



Item:
3

REQUEST

Consideration of a request for a Home Occupation Permit for a business to provide handmade pottery making classes and to sell pottery/wooden kitchen goods.

Date:
8/25/2022

BACKGROUND & DESCRIPTION

The subject property is a roughly ½ acre lot that is developed with a single-family residence. The applicant is requesting approval of a home occupation for a business with two aspects.

Applicant:
Robert Williams

Location:
165 West 600 North

Prepared By:
Ryan Robinson, City Planner

Public Hearing:
No

Zone:
R-2

Attachments
1. Application information.

1. Teach classes to make pottery primarily in the detached structures in the backyard (see attached floorplan) with the following proposed schedule:
 - a. Three to five students per class.
 - b. Up to two classes per day.
 - c. Two to three times per week.
2. By appointment sell pottery and wooden goods on site. This will exclusively be done in a separate room attached to the primary dwelling (see attached floor plan).

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 are meant to ensure that home occupations will remain modest in nature (staff has included a brief response for the standards where a compliance issue may exist):

1. Home occupations must be listed as a permitted or conditional use in the zone.
2. The home occupation shall be conducted entirely within a completely enclosed structure on the property. Detached structures where a home occupation is being conducted must be located within fifteen feet (15') of the residential dwelling. The Planning Commission may permit a business in a detached structure not located within fifteen feet (15') of the residential dwelling if the structure is located more than fifty feet (50') from any residential structure not located on the same lot as the structure.

Response: The nearest residential structure is over 50' from any proposed structure.

3. No more than 25% of the living area of the dwelling or 500 sf, whichever is less, may be used for the home occupation, this shall also apply to detached structures.

Response: The gallery attached to the house will be the primary location for the selling of goods, although visits will be by appointment only and will likely be less than one per day. A separate studio will be used in the back for classes. When taken together, the square footage exceeds 500 square feet. However, both spaces independently are less than 500 square feet and will not be used simultaneously. The Commission should discuss whether the proposed use will be in compliance with the intent of the standard.

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 not 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,

Response: If the applicant has more than four students that drive separately, they would not comply with this standard. The Commission could reduce the maximum number of students to four to ensure that the number of vehicles does not exceed six, or just leave the standard condition that no more than six vehicles could be present and allow the applicant to regulate it. Also, staff recommends staggering class times to avoid having more vehicles on site than allowed.

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 electric.
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

Response: The business will utilize electric and gas-powered kilns with no smoke. In the future, a wood/gas kiln may be installed in an existing structure but is expected to produce little to no noticeable smoke.

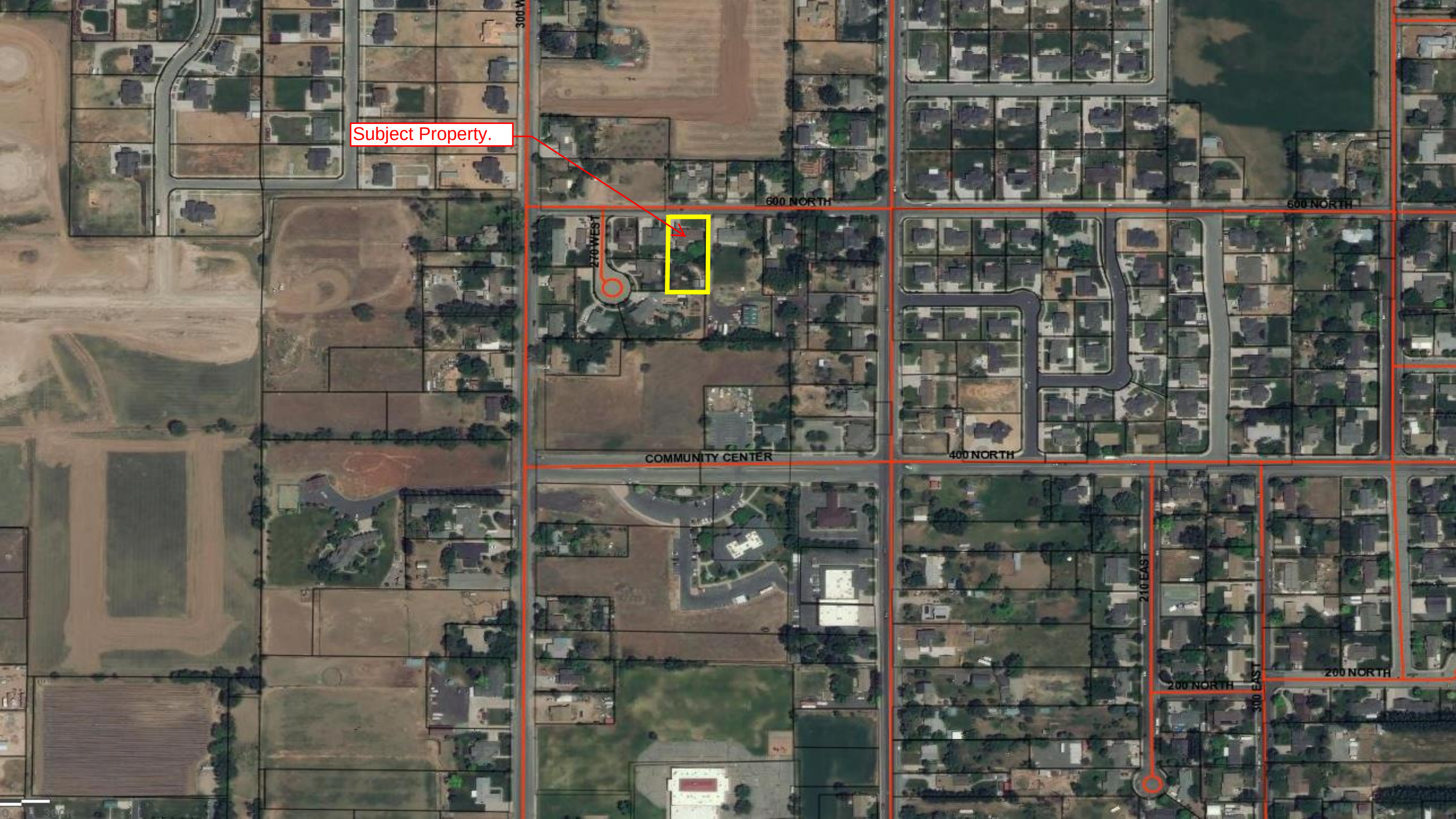
14. The physical appearance, traffic, and other activities in connection with the home occupation will not be contrary to the intent of the zone in which the home occupation is located and will not depreciate surrounding property values or the quality of the area for residential purposes,
15. The home 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.

RECOMMENDATION

Approve the Home Occupation License with the following conditions.

1. Class sizes shall be limited to no more than four (4) students at a time.
2. Class times will not begin within 30 minutes of the end time of the previous class.
3. Limit class times to no more than two classes per day and no more than three times per week.

4. The selling of products will be by appointment only and not allowed during scheduled class times by anyone other than the students.



Subject Property.



Potential future kiln location.

Class location

Studio
20'x42'

Kiln
Structure
12'x30'

Kiln Structure
21'10"x22'7"

165
Gallery
18'x21'

Current kiln
location.

Showroom for
purchasing
products.