

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 A REGULARLY SCHEDULED MEETING AT 7:30 PM
ON TUESDAY, OCTOBER 11, 2016 AT THE CITY OFFICES**

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Public Hearing to Receive Public Comment and Questions on Proposed Annexation for Property at Approximately 161 North 1450 West.
3. Discuss Brandon Jones' Subdivision Application at 800 West.
4. Discuss Title 17, Yard and Fence Requirements for Residential Zones.
5. Staff Report.
6. Consider Approval of September 27, 2016 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 **October 7, 2016**.*

MEMORANDUM



TO: Planning Commission

DATE: October 7, 2016

FROM: Ben White

RE: Approximately 161 N 1450 West Annexation Petition

Mr. Al Jones has petitions the City to annex a 5 acre parcel he has recently purchased. Tonight's Public Hearing is an opportunity for the public to ask questions related to the petition and give neighboring property owners the opportunity to express any interest they may have to annex as well.

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Andrew Williams

550 North 800 West
West Bountiful, Utah 84087

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Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

NOTICE OF PUBLIC HEARING

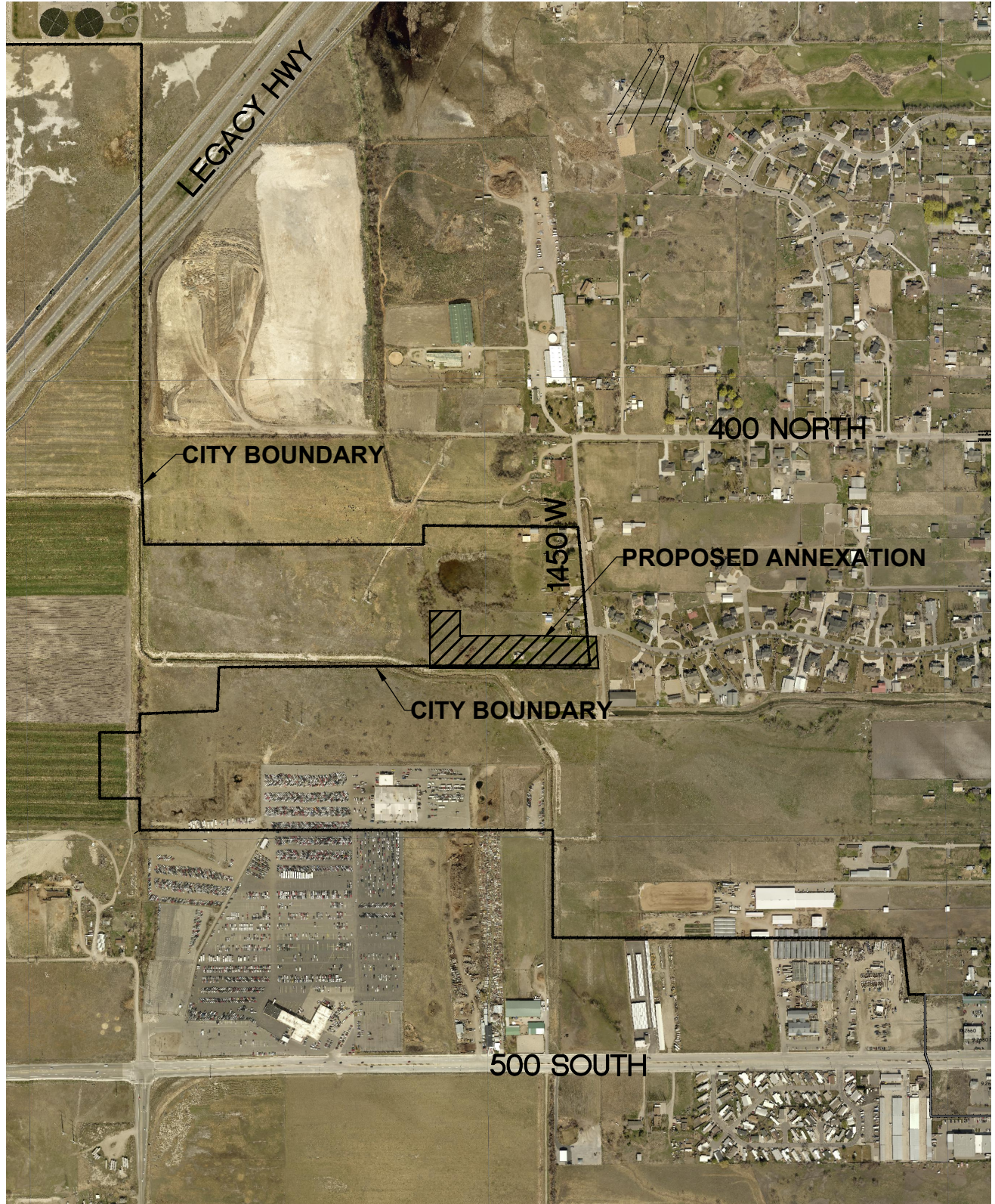
A public hearing will be held by the West Bountiful Planning Commission at its regular meeting on Tuesday, October 11, 2016 at the City offices, 550 N 800 West, beginning at 7:30 p.m., or as soon thereafter as the agenda allows.

The purpose of the hearing is to receive public comment regarding a Request for Annexation into West Bountiful City for property located at approximately 161 North 1450 West, West Bountiful, Utah.

All interested parties are invited to participate in the hearing. Written comments may be submitted prior to the meeting.

Cathy Brightwell
City Recorder

161 N 1450 WEST ANNEXATION REQUEST





MEMORANDUM

TO: Planning Commission

DATE: October 7, 2016

FROM: Ben White

RE: One Lot Subdivision at 887 N 800 W

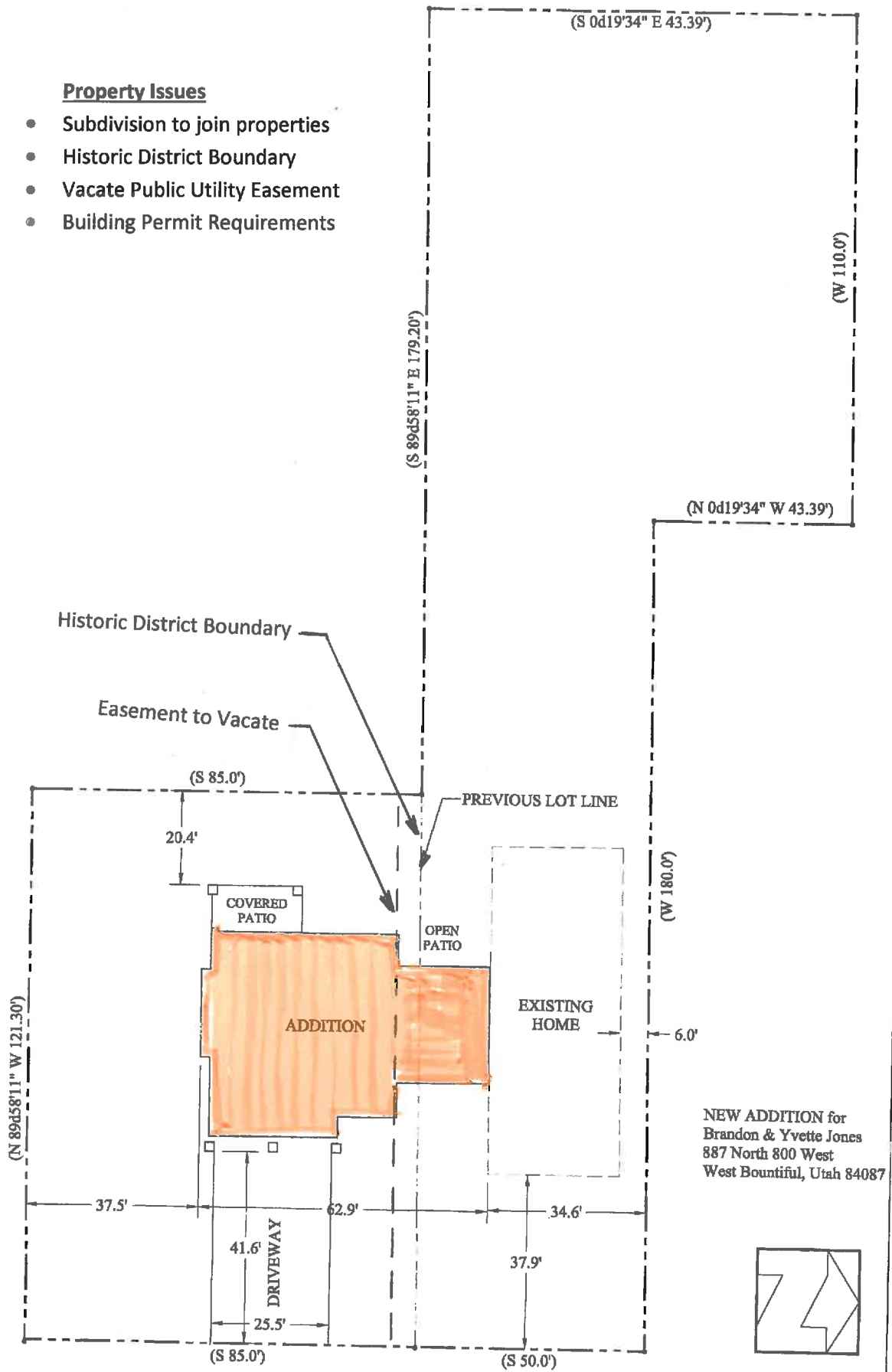
Brandon Jones desires to construct an addition on to the south side of his home at 887 N 800 West. In order for staff to process the building permit application, a number of land use issues must be addressed:

1. Subdivision: The addition is proposed to be constructed on a Heritage Pointe lot and cross over the subdivision boundary. A new subdivision plat must be prepared to properly join the two properties into one. This action requires input from both the Planning Commission and the City Council.
2. Historic District: The existing Jones residence is not in the Historic District. But the Heritage Pointe lot where the home addition will reside is in the District. Mr. Jones is requesting that his addition not be included in the Historic District since it is an addition to an existing house which is not subject to the Historic District requirements. This action requires input from the Planning Commission and the City Council.
3. Vacate Easement: A public utility easement exists along the north boundary of the Heritage Pointe Subdivision. The easement must be vacated prior to granting a building permit for the addition. This action requires input from the City Council only.

Staff is suggesting that the Public Hearings for the subdivision and the request to amend the Historic District boundary occur on the same night. Staff will schedule the hearings as soon as the subdivision plat is submitted.

Property Issues

- Subdivision to join properties
- Historic District Boundary
- Vacate Public Utility Easement
- Building Permit Requirements



CREATED May 24 2016 ERP

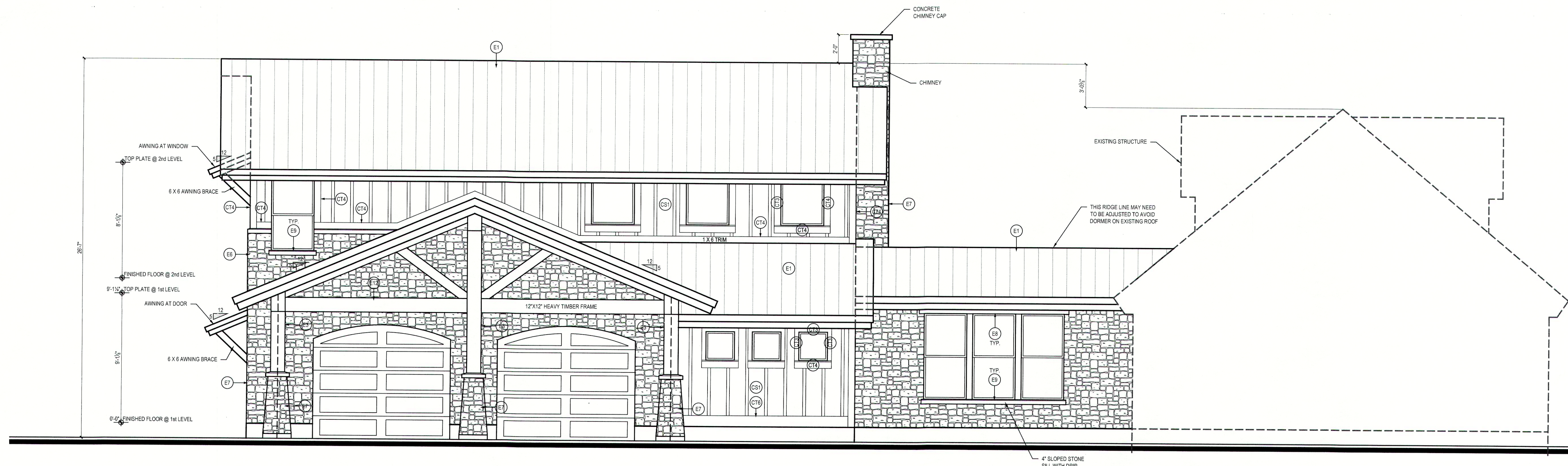
800 WEST STREET

SITE PLAN

SCALE: 1"=20'



Rear Elevation



Front Elevation

KEYNOTES

FUTURE & OPTIONAL CONSTRUCTION
DENOTED BY DASHED LINES (UNO)
SEE GENERAL NOTES PAGE(1) FOR ADDITIONAL
CODE REQUIREMENTS AND SPECIFICATIONS

THE FOLLOWING KEYNOTES REFERENCE
THIS SYMBOL WHERE SHOWN ON PLANS:

ELEVATION
E1: STANDING SEAM METAL ROOF
E2: SLOPED CONCRETE CAP ATOP WALL
E3: 12X12 TIMBER POST ON TAPERED COLUMN
E4: HEAVY BEAM TRUSS W/ STEEL CONNECTIONS
DESIGNED BY SUPPLIER
E5: 8" FASCIA W/ ALUMINUM CLADDING &
SLOPED SOFFIT TYP.
E6: STONE VENEER PARAPET W/
4" SLOPED WATER TABLE
E7: STONE VENEER
E8: HEAVY STONE LINTEL ABOVE OPENING
E9: 4" SLOPED STONE SILL

COMPOSITE SIDING
CS1: COMPOSITE SQUARE AND BATTER SIDING
CS2: COMPOSITE RANDOM SQUARE
STAGGERED EDGE SIDING
CS3: TAPERED COMPOSITE WOOD WRAP AROUND
STRUCTURAL COLUMN W/ 1/2" SQUARE
BASE @ BRICK SILL & 1/2" SQUARE
CAPITAL W/ 3/2" COMPOSITE TRIM

COMPOSITE TRIM
CT1: 3/2" x 3/2" x 1" ONE-PIECE COMPOSITE
TRIM BOARD, OUTSIDE CORNER
CT2: 1/2" x 1/2" x 1/2" ONE-PIECE COMPOSITE
TRIM BOARD, INSIDE CORNER
CT3: 3/2" x 1/2" COMPOSITE TRIM BOARD
CT4: 8/2" x 1/2" COMPOSITE TRIM BOARD
CT5: 7/2" x 1/2" COMPOSITE TRIM BOARD
CT6: 9/2" x 1/2" COMPOSITE TRIM BOARD
CT7: 11/2" x 1/2" COMPOSITE TRIM BOARD
CT8: 15/2" x 1/2" COMPOSITE TRIM BOARD

ELEVATION NOTES
• REFER TO GENERAL NOTE & DETAIL SHEETS
FOR TYPICAL REQUIREMENTS & MATERIALS
SPECIFIC TO THIS PROJECT
• GRADE CONDITIONS MAY VARY FROM SHOWN
BUILDER SHALL VERIFY & COORDINATE
• BUILDER TO PROVIDE ROOF & SOFFIT VENTS
SPECIFIED BY ATTIC VENT SCHEDULE
(OR APPROVED EQUAL)
• INSTALL ALL PRE-MANUFACTURED MATERIALS
PER MANUFACTURERS REQUIREMENTS
RECOMMENDATIONS & SPECIFICATIONS
INSTALLATION REQUIREMENTS TO BE
PROVIDED BY BUILDER

BUILDING AREA:
MAIN FLOOR = 1538 S.F.
UPPER FLOOR = 690 S.F.
LIVING TOTAL = 2224 S.F.
GARAGE = 726 S.F.
TOTAL = 2950 S.F.

Brandon & Yvette Jones
887 North 800 West
West Bountiful, Utah 84087

Drawn 5/19/16
Revised 5/27/16
Printed 5/27/16
Drawn By: ERP Sheet# A2.00

MEMORANDUM



TO: Planning Commission

DATE: October 7, 2016

FROM: Ben White

RE: Fences

Staff will provide a variety of front yard fence photographs to help narrow the focus for a public input/survey. The intent is to weed out undesirable fence options and limit public input to the options which might be acceptable.

17.04.030 Definitions

Lot Line, Front. “**Front lot line**” means for an interior lot, the lot line adjoining the street; for a corner lot or through lot, the front lot line is that lot line with street frontage with closest access to the front entry to the house or structure.

Lot Line, Rear. “**Rear lot line**” means, ordinarily, that line of a lot which is opposite and most distant from the front lot line. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where this designation is ambiguous, the zoning administrator shall designate the rear lot line.

Lot Line, Side. “**Side lot line**” means any lot boundary line that is not a front or rear lot line. However, this does not apply to any yard fronting on a street, which is by definition a front lot line or a street side lot line.

Lot Line, Street Side. “**Street side lot line**” means the lot line adjoining a street on a corner lot that is not designated as the front lot line.

“**Yard**” means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this title.

Yard, Front. “**Front yard**” means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The “depth” of the front yard is the minimum distance between the front lot line and the front line of the building.

Yard, Rear. “**Rear yard**” means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The “depth” of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

Yard, Side. “**Side yard**” means a space on the same lot with a building, between the side line of the building and the side lot line and extending from the front yard to the rear yard. The “width” of the side yard shall be the minimum distance between the side lot line and the side line of the building.

Yard, Street Side. “**Street side yard**” means the space on the same lot with a building between the side line of the building facing the street not designated as the front lot line and extending from the front yard to the rear yard. The “width” of the street side yard is the minimum distance between the street side lot line and the building.

17.xx.050 Yard regulations.

The following yard regulations apply in the residential district “R-1-10, R-1-22, A-1”:

- A. Setbacks for structures and accessory buildings will be measured from the property line to the nearest foundation or column. For main structures, a maximum two foot cantilever that does not extend to the ground, such as a bay window or chimney, is allowed in the setback area.

1. **Front yard.** The minimum front yard setback for all structures shall be thirty (30) feet.
2. **Side yard.**
 - a. The minimum side yard setback for all main structures shall be ten (10) feet for any one side, with a combined total of twenty-four (24) feet for both sides.
 - b. On corner lots, the street side yard setback for all structures shall be not less than twenty (20) feet.
 - c. The minimum side yard setback for accessory structures shall be six (6) feet, or three (3) feet if built to fire code standards, unless otherwise approved as a conditional use by the planning commission.
3. **Rear yard.**
 - a. The minimum rear yard setback for all main structures shall be thirty (30) feet.
 - b. A deck may encroach into a rear yard setback only with a conditional use permit meeting the following criteria:
 - i. The entire deck is at least twenty (20) feet from the rear property line;
 - ii. The deck does not encroach more than 200 square feet into the setback;
 - iii. The floor of the deck is no higher than the highest finished floor of the main structure;
 - iv. The portion of the deck that extends into the rear yard setback cannot be covered;
 - v. The railing cannot be more than forty-eight (48) inches high and must be less than twenty-five (25%) non-transparent; and
 - vi. The deck satisfies other conditions required by the planning commission.

17.xx.100 Fence requirements.

- A. Fences, walls and hedges may not exceed six feet in height within any required rear yard or interior side yard. 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.
- B. Notwithstanding any other provision of this Title, no fence, wall, or hedge may exceed four (4) feet in height within any front yard setback. Within any front yard setback, no fence, wall, or hedge may exceed two (2) feet in height within three (3) feet of any street right of way or sidewalk (whichever is closer to the primary building on the lot).
- C. For the purpose of this section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any two plants is remains at (5) feet.
- D. When a fence, wall or hedge is located along a property line separating two lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall or hedge may be erected or allowed to the maximum height permitted as measured from the higher grade.
- E. Clear view of intersecting streets.

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
5 September 23, 2016 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **September 27, 2016, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

11 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Terry Turner, Alan
12 Malan, Mike Cottle, Laura Charchenko, Andy Williams (Councilmember).

13

14 **MEMBERS/STAFF EXCUSED:** Corey Sweat (Alternate).

15

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

18

19 **VISITORS: Kathrin Lorenzo**

20 The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Hopkinson.
21 Mike Cottle offered a prayer.

22 **I. Accept Agenda**

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

25 **Business Discussed:**

26 **II. Consider Conditional Use Application #16-009 from Kathrin Lorenzo, KD Auto, at 519**
27 **N 500 West to do Light Auto Mechanical Repairs.**

28 Commissioner's packet included a memorandum from Cathy Brightwell and Ben White
29 dated September 26, 2016 regarding KD Auto – 519 North 500 West, a Conditional Use permit
30 application, and a Commercial Business License application from Kathrin Lorenzo (KD Auto).

31 Chairman Hopkinson introduced the Commissioner's to the Conditional Use Permit
32 application and explained where this business would be located and some of the business's that
33 surround this area.

Cathy Brightwell reviewed the Conditional Use Application. The original application was for car sales and light mechanical repairs. Further conversations with the applicant found it to be only a preparation location for the sale of vehicles at another site. Staff's concern is that the change of use of this business does not adequately fit this zone. Ms. Brightwell pointed out that prior businesses in this area have had many complaints in regards to outdoor storage and clutter.

Ms. Kathrin Lorenzo took the stand and explained she would like to operate an auto business which includes both car sales and light mechanical repairs on the cars for sale. The mechanical repairs would be done at this business address and the sales of the vehicles would be done at her Bountiful location only because of the limited parking and unsafe conditions regarding through traffic use on her property.

Chairman Hopkinson asked for questions from the Commissioners; there were none.

Chairman Hopkinson explained that the nature of the business without retail sales is not allowed in this zone. He asked Ms. Lorenzo to explain what her real intent is for the business. She discussed the improvements she has made to the property and that she is willing to work with the City to keep it up to the standards they expect. Her Bountiful location is a very attractive property and she intends to have this one look just as nice. She initially planned to do her retail sales at this location but when it was explained that her vehicles must be back forty feet from the corner she decided it would be better to limit the use of the property to repairs only. She also explained that she has a significant problem with vehicles using her property as a drive-through or turn around area which can cause safety issues and damage to her inventory. If these two issues could be resolved, she would be happy to move her sales to West Bountiful. There was discussion about solutions to block non-customer traffic through the property.

Chairman Hopkinson directed Staff do a site visit to the location and see what possibilities there are for her to comply with current conditions and do business safely at her location.

ACTION TAKEN:

Alan Malan moved to table the conditional use permit for KD Auto - 519 N 500 West so that staff can visit the site and review possible solutions to bring back for approval. Terry Turner seconded the motion. Some discussion took place and the motion failed unanimously when voted upon.

ACTION TAKEN:

Laura Charchenko moved to approve the conditional use permit for Kathrin Lorenzo, KD Auto at 519 N 500 West to sell vehicles and perform minor mechanical repairs on vehicles intended for sale according to Section 17.60.040 after considering the following: the proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community; under the circumstances of the particular case, will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; accompanying improvements will not inordinately impact schools, utilities, and streets; will provide the appropriate buffering of uses and buildings, proper parking and traffic circulation, the use of building materials and landscaping which are in harmony with the area and

compatible with adjoining uses; and will comply with the regulations and conditions specified in the appropriate land use ordinance for such use.

The following conditions will mitigate the reasonably anticipated detrimental effects of the proposed use: the applicant must provide proof of insurance; pass fire inspection; no auto body work can be performed; no parking within required site triangle on the corner of 500 West and Evergreen Circle as determined by staff; no wrecked/inoperable vehicles or outdoor storage will be allowed outside the service bays, and retail sales will be conducted from this location.

Alan Malan seconded the Motion and voting was unanimous in favor among those members present.

III. Consider Conditional Use Application #16-008 from Dan Hicks, Dan's Auto & Diesel, at 423 N 800 West to Continue Ear DeWaal's Grandfathered Business to do Auto Mechanical, Body Repair, Towing and Impound.

This item was removed from the agenda.

IV. Discuss Title 17, Yard and Fence Requirements for Residential Zones

Included in the Commissioner's packet was a memorandum dated August 19, 2016 from Ben White regarding yard setbacks, a clean version of current practices (not code) in 17.04.030 (definitions), 17.xx.050 (Yard Regulations), and 17.xx.100 (Fence Requirements) with diagrams of possible options to consider.

Ben White summarized previous discussion on Title 17 Yard and Fence Requirements for Residential Zones and stated that staff desires to clean up definitions so there are no grey areas. Chairman Hopkinson voiced his concern that our regulations could ruin a good corner lot and hinder what a family can do with their property. Some discussion took place regarding the highlighted areas in the document at hand. All three options were reviewed and discussed with pros and cons. A few examples throughout the city were pointed out and discussed.

Chairman Hopkinson asked what will help Staff the most. Ben White stated that he likes consistency; the proposed current practice option would allow most of those that are currently outside of Code to be in compliance.

Commissioner's Comments:

Alan Malan would like everyone to be treated the same. He asked if the "Lot Line, Front" as defined, should be done by address. Ben White explained how addresses are created and identified. He didn't feel like this would make much of a difference and is rarely a problem. Some discussion took place in these regards. Mr. Malan asked about Side Yard 2b and if any kind of structure would be allowed. Ben responded that it's based on the definition of structure. In regards to 17.xx.100 A., Mr. Malan doesn't feel it matters whether it is six feet high and closer than 5 feet apart.

Regarding Section B. Mr. Malan would like language to be changed as follows: Place a period after "setback" strike "and" and restate "within any front yard setback". Some discussion took

112 place whether this section was even necessary to include in this document. Ben White cautioned
 113 them to consider if they would like to see walls throughout the city blocking the front views of
 114 their homes. That would be what could occur if this section was not included in this document.

115 Mike Cottle deals with corner lots in his real estate business and the big issue is always safety.

116 Terry Turner wants to allow people to do what they want on their property as long as it is safe. He
 117 feels Staff should have that discretion on individual circumstances.

118 Chairman Hopkinson wants to have citizen's input on this matter and would like to hold a public
 119 hearing. Some different options were suggested to get public input. He would like some visual
 120 examples on display. Staff was directed to put some things together and develop a questionnaire
 121 that could be given to citizens.

122 **V. Staff Report**

123 **Ben White:**

- 124 • P.U.D Ordinance/Joint work session October 18, 2016 at 6:00 - City has hired an outside
 125 planner to lead the discussion.
- 126 • Annexation Petition- 1450 West- Letters are being sent out to announce a Public Hearing
 127 in regards to annexing in the city. The hearing will be held on October 11th.
- 128 • Possible Subdivision/Rezone Request – Brandon Jones- A plat is still needed. All utility
 129 easements have been obtained. He will probably be before the Commissioners at the next
 130 meeting.

131 **Cathy Brightwell:**

132 No report.
 133

134 **VI. Approval of Minutes of dated September 13, 2016**

135

136 **ACTION TAKEN:**

137 *Laura Charchenko moved to approve of the minutes dated as presented. Alan Malan seconded*
 138 *the motion and voting was unanimous in favor among those members present.*

139

140 **XIII. Adjournment**

141

142 **ACTION TAKEN:**

143 *Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Laura*
 144 *Charchenko seconded the motion. Voting was unanimous in favor. The meeting adjourned at*
 145 *8:45 p.m.*

146

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149 The foregoing was approved by the West Bountiful City Planning Commission on October 11, 2016, by
150 unanimous vote of all members present.

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152

Cathy Brightwell – City Recorder

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