



BOUNTIFUL CITY
ADMINISTRATIVE COMMITTEE AGENDA
Monday, January 4, 2021
5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold a meeting in the Conference Room at **South Davis Metro Fire Station, 255 South 100 West, Bountiful, Utah, 84010**, 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.

Bountiful City Planning Commission meetings, including this one, are open to the public. In consideration of the COVID-19 Pandemic, Bountiful City will be observing social distancing and may limit the number of people at the meeting. If you would like to submit a comment for the public hearing listed on the agenda below, please e-mail that comment to planning@bountiful.gov prior to the meeting and indicate in the e-mail if you would like your comment read at the meeting; you are also welcome to attend the meeting in person.

1. Welcome and Introductions.
2. Approval of 2021 Administrative Committee Meeting Calendar
3. Consider approval of minutes for November 9, 2020.
4. Consider a Conditional Use Permit for an Accessory Dwelling Unit (ADU) at 1561 North 700 East – Jace Riley, applicant.
 - a. Public Hearing
 - b. Action
 - c. Consider drafted approval in written form
5. Consider a Conditional Use Permit for an Accessory Dwelling Unit (ADU) at 4 East 1100 South – Evan and Kamille Fox, applicant.
 - a. Public Hearing
 - b. Action
 - c. Consider drafted approval in written form
6. Consider a Conditional Use Permit for an Accessory Dwelling Unit (ADU) at 1606 Vineyard Drive – Gerald and Alice Giauque, applicant.
 - a. Public Hearing
 - b. Action
 - c. Consider drafted approval in written form

7. Consider a Conditional Use Permit for a Home Occupation Daycare 12+ children at 893 East 250 North – Mary Carlisle, applicant.
 - a. Public Hearing
 - b. Action
 - c. Consider drafted approval in written form

8. Consider a Conditional Use Permit for a Home Occupation Handyman at 393 West 200 North #1 – Deivis Ruiz, applicant.
 - a. Public Hearing
 - b. Action
 - c. Consider drafted approval in written form

9. Consider approval of a Lot Line Adjustment at 499 East 500 South and 485 East 500 South, CTR Partnership LP and David Bland representing Providential BBA Operating LP, applicants.

10. Miscellaneous business and scheduling.

Administrative Committee Staff Report



Subject: Public Notice of Administrative Committee's 2021 Meeting Schedule
Authors: Francisco Astorga, AICP, Planning Director
Date: January 04, 2021

Background

Under Utah Code [Section 52-4-202](#) of the Utah Code (in the Open & Public Meetings Act), the Administrative Committee "shall give public notice at least once each year of its annual meeting schedule," and "shall specify the date, time, and place of the scheduled meetings."

Analysis

The Administrative Committee is to meet on a regular basis, as determined by a vote of the members, and at such other times as Committee members may determine. Staff recommends maintaining the current schedule of meeting on Mondays, as needed.

The Public Notice given here announces that Bountiful City Administrative Committee meetings "shall take place Mondays, as needed."

Department Review

This Public Notice has been reviewed by the City Attorney.

Significant Impacts

There are no significant impacts from this action.

Recommendation

It is recommended that the Administrative Committee approve the Public Notice of Bountiful City Administrative Committee meetings in 2021, and meet on Mondays, as needed.

Attachment

1. Public Notice of Bountiful City Administrative Committee 2021 Meetings

PUBLIC NOTICE

Pursuant to UCA 52-4-202(2), the City of Bountiful Administrative Committee hereby gives public notice of its annual meeting schedule for 2021. Regular meetings of the Administrative Committee shall take place on Mondays, as needed, unless otherwise advertised by legal notice. All Administrative Committee meetings shall be held at the South Davis Metro Fire Station 81, 255 South 100 West, Bountiful, Utah 84010 until further notice or unless otherwise advertised. The meetings will begin promptly at 5:00 p.m., unless otherwise advertised by legal notice

All meetings of the Administrative Committee shall be open to the public.

In addition to the above scheduled regular meetings, the Administrative Committee may, from time to time, meet in special sessions as needed, and such meetings will be advertised by legal notice to the public in accordance with UCA 52-4-202.

Dated this 31st day of December 2020.



Francisco Astorga
Planning Director

Draft Minutes of the
BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE
November 9, 2020
5:00 p.m.

Present:	Committee Chairman	Francisco Astorga
	Committee Members	Brad Clawson and Dave Badham
	Assistant City Planner	Kendal Black
	Recording Secretary	Jacinda Shupe

1. Welcome and Introductions

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

2. Consider approval of minutes for October 12, 2020

Committee Member Clawson made a motion to approve the minutes for October 12, 2020. Committee Chairman Astorga seconded the motion. Voting was 2-0-1 with Committee Members Astorga and Clawson voted aye and Badham abstaining.

3. Consider approval of a Lot Line Adjustment at 4756 and 4764 South Spring Meadow Circle, Dain & Amber Black and Mark & Angela Bassett, applicants.

No one was present to represent the applicants. Assistant Planner Black presented the item.

Assistant City Planner Black indicated that the Applicants, W. Mark & Angela B. Bassett - Trustees and Amber & Dain Black - Trustees, are requesting a Lot Line Adjustment between their two properties located at 4756 S Spring Meadows Circle and 4764 South Spring Meadows Circle. Both properties, shown as Lot 1 (Bassett's Property) and Lot 2 (Black's Property), are in the R-F Single-Family Zone. The purpose of the adjustment is to convey a portion of Lot 1 to Lot 2 and an equal-sized portion of Lot 2 to Lot 1. Lot 1 will convey 2,758 square feet (0.063 acres), shown as Parcel A, to Lot 2. Lot 2 will convey 2,758 square feet (0.063 acres), shown as Parcel B, to Lot 1. The adjustment will not change the lot sizes or square footage of either parcel. Lot 1 will remain 102,758.04 square feet (2.359 acres) and Lot 2 to 82,371.96 square feet (1.891 acres). Public Utility Easements on the shared property line and the back half of each property will be affected with the Lot Line Adjustment and must be released.

Assistant City Planner Black indicated that there are not any new lots being created in this conveyance, therefore, an amended, subdivision plat will not be necessary and that there have been no new building permits issued or proposed. Based on the above findings, Staff recommends approval of the 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, subject to final form approved by the City Engineer.

1 Committee Member Badham made a motion to approve the Lot Line Adjustment and
2 Committee Member Clawson seconded the motion. Voting was 3-0.
3

4 **4. Consider approval of a Lot Line Adjustment at 3036 Cave Hollow and 2979 Wood**
5 **Hollow Way, Kurt & Carrie Holbrook and Aaron & Krystal Watts, applicants.**
6

7 Kurt and Carrie Holbrook, applicants, were present. Assistant City Planner Black presented
8 the item.
9

10 Assistant City Planner Black indicated that the Applicants, Kurt & Carrie Holbrook and Aaron
11 & Crystal Watts, are requesting a Lot Line Adjustment between their two properties located at
12 3036 Cave Hollow Way and 2979 Wood Hollow Way. Both properties, shown as Lot 1
13 (Holbrook's Property) and Lot 2 (Watts' Property), are in the R-F Single-Family Zone. The
14 purpose of the adjustment is to convey a portion of Lot 1 to Lot 2. Lot 1 will convey 2,267
15 square feet (0.052 acres), shown as Parcel being conveyed to Lot 1 (Watts'). The adjustment
16 will bring Lot 2 to 54,103.4 square feet (1.242 acres) and Lot 1 to 55,232.2 square feet (1.268
17 acres). Public Utility Easements will not be affected with the Lot Line Adjustment.
18

19 Assistant City Planner Black indicated that There are not any new lots being created in this
20 conveyance, therefore, an amended, subdivision plat will not be necessary and that there have
21 been no new building permits issued or proposed. Based on the above findings, Staff
22 recommends approval of the Lot Line Adjustment, with the following conditions:
23

- 24 1. Complete any redline corrections required on the plat and be aware of the utility
25 easements agreed upon for power lines by completing this lot line adjustment.
- 26 2. The approved Lot Line Adjustment shall be recorded with Davis County, subject to
27 approval of final form by the City Engineer.
28

29 Committee Member Clawson made a motion to approve the Lot Line Adjustment and
30 Committee Member Badham seconded the motion. Voting was 3-0.
31

32 Chairman Astorga added advice pertaining to the possibility of future development of the 3
33 lots owned by Mr. and Ms. Holbrook.
34

35 Chairman Astorga ascertained there were no further items of business. The meeting was
36 adjourned at 5:20 p.m.
37
38
39
40

41 _____
42 Francisco Astorga
Administrative Committee Chair

Administrative Committee Staff Report



Subject: Conditional Use Permit for an Accessory Dwelling Unit
at 1561 North 700 East
Author: Kendal Black, Assistant City Planner
Date: January 4, 2021

Background

The applicant, Jace Riley and Makenzie Riley submitted a Conditional Use Permit (CUP) for a basement accessory dwelling unit (ADU) for their property located at 1561 North 700 East. Bountiful City Administrative Committee reviews all CUPs for ADUs. The Bountiful City Land Use Code defines an ADU (see also “Accessory In-Law Apartment”) as *a self-contained dwelling unit within an owner-occupied single-family residence or in a detached accessory structure located on an owner-occupied property.*

Analysis

Bountiful City Land Use Code 14-14-124(C) states that an ADU shall meet all the following standards below shown in *italics*. Staff findings for each standard are shown as underlined text.

- 1. An accessory dwelling unit shall be conditionally permitted only within a single-family residential zone and shall not be permitted in any other zone.*
The single-family dwelling is located within the Single-Family Res. Zone (R-4).
- 2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.*
The site currently contains one (1) single-family dwelling.
- 3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.*
The applicant has submitted a CUP application for one (1) ADU.
- 4. A maximum of one (1) accessory dwelling unit shall be permitted as a conditional use on a lot or parcel in a single-family residential zone.*
The applicant has submitted a CUP application for one (1) ADU.
- 5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.*
The site currently contains one (1) single-family dwelling.
- 6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit*

is required, then said deed restriction shall be recorded prior to issuance of the building permit.

The Planning Director will prepare a deed restriction once the Administrative Committee approves this application and all applicable conditions of approval are met. According to online records of the Davis County Assessor's Office, the subject property (parcel no. 02-079-0017) is owned by Jace & Mackenzie Riley. The applicant is aware of the owner occupancy requirements of the Code.

The Assessor's Office online records also indicates that 1953 South Davis Boulevard (parcel no. 05-045-0043) is also owned by Jace & Mackenzie Riley. The Planning Department found a recent online advertisement seeking a renter for the upstairs portion of this single-family dwelling while keeping the downstairs area of this dwelling for another renter. The applicant has indicated with Planning Staff that this is an old advertisement and that only one (1) person lives at this location. The applicant welcomes a site inspection from the City, which has not yet taken place. Staff does not find any prohibited activity, consisting of an illegal ADU/duplex, which would have occurred if the applicant had found another renter for the upstairs. Staff recommends adding a condition of approval regarding the site inspection including the interior of the house, to take place before signing the deed restriction.

7. *The property owner must occupy either the principal unit or the accessory dwelling unit, as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other means required by the Planning Department. The deed restriction will indicate that the property owner must either occupy the principal unit or the ADU, as their permanent residence.*
8. *Separate utility meters shall not be permitted for the accessory dwelling unit. The restriction applies and the deed restriction will indicate such.*
9. *Any property and any structure that contains an approved accessory dwelling unit shall be designed and maintained in such a manner that the property maintains the appearance of a single-family dwelling. Except as provided below, a separate entrance to the accessory dwelling unit is required and shall not be allowed on the front or corner lot side yard. A separate entrance shall be located to the side or rear of the principal residence.
 - i. *An accessory dwelling unit in a basement may share a common entrance with the principal unit, provided each unit has a separate interior door.*As shown on the submitted application the basement contains an entrance on its rear elevation.*
10. *It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit. This site does not have any active building permits. A shed on the south side of the single-family dwelling did not meet the setback and was unpermitted. Prior to this*

staff report preparation, the applicant removed this shed in preparation for the ADU public hearing and review by the Administrative Committee. It is anticipated the basement ADU conversion will not require any permits, to be determined by the Bountiful City Building Official.

11. *Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off-street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.*

The site has five (5) parking spaces. Per research of the Planning Dept., when the single-family dwelling was built in 1972 it required a total of two (2) parking spaces.

Bountiful City Land Use Code 14-14-124(D) states that in addition to the general ADU requirements (above), an attached ADU shall meet the all the following below:

1. *Shall be at least three hundred fifty (350) sq. ft. in size and shall not exceed one thousand two hundred fifty (1,250) sq. ft., however accessory dwelling units located in a basement may occupy the entire basement of the principal unit.*

According to Davis County Assessor's Office online records the single-family dwelling is 3,570 square feet, which does not include the 560 square foot garage. The basement is 1,802 square feet. The proposed ADU is a basement ADU.

2. *Shall have its own dedicated separate entrance from the principal unit in compliance with section 14-14-124(C)(9) and shall not have the appearance of a Two-Family Dwelling (duplex). The separate entrance shall have a walkway in compliance with applicable building codes.*

The submitted plans do not show compliance with the required walkway. Staff recommends adding a condition of approval regarding the required walkway to be installed and inspected prior to the City signing the deed restriction.

Additional: In order to comply with the adopted definition of an ADU which clearly identifies them as a self-contained dwelling, the applicant will need to demonstrate to Staff how the ADU will be separated from the principal unit. Staff recommends adding a condition of approval regarding this requirement to be installed and inspected prior to the City signing the deed restriction.

Recommendation and Conditions of Approval

Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit allowing a basement accessory dwelling unit at 1561 North 700 East subject to the following conditions of approval:

1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:

- a. The owner(s) of the property must continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.
2. The property owner will allow City officials to inspect the applicant's secondary site located at 1953 South Davis Boulevard (parcel no. 05-045-0043) to ensure that this site is not been rented out to more than one (1) tenant. The site inspection including the interior of the house, shall take place before the Planning Director signs the required deed restriction.
 3. The required walkway shall be installed and inspected prior to the City signing the deed restriction.
 4. The accessory dwelling unit shall be separated from the principal unit. The City shall inspect the site prior to the Planning Director signing the deed restriction.
 5. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
 6. The Deed Restriction shall be signed within six (6) months of the date of approval.

Attachments

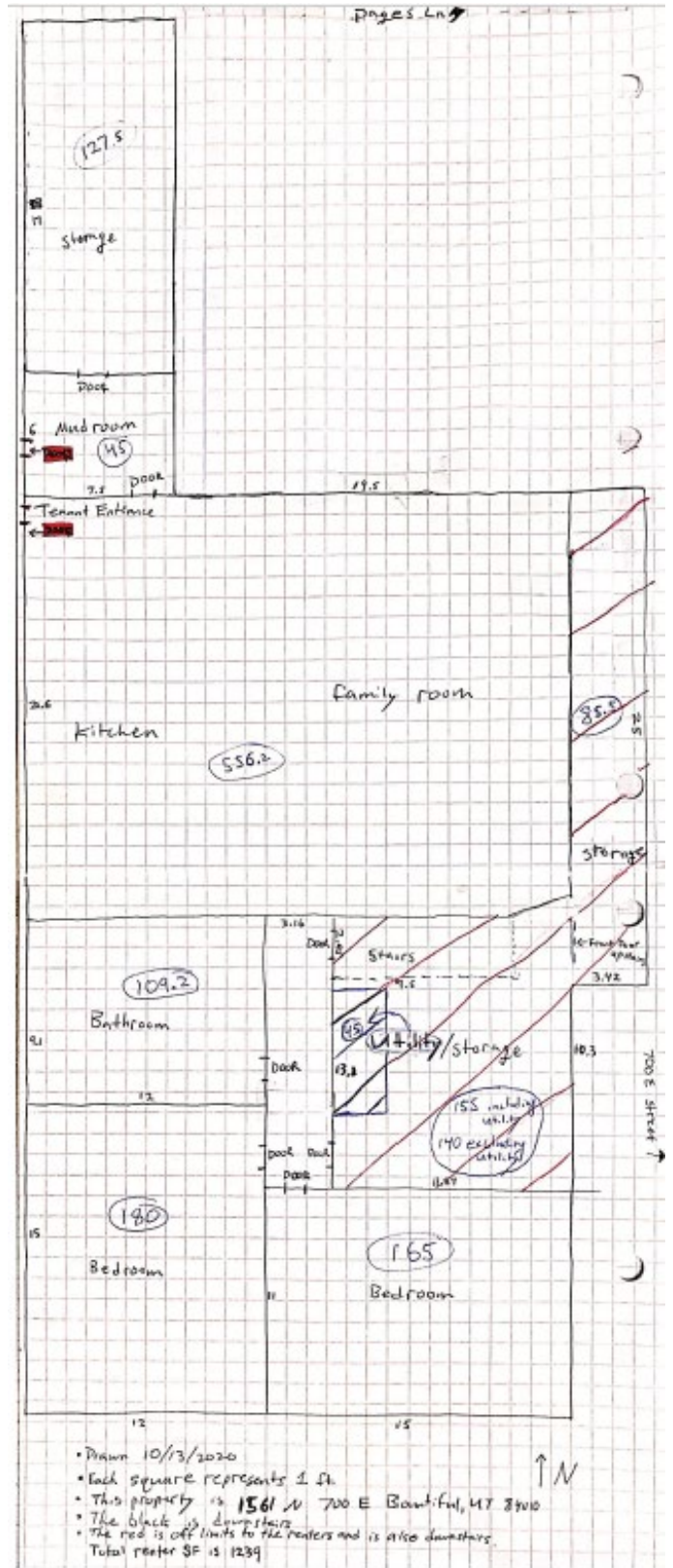
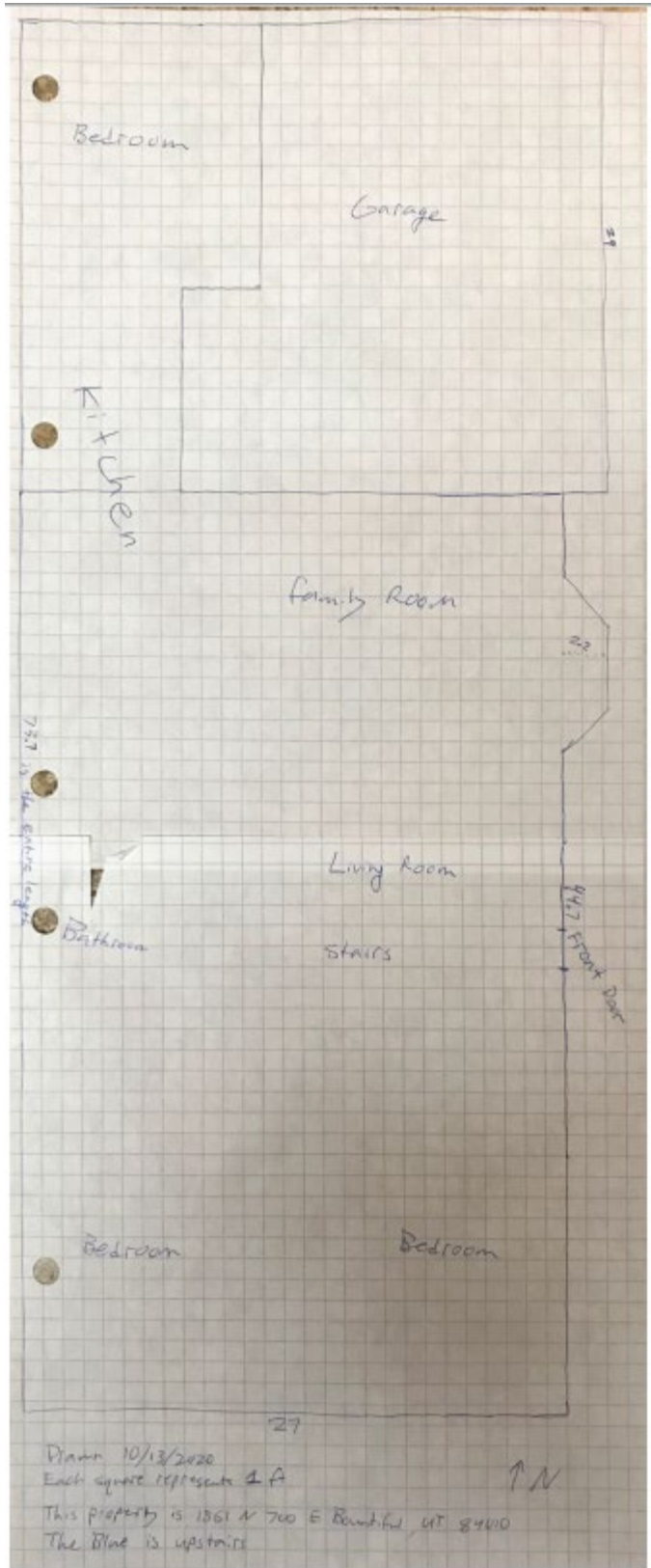
1. Aerial Photo
2. Floor Plans
3. Site Plan
4. Drafted Approval in Written Form

ATTACHMENTS

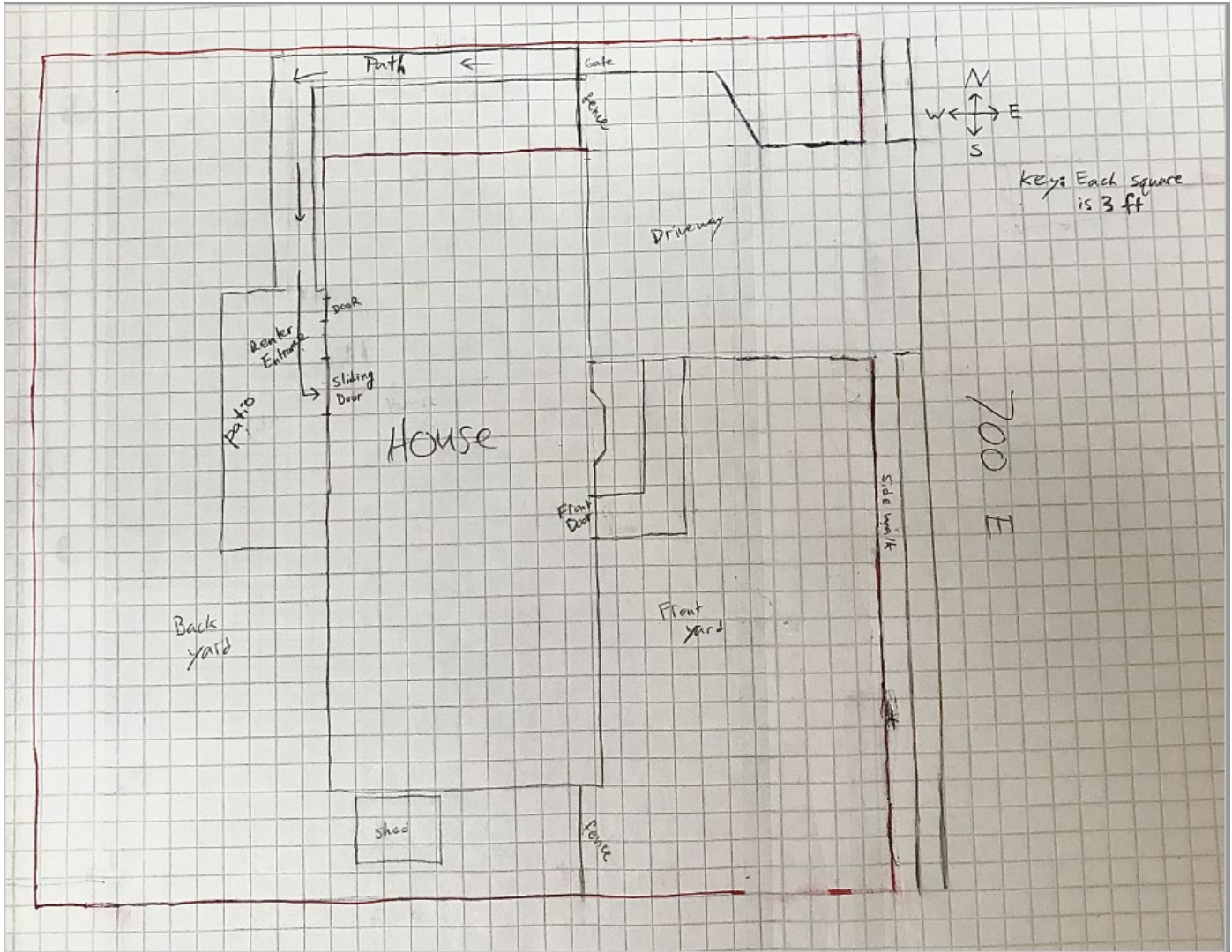
1. Aerial Photo



2. Floor Plans



3. Site Plan



4. Drafted Approval in Written Form



RANDY C. LEWIS
MAYOR

CITY COUNCIL
Kate Bradshaw
Kendalyn Harris
Richard Higginson
John Marc Knight
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

Bountiful City, Utah
Draft Conditional Use Permit Approval
of an Accessory Dwelling Unit

A public hearing was held on January 4, 2021, at the South Davis Metro Fire Station located at 255 South 100 West, Bountiful, Utah 84010, to consider the request of Jace Riley and Makenzie Riley Carey for a Conditional Use Permit allowing an Accessory Dwelling at the following location:

1561 North 700 East, Bountiful, Davis County, Utah

ALL OF LOT 17, HILLS NO 2 SUB, THE. CONT. 0.211 ACRES

Parcel 02-079-0017

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 for an accessory dwelling shall meet all the criteria in Section 14-14-124 of the Bountiful City Land Use Code, as conditioned.
4. The proposed request for an accessory dwelling shall meet all applicable sections of the City Code.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for basement Accessory Dwelling Unit as requested by Jace Riley and Makenzie Riley Carey to be located at 1561 North 700 East, Bountiful, Davis County, Utah, with the following conditions:

1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:
 - a. The owner(s) of the property must continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.
2. The property owner will allow City officials to inspect the applicant's secondary site located at 1953 South Davis Boulevard (parcel no. 05-045-0043) to ensure that this

site is not been rented out to more than one (1) tenant. The site inspection including the interior of the house, shall take place before the Planning Director signs the required deed restriction.

3. The required walkway shall be installed and inspected prior to the City signing the deed restriction.
4. The accessory dwelling unit shall be separated from the principal unit. The City shall inspect the site prior to the Planning Director signing the deed restriction.
5. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
6. The Deed Restriction shall be signed within six (6) months of the date of approval.

The Conditional Use Permit for an accessory dwelling unit was approved on January 4, 2021, and this written form was approved this January 4, 2021.

Francisco Astorga
Administrative Committee Chair

ATTEST: Jacinda Shupe
Recording Secretary

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

Property Owners Affidavit

I (we) Jace R. Riley, Makenzie Riley, 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.

Jace R. Riley
Owner's Signature

Makenzie Riley
Owner's Signature (co-owner if any)

State of Utah)
County of Davis)

Subscribed and sworn to before me this 13th day of October, 2020.

Notary Public: Sam Christensen



Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Bountiful City, Utah, do hereby appoint _____, 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.

Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)
County of Davis)

On the ____ day of _____, 20____, personally appeared before me _____ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public: _____

Plans need to include:

- Bountiful City will prepare labels and mail out the notice to all property owners within three hundred feet (300') of the subject property boundaries based on the most recent Davis County Tax Assessment records.

**The fee for the preparation and mailing of notices has been added to the application fee. Do not get labels from Davis County Recorders office, if you do, you will still be charged the entire fee on page 1.

**Items heard by the Administrative Committee do not require mailing labels.*

- Typed responses to the following questions:
 - How does your proposed project fit in with surrounding properties and uses?
 - In what ways does the project not fit in with surrounding properties and uses?
 - What will you do to mitigate the potential conflicts with surrounding properties and uses?

- Plans needed to submit for Accessory Dwelling Unit approval:

One (1) 11x17 copy
One (1) .PDF file
* Items to be included on the plans.

- Plans needed to submit for all other CUP approval:

One (1) 11x17 copy
One (1) .PDF file
* Items to be included on the plans.

*** ITEMS TO BE INCLUDED ON PLANS**

- Drawn at 1:10 scale or as required by the City Engineer and City Planner.
- A site plan shall include:
 - A north arrow, the scale of the drawing, and the date of the drawing.
 - Street names and addresses.
 - Property lines with dimensions.
 - All sidewalks, driveways, curbs and gutter, and parking areas.
 - All existing easements, rights-of-way, and any other restrictions on the use of the property.
 - Existing buildings, proposed buildings, and other significant features on the site.
 - Existing buildings and significant features located on adjacent properties within 50 feet (50') of the subject property boundaries.
 - When required by the City Planner or City Engineer, and for all new construction, a survey including both existing and proposed contours of the land at intervals of two feet (2') or better.
 - Any other items that the City Planner may require.

Administrative Committee Staff Report



Subject: Conditional Use Permit for an Accessory Dwelling Unit
at 4 East 1100 South
Authors: Kendal Black, Assistant City Planner
Date: January 4, 2021

Background

The applicant, Evan and Kamille Fox submitted a Conditional Use Permit (CUP) for a basement accessory dwelling unit (ADU) for their property located at 4 East 1100 South. Bountiful City Administrative Committee reviews all CUPs for ADUs. The Bountiful City Land Use Code defines an ADU (see also “Accessory In-Law Apartment”) as *a self-contained dwelling unit within an owner-occupied single-family residence or in a detached accessory structure located on an owner-occupied property.*

Analysis

Bountiful City Land Use Code 14-14-124(C) states that an ADU shall meet all the following standards below shown in *italics*. Staff findings for each standard are shown as underlined text.

- 1. An accessory dwelling unit shall be conditionally permitted only within a single-family residential zone and shall not be permitted in any other zone.*
The single-family dwelling is located within the Single-Family Res. Zone (R-3).
- 2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.*
The site currently contains one (1) single-family dwelling.
- 3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.*
The applicant has submitted a CUP application for one (1) ADU.
- 4. A maximum of one (1) accessory dwelling unit shall be permitted as a conditional use on a lot or parcel in a single-family residential zone.*
The applicant has submitted a CUP application for one (1) ADU.
- 5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.*
The site currently contains one (1) single-family dwelling.
- 6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder’s Office prior to occupancy of the accessory dwelling unit. If a building permit*

is required, then said deed restriction shall be recorded prior to issuance of the building permit.

The Planning Director will prepare a deed restriction once the Administrative Committee approves this application and all applicable conditions of approval are met. According to online records of the Davis County Assessor's Office, the subject property (parcel no. 02-079-0017) is owned by Evan and Kamille Fox. The applicant is aware of the owner occupancy requirements of the Code.

The Assessor's Office online records also indicates that 1953 South Davis Boulevard (parcel no. 05-045-0043) is also owned by Jace & Mackenzie Riley. The Planning Department found a recent online advertisement seeking a renter for the upstairs portion of this single-family dwelling while keeping the downstairs area of this dwelling for another renter. The applicant has indicated with Planning Staff that this is an old advertisement and that only one (1) person lives at this location. The applicant welcomes a site inspection from the City, which has not yet taken place. Staff does not find any prohibited activity, consisting of an illegal ADU/duplex, which would have occurred if the applicant had found another renter for the upstairs. Staff recommends adding a condition of approval regarding the site inspection including the interior of the house, to take place before signing the deed restriction.

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8. *Separate utility meters shall not be permitted for the accessory dwelling unit. The restriction applies and the deed restriction will indicate such.*
9. *Any property and any structure that contains an approved accessory dwelling unit shall be designed and maintained in such a manner that the property maintains the appearance of a single-family dwelling. Except as provided below, a separate entrance to the accessory dwelling unit is required and shall not be allowed on the front or corner lot side yard. A separate entrance shall be located to the side or rear of the principal residence.
 - i. *An accessory dwelling unit in a basement may share a common entrance with the principal unit, provided each unit has a separate interior door.*As shown on the submitted application the basement contains an entrance on its rear elevation.*
10. *It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit. This site does not have any active building permits. A shed on the south side of the single-family dwelling did not meet the setback and was unpermitted. Prior to this*

staff report preparation, the applicant removed this shed in preparation for the ADU public hearing and review by the Administrative Committee. It is anticipated the basement ADU conversion will not require any permits, to be determined by the Bountiful City Building Official.

11. *Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off-street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.*

The site has five (5) parking spaces. Per research of the Planning Dept., when the single-family dwelling was built in 1972 it required a total of two (2) parking spaces.

Bountiful City Land Use Code 14-14-124(D) states that in addition to the general ADU requirements (above), an attached ADU shall meet the all the following below:

1. *Shall be at least three hundred fifty (350) sq. ft. in size and shall not exceed one thousand two hundred fifty (1,250) sq. ft., however accessory dwelling units located in a basement may occupy the entire basement of the principal unit.*

According to Davis County Assessor's Office online records the single-family dwelling is 3,570 square feet, which does not include the 560 square foot garage. The basement is 1,802 square feet. The proposed ADU is an basement ADU.

2. *Shall have its own dedicated separate entrance from the principal unit in compliance with section 14-14-124(C)(9) and shall not have the appearance of a Two-Family Dwelling (duplex). The separate entrance shall have a walkway in compliance with applicable building codes.*

The submitted plans do not show compliance with the required walkway. Staff recommends adding a condition of approval regarding the required walkway to be installed and inspected prior to the City signing the deed restriction.

Additional: In order to comply with the adopted definition of an ADU which clearly identifies them as a self-contained dwelling, the applicant will need to demonstrate to Staff how the ADU will be separated from the principal unit. Staff recommends adding a condition of approval regarding this requirement to be installed and inspected prior to the City signing the deed restriction.

Recommendation and Conditions of Approval

Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit allowing a basement accessory dwelling unit at 4 East 1100 South subject to the following conditions of approval:

1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:

- a. The owner(s) of the property must continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.
2. The property owner will allow City officials to inspect the applicant's secondary site located at 1953 South Davis Boulevard (parcel no. 05-045-0043) to ensure that this site is not been rented out to more than one (1) tenant. The site inspection including the interior of the house, shall take place before the Planning Director signs the required deed restriction.
 3. The required walkway shall be installed and inspected prior to the City signing the deed restriction.
 4. The accessory dwelling unit shall be separated from the principal unit. The City shall inspect the site prior to the Planning Director signing the deed restriction.
 5. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
 6. The Deed Restriction shall be signed within six (6) months of the date of approval.

Attachments

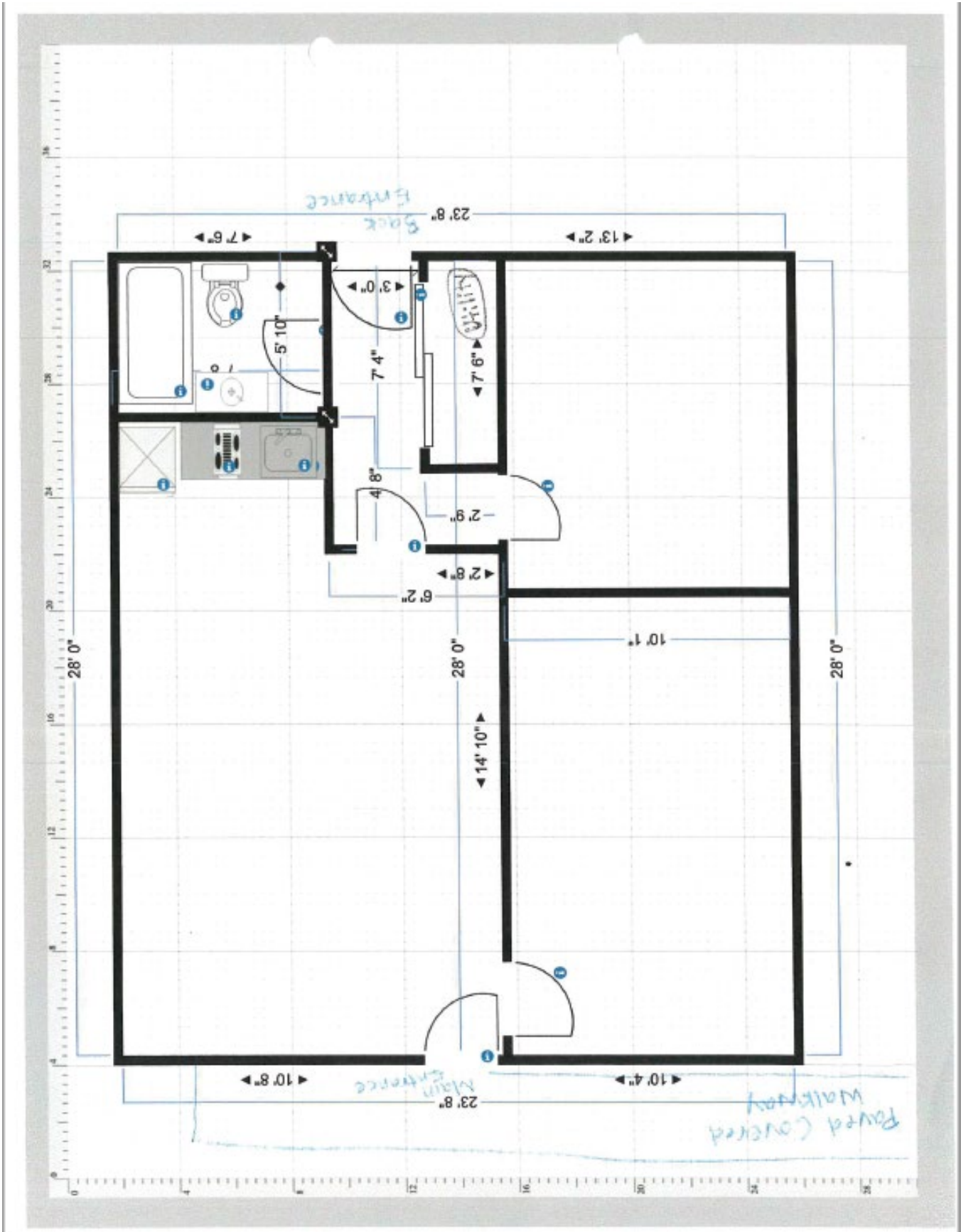
1. Aerial Photo
2. Floor Plans
3. Site Plan
4. Drafted Approval in Written Form

ATTACHMENTS

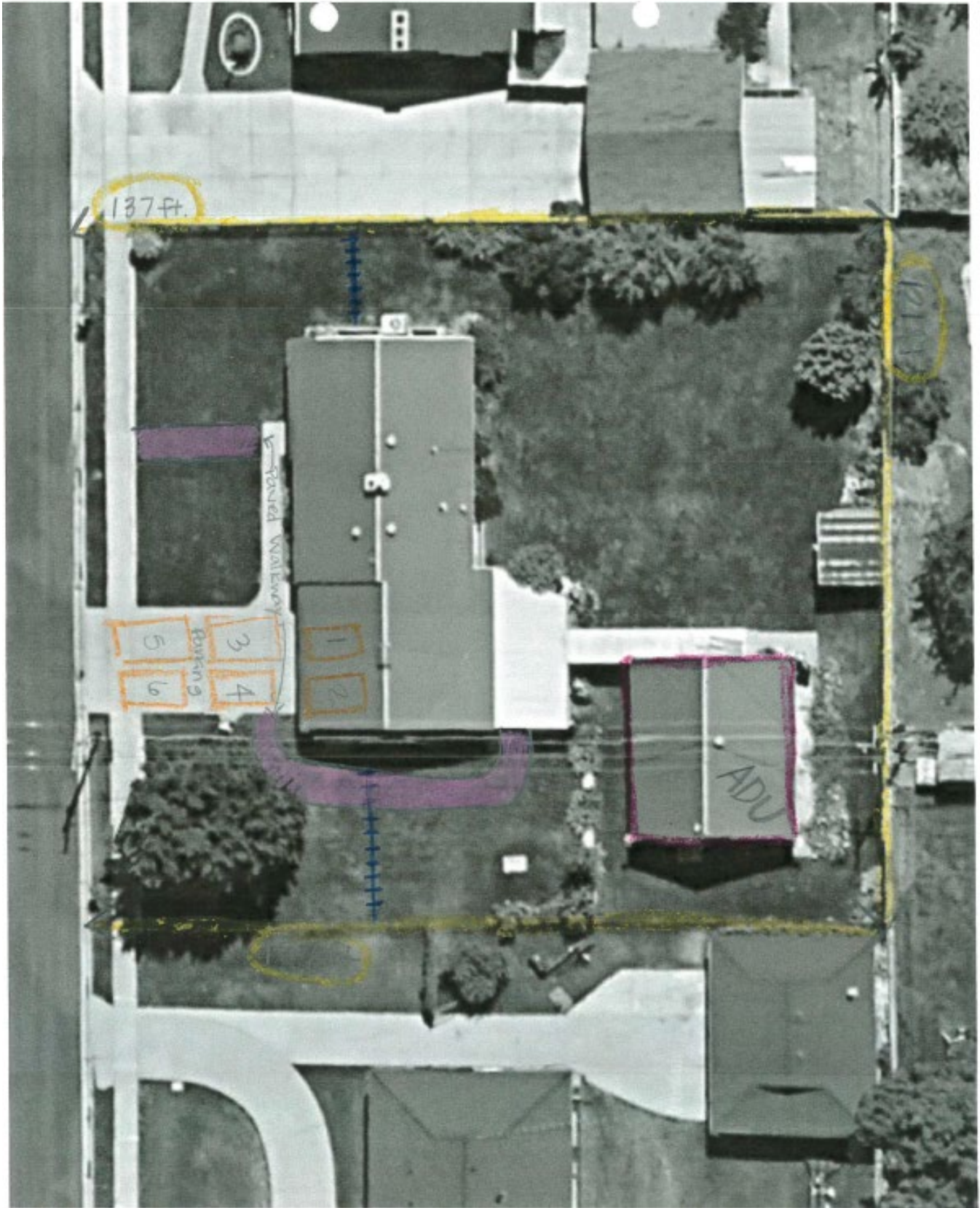
- 1. Aerial Photo



2. Floor Plan



3. Site Plan



4. Drafted Approval in Written Form



RANDY C. LEWIS
MAYOR

CITY COUNCIL
Kate Bradshaw
Kendalyn Harris
Richard Higginson
John Marc Knight
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

Bountiful City, Utah
Draft Conditional Use Permit Approval
of an Accessory Dwelling Unit

A public hearing was held on January 4, 2021, at the South Davis Metro Fire Station located at 255 South 100 West, Bountiful, Utah 84010, to consider the request of Evan and Kamille Fox for a Conditional Use Permit allowing an Accessory Dwelling at the following location:

4 East 1100 South, Bountiful, Davis County, Utah

ALL OF LOT 17, HILLS NO 2 SUB, THE. CONT. 0.211 ACRES

Parcel 02-079-0017

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 for an accessory dwelling shall meet all the criteria in Section 14-14-124 of the Bountiful City Land Use Code, as conditioned.
4. The proposed request for an accessory dwelling shall meet all applicable sections of the City Code.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for basement Accessory Dwelling Unit as requested by Evan and Kamille Fox to be located at 4 East 1100 South, Bountiful, Davis County, Utah, with the following conditions:

1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:
 - a. The owner(s) of the property must continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.

2. The property owner will allow City officials to inspect the applicant's secondary site located at 1953 South Davis Boulevard (parcel no. 05-045-0043) to ensure that this site is not been rented out to more than one (1) tenant. The site inspection including the interior of the house, shall take place before the Planning Director signs the required deed restriction.
3. The required walkway shall be installed and inspected prior to the City signing the deed restriction.
4. The accessory dwelling unit shall be separated from the principal unit. The City shall inspect the site prior to the Planning Director signing the deed restriction.
5. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
6. The Deed Restriction shall be signed within six (6) months of the date of approval.

The Conditional Use Permit for an accessory dwelling unit was approved on January 4, 2021, and this written form was approved this January 4, 2021.

Francisco Astorga
Administrative Committee Chair

ATTEST: Jacinda Shupe
Recording Secretary

Administrative Committee Staff Report



Subject: Conditional Use Permit for an Accessory Dwelling Unit
at 1606 East Vineyard Drive
Authors: Kendal Black, Assistant City Planner
Date: January 4, 2021

Background

The applicant, Gerald and Alice Giauque submitted a Conditional Use Permit (CUP) for a basement accessory dwelling unit (ADU) for their property located at 1606 East Vineyard Drive. Bountiful City Administrative Committee reviews all CUPs for ADUs. The Bountiful City Land Use Code defines an ADU (see also “Accessory In-Law Apartment”) as *a self-contained dwelling unit within an owner-occupied single-family residence or in a detached accessory structure located on an owner-occupied property.*

Analysis

Bountiful City Land Use Code 14-14-124(C) states that an ADU shall meet all the following standards below shown in *italics*. Staff findings for each standard are shown as underlined text.

- 1. An accessory dwelling unit shall be conditionally permitted only within a single-family residential zone and shall not be permitted in any other zone.*
The single-family dwelling is located within the Single-Family Res. Zone (R-3).
- 2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.*
The site currently contains one (1) single-family dwelling.
- 3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.*
The applicant has submitted a CUP application for one (1) ADU.
- 4. A maximum of one (1) accessory dwelling unit shall be permitted as a conditional use on a lot or parcel in a single-family residential zone.*
The applicant has submitted a CUP application for one (1) ADU.
- 5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.*
The site currently contains one (1) single-family dwelling.
- 6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder’s Office prior to occupancy of the accessory dwelling unit. If a building permit*

is required, then said deed restriction shall be recorded prior to issuance of the building permit.

The Planning Director will prepare a deed restriction once the Administrative Committee approves this application and all applicable conditions of approval are met. According to online records of the Davis County Assessor's Office, the subject property (parcel no. 04-114-0004) is owned by Gerald and Alice Giauque. The applicant is aware of the owner occupancy requirements of the Code.

7. *The property owner must occupy either the principal unit or the accessory dwelling unit, as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other means required by the Planning Department. The deed restriction will indicate that the property owner must either occupy the principal unit or the ADU, as their permanent residence.*
8. *Separate utility meters shall not be permitted for the accessory dwelling unit. The restriction applies and the deed restriction will indicate such.*
9. *Any property and any structure that contains an approved accessory dwelling unit shall be designed and maintained in such a manner that the property maintains the appearance of a single-family dwelling. Except as provided below, a separate entrance to the accessory dwelling unit is required and shall not be allowed on the front or corner lot side yard. A separate entrance shall be located to the side or rear of the principal residence.
 - i. *An accessory dwelling unit in a basement may share a common entrance with the principal unit, provided each unit has a separate interior door.*As shown on the submitted application the basement contains an entrance on its side (north) elevation.*
10. *It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit. This site does not have any active building permits. It is anticipated the basement ADU conversion will not require any permits.*
11. *Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off-street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking. The site has five (5) parking spaces. Per research of the Planning Dept., when the single-family dwelling was built in 1993 it required a total of two (2) parking spaces.*

Bountiful City Land Use Code 14-14-124(D) states that in addition to the general ADU requirements (above), an attached ADU shall meet the all the following below:

1. *Shall be at least three hundred fifty (350) sq. ft. in size and shall not exceed one thousand two hundred fifty (1,250) sq. ft., however accessory dwelling units located in a basement may occupy the entire basement of the principal unit.*
According to Davis County Assessor's Office online records the single-family dwelling is 4,024.5 square feet, which does not include the 812 square foot garage. The basement is 2,001 square feet. The proposed ADU is a basement ADU consisting of 1,612 square feet.
2. *Shall have its own dedicated separate entrance from the principal unit in compliance with section 14-14-124(C)(9) and shall not have the appearance of a Two-Family Dwelling (duplex). The separate entrance shall have a walkway in compliance with applicable building codes.*
The submitted plans does not necessary show compliance with the required walkway. Staff recommends adding a condition of approval regarding the required walkway to be installed and inspected prior to the City signing the deed restriction.

Additional: The the adopted definition of an ADU which clearly identifies them as a self-contained dwelling. The applicant has demonstrated on their submittal how the ADU is separated from the principal dwelling.

Recommendation and Conditions of Approval

Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit allowing a basement accessory dwelling unit at 1606 East Vineyard Drive subject to the following conditions of approval:

1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:
 - a. The owner(s) of the property must continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.
2. The required walkway shall be inspected prior to the City signing the deed restriction.
3. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
4. The Deed Restriction shall be signed within six (6) months of the date of approval.

Attachments

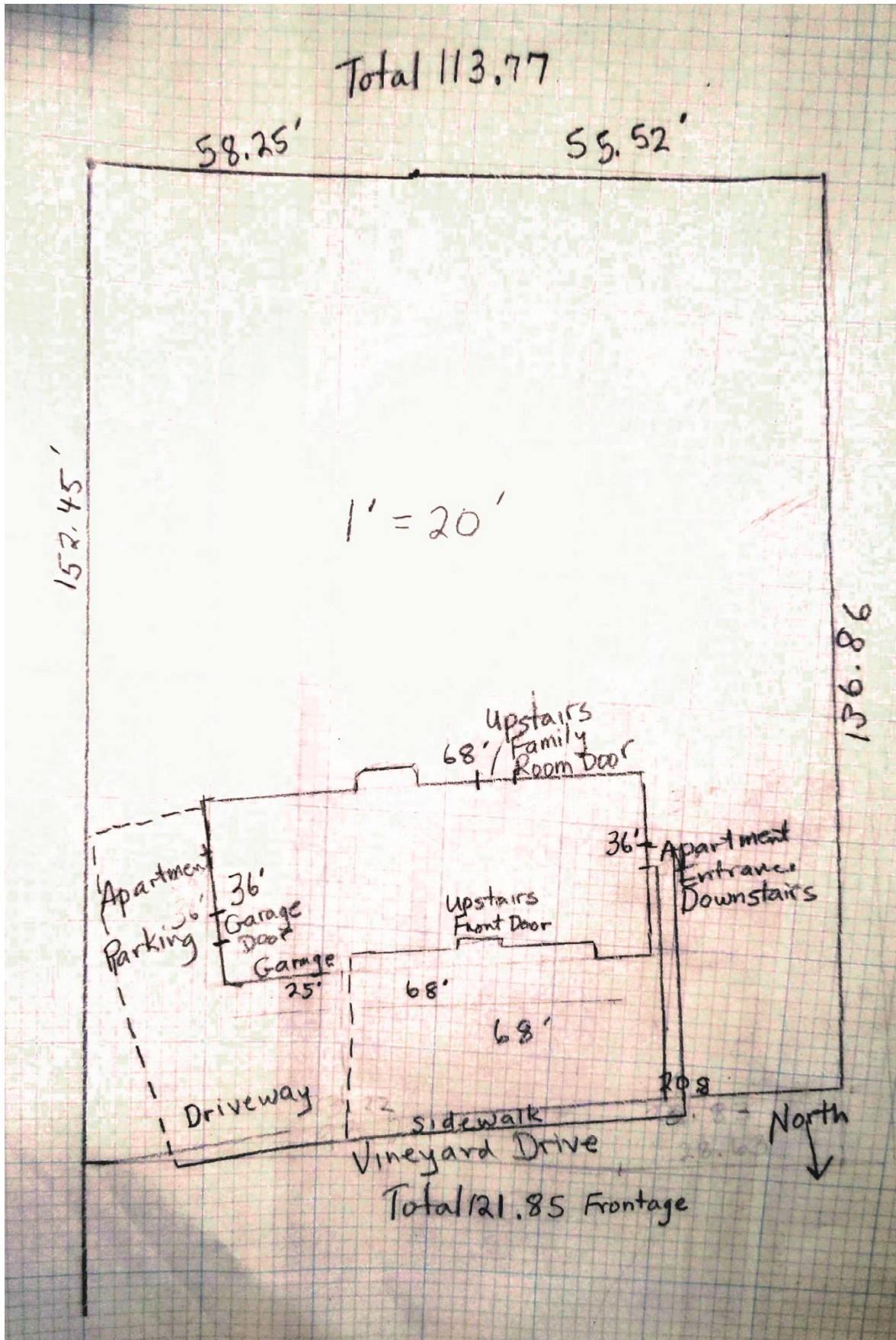
1. Aerial Photo
2. Floor Plan
3. Site Plan
4. Drafted Approval in Written Form

ATTACHMENTS

1. Aerial Photo



3. Site Plan



4. Written Approval in Written Form



RANDY C. LEWIS
MAYOR

CITY COUNCIL
Kate Bradshaw
Kendalyn Harris
Richard Higginson
John Marc Knight
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

Bountiful City, Utah
Draft Conditional Use Permit Approval
of an Accessory Dwelling Unit

A public hearing was held on January 4, 2021, at the South Davis Metro Fire Station located at 255 South 100 West, Bountiful, Utah 84010, to consider the request of Gerald and Alice Giauque for a Conditional Use Permit allowing an Accessory Dwelling at the following location:

1606 East Vineyard Drive, Bountiful, Davis County, Utah

ALL OF LOT 4, GRANADA HILLS SUB PLAT NO. 6. CONT. 0.38 ACRES

Parcel 04-114-0004

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 for an accessory dwelling shall meet all the criteria in Section 14-14-124 of the Bountiful City Land Use Code, as conditioned.
4. The proposed request for an accessory dwelling shall meet all applicable sections of the City Code.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for basement Accessory Dwelling Unit as requested by Gerald and Alice Giauque to be located at 1606 East Vineyard Drive, Bountiful, Davis County, Utah, with the following conditions:

1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:
 - a. The owner(s) of the property must continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.

2. The required walkway shall be inspected prior to the City signing the deed restriction.
3. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
4. The Deed Restriction shall be signed within six (6) months of the date of approval.

The Conditional Use Permit for an accessory dwelling unit was approved on January 4, 2021, and this written form was approved this January 4, 2021.

Francisco Astorga
Administrative Committee Chair

ATTEST: Jacinda Shupe
Recording Secretary

Administrative Committee Staff Report



Subject: Conditional Use Permit for a Home Occupation Group Instruction
at 893 East 250 North
Author: Kendal Black, Assistant City Planner
Date: January 4, 2021

Background/Overview

The applicant, Mary Carlisle, submitted a Conditional Use Permit (CUP) for a Home Occupation Group Instruction with up to twelve (12) children at 893 East 250 North. The property is located in the Single-Family Residential (R-4) Zone.

Analysis

Bountiful City Land Use Code Section 14-4-103 indicates that a Home Occupation Group Instruction with eight (8) or less children, including those residing in the home, as a permitted use. This same Code section lists a Home Occupation Group Instruction with nine (9) to twelve (12) children as a conditional use meeting applicable State licensing requirement. The Bountiful City Administrative Committee has authority to review all CUPs for Home Occupations requests.

The submitted application indicates that the property will be used to operate Mary Carlisle Daycare. The applicant indicates there will be one (1) session with up to twelve (12) children each day. One (1) session will be held Monday through Friday from 7 am to 9 pm. The applicant indicates the area of the home used for the preschool will 816 square feet, which is less than the *no more than 50% of the home* requirement of the Land Use Code.

In addition to the areas inside the home used for the daycare, the applicant is proposing to use approximately 7,000 square feet of backyard as a play and recreation area. The area is not fenced but is surrounded by thick tree growth and lush vegetation. While there will some added traffic on the street, it should be brief and not adversely affect the neighborhood.

Recommendation

Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit for a Home Occupation Group Instruction with up to twelve (12) children at 893 East 250 North, subject to the following conditions:

1. The applicant shall maintain an active Bountiful City Business License.
2. The applicant shall keep up with all applicable State licensing requirements.
3. The Home Occupation will not create nuisances discernible beyond the premises (e.g., dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
4. The use will comply with all the applicable fire, building, plumbing, electrical, 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 in non-transferable.

Attachments

1. Aerial Photo
2. Bountiful Land Use Code
3. Floor Plan
4. Site Plan

Attachment 1 – Aerial Photo



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 discernable 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 Code and other applicable codes.*

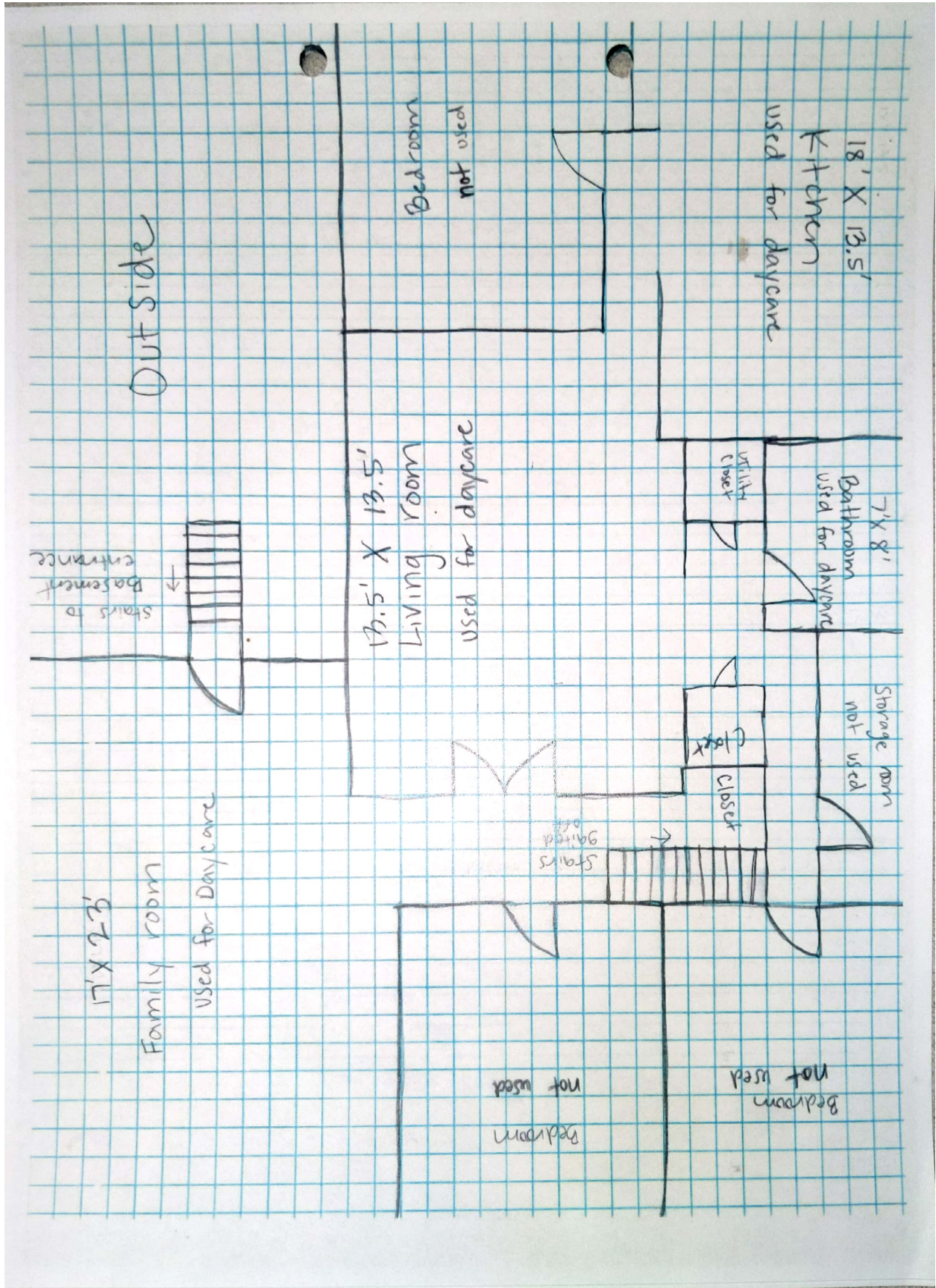
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14-17-108 HOME OCCUPATION CONDITIONAL USES

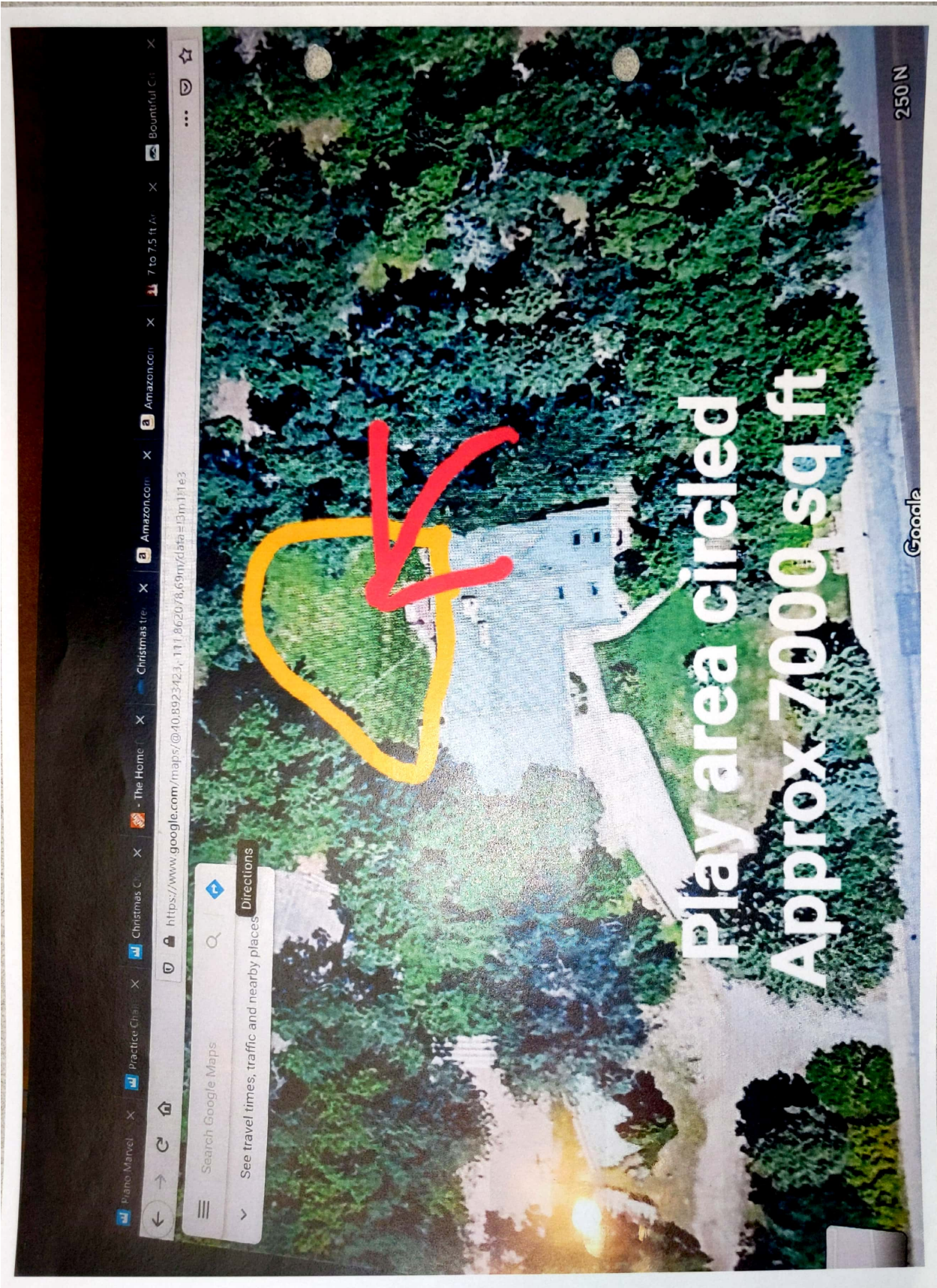
Home occupations in the following areas of work are conditional uses, and licenses may be issued for them only if a conditional use permit is granted following notice and a public hearing:

- 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 Code as it may be amended from time to time.*

Attachment 3 - Floor Plan



Attachment 4 - Site Plan



Administrative Committee Staff Report



Subject: Conditional Use Permit for a Handyman Business Home Occupation at 393 West 200 North, Apartment #1
Author: Kendal Black, Assistant City Planner
Date: January 4, 2021

Background/Overview

The applicant, Deivis Antonio Rosales Ruiz, submitted a Conditional Use Permit for a Handyman Business Home Occupation at 393 West 200 North, Apartment #1. The property is located within the RM-13 Multiple Family Residential Zone.

Analysis

The applicant operates a handyman business and there are no employees. The applicant proposed to utilize one (1) personal van used for the business that will be parked in the assigned parking spot on the property. There will be five percent (5%) of the home that will be used in connection with the business, which is within the standards required by the Land Use Code. The applicant indicates that associated tools will be stored in the truck and a rented storage shed.

Recommendation

Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit for a Handyman Business Home Occupation at 393 West 200 North, Apartment #1, subject to 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., dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
3. Any storage of material in connection with the business shall be in accordance with standards of the Bountiful City Land Use Code.
4. The use will comply with all the applicable fire, building, plumbing, electrical, life safety, and health codes in the State of Utah, Davis County and Bountiful City.
5. Any signage connected with the business shall meet the standards of the Sign Code and receive approval through a separate permit.
6. The Conditional Use Permit is solely for this site and is non-transferable.

Attachments

1. Aerial Photo
2. Bountiful Land Use Code
3. Site Plan

Attachment 1 – Aerial Photo



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 discernable 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 Code and other applicable codes.*

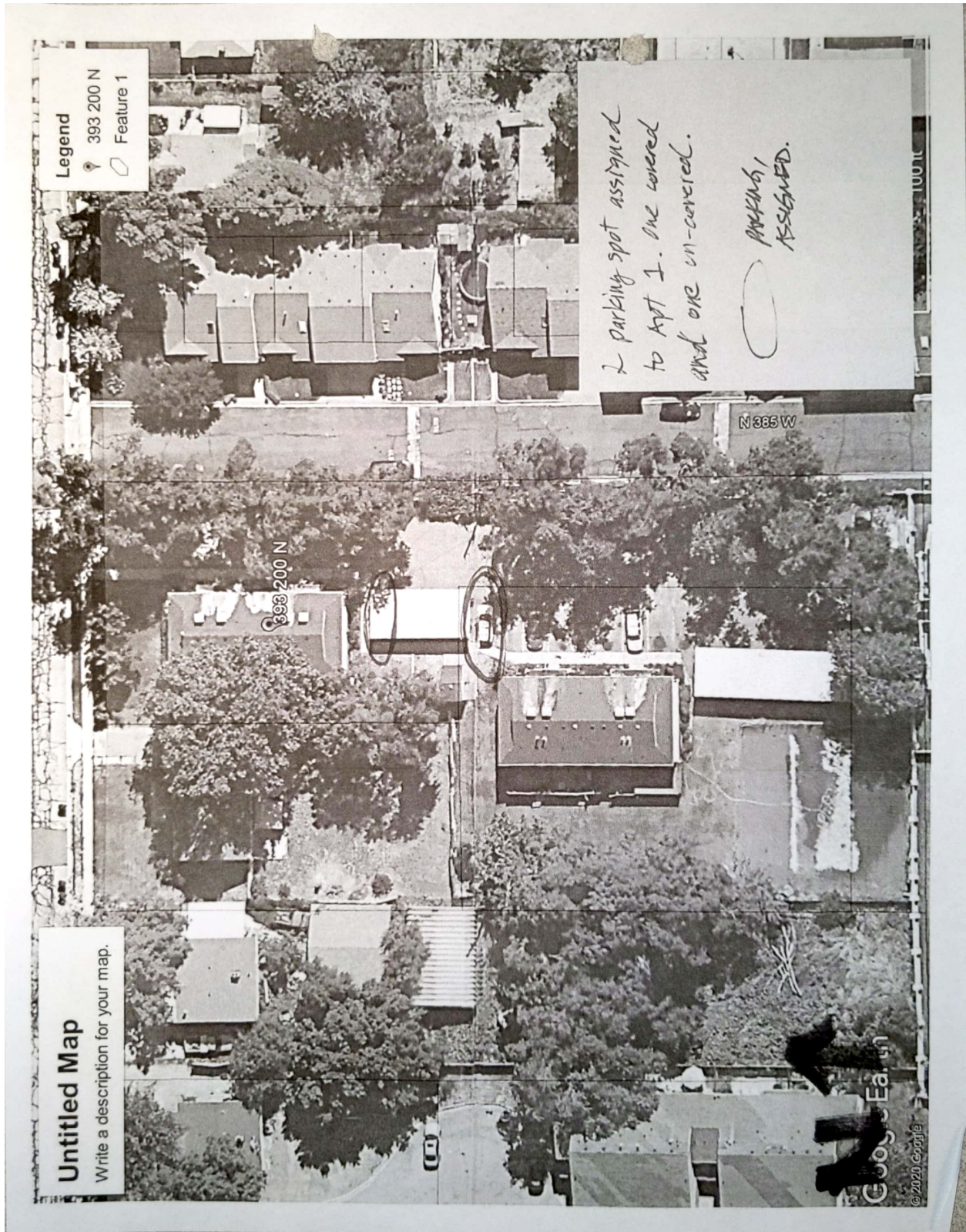
[...]

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 Code as it may be amended from time to time.*

Attachment 3 – Site Plan



Administrative Committee Staff Report



Subject: Lot Line Adjustment between 485 East 500 South and 499 East 500 South
Author: Kendal Black, Assistant City Planner
Date: January 4, 2021

Background/Overview

The applicant, Providential BBA Property LLC and CTR Partnership LP submitted a Lot Line Adjustment application for their two (2) properties located at 485 East 500 South and 499 East 500 South.

Analysis

Both properties, shown as Lot 1, 499 East 500 South (CTR Partnership LP's Property) and Lot 2, 485 East 500 South (Providential BBA Property LLC's Property), are in the Hospital Zone. The purpose of the adjustment is to convey a portion of Lot 1 to Lot 2. Lot 1 will convey 11,712 square feet (0.27 acres), shown as Parcel A, to Lot 2. The adjustment will bring Lot 1 to 101,544 square feet (2.33 acres) and Lot 2 to 31,724 square feet (.728 acres). Public Utility Easements will not be affected with the Lot Line Adjustment.

There are not any new lots being created in this conveyance, therefore, an amended, subdivision plat will not be necessary. There have been no new building permits issued or proposed.

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 by the applicant and recorded by the Davis County Recorder's Office.

Recommendation

Based on the above findings, Staff recommends approval of the 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.

Attachments

1. Aerial Map
2. Drawing
3. Application Submitted

Attachment 1 - Aerial Map



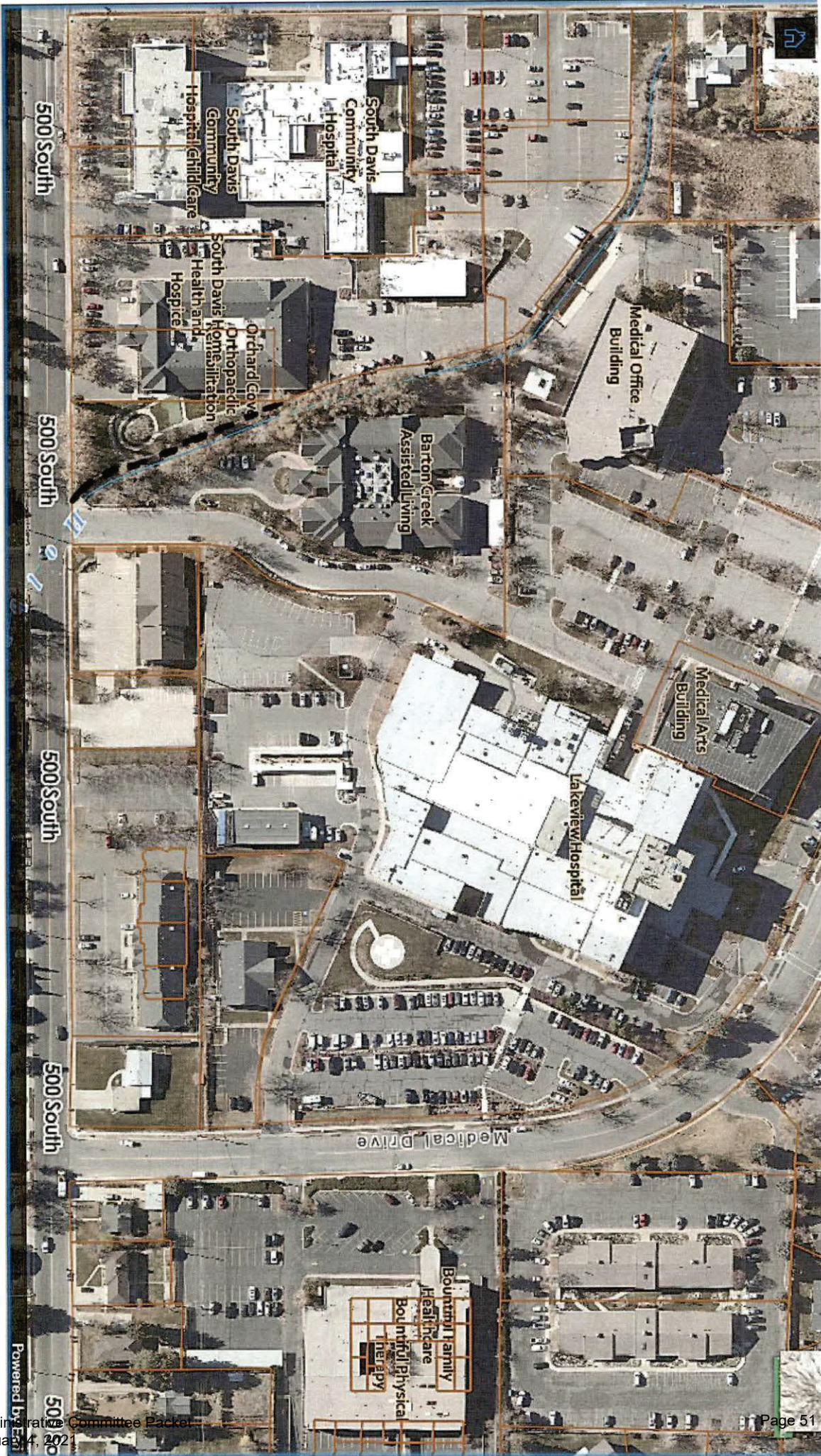


LOT LINE ADJUSTMENT

1	Property Owners & Bountiful City	<input checked="" type="checkbox"/> Property Owners meet with City Planner to discuss their Lot Line Adjustment.
2	Property Owners	LOT LINE ADJUSTMENT APPLICATION* (Attachment 1) Property Owners sign application and submit property survey to Bountiful City. Application must contain fill property owners' signatures and be properly notarized.
3	Bountiful City Staff	Set up Agenda - Send out copies of agenda to invite property owners to the meeting.
4	Administrative Committee & Property Owners	Administrative Committee meets with property owners to approve Lot Line Adjustments.
5	Bountiful City Staff	Prepare NOTICE OF APPROVAL - with parcel description attachments. (This gives the County permission to record the deeds.)
6	Administrative Committee Chairman	Sign and notarize NOTICE OF APPROVAL .
7	Property Owners	Prepare and sign Deeds. (PLEASE NOTE: Property Owners are responsible for preparing Deeds.)
8	Property Owners	Record NOTICE OF APPROVAL and Deeds at Davis County Recorders' Office.** Provide Bountiful City with copy of recorded NOTICE OF APPROVAL .
9	Bountiful City Staff	Maintain copy of recorded NOTICE OF APPROVAL in Property Owner's file at City Hall.

PHONE NUMBERS
Bountiful City Planning 298-6190
Davis County Recorders Office Davis County Memorial Courthouse 28 East State Street Farmington, Utah 451-3225

LOT LINE COSTS		
* Fee with Administrative Committee	6016	\$50.00
Forms of Payment are <i>Cash, Check or Credit Card</i> (except Am Ex and payable to Bountiful City)		
** Recording fees are \$10.00 for the first page and \$2.00 each additional page. (Cash or Check only - Payable to Davis County Recorders Office)		



----- change property line to run along creek line.



LOT LINE ADJUSTMENT APPLICATION

Property #1

Address 499 EAST 500 SOUTH, BOUNTIFUL, UTAH 84010

Owner(s) _____

Phone _____ Email _____

Property #2

Address 485 EAST 500 SOUTH, BOUNTIFUL, UTAH 84010
(495)

Owner(s) PROVIDENTIAL BBA OPERATING, LP (BOUNTIFUL RETREAT, INC)

Phone 801-397-8101 Email davidblande@sdch.com

1. Items that shall be included with any Lot Line Adjustment Application:

- A Bountiful City Lot Line Adjustment Application completed in detail and notarized. The application must be signed and notarized by each property owner(s) or authorized agent(s).
- Payment of Filing Fee: \$50 Administrative Committee
- A survey by a licensed Utah Surveyor - one (1) PDF file* of the proposed site plan; one (1) Word file* with description of parcel to be conveyed; and two (2) 24 x 36 of the proposed site plan drawn at 1:10 scale or as required by the City Planner or City Engineer. A site plan shall include:
 1. A north arrow, the scale of the drawing, and the date of the drawing.
 2. Street names and addresses.
 3. All existing easements, rights-of-way, and any other restrictions on the use of the property.
 4. Existing buildings and other significant features within 50' of the boundaries to be adjusted.
 5. Legal description of existing property boundaries and the area to be adjusted.
 6. When required by the City Planner or City Engineer, a survey including contours of the land at intervals of two feet (2') or better.

*Please email these documents to Planning Department Administrative Assistant.

Bountiful City Planning and Economic Development
790 South 100 East • Bountiful, Utah 84010 • 801.298.6190
Fax 801.298.6033

2. Processing Procedure:

- a. The application will first be submitted to the Bountiful Planning Staff for review.
- b. If the application is complete, it will be placed on the first available agenda for consideration by the Administrative Committee.

3. Property #1: Owner(s) Authorization and Affidavit

The undersigned, being duly sworn, depose that I am (we are) the owners(s) or authorized agent(s) of the owner(s) of the property involved in this application and that the statements contained herein or by attachment are, to the best of my (our) knowledge, true and correct.

GTR PARTNERSHIP, L.P.
 BY: CARSTRUST GP, LLC, General Partner
 BY: CARSTRUST DE IT, INC., Sole Member
 BY: GREGORY K. STAPLEY
 Print Name PRESIDENT


 Signature

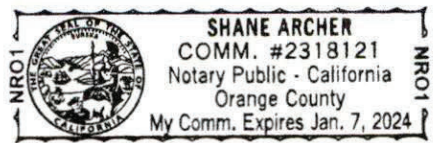
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
 }
 County of Orange }

On September 10, 2020, before me, Shane Archer, notary public, personally appeared Gregory K. Stapley, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Shane Archer (Seal)

4. Property #2: Owner(s) Authorization and Affidavit

The undersigned, being duly sworn, depose that I am (we are) the owners(s) or authorized agent(s) of the owner(s) of the property involved in this application and that the statements contained herein or by attachment are, to the best of my (our) knowledge, true and correct.

DAVID A. BLAND
Print Name

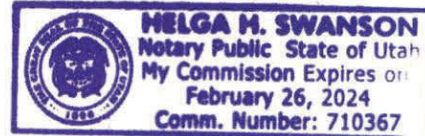
David A. Bland
Signature

State of Utah)
County of Davis) ss

The foregoing instrument was acknowledged before me this 21 day of JULY, 2020.

Helga H. Swanson
Notary Public

My commission expires: 02/26/2024



Print Name

Signature

State of Utah)
County of Davis) ss

The foregoing instrument was acknowledged before me this ___ day of _____, 20__.

Notary Public

My commission expires: