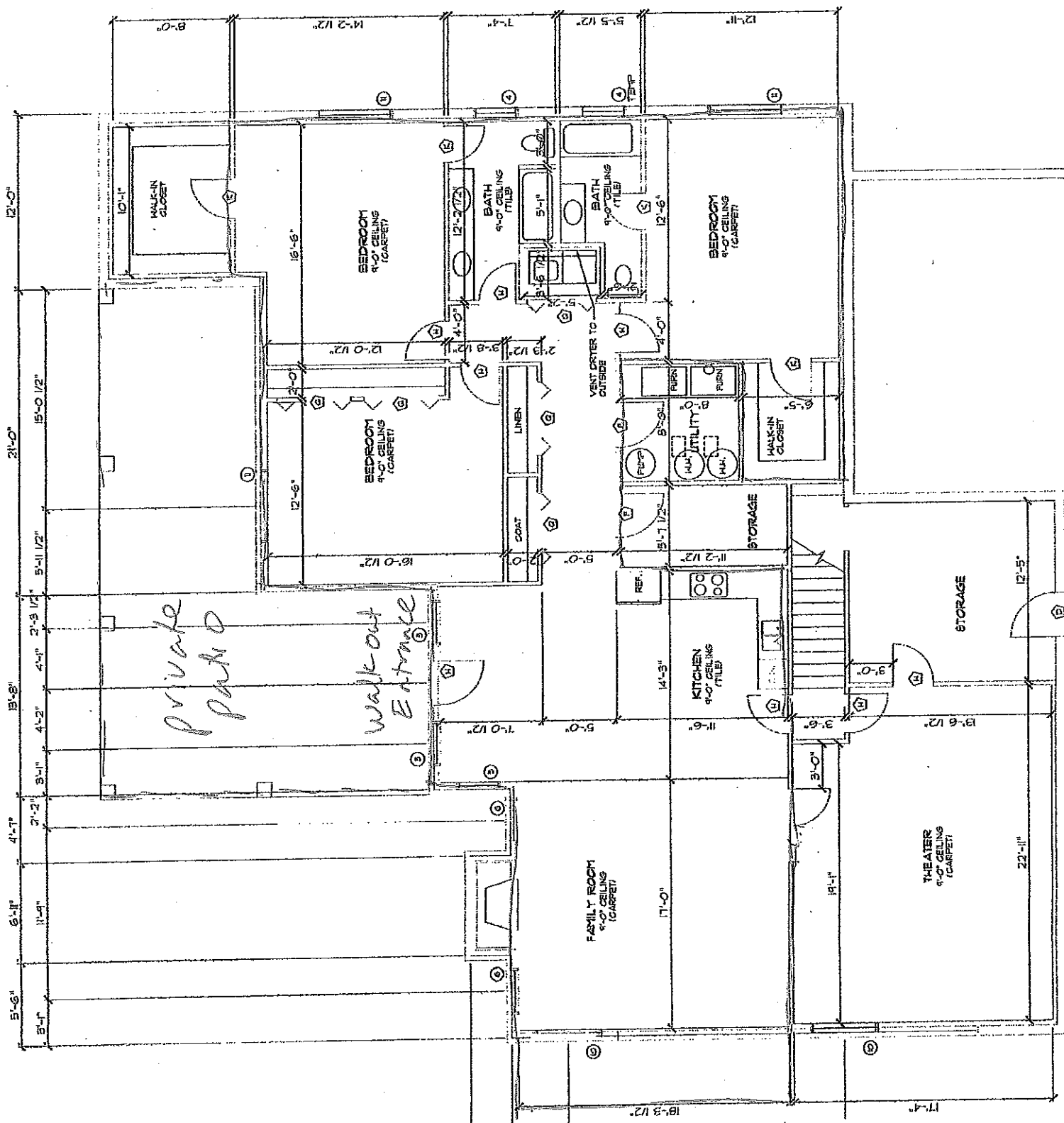


Exhibit #2 – Separation Map

Bed and Breakfast Separation

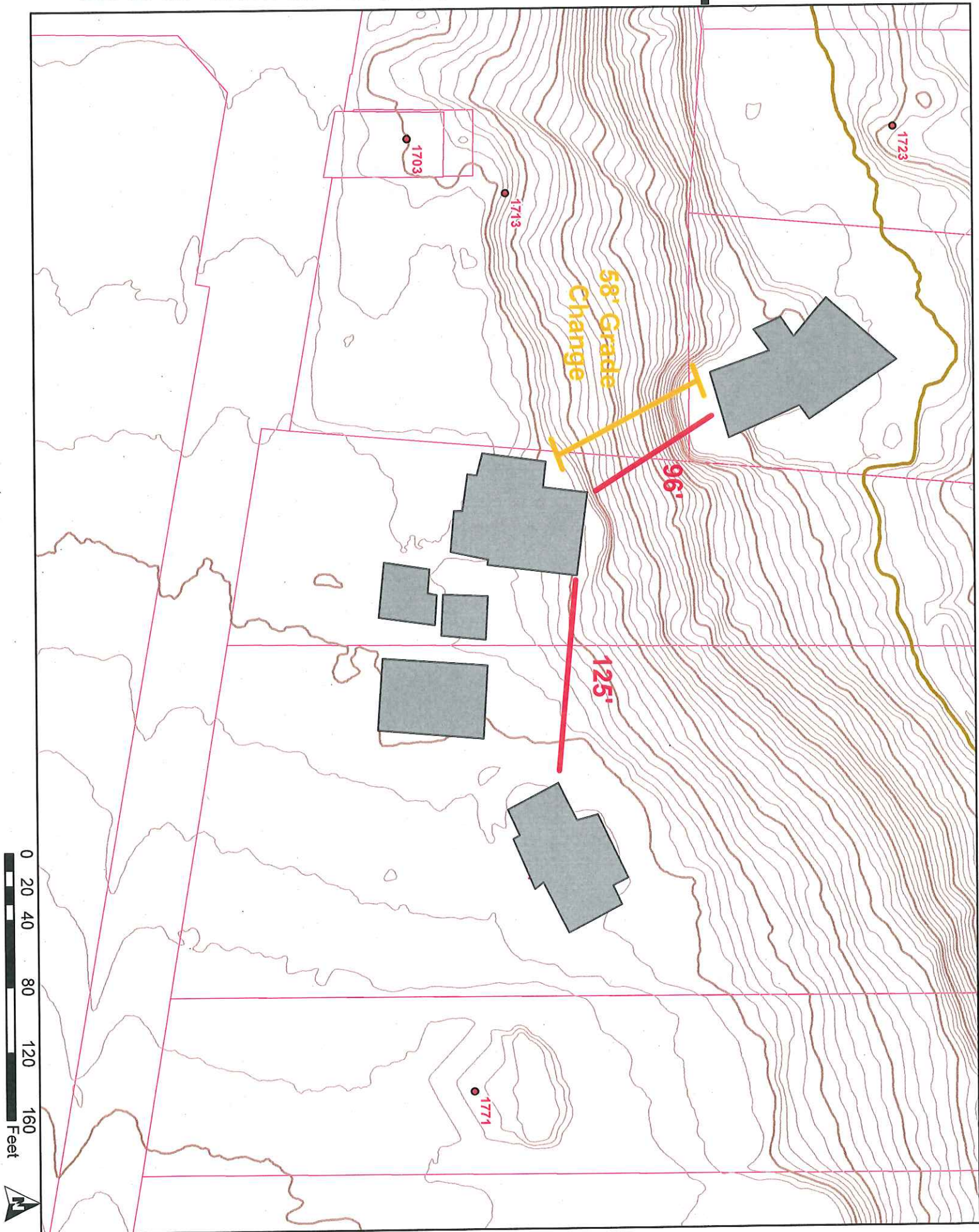


Exhibit #3 – Bed and Breakfast Separation

Bed and Breakfast Seperation

