



BOUNTIFUL CITY PLANNING COMMISSION

**Tuesday, June 20, 2023
6:30 p.m.**

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Council Chambers, Bountiful City Hall, 795 South Main, Bountiful, Utah, 84010, 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 801-298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

6:00 p.m. – End of Term Reception

The City is appreciative of the time, dedication, and expertise that the following individuals have provided over many years in their respective terms, ending on June 30:

- Sharon Spratley, Planning Commission
- Dave Badham, Administrative Committee
- Scott Schlegel, Administrative Committee

6:30 p.m. – Regular Meeting

1. Welcome
2. Approval of the meeting minutes for June 6, 2023
 - Review and action
 - Continuation of Downtown (DN) Mixed Use Zone Land Use Code Text Amendment regarding parking and carports
 - Action: Continue item to July 18, 2023
3. Variance for a single access point to a one-lot subdivision at 1405 E Canyon Creek Drive
Senior Planner Amber Corbridge
 - Review, public hearing, and recommendation
4. Planning Director's report, update, and miscellaneous business
5. Adjourn

Draft Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
June 6, 2023 – 6:30 p.m.

1
2
3
4
5 Location: Council Chambers City Hall, 795 South Main Street, Bountiful UT 84010
6
7 Present: Commission Members Lynn Jacobs (Chair), Alan Bott (Vice-Chair) Jim Clark,
8 Krissy Gilmore, Cecille Price-Huish and Sharon Spratley
9 City Attorney Clinton Drake
10 City Engineer Lloyd Cheney
11 City Building Official Don Simons
12 Planning Director Francisco Astorga
13 Senior Planner Amber Corbridge
14 Recording Secretary Darlene Baetz
15
16 Excused: Commission Member Sean Monson
17

18
19 **1. Welcome.**

20
21 Chair Jacobs called the meeting to order at 6:31 p.m. and welcomed those in attendance.
22

23 **2. Approval of the minutes for May 2, 2023.**

24
25 MOTION: Commissioner Spratley made a motion to approve the minutes as written. Commissioner
26 Clark seconded the motion.
27

28 VOTE: 6-0 in approval.
29

30 **3. Architectural Site Plan Review Lot 11 at 1791 South Renaissance Drive.**

31
32 Brian Knowlton was present. Senior Planner Amber Corbridge presented the item.
33

34 The applicant requested preliminary and final architectural and Site Plan approval for Renaissance
35 Towne Centre Lot 11. City Council previously approved a zone change for the entire Renaissance
36 Town Centre to MXD-R zone in May 2019 which amended the Development Plan/Ordinance. The
37 Development Plan was amended in April 2021 and then in October 2022 for this site. The proposed
38 project will consist of seventeen (17) townhouses, three (3) apartments, and two (2) non-residential
39 (office/retail) spaces. The maximum building height for all the structures would be fifty-four (54)
40 feet.
41

42 Mr. Knowlton will correct the plans to show the removal of the fencing on the ground floor patio
43 areas.
44

45 Commission members discussed a desire for this project to have a walkable area for the inside four
46 lots.
47

48 Staff made a recommendation to forward approval for this project.
49

50 MOTION: Commission Gilmore made a motion to forward a positive recommendation to City
51 Council for the approval of the Architectural Site Plan Review of Lot 11. Commissioner Bott

1 seconded the motion.

2
3 VOTE: 6-0 in approval.

4
5 **CONDITIONS OF APPROVAL:**

- 6
7 1. Remove the fencing around the patios facing the street.
8 2. Update plans to show patio designs consistent with each other.
9 3. Meet all department staff review comments and corrections.

10
11 **4. Downtown Zone Amendment Change.**

12
13 John Egan, applicant was present. Senior Planner Corbridge presented the item.

14
15 Mr. Egan requested three amendments to the land use code text be changed in the Downtown zone.
16 The proposed code amendments are in Title 14 Chapter 7 and Title 14 Chapter 18 to include Building
17 Width and Height, Parking, and Carport.

18
19 Building Width and Height:

20
21 Staff discussed the proportion and ratio of the width and height of the building and noted a block in
22 the Downtown zone is 330 ft in width.

23
24 Staff recommended approval of the building width and height text amendment with the three
25 conditions:

- 26
27 a. Break the building up horizontally (base, middle, and top) and vertically every forty-five (45) feet
28 or less using step-backs, architectural beams, cornices, windows, etc.
29 b. Stagger building heights every forty-five (45) feet or less.
30 c. Use various materials, colors, and textures approved in this chapter.

31
32 Commissioner Gilmore felt design is very important to her and would like to see mid-block pedestrian
33 access and that a large 350 ft building needs to have more than the recommended 50% glass.

34
35 Commissioner Bott discussed the parking on Main St. versus having rear parking and likes a
36 breezeway to be added at mid-block to accommodate pedestrians and parking in the rear.

37
38 Commissioner Clark stated that he has no problem with having one building but would like to require
39 the height differences to appear as separate structures.

40
41 Commissioner Spratley had a concern that a project has the appropriate number of entrances for the
42 buildings.

43
44 Parking:

45
46 Staff discussed the downtown needs for parking and other transportation options including
47 walkability and Bus Rapid Transit. Senior Planner Corbridge discussed the parking analysis study

1 done in other cities.
2

3 The proposed amendment would reduce multi-family residential parking for the entire city. Staff
4 recommended having a standardized multi-family residential parking minimum of 2 stalls per unit
5 and reduce Mixed-Use in the Downtown multi-family residential parking minimum of 1-2 bedrooms,
6 1.75 stalls/unit and 3+ bedrooms, 2 stalls/unit.
7

8 Staff recommended approval of the parking text amendment.
9

10 City Engineer Cheney stated that no matter what is decided for this item, occupants don't always
11 follow the rules and could impact off-street parking. There are a number of streets in the downtown
12 area that are smaller in width than normal. In the winter the city does receive a lot of snow and it
13 becomes a challenge to remove, hold snow and maintain the public right-away. There is a section of
14 Main St that on-street parking can be used during the winter.
15

16 Planning Director Astorga noted that at the time of this meeting, the consultant for the General Plan
17 project is still compiling data from the General Plan open houses.
18

19 Carport Setbacks 20

21 This proposed ordinance would allow for carports to be placed in the side and rear yard setbacks, if
22 there are no negative effects on adjacent properties. The current code requires the carport to meet the
23 same setbacks as the primary structure and requires a building permit.
24

25 Staff did not make a recommendation for a approval for this section of the code amendment but asked
26 the Commissioners for their thoughts and concerns.
27

28 Building Official Simons stated he had a discussion with Fire Marshall and noted he didn't have a
29 problem with the carport being open on all sides with the fire ratings.
30

31 Councilwoman Price-Huish is concerned about the vagueness of the applicants' code request and
32 asked if a parking study or analysis had been done for the Downtown zone.
33

34 Planning Director Astorga noted that a parking study or analysis was not done for the downtown area.
35 The City does not have the resources available for a study done in-house. To outsource this project
36 would be extremely expensive and would take a great deal of time.
37

38 Commissioner Bott felt that the market should dictate what the project or public needs and felt that
39 we should focus our time on the look of the structures and not the carport requirements.
40

41 Mr. Egan thanked the staff and Commissioners for the great amount of time put into these projects.
42

43 Chair Jacobs opened the Public Hearing at 8:43 p.m.
44

45 Brian Knowlton resides at 630 E 500 S. Mr. Knowlton discussed the history of the downtown code
46 written several years ago and noted the problem at the time was parking. He is in support of the
47 applicants request for the height and width of the building, the carport on the property line, and the

1 shared parking.
2

3 Walker Woods resides at 771 E Hills Dr. Mr. Woods would like to see more housing and had a
4 concern about the amount of parking in the Downtown area. He noted his full support of the staff's
5 recommendation.
6

7 Richard Higginson resides 195 W 200 N. Mr. Higginson noted that a study was done by Envision in
8 2005 with concerns about the size of the buildings. He stated that he likes that the buildings show a
9 difference in height and width. If the parking changes are adopted, every project will still be required
10 to include on-site parking and will not allow on-street parking in the required parking. He likes the
11 request for not requiring covered parking and to include studio requirements listed in the code and
12 need to be addressed in the code for parking. We should have flexibility to help the developer to
13 move the project forward and not be a detriment.
14

15 Sharman Shoot resides at 781 S Sunrise Circle. Mr. Smoot agrees with a number of comments that
16 have been made, including helping the developer with more flexibility. He noted that parking is
17 important but is concerned about the proposed standard from staff.
18

19 Kenny Knighton resides at 575 Woodland Hills. Mr. Knighton discussed the economical reasons
20 why small projects are being built on expense lots. He felt that breezeways are a bad idea and agreed
21 with the reduction in parking standards. He did not have a problem with the carports to be on the
22 property line and that developers need flexibility with their projects.
23

24 Chair Jacobs closed the Public Hearing at 9:24 p.m.
25

26 Commissioner Bott would like to propose a parking study be done for each project.
27

28 Planning Director Astorga noted that shared parking can't be used for a commercial project.
29

30 Discussion about the possible options for motion.
31

32 **CONDITIONS OF APPROVAL:**
33

- 34 a. Break the building up horizontally (base, middle, and top) and vertically every forty-five (45) feet
35 or less using step-backs, architectural beams, cornices, windows, etc.
36 b. Stagger building heights every forty-five (45) feet or less.
37 c. Use various materials, colors, and textures approved in this chapter.
38

39 **MOTION FOR WIDTH AND HEIGHT:** Commissioner Spratley made a motion to forward a
40 positive recommendation to the City Council for the approval of the width and height text amendment
41 with the change to section A and C. Moving section C to the end of A.
42

43 Commissioner Bott seconded the motion.
44

45 **VOTE:** 6-0 in favor.
46

47 **APPROVED CONDITIONS OF APPROVAL:**

- 1 a. Break the building up horizontally (base, middle, and top) and vertically every forty-five (45) feet
2 or less using step-backs, architectural beams, cornices, windows, etc. *and include the use of*
3 *various materials, colors, and textures approved in this chapter.*
4 b. Stagger building heights every forty-five (45) feet or less.
5

6 MOTION FOR PARKING: Commissioner Bott made a motion to table this item to the June 20
7 meeting Planning Commission meeting. Commissioner Clark seconded the motion.
8

9 VOTE: 6-0 in favor.
10

11 MOTION FOR CARPORT: Chair Jacobs made a motion to table this item to the June 20 Planning
12 Commission meeting. Commissioner Bott seconded the motion.
13

14 VOTE: 6-0 in favor.
15

16 **5. Planning Director's report, review of pending applications and miscellaneous business.**
17

18 **6. Adjourn**
19

20 Chair Jacobs adjourned the meeting at 9:56 p.m.

Planning Commission Staff Report

Item: Variance Request to Allow Single Access to a Subdivision
Address: 1405 E Canyon Creek Drive
Author: Amber Corbridge, Senior Planner
Date: June 20, 2023



Background

The Applicant, Brent Bement, owner of Redwood Rentals LLC, has requested a variance to allow for single access to a proposed single-family development. The subject property is a 71.42-acre parcel, owned by Redwood Rentals LLC, located at 1405 E Canyon Creek Drive, in the R-F (Residential Foothill) Subzone. If granted, the requested variance would potentially allow for construction of one (1) new single-family dwelling.

Analysis

The Applicant has submitted preliminary plans for a one-lot subdivision to develop a single-family dwelling on a 2-acre lot (See attachments). The remaining 69-acre land is identified on the plat as "Remainder Parcel" where a majority of the site is undevelopable. This property is at the end of Canyon Creek Drive where no other access would be feasible.

Land Use Code 14-4-117(E)(1) requires at least two (2) ingress and egress routes for each new subdivision in the R-F Subzone. Granting the variance would potentially allow the development of a new single-family dwelling, contingent on a Conditional Use Permit which is required for development in the RF subzone and Final Subdivision approval.

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;*

Applicant: (2)(a)(i) Literal enforcement of Ordinance 14-4-117 E (1) would cause an unreasonable hardship for our development project. We believe that the Bountiful City trailhead project extending Canyon Creek Drive is a mitigating factor that would provide

sufficient access to the development without the need for an additional access point. Enforcing the requirement of two access points is not necessary to carry out the general purpose of the land use ordinances in this specific case.

Staff Response: The purpose of the two (2) or more access points is to ensure property ingress and egress for safety. The Fire Marshal (South Davis Metro Fire) stated the development meets the requirements for a single access. Additionally, the proposed trailhead and access are sufficient for the new development and parking lot. Literal enforcement would not allow for a single-family dwelling to develop. Staff determines the singular access is reasonable for both the existing development and one (1) future single-family dwelling at the end of the street; but no more.

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

Applicant: (2)(a)(ii) Special circumstances attached to the property include its proximity to the Bountiful City trailhead project, which is extending Canyon Creek Drive. This development does not generally apply to other properties in the same zone.

Staff Response: The Applicant's property is unique to most other properties in the R-F Subzone due to its proximity to the Bountiful City trailhead project, which extends Canyon Creek Drive and includes a new parking lot, as well as its current size, shape, and access/proximity to Canyon Creek Drive (See Attachments).

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

Applicant: (2)(a)(iii) Granting the variance is essential to the enjoyment of a substantial property right, as it allows our development to utilize the Bountiful City trailhead project's extension of Canyon Creek Drive for access, which is a privilege possessed by other properties in the same zone.

Staff Response: Other properties in the R-F Subzone along Canyon Creek Drive have developed using the same access as the proposed development. That access ended at the beginning of the new North Canyon Trailhead. The new trailhead potentially allows for one (1) new additional access. A variance would allow the proposed development to utilize the new trailhead project extensions for access. Any new development was not possible until the construction of the new trailhead. Granting the variance would allow the Applicant to use the new trailhead extension as an access similar to prior developments to the West. No new accesses will be created and no new development will be allowed beyond the trailhead.

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

Applicant: (2)(a)(iv) The variance will not substantially affect the general plan and will not be contrary to the public interest. The Bountiful City trailhead project is a public infrastructure improvement that serves the area and is consistent with the city's long-term planning goals.

Staff Response: Granting the variance for the Applicant will not have a substantial effect on the General Plan as other properties in the R-F Subzone have been treated similarly regarding development along Canyon Creek Drive. Historically development was limited by law because the street access ended. With the new trailhead there is the potential for one (1) additional access. It is in the City's interest to have all buildable lots developed as opposed to remaining vacant. The Bountiful City trailhead project is a public infrastructure improvement that serves the area and is consistent with the city's long-term planning goals.

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

Applicant: (2)(a)(v) By granting this variance, the spirit of the land use ordinance is observed and substantial justice is done, as the development will still have adequate access without creating unnecessary additional access points.

Staff Response: The purpose of the Code that requires development to be accessed by at least two (2) locations is for public health, safety, and welfare. The proposed development would have adequate access without creating additional access points and meets the requirements of the development review staff.

Department Review

This variance request staff report was written by the Senior and reviewed by the City Engineer, Planning Director, and City Attorney.

Significant Impacts

Granting this Variance does not create a future precedent as Variances are reviewed upon the unique conditions found on each site. The development would be adjacent and connecting to the built infrastructure for the new street and parking lot. Impacts from the proposed development are anticipated in the design of the built sewer, storm water, culinary water, and transportation system.

Recommendation

Based on analysis of the required criteria from State Code included in the findings above and the materials submitted by the Applicant, Staff recommends the Planning

Commission review the requested Variance, hold a public hearing, and grant the requested Variance to allow for a single access point to the proposed development of a single-family dwelling, subject to the following:

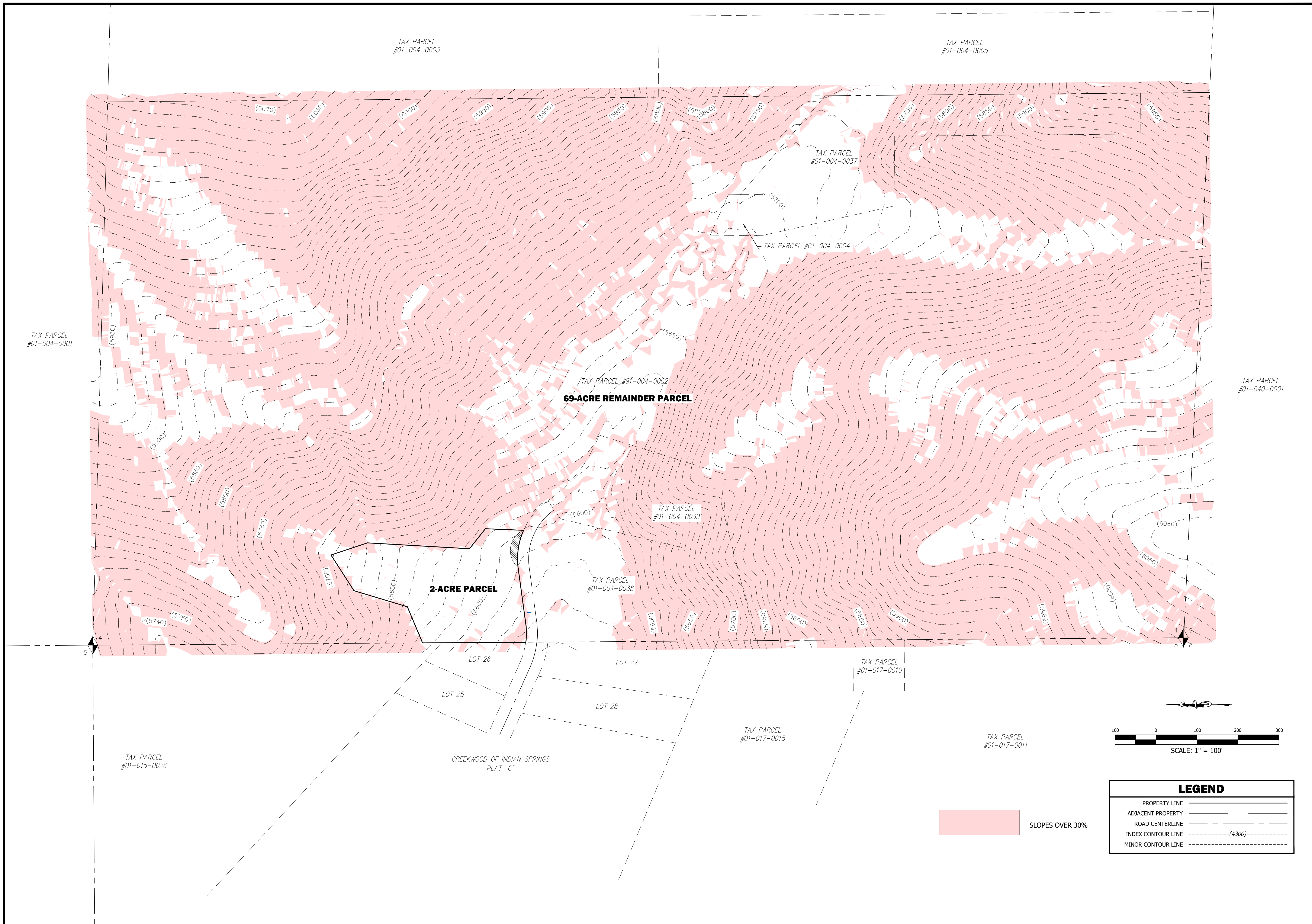
1. The Applicant will continue to work with City Staff to ensure the subdivision is granted a Conditional Use Permit and receives Final Subdivision Approval within one (1) year from this Variance approval date.

Attachments

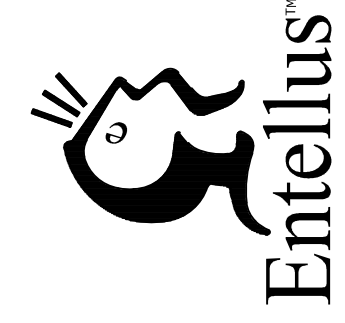
1. Aerial Photo
2. Proposed Subdivision
3. Proposed Access Improvements
4. Applicant’s Narrative

Aerial Photo





1470 South 600 West
 Woods Cross, UT 84010
 Phone 801.298.2236
 www.Entellus.com



BRENT BEMENT
 NORTH CANYON ROAD PROPERTY
 TAX PARCEL #01-004-0002
 LOCATED IN THE SW 1/4 OF SECTION 4, T.1N., R.1E., S.1&2&3
 BOUNTIFUL CITY, DAVIS COUNTY, UTAH

DRAWN: JRC 05/23/2023

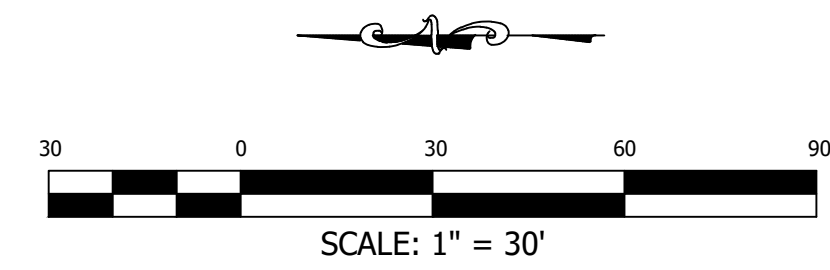
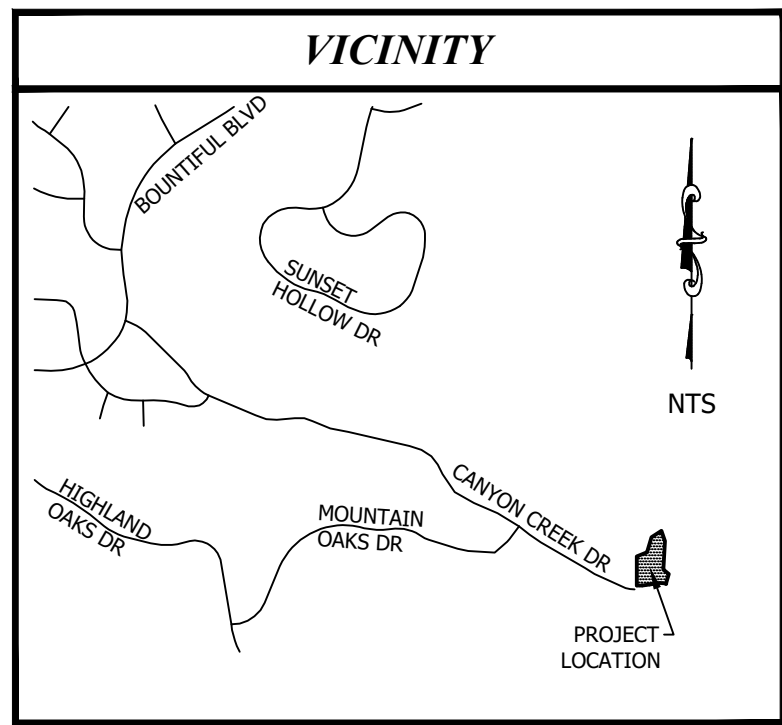
APPROVED:

PROJECT #: 2072001
 SURVEY 2072001.dwg

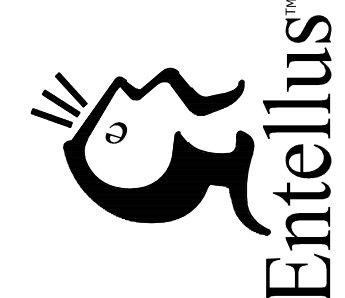
X901
 BOUNDARY EXHIBIT

NORTH CANYON ESTATES

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 1 EAST, S.L.B.&M.
BOUNTIFUL CITY, DAVIS COUNTY, UTAH
FEBRUARY 2023
PRELIMINARY PLAT

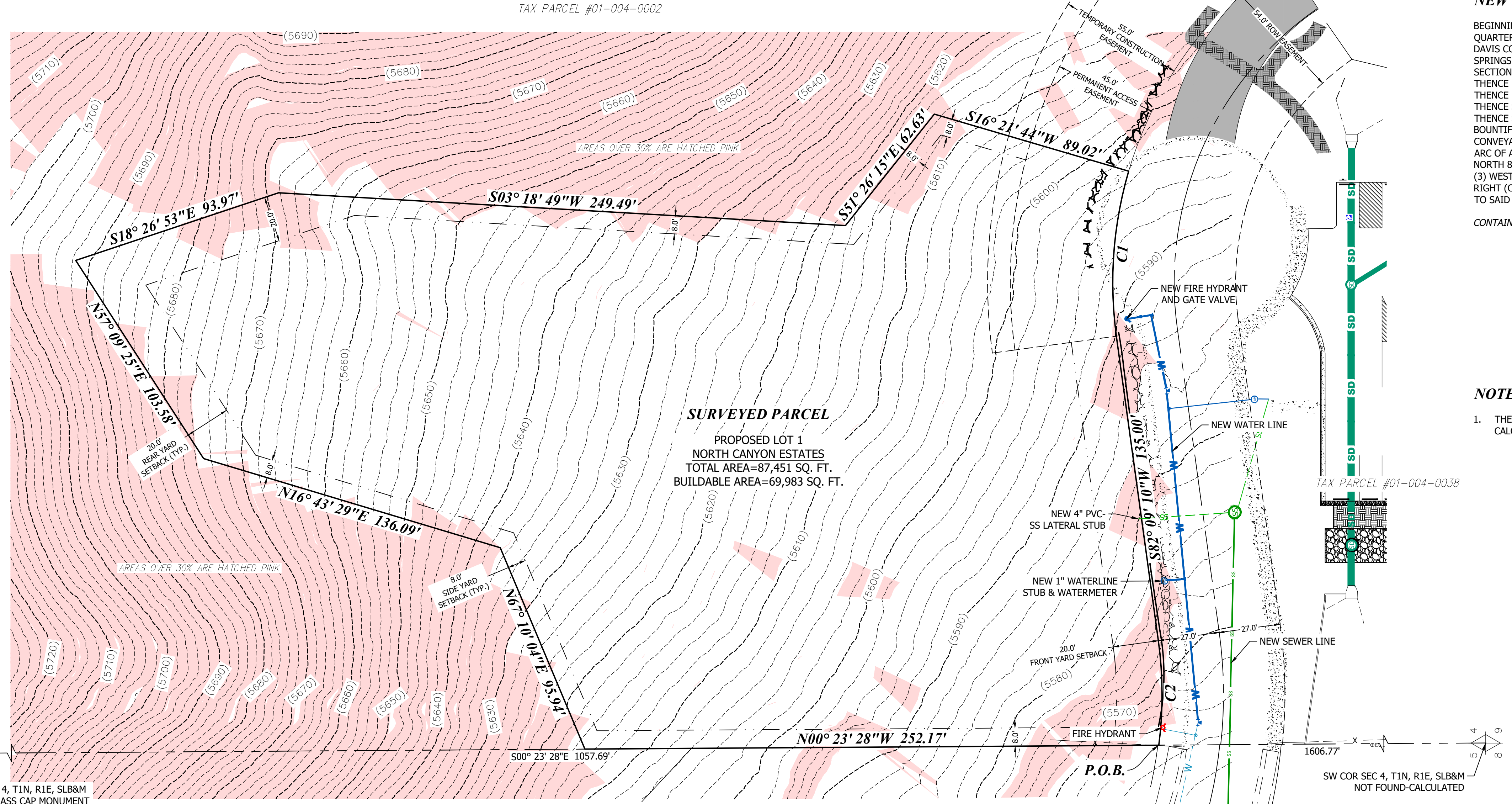


1470 South 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com



PRELIMINARY
NOT FOR
CONSTRUCTION

BRENT BEMENT
NORTH CANYON ROAD PROPERTY
TAX PARCEL #01-004-0002
LOCATED IN THE SW 1/4 OF SECTION 4, T.1N., R.1E., S.L.B.&M.
BOUNTIFUL CITY, DAVIS COUNTY, UTAH



NEW DESCRIPTION

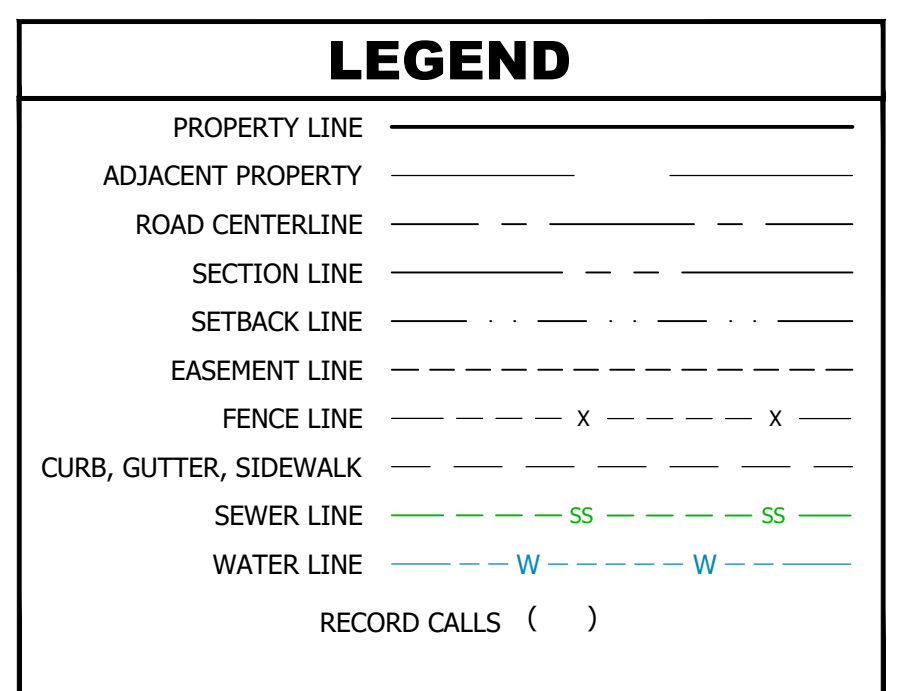
BEGINNING AT A POINT SOUTH 00°23'28" EAST 1057.69 FEET ALONG THE SECTION LINE FROM THE WEST QUARTER CORNER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 26, CREEKWOOD OF INDIAN SPRINGS PLAT "C" SUBDIVISION AND RUNNING THENCE NORTH 00°23'28" WEST 252.17 FEET ALONG SAID SECTION LINE AND ALONG THE EAST LINE OF SAID LOT 26 AND ITS EXTENSION; THENCE NORTH 67°10'04" EAST 95.94 FEET; THENCE NORTH 16°43'29" EAST 136.09 FEET; THENCE NORTH 57°09'25" EAST 103.58 FEET; THENCE SOUTH 18°26'53" EAST 93.97 FEET; THENCE SOUTH 03°18'49" WEST 249.49 FEET; THENCE SOUTH 51°26'15" EAST 62.63 FEET; THENCE SOUTH 16°21'44" WEST 89.02 FEET TO THE NORTH LINE OF THE PROPERTY CONVEYED TO BOUNTIFUL CITY IN ENTRY #3311305, DAVIS COUNTY RECORDER; THENCE ALONG THE NORTH LINE OF SAID CONVEYANCE THE FOLLOWING THREE (3) CALLS; (1) WESTERLY FOR A DISTANCE OF 73.27 FEET ALONG THE ARC OF A 173.40-FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING AND DISTANCE= NORTH 85°44'33" WEST 72.72 FEET, CENTRAL ANGLE=24°12'35"); (2) SOUTH 82°09'10" WEST 135.00 FEET; (3) WESTERLY FOR A DISTANCE OF 45.97 FEET ALONG THE ARC OF A 173.07-FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARING AND DISTANCE = SOUTH 89°45'45" WEST 45.84 FEET, CENTRAL ANGLE = 15°13'12") TO SAID SECTION LINE AND TO THE POINT OF BEGINNING.

CONTAINS 2.008 ACRES 87,451.24 sqft Average Slope = 24.57%

NOTES

- 1. THE STATE PLANE BEARING ALONG THE BASIS OF BEARINGS IS NORTH 89°56'54" EAST (D.C.S.), CALCULATED USING NAD 1983 STATE PLANE COORDINATES IN THE UTAH NORTH ZONE.

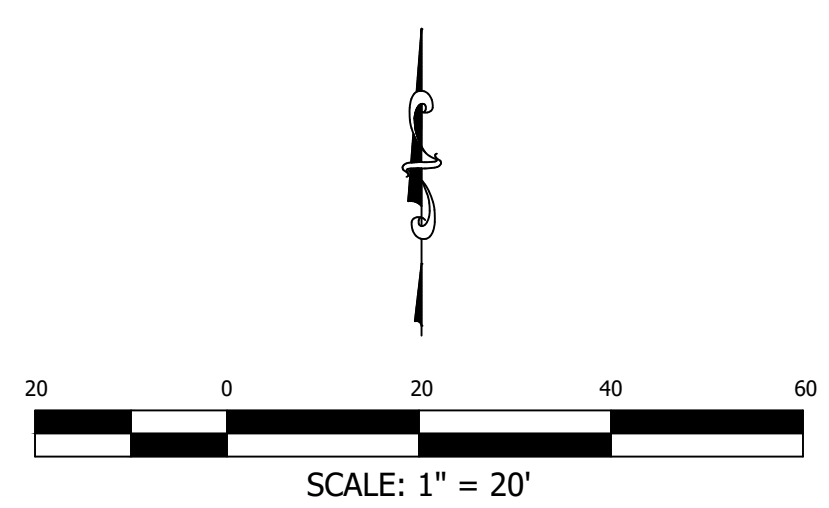
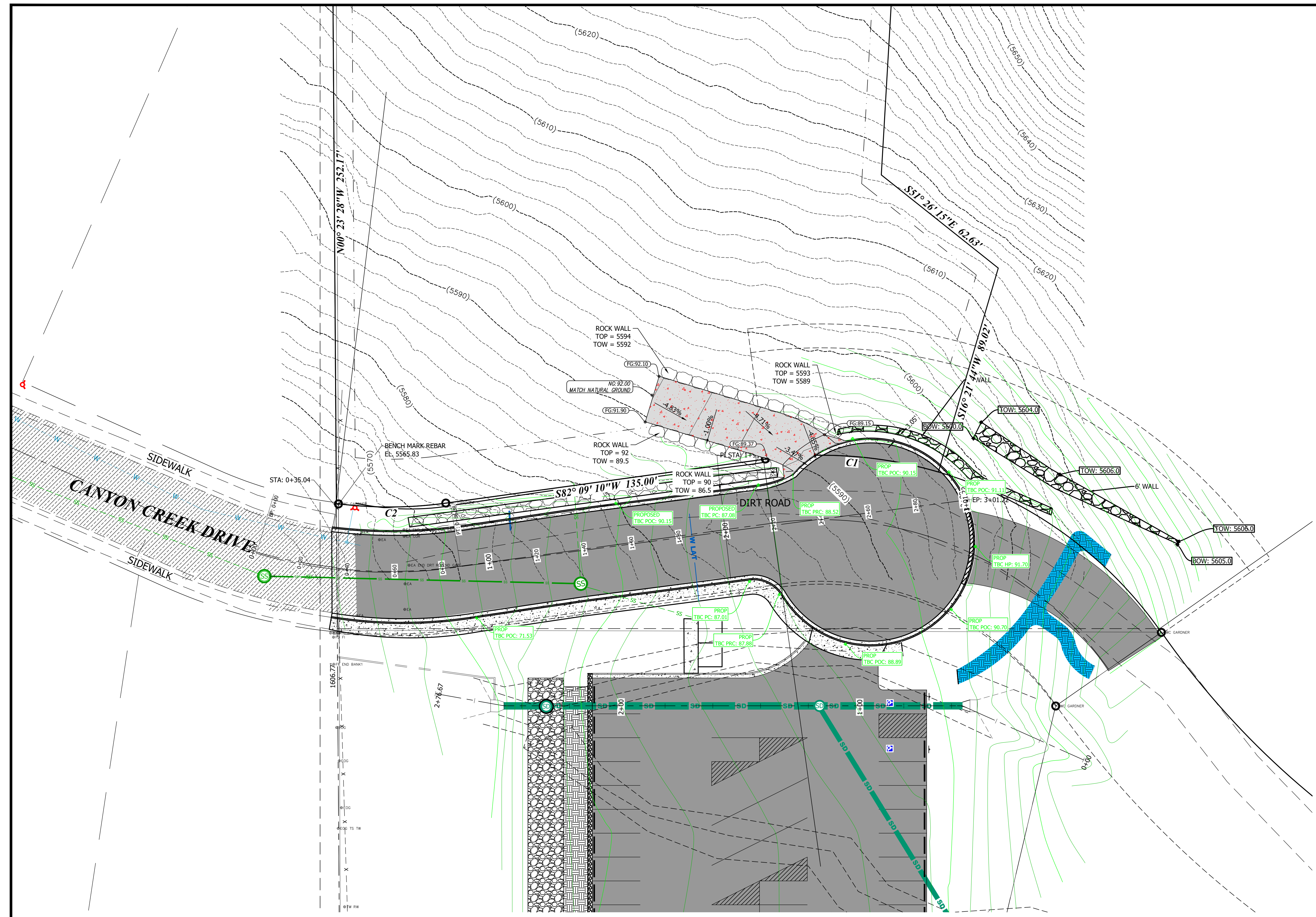
Curve Table					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	173.40'	73.27'	024° 12' 35"	N85° 44' 33"W	72.72
C2	173.07'	45.97'	015° 13' 12"	S89° 45' 45"W	45.84



DRAWN: DEW 02/01/2023
APPROVED: JRC 02/14/2023
PROJECT #: 2072001
PRELIM PLAT 2072001.dwg

V210
PRELIMINARY PLAT

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ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:

ACCESSIBLE PARKING:
MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.

ACCESSIBLE ROUTE:
MINIMUM WIDTH OF 48". MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ACCESS ROUTE TURNAROUNDS:
A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

LEVEL LANDING / EXTERIOR DOOR LANDING:
MINIMUM SIZE OF 60"x60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

ACCESSIBLE EGRESS TO PUBLIC WAY:
MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ADA ACCESS RAMPS:
MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

**Know what's below.
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UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

1470 South 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com

**PRELIMINARY
NOT FOR
CONSTRUCTION**

700 NORTH PLAZA

1390 EAST CANYON CREEK DRIVE
LOCATED IN THE SW 1/4 OF SECTION 4, T.1N., R.1E., S.L.B.#M.
BOUNTIFUL CITY, DAVIS COUNTY, UTAH

REVISIONS

DRAWN:	JH	2023-02-06
APPROVED:		2023-02-06
PROJECT #:	1794009	
	SET-202001.dwg	

C400
COVER & INDEX

5-16-2023

The intent of this application is to move along the process for me to subdivide the 71.42 acre parcel I own in North Canyon to become a 2 acre lot and a 69.42 acre lot. I've spent the last year working with the city and the engineers and from my understanding and recommendations by our engineers and real estate attorney on the feasibility of this project it appears to be possible. At this time, we are requesting the conditional use and the variance based on feedback received from Bountiful engineering dept.

Redwood Rentals, LLC (legal entity that owns the 71.42 parcel)

Brent Bement (100% owner of Redwood Rentals LLC)

A handwritten signature in black ink, appearing to be "Brent Bement", written over a horizontal line.

Responses to Variance Application Questions:

i. What City Ordinance(s) do you want a variance from? (Please cite the chapter and section)

We are requesting a variance from Bountiful City Ordinance 14-4-117 E (1), which requires two access points for the proposed residential real estate development project.

ii. How does the proposed variance request meet all of the requirements of Utah Code 10-9a-702?

(1) Our company holds a beneficial interest in the 71.42-acre parcel of property and is thus eligible to apply for a variance from the terms of the Bountiful City land use ordinance.

(2)(a)(i) Literal enforcement of Ordinance 14-4-117 E (1) would cause an unreasonable hardship for our development project. We believe that the Bountiful City trailhead project extending Canyon Creek Drive is a mitigating factor that would provide sufficient access to the development without the need for an additional access point. Enforcing the requirement of two access points is not necessary to carry out the general purpose of the land use ordinances in this specific case.

(2)(a)(ii) Special circumstances attached to the property include its proximity to the Bountiful City trailhead project, which is extending Canyon Creek Drive. This development does not generally apply to other properties in the same zone.

(2)(a)(iii) Granting the variance is essential to the enjoyment of a substantial property right, as it allows our development to utilize the Bountiful City trailhead project's extension of Canyon Creek Drive for access, which is a privilege possessed by other properties in the same zone.

(2)(a)(iv) The variance will not substantially affect the general plan and will not be contrary to the public interest. The Bountiful City trailhead project is a public infrastructure improvement that serves the area and is consistent with the city's long-term planning goals.

(2)(a)(v) By granting this variance, the spirit of the land use ordinance is observed and substantial justice is done, as the development will still have adequate access without creating unnecessary additional access points.

(2)(b)(i) The alleged hardship comes from circumstances peculiar to the property, specifically its proximity to the Bountiful City trailhead project, and is not a condition general to the neighborhood.

(2)(b)(ii) The hardship is not self-imposed or economic but arises from the unique circumstances of the property's location.

(2)(c)(i) The special circumstances relate to the hardship complained of, as the Bountiful City trailhead project's extension of Canyon Creek Drive provides sufficient access to the property.

(2)(c)(ii) The special circumstances deprive the property of privileges granted to other properties in the same zone, specifically the ability to utilize the Bountiful City trailhead project's extension of Canyon Creek Drive for access.

(3) We have provided evidence and reasoning to prove that all the conditions justifying a variance have been met.

(4) The requested variance will run with the land.

(5) The requested variance is not a use variance.

(6) If the appeal authority deems it necessary to impose additional requirements, we are willing to comply to mitigate any harmful effects of the variance or to serve the purpose of the standard or requirement that is waived or modified.