

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 23 October 2019

**TIME COMMENCED:** 6:00 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 (excused)

**CODE ENFORCER:**

Chris Tremea

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

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**ATTENDEES:** Clay Simpson, Corinne Johnson, Bridgette Hadlock, Tom Wright, Hilary Bench, Kathy Devino, Joan Turner, Bill Turner, Blair Halverson, Sandra Layland, Haley Alberts, Paul Sturm, Kathryn Hansen, Chris Hansen, Matt Smith, Chris Pope, Ember Davis, Mike Sampson, Michael Grant, Misti Lopez, Tammy Long, Mindi Smith, Jeff Bench, Jan Ukena, Amy Mitchell, Linda Marvel, Natalie Layland, WonAe Mier & Dustin Shiozaki.

**PLEDGE OF ALLEGIANCE:** Commissioner Pitts

Commissioner Johnson moved to open the public hearing for action on Short Term Rental Conditional Use Permit Revocation: Cobblestone Resort located at 1923 E Canyon Drive South Weber UT 84405 (Parcel ID# 13-184-0030) 1.14 acres. Commissioner Pitts seconded the motion. Commissioners Grubb, Pitts, Osborne, and Johnson voted aye. The motion carried.

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

**Public Hearing (show-cause) and Action on Short Term Rental Conditional Use Permit Revocation: Cobblestone Resort located at 1923 E Canyon Drive South Weber UT 84405 (Parcel ID# 13-184-0030) 1.14 Acres:** Tanner Clagett, attorney in Bountiful, explained he was contacted this week by Dustin Shiozaki to represent him. Commissioner Osborne explained recently the City passed an ordinance allowing for short term rentals within the City with the

approval of a conditional use permit. This property owner has received three strikes. Tanner voiced he has received copies of the three strikes and has expressed to Dustin it is within his interest to comply with the city code. He understands this. One of the reasons he hired Tanner is to get in compliance and make sure he is doing what he needs to do. Tanner has spoken to Dustin about Strike #3. He understands Dustin is involved in a boudoir business. He informed him that somewhere along the line the property address came to be on that website. He said that has been removed and there is no operation of a business that falls under a sexually oriented business by the city's definition. He understands there has been off street parking. He said Dustin tries very hard to inform renters of the parking restrictions. Tanner explained Dustin has expressed an interest to comply and work with the City.

Chris Tremea, Code Enforcer, discussed the short-term rental committee who helped draft the short-term rental ordinance which was adopted on 8 August 2019. Prior to August, Chris communicated with Dustin because he received a lot of normal nuisance complaints, even outside of the short-term rental. He reported parking in the street and on the grass has been an issue as well as there were several noise complaints. During this process the upstairs was being used with the downstairs being under construction. The conditional use permit allowed for either upstairs or downstairs being rented but not both. He pointed out there have been times when as many as 50 vehicles are at this short-term rental with vehicles blocking resident's driveways. He said all these complaints have been discussed with Dustin. He said there have been times when the Davis County Sheriff's Department has been contacted. He voiced there have been numerous warnings given and nuisance violations.

Chris explained Strike #2 included parking violations; noise afterhours, and pool use afterhours. He described a time where there were 36 people going in and out over a weekend time frame. He then discussed Strike #3. He said there was an incident in late June or early July in which a blue tarp was put up around the pool. There was someone taking pictures of a topless lady in the pool. This was seen by a resident. Chris did talk to a renter who said a photo shoot was going on. He explained a resident texted him concerning information received on the internet concerning a boudoir business that was being advertised at the short-term rental. He and a deputy reviewed information received, and it was obvious this business was operating as a sexually oriented business.

Chris discussed the events of a couple of weekends ago in which the Davis County Sheriff's Department was involved with and has documentation. Chris said he did not give a Strike #4. He said attempt for compliance has been deceitful, and non-compliant by both the property owner and the business owner. He knows there are a lot of citizens who are extremely concerned for their property. Tanner asked about one floor only being used. Chris said there is only one rental agreement with one party up to 18 people. Commissioner Osborne said the number 18 came from the Planning Commission and discussion with the owner concerning what would be a fair number. He explained the Planning Commission looks at number of square footages, parking, and number of beds to come up with the occupancy number. Tanner commented he hopes that by him being here is evidence that Dustin is trying to address some of these issues. He said Dustin has provided a memo of what his obligations are to be. He did discuss the boudoir photography with Dustin and there is no longer photography going on. Chris explained he asked Dustin specific questions about the photography and he said they were not aware of the photography. He feels there was deceit.