

**Bountiful City
Administrative Committee Minutes
August 18, 2014**

Present: Chairman – Chad Wilkinson; Committee Members – Lloyd Cheney and John Marc Knight; Recording Secretary – Julie Holmgren.

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:01 p.m. and all present introduced themselves.

2. Consider approval of minutes for August 11, 2014.

Mr. Cheney made a motion to approve the minutes for August 11, 2014. Mr. Wilkinson seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
 Mr. Knight – Abstained

Motion passed 2-0.

3. PUBLIC HEARING: Consider approval of a Conditional Use Permit for a Home Occupation Group Instruction with up to 12 children at 39 West 700 North, Rachel Flint – Little Owl Preschool, applicant.

Rachel Flint, applicant, was present, along with her husband, Lyle Flint.

Chairman Wilkinson presented a summary of the staff report (the full staff report follows).

The applicant, Rachel Flint, is applying for a Conditional Use Permit for a Home Occupation Group Instruction to allow for a preschool to have up to 12 children located at 39 West 700 North.

The preschool would be run from the applicant's home, which is located in an R-4 single-family residential zone. The applicant currently has a license for up to 8 children in the preschool. The conditional use permit would allow up to 12 children per session. The applicant indicates that there will be no more than two sessions per day which will run Monday through Friday from 9:00 am to 11:30 am and Monday, Wednesday and Friday from 12:30 to 3:00 pm. The interior area to be used is 430 square feet which meets the required 35 square feet per child. The outdoor play area exceeds the requirement of 40 square feet per child. The area to be used for group instruction does not exceed 50 percent of the ground floor square footage as required by Code. The applicant has

outlined the pick-up and drop-off procedure which includes lining vehicles up in the adjacent street with the instructor walking each child individually to the vehicle.

Staff recommends approval of a Conditional Use Permit to allow a Home Occupation Group Instruction to allow for a preschool to have up to 12 children with the following conditions:

1. Pick-up and drop-off procedures approved by the Committee must be followed.
2. The applicant must comply with the requirements for a Home Occupation Business License and the Conditional Use Permit.
3. The applicant must comply with the Rules and Guidelines for Preschool set forth by the Davis County Health Department.
4. The permit is for this applicant at this site and is not transferable.

Mr. Cheney expressed concern that the afternoon pick-up time for preschool children might coincide with the end of school day for public schools. Ms. Flint explained parents will pick up their children before the public school students are walking home from school.

PUBLIC HEARING: Chairman Wilkinson opened the public hearing at 5:06 p.m., and the hearing was closed at 5:06 p.m. with no comment from the public.

Mr. Knight clarified with the applicant that this preschool has already been operating with a Bountiful business license and that the purpose of the Conditional Use Permit is to allow up to 12 children to attend the preschool. Ms. Flint verified that this is the case. Ms. Flint also explained her yard is fully fenced, and she understands the signage restrictions for a home based business.

Mr. Knight made a motion to approve the Conditional Use Permit for a Home Occupation Group Instruction with up to 12 children at 39 West 700 North, Rachel Flint -- Little Owl Preschool, applicant. Mr. Cheney seconded the motion.

A Mr. Wilkinson

A Mr. Cheney

A Mr. Knight

Motion passed 3-0.

4. **PUBLIC HEARING: Consider approval of a Conditional Use Permit for a Landscaping Business (tree trimming) at 230 South 425 West, Kenneth Peterson – J & K Specialized Tree Care, applicant.**

Kenneth Peterson, applicant, was present.

Chairman Wilkinson presented a summary of the staff report (the full staff report follows).

The applicant, Kenneth Peterson, is applying for a Home Occupation Conditional Use Permit for a Landscaping Business (tree trimming) located at 230 South 425 West, Bountiful.

The property is located in the single-family R-4 zone. The applicant will be doing tree trimming services.

Applicant has a truck that he will park at his home and has indicated that trailers and other equipment will be stored at another location. He has a secretary and no other employees. The applicant has indicated that there will be no signage at the home.

Staff finds the applicant to be compliant with requirements in the City Code. Staff recommends approval for a Conditional Use Permit for a Home Occupation Business License, with the following conditions:

1. The applicant shall keep an active Home Business license.
2. The applicant shall comply with the City Ordinances for Conditional Use Permits (14-2-506) and Home Occupation Businesses (14-17-105).
3. This Conditional Use Permit is just for this individual at this site and is not transferable.

Mr. Wilkinson explained he received two emailed complaints regarding this Conditional Use Permit. The complaints primarily addressed a concern of the business trailer being parked on the street in front of Mr. Peterson's residence. Other concerns involved the possibility of chemicals being stored on the property and employees congregating at the residence. Mr. Wilkinson pointed out that there are standards in the Code that directly address these issues. Specifically, Mr. Peterson responded that in the future he will not store the trailer at the residence but instead will store it at a vacant lot he owns. Mr. Knight noted that Mr. Peterson formerly had a home occupation landscaping business at another address and asked if there had been any complaints. Mr. Peterson responded that there had been no complaints.

PUBLIC HEARING: Chairman Wilkinson opened the public hearing at 5:13 p.m. Leslie Rosser (375 West 200 South) was present. Ms. Rosser expressed her concern regarding Mr. Peterson parking his trailer on the street. She noted it was difficult to maneuver her car around the trailer, that the trailer was parked there during the day and in the evening, and it posed a safety issue for children playing in the neighborhood. Mr. Peterson assured Ms. Rosser in the future the trailer would be parked off-site. The public hearing was closed at 5:16 p.m. with no further comment from the public.

A short discussion ensued among the committee members regarding the trailer. Staff recommended approval of the Conditional Use Permit with the condition that the large

trailer must be stored off-site. The committee clarified with Mr. Peterson that the home based business must be transparent.

Mr. Knight made a motion to approve the Conditional Use Permit for a Landscaping Business (tree trimming) at 230 South 425 West, Kenneth Peterson – J & K Specialized Tree Care, applicant, with the added condition that large trailers used for the applicant's business must be stored off-site. Mr. Cheney seconded the motion.

A Mr. Wilkinson

A Mr. Cheney

A Mr. Knight

Motion passed 3-0.

5. Miscellaneous business and scheduling.

Chairman Wilkinson ascertained there were no further items to discuss. The meeting was adjourned at 5:20 p.m.


Chad Wilkinson, City Planner