

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
2 **ADMINISTRATIVE HEARING**

3  
4 **Wednesday, December 4, 2024**

5 **12:00 p.m.**

6 **City Hall Room 5**

7 **2277 East Bengal Boulevard**

8 **Cottonwood Heights, Utah**  
9

10 ***ATTENDANCE***  
11

12 **Staff Present:** Maria Devereux, City Recorder  
13 Maverick Yeh, City Planner  
14 Mike Johnson, Administrative Hearing Officer  
15 Matt Irving, System Administrator  
16 Kate Hoflich, Deputy City Recorder  
17 Barabra Higgins, Records, HR and Culture Director  
18

19 **Attendees:** Jian-Xian Yu  
20 Bill Fox  
21

22 **1.0 Business Items**

23 Administrative Hearing Officer, Michael Johnson called the meeting to order at noon and  
24 welcomed those present.

25 **1.1 (Project CUP-24-017) Request by Jin-Xiang Yu, to operate a home business**  
26 **(Music Educator/Performer – Beyond 2135, LLC.) at 7485 S. 2135 E.**

27 City Planner, Maverick Yeh, presented the Staff Report and stated that the applicant is seeking  
28 approval to operate a home-based business within their residence, offering private music  
29 instruction to clients of all ages by appointment. According to the applicant’s narrative, lessons  
30 will be scheduled between 8:00 AM and 9:00 PM, primarily on weekdays, Monday through  
31 Friday. Weekend classes may occasionally be scheduled, though this will be limited and is not  
32 intended to be a regular occurrence.

33 Music instruction will take place in the applicant’s basement. The business will not produce  
34 excessive odors; all activities will be contained within a designated area. During lessons,

1 windows will remain closed, and sound levels will be maintained at the lowest possible volume  
2 to minimize any disturbance. The property's front yard includes two parking spaces available for  
3 clients. Parking areas shall consist of a paved surface, covered by asphalt, concrete or other hard  
4 surface materials.

5 City Planner Yeh outlined the zoning designation of the property is R-1-8 (Residential Single-  
6 Family). Home occupations with clients are listed as a conditional use in the R-1-8 zone, as  
7 referenced in §19.26.030. C. Home occupations are allowed only if the proposed business is  
8 clearly secondary and incidental to the primary use of the property as the applicant's permanent  
9 and full-time place of residence. Home Occupations are regulated in §19.76.040

10 Applicant Jian—Xian Yu gave comments and added that the lessons are primarily private  
11 lessons. Hearing Officer Johnson asked for more information on how many students does she see  
12 on average per day. Ms. Yu stated that she sees between 2 and 5 students per day. Hearing Officer  
13 Johnson also asked for more information on the length of lessons. Ms. Yu responded that they are  
14 between 45 minutes and 1 hour.

15 Hearing Officer Johnson noted that there were two public comments received by the city, both of  
16 which were in support of the applicant.

17 Hearing Officer Johnson opened the public hearing. There were no public comments. The public  
18 hearing was closed.

19 Hearing Officer Johnson stated that this is the type of business that belongs in the residential area  
20 and that it brings value to the neighborhood and city.

21 ***Hearing Officer Johnson moved to APPROVE Project CUP-24-017 pursuant to the***  
22 ***Conditions of Approval***

23 ***1. The applicant shall obtain and maintain an approved business license with Cottonwood***  
24 ***Heights.***

25 ***2. Customers must use provided parking. Customers must be made aware of these parking***  
26 ***restrictions.***

27 ***3. The business hours shall adhere to the applicant's narrative.***

28 ***4. Approval of this home occupation is subject to review upon complaint.***

29 ***5. No more than one non-resident employee is permitted at this business.***

30 ***6. Any business activity conducted outside the dwelling shall not violate the rule of the use***  
31 ***being clearly incidental and secondary to the use of the dwelling for dwelling purposes.***

32 ***7. The parking area in the front yard must be paved before next year's business license***  
33 ***renewal, and it needs to meet the city code required 11.04 R, 11.20.030 D.***

34 Hearing Officer Johnson recommended Ms. Yu follow up with Mr. Yeh and the Business License  
35 Department regarding next steps.

1   **2.0   Consent Agenda**

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3           **2.1   Approval of Administrative Hearing Officer Minutes from December 4, 2024.**

4

5   *Hearing Officer Johnson moved to APPROVE the Minutes of December 4, 2024, after the*  
6   *following process is met. The City Recorder will prepare the minutes and email them to the*  
7   *Hearing Officer. The Hearing Officer will have five days to review the minutes and provide any*  
8   *changes to the Recorder. If, after five days there are no changes, the minutes will stand*  
9   *approved. If there are changes, the process will be followed until the changes are made and the*  
10   *Hearing Officer is in agreement, at which time the minutes shall be deemed approved.*

11

12   **3.0   Adjournment**

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14   The Administrative Hearing adjourned at approximately 12:07 p.m.

15

16   *I hereby certify that the foregoing represents a true, accurate, and complete record of the*  
17   *Cottonwood Heights City Administrative Hearing held Wednesday, December 4, 2024.*

18   Kate Hoflich

19   Deputy City Recorder

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21   Minutes Approved: \_01/14/2025\_