

# ADMINISTRATIVE COMMITTEE

**Monday, April 1, 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 March 11, 2019.
3. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for a Home Occupation Landscaping Business at 1950 South 200 West, #19, Jossilyn Mason, applicant.
4. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 412 West 1400 North, Matthew Ford, applicant.
5. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Contractor Business at 217 East 2200 South, Jeff Davis, applicant.
6. 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  
March 11, 2019**

**Present:** Chairman – Chad Wilkinson; Committee Members – Brad Clawson and Dave Badham; Assistant Planner – Curtis Poole; Recording Secretary – Julie Holmgren

**1. Welcome and Introductions.**

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

**2. Consider approval of minutes for March 4, 2019.**

Mr. Badham made a motion for approval of the minutes for March 4, 2019. Mr. Wilkinson seconded the motion.

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

Motion passed 2-0.

**3. Consider approval of a Lot Line Adjustment at 1328 East 600 North and 540 North 1300 East, Steven and Stormey Goddard, applicants.**

Steven Goddard, applicant, was present

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

The applicants are applying for a Lot Line Adjustment which would convey a portion of their property (shown as Easterly Portion of Lot 10), which is a vacant lot; to the applicant’s primary lot (shown as Lot 14). The properties are located in the R-3 zone. The purpose of the adjustment is to extend the boundaries of Lot 14 to include an existing swimming pool, which was constructed over the property line. The property line adjustment will convey 6,719 square feet (approximately 0.154 acres), shown as Easterly Portion of Lot 10, from Lot 10 to Lot 14. The adjustment will bring the applicant’s primary property (Lot 14) to 21,845 square feet (approximately 0.501 acres) and the second property (Lot 10) to 12,501 square feet (approximately 0.287 acres). No new lots are being created with this adjustment. There is an existing Public Utility Easement (PUE) which runs along the existing lot line between the two lots and underneath the existing pool which will need to be released by the City Council. In addition, a new PUE will need to be recorded along the newly established property line.

1. No new lots were created in this conveyance so 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. Approval of the property line adjustment is contingent on 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.
3. New property line boundaries markers shall be set.
4. The approved lot line adjustment shall be recorded with Davis County.

Mr. Goddard inquired regarding condition #3 and noted that three markers already existed, and he asked if that would be a requirement. Mr. Wilkinson indicated that it would be part of the approval process. Mr. Badham asked regarding the purpose of the lot line adjustment. Mr. Goddard explained that he purchased the home with the pool, and then discovered it was not entirely on his property. The lot line adjustment will clean up the property boundaries and would also help him comply with insurance requirements for his pool. Mr. Badham inquired regarding lot 10, and Mr. Goddard explained that although it is steep, it is a good lot.

Mr. Badham made a motion for approval of a Lot Line Adjustment at 1328 East 600 North and 540 North 1300 East, Steven and Stormey Goddard, applicants. Mr. Clawson seconded the motion.

A Mr. Wilkinson  
A Mr. Clawson  
A Mr. Badham

Motion passed 3-0.

**4. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 217 East 2200 South, Jeff Davis, applicant.**

Jeff Davis, applicant, was present.

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

The property for the proposed Home Occupation request is located in the R-4 Zone. Home Occupations in this zone are allowed in City Code, 14-4-103, with approval of a Conditional Use Permit.

The application submitted indicates the property will be used to operate JMHC, Inc., which provides installation of finish hardware, such as door knobs, towel bars, etc., on new construction homes. The applicant indicated the only business related item on the property will be a laptop. All hardware used in the business will be delivered to the job site and all work will be done on-site. Any office work will take place in a bedroom of the home, which is less than 50% as required by code. The applicant indicates there will be no additional employees involved in the business. The business does appear incidental and secondary to

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

the use of the dwelling and shall not change the appearance, character, or condition of the property.

Based upon the above findings, staff has determined that the applicant would comply with all requirements for the Conditional Use Permit; therefore staff recommends approval of the Conditional Use Permit with 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. noise, dust, odors, noxious fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

Mr. Wilkinson noted a shed on the property and inquired if it would be used for the business, and Mr. Davis said it would not. Mr. Badham asked about the accessory building on the property, and Mr. Davis said there was a garage that was there before the home was built.

**PUBLIC HEARING:** Mr. Wilkinson opened and closed the Public Hearing at 5:13 p.m. with no comments from the public.

Mr. Wilkinson explained that the out building could not be utilized for the business without going through the proper process with the city. Mr. Badham emphasized that the business should operate in such a way that the neighbors are not aware of it. Mr. Davis noted that no products will be stored or sold at his home, but the business operates simply to install hardware.

Mr. Clawson made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 217 East 2200 South, Jeff Davis, applicant. Mr. Badham seconded the motion.

  A     Mr. Wilkinson  
  A     Mr. Clawson  
  A     Mr. Badham

Motion passed 3-0.

5. **Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Landscaping Business at 1552 Charlene Drive, Kenneth Judd, applicant.**

Mr. Badham made a motion for approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Landscaping Business at 1552 Charlene Drive, Kenneth Judd, applicant. Mr. Clawson seconded the motion.



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

A Mr. Wilkinson  
A Mr. Clawson  
A Mr. Badham

Motion passed 3-0.

**6. Miscellaneous business and scheduling.**

Mr. Wilkinson noted that City Hall will relocate in April and that meetings most likely will be held at the fire station. He ascertained there were no further items of business. The meeting was adjourned at 5:17 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: March 25, 2019  
To: Administrative Committee  
From: Curtis Poole, Assistant Planner  
Re: Staff Report for the Administrative Committee Meeting on Monday, April 1, 2019

## Overview

3. **PUBLIC HEARING** - Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 1950 South 200 West #19, Jossilyn Mason, applicant.

### Background

The property for the proposed Home Occupation request is located in the R-4 Zone. Home Occupations in this zone are allowed in City Code, 14-4-103, with approval of a Conditional Use Permit.

### Findings

The application submitted indicates the property will be used to operate GreenSpire Yard and Garden Care., which provides “green” lawn and garden care. The applicant indicated there will be a lawn mower and other lawn and garden tools incidental to the business which will be stored in a shed or trailer parked under a carport. There will not be any storage of chemicals related to the business. The applicant also indicated on the application a truck used for the business will be parked under the carport. There will not be any additional employees which will be involved in the business. There will be roughly 32% of the home which will be used as office space for the business, which is less than 50% as required by code. The business does appear incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property. As this property is part of the Villa Nova Condo Association, the applicant has received approval from the property owner in the submission process of this Conditional Use Permit.

### Staff Recommendation

Based upon the above findings, staff has determined that the applicant would comply with all requirements for the Conditional Use Permit; therefore staff recommends approval of the Conditional Use Permit with 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. noise, dust, odors, noxious fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

## **Bountiful Land Use Ordinance**

### **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 discernible 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 Ordinance 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 Ordinance as it may be amended from time to time.

## 1950 South 200 West #19





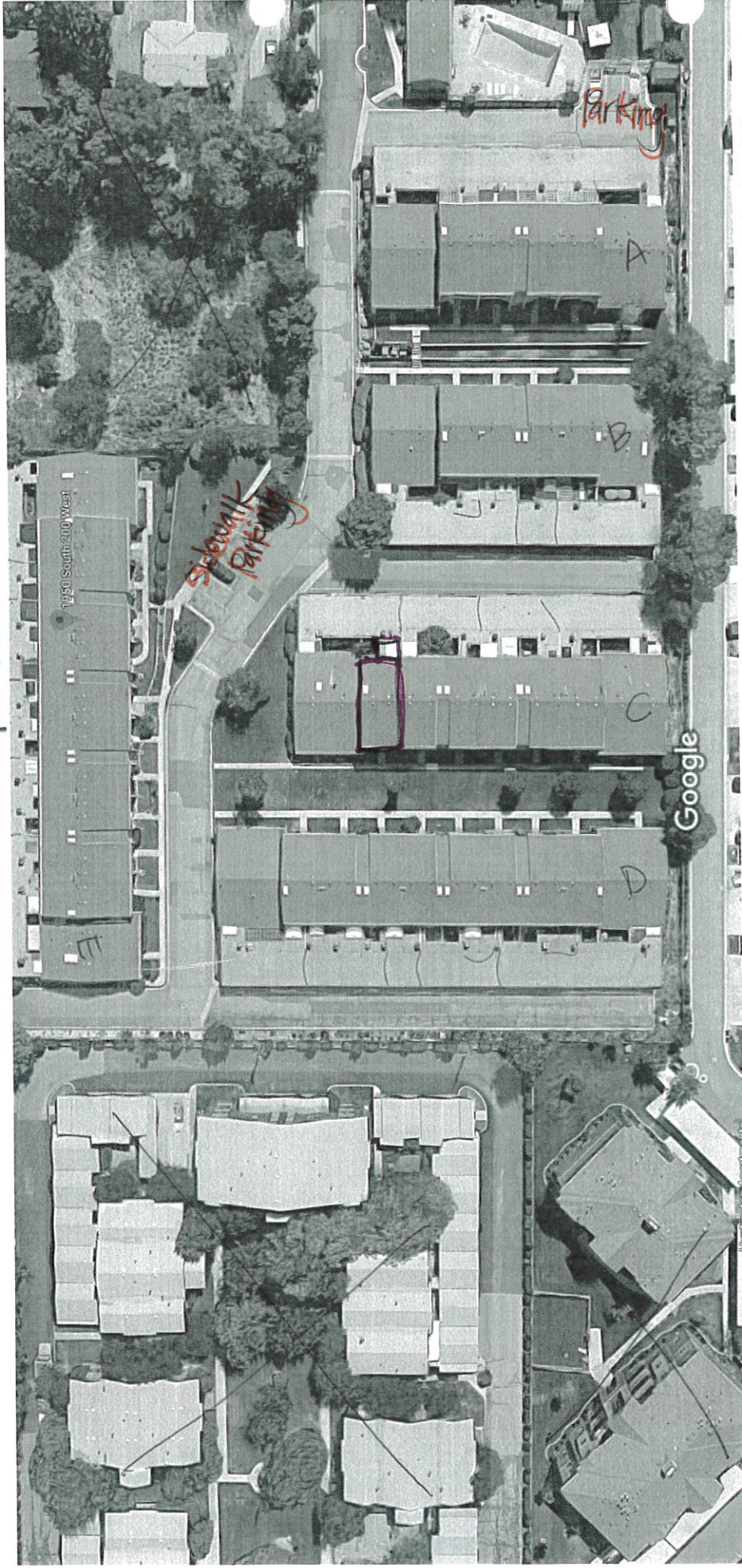
Please respond to the following questions (per Land Use Code Section 14-17-105):

- What tools/equipment/materials will be used for the business, and where will they be stored?  
Lawn Mower, weed whacker, Hand shovels, buckets, clippers.  
They will be stored in a trailer or in my storage area.
- Will you use any vehicles for the business? If so, please indicate on your site plan where the vehicle(s) will be parked.  
Yes, The truck will be parked in my car port.
- How much of the home will be used for the business (percentage)? Please note that area on your site plan.  
32%
- Are there any employees (besides those living at the home) who will be involved in the business?  
NO

Google Maps 1950 S 200 W

North

200 West



Imagery ©2019 Google, Map data ©2019 Google 20 ft

# Villa Nova Condo

- No chemicals
- String everything in trailer
- Trailer will be parked in carport





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: March 25, 2019  
To: Administrative Committee  
From: Curtis Poole, Assistant Planner  
Re: Staff Report for the Administrative Committee Meeting on Monday, April 1, 2019

## Overview

- PUBLIC HEARING** - Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 412 West 1400 North, Matthew Ford, applicant.

### Background

The property for the proposed Home Occupation request is located in the R-4 Zone. Home Occupations in this zone are allowed in City Code, 14-4-103, with approval of a Conditional Use Permit.

### Findings

The application submitted indicates the property will be used to operate MJF Home Solutions, which provides drywall repair services. There will be tools associated with this business, which will be stored in a shed in the backyard; however most items will be stored at an offsite location. The applicant indicates there may be an enclosed 10' trailer which would be parked on the driveway in addition to his personal vehicle. There will be 5% of the home used for this business, which is less than what is required by code. The applicant indicates there will be no additional employees involved in the business. The business does appear incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

### Staff Recommendation

Based upon the above findings, staff has determined that the applicant would comply with all requirements for the Conditional Use Permit; therefore staff recommends approval of the Conditional Use Permit with 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. noise, dust, odors, noxious fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

## **Bountiful Land Use Ordinance**

### **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 discernible 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 Ordinance and other applicable codes.

### **14-17-108 HOME OCCUPATION CONDITIONAL USES**

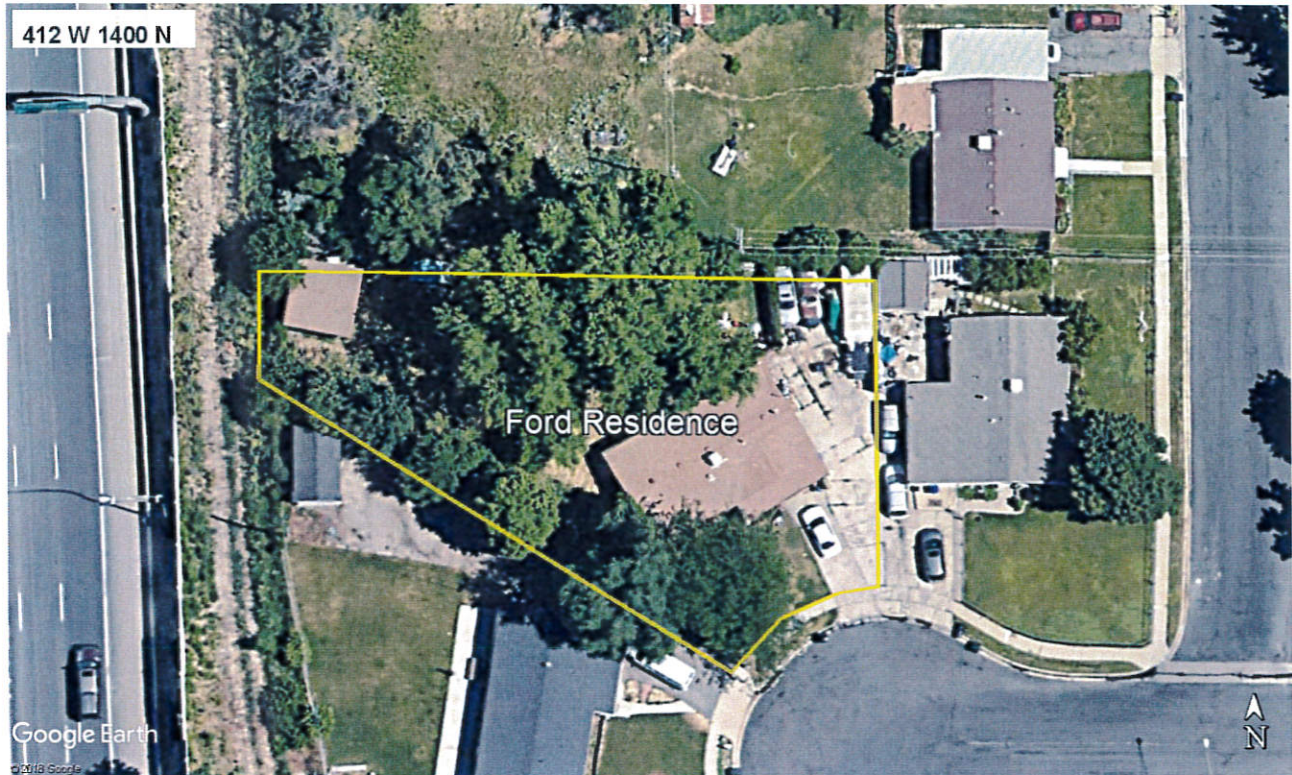
Home occupations in the following areas of work are conditional uses, and licenses may be issued for them only if a conditional use permit is granted following notice and a public hearing:

- 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 Ordinance as it may be amended from time to time.

## 412 West 1400 North



Please respond to the following questions (per Land Use Code Section 14-17-105):

- What tools/equipment/materials will be used for the business, and where will they be stored? *Hard tools, benches, ladders. Some of this will be stored in shed in backyard, most items will be stored offsite in storage shed.*
- Will you use any vehicles for the business? If so, please indicate on your site plan where the vehicle(s) will be parked. *Just personal vehicle. Possibly an enclosed 10' cargo trailer to be stored in driveway.*
- How much of the home will be used for the business (percentage)? Please note that area on your site plan. *5%*
- Are there any employees (besides those living at the home) who will be involved in the business? *No*



# Untitled Map

Write a description for your map.

*No chemicals on site*

*Area of  
concern  
for  
groundwater  
contamination*

## Legend

- 412 W 1400 N
- Feature 1
- Feature 2







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 Conditional Use Permit**

A public hearing was held on March 11, 2019, at Bountiful City Hall to consider the request of Jeff Davis, for a Conditional Use Permit allowing a Home Occupation Contractor Business at the following location:

**217 East 2200 South, Davis County, Utah**

**ALL OF LOT 2, ARVILLA CHILD SUB. CONT 0.27 ACRES**

**Parcel 05-132-0002**

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 to operate a contractor business meets the letter and the intent of the specific requirements in §14-17 et seq. (Conditional Use Permit provisions) of the Bountiful City Land Use Ordinance.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for Jeff Davis to operate a contractor business located at 217 East 2200 South, in Bountiful, Davis County, Utah, with 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. noise, dust, odors, noxious fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

The Conditional Use Permit was approved on March 11, 2019, and this written form was approved this 1<sup>st</sup> day of April, 2019.

---

Chad Wilkinson  
Planning Director

---

ATTEST: Julie Holmgren  
Recording Secretary