

# COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING AGENDA

August 6, 2025



Notice is hereby given that the **Cottonwood Heights Hearing Officer** will convene on **Wednesday August 6**, at **Cottonwood Heights City Hall** (2277 E. Bengal Blvd., Cottonwood Heights, UT 84121) for an **Administrative Hearing Meeting**.

The meeting will begin at **12:00 p.m.** in the City Hall Room 5 (Council Chambers).

## **12:00 p.m. ADMINISTRATIVE HEARING MEETING**

### **1.0 Business Items**

#### 1.1 Project CUP-25-010

Request from Laura Durrant for conditional use approval of a home-based psychotherapy office for individual adult clients at 7871 S. Chadbourne Dr., Unit A.

#### 1.2 Project CUP-25-012

Request from Cameron and Jane Archibald for conditional use approval for the construction of an eight-foot fence along the south and north property lines at 7621 S. Primavera Ct.

### **2.0 Consent Agenda**

#### 2.1 Approval of Administrative Hearing Officer Minutes from August 6, 2025

*(The Administrative Hearing Officer will approve the minutes of the August 6, 2025 meeting after the following process is met. The City Recorder will prepare the minutes and email them to the Hearing Officer. The Hearing Officer will have five days to review the minutes and provide any changes to the Recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until the changes are made and the hearing officer is in agreement, at which time the minutes shall be deemed approved.)*

### **3.0 Adjourn**

## **Meeting Procedures**

Items will generally be considered in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Each speaker during the public hearing will be limited to three minutes.
4. Close Public Hearing
5. Administrative Hearing Officer Deliberation
6. Administrative Hearing Officer Decision

Administrative Hearing applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Hearing Officer feels there are unresolved issues that may need further attention before the Officer is ready to make a decision. The Hearing Officer may carry over agenda items to the next regularly scheduled meeting.

**Submission of Written Public Comment**

Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department no later than 12:00 p.m. MST on Tuesday, August 5, 2025, a day before the meeting. Comments should be emailed to [Planning@ch.utah.gov](mailto:Planning@ch.utah.gov). After the public hearing has been closed, the Community and Economic Development Department will not accept any additional written or verbal comments on the application.

**Notice of Compliance with the Americans with Disabilities Act (ADA)**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801) 944-7015 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

**Confirmation of Public Notice**

On Friday, August 1, 2025, a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at [www.cottonwoodheights.utah.gov](http://www.cottonwoodheights.utah.gov) and the Utah public notice website at <http://pmn.utah.gov>.

DATED THIS 1 DAY of AUGUST 2025

Attest: Tiffany Janzen, City Recorder

# COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING STAFF REPORT

August 6, 2025



## Summary

**Project #:**  
CUP-25-010

**Subject Property:**  
7871 S. Chadbourne Dr.

**Action Requested:**  
Conditional use approval to  
operate home business with  
clients (Heartfelt Healing  
Therapy)

**Applicant:**  
Laura Durrant

**Recommendation:**  
Approve, with conditions



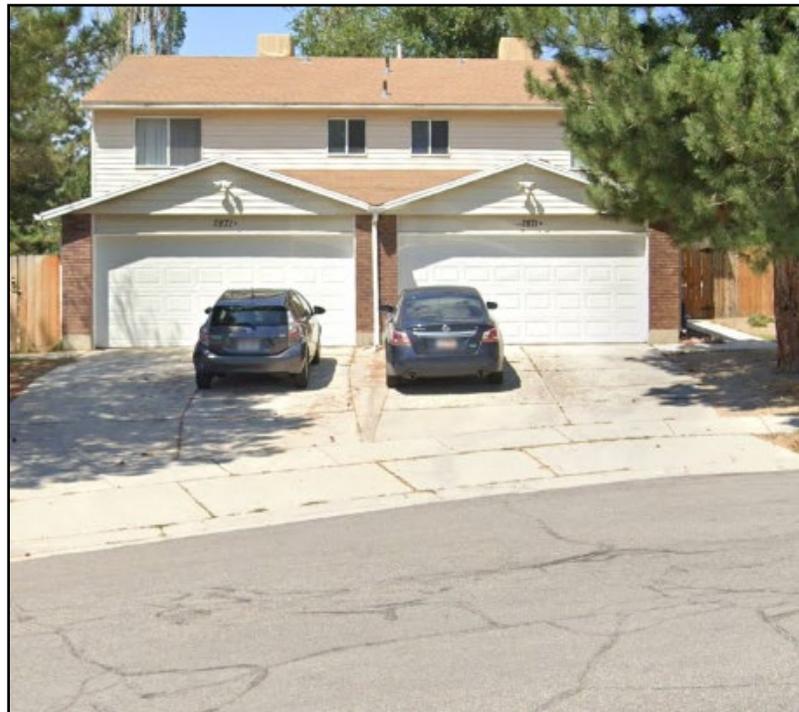
*Aerial View*

## Context

**Property Owner:**  
Jon Richards

**Address & Parcel #:**  
7871 S. Chadbourne Dr.  
22-35-226-007-0000

**Acres:**  
0.18



*View of driveway and parking*

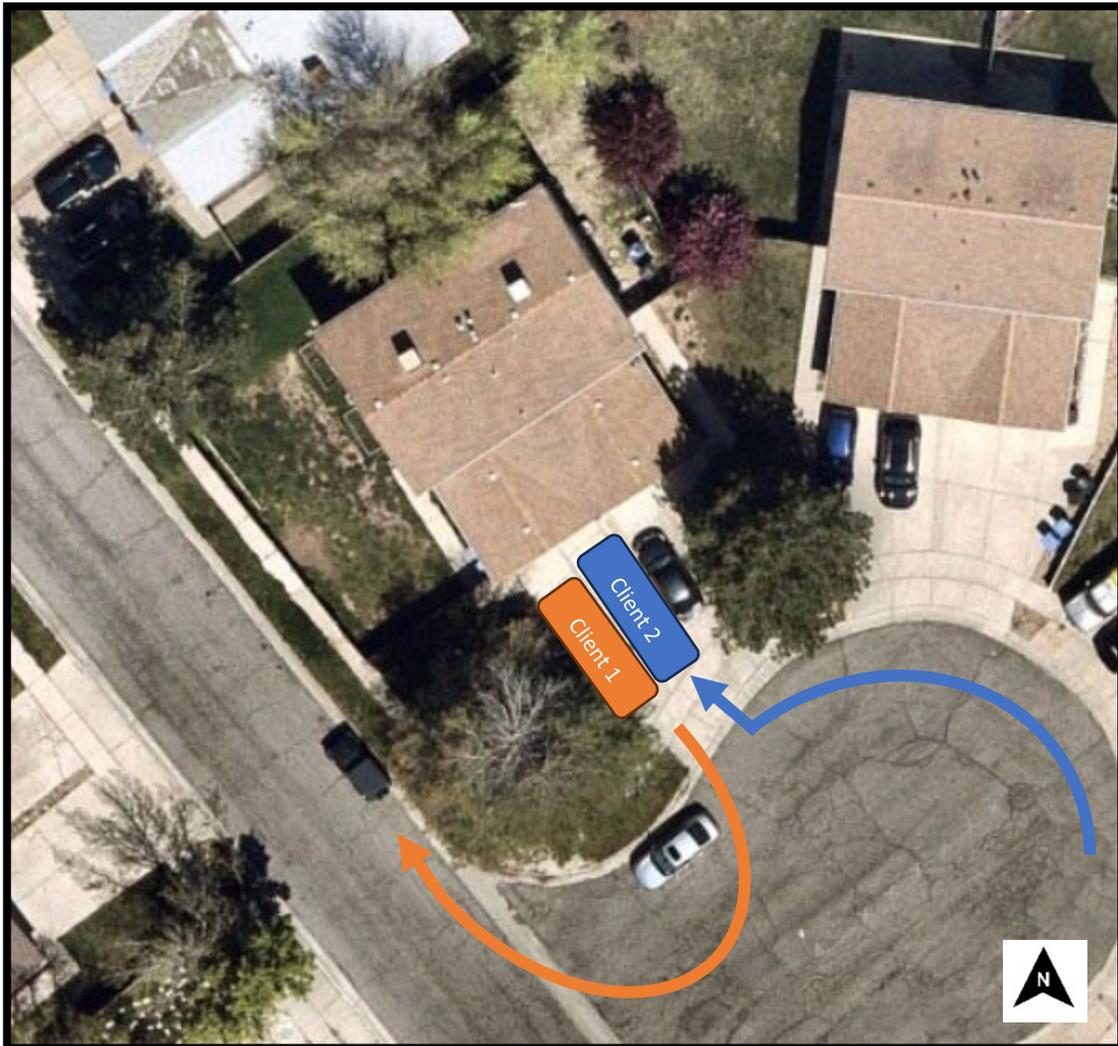
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## Request

The applicant is seeking approval to operate a home-based business within their residence, offering psychotherapy services to clients. According to the applicant's narrative, individual psychotherapy sessions will be available on Wednesday, Thursday, and Friday from 1:00 PM to 6:00 PM. No more than five clients would visit the home per business day.

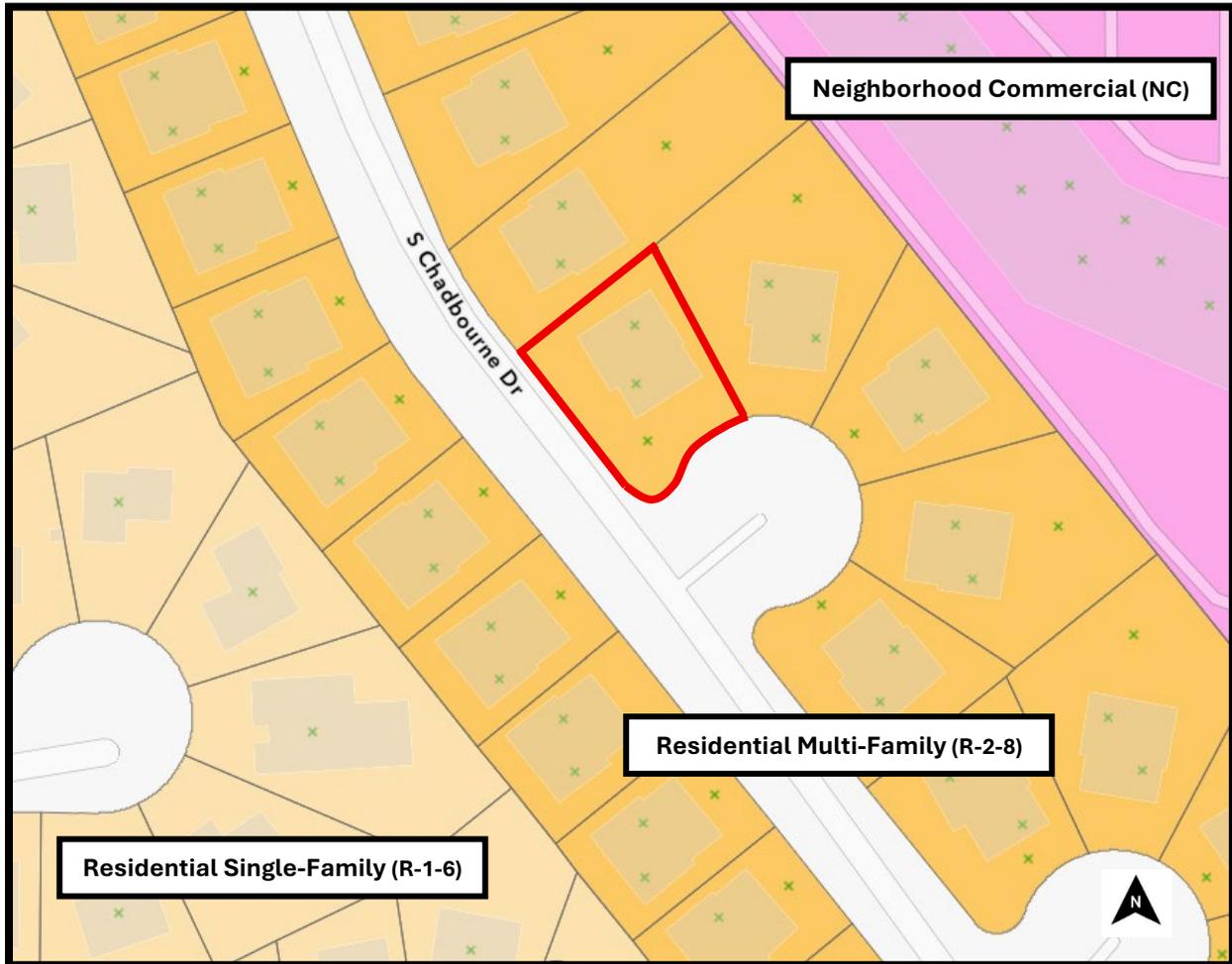
All psychotherapy sessions will take place in a designated room located on the main floor of the applicant's residence. The applicant will meet with one client at a time for 50 minutes. Clients are scheduled on the hour, so one client leaves before the next arrival arrives. All activities will remain confined to the designated area. Additionally, the property has two off-street parking spaces for client use in the existing driveway.

## Site Plan



Site Plan

## Zoning and Land Use



Zoning Map

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## Analysis

### Zoning

The zoning designation of the property is R-2-8 (Residential Multi-Family). Home occupations are listed as permitted uses in the R-2-8 zone, as referenced in §19.31.020.C. Home occupations are allowed only if the proposed business is clearly secondary and incidental to the primary use of the property as the applicant's permanent and full-time place of residence. Home occupations with clients are a conditional use, as referenced in in §19.76.040.F.7. Home Occupations are regulated in §19.76.040 Land Use:

#### ***F. Home occupations.***

1. "Home occupation" means, (unless otherwise provided in this code) any use conducted entirely within a dwelling and carried on by one person residing in the dwelling unit and one additional person who may, or may not, reside in the dwelling unit, which use is clearly

*incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes, and in connection with which there is no display nor stock in trade, "stock in trade" being any item offered for sale which was not produced on the premises.*

2. *The home occupation shall not include the sale of commodities except those produced on the premises; provided, however, that original or reproductions of works of art designed or created by the artist operating a home occupation may be stored and sold on the premises. "Reproduction of works of art" includes, but is not limited to printed reproduction, casting, and sound recordings.*
3. *The home occupation shall not involve the use of any accessory building, yard space or activity outside the main building if the use of accessory buildings or outside activity, for the purpose of carrying on a home occupation, violates the rule of the use being clearly incidental and secondary to the use of the dwelling or dwelling purposes.*
4. *The director shall determine whether additional parking, in addition to the two spaces required per dwelling unit, is required for a home occupation and shall also determine the number and location of such additional parking spaces.*
5. *The director will review all home occupations for compliance with the above items. If the proposed home occupation cannot meet any one of the above items, the director shall not approve the home occupation.*
6. *"Minor home occupation" means a home occupation which complies with the requirements of Chapter 5.54 of this code and which will not otherwise have an offsite impact which, when combined with the impact of the primary residential use of the dwelling, exceeds the impact of the residential use alone. A minor home occupation is a permitted use in any zone which allows home occupations.*
7. *"Home occupation with clients" means a home occupation, not otherwise expressly prohibited by this code, where one or more persons visit the dwelling to conduct business on more than a very occasional, sporadic basis. A home occupation with clients requires a conditional use permit.*

## Noticing

Property owners within 300 feet of the subject property were mailed notices at least 10 days prior to the public hearing, as required by 19.84.050. The initial notice included a map that incorrectly highlighted the wrong property. A corrected notice with a proper map was subsequently sent, and both notices were distributed within the required 10-day notification period.

## Impact

The applicant has two designated parking spaces available in the driveway. The proposed home-based business will offer psychotherapy services in a dedicated room within the property. Business hours are as follows: Wednesday to Friday from 1:00 PM to 6:00 PM. Services will be provided to one client at a time, with a 10-minute interval between appointments. The business is expected to serve a maximum of five clients daily. There will be no additional employees working in the home, and no remodeling or additions are proposed for this business.

## Conclusions – Recommended Findings for Approval

- The applicant’s narrative addresses client parking, employees, hours of operation, and business floorplan. Based on the materials submitted with the application, staff finds that the proposed home occupation will be incidental and secondary to the use of the property as a residence.
- An administrative hearing will be held in accordance with local and state requirements.

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## Recommendation

Staff recommends approval of the application with conditions:

## Conditions of Approval

- 
1. The applicant shall obtain and maintain an approved business license with Cottonwood Heights.
  2. Customers must use provided parking. Customers must be made aware of these parking restrictions. On-street parking for business use shall not be permitted.
  3. The business hours shall adhere to the applicant’s narrative.
  4. Approval of this home occupation is subject to review upon complaint.
  5. No more than one non-resident employee is permitted at this business.
  6. Any business activity conducted outside the dwelling shall not violate the rule of the use being clearly incidental and secondary to the use of the dwelling for dwelling purposes.

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## Model Motions

### Approval

I move to approve project CUP-25-010, based upon the recommended findings for approval outlined in this staff report:

- List any other findings or conditions of approval...

### Denial

I move to deny project CUP-25-010, based on the following findings:

- List findings for denial...

## Attachments

1. Applicant Narrative
2. Parking and Floor Plan
3. Owner Consent Form

## PROJECT NARRATIVE

Your narrative will be considered an integral part of your application and should provide a comprehensive overview of your project, including, but not limited to the following elements. **Please note that staff reserves the right to deem any application lacking appropriate narrative detail as incomplete.**

\* I would see no more than 5 clients per day.

- Describe the overall proposal, including the type of services offered by the business, the proposed days and hours of operation, and the anticipated number of clients per day.  
Individual psychotherapy with adult clients, on Wednesday, Thursday & Friday from 1pm to 4pm. \*
- Describe how many employees will be part of the business (including yourself), and which employees (including yourself) reside at the home. I am a solo practitioner and have zero employees. I reside at the home.
- Describe what areas, both indoor and outdoor, will be used for the business.  
I plan to meet with clients in the main floor living area, and do administrative tasks in an upstairs bed
- Describe what efforts will be made to prevent noise, odor, or other potential nuisances from impacting neighboring properties, including any information about staggering business customers to reduce traffic. I meet with one client at a time for 50 minutes. Clients are scheduled on the hour. One client leaves before the next one arrives. If a client arrives early there is room in the driveway
- Describe what sale of product will take place at the home, if any. None.
- Describe what remodels or additions are proposed for this business, if any. None. for 2 cars to park.
- Describe how the proposed project is consistent with the Cottonwood Heights zoning ordinance and master plans.

## GENERAL

- Application Coversheet (Page 1)
- Project Narrative (Page 3)
- Signed Consent Form (Page 4)
  - o Only required if applicant is different than property owner

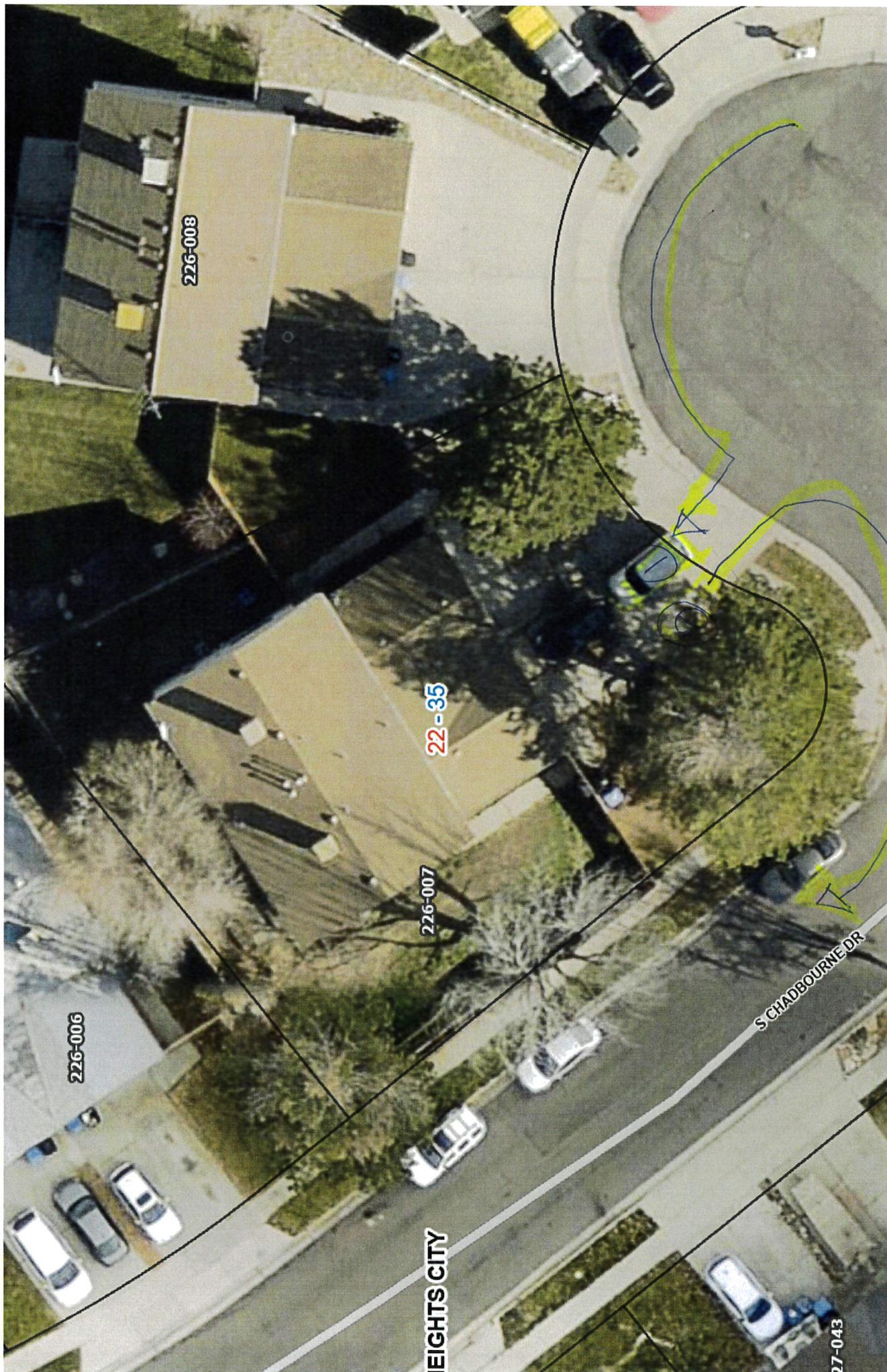
## PLAN SUBMITTAL REQUIREMENTS

- Site Photographs
  - o Exterior photos of the home
  - o Photos of all areas which will be used for the proposed business
- Floorplan
  - o Floorplan of the entire home, with all areas which will be used for the proposed business indicated as such
- Parking Plan
  - o Map indicating the off-street parking area that will be used for business customers
- Circulation Plan
  - o Map indicating how overlapping business customers will circulate through the parking area
  - o Map indicating how drop off and pick up of customers, if any, will circulate through the parking area (such as in the case of private lessons, daycares, preschools etc.)

## OTHER REQUIRED ITEMS INCLUDE:

*This area is reserved for staff to list any additional required items.*

There is room in the driveway for 2 cars. I only see 1 client at a time. ~~For the~~ The current and upcoming clients can both park in the driveway. My car will be parked inside the garage. Clients are not dropped off or picked up.



226-008

22-35

226-007

226-006

S CHADBOURNE DR

HEIGHTS CITY

27-043

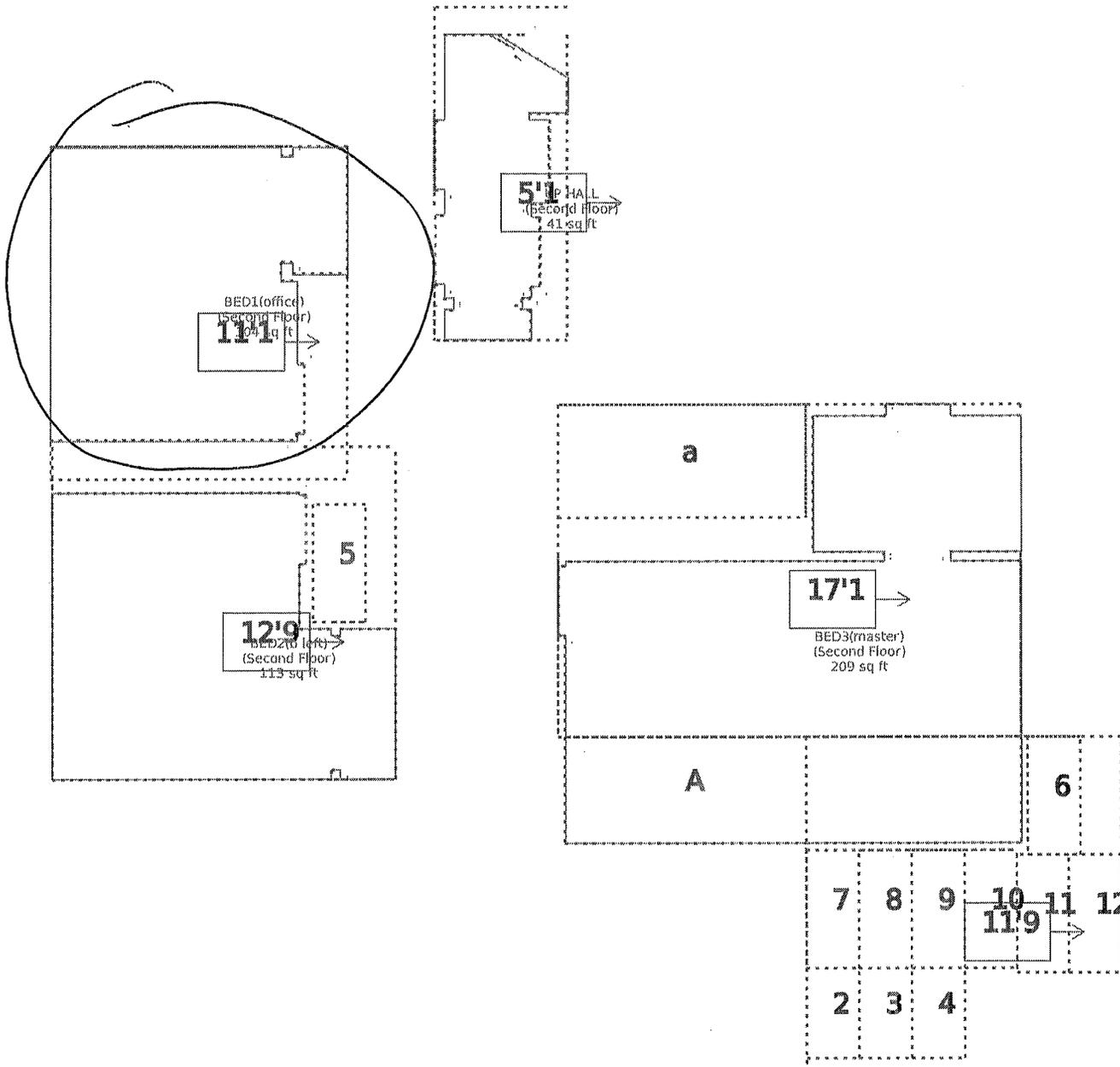






## Floorplan Drawings

**Line Item 1 - CPT - BED1(office), BED2(b left), BED3(master), UP HALL**



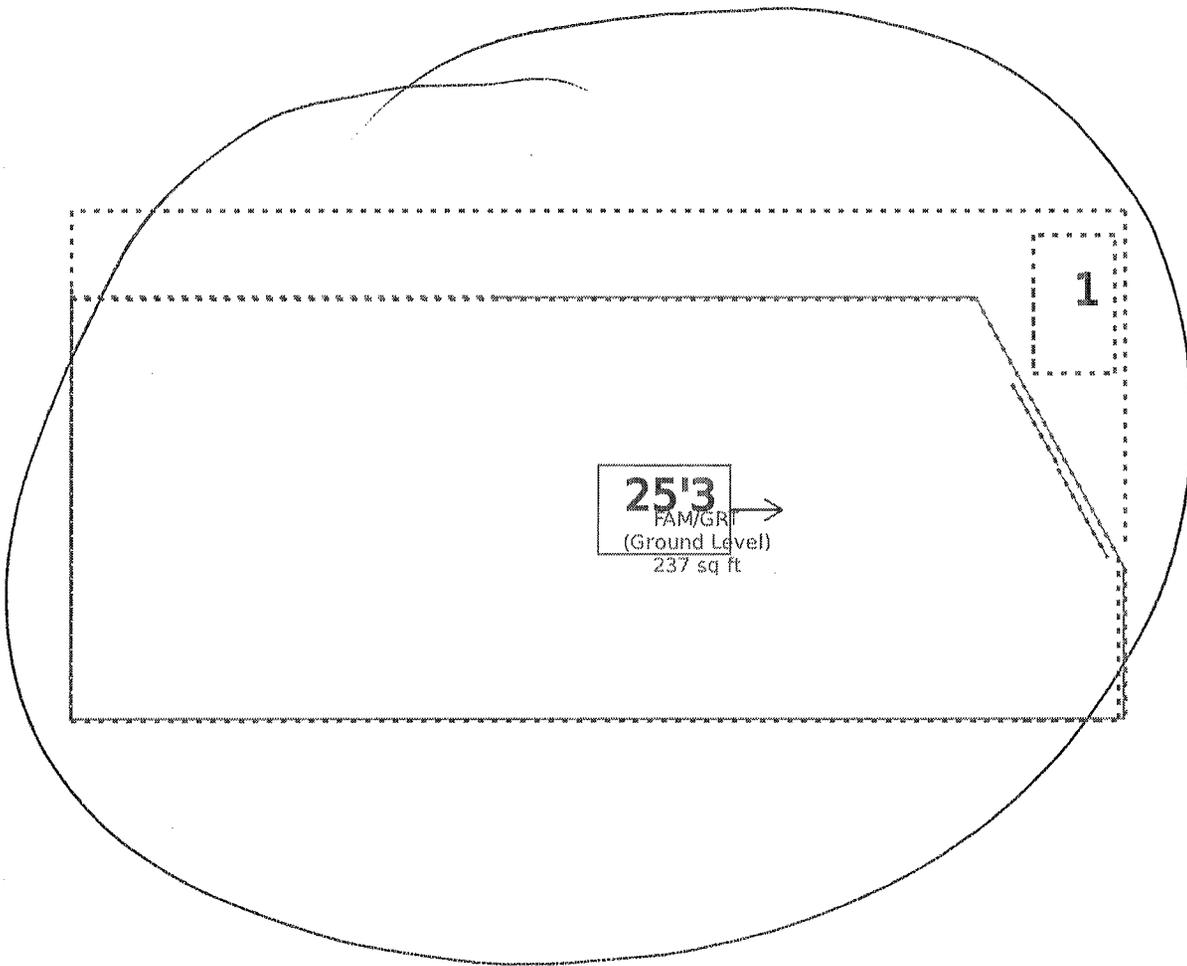


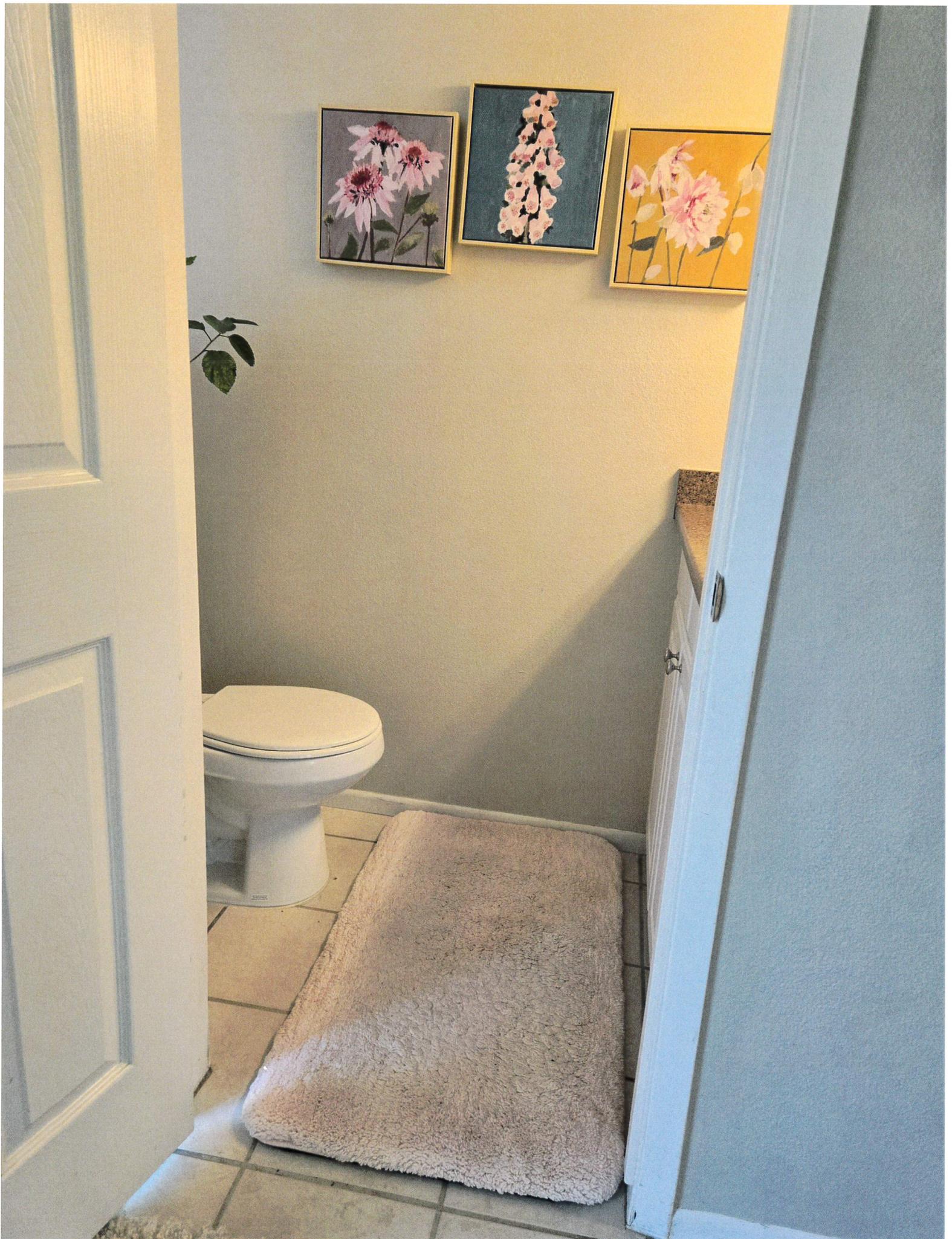
Customer  
Laura Durrant

Flooring Measure  
51913610

## Floorplan Drawings

### Line Item 1 - CPT - FAM/GRT









**OWNER'S CONSENT FORM**

I/we, the Undersigned, do hereby grant permission to:

LAURA DURRANT

To act on my/our behalf for the purpose of the following application:

HOME BUSINESS CONDITIONAL USE PERMIT

Owner(s): JON RICHARDS

Address(es): 6318 W SUTHERLAND DR. HIGHLAND UT 84003

Telephone Number(s): 801-243-2444

Signature of Owner: [Signature] Date: 06/19/2025

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

State of UTAH }  
County Of: \_\_\_\_\_ } ss.

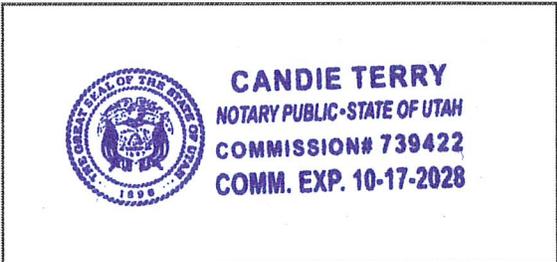
On this 19 day of June, 2025 before me, the undersigned Notary Public, personally appeared Jon Richards, personally known to me, or whose identity I verified on the basis of their Driver's License, or on the oath of DL, a credible witness whose identity I verified on the basis of their ID, to be the person(s) whose name(s) is/are subscribed to in this instrument and acknowledged that they executed the same.

Candie Terry

Notary Public

10/17/2028

Notary Commission Expiry Date



# COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING STAFF REPORT



August 6<sup>th</sup>, 2025

## Summary

**Project #:**

CUP-25-012

**Subject Property:**

7621 S. Primaveraii Ct.

**Action Requested:**

Conditional Use Wall Height  
Extension

**Property Owner:**

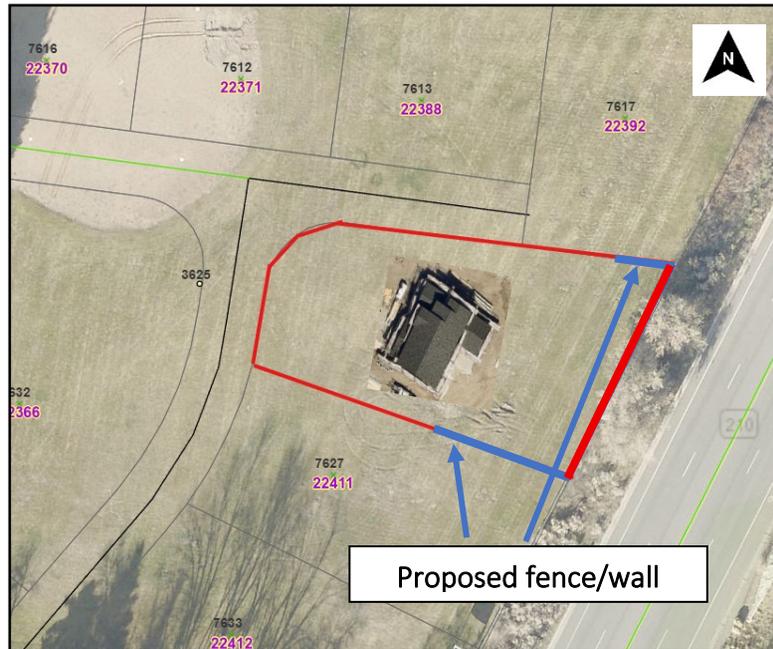
Cameron and Jane Archibald

**Applicant:**

Cameron and Jane Archibald

**Recommendation:**

Approve, with conditions



*Aerial View*

*This aerial image shows the subject property in context of the neighborhood. The blue line shows the location of the proposed wall height extension. Red lines show the other property lines of the lot.*

## APPLICANT'S PROPOSAL

The applicant is proposing to construct an eight-foot fence along the north and south property lines. The increased fence height is requested to maintain privacy and safety, particularly as the lots to the south are currently under construction. The eight-foot fence will match the existing eight-foot wall on the rear side of the property and to account for backfill necessary for landscape grading. The proposed fence, made of concrete composite material, is intended to enhance privacy and provide additional noise reduction for the applicant.



**Existing Fence**

- *Six-foot-high temporary construction chain link fencing.*



**Proposed Fence**

- *Eight-foot-high concrete ledgestone molding fencing.*
- *The proposed fence format will increase noise reduction and privacy.*

## BACKGROUND

### Zoning

The zoning designation of the property is R-1-8 (Residential Single-Family). Fences and walls may be allowed to a maximum height of eight feet in any zone as a conditional use, and up to 12 feet as a conditional use with neighbor consent, as outlined in section 19.76.050.E City Code, shown below.

**As this proposal is only requesting eight feet, neighbor consent was not required.**

### 19.76.050(E)

**Conditional use.** *Fences in the side and rear yards may be erected to a maximum height of eight feet as a conditional use upon a clear and convincing showing by the property owner in accordance with subsections (a) and (b) below:*

- The existence of unique or special circumstances of a natural, material and adverse nature relating to the property that will be substantially minimized or eliminated by the increased height of the requested fence; and*
- That erection of such a fence is the most reasonable solution under the circumstances. Any such conditional use permit may be granted by the director or his designee following an administrative hearing preceded by all required notifications. A building permit shall be required for all fences approved as a conditional use.*

**Neighbor consent.** *Side and rear yard fences may exceed eight feet in height to a maximum height of 12 feet in cases where the applicant has neighbor consent, and has received conditional use approval in accordance with subsection 19.76.050(E)(3).*

## **IMPACT ANALYSIS**

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**Staff Analysis:** Staff finds the increased fence height proposed by this application to be a reasonable privacy enhancement and an increase in noise reduction.

### **Noticing**

Property owners within 300 feet of the subject property have been mailed notices. Notices were mailed, as well as posted on noticing websites and the City Hall bulletin board, on May 16, 2025.

### **Conditional Use Permit Determining Criteria**

Staff has found enough evidence that the standards for the issuance of a conditional use permit have been satisfied (see Section 19.84.080 CH Code).

## **FINDINGS FOR APPROVAL**

1. There is clear and convincing evidence shown by the property owner that the request will provide reasonable additional privacy; (19.76.050.E.3.)
2. That construction of such wall and fence is the most reasonable solution under the circumstances. The additional fence height is necessary to ensure mitigation of aforementioned issues.
3. The conditional use permit is granted by the director or his designee following an administrative hearing preceded by all required notifications. (19.76.050.E.3.)
4. The evidence presented with the proposed conditional use has been found to be compliant with the requirements of section 19.84.080 (Conditional Uses – Determination) and section 19.76.050.E (Miscellaneous – Fences).
5. There is sufficient evidence that the standards for the issuance of a conditional use permit as outlined in Section 19.84.080 CH Code have been satisfied.

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. A building permit and all necessary inspections shall be obtained and completed.
2. The building permit will clearly state materials, design, and shall not exceed a total height of 8 feet from existing grade.

## Model Motions

### **Approval**

I move to approve item CUP-25-012 pursuant to the conditions of approval outlined in the item's staff report

- Add any additional conditions of approval...

### **Denial**

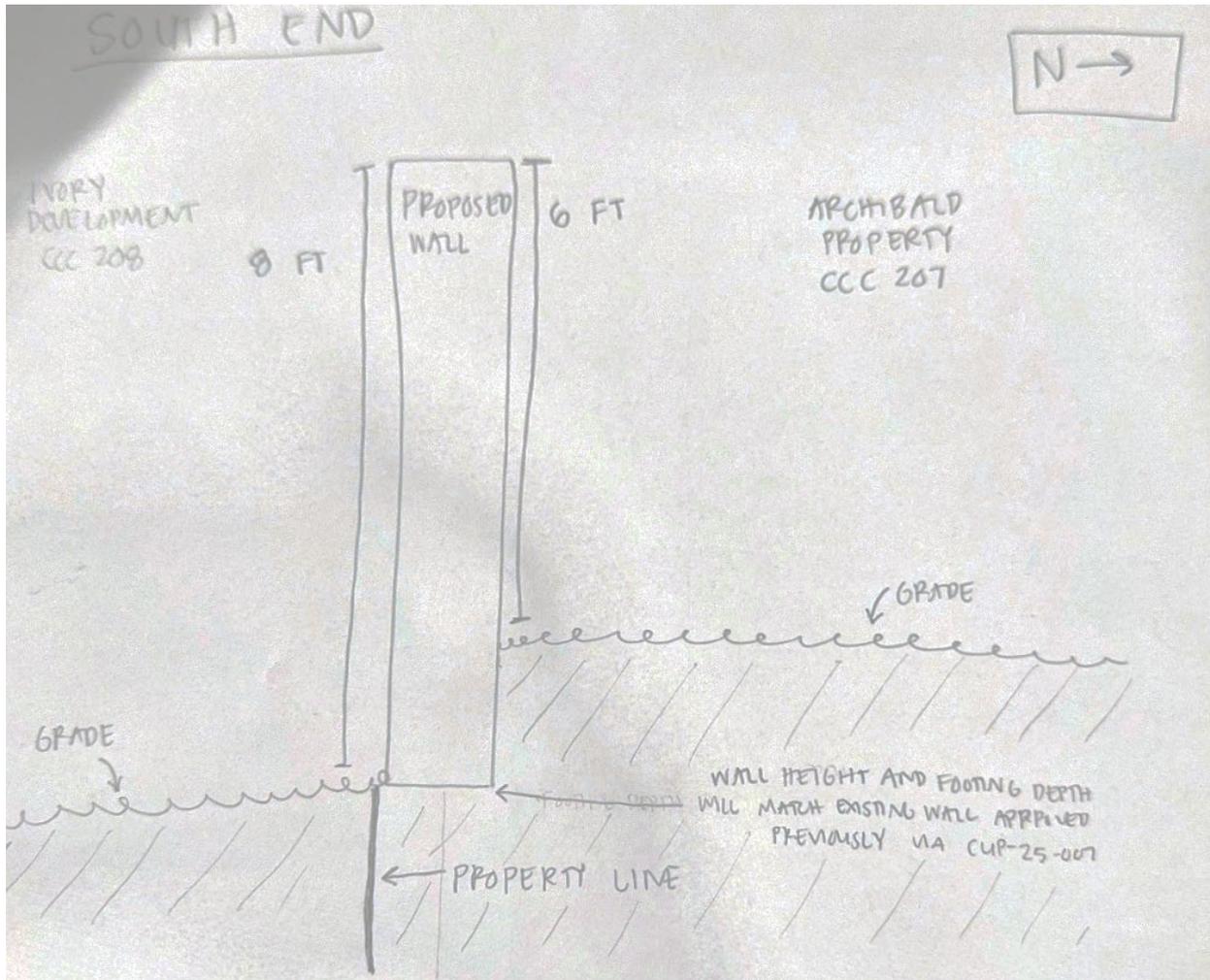
I move to deny item CUP-25-012 based on the following findings..."

- List reasons for denial...
- 

## Attachments

1. Proposed layout
2. Proposed materials

# ELEVATION DIAGRAM

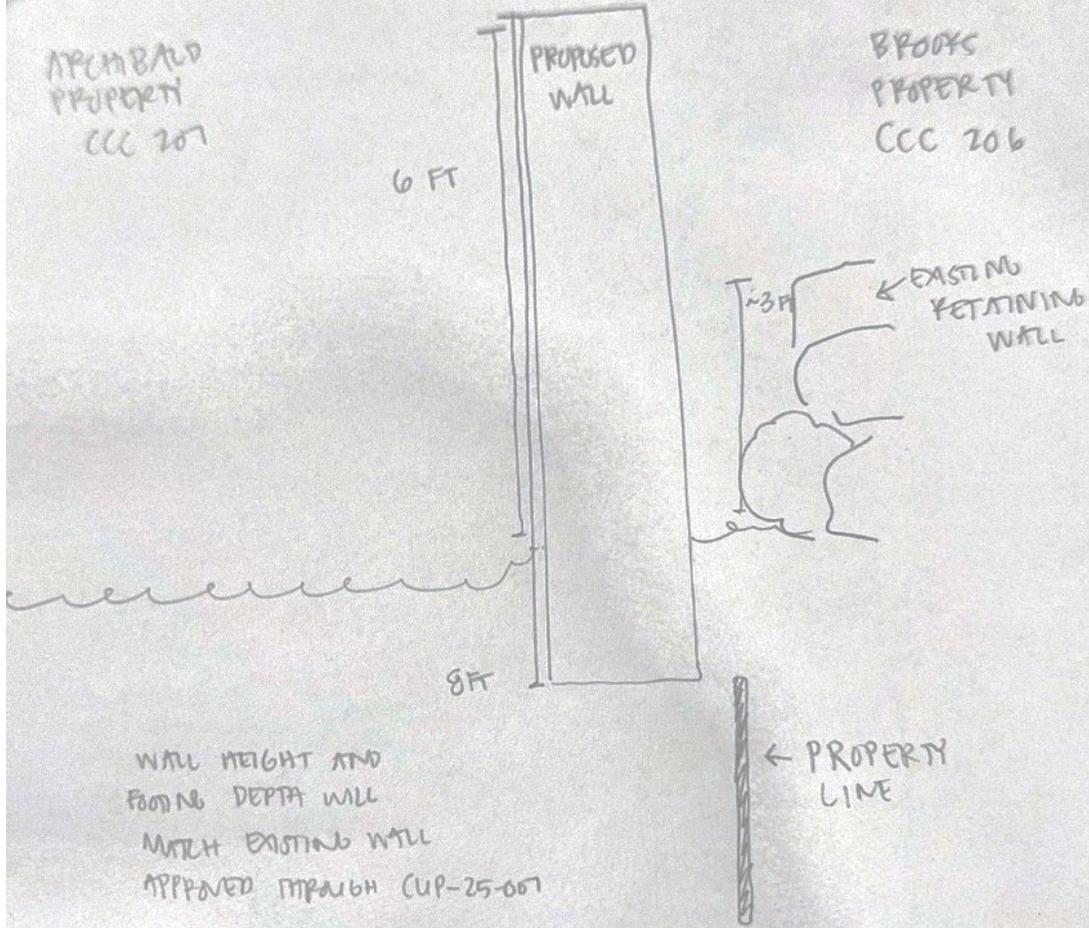


NORTH END

N →

APCMBALD  
PROPERTY  
CCC 207

BROOKS  
PROPERTY  
CCC 206



**PHOTOGRAPH**



EXISTING WALL LOCATION

PROPOSED WALL EXTENSION

**MATERIALS**

