

**BOUNTIFUL CITY**  
**PLANNING COMMISSION AGENDA**  
**Tuesday, June 18, 2019**  
**6:30 p.m.**

**NOTICE IS HEREBY GIVEN** that the Bountiful City Planning Commission will hold a meeting in the Conference Room at **South Davis Metro Fire Station, 255 S 100 W, Bountiful, Utah**, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome and Introductions.
2. Approval of the minutes for June 4, 2019.
3. **PUBLIC HEARING** – Consider approval of a variance to the standards of the Bountiful City Land Use Ordinance to allow for retaining walls greater than 10 feet located at 1233 E Sunrise Place, Jason and Amanda Kier, applicant.
4. Consider approval of a Conditional Use Permit in written form for inside storage for a building construction material/office for Jim Miller Plumbing and Heating located at 220 W Center St, Randy Lewis representing Jim Miller, applicant.
5. Consider approval of a Conditional Use Permit in written form for a multi-family dwelling located at 33 W 400 South, Brian Knowlton, applicant.
6. Planning Director's report, review of pending applications and miscellaneous business.

  
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Clint Drake, Interim City Planner

**Bountiful City  
Planning Commission Minutes  
June 4, 2019  
6:30 P.M.**

Present: Chair – Sean Monson; Vice Chair – Von Hill; Planning Commission Members – Jesse Bell, Jim Clark, and Sharon Spratley; City Council Representation – Richard Higginson; City Attorney – Clint Drake; Asst City Planner – Curtis Poole; City Engineer – Lloyd Cheney; and Recording Secretary – Darlene Baetz

Excused: Planning Commission Member – Tom Smith

**1. Welcome and Introductions.**

Chair Monson opened the meeting at 6:30 pm and welcomed all those present.

**2. Approval of the minutes for May 21, 2019.**

Sharon Spratley made a motion to approve the minutes for May 21 as written.

Jim Clark seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson, and Spratley voting aye.

**3. PUBLIC HEARING – Consider approval of a Conditional Use Permit for inside storage for a building construction material/office for Jim Miller Plumbing and Heating located at 220 W Center St, Randy Lewis representing Jim Miller, applicant.**

**4. Consider final site plan approval for a building construction material/office without outside storage for Jim Miller Plumbing and Heating located at 220 W Center St, Randy Lewis representing Jim Miller, applicant.**

Randy Lewis was present. Curtis Poole presented the staff report.

The applicant, Jim Miller, requests Conditional Use Permit and final site plan approval for an expansion of his existing business located along 200 West. The proposal will provide additional office and storage space for Jim Miller Plumbing near the existing business.

The property is zoned C-G (General Commercial) and is bordered on the east and north by commercial zoning and on the south and west by multi-family residential zoning. The proposed development is approximately 0.129 acres (5,619 square feet). Various businesses have tried to develop this property; however, the lot size and setback standards placed constraints difficult to meet.

The proposed building meets all the required setback, height and parking standards of the commercial zone. In addition the proposal shows a landscape buffer of 10 feet against the residential property to the west. The overall landscape exceeds the 15 percent as required by code. A detention basin will be located on the south western portion of the lot and will be part of the overall landscaping. To meet the landscaping standard for trees, staff has requested the applicant add three additional trees on the north and east side of the property.

The main floor of the proposed building will have a standard and larger overhead garage door to accommodate vehicle storage and loading in addition to an office space. There will be a stairwell

entrance accessed on the west of the building leading to a storage area under the office and one of the garage bays. The main floor office will need to be accessed by a sidewalk on the west side of the building in addition a railing separating it from the stairs leading to the basement storage area; both of which will need to be added to plans prior to issuance of the building permit.

The existing drive approach will be removed and replaced with curb and gutter and a new 24 foot drive access will be added.

Staff recommends the Planning Commission approve the Conditional Use Permit and forward to the City Council a recommendation of approval of the final site plan for the proposed building/construction material and supplies without outside storage for Jim Miller Plumbing subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to the issuance of a building permit the additional trees required to meet the standards of the Code along with the addition of the sidewalk and handrail on the west side of the building will need to be added to the plans.

Chair Monson opened and closed **PUBLIC HEARING** at 6:33 p.m.

Richard Higginson made a motion to approve the Conditional Use Permit and to forward a recommend of approval to the City Council for the preliminary site plan for a building construction material/office without outside storage for Jim Miller Plumbing and Heating located at 220 W Center St. Von Hill seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson, and Spratley voting aye.

**5. Consider preliminary and final site plan review approval for the Bountiful Family Search Center located at 1579 N Main St, Christian Stevens representing the Bountiful Family Search Center, applicant.**

Christian Stevens was present. Mr. Poole presented the staff report.

The applicant, Bountiful FamilySearch Center, requests preliminary and final site plan approval for an Educational Services Building, located at 1579 North Main Street. The property is located in the MXD-R (Mixed-Use Residential) zone.

The property is zoned MXD-R and is bordered on the south and west by the Village on Main mixed-use development. There is a multifamily development to the north across Page Lane and commercial zoning across Main Street to the east, both in Centerville City. The proposed development is located on 1.22 acres (approximately 53,143 square feet) which is currently a vacant lot on the corner of Main Street and Pages Lane. Development of this parcel has been anxiously anticipated for years as it is an entry point to Bountiful on Main Street from the north.

The proposed plans show a 10,000 square foot single story building, housing multiple classrooms, conference rooms, and consultation and study areas. Entrances are located on the west facing the parking lot and east facing Main Street. The exterior of the building will be a mix of wood siding, clear glazed aluminum, exposed wood elements and architectural concrete. The roof will be a standing seam metal roof. The proposed building meets the required setback and height standards for the MXD-R zone. The proposed use of the building is a permitted use in the MXD-R zone.

Parking for the facility will be located on the south and the west of the property. The proposal shows 38 parking stalls plus an additional 4 handicap stalls. The proposed parking will meet the standards of the code; however, in addition the applicant will verify any cross parking access with the surrounding developments for times of heavy parking use. Vehicular access to the property will be on the southwest of the property from the interior of the Village on Main development and an existing drive approach onto Pages Lane which runs between this property and the property to the west.

Plans submitted show there will be a landscape buffer along Main Street and Pages Lane with a mix of flower beds, trees (both new and existing) and grass. There will be a plaza feature to the east of the building with a pathway leading to the corner of Main Street and Pages Lane. In addition there will be landscaped areas buffering the property to the south and landscaped islands in the parking lot. The proposed landscaping meets the standards of the Code.

Water and sewer will be provided via connections to existing lines within the Village on Main development. Storm water drainage was designed in conjunction with the previous development and is sized to handle the change to this development. The Power Department indicated there may need to be an easement release and relocation of the transformer at the southwest corner of the lot.

The development is occurring in an area with urban levels of infrastructure already in place. Impacts from the development of this property have been anticipated in the design of the existing storm water, sewer, and water and transportation systems.

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for preliminary and final site plan review for the proposed educational services building subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to issuance of the building permit, resolve any concerns with Bountiful City Light and Power regarding connections to the property.

Mr. Stevens stated that the applicant has been working with the Power department for a possible easement release and possible changes to the existing utility box.

Mr. Bell and Mr. Higginson thanked the applicant for the complete and polished look of the plans.

Jesse Bell made a motion to forward a recommendation of approval to the City Council for the preliminary and final site plan approval for the Bountiful Family Search Center located at 1579 N Main St with the 2 conditions outlined by staff. Richard Higginson seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson and Spratley voting aye.

**6. Consider preliminary site plan review approval for a triplex located at 170 North 100 West, Jonathon Blosch, applicant.**

Jon Blosch was present. Curtis Poole presented the staff report.

The applicant, Jonathon Blosch, requests preliminary site plan approval for a 3-unit multifamily development located at 170 North 100 West. The property is located within the DN (Downtown) zone.

The applicant has submitted a proposal to develop 3 multifamily units at this location in the DN zone.



The property is on the western edge of the DN zone which borders single-family residential to the west. The property has a commercial use to the north, a DCFS facility to the east and a single-family home to the south. The property is .25 acres (approximately 10,933 square feet) and currently has a single-family home on the lot.

The applicant has not submitted elevation plans; however, the proposal is for a two-story building. As the lot is located along 100 West the maximum building height shall not exceed 35 feet. Before final site plan review the applicant will need to submit a detailed elevation plan showing building materials and architectural features meeting the standards of the Code for the DN zone. The applicant will also need to address pedestrian street access to each of the units meeting the DN zone standards.

The current proposal demonstrate the building meets the front, north side and rear setbacks; however, the applicant will need to revise the plans to include a 10' landscape buffer between this development and the single-family home to the south as required by code. The applicant will need to submit a detailed landscaping plan before final site review.

The proposal shows a total of 6 parking stalls which will be located behind the building. The preliminary floorplans show one 3-bedroom unit and two 2-bedroom units. The proposed bedroom count will require a minimum of 8 stalls which would include guest parking as required by code.

Before the issuance of building permit the existing drive approach will need to be removed and replaced with a Bountiful standard Type A approach. Prior to the issuance of a Certificate of Occupancy the applicant will need to repair any damage to the curb, gutter and sidewalk along 100 West. On the south side of the property there will be a 7' wide utility easement required by Bountiful Power.

While multifamily residential units are allowed in the Downtown zone, the number of units which can be constructed will always be dependent upon lot size, and setback, height and landscaping standards of the Code. The burden is upon the applicant to find alternative solutions to meet code.

The applicant will need to demonstrate how storm water impacts to the site will be handled. Sidewalks will have to be repaired as part of the project.

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for preliminary site plan review for the proposed 3 unit multifamily building subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to submittal for final site plan approval, complete a survey of the property to determine total buildable area available on the property. Complete any revisions to the site necessary based on the size of the parcel.
3. Prior to final site plan approval applicant shall apply for approval of a Conditional Use Permit.
4. Submit detailed elevation plans showing building materials and architectural elements as required by code.
5. Revise the site plan to show minimum required setback and pedestrian access to the building and submit a parking plan which will meet the standards of the City's off-street parking ordinance.
6. Submit a landscaping plan meeting the minimum requirements of Sections 14-16- 104 and 14-7-109.
7. All damaged curb, gutter and sidewalk along 100 West shall be replaced.

Mr. Poole corrected the staff report for the needed number of parking stalls which should be 7 stalls

for the proposed set of plans. He also stated the preliminary floor plans show one 3-bedroom unit and two 2-bedroom units. The proposed bedroom count will require a minimum of 8 stalls which would include guest parking as required by code. Mr. Blosch proposed that the 3-bedroom unit be a 2-bedroom unit with a den. Commission members discussed what guidelines and architectural designs that should be used to consider a room as a den instead of a bedroom. Mr. Monson would like to have some clarification from staff to be given to the Planning Commission about what could constitute a bedroom versus a den.

Mr. Drake stated that Bountiful City does not have a definition in the code for a bedroom. He read the International Building Code stating that there needs to be 2 methods of egress, at least 7 feet tall ceilings, windows need to be at least 24” and 44” from the floor and 5.7 sq feet for the opening and 24” high and 20” wide, room should be at least 70 sq feet. The Code does not necessary require a closet for a bedroom but the market dictates that there should be a closet.

Mr. Blosch discussed a possible change in the future to commercial space. Mr. Poole stated that there would need to be 8 additional parking stalls if it was changed into commercial space and that the Downtown zone would not allow cross parking.

Sharon Spratley made a motion to table this item until the July 2, 2019 Planning Commission meeting to allow the applicant to return with a more complete set of plans that would also show elevations and renderings and to have the City staff research what design guidelines could be used to consider a room a den or a bedroom. Jesse Bell seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson and Spratley voting aye.

**7. Consider approval of the Findings of Fact approval for a variance to the standards of the Bountiful City Land Use Ordinance to allow for encroachments on slopes greater than 30% located at 2452 Cave Hollow Way, Daniel and Carri Fergusson, applicant.**

Clint Drake reminded the Planning Commission that variances need to meet all 5 criteria.

Richard Higginson made a motion to approve the Findings of Fact for the approved variance to the standards of the Bountiful City Land Use Ordinance to allow for encroachments on slopes greater than 30% located at 2452 Cave Hollow Way. Von Hill seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson and Spratley voting aye.

**8. Planning Director’s report, review of pending applications and miscellaneous business.**

1. Next Planning Commission meeting will be June 18, 2019.
2. Francisco Astorga has been hired for the Planning Director position and will start with Bountiful City on June 24, 2019.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:29 p.m.

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Clint Drake, Interim Bountiful City Planner

# Commission Staff Report

Item # 3

**Item:** PUBLIC HEARING – Request for a variance to allow for retaining walls greater than 10 feet in height.  
**Address:** 1233 East Sunrise Place  
**Author:** Curtis Poole, Assistant City Planner  
**Date:** June 18, 2019



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## Description of Request

The applicants, Jason and Amanda Keir, have requested a variance to allow for retaining walls greater than 10 feet in height for their property located at 1233 East Sunrise Place in the R-F (Residential Foothill) zone. The proposed variance would allow for construction of a new home on this vacant property.

## Authority

Section 14-2-111 authorizes the Administrative Committee as the review body for variance requests within the R-F zone related to retaining walls exceeding 10 feet in height. Section 14-2-104 authorizes the Chairman of the Administrative Committee to assign any item designated for Administrative Committee review to the Planning Commission, in which case the Planning Commission acts under the same authority granted to the Administrative Committee.

## Background and Analysis:

In 1985 Sunset Hollow subdivision Plat A was approved. The applicant's property, 1233 East Sunrise Place, or lot 15, was part of the approved subdivision. As the subdivision was developed, Sunrise Place was graded and a fill slope was constructed for the west side of the cul-de-sac, resulting in a steeper slope than the natural grade at the front of the property from the road. The property to the north, a detention pond owned by the United States Government, was constructed after the subdivision was approved. Lot 15 has remained vacant since creation of the subdivision.

The applicants have submitted a proposal for a new home to be built on their property. With the steepness of the downward slope the applicants needed to address the reverse grading of the driveway, disturbing slopes greater than 30% and the height of the retaining walls. The slopes which exceed 30% are limited to the fill slope associated with the construction of the cul-de-sac. This is not a naturally occurring feature of the property.

The challenge for the applicants, similar to others in the R-F zone, was to balance all three of these concerns. In their design, the applicants were able to reduce the downward slope of the driveway; however, it still requires a retaining wall taller than 10 feet. The wall is roughly 17 feet at the highest point. Because the wall is taller than the 10 foot minimum



standard in code it is necessary for the applicants to apply for a variance. If the variance is denied, it would create a situation where the slope of the driveway would not meet standards and would require a variance.

## Variance Findings

Utah Code 10-9a-702 establishes the criteria for review of a variance request and stipulates the applicant “shall bear the burden of proving that all of the conditions justifying a variance have been met.” In order to grant a variance **each** of the following criteria must be met:

(i) *Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;*

**Staff Response:** State law defines a hardship as “associated with and peculiar to the property itself,” and further states the hardship “cannot be self-imposed or economic.” A steep reverse grade driveway was necessary to access the buildable portion of the lot. As Sunrise Place cul-de-sac was graded and constructed it created slopes greater than 30% on Lot 15 and a steeper transition from the road to the lot. The addition of Sunrise Place should not be considered self-imposed hardship created by the applicants.

(ii) *There are special circumstances attached to the property that do not generally apply to other properties in the same zone;*

**Staff Response:** Many of the properties in the R-F zone have similar constraints as the applicant’s property which limit the buildable area and require steep driveways, tall retaining walls and disturbances of slopes greater than 30%. The applicant’s property is unique however, because unlike many other properties, the slopes greater than 30% are not the natural slope and were created during the construction of the subdivision. In other words, granting the grading of Sunrise Place created a unique circumstance that only affects this property.

(iii) *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;*

**Staff Response:** Other properties in the R-F zone with buildable lots have been allowed some reasonable disturbances of the slopes greater than 30%, and the need to create steep driveways and tall retaining walls. The slopes disturbed by the construction of the home is not a natural condition, and is a feature associated with the construction of the cul-de-sac. Granting the variance will allow the applicants to enjoy similar property rights possessed by others in the R-F zone. Denying the variance will allow other properties a right not extended to the applicant’s property.

(iv) *The variance will not substantially affect the general plan and will not be contrary to the public interest;*



**Staff Response:** Approval of a variance for the applicants will not have a substantial effect to the General Plan as other properties in the R-F zone are treated similarly regarding steep slopes and retaining walls. It is an interest to the City to have all buildable lots developed as opposed to remaining vacant.

*(v) The spirit of the land use ordinance is observed and substantial justice done*

**Staff Response:** The purpose of the land use ordinance that requires improvements be located on slopes less than 30% is to preserve the hills and manage runoff and erosion on properties located in the foothills. The Code anticipates that there are existing lots with special circumstances and that the variance process provides a way for those lots to be developed. However, Section 14-4-101 of the Code also stipulates that the alteration of sensitive lands should be the minimum necessary to allow for reasonable use of the property. The proposal submitted by the applicants, demonstrate they have made substantial efforts to minimize the impact construction will have on the slopes of their property.

### **Department Review**

The request has been reviewed by the City Planner, City Engineer, and City Attorney

### **Recommended Action**

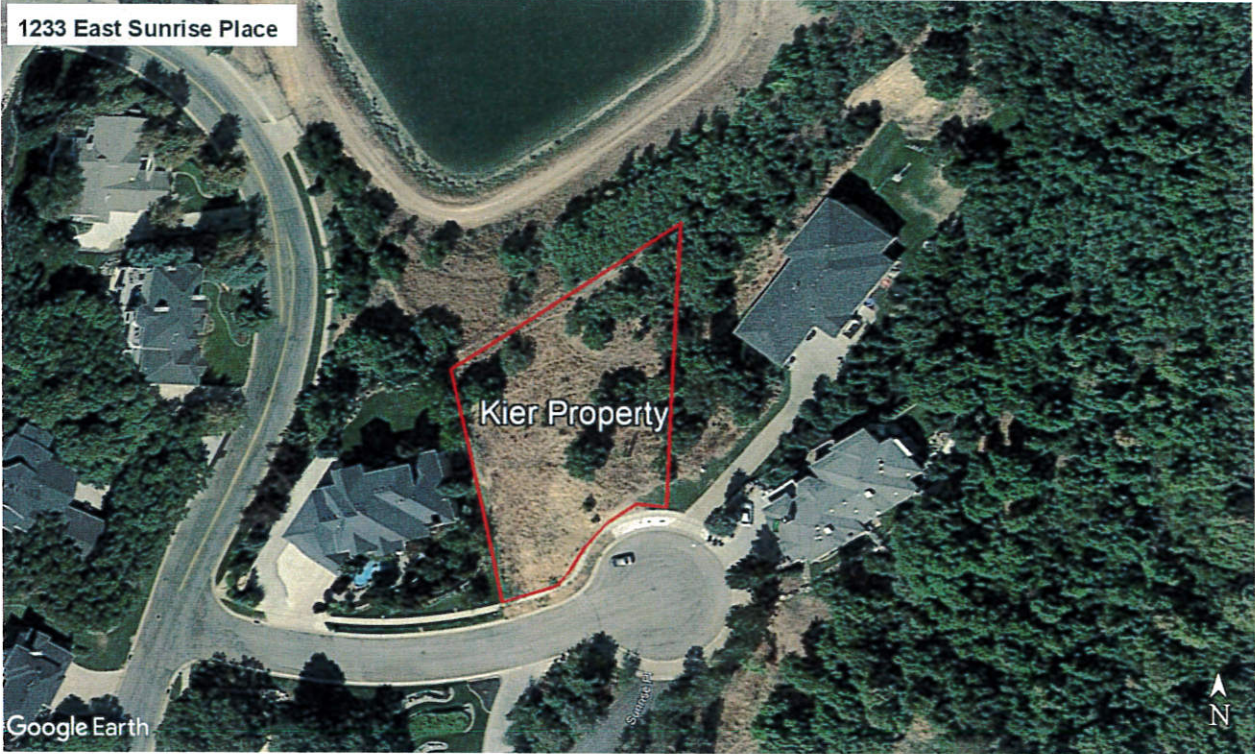
Based on analysis of the required criteria from State law included in the findings above and the materials submitted by the applicant, staff recommends approval of the requested variance related to retaining walls greater than 10 feet with the following condition:

1. The applicants will continue to work with staff to ensure the final plans submitted will meet the standards for building in the R-F zone, in particular reducing the downward slope of the driveway and show reasonable impact to slopes greater than 30% and final heights of retaining walls.

### **Attachments**

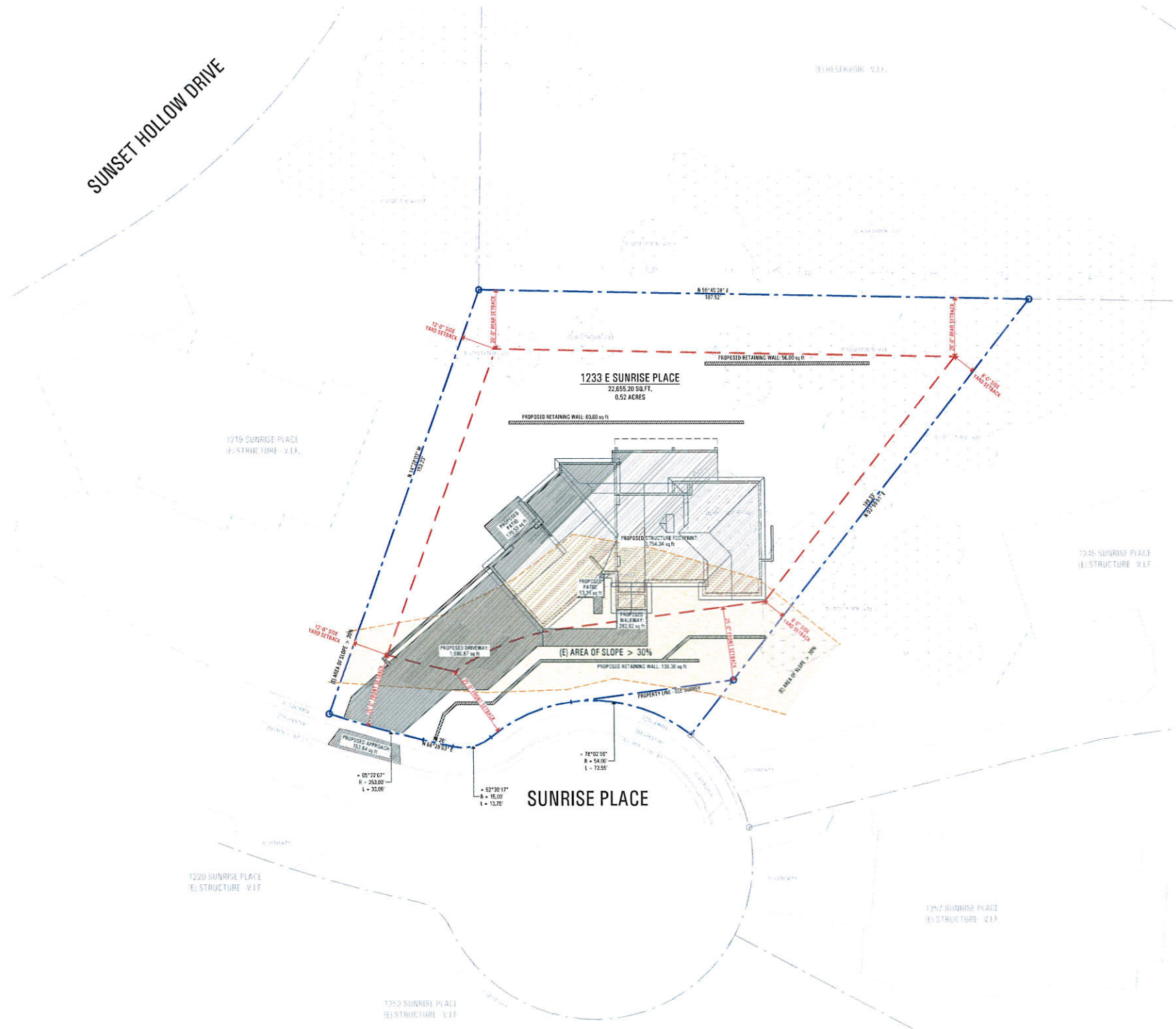
1. Aerial Photo
2. Applicant's Narrative
3. Proposed Plan

Aerial Photo





THE KIER RESIDENCE

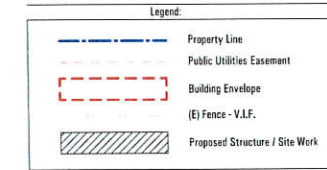


Zoning Site Plan Information

Location:

1233 E SUNRISE PLACE  
BOUNTIFUL, UTAH 84010

Lot # 15 SUNSET HOLLOW



Zoning Ordinance Constraint Summary:

Authority Having Jurisdiction:

Bountiful City

1- Zoning Classification:

(R) Single-Family Residential & Residential Foothill Subzone

2a- Set-back: Front Yard:

Twenty-Five Feet (25')

2b- Set-back: Rear Yard:

Twenty Feet (20')

2c- Set-back: Side Yard:

Eight Feet (8') Minimum w/ Total Combined Twenty Feet (20')

3- Building Height & Envelope:

- A. No building or structure shall exceed two (2) stories or thirty-five (35) feet in height as measured at the average grade.
- B. No building or structure in the R-F Zone may extend above the closest ridge line of the ground, as measured on a level line perpendicular to the ridge line. If for any reason this is not possible, then the building or structure shall be located as far away from the ridge line as feasible.

4- Distances Between Buildings:

The horizontal distance between any dwellings on adjacent lots shall not be less than sixteen (16) feet.

5a- Maximum Lot Coverage Allowed:

- NA

5b- Proposed Lot Coverage Calculations:

Total Area of Proposed Structure:	3,754.34 sq. ft.
Total Area of Lot:	22,655.20 sq. ft.
$3,754.34 / 22,655.20 = .1657$	
$.1657 \times 100 = 16.57$	
16.57%	

5c- Maximum Impervious Coverage Allowed:

- A. All structures, and impervious surfaces shall not cover a total of more than sixty percent (60%) of the area of the lot or parcel of land.
- B. Fifty percent (50%) of all required front, side and rear yard areas shall be landscaped.

5d- Proposed Impervious Coverage Calculations:

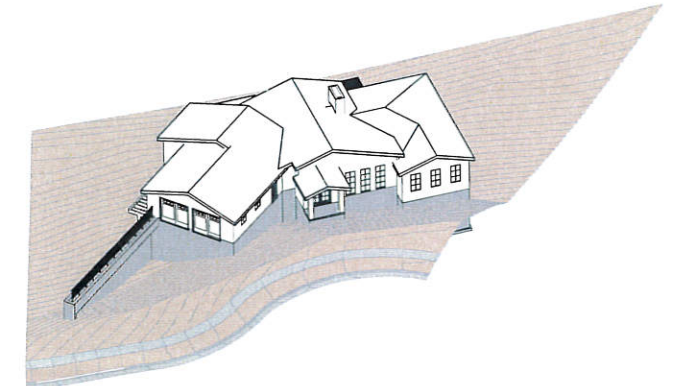
Total Area of Proposed Impervious Coverage:	6,217.30 sq. ft.
Total Area of Lot:	22,655.20 sq. ft.
$6,217.30 / 22,655.20 = .2744$	
$.2744 \times 100 = 27.44$	
27.44%	

6- Lot Access and Site Layout:

- A. Driveways shall be a minimum of twenty (20) feet wide.
- B. Driveway slopes shall have a minimum slope of two percent (2%), and a maximum slope of fifteen percent (15%), as measured along the centerline of the driveway.
- C. Downhill or reverse grade driveway must be reviewed and approved by the City Engineer. Approvals will be considered based on proximity of the lot to storm drain facilities or natural drainage features. Requirements:
  1. Driveway shall provide a minimum length of ten (10) feet of positive slope (two percent (2%) minimum) to the street R.O.W.
  2. The maximum grade of the driveway shall be seven percent (7%).

7- Grades, Cuts & Fills:

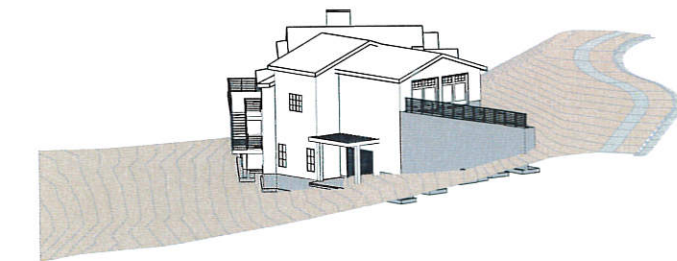
- 1. No cut, fill, or other area of disturbance may have a finished grade exceeding two (2) horizontal feet for every one (1) vertical (a 2:1 slope). Retaining walls shall be required in any area of disturbance where the grade exceeds a 2:1 slope. Any retaining wall that is (4) feet in height or taller shall be designed by a licensed engineer and approved by the Bountiful City Engineer in accordance with applicable codes adopted by the City.
- 2. No retaining wall shall exceed ten (10) feet in height.



SOUTH - EXISTING GRADE 3D VISUAL AID



NORTH EAST - EXISTING GRADE 3D VISUAL AID



SOUTH WEST - EXISTING GRADE 3D VISUAL AID

ZONING SITE PLAN



Scale: 1" = 20'





THE KIER RESIDENCE

Grading & Drainage Plan:

Location:

1233 E SUNRISE PLACE  
 BOUNTIFUL UTAH 84010

Lot: # 15 SUNSET HOLLOW

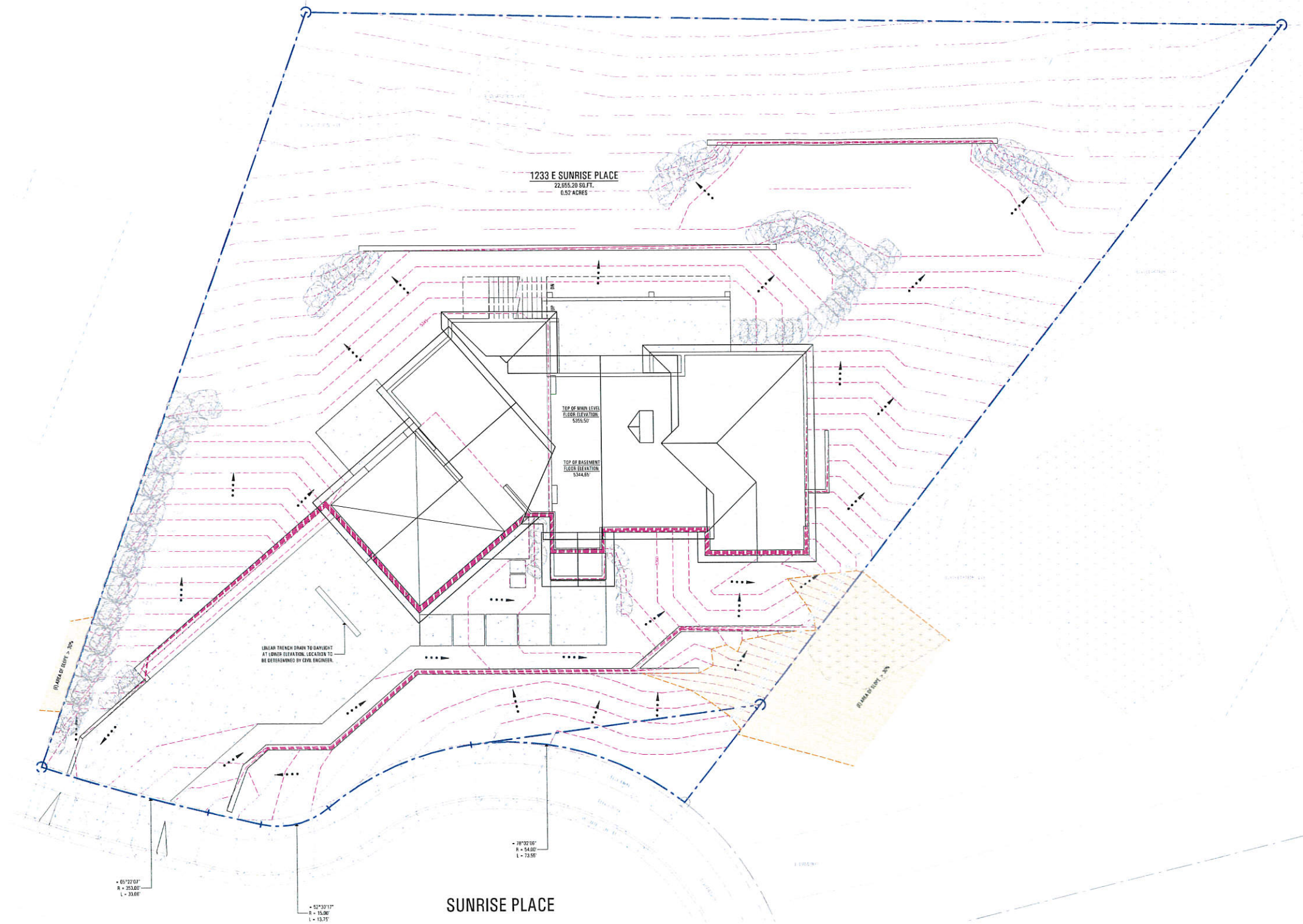
General Site Notes:

Grade Away From Foundation Walls Shall Fall a Minimum of 5% Within the First 10 Feet.

Land Drain to Extend to Building & Connect To A Footing Drain.

Legend:

- Property Line
- Public Utilities Easement
- Building Envelope
- (E) Fence - V.I.F.
- Direction of Drainage
- Existing Grade
- Proposed Grade



GRADING & DRAINAGE PLAN 1A

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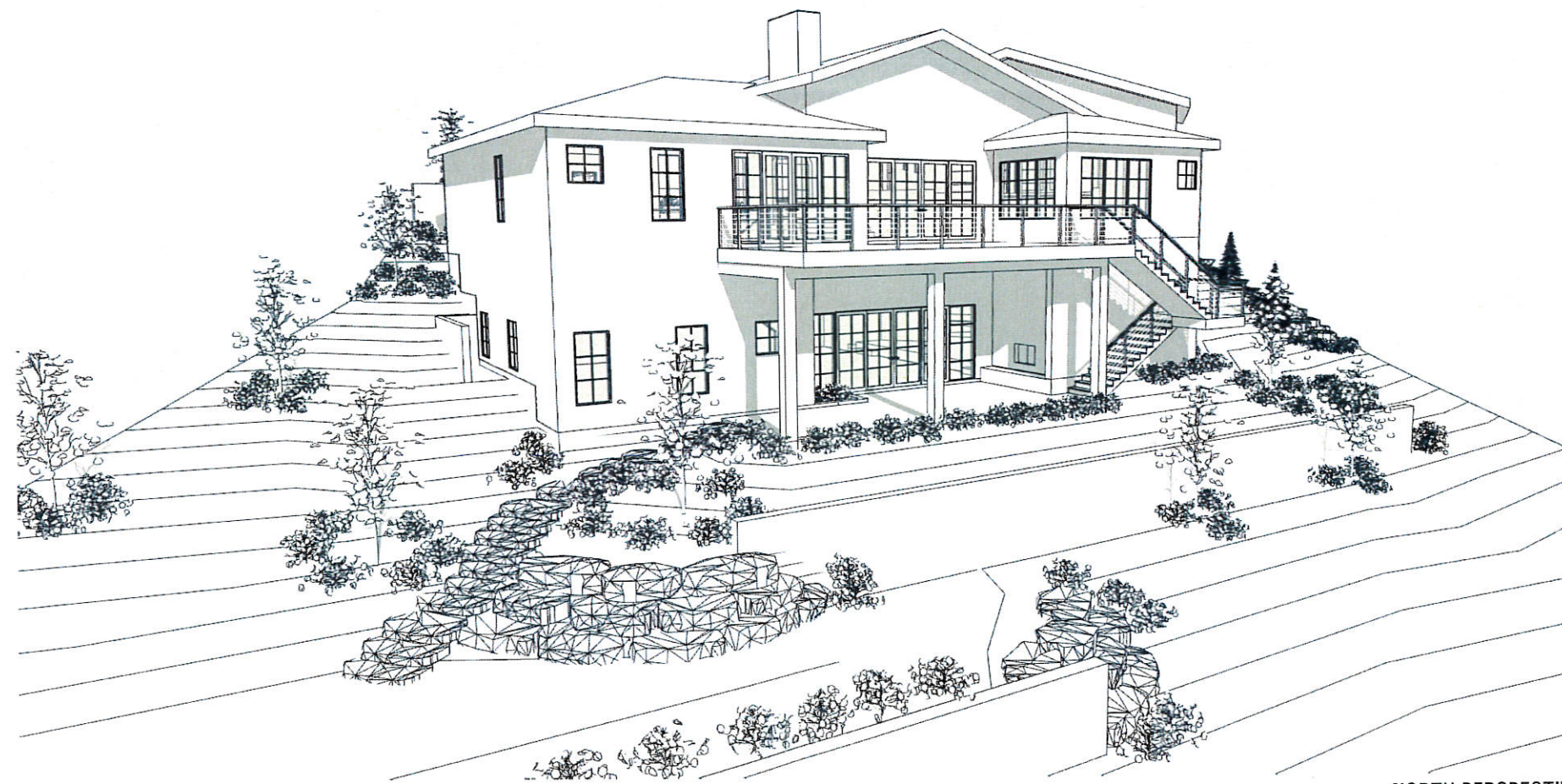


## THE KIER RESIDENCE



SOUTH PERSPECTIVE

## THE KIER RESIDENCE



NORTH PERSPECTIVE









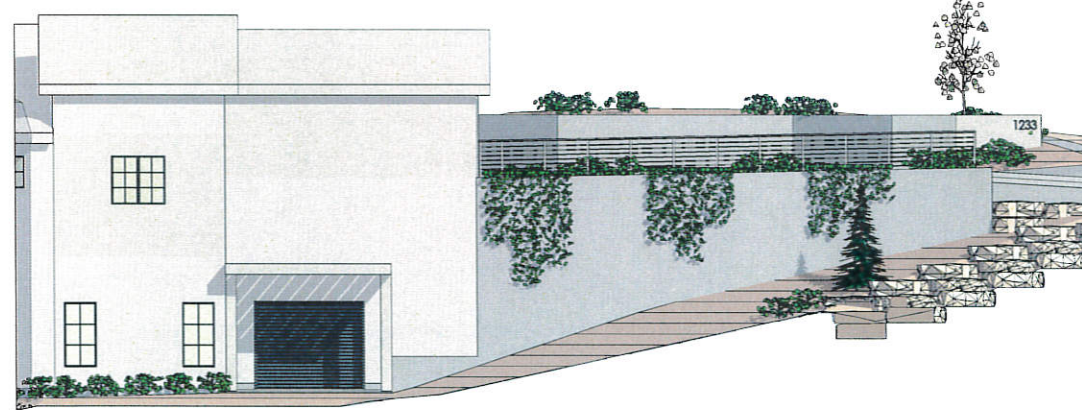
**THE KIER RESIDENCE**



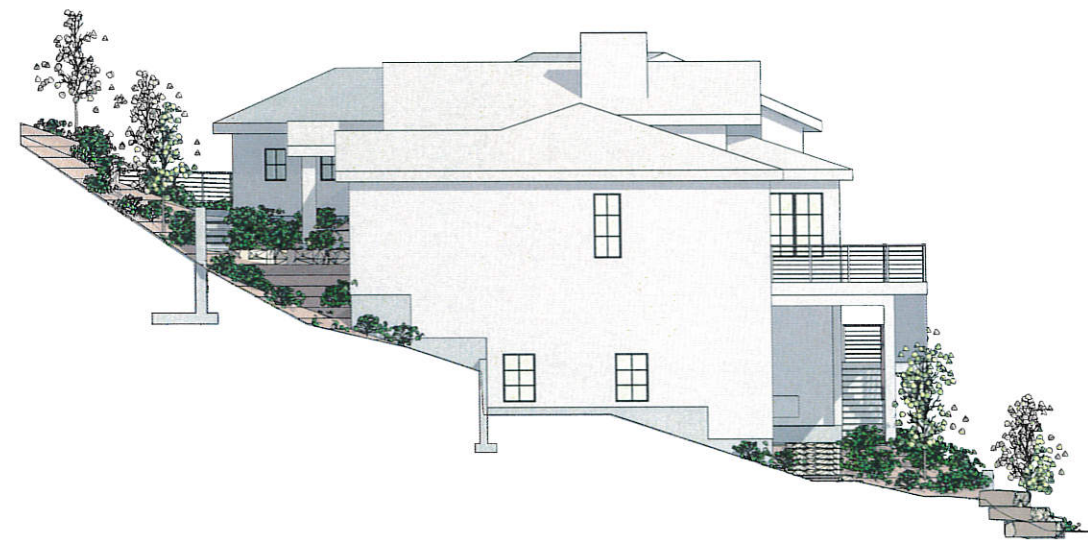
**NORTH WEST ELEVATION**  
 Scale: 1/8" = 1'-0" **2B**



**SOUTH EAST ELEVATION**  
 Scale: 1/8" = 1'-0" **2A**



**SOUTH WEST ELEVATION**  
 Scale: 1/8" = 1'-0" **1B**



**NORTH EAST ELEVATION**  
 Scale: 1/8" = 1'-0" **1A**

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Subject: THE KIER RESIDENCE

Tuesday, May 28, 2019

Project Location: 1233 E SUNRISE PLACE, BOUNTIFUL, UTAH

Project ID: R-4896A-19

## Project Narrative

ARCFLO was asked to evaluate the existing grading of the property located at 1233 East Sunrise Place, and assist in developing a design solution for a private residence that would be sensitive to the existing land use ordinance of the RF Single-Family Residential Foothill Zone. In working through the various options we have encountered a primary difficult hardship related to the 16% cross-slope found along the south property line and Sunrise Place road. The hardship related to this cross-slope creates a series of impacts which make it difficult to comply with the general design constraints outlined by the current zoning ordinance for the RF Single-Family Residential Foothill Zone.

As we have found in working on this project, the literal enforcement of the ordinance would cause additional unreasonable hardships as that would require making unsound and unsafe compromises with driveway grades to marginally reduce retention wall heights and possibly make adjustments to the existing street and sidewalk to overcome the current 16% cross-slope associated with the approach and frontage of the subject property.

As shown in the illustration below, one of special circumstances attached to the property which do not generally apply to other properties in this zone is the existing 16% cross slope along the south property line. This circumstance is the result from the original cutting and grading of Sunrise Place road. The aggressive 16% cross-slope creates a grading condition which impacts the efficiency to achieve a driveway that would descend more aggressively as an attempt to lower the overall building height and lowering the height of the necessary retention walls. Another special circumstance associated to this property is the grading that was created when a change of grade occurred near the north boundary of the property when the man-made reservoir was introduced to the neighborhood some years ago. Had this reservoir not been required for the community, the grading of this particular site could have been successfully modified to reduce the overall slope

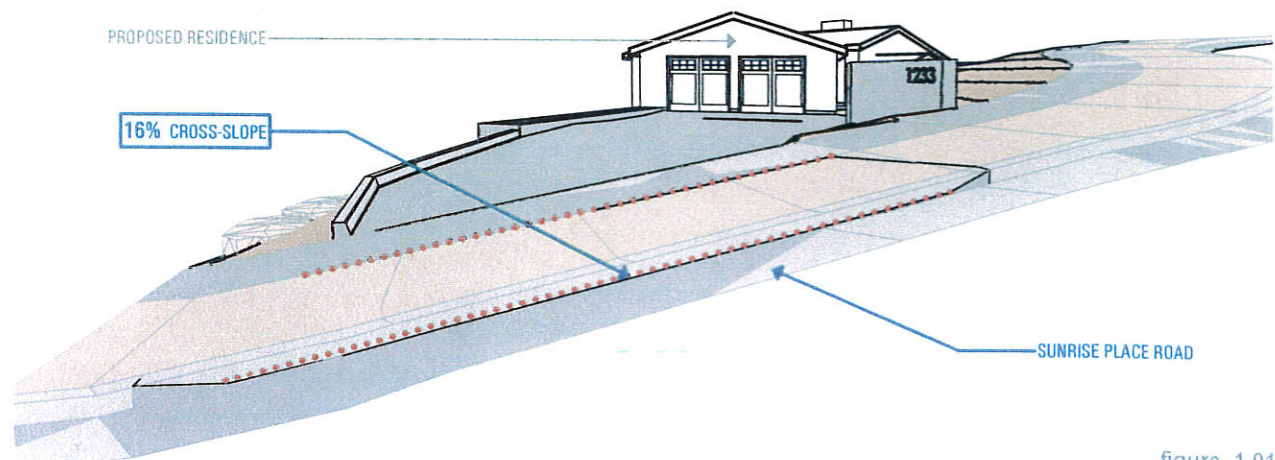


figure. 1.01

## PROPERTY RIGHTS

The basic property right that we are working to provide onsite, which has become difficult to provide because of the aforementioned 16% cross-slope on the driveway is that of private, secured storage. This use of storage is intended for vehicles and other common items related to home ownership. In order to provide the basic property right of secured storage and have it be safely and reasonably accessible, will require consideration of a variance related to retention walls taller than 10 ft. in height. In addition, in order to achieve safe access to garage and residence, the variance related to changes of grade located within areas on the property which have existing grades greater than 30% would need to be considered in order to overcome the challenges created by the 16% cross-slope created by Sunrise Place road (ie the South Property Line). (see sheet **AS 104 GRADING & DRAINAGE PLAN** of attached drawings and visual aids)



## Project Narrative Continued...

Based on the unique circumstances found on this property, the granting of the requested variances for this should **NOT** substantially affect the general plan. In addition, because of the vast distance between the subject property and the nearest adjacent lot which has a direct view being over 2,000 feet away, there really are no site lines that would directly impact neighboring properties and therefore, should **NOT** be contrary to the public interest.

In following the spirit of the land use ordinance and balancing the remaining reasonable options afforded by the specific site conditions, various design solutions have been incorporated as a result of the design team's sensitivity to the intent of the land use ordinance and the design constraints defined within said ordinance. For example, the proposed grading and retention on the majority of the site has been designed with a terracing strategy so as to reduce the visibility of the proposed retaining walls from adjacent properties. This strategy provides an opportunity for vegetation and landscaping to buffer the potential public views to these walls. In addition, any proposed retention walls that exceed 10 feet in height have been designed in a manner which allows the ability to provide landscape screening to reduce their visibility from the public view. All of this has been done in observation of the current land use ordinance in an effort to design the structure to work cohesively with the natural terrain in a manner that will reduce the overall visual impact and integrate the proposed residence into the fabric of the neighborhood.

With the primary hardship being the extreme 16% cross-slope which is found at the transition of the drive approach and Sunrise Place road, it is worth noting that this transition is indeed associated with the property for which the variance is sought. The condition certainly impacts the site and produces a situation that is worthy of considering a request for the aforementioned variances related to retention wall heights exceeding 10 feet in height and retention walls constructed on areas of the property which have existing grades greater than 30%.

As illustrated, the circumstances outlined above are indeed specific to this property, and are not in any way demonstrative of the general conditions of the neighborhood. In addition, the proposed design solutions which incorporate the special circumstances have a direct correlation to the hardship caused by the 16% cross-slope as mentioned.

In summary, should this variance not be granted, the primary privilege and property right which would be deprived is the ability to have a driveway that is safely accessible which provides access to secured storage as an enclosed garage which is attached to the primary structure. This privilege and feature of secured residential storage is commonly found with the majority of the other properties with the RF Single Family Residential Foothill Zone.

Thank you in advance for your time and attention to this matter. We are excited and pleased that we have been able to develop a design solution that has a minimal impact to the site and provides a responsible strategy for addressing the inherent hardships associated with this property. If I may answer any questions or provide more information please let me know. ■

Best regards,



**Steve Scoville** - Principal

**ARCFLO**

a visionary design firm

When Recorded, Please Return to:  
Bountiful City Planning Department  
790 S. 100 E.  
Bountiful, UT 84010

## Conditional Use Permit

A public hearing was held on June 4, 2019, at the South Davis Metro Fire Station Conference Room to consider the request for a Conditional Use Permit for inside storage for a building construction material/office at the following location:

### **220 West Center Street, Bountiful City, Davis County, Utah**

**Parcel: 03-024-0156 BEG 66 FT W OF THE W LINE OF 200 WEST STR AT A PT N 0°19' E 106.75 FT & N 89°41' W 105.50 FT FR A CITY INTERSECTION MONU AT 200 WEST & CENTER STR, WH PT IS ALSO GIVEN AS S 935.73 FT & N 89°41' W 66 FT FR THE NE COR OF LOT 3, BLK 3, NMC BOUNTIFUL TS SURVEY; & RUN TH N 89°41' W 66 FT; TH S 82 FT, M/L, TO THE N LINE OF A STR; TH E 66 FT ALG SD STR TO A PT 66 FT W OF THE W LINE OF 200 WEST STR; TH N 82 FT, M/L, TO THE POB. CONT. 0.125 ACRES**

The Bountiful City Planning Commission heard the matter and considered the statements of the applicant, City staff, and the public. As a result, the Planning Commission makes the following findings:

1. This matter was properly heard before the Planning Commission.
2. Appropriate public notice has been provided and a public hearing held.

The Bountiful City Planning Commission hereby grants this Conditional Use Permit for inside storage for a building construction material/office located at 220 West Center Street, Bountiful, Davis County, Utah, with the following conditions:

1. Complete any and all redline corrections.
2. Prior to the issuance of a building permit the additional trees required to meet the standards of the Code along with the addition of the sidewalk and handrail on the west side of the building will need to be added to the plans.

The Conditional Use Permit was approved on June 4, 2019, and this written form was approved this 18<sup>th</sup> day of June, 2019.

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Sean Monson  
Planning Commission Chairman

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ATTEST: Darlene Baetz  
Recording Secretary



When Recorded, Please Return to:  
Bountiful City Planning Department  
790 S. 100 E.  
Bountiful, UT 84010

## Conditional Use Permit

A public hearing was held on May 7, 2019, at the South Davis Metro Fire Station Conference Room to consider the request for a Conditional Use Permit for a 14-unit multifamily development at the following location:

**33 and 55 West 400 South, Bountiful City, Davis County, Utah**

***Parcel: 03-032-0081 BEG AT NE COR LOT 2, BLK 5, PLAT A, BOUNTIFUL TS SURVEY, TH W 66 FT, TH S 165 FT, TH E 66 FT, TH N 165 FT TO BEG. CONT. 0.25 ACRES***

***Parcel: 03-032-0082 BEG AT NW COR OF LOT 1, BLK 5, PLAT A, BOUNTIFUL TS SURVEY, E 66 FT, S 132 FT, W 66 FT, N 132 FT TO BEG. CONT. 0.23 ACRES***

The Bountiful City Planning Commission heard the matter and considered the statements of the applicant, City staff, and the public. As a result, the Planning Commission makes the following findings:

1. This matter was properly heard before the Planning Commission.
2. Appropriate public notice has been provided and a public hearing held.

The Bountiful City Planning Commission hereby grants this Conditional Use Permit for a 14-unit multifamily development located at 33 and 55 West 400 South, Bountiful, Davis County, Utah, with the following conditions:

1. Complete any and all redline corrections.
2. Prior to the issuance of a building permit the parcels two parcels shall be consolidated, the portion of the property to the east shall be conveyed and all lot lines adjusted to properly show the new parcel. Complete any revisions to the site necessary based on the size of the new parcel.
3. Submit a landscape plan meeting the minimum requirements of Sections 14-16-104 and 14-16-109.
4. All damaged curb and gutter and sidewalk along 400 S. shall be replaced.

The Conditional Use Permit was approved on May 7, 2019, and this written form was approved this 18<sup>th</sup> day of June, 2019.

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Sean Monson  
Planning Commission Chairman

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ATTEST: Darlene Baetz  
Recording Secretary