

**Bountiful City
Administrative Committee Minutes
May 31, 2016**

Present: Chairman – Chad Wilkinson; Committee Members – Lloyd Cheney and John Marc Knight; Assistant Planner – Andy Hulka; Recording Secretary – Julie Holmgren

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:00 p.m. and introduced all present.

2. Consider approval of minutes for May 23, 2016.

Mr. Knight made a motion to approve the minutes for May 23, 2016. Mr. Cheney seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

3. Consider approval of a Lot Line Adjustment at 3602 South Bountiful Boulevard and 3634 South Bountiful Boulevard, Richard & Alta Williams and John Tebbs, applicants.

Richard Williams was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The applicants are applying for a Lot Line Adjustment between their properties at 3602 S Bountiful Blvd (Lot 21) and 3634 S Bountiful Blvd (Lot 23) in Bountiful, Utah. Both properties are located in the R-3 Single-Family Zone. The purpose of the property line adjustment is to convey 222 square feet (approximately 0.005 acres) (Parcels A and C) from Lot 23 to Lot 21 and to convey 129 square feet (approximately 0.002 acres) (Parcel B) from Lot 21 to Lot 23, bringing Lot 21 to a total of 0.282 acres and Lot 23 to 0.383 acres. It should be noted that approval of the property line adjustment by the City does not act as a conveyance of real property and appropriate conveyance documents must be prepared and recorded by the county.

No new lots are being created in this transfer so this does not need to be an amended subdivision plat.

Both affected properties will meet the minimum lot size requirements for the R-3 zone.

There is a 7 foot public utility easement on either side of the existing property line. The lot line adjustment will not affect the existing easement.

Based on findings, Staff recommends approval for a lot line adjustment, with the following condition:

1. The approved lot line adjustment is recorded with Davis County. **Note:** Approval of the property line adjustment does not act as a conveyance of property.

Mr. Williams explained that the lot line adjustment was mutually agreeable to both Tebbs and Williams, and they desired to legalize an informal agreement regarding adjustments to the property line which made it more useful to both parties.

Mr. Knight made a motion for approval of a Lot Line Adjustment at 3602 South Bountiful Boulevard and 3634 South Bountiful Boulevard, Richard & Alta Williams and John Tebbs, applicants. Mr. Cheney seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

Mr. Wilkinson reiterated that the City’s approval of the lot line adjustment does not act as a conveyance of property. Mr. Williams noted his understanding of that. In addition, Mr. Williams asked regarding the typical number of lot line adjustments made in Bountiful. Mr. Wilkinson replied that they occur on a fairly regular basis. Mr. Knight noted that lot line adjustments occur for a variety of reasons.

4. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for Solar Panels at 143 East 1400 South, Kevin Kellersberger, applicant.

Mike Moffitt (Blue Raven Solar), representing the applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the R-4 Single Family Zone. Solar power panels are classified in the city ordinance as “private power plants” and require a conditional use permit if they are over 10 watts. The applicant has indicated that the photovoltaic system to be installed will produce 2.92 kilowatts (2,920 watts), requiring a conditional use permit.

The application submitted indicates the proposed installation of 5 photovoltaic arrays with a total of 11 panels. The arrays will occupy approximately 198.6 square feet, which is smaller than the 50% maximum roof coverage. Each of the arrays will be grouped together on the south facing portion of the roof over the front of the home. The roof is of truss construction, has a slope of 6:12, and has asphalt shingles that are 3 years old in acceptable condition. A review of information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A reflection analysis of the

roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the conditional use permit with the following conditions:

1. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This conditional use permit is solely for this site and is non-transferable.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:10 p.m. with no comments from the public.

Mr. Wilkinson asked Mr. Moffitt to clarify a section (shaded in pink) on the site plan diagram. Mr. Moffitt explained that the pink represents shade on the roof when the sun is in different locations so they know to avoid those areas in solar panel placement. Mr. Wilkinson asked if this refers specifically to shade caused by the roof at different times of day, and Mr. Moffitt affirmed. Mr. Wilkinson asked if the property owners had future plans to expand the project, and Mr. Moffitt said there are no future plans.

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for Solar Panels at 143 East 1400 South, Kevin Kellersberger, applicant. Mr. Knight seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

Mr. Knight asked for Mr. Moffitt's impressions regarding Bountiful's solar permitting process. Mr. Moffitt replied that although it is somewhat lengthy, it has helped their company be more efficient and they have learned and improved from the process.

5. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Construction Business at 1682 South 1175 East, Darin Fenwick, applicant.

Darin Fenwick, applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the Home Occupation Construction Business is proposed is located in the R-3 Single Family Zone. Home Occupation Contractor Businesses in this zone are classified in the City Ordinance as requiring a Conditional Use Permit.

The application submitted indicates that the property will be used as a residential office for a construction business. The applicant has indicated that he will be using a 100 square foot space

in the home for the office. The applicant uses his personal truck for the business, which will be parked in the driveway or in the garage. The applicant will store all construction equipment in a commercial storage site in North Salt Lake. There will be no employees working on site. The applicant has indicated that no work will be performed on site, no product will be sold from the property, no equipment will be stored on site, and no customers will visit the site. There will be no signage on the property associated with the business. The use appears to be incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:15 p.m. with no comments from the public.

Mr. Knight reviewed some of the City's guidelines regarding home occupation businesses, namely no signage, restricted equipment parking, and no congregation of employees. He further explained that the spirit of the conditional use permit is that no one knows there is a business being operated out of the home.

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Construction Business at 1682 South 1175 East, Darin Fenwick, applicant. Mr. Knight seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
 A Mr. Knight

Motion passed 3-0

6. Consider approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 1934 South 850 East, Aaron Malmstrom, applicant.

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 1934 South 850 East, Aaron Malmstrom, applicant. Mr. Knight seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0

7. Miscellaneous business and scheduling.

Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:18 p.m.


Chad Wilkinson, City Planner