

ADMINISTRATIVE COMMITTEE

Monday, February 12, 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 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 February 5, 2018.
3. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 28 East North Canyon Road, Jodi Crawley, applicant.
4. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 397 West 800 South, Damon Garner, applicant.
5. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 295 East 1650 South, Cameron Kent, applicant.
6. Miscellaneous business and scheduling.



Chad Wilkinson, City Planner

**Bountiful City
Administrative Committee Minutes
February 5, 2018**

Present: Chairman – Chad Wilkinson; Committee Members – Lloyd Cheney and Beth Holbrook; Assistant Planner – Browne Sebright; Recording Secretary – Julie Holmgren

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:01 p.m., welcomed new committee member Beth Holbrook, and introduced all present.

2. Consider approval of minutes for January 8, 2018.

Mr. Cheney made a motion for approval of the minutes for January 8, 2018. Mr. Wilkinson seconded the motion.

<u> A </u>	Mr. Wilkinson
<u> A </u>	Mr. Cheney
—	Ms. Holbrook (abstained)

Motion passed 2-0.

3. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 397 West 800 South, Damon Garner, applicant.

Damon Garner, applicant, was present. Several of Mr. Garner’s neighbors were present – none of them chose to comment during the Public Hearing.

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

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

The application submitted indicates that the property will be used for the office of a handyman business. The applicant indicated that a personal vehicle used for the business will be parked on the driveway. The applicant will store his tools in the vehicle, including screwdrivers, saws, hammers and wrenches. The applicant has indicated that 5% of the home will be used for the business for administrative duties including filing cabinets and electronic storage. The applicant has indicated that there will be no employees on site. The applicant has acknowledged that no work may be performed on site and there will be no signage advertising the business on site. 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.

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

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. 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.
4. The Conditional Use Permit is solely for this site and is non-transferable.
5. No work, other than office related operations, will be performed at this site.

Mr. Sebright explained that one of Mr. Garner's neighbors submitted an email expressing concern regarding the conditional use permit. Mr. Sebright shared the letter with the committee in which concerns were outlined regarding street parking, reckless driving and the concept of conducting business in a residential neighborhood. Mr. Sebright noted that he communicated with the neighbor and explained the restrictions which would be placed on the home occupation business. The neighbor then expressed that he felt satisfied regarding the matter.

PUBLIC HEARING: Mr. Wilkinson opened and closed the Public Hearing at 5:05 p.m. with no comments from the public.

Mr. Wilkinson explained that one of the reasons for a public hearing is to give neighbors the opportunity to express concerns. He emphasized the importance of adhering to the code regarding home occupation businesses, especially regarding equipment and employees. Mr. Wilkinson noted that a conditional use permit can be revoked for non-adherence to the code. Mr. Garner noted that he has no intention to advertise except with magnetic vehicle signs. Mr. Wilkinson explained that all vehicles should be parked on a paved surface and off the street. Mr. Cheney noted that if the business expands and a trailer is utilized, there are requirements the applicant would need to be aware of regarding the use of trailers.

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 397 West 800 South, Damon Garner, applicant. Ms. Holbrook seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
 A Ms. Holbrook

Motion passed 3-0.

4. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 295 East 1650 South, Cameron Kent, applicant.**

Cameron Kent, applicant, was present.

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

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

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

The application submitted indicates that the property will be used for the office of a general contractor business. The applicant indicated that a personal vehicle used for the business will be parked on the driveway. The applicant has indicated that approximately 20% of the home (230 square feet) will be used for the business for an office and storage for hand tools. The applicant has indicated that there will be no employees on site. The applicant has acknowledged that no work may be performed on site and there will be no signage advertising the business on site. 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.

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. 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.
4. The Conditional Use Permit is solely for this site and is non-transferable.
5. No work, other than office related operations, will be performed at this site.

Mr. Kent noted that he had recently changed from a handyman to a general contractor business, and the change necessitated the conditional use permit.

PUBLIC HEARING: Mr. Wilkinson opened and closed the Public Hearing at 5:11 p.m. with no comments from the public.

Mr. Wilkinson explained that the idea behind a home occupation business is that it remain fairly invisible to the public. Mr. Kent noted that he would not have any advertising signs or employees.

Ms. Holbrook made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 295 East 1650 South, Cameron Kent, applicant. Mr. Cheney seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
 A Ms. Holbrook

Motion passed 3-0.

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

5. **Consider approval of a Conditional Use Permit, in written form, to allow an Accessory Building exceeding 10% of the lot area at 55 West 700 North, Brent and Kathy Vodopich, applicants.**

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow an Accessory Building exceeding 10% of the lot area at 55 West 700 North, Brent and Kathy Vodopich, applicants. Mr. Wilkinson seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Ms. Holbrook

Motion passed 3-0.

6. **Consider approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 1261 Cassidy Circle, Jeremy and Erin-Leigh Hess, applicants.**

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 1261 Cassidy Circle, Jeremy and Erin-Leigh Hess, applicants. Mr. Wilkinson seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Ms. Holbrook

Motion passed 3-0.

7. **Miscellaneous business and scheduling.**

Mr. Wilkinson noted that the next meeting will be February 12, 2018 and ascertained there were no further items of business. The meeting was adjourned at 5:15 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: February 6, 2018
To: Administrative Committee
From: Browne Sebright, Assistant Planner
Re: Staff Report for the Administrative Committee Meeting on Monday, February 12, 2018

Overview

3. PUBLIC HEARING - Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 28 E North Canyon Road, Jodi Crawley, applicant.

Background

The property where the Home Occupation Business is proposed is located in the R-4 Residential 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 to keep paperwork for a home renovation business. The applicant has previously been granted a conditional use permit for the same business at a previous address and has since moved. This application is to continue that business at this new address. The applicant uses a pickup truck for the business, which will be parked at the jobsite and not at the home. All tools and equipment will also be stored on the jobsite and not at the residence and will be moved from jobsite to jobsite. There will be no employees or customers on site. The applicant has indicated that no work will be performed on site and that there will be no signage advertising the business. A space of approximately 150 square feet of the home will be used as an office. 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. 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.
4. The Conditional Use Permit is solely for this site and is non-transferable.
5. No work, other than office related operations, will be performed at this site.

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.

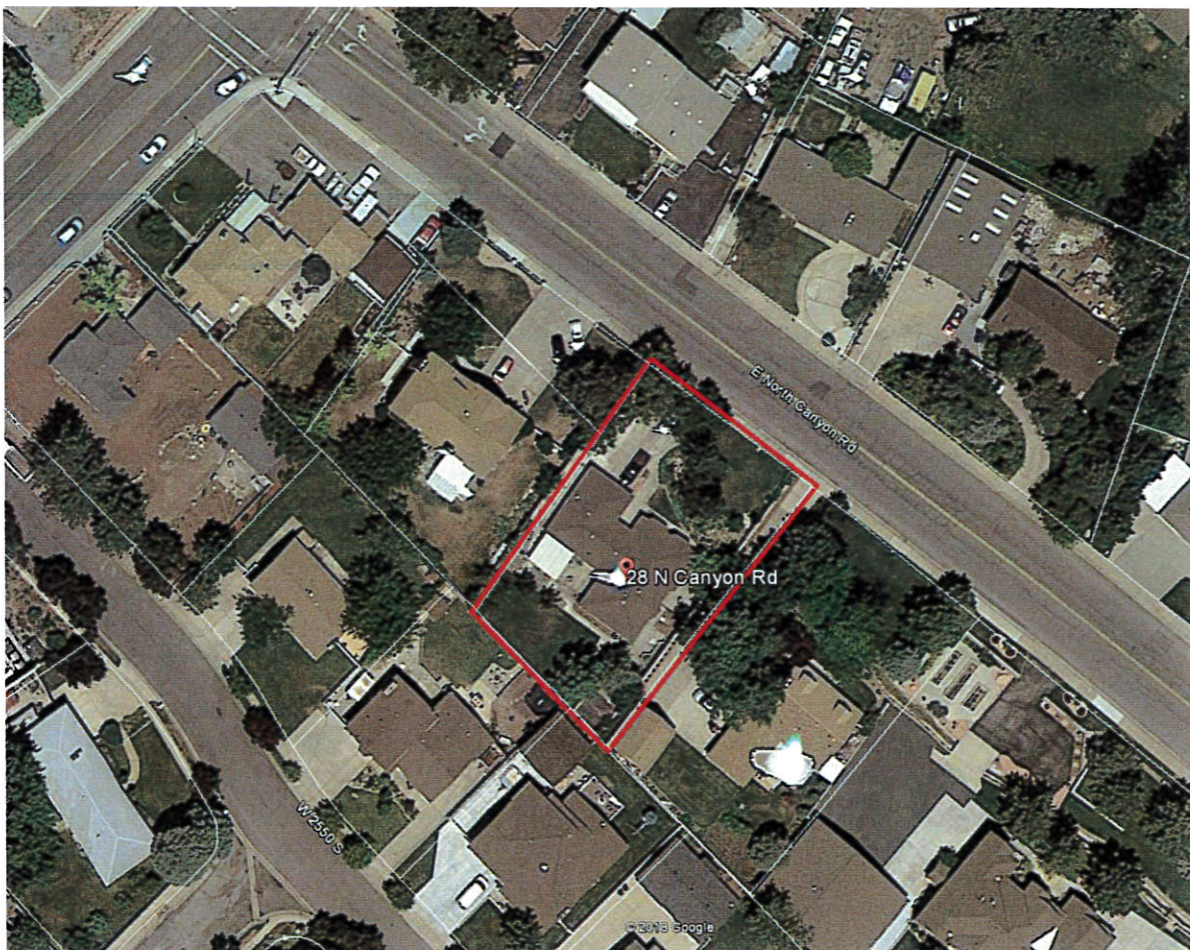
14-17-108 HOME OCCUPATION CONDITIONAL USES

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.

28 E North Canyon Road





Feb. 12

For Office Use Only

Date Rec'd _____

Application \$ _____

Zone _____

CONDITIONAL USE PERMIT APPLICATION

Date of Submittal: Feb, 1, 2018

Property Address: 28 E North Canyon Rd

Applicant Name: Jodi Crawley

Applicant Address: Same

Applicant Phone #: 801-510-8534

Applicant E-Mail: jrcrawley@jobindustrial.com

Authorization (Owner Signature): Jodi Crawley

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

Project Name and Description: Crawley Home Renovation
Home Address, place of business to keep paperwork.

PER 2/6/18 PHONE CALL W/ JODI, ALL INFORMATION FROM PREVIOUS APPLICATION IS THE SAME AT THIS NEW ADDRESS.

Committee

- Administrative Committee \$50.00 (application fee)
Planning Commission \$250.00 (application fee)

The Site Plan Review Committee will review complete applications prior to review by the Planning Commission.

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

Property Owners Affidavit

I (we) Jodi & Jake Crawley, 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.

Jodi Crawley
Owner's Signature

Jake L Crawley
Owner's Signature (co-owner if any)

State of Utah)
County of Davis)

Subscribed and sworn to before me this 26 day of January, 2018.

Notary Public: Kristine Barkdull



Agent Authorization

I (we), Jodi & Jake Crawley, the owner(s) of the real property located at 28 E North Canyon Rd in Bountiful City, Utah, do hereby appoint Jodi Crawley, 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.

Jodi Crawley
Owner's Signature

Jake L Crawley
Owner's Signature (co-owner if any)

State of Utah)
County of Davis)

On the 26 day of January, 2018, personally appeared before me Jodi & Jake Crawley the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public: Kristine Barkdull





North Canyon

28 N Canyon Rd

Google

Landsat / Copernicus Data SIO, NOAA, U.S. Navy



RANDY C. LEWIS
MAYOR

CITY COUNCIL
Kendalyn Harris
Richard Higginson
Beth Holbrook
John Marc Knight
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

Bountiful City, Utah Conditional Use Permit

A public hearing was held on February 5, 2018, at Bountiful City Hall to consider the request of Damon Garner, for a Conditional Use Permit allowing a Home Occupation Contractor Business at the following location:

397 West 800 South, Bountiful City, Davis County, Utah

ALL OF LOT 33, BOUNTIFUL PARK SUB NO 1. CONT. 0.153 ACRES.

Parcel 03-070-0033

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 to operate a contractor business meets the letter and the intent of the specific requirements in §14-17 et seq. (Conditional Use Permit provisions) of the Bountiful City Land Use Ordinance.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for Damon Garner to operate a contractor business located at 397 West 800 South, in Bountiful, Davis County, Utah, 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. 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.
4. The Conditional Use Permit is solely for this site and is non-transferable.
5. No work, other than office related operations, will be performed at this site.

The Conditional Use Permit was approved on February 5, 2018, and this written form was approved this 12th day of February, 2018.

Chad Wilkinson
Planning Director

ATTEST: Julie Holmgren
Recording Secretary



RANDY C. LEWIS
MAYOR

CITY COUNCIL
Kendalyn Harris
Richard Higginson
Beth Holbrook
John Marc Knight
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

Bountiful City, Utah Conditional Use Permit

A public hearing was held on February 5, 2018, at Bountiful City Hall to consider the request of Cameron Kent, for a Conditional Use Permit allowing a Home Occupation Contractor Business at the following location:

295 East 1650 South, Bountiful City, Davis County, Utah

ALL OF LOT 21, OAK HAVEN VILLAGE SUB AMD. CONT. 0.17 ACRES.

Parcel 03-101-0021

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 to operate a contractor business meets the letter and the intent of the specific requirements in §14-17 et seq. (Conditional Use Permit provisions) of the Bountiful City Land Use Ordinance.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for Cameron Kent to operate a contractor business located at 295 East 1650 South, in Bountiful, Davis County, Utah, 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. 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.
4. The Conditional Use Permit is solely for this site and is non-transferable.
5. No work, other than office related operations, will be performed at this site.

The Conditional Use Permit was approved on February 5, 2018, and this written form was approved this 12th day of February, 2018.

Chad Wilkinson
Planning Director

ATTEST: Julie Holmgren
Recording Secretary