

ADMINISTRATIVE COMMITTEE

Monday, October 22, 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 October 8, 2018.
3. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for an Accessory Structure exceeding 10% of lot or parcel area at 150 West 1950 South, Wade and Cindy Longman, applicants.
4. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 1221 South 400 East, Ian Cutler, applicant.
5. Miscellaneous business and scheduling.



Chad Wilkinson, City Planner

**Bountiful City
Administrative Committee Minutes
October 8, 2018**

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

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:02 p.m. and introduced all present.

2. Consider approval of minutes for September 10, 2018.

Mr. Cheney made a motion for approval of the minutes for September 10, 2018. Mr. Wilkinson seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
____ Mr. Badham (abstained)

Motion passed 2-0.

3. Consider approval of a Lot Line Adjustment at 879 East San Simeon and 2262 South 900 East, Darren & Natalie Brown and Jana W. Spangenberg, applicants.

Jana Spangenberg, applicant, was present. Dan Spangenberg was also 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 at 879 East San Simeon Way (Brown property), shown as the South Parcel on the Boundary Survey plan, and 2262 South 900 East (Spangenberg property), shown as the North Parcel, in Bountiful, Utah. Both properties are located in the R-4 zone. The purpose of the property line adjustment is to convey 5,021 square feet (0.115 acres), shown as Parcel A, from the Brown property to the Spangenberg property. The conveyance of Parcel A will bring the Brown property to 13,590 square feet (0.312 acres) and will bring the Spangenberg property to 14,331 square feet (0.329 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. No new building permits have been issued or proposed for the newly created lot.

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

1. Complete any redline corrections required on the plat.

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

2. 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. Wilkinson noted there are no redlines. He also emphasized that the committee's approval is for the lot line adjustment, but the applicants will need to prepare appropriate deeds and record them with the county. Mr. Spangenberg asked how the county would know about the lot line approval. Mr. Wilkinson explained that the city would provide a written approval to the county. Mr. Spangenberg also inquired regarding notifying authorities of the legal ownership of the property. Mr. Wilkinson directed Mr. Spangenberg to a land use attorney and to the county for an answer to this question.

Mr. Cheney made a motion for approval of a Lot Line Adjustment at 879 East San Simeon and 2262 South 900 East, Darren & Natalie Brown and Jana W. Spangenberg, applicants. Mr. Badham seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Badham

Motion passed 3-0.

4. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 1221 South 400 East, Ian Cutler, applicant.

Ian Cutler, applicant, was present.

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

The property for the proposed Home Occupation request is located in the R-4 Zone. Home Occupations in this zone are permitted in the City Code, 14-4-103, as requiring a Conditional Use Permit.

The application submitted by the applicant indicates the property will be used to operate a heating and cooling services business for commercial and residential properties. The applicant will use 40 square feet in the garage to store ductwork incidental to the business, one service van containing tools, which will be parked in the driveway, and will use one room in the home as the business office. The applicant indicates all tools and supplies will be stored in the van or in the garage. Approximately 10% of the home will be used as office space for the business. There will only be one employee involved with the business, the applicant. The office space will only be used for billing and general office work. Less than 50% of the home will be used for the business and does appear incidental and secondary to the use of the dwelling and the home occupation 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 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 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, odors, noxious 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.

The committee examined a Google Earth view of the property, and Mr. Cutler identified where he would park his business vehicle. Mr. Wilkinson explained that the code requires two covered parking spaces, and Mr. Cutler noted there is room in his garage for two vehicles. Mr. Cheney noted a potential issue with products or commodities being stored on-site, and Mr. Wilkinson clarified that the use of duct products associated with this business would be allowed. Mr. Badham inquired regarding the ductwork fabrication and how it would be delivered. He expressed concern regarding a home occupation business for this type of business. A discussion ensued, and Mr. Cutler explained that most of his work involves on-site service and repairs, and on the occasion when he stores ductwork for a job, the product would only be stored in his garage for a few days.

PUBLIC HEARING: Mr. Wilkinson opened the Public Hearing at 5:15 p.m. Stephanie Cutler (1221 South 400 East) expressed support of the proposed business. The Public Hearing was closed at 5:16 p.m.

Mr. Wilkinson reiterated that the garage not be used for storage other than as set forth by the applicant and outlined in the staff report (i.e. 40 square feet of garage space to be utilized to store ductwork incidental to the business). Mr. Badham expressed his concern that the business might grow beyond the scope of a home occupation business and encouraged Mr. Cutler to remain aware of the conditions placed on his business.

Mr. Badham made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 1221 South 400 East, Ian Cutler, applicant. Mr. Cheney seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
 A Mr. Badham

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 for an Accessory Dwelling Unit at 603 North 1200 East, Nate Wheatley, applicant.

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 603 North 1200 East, Nate Wheatley, applicant. Mr. Badham seconded the motion.

- A Mr. Wilkinson
- A Mr. Cheney
- A Mr. Badham

Motion passed 3-0.

6. Consider approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 1581 Stone Hollow Drive, William Low, applicant.

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 1581 Stone Hollow Drive, William Low, applicant. Mr. Badham seconded the motion.

- A Mr. Wilkinson
- A Mr. Cheney
- A Mr. Badham

Motion passed 3-0.

7. Miscellaneous business and scheduling.

Mr. Wilkinson announced the next meeting would be held on October 22, 2018. He ascertained there were no further items of business. The meeting was adjourned at 5:21 p.m.

Chad Wilkinson, City Planner



RANDY C. LEWIS
MAYOR

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

CITY MANAGER
Gary R. Hill

Memo

Date: October 16, 2018
To: Administrative Committee
From: Curtis Poole, Assistant Planner
Re: Staff Report for the Administrative Committee Meeting on Monday, October 22, 2018

Overview

3. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for an Accessory Structure exceeding 10% of the lot or parcel area at 150 West 1950 South, Wade and Cindy Longman, applicants.

Background

The applicants are applying for a Conditional Use Permit for the purpose of building an accessory structure which will serve as a garage. The proposed structure will exceed the 10% permitted lot coverage for accessory structures. City Code 14-4-105 §J-2 states accessory structures exceeding 10% of lot coverage may be allowed as a Conditional Use.

Findings

The applicant's property is located in the R-4, Single Family Residential zone. The lot is 8,851 square feet (.203 acres) and the home on the lot was built in 1958. The proposed accessory structure is a detached two-car garage measuring 34 feet by 38 feet (1,292 square feet), and covers 14.6% of the total lot area. The proposed structure does not exceed 15% maximum allowed as a Conditional Use. The plans submitted by the applicants for the proposed accessory structure meet all set back standards as required by City Code. Also, the plans do not show any windows or openings on the west of the structure which would open towards the neighboring property.

Staff Recommendation

Based on the above findings, Staff has determined the applicants would comply with requirements of the Conditional Use Permit and recommends approval, with the following conditions:

1. The Accessory Structure shall meet all standards of City Code 14-4-105.
2. The applicants shall obtain a building permit.
3. The applicants shall follow all IBC building codes.
4. The Conditional Use Permit is solely for this site and is non-transferrable.

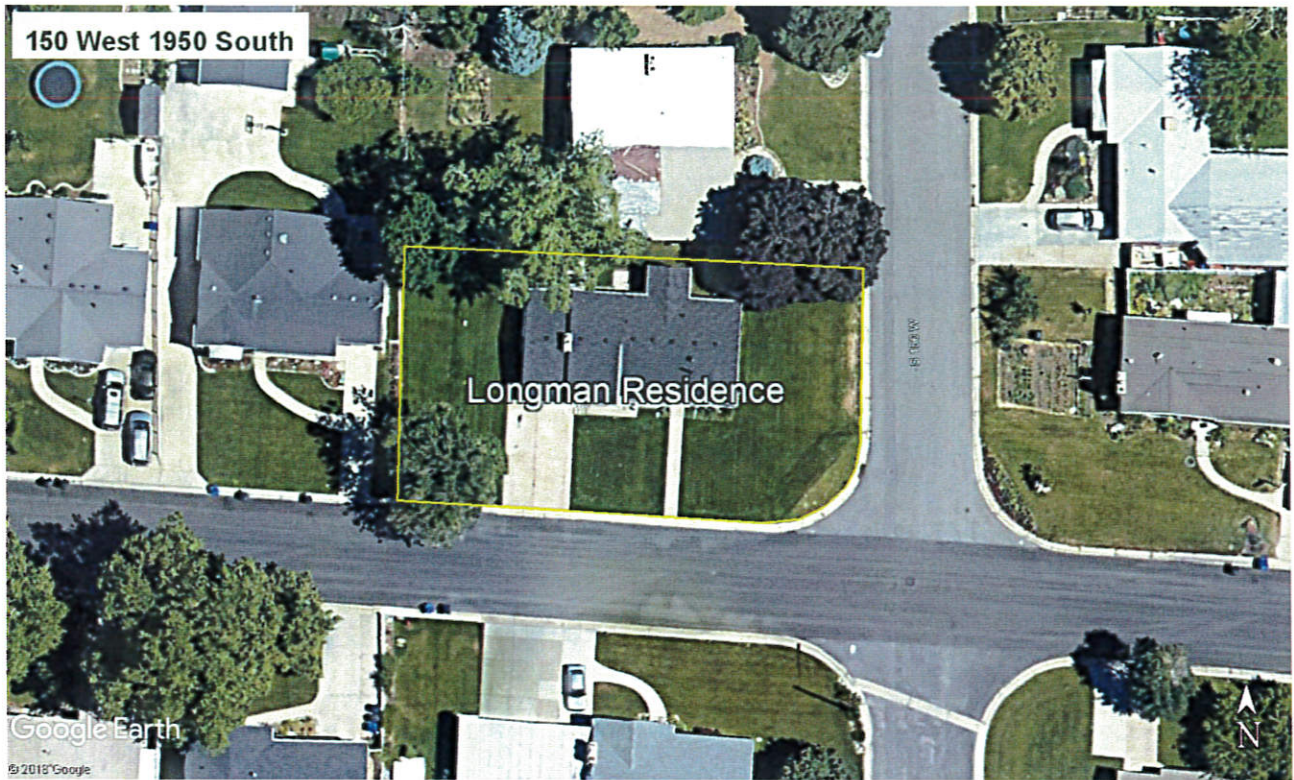
Relevant Codes

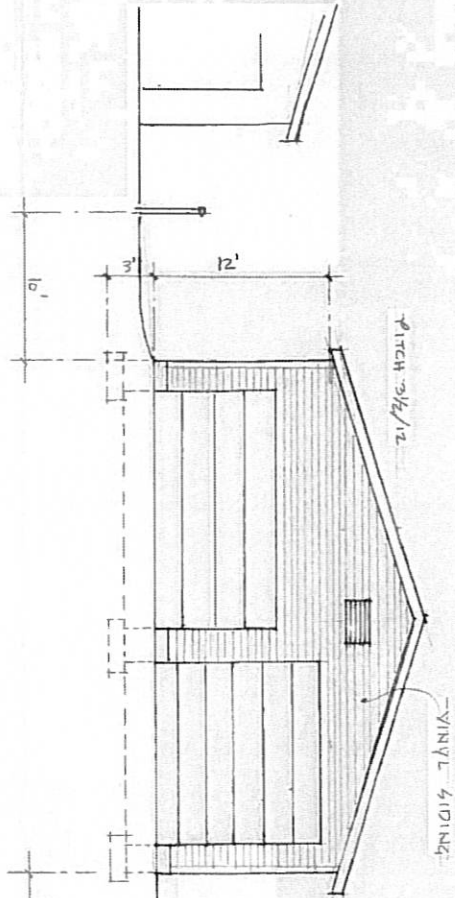
14-4-105 YARD AND SETBACK REQUIREMENTS

The following minimum yard requirements shall apply in the (R) Zone:

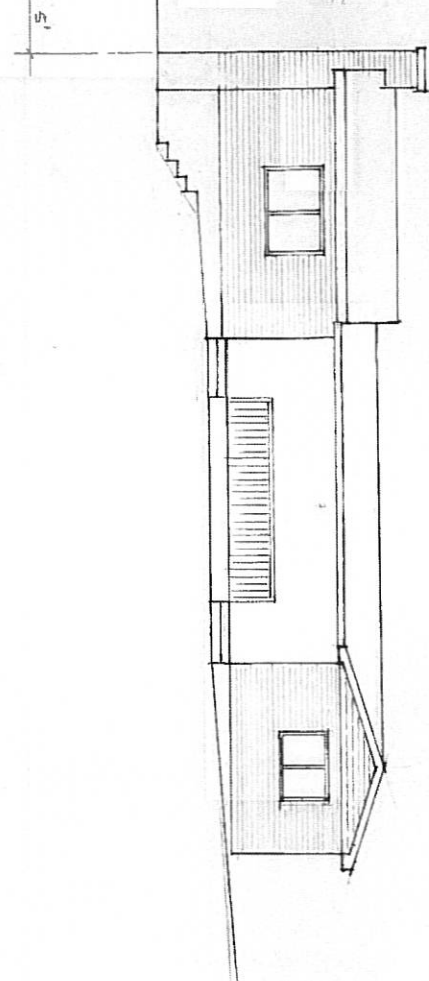
- J. *Accessory Structure, Primary Use Required – An accessory structure shall not be permitted on any lot or parcel of land unless a primary structure is first constructed on the site. If the primary structure is removed and not immediately replaced, any accessory structure must also be removed. A lot or parcel shall not be subdivided such that an accessory structure is located on a lot or parcel without a primary structure.*
2. *Accessory Structure, Conditional Use – An accessory structure may be allowed as a conditional use in accordance with the following:*
 - a. *The approval body shall consider the following when reviewing the proposed accessory structure:*
 - i. *The extent that sunlight, air, and viewsheds are obstructed/disturbed,*
 - ii. *The proximity to adjoining structures,*
 - iii. *The contour of the land, both existing and proposed,*
 - iv. *Features peculiar to the site and the immediately adjoining properties*
 - v. *The location of windows, doors, balconies, and other openings that may intrude on the privacy of adjoining property owners,*
 - vi. *The proposed and potential uses based on the size, configuration, and other aspects of the structure.*
 - b. *The total building footprint of any and all accessory structures shall not exceed fifteen percent (15%) 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.*
 - c. *An accessory structure shall meet all of the setbacks of a primary structure, or it shall be located behind the rear building line of a primary structure, and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line. The approving body may require an increased setback based on the criteria of 14-4-106(C.)(1.).*
 - d. *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.*
 - e. *No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any dwelling on an adjacent property.*
 - f. *The eaves of an accessory structure shall be setback at least one (1) foot from any property line.*
 - g. *An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.*
 - h. *An accessory structure shall meet all applicable provisions of the International Building Code.*
 - i. *An accessory structure shall not encroach on any easements, recorded or otherwise.*
 - j. *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.*
 - k. *The height of an accessory structure shall not exceed twenty (20) feet.*

150 West 1950 South





FRONT ELEVATION
SCALE 1/8" = 1'-0"



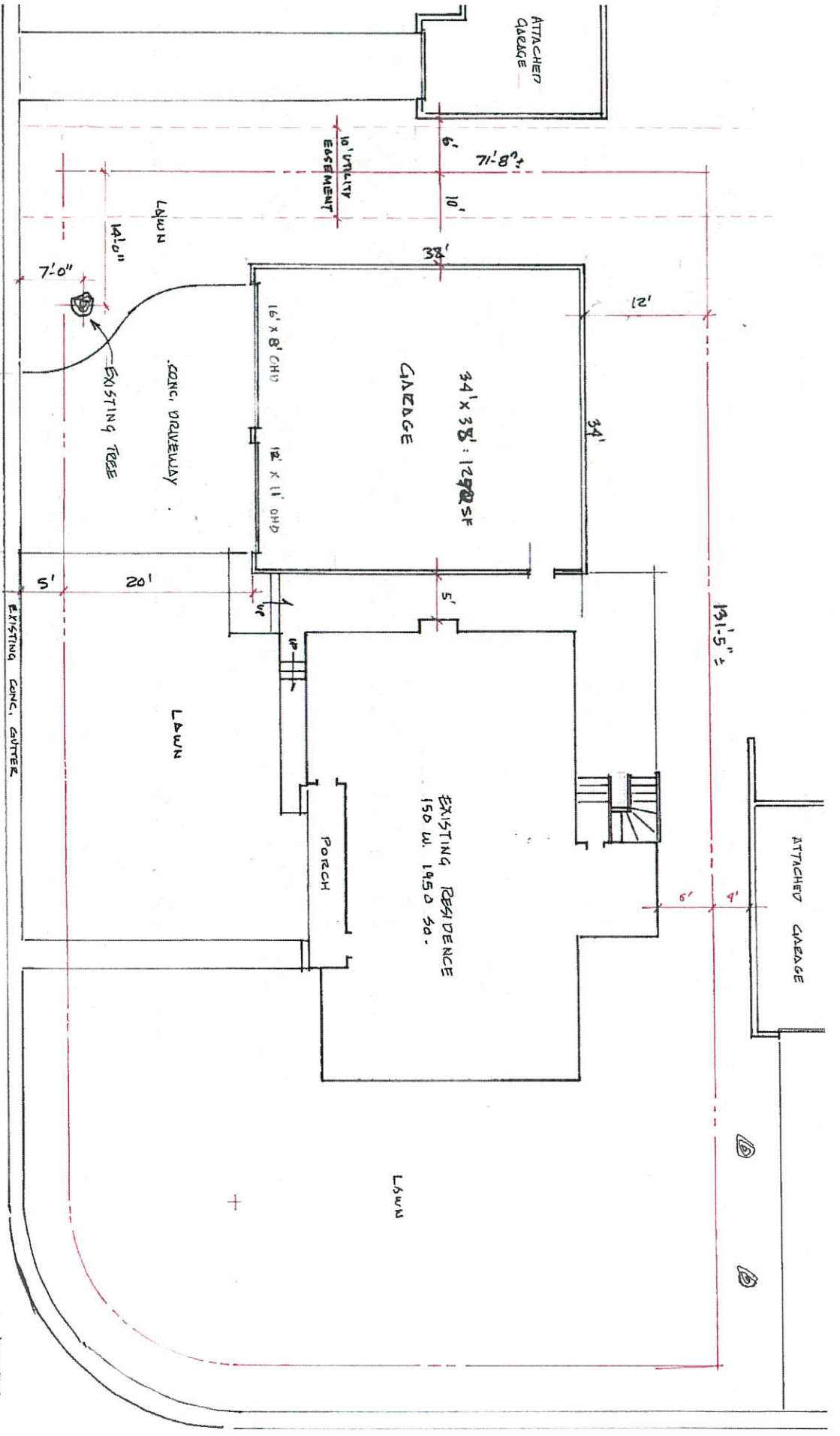
EXISTING RESIDENCE

PROPOSED: NEW GARAGE AT 150 WEST 1950 SOUTH, BOUNTIFUL, UTAH

SCALE: 1" = 10'



1950 SOUTH



ATTACHED GARAGE

34' x 38' : 1292 SF
GARAGE

EXISTING RESIDENCE
150 W. 1950 So.

ATTACHED GARAGE

10' UTILITY EASEMENT

LAWN

CONC. DRIVEWAY
EXISTING TREES

LAWN

POURCH

LAWN

20'

12'

34'

191.5'±

4'

6'

5'

19'

5'

EXISTING CONC. CURB

71.8'±

10'

38'

16' x 8' OHD

12' x 11' OHD

NORTH

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

Most of the houses in our neighborhood have garages and a lot of those are detached. Currently our house doesn't have a garage.

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

Not applicable, it would fit in well with the neighborhood.

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

We have discussed this project with our next door neighbor and our across the street neighbor and they are fine with moving forward with building a garage. If there were any conflicts we would be willing to discuss the situation and bribe them with cookies. 😊

Julie Holmgren

From: Chad Wilkinson
Sent: Wednesday, October 3, 2018 11:54 AM
To: Julie Holmgren
Subject: Longman Detached Garage
Attachments: Garage plans.pdf

From: cindy f. [<mailto:mcflygirl@hotmail.com>]
Sent: Wednesday, October 03, 2018 11:41 AM
To: Chad Wilkinson
Subject: Longman Detached Garage

Hi Chad,

Attached is the PDF of our detached garage plans.

And to better answer why we'd like the additional 5% is: We would like to protect our possessions from weather and theft by having enough space to enclose our valuables. Along with that, we'd rather have them enclosed for aesthetics. We feel it will make the neighborhood look better than having multiple cars, motorcycles, etc. outside of a garage.

Thank you for your time and consideration!
Cindy



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 October 8, 2018, at Bountiful City Hall to consider the request of Ian Cutler, for a Conditional Use Permit allowing a Home Occupation Contractor Business at the following location:

1221 South 400 East, Davis County, Utah

ALL OF LOT 11, EZRA T CLARK SUB. CONT. 0.267 ACRES

Parcel 04-091-0011

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 Ian Cutler to operate a contractor business located at 1221 South 400 East, 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, odors, noxious 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.

The Conditional Use Permit was approved on October 8, 2018, and this written form was approved this 22nd day of October, 2018.

Chad Wilkinson
Planning Director

ATTEST: Julie Holmgren
Recording Secretary