

# ADMINISTRATIVE COMMITTEE

Monday, March 11, 2019

5:00 p.m.

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

## AGENDA

1. Welcome and Introductions.
2. Consider approval of minutes for March 4, 2019.
3. Consider approval of a Lot Line Adjustment at 1328 East 600 North and 540 North 1300 East, Steven and Stormey Goddard, applicants.
4. **PUBLIC HEARING:** Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business at 217 East 2200 South, Jeff Davis, applicant.
5. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Landscaping Business at 1552 Charlene Drive, Kenneth Judd, applicant.
6. Miscellaneous business and scheduling.



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Chad Wilkinson, City Planner

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

**Bountiful City  
Administrative Committee Minutes  
March 4, 2019**

**Present:** Chairman – Chad Wilkinson; Committee Members – Todd Christensen 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 January 28, 2019.**

Mr. Badham made a motion for approval of the minutes for January 28, 2019. Mr. Wilkinson seconded the motion.

  A      Mr. Wilkinson  
            Mr. Christensen (abstained)  
  A      Mr. Badham

Motion passed 2-0.

**3. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Landscaping Business at 1552 Charlene Drive, Kenneth Judd, applicant.**

Kenneth Judd, applicant, was present.

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

The property for the proposed Home Occupation request is located in the R-3 Zone. Home Occupations in this zone are allowed in City Code, 14-4-103, with approval of a Conditional Use Permit.

The application submitted indicates the property will be used to operate OverGrown Property Maintenance LLC, which provides weekly turf care, shrub trimming and basic property maintenance. The applicant will be storing a utility trailer, lawn mower and other tools pertaining to the business in an offsite storage facility and not at this location, although a truck used for the business will be parked in the driveway of the home. In addition the applicant indicates 1% or less of the home will be used in connection with the business, and mainly will be used for mailing and paperwork storage. The applicant indicates there will be no additional employees involved in the business. The business does appear incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

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

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

1. The applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, odors, noxious fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

**PUBLIC HEARING:** Mr. Wilkinson opened and closed the Public Hearing at 5:06 p.m. with no comments from the public.

Mr. Badham noted that staff was diligent in providing information regarding the home occupation restrictions. Mr. Christensen inquired regarding business-related visitors at the home. Mr. Judd indicated that there would not be visits from vendors or customers, and that the home would be used for office work associated with running the business.

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

  A      Mr. Wilkinson  
  A      Mr. Christensen  
  A      Mr. Badham

Motion passed 3-0.

4. **Consider approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 4482 Ridge Crest Circle, Matthew and Nicole Garff, applicants.**

Mr. Badham made a motion for approval of a Conditional Use Permit, in written form, to allow for an Accessory Dwelling Unit at 4482 Ridge Crest Circle, Matthew and Nicole Garff, applicants. Mr. Wilkinson seconded the motion.

  A      Mr. Wilkinson  
  —      Mr. Christensen (abstained)  
  A      Mr. Badham

Motion passed 2-0.

5. **Miscellaneous business and scheduling.**

Mr. Wilkinson noted that the committee would next meet on March 11, 2019. Mr. Badham noted that with the upcoming City Hall remodel that the Administrative Committee would be

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

meeting elsewhere. Mr. Wilkinson said that those meetings will most likely take place at the Fire Station on 1<sup>st</sup> West, but the committee and applicants will be advised regarding the location. Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:11 p.m.

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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: March 6, 2019  
To: Administrative Committee  
From: Curtis Poole, Assistant Planner  
Re: Staff Report for the Administrative Committee Meeting on Monday, March 11, 2019

## Overview

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

## Background

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

## Findings

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

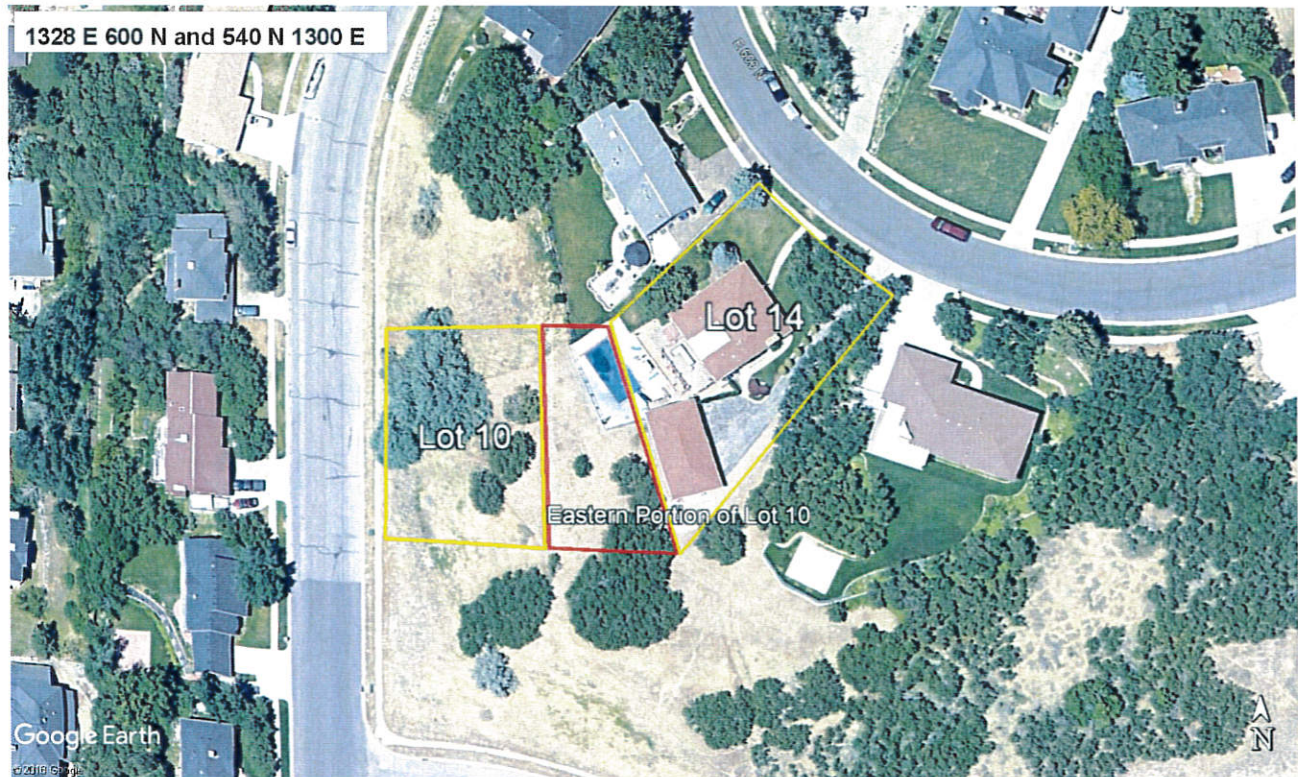
## Staff Recommendation

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

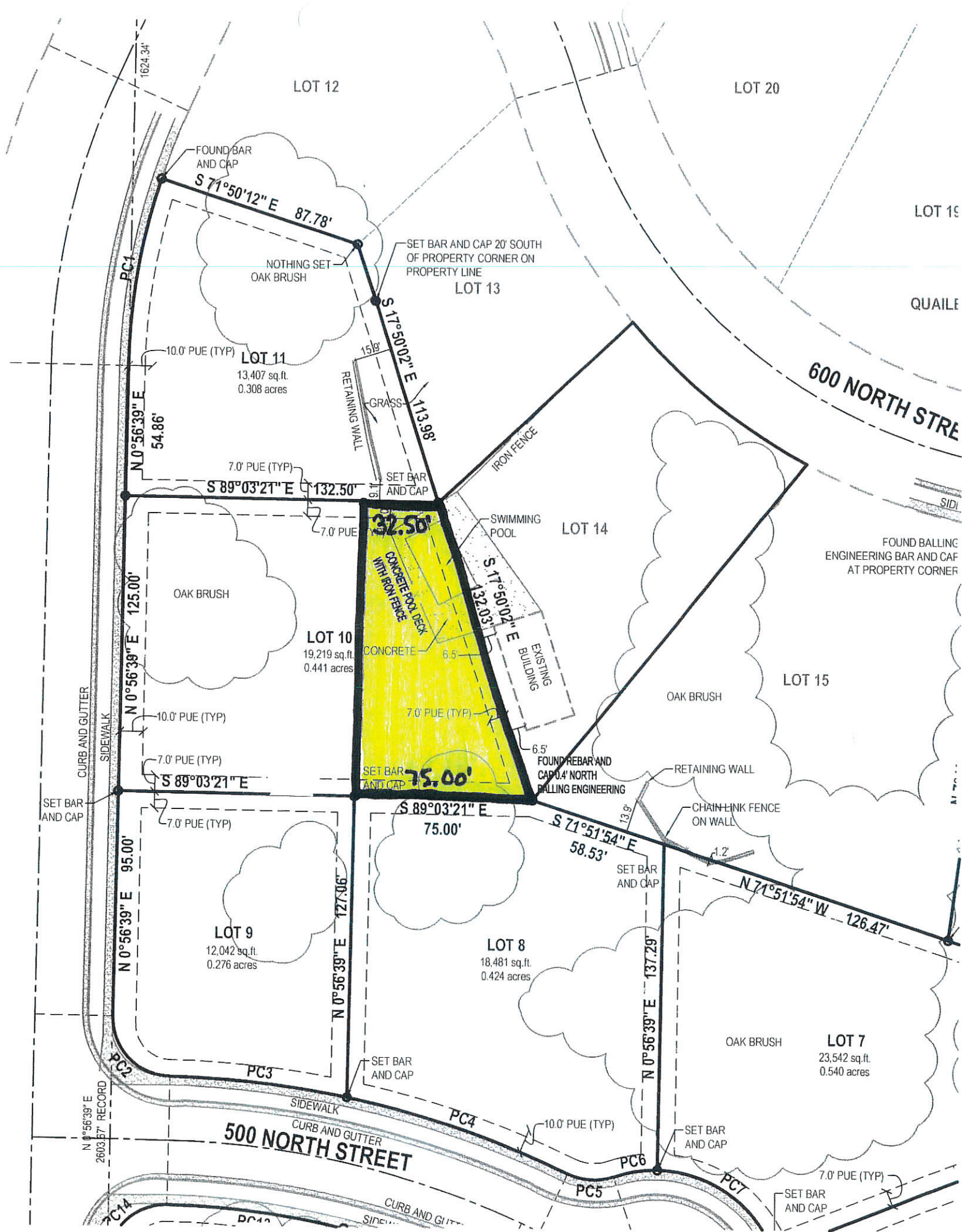
1. Complete any redline corrections required on the plat.
2. Approval of the property line adjustment is contingent on City Council approval for an easement release and modification of the existing PUE, a recorded copy of which shall be placed in the City's building permit file.
3. New property line boundaries markers shall be set.
4. The approved lot line adjustment shall be recorded with Davis County.

**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.

### 1328 E 600 N and 540 N 1300 E







LOT 12

LOT 20

LOT 19

QUAILE

600 NORTH STREET

SIDWALK

FOUND BALLING ENGINEERING BAR AND CAP AT PROPERTY CORNER

FOUND BAR AND CAP  
S 71°50'12" E 87.78'

SET BAR AND CAP 20' SOUTH OF PROPERTY CORNER ON PROPERTY LINE

LOT 13

NOTHING SET OAK BRUSH

S 17°50'02" E 113.98'  
15.9'  
RETAINING WALL  
GRASS

10.0' PUE (TYP)  
LOT 11  
13,407 sq.ft.  
0.308 acres

N 0°56'39" E 54.86'

7.0' PUE (TYP)  
S 89°03'21" E 132.50'

SET BAR AND CAP

IRON FENCE

SWIMMING POOL  
LOT 14

OAK BRUSH

LOT 10  
19,219 sq.ft.  
0.441 acres

CONCRETE POOL DECK WITH IRON FENCE  
CONCRETE 6.5'  
S 17°50'02" E 132.03'  
EXISTING BUILDING

OAK BRUSH

LOT 15

CURB AND GUTTER  
SIDEWALK

N 0°56'39" E 125.00'

10.0' PUE (TYP)

7.0' PUE (TYP)

S 89°03'21" E

SET BAR AND CAP  
75.00'

6.5' FOUND REBAR AND CAP 0.4' NORTH BALLING ENGINEERING

RETAINING WALL

SET BAR AND CAP

7.0' PUE (TYP)

S 89°03'21" E 75.00'

S 71°51'54" E 58.53'

SET BAR AND CAP

CHAIN-LINK FENCE ON WALL

N 0°56'39" E 95.00'

LOT 9  
12,042 sq.ft.  
0.276 acres

N 0°56'39" E 127.06'

LOT 8  
18,481 sq.ft.  
0.424 acres

S 71°51'54" W 126.47'

OAK BRUSH

LOT 7  
23,542 sq.ft.  
0.540 acres

N 0°56'39" E 2603.67' RECORD

500 NORTH STREET

N 0°56'39" E 137.29'

7.0' PUE (TYP)

SET BAR AND CAP

PC1

PC2

PC3

PC4

PC5

PC6

PC7

PC1A

PC2A

PC3A

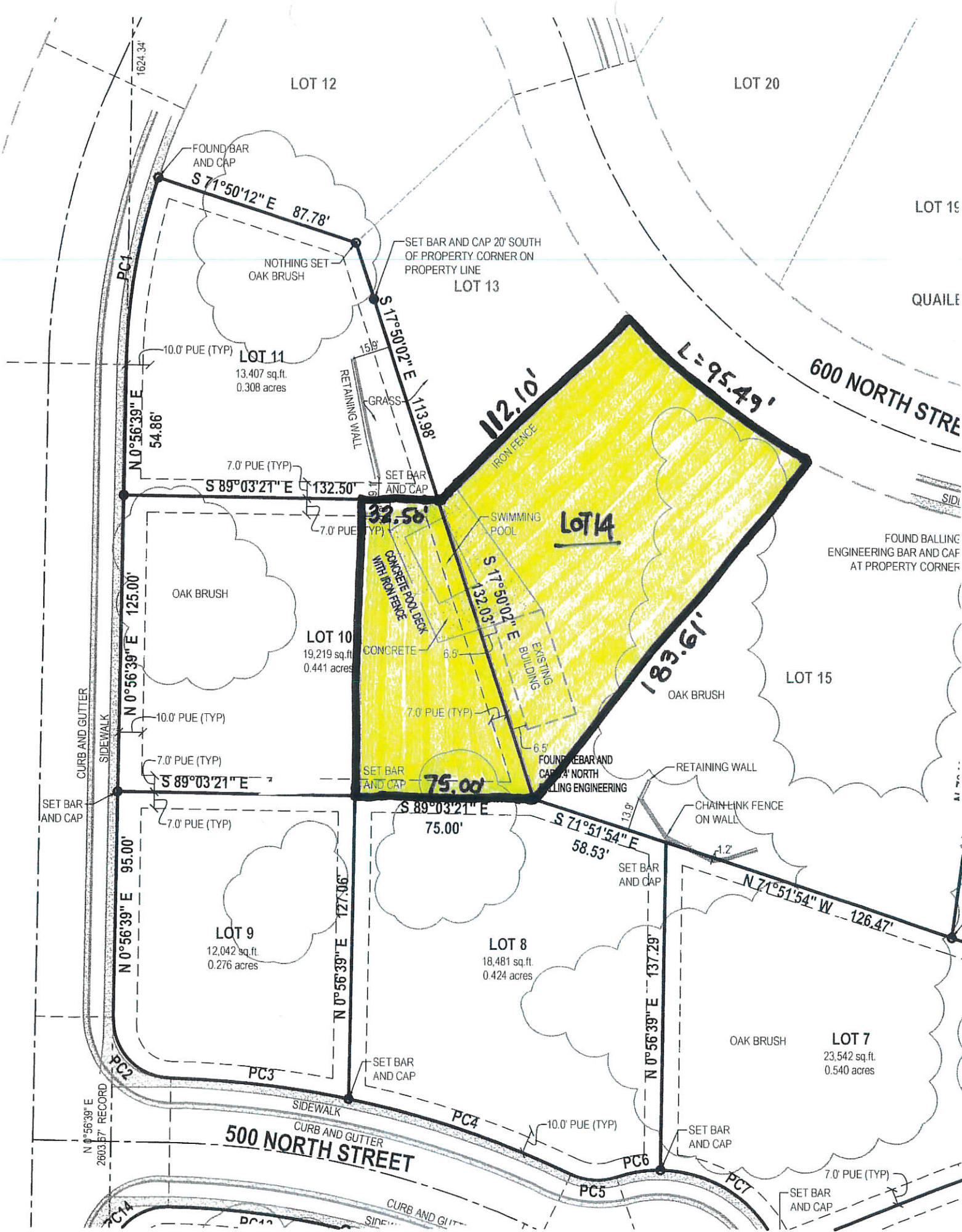
PC4A

PC5A

PC6A

PC7A





LOT 12

LOT 20

LOT 19

QUAILE

600 NORTH STREET

FOUND BAR AND CAP

S 71°50'12" E 87.78'

SET BAR AND CAP 20' SOUTH OF PROPERTY CORNER ON PROPERTY LINE

LOT 13

S 17°50'02" E 113.98'

LOT 11  
13,407 sq.ft.  
0.308 acres

10.0' PUE (TYP)  
N 0°56'39" E 54.86'

7.0' PUE (TYP)  
S 89°03'21" E 132.50'

112.10'  
L = 95.49'

SIDEWALK

FOUND BALLING ENGINEERING BAR AND CAP AT PROPERTY CORNER

LOT 14

SWIMMING POOL  
S 17°50'02" E 132.03'

LOT 10  
19,219 sq.ft.  
0.441 acres

OAK BRUSH

N 0°56'39" E 125.00'

CONCRETE POOL DECK WITH IRON FENCE  
CONCRETE 6.5'  
7.0' PUE (TYP)  
EXISTING BUILDING  
6.5'

LOT 15

183.61'

FOUND REBAR AND CAP 24' NORTH BALLING ENGINEERING

CURB AND GUTTER  
SIDEWALK

10.0' PUE (TYP)  
7.0' PUE (TYP)  
S 89°03'21" E

RETAINING WALL  
CHAIN LINK FENCE ON WALL

SET BAR AND CAP

7.0' PUE (TYP)  
S 89°03'21" E

SET BAR AND CAP

S 89°03'21" E 75.00'

S 71°51'54" E 58.53'

SET BAR AND CAP

LOT 9  
12,042 sq.ft.  
0.276 acres

N 0°56'39" E 95.00'

LOT 8  
18,481 sq.ft.  
0.424 acres

N 0°56'39" E 127.06'

LOT 7  
23,542 sq.ft.  
0.540 acres

500 NORTH STREET

SET BAR AND CAP

S 71°51'54" W 126.47'

OAK BRUSH

N 0°56'39" E 137.29'

SET BAR AND CAP

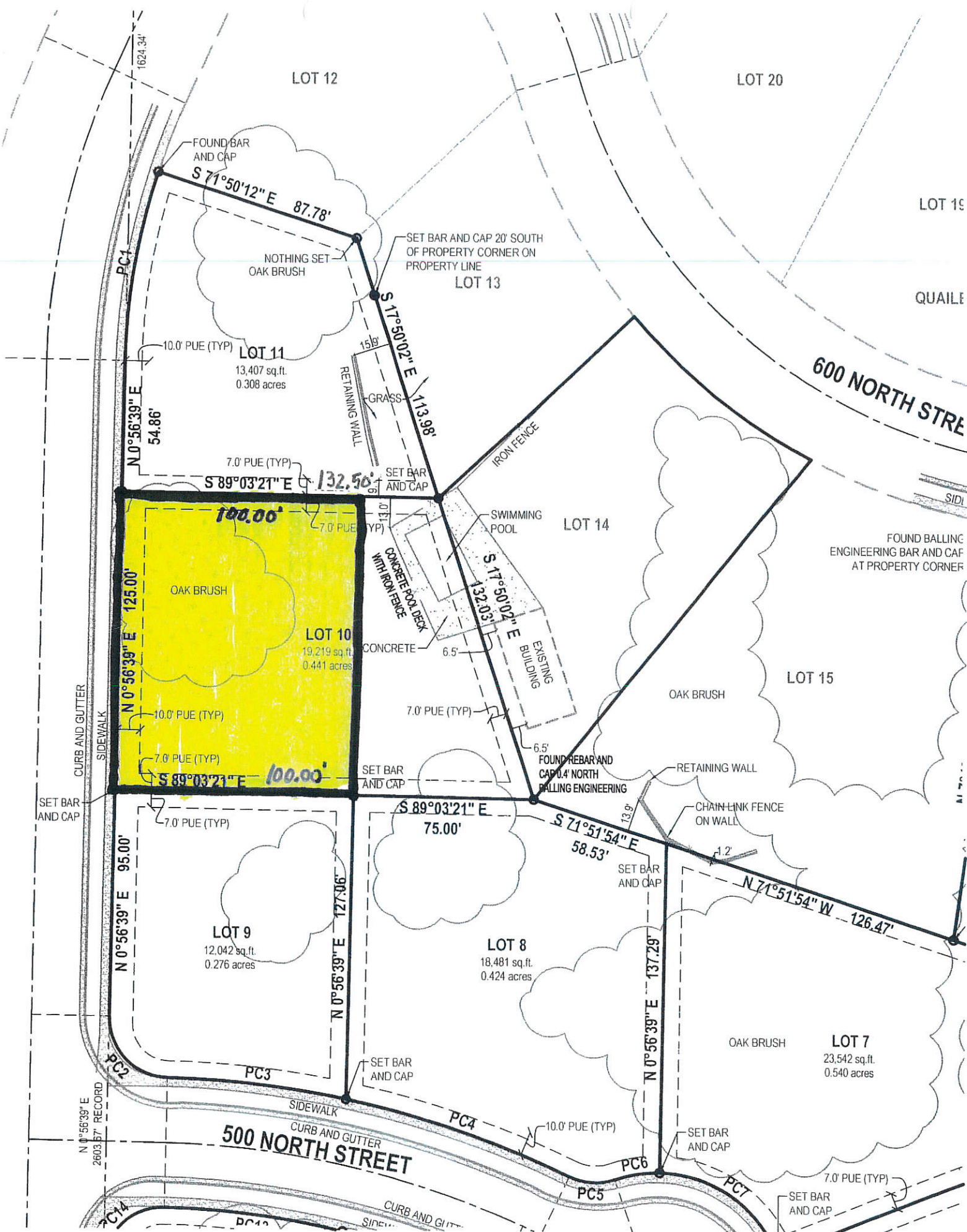
N 0°56'39" E  
2603.57' RECORD

SET BAR AND CAP

7.0' PUE (TYP)

SET BAR AND CAP

CURB AND GUTTER  
SIDEWALK



KRR

February 7, 2019

Job no. 7616-B

***The Westerly Portion of Lot 10, Quailbrook Subdivision Plat A, more particularly described as follows:***

Beginning at a point on the east line of 1300 East Street, the point being the Southwest Corner of Lot 10, Quailbrook Subdivision Plat A, a recorded subdivision in the office of the Davis County Recorder as Entry no. 498380 in Book 712 at Page 9 and recorded on June 7, 1978, and running;

Thence North  $0^{\circ}56'39''$  East 125.00 feet along the east line of 1300 East Street and west line to the Northwest Corner of said Lot 10;

Thence South  $89^{\circ}03'21''$  East 100.00 feet along the north line of said Lot 10;

Thence South  $0^{\circ}56'39''$  West 125.00 feet to the south line of said Lot 10;

Thence North  $89^{\circ}03'21''$  West 100.00 feet along the south line of said Lot 10 to the point of beginning.

Contains 12,500 square feet, 0.287 acres.

KRR

February 7, 2019

Job no. 7616-B

***The Easterly Portion of Lot 10, Quailbrook Subdivision Plat A, more particularly described as follows:***

Beginning at Southeast Corner of Lot 10, Quailbrook Subdivision Plat A, a recorded subdivision in the office of the Davis County Recorder as Entry no. 498380 in Book 712 at Page 9 and recorded on June 7, 1978, and running;

Thence North  $89^{\circ}03'21''$  West 75.00 feet along the south line of said Lot 10;

Thence North  $0^{\circ}56'39''$  East 125.00 feet to the north line of said Lot 10;

Thence North  $89^{\circ}03'21''$  East 32.50 feet along the north line to the Northeast Corner of said Lot 10;

Thence South  $17^{\circ}50'02''$  East 132.03 feet along the east line to the Southeast Corner of said Lot 10, being the point of beginning.

Contains 6,719 square feet, 0.154 acres.

KRR

February 7, 2019

Job no. 7616-B

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***All of Lot 14, Quailbrook Subdivision Plat A and the Easterly Portion of Lot 10, Quailbrook Subdivision Plat A, more particularly described as follows:***

Beginning at Southeast Corner of Lot 10, Quailbrook Subdivision Plat A, a recorded subdivision in the office of the Davis County Recorder as Entry no. 498380 in Book 712 at Page 9 and recorded on June 7, 1978, and running;

Thence North  $89^{\circ}03'21''$  West 75.00 feet along the south line of said Lot 10;

Thence North  $0^{\circ}56'39''$  East 125.00 feet to the north line of said Lot 10;

Thence North  $89^{\circ}03'21''$  East 32.50 feet along the north line to the Northeast Corner of said Lot 10;

Thence South  $17^{\circ}50'02''$  East 132.03 feet along the east line to the Southeast Corner of said Lot 10, being the point of beginning.

Contains 6,719 square feet, 0.154 acres.



RANDY C. LEWIS  
MAYOR

CITY COUNCIL  
Kate Bradshaw  
Kendalyn Harris  
Richard Higginson  
John Marc Knight  
Chris R. Simonsen

CITY MANAGER  
Gary R. Hill

## **Memo**

Date: March 6, 2019  
To: Administrative Committee  
From: Curtis Poole, Assistant Planner  
Re: Staff Report for the Administrative Committee Meeting on Monday, March 11, 2019

## **Overview**

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

### **Background**

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

### **Findings**

The application submitted indicates the property will be used to operate JMHC, Inc., which provides installation of finish hardware, such as door knobs, towel bars, etc., on new construction homes. The applicant indicated the only business related item on the property will be a laptop. All hardware used in the business will be delivered to the job site and all work will be done on-site. Any office work will take place in a bedroom of the home, which is less than 50% as required by code. The applicant indicates there will be no additional employees involved in the business. The business does appear incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

### **Staff Recommendation**

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

1. The applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, odors, noxious fumes, glare, traffic, etc.).

3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

## **Bountiful Land Use Ordinance**

### **14-17-105 HOME OCCUPATION REQUIREMENTS**

A proposed home occupation use shall meet the following criteria to qualify for a Home Occupation Business License:

- A. The use shall be clearly incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition thereof. There shall be no displays, advertisements, stock in trade, or signs related to the business except for: one (1) flat wall sign placed on the dwelling that shall not exceed four (4) square feet in size, and any sign required by State Law and/or which meet the provisions of this Title.
- B. The use shall be conducted entirely within a dwelling, except for work performed offsite. Only members of the family related by blood, marriage, or adoption, and who reside in the dwelling, may work onsite. The only exception is that one (1) additional person may be employed as a secretary, apprentice, or assistant where there are no more than five (5) family members actively engaged in the home occupation. Employees who are not family members and/or who do not reside at the dwelling shall not meet, park, or otherwise congregate at the home or in the general vicinity. Additional outside employees are not allowed if there is more than one home occupation at the property.
- C. The use shall not involve more than 50% of the entire dwelling.
- D. The use shall not involve the area of required, covered, off-street parking.
- E. No product or commodity shall be stored onsite, and no customer may physically visit the site of a home occupation to take delivery of a product or commodity. Commodities may be produced on the premises and sold offsite.
- F. The use shall not create noise, dust, odors, noxious fumes, glare, or other nuisances, including interruption of radio and/or television reception, which are discernible beyond the premises.
- G. The use shall not involve using or storing flammable material, explosives, or other dangerous materials, including gun powder.
- H. The use shall not involve mechanical or electrical apparatus, equipment, or tools not commonly associated with a residential use or as are customary to home crafts.
- I. The use shall not generate traffic in greater volumes than would normally be expected in a residential neighborhood nor involve the use of commercial vehicles other than standard delivery vehicles for delivery of materials to or from the premises.
- J. The use shall not involve the parking of equipment or motor vehicles having a gross weight of twelve thousand (12,000) pounds or more directly at the residence.
- K. The use shall be in compliance with all applicable fire, building, plumbing, electrical and life safety and health codes of the State of Utah, Davis County, and the City of Bountiful.
- L. The residence and property may be inspected from time to time to determine continued compliance with the provisions of this Ordinance and other applicable codes.

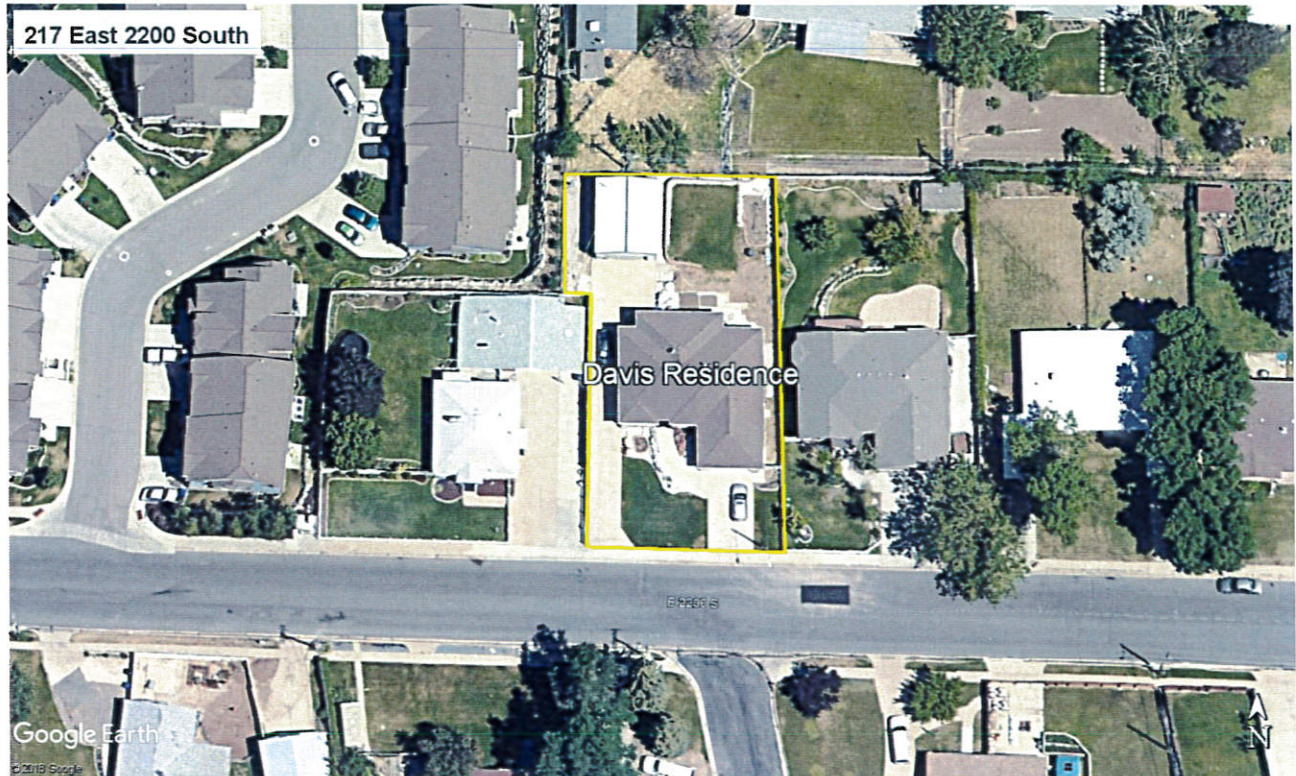
### **14-17-108 HOME OCCUPATION CONDITIONAL USES**

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

- A. Lawn care and/or landscaping,
- B. Construction and/or contracting,
- C. Snow removal,
- D. Residential day care or group instruction facilities with more than eight (8) people,
- E. A home occupation office use may be allowed in a detached accessory structure in accordance with the following:
  1. The total office area, including a restroom and any storage space, shall not exceed three hundred (300) square feet.
  2. The office shall not be located in an area of required, covered, off-street parking.

3. No part of the office space shall be utilized if the required, covered, off-street parking is being utilized for a purpose other than parking.
4. The only retail activity allowed is that transacted electronically or by mail. Any retail activity involving the physical delivery of goods or persons to the property is expressly prohibited.
5. A home occupation office in a detached accessory structure shall be deemed unlawful and shall not be occupied unless the owner has recorded a deed restriction on the property stating that the use of the property is for a single family dwelling, and that the office space shall only be used in accordance with the provisions of the Bountiful City Land Use Ordinance as it may be amended from time to time.

## 217 East 2200 South



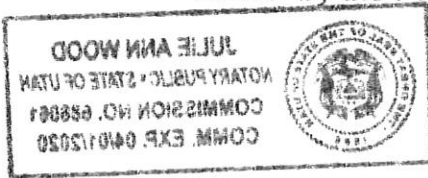


**Project Name and Description:** INSTALLATION ONLY OF FINISH  
HARDWARE (DOOR KNOBS, TOWEL BARS) ON NEW  
CONSTRUCTION. ONLY BUSINESS RELATED ITEM USED ON  
THE PROPERTY WOULD BE A LAPTOP. NO PRODUCT, VEHICLES, OR  
EQUIPMENT

**Committee**

- Administrative Committee \$50.00 (application fee)
- Planning Commission \$250.00 (application fee)

- The Site Plan Review Committee will review complete applications prior to review by the Planning Commission.



Department of Planning and Economic Development  
790 South 100 East • Bountiful, Utah 84010  
Phone 801.298.6190

Go gle Maps





**Bountiful City, Utah  
Conditional Use Permit**

**RANDY C. LEWIS  
MAYOR**

**CITY COUNCIL**  
Kate Bradshaw  
Kendalyn Harris  
Richard Higginson  
John Marc Knight  
Chris R. Simonsen

**CITY MANAGER**  
Gary R. Hill

A public hearing was held on March 4, 2019, at Bountiful City Hall to consider the request of Kenneth Judd, for a Conditional Use Permit allowing a Home Occupation Contractor and Landscaping Business at the following location:

**1552 Charlene Drive, Bountiful City, Davis County, Utah**

**ALL OF LOT 46, EMERALD HILLS SUB PLAT D. CONT. 0.219 ACRES.**

**Parcel 04-100-0046**

The Bountiful City Administrative Committee heard the matter and considered the statements of the applicant, the City staff, and the public. As a result, the Administrative Committee makes the following findings:

1. This matter is properly heard before the Administrative Committee.
2. Appropriate public notice has been provided and a public hearing held.
3. The proposed request to operate a contractor and landscaping business meets the letter and the intent of the specific requirements in §14-17 et seq. (Conditional Use Permit provisions) of the Bountiful City Land Use Ordinance.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for Kenneth Judd to operate a contractor and landscaping business located at 1552 Charlene Drive, in Bountiful, Davis County, Utah, with the following conditions:

1. The applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

The Conditional Use Permit was approved on March 4, 2019, and this written form was approved this 11<sup>th</sup> day of March, 2019.

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Chad Wilkinson  
Planning Director

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ATTEST: Julie Holmgren  
Recording Secretary