Planning Commission Staff Report

MAPLETON UTAH

Item:
3

Date:
5/12/2022

Applicant:
Lars Eggertsen

Location:
1784 W Elm St

Prepared By:
Sean Conroy, Community Development Director

Public Hearing:
No

Zone:
SDP-1

Attachments
1. Application information.

REQUEST

Consideration of a request for a Home Occupation Permit for a home counseling business located at 1784 West Elm Street in the SDP-1 Zone.

BACKGROUND & DESCRIPTION

The subject property is a .13 of an acre lot in the Harvest Park subdivision and is developed with a single family residence. The applicant is requesting approval of a home occupation for a home counseling business. The applicant anticipates meeting with some clients in person and others electronically. The applicant does not anticipate more than 15 client visits a week.

EVALUATION

Home Occupations: Mapleton City Code (MCC) section 18.84.380 outlines the requirements for home occupations. The purpose of the ordinance is to allow for a *"modest level of business activity… that will not adversely affect, undermine, injure or otherwise significantly depreciate the residential character of the area."* The following requirements apply to home occupation requests and are meant to ensure that home occupations will remain modest in nature:

1. Home occupations must be listed as a permitted or conditional use in the zone,
2. The business must be conducted entirely within a completely enclosed structure on the property,
3. No more than 25% of the structure or 500 sf, whichever is less, may be used for the home occupation,
4. No more than one person who does not reside on the property may be engaged in the home occupation,
5. Any sale of goods no produced as part of the home occupation shall "constitute a clearly incidental part of the home occupation". No display of merchandise shall be visible from outside the structure,
6. No commercial vehicles may be stored at the home except for one small delivery truck.
7. No more than 6 cars may be parked at the residence at any one time,
8. The home occupation must be secondary and incidental to the use of the dwelling as a residence,
9. Signs shall be limited to 4 square feet, attached to the building and not electrified,
10. The home occupation must be licensed by the city and comply with city regulations,
11. The entrance to the home occupation must use the same entrance as the residents unless specifically required by an agency with regulatory powers over the business,

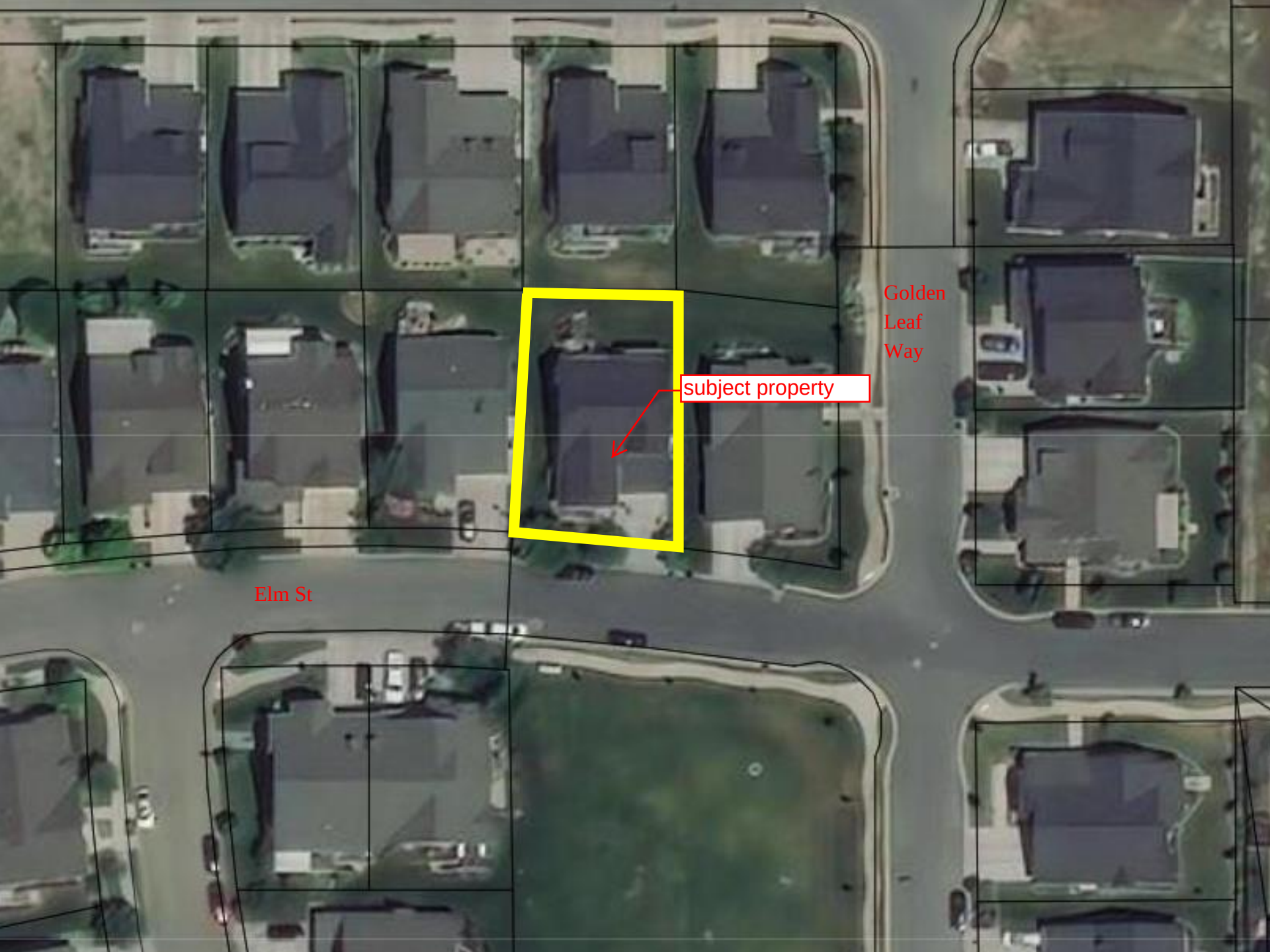
12. The business shall not use hazardous materials or chemicals that increase the hazard of fire, explosion, or jeopardize the safety of the neighborhood,
13. The operation of the home occupation shall not produce any noise, smoke, glare, light, fumes, dust, electronic interference or similar condition which is readily discernible outside the dwelling,
14. The physical appearance, traffic, and other activities in connection with the home occupation will not be contrary to the intent of the zone in which the home occupation is located and will not depreciate surrounding property values or the quality of the area for residential purposes,
15. The home occupation must be conducted by a person who occupies the dwelling. Background checks will be conducted on all inhabitants of the dwelling and employees, and,
16. The home occupation shall operate in compliance with any applicable city or state requirements.

The applicant's proposal presents only a modest level of business activity as encouraged by the code and is consistent with the adopted requirements.

RECOMMENDATION

Approve the home occupation with the following condition:

1. The City's approval does not exempt the applicant from complying with any adopted Covenants, Conditions and Restrictions (CC&Rs) that may apply in the Harvest Park development.


Golden
Leaf
Way
subject property
Elm St

Good afternoon,

I spoke with you briefly at the office so I am just responding to your request for a description of my business, Entelechy Counseling.
Basically, I will see a few clients out of my home, on a weekly, or biweekly basis, which will include a fair number of teletherapy clients. I provide counseling services for individuals and couples as a Licensed Clinical Social Worker, and am licensed with the state of Utah. I work with clients that struggle with a variety of mental health issues, e.g., depression, anxiety, trauma-related issues, etc. I plan to see between 5-10 clients per week, with never more than 15 in one week. I have an extra room just inside my home that will be used as an office with doors that close in order to maintain privacy.
Let me know if you have any questions or concerns,
Thanks so much,

Lars Eggertsen, Ph.D., LCSW
Entelechy Counseling