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Bountiful City
Administrative Committee Minutes
June 2, 2020

Present: Chairman – Francisco Astorga; Committee Members – Brad Clawson and Scott Schlegel; Assistant Planner – Kendal Black; Recording Secretary – Darlene Baetz

1. Welcome and Introductions.

Chairman Astorga opened the meeting at 5:01 p.m. and introduced all present.

2. Consider approval of minutes for May 5, 2020.

Mr. Clawson made a motion to approve the minutes for May 5, 2020 as written. Mr. Schlegel seconded the motion. Motion passed 3-0.

 A Chairman Astorga

 A Mr. Clawson

 A Mr. Schlegel

3. PUBLIC HEARING: Consider approval of Conditional Use Permit to allow for a Home Occupation Lawncare Business at 124 East 750 North, Nathan Baxter, applicant

Nathan Baxter, applicant, was present.

Kendal Black presented the staff report (the full staff report follows).

The applicant, Nathan Baxter, requests Conditional Use Permit approval to allow for a Lawn Care and/or Landscaping Home Occupation at 124 East 750 North. The property is located within the R-4 Single Family Residential Zone.

The applicant operates Baxter’s Mow and Snow, LLC, a landscaping and lawn care business. The Applicant indicates he will be the only employee and there will be one (1) personal vehicle and one (1) ten (10) foot trailer associated with the business, which will be parked on the RV pad.

There will be five percent (10%) of the home will be used in connection with the business; which is within the standards required by Code. There will be tools, equipment and materials consistent with landscaping and lawn maintenance, stored at the Applicant’s home, in the back end of the garage.

Staff recommends the Administrative Committee approve the Conditional Use Permit to allow for a Lawn Care and/or Landscaping Home Occupation at 124 East 750 North, 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.).

- 1 3. Any storage of material in connection with the business shall be in accordance with
- 2 standards of the Bountiful City Land Use Code.
- 3 4. The use will comply with all the applicable fire, building, plumbing electrical and life
- 4 safety and health codes in the State of Utah, Davis County and Bountiful City.
- 5 5. Any signage connected with the business shall meet the standards of the Sign Code and
- 6 receive approval through a separate permit.
- 7 6. The Conditional Use Permit is solely for this site and in non-transferable.

8
9 Chairman Astorga opened and closed the **PUBLIC HEARING** at 5:06 p.m. with no comment
10 from the public.

11
12 Mr. Schlegel made a motion to approve a Conditional Use Permit to allow for a Home
13 Occupation Contractor/Landscaping Business at 124 East 750 North, Nathan Baxter, applicant,
14 with the six (6) conditions outlined by staff. Mr. Clawson seconded the motion. Motion passed
15 3-0.

16
17 A Chairman Astorga
18 A Mr. Clawson
19 A Mr. Schlegel

- 20
21 **4. PUBLIC HEARING:** Consider approval of Conditional Use Permit to allow for an Accessory
22 Dwelling Unit at 21 West 800 North, Rachel Dabb and Patrick Hawkins, applicant.

23
24 Rachel Dabb and Patrick Hawkins, applicants, were not present.

25
26 Kendal Black presented the staff report (the full staff report follows).

27
28 The applicants, Rachel Dabb and Patrick Hawkins, request Conditional Use Permit approval
29 to allow for an Accessory Dwelling Unit (ADU) at 21 West 800 N. The property is located in
30 the R-4 Single-Family Residential Zone.

31
32 The applicants' property is located in the R-4 Single-Family Residential Zone. The Applicants
33 are requesting approval of an ADU which will be part of the existing residence. Information
34 submitted by the Applicants shows the proposed ADU will be in the currently, unfinished
35 basement and be constructed to consist of two (2) bedrooms, a bathroom, kitchen and living
36 space.

37
38 According to City Code, 14-4-124, a Conditional Use Permit for an ADU is required and the
39 Applicants shall meet all standards of the Code for approval. The property has an existing
40 Single-Family dwelling and will be maintained as such by the Applicants. The property is
41 approximately 0.21 acres (9,017 square feet). There will only be one (1) ADU and there will
42 only be one (1) utility connection located at this property. The Applicants have submitted
43 building plans which indicate the living space at this residence is approximately 2,024 square
44 feet and further indicate the proposed ADU will be approximately 808 square feet, which will
45 be thirty-nine point nine percent (39.9%) of the total residence and below the maximum forty
46 percent (40%) standard in the Code.

47
48 The property will meet the parking standard required for approval with the existing three (3)

1 car garage and driveway. The ADU will be accessed through an exterior, basement entrance
2 located under the patio cover at the rear of the residence. The property will have the appearance
3 of a Single-Family dwelling and should have minimal impact on the surrounding
4 neighborhood.
5

6 Staff recommends the Administrative Committee approve the Conditional Use Permit to allow
7 for an Accessory Dwelling Unit at 21 West 800 North subject to the following conditions:
8

- 9 1. The Owner(s) of the property must continually occupy the primary dwelling or the ADU.
- 10 2. The property is to be used only as a Single-Family residence and shall be subject to a Deed
11 Restriction.
- 12 3. There shall be no separate utility service connections.
- 13 4. The Applicants shall apply separately for a building permit to be reviewed and inspected
14 by Staff.
- 15 5. The ADU shall meet all the standards in 14-14-124 of the City Land Use Code.
- 16 6. The Conditional Use Permit is solely for this property and is non-transferable.
17

18 Chairman Astorga opened and closed the **PUBLIC HEARING** at 6:12 p.m. with no comment
19 from the public.
20

21 Mr. Schlegel was concerned about the measurement for this item is so close to the maximum
22 measurement. He asked staff if the ADU applications should address an exact sq footage.
23

24 Mr. Black clarified the shared space for the home and stated the measurement for the ADU
25 should be corrected to 808 sq ft.
26

27 Chairman Astorga discussed the current ADU code and the possible changes needed for an
28 amended ADU code.
29

30 Chairman Astorga made a motion to approve a Conditional Use Permit to allow for an
31 Accessory Dwelling Unit located at 21 West 800 North, Rachel Dabb and Patrick Hawkins,
32 applicants, with the six (6) conditions outlined by staff and the addition of Condition 7 and 8.
33

34 *Condition #7 “The Bountiful City Planning Department staff will work with the applicant
35 to verify the square footage of the entire home, structure and the allocation of the utility
36 room in neither one per the current definition of the floor area.”*
37

38 *Condition #8 “The final written form shall include the specific findings in compliance with
39 the 60/40 rule and appropriate drawings from the applicant to be included in packet for
40 the Committee to review.”*
41

42 Mr. Clawson seconded the motion. Motion passed 3.0.
43

44 A Chairman Astorga
45 A Mr. Clawson
46 A Mr. Schlegel
47

1 **5. Consider approval of Conditional Use Permit in *written form*, to allow for a Home**
2 **Occupation Contractor/Landscaping Business at 1697 North Pages Place, Tim Brandt,**
3 **applicant.**

4
5 Mr. Schlegel made a motion to approve a Conditional Use Permit, **in written form**, to allow
6 for an Accessory Dwelling Unit at 1697 North Pages Place, Tim Brandt, applicant, with the
7 five (5) conditions outlined by staff. Mr. Clawson seconded the motion. Motion passed 3-0.

8
9 A Chairman Astorga
10 A Mr. Clawson
11 A Mr. Schlegel

12
13 **6. Consider approval of Conditional Use Permit in *written form*, to allow for an Accessory**
14 **Dwelling Unit at 3706 Huntington Drive, Nicholas and Lindsey Woolley, applicants.**

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16 Mr. Schlegel made a motion to approve a Conditional Use Permit, **in written form**, to allow
17 for an Accessory Dwelling Unit at 3706 Huntington Dr, Nicholas and Lindsay Woolley,
18 applicant, with the six (6) conditions outlined by staff. Mr. Clawson seconded the motion.
19 Motion passed 3-0.

20
21 A Chairman Astorga
22 A Mr. Clawson
23 A Mr. Schlegel

24
25 **7. Consider approval of a Conditional Use Permit in *written form*, to allow for a Commercial**
26 **Food Preparation Business (production of produce) at 37 North Main Street, Melissa**
27 **Ure, applicant.**

28
29 Mr. Schlegel made a motion to approve a Conditional Use Permit, **in written form**, to allow
30 for an Accessory Dwelling Unit at 37 North Main St, Melissa Ure, applicant, with the three (3)
31 conditions outlined by staff. Mr. Clawson seconded the motion. Motion passed 3-0.

32
33 A Chairman Astorga
34 A Mr. Clawson
35 A Mr. Schlegel

36
37 **8. Miscellaneous business and scheduling.**

38
39 Chairman Astorga noted the next meeting would be held, as needed, on Tuesday, July 13, 2020
40 at 5:00 p.m. at the South Davis Metro Fire Station. He ascertained there were no further items
41 of business. The meeting was adjourned at 5:55 p.m.

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46 Francisco Astorga
47 Administrative Committee Chair