

ADMINISTRATIVE COMMITTEE

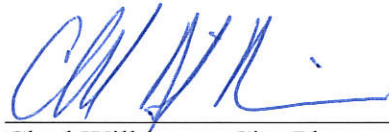
Monday, January 7, 2019

5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold its regular meeting in the Conference Room at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the Americans with Disabilities Act may request an accommodation by contacting the Bountiful City Planning Office at (801) 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

AGENDA

1. Welcome and Introductions.
2. Consider approval of minutes for December 17, 2018.
3. Consider approval of a Lot Line Adjustment at 122 Monarch Drive and 104 Monarch Drive, Terrance Holbrook and Steve Broderick, applicants.
4. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for an Accessory Dwelling Unit at 224 East Bonneville Drive, Steve and Debbie Nielsen, applicants.
5. Miscellaneous business and scheduling.



Chad Wilkinson, City Planner

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

**Bountiful City
Administrative Committee Minutes
December 17, 2018**

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

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:00 p.m. and introduced all present.

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

Mr. Badham made a motion for approval of the minutes for December 10, 2018. Mr. Wilkinson seconded the motion.

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

Motion passed 2-0.

3. Consider approval of a Lot Line Adjustment at 675 East Center Street and 677 East Center Street, Richard Dunkley and Troy & Lisa Nielsen, applicants.

Richard Dunkley and Troy Nielsen, applicants, were present.

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

The applicants are applying for a Lot Line Adjustment between their properties at 675 East Center Street (Dunkley property), and 677 East Center Street (Nielsen property). Both properties are located in the R-4 zone. The purpose of the lot line adjustment is to match the property line to the established fence line instead of the current property line description. Each property owner will convey a parcel of their property to the other property owner. The Dunkley property will convey 106 square feet, shown as Adjustment Area A, to the Nielsen property. The Nielsen property will convey 307 square feet, shown as Adjustment Area B, to the Dunkley property. The conveyance will bring the Dunkley property to 15,508 square feet (approximately 0.35 acres) and the Nielsen property to 11,522 square feet (approximately 0.26 acres). The lot line adjustment does not create a new lot.

1. No new lots are being created in this conveyance so there an amended subdivision plat will not be necessary.
2. No new building permits have been issued or proposed.

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

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.

Note: Approval of the property line adjustment by the City does not act as a conveyance of real property and appropriate conveyance documents must be prepared and recorded by the county.

Mr. Badham requested clarification regarding the purpose of the lot line adjustment. Mr. Nielsen explained that it was to clean up the area of the fence line.

Mr. Cheney made a motion for approval of a Lot Line Adjustment at 675 East Center Street and 677 East Center Street, Richard Dunkley and Troy & Lisa Nielsen, applicants. Mr. Badham seconded the motion.

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

Motion passed 3-0.

4. **Consider approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 3273 South 200 West, Ann Marie W. Birkholz, applicant.**

Mr. Badham made a motion to approve a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 3273 South 200 West, Ann Marie W. Birkholz, applicant. Mr. Cheney seconded the motion.

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

Motion passed 3-0.

5. **Miscellaneous business and scheduling.**

Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:08 p.m.

Chad Wilkinson, City Planner



RANDY C. LEWIS
MAYOR

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

CITY MANAGER
Gary R. Hill

Memo

Date: January 2, 2019
To: Administrative Committee
From: Curtis Poole, Assistant Planner
Re: Staff Report for the Administrative Committee Meeting on Monday, January 7, 2019

Overview

3. Consider approval of a Lot Line Adjustment at 122 Monarch Drive and 104 Monarch Drive, Terrance Holbrook and Steve Broderick, applicants.

Background

The applicants are applying for a Lot Line Adjustment between their properties located at 122 Monarch Drive (Holbrook property), and 104 Monarch Drive (Broderick property). Both properties are located in the R-3 zone. The purpose of the adjustment is to memorialize a prior unauthorized boundary line adjustment which was not formalized with Bountiful City. The original lot line had a 7 foot public utility easement which ran on the Holbrook side of the property line between the two properties. The prior property line adjustment conveyed 1,548 square feet, shown on map as Adjustment Area A, from the Holbrook to the Broderick property; it also conveyed 2,081 square feet, shown on map as Adjustment Area B, from the Broderick to the Holbrook property. The adjustment brought the Broderick property to 19,194 square feet (approximately 0.44 acres) and the Holbrook property to 14,076 square feet (approximately 0.32 acres). No new lots were created in the conveyance; however, the utility easements were not adjusted and this is preventing construction of a detached accessory structure on the Holbrook property. The previously recorded utility easement (PUE) showing along the original property line will need to be released by the City Council.

Findings

1. No new lots were created in this conveyance so an amended subdivision plat will not be necessary.
2. Authorizing the prior property line adjustment is conditioned upon City Council approval of releasing the existing easements and creating the new utility easements shown on the property line adjustment plat.

Staff 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.
3. Obtain City Council approval for an easement release and modification of the existing PUE, a recorded copy of which shall be placed in the City's building permit file.

Note: Approval of the property line adjustment by the City does not act as a conveyance of real property and appropriate conveyance documents must be prepared and recorded by the county.

104 and 122 Monarch Drive



Terrance Holbrook

Tax Parcel #01-162-0065 (Part of Lots 42 &43, amended Bridlewood Subdivision Ph 3)

Beginning at the most Southerly Corner of Lot 42, Amended Bridlewood Subdivision Phase 3, a subdivision of part of Section 6, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence along the Northerly line of Monarch Drive North46°30'00"West 18.58 feet to a point on a 257.00-foot radius curve to the left; thence 11.48 feet along the arc of said curve; thence North47°38'07"East 32.49 feet; thence North11°20'46"East 78.02 feet; thence North19°28'28"West 79.96 feet to a point on the Northline of said Lot 42; thence North89°24'23"East 149.79 feet; thence South48°44'15"East 50.32 feet to the most Easterly Corner of said Lot; thence South47°38'07"West 241.36 feet to the point of beginning.

Entry #2795328

Beginning at the Southerly most Corner of Lot 43, Amended Bridlewood Subdivision Phase 3, a part of the Southwest Quarter of Section 6, Township 1 North, Range 1 East, Salt Lake Base and Meridian, according to the official plat thereof, and running along the Northerly line of Monarch Drive and along the arc of a 257.00 feet radius curve to the left, a distance of 98.65 feet; thence North18°56'51"East 131.38 feet to a point on the North Line of said subdivision; thence along the North line North89°24'23"East 55.00 feet; thence South19°28'28"East 79.96 feet; thence South11°20'46"West 78.02 feet; thence South47°38'07"West 32.49 feet to the point of beginning.

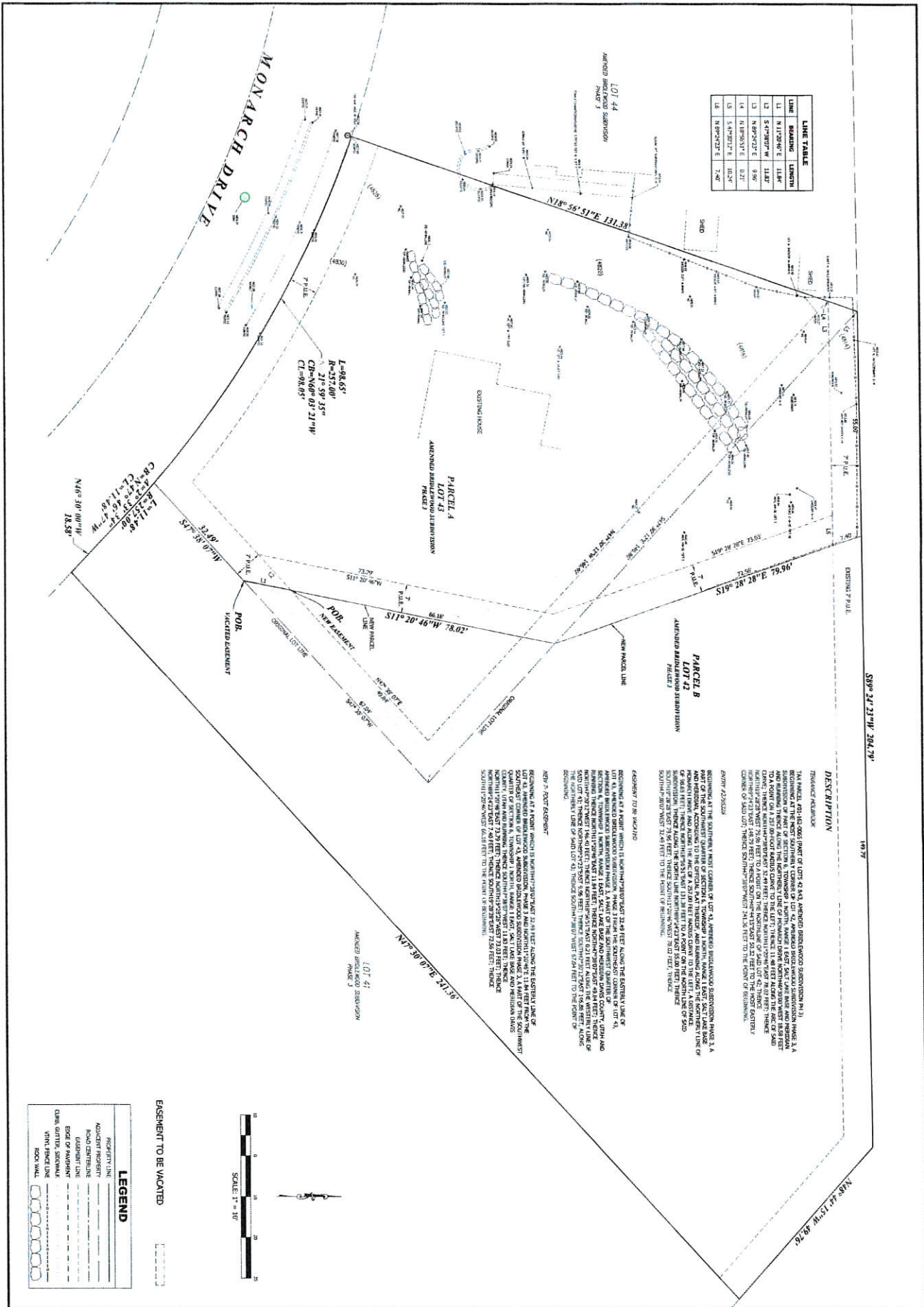
Easement to be Vacated

Beginning at a point which is North47°38'07"East 32.49 feet along the Easterly Line of Lot 43, Amended Bridlewood Subdivision, Phase 3 from the Southeast Corner of Lot 43, Amended Bridlewood Subdivision Phase 3, a part of the Southwest Quarter of Section 6, Township 1 North, Range 1 East, Salt Lake Base and Meridian Davis County, Utah and running thence North11°20'46"East 11.84 feet; thence North47°38'07"East 49.84 feet; thence North47°30'12"West 146.40 feet; thence North18°56'51"East 0.21 feet along the Westerly Line of said Lot 43; thence North89°24'23"East 9.96 feet; thence South47°30'12"East 146.86 feet, along the Northerly Line of said Lot 43; thence South47°38'07"West 67.04 feet to the point of beginning.

New 7- foot Easement

Beginning at a point which is North47°38'07"East 32.49 feet along the Easterly line of Lot 43, Amended Bridlewood Subdivision, Phase 3, and North11°20'46"East 11.84 feet from the Southeast Corner of Lot 43, Amended Bridlewood Subdivision Phase 3, a part of the Southwest Quarter of Section 6, Township 1 North, Range 1 East, Salt Lake Base and Meridian, Davis county, Utah and running thence South47°38'07"West 11.83 feet; thence North11°20'46"East 73.79 feet; thence North19°28'28"West 73.03 feet; thence North89°24'23"East 7.40 feet; thence South19°28'28"East 72.56 feet; thence South11°20'46"West 66.18 feet to the point of beginning.

LINE	BEARING	LENGTH
L1	N 11°29'42" E	11.81'
L2	S 7°29'32" W	11.81'
L3	N 89°23'22" E	9.98'
L4	N 18°53'31" E	12.21'
L5	S 4°29'27" E	12.21'
L6	N 89°23'22" E	7.46'



19.7'

DESCRIPTION

THIS PLAN, FOR RECORD, PART OF LOTS 42, 43, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, THENCE ALONG THE SOUTHWEST CORNER OF MONARCH DRIVE NORTH ALONG THE WEST LINE OF SAID LOT 42, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 43, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE NORTHERN LINE OF SAID LOT 43, THENCE NORTH 11°29'42" WEST 11.81 FEET TO A POINT ON THE NORTHERN LINE OF SAID SUBDIVISION, THENCE ALONG THE NORTH LINE NORTH 89°23'22" EAST 9.98 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 44, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 44, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 45, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 45, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 46, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 46, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 47, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 47, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 48, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 48, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

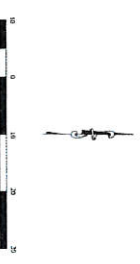
BEING PART OF THE SOUTHERN MOST CORNER OF LOT 49, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 49, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 50, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 50, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

BEING PART OF THE SOUTHERN MOST CORNER OF LOT 51, AMENDED BRIDLEWOOD SUBDIVISION, PHASE 3, A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 105 WEST, SALT LAKE AND HERRING MOUNTAINS, ACCORDING TO THE ORIGINAL PLAN THEREOF, AND SUBMITTING ALONG THE WEST LINE OF SAID LOT 51, THENCE NORTH 11°29'42" WEST 11.81 FEET, THENCE NORTH 89°23'22" EAST 9.98 FEET, THENCE NORTH 18°53'31" EAST 12.21 FEET, THENCE SOUTH 4°29'27" EAST 12.21 FEET TO THE POINT OF BEGINNING, CORNER OF SAID LOT 42, THENCE SOUTH 89°23'22" WEST 7.46 FEET TO THE POINT OF BEGINNING.

LEGEND

PROPERTY LINE	---
ADJACENT PROPERTY	---
ROAD CENTERLINE	---
EASEMENT LINE	---
EDGE OF PARCELS	---
CHALK CUTTING, SIDEWALK	---
VNM FENCE LINE	---
ROCK WALL	---



DATE	BY	REVISION

TERRANCE HOLBROOK

122 WEST MONARCH DRIVE
 LOT 43, BRIDLEWOOD SUBDIVISION, PHASE 3, AMENDED
 LOCATED IN THE SW 1/4 OF SECTION 16, T. 1 N., R. 105 W., S. 16 E., S.L.B.&M.
 BOUNTIFUL CITY, DAVIS COUNTY, UTAH

181 North 200 West Suite 44
 Bountiful, UT 84010
 Phone: 801.299.2236
 www.1metelus.com

3/20/2018



RANDY C. LEWIS
MAYOR

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

CITY MANAGER
Gary R. Hill

Memo

Date: January 2, 2019
To: Administrative Committee
From: Curtis Poole, Assistant Planner
Re: Staff Report for the Administrative Committee Meeting on Monday, January 7, 2019

Overview

4. PUBLIC HEARING - Consider approval of a Conditional Use Permit to allow for an Accessory Dwelling Unit at 224 East Bonneville Drive, Steven and Debbie Nielsen, applicants.

Background

The applicants are requesting approval of an Accessory Dwelling Unit as part of their new home construction. The proposed unit will contain a full kitchen, a living space, a utility room and two bedrooms and two bathrooms. The plans show there is an external entry to the Accessory Dwelling Unit which can be accessed from the west side of the proposed home.

Findings

According to City Code, 14-4-124, a Conditional Use Permit for Accessory Dwelling Units (ADU) is required and applicants shall meet all standards of the Code. The plans submitted by the applicants show the proposed home is located in the R-3 Single-Family Residential zone and is a single-family dwelling and will be maintained as such by the applicants. There will be only one ADU and there will only be one utility connection located at this property. The ADU will be 1,195 square feet of the proposed 6,675 square foot total living area at this residence, which is less than the 40% standard in the Code. The proposed primary structure meets all of the setback and lot building square footage requirements. The applicants will meet the minimum parking standard in the Code, requiring at least four parking spaces and at least 2 will be in the proposed garage. As the ADU can be accessed from the interior of the existing home (through the garage and through a doorway connecting it to the primary residence), or through the side entrance, it will have the appearance of a single-family dwelling and will have minimal impact on the neighboring properties.

Staff Recommendation

Based upon the above findings, staff has determined the applicant would comply with all requirements for the Conditional Use Permit. Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The principal owner(s) of the property must occupy the primary structure.
2. The entrance to the ADU must be located on the side or rear of the home and not facing the street in order to maintain the appearance of a single-family home.
3. The property is to be used only as a single-family use and shall be subject to a deed restriction.
4. There will be no separate utility service connections
5. The ADU shall meet all the criteria in 14-14-124 of the city Land Use Ordinance
6. The Conditional Use Permit is solely for this property and is non-transferable.

Bountiful Land Use Ordinance

14-14-124

ACCESSORY DWELLING UNIT

- A. *Purpose: The city recognizes that accessory dwelling units (ADUs) in single-family residential zones can be an important tool in the overall housing plan for the city. The purposes of the ADU standards of this code are to:*
 1. *Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;*
 2. *Provide for affordable housing opportunities;*
 3. *Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;*
 4. *Provide opportunities for additional income to offset rising housing costs;*
 5. *Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle; and*
 6. *Preserve the character of single-family neighborhoods by providing standards governing development of ADUs.*
- B. *An accessory dwelling unit shall only be approved as a conditional use.*
- C. *An accessory dwelling unit shall not be approved, and shall be deemed unlawful, unless it meets all of the following criteria:*
 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.*
 2. *It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.*
 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.*
 4. *A maximum of one (1) accessory dwelling unit shall be permitted as a conditional use on any lot or parcel in a single-family zone.*
 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.*

6. *A deed restriction limiting the use of a property to a single-family use, prepared and signed by the Bountiful City Planning Director and 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.*
 7. *The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means.*
 8. *Separate utility meters shall not be permitted for the accessory dwelling unit.*
 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 residential use. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.*
 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 and a conditional use permit.*
 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 no case shall fewer than four (4) total off street parking spaces be provided with at least 2 of the spaces provided in a garage. Any additional occupant vehicles shall be parked off-street in City Code compliant parking areas.*
- D. *An attached accessory dwelling unit shall be deemed unlawful and shall not be occupied unless all of the following criteria are met:*
1. *Shall not occupy more than forty percent (40%) of the total floor area square footage of the primary dwelling structure,*
 2. *Shall not exceed ten percent (10%) of the buildable land of the lot,*
 3. *Shall be at least three hundred fifty (350) sq ft in size,*
 4. *Shall meet all of the requirements of the International Building Code relating to dwelling units,*
 5. *An attached accessory dwelling unit shall meet all of the required setbacks for a primary dwelling.*
 6. *Shall not have a room used for sleeping smaller than one hundred twenty (120) square feet, exclusive of any closet or other space,*

224 East Bonneville Drive



Back ground. We have lived at 177 East Oakridge Drive for 45 years. We purchased this lot on Bonneville Drive when it was developed a couple of years later. We have used this lot (as well as one other purchased at the same time) as a backyard and access to our "gully".

We are building this home for our daughter and her two children. She currently owns a home a couple of blocks away. One of her children is autistic and will probably stay with her. She works for us.

The "Mother-In-Law" apartment is for our son (age 47). In 1997, when he was in his last year of Law School at the "U" he had a complete breakdown. He has not worked since then. We are a very close family (4 of our children and 7 of our grandchildren work with us in our business in Bountiful). All of our children and 16 grandchildren love him and love to be with him. He currently lives in the Windgate apartments in Bountiful. He does not want to be classified as "disabled" and receives no government assistance. We are blessed/fortunate enough to take care of all of his needs, and have done so since 1997.

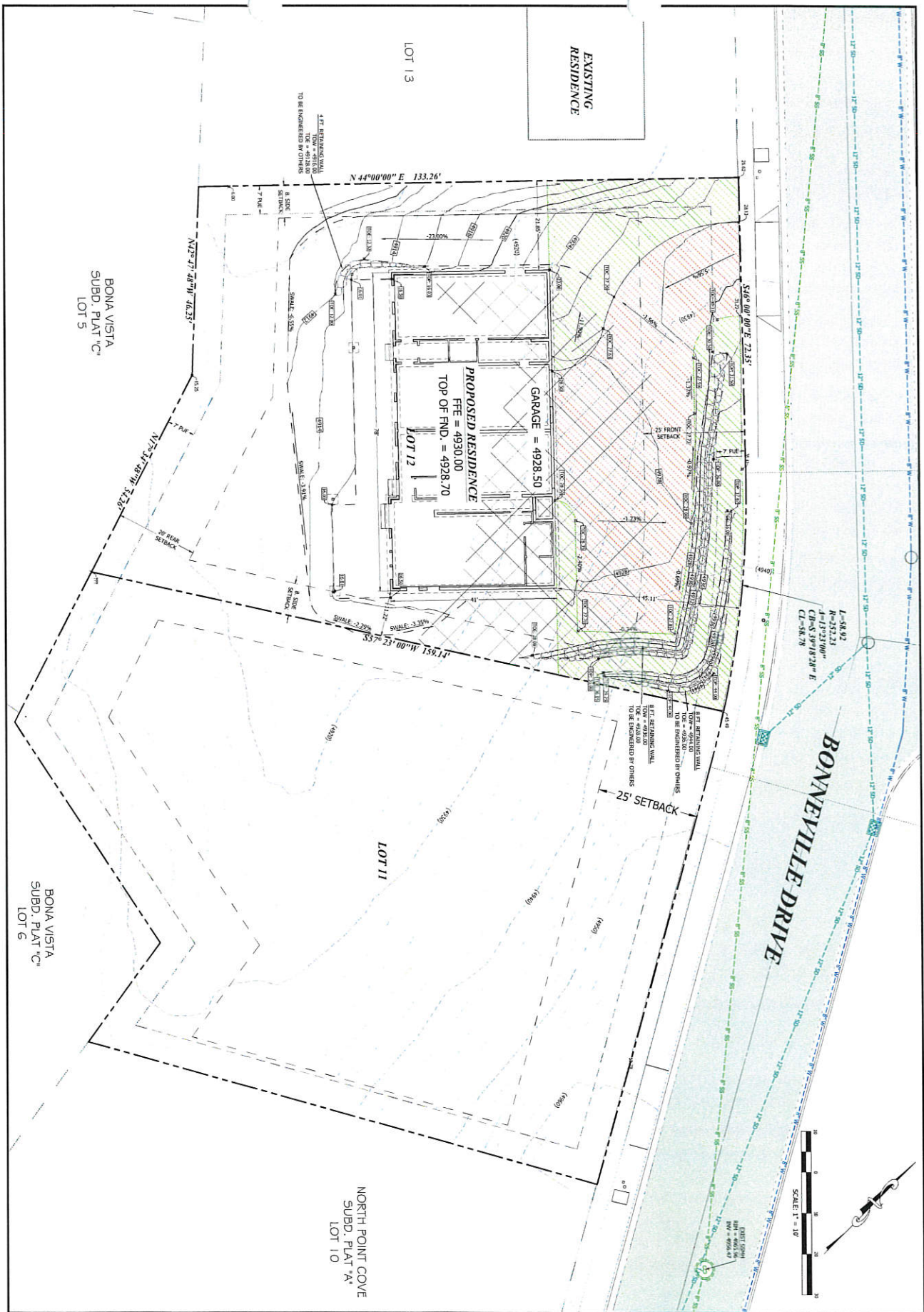
We thought (until a few days ago) that all "Mother-In-Law" apartments had to be only for family members. That is our only intention. Anything can happen, but it is very unlikely this property (adjoining our home and gully and contains access to our "gully", along with another "family" lot next to it on Bonneville Drive) will be sold outside of our family.

We are not experts, but there appears to be a good number of "Mother-In-Law" situations in our area. There has been one across the street from our home since it was built a year after us. There is another next door East and another 2nd house West. We are not aware of any "Mother-In-Law" situations, in our area, that are not occupied by family.

We are disappointed that our daughter cannot have a second kitchen in the basement of her part of her home. It is truly for entertaining and preparedness. Her walk-out backyard is an extension of the oak-filled gully we have enjoyed and used for entertaining (and still do). Learning about the new law regarding "Mother-In-Law" situations, (don't need to be family ... even rented-out), we understand the reason. But our intent and use is, we guess, unique ... having owned that lot with access and connection to our part of the gully for so long and now wanting to use it for our family, in a way that we thought was meant for all "Mother-In-Law" situations ... well, you can probably understand why we are disappointed that that was denied.

We feel that the project fits-in with our area.

Thank You, Steve and Debbie Nielsen



DATE: 11/11/2014	BY: JLN
PROJECT: C400	SCALE: 1" = 10'
CLIENT: STEVE AND DEBBIE NIELSEN	
DESIGNER: ENTELLUS	
DATE: 11/11/2014	

STEVE AND DEBBIE NIELSEN

224 EAST BONNVILLE DRIVE
 LOT 12, NORTH POINT COVE SUBD. PLAT "A"
 LOCATED IN THE (QUADRANT) 1/4 OF SECTION (SECTION), T.(TOWNSHIP), R.(RANGE),
 S.L.B.A.M.
 BOUNTIFUL, DAVIS COUNTY, UTAH



181 North 200 West, Suite #4
 Bountiful, UT 84010
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