

BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE AGENDA Monday, March 8, 2021 5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold a meeting in the Planning Commission Conference Room, Bountiful City Hall located at **795 South Main Street, Bountiful, Utah, 84010**, 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.

Bountiful City Administrative Committee meetings, including this one, are open to the public. In consideration of the COVID-19 Pandemic, Bountiful City will be observing social distancing and may limit the number of people at the meeting. If you would like to submit a comment for the public hearing listed on the agenda below, please e-mail that comment to <u>planning@bountiful.gov</u> prior to the meeting and indicate in the e-mail if you would like your comment read at the meeting; you are also welcome to attend the meeting in person.

- 1. Welcome and Introductions
- 2. Consider approval of minutes for January 4, 2021
- 3. Consider approval of minutes for February 8, 2021
- 4. Consider a Conditional Use Permit for a Home Occupation Handyman at 913 East 800 South Michael P Russell, applicant
 - a. Public Hearing
 - b. Action
 - c. Consider drafted approval in written form
- 5. Consider a Conditional Use Permit for an Accessory Dwelling Unit (ADU) at 3453 Lexington Drive–LaWane Boltz, applicant.
 - a. Public Hearing

- b. Action
- c. Consider drafted approval in written form
- 6. Consider approval of a Lot Line Adjustment at 4738 and 4756 Spring Meadow Circle, Lewis M Evans and Mark & Angela Bassett, applicants.
 - a. Action
- 7. Consider a Conditional Use Permit for a Home Occupation Welding at 325 West Center Street Vernon C Taylor Jr., applicant
 - a. Consider drafted approval in written form
- 8. Adjournment

BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE 1 2 **January 04, 2021** 5:00 p.m. 3 4 5 **Present**: Committee members Francisco Astorga (chair), Brad Clawson, and Scott Schlegel 6 Assistant Planner Kendal Black 7 Jacinda Shupe Recording Secretary 8 9 10 11 1. Welcome and Introductions. 12 13 Chair Astorga opened the meeting at 5:05 p.m. and introduced all present. 14 15 2. Approve the 2021 Administrative Committee Meeting Calendar 16 17 MOTION: Committee Member Schlegel made a motion to APPROVE the Administrative Committee Meeting Schedule. Committee Member Clawson seconded the motion. 18 19 20 VOTE: The motion passed unanimously (3-0). 21 22 3. Consider approval of minutes for November 09, 2020. 23 24 MOTION: Committee Member Clawson made a motion to APPROVE the minutes for 25 November 09, 2020. Chair Astorga seconded the motion. 26 27 VOTE: Voting was 2-1-0 with Committee Members Astorga and Clawson voted aye and 28 Committee Member Schlegel abstaining. 29 30 31 Note: Prior to moving forward with the Agenda. Chair Astorga clarified that item #6 on the 32 agenda was noticed incorrectly and that it is not a detached dwelling. 33 34 4. Consider a Conditional Use Permit for an Accessory Dwelling Unit at 1561 North 700 35 East – Jace Riley, applicant. 36 37 Mr. Riley, applicant, was present. Planner Black presented the item. 38 39 Planner Black indicated that the applicants are requesting a basement Accessory Dwelling 40 Unit at 1561 North 700 East and that the residence meets all the city code requirements for 41 parking, entrance in the rear, and pathway around to the entrance. 42 43 The new format of the staff report was discussed. 44 45 Committee Member Schlegel inquired about the parking spaces available. Planner Black discussed the requirements for the number of parking spaces due to the year the house was 46 47 built. Committee Member Clawson had no further questions. 48

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Chair Astorga opened the public hearing at 5:14 p.m.

	There were no comments.
	Chair Astorga closed the public hearing at 5:14 p.m.
	MOTION: Committee Member Schlegel made a motion to APPROVE a Conditional Use
	Permit for an Accessory Dwelling Unit located at 1561 North 700 East. Committee Member
	Clawson seconded the motion.
	VOTE: The motion passed unanimously (3-0).
	MOTION: Committee Member Clawson made a motion to APPROVE a Conditional Use
	Permit in written form for an Accessory Dwelling Unit at 1561 North 700 East. Committee
	Member Schlegel seconded the motion.
	MOTE TIL (1 1 (2.0)
	VOTE: The motion passed unanimously (3-0).
_	Consider a Conditional Use Downit for an Accessory Dwelling Unit at 4 East 1100 South
5.	Consider a Conditional Use Permit for an Accessory Dwelling Unit at 4 East 1100 South – Evan and Kamille Fox, applicant.
	- Evan and Kamme Pox, applicant.
	Ms. Fox, applicant, was present. Chair Astorga requested this item be moved to the end of
	the meeting for a correction that needs to be made to the report. Ms. Fox agreed to move the
	item to the end of the meeting.
	nom to the or the mounty.
6.	Consider a Conditional Use Permit for an Accessory Dwelling Unit at 1606 Vineyard
	Drive – Gerald and Alice Giauque, applicant
	Mr. and Mrs. Giagua applicants, were present. Planner Plack presented the item
	Mr. and Mrs. Giaque, applicants, were present. Planner Black presented the item.
	wir. and wirs. Graque, applicants, were present. Franner Brack presented the item.
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2		There were no additional comments.
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4		Chair Astorga closed the public hearing at 5:26 p.m.
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6		MOTION: Committee Member Clawson made a motion to APPROVE a Conditional Use
7		Permit to Permit for an Accessory Dwelling Unit located at 1606 Vineyard. Committee
8		Member Schlegel seconded the motion.
9		
10		Vote: The motion passed unanimously (3-0).
11		The state of the s
12		MOTION: Committee Member Schlegel made a motion to approve the Conditional Use Permit
13		in written form for an Accessory Dwelling Unit at 1606 Vineyard Drive. Committee Member
14		Clawson seconded the motion.
15		
16		Vote: The motion passed unanimously (3-0).
17		voter the motion pussed unanimously (c o).
18	7.	Consider a Conditional Use Permit for a Home Occupation Daycare 12+ children at 893
19		East 250 North – Mary Carlisle, applicant.
20		Zust Zeo Mortin Many Curisie, appround
21		Ms. Carlisle was present. Planner Black presented the item.
22		The Carrier was process I make 2 that processes the table
23		Planner Black indicated the residence at 893 East 250 North meets all the requirements in the
24		code for a Conditional use Permit for a Daycare of up to 12 children.
25		
26		Chair Astorga opened the public hearing at 5:28 p.m.
27		The same of the sa
28		There were no comments.
29		
30		Chair Astorga closed the public hearing at 5:28 p.m.
31		
32		Committee Member Schlegel inquired about three houses on the same property. Planner
33		Black stated two of the homes were built in 1952 and third was built around 2010.
34		
35		MOTION: Committee Member Schlegel made a motion to APPROVE the Conditional Use
36		Permit as drafted for an Accessory Dwelling unit located at 893 East 250 North as drafted and
37		in written form. Committee Member Clawson seconded the motion.
38		
39		Vote: The motion passed unanimously (3-0).
40		, out the moter passed diaministratif (c o).
41	8.	Consider a Conditional Use Permit for a Home Occupation Handyman at 393 West 200
42		North #1 – Deivis Ruiz, applicant.
43		······································
44		Mr. Ruiz, the applicant, was present. Planner Black presented the item.
45		The state of the s

Planner Black indicated there will be one van that will be used for work and that the tools will

be kept inside the van or at storage unit. He also reported that no other employees will be at

the residence, no more than 5% of the residence will be used, and that the residence meets all

1		requirements.
2		
3		Committee Member Schlegel asked for clarification on the available parking spaces for the
4		residence. Planner Black clarified there are two spaces, one would be for personal use and the
5		other for the van. Committee Member Schlegel asked if the applicant owned the residence.
6		Planner Black stated that we have a notarized affidavit from the owner.
7		
8		MOTION: Committee Member Schlegel made a motion to APPROVE the Conditional Use
9		Permit as drafted and in written form for a Home Occupation Handyman Business located at
10		393 West 200 North #1. Committee Member Clawson seconded the motion.
11		
12		VOTE: The motion passed unanimously (3-0).
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14	9.	Consider approval of a Lot Line Adjustment at 499 East 500 South and 485 East 500
15		South, CTR Partnership LP and David Bland representing Providential BBA Operating
16		LP, applicants.
17		
18		The applicant was present. Planner Black presented the item.
19		
20		Planner Black indicated CTR Partnership is giving a chunk of property from Lot 1 to Lot 2.
21		
22		MOTION: Committee Member Clawson made a motion to approve the Lot Line in written
23		form and as drafted for a property located at 485 East 500 South and 499 East 500 South.
24		Committee Member Schlegel seconded the motion.
25		
26		VOTE: The motion passed unanimously (3-0).
27		I was a second of the second o
28	10	. Continued from item 5 - Consider a Conditional Use Permit for an Accessory Dwelling
29		Unit at 4 East 1100 South – Evan and Kamille Fox, applicant.
30		
31		Chair Astorga addressed the change of language from the packet and stated he would look
32		for a section of the code while the staff report is being presented.
33		
34		Ms. Fox, applicant, was present. Planner Black presented the staff report.
35		
36		Planner Black indicated this is for a detached Accessory Dwelling of 663 square feet which
37		meets the square footage requirement as well as parking. He also indicated that all
38		requirements of the Code are met and that a building permit has already been issued for the
39		remodel.
40		
41		Committee Member Schlegel inquired about the one additional parking space requirement
42		which also meets code.
43		
44		Chair Astorga discussed the changes to the language that needs to be made as he stated that
45		the property is zoned R4 not R3, and that page 18 2 nd paragraph needs to be removed from
46		packet. He also stated that page 18 item #9 meets the criteria, while page 18 item #10 does
47		have an active building permit. Also, page 19 item #11 changed to six parking spaces not
48		five, and item #1 changed to Detached Accessory Dwelling consisting of 663 square feet.
		11.0, and help it changes to beatened recessory by wining consisting of 000 square feet.

1 2 Chair Astorga opened the public hearing 5:46 p.m. 3 4 Craig Olsen, neighbor, asked if there were any reasons this would not pass the committee and 5 whom they could rent to. Chair Astorga stated there are no reasons this would not meet 6 approval requirements and that the property owners would be able to rent to whomever they 7 saw fit for either long or short term. Mr. Olsen expressed his concerns for other Accessory 8 Dwelling Units in the neighborhood. Committee Member Schlegel recognized the concerns 9 of both sides. Chair Astorga added that there is currently a bill at the legislature being 10 reviewed that loosens current municipal Accessory Dwelling control. 11 12 Chair Astorga closed the public hearing at 5:53 p.m. 13 14 Ms. Fox inquired about the corrections as she stated that they do not intend to use this for renting out currently. She reported that they want to go about this legally as they remodel the 15 16 detached dwelling to make sure there are no issues in the future. 17 18 MOTION: Chair Astorga made a motion to APPROVE the Conditional Use Permit with staff report update scheduled for the next upcoming meeting for an Accessory Dwelling Unit located 19 at 4 East 1100 South. Committee Member Schlegel seconded the motion. 20 21 22 VOTE: The motion passed unanimously (3-0). 23 Chair Astorga ascertained there were no further items of business. The meeting was adjourned 24 25 at 5:59 p.m. 26 27 28 29 Francisco Astorga Administrative Committee Chair 30 31 32

BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE 1 2 February 08, 2021 5:00 p.m. 3 4 5 **Present**: Committee members Curtis Poole (Acting Chair), Brad Clawson, and Dave 6 Badham 7 Kendal Black Assistant Planner Jacinda Shupe 8 **Recording Secretary** 9 10 11 12 1. Welcome and Introductions. 13 14 Acting Chair Poole opened the meeting at 5:00 p.m. and introduced all present. 15 16 2. Consider approval of minutes for January 04, 2021. 17 18 Acting Chair Poole requested that we table the approval of the minutes until the next 19 meeting. 20 MOTION: Committee Member Badham made a motion to APPROVE tabling the approval of 21 22 the minutes. Committee Member Clawson seconded the motion. 23 24 VOTE: The motion passed unanimously (3-0). 25 26 3. Consider a Conditional Use Permit for a Home Occupation Welding at 325 west Center 27 Street - Vernon C Taylor Jr., applicant. 28 29 Mr. Taylor, applicant, was present. Planner Black presented the item. 30 31 Planner Black indicated that the applicant would have no employees and keep all tools in a 32 trailer and personal truck with no home use for the business. Residence complies with land 33 use code. 34 35 Committee Member Badham inquired about the cleanup of vehicles and items in the yard. Committee discussed appropriate length of time for cleanup of yard and determined 60 days 36 37 would be sufficient. Committee Member Clawson had no further questions. 38 39 Acting Chair Poole opened the public hearing at 5:07 p.m. 40 41 There were no comments. 42 43 Acting Chair Poole closed the public hearing at 5:07 p.m. 44 45 MOTION: Committee Member Clawson made a motion to APPROVE a Conditional Use Permit for a Home Occupation Welding at 325 West Center Street according to the 46 recommended changes from staff. Committee Member Badham seconded the motion. 47 48

CONDITIONS OF APPROVAL:

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- 1. The applicant shall maintain an active Bountiful City Business License.
- 2. The Home Occupation shall not create nuisances discernible beyond the premises (e.g., dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
- 3. Any storage of material in connection with the business shall be in accordance with standards of the Bountiful City Land Use Code.
- 4. The use shall comply with all the applicable fire, building, plumbing, electrical, life safety, and health codes in the State of Utah, Davis County and Bountiful City.
- 5. Any signage connected with the business shall meet the standards of the Sign Code and receive approval through a separate permit.
- 6. The Conditional Use Permit is solely for this site and in non-transferable.
- 7. The trailer and vehicle shall be removed from the grass, relocated to a paved surface, and not permitted to be parked on an unpaved surface on the property again. Additionally, the property shall be cleaned up of any outside storage/junk and the outside storage/junk will be moved into a shed, a garage, or disposed of properly. This should occur within 60 days of approval of the conditional use permit.

VOTE: The motion passed unanimously (3-0).

4. Consider a Conditional Use Permit for an Accessory Dwelling Unit at 242 East 1950 South –Blake Nielson, applicant.

Mr. Neilson, applicant, was present. Planner Black presented the item.

Planner Black indicated that the applicant is requesting a basement Accessory Dwelling Unit at 242 East 1950 South. He indicated that the home meets all city code requirements as far as parking and basement Accessory Dwelling Unit. There is a pathway around the back of the residence to stairs for the entrance.

Acting Chair Poole opened the public hearing at 5:19 p.m.

There were no comments.

Acting Chair Poole closed the public hearing at 5:19 p.m.

MOTION: Committee Member Clawson made a motion to APPROVE a Conditional Use Permit to Permit for an Accessory Dwelling Unit located at 242 East 1950 South as recommended by staff. Committee Member Badham seconded the motion.

Vote: The motion passed unanimously (3-0).

- MOTION: Committee Member Clawson made a motion to APPROVE a Conditional Use Permit to Permit for an Accessory Dwelling Unit located at 242 East 1950in WRITTEN FORM. Committee Member Badham seconded the motion.
- 47 CONDITIONS OF APPROVAL:

1		1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City
2		Land Use Code including the following:
3		a. The owner(s) of the property must continually occupy the principal dwelling or
4 5		the accessory dwelling unit.
<i>5</i>		b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
7		c. There shall be no separate utility service connections.
8		d. The Applicants shall apply separately for a building permit to be reviewed and
9		inspected by Staff.
10		2. The required walkway and all other applicable aspects of the ADU conversion are to be
11		inspected, including the required walkway, proper window egress, proper door width,
12		that the ADU is an independent unit from the main dwelling, etc. Building codes shall be
13		inspected prior to the City signing the deed restriction.
14		3. The Conditional Use Permit for the accessory dwelling unit is solely for this property and
15		is non-transferable to another property.
16		4. The Deed Restriction shall be signed within six (6) months of the date of approval.
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19		Vote: The motion passed unanimously (3-0).
20 21		Planner Black mentioned to the applicant that a City Inspector would visit at a later time.
22		Trainier Black mentioned to the applicant that a City hispector would visit at a later time.
	5.	Consider the written approval for a Conditional Use Permit for an Accessory Dwelling
24	•	Unit at 4 East 1100 South –Evan and Kamille Fox, applicants.
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26		
27		MOTION: Committee Member Clawson made a motion to APPROVE the WRITTEN FORM
28		for a Conditional Use Permit to Permit for an Accessory Dwelling Unit located at 4 East 1100
29		South. Committee Member Badham seconded the motion.
30		
31		Vote: The motion passed unanimously (3-0).
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33		Acting Chair Poole ascertained there were no further items of business. The meeting was
34		adjourned at 5:25 p.m.
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41		Curtis Poole
42		Administrative Committee Acting Chair
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Administrative Committee Staff Report



Subject: Conditional Use Permit for a Handyman Home Occupation

at 913 East 800 South.

Authors: Kendal Black, City Planner

Date: March 8, 2021

Background

The applicant, Michael Russell, submitted a Conditional Use Permit (CUP) for a Handyman Contractor Home Occupation located at 913 East 800 South. The property is located within the R-4 Single-Family Residential Zone.

Analysis

The applicant operates a handyman business and there are no employees. The applicant proposes to utilize one (1) personal truck and trailer to be used for the business that are to be parked in the garage or on the driveway of the property. The proposal says that there will be less than thirty percent (30%) of the home that will be used in connection with the business, which is within the standards required by the Land Use Code. The applicant indicates that associated tools are to be stored in the garage of the home.

Recommendation

Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit for a Contractor Home Occupation at 913 East 800 South, subject to the following conditions:

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

Attachments

- 1. Aerial Photo
- 2. Bountiful Land Use Code
- 3. Site Plan

Attachment 1 – Aerial Photo



14-17-105 HOME OCCUPATION REQUIREMENTS

A proposed home occupation use shall meet the following criteria to qualify for a Home Occupation Business License:

- A. The use shall be clearly incidental and secondary to the use of the dwelling and shall not change the appearance, character or condition thereof. There shall be no displays, advertisements, stock in trade, or signs related to the business except for: one (1) flat wall sign placed on the dwelling that shall not exceed four (4) square feet in size, and any sign required by State Law and/or which meet the provisions of this Title.
- B. The use shall be conducted entirely within a dwelling, except for work performed offsite. Only members of the family related by blood, marriage, or adoption, and who reside in the dwelling, may work onsite. The only exception is that one (1) additional person may be employed as a secretary, apprentice, or assistant where there are no more than five (5) family members actively engaged in the home occupation. Employees who are not family members and/or who do not reside at the dwelling shall not meet, park, or otherwise congregate at the home or in the general vicinity. Additional outside employees are not allowed if there is more than one home occupation at the property.
- C. The use shall not involve more than 50% of the entire dwelling.
- D. The use shall not involve the area of required, covered, off-street parking.
- E. No product or commodity shall be stored onsite, and no customer may physically visit the site of a home occupation to take delivery of a product or commodity. Commodities may be produced on the premises and sold offsite.
- F. The use shall not create noise, dust, odors, noxious fumes, glare or other nuisances, including interruption of radio and/or television reception, which are discernable beyond the premises.
- G. The use shall not involve using or storing flammable material, explosives, or other dangerous materials, including gun powder.
- H. The use shall not involve mechanical or electrical apparatus, equipment, or tools not commonly associated with a residential use or as are customary to home crafts.
- I. The use shall not generate traffic in greater volumes than would normally be expected in a residential neighborhood nor involve the use of commercial vehicles other than standard delivery vehicles for delivery of materials to or from the premises.
- J. The use shall not involve the parking of equipment or motor vehicles having a gross weight of twelve thousand (12,000) pounds or more directly at the residence.

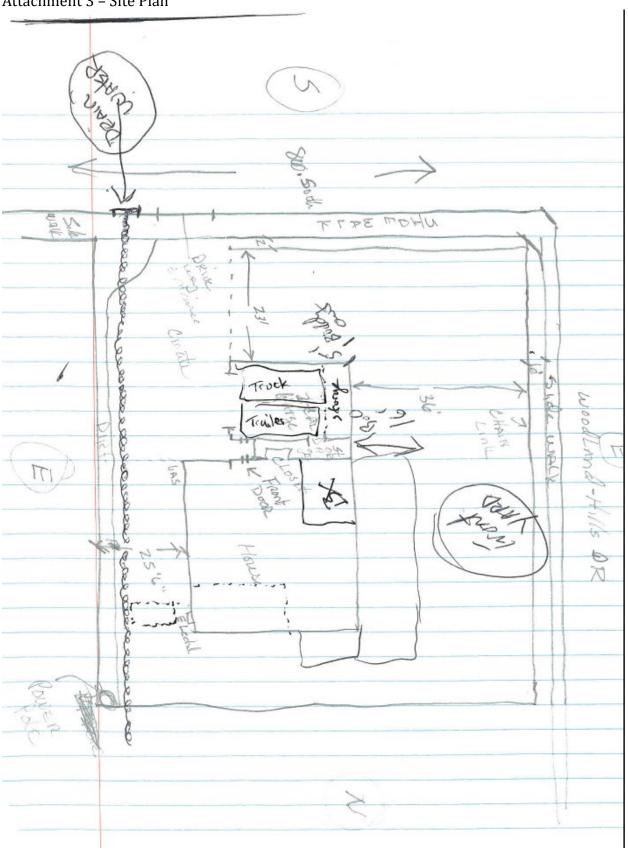
- K. The use shall be in compliance with all applicable fire, building, plumbing, electrical and life safety and health codes of the State of Utah, Davis County, and the City of Bountiful.
- L. The residence and property may be inspected from time to time to determine continued compliance with the provisions of this Code and other applicable codes.

[...]

14-17-108 HOME OCCUPATION CONDITIONAL USES

Home occupations in the following areas of work are conditional uses, and licenses may be issued for them only if a conditional use permit is granted following notice and a public hearing:

- A. Lawn care and/or landscaping,
- B. Construction and/or contracting,
- C. Snow removal,
- D. Residential day care or group instruction facilities with more than eight (8) people,
- E. A home occupation office use may be allowed in a detached accessory structure in accordance with the following:
 - 1. The total office area, including a restroom and any storage space, shall not exceed three hundred (300) square feet.
 - 2. The office shall not be located in an area of required, covered, off-street parking.
 - 3. No part of the office space shall be utilized if the required, covered, off-street parking is being utilized for a purpose other than parking.
 - 4. The only retail activity allowed is that transacted electronically or by mail. Any retail activity involving the physical delivery of goods or persons to the property is expressly prohibited.
 - 5. A home occupation office in a detached accessory structure shall be deemed unlawful and shall not be occupied unless the owner has recorded a deed restriction on the property stating that the use of the property is for a single family dwelling, and that the office space shall only be used in accordance with the provisions of the Bountiful City Land Use Code as it may be amended from time to time.



Administrative Committee Staff Report



Subject: Conditional Use Permit for an Accessory Dwelling Unit (ADU)

at 3453 Lexington Drive

Authors: Kendal Black, City Planner

Date: March 8, 2021

Background

The applicant, LaWane Boltz submitted a Conditional Use Permit (CUP) for an attached basement accessory dwelling unit (ADU) for their property located at 3453 Lexington Drive. Bountiful City Administrative Committee reviews all CUPs for ADUs. The Bountiful City Land Use Code defines an ADU (see also "Accessory In-Law Apartment") as a self-contained dwelling unit within an owner-occupied single-family residence or in a detached accessory structure located on an owner-occupied property.

Analysis

Bountiful City Land Use Code 14-14-124(C) states that an ADU shall meet all the following standards below shown in *italics*. Staff findings for each standard are shown as <u>underlined</u> text.

- An accessory dwelling unit shall be conditionally permitted only within a single-family residential zone and shall not be permitted in any other zone.
 The single-family dwelling is located within the Single-Family Res. Zone (R-3).
- 2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.

 The site currently contains one (1) single-family dwelling.
- 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.
 - The applicant has submitted a CUP application for one (1) ADU.
- A maximum of one (1) accessory dwelling unit shall be permitted as a conditional use on a lot or parcel in a single-family residential zone.
 The applicant has submitted a CUP application for one (1) ADU.
- 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.

 The site currently contains one (1) single-family dwelling.
- 6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit

is required, then said deed restriction shall be recorded prior to issuance of the building permit.

A deed restriction shall be placed on parcel #01-034-0038, ALL OF LOT 38, NORTH POINT COVE SUB PLAT B. CONT. 0.267 ACRES.

- 7. The property owner must occupy either the principal unit or the accessory dwelling unit, as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other means required by the Planning Department.

 The deed restriction will indicate that the property owner mush either occupy the principal unit or the ADU, as their permanent residence.
- 8. Separate utility meters shall not be permitted for the accessory dwelling unit. The restriction applies and the deed restriction will indicate such.
- 9. Any property and any structure that contains an approved accessory dwelling unit shall be designed and maintained in such a manner that the property maintains the appearance of a single-family dwelling. Except as provided below, a separate entrance to the accessory dwelling unit is required and shall not be allowed on the front or corner lot side yard. A separate entrance shall be located to the side or rear of the principal residence.
 - i. An accessory dwelling unit in a basement may share a common entrance with the principal unit, provided each unit has a separate interior door.
 As shown on the submitted application, the existing basement area of the home contains an entrance on its south side elevation.
- 10. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit.

 This site does not have any active building permits. It is anticipated that the basement apartment ADU conversion will not require any permits. Compliance with ADU code requirements and building code requirements shall be determined by the Bountiful City Building Official and/or the Bountiful City Building Inspector after an inspection takes place.
- 11. Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off-street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.

The site has four (4) parking spaces. Per research of the Planning Department, when the single-family dwelling was built in 1977, the home required one (1) parking space.

Bountiful City Land Use Code 14-14-124(D) states that a detached ADU shall meet all of the general ADU requirements (above), plus the following:

Shall be at least three hundred fifty (350) sq. ft. in size and shall not exceed one thousand two hundred fifty (1,250) sq. ft., however accessory dwelling units located in a basement may occupy the entire basement of the principal unit.
 According to Davis County Assessor's Office online records, the single-family dwelling is 3,884 square feet. The proposed ADU is in the basement. The basement ADU is 1,600 square feet.

Bountiful City Land Use Code 14-14-124(E) indicates that a detached ADU shall meet all the above criteria (section C and D), plus the following:

- 1. Shall not be located on a lot with less than eight thousand (8,000) square feet buildable land.
 - According to online records of the Davis County Assessor's Office, the subject property is 0.267 acres (approximately 11,630 square feet).
- 2. Shall be configured so that any exterior doors, stairs, windows, or similar features are located as far away from adjoining properties as is reasonably possible to provide privacy to those properties.
 - The existing basement portion that will be used for the ADU complies.
- 2. Shall meet all the setbacks required of an accessory structure.

 The aerial photograph indicates compliance with the required setbacks.
- 3. Shall be located behind the front building line of the principal unit.

 As the proposed ADU is in the basement or a portion of the exisiting home, this requirement does not apply to this ADU application.
- 4. The separate entrance of the accessory dwelling unit may be visible from the front or corner lot side yard based on proximity and appropriate mitigation proposed by the applicant and approved by the Administrative Committee.
 The entrance is located towards the south. There are no recognized, unmitigated impacts.

Recommendation and Conditions of Approval

Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit allowing an attached, basement accessory dwelling unit at 3453 Lexington Drive, subject to the following conditions of approval:

- 1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:
 - a. The owner(s) of the property shall continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.

- c. There shall be no separate utility service connections.
- d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.
- 2. All other applicable aspects of the ADU conversion are to be inspected, including the required walkway, proper window egress, proper door width, that the ADU is an independent unit from the main dwelling, etc. Building codes shall be inspected prior to the City signing the deed restriction.
- 3. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
- 4. The Deed Restriction shall be signed within six (6) months of the date of approval.

Attachments

- 1. Aerial Image
- 2. Drafted Approval in Written Form

Attachment 1





Bountiful City, Utah Draft Conditional Use Permit Approval of an Accessory Dwelling Unit

MAYOR RANDY C. LEWIS

CITY COUNCIL Millie Segura Bahr Kate Bradshaw Kendalyn Harris Richard Higginson Chris R. Simonsen

CITY MANAGER

Gary R. Hill

A public hearing was held on March 8, 2021, at the Bountiful City Hall located at 795 South Main Street, Bountiful, Utah 84010, to consider the request of LaWane Boltz for a Conditional Use Permit allowing an Accessory Dwelling at the following location:

3453 Lexington Drive, Bountiful, Davis County, Utah

ALL OF LOT 38, NORTH POINT COVE SUB PLAT B. CONT. 0.267 ACRES.

Parcel 01-034-0038

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 for an accessory dwelling shall meet all the criteria in Section 14-124 of the Bountiful City Land Use Code, as conditioned.
- 4. The proposed request for an accessory dwelling shall meet all applicable sections of the City Code.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for detached Accessory Dwelling Unit as requested by LaWane Boltz to be located at 3453 Lexington Drive, Bountiful, Davis County, Utah, with the following conditions:

- 1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:
 - a. The owner(s) of the property shall continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.
- 2. All other applicable aspects of the ADU conversion are to be inspected, including the required walkway, proper window egress, proper door width, that the ADU is an

- independent unit from the main dwelling, etc. Building codes shall be inspected prior to the City signing the deed restriction.
- 3. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
- 4. The Deed Restriction shall be signed within six (6) months of the date of approval.

The Conditional Use Permit for an accessory dwelling unit was approved on Marcand this written form was approved this March 8, 2021.					
Francisco Astorga Administrative Committee Chair	ATTEST: Jacinda Shupe Recording Secretary				

Administrative Committee Staff Report

Subject: Lot Line Adjustment

Author: Kendal Black, Assistant City Planner

Address: 4738 and 4756 South Spring Meadow Circle

Date: March 8, 2021

Overview

Consider approval of a Lot Line Adjustment between 4738 South Spring Meadow Circle and 4756 South Spring Meadows Circle, Lewis M. & Janet Evans and W. Mark & Angela B. Bassett - Trustees, Applicants.

Background/Analysis

The Applicants request a Lot Line Adjustment between their two (2) properties located at 4738 South Spring Meadow Circle and 4756 South Spring Meadows Circle. Both properties, shown as Lot 1 (Evans's Property) and Lot 2 (Bassett's Property), are in the R-F Single-Family Zone. The purpose of the adjustment is to convey a portion of Lot 2 to Lot 1 so that the future carport of Lot 1 is to meet the proper 8-foot minimum side yard setback as required by the current Code. The proposal includes transferring 217.8 square feet, shown as Parcel A, from Lot 2 (Bassett) to Lot 1 (Evans). The adjustment does not create any new parcels but does affect a public utility easement that currently runs along the southeastern property line of Lot 1 (Evans's Property). This public utility easement would have to be vacated to receive approval from Engineering for the Lot Line Adjustment.

Findings

- 1. The proposed Lot Line Adjustment does not create any new lots; therefore, an amended subdivision plat is not necessary.
- 2. The proposed lot area of Lot 1 is 100,928.52 square feet (2.317 acres).
- 3. The proposed lot area of Lot 2 is 102,540.24 square feet (2.354 acres).

Staff Recommendation

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

- 1. Complete any redline corrections required on the plat.
- 2. The approved Lot Line Adjustment shall be recorded with Davis County, subject to final form approved by the City Engineer.
- 3. There is a public utility easement that runs along the southeastern property line of the Evan's property and the northwestern property line of the Bassett's property that must be released and recorded at the County prior to approval of the Lot Line Adjustment.



4. There is a building permit application in for Mr. Evans's carport (Lot 1). The City will not be able to approve the building permit until this Lot Line Adjustment is approved and recorded at the County, providing the appropriate minimum setbacks for the proposed carport.

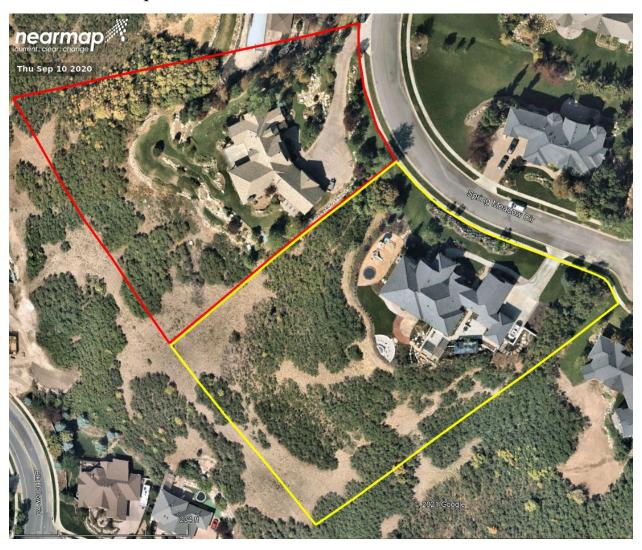
Note: Approval of the lot line adjustment by the City does not act as a conveyance of real property and appropriate conveyance documents must be prepared by the applicant and recorded by the Davis County Recorder's Office.

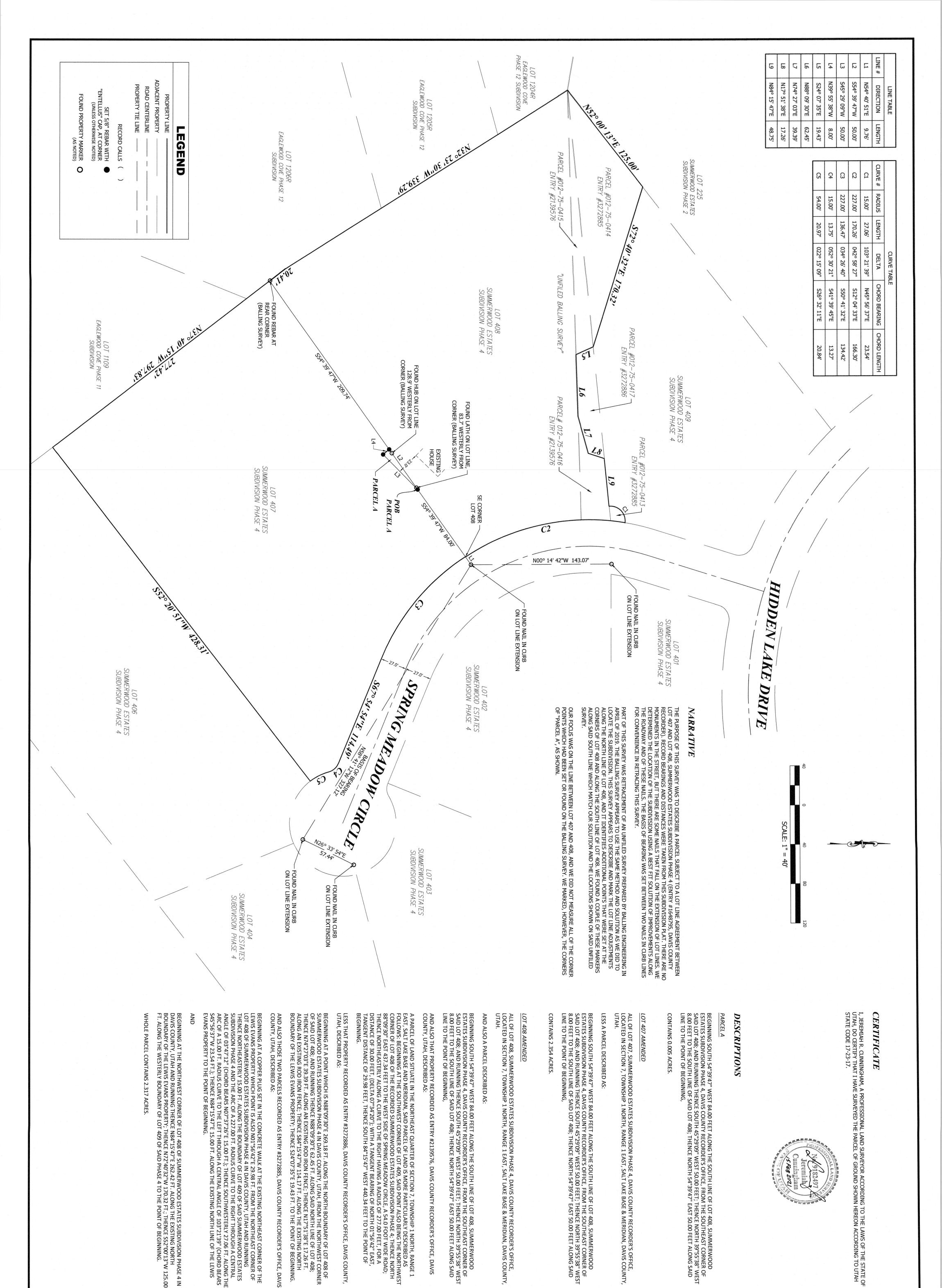
Attachments

- 1. Aerial Map
- 2. Drawing

Attachments

1. Aerial Map





1470 South 600 West Woods Cross, UT 84010 Phone 801.298.2236

3"W 125.00

APPROVED: JRC

01/03/2021

BOUNDARY SURVEY

201

4738 SPRING MEADOW CIRCLE LOT 408 SUMMERWOOD ESTATES PHASE 4 SUBDIVISION BOUNTIFUL CITY, DAVIS, UTAH

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Kendalyn Harris
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Chris R. Simonsen

CITY MANAGER

Garv R. Hill

Bountiful City, Utah Conditional Use Permit Approval of a Contractor Home Occupation Permit

A public hearing was held on February 8, 2021, at the Temporary Bountiful City Planning Department Office located at 150 North Main Street, Bountiful, Utah 84010, to consider the request of Vernon C. Taylor, Jr. for a Conditional Use Permit allowing a Contractor Home Occupation at the following location:

325 West Center Street, Bountiful, Davis County, Utah

Parcel 03-025-0024

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 for a Contractor Home Occupation shall meet all the criteria in Sections 14-17-105 & 14-17-108 of the Bountiful City Land Use Code, as conditioned.
- 4. The proposed request for a Contractor Home Occupation shall meet all applicable sections of the City Code.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for a Contractor Home Occupation as requested by Vernon C. Taylor, Jr., to be located at 325 West Center Street, Bountiful, Davis County, Utah, with the following conditions:

- 1. The applicant shall maintain an active Bountiful City Business License.
- 2. The Home Occupation shall not create nuisances discernible beyond the premises (e.g., dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
- 3. Any storage of material in connection with the business shall be in accordance with standards of the Bountiful City Land Use Code.
- 4. The use shall comply with all the applicable fire, building, plumbing, electrical, life safety, and health codes in the State of Utah, Davis County and Bountiful City.
- 5. Any signage connected with the business shall meet the standards of the Sign Code and receive approval through a separate permit.
- 6. The Conditional Use Permit is solely for this site and in non-transferable.
- 7. The trailer and vehicle shall be removed from the grass, relocated to a paved surface, and not permitted to be parked on an unpaved surface on the property again. Additionally, the property shall be cleaned up of any outside storage/junk and the outside storage/junk will be moved into a shed, a garage, or disposed of

properly. This should occur within 60 depends.	ays of approval of the Conditional Use			
The Conditional Use Permit for a Contractor Home Occupation was approved on February 8, 2021, and this written form was approved February 8, 2021.				
Curtis W. Poole Acting Administrative Committee Chair	ATTEST: Jacinda Shupe Recording Secretary			
recing reministrative committee chan	recording Secretary			