

PROVIDENCE CITY
Land Use Authority – Staff Report
Meeting Date: May 24, 2023

Request: The applicant is requesting approval for a conditional use for a home-based voice studio.

Item Type: Conditional Use

Applicant: Dani Macfarlane

Address: 549 Aspen Ridge Ln.
Providence

Parcel ID #: 02-145-0004

General Plan: R-1-12

Zone: R-1-12

Background Information:

Application was received May 16, 2023; application contained:

- a. Providence City Conditional Use Application
- b. Explanation for Conditional Use and Description of Business
- c. A site plan drawing, statement describing request, and business plan.

FINDINGS OF FACT:

The following Providence City Code (PCC) list regulations and requirements to be considered.

1. UCA 10-9a-507. Conditional Uses allows the City to adopt a land use ordinance that includes conditionals uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.
2. PCC 10-3-5 allows the City to impose reasonable conditions: to mitigate the reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes . . .
3. PCC 10-6-1 Use Chart
4. Official Zoning Map Revised June 2022

CONCLUSIONS OF LAW:

1. Providence City has adopted ordinances in compliance with UCA 10-9a-507.
2. PCC 10-3-5:E. establishes the standards for reasonable conditions.
3. PCC 10-6-1:E.15 provides that a studio for art, dance, drama ,etc. are permitted by conditional use.
6. The applicant meets the requirements of the Findings of Facts with the following conditions:

CONDITIONS:

1. The applicant will apply for a business license pursuant to PCC 3-1-5.
2. The applicant will meet the requirements for a home business listed in PCC 3-4-5.
3. The applicant will meet the requirements listed in the email provided by Aaron Walker, Fire Inspector, dated May 22, 2023.
4. The applicant will operate the business in the manner described in the Business Plan submitted May 16. 2023, and will notify the city of any changes.
5. The applicant will continue to meet all federal, state, county, and Providence City rules, laws, codes, and ordinances related to the operation of a craft business.
6. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.



PROVIDENCE CITY CONDITIONAL USE INFORMATION FORM

FOR OFFICE USE ONLY

Date _____
Payment Form _____
Amount _____
Receipt # _____
Clerk _____

Date 5/16/23

Please Note: City Staff will NOT accept the application and fee payment if they are incomplete. Incomplete applications will NOT be processed or scheduled for review by the City.

Application fees do not include professional firm fees, which will be billed separately. Initial DM

A COMPLETE APPLICATION INCLUDES THE FOLLOWING:

Submittal Requirements	Staff Check
✓ \$200 application fee	
✓ Completed, signed and initialed Conditional Use Information Form	
✓ A site plan (minimum size: 8 1/2 x 11") of the property showing the location, function and characteristics of the use, including parking and percentage of space being used.	
✓ Structure elevations & square footage including attached garage(s), covered porches, covered decks etc.	
✓ If the use involves a childcare business or home business, provide the interior layout of the structure showing, the area dedicated for the use and the percentage of space being used.	
✓ Current Cache County Plat Map and a copy of the official recorded final plat that includes any notes.	
✓ Copy of Cache County GIS Parcel Summary http://66.232.67.238/Websites/Parcel%20and%20Zoning%20Viewer/	
✓ If the use involves a childcare business or home business, provide a business plan	
✓ Mitigation Strategies for sensitive areas (as defined by Providence City Code 10-5-2), traffic circulation, noise, lighting, etc., if applicable.	
✓ Names and mailing addresses for the adjacent property owners. Providence City Code defines "adjacent property owners" as the record owner of real property that shares a common boundary with the applicant's property or is separated by a public right-of-way, canal, stream, etc.	
✓ Property owner consent for pursuit of conditional use (if owner is different than Applicant)	
✓ If filing in person, provide electronic copy of ALL submittals (email or flash drive is acceptable)	
✓ If filing online, please submit physical copies of the complete application to the city office, 164 N Gateway Dr.	

Applicant Information (all information MUST be provided)

Name Danielle Macfarlane
Address 549 Aspen Ridge Ln. Providence, UT 84332
Phone 435-381-4280 Email dani.macfarlane@yahoo.com

Party Responsible for Payment (if different than applicant) – the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.

Name (Above)
Address _____
Phone _____ Email _____

Property Information

Owner of record Danielle Jorgensen Macfarlane
Owner address 549 Aspen Ridge Ln. Providence UT 84332

Owner phone 435-881-4280 Owner email dani.mcfarlane@yahoo.com
Parcel address 549 Aspen Ridge Ln Parcel Tax I.D. 02-145-0004
Zone City Actual structure height 25' Initial DM
Actual structure setbacks (front yard) 30' (side yard) 5' (rear yard) 10' Initial DM

Written Statement of Request (attach additional sheets if necessary)

- Briefly explain why you are seeking a conditional use and what the intended use of the property will be if the conditional use is granted.

I am a private voice teacher and teach lessons to individuals and small groups. I will be teaching occasional small group lessons to no more than 10 students at a time in my living room. (1 hour long, 2 days a week)

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances. Initial DM Name Danielle Jorgensen Macfarlane

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By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial DM

I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Danielle Macfarlane
Signature of Applicant

Danielle Jorgensen Macfarlane
Printed Name

5/16/23
Date

Party Responsible for Payment

(if different than applicant)-the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.

Online
Information
Form
Submission

Name: Danielle Macfarlane
Address: 549 Aspen Ridge Ln
City, State, Zip: Providence, UT, 84332
Phone: 435-881-4280
Email: dani.macfarlane@yahoo.com

Property Information

* Owner of Record: Danielle Jorgensen Macfarlane
* Owner Address: 549 Aspen Ridge Ln
City, State, Zip: Providence, UT, 84332
* Owner Phone: 435-881-4280
Owner Email: dani.macfarlane@yahoo.com
* Parcel Address: 549 Aspen Ridge Ln Providence, UT, 84332
* Parcel Tax ID: 02-145-0004
* Zone: City (Residential) R-1-12 District
* Height: 25 ft
* Setbacks (front yard): 30 ft
* Setbacks (side yard): 5 ft
* Setbacks (rear yard): 10 ft

Written Statement of Request (attach additional sheets if necessary)

* Briefly explain why you are seeking a conditional use and what the intended use of the property will be if the conditional use is granted:

small groups. I will be teaching occasional small group lessons to no more than 10 students at a time in my living room (1 hour long, 2 days a week)

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Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances

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I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge

* Signature: Danielle Jorgensen Macfarlane

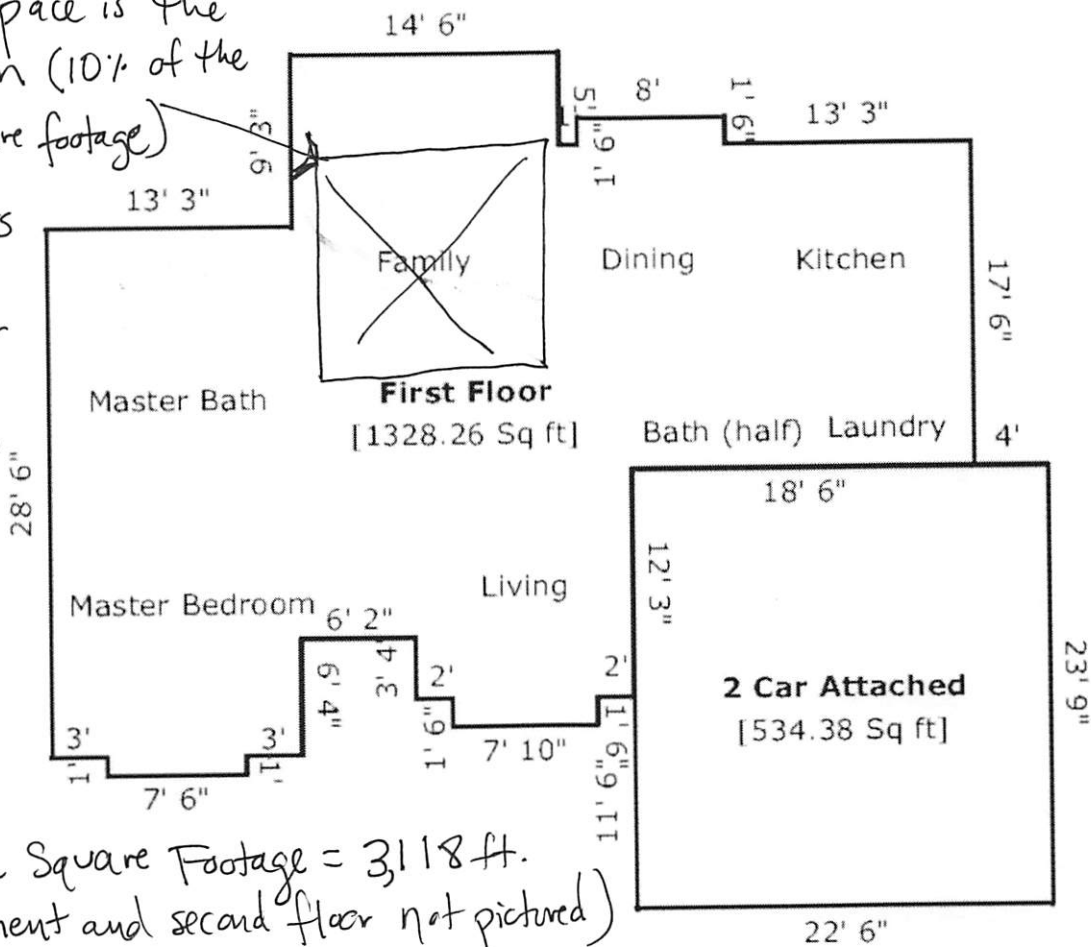
Upload Required Documents Below

-An 11"x17" of the property showing the location, function and characteristics of the use, including parking and percentage of space being used

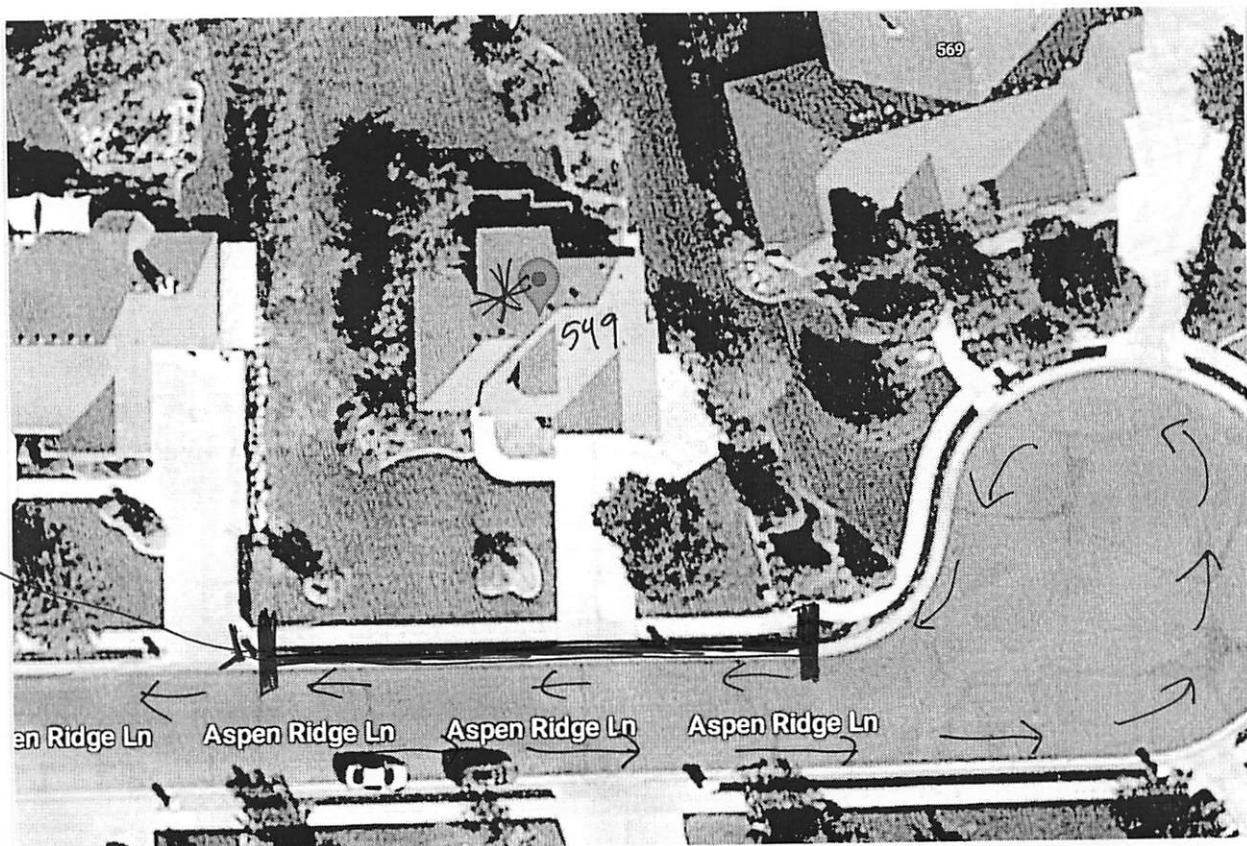
-Cache County Plat Map, current, and a copy of the official recorded final plat that includes any notes

*Teaching space is the living room (10% of the total square footage)

*NO students will access upper floor or basement. Part of main living room is the only use.



Drop-off
Pick-up
Area



pt NW/4 Section 14 Twp 11 North, Range 1 East

Scale 1" = 80 Feet

TAX UNIT 09

CANYON VIEW ESTATES SUBDIVISION

66'

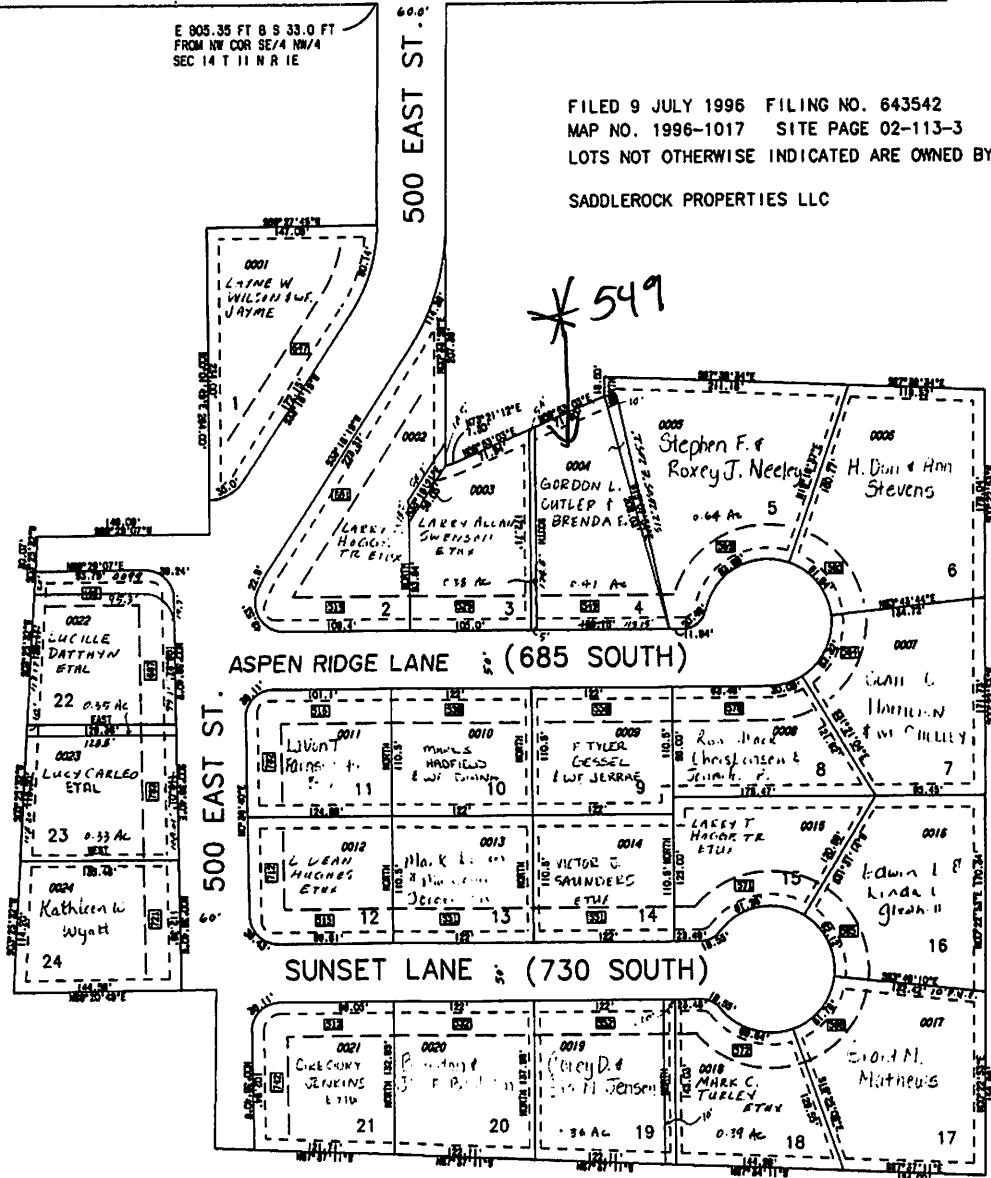
CANYON ROAD

E 905.35 FT B S 33.0 FT
FROM NW COR SE/4 NW/4
SEC 14 T 11 N R 1 E

500 EAST ST.

FILED 9 JULY 1996 FILING NO. 643542
MAP NO. 1996-1017 SITE PAGE 02-113-3
LOTS NOT OTHERWISE INDICATED ARE OWNED BY:

SADDLEROCK PROPERTIES LLC



----- 10' PUBLIC UTILITY EASEMENT ALL FRONT AND REAR YARDS
AND 5' EACH SIDE OF PROPERTY LINE WHERE SHOWN ON SIDE YARDS
----- 30' FRONT YARD SETBACK

Parcel Tax ID: 02-145-0004

Owner Name	DANIELLE JORGENSEN MACFARLANE
Owner Address	549 ASPEN RIDGE LN
Owner City State Zip	PROVIDENCE, UT 84332-9495
Property Address	549 ASPEN RIDGE LANE
Property City	PROVIDENCE
District Code	009
District Code Definition	PROVIDENCE CITY
Legal Acreage	0.41
Legal Description	LOT 4 CANYON VIEW ESTATES SUBDIVISION CONT 0.41 AC ALSO: BEG AT SE COR LT 4 & TH N 15°07'54" W 208.03 FT TH S 87°38'34" E 10 FT TH S 12°28'05" E LESS: BEG AT SE COR LT 3 SD SUBD & TH N 172.71 FT TH N 66°53'03" E 5.4 FT TH S 174.8 FT TO S
Land Type	LAND RESIDENTIAL
Land Type (Current)	LAND RESIDENTIAL
Building Type	BUILDING RESIDENTIAL
Building Type (Current)	BUILDING RESIDENTIAL
Building Specific Type	SFR
Building Specific Type (Current)	SFR
Year Built	1997
Year Built (Current)	1997
Building Sq. Feet (First Floor Only)	1,701
Building Sq Feet First Floor Only (Current)	1,701
Zone Primary	CITY
Zone Primary Description	CITY - Contact Cities for Zoning
Zone Secondary	
Zone Secondary Description	
Restricted	
Comments	
Zoom to	

02-145-0004
DAVID AL
JASON &
SHERISE SMART

200ft

41°41'47"N 111°48'19"W

Business Plan

Dani Macfarlane Vocal Studio

Summary

Vocal instruction for youth and children is currently an underserved market in Cache Valley. Dani Macfarlane combines her experience with vocal pedagogy and youth education/mentoring to offer singing instruction tailored to the needs of Cache Valley families who are looking for a way to encourage the development of their young singers' talents. Lessons are taught at the instructor's home studio on an individual or small group basis.

Services

Instruction is offered in one of two formats:

Private Instruction consists of a weekly 1-1 voice lesson following a traditional format, where students develop skills while preparing specific numbers for solo performance at a studio recital. Recitals are held at a locally booked performance venue where students can get a feel for the stage.

"Sing School" consists of weekly instruction for groups of no more than 10 (ten) singers of similar ages over a period of 8 weeks. This format blends elements of a choir experience with elements of private vocal instruction. Singers prepare numbers to sing together with opportunities for individual solos. A final presentation of their work occurs at a "singers showcase" held at a locally booked performance venue where students can get a feel for the stage and entertain friends and family.

Target Market

Simple market research has shown that the greatest interest comes from Cache Valley families with elementary-to-middle school aged girls. Many of these families are looking for a way to give their daughters singing experience and struggling to find something that fits, as private voice instructors typically don't accept younger students and children's choirs don't provide much opportunity for vocal instruction or solo voice development.

Marketing Strategy

Families will learn about Dani's vocal studio through three simple channels:

1. Flyers posted as approved in local Cache Valley businesses
2. Social Media announcements and posts
3. Word of mouth

Given the small size of Dani's studio and the large demand for her services, these three channels are more than sufficient to draw sufficient numbers to fill the available student slots (not more than 30 total).

Pricing

Private instruction rates:

\$30 for 30 minute session

\$45 for 45 minute session

"Sing School" rate:

\$200 for 8 week course and final performance

Mitigation Strategies:

Parents dropping off students will be asked to use our driveway only and the area on the left side of the street only, in front of our property, to drop off and pick up students. The small group classes only run for 1 hour each in the afternoon on two days per week so any traffic impact will be very minimal.

Mailing Addresses for Adjacent Property Owners:

Steve and Roxey Neeley
569 Aspen Ridge Ln
Providence, UT 84332

Larry and Karen Swenson
529 Aspen Ridge Ln
Providence, UT 84332



Diane Campbell <dcampbell@providence.utah.gov>

New Conditional Use application

Aaron Walker <aaron.walker@loganutah.org>

Mon, May 22, 2023 at 10:13 AM

To: Diane Campbell <dcampbell@providence.utah.gov>

Cc: Skarlet Bankhead <sbankhead@providence.utah.gov>, Rob Stapley <rstapley@providence.utah.gov>, Max Pierce <max.pierce@crsengineers.com>, Colton Love <coltonlove@providence.utah.gov>

Hi Diane,

Where they are not using the upstairs or the basement and the classes are only an hour in duration and two days a week, there is really not much to review.

However, in approving one like this, I would make a couple general building safety recommendations;

- 1) Make sure all smoke and CO alarms contain fresh batteries and are functioning properly.
- 2) Have a new or currently tagged fire extinguisher sized 2:A-10:BC readily accessible.

Let me know if you need anything further from me on this one.

Thanks.

On Fri, May 19, 2023 at 7:59 AM Diane Campbell <dcampbell@providence.utah.gov> wrote:

[Quoted text hidden]

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Aaron Walker
Deputy Fire Marshal
Logan Fire Department
Office 435-716-9516