ADMINISTRATIVE COMMITTEE

Monday, April 8, 2019 5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold its regular meeting in the Conference Room at 150 North Main Street, Suite 103, Bountiful, Utah, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the Americans with Disabilities Act may request an accommodation by contacting the Bountiful City Planning Office at (801) 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

AGENDA

- 1. Welcome and Introductions.
- 2. Consider approval of minutes for April 1, 2019.
- 3. **PUBLIC HEARING**: Consider approval of a Conditional Use Permit to allow an Accessory Dwelling and an Accessory Building exceeding 10% of the lot area at 146 West 100 South, Jan Rawlins, applicant.
- 4. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Landscaping Business at 1950 South 200 West, #19, Jossilyn Mason, applicant.
- 5. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 412 West 1400 North, Matthew Ford, applicant.
- 6. Miscellaneous business and scheduling.

Chad Wilkinson, City Planner

Bountiful City Administrative Committee Minutes April 1, 2019

Present: Chairman - Chad Wilkinson; Committee Members - Brad Clawson; Assistant

Planner – Curtis Poole; Recording Secretary – Darlene Baetz

Excused: Committee Member – Dave Badham

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:00 p.m. and introduced all present.

2. Consider approval of minutes for March 11, 2019.

Mr. Clawson made a motion for approval of the minutes for March 11, 2019. Mr. Wilkinson seconded the motion.

A Mr. Wilkinson
A Mr. Clawson
Mr. Badham

Motion passed 2-0.

3. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Landscaping Business at 1950 South 200 West, #19, Jossilyn Mason, applicant.

Jossilyn Mason, applicant, was present.

Mr. Poole presented a summary of the staff report (the full staff report follows).

The property for the proposed Home Occupation request is located in the R-4 Zone. Home Occupations in this zone are allowed in City Code, 14-4-103, with approval of a Conditional Use Permit.

The application submitted indicates the property will be used to operate GreenSpire Yard and Garden Care., which provides "green" lawn and garden care. The applicant indicated there will be a lawn mower and other lawn and garden tools incidental to the business which will be stored in a shed or trailer parked under a carport. There will not be any storage of chemicals related to the business. The applicant also indicated on the application a truck used for the business will be parked under the carport. There will not be any additional employees which will be involved in the business. There will be roughly 32% of the home which will be used as office space for the business, which is less than 50% as required by code. The business does appear incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property. As this property is part of the Villa Nova Condo Association, the applicant has received approval from the property owner in the submission process of this Conditional Use Permit.

Based upon the above findings, staff has determined that the applicant would comply with all requirements for the Conditional Use Permit; therefore staff recommends approval of the Conditional Use Permit with the following conditions:

- 1. The applicant shall maintain an active Bountiful City business license.
- 2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, odors, noxious fumes, glare, traffic, etc.).
- 3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
- 4. The Conditional Use Permit is solely for this site and is non-transferable.

Ms. Mason presented a letter from the Villa Nova Home Owners Association giving permission to have a business at this location.

PUBLIC HEARING: Mr. Wilkinson opened the Public Hearing at 5:06 p.m.

David Twitchell resides at 1950 South 200 West #16. Mr. Twitchell spoke that he was in favor of the business at this location.

Connie Binks resides at 1950 South 200 West #12. Ms. Binks was making sure that the Home Owners Association had approved the business at this location.

PUBLIC HEARING: Mr. Wilkinson closed the Public Hearing at 5:07 p.m.

Mr. Clawson made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Landscaping Business at 1950 South 200 West, #19, Jossilyn Mason, applicant. Mr. Wilkinson seconded the motion.

A Mr. Wilkinson
A Mr. Clawson
Mr. Badham

Motion passed 2-0.

4. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 412 West 1400 North, Matthew Ford, applicant.

Matthew Ford, applicant, was present.

Mr. Poole presented a summary of the staff report (the full staff report follows).

The property for the proposed Home Occupation request is located in the R-4 Zone. Home Occupations in this zone are allowed in City Code, 14-4-103, with approval of a Conditional Use Permit.

The application submitted indicates the property will be used to operate MJF Home Solutions, which provides drywall repair services. There will be tools associated with this business, which will be stored in a shed in the backyard; however most items will be stored at an offsite location. The applicant indicates there may be an enclosed 10' trailer which would be parked on the driveway in addition to his personal vehicle. There will be 5% of the home used for this business, which is less than what is required by code. The applicant indicates there will be no additional employees involved in the business. The business does appear incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

Based upon the above findings, staff has determined that the applicant would comply with all requirements for the Conditional Use Permit; therefore staff recommends approval of the Conditional Use Permit with the following conditions:

- 1. The applicant shall maintain an active Bountiful City business license.
- 2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, odors, noxious fumes, glare, traffic, etc.).
- 3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
- 4. The Conditional Use Permit is solely for this site and is non-transferable.

PUBLIC HEARING: Mr. Wilkinson opened the Public Hearing at 5:11 p.m.

Robert and Geraldine Wood reside at 1435 North 400 West and were concerned about the extra vehicles and general cleanup of the property.

Charles Shafter resides at 1453 North 400 West asked if Mr. Ford was the owner of the property.

PUBLIC HEARING: Mr. Wilkinson closed the Public Hearing at 5:13 p.m.

Mr. Ford stated he is a renter and the owner is aware of the business at this property.

Mr. Ford stated that most of the tools would be stored in a storage unit and a few tools would be stored on site in the shed at the rear of the property. He had worked with code enforcement and has complied and noted that all existing vehicles are on cement.

Mr. Wilkinson stated that this Public Hearing is for the approval of a business license at the location and not for code complaints. However, he noted that Mr. Ford should be aware of his neighbors' concerns and take care of his property. If the neighbors observe code violation they should contact the City.

Mr. Clawson made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 412 West 1400 North, Matthew Ford, applicant. Mr. Wilkinson seconded the motion.

A Mr. Wilkinson
A Mr. Clawson
Mr. Badham

Motion passed 2-0.

5. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 217 East 2200 South, Jeff Davis, applicant.

Mr. Clawson made a motion for approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 217 East 2200 South, Jeff Davis, applicant. Mr. Wilkinson seconded the motion.

A Mr. Wilkinson
A Mr. Clawson
Mr. Badham

Motion passed 2-0.

6. Miscellaneous business and scheduling.

Mr. Wilkinson noted that the next Administrative Committee meeting would be located at the new temporary location for City Hall (150 North Main Street, Suite 103). He ascertained there were no further items of business. The meeting was adjourned at 5:21 p.m.

Chad Wilkinson, City Planner



RANDY C. LEWIS

CITY COUNCIL Kate Bradshaw Kendalyn Harris Richard Higginson John Marc Knight Chris R. Simonsen

CITY MANAGER Gary R. Hill

Memo

Date:

April 2, 2019

To:

Administrative Committee

From:

Curtis Poole, Assistant Planner

Re:

Staff Report for the Administrative Committee Meeting on Monday, April 8, 2019

Overview

4. PUBLIC HEARING - Consider approval of a Conditional Use Permit to allow for an Accessory Dwelling Unit and to allow for accessory structures to exceed 10% of lot area at 146 West 100 South, Jan Rawlins, applicant.

Background

The applicant is requesting approval of an Accessory Dwelling Unit (ADU) as part of a proposed detached garage. The ADU will be on the second floor of the proposed garage. In addition to the ADU the footprint of the proposed garage and existing accessory structures will exceed 10% of the lot square footage and will require approval.

Findings

According to City Code, 14-4-124, a Conditional Use Permit for Accessory Dwelling Units (ADU) is required and the applicant shall meet all standards of the Code. The plans submitted by the applicant show the home is located in the R-4 Single-Family Residential zone and is a single-family dwelling and will be maintained as such by the applicant. There will be only one ADU and there will only be one utility connection located at this property. The ADU will be on the upper level of the proposed detached garage and will be approximately 396 square feet which will meet the minimum and maximum square footage standards in the Code. The applicants will meet the minimum parking standard in the Code, requiring at least four parking spaces and at least 2 will be in the proposed garage. As the ADU can be accessed from east side of the proposed garage (facing the home), the primary dwelling will continue the appearance of a single-family dwelling and will have minimal impact on the neighboring properties.

According to City Code, 14-4-105 § J. 2. b., a Conditional Use Permit is required for accessory structures when the total building footprint of all accessory structures exceed 10%, but "shall not exceed 15% of the entire lot or parcel area." The proposed garage is 720 square feet. There is an existing barn on the lot which is 1,322 square feet. The total square footage of the property is 11,369. The applicant has indicated she will remove

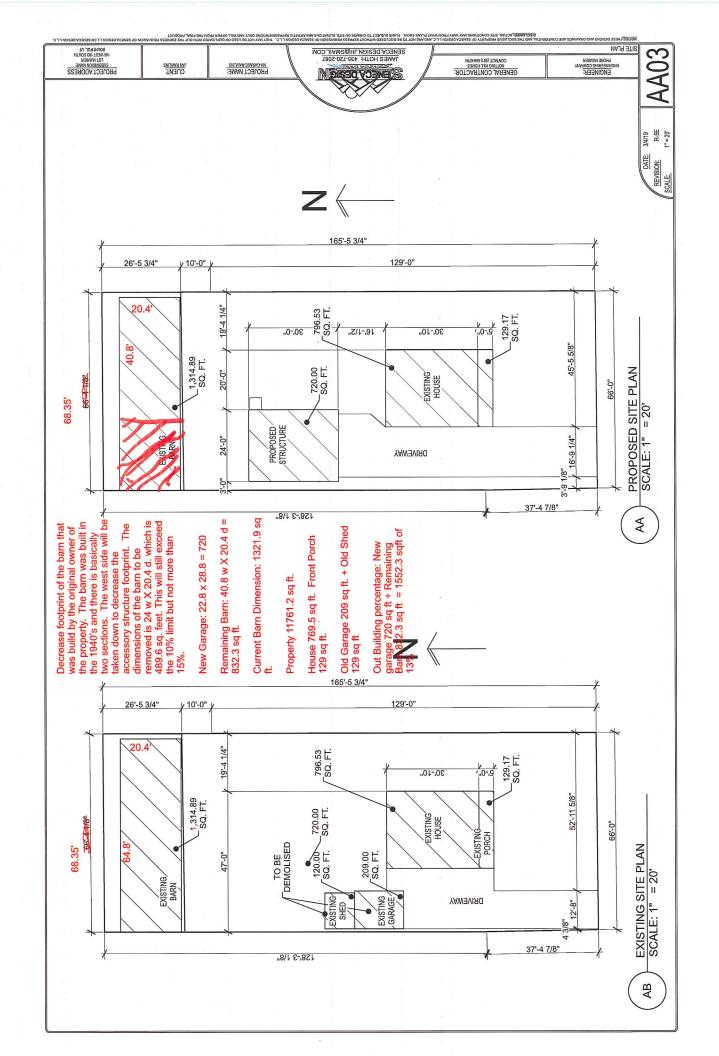
- c. An accessory structure shall meet all of the setbacks of a primary structure, or it shall be located behind the rear building line of a primary structure, and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line. The approving body may require an increased setback based on the criteria of 14-4-106(C.)(1.).
- d. An accessory structure shall be located at least five (5) feet from a primary structure, including eaves, bay windows, chimneys, and any other protrusion on either the accessory building or the primary structure.
- e. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any dwelling on an adjacent property.
- f. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.
- g. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.
- h. An accessory structure shall meet all applicable provisions of the International Building Code.
- An accessory structure shall not encroach on any easements, recorded or otherwise.
- j. The sidewall of an accessory structure shall not exceed fifteen (15) feet in height, as measured from the average slope of the ground to the point where the undersides of the eaves connect to the top of the sidewall. For a flat or mansard roof, the sidewall shall be measured from the average slope of the ground to the highest point of the roof, including any coping, parapet, or similar feature.
- k. The height of an accessory structure shall not exceed twenty (20) feet.
- Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.

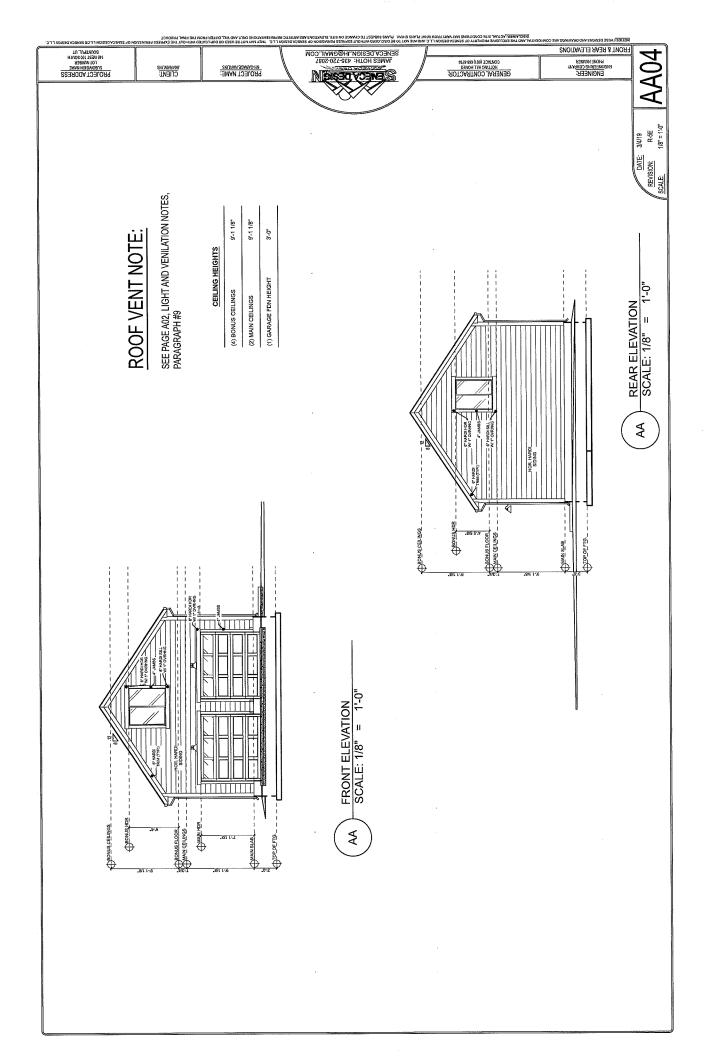
14-14-124 ACCESSORY DWELLING UNIT

- A. Purpose: The city recognizes that accessory dwelling units (ADUs) in single-family residential zones can be an important tool in the overall housing plan for the city. The purposes of the ADU standards of this code are to:
 - Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
 - 2. Provide for affordable housing opportunities;
 - 3. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
 - 4. Provide opportunities for additional income to offset rising housing costs;
 - 5. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle; and
 - 6. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs.
- B. An accessory dwelling unit shall only be approved as a conditional use.
- C. An accessory dwelling unit shall not be approved, and shall be deemed unlawful, unless it meets all of the following criteria:
 - 1. An accessory dwelling unit shall be conditionally permitted only within a single-family residential zone, and shall not be permitted in any other zone.
 - 2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.
 - 3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.
 - 4. A maximum of one (1) accessory dwelling unit shall be permitted as a conditional use on any lot or parcel in a single-family zone.
 - 5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.
 - 6. A deed restriction limiting the use of a property to a single-family use, prepared and signed by the Bountiful City Planning Director and all owners of the property on which an accessory

146 West 100 South







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CEILING HEIGHTS

CLIENT:

DIMENSION NOTE

PROJECT NAME:

ALL EXTERIOR DIMENSIONS ARE TO THE OUTSIDE OF STUD WALL. NOT THE OUTSIDE OF THE SHEATHING.

WINDOW TYPE NOTE	ļ.
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KEY TO TYPE	
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PATE 3419

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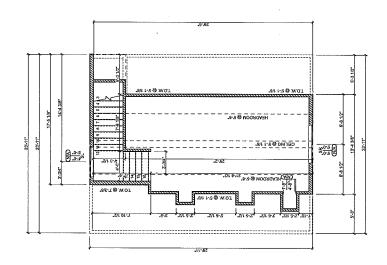
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DIMENSION NOTE:

SEWER/SEPTIC

PROJECT NAME:

ALL EXTERIOR DIMENSIONS ARE TO THE OUTSIDE OUTSIDE OF STUD WALL. NOT THE OUTSIDE OF THE SHEATHING.

WINDOW TYPE NOTE
ALL SLIDERS AND SINGLE HUNG WINDOWS ARE
ASSUMED TO OPEN 50% UNLESS NOTED OTHERWISE
INDICATED SH = SINGLE HUNG C = CASEMENT SH2 = SINDGLE HUNG (X2) KEY TO TYPE

| DATE 34/19 | REVISION: R-SE | SCALE: 1/8" = 1'-0"

BONUS FLOOR PLAN CENERAL CONTRACTOR:



Bountiful City, Utah Conditional Use Permit

RANDY C. LEWIS MAYOR

CITY COUNCIL
Kate Bradshaw
Kendalyn Harris
Richard Higginson
John Marc Knight
Chris R. Simonsen

CITY MANAGER Gary R. Hill

A public hearing was held on April 1, 2019, at Bountiful City Hall to consider the request of Jossilyn Mason, for a Conditional Use Permit allowing a Home Occupation Contractor and Landscaping Business at the following location:

1950 South 200 West, #19, Bountiful City, Davis County, Utah

ALL OF UNIT 19, BUILDING C, VILLA NOVA CONDO PROJECT.

Parcel 05-008-0019

The Bountiful City Administrative Committee heard the matter and considered the statements of the applicant, the City staff, and the public. As a result, the Administrative Committee makes the following findings:

- 1. This matter is properly heard before the Administrative Committee.
- 2. Appropriate public notice has been provided and a public hearing held.
- 3. The proposed request to operate a contractor and landscaping business meets the letter and the intent of the specific requirements in §14-17 et seq. (Conditional Use Permit provisions) of the Bountiful City Land Use Ordinance.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for Jossilyn Mason to operate a contractor and landscaping business located at 1950 South 200 West, #19, in Bountiful, Davis County, Utah, with the following conditions:

- 1. The applicant shall maintain an active Bountiful City business license.
- 2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, fumes, glare, traffic, etc.).
- 3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
- 4. The Conditional Use Permit is solely for this site and is non-transferable.

The Conditional Use Permit was approved on April 1, 2019, and this written form was approved this 8th day of April, 2019.

Chad Wilkinson	ATTEST: Julie Holmgren
Planning Director	Recording Secretary



RANDY C. LEWIS MAYOR

CITY COUNCIL
Kate Bradshaw
Kendalyn Harris
Richard Higginson
John Marc Knight
Chris R. Simonsen

CITY MANAGER Gary R. Hill

Bountiful City, Utah Conditional Use Permit

A public hearing was held on April 1, 2019, at Bountiful City Hall to consider the request of Matthew Ford, for a Conditional Use Permit allowing a Home Occupation Contractor Business at the following location:

412 West 1400 North, Bountiful, Davis County, Utah

BEG AT SE COR LOT 166, BAY VIEW PARK PLAT E; TH N 1^32'32" W 92.2 FT; TH W 63.55 FT; TH N 89^ W 103.63 FT TO A PT S 89^03' E 18.3 FT & S 0^18' W 1.0 FT FR NW COR OF SD LOT 166; TH S 0^18' W 35.0 FT, M/L, TO S LINE OF LOT 166; TH S 56^48'08" E 152.8 FT, M/L, TO W LINE OF STR; TH N'LY 50 FT ALG ARC OF A 51.84 FT RAD CURVE TO RIGHT ALG SD STR TO POB. CONT. 0.32 ACRES.

Parcel 03-013-0166

The Bountiful City Administrative Committee heard the matter and considered the statements of the applicant, the City staff, and the public. As a result, the Administrative Committee makes the following findings:

- 1. This matter is properly heard before the Administrative Committee.
- 2. Appropriate public notice has been provided and a public hearing held.
- 3. The proposed request to operate a contractor business meets the letter and the intent of the specific requirements in §14-17 et seq. (Conditional Use Permit provisions) of the Bountiful City Land Use Ordinance.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for Matthew Ford to operate a contractor business located at 412 West 1400 North, in Bountiful, Davis County, Utah, with the following conditions:

- 1. The applicant shall maintain an active Bountiful City business license.
- 2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, odors, noxious fumes, glare, traffic, etc.).
- 3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
- 4. The Conditional Use Permit is solely for this site and is non-transferable.

The Conditional Use Permit was approved on April 1, 2019, and this written form was approved this 8th day of April, 2019.

Chad Wilkinson Planning Director ATTEST: Julie Holmgren Recording Secretary