

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 REGULAR MEETING AT 7:30 PM ON
TUESDAY, AUGUST 22, 2017 AT THE CITY OFFICES**

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by Invitation

1. Accept Agenda.
2. Consider Conditional Use Permit from William Marshall for an Accessory Dwelling Unit at 1140 W 400 North.
3. Staff Report.
4. Consider Approval of Minutes From July 25, 2017.
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 August 15, 2017 by Cathy Brightwell, City Recorder.

1 **West Bountiful City**
2 **Planning Commission**

August 22, 2017

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5 *Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website*
6 *and on the West Bountiful City website on August 15, 2017 per state statutory requirement.*
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8 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, July**
9 **25, 2017 at West Bountiful City Hall, Davis County, Utah.**

10
11 **Those in Attendance:**

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13 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Alan Malan, Mike Cottle, Corey
14 Sweat (Alternate), and Council member Kelly Enquist

15
16 **STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell (Recorder), Debbie
17 McKean (Secretary)

18
19 **MEMBERS/STAFF EXCUSED:** Commissioners Terry Turner and Laura Charchenko

20
21 **VISITORS:** Gary Jacketta, Ray Felsted

22
23 The Planning Commission Meeting was called to order at 7:30 pm by Chairman Denis
24 Hopkinson. Corey Sweat offered a prayer and thought.

25
26 **1. Accept Agenda**

27
28 Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as
29 presented. Corey Sweat seconded the motion. Voting was unanimous in favor among members
30 present.

31
32 **2. Consider Conditional Use Permit from William Marshall for an Accessory Dwelling**
33 **Unit at 1140 W 400 North.**

34
35 Commissioner packets included a memorandum from Cathy Brightwell/Ben White dated August
36 14, 2017 regarding a Conditional Use Permit Application from William Marshall and site plans
37 for an Accessory Dwelling Unit at 1140 West 400 North.

38
39 Ben White introduced the application. Mr. Marshall was not able to attend this evening but sent
40 a representative, Mr. Ray Felsted. Currently Mr. Marshall has a 750 sq. ft. home to which he
41 would like to add a garage and an upstairs living space. This dwelling would serve as a place to

42 put his vehicles as well as additional space for his elderly mother. The dwelling would contain a
 43 4 car garage on the main floor with living quarters above the garage. The home is not conducive
 44 to an addition, so in order to have living space above the garage there must be an outside door or
 45 a door leading to the living area from the garage area. Because the entrance is outside the home
 46 this type of dwelling is considered an ADU and a Conditional Use Permit must be approved
 47 before a building permit can be issued. Ben White showed the Commissioners some aerial views
 48 of the property.

49

50 Mr. White directed the Commissioners to review the requirements in WBMC Chapter 17.82,
 51 Section 17.82.050 which lists the standards for this type of dwelling.

52

53 Chairman Hopkinson asked for comments from the Commissioners.

54

55 **Mike Cottle** asked if all the setbacks meet city requirements; he answered in the
 56 affirmative.

57 **Corey Sweat** asked why Conditional Use Permits expire upon the sale of the home. Ben
 58 White responded that future residents/buyers may not read city code and it is a way to let them
 59 know the requirements of the ADU and require them to come in for a new Conditional Use
 60 Permit.

61 **Alan Malan** felt the application was pretty straight forward.

62 **Chairman Hopkinson** asked why the applicant could not just apply for a building permit
 63 for an addition without it being an ADU. Mr. White explained that it is because of the way he is
 64 choosing to construct the building as two dwelling units.

65

66 Chairman Hopkinson invited Raymond Felsted (representative for William Marshall) to take the
 67 stand. Mr. Felsted informed them that the dwelling would be owner occupied.

68

69 **ACTION TAKEN:**

70 *Corey Sweat moved to approve the Conditional Use Permit for William Marshall located at*
 71 *1140 West 400 North with the following findings and conditions: the proposed use is*
 72 *necessary or desirable to provide a service or facility that will contribute to the general well-*
 73 *being of the neighborhood and community; will not be detrimental to the health, safety or*
 74 *general welfare of persons residing or working in the vicinity, or injurious to property or*
 75 *improvements in the vicinity; accompanying improvements will not inordinately impact*
 76 *schools, utilities, and streets; and that conditions imposed in the conditional use permit will*
 77 *mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the*
 78 *proposes of the subsection. Conditions of the Permit: applicant will obtain a building permit,*
 79 *pass all necessary building code inspections, and comply with the requirements of WBMC*
 80 *17.82.050 with the current plan being to have the ADU occupied by a non-driving family*
 81 *member; should that change, adequate parking will be provided. This permit is non-*

82 *transferable. If at any time the home is not occupied by the applicant or his immediate family,*
83 *or the applicant sells the property, the permit shall be revoked pursuant to 17.60.080. If the*
84 *applicant decides to lease the ADU, they will include, in any lease document, language that the*
85 *lease will terminate upon the sale of the property. Alan Malan seconded the motion and voting*
86 *was unanimous in favor among those members present.*

87

88 **3. Staff Report**

89

90 **Ben White**

- 91 • Representatives from the High Gate Subdivision are planning to present their plans for
- 92 the subdivision at the next Planning Commission meeting. If Staff receives the necessary
- 93 information, a public hearing will be held at that time.
- 94 • Discussed an email from Duane Huffman regarding the West Side development with a
- 95 proposal for a joint meeting with city council and developer. He is checking availability
- 96 for the meeting.

97 **Cathy Brightwell**

- 98 • Informed the Commissioners of the upcoming Land Use Training class offered by ULCT
- 99 this coming Saturday. Those interested contact her so she can register them.

100

101 **4. Consider Approval of Minutes from July 25, 2017.**

102

103 **ACTION TAKEN:**

104 *Alan Malan moved to approve of the minutes of the July 25, 2017 meeting as*
105 *presented. Corey Sweat seconded the motion and voting was unanimous in favor.*

106

107 **5. Adjournment**

108

109 **ACTION TAKEN:**

110 *Corey Sweat moved to adjourn the regular session of the Planning Commission*
111 *meeting at 7:55 pm. Alan Malan seconded the motion. Voting was unanimous in*
112 *favor.*

113

114

115

116 *The foregoing was approved by the West Bountiful City Planning Commission on September 12, 2017, by*
117 *unanimous vote of all members present.*

118

119 *Cathy Brightwell*
120 *Cathy Brightwell – City Recorder*

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