

ADMINISTRATIVE COMMITTEE

Monday, March 26, 2018

5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold its regular meeting in the Conference Room at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the Americans with Disabilities Act may request an accommodation by contacting the Bountiful City Planning Office at (801) 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

AGENDA

1. Welcome and Introductions.
2. Consider approval of minutes for March 12, 2018.
3. Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 449 West 3100 South, Kent Gines, applicant.
4. Miscellaneous business and scheduling.



Chad Wilkinson, City Planner

Pending minutes have not yet been approved by the Administrative Committee and are subject to change until final approval has been made.

**Bountiful City
Administrative Committee Minutes
March 12, 2018**

Present: Chairman – Chad Wilkinson; Committee Member – Lloyd Cheney; Assistant Planner – Kendall Black; Recording Secretary – Darlene Baetz

Excused: Committee Member – Beth Holbrook

1. Welcome and Introductions.

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

2. Consider approval of minutes for February 12, 2018.

Mr. Cheney made a motion for approval of the minutes for February 12, 2018. Mr. Wilkinson seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney

Motion passed 2-0.

3. Consider approval of a Lot Line Adjustment at 3067 South 100 West and 3075 South 100 West, Dixie M. Stirling and Phillip D. Miller & Megan Huston, applicants.

Phillip Miller and Megan Huston, applicants, were present.

Mr. Black noted that the staff report originally included in the meeting packet contained a few errors (specifically, the adjustment will transfer property from Lot 1 to Lot 23 and no release of easement will be required). Mr. Black presented a summary of the staff report (the full corrected staff report follows).

The applicants are applying for a Lot Line Adjustment between their properties at 3067 S 100 W and 3075 S 100 W in Bountiful, Utah. The property at 3067 S 100 W includes a parcel identified as Parcel #01-028-0002, otherwise known as Lot 23, Block 1, of Val Verda Plat A. The property at 3075 S 100 W includes a parcel identified as Parcel #01-416-0003, otherwise known as Lot 1 of the Jenna Rae Subdivision. Both properties are located in the R-4 Residential Zone.

The adjustment will transfer approximately 317 square feet (.007 acres) from Lot 1 to Lot 23. This will bring Lot 23 to a total of area of approximately 18,176.6 square feet (.417 acres) and Lot 1 to approximately 8,395 square feet (.193 acres). The purpose of the property line adjustment is to adjust the common boundary between the two parcels to match the existing fence line between the properties.

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1. No new lots are being created in this transfer so this does not need to be an amended subdivision plat.

Based on findings, Staff recommends approval for a lot line adjustment, with the following conditions:

1. The approved lot line adjustment shall be recorded with Davis County.

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. Cheney made a motion for approval of a Lot Line Adjustment at 3067 South 100 West and 3075 South 100 West, Dixie M. Stirling and Phillip D. Miller & Megan Huston, applicants, as outlined by staff. Mr. Wilkinson seconded the motion. Mr. Wilkinson noted that the applicants will need to execute and record the proper conveyance documents.

A Mr. Wilkinson
A Mr. Cheney

Motion passed 2-0.

4. **Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 28 East North Canyon Road, Jodi Crawley, applicant.**

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 28 East North Canyon Road, Jodi Crawley, applicant. Mr. Wilkinson seconded the motion.

A Mr. Wilkinson
A Mr. Cheney

Motion passed 2-0.

5. **Miscellaneous business and scheduling.**

Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:07 p.m.

Chad Wilkinson, City Planner



MAYOR
RANDY LEWIS

CITY COUNCIL
RICHARD HIGGINSON
BETH HOLBROOK
JOHN M. (MARC) KNIGHT
KENDALYN HARRIS
CHRIS R. SIMONSEN

CITY MANAGER
GARY R. HILL

Memo

Date: March 19, 2018
To: Administrative Committee
From: Kendal Black, Assistant Planner
Re: Staff Report for the Administrative Committee Meeting on Monday, March 26, 2018

Overview

3. **PUBLIC HEARING** - Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 449 W 3100 S, Kent Gines, applicant.

Background

The property where the Home Occupation Business is proposed is located in the R-4 Single Family Zone. Home Occupation Contractor Businesses in this zone are classified in the City Ordinance as requiring a Conditional Use Permit.

Findings

The application submitted indicates that the property will be used for the offices of a construction business. The applicant indicated that a truck used for the business will be parked at the home in the garage. The applicant has indicated that the existing commercial dumpster will be removed within a week. The applicant has indicated that 300 square feet of the garage will be used to park his truck and store all hands tools, compressors, and generators for the business. The applicant has indicated that 90 square feet of the home will be used as an office for a future, part-time secretary and that 60 square feet of the business will be used as a small office for the applicant. The total area of the business inside the home will not exceed 300 square feet. The applicant has acknowledged that there will be no signage advertising the business on site. Approximately 8% of the home will be used for the business. The use appears to be incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

Staff Recommendation

Based on the findings, staff has determined that 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 applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, fumes, glare, traffic, etc.).

3. No work, other than office related operations, will be performed at this site.
4. No commercial dumpster, trailer, or any other storage receptacle will be used for the storage or disposal of job-related debris at the home.
5. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
6. The Conditional Use Permit is solely for this site and is non-transferable.
7. The garage shall not be used for storage of construction materials, associated with the Home Occupation.

Bountiful Land Use Ordinance

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 discernible 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 Ordinance 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 Ordinance as it may be amended from time to time.

449 W 3100 S



Google Maps 449 W 3100 S



Imagery ©2018 Google, Map data ©2018 Google 20 ft



6' x 15' (A)
 SMALL OFFICE FOR
 SECURITY - DU BACK PART
 OF HOUSE - HOLD TO
 LOCATE - (UNDER BIG POPE
 TREE)

(B) - SMALL OFFICE
 IN BASEMENT - 6x10'

(C) - MIDDLE BOY OF
 BACK GARAGE - APPROX
 10' x 30' - TO PARK SERVICE
 TRUCK AND STORE
 HAND TOOLS - (SAW, DEGRUS
 HEATER, AIR COMPRESSOR)
 (SEE LIST OF TOOLS)

Hdi Glass
 449 W 3100 S
 Bountiful, UT 84010

Dumpster will be gone
 within a week.

You visited 2 months ago



At this location



For Office Use Only

Date Rec'd 3-12-18

Application Fee \$50.00 _____

Zone _____

Adm - 3/24

CONDITIONAL USE PERMIT APPLICATION
(For Home Occupation - Contractors, Construction & Landscaping, Lawn Care or Snow Removal)

Date of Submittal: 3/7/18

Property Address: 449 W. 3100 S.

Applicant Name: KENT GIBBS

Applicant Address: 449 W. 3100 S.

Applicant Phone #: 385-313-7657

Applicant E-Mail: HD26GLASS@gmail.com

Authorization (Owner Signature): [Signature]

(If applicant is not owner, applicant must submit notarized authorization from all property owners)

Project Name and Description: GLASS AND WINDOW SHOP

Please respond to the following questions (per Land Use Code Section 14-17-105):

- What tools/equipment/materials will be used for the business, and where will they be stored? TRUCK - CONSTRUCTION EQUIPMENT / SAWS, DRILLS, SOME GLASS - / SOME WINDOWS IN GARAGE (BACK)
- Will you use any vehicles for the business? If so, please indicate on your site plan where the vehicle(s) will be parked. BACK 3 CAR GARAGE
- How much of the home will be used for the business (percentage)? Please note that area on your site plan. 15% (BACKYARD / BACK GARAGE) / SMALL OFFICE IN BACK OF HOME / SMALL OFFICE IN BASEMENT.
- Are there any employees (besides those living at the home) who will be involved in the business? MAYBE A SECRETARY (PART TIME)

The application must be signed and notarized by each property owner or authorized agent(s).

Property Owners Affidavit

I (we) Joyce Ann Maughan, being first duly sworn, depose and say that I (we) am (are) the current owner(s) of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my (our) personal knowledge.

Joyce Ann Maughan
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)
 §
County of Davis)

Subscribed and sworn to before me this 12 day of MARCH, 2018.

Notary Public: J. J. [Signature]



Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Bountiful City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize the aforementioned agent to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)
 §
County of Davis)

On the ____ day of _____, 20____, personally appeared before me _____ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public: _____