

**West Bountiful City  
Planning Commission**

**April 26, 2011**

**Posting of Agenda-** The agenda for this meeting was posted on the State of Utah and City of West Bountiful Web-Site and sent to the Clipper Publishing Company on April 22, 2011 per state statutory requirement.

**Minutes of the Planning and Zoning Commission of West Bountiful City held on Tuesday, April 26, 2011, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman James Ahlstrom; Denis Hopkinson, , Terry Turner, Tori Boggess; Commissioners, and Alan Malan (Alternate) Commissioner.

**STAFF PRESENT:** Craig Howe; City Administrator Ben White; City Engineer, Heidi Voordeckers (City Recorder).

**MEMBERS/STAFF EXCUSED:** Steve Schmidt, Debbie McKean (Secretary)

**VISITORS:** Dianne and Chad Smith, Jeremy Brown, Valerie Shaw, Cheryl, (neighbor of Smith family).

The Planning and Zoning Meeting was called to order at 7:00 p.m. by Chairman James Ahlstrom. Bev Haslam offered a prayer.

**Accept Agenda**

Chairman James Ahlstrom reviewed the agenda as posted. Denis Hopkinson moved to accept the agenda as presented. Tori Boggess seconded the motion. Voting was unanimous in favor.

**Business Discussed:**

**Consideration of the Smith home addition- Non Conforming Use**

Ben White addressed the commission noted that their packets the contained a building permit 619 W 1950 North has had an addition added to it. A non-conforming use applies to this dwelling. The proposed addition will hardly be noticed from the street view and roof lines won't changed. The assumption is that the present addition was approved but there is no record of them.

Jeremy Brown (son-in-law) addressed the commission. He stated that he will be the general contractor for the addition which will add a full bathroom off of the main level bedroom that is present. Total square footage of the addition will be 63 square feet. The present addition to the home which is a master bedroom was made prior to the Smith's purchase and it is believed that the addition was done by the prior owner who was a contractor. They desire to square off the home by adding the proposed main full bath.

The addition of the full bath on the main floor will be a life style advantage and enhancement and will help with a mother-in-law who stays with them on occasion. Presently there is only a half bath on the main floor Neighbors are aware of the addition and are not opposed to the structure addition.

**Findings:** Non Conforming Structure is compliant with Section 17.56.030

Proposed change is not proposing an unreasonable burden on the surrounding area. Life style could be enhanced and family members could be taken care of.

Denis Hopkinson pointed out that the fence line is an average of 10 feet. He feels that 17.56.030 would grant a reason to be able to grant this none conforming use.

**ACTION TAKEN:**

Torri Boggess moved to approve the application for the Smith building permit for an addition on their home based on the following findings in provisions of Chapter 17.24.010 which finds that preserving and enhancing residential character and life style with a full bath on the main level and there is no reasonable burden to the lands and immediate neighbors meeting code 17.56.030 under B 1 and B 2. Denis Hopkinson seconded the motion. After a brief discussion Alan Malan suggested that added provisions under 17.56.020 which promotes health, safety, moral convenience. Amendment to the action was accepted. Voting was unanimous in favor.

**Review of the Code Modification of Title 15**

Ben White addressed the commission regarding code modifications to Title 15. He stated that he feels the commission should review this code as it has some reference to subdivision along with the land use issue. Principal amendments to this code is to bring code name and references with language and definitions up to date. It is now the International Building Code. He noted that staff is starting to put things where they belong in the codes.

In regards to Chapter 15.80.020 I. regarding fences with building permits the change was made to include language "the City may require" instead of the current language which states the "City Council and Planning Commission" would give approval through a process. Staff feels it is necessary to have some flexibility when making decisions for individual situations. In addition, it was suggested that allowances be made to have fences higher than 6 feet if so suited for an individual situation. It was suggested by Chairman Ahlstrom that the requirement for fences should be adjusted for varying zones and land uses when applicable regarding height, type, etc. of fence. The process would be to have the Planning Commission address this issue of fence modification.

Mr. White is granting permission to change language in Chapter 16 and 17 and setting a public hearing. It will be reviewed at the next planning commission meeting with public hearings set in May and June to address two sections at each meeting.

Denis would like to address the process for the Board of Appeals in regards to Chapter 16 and 17. He was concern about the "for hire" issue in regards to the Board of Appeals. Ben White will review this issue and bring it to the commission for discussion and review. Some discussion took place regarding interpreting of the current language. To comply with state regulations three individuals must be part of the appeal board which would include a professional engineer, architect, and contractor. Some discussion took place regarding the terms the Board would serve, when Board of Appeals be put in place, if City Council could be the Board of Appeals, who would be on the Board. It was determined that the Board would be put in place on a case by case basis.

Alan Malan thought that language had been changed concerning setbacks in regards to hedges and fences, but Mr. White noted that it reads the same. It was noted that some of the language has been lost regarding hedges. Bev Haslam noted that it has been placed in the supplementary area. Mr. White noted that this is one of the changes that they will be seeing throughout the code. Language will appear in different sections and not as a supplement. Mr. White will check into the issue.

**ACTION TAKEN**

**Set a Public Hearing to consider proposed changes to Chapter of the Building Code**

**Terry Turn moved to schedule a public hearing for code modification for Chapter June 14<sup>th</sup> 2011. Tori Boggess seconded the motion and voting was unanimous in favor.**

**Staff Report**

- Ben reported that the next commission will have a discussion on Title 12 of regarding street trees regarding the care and maintenance of trees on public property.
- Ben reported that there will be a New owner/developer will be taking over the Gateway Property/Shopko in the near future.
- Craig reported on CDA/RDA agreements in regards to participation and meetings with individuals regarding CDA's.
- Craig reported that staff has been meeting with Steve Doxey to review the Board of Appeals language that needs to be adopted by the City.
- Craig reported that the City has been working on a city email system. He invited the Planning Commission to use that system. He offered to help set up the system with anyone that is interested in using it. He has created user codes but would need them to assign a password. This has been done to protect individuals legally. Mixing personal and city emails is discouraged.
- Holly purchased the Williamson property. This could be a good location for City Shops.
- Public Works has been reorganized and they now report to Ben White.
- We now have Solar panels on our roof which were obtained through a grant.
- Denis Hopkinson reported that he gave the Mayor of South Salt Lake Craig's phone # to discuss business concerning our CDA's.
- Syro Steel has invited the City Council to meet with new CEO they have on board.

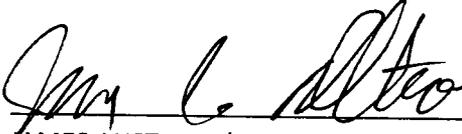
**Approval of Minutes dated April 12, 2011**

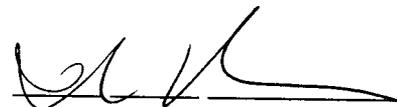
**ACTION TAKEN:**

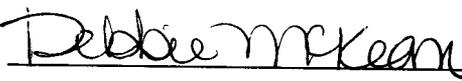
Tori Boggess moved to approve the minutes dated April 12, 2011 as presented. Alan Malan seconded the motion and voting was unanimous in favor among those members present.

**Adjournment**

Denis Hopkinson moved to adjourn the regular session of the Planning Commission meeting. Terry Turner seconded the motion and voting was unanimous in favor. The meeting adjourned at 8:30 p.m.

  
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 JAMES AHSTROM/CHAIRMAN

  
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 HEIDI VOORDECKERS/CITY RECORDER

  
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 DEBBIE MCKEAN/SECRETARY

