

Bountiful City
Planning Commission Minutes
February 3, 2015
6:30 P.M.

Present: Chairman – Tom Smith; Planning Commission Members – Mike Allen, Sean Monson, and Von Hill; City Council Representation – Richard Higginson; City Attorney – Russell Mahan; City Engineer – Paul Rowland; City Planner – Chad Wilkinson; and Recording Secretary – Darlene Baetz and Dave Powers, South Davis Fire Marshall

Excused: Planning Commission Members – Dave Badham and Sharon Spratley

1. Welcome and Introductions.

Chairman Tom Smith opened the meeting at 6:30 pm and welcomed all those present.

2. Approval of the minutes for January 20, 2015.

Mike Allen made a motion to approve the minutes for January 20, 2015 as written. Richard Higginson seconded the motion. Voting passed 5-0 in favor.

3. PUBLIC HEARING - Consider amending the provisions of Chapter 4 of the Bountiful City Land Use Ordinance related to Lot Access and Site Layout, and residential fire sprinkler standards.

Dave Powers with South Davis Metro Fire Marshall was present. Chad Wilkinson presented the staff report.

Current Bountiful City Code calls for proposals to construct a primary residential structure more than 150 feet from a public street in all single family residential zones to include a residential fire suppression system (sprinklers) in addition to an access road or driveway which meet the following standards: be two and a half (2 ½”) inches of asphalt or five (5”) inches of concrete over six (6”) inches of compacted road base. Be a minimum of twenty (20’) feet wide, and include a turn-around at the end of the access in accordance with the standards and specifications of Article 10 of the International Fire Code and in accordance with the minimum requirements. The City has received requests to review this policy to allow new developments to place either an access road subject to the access requirements described in the code or a pressurized sprinkling system as an alternative approved by the Fire Marshall.

Most cities have adopted standards to encourage residential fire sprinklers; however, recent changes to State Law have limited the circumstances in which fire sprinklers can be required in conjunction with a single family home. The proposal which allow new homes over one hundred and fifty feet from a public street in R-3 and R-4 zones to either construct a fire access road, or sprinkler the house rather than requiring both. The impacts are expected to be limited since the number of homes built this distance from a public street is limited. Staff recommends approval of the proposed modification to fire sprinkler and site access standards for single family residential homes.

Dave Powers reviewed the State and South Davis Metro Fire requirements for home sprinklers. Any existing properties will be grandfathered in but will be required to be registered with South Davis

Metro Fire. The proposed amendment would allow the state requirements be the same for all properties in the state.

The dead end hydrants at the long access road are a problem for the public works. Mr. Rowland explained the current hydrant placements in Bountiful City.

Mr. Wilkinson verified that letter B should be underlined and read “As an alternative to the access requirements described above, the Fire Marshall may approve the installation of“

Chairman Smith opened and closed the Public Hearing at 6:49 p.m without comments.

Von Hill made a motion to recommend approval to the City Council as written and to include the correction to Item B, “As an alternative to the access requirements described above, the Fire Marshall may approve the installation of“. Sean Monson seconded the motion. Voting was 5-0 in approval favor.

4. PUBLIC HEARING - Consider approval of a variance to required side yard setbacks in order to construct a detached accessory structure at 52 E 1200 South, Kelly Howard, applicant.

Kelly Howard, applicant and Chris Finley, applicant’s attorney were present. Chad Wilkinson presented the staff report.

The property is located at 52 E 1200 South within the R-4 zone and is surrounded by single family residential properties. The structure is approximately 295 square feet in area and required a building permit. The structure was completed without a building permit and prior to the City becoming aware of it. The applicant has requested a variance to allow for the elimination of the required side yard setback in order to allow the structure to extend to the property line. Chad discussed the State code and the variance requirements from the City code. Staff recommends denial of this requested variance.

Mr. Finley presented the applicant’s response to the variance criteria. Mr. Finley discussed the current view of the neighbor’s property, Todd Willey at 66 E 1200 South, (exhibits 23 and 24 provided in the staff report). Discussion of attached exhibits for the requested variance includes the carport cover, accessibility to the basement, rear yard access, and privacy for Ms. Howard’s home.

Kelly Howard discussed the structure built at 52 E 1200 South. The fence and privacy from the neighbor’s home and motor home.

Mike Allen asked if the contractor of Ms. Howard’s structure was licensed. Ms. Howard’s contractor is licensed, but no building permit was obtained.

Chairman Smith opened the Public Hearing at 7:15 p.m.

Arlyne Stringham resides at 75 E 1200 South discussed the neighbors concern for Mr. Willey’s building projects. She expressed concern that Mr. Willey’s garage would include an apartment above.

Meggie Troili resides in Sugarhouse, she is the daughter of Kelly Howard. The original structure was lost during a storm in Dec 2011 and this structure was a replacement. The existing fence between the properties is low and does not give privacy for Ms. Howard.

Chad stated Bountiful Code for the original structure that was destroyed states that Ms. Howard needed to have rebuilt that structure by Dec 2012.

Chairman Smith closed the Public Hearing at 7:24 p.m.

Paul Rowland discussed the error with the elevation of the existing footings for Mr. Willey's home.

Mr. Finley questioned the purpose of setbacks and the standards of the zoning ordinance.

Chad stated the purpose for the setbacks would include fire separation and neighbor space. There is no apartment that is shown on the current building permit for Mr. Willey's property.

Additional discussion occurred relating to other accessory structures that have been built in the neighborhood, the city's enforcement procedures and non-conforming development.

Von Hill stated that there is a fire separation requirement even for a carport.

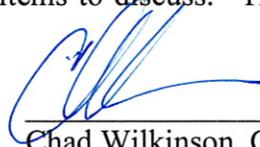
Von Hill made a motion to deny the variance. Sean Monson seconded the motion. Voting was 4-1 in favor of the motion with Chairman Smith voting against the motion.

Rusty Mahan explains the appeal process to Ms. Howard and Mr. Finley.

5. Planning Director's report, review of pending applications and miscellaneous business.

1. Training dates – February 17, 2015 at 5:00. – CUP and Accessory Dwelling.
2. Next Planning Commission meeting to be held on February 17.
3. Upcoming agenda items.

Chairman Smith ascertained there were no other items to discuss. The meeting was adjourned at 7:57 pm.



Chad Wilkinson, City Planner