

Mayor
Kenneth Romney

**City Engineer/ Land
Use Administrator**
Kris Nilsen

**City Recorder/
Community
Development**
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

Chairman
Denis Hopkinson

Commissioners
Laura Charchenko
Mike Cottle
Alan Malan
Corey Sweat
Dennis Vest, Alternate

The Mayor and the Planning Commission Chair have determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding this meeting through electronic means that allow for public participation without an anchor location.

THE PLANNING COMMISSION WILL HOLD A MEETING AT 7:30 PM ON TUESDAY, SEPTEMBER 29, 2020

Meeting will be held exclusively via Zoom (see info below)

Prayer/Thought by Alan Malan

1. Accept Agenda.
2. Discuss Request by Blake Heller to be Removed from the Historic Overlay District, and Schedule Public Hearing.
3. Discuss Historic Overlay District Regulations.
4. Staff report.
5. Consider Meeting Minutes from September 10, 2020.
6. Adjourn.

Join Zoom Meeting

<https://us02web.zoom.us/j/84665482103>

Meeting ID: **846 6548 2103**

One tap mobile

+13462487799,,84665482103# US (Houston)

+14086380968,,84665482103# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 312 626 6799 US (Chicago)

+1 408 638 0968 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 646 876 9923 US (New York)

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 September 25, 2020 by Cathy Brightwell, City Recorder.

MEMORANDUM



TO: Planning Commission

DATE: September 25, 2020

FROM: Staff

RE: Request to Rezone out of the Historic Overlay District – 862 Heritage Pt Cir.

This memo introduces a request by Mr. Blake Heller to have his property at 862 Heritage Pointe Circle removed from the historical district codes and/or have the entire Heritage Pointe subdivision's historical codes dissolved.

Removing this property from historical district codes requires a zone change or text change which are legislative actions that first require review and recommendation from the planning commission. To begin this process, this memo will (1) review the background on the Historic Overlay Zone, (2) review Mr. Heller's request, and (3) review the next steps in this process.

Background – The Historic Overlay District

- 2007 - The current historic overlay district appears to have roots in an ordinance that established a historic preservation commission and the idea of historic districts with enforceable standards. This was done at least somewhat in conjunction with the Heritage Pointe subdivision.
- 2012 – The Historic Overlay District is added to the West Bountiful City Municipal Code as a land use ordinance. The ordinance mapped the district and created standards the architectural review board would use to review the appropriateness of construction in the district. Again, this was done to help address construction in the Heritage Pointe subdivision, but the district map included areas outside of the subdivision. The map and the architectural standards are attached with this memo.
- 2014 – The Hopkinson property at 1277 N 800 W was removed when creating a new lot.
- 2016 – The Jones property at 887 N 800 West removed Lot 15 of Heritage Pointe to facilitate an addition to an existing home that was not in the Historic District.
- 2017 – The Manors at McKean Meadows subdivision removed the entire property at the time of development, except Lot 1 that fronts 800 West.
- 2020 – The Winegar property at 788 N 800 West was removed from the Historic Overlay District to facilitate the addition of an accessory structure. At the time of the vote, members of the city council expressed a desire to have the planning commission review the need for the historic district or its design standards.

The review and enforcement of historic design elements within the Heritage Pointe subdivision has put the city in a position more akin to a homeowners' association rather than a body protecting a historic neighborhood. This function was initially the responsibility of the Historic Preservation Commission, and when the group dissolved, it was assigned to a newly created Historic Architectural Review Board. By ordinance, this group consists of a member of the city planning department, licensed architect who has

experience with Utah historic design, and the chairman of the Historic Preservation Commission. (The architect participating in this capacity recently resigned and the Historic Preservation Commission dissolved approximately ten years ago.)

Within the current historic overlay district, there is currently one vacant lot in Heritage Pointe and one vacant lot on 800 West yet to be built on.

Heller Request

On September 16, 2020, Blake Heller submitted a request to remove his property from the Historic Overlay District or have the entire Heritage Pointe subdivision's design standards dissolved. He desires to build a detached garage on the property but due to the restrictions placed on the neighborhood, he has not been successful in obtaining satisfactory approval from the historic review board. Mr. Heller's application is attached to this memo.

Next Steps

A change to the land use map or text is a legislative decision that will ultimately be decided upon by the city council after the planning commission makes a recommendation for approval or denial. The only other formal element required in this process is a public hearing to be held by the planning commission which is proposed for October 13, 2020.

As the planning commission reviews and deliberates this request, it may wish to consider the following:

1. How does this request fit within the city's General Plan? This question should be an overriding guideline as the other questions are considered.
2. Is there a continued need for the Historic Overlay District?
3. Is there a continued need for the architectural design standards within the district?
4. Would the removal of this property from the district be in the best interest of the community and property owner? If so, can both the community and private benefits be described?



APPLICATION TO REZONE/CHANGE TEXT

West Bountiful City
PLANNING AND ZONING
550 N 800 W
West Bountiful, UT 84087
(801) 292-4486
www.WBCity.org

PROPERTY ADDRESS: 262 HERITAGE POINT CIR. DATE OF APPLICATION: 9/16/20

PARCEL NUMBER: 06-286-0030 CURRENT ZONE: R1-10 PROPOSED ZONE: HISTORICAL OVERLAY

LEGAL DESCRIPTION ATTACHED: YES NO

Applicant Name(s): BLAKE HELLER

Applicant Address (if different than above): SAME

Primary phone: 801-831-7673 E-mail address: blakeheller2000@yahoo.com

Describe in detail the request for which this application is being submitted and the reasons why the change will benefit the people of West Bountiful. A separate sheet with additional information may be submitted if necessary.

SEE ATTACHED

I WOULD ASK THAT THE \$150 FEE BE WAIVED DUE TO THE FACT THE CITY COUNCIL HAS ALREADY BEEN CONSIDERING DISSOLVING THIS.

I hereby apply to change text in the West Bountiful Municipal Code, or rezone the property identified above in accordance with the provisions of Utah State Code 10-9a-503. I certify that the above information is true and correct to the best of my knowledge.

Date: 9/16/20

Applicant Signature: [Signature]

FOR OFFICIAL USE ONLY

Application & \$150 Fee Received Date: _____ Public Hearing Date: _____

Letters sent to affected neighbors: _____

Planning Commission Approval: _____ City Council Approval: _____

9/16/20

West Bountiful City Planning and Zoning

It is my desire to build a detached garage on the property at 862 Heritage Point Cir. Due to the multiple interpretations and restrictions placed on the neighborhood through the CC&R's it would be my ask that I be removed from the Historical District Codes and or have the entire subdivision's Historical Codes dissolved. Since all lots are currently built on and the neighborhood is established I believe it would be in the best interest of the city to dissolve and not have to manage the historical piece any longer.

Thank you,

Blake Heller

A handwritten signature in blue ink that reads "Blake Heller". The signature is written in a cursive style with a large initial "B".

862 Heritage Point Cir.



APPLICATION -
CERTIFICATE
OF HISTORICAL
APPROPRIATENESS

West Bountiful City

550 N 800 W
West Bountiful, UT 84087
Phone: (801) 292-4486
www.wbcity.org

DATE: 7/21/20

Name (Builder): BEEHIVE BUILDERS

Name (Property owner): BLAKE HELLER

Address: 862 W. HERITAGE POINT CIR. Lot Number:

Phone(s): 801-831-7673

E-mail(s): blakeheller2000@yahoo.com

PROPOSED: New Construction Extensive Rehabilitation: Accessory Building: X

Historic Architectural Design: COLONIAL Colors: (primary/trim) HICKORY MOSS/ANTIQUE BRONZE

Garage: 1 (1-detached toward back of the lot, 2-attached and flush to the front of the house or up to 5 ft. in front of the house if the garage doors are on the back or side, 3-attached and set back at least 5 ft. from the front of the house if the garage has a front opening)

Exterior Façade (include roof pitch, materials- siding, stone/brick %, description of windows, garage doors, etc):

29 GAUGE STEEL WITH NONREFLECTIVE EARTHTONES. TAN NON OPENING WINDOWS WITH COLONIAL GRID TO MATCH HOUSE. SINGLE GARAGE DOOR TO MATCH SECONDARY TRIM COLOR. 3/12 PITCH TO COMPLY WITH HEIGHT REQUIREMENT.

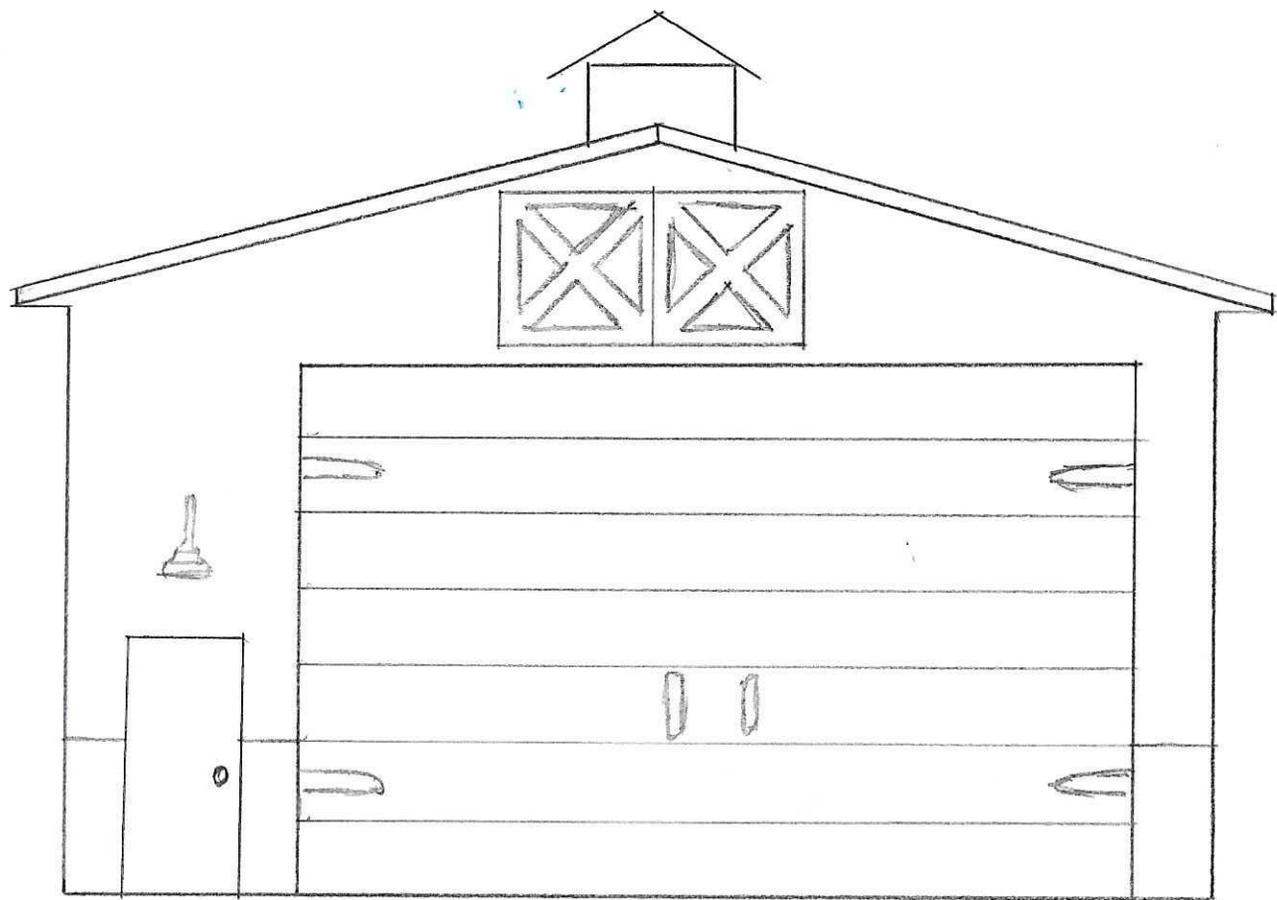
The attached house plans and design plans are submitted to the West Bountiful Architectural Review Board for approval pursuant to West Bountiful Municipal Code, Chapter 17.24.110. I understand an inspection will be done by the Board following the final building inspection to confirm no changes were made to the approved plans, before occupancy will be authorized.

Builder Property Owner(s) Blake Heller

SEE REVERSE SIDE FOR COMMENTS/APPROVAL

FOR OFFICIAL USE ONLY

Application Fee (\$150) Received: Initial ARB Review Date:



MEMORANDUM



TO: Planning Commission

DATE: September 25, 2020

FROM: Staff

RE: Historic Overlay District

For some time, the city has talked about reviewing its Historic Overlay district to determine if the building regulations applied to this district are still relevant. Recently, several properties have been allowed to be removed from the district and the city council has asked that the planning commission review the need for the historic district or its design standards.

A copy of the regulations is attached for your review and discussion.

WEST BOUNTIFUL MUNICIPAL CODE

17.24.110 Historical Overlay District

The city recognizes that the historical heritage of the West Bountiful community is among its most valued and important assets. It is therefore the intent of West Bountiful to preserve, protect and enhance historic areas and sites within the city. These historic areas, included in the R-1-10 district, are designated as the West Bountiful Historical Overlay District. (See the West Bountiful zoning map for details.)

No dwelling or other building shall be erected or extensively altered on any lot in the historical district without the review and favorable recommendation of the construction plans by the architectural review board, as provided below. An architectural review board consisting of a member of the city planning department, licensed architect who has experience with Utah historical design, and the chairman of the Historic Preservation Commission will be responsible for reviewing historical design. The purpose of this review is to ensure the preservation of historic properties to the greatest degree possible. This review applies only to exterior work which requires a building permit, sign permit, or demolition permit. The applicant will pay a historic architectural review fee, as set periodically by resolution of the City Council.

Unless expressly stated to the contrary in this chapter, all provisions of the West Bountiful City Building Code and Ordinances shall apply in addition to the provisions of the Historic Preservation Commission Ordinance (Chapter 2.44) and this section. In the case of any direct conflict between this section and other provisions of the West Bountiful City Code or Ordinances, the more restrictive provision shall apply.

For new construction within the historical district, the following process will be used.

1. The owner or developer will submit an application for a Certificate of Historic Appropriateness and design plans to the zoning administrator. All construction plans and specifications shall include a list of the proposed construction materials which will be in harmony with the requirements of this ordinance as well as the exterior design of the existing structures in the historical district.
2. Design Standards - To ensure historic appropriateness for new construction within the historical district, projects shall be compatible in design, character, size, and proportion to existing historic buildings in the district. New construction shall enhance the historic qualities and unique feeling of the historic areas of the city and shall not erode the character of the neighborhood and shall conform to the following standards:
 - a) Building Design. The West Bountiful historical district evolved over an approximate 100-year span and includes houses of many sizes and architectural styles. Lot sizes and setbacks are not consistent. These variations are part of the unique appeal of the area and should be respected and preserved as much as possible. New development in the historical district shall emulate this pattern by incorporating various size lots, various size houses, and various architectural designs appropriate to time period and area. There are fine architectural examples of Victorian, Prairie style, Craftsman, Bungalow, English, Temple/Greek Revival, and cottage styles in the historical district all of which are appropriate architectural styles for new construction. In addition, many other architectural home designs built in Utah between 1848 and 1940 may be appropriate, as determined by the architectural review board.
 - b) Size. The size of the home shall correspond with the size of the lot. The house and all accessory buildings shall not cover more than 40% of the lot.
 - c) Height. One-story, one and one-half story (upper floor incorporated into the roof line), and two story homes (with an attic above the 2nd story) are appropriate. However, the height cannot be more than 35 feet above the curb level.
 - d) Exterior Facades. Brick is the predominant building material in the historical district. Therefore, the majority of houses should be brick with a fewer number of stone and clapboard homes. Appropriate materials for the outside walls of homes, garages, carriage

houses and other outbuildings are brick, stone/cultured stone or wood/fiber-cement board (such as James Hardee). Contrasting materials may be used for pillars, lintels, quoins, keystones, trims, etc. but must receive positive recommendation by the architectural review board. Brick wainscot, vinyl siding, aluminum siding, and stucco panels will not be allowed. Walls, roof shapes, windows, doors, porches, and ornamental detail shall be historically correct for the home's architectural style and period of history.

- e) Windows. Windows shall be appropriate in style and size for the home's period of architecture and must be uniform throughout the house. Windows must be recessed at least one inch from the outside of the exterior trim.
 - f) Colors - shall be historically appropriate to the home's architectural style and period of history.
 - g) Garages and other outbuildings. All houses shall be constructed with a garage for not less than two (2) vehicles and not more than three (3) vehicles. Garages must be the same architectural style and color as the home and may be (1) detached and located toward the back of the lot, (2) attached and flush to the house or extend up to five feet in front of the house if the garage is built to appear as part of the house and has a side or back opening, or (3) attached with a front opening if the front of the garage is set back at least five feet from the front of the house. The garage and other outbuildings shall be subordinate to the house and shall conform to the architectural style of the home.
 - h) Fences. No privacy fences are allowed from the front of the home to the street. However, low fences in wood/wood composite, ornamental iron, brick, rock, natural hedges, shrubs or any combination of the above may be used in the front yard as part of the landscaping. All fences shall comply with Section 17.24.100 of the West Bountiful Municipal Code, be appropriate to the style of the home and must receive positive recommendation by the architectural review board.
 - i) Driveways, sidewalks, steps, lighting, and landscaping shall be historically appropriate to the home's architectural style and period of history.
3. The architectural review board shall have 30 days to review the plans. Upon completion of the review, the board will either; (a) recommend the plans and specifications as submitted, or (b) notify the party making such request of any objections (such objections to be specifically stated). If objections are noted, the requesting party may resubmit a request for recommendation rectifying any such objections to the city. The architectural review board shall then have an additional 10 days after receipt of said revisions for review. The recommendation or denial of submitted plans shall be in writing and returned to the party making a submission, together with a notation of recommendation or denial and the date affixed to one copy of such plans and specification.
 4. Upon approval of a Certificate of Historic Appropriateness by the architectural review board the owner or developer may obtain a building permit from the City. Building inspections and/or occupancy approvals will be withheld if the structure is not in compliance with the historical design approved by the architectural review board. For homes in the historical district, a bond will be required to assure compliance with approved architectural design. The amount of the bond will be set periodically by the City Council.
 5. An applicant who has been denied any permit based on the architectural review board's refusal to issue a Certificate of Historic Appropriateness may appeal denial to the planning commission, acting as the appeal authority, in accordance with the procedures provided in Chapter 17.08.
 6. Enforcement. The provisions of this section are subject to the enforcement provisions established in the current building code adopted by West Bountiful City, the West Bountiful Municipal Code, and other applicable laws.

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

September 10, 2020

3 **PENDING – NOT APPROVED**

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
5 website, on the West Bountiful City website, and at city hall on September 8, 2020.

6 Minutes of the Planning Commission meeting of West Bountiful City held on Thursday,
7 September 10, 2020 at West Bountiful City Hall, Davis County, Utah. Meeting was rescheduled
8 due to disasters from high winds, power outages, etc.

9 **MEMBERS ATTENDING: All attending via Zoom:** Chairman Denis Hopkinson, Vice Chairman
10 Alan Malan, Mike Cottle, Dee Vest, Corey Sweat (joined meeting at 7:50 pm), and Council
11 member Kelly Enquist.

12

13 **MEMBERS EXCUSED:** Laura Charchenko.

14 **STAFF ATTENDING:** Kris Nilsen (City Engineer), Cathy Brightwell (Recorder) in house and Debbie
15 McKean (Secretary) and Steve Doxey (City Attorney) (via Zoom).

16 **VISITORS:** *Via Zoom* - Alex Iorg, DJ Schanz, Craig Hammond, Doug Coons, Kaitlyn Sower

17

18 *The Planning Commission meeting was called to order at 7:30 pm by Chairman Denis*
19 *Hopkinson. Dee Vest offered a prayer.*

20 *Chairman Hopkinson read the following message: **The Mayor and the Planning Commission***
21 ***Chair have determined that due to the current COVID-19 pandemic and the physical distancing***
22 ***required to prevent the spread of infection, public meetings present a substantial risk to the***
23 ***health and safety of those who may be present at the meetings. That risk can be substantially***
24 ***mitigated by holding this meeting through electronic means that allow for public participation***
25 ***without an anchor location.***

26 **1. Accept Agenda**

27 Chairman Denis Hopkinson reviewed and discussed the agenda. Alan Malan moved to approve
28 the agenda as presented. Mike Cottle seconded the motion with the following change of date
29 read by Chairman Hopkinson in the above statement. Voting was unanimous in favor among all
30 members present.

31 **2. Public Hearing to consider a Proposed Change to WBMC 17.62 Regarding Signage**
32 **Regulations for Medical Cannabis Pharmacies.**

33

34 Chairman Hopkinson invited comments from the public to address changes proposed to WBMC
35 17.62 Regarding Signage Regulation for Medical Cannabis Pharmacies.

36

37

38 **Action Taken:**

39

40 ***Mike Cottle moved to open the public hearing at 7:40 pm. Alan Malan seconded the motion***
41 ***and voting was unanimous in favor.***

42

43 **Public Comment:**

44

45 Alex Iorg lives in Bountiful and is part owner in the WholesomeCo Cannibas Pharmacy. They
46 have been open about a month and have had much success. WB Police department visited the
47 facility and met security guards and staff to see about security and protecting the premises.
48 Mr. Iorg invited anyone to come and tour and meet with the pharmacy staff including the
49 Mayor, Council and West Bountiful staff. He referred to the letter from the Utah Department
50 of Health clarifying its interpretation of the medical cannabis pharmacy signage restrictions.

51

52 No other members of the public made comment.

53

54 **Action Taken:**

55 ***Alan Malan moved to close the public hearing at 7:47 pm. Dee Vest seconded the motion and***
56 ***voting was unanimous in favor.***

57

58 **3. Consider Proposed Changes to WBMC 17.62 Regarding Signage Restrictions for**
59 **Medical Cannabis Pharmacies.**

60

61 Commissioner packets included a memorandum dated September 3, 2020 from Staff regarding
62 Medical Cannabis Pharmacy Signage Regulations with an application, copy of state regulations,
63 a letter from the Dept. of Health, and a site plan.

64

65 **Background**

66

67 West Bountiful's recently adopted cannabis ordinance, WBMC 17.62.030.3, restricts the size of signs for
68 Medical Cannabis Pharmacies to 4 ft. X 5 ft. For other businesses within the C-H zone, code allows wall
69 signs to be up to 15% of aggregate area of building elevation on which the signs are installed. The city's
70 medical cannabis code was modeled after state code; however, state code removed this specific size
71 restriction in March 2020.

72

73 WholesomeCo has proposed two signs: one 3-sided rectangular cube measuring 16 ft. by 4 ft. (total 188
74 sq.ft.) on the freeway side of the Carr building with sign face displayed on the south, west and north
75 sides, and another sign is proposed to go over the front entrance of the business. Both signs comply
76 with the general provisions of West Bountiful's sign ordinance, but do not comply with the size
77 restrictions specific to medical cannabis pharmacies. WholesomeCo has submitted an application for a
78 text change and their justification for their request. Perhaps their primary argument for removing the
79 restriction is the claim that the legislature struck the statewide restriction "to provide for an equitable
80 and fair approach to signage that is consistent with other similarly situated commercial establishments."
81

82 Chairman Hopkinson asked for any comments from the Commissioners and Steve Doxey. Mr.
83 Doxey recommends the city be consistent with the Utah Department of Health. Some
84 discussion took place regarding size limitations for signage and language change to the
85 ordinance.

86

87 **Action Taken:**

88 ***Alan Malan move to recommend to city council approval of the proposed changes to WBMC***
89 ***17.62.030 regarding signage size restrictions for Medical Cannabis Pharmacies.. Dee Vest***
90 ***seconded the motion and voting was unanimous in favor.***

91

92 **4. Consider Request for Conditional Use Permit by Jonathan & Kaitlyn Sowards to**
93 **Reduce the Standard Points for Small Farm Animals at 316 N 750 West**

94

95 Commissioner packets included a memorandum dated September 3, 2020 from Cathy
96 Brightwell regarding a request to reduce the standard points for small farm animals at 316 N
97 750 West with an attached application for the Sowards and a site plan.

98

99 Cathy Brightwell introduced Jonathan and Kaitlin Sowards, noting they currently have 5 ducks
100 and 5 chickens on their property which consists of .41 acres. Chickens and ducks are 4 points
101 each, so they currently qualify for 10 chickens/ducks. She stated that the Soward's have applied
102 for a Conditional Use Permit to decrease the number of points for each small animal from 4
103 points to 2 points pursuant to WBMC 17.24.080 so they can have an additional 5 ducks and 5
104 chickens. With the larger number of fowl, they will expand their current coop and duck house
105 from 8' x 8' to 16' x 8'. This animal shelter is located 6 ft from the property line which meets the
106 setback requirements. If the animals happen to escape the run, the back yard is fully enclosed
107 with a 6' fence which will prevent them from escaping the property. Adjacent neighbors have
108 been contacted and none object to the request.

109

110 Ms. Brightwell pointed out that WBMC 17.24.080 A.2. authorizes the Planning Commission to
111 decrease the number of points for small animals from 4 points to 2 points each subject to
112 approval of a conditional use permit and that Staff does not object to the request subject to the
113 conditions listed below.

114

115 **Action Taken:**

116 ***Mike Cottle moved to approve the Conditional Use Permit for Jonathan and Kaitlyn Soward at***
117 ***316 N 750 West for a reduction of standard points for small farm animals with the following***
118 ***conditions: the proposed use at the particular location is necessary or desirable to provide a***
119 ***service or facility that will contribute to the general well-being of the neighborhood and the***
120 ***community; will not be detrimental to the health, safety, or general welfare of persons***
121 ***residing or working in the vicinity, or injurious to property or improvements in the vicinity;***
122 ***accompanying improvements will not inordinately impact schools, utilities, and streets; will***
123 ***provide for appropriate buffering of uses and buildings, proper parking and traffic circulation,***
124 ***the use of building materials and landscaping which are in harmony with the area, and***
125 ***compatibility with adjoining uses; will comply with the regulations and conditions specified in***

126 *the land use ordinance for such use; and will conform to the intent of the city's general plan.*
127 *The conditions to be imposed in the conditional use permit will mitigate the reasonably*
128 *anticipated detrimental effects of the proposed use and accomplish the purposes of this*
129 *subsection. Conditions applied: This Conditional Use Permit will expire upon sale of the*
130 *property; chicken coop/run will be located a minimum of 6 feet from any property line or*
131 *dwelling; to protect the health, safety, and welfare of the animals and the public, animal*
132 *waste debris, noise, odor, and drainage shall be kept in accordance with usual and customary*
133 *health standards associated with chickens; and failure to comply with these regulations will*
134 *invalidate the Permit. Alan Malan seconded the motion and voting was unanimous in favor.*
135

136 **5. Presentation by Doug Coons Regarding Options for His Property at 582 West 1000**
137 **North**

138 Commissioner packets included a letter from Mr. Coons and a site plan of his property at 582 W
139 1000 North that includes proposed options for his property. The west property consists of
140 approximately .64 acres and the east portion has about .435 acres. He is asking for direction
141 from the commission regarding his options for development.
142

143 Mr. Coons is mostly concerned about the west portion of the property with the old home. He
144 would like to create three 10,000 sf lots and leave the home. Cathy Brightwell showed an aerial
145 view of the property. To make his proposal work, Mr. Coons would like to to apply the PUD
146 requirements to this smaller parcel of land but realizes the current ordinance requires 10 acre
147 minimum plot of land to do a PUD. He also suggested the property be rezoned for smaller lots.
148 He pointed out that many people desire smaller properties and it would be an advantage to
149 clean the property up. He said he needs to get 3 lots out of the west property in order to make
150 it advantageous for him financially.
151

152 Chairman Hopkinson explained that he would need to stay within the R-1-10 zone and develop
153 the property as such and they can only go by the current code. He explained that he could apply
154 for changes to our ordinance but doubts it would get approved as similar requests have been
155 made and denied many times in the past.
156

157 Commissioners were asked to comment, and they all agreed that they would not support
158 making any changes to any ordinance to accommodate Mr. Coons request.
159

160 Mr. Coons stated that he has built lots with 70-foot frontages in both West Bountiful and
161 Bountiful. He would lose money if he tore the current home down. He needs to have 3 lots to
162 make it work. Chairman Hopkinson told him that each lot must be 10,000 square feet and have
163 85-ft frontage.
164

165 Some discussion took place regarding some possible ways to make this property developable.
166 Kris Nilsen explained that he has reviewed the conceptual layout and three lots are possible if
167 the existing structures are removed.
168

169 Craig Hammond, a neighbor, shared his concerns about Mr. Coons proposal and the need to fix
170 the corner for safety reasons. He is not in favor of allowing city code to be adjusted to meet
171 the developer’s request. The property is what it is and will not work as the developer is
172 proposing. Chairman Hopkinson noted that the commission is only reviewing some possibilities
173 and will not make decisions on the proposal.

174
175 Mr. Coons said he appreciated all the comments made this evening. He stated that he will be
176 forced to sell the property if he can’t get three lots and then it will likely remain in the same
177 condition as it has been for years. Chairman Hopkinson invited him to meet further with Kris
178 Nilsen to see if there are any other options that may work.

179
180 **6. Staff Report**

181
182 **Kris Nilsen**

- 183 • 800 West and windstorm have kept them busy. Final pave is scheduled on Friday,
184 September 18th. Still some landscaping to be completed as well.

185
186 **Cathy Brightwell**

- 187 • Internet and power is back on and the week has been tremendously busy with resident
188 calls regarding damage from the windstorm.

189
190 Craig Hammond asked them to pass along his appreciation for all the efforts made by the city
191 and outside agencies during this disaster.

192
193 **7. Consider Meeting Minutes from August 25, 2020**

194
195 **Action Taken:**

196 ***Mike Cottle moved to approve of the minutes of the August 25, 2020 meeting as presented.***
197 ***Dee Vest seconded the motion and voting was unanimous in favor.***

198
199 **8. Adjourn**

200
201 **Action Taken:**

202 ***Alan Malan moved to adjourn the regular session of the Planning Commission meeting at***
203 ***8:40 pm. Mike Cottle seconded the motion. Voting was unanimous in favor.***

204
205

206 *The foregoing was approved by the West Bountiful City Planning Commission on September 29,*
207 *2020, by unanimous vote of all members present.*

208 _____

209 *Cathy Brightwell – City Recorder*