



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

August 5, 2021

To: Planning Commission
From: Community Development Department
Subject: Fractal Foundry Home Occupation (Conditional Use for garage use) CUP-07092021-6100
9618 South 760 East Zoned R-1-8
(Community #8- Edgemont)

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, Brent Perkins, is requesting a Conditional Use Permit to operate a home-based t-shirt printing business within an existing attached two-car garage 21 x 21. (*See Exhibit 1: Application Materials*)

The home occupation business will occupy the entire garage only during the proposed operating hours of 8:00 AM and 1:00 PM weekdays. The process of printing involves the use of a manual screen-printing machine that can process one shirt at a time. In addition, the applicant has a business partner who will be working with him during the proposed operating hours.

Product will be ordered online and taken to a shipment facility by the applicant using a personal truck. The property is located in the Green Willows subdivision on a .23 acre (10,018 square feet) lot east of 700 E on the west side of 760 E in the R-1-8 zone. The property is a single family residential lot surrounded by 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 July 27, 2021. No neighbors attended the meeting and staff received no phone calls or emails regarding the project.

ANALYSIS

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 have one employee who will park on-site during operating hours.

Section 21-11-05(D)(7) Vehicle Advertisement. Vehicles, trailers, or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation.

The applicant is proposing to use his pick-up truck to pick-up and drop off all products. Currently the applicant is not proposing to utilize the vehicle for advertisement of the business and its primary purpose is to move materials and finished goods.

Section 21-11-05(D)(4) On-Site Employees. One full-time or full-time equivalent non-resident may be employed, volunteer, or work on the premises where the home occupation business is located. No more than two persons shall comprise the equivalent full-time employee, and only one non-resident employee may work at the home at one time.

The applicant has a business partner who will be working with him during the proposed business hours of 8 AM – 1 PM Monday through Friday.

Section 21-11-05(16) Neighborhood Disruptions Not Permitted. The home occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, light, glare, noises or vibrations, excessive traffic, or other nuisances, including interferences with radio and television with radio and television reception, or any other adverse effects within the neighborhood.

The applicant is proposing to close the garage during business hours.

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 garage when the business is in operation. His proposed operating hours are from 8:00 AM to 1:00 PM. The utilization of the equipment in the garage will not require any construction or alteration of the interior of the garage. It is at the discretion of the Planning Commission if the applicant is permitted to utilize more than 50% of the total floor space in his garage.

The property is located on an interior lot with an approximately 961 square foot driveway. The standard driveway width for a two-car driveway is 18 feet with a length of at least 22 feet which provides approximately 400 square feet of driveway space. The additional 561 square feet is due to the RV parking pad and provides an additional two- parking spaces.

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.

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 to Monday to Friday 8:00 AM to 1:00 PM.
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.

CONCERNS

Staff is concerned that the applicant is proposing to utilize the entirety of the garage. Section **21-20-5** of the Sandy City Land Development Code states that all single-family home on R-1-6 or larger lots shall provide at least a two-car garage for the daily storage of personal vehicles. Staff recognizes that it is within the purview of the Planning Commission to allow for the use of up to the entirety of the garage but is concerned about the elimination of parking spaces.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Brent Perkins for a Category II Home Occupation to operate a t-shirt screen printing business as well as to utilize up to 200 square feet of the attached garage space on the property located at 9618 South 760 East. Unless, in the opinion of the Planning Commission the use of the entire garage is warranted by the circumstances of the particular dwelling. This is based on the following findings and conditions.

Findings

1. The type of Home Occupation is allowed as a Category II Home Occupation.

Conditions

1. That the applicant not operate outside of the proposed hours of 8:00 AM and 1:00 PM, unless approved by Planning Commission.
2. That the garage remain primarily used for the storage of vehicles with the home occupation being an ancillary use. The garage must be usable to store two vehicles outside of business hours.
3. 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.

4. That the applicant complies with all Building & Safety, and Fire & Life Codes.
5. That this Conditional Use Permit be reviewed upon legitimate complaint.
6. That the Planning Commission determines the allowable square footage of the business operation inside the garage.
7. That the garage door be closed during business operations.
8. All excess material and any waste material be stored inside the garage and/or be removed from the property. No outside storage is allowed.

Planner:

Reviewed by:

Claire Hague
Claire Hague, Planner
S:\Users\PLN\STAFFRPT\2021\CUP07092021-6100 Fractal Foundry

[Signature]

Exhibit #1 – Application Materials

Proposed Conditional Use Letter

Fractal Threads is a partnership between myself (Brent Perkins) and my business partner, Tyler Tanner. The business model is t-shirt merchandising. We will be printing logos on t-shirts inside of an enclosed garage located at 9618 S 760 E, Sandy. The process involves manually pressing ink onto the shirts using a screen printer and running them through a heated conveyor to cure the ink. The process is quiet and can be confined entirely to the inside of the garage. The business will cause no impacts to street traffic or impact neighbors in any way. Shipments of t-shirts will arrive to the house seldomly when inventory needs to be replenished. All outgoing shipments will be taken directly to shipper via personal pickup truck. No customers will be coming to business location, sales are all completed online or potentially via delivery if we are locally commissioned.



Garage (21x21 feet)



Additional Trailer Parking



9618 S 760 E St,
Sandy, UT 84094

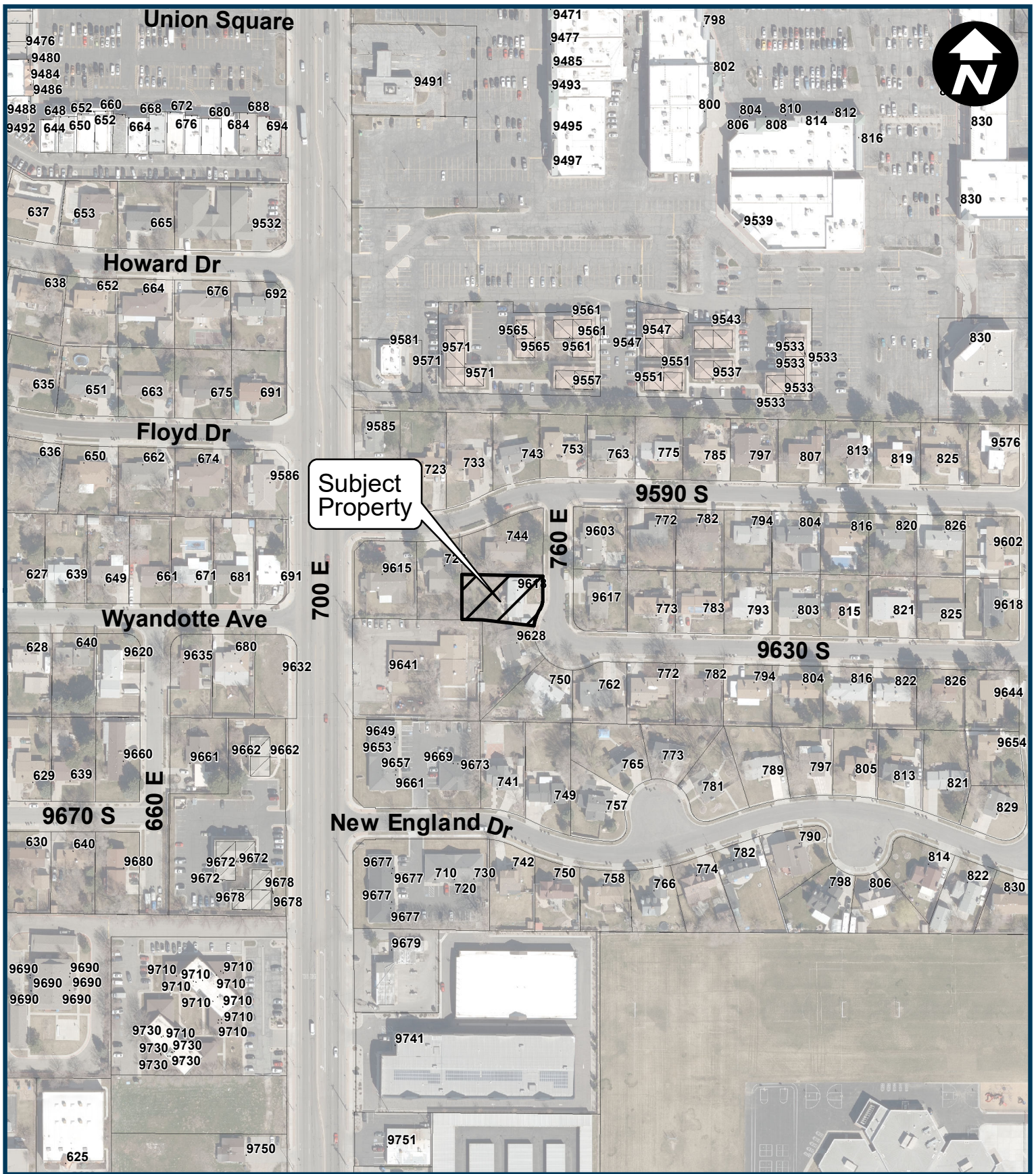


Home

S 760 E St

S 760 E St

Exhibit #2 – Vicinity Map



CUP-07-09-2021-6100
Fractal Foundry
9618 S. 760 E.

0 50 100 200 300 400 500 Feet

PRODUCED BY CLAIRE HAGUE
THE COMMUNITY DEVELOPMENT DEPARTMENT