



BOUNTIFUL CITY
ADMINISTRATIVE COMMITTEE
Tuesday, May 31, 2022
5:00 P.M.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold a meeting in the Planning Department Conference Room, Bountiful City Hall at 795 South Main Street, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the Americans with Disabilities Act may request an accommodation by contacting the Bountiful City Planning Office at (801) 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome.
2. Review and approval of minutes for April 25, 2022.
3. 357 West 2600 – Conditional Use Permit for a Detached Accessory Dwelling Unit, Randy and Mary Beth Thompson, Applicants
 - a. Review
 - b. Public hearing
 - c. Consider Drafted approval in written form
4. Adjournment

Draft Minutes of the
BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE
April 25, 2022

Present: Committee members Francisco Astorga (Chair), Scott Schlegel
Recording Secretary Hanna Welch

1. Welcome and Introductions

Chair Astorga opened the meeting at 5:03 p.m. and introduced all present. Excused Assistant City Planner Nicholas Lopez and the designated Engineering committee member.

2. Minutes from previous meeting March 14, 2022

MOTION: Committee member Schlegel meeting minutes. Chair Astorga seconded the motion.
VOTE: The motion passed unanimously (2-0).

3. Minutes from previous meeting March 21, 2022

MOTION: Committee member Schlegel meeting minutes. Chair Astorga seconded the motion.
VOTE: The motion passed unanimously (2-0).

4. Consider approval of a Lot Line Adjustment at 1239 East 700 North, 1253 East 700 North, 1267 East 700 North, Brent Moon, applicant(s)

Mr. Moon, applicant, was present.

Chair Astorga informed the committee on the movement of property for the proposed Lot Line Adjustment.

Committee Member, Schlegel questioned if the existing retaining wall was built prior to developing the middle lot (2) and was there a survey on the lot lines showing the wall was over the property line?

Applicant, Mr. Moon reported that there was a survey done and the wall in over the lot line.

Chair Astorga noted for clarification, that zoning for the R-3 zone is 11,000 square feet minimum for a lot and that the frontage requirements are met with minimal change. Astorga called for final questions or clarifications needed.

Committee Member, Schlegel questioned what the motivation for the change was.

Mr. Moon stated that the property line for the original wall was over the property line so instead of tearing down the wall and rebuilding the solution was this process. It also gives the lot 3 in the staff notes more grass area. It was sold as a 12,000 sqft lot, but since there has been changes to the minimum lot requirements the neighbors concluded that they would

1 move the lot line to follow the wall while keeping the lot (2) in compliance. The recording
2 will be Moon to Levitt, Levitt to Levitt and Levitt to McCullum- the respective names for the
3 residents of the proposed lot line.

4
5 Chair Astorga, clarified that the record would be as Mr. Moon described for a clear legal
6 language.

7
8 Mr. Moon Affirmed.

9
10 MOTION: Committee Member Schlegel, made a motion to APPROVE the Lot Line
11 Adjustment for .1239 East 700 North, 1253 East 700 North, 1267 East 700 North as set forth
12 with the conditions here in. Chair Astorga seconded the motion.

13
14 VOTE: The motion passed unanimously (2-0).

15
16 **5. Consider approval of a Lot Line Adjustment at 2190 and 2234 Wood Hollow Way,**
17 **Preston Menlove & Daniel Scarlett, applicants- Continued.**

18
19 Mr. Menlove, applicant was present.

20
21 Chair Astorga presented the challenge for the committee in the previous meeting that the lot
22 is smaller than the minimum lot size. Astorga also noted that if the lot has a 0-15 % grade
23 that the lot size minimum would increase in accordance with the grade. The committee
24 previously was fixated on the compliance.

25
26 It was requested that the applicants to come back to meet at a set time with property owner
27 and city engineer and look at the original, plat from 1974. It was reported that at that time a
28 minimum plat size did not consider the slop analysis that is in use today. In 1974, the
29 minimum plat size is 12,000sqft.

30
31 Committee Member, Schlegel concluded that the plat would be “grandfathered” the 1974
32 minimum plat size with no consideration for the slop analysis.

33
34 Chair Astorga informed the committee that if it were to take a more draconian stance that the
35 plat would not have been able to originally be developed, because they would not have met
36 the minimum requirements.

37
38 Committee Member Schlegel inquired if the setbacks cover the footprint of the house.

39
40 Chair Astorga Affirmed and discussed that because he bought the play as a land of record
41 that the owner has right associated. The same as there are rights with a subdivision plot, and
42 we wouldn’t deny them the right to build if they were to do so.

43
44 Committee Member Schlege asked the applicant if gully behind the house reason for the
45 change

46
47 Menlove stated that it is due to a retaining wall that need repaired on the land, but that the

1 wall is currently owned by applicant Scarlett and closer to the house on the Menlove
2 property.

3
4 MOTION: Committee Member Schlegel, made a motion to APPROVE the Lot Line
5 Adjustment for 2190 and 2234 Wood Hollow Way as set forth with the conditions here in
6 and adjusting the findings paragraph that states that the minimum lot standards of a R-F zone
7 (20,000) because it no longer applies. Chair Astorga seconded the motion.

8
9 VOTE: The motion passed unanimously (2-0).

10
11
12 Chair Astorga ascertained there were no further items of business. The meeting was adjourned
13 at 5:23 p.m.

14
15
16
17
18
19

Francisco Astorga
Administrative Committee Chair

Administrative Committee Staff Report



Subject: Conditional Use Permit for a Detached Accessory Dwelling Unit
Authors: Nicholas Lopez, Assistant Planner
Address: 357 West 2600 South
Date: May 23, 2022

Background

The applicants, Randy & Mary Beth Thompson, submitted for a detached Accessory Dwelling Unit (ADU) on their property located at 357 West 2600 South. Bountiful City Administrative Committee Reviews Conditional Use Permits (CUPs) for detached ADUs. The Bountiful City Land Use Code defines an ADU as a self-contained dwelling unit within an owner-occupied single-family residence or in a detached accessory structure located on an owner-occupied property.

Analysis

Detached ADUs are subject to the Bountiful City Land Use Code (BCLUC) § 14-14-124 as outlined below:

1. Shall be a conditional use only within the Single-Family Residential Zone, Residential Multiple (RM) Family Zone, and the Downtown (DN) Mixed Use Zone; and shall not be permitted in any other zone.
 - *The property is in the Single-Family Residential (R-4) Zone.*
2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.
 - *The property contains a is a single-family dwelling.*
3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.
 - *The proposed structure has not yet been built and requires approval of this CUP as well as subsequent building permit review, etc.*
4. A maximum of one (1) accessory dwelling unit shall be permitted on a qualifying lot.
 - *Only one ADU is being proposed.*
5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.
 - *The property contains an existing single-family dwelling.*

6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director, and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit is required, then said deed restriction shall be recorded prior to the issuance of the building permit.
 - *The required deed-restriction is to be recorded prior to issuance of a Certificate of Occupancy (CO) and only after approval of the CUP by the Administrative Committee.*
7. The property owner must occupy either the principal unit or the accessory dwelling unit as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other similar means required by the Planning Department.
 - *According to Davis County records, found online, the subject site is listed as a primary residency classification.*
8. Separate utility meters shall not be permitted for the accessory dwelling unit.
 - *Additional utility meters are not being requested.*
9. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit, if applicable.
 - *The applicants would need to submit a building permit if this CUP is approved.*
10. Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.
 - *The subject site meets all parking requirements, including current regulations regarding drive approaches.*
11. Shall be at least three hundred fifty (350) square feet in size and shall not exceed one thousand two hundred fifty (1,250) square feet.
 - *The proposed ADU is 650 square feet.*
12. Shall not be located on a lot with less than eight thousand (8,000) square feet buildable land.
 - *The subject lot is 17,424 square feet.*

13. Shall be configured so that any exterior doors, stairs, windows, or similar features are located as far away from adjoining properties as is reasonably possible to provide privacy to those properties.
 - *The nearest main structure is approximately 80 feet away. The lot adjacent to the east does not have any structures.*
14. Shall meet all the setbacks required of an accessory structure.
 - *The proposed structure meets all required setbacks. See accessory structure section.*
15. Shall be located behind the front building line of the principal unit.
 - *The proposed structure is behind the front building line.*
16. The separate entrance of the accessory dwelling unit may be visible from the front or corner lot side yard based on proximity and appropriate mitigation proposed by the applicant and approved by the Administrative Committee.
 - *Based on the proposed location of the detached ADU and its proximity from the front property line Staff does not find that additional mitigation is required.*

Accessory structures, including this detached ADU, are subject to BCLUC section 14-4-105(J)(1) as outlined below:

- a. The total footprint of all accessory structures shall not exceed ten percent (10%) of the entire lot or parcel area, and no lot or parcel shall be reduced in area after the construction of an accessory building, such that it is in violation of this provision.
 - *The total footprint of all accessory structures is 9% (10,000 square feet).*
- b. An accessory structure shall meet all the setbacks of a primary structure, or it shall be setback at least ten (10) feet behind the front building line of a primary structure and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line.
 - *The proposed ADU is more ~24 feet behind the front building line, ~4 feet from the side property line, and 76 feet from the rear property line.*
- c. An accessory structure shall be located at least five (5) feet from a primary structure, including eaves, bay windows, chimneys, and any other protrusion on either the accessory building or the primary structure.
 - *The ADU will be ~6 feet from the main structure*
- d. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any primary dwelling on an adjacent property.
 - *The closest main structure of an adjacent property is 80 feet away.*

- e. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.
 - *The eaves will be no closer than 4 feet.*
- f. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.
 - *Distance of building from property lines will mitigate impact.*
- g. An accessory structure shall meet all applicable provisions of the International Building Code.
 - *Applicant shall apply for building permit review after potential issuance of CUP.*
- h. An accessory structure shall not encroach on any easements, recorded or otherwise.
 - *No recorded easements are affected.*
- i. The sidewall of an accessory structure shall not exceed fifteen (15) feet in height, as measured from the average slope of the ground to the point where the undersides of the eaves connect to the top of the sidewall. For a flat or mansard roof, the sidewall shall be measured from the average slope of the ground to the highest point of the roof, including any coping, parapet or similar feature.
 - *The ADU sidewall is 8 feet 3 inches.*
- j. The height of an accessory structure shall not exceed twenty (20) feet.
 - *The ADU total height is 13 feet.*
- k. Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.
 - *Site plan shows plan for two (2) paved spots in front of the ADU.*

Staff Recommendation

Based on the above findings, Staff recommends approval of the CUP for a detached ADU located at 357 West 2600 South.

Attachments

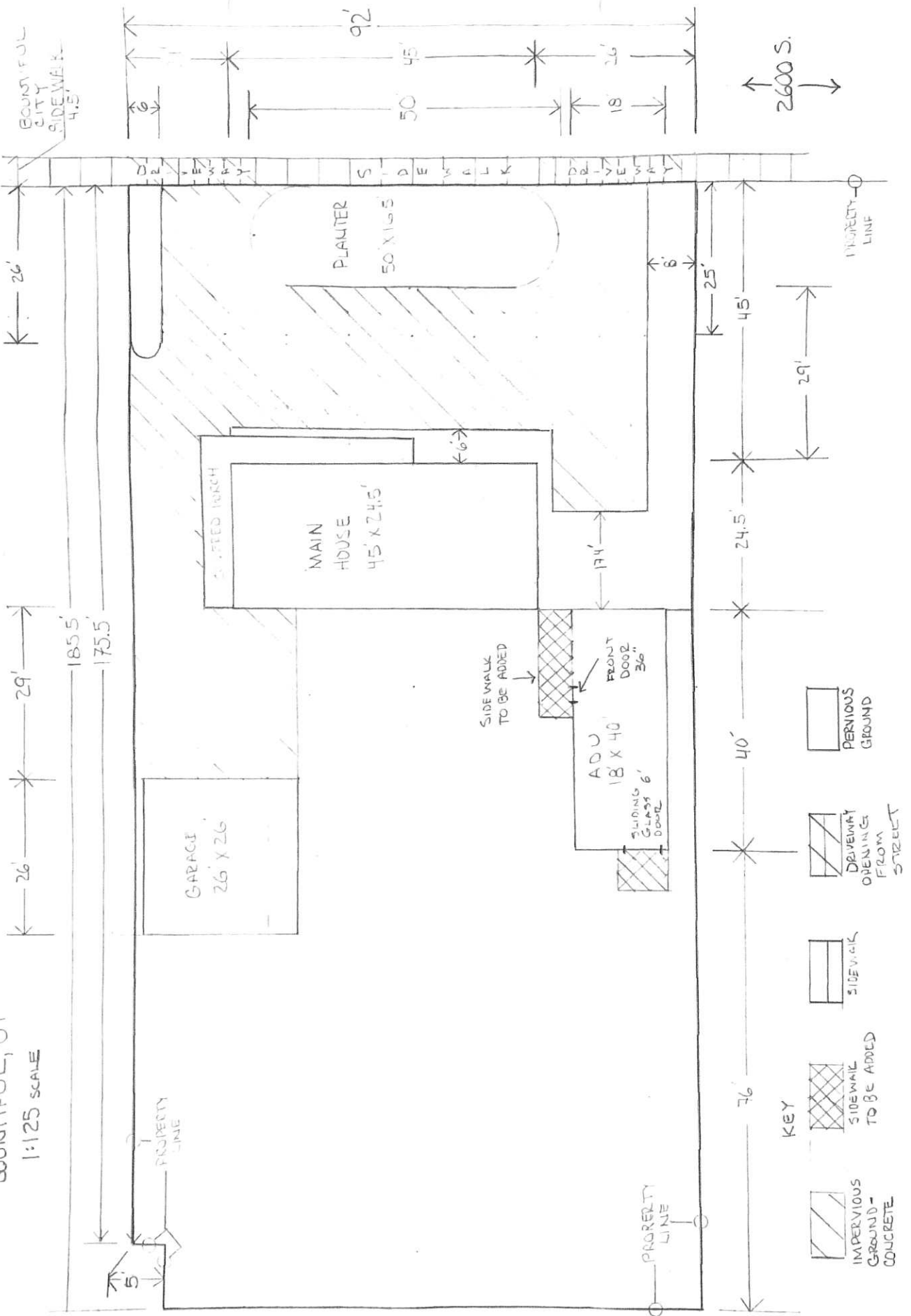
1. Building Distance Map
2. Site Plan
3. Elevations
4. Applicant Answers to CUP questions



Legend

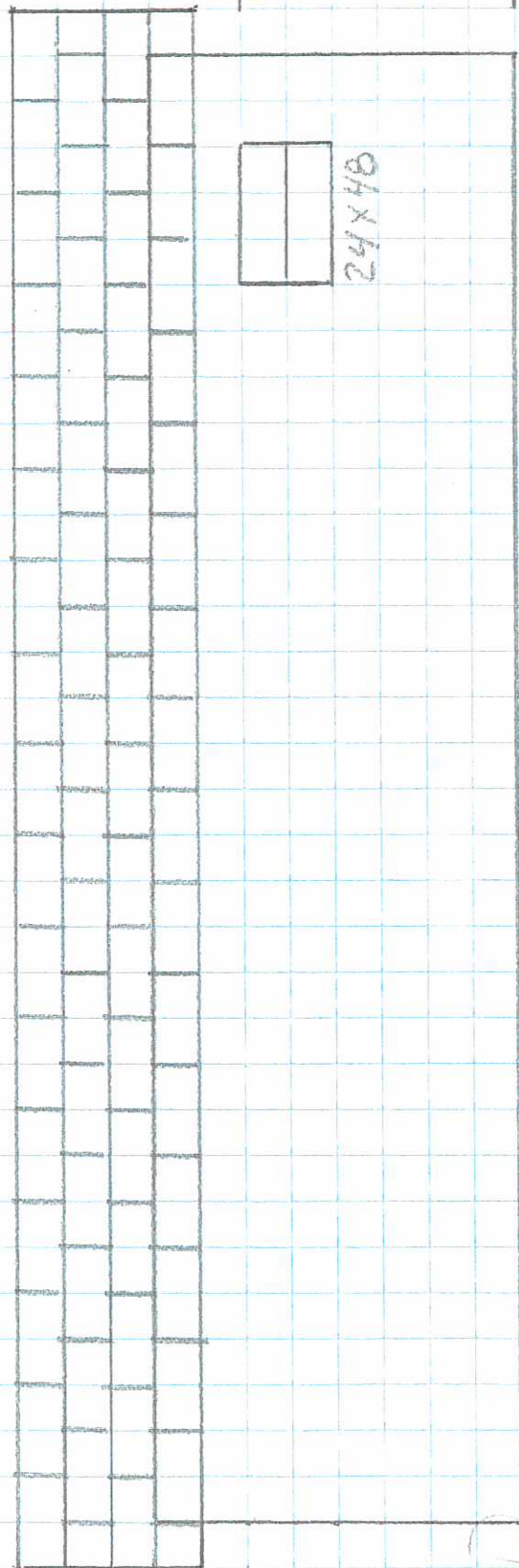
357 W. 2600 S.
 BOUNTIFUL, UT
 1:125 SCALE

—N→

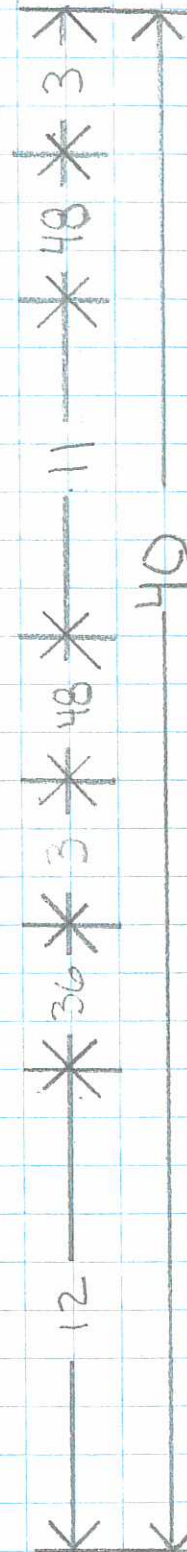
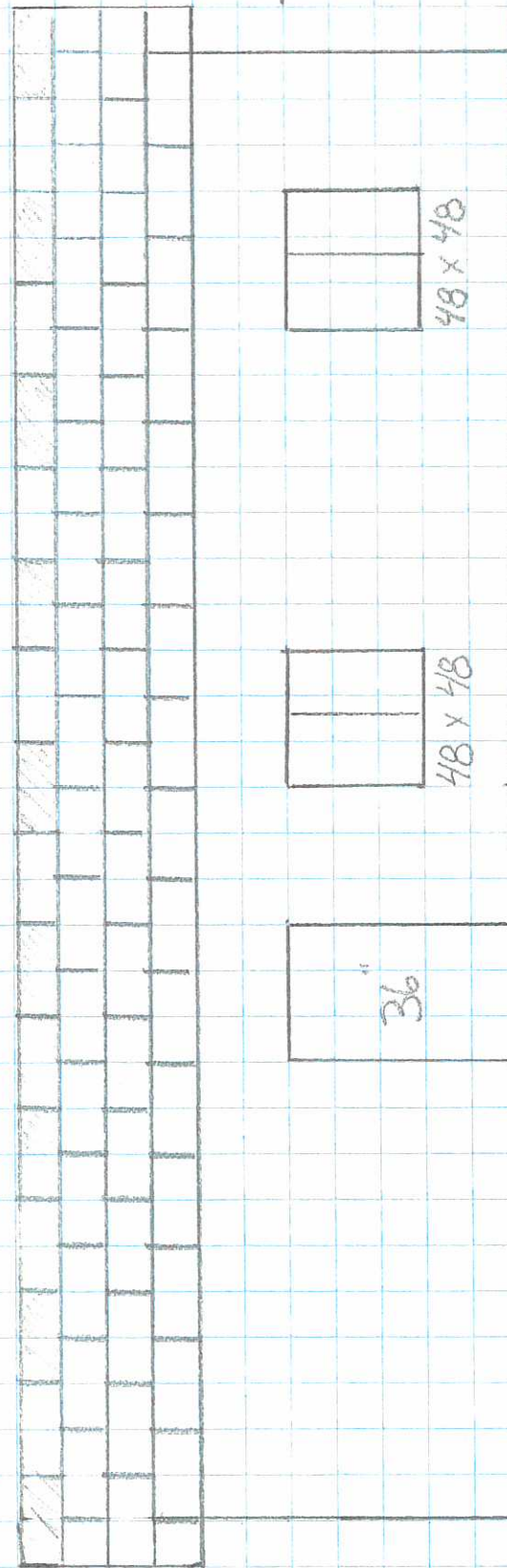


PROPOSED ADU

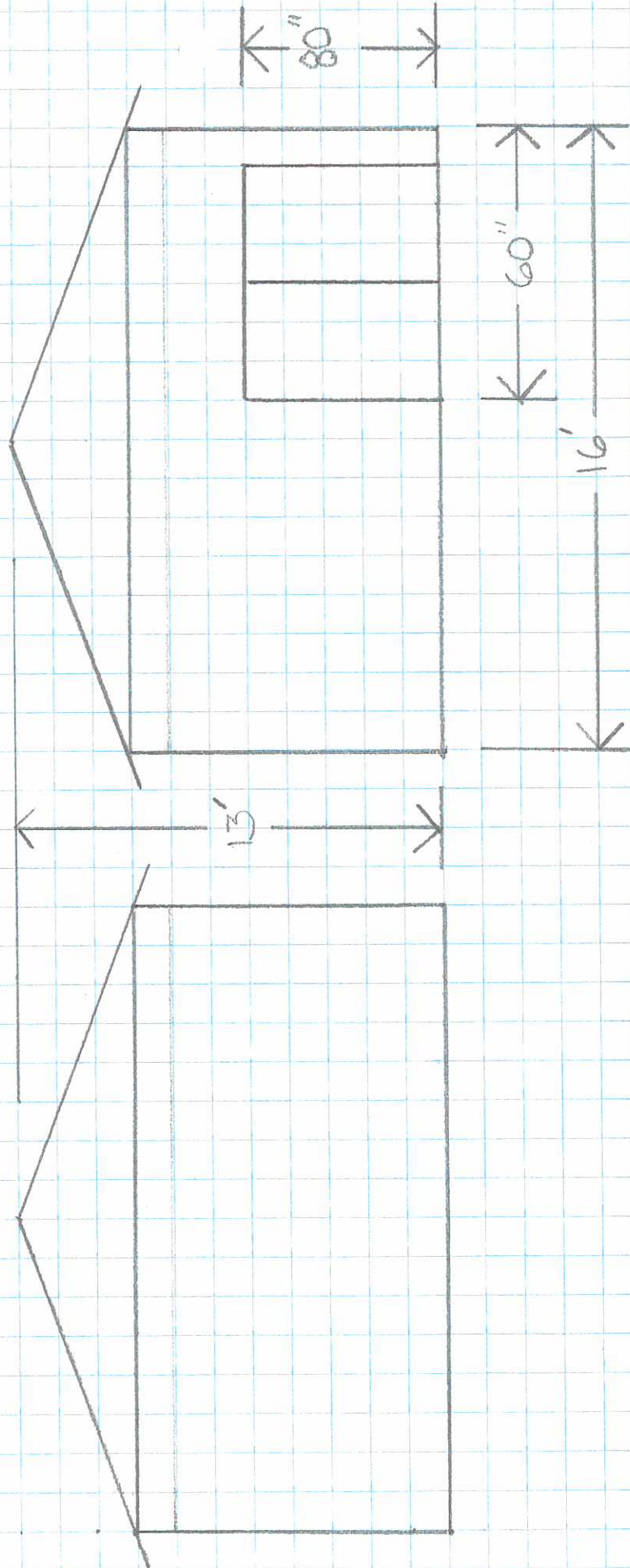
REAR VIEW (EAST FACING)



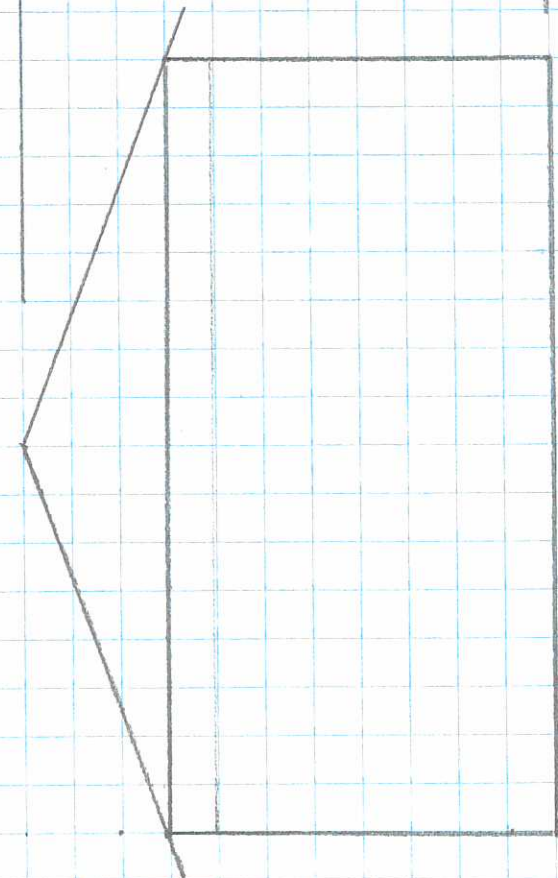
FRONT VIEW (WEST FACING)



SIDE VIEW (SOUTH FACING)



SIDE VIEW (NORTH FACING)



External ADU Questions

1. How does your proposed project fit in with surrounding properties and uses?
 - a. The property on 357 west 2600 south has several multi family units. The project will fit with the trend that is seen across the nation and within Bountiful for more affordable housing. The ADU sits within an area that will not be noticed or obtrusive to any other adjacent properties. It will match the esthetics of the surrounding homes.
2. In what way does the project not fit in with surrounding properties and uses?
 - a. I don't believe there are any ADUs on our block.
3. What will you do to mitigate the potential conflicts with surrounding properties?
 - a. The ADU that is being proposed is located near the aquafer that is owned by Wood Cross City. The location makes the ADU as far away as possible from any other properties. This ADU is being used for family use and will not be used as a rental for the foreseeable future.

RANDY & MARY BETH THOMPSON
357 W. 2600 S.
BOUNTIFUL, UT.