

BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
Tuesday, December 19, 2017
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, 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 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 December 5, 2017.
3. Swearing in of newly appointed Planning Commission Member - Jim Clark.
4. **PUBLIC HEARING** - Consider approval for a Variance from the driveway spacing and construction standards and yard coverage standards of the Bountiful City Land Use Ordinance for the properties located at 339 W 300 North and 349 W 300 North, Mark Lee and Mark Minnis, applicants.
5. **PUBLIC HEARING** - Consider approval for a Variance to the standards of the Bountiful City Land Use Ordinance to allow for encroachments on slopes greater than 30 percent and to allow for cuts and fills and retaining walls in excess of 10 feet in height for the property located at 2452 Cave Hollow Way, Daniel and Carri Fergusson, applicants.
6. Consider approval of the 2018 Planning Commission Meeting Calendar.
7. Planning Director's report, review of pending applications and miscellaneous business.



Chad Wilkinson, City Planner

Bountiful City
Planning Commission Minutes
December 5, 2017
6:30 P.M.

Present: Chair – Sean Monson; Planning Commission Members – Jesse Bell, Tom Smith and Sharon Spratley; City Attorney – Clint Drake; City Planner – Chad Wilkinson; City Engineer – Paul Rowland; and Recording Secretary – Darlene Baetz

Excused: Vice Chair – Von Hill and City Council Representation – Richard Higginson

1. Welcome and Introductions.

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

2. Approval of the minutes for November 21, 2017.

Tom Smith made a motion to approve the minutes for November 21, 2017 as written. Jesse Bell seconded the motion. Voting passed 4-0 with Commission members Bell, Monson, Smith and Spratley voting aye.

3. Consider preliminary site plan approval for the construction of a Culver's restaurant located at 620 N 500 West, GG & S LLC, applicant.

Chad Wilkinson presented the staff report. Matt Young was present.

The applicants, GG&S LLC, are requesting preliminary site plan approval for a new Culver's Restaurant and accompanying property improvements. The property is located within the C-H (Heavy Commercial) zone on the former J and L Garden Center site. The application includes the construction of a 4,300 square foot restaurant. The property is surrounded by commercial development on the north, south and west. To the east is the new Creekside Assisted Living development which is zoned RM-13 Multifamily residential 13 units to the acre.

The proposed development is located on a 1.32 acre portion of a larger 3 acre parcel. The applicant has shown possible future development of additional buildings on the site in order to plan for utilities and storm water layouts. The current request includes the restaurant pad and associated improvements. Future buildings will be required to have a separate site plan review and approval processes.

Access to the project will be via a single driveway on 500 West. The applicant has applied to the Utah Department of Transportation (UDOT) for the proposed access. The applicant will close two existing driveway approaches and will widen the remaining approach. This will include adequate parking based on the square footage shown and has adequate stacking spaces for the drive-through.

The proposed building meets the required setbacks for the C-H Zone. Although not a part of this review, the future building along the east side of the property will need to be modified to meet the zone buffer setback of 20 feet. The applicant proposes building materials consisting of a mix of stone, EIFS and fiber cement siding. The landscape plan meets the requirements of the Code including the minimum number of street trees, ornamental trees and shrubs.

Storm water will be collected on site and conveyed to the creek north of the property through a proposed storm drain system that will cross the intervening property outside of the street. Water and sewer will be

provided from existing lines in 500 West and will include the extension of an 8-inch water line and onsite fire hydrant. Plans have been reviewed by the City Engineer with redline changes required in order to meet City standards and obtain final approval. The development is occurring in an area with urban levels of infrastructure already in place. Impacts from the development of this property have been anticipated in the design of the existing storm water, sewer, and water and transportation system.

Staff recommends that the Planning Commission forward to the City Council a recommendation of approval for preliminary site plan review for the proposed fast food restaurant subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to final approval, obtain proper permits from the Utah Department of Transportation for the Access proposed onto 500 West. A copy of permits shall be filed with the City.
3. All damaged curb and gutter and sidewalk along 500 W. shall be replaced.
4. Provide a 20 foot wide Public Utility Easement for the proposed 8 inch fire hydrant line.
5. Obtain permits from Davis County Flood Control for all storm water discharges into Barton Creek. Prior to Building permit provide copies of permits to the City.
6. Provide copy of recorded easement in favor of the subject property owners for the proposed storm water outfall line crossing the property to the north.

There was some discussion with staff and Planning Commission members about the easement approval needed for the storm water for the property. Mr. Rowland commented that it will be the property owners responsibility.

Sharon Spratley made a motion that the Planning Commission forward a recommendation of preliminary site plan approval for the construction of a Culver's restaurant located at 620 N 500 West, GG & S LLC with 6 conditions outlined by staff. Tom Smith seconded the motion.

Voting passed 4-0 with Commission members Bell, Monson, Smith and Spratley voting aye.

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

Planning Commission meeting:

December 12, 2017 – working meeting with City Council members

December 19, 2017 – Planning Commission meeting.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 6:45 p.m.

Chad Wilkinson, Bountiful City Planner

Commission Staff Report

Item # 4

Item: PUBLIC HEARING – Request for a variance to the required driveway spacing and construction standards and the maximum yard coverage standards
Address: 349 and 339 W 300 North
Author: Chad Wilkinson, Planning Director
Date: December 19, 2017



Description of Request

The applicants, Mark Lee and Mark Minnis, have requested a variance to the required driveway spacing and construction standards and the maximum yard coverage standards in order to construct a shared driveway between their properties located at 339 and 349 West 300 North in the RM-13 zoning district.

Authority:

Section 14-2-111 authorizes the Planning Commission as the review body for variance requests related to driveway spacing and lot coverage standards of the Code.

Background and Analysis:

The applicants are requesting a variance to allow for a shared driveway between their properties. The driveway has already been installed and was constructed without proper permits from the City. Mr. Lee recently constructed a permitted driveway on his property and a follow-up inspection on this driveway prompted the enforcement action that resulted in the application for variance. The zoning ordinance requires a minimum separation of 35 feet between driveways on the same property and a minimum 5 feet separation between driveways and the adjacent side property line. The proposed driveway is located approximately 24 feet from the existing driveways on both the Lee and Minnis properties and therefore does not meet the minimum 35 foot separation standard for either property. The driveway also does not meet the minimum 5 foot separation requirement between driveways on adjacent properties.

In addition, the construction of the driveway has caused both properties to violate the maximum yard and lot coverage standards of the Code. The front yard of the Lee property has approximately 67 percent impervious coverage which exceeds the 50 percent maximum. In addition, the property exceeds the maximum lot coverage standard of 60 percent. The Minnis property also exceeds the required lot coverage with the construction of the driveway. The calculations submitted by Mr. Minnis do not include a large covered deck at the back of the house which must be counted toward the lot coverage standard. The calculations performed by staff and the applicants differ. However, with the inclusion of the covered deck, both staff and applicant calculations verify that the lot coverage standard is exceeded on both lots and that the front yard coverage standard is exceeded for the Lee property.

In the attached narrative Mr. Minnis describes his lot as a corner lot. The lot does not meet the definition for a corner lot as it does not front on two streets. Therefore the lot should not be considered to be a corner lot in consideration of the variance request.

The applicants have requested an additional variance to the Engineering specifications for driveways related to required curb cut and driveway approach standards. This standard is not part of the land use ordinance and may not be varied by the Planning Commission. Any resident wishing to access the public right of way must do so with a City standard approach.

Variance Findings

Utah Code 10-9a-702 establishes the criteria for review of a variance request. 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 purposes of the spacing standards include but are not limited to (1) regulating the number of driveways on the street in order to minimize traffic conflicts; (2) preserving open space, particularly in front yards; and (3) limiting congestion and providing for on-street parking. The maximum lot and yard coverage standards are in place to ensure that Bountiful neighborhoods maintain landscaping to allow for storm water permeation in order to decrease runoff and to beautify neighborhoods. This is particularly true for the standards regulating the front yard coverage. One of the clear purposes of limiting the number and size of driveways and providing a maximum yard coverage standard is to maintain adequate landscape areas in front yards for aesthetic reasons. Limits on number and spacing of driveways are necessary to carry out the purposes of the ordinance.

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

Staff Response: The applicants have indicated the need for additional parking spaces to facilitate the parking of guests and vehicles off-street and to decrease the need for shuffling vehicles. Mr Lee was recently granted a permit for a wider driveway and Mr. Minnis was previously granted a variance to allow for an attached two car garage which provided for additional off street parking. The applicants both have parking that meets the minimum standards of the Code without the additional driveway. The number of vehicles a property owner chooses to keep on their property is a self-imposed condition. In this case both properties contain adequate space for off street parking meeting the minimum standards of the Code for single family dwellings without the additional driveway.

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

Staff Response: The applicants have been granted permits and previous variance approvals that provide additional parking on their properties. Each lot in the City is constrained to a certain extent by its size and shape. In this case, the lots are simply not large enough to accommodate the additional parking that is being requested and still meet the Code. There are many similarly zoned properties in the City that are not allowed additional driveways because of size and spacing and coverage standards. A second driveway is a right that is contingent on a property being able to meet the spacing standards of the Code.

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

Staff Response: One of the purposes of spacing standards for driveways is to preserve open space in front yards. Granting a variance to allow for an additional driveway will reduce landscaping and open space in the front yard. The Code requires that at least 50 percent of front yard areas to be landscaped. Reducing landscaping in the front yard of lots that are already constrained is not consistent with the public interest.

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

Staff Response: The land use ordinance includes minimum driveway spacing standards in order to preserve open space, provide for on street parking, reduce congestion and minimize traffic conflicts. Approving a variance to these standards and to the maximum lot coverage standards is not consistent with the spirit of the land use ordinance.

Department Review

City Planner, City Engineer

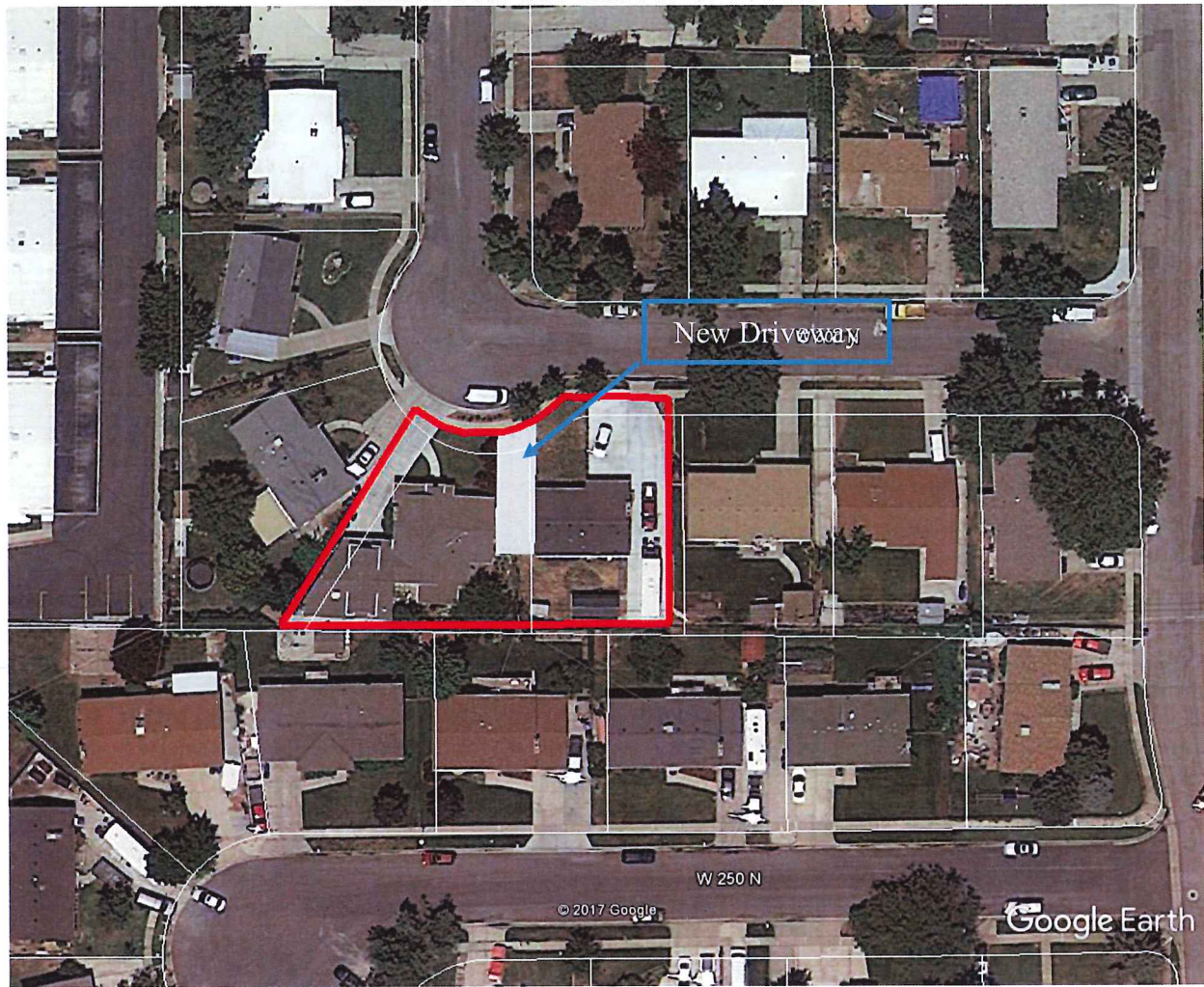
Recommended Action

Staff recommends denial of the requested variance, based on analysis of the required review criteria from State law included in the findings above and a review of the materials submitted by the applicant.

Attachments

1. Aerial Photo
2. Applicant's Narrative
3. Proposed driveway plans

Aerial Photo-339 and 349 W 300 North



Minnis Residence 349 West 300 North, Bountiful, UT

This letter is in response to the letter received from Kendall Black, Assistant Planner, dated: November 8, 2017.

In reviewing the list of stated violations, I have discovered that several of the violations listed are not correct and others are currently in practice by many of the other residences in the neighborhood.

1. My lot is a corner lot and many of the other corner lots in the neighborhood do not meet the 35 feet minimum distance from adjacent driveways.
2. My east driveway does not meet the 5' setback from the property line; but, I looked around our neighborhood and many of the residences have additions to their single-wide driveways poured right up to the property line to allow for additional off-street winter parking.
3. The third violation is correct. Please refer to my page: "A little history about our current driveway" for an explanation of why I did not put in an city approved drive-approach for this additional off-street parking driveway.
4. The fourth violation may be correct; but since my lot is a corner lot, there must be special conditions that apply for corner lots.
5. The fifth violation states that structures and concrete may not exceed 60% of the lot area and that I currently have 80%. I measured my current site plan with the additional driveway and it shows that I currently have a little less than 60% structures and concrete and a little greater than 40% landscape area (the wood deck on the back of my house is open on 3 sides and is permeable underneath).
6. The sixth violation states that the front yard is less than 50% landscape area. I measured the front yard areas from the back of the sidewalk to the front of the residence and it shows that I currently have 48% concrete and 52% landscape area.

The City Ordinances that I want a variance from are:

14-18-109 -1

I am unable to back a trailer onto my original driveway without bottoming out and my wife's van bottoms-out constantly. The crown in the street is even greater on the east side of our residence. The City made an attempt 8 years ago to correct the problem, but was unsuccessful in doing so. I am requesting a variance from being required to put in a city approved drive-approach.

14-18-109 -2

My corner lot has a curb frontage of 37 linear feet. My main driveway has a 12' approach and the additional off-street winter parking driveway has 10' of curb frontage. This leaves 15 linear curb feet of landscaped parkway area between the two. Because this is a corner lot, I am requesting a variance from the required 50%.

The proposed variance meets the following criteria because:

- (i) The single driveways originally installed in the subdivision over 50 years ago do not accommodate today's lifestyles and living conditions. Many of the residences in the neighborhood have installed additional concrete parking areas to accommodate off-street winter parking and we should be allowed to do so also.

- (ii) Most new subdivisions are installed with double-wide driveways with ample off-street parking to meet the winter off-street parking requirements imposed by the City of Bountiful. Our subdivision was installed with single wide driveways.
- (iii) Having 4 vehicles at our residence with today's lifestyles has created an unnecessary burden, with the constant shuffle of vehicles, as our family members enter and leave the home. Additional off-street parking lessens the burden and creates a better quality of life for our family.
- (iv) Allowing homeowners in our neighborhood to install additional off-street parking by widening their single-car driveways or adding an additional driveway on the other side of the residence where applicable will not affect the general plan or be contrary to public interest.
- (v) The spirit of the land use ordinance is to serve the well-being of the public and to improve the quality of life.

My neighbor, Mark Lee, and I have installed this additional off-street parking to improve the quality of our lives. Off-street parking is limited in our neighborhood. We have used the best quality materials available to make this a long lasting improvement to our properties and to the neighborhood. We ask the planning commission to see the need for additional parking in our neighborhood and approve the variances we have requested. This will not only benefit us, but will allow the other residents in our neighborhood to follow our lead to improve the community.

Minnis Residence 349 West 300 North, Bountiful

Summary of Residence and Concrete material vs. Landscape area

Front Yard total area: 1830 sq. ft.

existing driveway	444 sq. ft.
front walkway	64 sq. ft.
porch	76 sq. ft.
new driveway	<u>288 sq. ft.</u>
	872 sq. ft. Concrete area

$$1830 \text{ sq. ft.} - 872 \text{ sq. ft.} = 958 \text{ sq. ft. Landscape area}$$

$$958 \text{ sq. ft.} / 1830 \text{ sq. ft.} = 52 \% \text{ Landscape area}$$
$$872 \text{ sq. ft.} / 1830 \text{ sq. ft.} = 48 \% \text{ Concrete area}$$

Front of residence to back of property total area: 4730 sq. ft.

residence	1235 sq. ft.
garage	870sq. ft.
driveway and walkways	758 sq. ft.
new driveway	<u>171 sq. ft.</u>
	3035 sq. ft. Residence and concrete area

$$4730 \text{ sq. ft.} - 3035 \text{ sq. ft.} = 1695 \text{ sq. ft. Landscape area}$$

Total lot area: 6560 sq. ft. (1830 sq. ft. + 4730 sq. ft.)

Residence and Concrete area	
Front yard	= 872 sq. ft.
Front of residence to back property line	= <u>3035 sq. ft.</u>
	3907 sq. ft.
Landscape area	
Front yard	= 958 sq. ft.
Front of residence to back property line	= <u>1695 sq. ft.</u>
	2653 sq. ft.

Total % Residence and concrete: 3907 sq. ft. / 6560 sq. ft. = 59.6 %

Total % Landscape area: 2653 sq. ft. / 6560 sq. ft. = 40.4 %

Minnis Residence 349 West 300 North, Bountiful, UT

A little history about our current driveway:

About 8 years ago, I replaced my cracked-up driveway with a nice new driveway. I wanted to install the new sidewalk and driveway approach, but was required by Bountiful City to use one of their Bonded Cement Contractors. I chose one from the list that was available. At that time, I also paid to have the Weber water valves moved out of the concrete approach to the landscape parkway area. The job was completed, but the crown in the asphalt street caused my wife's van to bottom out when entering and leaving the driveway.

The very next winter, a Bountiful snow plow truck put a large gouge in our brand new driveway approach. Uggghhh!!! I considered having the City pay to replace my driveway approach, but thought it would be better to have them cut down the crown in the street so we could use the new driveway without bottoming out each time. The City agreed to cut down the crown in the street. After they cut down the asphalt, we were able to have a nice approach for the next two weeks. Then the crew came to finish the asphalt job. They poured the asphalt and built up the crown, right back to where it was before! (So much for having a smooth approach).

Here we are about 8 years later. My driveway still looks great! But, my approach and sidewalk have spalled-off and look terrible, along with the gouge from the snow plow that I attempted to repair.

Our neighborhood was built in the mid-60s and all of the houses have single driveways. Many of the neighbors have added concrete to the existing driveways right to the property line, and others have added additional driveways on the other side of their residences to allow for extra off-street parking during the winter months. Since we have a corner lot, we are not able to widen the drive like many of the neighbors have, but we did have room to add a drive to the other side of residence. After my very disappointing experience with the City 8 years ago, I was not interested in going through that again. I knew that putting in an approach was going to be futile, because the crown in the street is even greater on the east side our property.

The last couple of years we have had 4 vehicles at our home. Having a single driveway with 4 vehicles has created a hardship for me. When someone needs to leave the home, all of the vehicles have to be shuffled to let someone out. This last summer, I decided that something had to be done to lighten the load, so I decided to put in some additional parking on the east side of the residence.

Mark Lee

339 West 300 North, Bountiful, UT

This letter is in response to the letter received from Kendall Black, Assistant Planner, dated November 8, 2017.

In reviewing the list of stated violations, I have discovered that some of the violations listed are not correct and others are currently in practice by several of the other residences in the neighborhood.

1. Building Permits Required

- a. It is true that a building permit was not obtained for the West Driveway. The West Driveway was done in conjunction with my neighbor, Mark Minnis. Please see his comments regarding the reason this was not done.

2. The West Driveway does not meet the minimum spacing standard of 35 feet.

- a. I have a large close family that gets together frequently that would require parking for several cars that may be present after late at night. This driveway will allow for off street parking during the winter months. I am seeking a variance for this.
- b. This violation is correct. This driveway will allow me to park my boat trailer in such a way that it will not extend past the front of the house.

3. The West Driveway does not meet the minimum setback of 5 feet from the adjacent property.

- a. This is correct, the West Driveway does not meet this requirement. There are many residences in the neighborhood that have driveways that do not meet this requirement.

4. The West Driveway does not include an approved driveway approach and filling the parkway strip with concrete is not permitted except in conjunction with an approved driveway approach.

- a. An approach was not constructed on the West Driveway for the same reason stated by Mark Minnis. The crown in the road is high enough that I cannot back my boat trailer into my East Driveway without severely scraping the approach. I do not wish to damage the approach or the boat trailer each time I move the boat. I am requesting a variance from being required to put in a city approved approach.
- b. There are several residences in the neighborhood that have concrete in the park strip not used in conjunction with an approved approach.

5. The combined area of all approaches along the street exceeds 50% of the linear length of the street curb.

- a. The approach for the East Driveway does not exceed 50% of the property width. It was inspected and approved by Bountiful City.
- b. The West Driveway does not include an approach as previously stated. (see item 4a)


6. The total square footage of structures and concrete exceed the 60% maximum impervious coverage of the lot.

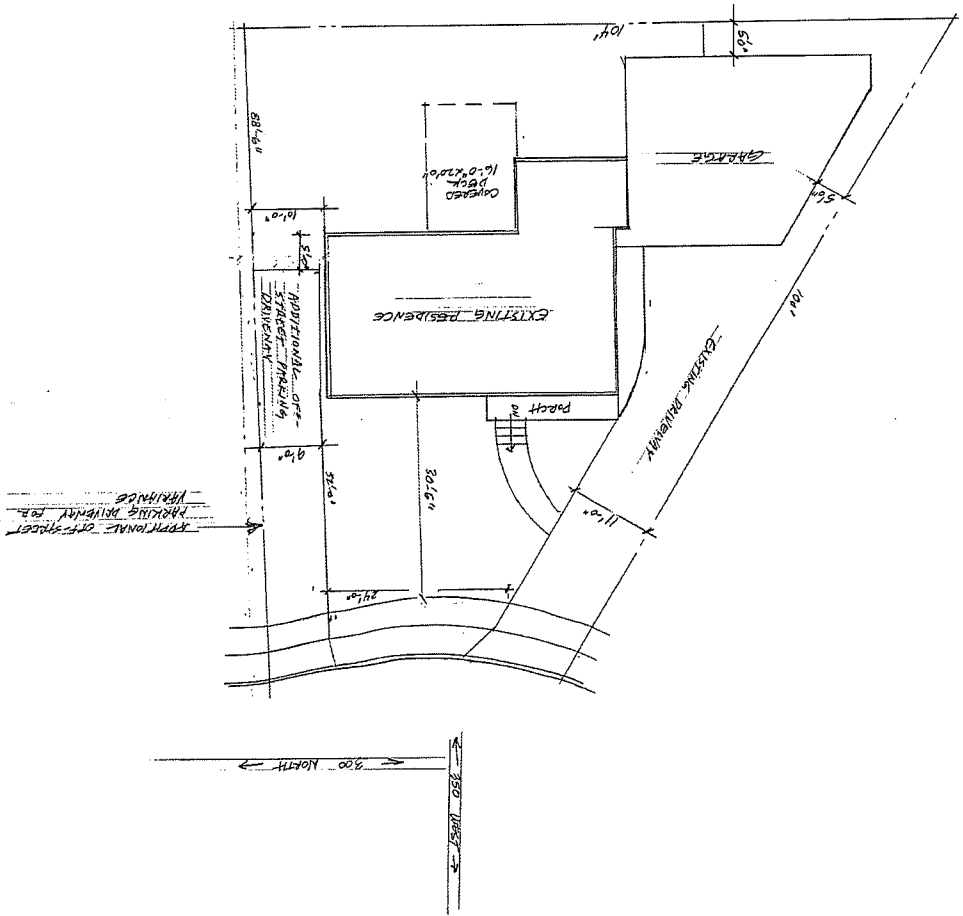
- a. I confirm that the lot coverage is in violation by a small amount. I would like to request a variance.
- b. It is stated that the impervious lot coverage is at 72%. I have measured these areas of my yard and found that I have **61.5%** impervious coverage.
- c. It is stated that I have only 33% of the lot is landscaped. I have made measurements and found that **38.5%** of the lot is landscaped.
- d. The approach on the East Driveway is the required 5 feet from the property line. The east side of the approach is in exactly the same location as the original approach. This was inspected and approved by Bountiful City. The West Driveway does not meet this requirement. There are many residences in the neighborhood that have driveways that do not meet this requirement.

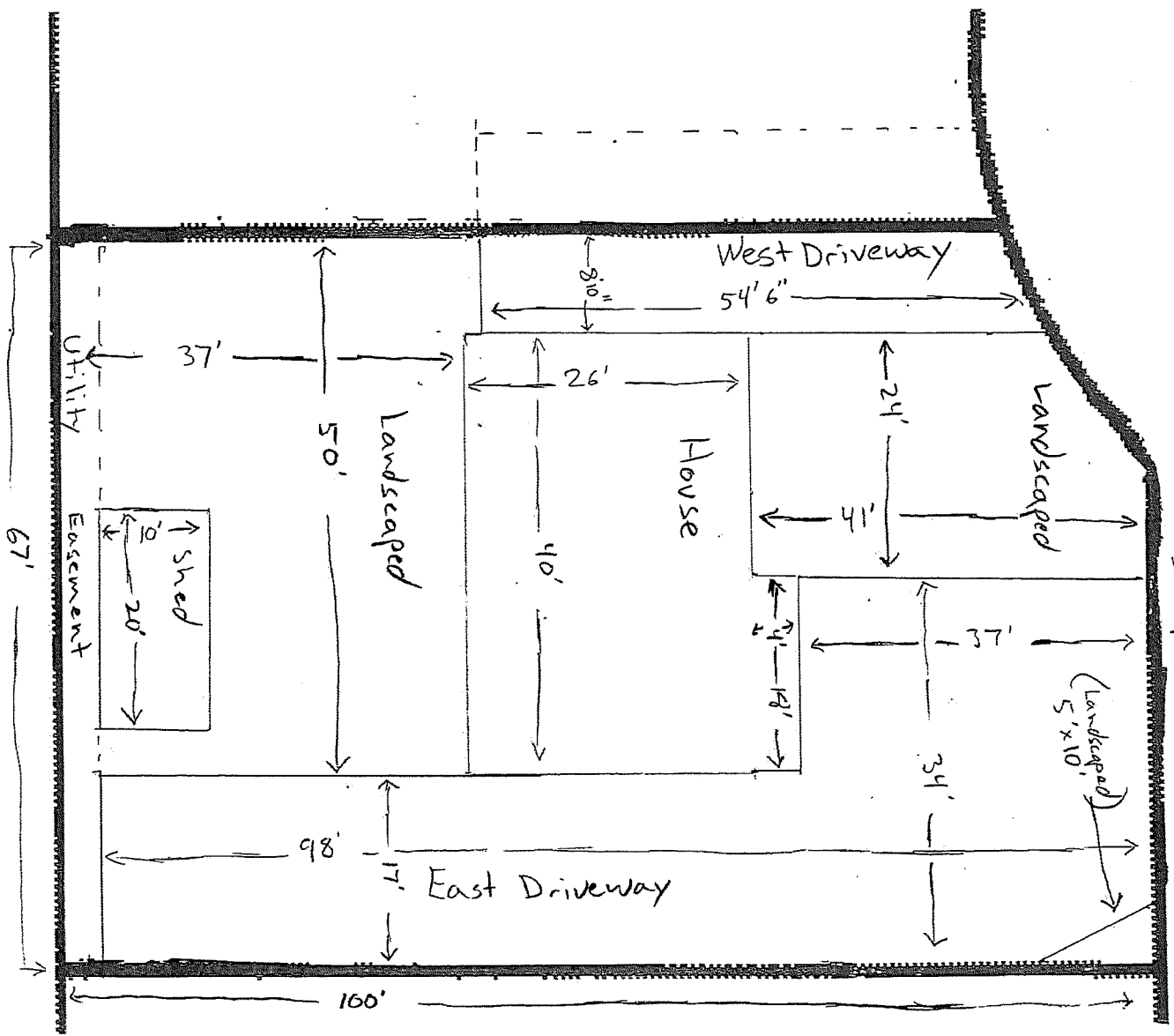
West Driveway	480 sf	
East Driveway	2270 sf	
House w/porch	1112 sf	
Shed	200 sf	
<hr/>		
Total Square Feet Impervious coverage	4062 sf	61.5%
Total Lot Square Feet	6600 sf	
<hr/>		
Total Square Feet of Landscaping	2538 sf	38.5%

Thank you.

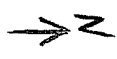
SITE PLAN
 11/24/2017
 349 W. 300 H., BANTON, VT.
 VARIATIONAL APPLICATION
 ADDITIONAL OFF-STREET PARKING
 KENNIS RESIDENCE

SITE PLAN
 SCALE: 1/8"=1'-0"






339 West 300 North



Mark Lee
801-928-9338

Commission Staff Report

Item # 5

Item: PUBLIC HEARING – Request for a variance to allow for encroachments on slopes exceeding 30 percent and to allow for cuts and fills and retaining walls greater than 10 feet in height .
Address: 2452 Cave Hollow Way
Author: Chad Wilkinson, Planning Director
Date: December 19, 2017



Description of Request

The applicants, Daniel and Carri Fergusson, has requested a variance to allow for encroachments on slopes greater than 30 percent for the property and for cuts and fills and retaining wall greater than 10 feet in height for the property located at 2452 Cave Hollow Way in the R-F (Residential Foothill) zone. The proposed variance would allow for construction of a new addition to the home and for modifications to the existing driveway on site.

Authority

Section 14-2-111 authorizes the Administrative Committee as the review body for variance requests within the R-F zone related to disturbance of slopes exceeding 30 percent and retaining walls and cuts and fills exceeding 10 feet in height. 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:

The existing home on the site was constructed in 1978 with a two car garage. The current request is to allow for construction of a three-car garage with two stories of living space above. The request also includes grading and site work necessary to lower the driveway in order to provide a less steep access to the property. The driveway is currently quite steep with an average slope of 19 percent and a maximum slope of 26 percent. The proposal would bring the maximum slope down to 10 percent and the average slope to 8 percent. The predominant issue is the size and extent of the area to be disturbed in order to lower the driveway and construct a new garage. The applicant proposed three-car garage is 42 feet by 20 feet and includes space for an elevator and a large staircase. Above the garage the applicant proposes two stories of living space measuring 42 feet by 28 feet. The proposed addition will nearly double the size of the structure. The addition encroaches into areas of 30 percent slope adjacent to the existing driveway.

The applicant also proposes a turnaround parking area near the proposed garage that will further encroach into slopes exceeding 30 percent. A stairway connecting the entrance of the home to this parking area further encroaches into the constrained area of the lot. The applicant has provided a slope analysis drawing that shows the area of encroachment which is attached to this report.

In addition to the encroachments into steep slope areas the applicant proposes a series of major cuts on the site that will result in the need for tall retaining walls. The plan shows one wall approaching 17 feet in height. The proposed cuts will be up to 15 feet in height in order to accommodate the driveway and garage.

Variance Findings

Utah Code 10-9a-702 establishes the criteria for review of a variance request. 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 “Purposes and Objectives” section of the Residential Foothill standards recognizes the need for some flexibility in administering the hillside protection standards of the Code. While there may be an appropriate disturbance to allow for a reasonable modification to the driveway, the construction of a large three car garage with two stories of living space above along with a large turn around area does not seem to be in harmony with the goals of the RF zoning district which state “any alteration of sensitive land areas is the minimum necessary to allow for reasonable use of the property.” The applicant could lower the driveway with a smaller garage and still accomplish the modification with less of an impact.

- (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 zone are faced with similar circumstances that limit size of building area and that require steep and narrow driveways. While there may be an appropriate disturbance to the slope to enable construction of a less steep driveway, the proposal does not seem to be the minimum disturbance necessary to accomplish this objective.

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

Staff Response: The original approval of the home on the lot allowed for construction of a reasonably sized single family dwelling on the property while maintaining a minimal disturbance to the hillside. The proposed variance is not necessary for use and enjoyment of the property as the owner already has use of the property with the existing home.

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

Staff Response: The original approval was consistent with development in the neighborhood, and allowed for use of the property. The applicant has not shown that there is no other reasonable or feasible alternative with less impact to the slope areas.

(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% and retaining walls less than 10 feet tall is to preserve the hillside and manage runoff and erosion on properties located in the foothills. The proposed variance disturbs the slopes beyond the minimal amount necessary. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the planning commission may not find an unreasonable hardship if the hardship is self-imposed or economic. Since the applicant already has reasonable use of the property, the proposed addition constitutes a self-imposed hardship. Any proposal to change the slopes on the property should be the minimum necessary to allow for reasonable use of the property.

Department Review

City Planner, City Engineer

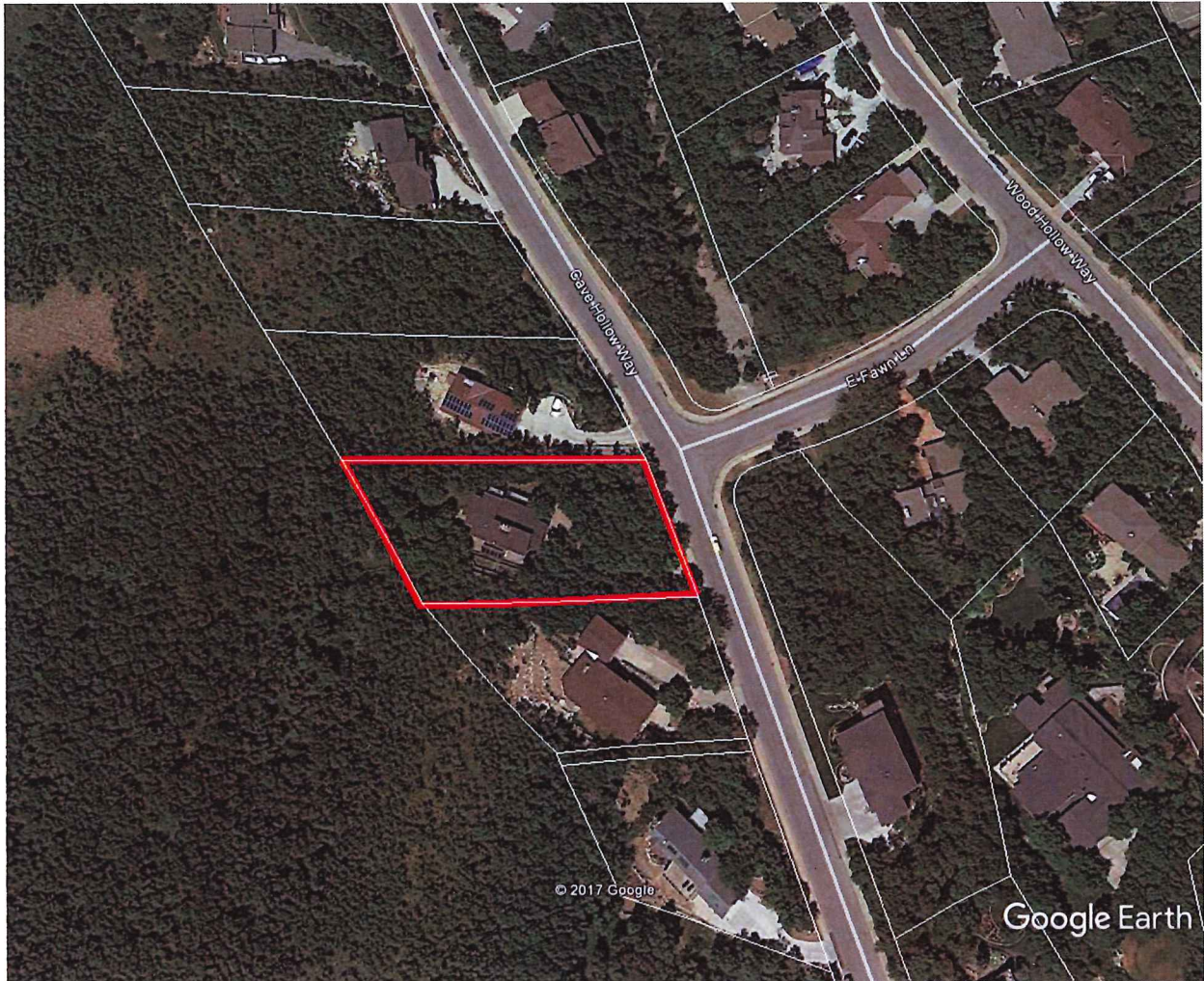
Recommended Action

Staff recommends denial of the requested variance.

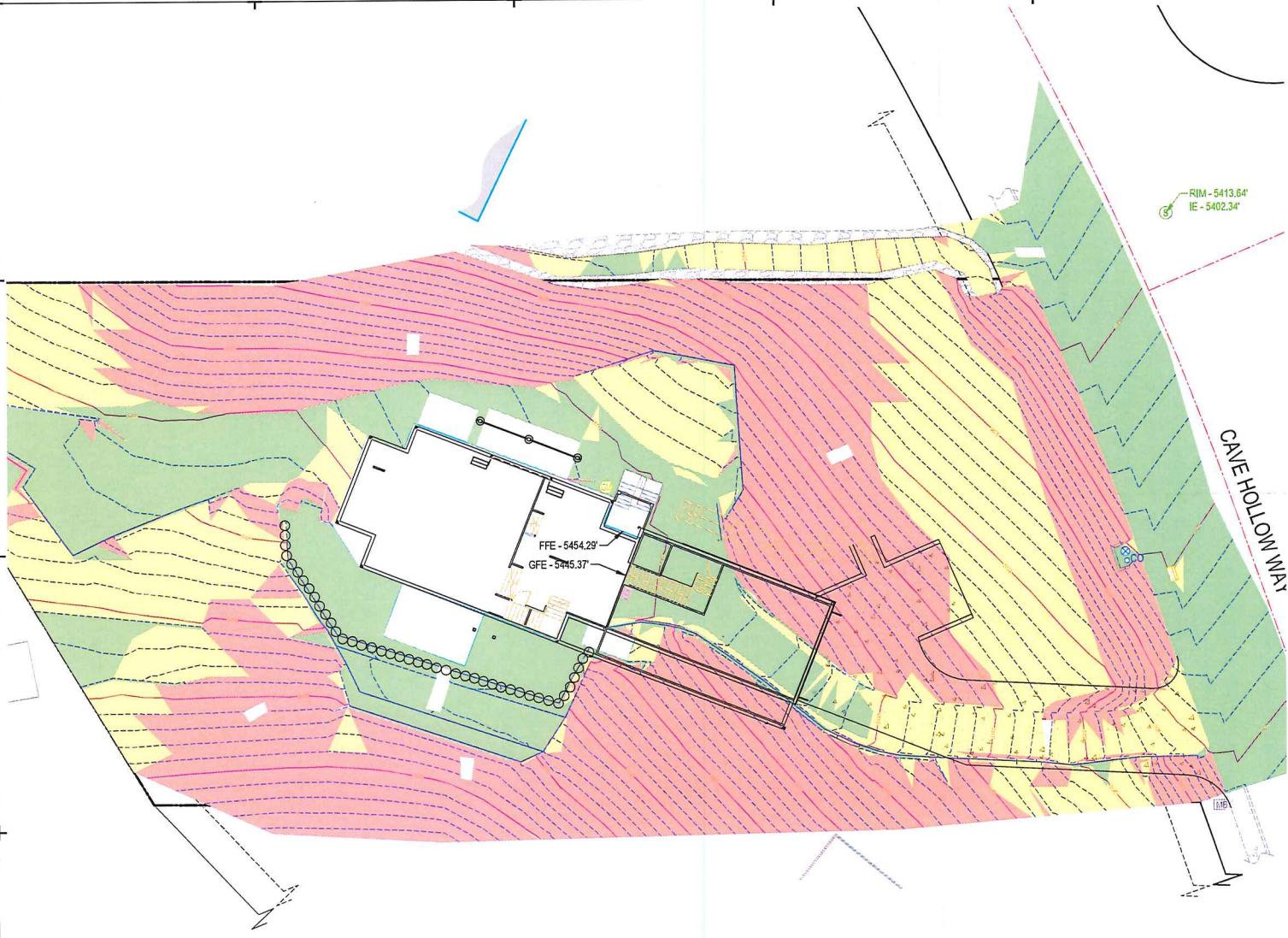
Attachments

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

Aerial Photo-2452 Cave Hollow Way



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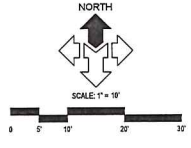


SLOPE TABLE

NUMBER	MINIMUM SLOPE	MAXIMUM SLOPE	COLOR
1	0.0%	30.0%	Green
2	30.0%	30.0%	Yellow
3	30.0%	100.0%	Red

AVOID CUTTING UNDERGROUND UTILITIES. IT'S COSTLY.
Call BEFORE YOU Dig
 1-800-485-4111

NOTICE!
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES SHOWN OR NOT SHOWN ON THE PLANS.



MCNEIL ENGINEERING
 Economic and Sustainable Design. Professionals You Know and Trust.
 4418 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.333.7790 maeengineering.com
 Civil Engineering • Consulting & Landscape Architecture
 Structural Engineering • Land Surveying & HDS

FERGUSON GARAGE
 2452 SOUTH CAVE HOLLOW WAY
 BOUNTIFUL, UTAH

REV	DATE	DESCRIPTION

PROJECT NO: 17088
 DRAWN BY: DJC
 CHECKED BY: RJP
 DATE: 07-27-17

SLOPE ANALYSIS
C2.03

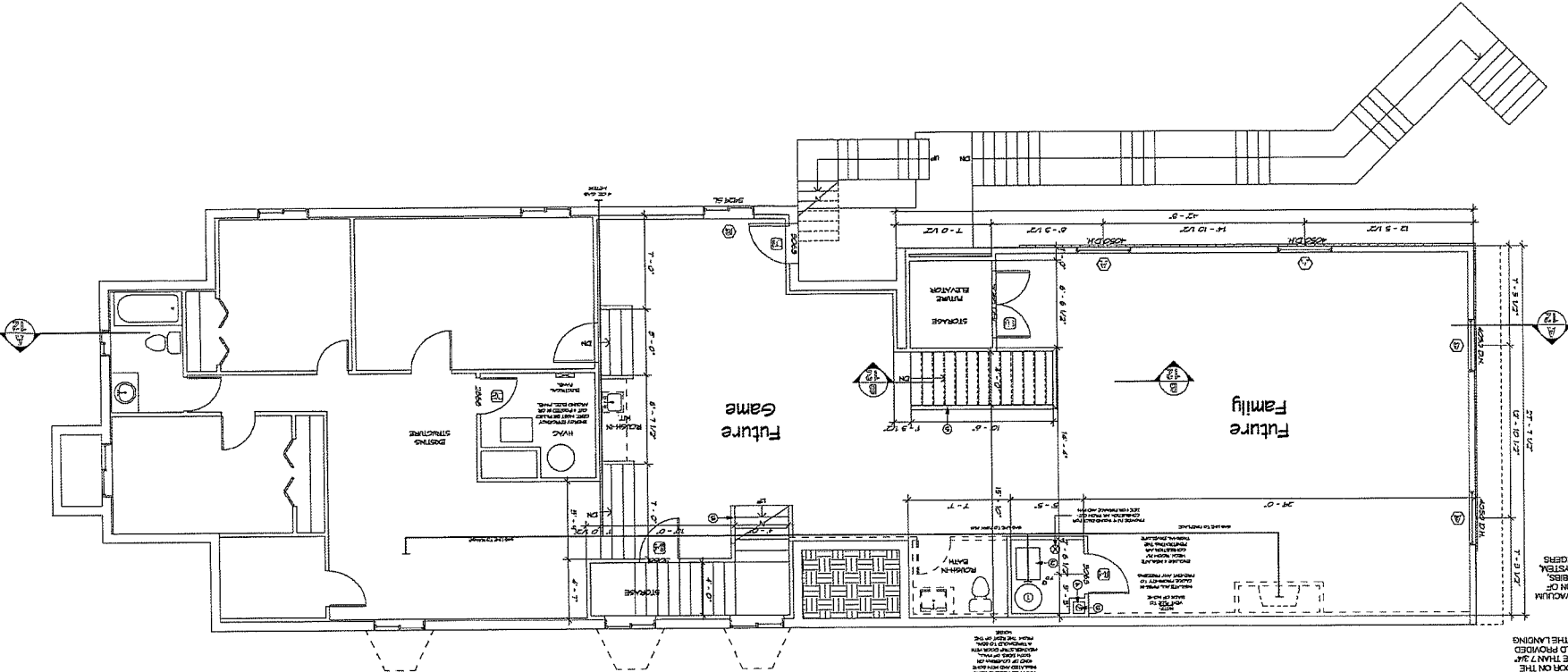
LOWER LEVEL FLOOR PLAN

SCALE: 1/8" = 1'-0"
 DATE: 10/10/12
 DRAWN BY: J. W. HON
 CHECKED BY: J. W. HON
 PROJECT: [REDACTED]
 SHEET: [REDACTED]

ROOM NAME	FLOORING	CEILING
FAMILY	CARPET	FLAT
THEATER	CARPET	FLAT
EXERCISE	CARPET	FLAT
PRE-CAST	CONCRETE	FLAT

NUMBER	WIDTH	HEIGHT	FINISH	DESCRIPTION	COMMENTS
1	12'-0"	8'-0"	GLASS	GLASS SHOWER	
2	12'-0"	8'-0"	GLASS	GLASS SHOWER	
3	12'-0"	8'-0"	GLASS	GLASS SHOWER	
4	12'-0"	8'-0"	GLASS	GLASS SHOWER	
5	12'-0"	8'-0"	GLASS	GLASS SHOWER	
6	12'-0"	8'-0"	GLASS	GLASS SHOWER	
7	12'-0"	8'-0"	GLASS	GLASS SHOWER	
8	12'-0"	8'-0"	GLASS	GLASS SHOWER	
9	12'-0"	8'-0"	GLASS	GLASS SHOWER	
10	12'-0"	8'-0"	GLASS	GLASS SHOWER	
11	12'-0"	8'-0"	GLASS	GLASS SHOWER	
12	12'-0"	8'-0"	GLASS	GLASS SHOWER	
13	12'-0"	8'-0"	GLASS	GLASS SHOWER	
14	12'-0"	8'-0"	GLASS	GLASS SHOWER	
15	12'-0"	8'-0"	GLASS	GLASS SHOWER	
16	12'-0"	8'-0"	GLASS	GLASS SHOWER	
17	12'-0"	8'-0"	GLASS	GLASS SHOWER	
18	12'-0"	8'-0"	GLASS	GLASS SHOWER	
19	12'-0"	8'-0"	GLASS	GLASS SHOWER	
20	12'-0"	8'-0"	GLASS	GLASS SHOWER	

NUMBER	WIDTH	HEIGHT	THICKNESS	FINISH	DESCRIPTION	COMMENTS
1	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
2	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
3	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
4	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
5	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
6	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
7	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
8	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
9	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
10	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
11	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
12	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
13	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
14	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
15	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
16	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
17	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
18	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
19	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	
20	12'-0"	8'-0"	2"	GLASS	GLASS SHOWER	



ATTENTION!
 STAIRS HAVE BEEN
 CALCULATED USING FLOOR
 TO FLOOR DIMENSIONS.
 ALTERNATE FLOOR JOIST USE
 MAY IMPACT HEADROOM.
 CONTACT ARCHITECT FOR
 OTHER OPTIONS.

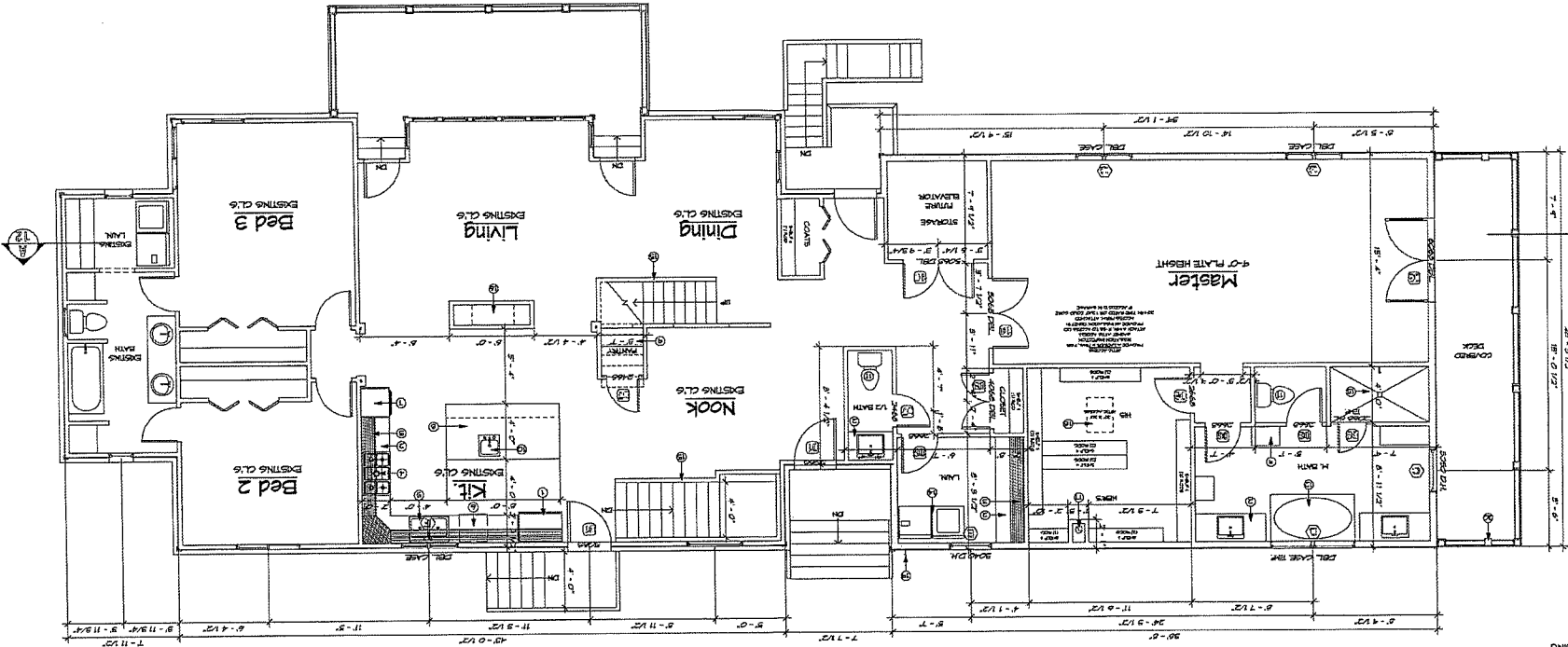
NOTE:
 8" TALL WALLS FINISHED WITH STUDS @ 16" O.C.
 10" AND TALLER WALLS SEE ENGINEERING.
 DIMENSIONS ON FLOOR PLANS ARE TO RUGH
 FRAMING UNLESS OTHERWISE NOTED.
 2" X 4" STUD WALLS ASSUMED TO BE 3 1/2" WIDE.
 2" X 6" STUD WALLS ASSUMED TO BE 5 1/2" WIDE.
NOTE:
 LOWER LEVEL WINDOWS
 HEAD HEIGHT @ 8'-0" UNCL.
NOTE:
 BACK WATER VALVE IS REQUIRED TO PROTECT PLUMBING
 FIXTURES THAT ARE LOCATED BELOW THE ELEVATION LEVEL
 OF THE NEAREST PERMANENT FLOOR FINISHES.
 THAT ARE ABOVE THE ELEVATION OF THE MAIN FLOOR COVER.
 POTABLE WATER ON ROOF BARS.
 SHALL NOT DISCHARGE THROUGH THE BACK WATER VALVE.
NOTE:
 FLOOR DRAINS MUST HAVE
 TRAP PRIMERS OR DEEP
 SEAL TRAPS.

NOTE:
 LANDING OR FINISHED FLOOR AT THE
 REQUIRED EGRESS DOOR SHALL NOT BE MORE
 THAN 1/2" LOWER THAN THE TOP OF THE
 THRESHOLD OF THE DOOR OR FLOOR ON THE
 EXTERIOR SIDE SHALL NOT BE MORE THAN 7/8"
 BELOW THE TOP OF THE THRESHOLD PROVIDED
 THE DOOR DOES NOT SWING OVER THE LANDING
 OF FLOOR.
NOTE:
 BACKFLOW PREVENTERS OR VALVING
 BREAKERS FOR PROTECTION OF
 PREVENTION OR STOPPING OF SYSTEM
 BOILERS AND HEAT EXCHANGERS.

NOTE:
 ALL DIMENSIONS ARE TO RUGH
 UNLESS OTHERWISE NOTED.
 FINISHES ARE TO BE DETERMINED
 BY THE ARCHITECT.

ROOM NAME	FLOORING	CEILING	WALLS	DOORS
Master	Carpet	WALTED	WALTED	WALTED
Living	Carpet	WALTED	WALTED	WALTED
Dining	Carpet	WALTED	WALTED	WALTED
Bed 2	Carpet	WALTED	WALTED	WALTED
Bed 3	Carpet	WALTED	WALTED	WALTED
Kitchen	Carpet	WALTED	WALTED	WALTED
Bath	Carpet	WALTED	WALTED	WALTED
Laundry	Carpet	WALTED	WALTED	WALTED
Storage	Carpet	WALTED	WALTED	WALTED
Entry	Carpet	WALTED	WALTED	WALTED
Hall	Carpet	WALTED	WALTED	WALTED
Stair	Carpet	WALTED	WALTED	WALTED
Deck	Carpet	WALTED	WALTED	WALTED
Garage	Carpet	WALTED	WALTED	WALTED
Tray	Carpet	WALTED	WALTED	WALTED
Nook	Carpet	WALTED	WALTED	WALTED
Leaf	Carpet	WALTED	WALTED	WALTED
Study	Carpet	WALTED	WALTED	WALTED
Hand	Carpet	WALTED	WALTED	WALTED
Dining	Carpet	WALTED	WALTED	WALTED
Tray	Carpet	WALTED	WALTED	WALTED

ML ROOM LEGEND



NOTE:
BACKFLOW PREVENTERS OR VACUUM BREAKERS FOR PROTECTION OF PORTABLE WATER OR HOSE BIBS, BOILERS AND HEAT EXCHANGERS.

NOTE:
LANDINGS OR FINISHED FLOORS AT THE REQUIRED EGRESS DOOR SHALL NOT BE MORE THAN 1 1/2' LOWER THAN THE TOP OF THE THRESHOLD. THE LANDING OF FLOOR ON THE EXTERIOR SIDE SHALL NOT BE MORE THAN 7 1/2" BELOW THE TOP OF THE THRESHOLD PROVIDED THE DOOR DOES NOT SWING INTO THE LANDING OF FLOOR.

NOTE:
8" TALL WALLS FRAMED WITH STUDS @ 16" O.C. DIMENSIONS ON FLOOR PLANS ARE TO ROUGH FRAMING UNLESS OTHERWISE NOTED. 2" X 4" STUD WALLS ASSUMED TO BE 3 1/2" WIDE. 2" X 6" STUD WALLS ASSUMED TO BE 5 1/2" WIDE. MANTEL HEIGHT @ 6'-4" LND. HOMEOWNER TO MEET WITH BUILDER & TRUSS COMPANY TO DISCUSS OPTIONS.

NOTE:
TRUSS COMPANY TO MEET WITH BUILDER & HOME OWNER BEFORE TRUSSES ARE BUILT.

ATTENTION!
STAIRS HAVE BEEN CALCULATED USING FLOOR TO FLOOR DIMENSIONS. ALTERNATE FLOOR JOIST USE MAY IMPACT HEADROOM. CONTACT ARCHITECT FOR OTHER OPTIONS.

NOTE:
8" TALL WALLS FRAMED WITH STUDS @ 16" O.C. DIMENSIONS ON FLOOR PLANS ARE TO ROUGH FRAMING UNLESS OTHERWISE NOTED. 2" X 4" STUD WALLS ASSUMED TO BE 3 1/2" WIDE. 2" X 6" STUD WALLS ASSUMED TO BE 5 1/2" WIDE. MANTEL HEIGHT @ 6'-4" LND. HOMEOWNER TO MEET WITH BUILDER & TRUSS COMPANY TO DISCUSS OPTIONS.

MAIN LEVEL FLOOR PLAN

1. APPROVE
2. CHECK
3. CHECK
4. CHECK
5. CHECK
6. CHECK
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NOTE:
TRUSS COMPANY TO MEET
WITH BUILDER & HOME OWNER
BEFORE TRUSSES ARE BUILT

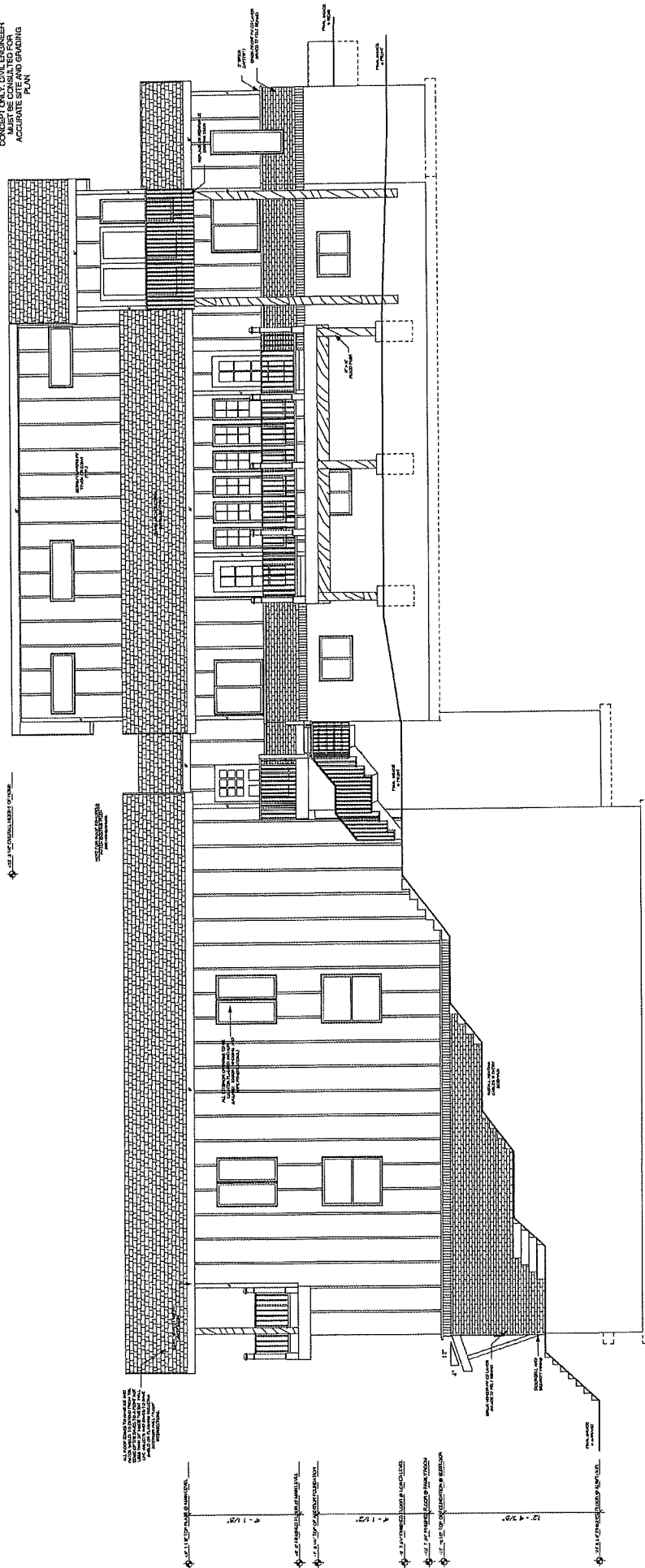
NOTE:
MAIN LEVEL WINDOWS HEAD
HEIGHT @ 9'-0" UNO

NOTE:
UPPER LEVEL WINDOWS
HEAD HEIGHT @ 7'-0" UNO

NOTE:
INSPECTIONS ARE REQUIRED
FOR ALL STUCCO & EIFS
SYSTEMS

NOTE:
NO HEIGHTS ARE SET ON
FRONT OF HOME

NOTE:
ELEVATIONS AND GRADE ARE
CONCEPT ONLY. CIVIL ENGINEER
TO PROVIDE ACCURATE
ACCURATE SITE AND GRADING
PLAN



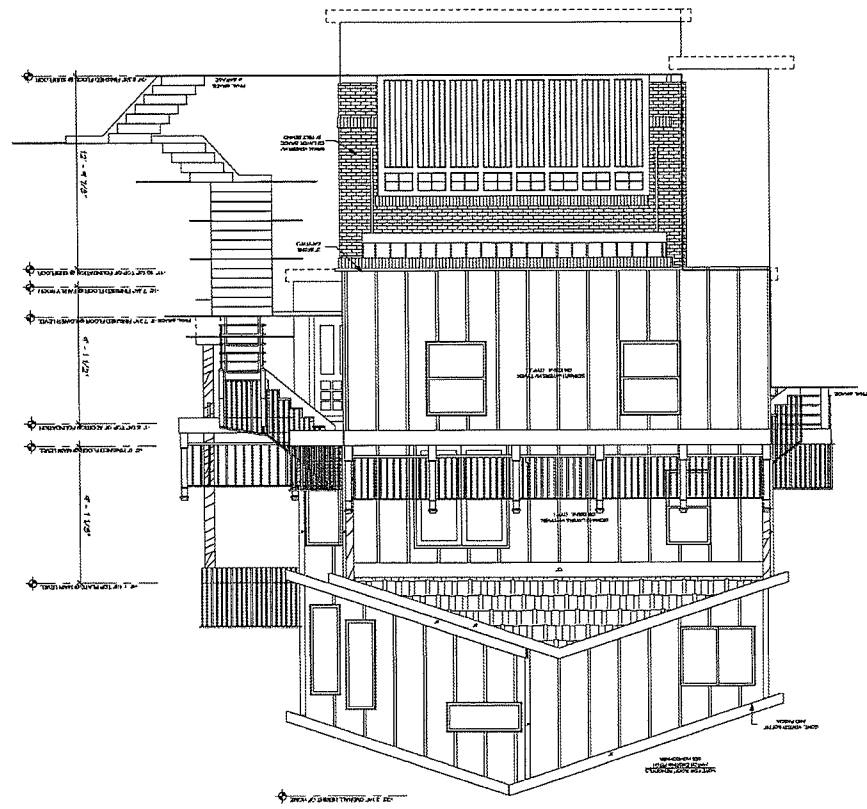
FRONT ELEVATION

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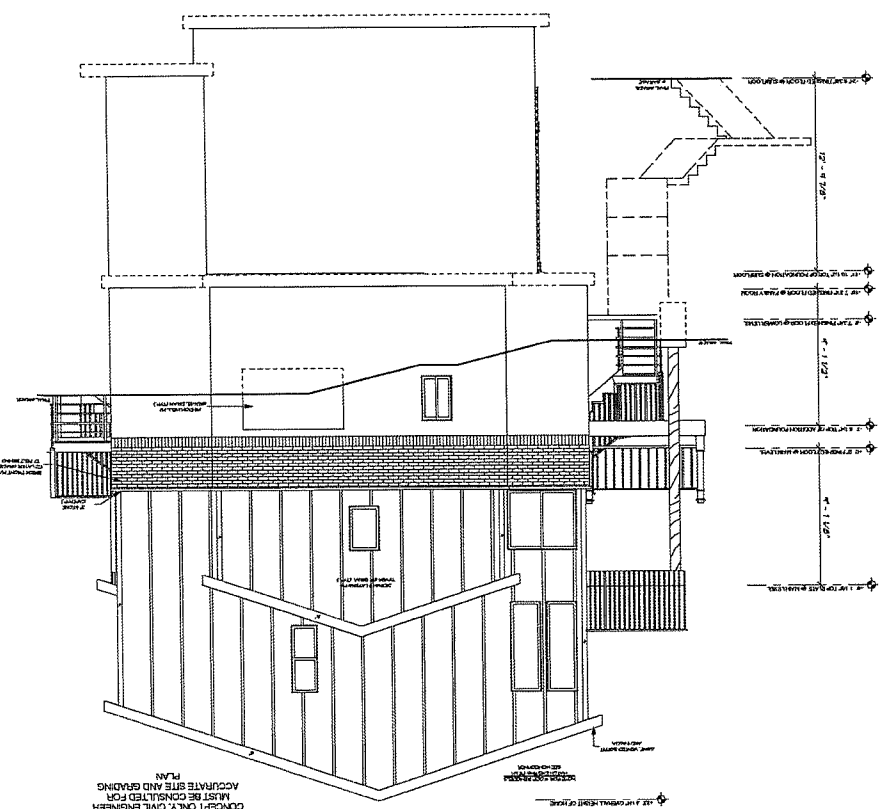
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PRC
SCALE

LEFT ELEVATION



RIGHT ELEVATION



NOTE
 MAIN LEVEL WINDOWS HEAD
 HEIGHT @ 8'-0" UNO

NOTE
 UPPER LEVEL WINDOWS
 HEAD HEIGHT @ 7'-0" UNO

NOTE
 INSPECTIONS ARE REQUIRED
 FOR ALL STUCCO & BRK
 SYSTEMS

NOTE
 ELEVATIONS AND GRADES ARE
 CONCEPT ONLY. CIVIL ENGINEER
 MUST BE CONSULTED FOR
 ACCURATE SITE AND GRADING
 PLAN

NOTE
 TRUSS COMPANY TO MEET
 WITH BUILDER & HOME OWNER
 BEFORE TRUSSES ARE BUILT

BOUNTIFUL CITY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission, as requested by State Law, gives notice of the regular scheduled meetings held in the Conference Room at City Hall, 790 South 100 East, Bountiful, Utah, at 6:30 p.m. and on the dates given below. The public is invited. Persons who are disabled as defined by the Americans 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.

2018 PLANNING COMMISSION MEETINGS

DATE

January 2
January 16
February 6
February 20
March 6
March 20
April 3
April 17
May 1
May 15
June 5
June 19

DATE

July 3
July 17
August 7
August 21
September 4
September 18
October 2
October 16
November 6
November 20
December 4
December 18

January 15, 2019