

Cedar City Board of Adjustments Minutes
January 6th, 2020

The Cedar City Board of Adjustments held a meeting on Monday, January 6th, 2020 at 5:15 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah

PRESENT: Chairperson Ann Powell, Janet McCrea, Jill Peterson, Roger Thomas, Phil Schmidt, Joe Sanders, Building Inspector Drew Jackson, Assistant City Attorney Randall McUne, Executive Assistant Onjulee Pittser.

EXCUSED: John Ashby

OTHERS PRESENT: Johahn Wade

CALL TO ORDER: Ann welcomed everyone; pledge was led by Joe Sanders.

APPROVAL OF MINUTES: Janet motions to approve the minutes from the last meeting; seconded by Phil; all approved for unanimous decision.

APPROVAL OF FINDINGS OF FACT: The findings of fact for November will be done next month.

REQUEST FOR A HOME OCCUPATION FOR BARBERSHOP AT 2633 N. 400 W./JO'S

BARBERSHOP/JOHAHN WADE: **Johahn:** My wife is disabled, and I've been cutting hair in Cedar for 3 years. I just have a newborn baby and we've just bought our first house and I would like to run a barbershop out of my home. Just because it's easier and I can be home with my children more. **Ann:** So, there are several requirements that you need to meet, and we will go through them and see if anyone has questions after that.

1. The home occupation is conducted entirely within the dwelling and is carried on by members of the family residing in the dwelling. – **Johahn:** Yes. **Ann:** Are you planning on having any employees? **Johahn:** No.
2. The home occupation does not involve the use of any accessory buildings except for Nursery Schools, in which case it is presumed that rear yard space is utilized, and the rear yard space must be completely fenced with at least a six-foot high fence. – **Johahn:** No.
3. No commercial vehicles are used except one delivery truck which does not exceed one-ton capacity. – **Johahn:** No.
4. The home occupation does not include a drive thru. – **Johahn:** No.
5. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes. – **Johahn:** Yes.
6. Do you intend to have a sign for the business? – **Johahn:** I was thinking about it, but I read that you don't want to have a lit-up sign. **Ann:** It has to be a small sign. **Johahn:** Then, I don't think so. **Ann:** If you do decide to, there are requirements and Drew can help you with that on the size and stuff.
7. Not more than equivalent of 25% of the ground floor area of the dwelling is devoted to the home occupation. – **Johahn:** Yes. Denise said it falls well under 25%. **Drew:** Yes. We've been onsite and he's well within the parameters.
8. The home occupation shall apply for, receive, and maintain a City business license. – **Johahn:** Yes.
9. The activities in connection with the home occupation are not contrary to the objectives and characteristics to the zone in which the home occupation is located. – **Ann:** In other words,

- you're not changing the look of the neighborhood. – **Johahn**: No.
10. Off-street parking will be provided. – **Ann**: Does he have enough parking? **Drew**: He does. He'd be required 4 stalls; 2 for the house and 1.5 for the chair and they have a total of 4. **Phil**: Which house is this? **Johahn**: The address is 2633. **Randall**: It's 3 down from the next street, isn't it Joe? **Johahn**: Yes. **Randall**: If you look at the street, it's just North of that area. **Roger**: 400 North? **Johahn**: 400 West. **Randall**: It's 2633 N. 400 W. That's Northfield Road. **Phil**: Right across from storage units then. **Johahn**: No. **Randall**: If you head North and across the freeway from Canyon View High School, you'll see one subdivision and you go North of that one then you'll see this subdivision. Google has issues with that address.
11. Notice by the applicant shall be given to all property owners of record within a 300-ft. radius from the boundary of the proposed occupation. – **Johahn**: Yes. **Ann**: You did that. **Randall**: **Randall**: I haven't had a chance to verify yet. **Johahn**: I went on the back street, and Crysallis has 2 houses there and they said that they see the homeowners about once a year, so the employees didn't feel comfortable with signing. **Ann**: What does he need to do there? **Randall**: I went through it and we have a total of 38 properties that are within the 300 feet, which is pretty typical. He had a few less because he's next to some large lots to the East of his. **Phil**: Do you have a separate room in your house for this? **Johahn**: Yes. We moved into the house and the basement was unfinished, so we framed a separate room. **Drew**: Our calculation was 1,600 sq. ft. on the ground floor area and the home occupation is taking up 126 sq. ft. so we're good. **Roger**: Does it matter if the room's down in the basement or not? **Drew**: No. **Randall**: It's one of those things that's easier to do rather than explain it. Onjulee explained it to him but he hasn't done it before. Most people miss more than they actually get. Of the 38 that are in that range, he's listed 5, so he's missed quite a few. This is just North of where I live. I texted one of my friends there that's just in the boundaries and he said that he hadn't gotten it. They'll have to say no for now because you have to notify all the rest of these. **Johahn**: Ok. **Ann**: Ok, but with Crysallis he'll need to contact the owners, right? **Randall**: Yes. I have the addresses on there for you. They're not listed under Crysallis' name because usually Crysallis doesn't own them; they rent them, and it's the owner who we really want to be notified. If you don't notify them personally, the easiest thing is certified mail. **Johahn**: Is it easier to do it that way? **Randall**: It's not cheap but it is easier. Some people will split it. The knock-on ones make it easy to get the notification and whichever ones they don't get in their first attempt they'll mail it. We're fine with either one. If you want to use that as a cheat sheet, that's probably the easiest way to go. **Johahn**: These ones are good though? **Randall**: These ones are good. I'll just take them to be part of the record. You'll have it marked the ones that you've already done. **Johahn**: Then I'll come back next month to the same meeting? **Ann**: We'll table it, so you don't have to pay another fee. Then come back next month and we'll get you through quickly. We won't need to go through all the other questions. **Johahn**: When's the next meeting? **Ann**: It'll be the first Monday in February, which is the 3rd. **Randall**: Don't renotify those 5 you had. For the rest of them, make sure you use the February date. **Johahn**: How do I send the notice? **Randall**: There was a notification in the packet that was given to you that you'll to give to people. List the February 3rd date.

ADJOURN: The meeting adjourned at 5:25 p.m.



Onjulee Pittser
Executive Assistant