

**Bountiful City
Administrative Committee Minutes
January 7, 2019**

Present: Chairman – Chad Wilkinson; Committee Members – Brad Clawson and Dave Badham; Assistant Planner – Curtis Poole; Recording Secretary – Julie Holmgren

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:01 p.m. and introduced all present.

2. Consider approval of minutes for December 17, 2018.

Mr. Badham made a motion for approval of the minutes for December 17, 2018. Mr. Wilkinson seconded the motion.

 A Mr. Wilkinson
 Mr. Clawson (abstained)
 A Mr. Badham

Motion passed 2-0.

3. Consider approval of a Lot Line Adjustment at 122 Monarch Drive and 104 Monarch Drive, Terrance Holbrook and Steve Broderick, applicants.

Terrance Holbrook, applicant, was present.

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

The applicants are applying for a Lot Line Adjustment between their properties located at 122 Monarch Drive (Holbrook property), and 104 Monarch Drive (Broderick property). Both properties are located in the R-3 zone. The purpose of the adjustment is to memorialize a prior unauthorized boundary line adjustment which was not formalized with Bountiful City. The original lot line had a 7 foot public utility easement which ran on the Holbrook side of the property line between the two properties. The prior property line adjustment conveyed 1,548 square feet, shown on map as Adjustment Area A, from the Holbrook to the Broderick property; it also conveyed 2,081 square feet, shown on map as Adjustment Area B, from the Broderick to the Holbrook property. The adjustment brought the Broderick property to 19,194 square feet (approximately 0.44 acres) and the Holbrook property to 14,076 square feet (approximately 0.32 acres). No new lots were created in the conveyance; however, the utility easements were not adjusted and this is preventing construction of a detached accessory structure on the Holbrook property. The previously recorded utility easement (PUE) showing along the original property line will need to be released by the City Council.

1. No new lots were created in this conveyance so an amended subdivision plat will not be necessary.

2. Authorizing the prior property line adjustment is conditioned upon City Council approval of releasing the existing easements and creating the new utility easements shown on the property line adjustment plat.

Based on the above findings, Staff recommends approval of the lot line adjustment, with the following conditions:

1. Complete any redline corrections required on the plat
2. The approved lot line adjustment shall be recorded with Davis County.
3. Obtain City Council approval for an easement release and modification of the existing PUE, a recorded copy of which shall be placed in the City's building permit file.

Note: Approval of the property line adjustment by the City does not act as a conveyance of real property and appropriate conveyance documents must be prepared and recorded by the county.

Mr. Badham clarified that the easement was not being abolished but was being re-routed and would become part of the new property record. Mr. Wilkinson affirmed and stated that the lot line adjustment was to authorize an off-the-books lot line adjustment agreed upon several years ago between neighbors. Mr. Holbrook stated that he had obtained signatures on the Release of Easement.

Mr. Badham made a motion for approval of a Lot Line Adjustment at 122 Monarch Drive and 104 Monarch Drive, Terrance Holbrook and Steve Broderick, applicants. Mr. Clawson seconded the motion.

A Mr. Wilkinson
A Mr. Clawson
A Mr. Badham

Motion passed 3-0.

4. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for an Accessory Dwelling Unit at 224 East Bonneville Drive, Steve and Debbie Nielsen, applicants.**

Steve and Debbie Nielsen, applicants, were present.

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

The applicants are requesting approval of an Accessory Dwelling Unit as part of their new home construction. The proposed unit will contain a full kitchen, a living space, a utility room and two bedrooms and two bathrooms. The plans show there is an external entry to the Accessory Dwelling Unit which can be accessed from the west side of the proposed home.

According to City Code, 14-4-124, a Conditional Use Permit for Accessory Dwelling Units (ADU) is required and applicants shall meet all standards of the Code. The plans submitted

by the applicants show the proposed home is located in the R-3 Single-Family Residential zone and is a single-family dwelling and will be maintained as such by the applicants. There will be only one ADU and there will only be one utility connection located at this property. The ADU will be 1,195 square feet of the proposed 6,675 square foot total living area at this residence, which is less than the 40% standard in the Code. The proposed primary structure meets all of the setback and lot building square footage requirements. 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 the interior of the existing home (through the garage and through a doorway connecting it to the primary residence), or through the side entrance, it will have the appearance of a single-family dwelling and will have minimal impact on the neighboring properties.

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

1. The principal owner(s) of the property must occupy the primary structure.
2. The entrance to the ADU must be located on the side or rear of the home and not facing the street in order to maintain the appearance of a single-family home.
3. The property is to be used only as a single-family use and shall be subject to a deed restriction.
4. There will be no separate utility service connections
5. The ADU shall meet all the criteria in 14-14-124 of the city Land Use Ordinance
6. The Conditional Use Permit is solely for this property and is non-transferable.
7. The plans be redlined to remove the garage wall.

PUBLIC HEARING: Mr. Wilkinson opened and closed the Public Hearing at 5:14 p.m. with no comments from the public.

Mr. Wilkinson expressed concern that the ADU not become a duplex use and suggested that the plans be revised to remove the internal wall between units in the garage in order that the project function as one unit. Mr. Wilkinson noted that changes had already been made on the original plans to relocate a door from the front to the side and to remove a kitchen in the basement. Mr. Wilkinson explained that the city has to be very careful about approving projects that have the appearance of multiple units. Mr. Badham asked if the wall in the garage was structural, and Mr. Nielsen stated that it was not. Mr. Badham noted that if the door was moved, the project won't appear as a duplex and stated that he agreed with Mr. Wilkinson's statement regarding the garage wall. Mr. Badham inquired regarding where the lot flattens out, and Mr. Nielsen stated that it flattens at the bottom. Mr. Wilkinson addressed that there was previously an issue with the driveway, and Mr. Nielsen stated that the driveway plans had been changed.

Mr. Wilkinson made a motion for approval of a Conditional Use Permit to allow for an Accessory Dwelling Unit at 224 East Bonneville Drive, Steve and Debbie Nielsen, applicants, with an additional condition that the plans be redlined to remove the garage wall. Mr. Badham seconded the motion.

A Mr. Wilkinson
A Mr. Clawson
A Mr. Badham

Motion passed 3-0.

5. Miscellaneous business and scheduling.

Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:21 p.m.



Chad Wilkinson, City Planner