

**PLANNING COMMISSION MINUTES**  
**September 18, 2007**  
**Special Field Trip**  
**6:00 P.M.**

Present: Chairman Clark Jenkins, Vice-Chairman Tom Smith, Beth Holbrook, Michael Allen, Ray Keller, Dave Badham, City Engineer Paul Rowland, Planning Director Aric Jensen, Recording Secretary Connie Feil.

Absent: City Council Representative Barbara Holt and the City Attorney Russell Mahan.

**1. Field Trip to 3796 S. Bountiful Blvd. to consider a variance to allow a circular driveway, John Coles, applicant.**

John & Carol Coles, applicants, were present. Richard & Ann VonWeller, residing at 3812 S. Bountiful Blvd, were also present. Clark Jenkins welcomed all those present after which he had Mr. Coles explain his request for granting a variance to allow his circular driveway.

Mr. Coles explained the removal of the existing drive approach, existing driveway, a section of landscaping in the front yard, and a portion of the curb, gutter and sidewalk which he had replaced without a permit (refer to the minutes of September 4, 2007). Mr. Coles demonstrated backing his truck out of the driveway past the sidewalk onto Bountiful Blvd., and then pulling around the circular drive, with his rear tire driving over the landscaping on the interior of the circle. Tom Smith drove his car on the driveway and also drove on the landscaping.

There was a discussion among all those present regarding safety concerns for the residents as well as the pedestrians, complying with the ordinances, and the possibility of making exceptions with conditions if granting the variance.

The field trip adjourned at 6:29 to return for the Planning Commission meeting.

**PLANNING COMMISSION MINUTES**  
**September 18, 2007**  
**7:00 P.M.**

Present: Chairman Clark Jenkins, Vice-Chairman Tom Smith, Beth Holbrook, Michael Allen, Dave Badham, Ray Keller, City Council Representative Barbara Holt, City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen, and Recording Secretary Connie Feil.

Clark Jenkins welcomed all those present. Barbara Holt made a motion to approve the minutes for September 4, 2007 as written, Tom Smith seconded the motion and voting was unanimous in favor.

**1. PUBLIC HEARING - Continued - Consider a variance to allow a circular driveway located at 3796 S. Bountiful Blvd., John Coles, applicant.**

John Coles, applicant, was present. Clark Jenkins mentioned that Barbara Holt had visited the property earlier in the day. Mr. Jenkins explained that all those present at the field trip now have a better understanding of the request for the circular driveway.

Paul Rowland mentioned that the circular driveway is tight because of the setback of the home. It does not meet the technical requirements of the zoning ordinance for the radius for a circular driveway. Mr. Rowland feels that the safety issue for people traveling on Bountiful Blvd. will not be affected by having or not having a circular driveway and the safety issue for the people backing out of a circular driveway could be improved if someone is parked on the street in front of the house.

Michael Allen asked how the driveway layout should be changed if a variance was granted. Mr. Rowland explained that the driveway would have to be placed right to the front step of the home which would give the maximum amount of radius needed to turn. Also, there should be more room at the northwest corner to give a better angle for entering the street.

Barbara Holt explained that she could not see that this home has any unique circumstances. All the surrounding homes on Bountiful Blvd. have the same situation with backing out of their driveways.

There was a lengthy discussion regarding the safety issues with the circular driveway, obtaining a building permit after the construction, and meeting all the criteria required by State Law.

Mr. Coles read a letter explaining why he thinks he meets the requirements for granting a variance. Mr. Coles feels that he does meet all the items required by State Law.

Russell Mahan stated that whoever makes a motion should base the motion on State Law and give reasons why it meets or does not meet the State Law. Mr. Mahan explained that the Commission may impose additional requirements if it grants a variance.

Barbara Holt made a motion to deny the variance to allow a circular driveway at 3796 S. Bountiful Blvd. on the basis that the request does not meet all of the provisions of the State Law. Mrs. Holt feels that there are not any special circumstances to the property that does not apply to other properties in the same zone, that the property is not being deprived of any privileges in the same zone, and that there are many areas in Bountiful where the property owners have to back out onto busy roads.

Michael Allen seconded the motion and the motion failed. Barbara Holt and Michael Allen voting “aye” and Clark Jenkins, Dave Badham, Beth Holbrook, Tom Smith, and Ray Keller voting “nay.”

Beth Holbrook made a motion to grant a variance to allow a circular driveway at 3796 S. Bountiful Blvd. based on the findings set forth by the applicant in his letter, and with the following provisions and requirements: 1) Allow a circular driveway with an interior arc less than the 20' depth. 2) Allow more than 50% hard surfacing within a required front yard setback. 3) The applicant shall use decorative hard surfacing in place of landscaping. 4) The applicant shall submit a drawing for the approval of the City Engineer and City Planner before continuing or completing the project. No variance was granted to construct a driveway narrower than the minimum 12' width.

Dave Badham seconded the motion and voting passed by majority vote. Beth Holbrook, Dave Badham, Clark Jenkins, Tom Smith and Ray Keller voting “aye.” Barbara Holt and Michael Allen voting “nay.”

**2. PUBLIC HEARING - Consider preliminary subdivision approval for a one lot subdivision located at 1216 S. Lorien Court, Ross Wolfley, applicant.**

Ross Wolfley, applicant, was present. Paul Rowland explained that Mr. Wolfley is proposing a one lot subdivision that is located on the north end of Lorien Court and that also has frontage along Lorien Drive. The single lot in this subdivision is very large at just under 20.5 acres, which is big enough to meet the Foothill Ordinance minimum size regardless of the average slope. Even though the lot is very big, there is really only one area on the lot that provides a building pad that is within 500 ft. of a dedicated street. However, the access to this pad requires some exceptions.

The Lorien Court frontage for the property is almost completely improved by an existing driveway that provides access for the adjacent lot to the southeast and to the City’s Stone Ridge culinary reservoir. This is also the only real access point for the building pad, so all three properties will have to share this same drive approach. The proposed driveway will have to cross about 450 ft. of ground with a slope greater than 30% to access the building pad, however, it will be running laterally and so the driveway grade will be virtually flat (between 1 and 3%). The pad access requires that two exceptions be granted, the first being development on ground with a slope greater than 30%, and the second being building beyond 200 ft. from a dedicated street. Fire access will have to be provided and a fire hydrant line and full fire suppression system in the home will also be required. When the final alignment and grades for the driveway are set, further variances may be required for cuts and fills greater than 10 ft. due to the cross slope of the ground that the driveway crosses.

Because this property was originally anticipated to be two lots – one fronting on Lorien Court and one fronting on Lorien Drive – it is effectively a double fronting lot. The reason the

proposed lot that was to front on Lorien Drive was never developed is because any access would have to cross a 300 ft. wide, 50+ ft. deep gully with side slopes over 40%. It is much more reasonable to grant an exception for a non-conforming double fronting lot than to build such an access.

Utilities are available at the street for this lot because it fronts on an existing road. However, due to the elevation of the site, the water line that runs to the Stone Ridge reservoir will need to be tapped and fed into the property to provide for culinary and fire protection flow. Full easements will need to be provided on the plat to cover the water line easement.

The City has an existing easement for the use of the approach, however, the adjoining property owner has only verbal permission. The applicant has agreed to grant written access to alleviate this issue.

Staff recommends granting preliminary subdivision plat approval for the Stone Ridge Subdivision Plat J with the following exceptions and conditions:

EXCEPTIONS:

- a. Allow a house to be built up to 500 ft. from the street with the conditions below.
- b. Allow the access to the building pad to cross ground over 30% with the conditions below.
- c. Allow the lot to be double fronting, with the primary frontage on Lorien Court and secondary frontage on Lorien Drive.

CONDITIONS:

- 1. A 6" fire line and fire hydrant be installed.
- 2. The home constructed on the lot be constructed with a full fire suppression/sprinkler system.
- 3. The driveway be constructed to the proper width per the Foothill Ordinance and have hydrant access and turn-around that meet the requirements of the Ordinance and the Fire Marshall.
- 4. A disclaimer be included on the final plat stating that no further subdivision of this property will be allowed.
- 5. A note on the plat stating that no vehicle access to the lot will be allowed from Lorien Drive.

The public hearing was opened for all those with comments and concerns.

Tom Grimm, representing Stone Ridge Home Owners Association, mentioned that, because of the difficulty of the slope of this property, the home owners association is in favor of this request for one lot.

The public hearing was closed with no further comments.

Michael Allen made a motion to recommend to the City Council preliminary subdivision approval for a one lot subdivision located at 1216 S. Lorien Court subject to the conditions outlined by Staff with the addition of the following conditions:

6. All exceptions are granted only to the extent shown on the proposed preliminary subdivision plat.
7. Re-vegetation of cuts and fills.
8. Provide joint access easement agreement with adjoining property owners.

Barbara Holt seconded the motion and voting was unanimous in favor.

**3. PUBLIC HEARING - Consider preliminary and final condominium plat approval for Aegir Townhomes located at 2767 S. 625 W., Steven Davis, applicant.**

Steven Davis, applicant, was present. Paul Rowland explained that Mr. Davis is requesting preliminary and final approval of the Aegir Townhomes condominium plat. The development received site plan approval in March as a four unit multi-family townhome project that could either be apartments or condominiums. Mr. Davis has submitted a condo plat and is requesting approval as condominiums.

Since this project is under construction and the exact location of the building is known, Mr. Davis is now anxious to receive approval for the subdivision plat itself so that he can sell the units. The Engineering Department has reviewed the plat and made minor corrections in the form of redlines.

Staff recommends granting preliminary and final plat approval for the Aegir Townhomes with the following conditions:

1. Any outstanding redline corrections be made.
2. Pay the required Fees:

a.	Subdivision Checking Fee	\$400.00
b.	Storm Water Impact Fee	1,208.20
c.	Recording Fee	80.00
3. Submit a current title report.

The public hearing was opened for all those with comments or concerns. The public hearing was closed without any comments.

After a brief discussion Michael Allen made a motion to recommend to the City Council preliminary and final condominium plat approval for Aegir Townhomes located at 2767 S. 625 W. subject to the conditions outlined by Staff. Tom Smith seconded the motion and voting was unanimous in favor.

**4. PUBLIC HEARING - Consider a zone change from R-F to R-3 located at 1600 E. Skyline Drive, Randy Lewis, applicant.**

Aric Jensen explained that this item has been removed from the agenda and will be back on in four weeks. There was an error in posting the sign on the property and in order to continue all legal notices need to be reposted. The new public hearing date will be on October 16, 2007.

Meeting adjourned at 8:15 p.m.