

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, **MAY 12, 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. Public Hearing to Receive Comment Regarding the Tingey Two Lot Subdivision at Approximately 920 West Porter Lane.
3. Consider Conditional Use Application From Mason Green to Build a Garage in the R-1-22 Zone at 1481 N 1050 West More Than One Story and Taller Than 20 Feet High.
4. Discuss Tingey Subdivision Application at Approximately 920 W Porter Lane.
5. Staff Report.
6. Consider Approval of April 28, 2015 Meeting Minutes.
7. 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 **May 8, 2015**.*

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NOTICE OF PUBLIC HEARING

The West Bountiful Planning Commission will hold a Public Hearing on Tuesday, May 12, 2015 at 7:30 p.m., or as soon thereafter as possible, at 550 North 800 West, West Bountiful, Utah, 84087.

The purpose of the hearing is to receive public comment regarding a request for a two lot subdivision at approximately 920 West Porter Lane.

A copy of the proposal may be viewed during regular business hours at the City Offices, or on the City website: www.wbcity.org. All interested parties are invited to participate in the hearing. Written comments may be submitted to the City Offices prior to the meeting.

Cathy Brightwell
City Recorder



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]

FOR OFFICIAL USE ONLY

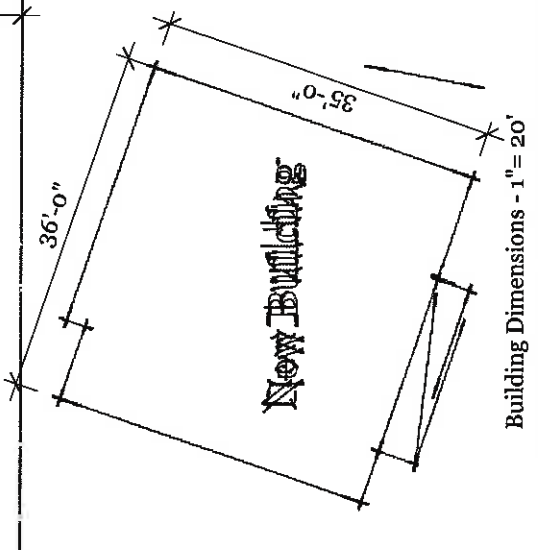
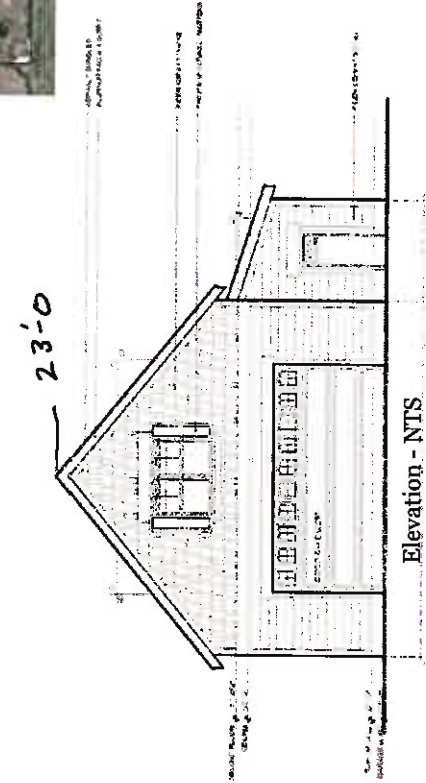
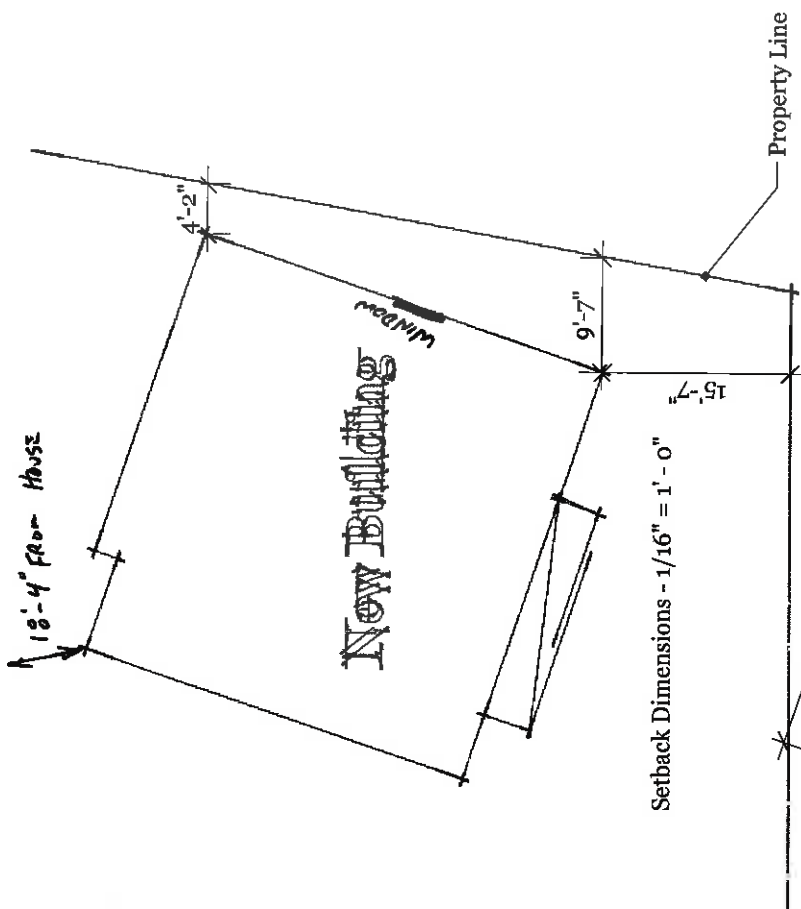
Application Received Date: 4-21-15

Permit Number: 15-007

Application Fee Received Date: 4-21-15

Permit Approval Date: _____

Fee: \$20 Residential _____ \$50 Commercial



REVISIONS	
MM/DD/YY	REMARKS
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Green Accessory Building

Green Garage

MEMORANDUM



TO: Planning Commission

DATE: May 7, 2015

FROM: Ben White

RE: Tigney Subdivision at 920 West Porter Lane

The Tigney family owns a 5 acre parcel just west of the Birnam Woods Subdivision. The family would like to divide the property into two parcels. Paul Tigney, who lives in Birnam Woods and whose property is adjacent to this parcel will keep ownership of the east lot. The family has a buyer for the west 2.5 acre lot. The property is zoned A-1. Points of discussion include:

1. 78' wide gas easement extends diagonally through the property.
2. The fire department may require an onsite fire hydrant as a condition of a building permit, depending on where a home is constructed.
3. There are two accessory structures constructed on the property (on Lot 1) in recent years that did not receive and building permit and are encroaching on the gas easement.
3. The right of way line along Porter Lane needs to be established. From staff's research, Birnam Woods was not constructed in the correct location.
4. Curb, gutter and sidewalk construction are required, unless waived or deferred by the City Council.



SUBDIVISION APPLICATION

West Bountiful City

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

DATE: 4/28/15

SUBDIVISION NAME: TINGEY PROPERTY

SUBDIVISION LOCATION: 690 PORTER LANE, WEST BOUNTIFUL, UTAH 84087

PARCEL NUMBER: _____ ZONE: _____ SIZE OF PARCEL: 5 ACRES

Property Owner(s): JEFF TINGEY, PAUL TINGEY

Developer: TED TINGEY

Address: 2479 So. ORCHARD PLACE, BOUNTIFUL, UTAH 84010

Primary phone: 801-295-1435 Cell phone: 801-556-8051

E-mail address: TTINGEY14@GMAIL.COM

Property Owner's Statement:

I (We), the owner(s) of the above described parcel(s) hereby authorize TED TINGEY the Developer, to act for and on behalf of the Owner(s) in all appearances before the public bodies, agencies or representatives necessary to execute the purpose of subdividing the property.

[Signature]
Property Owner Signature

[Signature]
Property Owner Signature

FOR OFFICIAL USE ONLY

Conceptual Site Plan Review (\$100 per submittal):
Fee pd: \$ 100 - Date pd: 4/28/15 Initial: _____ Date approved: _____

Preliminary Plan Review (\$50/lot + \$100/acre or part) due with submittal
Fee pd: \$ _____ Date pd: _____ Initial: _____ Date approved: _____

Final Plan Review (\$200/lot + \$100/acre or part) due with submittal
Fee pd: \$ _____ Date pd: _____ Initial: _____ Date approved: _____

1 **West Bountiful City** **PENDING** **April 28, 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 April
5 24, 2015 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **April 28, 2015, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

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

14

15 **MEMBERS EXCUSED:** Vice Chairman Terry Turner.

16

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

19

20 **VISITORS:** Sheena McFarland, James Houchins, David
21 McFarland.

22 The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Hopkinson.
23 Ben White gave a prayer.

24 **I. Accept Agenda.**

25 Chairman Denis Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as
26 presented. Alan Malan seconded the motion. Voting was unanimous in favor among members
27 present.

28 **Business Discussed:**

29 **II. Consider Conditional Use Application from Sheena McFarland to build an 8 foot tall**
30 **fence between her home at 860 North 800 West and a LDS Chapel driveway.**

31 Included in the Commissioner packets was a memorandum dated April 24, 2015 from Ben White
32 regarding permission to construct a fence taller than 6' at 860 N 800 West, a Conditional Use
33 Permit application from Sheena McFarland and a site plan/photo of property.

34 The memorandum from Ben White included the following:

- 35 • Reference to language in Municipal Code Section 17.16.100 regarding fences taller than
36 6 feet.
- 37 • Desire for Ms. McFarland to build a fence for privacy reasons 8 feet tall between her
38 property and the LDS Church parking lot like the property owner east in the Pages Circle
39 cul-de-sac.
- 40 • Staff comments regarding the situation.

41 Chairman Hopkinson asked Ms. McFarland to take the stand and introduce herself. Chairman
42 Hopkinson invited staff to introduce the application.

43 Ben White explained the desire that Ms. McFarland has to construct an eight foot high fence to
44 divide her property from the LDS Church driveway. Ben White stated that in 2007 there was a
45 request to build an 8 ft. fence at the property east of Ms. McFarland's property.

46 Chairman Hopkinson asked for the Commissioner's questions/comments:

47 Mike Cottle asked if the fence she desires to build is the same as what her neighbor has in place
48 currently.

49 Alan Malan asked if she had talked to the LDS church. He would like to have the same style of
50 fence built as an extension of the current one. Ms. McFarland is working through those details.

51 Chairman Hopkinson informed Ms. McFarland that Mr. Smith placed that type of fence to
52 withstand the strong winds we get and for aesthetic looks.

53 Ms. McFarland intends on building a vinyl fence with metal reinforcements to withstand high
54 wind gusts. She is currently getting bids and not yet sure if she can afford the same style of
55 fencing that the Smith's have in place but is willing to use the same color of fence as Mr.
56 Smith's.

57 **ACTION TAKEN:**

58 **Alan Malan moved to approve the construction of an 8 ft fence as allowed in section**
59 **17.16.100 with the following conditions: that it be the same materials, look and style type of**
60 **fence that is currently in place to the east, that the 8 foot fence stops at the front of the**
61 **house, and that she obtain something in writing from the LDS Church to remove the**
62 **existing fence and a maintenance agreement. This approval is based on the affirmative**
63 **finding of adjacent incompatible land use. Laura Charchenko seconded the motion and**
64 **some discussion took place regarding the type of fence that should be built by the**
65 **applicant.**

66 **A friendly amendment to the motion was made by Corey Sweat to change the first**
67 **condition to give the property owner the option to use any material that will withstand**

68 gusts of 100 miles per hour and be aesthetically the same color. In addition, the applicant
 69 must bring the options to the Planning Commission for final approval. Laura Charchenko
 70 seconded the friendly amendment.

71 **Roll Call Vote was taken:**

72 Corey Sweat – Aye

73 Laura Charchenko- Aye

74 Alan Malan- Aye

75 Mike Cottle- Aye

76 Denis Hopkinson - Aye

77

78 **III. Conditional Use permit Application for 1481 N 1050 West**

79 Commissioner's packet included a memorandum dated April 24, 2015 from Ben White regarding
 80 a Conditional Use application for 1481 North 1050 West from Mason Green for a detached
 81 garage to be constructed taller than 20 feet and more than one story, a Conditional Use permit
 82 application and a site plan.

83 The memorandum included the following:

- 84 • Desire for Mason Green to allow a detached garage to be constructed that is taller than 20
 85 feet and more than one story high.
- 86 • Reference to Municipal Code section 17.20.060 making provisions for accessory
 87 structures to be taller than 20 feet and more than one story subject to affirmative finding
 88 and any conditions imposed by the Planning Commission with a list of noted items
 89 regarding the said property.
- 90 • List of affirmative finding in Municipal Code Section 17.60.030 in order to issue a
 91 permit.

92 Applicant could not be present at this meeting. Applicant asked for this item to be tabled if
 93 there were any concerns in approving this application.

94 Ben White showed the Commission the said property on Google Earth. Some discussion took
 95 place regarding the property and the requested structure.

96 Mr. White stated that unless there are considerable changes, he sees no reason why they
 97 could not approve the application this evening.

98 **Commissioner comments included:**

- 99 • Alan Malan does not like the upper window that looks into his neighbor's home.
- 100 • Mike Cottle was concerned with any issues the neighbor to the east may have. He feels
 101 that the neighbor should be notified regarding the construction of this building.
- 102 • Denis Hopkinson would prefer to have the applicant present.

103

104

105 **ACTION TAKEN:**

106 **Corey Sweat moved to table the approval of the application in order to have the applicant**
107 **present, and to provide time to notify the neighbor to the east of the applicant's structure**
108 **request. Mike Cottle seconded the motion.**

109 **Roll Call Vote was taken:**110 **Corey Sweat – Aye**111 **Laura Charchenko- Aye**112 **Alan Malan- Nay**113 **Mike Cottle- Aye**114 **Denis Hopkinson - Aye**

115

116 **Action Item:** Denis Hopkinson will contact the neighbor to the east in regards to this structure.

117

118 **IV. Staff Report**

- 119 • Ben reported that at the next meeting there will be a Public Hearing to consider a 2 lot
120 Subdivision on Porter Lane.
- 121 • Stringham Farms appeal will be heard at one of the next two City Council meetings.
- 122 • Holly has applied for a Conditional Use permit to build an Air Monitoring System off of
123 1100 West to the South of the EPA monitor. The request is for a 160 foot tall tower that
124 will monitor the air from the ground up.
- 125 • Update on 400 North project.
- 126 • Information regarding 800 West in front of Holly.
- 127 • Update on 725 West project. It should be paved by the 15th of May.
- 128 • Denis reported that there may be a home built soon in the Alice Acres Subdivision.
129 Corey reported that there is water building on the properties along the back of the
130 development.

131

132 **V. Approval of Minutes for March 24, 2015**

133

134 **ACTION TAKEN:**

135 **Corey Sweat moved to approve of the minutes dated March 24, 2015 as presented. Laura**
136 **Charchenko seconded the motion and voting was unanimous in favor among those**
137 **members present.**

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VI. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:45 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission on May 12, 2015, by unanimous vote of all members present.

Cathy Brightwell - City Recorder