

ADMINISTRATIVE COMMITTEE

Monday, June 25, 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 June 4, 2018.
3. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor and Landscaping Business at 2960 South Maple Cove Lane, Jacob Stout, applicant.
4. Miscellaneous business and scheduling.



Chad Wilkinson, City Planner

**Bountiful City
Administrative Committee Minutes
June 4, 2018**

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

1. Welcome and Introductions.

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

2. Consider approval of minutes for May 21, 2018.

Ms. Holbrook made a motion for approval of the minutes for May 21, 2018. Mr. Cheney seconded the motion.

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

Motion passed 3-0.

3. Consider approval of a Lot Line Adjustment at 3055 South 600 West and 578 West 3100 South, Miriam Beattie and Victor & Courtney Southwick, applicants.

The applicants were not present.

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

The applicants are applying for a Lot Line Adjustment between their properties at 3055 S 600 W (Beattie property) and 578 W 3100 S (Southwick property) in Bountiful, Utah. Both properties are located in the R-4 Single-Family 4 Units/Acre Zone. The purpose of the property line adjustment is to convey 7,197 square feet (0.1652 acres) of Parcel B from the Southwick property north to the Beattie property, bringing the Southwick property and Parcel B to a total of 9,733 square feet (0.2234 acres) and bringing the Beattie Property to 13,547 square feet (.331 acres). The lot line adjustment does not create a new lot.

1. No new lots are being created in this transfer so this does not need to be an amended subdivision plat.
2. The proposed home on the Beattie property will impact an existing public utility easement. The owner of lot will be required to obtain a release of easement in order to construct the home in this location. The applicants have proposed to relinquish 5' of the existing easement on the west and add an additional 10' to the east. This configuration will not affect the existing utilities in the easement and will accommodate the proposed footprint of the proposed home.

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

Based on findings, Staff recommends approval for a 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. Prior to issuance of a building permit for the new home on the Beattie property, obtain an easement release and modification for the existing PUE.

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. Wilkinson noted that this lot line adjustment will clean up an unauthorized lot line adjustment from several years ago. Mr. Cheney pointed out the red line notations. Ms. Holbrook inquired regarding impacts on underground utilities. Mr. Wilkinson noted that there would be no impacts but there would need to be an easement release. Mr. Cheney noted that the power is overhead and will have to be moved. Mr. Cheney expressed concern regarding the easement and noted that there could be future easement problems that will have to be dealt with as needed. A discussion ensued regarding the easement and the committee examined the plat to clarify their understanding.

Mr. Cheney made a motion for approval of a Lot Line Adjustment at 3055 South 600 West and 578 West 3100 South, Miriam Beattie and Victor & Courtney Southwick, applicants, with the conditions outlined by staff and with an amended condition that the city receive a copy of the recorded easement to be placed in the building permit file for this home. Ms. Holbrook seconded the motion.

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

Motion passed 3-0.

4. **Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 240 West 400 North, Shawn Dee Petersen, applicant.**

Ms. Holbrook asked if Mr. Petersen had moved the vehicle which had been parked on an unpaved surface. Mr. Wilkinson indicated that the vehicle had been moved. Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 240 West 400 North, Shawn Dee Petersen, applicant. Ms. Holbrook 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. **Miscellaneous business and scheduling.**

Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:10 p.m.

Chad Wilkinson, City Planner

Pending



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: June 19, 2018
To: Administrative Committee
From: Browne Sebright, Assistant Planner
Re: Staff Report for the Administrative Committee Meeting on Monday, June 25, 2018

Overview

3. **PUBLIC HEARING** - Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor/Landscaping Business at 2960 S. Maple Cove Ln, Jacob Stout, applicant.

Background

The property where the Home Occupation Business is proposed is located in the R-F Single Family Zone. Home Occupation Landscaping 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 a property maintenance, yard maintenance and landscaping company. The applicant will use their personal truck for the business, which will be parked in the driveway of the home. The applicant has indicated that lawn mowers, trimmers and shovels will be stored in a trailer which will also be parked in the driveway of the home. The applicant indicated that there will some labor help involved in the business, but that there will not be employees or customers on site, that no work will be performed on site and that there will be no signage advertising the business on site.

Approximately 5% 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. 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.

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.

2960 S Maple Cove Lane





For Office Use Only	
Date Rec'd	<u>6-12-18</u>
Application Fee	<u>\$50.00</u>
Zone	_____

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

Date of Submittal: June 8th, 2018

Property Address: 2960 S. Maple Cove Lane

Applicant Name: Jacob Stout

Applicant Address: 2960 S. Maple Cove Lane

Applicant Phone #: 385 499 2560

Applicant E-Mail: proviewutah@gmail.com

Authorization (Owner Signature): [Signature]

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

Project Name and Description: Pro View Property Maintenance, Yard Maintenance } Landscaping Company

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? Lawn Mowers, trimmers, shovels, trailers
All stored in trailer
- > Will you use any vehicles for the business? If so, please indicate on your site plan where the vehicle(s) will be parked. Yes, 1 truck
- > How much of the home will be used for the business (percentage)? Please note that area on your site plan. 5%
- > Are there any employees (besides those living at the home) who will be involved in the business? Yes, labor help

50.00 Transaction Amounts
50.00 Payment Amounts
Department of Planning and Economic Development
790 South 100 East • Bountiful, Utah 84010
Phone 801.298.6190
Miscellaneous - 6060 - 2018
Bountiful City

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

Property Owners Affidavit

I (we) James Stout, Rebecca Stout, 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.

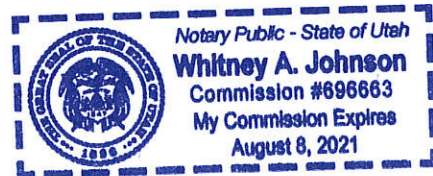
[Signature]
Owner's Signature

[Signature]
Owner's Signature (co-owner if any)

State of Utah)
County of Davis)

Subscribed and sworn to before me this 8 day of June, 2018.

Notary Public: Whitney A. Johnson



Agent Authorization

I (we), James Stout, Rebecca Stout, the owner(s) of the real property located at 2960 S. Maple Cove Lane, in Bountiful City, Utah, do hereby appoint Jacob Stout, 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.

[Signature]
Owner's Signature

[Signature]
Owner's Signature (co-owner if any)

State of Utah)
County of Davis)

On the 8 day of June, 2018, personally appeared before me James and Rebecca Stout the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public: Whitney A. Johnson



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