

Mayor
Kenneth Romney

**City Engineer/ Land
Use Administrator**
Kris Nilsen

**City Recorder/
Community
Development**
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

Chairman
Alan Malan

Commissioners
Dell Butterfield
Laura Mitchell
Corey Sweat
Dennis Vest

THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, JUNE 27, 2023, AT THE CITY OFFICES.

1. Prayer/Thought – Commissioner Mitchell;
Pledge of Allegiance – Commissioner Malan.
2. Confirm Agenda.
3. Public Hearing to Consider a Request from Jeremy Broderick, 1451 N 950
West, to Change the Way Accessory Structure Heights are Measured.
4. Consider Request from Jeremy Broderick to Change the Way Accessory
Structure Heights are Measured.
5. Meeting Minutes from June 13, 2023.
6. Staff report
 - a. Engineering (Kris Nilsen)
 - b. Community Development (Cathy Brightwell)
7. Adjourn.

This agenda was posted on the State Public Notice website (Utah.gov/pmnl), the city website (WBCity.org), emailed to planning commissioners, and provided to the Davis Journal on June 23, 2023, by Cathy Brightwell, City Recorder.

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website, on the West Bountiful City website, and at city hall on June 23, 2023, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, June 27, 2023, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Corey Sweat, Dennis Vest, Dell Butterfield, Laura Mitchell, and Council member Kelly Enquist.

MEMBERS EXCUSED:

STAFF ATTENDING: Kris Nilsen (City Engineer), Cathy Brightwell (Recorder), and Debbie McKean (Secretary).

VISITORS: Jeremy and Katie Broderick

The meeting was called to order at 7:30 pm by Chairman Malan.

1. **Prayer by Commissioner Mitchell**
Pledge of Allegiance- Commissioner Malan
2. **Confirm Agenda**

Chairman Malan reviewed the proposed agenda. **Corey Sweat moved to approve the agenda as presented. Dell Butterfield seconded the motion. Voting was unanimous in favor among all members present.**

3. **Public Hearing to Consider a Request from Jeremy Broderick, 1451 North 950 West, to change the Way Accessory Structure Heights are Measured.**

Commissioner packets included a memorandum dated June 23, 2023, from Kris Nilsen and Cathy Brightwell regarding a **Request from Jeremy Broderick, 1451 North 950 West, to change the Way Accessory Structure Heights are Measured** including a height chart comparison as currently proposed, application packet from Mr. Broderick stating the reason for the request, diagrams explaining the effects of the request, and descriptive diagrams prepared by staff.

Action Taken: Corey Sweat moved to open the public hearing at 7:35 pm. Laura Mitchell seconded the motion and voting was unanimous in favor.

Kris Nilsen introduced the request from Jeremy Broderick, at 1451 N 950 West (Ranches at Lakeside), which is in the R-1-22 zone. He noted the purpose of the request is to modify the current height-setback chart to allow a different way of measuring, while not changing the overall height allowed in each zone. Mr. Broderick would like to build a garage that will store his RV, which requires a 14 ft garage door. Given the space he has available on his lot and the current setback requirements, he is unable to build a structure that meets his needs. Because he is on a corner lot, his rear yard faces his neighbor's side yard. The neighbor's home (or any home) can be up to 35 feet high 10 feet from the property line, yet his accessory structure is limited to a height of 24 feet at the same 10-foot setback.

Mr. Nilsen reviewed how the city came up with the current height regulations and that until a couple years ago, accessory structure heights were approved by the planning commission on a case-by-case basis as part of a conditional use permit application. As a result, several of his neighbors have accessory structures similar to what he is asking for that do not meet current code. The city implemented the setback-height chart to eliminate the conditional use process and to help minimize impact to neighbors of large buildings.

Mr. Nilsen explained that the new proposal allows the side/rear setback to be reduced depending on the type of roof that is being measured. The distance from the property line to the peak is the same under both scenarios but the distance of the wall from the property line may be reduced. The minimum side/rear setback to the wall is 6 feet.

Under this scenario, two measurements will be used to determine the setback.

1. The side/rear setback measured from the property line is based on the height of the peak of the roof.
2. The side/rear setback measured from the property line is based on the height of the wall where it connects to the roof and can be less than the setback measurement to the peak.

Kris noted that the line of site (view) at a 12 ft height is the same for both scenarios. The line of site (view) at a 6 ft height is slightly more obstructed.

Public Comment: No Public Comment was offered.

Action Taken: *Corey Sweat moved to close the public hearing at 7:40 pm. Laura Mitchell seconded the motion and voting was unanimous in favor.*

4. Consider Request from Jeremy Broderick to Change the Way Accessory Structure Heights are Measured.

Jeremy Broderick took the stand to address some questions from the commission. He noted the reasons why he made the request which are listed above. He feels like this is a compromise that will not affect the neighbors but will make a difference for him and others who may have a need for a 14 ft. garage door. He added that the space between the building and property line tends to be a place for collecting junk and weeds.

Discussion took place and both the applicant and Kris Nilsen drew diagrams on the white board to better explain the proposal and provide examples of the difference between the current code and the new proposal.

There was also discussion about having the proposed change apply to all residential zones, not limited to the R-1-22.

Corey Sweat pointed out that this deals with unique situations that may come up in the city and is a good compromise to the conditional use permit.

Action Taken: *Corey Sweat moved to send the proposed text change regarding Accessory Structure Heights to City Council with a positive recommendation. Dennis Vest seconded the motion and voting was unanimous in favor.*

5. Consider Meeting Minutes from June 13, 2023.

Action Taken: *Laura Mitchell moved to approve the minutes from June 13, 2023, as corrected. Corey Sweat seconded the motion and voting was unanimous in favor.*

6. Staff Report

a. Engineering (Kris Nilsen)

- Update on the water project around the park; it will not get in the way of the Independence Day celebrations.
- Doug Coons has some things to address before his plat can be approved by city council. He has a fence barrier around the property for demolition. He longer owns the property on 800 West.
- Public Works facility update. The building is essentially finished with furniture currently being installed. There may be a walk through scheduled for the Planning Commission and City Council before the public open house.
- 400 North well is not being used. Weber Water is being used as contracted.

b. Community Development (Cathy Brightwell)

- Belmont Farms (Ivory Homes) Phase 1 issues are all worked out and the plat should be recorded in a few days. It is likely that two more home building permits will be issued this week. A total of six homes are included in Phase I.
- City Council meeting review:
 - The Auto Italia appeal took place last week. The city council has taken it under advisement and a decision is expected at the July 18 city council meeting.
 - The city's Moderate Income Housing Strategies 2 (Parking) & 3 (Impact Fees) were approved. Strategy one is still in the works.
 - The Tentative budget for FY-24 was approved. A property tax increase is proposed, and the final budget will be approved following a hearing in August.

7. Adjourn.

Action Taken:

Corey Sweat moved to adjourn the regular session of the Planning Commission meeting at 8:41 pm. Dell Butterfield seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission on July 25, 2023, by unanimous vote of all members present.


Cathy Brightwell – City Recorder