


ADMINISTRATIVE COMMITTEE

Monday, December 17, 2018
5:00 p.m.

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

AGENDA

1. Welcome and Introductions.
2. Consider approval of minutes for December 10, 2018.
3. Consider approval of a Lot Line Adjustment at 675 East Center Street and 677 East Center Street, Richard Dunkley and Troy & Lisa Nielsen, applicants.
4. Consider approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 3273 South 200 West, Ann Marie W. Birkholz, applicant.
5. Miscellaneous business and scheduling.



Chad Wilkinson, City Planner

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

**Bountiful City
Administrative Committee Minutes
December 10, 2018**

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 5:02 p.m. and introduced all present.

2. Consider approval of minutes for November 19, 2018.

Mr. Badham made a motion for approval of the minutes for November 19, 2018. Mr. Clawson seconded the motion.

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

Motion passed 3-0.

3. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for an Accessory Dwelling Unit at 3273 South 200 West, Ann Marie W. Birkholz, applicant.

The applicant, Ann Marie W. Birkholz, was not present, but the committee determined to move forward with the agenda item.

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

The applicant is requesting approval of an Accessory Dwelling Unit in the basement of her home. The unit currently contains a full kitchen, bathroom, a living space and two bedrooms. The plans show there is an external entry to the Accessory Dwelling Unit which can be accessed from the rear of the home and through the garage.

According to City Code, 14-4-124, a Conditional Use Permit for Accessory Dwelling Units (ADU) is required and applicants shall meet all standards of the Code. The plans submitted by the applicant show the home is located in the R-4 Single-Family Residential zone and is a single family dwelling and will be maintained as such by the applicant. There will be only one ADU and there is only one utility connection located at this property. The ADU is 943 square feet of the 2,465 square foot total living area at this residence, which is less than the 40% standard in the Code. The primary structure meets all of the setback and lot building square footage requirements. The applicant will meet the minimum parking standard in the Code, requiring at least four parking spaces and at least 2 will be in the existing garage. The driveway to the south of the property was added before the home was annexed into the city and represents a legal non-conforming use. As the ADU can be accessed from the interior of

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the exiting home (through the garage), or through the rear entrance, it will continue the appearance of a single-family dwelling and should continue to have minimal impact on the neighboring properties.

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

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

Mr. Badham inquired regarding the driveway located to the south of the property, and Mr. Wilkinson noted that it was added before the home was annexed into the city and represents a legal non-conforming use. A discussion ensued regarding the possibility that the driveway was merely a parking pad during the annexation period, and Mr. Wilkinson explained that staff had researched the driveway issue and had determined, to the best of their ability, that it was legal non-conforming. Mr. Wilkinson noted that the city is currently investigating another driveway in the same neighborhood that is not legal non-conforming.

PUBLIC HEARING: Mr. Wilkinson opened and closed the Public Hearing at 5:15 p.m. with no comments from the public.

Mr. Badham inquired regarding the logistics of the ADU. Mr. Poole explained that the ADU has interior access from a stairway in the garage and exterior access from a sidewalk in the rear of the property and that the ADU is connected to the main home. Mr. Badham inquired regarding the total living area square footage for the ADU. A discussion ensued regarding whether the ADU living area met the standard of less than the 40% as required in the Code, and Mr. Wilkinson expressed his confidence that the ADU in question does comply.

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

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

Motion passed 3-0.

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4. **Consider approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 114 West 3300 South, Marco and Melynda Geronimo, applicants.**

Mr. Badham clarified that a building permit for the project will not be issued until the Geronimos comply with the conditions listed in the Conditional Use Permit and that this approval is merely an approval of the written form, and Mr. Wilkinson noted that was the case. Mr. Badham made a motion to approve of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 114 West 3300 South, Marco and Melynda Geronimo, applicants. Mr. Clawson 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 an Accessory Dwelling Unit at 2008 Browns Park Drive (1200 East), John Norman, Jr., applicant.**

Mr. Badham made a motion to approve a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 2008 Browns Park Drive (1200 East), John Norman, Jr., applicant. Mr. Clawson seconded the motion.

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

Motion passed 3-0.

6. **Miscellaneous business and scheduling.**

Regarding the Birkholz ADU, Mr. Wilkinson noted that because of the way Ms. Birkholz adjusted the ADU living area, he felt it was a good indicator that Ms. Birkholz planned to use certain areas of the basement for herself and not as part of the ADU. Mr. Clawson inquired regarding ADU access, and Mr. Wilkinson explained that the preference is to have a door between units. Mr. Wilkinson further explained that furnace or mechanical rooms are always considered as part of the main home footage. Mr. Badham explained that he is not completely in favor of the recent ordinance change. Mr. Badham expressed an opinion, in his capacity as the committee member representing the citizens of Bountiful, that there currently exists a general disapproval of ADUs in the community. Mr. Poole pointed out that another resident in the Birkholz neighborhood applied for an ADU, but that application was put on hold until the parking pad was in compliance.

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Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:21 p.m.

Chad Wilkinson, City Planner

Pending



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: December 11, 2018
To: Administrative Committee
From: Curtis Poole, Assistant Planner
Re: Staff Report for the Administrative Committee Meeting on Monday, December 17, 2018

Overview

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

Background

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

Findings

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

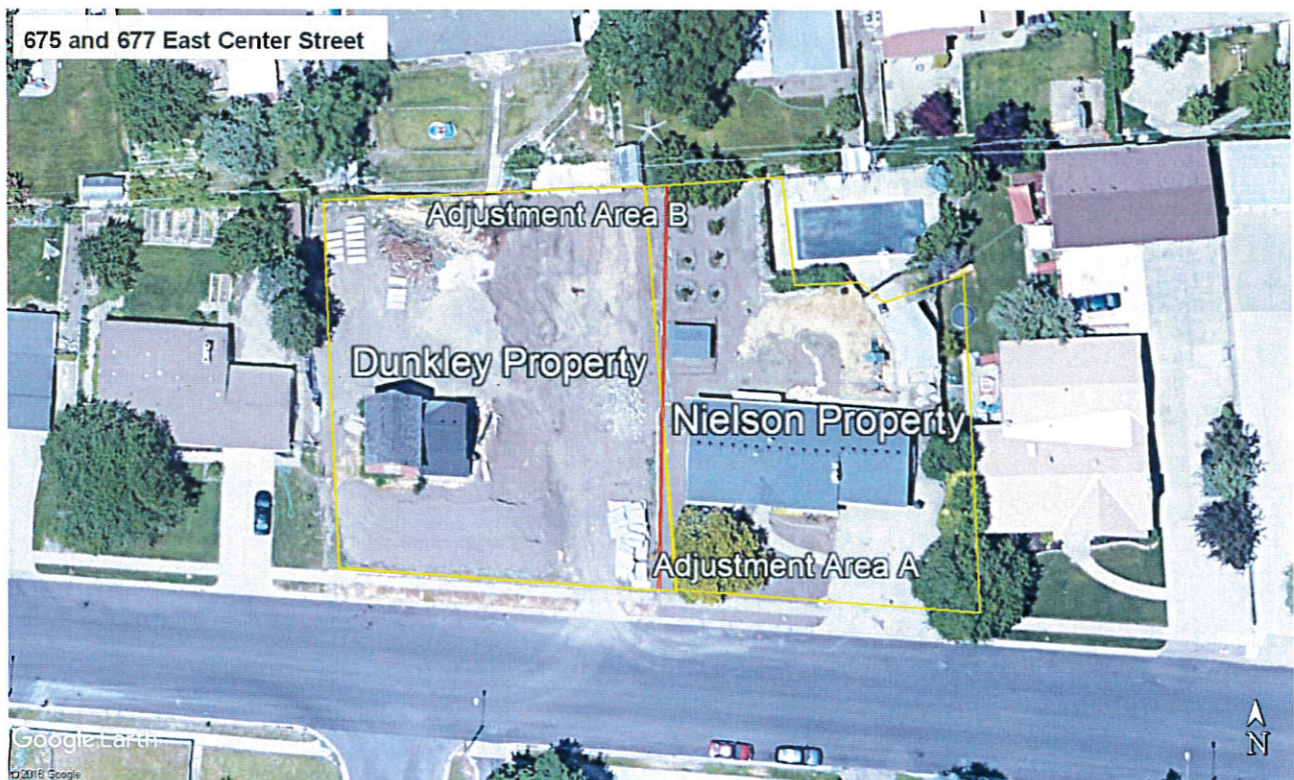
Staff Recommendation

Based on the above findings, Staff recommends approval of the lot line adjustment, with the following conditions:

1. Complete any redline corrections required on the plat
2. The approved lot line adjustment shall be recorded with Davis County.

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

675 and 677 East Center Street





GARDNER CIVIL LAND SURVEYING & ENGINEERING
 675 AND 677 EAST CENTER ST., BOUNTIFUL, UT 84010
 TOWNSHIP 2 NORTH, RANGE 1 EAST, S.1.E. AND M.
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20

DWG.	NO. 08-07-E-275-83
SCALE	1" = 20'
DATE	11-19-2014
DATE	11-19-2014
DATE	11-19-2014
DATE	11-19-2014
DATE	11-19-2014
DATE	11-19-2014
DATE	11-19-2014



SIGNED THIS _____ DAY OF _____ 2014.
 WILLIAM H. GARDNER
 LICENSE NO. 32279
 STATE OF UTAH

LEGEND

- FOUND CENTERLINE MONUMENT
- SET 2" FERRIS AND CAP
- MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY LINE
- ADJACENT PARCEL
- LOT LINE
- EASEMENT
- EXISTING FENCE LINE
- EXISTING CENTERLINE



ADJUSTMENT AREA "A"
 A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN. THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET BEING LOCATED NORTH 00°00'00" EAST 164.5 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND SOUTH 100°00'00" WEST 164.5 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND CENTER STREET. BEING FROM THE CENTERLINE MONUMENT AT THE INTERSECTION OF 400 EAST AND CENTER STREET, RUNNING THENCE NORTH 00°00'00" WEST 164.5 FEET TO AN EXISTING FENCE LINE, THENCE SOUTH 00°00'00" WEST 164.5 FEET TO A POINT OF BEGINNING, CONTAINING 0.26 AC +/-.

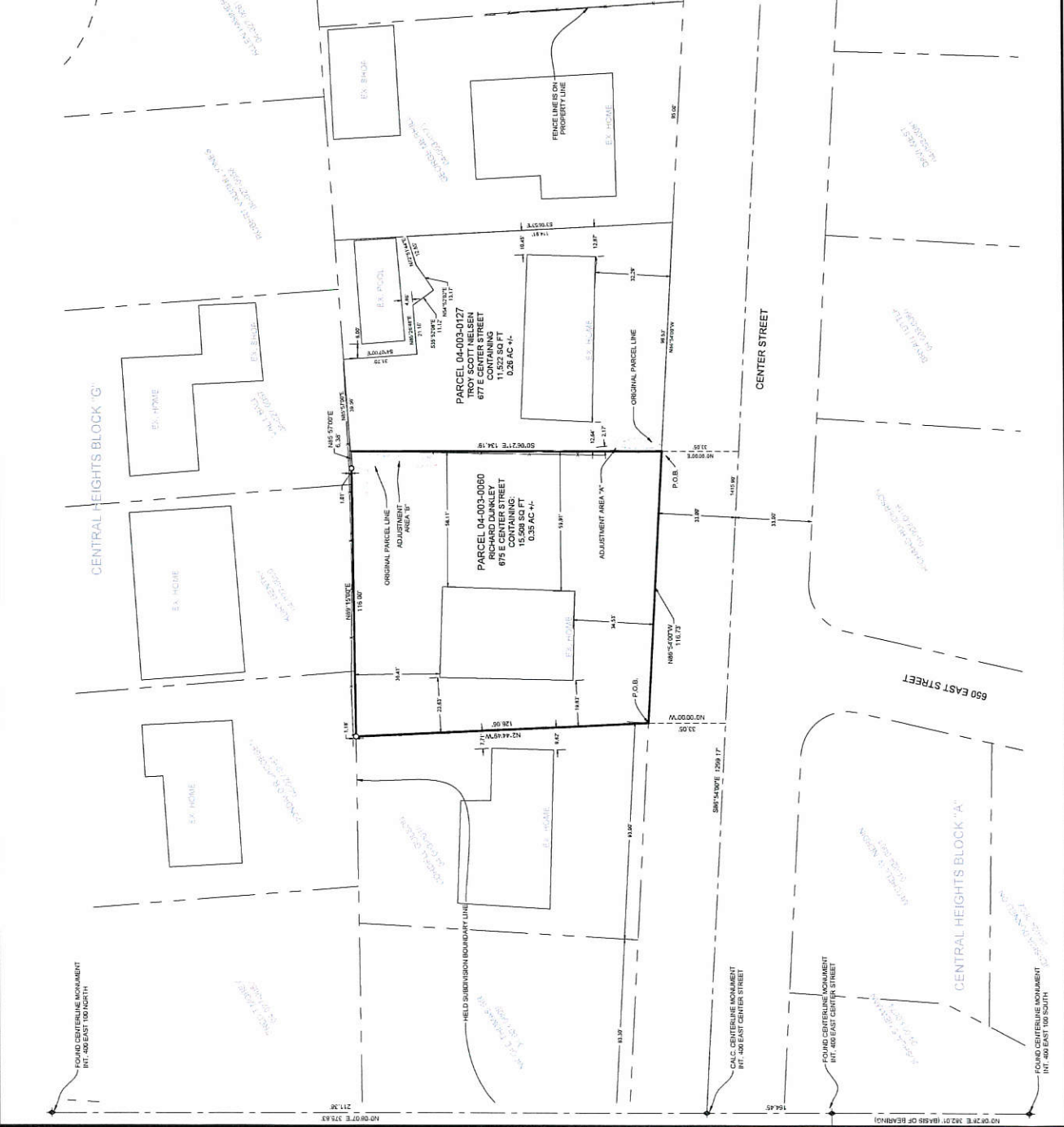
ADJUSTMENT AREA "B"
 A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN. THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET BEING LOCATED NORTH 00°00'00" EAST 164.5 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND SOUTH 100°00'00" WEST 164.5 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND CENTER STREET. BEING FROM THE CENTERLINE MONUMENT AT THE INTERSECTION OF 400 EAST AND CENTER STREET, RUNNING THENCE NORTH 00°00'00" WEST 164.5 FEET TO AN EXISTING FENCE LINE, THENCE SOUTH 00°00'00" WEST 164.5 FEET TO A POINT OF BEGINNING, CONTAINING 0.26 AC +/-.

ADJUSTMENT AREA "C"
 A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN. THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET BEING LOCATED NORTH 00°00'00" EAST 164.5 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND SOUTH 100°00'00" WEST 164.5 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND CENTER STREET. BEING FROM THE CENTERLINE MONUMENT AT THE INTERSECTION OF 400 EAST AND CENTER STREET, RUNNING THENCE NORTH 00°00'00" WEST 164.5 FEET TO AN EXISTING FENCE LINE, THENCE SOUTH 00°00'00" WEST 164.5 FEET TO A POINT OF BEGINNING, CONTAINING 0.26 AC +/-.

RECORD PARCEL 04-003-0127 BOUNDARY DESCRIPTION
 BEG AT PCP ON THE NORTH LINE OF A STREET AT A PT. IN 89°42' W 80.20 FT. E 4.13 20°21' W 33.21 FT. FROM A CORNER OF A SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, S.1.E. AND M. BEING THE INTERSECTION OF 400 EAST STREET AND CENTER STREET. BEING FROM THE INTERSECTION MONUMENT AT THE INTERSECTION OF 400 EAST STREET AND CENTER STREET, RUNNING THENCE NORTH 00°00'00" WEST 164.5 FEET TO AN EXISTING FENCE LINE, THENCE SOUTH 00°00'00" WEST 164.5 FEET TO A POINT OF BEGINNING, CONTAINING 0.26 AC +/-.

ADJUSTED PARCEL 04-003-0080 BOUNDARY DESCRIPTION
 BEG AT PCP ON THE NORTH LINE OF A STREET AT A PT. IN 89°42' W 80.20 FT. E 4.13 20°21' W 33.21 FT. FROM A CORNER OF A SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, S.1.E. AND M. BEING THE INTERSECTION OF 400 EAST STREET AND CENTER STREET. BEING FROM THE INTERSECTION MONUMENT AT THE INTERSECTION OF 400 EAST STREET AND CENTER STREET, RUNNING THENCE NORTH 00°00'00" WEST 164.5 FEET TO AN EXISTING FENCE LINE, THENCE SOUTH 00°00'00" WEST 164.5 FEET TO A POINT OF BEGINNING, CONTAINING 0.26 AC +/-.

RECORD PARCEL 04-003-0060 BOUNDARY DESCRIPTION
 BEG AT PCP ON THE NORTH LINE OF A STREET AT A PT. IN 89°42' W 80.20 FT. E 4.13 20°21' W 33.21 FT. FROM A CORNER OF A SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, S.1.E. AND M. BEING THE INTERSECTION OF 400 EAST STREET AND CENTER STREET. BEING FROM THE INTERSECTION MONUMENT AT THE INTERSECTION OF 400 EAST STREET AND CENTER STREET, RUNNING THENCE NORTH 00°00'00" WEST 164.5 FEET TO AN EXISTING FENCE LINE, THENCE SOUTH 00°00'00" WEST 164.5 FEET TO A POINT OF BEGINNING, CONTAINING 0.26 AC +/-.



ADJUSTED PARCEL 04-003-0060 BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET BEING LOCATED NORTH 00°08'07" EAST 164.45 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND SOUTH 86°54'00" EAST 1299.17 FEET ALONG THE CENTER LINE OF CENTER STREET AND NORTH 00°00'00" EAST 33.05 FEET FROM THE CENTERLINE MONUMENT AT THE INTERSECTION OF 400 EAST AND CENTER STREET; RUNNING THENCE NORTH 02°44'49" WEST 126.06 FEET TO THE SOUTH LINE OF CENTRAL HEIGHTS BLOCK "G"; THENCE ALONG THE SOUTH LINE OF SAID BLOCK "G" THE FOLLOWING TWO (2) COURSES: (1) NORTH 89°15'00" EAST 116.00 FEET; (2) NORTH 85°57'00" EAST 6.38 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 0°06'21" EAST 134.19 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CENTER STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 86°54'00" WEST 116.73 FEET TO THE POINT OF BEGINNING. CONTAINING 15,508 SQ.FT. OR 0.35 AC, MORE OR LESS.

ADJUSTED PARCEL 04-003-0127 BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET BEING LOCATED NORTH 00°08'07" EAST 164.45 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND SOUTH 86°54'00" EAST 1415.90 FEET ALONG THE CENTER LINE OF CENTER STREET AND NORTH 00°00'00" EAST 33.05 FEET FROM THE CENTERLINE MONUMENT AT THE INTERSECTION OF 400 EAST AND CENTER STREET; RUNNING THENCE NORTH 00°06'21" WEST 134.19 FEET TO THE SOUTH LINE OF CENTRAL HEIGHTS BLOCK "G"; THENCE ALONG THE SOUTH LINE OF SAID BLOCK "G" NORTH 85°57'00" EAST 39.56 FEET TO AN EXISTING SWIMMING POOL; THENCE ALONG SAID EXISTING SWIMMING POOL THE FOLLOWING FIVE (5) COURSES: (1) SOUTH 04°07'00" EAST 31.70 FEET; (2) NORTH 85°26'48" EAST 21.16 FEET; (3) SOUTH 35°52'08" EAST 11.12 FEET; (4) NORTH 54°52'02" EAST 13.17 FEET; (5) NORTH 72°51'44" EAST 12.85 FEET; THENCE SOUTH 03°06'53" EAST 114.91 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 86°54'00" WEST 98.53 FEET TO THE POINT OF BEGINNING. CONTAINING 11,522 SQ.FT. OR 0.26 AC, MORE OR LESS.

ADJUSTMENT AREA "A" BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET BEING LOCATED NORTH 00°08'07" EAST 164.45 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND SOUTH 86°54'00" EAST 1415.90 FEET ALONG THE CENTER LINE OF CENTER STREET AND NORTH 00°00'00" EAST 33.05 FEET FROM THE CENTERLINE MONUMENT AT THE INTERSECTION OF 400 EAST AND CENTER STREET; RUNNING THENCE NORTH 00°06'21" EAST 49.44 FEET; THENCE SOUTH 5°01'36" EAST 49.87 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 86°54'00" WEST 4.28 FEET TO THE POINT OF BEGINNING. CONTAINING 106 SQ.FT.

ADJUSTMENT AREA "B" BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CENTER STREET BEING LOCATED NORTH 00°08'07" EAST 164.45 FEET ALONG THE MONUMENTED CENTERLINE OF 400 EAST STREET AND SOUTH 86°54'00" EAST 1415.90 FEET ALONG THE CENTER LINE OF CENTER STREET AND NORTH 00°00'00" EAST 33.05 FEET AND NORTH 00°06'21" WEST 49.44 FEET FROM THE CENTERLINE MONUMENT AT THE INTERSECTION OF 400 EAST AND CENTER STREET; RUNNING THENCE NORTH 05°01'36" WEST 84.64 FEET TO THE SOUTH LINE OF CENTRAL HEIGHTS BLOCK "G"; THENCE ALONG THE SOUTH LINE OF SAID BLOCK "G" THE FOLLOWING TWO (2) COURSES: (1) NORTH 89°15'00" EAST 0.89 FEET; (NORTH 85°57'00" EAST 6.38 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID EXISTING FENCE LINE SOUTH 00°06'21" EAST 84.75 FEET TO THE POINT OF BEGINNING. CONTAINING 307 SQ.FT.



RANDY C. LEWIS
MAYOR

CITY COUNCIL
Kate Bradshaw
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CITY MANAGER
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Bountiful City, Utah Conditional Use Permit

A public hearing was held on December 10, 2018, at Bountiful City Hall to consider the request of Ann Marie W. Birkholz for a Conditional Use Permit allowing an Accessory Dwelling at the following location:

3273 South 200 West, Bountiful City, Davis County, Utah

BEG ON E LINE OF STR S 0°05' W 357.6 FT & N 89°55' W 955 FT ALG CENTER LINE OF A STR & S 0°06' E 560.2 FT ALG E LINE STR FR N 1/4 COR SEC 6-T1N-R1E, SLM; TH S 89°55' E 95 FT; TH S 0°06' E 130 FT; TH N 89°55' W 70.08 FT; TH 39.19 FT ALG ARC OF A 25 FT RAD CURVE TO RIGHT THRU 89°49' OF ARC; TH N 0°06' W 105.08 FT ALG E LINE SD STR TO BEG. CONT. 0.283 ACRES.

Parcel 01-022-0067

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 for an accessory dwelling shall meet all the criteria in 14-14-124 and other applicable sections of the City Ordinance.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for an Accessory Dwelling Unit (ADU) as requested by Ann Marie W. Birkholz to be located at 3273 South 200 West, Bountiful, Davis County, Utah, with the following conditions:

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

The Conditional Use Permit was approved on December 10, 2018, and this written form was approved this 17th day of December, 2018.

Chad Wilkinson
Planning Director

ATTEST: Julie Holmgren
Recording Secretary