

**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  
Corey Sweat

## **AMENDED**

**THE WEST BOUNTIFUL PLANNING COMMISSION  
WILL HOLD A MEETING BEGINNING AT 7:30 PM ON  
TUESDAY, JANUARY 23, 2018 AT THE CITY OFFICES**

Welcome. Prayer/Thought by Invitation

1. Accept agenda.
2. Consider Conditional Use Application from Justin Odekirk, 440 N 1100 West, for a garage twenty-three feet in height.
3. Consider Conditional Use Application from Robert Thornsby, 2297 N 880 West, for a tool/storage shed less than ten feet from main structure.
4. *Consider Conditional Use Application for Davis County for Mill Creek Sediment Basin Project.*
5. Discuss Preliminary Plat for Kinross Estates at 1100 W and Porter Lane, and set public hearing.
6. Staff report.
7. Consider approval of minutes from January 9, 2018 meeting.
8. Adjourn.

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*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 January 22, 2018 by Cathy Brightwell, City Recorder.*

**West Bountiful City  
Planning Commission**

**JANUARY 23, 2018**

*Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website and on the West Bountiful City website on January 19, 2018 per state statutory requirement.*

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, January 23, 2018 at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman Denis Hopkinson, Alan Malan, Mike Cottle, Laura Charchenko, Corey Sweat, and Council member Kelly Enquist

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

**MEMBERS/STAFF EXCUSED:**

**VISITORS:** Robert Thornsburry, Drew Vanderstek, Xander Hulet, Justin Odekirk, Tony Thompson, and Brandon Wood.

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

**1. Accept Agenda**

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

**2. Consider Conditional Use Application from Justin Odekirk, 440 N 1100 West, for a garage twenty-three feet in height.**

Commissioner packets included a memorandum from Ben White dated January 18, 2018 regarding the Odekirk accessory building Conditional Use Permit for 440 North 1100 West, a Conditional Use Permit application, and a site plan.

Ben White explained that the Odekirk's live on lot 1 of Alice Acre's which is half acre and would like to construct a single level, detached garage to store boats and RV's that may require a taller than normal garage door. The accessory building will be located in the southeast corner of the lot. The garage will be 27'x46' with walls that are 16 feet tall. A 6:12 roof pitch pushes the roof peak to nearly 23 feet. The lot is large and deep and the main structure has already been constructed. Mr. White stated that this is similar to others that have come before us for approval in the past.

**ACTION TAKEN:**

*Corey Sweat moved to approve the Conditional Use Application from Justin Odekirk, 440 N 1100 West, for a garage twenty-three feet in height with the condition to follow the City Code and affirmative findings: 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; the proposed use 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; the proposed use will comply with the regulations and conditions specified in the land use ordinance for such use; and the proposed use will conform to the intent of the city's general plan. Mike Cottle seconded the motion and voting was unanimous in favor among those members present.*

**3. Consider Conditional Use Application from Robert Thornsburg, 2297 N 880 West, for a tool/storage shed less than ten feet from main structure.**

Commissioners received a packet including a memorandum from Ben White dated January 19, 2018 regarding an accessory building Conditional Use Permit for Robert Thornsburg with the Conditional Use Permit application and a site plan.

Mr. White introduced the application for a Conditional Use Permit for Robert Thornsburg who would like to build an 8x10 ft. shed on his property at 2297 N 880 West. Ben White explained that besides the footprint of the existing house, nearly his entire property is restricted for construction primarily due to a Dominion Energy Pipeline in his rear yard and with typical zoning setbacks, the only available building area is behind the garage and adjacent to the house. This would make the location of the shed less than 10 feet from the main structure and triggers the need for a Conditional Use Permit in the R-1-10 zone as stated in Section 17.24.050.B. The structure is less than 200 sq. ft. so a building permit is not required. The shed will be used for storage for tools and such.

Staff suggests that the structure be located less than four inches (4") from the house or more than 3 feet from the house for safety reasons, that clearance for the HVAC unit maintenance be accessible, and that side yard setback requirements be maintained.

**ACTION TAKEN:**

*Corey Sweat moved to approve a Conditional Use Permit for Robert Thornsburg for an accessory building at 2297 North 880 West with the condition that the structure be built within 4 inches of the house, that clearance for the HVAC unit be maintained, and minimum side yard setback requirements be maintained. The following affirmative findings apply: The proposed use will comply with the regulations and conditions specified in the land use ordinance for such use and conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection. Alan Malan seconded the motion and voting was unanimous in favor among those members present.*

**4. Consider Conditional Use Application for Davis County for Mill Creek Sediment Basin Project.**

Commissioner packet included a Conditional Use Permit Application from Davis County Government for their Public Works department to build a sediment basin on Mill Creek as part of its flood control operation at approximately 23 North 1100 West in West Bountiful, UT.

Ben White introduced this application for Davis County and explained the way the basin will be constructed. They will be widening 300 linear feet of the channel to 90 feet wide. This will include a ramp into the basin and a rock/concrete retaining wall around the perimeter. Sediment will be removed once or twice a year with an excavator and hauled off with dump trucks. There will be minimal impact to neighbors. This sediment basin replaces the one on the west side of I-15 on 500 South

Chairman Hopkinson asked for some detailed information regarding the dynamics of the basin which was satisfied by Mr. White.

Alan Malan asked if the pipe that is existing will remain and Mr. White answered to the affirmative. Mr. White complimented the County on their details and engineering designs for the project.

**ACTION TAKEN:**

*Mike Cottle moved to approve the Conditional Use Permit for Davis County Government for a sediment basin - 300 linear feet long and 90 feet wide with a ramp and retaining wall on Mill Creek as part of the flood control operations at approximately 23 North and 1100 West in West Bountiful with the following conditions: the basin be routinely cleaned during normal hours of business; that the basin is secured with a six foot fence; and that tracking of mud and debris onto 1100 West be cleaned up immediately. He cited the following affirmative findings: 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 community; 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; improvements will not inordinately impact schools, utilities and streets; will provide 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 compatibility with adjoining uses; will comply with the regulations and conditions specified in the land use ordinance for such use; will conform to the intent of the city's general plan, and conditions will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purpose of this subsection. Alan Malan seconded the motion and voting was unanimous in favor.*

**5. Discuss Preliminary Plat for Kinross Estates at 1100 W and Porter Lane and set public hearing.**

Commissioner packet included a short memorandum from Ben White on January 18, 2018 regarding Kinross Estates Subdivision Preliminary Plat.

Ben White informed the Commission that the City Council approved the PUD application for Kinross Estates along with the accompanying Development Agreement at the January 16<sup>th</sup> Council meeting. The approved Development Agreement with Titles 16 and 17 are the subdivision and zoning codes for the subdivision plat. There are three large deviations in the Development Agreement which include varying lot sizes with some smaller than 0.5 acres, a dead-end street that exceeds the city standard, and some deed restrictions on certain lots until environmental issues are resolved. The City Council changed the lot line adjustment on five lots to accommodate the detention basin for environmental issues. The PUD approval passed the Council by a 3 to 2 vote.

The City's PUD code states that once any proposed PUD Overlay is approved, both the review and approval of the subdivision preliminary and final plat are delegated to the Planning Commission which means that the City Council will not review or approve the final plat.

There was discussion regarding the dead-end streets and Ben White reported that ten thousand dollars (\$10,000) will be given to the City by the developer for the removal of the dead-end bubble on the south side with curb/gutter and sidewalk when ready. The bubble on the east side will remain even after the east property is developed.

The process now is to approve a subdivision and a Public Hearing is required.

**ACTION TAKEN:**

*Alan Malan moved to set a public hearing for February 13<sup>th</sup> at 7:30 pm. or as soon thereafter as time permits. Laura Charchenko seconded the motion and voting was unanimous in favor.*

**6. Staff Report**

**Ben White**

- Bids going out next week for the Pages Lane Project from 800 West to 1100 North. Project includes curb, gutter, sidewalk on both sides and is mostly funded by grant money.
- Report on the RAP Study from the Parks consultant may be coming to Planning Commission. Chairman asked that the City Council first determine how they want to proceed.
- Road Construction will close 640 from West Bountiful to Centerville (Porter to Parrish Lane) this spring/summer. Chairman Hopkinson asked Ben to speak to Centerville about modifying the round-about in front of the movie theatre as it is dangerous due to being too small.
- Corey Sweat asked for an update on the clarifying side yard language that was approved by city council. Ben White showed the Commissioners the new language.

**7. Consider Approval of Minutes from January 9, 2018.**

**ACTION TAKEN:**

*Corey Sweat moved to approve of the minutes of the January 9, 2018 meeting as corrected. Mike Cottle seconded the motion and voting was unanimous in favor.*

**6. Adjournment**

**ACTION TAKEN:**

*Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:30 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.*

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*The foregoing was approved by the West Bountiful City Planning Commission on February 13, 2018 by unanimous vote of all members present.*

*Cathy Brightwell*  
Cathy Brightwell – City Recorder

