



BOUNTIFUL CITY
ADMINISTRATIVE COMMITTEE
Monday, March 20, 2023
5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Council Chambers, Bountiful City Hall, 795 South Main, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 801-298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome.
2. Approval of the meeting minutes for February 27, 2023.
 - Review and Action
3. 1343 South 425 West– Home Occupation Conditional Use Permit for Contractor/
Handyman
Assistant City Planner Nicholas Lopez
 - Review
 - Public Hearing
 - Action
4. Adjourn

Draft Minutes of the
BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE
February 27, 2023

Present: Committee members Francisco Astorga (Chair), Brad Clawson, and Dave Badham
Assistant City Planner Nicholas Lopez
Recording Secretary Hanna Welch

1. Welcome and Introductions

Chair Astorga opened the meeting at 5:00 p.m. and introduced all present.

2. Review and approval of minutes for January 30, 2023

MOTION: Member Brad Clawson made motion to APPROVE minutes with the changes that the names in the heading be corrected. Brad Clawson was present on January 30, 2023. Scott Schlegel was present December 5, 2022. Motion was seconded by Member Dave Badham.

VOTE: The motion passed (3-0).

3. 695 S 100 E- Home Occupation Conditional Use permit for a Daycare at a residence
Assistant City Planner Nicholas Lopez

Mrs. Ewing, applicant, was present. Assistant Planner Lopez presented the item.

Daycare at a residence must follow 114-17-105 and 114-17-106 as it pertains to daycares. The Residence has gone through the necessary steps with the State of Utah to have a daycare at their residence, including background checks of all adults on site and inspections of the site.

Members questioned the need of 114-17-105 section “b” and 114-17-106 in relation to the proposed Home Occupation. It was determined by Nicholas Lopez and Members of the Committee that the municipal regulation only apply to the Home Occupation if it states it applies to “Daycare”.

Member Badham questioned the ratio of caregiver to child.

Mrs. Ewing and Nicholas stated that the ratio is set at the state level and the state determines the number of children allowed in the daycare with the current numbers of caregivers.

Chair Astorga reported that the Mrs. Ewing must “set the business up to comply to state code”.

Public Hearing was opened 5:31p.m. and closed 5:32 p.m.

MOTION: Chair Astorga made motion to APPROVE item with added condition that:

- 1 1. The residential daycare shall be in compliance with Bountiful City and Utah State code.
- 2 2. Resident is responsible for staying informed and in compliance with applicable code.

3
4 Member Clawson seconded the Motion.

5
6 VOTE: The motion passed (3-0).

7
8 **4. 82 North Canyon Road- amending a Conditional Use Permit for a Detached Accessory**
9 **Dwelling Unit** *Assistant City Planner Nicholas Lopez*

10
11 Nicholas Lopez introduced the item. It is to be treated like a new item in the staff report. The
12 language in the Condition Use Permit need to be updated to include new language in the
13 Bountiful City Code to include tenets that are not family members.

14
15 The residents have a Conditional Use Permit and are applying for a Short-Term Rental.

16
17 Member Badham and Astorga discussed if the need for an Accessory Dwelling Unit deed
18 restriction ties the hands of those who want to pursue a Short- Term Rental.

19
20 Public Hearing was opened 5:46 p.m. and closed 5:46 p.m. with no comments.

21
22 MOTION: Member Clawson made motion to APPROVE amendment update to deed
23 restriction. Chair Astorga seconded the motion.

24
25 **5. Adjournment 5:46 p.m.**

Administrative Committee Staff Report



Subject: Home Occupation Conditional Use Permit
Author: Nicholas Lopez, Assistant City Planner
Property: 1343 South 425 West
Date: March 20, 2023

Background

The property owner and applicant, Jeremy Jeppson, submitted a Home Occupation Conditional Use Permit application to operate as a contractor/construction home occupation at 1343 South 425 West named Bear Contracting and Construction LLC.

Analysis

The subject site is located in the Single-Family Residential (R-4) Zone. Land Use Code § [14-17-108](#) indicates that a construction and/or contracting home occupation requires a Conditional Use Permit. Land Use Code § [14-17-105](#) indicates that a proposed home occupation shall meet the following criteria:

- 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.
 - *The applicant does not propose any changes to the dwelling affecting the appearance, character, or condition. There are no unmitigated impacts.*
- 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.
 - *All work related to the business is proposed to be done off-site. No additional employees present are proposed.*

- C. The use shall not involve more than 50% of the entire dwelling.
- *The applicant indicated that the twenty-five (25) foot by eleven (11) foot room in the basement, is for the storage of tools. This is approximately 15% of the dwelling is to be used for tool storage.*
- D. The use shall not involve the area of required, covered, off-street parking.
- *No required covered off-street parking is being utilized for this use.*
- 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.
- *All work is service oriented and is to be performed off-site.*
- 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 discernable beyond the premises.
- *No noise, dust, odors, noxious fumes, glare, or other nuisances is to impact the site and/or neighbors as all work is service oriented and is to be performed off-site. There are no unmitigated impacts.*
- G. The use shall not involve using or storing flammable material, explosive, or other dangerous materials, including gun powder.
- *No storage of the above materials are to be located on-site. There are no unmitigated impacts.*
- 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.
- *No such use is being proposed to occur. The proposed use, a contractor and construction home occupation, shall be limited to apparatus, equipment and/or tools commonly associated with a residential use. Any apparatus, equipment, or tools of a commercial nature shall be expressly prohibited. As conditioned, there are no unmitigated impacts.*
- I. The use shall not generate traffic in greater volumes than 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.
- *The proposed home occupation use does not increase traffic in greater volumes than normally expected. There are no unmitigated impacts.*

- J. The use shall be in compliance with all applicable fire, building, electrical and life safety and health codes of the State of Utah, Davis County, and the City of Bountiful.
- *No outstanding non-compliances with the following codes. There are no unmitigated impacts.*
- K. The residence and property may be inspected from time to time to determine continued compliance with the provisions of Code and other applicable codes.
- *The property owner agrees to the inspections that may be needed in the future. There are no unmitigated impacts.*

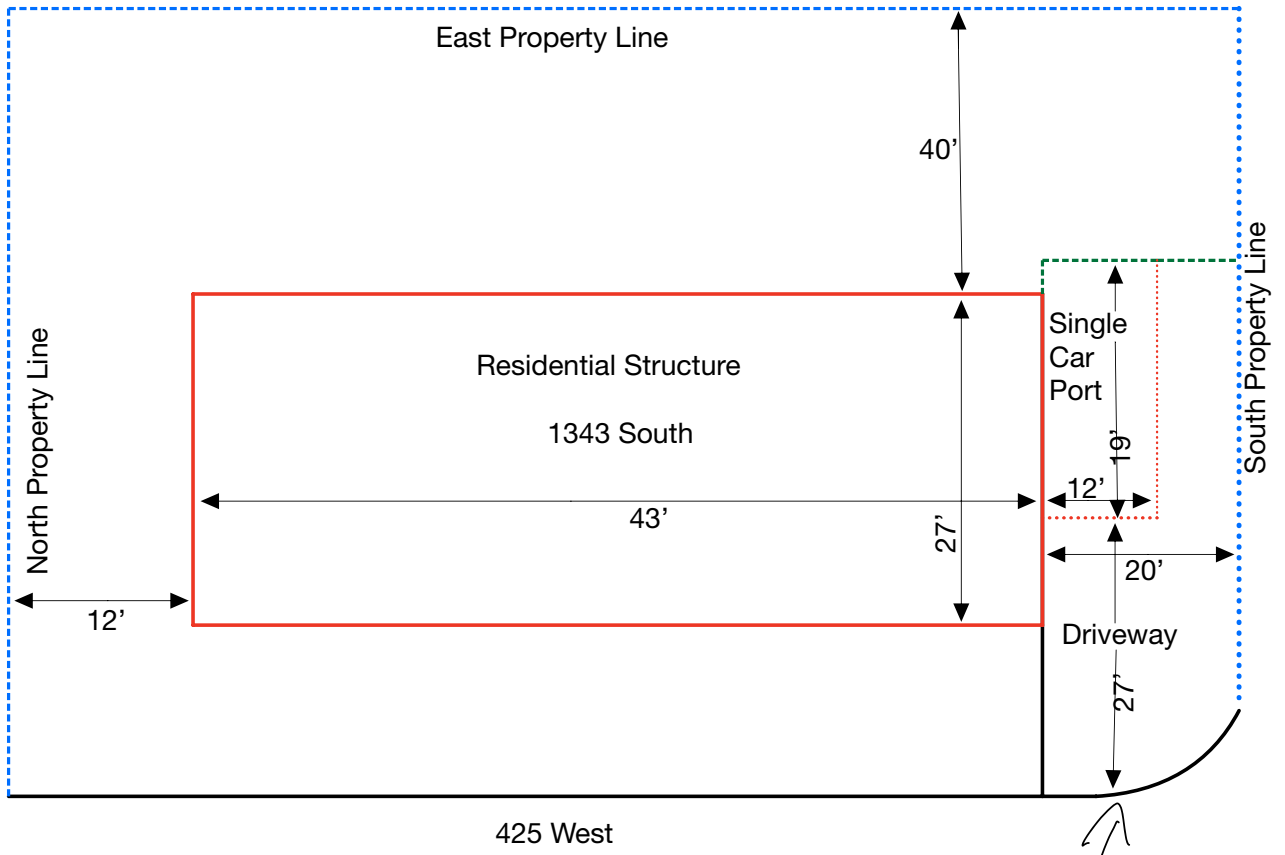
Recommendation

Staff recommends that the Administrative Committee approve the Conditional Use Permit for the contractor/construction home occupation at 1343 South 425 West based on the following conditions of approval:

1. The applicant shall maintain an active Bountiful City business license.
2. The home occupation use shall be subject to all Home Occupation Requirements outlined in Bountiful City Land Use Code § 14-17-105 (listed in the analysis section of this staff report).
3. The use, a contractor and construction home occupation, shall be limited to apparatus, equipment and/or tools commonly associated with a residential use. Any apparatus, equipment, or tools of a commercial nature are expressly prohibited.
4. If the use, a contractor, and construction home occupation, is found out of compliance with applicable codes, the City may revoke the approved Conditional Use Permit and issued business license.
5. The Conditional Use Permit is solely for this site and is non-transferable.

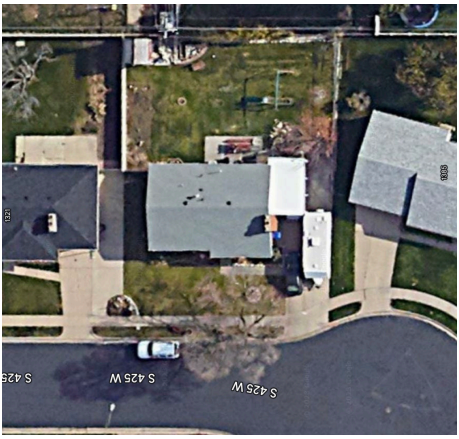
Attachments

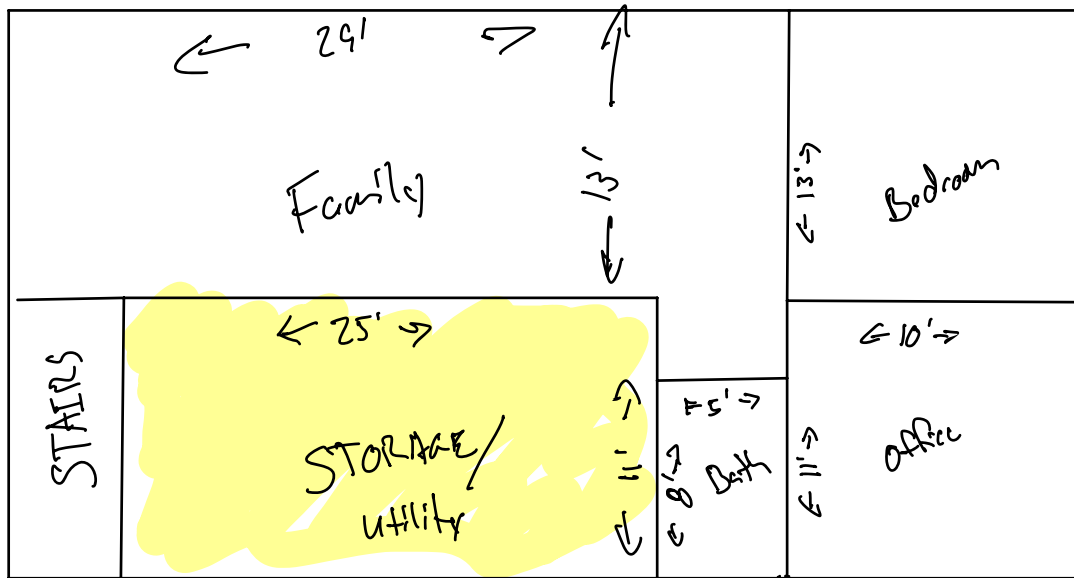
1. Site Plan
2. Floor Plan
3. Statement of Intent



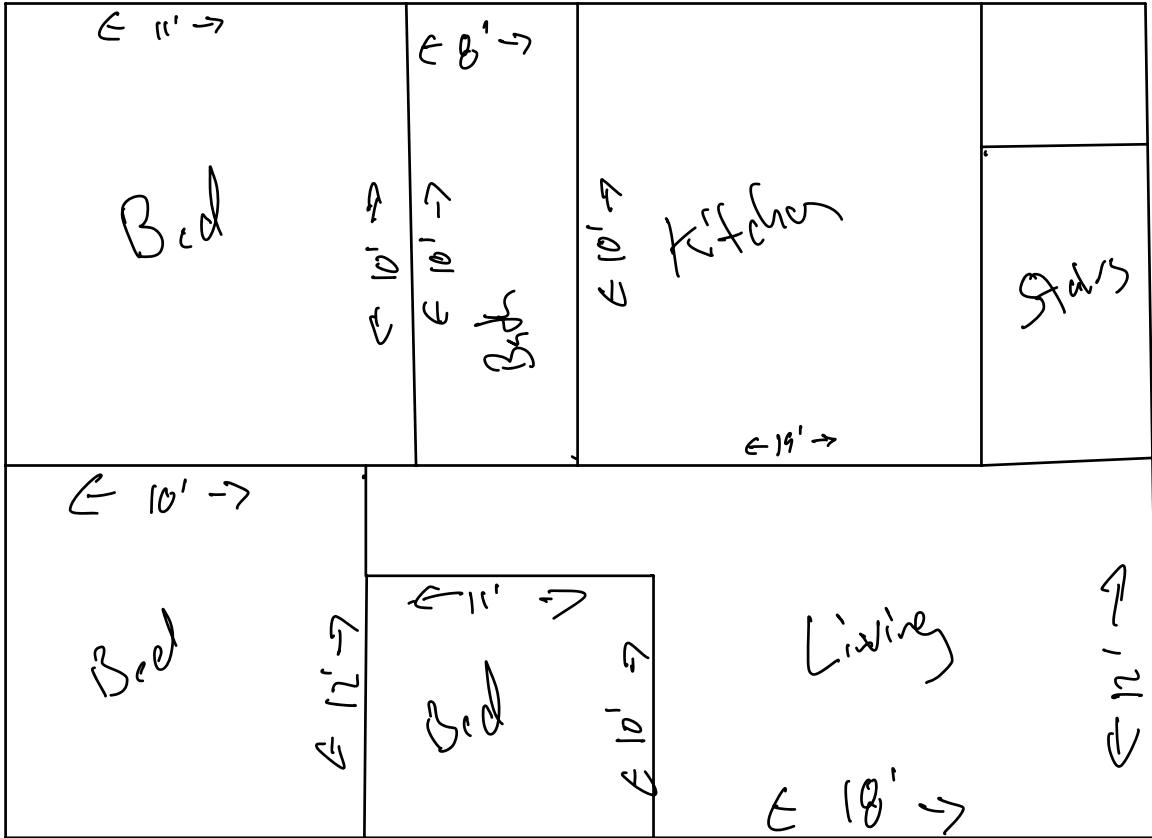
Vehicle Parking on driveway

← North





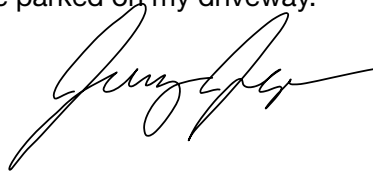
Basement



Main

Statement of Intent

I, Jeremy Jeppson, am the property owner of 1343 S 425 W, which I use as my only and primary residence. I am also the owner of Bear Contracting and Construction, L. L. C., a general building contractor. I use only one room in my home for Business storage purposes. I do not do manufacturing inside the walls of my home. Any fabricating at this location is primarily for personal use. Rarely, I might fabricate something small under the car port. The majority of my work occurs off site. The only vehicles used for this Business is my personal Ford SUV and a small flatbed trailer (under 750 pounds) which are parked on my driveway.

 3/9/2023