

Action Summary:

Agenda Item	Item Description	Action
#1	Consideration of an appeal by Tori McCurdy of the Zoning Administrator's denial of a request to keep three large animals at 1076 Windflower Lane, due to the proposed barn location not meeting the required 100-foot setback from an adjacent residence.	Approved
#2	Consideration of the appeal by Kerri Fields, regarding the Planning and Zoning Administrator decision to deny the request to build a garage that encroaches 1.5 feet into the Public Utility Easement, located at approximately 304 N Hatchet Ranch.	Approved
#3	Consideration of a proposed amendment to Chapter 15 Residential and Multiple Residential Districts of the Grantsville City Land Use and Management Code, regarding front and side yard setback requirements	Approved
#4	Approval of the minutes from the July 3, 2025 and the July 17, 2025 Planning Commission Regular Meetings. a. July 3, 2025 Regular Meeting b. July 17, 2025 Regular Meeting	Approved
#5	Election of Planning Commission Officers.	Tabled

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON August 21, 2025 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Trent Stirling, Debra Dwyer, Sarah Moore, Jason Hill

On Zoom:

Commission Members Absent: Vice Chair Derek Dalton

Appointed Officers and Employees Present: Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler, Planning and Zoning Administrative Assistant Nicole Ackman.

On Zoom:

Citizens and Guests Present: Ted Fields, Kerrie Fields, Gary Pinkham, Brandon Dalley, Tori McCurdy, Barry Gittleman.

Citizens and Guests Present on Zoom:

Commissioner Trent Stirling called the meeting to order at 7:00 PM.

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, August 21, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- a) **Consideration of an appeal by Tori McCurdy of the Zoning Administrator's denial of a request to keep three large animals at 1076 Windflower Lane, due to the proposed barn location does not meet the required 100-foot setback from an adjacent residence.**

Email Received 07/29/2025

I am President of Hamlet Homes and Worthington Ranch LLC, the owner of the Worthington Ranch project and the owner of the unsold home that is under construction on lot 124 in Worthington Ranch. On behalf of all of the adjacent properties and the Worthington Ranch HOA, we do support the request from Tori and wish to do all that we can to support and expedite the Grantsville city approval process for them. Please let us know if this email is sufficient from us as the current property owner, or if anything else is required? We are confident that the distance on the proposed site plan is sufficient for the privacy of a future owner of lot 124, while providing better living conditions for the McCurdy's future horses than could be achieved without a variance to the city distance rule. What next steps should be taken, by whom, and how quickly can this all happen?

Looking forward to working with you on this.

Thank you,

Barry

Email Received 08/12/2025

Nicole and Shelby,

Our public notice letter came in the mail this week for the hearing on August 21 about the zoning variance request for Tori McCurdy.

One of them came to Worthington Ranch LLC as the owner of lot 124, the home under construction. Another letter came to my home address, as my wife and I are the owners of lot 101, the model home on Blue Fox Ln, owned by our LLC, These Pretzels Are Making Me Thirsty LLC. Please allow this email to serve as notice that Worthington Ranch LLC (managed by Hamlet Homes IV Corporation) and These Pretzels Are Making Me Thirsty LLC (owned by me) are both in support of the variance request.

If you need any other information from me, please let me know.

I am currently still planning to attend the 8/21 meeting in person unless something comes up between now and then, or if you tell me there is no need to attend.

Thank you,

Barry

Barry Gittleman: Barry Gittleman was present to comment on this item. He stated he is the President of Hamlet Homes and a homeowner in the Worthington Ranch subdivision, and explained that he was speaking in three different capacities: first, as the president of Hamlet Homes, which is the builder and developer in Worthington Ranch; second, as the personal owner of the model home on Lot 101, located across the street from the subject property; and third, as the owner of Lot 124, which is held by Worthington Ranch LLC, a company owned by Hamlet Homes. He stated that he had reviewed the application submitted by Ms. McCurdy and acknowledged that the Zoning Administrator had correctly applied the letter of the Grantsville City Code, which prohibits horses within 100 feet of an adjacent property. However, he believed the proposal from the applicants was a reasonable plan that would provide more space for the horses without creating any disturbance for neighboring residents. Mr. Gittleman noted that Lot 124 was still under construction by Hamlet Homes and had not yet been sold, but he anticipated no concerns from a future homeowner regarding the proposed location. Speaking as the owner of the model home across the street on Lot 101, he confirmed he also had no concerns personally. As a company, Hamlet Homes viewed the proposal as beneficial both for the horses and for the neighborhood, without negatively impacting surrounding properties. He further emphasized that approval of this request would not create a binding precedent, as future variance applications would continue to be reviewed individually. He added that any such requests could still be denied if determined inappropriate or if objections were raised by neighbors.

b) Consideration of a proposed amendment to Chapter 15 Residential and Multiple Residential Districts of the Grantsville City Land Use and Management Code, regarding front and side yard setback requirements.

Gary Pinkham: Gary Pinkham was present to comment on this item. Gary Pinkham stated he agreed with portions of the proposed changes, particularly regarding side yard setbacks, which aligned with his previous comments. However, he voiced concern about the placement of houses on half-acre lots and even on 12,000-square-foot lots, stating that there was no need to crowd homes close to the street. He emphasized that the Commission had consistently prioritized maintaining the “rural” character of Grantsville, and that positioning houses adjacent to sidewalks undermined that goal. Using the example of a half-acre lot, approximately 21,000 square feet, he explained that code requirements dictated a minimum width of about 84 feet due to the three-to-one ratio, resulting in lots more than 250 feet deep. Crowding a house toward the street, he argued, left barely enough space for parking and wasted the potential of a large backyard. He explained that with a 25-foot front setback and a 45-foot-deep house, there would still be roughly 180 feet of backyard, which, in practice, typically remained unkempt or overgrown. He recommended pushing the house back to preserve open street views and maintain the perception of open space. He concluded by affirming his support for the proposed side yard setbacks, noting that they aligned with public utility easements, allowed access to the rear of the property, and provided legal space for parking RVs behind or beside the house rather than in front. However, he remained opposed to the minimal front setback on larger lots, asserting that it conflicted with the city’s general plan to maintain an open, spacious environment.

AGENDA

1. Consideration of an appeal by Tori McCurdy of the Zoning Administrator’s denial of a request to keep three large animals at 1076 Windflower Lane, due to the proposed barn location not meeting the required 100-foot setback from an adjacent residence.

Zoning Administrator Shelby Moore presented background information regarding the basis for the denial. She explained that the applicant, Tori McCurdy, had sufficient square footage on the property to keep horses, but the issue was the proposed placement of the barn. Shelby stated that code required a 100-foot setback from the nearest residence, which in this case meant 133 feet from the property line along Blue Fox Drive. Tori’s site plan showed the barn located 72 feet from Blue Fox Drive, placing it closer to the neighboring home. Shelby noted that while the current property owner had no objection, the concern was that a future homeowner might not want animals in such close proximity. She clarified that the Planning Commission would need to determine whether to allow a variance to reduce the required setback.

Tori McCurdy was present to answer questions on this item. She said she and her family were excited to move to Grantsville because of the open space and rural environment. Their goal was

to provide as much space as possible for their horses. Tori emphasized that the horses would not remain in the barn continuously, but would primarily roam the pasture.

Commissioner Sarah Moore expressed opposition to the request. She stated that she lived in an area with horses and that during the summer, the smell and flies were unmanageable. She said she could not support granting a variance that could negatively impact future homeowners. While she acknowledged the applicant's intent to maximize space for the animals, she believed the barn could be shifted farther from the neighboring property without significantly limiting its use.

Commissioner Dwyer took the opposite view. She stated that, as a horse owner, she understood the desire to provide space for the animals and believed prospective buyers would account for the proximity to horses before purchasing a nearby home. She indicated she would approve the variance.

Commissioner Hill sought clarification on whether the setback applied to the structure or the lot line. Shelby confirmed it applied to the nearest residence. She explained that if the barn had been permitted before construction began on the adjacent home, the placement would have been allowed, but because building had commenced, the code requirement now applied.

Commissioner Hill said that if adjacent landowners waived their concerns, he would support approval, but he worried about potential liability for the city. Shelby explained that as long as the variance was properly documented, the city would not be at risk.

Commissioner Stirling asked Tori what her alternatives would be if the variance was denied. Tori responded that they could extend the 72-foot side yard farther and shift the barn to meet the code, though this would reduce the area available for animals. Shelby estimated that relocating the barn to comply with the setback would reduce the usable pasture from about 18,000 square feet to 15,000 square feet. Commissioner Sarah Moore stated that variances could set precedents and that the Planning Commission had been striving to reduce them.

City Council Member Rhett Butler, speaking as a community representative, suggested that the design of the barn could mitigate impacts. He proposed positioning the horse stalls toward the applicant's home and away from the neighboring residence, keeping the animals farther from the property line while still preserving usable pasture space.

The Commission discussed this option, with members noting that smells and flies would remain regardless of placement, but that fencing or design adjustments might reduce concerns. Barry Gittleman, developer and neighboring lot owner, commented that the Commission's role was to decide based on current conditions, not speculation about future buyers. He pointed out that if the barn had been proposed six months earlier, before construction began on the adjacent home, it would have been allowed by code. He stated that as the current owner, he had no objection.

Commissioner Sarah Moore reiterated that the Commission's duty was to enforce existing regulations while considering petitions for variances. She emphasized the importance of consistency and reducing exceptions, noting that the Commission often faced criticism when granting variances that conflicted with city code. Commissioner Stirling agreed, stating that the city had recently dealt with similar animal-related variance requests and that allowing exceptions weakened the 100-foot rule.

Debra Dwyer made a motion to recommend the approval of the consideration of an appeal by Tori McCurdy of the Zoning Administrator's denial of a request to keep three large animals at 1076 Windflower Lane, due to the proposed barn location not meeting the required 100-foot setback from an adjacent residence. Jason Hill seconded the motion. The vote was as follows: Jason Hill "Aye," Debra Dwyer "Aye," Trent Stirling "Aye," Sarah Moore "Nye." The motion was approved 3 to 1

2. Consideration of the appeal by Kerrie Fields, regarding the Planning and Zoning Administrator decision to deny the request to build a garage that encroaches 1.5 feet into the Public Utility Easement, located at approximately 304 N Hatchet Ranch.

Zoning Administrator Shelby Moore explained the reason behind her denial. She stated that she denied the request because Public Works did not approve the encroachment into the public utility easement (PUE). She noted that the lot had no adjacent homes and that the proposed 16-by-20-foot shed would encroach 1.5 feet into the PUE. Shelby clarified that standard PUEs on interior lots are 7.5 feet, while corner lots require a 10-foot PUE. All utility companies, except Public Works, had approved the encroachment request.

Ted and Kerrie Fields were present to answer questions regarding this item. Commissioner Hill asked Ted Fields why the garage could not simply be shifted 1.5 feet to comply with the PUE requirement. Mr. Fields explained that the lot had already been graded, a retaining wall constructed, and the garage foundation poured. He stated that any adjustment would require tearing into the existing lawn, sprinkler system, and electrical work that had already been completed. He further explained that he had relied on prior guidance from the City regarding setbacks and had acted in good faith. He added that due to the placement of the fence, the garage actually sat 8.5 feet from the property line, which further minimized any potential impact.

Commissioner Hill acknowledged Fields' explanation but expressed concern that approving the appeal could set a precedent for future requests of the same nature. However, Commissioner Hill also recognized the specific circumstances of this case. Commissioner Sarah Moore stated that she did not see a problem with the request, especially since all utilities aside from Public Works had approved the encroachment. Commissioner Dwyer agreed, commenting that Fields had taken the necessary steps and acted responsibly throughout the process.

Mr. Fields stated his long-standing reputation for integrity within the community. He pointed out that he had personally completed several construction projects in Grantsville and had always followed the rules set by the City.

Sarah Moore made a motion to recommend the approval of the consideration of the appeal by Kerrie Fields, regarding the Planning and Zoning Administrator decision to deny the request to build a garage that encroaches 1.5 feet into the Public Utility Easement, located at approximately 304 N Hatchet Ranch. Debra Dwyer seconded the motion. The vote was as follows: Jason Hill “Aye,” Debra Dwyer “Aye,” Trent Stirling “Aye,” Sarah Moore “Aye.” The motion was carried unanimously.

3. Consideration of a proposed amendment to Chapter 15 Residential and Multiple Residential Districts of the Grantsville City Land Use and Management Code, regarding front and side yard setback requirements.

Zoning Administrator Shelby Moore presented an amendment to Chapter 15 (Residential and Multiple Residential Districts) to standardize front yard setbacks by reducing the minimum from 30 feet to 25 feet. She showed examples of half-acre lots where deeper front setbacks left large, unmaintained areas that turned into weed patches. Pulling homes forward, Shelby explained, would still leave ample backyard space, better satisfy driveway regulations, and support the city’s water-wise code by reducing the need for 40–50 feet of turf or gravel. She clarified the change applied only to Chapter 15 and not to any other chapters.

Commissioner Sarah Moore supported the change, noting it was optional rather than mandatory: developers and owners could still set homes farther back if they wished. She added that the option could modestly reduce development and building costs. Commissioner Dwyer agreed, saying the adjustment would help financially in construction and also advance water conservation goals.

Commissioner Hill asked whether 25 feet would be the minimum rather than a required line for every home. Shelby confirmed that rear setbacks were not being moved, so builders could either push the house back or build a slightly larger footprint; 25 feet would simply be the closest allowed. Commissioner Hill voiced support and emphasized maintenance and sustainability: if a property owner isn’t going to maintain the front yard, they won’t maintain the backyard either, so reducing excessive front yard area made sense. He added that many cities are eliminating broad park strips to be more water-wise and saw the proposal as a more sustainable direction for the city.

Commissioner Stirling acknowledged a comment raised earlier by Mr. Pinkham that shallower front setbacks could create larger backyards, which can have their own issues, but he personally liked the outcome and felt the proposed revision struck a fair balance. He also appreciated that the amendment no longer touched Chapter 14, which made it a “meet in the middle” approach.

Sarah Moore made a motion to recommend the approval of the consideration of the proposed amendment to Chapter 15 Residential and Multiple Residential Districts of the Grantsville City Land Use and Management Code, regarding front and side yard setback requirements. Jason Hill seconded the motion. The vote was as follows: Jason Hill “Aye,” Debra Dwyer “Aye,” Trent Stirling “Aye,” Sarah Moore “Aye.” The motion was carried unanimously.

4. Approval of the minutes from the July 3, 2025 and the July 17, 2025 Planning Commission Regular Meetings.

Jason Hill abstained from voting since he was not at the meetings in question.

Sarah Moore made a motion to recommend the approval of the minutes from the July 3, 2025 Planning Commission Regular Meetings. Debra Dwyer seconded the motion. The vote was as follows: Debra Dwyer “Aye,” Trent Stirling “Aye,” Sarah Moore “Aye.” The motion was carried unanimously.

Sarah Moore made a motion to recommend the approval of the minutes from the July 17, 2025 Planning Commission Regular Meetings. Debra Dwyer seconded the motion. The vote was as follows: Debra Dwyer “Aye,” Trent Stirling “Aye,” Sarah Moore “Aye.” The motion was carried unanimously.

5. Election of Planning Commission Officers

Zoning Administrator Shelby Moore recommended tabling the election until Vice Chair Dalton was present.

Jason Hill made a motion to table the Election of Planning Commission Officers. Sarah Moore seconded the motion. The vote was as follows: Jason Hill “Aye,” Debra Dwyer “Aye,” Trent Stirling “Aye,” Sarah Moore “Aye.” The motion was tabled unanimously.

6. Report from Zoning Administrator

Zoning Administrator Shelby Moore proposed changing the Planning Commission meeting schedule to improve efficiency, suggesting either the first and third Tuesdays or the second and fourth Tuesdays of each month. Discussion included notice requirements for City Council items and potential scheduling conflicts. Commissioners Stirling and Dwyer indicated they could adapt to Tuesdays if needed. No formal decision was made, and the item will be taken back to the City Manager for further review. Shelby also reported that the City’s moderate-income housing report was approved.

7. Open Forum for Planning Commissioners

Commissioner Stirling brought up a concern related to investor activity, specifically regarding the potential sale of Accessory Dwelling Units (ADUs) separately from the primary residences. He expressed that Grantsville may need to consider hiring a lobbyist, stating, “We need someone,” to represent the city’s interests in such matters.

Commissioner Sarah Moore asked Councilmember Butler for his opinion on the potential legislation. Councilmember Butler responded that while it may take time to take effect, he anticipated there would eventually be enough public pressure to move it forward. Commissioner Hill asked if the City could oppose the law if passed. Attorney Tysen Barker clarified that the City would be required to comply with state law but could still advocate for more open space and adopt additional local restrictions where permitted.

8. Report from City Council

Councilmember Butler reported that the City Council approved the primary election results and the Silver Subdivision Plat, and tabled the fee waiver policy to September 3. He also updated the Commission on retention basin design and maintenance, with discussion covering costs, safety, liability, open space standards, and city park requirements. The Commission noted that further discussion will follow the Council’s upcoming work meeting.

9. Adjourn.

Jason Hill made a motion to adjourn. Debra Dwyer seconded the motion. The vote was as follows: Sarah Moore “Aye,” Deborah Dwyer “Aye,” Jason Hill “Aye,” Trent Stirling “Aye.” The meeting adjourned at 8:26 p.m.