

**Mayor**  
Kenneth Romney

**City Engineer/  
Zoning  
Administrator**  
Ben White

**City Recorder**  
Cathy Brightwell

# **WEST BOUNTIFUL PLANNING COMMISSION**

550 North 800 West  
West Bountiful, Utah 84087

Phone (801) 292-4486  
FAX (801) 292-6355

**Chairman**  
Denis Hopkinson

**Commissioners**  
Laura Charchenko  
Mike Cottle  
Alan Malan  
Terry Turner  
Corey Sweat, Alt.

**THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS  
REGULARLY SCHEDULED MEETING AT 7:30 PM ON TUESDAY,  
FEBRUARY 9, 2016 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 for a Structure That Exceeds Standard Zoning Height at 1070 W 600 North.
3. Staff Report.
  - a. Update on Ivory Homes Request – Ben White
4. Consider Approval of January 26, 2016 Meeting Minutes.
5. 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 **February 5, 2016.***



# MEMORANDUM

**TO: Planning Commission**  
**DATE: February 5, 2016**  
**FROM: Ben White**  
**RE: Thiros-Accessory Building Conditional Use Permit**

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John Thiros would like to construct a detached garage on his property located at 1070 West 600 North with a height of approximately 22 feet. This property is 175 feet deep. The attached aerial image shows the approximate location of the proposed 42'x60' structure.

Section 17.20.060.A requires a Conditional Use Permit for an accessory structure in the R-1-22 zone if it is more than one story or more than twenty feet tall (Code language is attached). A possible reason this height restriction has been drafted in the code is to minimize the detrimental impacts tall accessory structures may have on neighboring properties. In considering approval of the conditional use permit, the Planning Commission should make affirmative findings pursuant to Chapter 17.60 Conditional Uses. If there are detrimental impacts due to the added height of the proposed structure, the Planning Commission should propose conditions that would mitigate the negative impacts.

There is a 10' easement along the north lot line with Rocky Mountain Power overhead utility just north of the rear property line. There is an accessory structure next door to the one Mr. Thiros is proposing.

## Affirmative Findings:

1. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing in the vicinity, or injurious to property in the vicinity;
2. The proposed use will not inordinately impact schools, utilities, and streets in the area;
3. The proposed use will provide for appropriate buffering of uses and buildings, and the use of building materials which are in harmony with the area and compatible with adjoining uses; and
4. The proposed use will comply with the regulations specified in the R1-22 zoning ordinance.

The motion should also state why certain conditions have been imposed or why they have not. For instance, a 21' to 25' high accessory building may be acceptable near the rear property line of a 175' deep lot where there are not homes near it, but may not be acceptable on much smaller properties with neighboring homes in close proximity.



# 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: 1070 W. 600 N.

PARCEL NUMBER: \_\_\_\_\_ ZONE: \_\_\_\_\_ DATE OF APPLICATION: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Applicant Name: John Thiros

Applicant Address: 1070 W. 600 N.

Primary phone: 801-298-9307 Fax Number: \_\_\_\_\_

E-mail address: JNThiros@ATT.NET

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.

Shop That EXCEEDS STANDARD zoning height

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: 2/4/2016

Applicant Signature: [Signature]

FOR OFFICIAL USE ONLY

Application Received Date: 2/4/16

Permit Number: \_\_\_\_\_

Application Fee Received Date: 2/4/16

Permit Approval Date: \_\_\_\_\_

Fee:  \$20 Residential  \$50 Commercial



# BEEBE BUILDINGS

WORK SHEET

Purchaser JOHN & NICK THROS Project # RV GARAGE & COVER #2

GARAGE Width 30'-0" Length 60'-0" Height to eaves 16'-4"

COVER Width 12'-0" Length 60'-0" Height to eaves 13'-4"

Door Sizes: No. 1 Width 3'-0" Height 6'-8" Door Sizes: No. \_\_\_\_\_ Width \_\_\_\_\_ Height \_\_\_\_\_

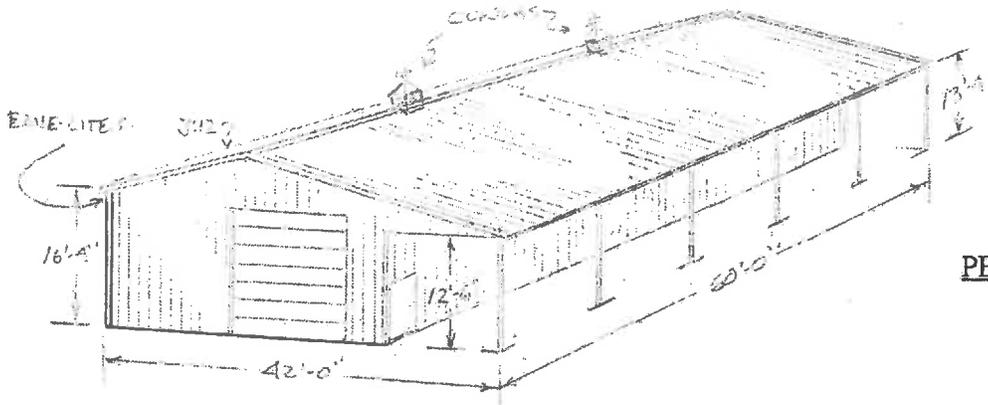
Door Sizes: No. 1 Width 12'-0" Height 14'-0" Door Sizes: No. \_\_\_\_\_ Width \_\_\_\_\_ Height \_\_\_\_\_

Windows: No. 0 Sizes \_\_\_\_\_

Eave-Lights: No. 0 Sizes \_\_\_\_\_

Metal Gauge: 29 Galvanized/Colored SEE COLOR CHART

Other information SEE PROPOSAL



PERSPECTIVE VIEW

1 **West Bountiful City** **PENDING APPROVAL** **January 26, 2016**  
 2 **Planning Commission**

3

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice  
 5 website and the West Bountiful City website, and sent to Clipper Publishing Company on  
 6 January 21, 2016 per state statutory requirement.

7 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**  
 8 **January 26, 2016, at West Bountiful City Hall, Davis County, Utah.**

9

10 **Those in Attendance:**

11

12 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Vice Chairman  
 13 Terry Turner, Laura Charchenko, Mike Cottle, Alan Malan, and  
 14 Councilmember Andy Williams

15

16 **MEMBERS EXCUSED:** Corey Sweat (Alternate)

17

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

20

21 **VISITORS:** Councilmember Kelly Enquist

22

23 The Planning Commission Meeting was called to order at 7:32 p.m. by Chairman Denis  
 24 Hopkinson. Mike Cottle gave a prayer.

25 **I. Accept Agenda.**

26 Chairman Hopkinson reviewed the agenda. Terry Turner moved to accept the agenda as posted.  
 27 Alan Malan seconded the motion and voting was unanimous.

28

29 **Business Discussed:**

30 **II. Discuss the Request by Ivory Homes to Amend the Language in the Blended Use (B-U)**  
 31 **Zone, and Consider Setting Date for Public Hearing.**

32 Included in the Commissioner's Packet was a memorandum dated January 7, 2016 from Ben  
 33 White regarding B-U Zone Base Density, a site plan from Ivory Homes regarding property at

34 400 North and 1450 West, a copy of the concept plan from Ivory, and a copy of Chapter 17.26  
35 Blended Use District, B-U ordinance (kept in packets from previous meetings).

36 **The Staff memorandum included the following information:**

- 37 • Request from Ivory Homes for increasing the base density in the Blended Use (B-U)  
38 Zone to a density greater than one unit per acre.
- 39 • The City requested that Ivory provide a concept plan showing what the development  
40 would look like with 178 lots on the 123 acres.
- 41 • This is a zoning change and not a project review.
- 42 • The proposed request would not bind a current or future property owner to a specific  
43 design.
- 44 • A Public Hearing will be required before any recommendation to change the base density  
45 in the B-U Zone.
- 46 • Property owner is still entitled to due process and may propose specific language for  
47 consideration. If the Commission wants to adjust the base density for the B-U zone they  
48 need to make the recommendation and drafted.
- 49 • Memorandum referenced the existing municipal code language relating to the residential  
50 units in the B-U zone included in 17.26.030 D.5.

51 Chairman Hopkinson introduced the request for Ivory Homes to amend the language in the  
52 Blended Use Zone Ordinance by the Equestrian Center and west of that property and noted the  
53 meeting was called to continue the discussion on this request. Chairman Hopkinson pointed out  
54 the requirements in the Blended Use (B-U) Zone D.5. and stated that the current zoning would  
55 allow for approximately 115 lots and with a bonus density it could go up to about 135 units.  
56 Ivory Homes is asking for 178 lots. He added that if zoning is changed they can still apply for a  
57 P.U.D. no matter what lot sizes are allowed.

58 Commissioners reviewed a copy of the current city zoning map discussing the various property  
59 uses that are currently there along with the owners of the property.

60 Chairman Hopkinson asked the Commission for their thoughts about the proposal and the  
61 process; do they want to hold a public hearing with the information they currently have? Other  
62 options would be to table the request and have Ivory provide specific language changes that can  
63 be presented at a public hearing, or deny the request.

64 **Mike Cottle** does not think we are ready for a public hearing yet. He is not interested in having  
65 small lots in that area and would like to follow the current zoning. He asked if there were any  
66 advantages to a PUD. Mr. White explained some of the advantages the City and the developer  
67 get with a PUD including clustering, larger open spaces, and less road surface.

68

69 **Terry Turner** asked what the downside would be to having a public hearing. Chairman  
70 Hopkinson stated that he felt the downside would be to stir up the west side community without  
71 having much substance to give to them.

72 **Laura Charchenko** feels we need to have some firm design in place for a public hearing.

73 **Alan Malan** agreed with Commissioner Charchenko.

74 Chairman Hopkinson reviewed some ideas that a prior developer had for the equestrian  
75 development from about 8 years ago. Commissioners reviewed an old site plan as an example of  
76 what type of development could be planned. He explained that the older site plan was developed  
77 after much deliberation and public input and included 137 lots of varying sizes with sports and  
78 equestrian amenities. Ben White added that the prior proposal was not subject to the current PUD  
79 ordinance and did not have as many lots as currently proposed. Chairman Hopkinson pointed  
80 out that the Commission can guide and direct a developer to do what is desired for our City.

81 Council member Williams informed the Commission that he has talked with many concerned  
82 residents about Ivory Homes' wanting to develop smaller lots on the west side. He discussed the  
83 differences between Jessi's Meadow and Millcreek subdivisions. As a previous resident of  
84 Jessi's Meadow he said the smaller sized lots (.5 - .8 acre) were not a problem but he believes  
85 people want to see development more like Millcreek.

86 The consensus of the Commission was that there is not enough information to schedule a public  
87 hearing at this time and without specific language changes before them; they prefer to maintain  
88 current zoning. Staff was asked to meet with Ivory to share this information and to show them  
89 the earlier site plan.

90

### 91 **III. Staff Report**

#### 92 **Ben White reported:**

- 93 • The joint work session with Planning Commission, City Council and Ovation Homes  
94 included lots of different feelings about the development and some various options to be  
95 considered.

#### 96 **Cathy Brightwell reported:**

- 97 • Legislative session started yesterday and she handed out information about a bill tracking  
98 system Commissioners can use for tracking the bills.
- 99 • ULCT has put together a website (LUAU) that will be helpful and educational regarding  
100 Land Use Authority.

101 **IV. Approval of Minutes for January 12, 2016**

102 **ACTION TAKEN:**

103 **Laura Charchenko moved to approve the minutes dated January 12, 2016 as presented.**

104 **Alan Malan seconded the motion and voting was unanimous in favor among those**  
105 **members present.**

106 **V. Adjournment**

107 **ACTION TAKEN:**

108 **Alan Malan moved to adjourn the regular session of the Planning Commission meeting at**  
109 **8:24 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.**

110 .....

111  
112 The foregoing was approved by the West Bountiful City Planning Commission on February 9, 2016, by  
113 unanimous vote of all members present.

114 \_\_\_\_\_

115 Cathy Brightwell - City Recorder

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117

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