

**Kaysville City Planning Commission Meeting Minutes**  
**January 23, 2025**

The Planning Commission meeting was held on Thursday, January 23, 2025, 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 Toller, Wilf Sommerkorn, Erin Young, and Katie Ellis

**Planning Commissioners Absent:** Commissioner Allred and Commissioner Shepard

**Staff Present:** Anne McNamara and Mindi Edstrom

**Public Attendees:** City Councilmember Abbi Hunt, Kyle Curb, Kurt Fashimpaur, Michael Mettler, Jill Dredge, and Laurene Starkey

**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- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR GRASS MASTERS LOCATED AT 61 SOUTH PRESTON STREET FOR MICHAEL METTLER**

Ms. Edstrom introduced Michael Mettler who is the owner of Grass Masters Yard Care LLC, located at 61 South Preston Street and he applied for a Conditional Use Permit. Grass Masters Yard Care provides landscaping services for both residential and commercial properties. Ms. Edstrom explained that the property will not function as a base of operations for employees or equipment storage; instead, it will serve solely as an office for administrative purposes. She explained that landscaping services would be conducted at client properties, with no business-related customer visits, employee gatherings, or equipment deliveries occurring at the residence.

The applicant, Mr. Mettler approached the Commissioners for further discussion but the Commission did not have any questions for him.

Commissioner Toller made a motion to approve the Conditional Use Permit for 61 South Preston Street for Michael Mettler with no additional conditions. The motion was seconded by Commissioner Young and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay  
Commissioner Ellis: Yay  
Commissioner Young: Yay  
Commissioner Sevy: Yay  
Commissioner Sommerkorn: Yay

Commissioner Toller: Yay

#### 4- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR CINNAMON CREEK CONSTRUCTION LOCATED AT 676 EAST CENTER STREET FOR KURT FASHIMPAUR

Ms. Edstrom introduced the application for a Conditional Use Permit for Kurt Kashipaur, the owner of Cinnamon Creek Construction. Mr. Fashimpaur's lives at 676 East Center Street and Cinnamon Creek Construction is a small company that contracts with City, State, and Federal projects. Mr. Fashimpaur previously appeared before the Planning Commission on May 20, 2022, for the same business but has since relocated to 676 East Center Street. The original staff report for his prior address at 849 East Westbrook Road was included in the meeting packet for reference.

Mr. Fashimpaur stores two trucks and three trailers in his one-acre backyard, though when business activity is high, only one truck and two flatbed trailers remain on the property. He employs five workers, and while rare, employees may stop by his home between 7:00 and 7:30 a.m. to pick up tools from a shed. He has plans to install a fence and construct a new shed on the property and has been working with an architect and the City's Building Official to ensure compliance. He remains in compliance with both the Department of Commerce and the Department of Professional Licensing.

Commissioner Young asked if the number of trucks he has on his property was excessive for his lot size.

Ms. Edstrom provided clarification regarding the zoning regulations for a Major Home Occupation B under KCC 17-26-4. She explained that businesses classified under this category are permitted to use a limited portion of their property for business-related activities. Specifically, under subsection 11 of the ordinance, the Planning Commission determines the allowable number and size of vehicles and equipment. Only one vehicle exceeding 22 feet in length is permitted to be stored at the home, while additional vehicles or trailers over 22 feet must not be parked on the street or within a yard abutting a street.

Ms. Edstrom acknowledged potential concerns regarding property use but noted that, in this case, the applicant's one-acre parcel behind the main property provides adequate space to absorb equipment storage without impacting the surrounding area. She further clarified that a home occupation may not occupy more than 5% of the total lot area. For a 14,000-square-foot property, this limitation equates to 700 square feet available for business use. However, because the applicant also owns an additional acre behind the primary property, the overall space available for business operations is greater.

Commissioner Sommerkorn questioned whether the Conditional Use Permit should extend beyond the applicant's primary residential lot to also include the adjacent one-acre parcel where vehicles are to be stored.

Ms. Edstrom confirmed that this adjustment could be made easily by including both the

residential lot and the additional parcel in the permit.

Ms. Edstrom said the office had received one call from the public regarding the sign in the front of the property however, once they learned that it was a for a home occupation there were no further concerns.

Commissioner Sommerkorn further clarified that instead of issuing the Conditional Use Permit solely for the residential lot, it could also cover the additional parcel by referencing its address or parcel number.

Ms. Edstrom acknowledged this approach and noted that the additional property does not have street frontage, which may be a consideration in the decision-making process.

Ms. Edstrom confirmed that it would be appropriate to include both the residential property and the additional parcel by referencing its parcel number, 11-150-0110.

Commissioner Sommerkorn noted that under KCC 17-26-4, the Planning Commission has the authority to determine the number and size of vehicles allowed on the property, meaning they are not strictly limited to one vehicle over 22 feet. He referenced the average length of pickup trucks, typically ranging from 16 to 20 feet, and confirmed that the applicant's vehicles should fall within an acceptable range.

Commissioner Sevy clarified that while the applicant is working on expanding and developing the back acre for vehicle storage, the trucks are currently parked in the primary residential lot.

Kurt Fashimpaur confirmed that the vehicles are parked at the far end of the back property.

Commissioner Ellis expressed support for approving the Conditional Use Permit, stating that the additional parcel provides sufficient space for parking and that there is no evidence of negative impacts on the neighborhood.

Ms. Edstrom agreed, emphasizing that the property can adequately absorb the business's equipment and that no concerns had been raised by neighbors.

Chair Packer stated that after reviewing the code, the regulations allow for this use, especially given that the applicant owns two parcels. He reiterated that the Commission has discretion in setting the number of permitted vehicles and ensuring compliance with the lot usage percentage requirements.

Commissioner Ellis made a motion to approve the Conditional Use Permit for 676 East Center and included parcel number 11-150-0110 with no additional conditions. Commissioner Sevy seconded the motion, and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay

Commissioner Ellis: Yay  
Commissioner Young: Yay  
Commissioner Sevy: Yay  
Commissioner Sommerkorn: Yay  
Commissioner Toller: Yay

#### **5- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR K & R COATINGS LOCATED AT 382 SOUTH WELLINGTON DRIVE FOR KYLE CURB**

Ms. Edstrom introduced Kyle Curb, the owner of K & R Coatings located at 382 South Wellington Drive which is zoned R-A. Mr. Curb is a General Contractor and by our KCC 17-26-4 Major Home Occupation B is required to have a Conditional Use Permit. The property will not serve as a base of operations for employees or equipment storage. Instead, the home will be used as an office for administrative tasks.

The coating services will be performed exclusively at the client properties. There will be no business-related customer visits, employee gatherings or equipment delivered to the property.

As regulated, this use should have no negative impacts on the residential character of the neighborhood as the business will be conducted off site. There were two calls from the public regarding the application, however once they learned that it was for a home occupation there were no further concerns.

There were no further questions regarding the Conditional Use Permit from the Commissioners.

Commissioner Sommerkorn motioned to approve the Conditional Use Permit for 382 South Wellington Drive for K & R Coatings with no additional conditions applied. Commissioner Young seconded the motion, and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay  
Commissioner Ellis: Yay  
Commissioner Young: Yay  
Commissioner Sevy: Yay  
Commissioner Sommerkorn: Yay  
Commissioner Toller: Yay

#### **6- APPROVAL OF THE MINUTES FROM THE DECEMBER 12, 2024 PLANNING COMMISSION MEETING**

Commissioner Ellis made a motion to approve the minutes for the December 12, 2024 Planning Commission meeting and Commissioner Toller seconded the motion. The vote was unanimously approved in favor of the motion (6-0).

Commissioner Packer: Yay

Commissioner Ellis: Yay  
Commissioner Young: Yay  
Commissioner Sevy: Yay  
Commissioner Sommerkorn: Yay  
Commissioner Toller: Yay

#### 7- APPROVAL OF THE MINUTES FROM THE JANUARY 9, 2025, PLANNING COMMISSION MEETING

Commissioner Sommerkorn made a motion to approve the minutes for the January 9, 2025, Planning Commission meeting and Commissioner Sevy seconded the motion. The vote was unanimously approved in favor of the motion (6-0).

Commissioner Packer: Yay  
Commissioner Ellis: Yay  
Commissioner Young: Abstained  
Commissioner Sevy: Yay  
Commissioner Sommerkorn: Yay  
Commissioner Toller:

#### 8- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. McNamara provided an update on the status of the Community Reinvestment Area (CRA), noting that the city is in the process of selecting a new date for the upcoming open house. More information will be shared once it becomes available.

She also outlined the agenda for the next Planning Commission meeting, which will include two Conditional Use Permits (CUPs) and one text amendment. The Conditional Use Permits will pertain to Electronic Message Center (EMC) signs, while the text amendment is a resident-submitted proposal.

Commissioner Sommerkorn was asked for an update on legislative matters, he indicated that there was not much activity yet as the legislative session was still in its early stages.

#### 9- ADJOURNMENT

Commissioner Toller motioned to adjourn the meeting at 7:31 pm.