



# Memorandum

To: Planning Commission  
From: Dennis L. Marker, City Administrator/Zoning Administrator  
Date: August 22, 2025  
Re: New Business License for Home-Based Business at 85 South 330 East.

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## The Request

Ms. Nicole Christiansen, who lives at 85 South 330 East, would like a business license for her company, Imgin3D Printing, to operate from her home (see attached letter). Operation of a business from a home requires a Planning Commission review of a Home Occupation license.

## Action Needed

The Planning Commission must determine if the request complies with the Home Occupation standards outlined in Section 1702 of the Land Use Code. After a determination of compliance, city administrative staff will issue a business license to the applicant.

## Standards of Review

The standards for the Commission to use in reviewing a request for a Home Occupation are as follows:

Standard	Proposal Status
Compliance with all city ordinances (§4.10.070.3)	There is an accessory structure in the northwest corner of the property that is approximately 5 feet from the rear and street-side property lines. City code requires a 20'-setback from street-side yards on corner lots. The shed appears to have been built at the same time as the home (prior to 2010) and is behind a site-obscuring fence, which results in minimal visual impact to the neighborhood and no safety hazard to neighbors. According to the Utah Property Rights Ombudsman's office, state law (15A-1-104(3)) would preclude the city from withholding approval of this home occupation based on the age and safe conditions of the non-compliant structure.
No unlawful activities are being conducted or permitted on the premises (§4.10.070.5)	The home is used for single family residential uses which are permitted. No unlawful activity is known to be conducted on the property.

The premises and/or the business is maintained in a legal, orderly, sanitary, non-hazardous manner (§4.10.070.5)	No nuisance violations of city ordinances have been identified on the subject property.
The home occupation is clearly incidental to the use of the dwelling unit for residential purposes and does not change the character of the dwelling unit or any legal accessory building or structure. (§1702.1)	The applicant's business will be conducted within the walls of the home. No exterior evidence of the operations is expected.
If the home occupation will be conducted within a dwelling, the entrance to the home occupation from outside shall be the main entrance or the same entrance used by the residents of the dwelling unit, except when required to be otherwise by the Fire Authority, Board of Health, or other public agency with authority (§1702.2)	The current, residential entrances will be used.
The physical appearance, traffic, and other activities in connection with the home occupation are not contrary or in conflict with the purposes of the Zoning District in which the dwelling unit is located (§1702.3).	No exterior evidence of the home operations is expected. There will be no customers coming to the home.
If the home occupation will be conducted within a dwelling, no more than twenty-five (25%) of the ground floor area of the dwelling unit is used for the home occupation (§1702.4)	Minimal space is needed to store the 3D printer and materials in the home. Less than 25% of the will be used.
All activities associated with the home occupation shall be conducted entirely within the dwelling unit, or legal accessory building or structure, and shall be conducted by the residents of the dwelling only (§1702.5)	All activities will be conducted within the home by the applicant, who is a resident.
All activities associated with the home occupation must be conducted within the dwelling unit or legal accessory building or structure (§1702.6)	All activities will be conducted inside the dwelling.
The home occupation contains no facilities for the display of goods or merchandise. Any sale of goods or services shall be an incidental part of the home occupation (§1702.7)	No outdoor display of goods is anticipated.
No commercial vehicles are used except one (1) delivery vehicle which does not exceed three-fourth (3/4) ton rated capacity (§1702.8).	There are no commercial vehicles anticipated.
The home occupation shall maintain a valid Gunnison City business license (§1702.9)	If approved, this condition will need to be met.

### Recommended Action

It is recommended that the Planning Commission find the new business license requested to be in compliance with the city standards and forward a recommendation to the Mayor for approval of a business license based on the following findings and conditions:

### Findings:

1. The Planning Commission has authority to review all new home occupation applications under section 2.203 of the municipal code.
2. The business location does or can comply with all city ordinances prior to operation.
3. No illegal activities have been identified on the subject property, and
4. The premises is generally maintained in a legal, orderly, sanitary, non-hazardous manner.

**Conditions:**

1. That the business owner continues to comply with all city business license requirements, and
2. Fully complies with all home occupation standards of the city.



Christiansen 3D Printing  
New Home Occupation Application  
Location: 85 South 330 East  
Zone: R-2      Permitted Use: P2

