

**West Bountiful City
Planning Commission**

September 24, 2013

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website, and sent to Clipper Publishing Company on September 20, 2013 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 24, 2013, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Vice Chair Terry Turner, Alan Malan, Mike Cottle, and Laura Charchenko.

MEMBERS/STAFF EXCUSED: Chairman Denis Hopkinson, Cathy Brightwell (Deputy Recorder).

STAFF PRESENT: Ben White (City Engineer), Heidi Voordeckers (Finance Director/Recorder) and Debbie McKean (Secretary).

VISITORS: none

The Planning Commission Meeting was called to order at 7:30 p.m. by Vice Chairman Terry Turner. Ben White offered a thought.

I. Accept Agenda

Vice-Chairman Turner reviewed the agenda. Laura Charchenko moved to accept the agenda as presented. Alan Malan seconded the motion. Voting was unanimous in favor among members present.

Business Discussed:

II. Consider changes to Sections 17.24.050, 17.20.050, and 17.16.050, Yard Regulations, specifically regarding setbacks for decks.

Commissioner's packets included a memorandum from Ben White/Cathy Brightwell, dated September 13, 2013, regarding Setbacks-Particularly for Decks with an attached copy of

proposed changes from the discussion at the August 27th Planning Commission meeting. The attachment contained an A & B draft.

Ben White referred to drafts A & B included in the commissioner's packet with highlighted changes. He pointed out the differences that were subtle. He explained that last week in Council meeting some of the council did not want to see a conditional use option put in place when criteria was also listed.

Planning Commission needs to make a recommendation to City Council to move the process forward.

Discussion Items Included:

- **Alan Malan**- Traditionally not a fan of the conditional use process and feels it is too much of a burden on the citizens. He would add to Draft "B" - "rear" to setback in 4. and 4c. Alan would like to send both recommendations to city council one with the conditional use and one without.
- **Laura Charchenko** - Favors Draft B. She likes the conditional use because it allows residents to come and ask permission if they want something different than what is in the guidelines. It would allow specific circumstances to be reviewed to see if it fits within the feel of the city. Mr. Malan pointed out that we cannot be arbitrary and capricious in making decisions. She pointed out that it takes the burden off of the staff.
- **Mike Cottle**- Prefers Draft A. The criteria list is in place and feels we need to simplify things. Not favorable toward the Conditional Use. He wants to give people their rights to do what they want on their own property as long as it doesn't affect neighbors and others around them.
- **Terry Turner**- Like people to do as they wish with their personal property. He feels that a Conditional Use could serve as a safety net. Criteria list may not cover everything but is mostly conclusive.

Some discussion took place regarding which Draft to use and what changes to make to forward to City Council for their consideration and approval.

It was decided to use Draft B with the following changes:

3 c. A deck may (add) "*only*" encroach into a rear setback (strike) "*only*" and with a conditional use permit and meet the following (strike) "*conditions*" and (add) "*criteria*".

- i. The (add) "*entire deck*" is at least twenty (20) feet from the rear property line.
- ii. It does not encroach more than 200 square feet into the setback;
- iii. It is no higher than the highest finished floor of the structure;
- iv. The portion that extends into the (add "rear") setback cannot be covered;
- v. The railing may be no more than ten percent (10%) solid; and
- vi. Other conditions required by the Planning Commission.

As corrected reads:

A deck may only encroach into a rear setback, and with a conditional use permit, must meet the following criteria.

- i. The entire deck is at least twenty (20) feet from the rear property line;
- ii. It does not encroach more than 200 square feet into the setback;
- iii. It is no higher than the highest finished floor of the structure;
- iv. The portion that extends into the rear setback cannot be covered;
- v. The railing may be no more than ten percent (10%) solid; and
- vi. Other conditions required by the Planning Commission.

The second draft without the Conditional Use option would read as follows:

A deck may only encroach into a rear setback and must meet the following criteria.

- i. The entire deck is at least twenty (20) feet from the rear property line;
- ii. It does not encroach more than 200 square feet into the setback;
- iii. It is no higher than the highest finished floor of the structure;
- iv. The portion that extends into the rear setback cannot be covered;
- v. The railing may be no more than ten percent (10%) solid.

ACTION TAKEN:

Laura Charchenko moved to make the suggested changes to Draft B as presented and forward Draft B and a second draft option to illuminate the Conditional Use option in C and delete Item vi. Mike Cottle seconded the motion and a roll call vote was taken.

Roll Call Vote:

Mike Cottle- Aye

Laura Charchenko- Aye

Terry Turner- Aye

Alan Malan- Nay

III. Staff Report

- Mortgage Burning Event at the Golf Course this Saturday.
- Next Meeting on the agenda you will possibly see a furniture finishing business on Porter Lane. Application has not been submitted.

IV. Approval of Minutes of dated August 27, 2013

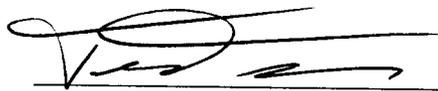
ACTION TAKEN:

Alan Malan moved to approve of the minutes dated August 27, 2013 as corrected. Laura Charchenko seconded the motion and voting was unanimous in favor among those members present.

V. Adjournment

ACTION TAKEN:

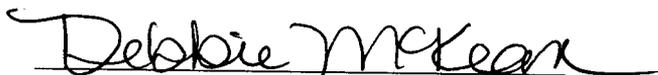
Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Mike Cottle seconded the motion. Voting was unanimous in favor. The meeting adjourned at 8: 17 p.m.



TERRY TURNER- VICE CHAIRMAN



HEIDI VOORDECKERS/CITY RECORDER



DEBBIE MCKEAN /SECRETARY

