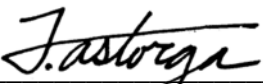


**BOUNTIFUL CITY**  
**PLANNING COMMISSION AGENDA**  
**Tuesday, October 01, 2019**  
**6:30 p.m.**

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

1. Welcome and Introductions.
2. Approval of the minutes for September 17, 2019.
3. **PUBLIC HEARING** – Consider a Variance Request to the standards of the Bountiful City Land Use Ordinance to allow for encroachments on slopes greater than 30% located at 925 E Highland Oaks, Don Crowther, representing owners, applicant.
4. Consider approval for the Findings of Fact for the approval of a Variance for development standards to the Val Verda Well for South Davis Water District located at 33 E 3300 South.
5. Consider approval for the Findings of Fact for the approval of a Variance for parking restrictions in the front setback and required parking for buildings fronting Main Street located at 220 and 246 N Main, Phil Holland, applicant.
6. Planning Director's report, review of pending applications and miscellaneous business.

  
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Francisco Astorga, Planning Director

**Bountiful City**  
**Planning Commission Minutes**  
**September 17, 2019**

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

Excused: Vice Chair – Von Hill

**1. Welcome and Introductions.**

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

**2. Approval of the minutes for September 3, 2019.**

Jim Clark made a motion to approve the minutes for September 3, 2019 as written. Jesse Bell seconded the motion. Voting passed 4-0-2 with Commission members Bawden, Bell, Clark, and Higginson voting aye and Monson and Spratley abstained.

**3. Consider approval for a Conditional Use Permit in written form for Tri-line Apartments, a multi-family dwelling located at 170 North 100 West, Jonathon Blosch, applicant.**

Richard Higginson made a motion to approve the Conditional Use Permit in written form for Tri-line Apartments, a multi-family dwelling located at 170 North 100 West. Jesse Bell seconded the motion. Voting passed 4-0-2 with Commission members Bawden, Bell, Clark, and Higginson voting aye with Monson and Spratley abstained.

**4. PUBLIC HEARING – Variance Request for development standards to the Val Verda Well for South Davis Water District located at 33 E 3300 South.**

Dimond Zollinger representing South Davis Water District was present. Francisco Astorga presented the staff report.

The Applicant, South Davis Water District, has requested a Variance request from lot standards, setback requirements and permissible lot coverage standards found in the R-3 Single-Family Residential Zone. The proposed Variance would allow for construction of a new well house at this location. The Planning Commission reviewed this request at its August 20, 2019 meeting. The Commission approved the Variance, with three Commissioners voting aye and one voting in opposition. It was discovered later when the Planning Commission has only four members in attendance voting on any actions must be unanimous in accordance to § 14-2-103.

The existing well was drilled in 1955; however, it has not been in operation for the last 10 years due to performance issues. South Davis Water District has decided to perform rehabilitation on the well which will require a structure to be built on the property to house chlorine and fluoride, which are incidental to the well rehabilitation. The property is approximately 40 feet deep and 16 feet wide (640 square feet) and currently is nonconforming due to the size. Currently the parcel does not comply with the following R-3 Zone lot standards:

- Minimum lot size – 11,000 square feet
- Minimum buildable area – 3,000 square feet
- Minimum lot frontage width – 80 feet
- Minimum distance abutting a public street – 50 feet

The proposed structure will be approximately 50 square feet with two doors facing 3300 South. It will be 17.5 feet from the front property line, just over 2.5 feet from the side property lines and a little over 15 feet from the rear property line. The Applicant has placed and will continue to maintain a fence surrounding the lot. Other structures such as electrical boxes and well vault will not be increased or moved. The Land Use Code requires buildings in the R-3 Residential Zone to have the following minimum setback requirements:

- Front Yard – 25 feet
- Side Yard – 8 feet
- Rear Yard – 20 feet

Based upon the width and depth of the property it severely limits anything which could be constructed. Furthermore the Land Use Code regulates permissible lot coverage of at least fifty percent of all required front, side and rear yard areas to be landscaped.

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

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

**Staff Response:** State law defines a hardship as “associated with and peculiar to the property itself.” The size of the property would require the applicant an unnecessary and unreasonable hardship to comply with building lot standards, setback and permissible lot coverage standards of the code. The proposed plans are reasonable for the use of the property.

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

**Staff Response:** There are no other properties in the R-3 Zone with the same property size as the Applicant’s property, and which provide a public benefit. Staff would consider these constraints to be special and unique circumstances.

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

**Staff Response:** Granting the Variance will allow the applicant the ability to update and provide ongoing maintenance for a public use.

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

**Staff Response:** Since the property is relatively small and has been in existence for decades there will not be a substantial affect to the General Plan. Granting the Variance will allow the applicant to rehabilitate the well, and provide a benefit to the neighboring properties, the properties within the same zone and the public in general.

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

**Staff Response:** Allowing the applicant to build the proposed structure will maintain the spirit of the land use ordinance within the constraints of the property.

Staff recommends approval of the requested Variance, based on the analysis of the required review criteria from State law included in the above findings and the materials submitted by the Applicant with the following condition:

1. Applicant shall install solid fencing and landscaping to buffer the use of the property from neighboring properties. The fencing shall be in compliance with Bountiful Land Use §14-16-110 regarding fencing standards in Single-Family zones, which may include a combination of solid fencing for security and aesthetic purposes. The fencing shall be in compliance with clear view standards and other applicable standards from the state of Utah.

Chair Monson opened and closed the **PUBLIC HEARING** at 6:35 p.m. without any comments.

Sharon Spratley made a motion to approve the Variance Request for development standards to the Val Verda Well for South Davis Water District located at 33 E 3300 South with the one (1) condition outlined by staff. Jesse Bell seconded the motion. Voting passed 5-1 with Bawden, Bell, Clark, Higginson and Spratley voting aye and Monson voting nay.

**5. PUBLIC HEARING – Variance Request for parking restrictions in the front setback and required parking for buildings fronting Main Street located at 220 and 246 N Main, Phil Holland, applicant**

Phil Holland was present. Francisco Astorga presented the staff report.

The Applicant, Phil Holland, has requested a Variance from the parking standards of the Downtown Zone. The proposed Variance would allow for parking to be constructed fronting Main Street in a proposed Mixed Use development.

The Applicant, Phil Holland, has purchased three parcels having a prominent location at the corner of 200 North and Main Street. The parcels combined together total 0.684 acres (29,795 square feet). The parcels contain an existing retail building housing Brooks Fabrics, a multifamily triplex and a residential home which has been converted to a professional office.

Barton Creek flows through the center of the proposed development, entering the property on 200 North in an open culvert and exiting under Main Street in an enclosed culvert. Davis County has an easement over the creek of twenty-seven (27) feet in width, and prohibits buildings on the easement.

The Applicant previously appeared before the Planning Commission at its July 2, 2019 meeting for a preliminary site plan review. The Commission reviewed the preliminary plans and motioned to continue

the review to a date uncertain and identified several issues it wanted to see remedied and discussed the possibility of considering a Variance. The proposed development of the property will be a Mixed Commercial Use at ground level along Main Street and a Multifamily Residential Use above and fronting 200 North.

In order to develop the site, the Applicant is seeking a Variance from the parking standards of the Downtown Zone, particularly §14-7-110. The parking standard requires all parking areas of buildings fronting Main Street to be located behind the building. The creek and the County's easement do not permit a building to be built fronting Main Street on certain portions of the property. The County would however, would allow surface parking. Because the Applicant is prohibited from placing a building on portion of the property due to the easement, the Applicant is proposing a wall be constructed on those portions of the property. The proposed wall would include a mix of architectural features to match the building and landscaping elements and would act as a buffer and screen between Main Street and the parking area.

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

**Staff Response:** State law defines a hardship as “associated with and peculiar to the property itself.” The creek and County easement literally cut the property in two. These constraints have been present on the property for years presenting a challenge in developing this property. These constraints would prohibit the Applicant from placing any buildings on certain portions of the property and limit the amount of parking that can be placed behind a building and would cause the Applicant an unreasonable hardship to comply with the parking standards of the Code and should not be considered self-imposed.

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

**Staff Response:** The creek and County easement are unique to this property. With the exception of the property directly to the west of the Applicant's property there are no other properties along Main Street in the Downtown Zone that are affected by these circumstances. Staff would consider these circumstances to be special and unique to this property.

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

**Staff Response:** Granting the Variance will allow the Applicant the ability to develop the property similar to others along the Main Street corridor.

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

**Staff Response:** The Applicant's property has a prominent location along Main Street. It is the intent of the General Plan to create an inviting and vibrant Downtown area. It is in the interest of the public for properties along Main Street to develop and redevelop to meet that intent. The existence of the creek and County easement constrains the redevelopment of this property. Granting the Variance will allow the Applicant to redevelop the property, providing a benefit to the neighboring properties and others in the Downtown Zone.

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

**Staff Response:** The spirit of the Land Use Ordinance is to provide for and encourage growth and development in Bountiful City and to promote and enhance an attractive and economically vibrant community. Granting the Variance will allow the Applicant to develop the property while still maintaining the spirit of the Land Use Ordinance.

Staff recommends approval of the requested Variance, based on the analysis of the required review criteria from State law included in the above findings and the materials submitted by the Applicant with the following condition:

1. The Applicant shall install a wall to screen and buffer the parking area of Main Street and must be constructed of and containing exceptional materials such as brick or masonry which is consistent and compatible with the architectural and landscaping features of the development. The wall must be of sufficient heights so as to completely screen vehicles from view, thus enhancing the aesthetics of the site and mitigate the visual impact of parked vehicles.
2. The granting of this Variance shall not be construed as an approval of any specific site plan or waiver of any zoning requirements or regulations. All proper approvals regarding development of this property must be obtained.

Chair Monson opened the **PUBLIC HEARING** at 6:42 p.m.

Brian Knowlton resides at 630 E 500 South. Mr. Knowlton discussed:

1. That this proposal does not have a unique hardship with Barton Creek. There are other properties that have worked around the Creek.
2. The wall helps to mitigate the empty space and prefers to see landscaping against the wall.
3. Feels that the landscaping is not necessary and is not required.
4. Feels that parcel 3 would have a hardship and be eligible for a variance.

Chair Monson closed the **PUBLIC HEARING** at 6:46 p.m.

Mr. Holland stated that Davis County will not allow a footing to be placed over the creek and has proposed that there be a wall over the creek to connect both buildings and will include a landscape planter in front of it. Staff clarified that the landscape box will be approximately 4-5 feet in front of the wall and had a challenge with the grade change to the front of the building.

Mr. Bawden asked for clarification for pedestrian access to the front of the building and to the ground floor commercial businesses. Staff stated that Bountiful code does not specify where the access points need to be for the parking.

Mr. Drake stated that the Commission members will need to decide if the applicant has created a self-imposed variance as they have combined these three parcels.

There was discussion about the creek problem and the 27 foot (13.5 foot on each side of the creek) prescriptive easement from the County. Mr. Astorga discussed the limitations of the buildable area for these properties. If the parcels were not combined, then two parcels would not require a variance to build on them and one parcel would not be a buildable parcel due to the location of the creek.

Ms. Spratley stated that this project seems to be a nice solution for a situation that would always be problematic and would never meet our code.

There was discussion about the height of the wall and the grade of the parking area and the front sidewalk. Chair Monson stated his concern to approve the variance. He feels that this makes sense and a great solution but doesn't meet the requirements of the code.

Sharon Spratley made a motion to approve the Variance Request for parking restrictions in the front setback and required parking for buildings fronting Main Street located at 220 and 246 N Main, Phil Holland, applicant with the two (2) conditions outlined by staff and the addition of two (2) other conditions.

3. Height of Wall – at least a minimum of 6 foot in height from sidewalk view
4. Access, Gate or Opening consistent with other Architecture features and other entrances of the building if possible.

Jesse Bell seconded the motion. Voting passed 4-2 with Bawden, Bell, Clark, and Spratley voting aye and Higginson and Monson voting nay.

**7. Planning Director's report, review of pending applications and miscellaneous business.**

1. Training date for Planning Commission members to be decided.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:22 p.m.

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Francisco Astorga, Bountiful City Planner

# Commission Staff Report

Item # 3

**Item:** PUBLIC HEARING – Request for a Variance to allow for encroachments on slopes greater than 30 percent and retaining walls taller than 10 feet  
**Address:** 925 East Highland Oaks  
**Author:** Curtis Poole, Assistant City Planner  
**Date:** September 26, 2019

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## Description of Request

The Applicant, Bruce Larson, has requested a Variance to allow for encroachments on slopes greater than 30 percent and to build retaining walls taller than ten (10) feet. The property is located at 925 East Highland Oaks, which is in the R-F Residential Foothill Zone. The proposed Variance would allow for construction of a new home.

## Authority

Section 14-2-111 authorizes the Administrative Committee to be the review body for variance requests within the R-F zone related to encroachments on slopes greater than 30 percent. Section 14-2-104 authorizes the Chairman of the Administrative Committee to assign any item designated for Administrative Committee review to the Planning Commission, in which case the Planning Commission acts under the same authority granted to the Administrative Committee.

## Background and Analysis:

In 1986 the Highland Oaks subdivision Plat A was approved. The Applicant's property, 925 East Highland Oaks, or Lot 106, was part of the approved subdivision. Only Lots 106 and 107 in the subdivision remain undeveloped. There is a twenty (20) foot sewer easement which runs through the property from east to west. The proposed home would be built between the easement and Highland Oaks.

The Applicant has submitted plans for a new home to be built on the property. With the steepness of the downward slope the Applicant needed to address the reverse grading of the driveway, disturbing slopes greater than 30 percent and the height of the retaining walls. The City Engineer is recommending the Applicant provide direct drainage from the garage to the street. This would prevent future concerns of storm runoff flooding the home and property. The home is disturbing the 30 percent steep slopes; however, the lengthened design seeks to contain the disturbance.



## Variance Findings

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

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

**Staff Response:** The purpose of the building standards in the R-F Zone is to preserve the hillsides and manage erosion. The Applicant has designed a home which seeks to minimize the disturbance of the steep slopes.

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

**Staff Response:** Many of the properties in the R-F Zone have similar constraints as the Applicant’s property which limit the buildable area and require steep driveways, tall retaining walls and disturbances of slopes greater than 30 percent. The Applicant’s property is unique because of the twenty (20) foot sewer easement which cuts the property in two and prevents any structure from being constructed on it. This feature does not generally apply to other properties in the R-F Zone.

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

**Staff Response:** Other properties in the R-F Zone with buildable lots have been allowed some reasonable disturbances of the slopes greater than 30 percent, and in building tall retaining walls. Granting the Variance will allow the Applicant to enjoy similar property rights possessed by others in the R-F Zone. Denying the Variance will allow other properties a right not extended to the Applicant’s property.

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

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

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

**Staff Response:** The purpose of the Land Use Ordinance that requires improvements be located on slopes less than 30 percent is to preserve the hills and manage runoff and

erosion on properties located in the foothills. The Code anticipates that there are existing lots with special circumstances and the Variance process provides a way for those lots to be developed. However, Section 14-4-101 of the Code also stipulates that the alteration of sensitive lands should be the minimum necessary to allow for reasonable use of the property. The proposal submitted by the Applicant, demonstrates there has been a substantial effort has been made to minimize the impact construction will have on the slopes of the property.

### **Department Review**

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

### **Recommended Action**

Based on analysis of the required criteria from State law included in the findings above and the materials submitted by the Applicant, Staff recommends approval of the requested Variance related to encroachments on slopes greater than 30% and tall retaining walls with the following conditions:

1. The Applicant will continue to work with City Staff to ensure the final plans submitted will meet the standards for building in the R-F Zone, in particular the impact of retaining walls and building on slopes greater than 30 percent.
2. In addition to a building permit, the Applicant shall apply for a separate permit for any retaining walls taller than 4 feet.

### **Attachments**

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

# Aerial Photo



**D** Typed responses to the following questions:

▶ What City Ordinance(s) do you want a variance from?

1. Building lots over 30%
2. Retaining walls over 10'

▶ By Law, any government body granting a variance must find that the proposal meets **ALL** of the requirements of Utah Code 10-9a-702 (below).

How does the proposed variance request meet all of these criteria?

(2)(a) *The appeal authority may grant a variance only if:*

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

(30% slope)

The approved building lot has a limited buildable area the does not encroach into slopes of 30% or greater.

(Retaining walls over 10')

The retaining wall in question is actually the basement foundation wall, but has been designed by the structural engineer with a larger footing to counteract the backfill in the front yard. He listed this as a retaining wall in his foundation plan and details so he did not have to re-create his detail schedule.

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

(30% slope)

This lot has a special set back of 20' from the front property line recorded on the plat (compared to surrounding lots of 25') which we have taken advantage of to minimize the amount of building encroaching into the 30% slope areas

(Retaining walls over 10')

The only retaining wall over 10' is the front wall of the basement. This wall will be completely buried and will not be seen as is typical with any other home. The increased footing size is to accommodate the wall height, which labels this as retaining, not foundation. The increased height of the wall was done to be able to land footings on native soil as the slope of the lot falls away.

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

(30% slope)

Since this lot was platted as an approved building lot and the setback variance was recorded with the plat, the challenges of this site were recognized during subdivision approval. The owners have purchased the lot to take advantage of the amazing views of Bountiful City, and the architecture team has been diligent in fitting the home to the buildable area in a way that minimizes the impact on the surrounding hillside, natural vegetation, and views from below. Other homes in the hillside zone have had similar challenges encroaching on the 30% slope sections of their lots. This home has been designed to lengthen the footprint along the buildable area and take full advantage of the allowed 20' setback, in order to minimize the encroachment into the 30% slope sections.

(Retaining walls over 10')

Other homes have foundation walls over 10', but this engineer labeled that foundation as a retaining wall. We see this as a non-issue as the wall will be completely buried and not seen.

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

We do not see anything that would be contrary to the general plan.

(30% slope)

Our design and plan is to minimize the impact the structure has on the natural vegetation on the hillside so the canyon views from below do not show any scarring and that the impact of the home will be consistent with the other homes in the area.

(Retaining walls over 10')

The only retaining wall over 10' is the front wall of the basement. This wall will be completely buried and will not be seen as is typical with any other home. The increased footing size is to accommodate the wall height, which labels this as retaining, not foundation. The increased height of the wall was done to be able to land footings on native soil as the slope of the lot falls away.

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

Since this lot was platted and approved as a buildable lot with allowed variances to the minimum setback, we feel that the design of this home strives to meet the spirit of the land use ordinance and we have taken every opportunity available to minimize the impact on the slope.

**LARSON RESIDENCE**  
925 E. HIGHLAND OAKS BOUNTIFUL UTAH

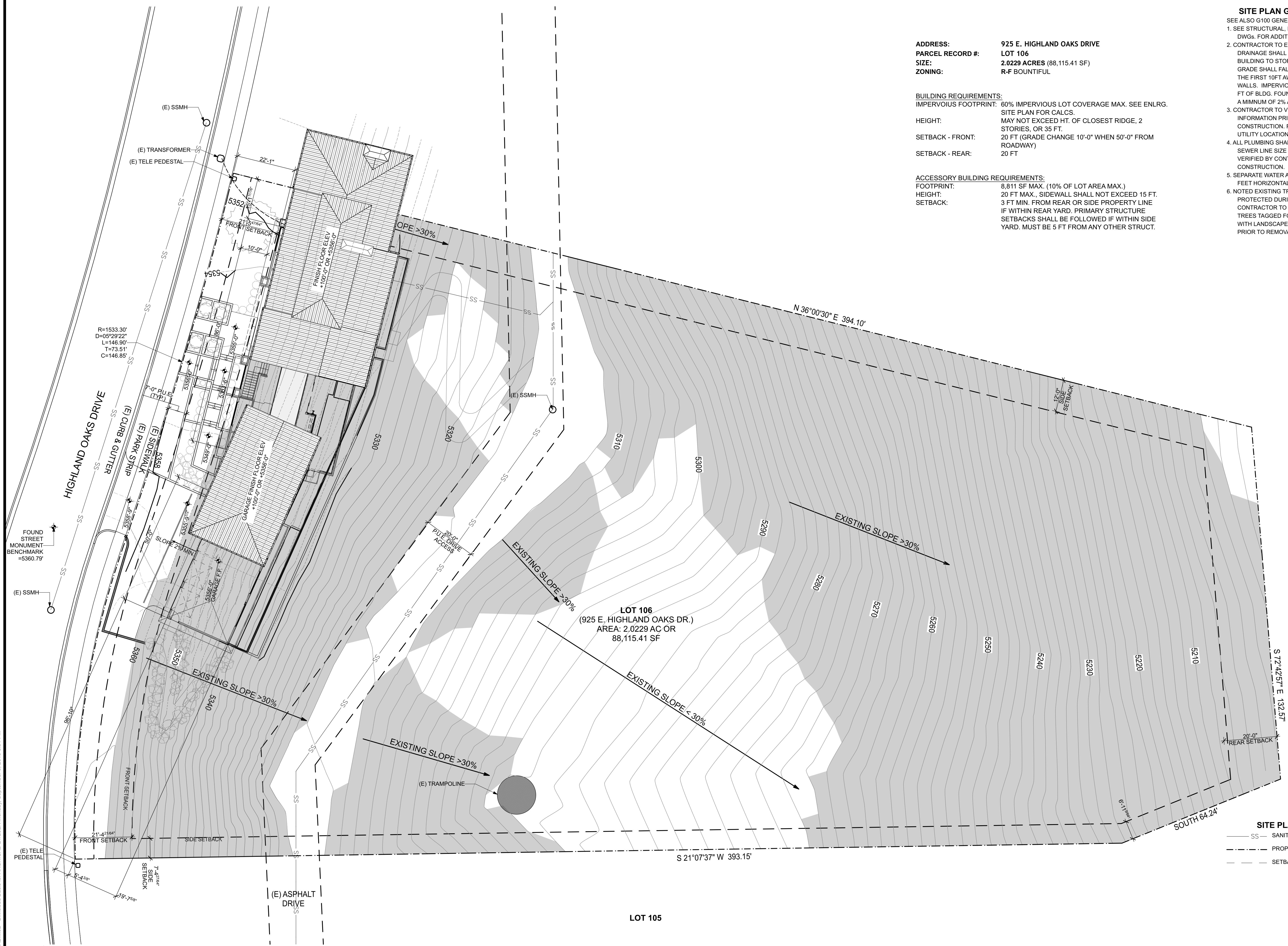
**SITE PLAN GENERAL NOTES**

- SEE ALSO G100 GENERAL NOTES
1. SEE STRUCTURAL, MECHANICAL, ELECTRICAL DWGS. FOR ADDITIONAL INFO.
  2. CONTRACTOR TO ENSURE SURFACE DRAINAGE SHALL SLOPE AWAY FROM BUILDING TO STORM SEWER CONVEYANCE. GRADE SHALL FALL A MINIMUM OF 6" WITHIN THE FIRST 10 FT AWAY FROM FOUNDATION WALLS. IMPERVIOUS SURFACES WITHIN 10 FT OF BLDG. FOUNDATION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BLDG.
  3. CONTRACTOR TO VERIFY EXISTING UTILITY INFORMATION PRIOR TO ANY CONSTRUCTION. FOR UNDERGROUND UTILITY LOCATIONS, CALL BLUE STAKES.
  4. ALL PLUMBING SHALL BE GRAVITY DRAINED. SEWER LINE SIZE AND ELEVATIONS SHALL BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.
  5. SEPARATE WATER AND SEWER LINES BY 10 FEET HORIZONTALLY.
  6. NOTED EXISTING TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. CONTRACTOR TO REMOVE DEAD TREES. SEE TREES TAGGED FOR REMOVAL AND CONFIRM WITH LANDSCAPE DESIGNER / OWNER PRIOR TO REMOVAL.

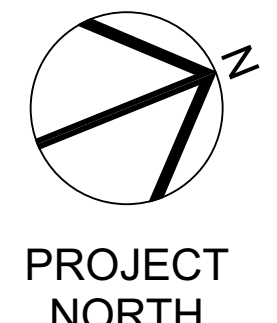
**ADDRESS:** 925 E. HIGHLAND OAKS DRIVE  
**PARCEL RECORD #:** LOT 106  
**SIZE:** 2.0229 ACRES (88,115.41 SF)  
**ZONING:** R-F BOUNTIFUL

**BUILDING REQUIREMENTS:**  
IMPERVIOUS FOOTPRINT: 60% IMPERVIOUS LOT COVERAGE MAX. SEE ENLRG. SITE PLAN FOR CALCS.  
**HEIGHT:** MAY NOT EXCEED HT. OF CLOSEST RIDGE, 2 STORIES, OR 35 FT.  
**SETBACK - FRONT:** 20 FT (GRADE CHANGE 10'-0" WHEN 50'-0" FROM ROADWAY)  
**SETBACK - REAR:** 20 FT

**ACCESSORY BUILDING REQUIREMENTS:**  
**FOOTPRINT:** 8,811 SF MAX. (10% OF LOT AREA MAX.)  
**HEIGHT:** 20 FT MAX., SIDEWALL SHALL NOT EXCEED 15 FT.  
**SETBACK:** 3 FT MIN. FROM REAR OR SIDE PROPERTY LINE IF WITHIN REAR YARD. PRIMARY STRUCTURE SETBACKS SHALL BE FOLLOWED IF WITHIN SIDE YARD. MUST BE 5 FT FROM ANY OTHER STRUCT.



**SITE PLAN LEGEND**  
 — SS — SANITARY SEWER  
 - - - - PROPERTY LINE  
 - - - - SETBACK OR EASEMENT LINE



**1 SITE PLAN**  
SCALE: 1/16" = 1'-0"

SEAL

PRINT DATE  
**8/19/19**

PROJECT PHASE  
SCHEMATIC DESIGN

DRAWING REVISIONS

REV.	NAME	DATE

SHEET TITLE

**SITE PLAN**

SHEET NUMBER

**A001**

BIM Server: LABIM02 - BIMcloud Base for ARCHICAD 21 (BLLR Monday, September 9, 2019 3:31 PM)

IF THIS SHEET IS LESS THAN 24"x36" IT IS A REDUCED PRINT. SCALE ACCORDINGLY.

LARSON RESIDENCE  
925 E. HIGHLAND OAKS BOUNTIFUL UTAH

SITE PLAN GENERAL NOTES

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- 6. NOTED EXISTING TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. CONTRACTOR TO REMOVE DEAD TREES. SEE TREES TAGGED FOR REMOVAL AND CONFIRM WITH LANDSCAPE DESIGNER / OWNER PRIOR TO REMOVAL.

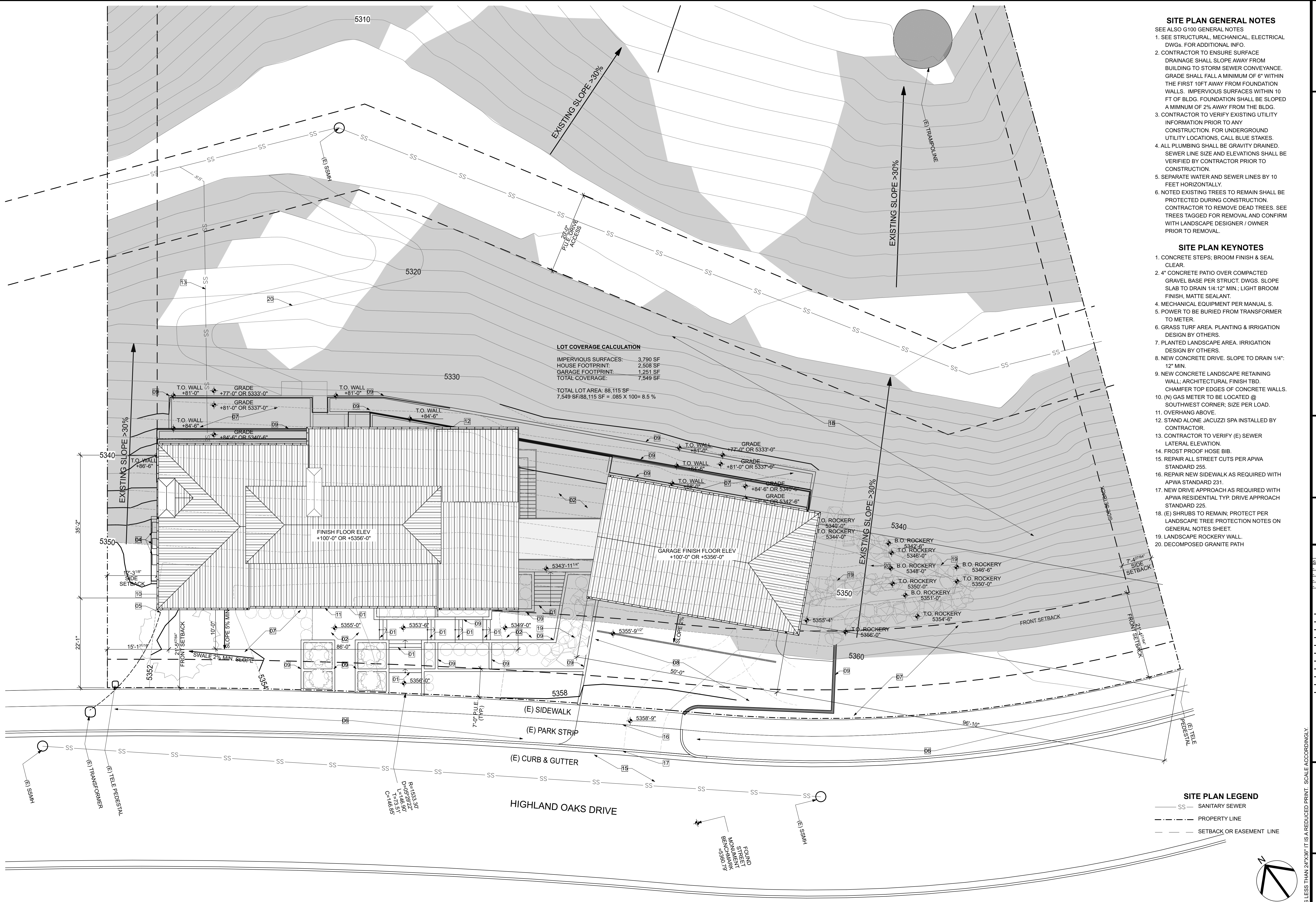
SITE PLAN KEYNOTES

- 1. CONCRETE STEPS; BROOM FINISH & SEAL CLEAR.
- 2. 4" CONCRETE PATIO OVER COMPACTED GRAVEL BASE PER STRUCT. DWGS. SLOPE SLAB TO DRAIN 1/4"12" MIN.; LIGHT BROOM FINISH, MATTE SEALANT.
- 4. MECHANICAL EQUIPMENT PER MANUAL S.
- 5. POWER TO BE BURIED FROM TRANSFORMER TO METER.
- 6. GRASS TURF AREA. PLANTING & IRRIGATION DESIGN BY OTHERS.
- 7. PLANTED LANDSCAPE AREA. IRRIGATION DESIGN BY OTHERS.
- 8. NEW CONCRETE DRIVE. SLOPE TO DRAIN 1/4"12" MIN.
- 9. NEW CONCRETE LANDSCAPE RETAINING WALL; ARCHITECTURAL FINISH TBD. CHAMFER TOP EDGES OF CONCRETE WALLS.
- 10. (N) GAS METER TO BE LOCATED @ SOUTHWEST CORNER; SIZE PER LOAD.
- 11. OVERHANG ABOVE.
- 12. STAND ALONE JACUZZI SPA INSTALLED BY CONTRACTOR.
- 13. CONTRACTOR TO VERIFY (E) SEWER LATERAL ELEVATION.
- 14. FROST PROOF HOSE BIB.
- 15. REPAIR ALL STREET CUTS PER APWA STANDARD 255.
- 16. REPAIR NEW SIDEWALK AS REQUIRED WITH APWA STANDARD 231.
- 17. NEW DRIVE APPROACH AS REQUIRED WITH APWA RESIDENTIAL TYP. DRIVE APPROACH STANDARD 225.
- 18. (E) SHRUBS TO REMAIN; PROTECT PER LANDSCAPE TREE PROTECTION NOTES ON GENERAL NOTES SHEET.
- 19. LANDSCAPE ROCKERY WALL.
- 20. DECOMPOSED GRANITE PATH

LOT COVERAGE CALCULATION

IMPERVIOUS SURFACES: 3,790 SF  
 HOUSE FOOTPRINT: 2,508 SF  
 GARAGE FOOTPRINT: 1,251 SF  
 TOTAL COVERAGE: 7,549 SF

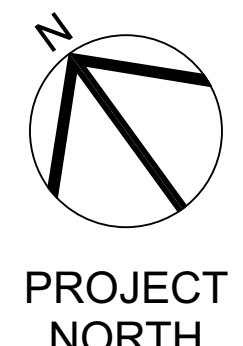
TOTAL LOT AREA: 88,115 SF  
 7,549 SF/88,115 SF = .085 X 100= 8.5%



SITE PLAN LEGEND

- SS — SANITARY SEWER
- - - PROPERTY LINE
- - - SETBACK OR EASEMENT LINE

1 SITE PLAN- ENLARGED  
SCALE: 1" = 10'



PRINT DATE  
8/19/19

PROJECT PHASE  
SCHEMATIC DESIGN

DRAWING REVISIONS

REV.	NAME	DATE

SHEET TITLE

SITE PLAN-ENLARGED

SHEET NUMBER

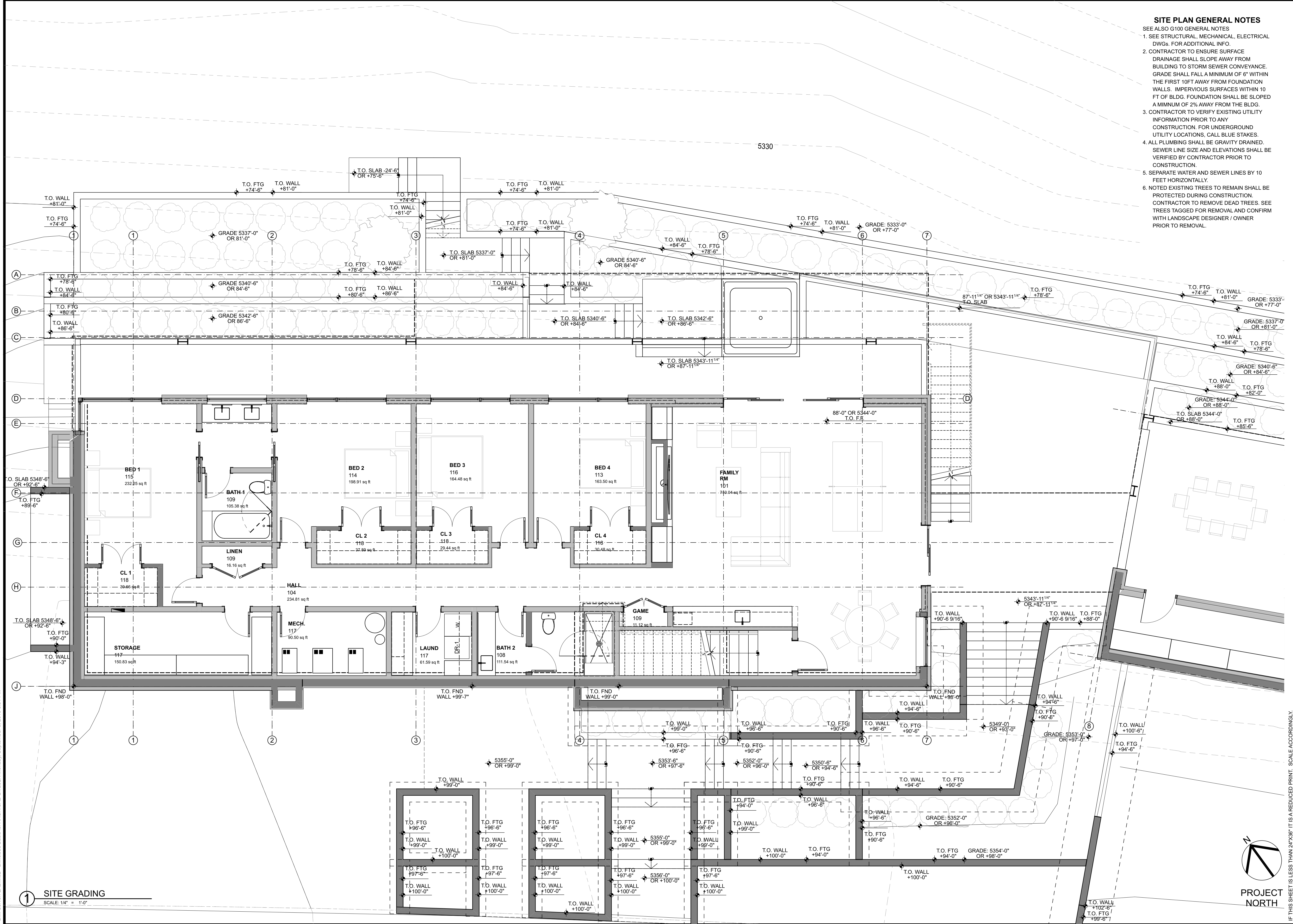
A002

BIM Server: LABIM02 - BIMcloud Base for ARCHICAD 21 (BLLR Monday, September 9, 2019 3:31 PM)

IF THIS SHEET IS LESS THAN 24"X36" IT IS A REDUCED PRINT. SCALE ACCORDINGLY.

**SITE PLAN GENERAL NOTES**

- SEE ALSO G100 GENERAL NOTES
- 1. SEE STRUCTURAL, MECHANICAL, ELECTRICAL DWGS. FOR ADDITIONAL INFO.
- 2. CONTRACTOR TO ENSURE SURFACE DRAINAGE SHALL SLOPE AWAY FROM BUILDING TO STORM SEWER CONVEYANCE. GRADE SHALL FALL A MINIMUM OF 6" WITHIN THE FIRST 10FT AWAY FROM FOUNDATION WALLS. IMPERVIOUS SURFACES WITHIN 10 FT OF BLDG. FOUNDATION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BLDG.
- 3. CONTRACTOR TO VERIFY EXISTING UTILITY INFORMATION PRIOR TO ANY CONSTRUCTION. FOR UNDERGROUND UTILITY LOCATIONS, CALL BLUE STAKES.
- 4. ALL PLUMBING SHALL BE GRAVITY DRAINED. SEWER LINE SIZE AND ELEVATIONS SHALL BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.
- 5. SEPARATE WATER AND SEWER LINES BY 10 FEET HORIZONTALLY.
- 6. NOTED EXISTING TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. CONTRACTOR TO REMOVE DEAD TREES. SEE TREES TAGGED FOR REMOVAL AND CONFIRM WITH LANDSCAPE DESIGNER / OWNER PRIOR TO REMOVAL.



SEAL

PRINT DATE  
8/19/19

PROJECT PHASE  
SCHEMATIC DESIGN

DRAWING REVISIONS

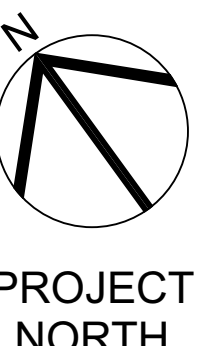
REV.	NAME	DATE

SHEET TITLE

SITE GRADING

SHEET NUMBER

A003



1 SITE GRADING  
SCALE: 1/4" = 1'-0"

BIM Server: LABIM02 - BIMcloud Base for ARCHICAD 21/BLLR Monday, September 9, 2019 3:31 PM

IF THIS SHEET IS LESS THAN 24"X36" IT IS A REDUCED PRINT. SCALE ACCORDINGLY.



**SITE PLAN GENERAL NOTES**

- SEE ALSO G100 GENERAL NOTES
1. SEE STRUCTURAL, MECHANICAL, ELECTRICAL DWGS. FOR ADDITIONAL INFO.
  2. CONTRACTOR TO ENSURE SURFACE DRAINAGE SHALL SLOPE AWAY FROM BUILDING TO STORM SEWER CONVEYANCE. GRADE SHALL FALL A MINIMUM OF 6" WITHIN THE FIRST 10FT AWAY FROM FOUNDATION WALLS. IMPERVIOUS SURFACES WITHIN 10 FT OF BLDG. FOUNDATION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BLDG.
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**LARSON RESIDENCE**  
925 E. HIGHLAND OAKS BOUNTIFUL UTAH

SEAL

PRINT DATE  
8/19/19

PROJECT PHASE  
SCHEMATIC DESIGN

DRAWING REVISIONS

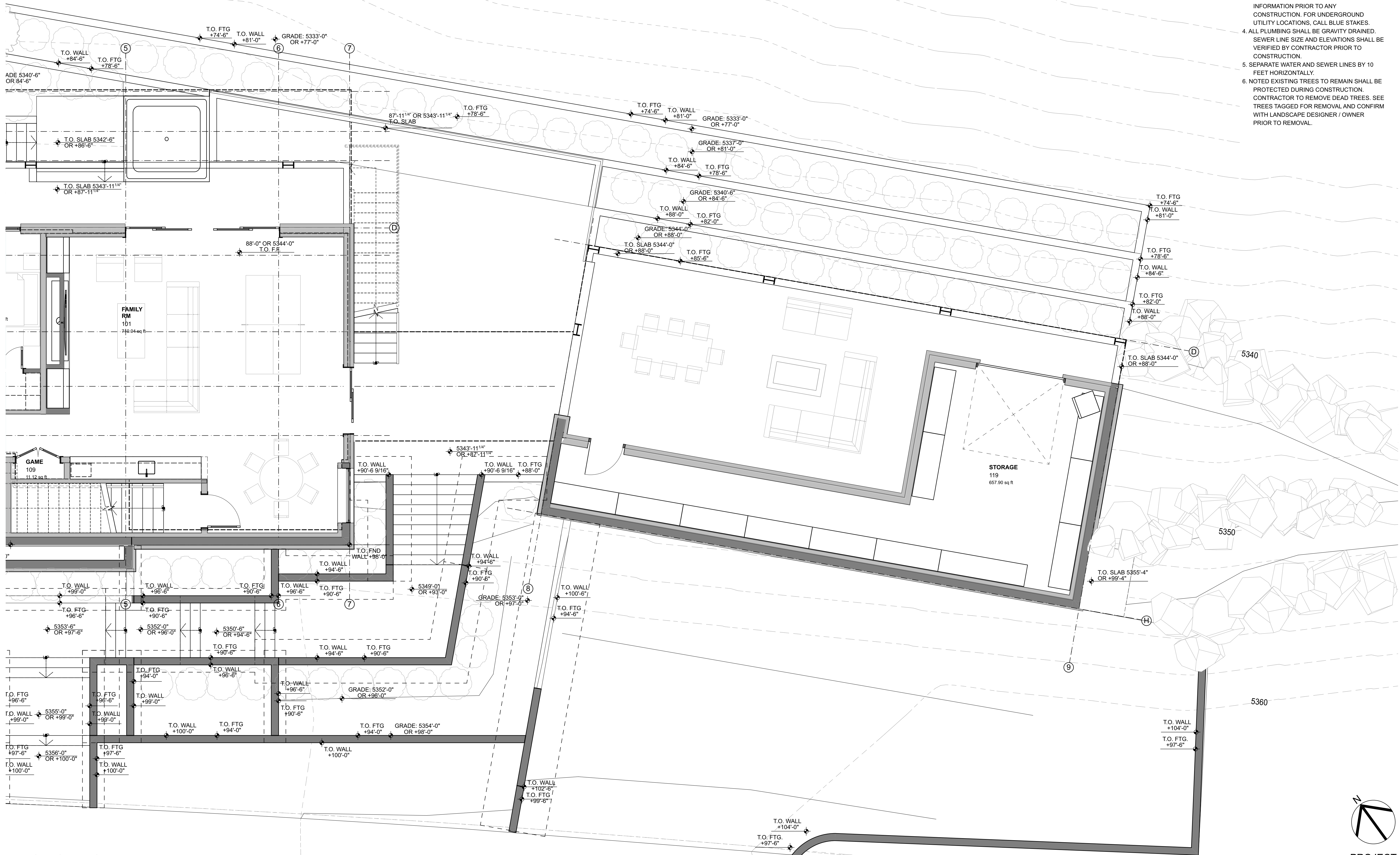
REV.	NAME	DATE

SHEET TITLE

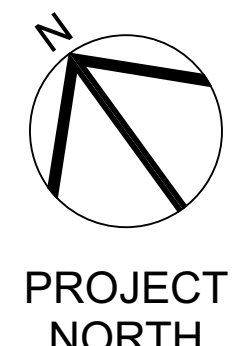
**SITE GRADING**

SHEET NUMBER

**A004**



**1 SITE GRADING**  
SCALE: 1/4" = 1'-0"



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**BOUNTIFUL CITY PLANNING COMMISSION  
FINDINGS OF FACT AND CONCLUSIONS**

**APPLICANT:** South Davis Water District

**APPLICATION TYPE:** Variance request from lot standards, setback requirement and permissible lot coverage.

**I. DESCRIPTION OF REQUEST:**

The Applicant, South Davis Water District, has requested a Variance request from lot standards, setback requirements and permissible lot coverage standards found in the R-3 Single-Family Residential Zone. The proposed Variance would allow for construction of a new well house at this location.

**II. LAND USE ORDINANCE AUTHORITY:**

Section 14-2-111 authorizes the Planning Commission as the review body for variance requests related to lot standards, setback requirements and permissible lot coverage.

**III. APPEAL PROCEDURE:**

Bountiful City Land Use Ordinance section 14-2-108 states that an applicant, board or officer of the City, or any person adversely affected by a Land Use Authority's decision administering or interpreting a land use ordinance or ruling on a request for a variance may, within fourteen calendar days of the written decision, appeal that decision to the Appeal Authority. No other appeals may be made to the Appeal Authority.

The appeal must be in writing and specifically allege that there is an error in an order, requirement, decision or determination by the Land Use Authority. The appellant shall state every theory of relief that it can raise in District Court.

**IV. SUMMARY OF EVIDENCE:**

- A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B. The minutes of the public hearing held by the Planning Commission on **Tuesday, September 17, 2019** which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

**V. FINDINGS OF FACT:**

Based upon the information presented and oral testimony given at the public hearing the Planning Commission made the following findings:

- A. The literal enforcement of the land use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;

State law defines a hardship as “associated with and peculiar to the property itself.” The size of the property would require the applicant an unnecessary and unreasonable hardship to comply with building lot standards, setback and permissible lot coverage standards of the code. The proposed plans are reasonable for the use of the property.

- B. There are special circumstances attached to the property that do not generally apply to other properties in the district;

There are no other properties in the R-3 Zone with the same property size as the Applicant’s property, and which provide a public benefit. Staff would consider these constraints to be special and unique circumstances.

- C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the district;

Granting the Variance will allow the applicant the ability to update and provide ongoing maintenance for a public use.

- D. The variance will not substantially affect the general plan and will not be contrary to the public interest;

Since the property is relatively small and has been in existence for decades there will not be a substantial affect to the General Plan. Granting the Variance will allow the applicant to rehabilitate the well, and provide a benefit to the neighboring properties, the properties within the same zone and the public in general.

- E. The spirit of the land use ordinance is observed and substantial justice is done

Allowing the applicant to build the proposed structure will maintain the spirit of the land use ordinance within the constraints of the property.

## VI. DECISION AND SUMMARY

1. The Planning Commission approved the requested variance by a vote of 5-1 with the condition the applicant shall install solid fencing and landscaping to buffer the use of the property from neighboring properties. The fencing shall be in compliance with Bountiful Land Use §14-16-110 regarding fencing standards in single-family zones, which may include a combination of solid fencing for security and aesthetic purposes. The fencing shall be in compliance with clear view standards and other applicable standards from the state of Utah.

**FINDINGS OF FACT APPROVED BY THE Bountiful City Planning Commission this 1st day of October, 2019**

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Sean Monson, Chairman  
Bountiful City Planning Commission

**BOUNTIFUL CITY PLANNING COMMISSION  
FINDINGS OF FACT AND CONCLUSIONS**

**APPLICANT:** Phil Holland

**APPLICATION TYPE:** Variance request from parking standards in the Downtown Zone.

**I. DESCRIPTION OF REQUEST:**

The applicant, Phil Holland, has requested a variance from the parking standards of the Downtown Zone. The proposed variance would allow for parking to be constructed fronting Main Street in a proposed mixed use development

**II. LAND USE ORDINANCE AUTHORITY:**

Section 14-2-111 authorizes the Planning Commission as the review body for variance requests related to parking standards.

**III. APPEAL PROCEDURE:**

Bountiful City Land Use Ordinance section 14-2-108 states that an applicant, board or officer of the City, or any person adversely affected by a Land Use Authority's decision administering or interpreting a land use ordinance or ruling on a request for a variance may, within fourteen calendar days of the written decision, appeal that decision to the Appeal Authority. No other appeals may be made to the Appeal Authority.

The appeal must be in writing and specifically allege that there is an error in an order, requirement, decision or determination by the Land Use Authority. The appellant shall state every theory of relief that it can raise in District Court.

**IV. SUMMARY OF EVIDENCE:**

**A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein. The minutes of the public hearing held by the Planning Commission on **Tuesday, September 17, 2019** which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

**V. FINDINGS OF FACT:**

Based upon the information presented and oral testimony given at the public hearing the Planning Commission made the following findings:

**A. The literal enforcement of the land use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out**

the general purpose of the land use ordinance;

State law defines a hardship as “associated with and peculiar to the property itself.” The creek and County easement literally cut the property in two. These constraints have been present on the property for years presenting a challenge in developing this property. These constraints would prohibit the Applicant from placing any buildings on certain portions of the property and limit the amount of parking that can be placed behind a building and would cause the Applicant an unreasonable hardship to comply with the parking standards of the Code and should not be considered self-imposed.

- B. There are special circumstances attached to the property that do not generally apply to other properties in the district;

The creek and County easement are unique to this property. With the exception of the property directly to the west of the Applicant’s property there are no other properties along Main Street in the Downtown Zone that are affected by these circumstances. Staff would consider these circumstances to be special and unique to this property..

- C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the district;

Granting the Variance will allow the Applicant the ability to develop the property similar to others along the Main Street corridor.

- D. The variance will not substantially affect the general plan and will not be contrary to the public interest;

The Applicant’s property has a prominent location along Main Street. It is the intent of the General Plan to create an inviting and vibrant Downtown area. It is in the interest of the public for properties along Main Street to develop and redevelop to meet that intent. The existence of the creek and County easement constrains the redevelopment of this property. Granting the Variance will allow the Applicant to redevelop the property, providing a benefit to the neighboring properties and others in the Downtown Zone.

- E. The spirit of the land use ordinance is observed and substantial justice is done

The spirit of the Land Use Ordinance is to provide for and encourage growth and development in Bountiful City and to promote and enhance an attractive and economically vibrant community. Granting the Variance will allow the Applicant to develop the property while still maintaining the spirit of the Land Use Ordinance.

## **VI. DECISION AND SUMMARY**

The Planning Commission approved the requested variance by a vote of 4-2 with the following conditions:

- The applicant shall install a wall to screen and buffer the parking area of Main Street and must be constructed of and containing exceptional materials such as brick or masonry which is consistent and compatible with the architectural and landscaping features of the development. The wall must be of sufficient heights so as to completely screen vehicles from view, thus enhancing the aesthetics of the site and mitigate the visual impact of parked vehicles.
- The granting of this variance shall not be construed as an approval of any specific site plan or waiver of any zoning requirements or regulations. All proper approvals regarding development of this property must be obtained
- The wall must be at least six (6) feet tall as measured from the sidewalk with an opening, access or gate, if possible, which is consistent with the entrances along Main Street.

**FINDINGS OF FACT APPROVED BY THE Bountiful City Planning Commission this 1st day of October, 2019**

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Sean Monson, Chairman  
Bountiful City Planning Commission