

**Bountiful City**  
**Administrative Committee Minutes**  
**April 11, 2011**  
**5:00 P.M.**

Present: Acting Chairman – Marc Knight; Committee Member – Lloyd Cheney;  
Assistant Planner - Dustin Wright; and Recording Secretary – Darlene Baetz

Excused: Aric Jensen

1. Acting Chairman Knight opened the meeting at 5:01 pm and all present introduce themselves.
2. Consider approval of minutes for April 4, 2011. Mr. Knight made a motion to approve the minutes as written. Mr. Cheney seconded the motion. Voting was 2-0 in favor. Mr. Badham abstained as he was not present at the meeting.
3. **PUBLIC HEARING - Consider a Conditional Use Permit application to allow for a Commercial Occupation Seasonal Produce business at 390 W. 1800 S., James Skinner, applicant.**

Applicant was not present.

Acting Chariman Mr. Knight opened and closed the Public Hearing.

Item was postponed until the end of meeting.

4. **PUBLIC HEARING - Consider a Conditional Use Permit application to allow for a Home Occupation Design/Engraving business in Garage at 522 E. 100 S., Brett Blaisdell & Tyler Howes, applicant.**

Brett Blaisdell and Tyler Howes were present. Mr. Wright presented the staff report.

The property is located in the Single Family R-4 (R-4) zone. A home occupation office use may be allowed in a detached accessory structure if certain criteria are met.

Structure is roughly 25'x12' which is 300 sq. ft. The driveway can accommodate about 3 cars. The only retail activity will be transacted electronically or by mail. The owner has recorded a deed restriction on the property stating that the use of the property is for a single family dwelling, and that the office space shall only be used in accordance with the provisions of the Bountiful City Land Use Ordinance as it may be amended from time to time. He has one employee that will work 9-5 Monday – Saturday. Applicant stated that the structure will need to be equipped with an exhaust system to handle the dust from the engraving. Staff referenced City Code 14.17.105.

- F. It shall not create noise, dust, odors, noxious fumes, glare or other nuisances, including interruption of radio and/or television reception, which are discernable beyond the premises.
- H. It shall not involve the use of mechanical or electrical apparatus, equipment or tools not commonly associated with a residential use or as are customary to home crafts.

Based on these facts, Staff recommends denial of a Conditional Use Permit for a design business.

Mr. Blaisdell and Mr. Howes discussed the size and specification of the engraving machine. A laser engraver is 36" x 24", table size, and plugs into a 110 volt and runs off of a computer. The machine has an attached dust bag to remove the heat and dust. The materials that would be engraved on are glass, wood, rock; there would be no toxic materials used.

Acting Chairman Mr. Knight opened the Public Hearing.

Jerrold Pay at 540 E. 100 S. discussed noise issues and the product finish.

Jeannie Nelson at 575 E. 100 S. discussed extra traffic issues. She does not want any extra traffic in the neighborhood and does not want a business in the neighborhood.

Jerrold Pay at 540 E. 100 S. discussed delivery trucks in the neighborhood.

Ron Thomas at 541 E. 100 S. discussed that the neighborhood traffic/delivery services would increase for this residential area due to this business.

Mark Blaisdell, homeowner and applicant, and Mr. Howes assured the public that there would be no increase of traffic and noise and the delivery issue could be solved by having the applicants pick up their packages from another location.

Acting Chairman Knight closed the Public Hearing.

Staff discussed the transparency of a home occupation business.

Applicants discussed a location for the dust vacuum machine to be placed to be able to accommodate the neighbors. There would be a possibility of a hedge and 6 ft vinyl fence to block any noise from surrounding neighbors.

Staff discussed concern for the noise and the possibility of a trial basis.

Paul Nelson at 575 E. 100 S. asked if this license is approved when would it be reviewed again.

Mr. Mark Blaisdell and Tyler Howes stated that the business would be removed from the residential area if the business added more machines.

Staff was concerned about the location of the dust collector.

Darryl Stamp at 595 E. 100 S. discussed the length of the possible trial basis and when it would be brought back to the city's attention.

Staff stated that this business is not permitted in a residential area.

Applicants asked what the direct areas of conflict are for this business. Staff stated that the noise and the type of equipment used is not permitted. These machines could be used for a hobbyist but not for commercial activities in a residential area.

Mr. Badham made a motion to deny the request for Conditional Use Permit for a Home Occupation Design/Engraving business in the garage at 522 E. 100 S., Brett Blaisdell and Tyler Howes, applicants, based on the facts and findings of staff that it is not a permitted use. Mr. Knight seconded the motion. Voting was 3-0 in favor.

The applicants were informed that they could appeal the decision.

5. Consider approval of a Conditional Use Permit letter, in written form, for a Commercial Occupation Lawn Care business at 45 W. 400 N., Chris Salisbury, applicant.

Mr. Cheney made a motion to approve the Conditional Use Permit letter for a Home Occupation Lawn Care business at 538 W. 3400 S., Chris Salisbury, applicant, as written. Mr. Knight seconded the motion. Voting was 2-0 in favor. Mr. Badham abstaining as he was not present at the meeting.

- 3. (RE-OPENED) PUBLIC HEARING - Consider a Conditional Use Permit application to allow for a Commercial Occupation Seasonal Produce business at 390 W 1800 S., James Skinner, applicant.**

Applicant was not present. Mr. Wright presented the staff report.

The property is located in the General Commercial (C-G) zone. The applicant has had a temporary permit in this location in the past and since the use reoccurs each year a seasonal permit suits this use better. Seasonal Permits require Administrative Committee approval and a public hearing before they can be issued. The permit may be issued for a maximum of 6 months. They can reoccur each year for up to 5 years. They must occupy the same location, owner, and configuration or they become void. The business license must be renewed each year.

The applicant would like the operation to start in mid June and end in mid-November. A temporary stand will be set up during the operational months and then must be removed and the site returned to its original state. Underground utility lines are allowed with approval from the Building Department. A submitted plan and application will need to be approved by the Planning Director. There is sufficient parking surrounding the site. Applicant has stated that he would like to have signs in the park strip and a banner wrapped around the stand. Signs are not allowed in park strips anywhere within the City. They are also not allowed in clear-view-areas. The stand must be setback 20' from property lines. Food is brought in each day and shall not be left on the site. They will have 2-3 employees and the hours of operation will be 9am-7pm, Monday to Saturday.

Based on findings, Staff recommends approval for a Seasonal Use Permit for a fruit and vegetable stand from June to November, with the following conditions:

1. The applicant shall renew the Business license each year.
2. The applicant shall comply with the City Ordinances for Seasonal Use Permits (14-17-112) and General Standards (14-17-113).
3. Signs shall not be located in the park strip or clear-view-areas.
4. Conditions of this approval shall be met.
5. This Seasonal Use Permit is just for this individual at this site and is not transferable.

Acting Chairman Knight opened the public hearing. The hearing was closed without comment.

Mr. Cheney made a motion to approve the Conditional Use Permit application to allow for a Commercial Occupation Seasonal Produce business at 390 W 1800 S., James Skinner, applicant with the conditions set forth by staff. Mr. Badham seconded the motion. Voting passed 3-0 in favor.

6. Acting Chairman Knight ascertained that there were no other items to discuss. Mr. Cheney made a motion to adjourn and Mr. Badham seconded the motion. Voting was 3-0 in favor.

The meeting adjourned at 5:50 p.m.