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KANAB
— UTAH —

KANAB CITY PLANNING COMMISSION STAFF REPORT- May 5, 2015

I. APPLICANT: Shon Foster (Grand Circle Bed & Breakfast LLC)

REQUEST: Conditional Use Permit (Bed & Breakfast)

LOCATION: 250 North 100 West

Shon Foster, authorized representative of Grand Circle Bed & Breakfast LLC is requesting Conditional Use Approval for a bed and breakfast located at 250 North 100 West (Parcel K-33-7). The proposed project requires a conditional use permit in the R-1-8 residential zone.

II. STAFF ANALYSIS

Conditional Use Permit (Bed and Breakfast)

The property resides in the R-1-8 residential zone which requires a conditional use permit in order to operate a bed and breakfast.

Section 8-6 (B) of the Land Use Ordinance stipulates that in approving a conditional use permit, the Planning Commission shall find:

1. *That the proposed use is necessary or desirable and will contribute to the general well-being of the community.*

The bed and breakfast operators endeavor to increase the tourism and economic development opportunities in the county. Increased lodging will undoubtedly stimulate tourism and economic development opportunities. The applicant has indicated in the application that they have consulted with adjacent neighbors, who have indicated support for the proposed establishment.

2. *That the use will not be detrimental to the health, safety, or welfare of persons residing in or visiting the community.*

The impact of the proposed use on the health, safety and welfare of the community and traveling public can be mitigated through the building, health and fire inspection process. Planning Staff understands that aforementioned professional bodies will be required to inspect the facility.

— A Western Classic —

3. *That the proposed use will comply with the regulations of the Land Use Ordinance.*

Section 17-2 of the Land Use Ordinance lists “Bed and breakfast” as a conditional use within the R-1-8 zone where the property resides. Therefore, the establishment is allowed in the zone with an accompanying conditional use permit.

Section 4-22 (2) of the Land Use Ordinance provides regulations for bed and breakfast inns. Specifically, a B&B must comply with the following requirements:

- A. *The owner of the premises must reside therein.*
- B. *There must be a minimum of one guest room and not more than five guest rooms. No more than four guests may occupy any room. No guest may stay more than fifteen consecutive days.*
- C. *One off-street parking stall must be provided per guest room with two off-street parking stalls provided per premise owner.*
- D. *No cooking facility may be present in any guest room. No cooking may occur in any guest room. Meal services may be offered only to overnight guests.*
- E. *Other than a sign permitted for a Bed and Breakfast Inn established by conditional use permit, (the site) may have no advertising of any type.*
- F. *Any permit granted is revocable upon notice and hearing if the use of the property creates traffic, noise, health, safety, parking, or other problems in the area.*
- G. *A site plan must be submitted.*
- H. *Any hearing for the establishment of a Bed and Breakfast Inn conditional use permit shall be advertised as required by this ordinance.*

In review of the Conditional Use Permit application and associated documentation, the Planning Commission will want to ensure that the requirements of Section 4-22 (2) are satisfied. The applicant plans to have five guest rooms available for the proposed bed and breakfast. Staff has performed a site visit of the facility and determined that ample parking is provided on site. The applicant is not proposing any signage at this time.

4. *That the proposed use is in harmony with the intent and purpose of the Kanab City General Plan.*

Land Use Goal #2 in the Kanab City General Plan is to “encourage attractive, stable and safe residential neighborhoods.” It is anticipated that the proposed bed and breakfast will not detract from the existing character and stability of the existing residential neighborhood. Furthermore, Economic Development Goal #2 is to “attract positive business and industry.” A small scale bed and breakfast, such as the proposed establishment, fills a niche for those wishing to spend time in the Kanab area. This contributes to travel and tourism in Kanab.

III. STAFF RECOMMENDATION:

That the Planning Commission approves the Application for Conditional Use Permit based on the following conditions:

1. Kanab City Building and Fire Department inspection and approval.
2. The applicants must comply with the regulations for a bed and breakfast listed in Section 4-22(2) of the Land Use Ordinance.
3. No signs shall be permitted at this time. Any signs proposed in the future must be accompanied by a conditional use permit.



KANAB
UTAH

76 North Main
Kanab, Utah 84741
Phone: (435) 644-2534
Fax: (435) 644-2536
www.Kanab.Utah.Gov

Application for Conditional Use Permit

On-Line Version

KCfrmCUP-Ver-1.0.13

Application:

I (we) the below listed applicant(s) apply for a Conditional Use Permit.

Applicant Information:

Name Shon Foster Phone (435) 899-0074
Address 250 n 100 west P.O. Box _____
City kanab State Utah Zip Code 84741

Type of Conditional Use

Is this Conditional Use primarily for Residential Use? Yes No n/a

Will this Conditional Use be accompanied by a Home Occupation Application? Yes No n/a

Is this Conditional Use primarily for a Commercial Use? Yes No n/a

Property Location: Indicate approximate property location using (East-West / North - South) street address

250 N. 100 W. kanab utah 84741

Exhibits:

These items are required before processing of Application can begin:
Legal Description of subject property. Certified by a licenced land surveyor in the State of Utah.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.



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Exhibits:

These items are required before processing of Application can begin:

Site Plan drawn to scale and showing all proposed and/or existing buildings, fences, landscaping, parking, loading areas, topography for irregular sites.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.

Exhibits:

The following item is required before processing of Application can begin:

A Photocopy of the Kane County Ownership Plat Map showing all property owners within 300 feet of Applicant's property.

You must submit all Exhibits by email, mail or hand delivery to the Kanab City Office.

Use Information: (name and nature of business / operation / use)

Grand Circle Bed and Breakfast LLC
operate as a bed and breakfast

Licensing Information:

Is a Kanab City Business License required? Yes No n/a

Is a State or Federal License required? Yes No n/a

If either license is required, this Conditional Use Permit will not become effective until said licenses are aquired and recorded with the Kanab City Business License Officer.

Parcel Information:

0.35 Acres - (less than 1 acre enter as 0.XXXX)

Parcel ID k-33-7



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Check here if this Conditional Use does not apply to a Zone Classification and Use listed below. For example a request for a Church Tower height extension you would check this box and enter in your information in the box that will be shown below:

Zoning Information -

Select the current Zone District that the business is located in. If not sure refer to the Kanab City Zoning Ordinance Map.

- | | | | | | | |
|-----------------------------|-----------------------------|--|-------------------------------|----------------------------------|-------------------------------|-------------------------------|
| <input type="radio"/> C - 1 | <input type="radio"/> M - 1 | <input type="radio"/> R1 - 8 | <input type="radio"/> RA - 2 | <input type="radio"/> RR - 1 | <input type="radio"/> RM - 7 | <input type="radio"/> RM - 9 |
| <input type="radio"/> C - 2 | <input type="radio"/> M - 2 | <input type="radio"/> R1 - 10 | <input type="radio"/> RA - 5 | <input type="radio"/> KCR
720 | <input type="radio"/> RM - 11 | <input type="radio"/> RM - 13 |
| <input type="radio"/> C - 3 | <input type="radio"/> M - 3 | <input checked="" type="radio"/> R1 - 15 | <input type="radio"/> RA - 10 | | <input type="radio"/> RM - 15 | |
| <input type="radio"/> CPD | | <input type="radio"/> R1 - 20 | | | | |

Zone District you selected: (R1-15) Single Family Residential - 15,000 sqft parcels

Bed and breakfast (C)

Use pull-down to select the appropriate approved use allowed in the zone district you selected.

NOTE: (C) = Conditional Use permit required to conduct business. Refer to the On-Line Conditional Use Permit Application. (P) = Permitted Use. (*) = Special requirements - see Land Use Chart found in the Kanab City Land Use Ordinance.

Adjacent Property Owner(s) Notification:

A list of names, street addresses and mailing addresses for owners of property within 300 feet from the outer boundary of the subject property. (Note: this includes property owners across the street and in the rear of the subject property. In determining the 300 feet, the width of any intervening street or alley shall not be included. To add additional Adjacent Property Owner press the button below.

Name aiken samuel George, Cindy Phone _____ 0

Mailing Address 39 west center street

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Adjacent Property Owner(s) Notification: - continued

City Kanab State Utah Zip Code 84741

Name Battista Lynn & Juda Phone (000) 000-0000 27

Mailing Address 145 W 200 N

Street Address _____

P.O. Box _____

City Kanab State Utah Zip Code 84741

Fees:

Fees Required \$0.00 Deposit Req'd \$200.00

The calculated fees that are shown above are required before processing of this application can begin. After submitting this form the applicant will have an opportunity to pay the required fees/deposits by either making payment on-line, by mail or by hand delivery to the Kanab City Office in the form of a check or money order.

NOTE1: When this Application for Conditional Use Permit is accompanied with a Application for Home Occupation Permit, the fees for this application will be waived.

NOTE2: Additional deposits will be required when initial deposits are fully expended. Any unused portion of deposits will be refunded to applicant upon completion of the project.

Contact Information:

Applicant must provide at least one email address for correspondence with City Administrative Staff.

Primary Email chefshon@gmail.com 2nd Email - optional _____



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Signature of Property Owner(s) within the Subject Property:

Each Owner(s) of property within this requested Change Amendment must enter his/her name and date. Owner(s) understand that this change application may require a public hearing before the Kanab City Planning Commission and/or the Kanab City Council. If a publication notice is required (Refer to Utah State Land Use Code for the requirements).

NOTE: Filling in Signature Name and Date and submitting form will serve as a valid signature. Form will be date and time stamped when submitted.

Warning - once form has been submitted the form information can not be edited. If you need to change any information please contact the Kanab City Office.

Signature	<u>shon Foster</u>	Date (mmddyyyy)	<u>04-16-2015</u>	0
Signature	<u>Scott Foster</u>	Date (mmddyyyy)	<u>04-16-2015</u>	1
Signature	<u>Tyler Foster</u>	Date (mmddyyyy)	<u>04-16-2015</u>	2

For City USE ONLY

Accepted _____ Date (mmddyyyy) _____

Planning Commission USE ONLY:

PLANNING COMMISSION APPROVAL

The Planning Commission finds:

1. That the proposed use is necessary or desirable and will contribute to the general well being of the community.
2. That the use will not be detrimental to the health safety or general welfare of persons or persons residing or working in the community, or injurious to property or improvements in the vicinity.
- 3a. That the proposed use will comply with the regulations of the Kanab City Land Use Ordinance; i.e. it is listed a listed conditional use.
or.
- 3b. That the proposed use is in harmony with the character and intent of the zone in which the use resides.
4. That the proposed use is in harmony with the intent of the Kanab City General Plan.

Approval Comments

continued on Next Page

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For assistance with this form, call 435-644-2534 or email kcoffice@kanab.net or
Printed copies may be submitted by fax to 435-644-2536

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Planning Commission Approval - continued

This Conditional Use Permit shall be null and void one year after approval unless substantial work shall have been accomplished toward its completion. This Conditional Use Permit may be revoked upon failure to comply with any of the condition imposed with the original approval of the permit.

Planning Commission Chairperson _____

Date (mmddyyyy) _____

Approval

Denied

Reason for Denial

Any appeal of the above decision shall be made in writing to the Kanab City Council. Appeals shall be filed with the City Clerk/Recorder not more than ten working days after the decision. The City Council may affirm, modify or reverse the decision of the Planning Commission. However, the City Council shall present, in writing, the reasons for its action.

Account 0015217

<u>Location</u>	<u>Owner</u>	<u>Value</u>		
Parcel Number K-33-7	Name FOSTER SHON AARON	Market (2014)	\$249,807	
Tax District 02 - KANAB CITY	300 E 300 N #G5	Taxable	\$249,807	
Acres 0.35	KANAB, UT 84741	Tax Area: 02	Tax Rate: 0.011884	
Situs Address 250 N 100 W		Type	Actual	Assessed Acres
Legal BEG AT THE NW COR OF LOT 2 BLOCK 33 PLAT "A" OF THE OFFICIAL SURVEY OF KANAB TOWNSITE & RUN TH N 41.25 FT; TH E 190.0 FT; TH S 79.25 FT; TH W 190.0 FT; TH N 38.0 FT TO THE PT OF BEG.		NON- PRIMARY BUILDING	\$210,951	\$210,951 0.000
Child Accounts		NON- PRIMARY LAND	\$38,856	\$38,856 0.000
Child Parcels		PRIMARY BUILDING		0.000
Parent Accounts		PRIMARY LAND		0.000
Parent Parcels				

Transfers

Instrument Date

06/05/2014

07/15/2013

12/06/2006

B: 0437 P: 0687

B: 0424 P: 0551

B: 0318 P: 0722

Tax

Images

Tax Year	Taxes
2014	\$2,968.71
2013	\$1,583.88

- [Map](#)
- [Photo](#)
- [GIS](#)

Focusing On: 250 N 100 W KANAB 84741

0015084 K-33-1
AIKEN SAMUEL GEORGE & CINDY
KAY
39 W CENTER ST
KANAB, UT 84741-3447

0015118 K-33-12
MARTIN MELANIE
80 LIVINGSTON CT
NOVATO, CA 94949

0015167 K-33-3
GLOVER CARRAGH
28 W 200 N
KANAB, UT 84741

0015175 K-33-4
TALBOT KENNA FORD -TR-
64 W 200 N
KANAB, UT 84741-3248

0015209 K-33-6
BROWN MARGARET DELLA
PO BOX 26
KANAB, UT 84741-0026

0015134 K-33-14
WILLIS ELLA S & GARN H
WILLIS NYLE
28 N MAIN ST
KANAB, UT 84741-3219

0148075 K-33-1A
COLSTON BETTY A
PO BOX 170
KANAB, UT 84741-0170

0015233 K-33-9
HOPPE RENZ
1175 LIMERICK LN
HEALDSBURG, CA 95448-9538

0015126 K-33-13
CSENGE RICHARD F & DEBRA L
295 N MAIN ST
KANAB, UT 84741

0015183 K-33-5
SWALLOW DOYLE K & LEONA -TR-
74 W 200 N
KANAB, UT 84741-3248

0015225 K-33-8
HULET CARLYLE S -TR-
260 N 100 W
KANAB, UT 84741-3226

0137680 K-33-15
WILLIS NYLE W & BEVERLY M
28 N MAIN ST
KANAB, UT 84741-3219

0015217 K-33-7
FOSTER SHON AARON
300 E 300 N #G5
KANAB, UT 84741

0015092 K-33-10
WELLS FARGO BANK NA
3476 STATEVIEW BLVD
FORT MILL, SC 29715

0015100 K-33-11
WILLIS SCOTT R & GAYLE A.
3378 S 5450 W
HURRICANE, UT 84737

0015159 K-33-2
AVERETT CHRISTOPHER
11266 S ADAMS AVE
YUMA, AZ 85365

0015142 K-33-14A
WILLIS JAMES H & SHARON
271 N MAIN ST
KANAB, UT 84741-3225

0149537 K-33-10A
RAMSAY HOLLY H
75 W 300 N
KANAB, UT 84741

0015191 K-33-5A
GRAVER GRACIE A
12327 SE 204TH ST
KENT, WA 98031

*Get
Google Earth
photo*

0015019 K-32-3B
BUSHNELL WELDO C & LADAWN G
227 N 100 W
KANAB, UT 84741-3227

0014954 K-32-16
BATTISTA ASTA
PO BOX 568
KANAB, UT 84741-0568

0014988 K-32-2
MARSHALL CONDA LYNN
958 W GRAND CANYON DR
KANAB, UT 84741

0014921 K-32-13
WILLNER MARY
119 W 300 N
KANAB, UT 84741

0014962 K-32-17
ALLIS RICHARD G
265 N 100 W
KANAB, UT 84741

0014970 K-32-18
BATTISTA LYNN & JUDAH
145 W 200 N
KANAB, UT 84741-3243

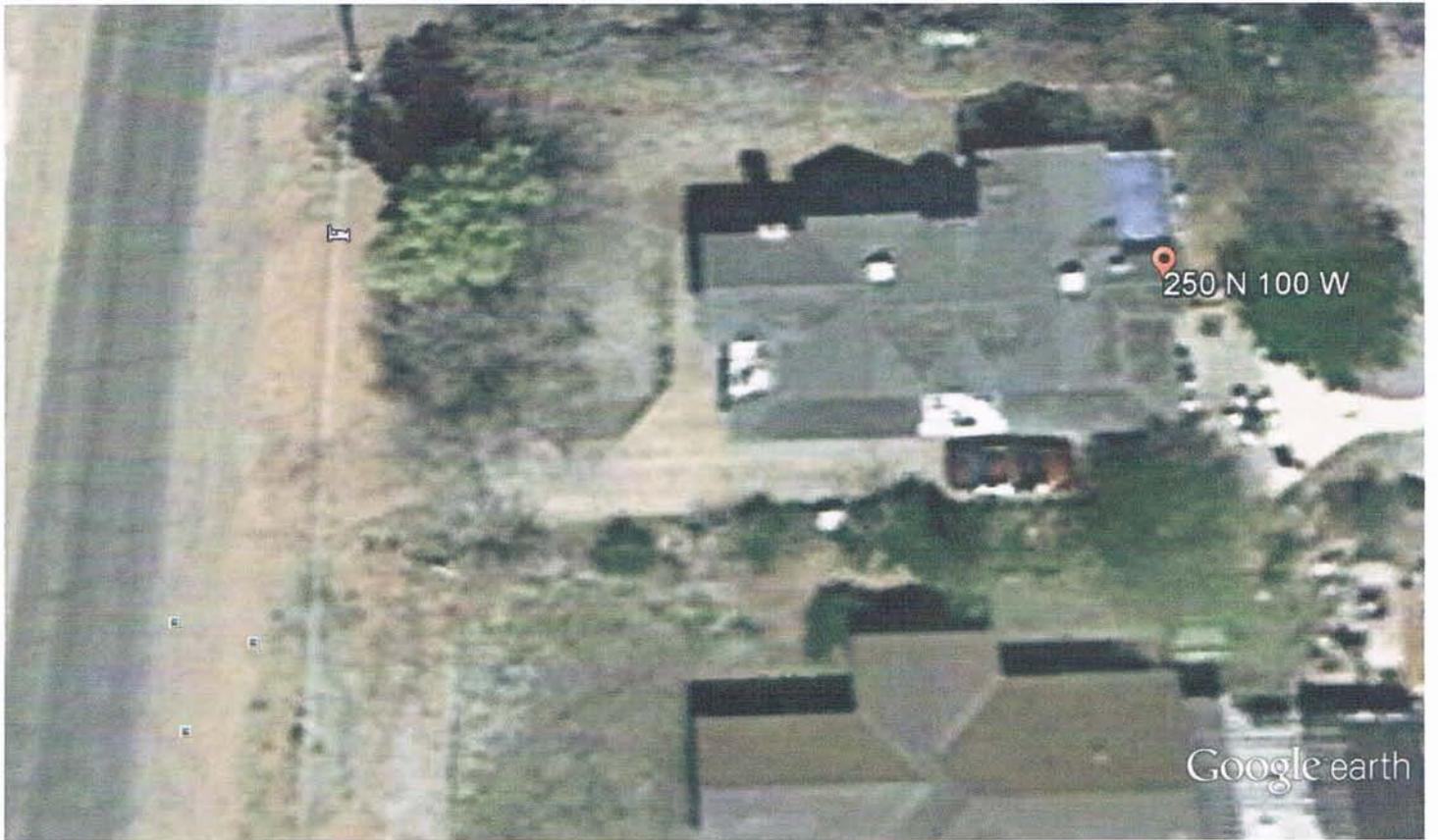
0014871 K-32-1
ATKIN MADGE H 50%
245 N 100 W
KANAB, UT 84741

0014939 K-32-14
DIDONNA DAVID
297 N 100 W
KANAB, UT 84741

0014996 K-32-3
BANKS VAL BURTON & CAROLYN
213 N 100 W
KANAB, UT 84741-3227

0014947 K-32-15
ROBINSON LLOYD G & PAULINE T
289 N 100 W
KANAB, UT 84741-3227

0015001 K-32-3A
BANKS VAL BURTON
213 N 100 W
KANAB, UT 84741-3227



Google earth

