

Bountiful City Administrative Committee Agenda Monday, September 08, 2025 3:00 p.m.

Notice is hereby given that the Bountiful City Administrative Committee will hold a meeting in the Planning Department Conference Room, Bountiful City Hall, located at 795 South Main Street, Bountiful, Utah, 84010, on the date and time provided. The public is invited to attend.

- 1. Welcome
- 2. Meeting Minutes from August 04, 2025
 - Review
 - Action
- 3. Conditional Use Permit for a Detached Accessory Dwelling Unit at 408 North 1000 East *Planning Technician Colman*
 - Review
 - Public Hearing
 - Action
- 4. Conditional Use Permit Home Occupation for a Residential Preschool at 1062 Arlington Way *Planning Technician Coleman*
 - Review
 - Public Hearing
 - Action
- 5. Adjourn

1 2 3 4	Draft Minutes of the BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE Monday, August 04, 2025 – 3:00 p.m.				
5 6	Official notice of the Administrative Committee Meeting was given by posting an agenda at City Hall, and on the Bountiful City Website and the Utah Public Notice Website.				
7 8 9	Planning Conference Room 795 South Main Street, Bountiful, Utah 84010				
10 11 12 13	Present:	Administrative Committee	Chair Amber Corbridge Lloyd Cheney Jill Fraiser		
14 15		Planning Tech	Rachel Coleman		
16 17 18	Absent:	Recording Secretary	Sam Harris		
19 20	1. Welcome				
21 22	Chair Corbridge called the meeting to order at 3:00 p.m. and welcomed everyone.				
23 24	2. Meeting Minutes from April 14, 2025				
25 26	Item to be reviewed at the next meeting.				
27 28	3. Conditional Use Permit for a Detached Accessory Dwelling Unit at 325 South 285 West				
29 30	Planning Technician Coleman presented the item as outlined in the packet.				
31 32 33	Committee Member Corbridge asked if the walkway goes all the way to the entrance and mentioned it being a condition of approval.				
34 35 36 37	Applicant asked about the setbacks. Committee Member Corbridge mentioned that the setbacks are the same as if it was an accessory structure like a shed or garage.				
38 39 40	Chair Corbridge opened the Public Hearing at 3:12 p.m. No comments were made. Chair Corbridge closed the Public Hearing at 3:13 p.m.				
41 42	Committee Member Frasier was sworn in.				
42 43 44 45 46	Committee Member Frasier motioned to approve the Conditional Use Permit for a Detached Accessory Dwelling Unit at 325 South 285 West. Committee Member Cheney seconded the motion. The motion was approved with Committee Members Corbridge, Cheney, and Fraiser voting aye."				

47 4. Conditional Use Permit for Cell Tower Upgrade at 120 West 1000 North 48 49 Planning Technician Coleman presented the item as outlined in the packet. 50 51 Committee Member Corbridge asked if it received a Conditional Use Permit when it was built. 52 Planning Technician Coleman stated that Staff could not find a Conditional Use Permit from 53 when it was originally built. 54 55 Committee Member Cheney referred to Bountiful City Land Use Code and asked about the 56 requirement of the capacity for the two other providers and if this is meeting that requirement. 57 Planning Technician Coleman indicated that Staff is not aware of that information. Committee 58 Member Cheney asked if the existing equipment is all AT&T. Planning Technician Coleman 59 indicated that Staff is not aware of that information. There was conversation about this topic 60 including confirming that in the lease agreement it shall accommodate three (3) providers. 61 62 Chair Corbridge opened the Public Hearing at 3:28 p.m. No comments were made. Chair Corbridge closed the Public Hearing at 3:28 p.m. 63 64 65 Committee Member Cheney motioned to continue the Conditional Use Permit for Cell Tower Upgrade at 120 West 1000 North. Committee Member Fraiser seconded the motion. The motion 66 67 was approved with Committee Members Corbridge, Cheney, and Frasier voting aye."

5. Adjourn

68 69

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71 Chair Corbridge adjourned the meeting at 3:31 p.m.

Administrative Committee Staff Report



Subject: Conditional Use Permit for a Detached Accessory Dwelling Unit

Authors: Rachel Coleman, Planning Technician

Date: September 8, 2025

Background

The applicant (property owner), Brandon Menlove submitted a Conditional Use Permit (CUP) application for a detached accessory dwelling unit (DADU) located at **408 North 1000 East.** The site is located in the Single-Family Residential (R-4) subzone. The Bountiful City Administrative Committee reviews CUP applications for detached ADUs. The Bountiful City Land Use Code defines an ADU 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. See Section 14-14-124."

Analysis

<u>Section I - ADU Compliance.</u> Staff reviewed the submitted application and finds that the proposed detached ADU complies with <u>Land Use Code § 14-14-124(C)</u> (below in italics). Staff findings for each standard are shown as underlined text.

1. Shall be a conditional use only within the Single-Family Residential zone, Residential Multiple (RM) Family Zone, and the Downtown (DN) Mixed Use Zone; and shall not be permitted in any other zone.

The single-family dwelling is located within the Single-Family Residential (R-4) subzone.

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 a single-family dwelling and the proposed ADU is in an accessory structure.

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 this detached ADU in order to be authorized to apply for a building permit to construct the proposed ADU.

4. A maximum of one (1) accessory dwelling unit shall be permitted on a qualifying lot.

The applicant has submitted a CUP application for one (1) detached 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 contains an existing 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.

The Planning Director will prepare a deed restriction once the Administrative Committee approves this request, and all applicable conditions of approval are met. According to online records of the Davis County Assessor's Office, the subject property, parcel no. 040180017, is owned by Brandon B. & Jessica J. Menlove.

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 similar means required by the Planning Department.

The deed restriction will indicate that the property owner must either occupy the principal unit or the ADU as their permanent residence. The applicant is aware of the owner occupancy requirement.

8. Separate utility meters shall not be permitted for the accessory dwelling unit.

The deed restriction will indicate such.

9. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit, if applicable.

Once the CUP is approved, the applicant will provide occupancy once the work is completed.

10. 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.

To meet the off-street parking requirements, the applicant proposes to bring the drive approach into compliance with Bountiful City Land Use Code 14-18-109(A)(1) (see Attachment 1)."

According to Davis County Assessor's Office online records the existing single-family dwelling was built in 1960. The off-street parking required for this unit "at the time of construction was one (1) parking space, according to the 1955 Bountiful City Code, 24-17-(H)(b)(1). The proposal requires two (2) parking spaces. One (1) for the primary residential unit and one for the detached ADU. The proposal shows that there is adequate off-street parking for the primary residential use and the proposed detached ADU.

11. Shall be at least three hundred fifty (350) square feet in size and shall not exceed one thousand two hundred fifty (1,250) square feet.

The proposed ADU is approximately 570 square feet.

12. Shall not be located on a lot with less than eight thousand (8,000) square feet buildable land.

According to Davis County Assessor's Office online records the lot area is 0.28 acres which equates to 12,196 square feet.

13. 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.

Based on its location, including the placement of windows and doors relative to surrounding properties, staff does not anticipate any privacy concerns.

14. Shall meet all the setbacks required of an accessory structure.

Accessory structures placed behind the main structure may be located at a minimum of three feet (3') from the rear and side property lines or twenty feet (20') from street side yard property lines. See item 15 below.

Setbacks, behind the main dwelling (34' behind the front wall plane):

<u>Setback</u>	Minimum	<u>Proposed</u>
Side – Left	3 feet	4 feet, complies
Street Side - Right	20 feet	90 feet (approx.), complies
Rear	3 feet	11 feet, complies

15. Shall be located behind the front building line of the principal unit.

The proposed ADU is approximately 30 feet behind the front building line of the principal unit.

16. 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.

The entrance of the proposed detached ADU is located completely behind the existing single-family dwelling and is approx. 62 feet from the front property line.

Section II - Accessory Structure Compliance. Staff reviewed the submitted application and finds that the proposed accessory structure complies with Bountiful City <u>Land Use Code Section 14-4-105(J)(1)</u> (below in italics). Staff findings for each standard are shown as underlined text.

- a. The total footprint of any and all accessory structures shall not exceed ten percent (10%) of the entire lot or parcel area, and no lot or parcel shall be reduced in area after the construction of an accessory building, such that it is in violation of this provision.
 - The lot is 12,196 square feet. Ten percent (10%) of the lot is 1,219 square feet. The proposed ADU is approximately 570 square feet.
- b. An accessory structure shall meet all of the setbacks of a primary structure, or it <u>shall be</u> <u>setback at least ten (10) feet behind the front building line of a primary structure, and shall be setback at least three (3) feet from a rear or interior side property line</u>, and at least twenty (20) feet from a street side yard property line. (Underlined for applicability).
 - See items 14 and 15 from Land Use Code § 14-14-124(C) section of this staff report, above.
- c. 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.
 - The accessory structure is located approximately five (5) feet from the primary structure.
- d. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any primary dwelling on an adjacent property.
 - Based on aerial photography the existing accessory structure complies with this standard.
- e. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.
 - The site and elevation plans show a four (4) foot setback with eighteen (18) inch eaves, resulting in at least a one (1) foot eave setback from all property lines, meeting code requirements.
- f. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.

Based on the distance from all property lines the ADU will not impact roof runoff onto adjacent properties.

g. An accessory structure shall meet all applicable provisions of the International Building Code.

The proposed ADU shall comply with all applicable building codes.

h. An accessory structure shall not encroach on any easements, recorded or otherwise.

Staff from Bountiful Power confirmed in an email to the applicant that the proposed location of the ADU, as shown on the Site Plan, provides sufficient clearance and setbacks from the power lines located above the left side yard (see *Attachments 4 & 5*, *Aerial Photo with Power Line & Email from Power Department*).

i. 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.

The proposed ADU is approx. eleven (11) feet on the Right Elevation and eight (8) feet on the Left Elevation.

j. The height of an accessory structure shall not exceed twenty (20) feet.

The height of the proposed ADU is approximately nine (9) feet (measured from average grade to the mid-point of the roof).

k. Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.

Complies.

<u>Section III - CUP Mitigation.</u> Staff reviewed the submitted application and finds that the proposed detached ADU is mitigated, as conditioned, based on <u>Land Use Code § 14-2-506(C)</u> (below in italics). Staff findings for mitigation are shown as underlined text.

- A. A conditional use permit shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the applicable standards.
- B. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal, or if the imposition of reasonable conditions to

achieve compliance with applicable standards is not possible, the conditional use permit request may be denied.

- C. Standards applicable to conditional uses include all the requirements of this Title, and consideration of the following:
 - 1. The location of the proposed use in relationship to other existing uses in the general vicinity.
 - 2. The effects of the proposed use and/or accompanying improvements on existing developments in the general vicinity;
 - 3. The appropriate buffering of uses and buildings, proper parking and traffic circulation, and the use of building materials and landscaping which are in harmony with the area.

Staff recommends that a condition of approval be added to this site by widening the drive approach in compliance with Bountiful City Land Use Code 14-18-109(A)(1). See drafted condition no. 3.

Department Review

This staff report was written by the Planning Technician.

Significant Impacts

None.

Recommendation

Staff recommends that the Administrative Committee review the request, hold a public hearing, and approve the Conditional Use Permit allowing a detached accessory dwelling unit at 408 North 1000 East, 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, but not limited to, 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 a detached accessory dwelling unit and shall be subject to a deed restriction.
 - c. There shall be no separate utility service connections.
- 2. The Applicant shall apply separately for a building permit to be reviewed and inspected by Staff.

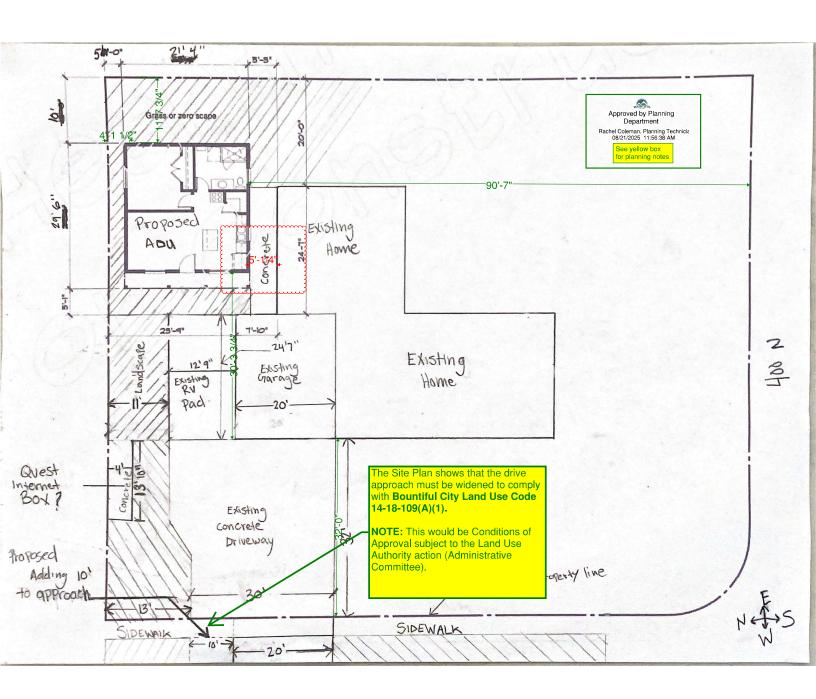
3. The applicant shall obtain an Encroachment/Excavation permit from the Engineering Department to widen the drive approach in compliance with Bountiful City Land Use Code 14-18-109(A)(1). (See *Attachment 1, Site Plan*).

Attachments

- 1. Site Plan
- 2. Floor Plan
- 3. Elevation Plan
- 4. Aerial Photo with Power Lines
- 5. Email from Power Department

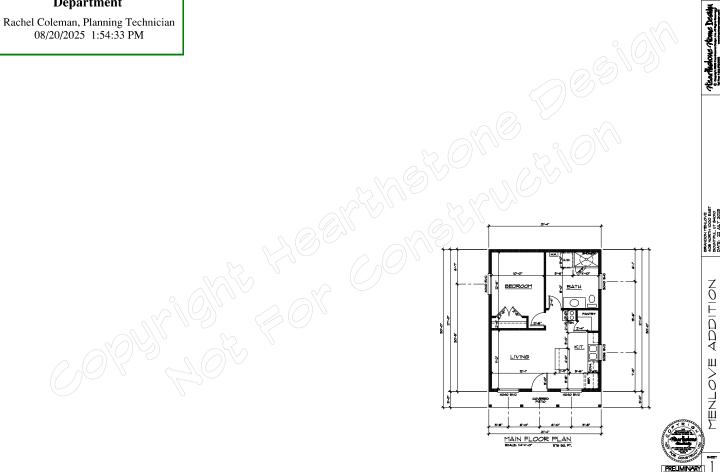
408 North 1000 East





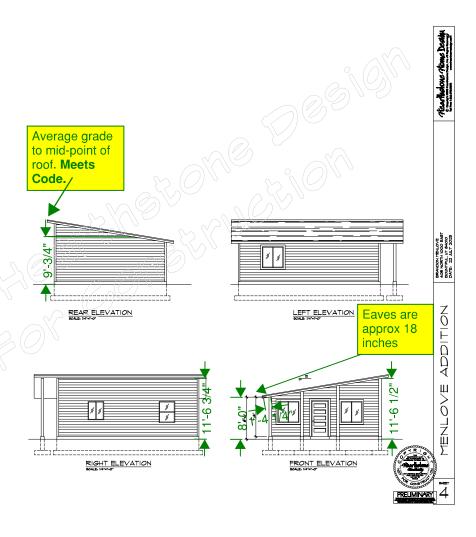
Attachments 2





Attachments 3











Brandon Menlove

 bmenlove25@gmail.com>

Updated setbacks

Luke Veigel <luke@bountiful.gov>

Tue, Aug 5, 2025 at 1:06 PM

To: Brandon Menlove

Special Company of the Company of

Brandon,

After measuring the high voltage line and relocating your ADU outside the utility easement. It looks like you have sufficient clearance and setbacks. Bountiful Power is good with the proposed designs.

Luke

From: Brandon Menlove bmenlove25@gmail.com

Sent: Thursday, July 31, 2025 1:41 PM **To:** Luke Veigel luke@bountiful.gov>

Subject: Updated setbacks

Luke, attached is the updated setbacks for the detached ADU let me know if you have any questions and when we can do a measurement and I'll try to coordinate having my electrician there as well. Thanks.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Administrative Committee Staff Report



Subject: Conditional Use Permit for a Home Occupation for

Residential Preschool at 1062 Arlington Way

Authors: Rachel Coleman, Planning Technician

Date: September 8, 2025

Background

The applicant, Megan Bowden, submitted a Conditional Use

Permit (CUP) for a Home Occupation – Residential Preschool at 1062 Arlington Way, located in the R-3 (Single-Family Residential) zone. Residential Preschools with nine (9) to twelve (12) children are listed as conditional use in the R3-Zone, which are reviewed by the Administrative Committee.

Analysis

The Administrative Committee shall determine if the proposed use meets the Land Use Code requirements, including residential daycare/group instruction requirements, covered in depth below.

Residential Daycare/Group Instruction Requirements

The proposed use and site meet the special conditions listed in the Code 14-17-106. Staff findings in underlined text are discussed below:

The following conditions shall apply only to Home Occupation Business Licenses for Residential Day Care or Group Instructions (including preschools), as defined by State Code:

- 1. The rear yard may be used for outside play area, or instruction where a swimming pool is involved.
 - The applicant's submittal indicates that outside playtime will take place within the fenced-in backyard of the residential dwelling.
- 2. Residential day care facilities shall comply with all regulations of the State of Utah and shall be licensed by the State. One additional person not residing in the dwelling may be

employed in the residential day care or group instruction where seven (7) or more children or people are involved.

The applicant has stated that she will be an instructor in the preschool, and that one (1) employee has been hired as a teacher during class times on school days.

3. Residential group instruction (preschools) shall be limited to no more than twelve (12) people in each session who are not residents of the home. There shall be no more than two (2) sessions per day and each session may not exceed four (4) hours. No child or student may attend more than one (1) session per day. Instruction of more than eight (8) individuals requires issuance of a Conditional Use Permit.

The applicant's submittal indicates that no more than twelve (12) kids will be in any one class. There will be no more than one (1) session per day, and each session will not exceed four (4) hours.

4. A minimum interior floor area of thirty-five (35) square feet and a minimum secured outdoor play area of forty (40) square feet per child shall be provided for residential day care facilities.

The preschool will include approximately 690 square feet of interior floor area and approximately 3,100 square feet of outdoor play space. These provisions are compliant with applicable code requirements. (See Floorplan with square footage below)

5. Total floor area used for residential day care or group instruction may be no more than fifty percent (50%) of the ground floor area of the residence.

The proposed preschool will use about 690 square feet inside the home. Since the home is about 2,000 square feet total, the preschool will occupy roughly thirty-five percent (35%) of the house.

Significant Impacts

Parking and Traffic

The applicant's submittal indicates that the proposed preschool will have minimal impact on surrounding residences. Operations will be limited to daytime hours, with consideration given to avoiding peak traffic periods on neighborhood roads.

The applicant's submittal indicates that the employee hired to be an instructor in the preschool will park off-street in the designated parking spot (*see Site Plan below*).

Traffic during drop-off and pick-up will be minimized. All vehicles can enter and exit without needing to back up, ensuring student safety and avoiding the use of neighboring driveways.

Some students live within walking distance, and several parents have organized carpools to help reduce traffic congestion and minimize safety concerns for nearby homes and residents.

Recommendation

Staff recommends that the Administrative Committee review the submitted application, hold a public hearing, and approve the requested Conditional Use Permit for Home Occupation – Preschool at 1062 Arlington Way subject to the following:

- 1. Comply with the Bountiful City Land Use Code 14-17-106 Special Conditions for Residential Day or Group Instruction.
- 3. The applicant shall maintain an active Bountiful City business license.
- 4. An annual inspection for continued compliance will be required for license renewal of all residential day care and group instruction business.

Attachments

- 1-2. Statement of Intent
- 3-4. Email Correspondence
- 5. Site Plan
- 6. Floorplan with square footage

TINY FOOTSTEPS PRESCHOOL, LLC

1. How does your proposed project fit in with the surrounding properties and uses?

We feel our business will be of value to the children surrounding our neighborhood, in addition to all of our students in general. Between teaching preschool at another location, as well as volunteering at my childrens' respective schools, it has been made aware to me by school faculty that there are noticeable benefits to children who attend a preschool vs. those who don't. That in and of itself, is a benefit to all those involved.

2. In what ways does the project not fit in with the surrounding properties and uses?

We have spoken with some of our neighbors regarding our plans and have received no backlash or resistance. This is a neighborhood that we moved to from our previous residence of 12 years for the following reasons: the neatness of the homes, yards and neighborhood unity. These are qualities which we plan to continue with not only in our personal lives, but our business as well.

3. What will you do to mitigate the potential conflicts with surrounding properties and uses?

See attatched photos:

- 1. Shows view directly out of our driveway. The street is wide enough to turn a vehicle around without the need to backup.
- 2. The view going SE on Arlington Way. Further up the street drivers could go either up or down Beverly Way or down Claremont Drive to eliminate any one street from excessive use.
- 3. View going down Arlington Way. If people were to use Arlington Circle to perform a turn around, they would come down this street.

Reviewed by Plannii Department

Attachment 2

- 4. If drivers went SE up Arlington Way and chose to come down Beverly Way, they would come to this "T" in the intersection, once again, giving multiple options for our students to enter or exit our business.
- 5. Traffic would mostly end up on 900 East. This view shows Mueller Park Jr. High in the distance. Drivers would go either North or South on this road.

There are a number of ways to enter and exit our business with no need to back up (for the safety of our students), there is also no need for the use of anyone's driveway. There are a few students who are within walking distance to our school, and a few of our parents have organized together to arrange carpool schedules to also minimize any traffic congestion or safety concerns to the surrounding homes and residents.

Thank you for your consideration,

Megan L. Bowden, Tiny Footsteps Preschool



Attachment 3

The following is the definition of PRESCHOOL found in 14-3-102:

PRESCHOOL: An educational facility operated on a residential premise, regularly providing an educational program of instruction for not more than twelve (12) children, including the operator's natural, adopted, or foster children less 3 - 21 Chapter 3 Definitions Ord 2025-12 than six (6) years of age, at any one time. Class shall include not more than twelve (12) children for more than four (4) hours a day and shall be operated between the hours of eight (8) a.m. and six (6) p.m. Instructors shall be licensed by the State of Utah and provide at least thirty-five (35) square feet of interior floor area and at least one hundred (100) square feet of secured outdoor play area per child. Such use shall be defined as a home occupation, conditional use for purposes of this Code and be in compliance with all city codes and regulations of such.

- 1. How many children will be attending the preschool at any one time?
- 2. Does the property owner have any children (natural, adopted or foster) less than six (6) years of age attending the preschool?
- 3. What times will the operation of business take place? (see above)
- 4. Are there at least forty (40) square feet of secured outdoor play area per child? (The 100 feet above applies to daycare facilties)
- 5. Who will be the instructors for the preschool? "One additional person not residing in the dwelling may be employed in the residential day care or group instruction where seven (7) or more children or people are involved." Bountiful City Land Use Code 14-17-106

From: Joseph Bowden < deweyphish@mac.com >

Sent: Wednesday, August 13, 2025 8:20 PM

To: Rachel Coleman < rcoleman@bountiful.gov

Subject: Re: Plan Review Summary

Hi Rachel,

Not sure if I need to retype this but here are the answers to your questions.

- 1. The maximum number of children at any given time is 12.
- 2. We have no children attending our school.
- 3. The hours of operation are 9 am-12 pm
- 4. Yes there is sufficient square footage in the play area in which a rendering has been submitted.

5. The instructors are Megan Bowden who resides at the aforementioned address. The second and only other person associated with our llc is Jennifer Munk who does not reside here.

Let me know if any other questions.

Thanks, Megan Bowden

From: Joseph Bowden <<u>deweyphish@mac.com</u>>

Sent: Thursday, August 14, 2025 2:37 PM

To: Rachel Coleman < rcoleman@bountiful.gov>

Subject: Re: Plan Review Summary

It will be 5 days a week

Monday, Wednesday and Friday will be (12) 4 year olds from 9am-12pm

Tuesday, Thursday will be (12) 3 year olds from 9am-12pm



Rachel Coleman, Planning Technician 08/18/2025 3:56:15 PM

See yellow box for planning review notes

This document contains the questions emailed to the applicant by the Planning Department, along with the applicant's responses.

Bountifu Attachment 5



Property Information

Owner BOWDEN, JOSEPH D & MEGAN L Address 1062 EAST ARLINGTON WY

Property ID 050520027



MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

Bountiful, Utah makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 5/2025

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



Rachel Coleman, Planning Technician 08/18/2025 12:28:36 PM

See yellow box for planning review notes

Attachment 6

