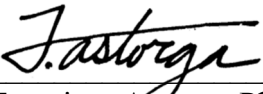


ADMINISTRATIVE COMMITTEE
Monday, December 16, 2019
5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold its regular meeting in the Conference Room at **Bountiful City Offices, 150 North Main Street, Suite 103**, 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 November 18, 2019.
3. Consider approval of the 2020 Administrative Committee meeting schedule.
4. Consider approval of a Lot Line Adjustment at 371 North 800 East and 377 North 800 East, Bountiful City and Elaine Steele, applicants.
5. Consider approval of Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 66 East 1200 South, Todd Willey, applicant.
6. Miscellaneous business and scheduling.



Francisco Astorga, Planning Director

**Bountiful City
Administrative Committee Minutes
November 18, 2019**

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

1. Welcome and Introductions.

Chairman Astorga opened the meeting at 5:02 p.m. and introduced all present.

2. Consider approval of minutes for October 21, 2019.

Mr. Badham made a motion to approve the minutes for October 21, 2019. Mr. Clawson seconded the motion.

 A Mr. Astorga
 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 66 East 1200 South, Todd Willey, applicant.

Todd Willey, applicant, was present.

Curtis Poole presented the staff report (the full staff report follows).

The Applicant is requesting approval of a detached Accessory Dwelling Unit (ADU). The Applicant constructed a detached garage and is now requesting to modify the existing structure to include a partial garage with an ADU. The Applicant applied for, and received approval to build the detached garage. Plans submitted show the unit will have two bedrooms, two bathrooms, a kitchen, living space and a laundry room.

According to City Code, 14-4-124, a Conditional Use Permit for an ADU is required and Applicants shall meet all standards of the Code for approval. The site is located in the R-4 Single-Family Residential Zone and consists of a single-family dwelling which will be maintained as such by the Applicant. The lot is 0.242 acres (10,541 square feet). There will only be one (1) ADU and there will only be one (1) utility connection located at this property. The ADU is approximately 1,160 square feet, and the home is 4,264 square feet, which is less than the 40% standard in the Code.

The property currently meets the parking standard required for approval. The primary dwelling has a three-car garage, plus parking in the driveway. In addition to the primary dwelling parking the detached garage has parking in front of the garage. The entrance to the ADU is on the east side of the detached garage, facing the primary dwelling and not visible

from the street. The property will continue to have the appearance of a single-family dwelling and should have minimal impact on the surrounding neighborhood.

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 owner(s) of the property must continually occupy the primary dwelling or the ADU.
2. The property is to be used only as a single-family use and shall be subject to a Deed Restriction.
3. Prior to beginning any construction on the ADU, the Applicant shall receive a building permit.
4. The Applicant shall resolve any concerns regarding setbacks, especially the distance from the detached garage to the primary dwelling, to the satisfaction of the Building Official, prior to receiving a Certificate of Occupancy.
5. There shall be no separate utility service connections.
6. The ADU shall meet all the standards in 14-14-124 of the City Land Use Ordinance.
7. The Conditional Use Permit is solely for this property and is non-transferable.

Mr. Poole noted that Mr. Willey currently has a permit for the detached garage and that it was red-tagged by the Engineering Department. Mr. Poole suggested that the distance issues be resolved prior to commencement of the ADU work. Mr. Astorga asked if the garage permit would be converted to an ADU permit, and Mr. Willey stated that there has not yet been an ADU permit issued, and that the original permit was for an RV garage. Mr. Astorga inquired regarding the utility services, and Mr. Willey stated that there is currently no power to the garage structure and that he is working with the Power Department regarding power specifications for the project. Mr. Astorga asked if there would only be one utility connection, and Mr. Willey said that was correct. Mr. Astorga referred to condition #4 and suggested that it be modified to include the words "specified in the Land Use Code" before the comma; this is in order to clarify that the setback is not dictated by the Building Official. Mr. Astorga referred to the plans for the ADU and specifically questioned the one foot setback distance. Mr. Willey stated that was a typographical error and should read as three feet, and he was tasked with remedying the error on the site plan. Mr. Astorga stated that in order to comply with the city code the wall must be at least three feet from the property line. Mr. Badham further clarified that the eaves can have a one foot overhang, leaving two feet of distance to the property line. Mr. Badham explained his role as citizens' representative on the committee and explained that he is finding that many Bountiful residents oppose ADUs. He further explained that the committee's role is to determine if an ADU applicant follows the ADU guidelines. Mr. Badham referenced the applicant's setbacks and the existing problem with the eaves and inquired if the project was properly permitted. Mr. Poole noted that the garage was built with a permit, but it was discovered by an inspector that the garage eaves were too close to the home. Mr. Badham suggested that the typo on the site plan not merely be changed but also verified, and Mr. Poole noted that the Planning Department could measure the area but that the Building Inspector would measure that area as part of his inspection. Mr. Astorga explained that property line disputes are not uncommon in the city and suggested that in the future it might be advisable to require applicants to obtain a survey or a surveyor's letter regarding the property lines – especially if a proposed project is situated

near a property line. A discussion ensued regarding the property setbacks and the proposed solution to the eaves issue. Mr. Willey noted that city staff had verified his setbacks in approximately 2016. Mr. Badham speculated that city staff based their verification on information provided but does not certify it. Mr. Willey explained that the setbacks were measured during a garage foundation inspection, and Mr. Badham reiterated that the city does not certify the setbacks nor take responsibility. Mr. Willey explained that the current setback problem would be rectified by clipping the corners of the eaves and that this clipping proposal had been discussed with the city inspector and determined to be a feasible solution. Mr. Astorga read from the code that “an accessory structure shall be located at least five (5) feet from a primary structure, including eaves, bay windows, chimneys, and any other protrusion on either the accessory building or the primary structure.” Mr. Willey requested the Certificate of Occupancy be contingent on him correcting the eaves issue rather than making the ADU permit contingent on the correction. Mr. Poole noted that work on the current building permit has been halted and no further construction can occur until the eaves issue has been rectified. Mr. Badham stated his belief that the committee does not have jurisdiction over the Certificate of Occupancy decision. Mr. Badham inquired regarding utilities for the ADU, and Mr. Willey explained that the power line would be run up the backside of the ADU (and not under the structure), there would be no gas line, and the structure already has water and sewer. Mr. Badham asked if the sewer had been inspected, and Mr. Willey said yes. Mr. Badham observed that the property has a large area covered by concrete and inquired regarding the code specifications for landscaping. Mr. Poole stated that landscaping code requires 50% front, 50% side and 50% rear. Mr. Badham expressed concern regarding too much concrete on the property. Mr. Willey noted that he had previously obtained a permit for work on his property and there were no issues regarding green space. A discussion ensued regarding the concrete, and Mr. Poole recommended that the committee investigate the issue to determine if modifications should be required. Mr. Badham queried if more concrete was possibly poured than was originally included on the plan. Mr. Astorga raised a question regarding the main door through the garage and wondered if it could be relocated in the back. Mr. Willey stated that he discussed the plans with his architect and they did not see that as a potential problem.

PUBLIC HEARING: Mr. Astorga opened the Public Hearing at 5:38 p.m. and closed the hearing at 5:39 p.m. with no comments from the public.

Mr. Willey stated that the current garage project has already had a permit issued and inspected and everything prior to the eaves situation passed.

Mr. Astorga made a motion for approval of a Conditional Use Permit to allow for an Accessory Dwelling Unit at 66 East 1200 South, Todd Willey, applicant, with the following modifications to conditions: First, change condition #4 to read as, “The Applicant shall resolve any concerns regarding setbacks specified in the Land Use Code, especially the distance from the detached garage to the primary dwelling, to the satisfaction of the Building Official, prior to receiving a building permit.” Second, add an additional condition which reads, “A site plan shall be submitted to the City showing appropriate compliance with applicable codes. The site plan shall also show the existing landscaping for comparison to issued plans.” Mr. Badham clarified that if the existing landscaping meets with what is on an approved plan then the landscaping will be deemed compliant. Mr. Badham asked if the

question of egress needed to be added to the conditions, and Mr. Astorga indicated it did not. Mr. Clawson seconded the motion.

A Mr. Astorga
A Mr. Clawson
N Mr. Badham

Motion passed 2-1.

4. **Miscellaneous business and scheduling.**

Mr. Astorga ascertained there were no further items of business, and the meeting was adjourned at 5:45 p.m.

Francisco Astorga, Planning Director

PENDING APPROVAL



Administrative Committee Staff Report

**Subject: Public Notice of Administrative Committee's
2020 Meeting Schedule**
Author: Julie Holmgren
Date: December 16, 2019

Background

Under Utah Code Section 52-4-202 of the Utah Code (in the Open & Public Meetings Act), the Administrative Committee “shall give public notice at least once each year of its annual meeting schedule,” and “shall specify the date, time, and place of the scheduled meetings.”

Analysis

The Administrative Committee is to meet as necessary to consider matters within its jurisdiction. Traditionally the Administrative Committee has met Monday evenings at 5:00 p.m., as needed. Staff recommends maintaining the current schedule.

The Public Notice given here announces that Bountiful City Administrative Committee meetings “shall take place Mondays as needed.” However, it notes that there will be no meetings on holidays designated by Bountiful City for its employees.

Department Review

This Public Notice has been reviewed by the City Attorney.

Significant Impacts

There are no significant impacts from this action.

Recommendation

It is recommended that the Administrative Committee approve the Public Notice of Bountiful City Administrative Committee Meetings in 2020, and meet on Mondays at 5:00 p.m, except holidays designated by Bountiful City for its employees.

Attachments

Public Notice of Bountiful City Planning Commission 2020 Meetings

PUBLIC NOTICE

Pursuant to UCA 52-4-202(2), the City of Bountiful Administrative Committee hereby gives public notice of its annual meeting schedule for 2020. Regular meetings of the Administrative Committee shall take place Mondays, as needed, unless otherwise advertised by legal notice. All Administrative Committee meetings shall be held at Bountiful City Planning Department located at 150 North Main Street, Suite 103, Bountiful, Utah 84010 until further notice or unless otherwise advertised. The meetings will begin promptly at 5:00 p.m.

The Administrative Committee will not be meeting on Mondays designated as holidays by Bountiful City for its employees.

All meetings of the Administrative Committee shall be open to the public.

In addition to the above scheduled regular meetings, the Administrative Committee may, from time to time, meet in special sessions as needed, and such meetings will be advertised by legal notice to the public in accordance with UCA 52-4-202.

Dated this 16th day of December, 2019.

Julie Holmgren
Planning Administrative Assistant



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, 2019
To: Administrative Committee
From: Curtis Poole, Assistant City Planner
Re: Lot Line Adjustment between 371 and 377 North 800 East

Overview

Consider approval of a Lot Line Adjustment between 371 North 800 East and 377 North 800 East, Bountiful City and Elaine Steele, Applicants.

Background

The Applicants, Bountiful City and Elaine Steele, are requesting a Lot Line Adjustment between their two properties located at 371 North 800 East and 377 North 800 East. Both properties, shown as Parcel 1 (Steele Property) and Parcel 2 (City Property), are located in the R-4 Single-Family Zone. The purpose of the adjustment is to convey a portion of Parcel 2 to Parcel 1. Parcel 2 will convey 551 square feet (0.0127 acres), shown as Parcel A, to Parcel 1. The adjustment will bring Parcel 1 to 11,456 square feet (.283 acres) and Parcel 2 to 12,197 square feet (.280 acres).

The property to be exchanged is a portion of the property formerly occupied by a culinary water reservoir which was operated by Bountiful City. Easements for both properties will remain as currently shown.

Findings

1. No new lots were created in this conveyance therefore 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:

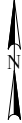
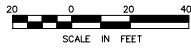
1. Complete any redline corrections required on the plat.

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 by the applicant and recorded by the County.

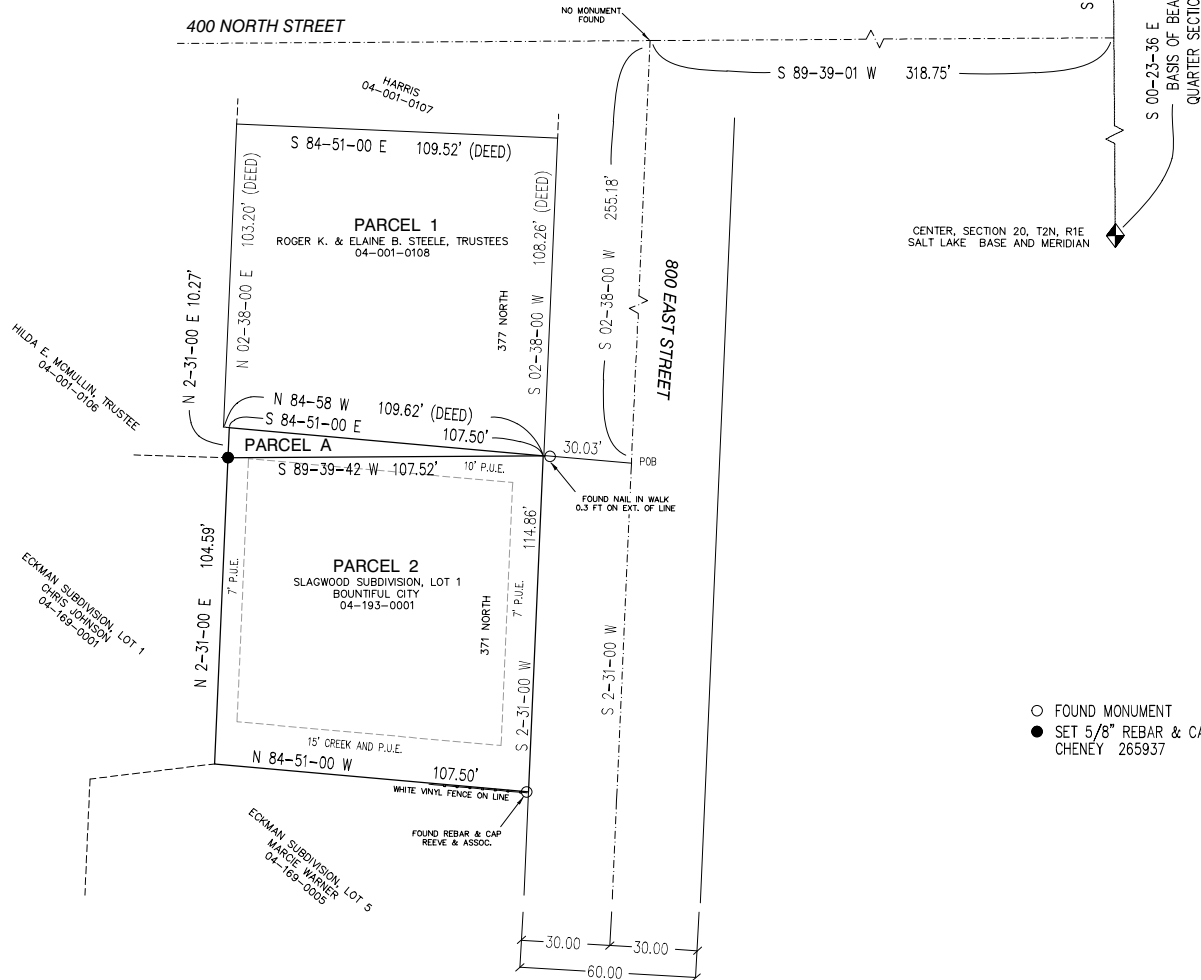
Aerial Map





SLAGWOOD SUBDIVISION / STEELE LOT LINE ADJUSTMENT

BEING A PART OF THE NORTHWEST QUARTER OF SECTION 20, T.2N., R.1E., S.L.B. & M.
BOUNTIFUL CITY, DAVIS COUNTY, UTAH
DECEMBER, 2019



SURVEYOR'S CERTIFICATE

I, LLOYD K. CHENEY, A REGISTERED LAND SURVEYOR HOLDING CERTIFICATE NO. 265937-2201 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE PARCELS OF LAND SHOWN ON THIS DRAWING ACCORDING TO UTAH STATE CODE 17-23-17.

UTAH SURVEYOR NO. 265937-2201 DATE

PARCEL 1 DESCRIPTION

ROGER K. & ELAINE B STEELE, TRUSTEES 04-010-0108
 BEGINNING AT A POINT WHICH IS S00°05'E 2234.4 FEET AND S89°45'30"W 450.41 FEET AND S02°38'W 138.99 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER CORNER OF SECTION 20 TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE S87°36'36"E 108.52 FEET TO THE WEST LINE OF A 60 FOOT WIDE STREET; THENCE S02°38'W 108.26 FEET; THENCE N84°58'W 109.62 FEET; THENCE N02°38'E 103.2 FEET TO THE POINT OF BEGINNING. CONTAINS 0.263 ACRES.

PARCEL 2 DESCRIPTION

BOUNTIFUL CITY 04-193-0001
 ALL OF LOT 1, SLAGWOOD SUBDIVISION.

PARCEL A DESCRIPTION

TO BE CONVEYED FROM BOUNTIFUL CITY TO STEELE
 BEGINNING AT THE NORTH EAST CORNER OF LOT 1, SLAGWOOD SUBDIVISION, AND RUNNING THENCE S89°39'42"W 107.52 FEET; THENCE N02°31'00"E 10.27 FEET; THENCE S84°51'00"E 107.50 FEET TO THE POINT OF BEGINNING. CONTAINS 551.62 SQUARE FEET OR 0.0127 ACRES.



DATE	BY	DESCRIPTION

NO.	REVISIONS

SEAL

SLAGWOOD SUBDIVISION / STEELE LOT LINE ADJUSTMENT
 SLAGWOOD SUBDIVISION LOT 1 AND ROGER K. & ELAINE B. STEELE, TRUSTEES

BOUNTIFUL CITY ENGINEERING DEPARTMENT	DATE	10-14-2019
BOUNTIFUL, UTAH	CHECK	LKC
790 South 100 East Bountiful, Utah 84011 @ 801.298.6125 ph 298-6002 fax	DRAWN	
	BOOK	

PRELIMINARY DOCUMENT
 NOT FINAL

SCALE
 1" = 20'

SHEET
 1 OF 1



Conditional Use Permit

A public hearing was held on November 18, 2019 at Bountiful City Offices to consider the request of Todd Willey for a Conditional Use Permit allowing an Accessory Dwelling at 66 East 1200 South, Bountiful, Utah.

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) with the following conditions:

1. The owner(s) of the property must continually occupy the primary dwelling or the ADU.
2. The property is to be used only as a single-family use and shall be subject to a Deed Restriction.
3. Prior to beginning any construction on the ADU, the Applicant shall receive a building permit.
4. The Applicant shall resolve any concerns regarding setbacks specified in the Land Use Code, especially the distance from the detached garage to the primary dwelling, to the satisfaction of the Building Official, prior to receiving a building permit.
5. There shall be no separate utility service connections.
6. The ADU shall meet all the standards in 14-14-124 of the City Land Use Ordinance.
7. The Conditional Use Permit is solely for this property and is non-transferable.
8. A site plan shall be submitted to the City showing appropriate compliance with applicable codes. The site plan shall also show the existing landscaping for comparison to issued plans.

The Conditional Use Permit was approved on November 18, 2019, and this written form was approved this 16th day of December, 2019.

Francisco Astorga
Planning Director

ATTEST: Julie Holmgren
Recording Secretary