

**SOUTH WEBER CITY  
PLANNING COMMISSION MEETING  
WORK MEETING**

**DATE OF MEETING:** 21 February 2019      **TIME COMMENCED:** 6:05 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT: COMMISSIONERS:**      **Tim Grubb**  
   **Debi Pitts**  
   **Rob Osborne**  
   **Wes Johnson**  
   **Taylor Walton**

**CITY ENGINEER:**      **Brandon Jones**

**CITY PLANNER:**      **Barry Burton**

**CITY RECORDER:**      **Lisa Smith**

**DEVELOPMENT COORDINATOR:**      **Kimberli Guill**

**Transcriber:** Minutes transcribed by Michelle Clark

**ATTENDEES:** Tammy Long and Blair Halverson.

**Approval of Consent Agenda**

- **Minutes of 29 January 2019**
- **2019 assignments**
  - i.      **Commissioner Johnson to represent the Commission at Sketch Plan meetings**
  - ii.     **Commissioner Osborne to attend Restoration Advisory Board meetings**
  - iii.    **Pledge of Allegiance as designated**

**Public Hearing and Action on Highway Commercial Zoning amending City Code 10.5H.5 Conditional Uses: Proposal to add recreation or entertainment activities to conditional uses in the Highway Commercial Zone (CH):**

It is proposed that the following amendment be made to Section 10.5H.5 of the South Weber Code:

**10.5H.5 Conditional Uses**

- A. Amusement and recreation activities.
- B. Electronic communication facilities.
- C. Excavations of over two hundred (200) cubic yards, as allowed by section 10.06.20 of this title.
- D. Small wind energy systems.
- E. Temporary businesses not to exceed ninety (90) days in length.

**Public Hearing and Action on Ordinance 2019-02 Short Term Rentals. An ordinance adopting City Code Chapter 10.18, enacting regulations pertaining to short-term or vacation rentals:**

Commissioner Osborne said he has a couple of items he would like to add to the ordinance. Councilman Halverson said this ordinance is a step and not a final. Commissioner Osborne suggested tabling this item and send it back to the committee. Commissioner Pitts asked about 10.18.110 concerning complaints, and how many complaints there can be on the same issue. She asked how the city knows if each short-term or vacation rental owner shall collect and remit sales, resort, and transient room taxes to the Utah State Tax Commission. Lisa Smith, City Recorder, stated the city doesn't have any way of knowing that. Commissioner Pitts would like the short-term rental to be owner occupied 365 days a year. She feels there would be less issues if it is owner occupied. It was stated there needs to be a maximum number of guests allowed and enough off-street parking. Councilman Halverson said parking needs to be reviewed by the City Attorney.

**Discussion on the General Plan. City Planner, Barry Burton will present a proposed procedure for updating the General Plan:** Barry Burton, City Planner, stated the General Plan consists of four sections that are all text plus the maps. He would like to schedule monthly special Planning Commission meetings for the next 5 – 6 months where they can review the sections along with any proposed updates/changes in some detail. Barry proposed the following schedule:

**March** – Send out all required notifications that the City intends to modify its general plan. March – Planning Commission reviews the Master Goal along with Section 1, Existing Environment. Particular emphases need to be placed on Noise Hazards, Accident Potential and HAFB Environmental Impact.

**April** – Planning Commission reviews Section 3, Land Use Goals and Projections. I think we may need to separate out the Moderate-Income Housing Section and the Recreation/Trails Section for a separate review.

**May** – Planning Commission reviews Section 4, Transportation. Here we will be responding to the needs that changes in the land use recommendations may generate as well as potential changes due to UDOT plans and activities.

**June** – Planning Commission reviews Recreation/Trails and Moderate-Income Housing sections. We will also need to discuss methods of public outreach.

**July** - Planning Commission and City Council meets to determine if all are agreement to proceed to public notifications and determine best ways to get the word out to residents. Planning Commission finalizes public outreach materials.

**August** – Public response period. This may include surveys, open houses, etc.

**September** – Staff and Planning Commission finalize draft Plan with City Council advice and after considering public response.

**October** – Official public hearing held by Planning Commission. This could be done at the regular PC meeting or, if desired, at a special meeting. **November** – City Council presentation and adoption.

Commissioner Osborne asked if the City Council should look at a moratorium while the general plan is being amended. Barry doesn't feel that is necessary. He said we do need to look at the noise zones. It was decided the Planning Commission will meet the fourth Thursday of the month from now until July to amend the general plan.

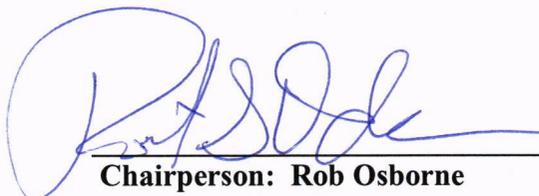
**OTHER BUSINESS:**

**Poll Property on South Weber Drive:** Commissioner Osborne asked about the status of the Poll property. Lisa Smith reported that the developer has the rezone, conditional use, and plat. She stated there will be a Special Planning Commission meeting on 28 March 2019 to discuss further. Barry Burton, City Planner, said UDOT will repaving South Weber Drive and there will be a three-year moratorium on cutting into the road.

**Dr. Chuck Holbert Presentation at City Council meeting:** Councilman Halverson stated the presentation went well but the computer simulation didn't work.

**ADJOURNED:** 6:30 p.m.

**APPROVED:**

 \_\_\_\_\_ Date 3-14-2019  
**Chairperson: Rob Osborne**

\_\_\_\_\_  
**Transcriber: Michelle Clark**

 \_\_\_\_\_  
**Attest: Development Coordinator: Kimberli Guill**

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 21 February 2019

**TIME COMMENCED:** 6:30 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Debi Pitts  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones

**CITY RECORDER:**

Lisa Smith

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

---

*A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS*

---

**PLEDGE OF ALLEGIANCE:** Commissioner Grubb

**ATTENDEES:** Tammy Long, Clay & Trudi Simpsin, Donna Barnes, Wayne Winsor, Michael Guill, Jeff & Hilary Bench, Claudia Love, Sandra Layland, Trent Layland, Carissa Clark, and Desmond Ebberts.

## **APPROVAL OF CONSENT AGENDA**

- **Minutes of 29 January 2019**
- **2019 assignments**
  - i. **Commissioner Johnson to represent the Commission at Sketch Plan meetings**
  - ii. **Commissioner Osborne to attend Restoration Advisory Board meetings**
  - iii. **Pledge of Allegiance as designated**

**Commissioner Grubb moved to approve the consent agenda. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**DECLARATION OF CONFLICT OF INTEREST: (None)**

Commissioner Grubb moved to open the public hearing for action on Highway Commercial Zoning amending City Code 10.5H.5 Conditional Uses: Proposal to add recreation or entertainment activities to conditional uses in the Highway Commercial Zone (CH). Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing and Action on Highway Commercial Zoning amending City Code 10.5H.5 Conditional Uses: Proposal to add recreation or entertainment activities to conditional uses in the Highway Commercial Zone (CH):**

It is proposed that the following amendment be made to Section 10.5H.5 of the South Weber Code:

**10.5H.5 Conditional Uses**

- A. Amusement and recreation activities.
- B. Electronic communication facilities.
- C. Excavations of over two hundred (200) cubic yards, as allowed by section 10.06.20 of this title.
- D. Small wind energy systems.
- E. Temporary businesses not to exceed ninety (90) days in length.

Commissioner Osborne asked if there was any public comment. There was none.

Commissioner Johnson moved to close the public hearing for action on Highway Commercial Zoning amending City Code 10.5H.5 Conditional Uses: Proposal to add recreation or entertainment activities to conditional uses in the Highway Commercial Zone (CH). Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

Commissioner Grubb moved to recommend to the City Council the amendment to Highway Commercial Zoning City Code 10.5H.5 Conditional Uses: Proposal to add recreation or entertainment activities to conditional uses in the Highway Commercial Zone (CH). Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

Commissioner Grubb moved to open the public hearing for Ordinance 2019-02 Short Term Rentals. An ordinance adopting City Code Chapter 10.18, enacting regulations pertaining to short-term or vacation rentals. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing and Action on Ordinance 2019-02 Short Term Rentals. An ordinance adopting City Code Chapter 10.18, enacting regulations pertaining to short-term or vacation rentals:**

Commissioner Osborne explained the city process. He stated the city needs to figure out a way to deal with short-term rentals driven by the internet. He said the Planning Commission is an appointed body, are citizens like the rest of you, and are trying to do the best they can for land use. Commissioner Osborne read Ordinance 2019-02 to those in attendance. He stated the South Weber City Council has a responsibility to preserve and protect the health, safety and welfare of its inhabitants, the family and other community values. He said nationwide, statewide and local short-term and vacation rental applications have risen significantly. The City Council finds and determines that an ordinance is necessary to allow short-term or vacation rentals in the City limits under reasonable standards designed to regulate the industry to ensure the community's values and the citizen's health, safety and welfare are not compromised.

Commissioner Osborne asked if there was any public comment. He said please come to the podium and state your name and address.

**Jeff Bench, 1916 East Canyon Drive**, thanked the Planning Commission for putting together this ordinance. He asked if the procedures will be retroactive. Commissioner Osborne said it would not be grandfathered in. Mr. Bench wants to make sure that is in writing. He stated he would like to see short term rental owner occupants. He said he lives across the street from a short-term rental. He said the owner puts the garbage can out on the street days before garbage day. As a result, if the can is blown over then the neighbors must pick up the trash.

**Claudia Love, 1954 East Canyon Drive**, said she lives close to a short-term rental. She is concerned about how many people are allowed in this short-term rental. She said there are safety issues. She understands people renting out their basements but the short-term rental by her home advertises for too many people.

**Sandra Layland, 7294 S. 1950 E.**, said she did send an email to the City (see attached). She feels it is important to have owner occupied. She explained the zoning in her subdivision. She did meet with Jordan Cullimore, of the State ombudsman. She read from Sandy City's short-term rental ordinance. She is hoping more research can take place to protect the people who are living in these neighborhoods.

**Clarissa Wentworth-Clark, 7219 S. 1250 E.**, said she is in attendance tonight as an owner of a basement apartment. She said she is in compliance other than the final inspection and yearly fee.

**Hilary Bench, 1916 East Canyon Drive**, asked how this is going to be enforced with the rules and regulations listed in the ordinance. Commissioner Osborne said the city has a code enforcer who will address issues when there is a complaint. It was stated that should be written into the ordinance.

**Tammy Long, 2178 E Deer Run Drive**, is concerned about the rezone. She would like to know who she calls with a complaint after hours. She feels the short-term rental property should be owner occupied. She said all the short-term rentals need to have a business license. She said the city doesn't have her permission to rezone her property. She suggested putting in the ordinance who is prosecuting.

**Trent Layland, 7294 S. 1950 E.**, said his wife has done a great job researching this. He said we don't want to be the enforcer. He said right now there are rules in place, and no one has done anything about this. He wants to know who is going to call the owner to uphold the rules.

**Commissioner Johnson moved to close the public hearing for Ordinance 2019-02 Short Term Rentals. An ordinance adopting City Code Chapter 10.18, enacting regulations pertaining to short-term or vacation rentals. Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

Commissioner Osborne stated he feels the following amendments to the ordinance needs to include short term rental owner occupied (180 days), Commissioner Pitts suggested owner occupied during rental period. Commissioner Osborne suggested minimum of 24 hours to 30 days. Commissioner Grubb said if the property doesn't qualify for an apartment, then it shouldn't have multiple rentals. Commissioner Walton asked about apartment complexes. Commissioner Grubb stated whether it is short term or long-term rental the short term has to follow the rules of the long term. Barry stated an owner might purchase two homes in the same neighborhood where he lives in one and rents the other home. Discussion took place regarding the definition of a "family". Barry stated the current city ordinance only allows five unrelated people. It was suggested coordinating the number of tenants with off street parking and bedrooms. Commissioner Grubb feels there should be an overall number that shouldn't be exceeded because it isn't a hotel. Commissioner Osborne feels there should be a fine if there is a certain number of complaints. Commissioner Grubb said you can also look at acreage etc. for entertainment purposes. Commissioner Johnson suggested differentiating between short term rental and people who rent their basements on a long-term basis. He said we also need to look at how many short-term rentals are in the city. He suggested looking at an ordinance for hotel/motel. He said the business licensing needs to be looked at. Commissioner Grubb feels the garbage issue needs to be addressed. It was stated the city code addresses that. Commissioner Johnson feels the owner should be on the premise 24/7. Commissioner Pitts said this is considered a business and should the property be fenced. Commissioner Walton asked about signage. It was stated the interior signage needs to be clarified. Commissioner Grubb if it qualifies for a multi-family unit, we should allow it under a short-term rental. Commissioner Osborne suggested tabling this ordinance until it can be looked at further. Commissioner Grubb and Pitts will serve on a committee with two council members.

**Commissioner Johnson moved to table for further review Ordinance 2019-02 Short Term Rentals. An ordinance adopting City Code Chapter 10.18, enacting regulations pertaining to short-term or vacation rentals. Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**Discussion on the General Plan. City Planner, Barry Burton will present a proposed procedure for updating the General Plan:** Barry Burton, City Planner, stated the City staff, City Council, and Planning Commission attended a City Retreat. As a result, it was decided the

City's General Plan needs to be amended. He said the Planning Commission will meet on the fourth Thursday of the month to discuss the general plan.

The General Plan consists of four sections that are all text plus the maps. Barry said he would like to schedule monthly special Planning Commission meetings for the next 5 – 6 months where we can review the sections along with any proposed updates/changes in some detail. He proposed the following schedule:

**March** – Send out all required notifications that the City intends to modify its general plan. March – Planning Commission reviews the Master Goal along with Section 1, Existing Environment. Emphases need to be placed on Noise Hazards, Accident Potential and HAFB Environmental Impact.

**April** – Planning Commission reviews Section 3, Land Use Goals and Projections. I think we may need to separate out the Moderate-Income Housing Section and the Recreation/Trails Section for a separate review.

**May** – Planning Commission reviews Section 4, Transportation. Here we will be responding to the needs that changes in the land use recommendations may generate as well as potential changes due to UDOT plans and activities.

**June** – Planning Commission reviews Recreation/Trails and Moderate-Income Housing sections. We will also need to discuss methods of public outreach.

**July** - Planning Commission and City Council meets to determine if all are agreement to proceed to public notifications and determine best ways to get the word out to residents. Planning Commission finalizes public outreach materials.

**August** – Public response period. This may include surveys, open houses, etc.

**September** – Staff and Planning Commission finalize draft Plan with City Council advice and after considering public response.

**October** – Official public hearing held by Planning Commission. This could be done at the regular PC meeting or, if desired, at a special meeting. November – City Council presentation and adoption.

#### **PUBLIC COMMENTS:**

**Tammy Long, 2178 E. Deer Run Drive**, when you are looking at property owner's rights you can't change the zone.

**Sandra Layland, 7294 S. 1950 E.**, suggested not going by the number of beds but occupants for short term rentals.

#### **PLANNING COMMISSION COMMENTS:**

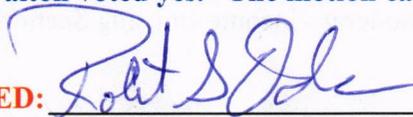
**Commissioner Grubb:** He suggested coming up with a set of guidelines for short term rentals. Barry said the conditional use permit process allows for a public hearing.

**Commissioner Walton:** He asked about updates from the Legislature concerning multi-family housing. Barry said he needs to find out more about it.

**Commissioner Johnson:** He said the city web-site has a survey of two questions. He suggested everyone go on the web-site and fill out the survey. He said on 1375 East and the north end there is about ½ acre of city property and there have been utility trailers parked on that. He asked if the city is getting any rent from that.

**ADJOURNED:** Commissioner Grubb moved to adjourn the Planning Commission meeting at 8:12 p.m. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

**APPROVED:**

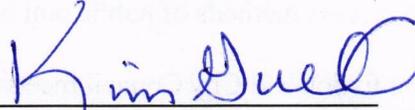


Date

14 MAR 2019

Chairperson: Rob Osborne

\_\_\_\_\_  
Transcriber: Michelle Clark



\_\_\_\_\_  
Attest: Development Coordinator: Kimberli Guill

Submitted 2/2/19  
by Trent & Sandra Layland  
7294 S. 1950 E.  
South Weber UT 84405

**Cobblestone LLC, Short Term Rental, 1923 East Canyon Road, South**

**SANDRA LAYLAND**

Sat 2/16/2019 3:24 PM

To: jsjoblom@southwebercity.com <jsjoblom@southwebercity.com>; rosborne@southwebercity.com <rosborne@southwebercity.com>; dpitts@southwebercity.com <dpitts@southwebercity.com>; wjohnson@southwebercity.com <wjohnson@southwebercity.com>; twalton@southwebercity.com <twalton@southwebercity.com>; tgrubb@southwebercity.com <tgrubb@southwebercity.com>; khyer@southwebercity.com <khyer@southwebercity.com>; wwinsor@southwebercity.com <wwinsor@southwebercity.com>; apetty@southwebercity.com <apetty@southwebercity.com>; bhalverson@southwebercity.com <bhalverson@southwebercity.com>; mtaylor@southwebercity.com <mtaylor@southwebercity.com>  
Cc: Trent Layland <ch7887@hotmail.com>; Claudia Love <claudialove49@yahoo.com>; Lara Wright <lilsweetwright3@msn.com>; Bridgette Hadlock <birdseye7776@yahoo.com>; mkhansen@dsdmail.net <mkhansen@dsdmail.net>; hbench@aol.com <hbench@aol.com>; Missy Fisher <westonfisher@comcast.net>

9 attachments (893 KB)

short term rental davis county tax info.jpg; short term rental davis county tax info owner.jpg; short term rental voter records 1.jpg; short term rental voter records 2.jpg; Short term rental violation cars parked on street 2.jpg; short term rental green van.jpg; short term rental initial ad details ad 1.png; short term rental initial ad details with date 1.png; short term rental 20 guests.png;

February 16, 2018

Dear Mayor, Council Members and Planning Commissioners,

In regard to the above mentioned property, I wanted to ask prior to the meeting next Thursday if there has been any action specific to this property to stop them from the land use/zone violation?

Here is the ad to the Airbnb property for reference:

<https://www.airbnb.com/rooms/28620835?location=South%20Weber%2C%20UT&guests=1&adults=1>



 1.2 Acre South Ogden w/ Pool, Hot Tub, King Bed - Houses for Rent in South Weber, Utah, United States

Entire home/apt in South Weber, United States. This is for the top floor of the house which is 3000 sq ft and 4 bedrooms. Basement will be rented separately from 4-2019, but before 4-2019 you g...

www.airbnb.com

Having reviewed the planned ordinance for South Weber STR (that includes the 2 state Rules), I am finding it difficult to understand where this property owner will be prohibited from renting this home as a two unit rental with the eventual potential for 40 guests there at one time. (top floor/basement floor)

I am in need of some help understanding the proposed ordinance in regard to this specific property .

To begin with, many neighbors surrounding this property are very disconcerted that this is occurring. When we all purchased our properties, we signed deeds that described our land to be occupied as single family dwelling units . Also the subdivision is zoned as such.

On the current Airbnb ad the owner states:

"This is for the top floor of the house which is 3000 sq ft and 4 bedrooms. Basement will be rented separately from 4-2019, but before 4-2019 you get 2 extra bedrooms plus an extra bathroom in basement. Cobblestone Manor is family-friendly, luxurious, romantic, inspiring, and fun place to hang out. You can rest assured that you are getting first rate amenities. We're located near the SeaQuest aquarium, Lagoon, Snowbasin, and 2 LDS temples. Salt Lake International airport is 31 miles away."

A few of us in the neighborhood introduced ourselves to the new owners when we saw them moving in last summer and tried on different occasions to welcome them in to the neighborhood. They told one of us that they were a family of refugees. None of us saw "hide nor hair" of the many children the owner said would be occupying the home. There was hardly a sign of anyone outside the home for a couple of months and many of us wondered if they were just shy or something. Then a few months after they had purchased the property the neighbor to the north noticed an unfamiliar car pull up in to the driveway and get out with a suitcase. She had the idea that she needed to check Airbnb and, sure enough, it was advertised as "Cobblestone Manor" available for daily short term rentals throughout the year. This property is not owner occupied. The initial ad actually stated that "if the neighbors ask what you are doing, tell them you are visiting Dusto from out of town." (see attached screen shot taken Oct. 20th) The owner has removed this and similar comments but I have screenshots of everything on the original ad that clearly show the owner's knowledge and intent for use of the property. As you can imagine, the neighbors are extremely concerned with the deceptive nature of the owners of this property and how the land laws have been circumvented and our rights seem to have been totally overlooked.

Please notice Airbnb ad states:

\*that the beds are full sized bunks (two levels - I have seen the beds through the windows - potential to sleep 4 in each bed unit) which would accommodate more than just the 16+ guests on each floor. (It states that the beds are listed as single level since Airbnb doesn't offer the bunk option on the ad.) That is the potential for a lot of people on any given day, and with a second floor coming soon then it will be potentially 30 or more people staying there at a time. The initial ad states that there was room for 20 guests. (That's where the number of eventually 40 people there at once came from - see attached screen shot.)

\*notice that on the scheduling calendar the many days that have been reserved already this year. Days are already booked clear up to September.

\*notice that the recent guest reviews that state how perfect this rental is for "larger crowds", "large groups", "family reunions". One says a basketball team stayed there.

\*notice how many times a day this ad is viewed. I checked the ad today and it had been viewed 160 times in the past week.

It seems to be a very desirable property to frequent. The owner just increased his prices also since I checked a few days ago and added a cleaning fee.

Being so concerned, I chose to search the internet for public info on the owner. Davis County records show the owner of the property is listed as "Cobblestone Resort LLC". They also state on tax records that the owner is MIER, WONAE. I did a public search of the name and the voter records show that they reside in Riverton, Utah, and that they are registered to vote in Salt Lake County. It would seem that the owner is not a resident of Davis County although Davis County records show the owner's address as 1923 Canyon Road, South Weber. (see attached photos captured for proof of info mentioned) .

The proposed South Weber STR ordinance references two state Rules. It's difficult for me to interpret how these two rules will help this situation. The verbiage of the Ordinance seems very vague. The only thing I can think that might represent and/or protect the property rights of the other property owners in the subdivision would possibly be addressed here:

10.18.030

D. Revoking a Permit: The City may revoke a conditional use permit issued under this chapter if:

- 1. a licensee engages in a pattern of unlawful activity;
- 2. a licensee violates state law or local ordinances;
- 3. a licensee fails to repeatedly comply with any condition set forth at time of permit approval.

I'm hesitantly assuming that the city would not issue a permit in the first place to the property in question based on #2?

I looked up the South Weber Municipal Code and found this:

South Weber Municipal Code: 10.11.060 Limitations For Land And Building Uses  
Use Of Land, Buildings And Structures: No land shall be used or occupied, no building or structure shall be designed, erected, altered, used or occupied for use, except for uses specifically permitted on the land upon which the building or structure is located or erected or use established as permitted in the regulations for the zone in which said land is located.

The wording in this code seems pretty straight forward. How is this code enforced and who's responsible for seeing that it is enforced? Has the property owner been notified as of this date?

I have researched other city ordinances ( Sandy City) for comparison.

<https://sandy.utah.gov/departments/community-development/short-term-rentals>

Short Term Rentals | Sandy City, UT

2. A public meeting was held in the City Council Chambers on Thursday, September 27, 2018 at 7:00 PM. This meeting was a summary of the City's policies and procedures in regards to implementing the new ordinances.

[sandy.utah.gov](http://sandy.utah.gov)

Here are the main requirements from Sandy City state in their power point presentation:

- Must be owner-occupied and the operator's primary residence
  - Owner must live in the dwelling a minimum of 183 nights/year
  - Only individuals or trustors possessing at least 50% ownership of the subject property (no corporations, LLCs, or similar)
- Rental limited to 182 nights per year
- Accessory apartments may operate the full year
- One STR per dwelling unit
- Only one lease agreement to be executed at any one time
- Owner/Representative available to respond 24/7 by phone
- Physically respond within 1 hour if necessary
- Maximum of 29 consecutive nights per renter
- Minimum 1 night vacancy between renters
- Limited to 8 related or 4 unrelated people
- Accessory Apartments limited to 8 related or 2 unrelated people
- All parking required to be off-street
- Informational packet in plain view
- Nameplate posted on the STR entrance
- Must be confined to the main dwelling (accessory or out buildings)
- Special Use Permit Requirements
  - Provide completed special use permit application
  - Provide proof of ownership (copy of transfer deed)
  - Proof of primary residency
  - Present federal and state tax returns showing property address
  - Present government issued ID showing property address
  - Provide a signed affidavit
  - If recently purchased and taxes filed at previous address –renewal is contingent upon presenting tax returns prior to July 1 of the following year.
  - It is the applicant's responsibility to follow up.
  - Provide demonstration of adequate off-street parking
  - Provide drawing/description of dwelling, defining area(s) to be rented
  - Provide signed affidavit regarding private CC&Rs
  - Approval of SUP is not transferable SUP application fee is \$85.00
  - Application and review required by Community Development Staff
- Business License Requirements
  - Provide STR business license application

These stipulations are examples of requirements that cover well the concerns that many of us are worried about.

In speaking with some SW city representatives at the November STR open house, it seemed that they too thought that this South Weber property was clearly in violation. I have not been sure how to address this aside from showing up at the meeting and I don't know that I would be able to express my concerns in the allotted 3 minutes. I'm praying that you as city leaders have been working on it. But after I read the drafted ordinance I did not feel re-assured. I have been trying to research on my own over the past few weeks my options as a citizen of this city, county and state. In my concern about this issue I have "google searched" for land use law attorneys but no have desire or the means to hire one at this point.

I did find, however, an organization on Utah.gov called <https://propertyrights.utah.gov/>

### - Utah Property Rights

The Office of the Property Rights Ombudsman protects and preserves the property rights of Utah citizens. The Office helps individuals and government agencies understand and comply with land use and property rights laws.

[propertyrights.utah.gov](https://propertyrights.utah.gov)

I sent them a detailed email regarding this property and owner as well. I'm hoping to hear back from them soon. I also discovered they offer free training to cities, communities, organizations on property rights which could be a wonderful help to the members of our community. <https://propertyrights.utah.gov/welcome-to-the-property-rights-ombudsman-web-site/request-training/>

### Request Training - Utah Property Rights

What Training Does the Ombudsman Provide? The attorneys in the Ombudsman Office can provide training to private citizens, civic groups, planning commissions & city/county councils, government entities, and other interested parties upon request.

[propertyrights.utah.gov](https://propertyrights.utah.gov)

Regarding complaints to the city, I, nor my neighbors, do not wish to monitor the activities of the guests of the property across the street nor should we have to. There is no owner present on the property for us to confront or to keep guests from "vacationing too hard", so to speak. Any complaint that could arise will have to be reported to the city by us as neighbors. A number of countless guests will be coming and going through the months due to the fact that each day of the year is available for rent and there are bound to be issues. Who wants to shut down at 10 when you are on vacation, especially if there is a pool and hot tub outside? Winter months, maybe not much of a problem but most likely there will be in the nicer outdoor weather months.

I have a picture of one type violation taken early in the morning (should anyone need proof) that occurred overnight on 2/15 to 2/16/19.. 4 cars parked on the street in the fresh snow. The neighbor across the street from the front of the property said there were 6 cars parked there last night. (We just received our first ever "on the street in winter parking ticket" for this offense on the 14th, placed in a nice valentine print plastic sleeve on our windshield.) I called the fire department to notify the code enforcement officer of today's violations at the resort and unfortunately he was not in today. (Saturday the 16th) The individual I talked to said another option was to call the Sheriff...

Privacy and safety is also a concern. My daughter was watched by 4 men while they would be out on the ground level of the back door smoking. They would watch her get in her car at that time she left for school and she noticed them when she came home too. Since there is no fence around the rental property what we do is quite visible to anyone out there. It would take someone probably less than 30 seconds to get to my front door from their back door. She was really uncomfortable and told me that prior to that there had been a green van with a man in it parked just across the street from us who just kept watching her while she was in our front yard getting things in her car to go to school. You will see an attached picture that she took as a selfie as she drove away (showing the property in reverse). And please notice there is no fence keeping them or us from seeing them. It will be very difficult to tell who should and shouldn't be in the neighborhood. Also, with so many strangers passing by I am concerned with packages that will be left on my steps and the possibility of them disappearing. The odds of that happening increase with so many strangers coming and going.

One night in November there was a group of people in the hot tub out back in plain view up at 2am drinking and talking very loudly. My older daughter told me the next day when she came home at 2am that she pulled up to the curb in her car by them and said, "Hey, my family is trying to sleep, can you please be quiet!" I told her that she should be very careful in confronting people that are strangers. If this had been a permanent resident family who lived there doing this we could talk to them face to face and express our concerns and try to resolve the issue once and for all. But each day brings a new possibility of someone over there doing something wrong that we have to wonder and wait for.

We are also very concerned about how this property use will affect our property value. Will it be more difficult for me to sell once the prospective buyer discovers there is a "resort" across the street?

I woke up one day to find out that I was living across the street from a hotel. I had thought this kind of property only existed in resort communities like Park City. Not in our Private, quiet neighborhood. I understand why property owners here in South Weber want to make some extra income by renting out their properties. They should have a right to do so. But can't see nothing in the proposed ordinance restricting a business from coming in to South Weber and buying up any property they want.

As stated in Sandy Cities ordinance, the number of guests at a time are limited to 4 unrelated guests or 8 related guests. That would certainly curb what is going on at the East Canyon Road property.

So, obviously, by reading this email, it can be perceived how this situation in our neighborhood has caused me some distress. I care about the welfare of my family and our interests but I also care about my neighbors, some who are not as comfortable confronting issues like this but feel just as badly as I do. I do not hold ill will toward the guests that stay at the property. I don't feel good about reporting their violations just to "take down" the owner. It is very upsetting to decide when and what to watch for and that I even have to.

As a stay at home mom since moving here in 2005, I spend most of my time here at home in my neighborhood. I have loved living here and contributing to my community in ways that I can. But I have to admit, ever since this STR appeared, I just don't feel as comfortable and happy about living here as I once had. I tried to ask myself if it was really such a big deal? Why am I so bothered by it that it physically upsets me?

In addition to those issues described above, here are some aggravating reasons I find bothering me the most:

-The blatant dishonesty willfully placed on my neighbors and I after having tried in good will to welcome in our new neighbors.

-Discovering that the owner of the property is not someone who resides here nor has resided here previously, but is an outsider who is taking advantage of our city and community members by circumventing the land use and zoning laws that we all have abided by.

-The realization that if businesses/corporations/LLC etc. are not specifically restricted from ownership of short term rentals, South Weber City could certainly fill the vacuum investors will be seeking that is being created along the Wasatch Front by these types of ownership restrictions in other cities. There is certainly a good chance that South Weber will become a magnet to these type of investments. Over time, if this type property use is allowed in non-designated areas, more South Weber citizens than just those in my neighborhood will feel disenfranchised and unrepresented.

I am sincerely hoping that each representative who receives this email will consider this situation in regard to the Canyon Road property. I am aware of your many duties and know that this is clearly not the only Short Term Rental in the city nor issue you are dealing with at this time.

Thank you kindly for your time and attention to this matter that I have tried to convey in good faith and as logically and pointedly as I can. It has really been a worry to me and many of my neighbors. I really appreciate all of you and your desire to keep our city

operating smoothly and your daily efforts in behalf of our community members in maintaining South Weber as one of the most desirable places to live in this part of Utah.

Sincerely,

Sandra Layland and Neighbors

**Davis County**

**DAVIS COUNTY** Calendar Co

**Building/Land Values**

**Acres:** 1.14

**Residence Year Built:** 1999

**Residence Square Feet:** 2995

**Tax Information**

**Delinquency Payoff Amount (for specific future Payoff Date):** No delinquencies were found for

**DOES NOT INCLUDE CURRENT YEAR TAXES THAT ARE NOT DELINQUENT.**

**2018 Tax Statement Recipient:** MIER, WONAE  
1923 EAST CANYON DR  
SOUTH WEBER, UT 84405

**2018 Total Market Value:** \$533,000.00

**Recent Tax History**

Click here to search

**PUBLIC RECORDS SEARCH**

First Name: Last Name: State: All States: Open Report

**Wonae L Mier**

Overview of Wonae Larsen Mier

**Wonae Larsen Mier's Utah Voter Registration**

Riverton, Utah

Wonae Larsen Mier is listed at 1923 E S 2200 W Riverton, UT 84005-5834 and has no political party affiliation. Wonae is registered to vote in Salt Lake County, Utah.

**Court Records: 4 Sources Found**

Overview of Wonae Larsen Mier

**Property Search**

Parcel ID: 131840030

**Owner:** COBELESTONE RESORT LLC

**Address:** 1923 E CANYON DR  
SOUTH WEBER

**City:** SOUTH WEBER

**Zip:** 84405

**Mailing Address:** 1923 EAST CANYON DR  
SOUTH WEBER

**Mailing State:** UT

**Mailing Zip:** 84405

**GENERAL INFO**

**Parcel ID:** 131840030

**Tax Legal Desc:** ALL OR LOT 24, RESIDENT VALLEY PARK  
SOUTH WEBER CONTAINING 1.14 ACRES  
1.14

**Assessor**

**Recorder**

**Treasurer**

**Chief/Auditor**

**Overview of Wonae Larsen Mier**

License: Lic. Renewal, Utah  
Phone: (801) 262-7893

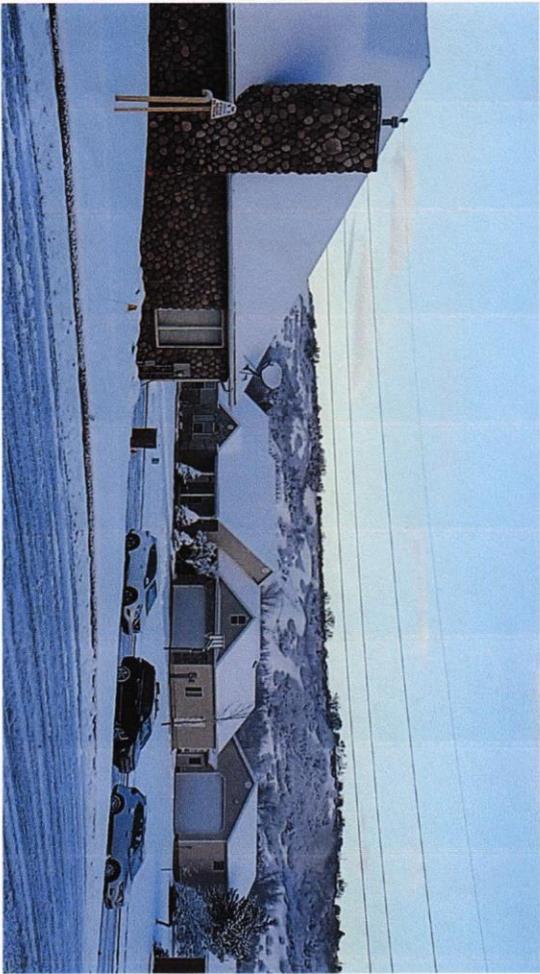
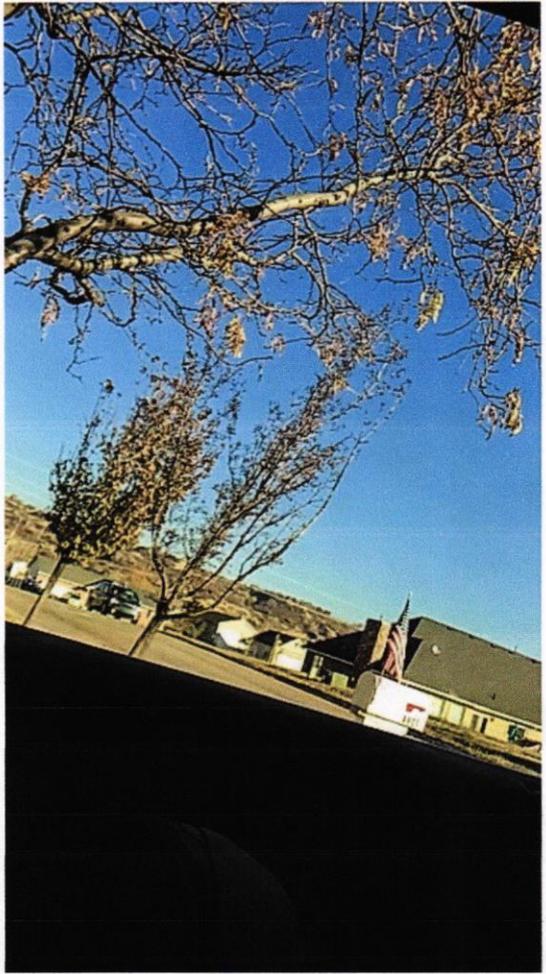
**Wonae Mier's Voter Registration**

Party Affiliation: Unaffiliated Party  
Registered to Vote in: Salt Lake County, Utah  
Registration State: (2) UT 84405  
Voter Status: Active

**Detailed Records For Wonae Mier**

Program	Parcel Location	Subdivision
Wonae Larsen Mier (02)	Salt Lake City, UT	Alpine Christian Ldsbn
Wonae Larsen Mier (02)	Riverton, UT	Adrian A Ldsbn
Salt Lake City, UT 84415	Oakfield, UT	Highpoint Ldsbn
	Gibson, AZ	Highpoint Ldsbn
	Queen Creek, AZ	George Desai Hse
Wonae Larsen Mier (02)	Salt Lake City, UT	Alpine Christian Ldsbn
Salt Lake City, UT 84415	Riverton, UT	Adrian A Ldsbn
	Oakfield, UT	Highpoint Ldsbn
	Queen Creek, AZ	George Desai Hse

**VIEW MORE RESULTS**



Overview · Reviews · The Host · Location

I live 30 minutes away. I will give you the number to our handyman who is on-call 24/7 for emergencies, or you can text me anytime.

Other things to note

Please park in the garage, driveway, on the street next to our property, but not in front of the neighbors property (we have around 18 spots in the street along our property, 6 parallel spots in the driveway, 3 spots in the garage). Quiet hours 9 pm - 8 am. If neighbors ask what you are doing: you are visiting Dusto from out of town. Please be respectful of guests that may stay in the basement(2019 only). Children under the age of 12 must be accompanied by adult inside the fenced pool area. Must be 48" tall to ride slide at pool.

Hide ^

Contact host

\$28 per night 5 stars



Overview · Reviews · The Host · Location

- ✓ 1 Queen bed
- ✓ full over full bunk beds
- ✓ 50" HDTV
- ✓ bay windows
- ✓ 3 total beds

Bedroom 2:

- ✓ 2x full over full bunk beds
- ✓ 50" HDTV
- ✓ Large windows with mountain views
- ✓ four total beds

Bedroom 3:

- ✓ Beautiful and imposing master suite that is guaranteed to impress.
- ✓ King bed with \$3k mattress
- ✓ 55" 4K Tv
- ✓ ensuite master bathroom
- ✓ immense bay windows with sitting area

Bedroom 4:

- ✓ attached to master bathroom for easy access
- ✓ full over full bunk beds
- ✓ large window with view of hills and mountains
- ✓ ceiling fan + vent for heat and a/c.

\$28 per night 5 stars



Self check-in with keypad

Basement will be rented out separately starting in 2019.

1. Max occupancy 20 guests. Only registered guests can be on the premises after 11 pm; failure to obey this rule will result in immediate eviction with no refund and loss of damage deposit.
2. A) \$200 fee will be charged if you smoke inside house (including weed, vaping, cigars, incense. Candles ok) b) \$25/hr late check out and early check in fee for up to two hours; after two hours fees for an extra day will be assessed for as many days as the guest occupies the property.
3. If the subsequent guest's reservation has to be cancelled as a result of the current guest checking out late the current guest will pay for the refund given to the next guest, along with their hotel for however many days they had booked originally.
4. If you break any of the house rules you forfeit your right to retaliate against the host's business. You agree to pay the host's legal fees should the host find it necessary to take legal action against said retaliation.
5. Basement and the supply closet adjacent to 1/2

< DETAILS

Date: October 20, 2018 9:13 AM  
Size: 335.22 KB | Resolution: 1080x1920  
Path: /Samsung Cloud/DCIM/Screenshots  
Title: Screenshot\_20181020-091346.png

LOCATION  
No location

MY TAGS  
No tags

CATEGORIES  
Documents