

**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.

| | |
|--------------|------------------------|
| <u> A </u> | Mr. Wilkinson |
| <u> A </u> | 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.
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.

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.

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