

**Bountiful City
Administrative Committee Minutes
April 16, 2018**

Present: Chairman – Chad Wilkinson; Committee Members – Lloyd Cheney and Dave Badham; Assistant Planner – Kendal Black; 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 March 26, 2018.

Mr. Cheney made a motion for approval of the minutes for March 26, 2018. Mr. Wilkinson seconded the motion.

<u> A </u>	Mr. Wilkinson
<u> A </u>	Mr. Cheney
	Mr. Badham (abstained)

Motion passed 2-0.

3. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 763 Park Shadows Circle, Dana Gray, applicant.

Dana Gray, applicant, was present.

Mr. Black 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 RM-13 Single Family 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 construction business. The applicant indicated that a work vehicle will be parked in the garage of the home. The applicant has indicated that all tools and a trailer for the business will be located at an off-site storage facility. The applicant has indicated that roughly 108 square feet, approximately 7%, of the home will be used for the business. 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 or advertising the business on site. The applicant has indicated that there will be no other employees involved in the business working at the home. 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. No work, other than office related operations, will be performed at this site.
4. 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.
5. The Conditional Use Permit is solely for this site and is non-transferrable.
6. The garage shall not be used for storage of construction materials, associated with the Home Occupation.

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

Mr. Wilkinson inquired regarding ownership of the property. Mr. Gray indicated that it is owned by a trust for which he is a trustee. Mr. Gray also explained that he serves as president of the Park Shadows homeowners association and has determined his business complies with their regulations. Mr. Badham inquired regarding the type of contractor business, and Mr. Gray indicated he is a handyman. Mr. Badham inquired regarding the use of the garage for storage. Mr. Black explained that the code allows for a certain percentage of the property to be utilized for the business. Mr. Gray noted that he will be utilizing off-site storage. Mr. Wilkinson added that the city code prohibits the exclusive use of a garage for a business.

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 763 Park Shadows Circle, Dana Gray, applicant. Mr. Badham seconded the motion.

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

Motion passed 3-0.

4. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 449 West 3100 South, Kent Gines, applicant.

Mr. Wilkinson explained that on April 16, 2018 Mr. Black completed an inspection regarding one of the conditions of the conditional use permit which required Mr. Gines to remove a dumpster situated on the property by a deadline of April 9, 2018. The inspection revealed that the dumpster was still situated on the property. Mr. Wilkinson explained that approval of the written form of the conditional use permit is simply approval of the decision which outlined the conditions. A written decision needs to be approved so that, if necessary, appeal rights may begin. He further explained that the city may pursue revocation of Mr. Gines' business license if the dumpster is not removed.

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 449 West 3100 South, Kent Gines, applicant. Mr. Cheney seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
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 5:10 p.m.



Chad Wilkinson, City Planner