

**NOTICE OF DECISION  
TYPE I TEMPORARY USE PERMIT**

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<b>DATE:</b>	February 28, 2024
<b>FILE NO.:</b>	24-008 TEMP
<b>APPLICATION:</b>	Type I – Design Review
<b>NAME OF PROJECT:</b>	Sandy Garden Club Annual Plant Sale
<b>APPLICANT:</b>	Roselyn Taylor
<b>OWNER:</b>	Sandy Ant Farm
<b>LOCATION:</b>	38600 Proctor Blvd.
<b>TAX MAP &amp; LOT:</b>	24E13AC02200
<b>ZONING:</b>	C-1 (Central Business District)
<b>STAFF CONTACT:</b>	Patrick Depa, Senior Planner

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**FINDINGS OF FACT**

1. The applicant submitted a Temporary Use Permit application on February 5, 2024, requesting temporary use approval to hold an annual plant sale at 38600 Proctor Blvd. on Saturday May 18, 2024.
2. 38600 Proctor Blvd. is located on the south side of Proctor Blvd. and has frontage on both Proctor Blvd. and Pioneer Blvd. The site is also adjacent to Scales Avenue where customers can take direct access.
3. The site is zoned C-1 (Central Business District). Retail sales of plants is a permitted use in this district.
4. The applicant proposes to set up a tent with multiple tables underneath on the Ant Farm property and sell indoor/outdoor house plants for a one-day event.
5. The tent proposed for the sale is adjacent to a building on site where the group will access electricity if needed.

**COMMENTS**

No comments were received from the Building Division, the Public Works Department, or Sandy Net for this use. No comments were received from the public at the time of this report.

**DECISION**

For the reasons described above, the request by Roselyn Taylor on behalf of the Sandy Garden Club to sell indoor/outdoor plants at 38600 Proctor Boulevard for a one-day event on May 18, 2024, is hereby **approved** as modified by the conditions listed below.

## **CONDITIONS OF APPROVAL**

1. The applicant is permitted to use the lot located at 38600 Proctor Blvd. for a one-day event to be held on Saturday May 18, 2024, for the purpose of selling indoor/outdoor house plants.
2. The proposed tent shall be secured at all corners to prevent being blown by the wind.
3. The proposed activity shall not disrupt through traffic and must be monitored to ensure there are no adverse impacts to adjoining properties and businesses.
4. The event shall comply with Section 8.20 of the Municipal Code regarding noise and amplified music.
5. The applicant is responsible for complying with Chapter 15.32 for all signage. No signage shall be allowed without first obtaining a sign permit.
6. This Temporary Use Permit may be revoked by the City if conditions of approval are not met. Approval of this Temporary Use does not grant authority for the unrestricted use of the site.



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Patrick Depa  
Senior Planner

## **RIGHT OF APPEAL**

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within twelve (12) calendar days of notice of the decision. Any person interested in filing an appeal should contact the City to obtain the form, “*Notice of Appeal*”, and Chapter 17.28 of the Sandy Development Code regulating appeals. All applications for an appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Section 17.28.50;
5. Payment of required filing fees. Payment of required filing fees is jurisdictional and must accompany an appeal at the time it is filed;
6. The name and mailing address of the person or entity appealing the decision; and

7. List and two sets of mailing labels for property owners within 300 feet of the subject property (for appeal of a Type I decision), 500 feet of the subject property for appeal of a Type II, III, or IV decision, or 1,000 feet for appeal of an annexation request. The property owner list and labels shall be obtained from a Title Company no more than seven days prior to submitting the appeal.