

1 Approved Minutes of the
2 **BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE**
3 **August 10, 2020**
4 **12:00 p.m.**
5

6 **Present:** Chairman – Francisco Astorga; Committee Members – Lloyd Cheney and Dave
7 Badham; Assistant Planner – Kendal Black; Recording Secretary – Darlene Baetz
8

9 **1. Welcome and Introductions.**
10

11 Chairman Astorga opened the meeting at 5:00 p.m. and introduced all present. He discussed
12 the two-part process for approval of the Conditional Use Permit and the approval of the written
13 form in the same meeting. The written form would be approved at the same meeting if there
14 are no changes to the conditions.
15

16 **2. Consider approval of minutes for July 13, 2020.**
17

18 Mr. Cheney made a motion to table the minutes for July 13, 2020 to the next meeting. Mr.
19 Badham seconded the motion. Voting was 3-0 with Committee Members Astorga, Badham
20 and Cheney voting aye.
21

22 **3. PUBLIC HEARING - Consider approval for an ADU located at 2856 Wood Hollow Way,**
23 **Kent Whipple, applicant. *Written form may also be considered for approval.**
24

25 Kent Whipple, applicant, was present. Kendal Black presented the staff report.
26

27 The Applicants' property is in the R-F Single-Family Residential Zone. The Applicants are
28 requesting approval of a detached ADU. Information submitted by the Applicants shows the
29 proposed ADU will be constructed to consist of one (1) bedrooms, a bathroom, kitchen and
30 living space.
31

32 According to City Code, 14-4-124, a Conditional Use Permit for an ADU is required and the
33 Applicants shall meet all standards of the Code for approval. The property has an existing
34 Single-Family dwelling and will be maintained as such by the Applicants. The property is
35 approximately 0.38 acres (16,552.8 square feet). There will only be one (1) ADU and there
36 will only be one (1) utility connection located at this property. The Applicants have submitted
37 building plans which indicate the living space at this residence is approximately 6,459 square
38 feet and further indicate the proposed ADU will only be 350 square feet (the minimum
39 allowed), which will be five point four percent (5.4%) of the total residence and below the
40 maximum forty percent (40%) standard in the Code.
41

42 The property will meet the parking standard required for approval with the existing three (3)
43 car garage and driveway. The ADU will be accessed through a path leading from the side of
44 the house and back down to the ADU at the rear of the residence. The ADU will be primarily
45 used as a playhouse and for visiting family. The applicants wanted to apply for a Conditional
46 Use Permit for an ADU to make it legal in case they decide to rent it out in the future. The
47 property will have the appearance of a Single-Family dwelling and should have minimal
48 impact on the surrounding neighborhood.

1
2 The applicants have already applied for a building permit and are in the process of building the
3 structure.

4
5 Staff recommends the Administrative Committee approve the Conditional Use Permit to allow
6 for an Accessory Dwelling Unit at 2856 Wood Hollow Way subject to the following
7 conditions:

- 8
9 1. The Owner(s) of the property must continually occupy the primary dwelling or the ADU.
10 2. The property is to be used only as a Single-Family residence and shall be subject to a Deed
11 Restriction.
12 3. There shall be no separate utility service connections.
13 4. The Applicants shall apply separately for a building permit to be reviewed and inspected
14 by Staff.
15 5. The ADU shall meet all the standards in 14-14-124 of the City Land Use Code.
16 6. The Conditional Use Permit is solely for this property and is non-transferable.

17
18 Mr. Black stated that this project was originally started as a tree house changed to an accessory
19 structure and the applicant decided at a later date that they would like to convert this project to
20 an Accessory Dwelling Unit which would require a Conditional Use Permit.

21
22 Mr. Whipple stated there are no trees in the structure. The applicant has allowed space for the
23 growth of the trees. He thanked the staff for their help with this process.

24
25 Chairman Astorga opened and closed the **PUBLIC HEARING** at 5:12 p.m. without any public
26 comment.

27
28 Mr. Cheney discussed the 10 ft easement on the rear property line which includes mirrored
29 easements on the back neighboring property. Mr. Cheney was unaware of any present or future
30 utilities that are in the easement other than cable TV.

31
32 Chair Astorga noted that there are 3 options for the Administrative Committee members to
33 move forward with this item:

- 34
35 1. Shift ADU forward on the property and out of the easement.
36 2. Vacate easement with all the utilities which would also include City Council
37 approval.
38 3. Proceed with an approval with a notice recorded at the Davis County Recorder's
39 office.

40
41 Mr. Cheney stated the preferred method would be to have the easement released by Utilities
42 and City Council. He noted that large easements are preferred in this area.

43
44 Mr. Badham wondered if the entire easement was not released or if the applicant continued
45 without an easement release they would continue at their own risk with a notice to be recorded.
46 This would allow the City to keep control of the easement if it was needed in the future. He
47 asked for clarification for sewer and culinary water.
48

1 Mr. Whipple stated that the ADU would have the sewer pump to the main house and then to
2 the main lateral. There will only be one water meter and one power meter for both the main
3 house and the ADU.

4
5 Mr. Cheney noted this property is not at risk for the City sewer and no historical flooding in
6 this area.

7
8 Mr. Badham asked if the Administrative Committee would have the authority to approve an
9 Accessory Dwelling on an easement. Chair Astorga stated that the Committee could approve
10 with the conditions outlined by staff. The building permit would not be given Occupancy if
11 the conditions have not been met.

12
13 Chair Astorga made a motion to approve a Conditional Use Permit to allow for an ADU located
14 at 2856 Wood Hollow Way with the six (6) conditions outlined by staff and the addition of
15 Condition 7 “The Applicant shall resolve the public utility easement encroachment by seeking
16 to release the easement (or reduce its size) prior to certificate of occupancy/final inspection by
17 the Bountiful City Building Department. Should the easement not be able to be released, the
18 Applicant shall proceed to record a notice on the property, approved by the Bountiful City
19 Planning Director and City Engineer, with Davis County indicating that the accessory dwelling
20 unit is placed over a public utility easement and the owner acknowledges any associated risk
21 of keeping such structure over a public utility easement, and serves as a notice to future owners
22 of the property.” Mr. Badham seconded the motion. Voting was 2-1 with Committee
23 Members Astorga, and Badham voting aye and Cheney voting nay.

24
25 *Written form was not approved at this meeting due to the addition of condition 7.

26
27 **4. PUBLIC HEARING – Consider approval for a Handyman Home Occupation located at**
28 **3377 South 350 West, Blake Dalton, applicant. *Written form may also be considered for**
29 **approval.**

30
31 Blake Dalton was present. Kendal Black presented the staff report.

32
33 The Applicant, Grant Blake Dalton, requests Conditional Use Permit approval to allow for a
34 Handyman Business Home Occupation at 3377 South Sunset Rd (350 West). The property is
35 located within the R-4 Single Family Residential Zone. The Applicant operates a handyman
36 business and there are no employees. There will one (1) personal truck and one (1) trailer that
37 will be parked on the driveway of the property.

38
39 There will be ten percent (10%) of the home that will be used in connection with the business;
40 which is within the standards required by Code. There will be some hand tools that will be
41 stored in the truck and/or trailer.

42
43 Staff recommends the Administrative Committee approve the Conditional Use Permit to allow
44 for a Handyman Business Home Occupation at 3377 South Sunset Rd (350 West), subject to
45 the following conditions:

- 46
47 1. The Applicant shall maintain an active Bountiful City Business License.

- 1 2. The Home Occupation will not create nuisances discernible beyond the premises (e.g.,
- 2 dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
- 3 3. Any storage of material in connection with the business shall be in accordance with
- 4 standards of the Bountiful City Land Use Code.
- 5 4. The use will comply with all the applicable fire, building, plumbing, electrical, life safety,
- 6 and health codes in the State of Utah, Davis County and Bountiful City.
- 7 5. Any signage connected with the business shall meet the standards of the Sign Code and
- 8 receive approval through a separate permit.
- 9 6. The Conditional Use Permit is solely for this site and in non-transferable.

10
11 Chairman Astorga opened the **PUBLIC HEARING** at 5:46 p.m.

12
13 Jon Blosch asked that this business would not be able to continue should the applicant moves.

14 If the new owners had a home occupation construction/handyman business at this location,

15 they would need to reapply for a separate Conditional Use Permit for the new business.

16
17 Chairman Astorga closed the **PUBLIC HEARING** at 5:48 p.m.

18
19 Mr. Cheney made a motion to approve a Conditional Use Permit to allow for a Handyman

20 Home Occupation located at 3377 South 350 West with the six (6) conditions outlined by staff

21 and the addition of Condition 7 “As conceded by the Applicant on August 10, 2020, this

22 Conditional Use Permit allowing a Home Occupation Handyman Business will cease once the

23 Applicant moves to another location.” Mr. Badham seconded the motion. Voting was 3-0

24 with Committee Members Astorga, Badham and Cheney voting aye.

25
26 *Written form was not approved at this meeting due to the addition of condition 7.

27
28 **5. Consider approval of a Lot Line Adjustment at 56 West 1200 South and 51 West 1100**

29 **South, Jeremy & Kelly Holt and Kyle & Karoline Cannon, applicants.**

30
31 Jeremy Holt was present. Kendal Black presented the staff report.

32
33 The Applicants, Jeremy Ray & Kelly L. Holt and Kyle & Karoline Cannon, are requesting a

34 Lot Line Adjustment between their two properties located at 56 W 1200 S and 51 W 1100 S.

35 Both properties, shown as Lot 1 (Holt’s Property) and Lot 2 (Cannon’s Property), are located

36 in the R-4 Single-Family Zone. The purpose of the adjustment is to convey a portion of Lot 2

37 to Lot 1. Lot 2 will convey 4,185 square feet (0.096 acres), shown as Parcel being conveyed to

38 Holt’s, to Lot 1. The adjustment will bring Lot 2 to 8,001 square feet (0.18 acres) and Lot 1 to

39 15,204 square feet (.35 acres). Public Utility Easements will be affected with the Lot Line

40 Adjustment. Bountiful Power has mentioned that as long as the new owners of the lot to be

41 conveyed understand that there is a power line easement which covers five (5) feet on both

42 sides of any power line on the property, they have no problem with this lot line adjustment.

43 They are reflected in the red line markings on the submitted drawing.

44
45 Based on the above findings, Staff recommends approval of the Lot Line Adjustment, with the

46 following conditions:

47

- 1 1. Complete any redline corrections required on the plat and be aware of the utility easements
- 2 agreed upon for power lines by completing this lot line adjustment.
- 3 2. The approved Lot Line Adjustment shall be recorded with Davis County.
- 4

5 **Note:** Approval of the property line adjustment by the City does not act as a conveyance of real
6 property and appropriate conveyance documents must be prepared by the applicant and recorded by
7 the Davis County Recorder's Office.

8 Mr. Cheney made a motion to approve the Lot Line Adjustment at 56 West 1200 South and 51
9 West 1100 South with the two (2) conditions outlined by staff. Mr. Badham seconded the
10 motion. Voting was 3-0 with Committee Members Astorga, Badham and Cheney voting aye.

11
12 **6. Consider approval of a Lot Line Adjustment at 3148 South Sunset Hollow Dr and 3166**
13 **South Sunset Hollow Dr, Melinda Jensen and Richard & Tracy Whitney, applicants.**

14
15 Mr. Jensen was present. Kendal Black presented the staff report.

16 The Applicants, Melinda Jensen and Richard & Tracy E. Whitney, are requesting a Lot Line
17 Adjustment between their two properties located at 3148 S Sunset Hollow Drive and 3166 S
18 Sunset Hollow Drive. Both properties, shown as Lot 1 (Whitney's Property) and Lot 2
19 (Jensen's Property), are located in the R-F Single-Family Zone. The purpose of the adjustment
20 is to convey a portion of Lot 2 to Lot 1. Lot 2 will convey 1,328.58 square feet (0.0305 acres),
21 shown as Parcel A, to Lot 1. The adjustment will bring Lot 2 to 25,155.9 square feet (0.5775
22 acres) and Lot 1 to 33,127.38 square feet (.7605 acres). Public Utility Easements will not be
23 affected with the Lot Line Adjustment.

24
25 Based on the above findings, Staff recommends approval of the Lot Line Adjustment, with the
26 following conditions:

- 27
- 28 1. Complete any redline corrections required on the plat.
- 29 2. The approved Lot Line Adjustment shall be recorded with Davis County.
- 30

31 **Note:** Approval of the property line adjustment by the City does not act as a conveyance of real
32 property and appropriate conveyance documents must be prepared by the applicant and recorded by
33 the Davis County Recorder's Office.

34 Mr. Badham made a motion to approve a Lot Line Adjustment at 3148 South Sunset Hollow
35 Dr and 3166 South Sunset Hollow Dr with the two (2) conditions outlined by staff. Mr. Cheney
36 seconded the motion. Voting was 3-0 with Committee Members Astorga, Badham and Cheney
37 voting aye.

38
39 **7. Consider approval of Conditional Use Permit in written form to allow for a Home**
40 **Occupation Lawncare Business at 416 West 850 South, Landeon Olsen, applicant.**

41
42 **8. Consider approval of Conditional Use Permit in written form, to allow for a Home**
43 **Occupation Electrical Contractor at 298 South 800 East, Maurits Noot, applicants.**

44
45 Mr. Cheney made a motion to table both Conditional Use Permits in written form that would
46 allow for a Home Occupation Lawncare Business at 416 West 850 South and to allow for a

1 Home Occupation Electrical Contractor at 298 South 800 East until the next available meeting.
2 Mr. Badham seconded the motion. Voting was 3-0 with Committee Members Astorga,
3 Badham and Cheney voting aye.
4

5 **9. Miscellaneous business and scheduling.**
6

7 Chairman Astorga ascertained there were no further items of business. The meeting was
8 adjourned at 5:59 p.m.
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12 

13 _____
14 Francisco Astorga
Administrative Committee Chair