



**Kaysville City Planning Commission
Meeting Notice and Agenda**

The Kaysville City Planning Commission will hold a regular meeting on November 14, 2024, at 7:00 PM in the Council Chambers of the Kaysville City Municipal Building located at 23 East Center Street. The public is encouraged to attend in person or may view the meeting online via www.Kaysvillelive.com.

1. Welcome and Meeting Order
2. Declaration of Conflict of Interest
3. Conditional Use Permit for Animals at 1892 Lake Ridge Drive
4. Conditional Use Permit for a Major B Home Occupation for Rockstar Concrete and Construction located at 245 Christine Way for Christine Alluis
5. Conditional Use Permit for a Major B Home Occupation for Crunch Time Construction, located at 1398 North Mountain Road for Johnathan Peden
6. Conditional Use Permit for the sale of beer at the Boondocks full-service restaurant located at 525 South Deseret Drive
7. Conditional Use Permit for the sale of liquor at the Boondocks full-service restaurant located at 525 South Deseret Drive
8. Approval of the minutes from the October 24, 2024 Planning Commission Meeting
9. Other matters that properly come before the Planning Commission
 - a. Reports
 - b. Correspondence
 - c. Calendar
10. Adjournment

On a Notice of Meeting was posted in accordance with Utah State Code Section 52-4-202 (3).

Mindi Edstrom
Community Development Department

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission

From: Anne McNamara

Date: November 7, 2024

Agenda Item #3: Conditional Use Permit for Animals at 1892 Lake Ridge Drive

Meeting Date	November 14, 2024
Application Type	Conditional Use For Animals
Applicant Owner	Kyle Orison
Address Parcel ID Number	1892 Lake Ridge Drive 08-320-0002
Zoning	R-1-20
Lot Size	0.54 acres 23,522.4 ft ²
Current Use	Single family dwelling

1. BACKGROUND

Kyle Orison is requesting a Conditional Use Permit to place two horses on his property, given the zoning allowances for horses with sufficient square footage. The zoning code allows for farm animals as a conditional use in the R-1-20 zone.

To have any farm animals the property must be a minimum of 8,000 ft². The subject property has a total square footage of 23,552 ft², which would meet the required conditions to allow farm animals in the residential zone under a CUP.



17-12-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of KCC 17-26.



4. Residential child care subject to the provisions of [KCC 17-26](#).
5. Public utility substations subject to the provisions of [KCC 17-31-15](#).
6. **Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).**

17-24-2 Animal Allowance

Rooster chickens are not permitted in R-T, R-1, R-D, R-2, R-4 and R-M zones. The minimum residential lot size for the keeping of farm animals within any zone district shall be 8,000 square feet. The kind and number of animals that may be kept on a lot in any zone district (not including suckling offspring) is as follows:

Animals	Minimum Lot Size In Square Feet	Lot Area In Square Feet Required For Each Animal
Fowl, rabbits or similar animals	8,000	1,600
	14,000	1,400
	20,000	800
	21,780	435
Sheep, goats, llamas or similar Animals	20,000	10,000
	21,780	5,445
Horses, cattle or similar animals	21,780	10,890

By staff's calculations, the size of the property (23,522.4 ft²) would allow for up to 2 horses on the property. Other animal regulations from the chapter on farm animals include:

17-24-3 Yard And Structure Regulations

1. Structures for the care and keeping of fowl, rabbits or similar animals may be permitted in all districts where fowl, rabbits or similar animals are permitted, provided that all such structures are located at least fifteen feet (15') from all buildings on adjacent lots predominantly used or occupied by humans. Other structures for the care and keeping of farm animals except swine, may be permitted in all districts where farm animals are permitted, provided that all such structures are located at least fifty feet (50') from all buildings on adjacent lots predominantly used or occupied by humans. Structures for the care and keeping of swine shall be located at least two hundred feet (200') from all buildings on adjacent lots predominantly used or occupied by humans.
2. Applicant shall show that odor, dust, noise, or drainage will be so controlled as to not constitute a nuisance or hazard to adjoining property or uses.
3. Farm animals must be kept within an enclosed area or structure sufficient to contain the animals on site.

2. ZONING

The property located at 1892 Lake Ridge Dr (Parcel #08-320-0002) is zoned as R-1-20 Single Family residential according to KCC 17-12-4. The minimum lot area for the R-1-20 is 20,000 ft² per KCC 17-12-6, with a minimum lot width of 90 feet. The subsection in this chapter of the code also requires a 30-foot front yard, a minimum 15-foot rear yard and a minimum eight-foot side yard on each side of the dwelling.

3. SURROUNDING NEIGHBORHOODS & USES

The property is surrounded by primarily single-family low density residential lots of a similar character, with some small pockets of agricultural land to the north and south. These two uses of residential dwellings and low-density agriculture are consistent with the existing



zoning of the project site, and would be compatible with the proposed conditional use.

Adjacent zoning:

- To the north of the property is largely other R-1-20 lots with R-A zoned lots located closer to the I-15 corridor to the northeast.
- To the east of the property is primarily residential dwellings zoned as R-1-20 single family.
- To the west of the property is a large grouping of agricultural parcels owned by use by the Central Davis County Sewer District
- To the south of the property is a mixture of agricultural land zoned A-5 with a handful of parcels zoned for other low-density designations included R-1-LD and R-A.

4. FINDINGS

a. Lot dimensions

The KCC Chapter 17-24 regulating the keeping of farm animals, provides dimensional requirements for properties planning to accommodate animals according to available square footage. According to KCC 17-24-2, the minimum lot size for any residential lot allowing animals is 4,000 square feet. The minimum lot size for sheep, goats, llamas, or other animals is 20,000 square feet, with a minimum square footage per animal of 10,000 square feet.

b. Nuisance abatement: According to 17-24-3, the applicant is required to show that odor, dust, noise or drainage will be controlled to allow for avoidance of nuisances being created for adjacent properties and uses. The applicant is responsible for the maintenance of conditions on site that will prevent nuisance conditions by ensuring that the standard for structures under KCC 17-24-3 are met by locating any animal associated structures at least fifteen feet from buildings on adjacent lots that are occupied.

c. Screening from adjacent properties: Farm animals are required to be enclosed area or structure onsite to provide containment of the animals to the appropriate areas on site according to the provisions in KCC 17-24-3. The applicant will be responsible for the construction and maintenance of these enclosures.

5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, November 8, 2024.

6. RECOMMENDATION

Staff is recommending approval of this Conditional Use Permit for farm animals located at 1892 S Lake Ridge Drive for Kyle Orison with any conditions Planning Commission may deem appropriate.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Mindi Edstrom, Business License Officer
Date: November 6, 2024

Agenda Item #4: Conditional Use Permit for a Major B Home Occupation for Rockstar Concrete and Construction located at 245 Christine Way for Christine Alluis

Meeting Date	November 14, 2024
Application Type	Conditional Use Permit
Applicant Owner	Christine Alluis Rockstar Concrete and Construction
Address Parcel ID Number	245 Christine Way 08-190-0037
Lot Size	0.31 13,503 ft ²
Current Use	Single Family Dwelling
Conditional Use	Major B Home Occupation

1. BACKGROUND

Ms. Christine Alluis is the owner of Rockstar Concrete and Construction a General Contractor/Concrete business in Kaysville City. Ms. Alluis lives at 245 Christine Way and the only equipment she will have at the home is a truck. The business has an excavator which will be stored in Farmington. All other equipment and supplies will be kept a storage unit in Kaysville. If any of the equipment is at the home it will be for personal use for their backyard project. The Alluis family has an enclosed trailer for their recreational vehicles that will be stored behind the fence when not in use. All supplies for his business will be sent to the construction site and there will be no other employees or customers at the home. Ms. Alluis has a General Contractor's License, Foundation, Excavation and Demo License, and an Asphalt and Concrete Qualifier License which have been verified with DOPL.



2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, November 8, 2024.

3. RECOMMENDATION

Staff is recommending approval of this Conditional Use Permit located at 245 Christine Way for Rockstar Concrete and Construction for Christine Alluis with any conditions Planning Commission feel are necessary.

Findings for a recommendation of approval include:

- A. The proposed use is consistent with the [KCC 17-26-4 Major Home Occupation B](#) regulations for Contractors that have equipment such as a trailer stored at the home.
- B. The applicant has been made aware of Major B Home Occupation regulations and has agreed to comply.
- C. The application has been reviewed by staff and the business is compliant with City Zoning and the Utah State Department of Commerce.
- D. The business will not have an adverse effect on the use, enjoyment, or valuation of property in the proposed neighborhood as regulated by [KCC 17-26-4 Major Home Occupation B](#) regulations.

PLANNING COMMISSION STAFF REPORT

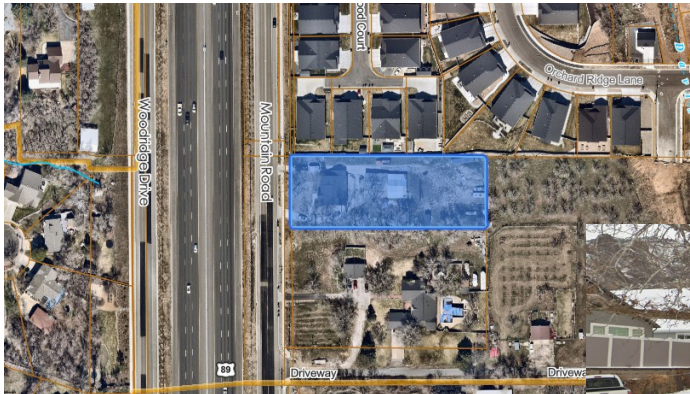
To: Kaysville City Planning Commission
From: Mindi Edstrom, Business License Officer
Date: November 6, 2024

Agenda Item #5: Conditional Use Permit for a Major B Home Occupation for Crunch Time Construction, located at 1398 North Mountain Road for Johnathan Peden

Meeting Date	November 14, 2024
Application Type	Conditional Use Permit
Applicant Owner	Johnathen Peden Crunch Time Construction
Address Parcel ID Number	1398 North Mountain Road 07-233-0202
Lot Size	0.92 40,075 ft ²
Current Use	Single Family Dwelling
Conditional Use	Major B Home Occupation

1. BACKGROUND

Mr. Johnathen Peden is the owner of Crunch Time Construction, a new business in Kaysville City. Mr. Peden lives at 1398 North Mountain Road and the only equipment he will have at his home location is his truck and his 16-foot trailer which will all be stored in his backyard. All other equipment and supplies for his business will be sent to the construction site. There will be no other employees or customers at the home. Mr. Peden has a General Contractor's License and it has been verified with DOPL.



2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, November 8, 2024.

3. RECOMMENDATION

Staff is recommending approval of this Conditional Use Permit located at 1398 North Mountain Road for Johnathen Peden and Crunch Time Construction with any conditions Planning Commission feel are necessary.

Findings for a recommendation of approval include:

- A. The proposed use is consistent with the [KCC 17-26-4 Major Home Occupation B](#) regulations for Contractors that have equipment such as a trailer stored at the home.
- B. The applicant has been made aware of Major B Home Occupation regulations and has agreed to comply.
- C. The application has been reviewed by staff and the business is compliant with City Zoning and the Utah State Department of Commerce.
- D. The business will not have an adverse effect on the use, enjoyment, or valuation of property in the proposed neighborhood as regulated by [KCC 17-26-4 Major Home Occupation B](#) regulations.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: November 5, 2024

Agenda Item #6: Conditional Use Permit for the sale of beer at the Boondocks full-service restaurant located at 525 South Deseret Drive

Meeting Date	November 14, 2024
Application Type	Conditional Use Permit
Applicant Owner	Brandon Strebel Boondocks Fun Center – Kaysville LLC
Address Parcel ID Number	525 South Deseret Drive 08-458-0001
Lot Size	10 acres 435,600 ft ²
Current Use	Family Entertainment Center
Conditional Use	Sale of Beer

1. BACKGROUND:

The subject property is a 10 acre lot located on the western side of I-15. The fronts onto Deseret Drive, with the interstate running parallel to the rear lot line.

The property is owned by Boondocks Fun Center and is zoned General Commercial. The sale of beer is a conditionally allowed use in the General Commercial zone, with additional restrictions according to state law.



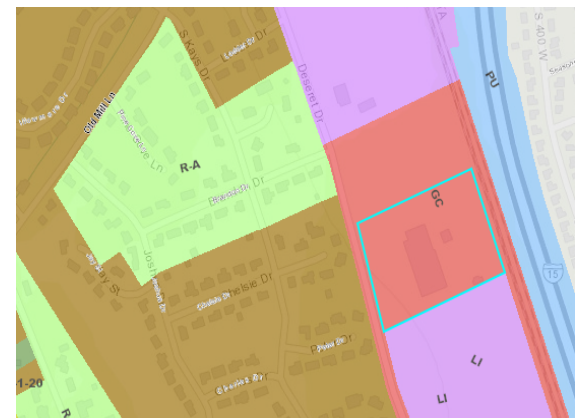
2. ZONING

This property is zoned General Commercial. General Commercial allows for the sale of beer as a conditional use under [KCC 17-19-4](#).

3. SURROUNDING NEIGHBORHOODS & USES

The property is surrounded by a mixture of low density residential as well as a strip of light industrial and commercial areas parallel to the I-15 corridor.

Adjacent zoning:



- To the north of the property is light industrial property, including the Young Automotive Truck and Trailer facility
- To the east of the property is Union Pacific Railroad ROW and the I-15 corridor.
- To the west of the property is an area zoned R-1-20 containing single family homes
- To the south of the property is land zoned R-2 containing smaller lot single family homes.

4. FINDINGS

A. Proximity Restrictions

The application will be subject to restrictions per Utah Code Title 32B 202.1.

Alcoholic beverage licenses will not be granted within specific proximity measurements to a community location. These restrictions affect the location of state liquor stores, package agencies and all retail licenses (such as restaurants and bars).

- *A "community location" is defined as a church, public or private school, a public park, public playground or a library.*
- *Trade or technical schools, infant daycare centers and nursery schools are NOT considered community locations.*
- *Restaurants may not be located within 300 feet measured by ordinary pedestrian travel, or 200 feet measured in a straight line.*
- *All other outlets may not be located within 600 feet measured by ordinary pedestrian travel, or 200 feet measured in a straight line.*

Distances are measured from the nearest patron entrance of the proposed outlet to the property boundary of the community location. The property boundary of the community location includes all contiguous lands obviously connected to and for the use of the community location (such as parking lots and ball fields).

5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on November 8, 2024. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending approval of this application with any conditions the Planning Commission feel are appropriate.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: November 5, 2024

Agenda Item #7: Conditional Use Permit for the sale of liquor at the Boondocks full-service restaurant located at 525 South Deseret Drive

Meeting Date	November 14, 2024
Application Type	Conditional Use Permit
Applicant Owner	Brandon Strebel Boondocks Fun Center – Kaysville LLC
Address Parcel ID Number	525 South Deseret Drive 08-458-0001
Lot Size	10 acres 435,600 ft ²
Current Use	Family Entertainment Center
Conditional Use	Sale of Liquor

1. BACKGROUND:

The subject property is a 10 acre lot located on the western side of I-15. The lot fronts onto Deseret Drive, with the interstate running parallel to the rear lot line.

The property is owned by Boondocks Fun Center and is zoned General Commercial. The sale of liquor is a conditionally allowed use in the General Commercial zone, with additional restrictions according to state law.



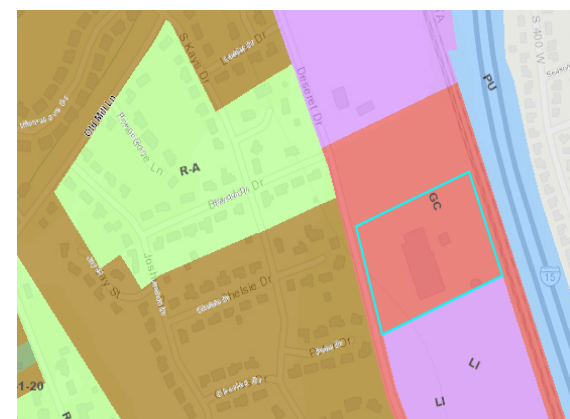
2. ZONING

This property is zoned General Commercial. General Commercial allows for the sale of beer as a conditional use under [KCC 17-19-4](#).

3. SURROUNDING NEIGHBORHOODS & USES

The property is surrounded by a mixture of low density residential as well as a strip of light industrial and commercial areas parallel to the I-15 corridor.

Adjacent zoning:



- To the north of the property is light industrial zoned parcels, including Young Automotive Truck and Trailer facility
- To the east of the property is Union Pacific Railroad ROW and the I-15 corridor.
- To the west of the property is an area zoned R-1-20 containing single family homes
- To the south of the property is land zoned R-2 containing smaller lot single family homes.

4. FINDINGS

A. Proximity Restrictions

The application will be subject to the following restrictions per Utah Code Title 32B 202.1.

Alcoholic beverage licenses will not be granted within specific proximity measurements to a community location. These restrictions affect the location of state liquor stores, package agencies and all retail licenses (such as restaurants and bars).

- *A "community location" is defined as a church, public or private school, a public park, public playground or a library.*
- *Trade or technical schools, infant daycare centers and nursery schools are NOT considered community locations.*
- *Restaurants may not be located within 300 feet measured by ordinary pedestrian travel, or 200 feet measured in a straight line.*
- *All other outlets may not be located within 600 feet measured by ordinary pedestrian travel, or 200 feet measured in a straight line.*

Distances are measured from the nearest patron entrance of the proposed outlet to the property boundary of the community location. The property boundary of the community location includes all contiguous lands obviously connected to and for the use of the community location (such as parking lots and ball fields).

5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on November 8, 2024. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending approval of this application with any conditions the Planning Commission feel are appropriate.

Kaysville City Planning Commission Meeting Minutes

October 24, 2024

The Planning Commission meeting was held on Thursday, October 24, 2024 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Megan Sevy, Paul Allred, Debora Shepard, Erin Young, Wilf Sommerkorn, and Rachel Lott

Planning Commissioners Absent:

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, David Becker, Valerie Becker, Laurene Starkey, Matthew Loveland, Wendie Norton, Teagan Nielsen , Emma Nielsen, Bruce Stanley and Jeanel Stanley

1- WELCOME AND MEETING ORDER

Chair Packer welcomed all in attendance to the Kaysville City Planning Commission meeting.

2- DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest from the Commissioners.

3- REZONE REQUEST AND PUBLIC HEARING FOR 1397 WILLOW BROOK LANE FROM R-1-20 SINGLE FAMILY RESIDENTIAL TO R-1-14 SINGLE FAMILY RESIDENTIAL FOR APPLICANT SYMPHONY HOMES

Anne McNamara introduced a rezone application for a 0.5-acre lot located on the western side of Angel Street. The applicant is requesting a zoning change to R-1-14 to enable the installation of a stub street for the adjacent Encore State subdivision, located directly to the west of this property. A graphic was shared to visually demonstrate the proposed rezone's effect, which is presented as a straightforward adjustment given that both R-1-20 and R-1-14 zones are designated for single-family use. Additionally, the setback requirements for these zones are similar, meaning that the rezone would not impact the surrounding neighborhood's functionality. Approving the rezone would align with the existing character of the neighborhood, supporting the goals outlined in the general plan. Only one public comment was received, expressing general support for the rezone. The staff recommended approval of this rezone as it is in line with the 2022 General Plan.

Chair Packer asked if Symphony Homes had a representative in attendance.

Matt Loveland from Symphony Homes briefly addressed the commission, expressing support for the proposed rezone. He emphasized that the rezone would improve connectivity between two neighboring communities and stated that Symphony Homes is eager to proceed with development. Loveland offered to answer any questions and thanked the commission for their time.

Commissioner Young asked if the rezone was necessary because a single lot would be placed on the property but with a smaller square footage, allowing space for the road.

Matt Loveland confirmed Commissioner Young's question, explaining that Symphony Homes owns properties on both sides of the two projects. He noted that the rezone is a practical solution to address the site's limitations while achieving the goal of connectivity between the communities.

Chair Packer opened up the meeting to a Public Hearing.

Bruce Stanley, a resident with property adjacent to the proposed stub street, voiced his opposition to the rezone and the installation of the stub road toward Webb Lane. His main concern was the anticipated increase in traffic through his neighborhood, which he felt already had sufficient access points to the new subdivision, including routes from Angel Street and Willowbrook Lane. Stanley mentioned that in initial discussions, Symphony Homes had not strongly favored the stub street. He also expressed concern about the reduction in house sizes that may accompany the rezone. Additionally, Stanley noted that his neighborhood maintains several private green spaces funded by HOA fees, and he worried that increased public traffic would lead to overuse of these areas by non-residents.

Janelle Stanley, a neighboring resident, requested clarification from Symphony Homes on the decision to add the stub street. She recalled that Symphony's original plan aimed to align lot and house sizes with those in her neighborhood. Janelle also mentioned that Symphony had previously indicated the city was requiring the stub connection to Webb Lane.

Chair Packer closed the Public Hearing and invited Mr. Loveland to come back up and address the concerns of the residents.

Matt Loveland responded to Janelle Stanley's concerns, acknowledging that Symphony Homes initially opposed the stub street. He explained that the decision to include the stub was based on staff recommendations and aimed to meet connectivity goals outlined in the Kaysville City 2022 General Plan. Mr. Loveland noted that the limitations of the site, known as the Encore Estates project, played a role in the decision-making process, as the smaller project site required careful planning to ensure adequate access. While some residents interpret these conditions as grounds to avoid the connection, he clarified that the city's General Plan prioritizes connectivity between neighborhoods, which informed staff's recommendation for the stub street and the subsequent rezone.

Loveland reassured residents that the zoning adjustment would only alter the minimum lot size and would not impact home sizes, which Symphony Homes intends to match with the existing neighborhood. He also offered to discuss additional details and address further questions if needed.

Melinda Greenwood clarified the city's stance on the proposed road stub and rezone. She explained that road placement decisions are governed by city code and fall under the discretion of the city engineer. Ms. Greenwood acknowledged Kaysville's historical challenges with community connectivity, citing the high number of cul-de-sacs as a barrier to efficient travel and neighborhood cohesion. This lack of connectivity often requires residents to drive extended distances to reach nearby homes, and the road stub is intended to mitigate such issues.

She noted that the city staff required the road stub as part of the Encore Estates subdivision project, aligning with connectivity goals in the General Plan. Although Symphony Homes initially resisted, they have now agreed to include the stub. Greenwood explained that, counterintuitively, the road stub might actually reduce traffic by providing more direct routes, especially to main roads like Angel Street.

Greenwood emphasized that the Planning Commission's decision concerns only the rezone recommendation for the property, not the road location or subdivision approval, which will proceed when code requirements are met. If approved, the rezone would permit reduced lot sizes, lowering them from 20,000 to approximately 17,000 square feet without altering setback requirements, thus maintaining the neighborhood's aesthetic. The City Council previously expressed a preference for a road stub during discussions on the Encore Estates, and staff is now upholding that directive in line with the connectivity goals laid out in the Kaysville 2022 General Plan.

Commissioner Sommerkorn reiterated that the Planning Commission's focus for the evening was solely on the rezone decision, not the street or lot design, which had already been determined by city staff. He acknowledged that although the Commission was not deciding on connectivity details, the 2022 General Plan's support for increased connectivity in Kaysville was relevant to the discussion. Commissioner Sommerkorn explained that an ideal grid pattern in the city would help disperse traffic and offer alternative routes in case of road closures due to construction or accidents. He expressed personal support for enhanced connectivity but clarified that the Commission's role was limited to recommending approval or denial of the rezone.

Commissioner Lott added that connectivity also facilitates easier access for emergency vehicles, especially in areas with multiple cul-de-sacs. She noted the importance of efficient emergency response, referencing a recent house fire on Sunset where quick access was crucial but still insufficient to prevent a total loss.

Ms. Greenwood informed the Commission that Willowbrook Lane would eventually connect to Angel Street, anticipating future development of the adjacent agricultural parcel to the south. She noted that there is already a stub road on the far east end of Willowbrook Lane, though it's a significant distance from the proposed new connection. Greenwood mentioned a conversation with the Kaysville Fire Chief, clarifying that while the stub road is not mandated by fire code, increased connectivity is beneficial for public safety, as it enhances access for first

responders. She added that connectivity also simplifies operations for street crews, such as snow plowing, underscoring the overall advantages of including the road stub in the plan.

Chair Packer inquired to the consequences if the city did not approve the rezone.

Ms. Greenwood explained that several utilities, including sewer and water lines, are currently located in the area, and the plan aims to keep these utilities within the public right-of-way, beneath the asphalt, for easier access and maintenance. If the lot remains as is, an easement would be required, allowing utility access but complicating repairs and maintenance by placing them on private property.

Without the rezone, alternatives would involve either maintaining the utilities outside the road—adding complexity and potential access issues—or relocating them, a costly and disruptive option for current utility users. Additionally, moving the stub westward would bring it closer to Angel Street, which is not ideal. Ms. Greenwood noted that the current Encore Estates subdivision layout aligns well with the stub location, avoiding an awkward connection with a nearby cul-de-sac and improving overall design and function.

Commissioner Sommerkorn addressed the potential implications of maintaining the current zoning rather than approving the rezone. He explained that, with the proposed stub street, the lot could remain its current size and retain the existing zoning, but this would create a non-conforming lot. While a non-conforming lot generally retains many of the same rights and uses, rezoning to match the reduced lot size would avoid potential restrictions that could limit certain uses compared to other lots in the neighborhood. Commissioner Sommerkorn noted that while non-conformity might not pose significant issues in this case, rezoning to a smaller lot size would be a more straightforward and consistent solution.

Chairman Mike Packer expressed his perspective that the proposed rezone would result in only a slightly smaller lot without affecting other elements such as house size, height, or setback requirements. He agreed that rezoning would create a cleaner and more consistent arrangement, as the lot would align with the neighboring R-1-14 zoning. Packer recalled previous discussions on the Encore Estates development, where the commission considered the forward-thinking approach of including a stub road to support potential future development to the south. In his view, most factors favor this rezone as a beneficial decision for the area. He then invited additional questions, comments, or feedback from the commission.

Commissioner Paul Allred made a motion to recommend approval of the rezone request for Symphony Homes at 1397 West Willowbrook Lane, changing the zoning from R-1-20 to R-1-14. He presented several findings to support his motion and welcomed feedback or additions to these points.

1. **Staff Recommendation and Compliance:** Commissioner Allred noted that city staff, after reviewing the general plan, recommended the rezone, indicating compliance with the plan's guidelines.

2. **Connectivity Benefits:** Commissioner Allred emphasized the importance of connectivity, citing evidence that greater connectivity is beneficial. Given Kaysville's numerous cul-de-sacs, including in his own neighborhood, he expressed that the city would benefit from additional through streets.
3. **Compatibility with Adjacent Zones:** Allred observed that the lot's reduced size would align with neighboring R-1-14 zoning, avoiding any issues with non-conforming lots and ensuring consistency with adjacent properties. He mentioned that while "spot zoning" is not a current concern under Utah law, this rezone would not negatively impact nearby homes.
4. **Lot and Home Compatibility:** Commissioner Allred confirmed that the resulting lot size would be at least 14,000 square feet, with setbacks and building heights remaining consistent with the neighborhood, ensuring that the home size would be compatible with those in the surrounding area.

Commissioner Allred's motion was seconded by Commissioner Young and the vote was unanimous in favor of the motion (7-0).

Commissioner Allred - Yay
Commissioner Shepard - Yay
Commissioner Young -Yay
Chair Packer - Yay
Commissioner Sevy - Yay
Commissioner Sommerkorn - Yay
Commissioner Lott - Yay

4- REZONE REQUEST AND PUBLIC HEARING FOR 109 SOUTH 1025 WEST FROM R-1-20 SINGLE FAMILY RESIDENTIAL TO R-1-14 SINGLE FAMILY RESIDENTIAL FOR APPLICANTS DAVID AND VALERIE BECKER

Anne McNamara provided context regarding the rezone request from R-1-20 to R-1-14 for the Becker family property. She explained that the rezone aims to address a significant property line discrepancy between the Becker family lot and an adjacent lot. A lot line adjustment will correct this boundary issue, but it requires the lot size to be under 20,000 square feet, which the R-1-14 zoning allows. McNamara noted that, similar to the prior rezone discussion, the setbacks for R-1-20 and R-1-14 zones are consistent, ensuring that the rezone would not alter the neighborhood's functionality or character, aligning with the General Plan's goals.

Regarding public notice, Ms. McNamara reported that 43 notices were mailed to nearby property owners, and one supportive comment was received. Based on these factors, city staff recommended approval of the rezone in alignment with the 2022 General Plan to establish a conforming lot and resolve the existing boundary issue.

Chair Packer invited the applicant to approach the Commissioners.

David Becker said applied for the rezone to address a long-standing property line discrepancy

created years ago by a previous owner. The purpose of this rezone is to allow both properties to comply with current zoning requirements, facilitating future property transactions. In response to a question, Becker clarified that the adjustment would reduce their lot size by approximately 2,300 square feet, bringing it from 0.46 acres to around 0.41 acres, or roughly 18,000 square feet.

Ms. Greenwood acknowledged the challenges faced by the two property owners involved in the rezone request and expressed appreciation for their cooperative efforts to resolve the longstanding property line issue.

Commissioner Packer clarified that the rezone would just shift the property line a few feet.

Ms. Greenwood provided further clarification on the property line discrepancy, noting that the aerial view highlighted the intended new property line location, which aligns with an existing chain-link fence. She explained that the error, made over 30 years ago, had led to a detached building being constructed right on the actual property line. Currently, this building does not meet setback requirements, lacking approximately six feet of necessary setback from the property line. Ms. Greenwood pointed out that approval of the rezone will allow the property owners to correct the issue, which remained undetected until the current property owners attempted to sell.

Chair Packer opened up the meeting for the Public Hearing.

No comments were received and Chair Packer closed the Public Hearing.

Commissioner Sommerkorn noted that while this adjustment would make the neighboring lot slightly smaller, it wouldn't impact any existing structures. Ms. Greenwood explained that the chain-link fence, long considered the actual property boundary, created a setback discrepancy. She noted that without this rezone, the city could require the property owner to demolish the detached garage, as it doesn't meet setback requirements. However, the City does not want the building to be demolished and both the Becker's and Kinney's have coordinated and prepared the necessary lot line adjustment plat, pending council approval of the rezone.

Ms. Greenwood highlighted that nonconformities, if unresolved, can create issues with refinancing, rebuilding, and lender requirements. By addressing the lot line discrepancy, the city can avoid future complications, while the neighbors retain current structures, aligning with how the property has been utilized for decades.

Commissioners, including Mike Packer and Erin Young, appreciated the cooperative solution, with Young commending both families for resolving this amicably.

Commissioner Sommerkorn made a motion to recommend approval of the rezone application of the property 109 South 1025 West for David and Valerie Becker from R-1-20 to R-1-14. Sommerkorn cited the resolution of the property line issue between neighbors, the fact that

this adjustment would not impact the status of either home, and that it brings an accessory structure into full conformity with city standards. He also noted that the rezone aligns with the city's General Plan.

Commissioner Lott seconded the motion and the vote was unanimous in favor of the motion (7-0).

Commissioner Allred- Yay
Commissioner Shepard- Yay
Commissioner Young- Yay
Chair Packer- Yay
Commissioner Sevy- Yay
Commissioner Sommerkorn- Yay
Commissioner Lott- Yay

5- APPROVAL OF THE MINUTES FROM THE OCTOBER 10, 2024 PLANNING COMMISSION MEETING

Commissioner Young made a motion to approve the minutes from the October 10, 2024 Planning Commission meeting and Commissioner Shepard seconded the motion. The vote was unanimous in favor of the motion (7-0).

Commissioner Allred- Yay
Commissioner Shepard- Yay
Commissioner Young- Yay
Chair Packer- Yay
Commissioner Sevy- Yay
Commissioner Sommerkorn- Yay
Commissioner Lott- Yay

6- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Planning Commissioners are invited to the Wasatch Front Regional Council open house on Tuesday, October 29 from 4:00-6:00 pm.

The opening for an Alternate Planning Commissioner will close on November 1, 2024.

There will be a Planning Commission meeting November 14th since staff has already received an application for a Conditional Use Permit.

Ms. Greenwood and Ms. McNamara reported on the ULUI fall workshop they went to on October 23, 2024.

7- ADJOURNMENT

Commissioner Young motioned to adjourn the meeting at 8:02 pm.