

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Debbie McKean
Mark Preece

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

PLANNING COMMISSION MEETING

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS
REGULARLY SCHEDULED MEETING ON TUESDAY, **APRIL 28, 2015**
AT 7:30 PM AT THE CITY OFFICES AT 550 NORTH 800 WEST

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Consider Conditional Use Application from Sheena McFarland to build an 8 foot tall fence between her home at 860 N 800 West and a LDS Chapel driveway.
3. Consider Conditional Use Application from Mason Green to build a garage at 1481 N 1050 West more than one story and taller than 20 feet in the R-1-22 zone.
4. Staff Report.
5. Consider Approval of March 24, 2015 Meeting Minutes.
6. Adjournment

Individuals needing special accommodations including auxiliary communicative aids and services during the meeting should notify Cathy Brightwell at 801-292-4486 twenty-four (24) hours before the meeting.

*This notice has been sent to the Clipper Publishing Company, and was posted on the State Public Notice website and the City's website on **April 24, 2015**.*



MEMORANDUM

TO: Planning Commission
DATE: April 24, 2015, 2015
FROM: Ben White
RE: Permission to construct a fence taller than 6' at 860 N 800 West

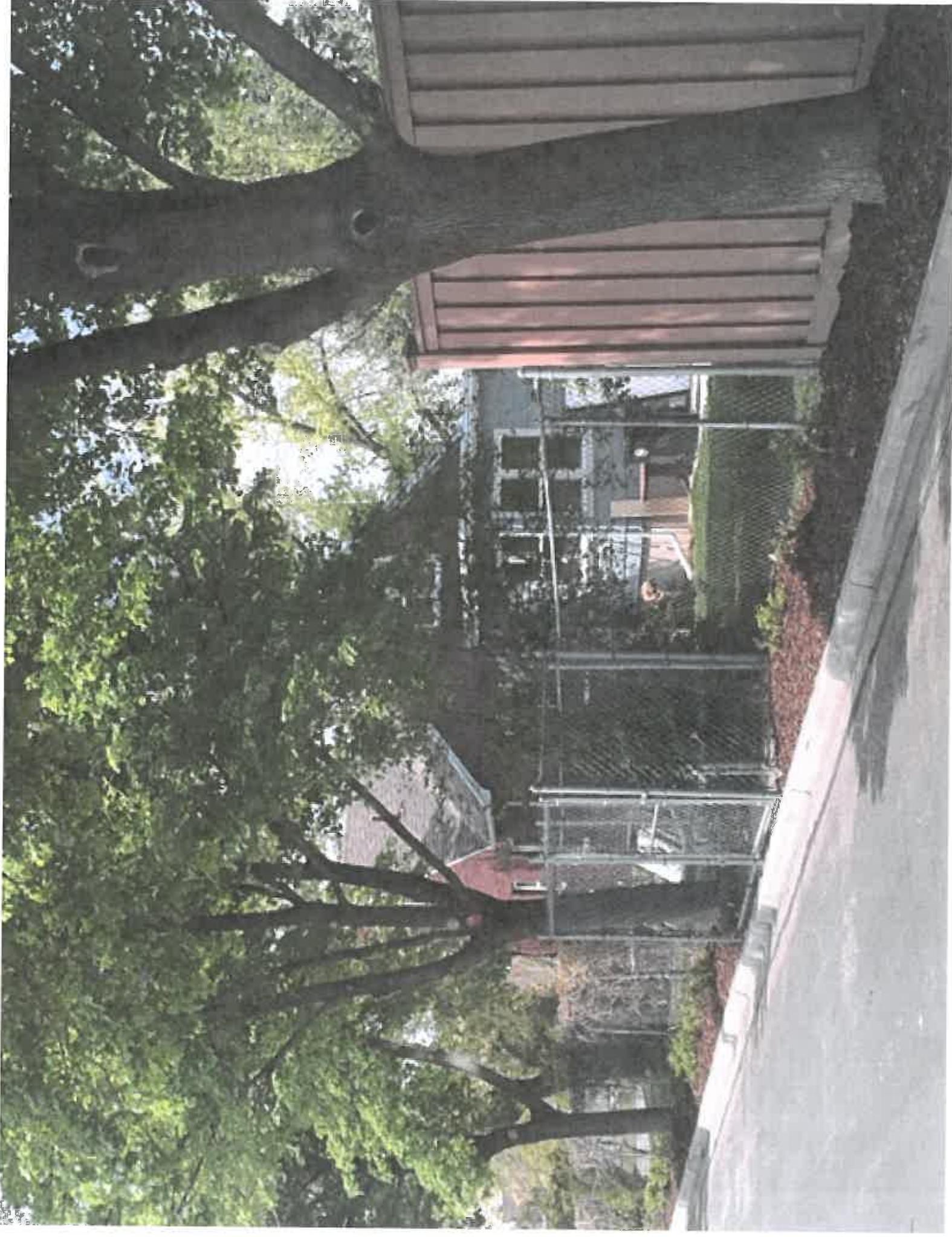
Municipal Code Section 17.16.100 includes the following language regarding fences taller than six feet, *“Notwithstanding the foregoing, the planning commission may approve the erection of a fence to a height greater than six feet within any required rear yard or interior side yard upon a showing that the increased height is reasonably necessary to protect the property from an adjacent incompatible land use.”*

Ms. McFarland has recently purchased the home just north of the LDS chapel on 800 West. The property owner immediately east in the Pages Circle cul-de-sac has constructed an 8' fence between their property and the church parking lot. Ms. McFarland's request is for a privacy fence taller than 6' from her rear property line west to the front setback line from 800 West Street. Any proposed fencing in the front setback must comply with our standard fencing ordinance.

The question before the Planning Commission tonight is if the increased fence height is “reasonably necessary to protect the property from an adjacent incompatible land use”? To assist with the determination staff offers the following comments to begin the discussion.

- Staff does not have a record of the property owner to the east requesting permission from the Planning Commission for a fence taller than 6'. So findings from their application are obviously not available.
- Is a fence taller than 6' appropriate for the property east of Ms. McFarland's property? If so, is Ms. McFarland's property different?







CONDITIONAL USE PERMIT APPLICATION

West Bountiful City

PLANNING AND ZONING

550 N 800 W, West Bountiful, UT 84087

Phone: (801) 292-4486 Fax: (801) 292-6355

www.westbountiful.utah.gov

PROPERTY ADDRESS: 860 North 800 West

PARCEL NUMBER: _____ ZONE: _____ DATE OF APPLICATION: 4.21.15

Name of Business: _____

Applicant Name: Sheena McFarland

Applicant Address: 860 North 800 West West Bountiful, UT 84087

Primary phone: (801) 510-5567 Fax Number: _____

E-mail address: mcfarland.sheena@gmail.com

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal. A separate sheet with additional information may be submitted if necessary.

I would like to install an 8-foot-tall vinyl fence
along the south side of my property from the
eastern property line to the front of my home. The
south end of my property borders a church parking lot. My
eastern neighbor has installed an 8' fence to block the parking lot as well.

The Applicant(s) hereby acknowledges that they have read and are familiar with the applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

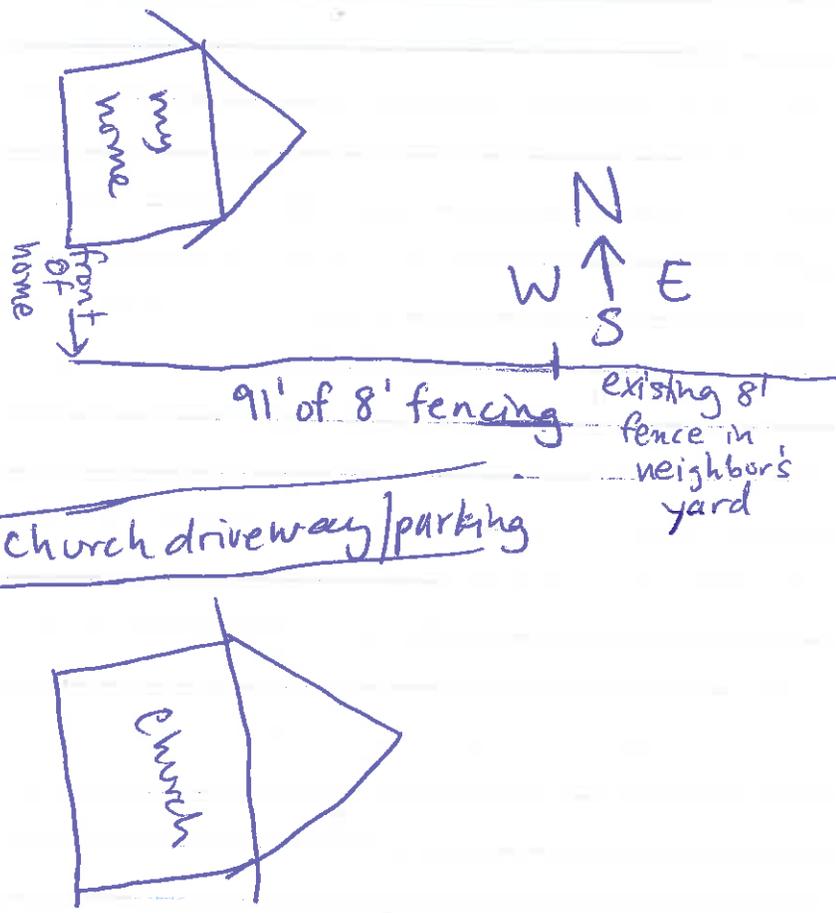
I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge.

Date: 4.21.15 Applicant Signature: Sheena C. McFarland

FOR OFFICIAL USE ONLY

Application Received Date: 4-21-15
Application Fee Received Date: 4.21.15
Fee: \$20 Residential \$50 Commercial

Permit Number: 15-006
Permit Approval Date: _____





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CONDITIONAL USE PERMIT APPLICATION

West Bountiful City
PLANNING AND ZONING
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486 Fax: (801) 292-6355
www.westbountiful.utah.gov

PROPERTY ADDRESS: 1481 N. 1050 W WEST BOUNTIFUL UT 84087

PARCEL NUMBER: _____ ZONE: _____ DATE OF APPLICATION: 4/16/15

Name of Business: _____

Applicant Name: Mason Garben

Applicant Address: 1481 N. 1050 W. West Bountiful UT 84087

Primary phone: 801 643-8292 Fax Number: _____

E-mail address: Mason@gvernconstruction.biz

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal. A separate sheet with additional information may be submitted if necessary.

I am submitting this for a 2 CAR GARAGE SPACE. IT INCLUDES A BONUS ROOM ABOVE THE GARAGE. THIS WILL BE USED FOR PERSONAL STORAGE SPACE.

The Applicant(s) hereby acknowledges that they have read and are familiar with the applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

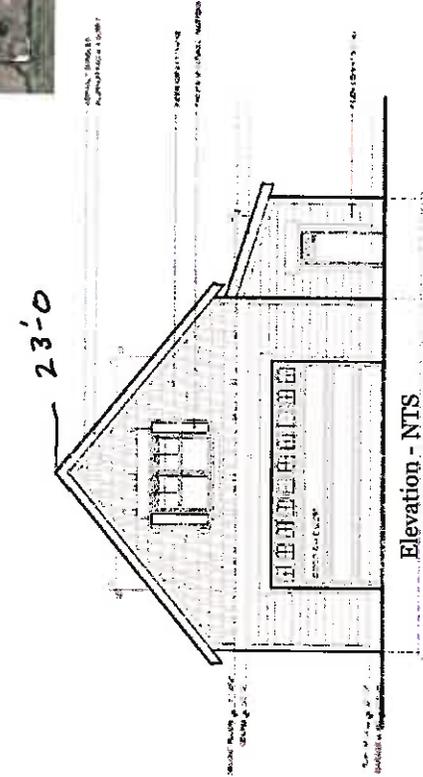
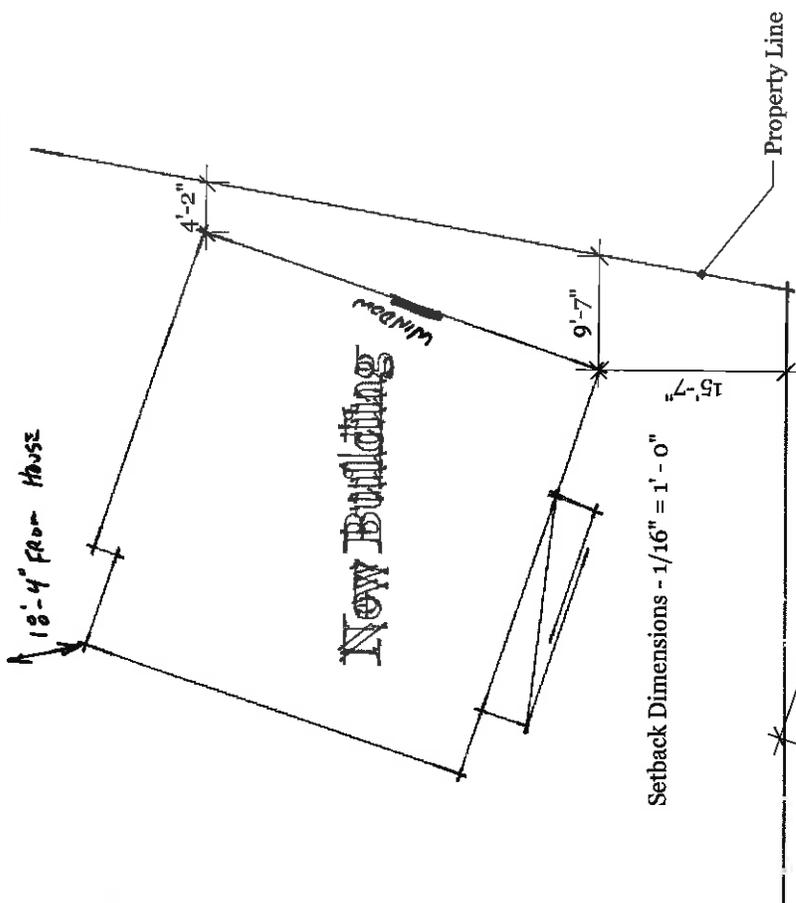
I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge.

Date: 4/16/15

Applicant Signature: [Signature]

Application Received Date: 4-21-15
Application Fee Received Date: 4-21-15
Fee: \$20 Residential \$50 Commercial

FOR OFFICIAL USE ONLY
Permit Number: 15-007
Permit Approval Date: _____



REVISIONS	
MM/DD/YY	REMARKS
1	
2	
3	
4	
5	

Green Accessory Building

Green Garage

1 **West Bountiful City** **PENDING** **March 24, 2015**
2 **Planning Commission**

3 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
4 website and the West Bountiful City website, and sent to Clipper Publishing Company on March
5 23, 2015 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **March 24, 2015, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

11 **MEMBERS PRESENT:** Vice Chairman Terry Turner, Alan
12 Malan, Laura Charchenko, Mike Cottle and Corey Sweat
13 (Alternate). Councilmember Kelly Enquist

14

15 **MEMBERS EXCUSED:** Chairman Denis Hopkinson

16

17 **STAFF PRESENT:** Ben White (City Engineer), Cathy
18 Brightwell (City Recorder), and Debbie McKean (Secretary)

19

20 **VISITORS:** Wendell Wild

21 The Planning Commission Meeting was called to order at 7:30 p.m. by Vice Chairman Turner.
22 Mike Cottle gave a prayer.

23 **I. Accept Agenda.**

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

27 **Business Discussed:**

28 **II. Consider Conditional Use Application for Flag Lots in Stringham Farm Subdivision**

29 This item was tabled from the previously scheduled Planning Commission meeting in order to
30 gather more information, study out the pros/cons regarding flag lots and the impact they may
31 have in this area, and to possibly meet with the City Council for a work session. The City
32 Council declined having a work meeting with the Planning Commission as was suggested at the
33 last meeting.

34 Included in the Commissioner packets was a memorandum dated March 19, 2015 from Ben
35 White regarding Flag Conditional Use Permit for Stringham Subdivision, a letter dated March
36 19, 2015 from Wendell and Mary Wild with a plot plan.

37 The memorandum from Ben White stated that the Planning Commission tabled this item to have
38 time to deliberate the reasonably anticipated detrimental effects of the proposed flag lots in this
39 development.

40 Staff provided a list of potential detrimental effects of the flag lots as previously discussed and
41 drafted a list of mitigating factors that may help with the negative effects of flag lots.

42 Vice Chairman Turner opened the floor to discussion. Commissioners reviewed each of the
43 following items and their conclusion to fixing the detrimental effects after discussion were as
44 follows:

45 **Detrimental Effect 1:** Difficult for persons/emergency responders to locate the house when it is
46 not visible from or located on a public street.

47 **Solution:** Display contrasting colored material and illuminated address numbers on durable
48 material in a prominent permanent location next to the staff driveway to help emergency
49 responders locate the property.

50 **Detrimental Effect 2:** Flag lot staffs are located in a 90 degree street corner. The driveways
51 will be approximately the same width as the road and resemble a street extension creating a
52 safety issue for vehicle drivers on 750 West and persons on the private property.

53 **Solution:** Driveway must be made from a material other than black asphalt so it can be
54 distinguished from the public street, preferably a light colored concrete.

55 **Detrimental Effect 3:** Flag lots require a dedicated fire access road.

56 **Solution:** Access to the flag lots for emergency vehicles and equipment must be maintained,
57 subject to applicable fire code regulations, including a minimum of a twenty foot wide fire
58 access. Other fire department requirements may be required as a condition of a building permit
59 approval.

60 *Planning Commission decided to delete detrimental effect #3 and blend it with detrimental effect*
61 *#4 in order to resolve the suggested negative issue requiring a dedicated fire access road.*

62 **Detrimental Effect 4:** Flag lots do not have parking along the property frontage. Visitor may
63 be reluctant to park on private property where parking is not visible from the public street.

64 **Solution:** The staff driveway to the flag lot must be a maintained as a dedicated access for
65 emergency vehicles/equipment, and pavement will be at least twenty-six (26) wide for parking
66 and/or other conditions imposed by the Fire Department.

67 **Detrimental Effect 5:** Flag lots share common driveway so the entire fire lane would be
68 required with the construction of the first house which places the entire financial burden for the
69 access on to one property owner.

70 **Solution:** A full width of the driveway/staff must be constructed at the same time as the street
71 and other public improvements for the entire length of the flag lot staff.

72 **Detrimental Effect 6:** Storm drain design for the subdivision has a proposed public storm drain
73 pipe to be laid directly under the flag lot driveway/staff with a storm drain clean out box located
74 at the opposite (north) end of the flag lot. This requires the public works department to access
75 the storm drain box across private property with heavy equipment.

76 **Solution:** An 8 inch thick concrete driveway over 8 inch thick compacted base course is
77 required to prevent public work vehicles from damaging the private driveway. The access must
78 be extended to within five feet of the storm drain box. Or a pavement design done by a geo
79 technical engineer design the load and follow their recommendations.

80 **Detrimental Effect 7:** The flag lots will make it difficult for storm water to drain away from the
81 properties.

82 **Solution:** A single catch basin located in the northwest corner of Lot 3 must be installed. A
83 detailed grading and drainage design for each flag lot will be required as part of the building
84 permit application. Upon review by city staff, additional drainage measures may be required.

85 **Detrimental Effect 8:** Flag lots have a greater impact on neighboring property's privacy than
86 lots fronting on public streets.

87 **Solution:** The front and rear yard orientations are to be identified on the plat to reflect the
88 orientation of the majority of the neighboring properties. The front and rear yards on the flag
89 lots will be along the east and west property lines.

90 **Detrimental Effect 9:** Flag lot driveways can create a negative impact on neighboring
91 properties including noise, light, privacy and safety.

92 **Solution:** A non-transparent fence must be maintained along the outside edges of the flag staff
93 access driveway. The fence must be six feet in height, except that the first thirty (30) linear feet
94 from the subdivision roadway must comply with the front yard fencing requirements for the R-1-
95 10 zone. Lighting will be provided and maintained along the fences. Fences must be installed
96 with the installation of public improvements.

97 *Following discussion, the consensus was to eliminate the requirements (1) to include lighting*
98 *along the fence, and (2) to install fencing the first thirty (30) feet from the roadway.*

99 **Detrimental Effect 10:** When two flag lots are proposed with adjacent flag staff, it leads to
100 neighbor disputes. As stated earlier, lighting will not be required.

101 **Solution:** Shared access of the staff driveway is permitted but both flag lots will be subject to
 102 a recorded cross-access and maintenance agreement in a form acceptable to the City.

103 **Detrimental Effect 11:** Water meters are not to be located in paved areas, there must be
 104 sufficient room along the flag lot frontage for water and other utility services.

105 **Solution:** Each flag lot staff must contain a minimum of five (5) feet of landscaping area to
 106 accommodate utility services, space for garbage cans in the street and flared drive approaches.

107
 108 **ACTION TAKEN:**

109 **Corey Sweat moved to approve the Conditional Use Application for Flag Lots in Stringham**
 110 **Farm Subdivision with the following conditions:**

- 111 1. *Display contrasting and illuminated address numbers mounted on a durable material in a*
 112 *prominent and permanent location next to the staff driveway to help emergency*
 113 *responders locate the property.*
- 114 2. *Staff driveway must be made from a material other than black asphalt so it can be*
 115 *distinguished from the public street, preferably a light colored concrete.*
- 116 3. *Flag lots require a dedicated fire access road. The staff driveway will be at least twenty-*
 117 *six (26) feet wide to allow for parking along the staff driveway.*
- 118 4. *A full width of the driveway/staff must be constructed at the same time as the street and*
 119 *other public improvements for the entire length of the flag lot staff.*
- 120 5. *An eight (8) inch thick concrete driveway over eight (8) inch thick compacted base course*
 121 *is required to prevent public works vehicles and emergency responders from damaging*
 122 *the private staff driveway. This access must be extended to within five (5) feet of the*
 123 *storm drain box located on Lot 9. In lieu of the 8" thick concrete, a pavement design*
 124 *prepared by a licensed geotechnical engineer and approved by city would be acceptable.*
- 125 6. *A single catch basin located in the northwest corner of Lot 3 must be installed. A detailed*
 126 *grading and drainage design for each flag lot will be required as part of the building*
 127 *permit application. Upon review by city staff, additional drainage measures may be*
 128 *required.*
- 129 7. *The front and rear yard orientations are to be identified on the plat to reflect the*
 130 *orientation of the majority of the neighboring properties. The front and rear yards on the*
 131 *flag lots will be along the east and west property lines.*
- 132 8. *A non-transparent fence must be maintained along the outside edges of the flag staff*
 133 *driveway beyond thirty feet from the public street. The fence must be six feet in height,*
 134 *except fencing within the first thirty (30) linear feet from the subdivision roadway must*
 135 *comply with the front yard fencing requirements for the R-1-10 zone.*
- 136 9. *Shared access of the staff driveway is permitted for lots four (4) and five (5) but both flag*
 137 *lots will be subject to a recorded cross-access and maintenance agreement in a form*
 138 *acceptable to the City.*
- 139 10. *Each flag lot staff must contain a minimum of five (5) feet of landscaped area to*
 140 *accommodate utility services, space for garbage containers and flared drive approaches*

141

142 *Subject to the foregoing conditions, the proposed flag lots will not be detrimental to the health,*
 143 *safety, or general welfare of persons residing or working in the vicinity, or injurious to property*
 144 *or improvements in the vicinity and the foregoing conditions will mitigate the reasonably*
 145 *anticipated detrimental effects of the flag lots and accomplish the purposes of the City's land use*
 146 *ordinance.*

147 **Laura Charchenko seconded the motion and voting was by Roll Call and the motion**
 148 **passes by a 4 to 1 vote.**

149 **Corey Sweat – Aye**

150 **Laura Charchenko- Aye**

151 **Alan Malan- Nay**

152 **Terry Turner – Aye**

153 **Mike Cottle- Aye**

154

155 **III. Consider Final Plat Approval for Stringham Subdivision**

156 Commissioner's packet included a memorandum dated March 30, 2015 (date error) from Ben
 157 White regarding Stringham Farm Subdivision Final Plat. The memorandum described the
 158 subdivision located in the R-1-10 zone and listed 8 conditions that should be included in the
 159 motion should the Planning Commission decides to grant final plat approval. In addition, it was
 160 staff's request that each of the conditions be included in the plat records.

161 Ben White reviewed each of the items listed in his memorandum with the Commissioners. Some
 162 discussion took place on each item.

163 Wendell Wild had concern with the mid-block walkway. If required, he was in favor of the 5-6
 164 foot wide path and felt the 10 foot path would encourage ATV use. He was concerned with who
 165 would be responsible to maintain the pathway as well as who would be responsible to construct
 166 it. He was also concerned with the liability and who it would fall upon, and the extra expense it
 167 would create for him. He felt like the traffic it would create along the homeowners properties
 168 may be a deterrent to those considering purchasing the property.

169 Some discussion took place regarding Mr. Wild's concerns.

170

171 **ACTION TAKEN:**

172 **Laura Charchenko moved to approve the Final Plat Approval for Stringham Farm**
 173 **Subdivision with the following conditions:**

174 *The seven traditional lots conform to the zoning lot area and width requirements. The two flag*
 175 *lots are addressed by conditional use and the Conditional Use Permit must be approved prior to*
 176 *subdivision approval and all conditions which would affect future property owners be noted on*
 177 *the plat.*

178 *Easements must be identified on the plat. Storm drain from the street must drain through the flag*
 179 *lots, along the west boundary of lot 9 discharging into the existing ditch along 1000 North Street*
 180 *and that trees be restricted from being planted in the easement and existing trees be removed*

181 *and that this be recorded as a tree free zone on the plat. Access to the storm drain manhole on*
 182 *the north side of Lot 5 and 9 lot line must be maintained.*

183 *That the buildable areas on at least lots 4, 5, and 6 be shown and identify the permissible house*
 184 *orientations.*

185 *A 6 foot mid-block walkway be placed on the easement of Lot 6 and 7 if access is granted by the*
 186 *Corporation of the President in which the cost of such would be upon the developer within a*
 187 *year. After one year the cost would be the city's burden to bear.*

188 *The suggested changes by the city engineer to the construction drawings, material specifications,*
 189 *depths and slopes of pipes be resolved.*

190 *Final design approval be obtained by Weber Basin.*

191 *Additional fees owed be paid and bond and development agreements be executed prior to plat*
 192 *recordation.*

193 *Street light must be constructed on the street corner of lot two (2).*

194

195 **Alan Malan seconded the motion and after some discussion regarding the pathway, a**
 196 **friendly amendment was made by Corey Sweat to allow a one year limitation for the City to**
 197 **vacate the public easement if a decision is not made by regarding the pathway. Alan Malan**
 198 **accepted the friendly amendment and a roll call vote was taken passing unanimously.**

199 **Corey Sweat – Aye**

200 **Laura Charchenko- Aye**

201 **Alan Malan- Aye**

202 **Terry Turner – Aye**

203 **Mike Cottle- Aye**

204

205 **IV. Staff Report**

206 **• Denis Hopkinson texted Cathy in regards to not attending tonight's meeting via phone as**
 207 **he was not in cell range.**

208 **• Next meeting may be cancelled if there is no public business in order to hold a City**
 209 **Council budget work session.**

210 **• 400 North construction will begin towards the end of April and will be longer than the**
 211 **original 90 days; the bridge will be built on site. There is a plan to build some turn lanes**
 212 **on 4th North and 5th West during the 400 North closure.**

213 **• Ben White shared that the Shopko area is under contract. Their parking is not within our**
 214 **current code for a business their size and that has held things up a bit. He stated that we**
 215 **may need to review our parking code because it is quite outdated.**

216

217

218 **V. Approval of Minutes for March 10, 2015**

219

220 **ACTION TAKEN:**

221 **Corey Sweat moved to approve of the minutes dated March 10, 2015 with changes. Alan**
222 **Malan seconded the motion and voting was unanimous in favor among those members**
223 **present.**

224

225 **VI. Adjournment**

226

227 **ACTION TAKEN:**

228 **Laura Charchenko moved to adjourn the regular session of the Planning Commission**
229 **meeting at 9:35 pm. Alan Malan seconded the motion. Voting was unanimous in favor.**

230

231

232

233 The foregoing was approved by the West Bountiful City Planning Commission on April 14

234 , 2015, by unanimous vote of all members present.

235 _____

236 Cathy Brightwell - City Recorder

237

238

239