



TOWN OF LEEDS

### Findings of Approval for the Conditional Use Permit Application for 195 South Main:

The Town Council convened on October 11, 2023, to deliberate and address the Conditional Use Permit Application for 195 South Main. The Planning Commission had previously reviewed and approved this application on October 4, 2023. The following findings support the approval of this permit:

1. **Application Submission:** The applicant, as represented by the property owners, diligently submitted all the necessary documents and materials required for the Conditional Use Permit application.
2. **Attendance and Engagement:** The applicant demonstrated their commitment by actively participating in a prior meeting with the Planning Commission, where they answered questions and provided additional information, even though they were not present during the Town Council's review.
3. **Planning Commission Evaluation:** The Planning Commission conducted a comprehensive review of the application and addressed any concerns regarding the Conditional Use Permit. Their thorough evaluation and subsequent approval indicate that the application aligns with local zoning and land use regulations.
4. **Off-Street Parking Compliance:** The primary concern, as highlighted in the dialogue, was ensuring that the property provides sufficient off-street parking, which is crucial for the specific nature of the proposed owner-occupied Bed and Breakfast. This requirement was addressed during the Planning Commission's review.
5. **Absence of Opposition:** The absence of objections during the Town Council meeting further underscores that the application has met the necessary criteria and does not raise significant concerns among council members or the community.

In light of these findings, and in accordance with the Planning Commission's recommendation, the Town Council hereby approves the Conditional Use Permit Application for 195 South Main. This decision is consistent with local regulations, promotes responsible land use, and aligns with the best interests of the community.

PLANNING COMMISSION APPROVED ON THIS 4<sup>th</sup> DAY OF October, 2023

TOWN COUNCIL APPROVED ON THIS 11<sup>th</sup> DAY OF October, 2023

  
\_\_\_\_\_  
Bill Hoster, Mayor

ATTEST:  
  
\_\_\_\_\_

Aseneth Steed, Clerk/Recorder



# Town of Leeds

218 North Main Street  
PO Box 460879  
Leeds, UT 84746-0879  
Phone: 435-879-2447 Fax: 435-879-6905  
E-mail: [clerk@leedstown.org](mailto:clerk@leedstown.org) Website: [www.leedstown.org](http://www.leedstown.org)

CATEGORY 1 FEE 100.00  
DATE RECEIVED Asenth Street (Non-refundable)  
RECEIVED AUG 08 2023  
BY \_\_\_\_\_

## CONDITIONAL USE PERMIT APPLICATION

435-632-8508

### APPLICANT INFORMATION:

Name: Tiffany Jones  
Address: 195 S. Main  
Phone: Home: \_\_\_\_\_ Work: Cell: \_\_\_\_\_  
Email Address: \_\_\_\_\_

List nature of business or use applying for: \_\_\_\_\_

rental property

Property to be used for the following purposes: \_\_\_\_\_

Nightly rental

Legal description of property, (give exact legal description & include: Lot, Block, Subdivision and Tract)

195 S. main street  
Leeds townsite block 10 lot 2  
L-28-c

Property Tax ID# 6425010

The property is situated: (Street address or exterior boundaries of area petitioned for change by streets, alley, property lines, etc.)

corner lot of main and mulberry

Attach a plot plan, drawn to scale, of the property involved showing the location of all existing buildings and plans and descriptions of the proposed use of the property with plans for all proposed buildings:

- 1. Prepare site plans/elevations.
- 2. Show existing/proposed buildings
- 3. Show parking/loading areas.
- 4. Include other pertinent information

The applicant has the ability and intention to utilize said CONDITIONAL USE PERMIT within twelve (12) months from date of final approval; and the applicant understands that this CONDITIONAL USE PERMIT, if granted, becomes null and void and of no effect if unused within twelve (12) months from the date of filing of the application; or if any time after granting, the use is discontinued for a period of twelve (12) months; or if the property is sold or developed by someone other than the applicant.

WHEN A CONDITIONAL USE PERMIT IS GRANTED SUBJECT TO CONDITIONS, SUCH CONDITIONAL USE PERMIT DOES NOT BECOME EFFECTIVE UNTIL SUCH TIME AS THOSE CONDITIONS HAVE BEEN MET.

\*NOTE - A CONDITIONAL USE PERMIT does not eliminate the necessity of obtaining a Building Permit or Business License. A Building Permit is required for construction of all buildings in the project.

Are there any deed restriction affecting the use of the property involved? Give expiration date of restrictions.

[Signature]

Have all requirements in section 7.9.1 of Land-Use Ord 2008-04 been met? Yes \_\_\_ No \_\_\_

Is this a Sexually Oriented Business? (if yes, Addendum for Sexually Oriented Business)

Yes    No   A  

[Signature] 195 S. Main 435-632-8508  
Applicants Signature Address Phone #

CATEGORY II, III IV- IT IS REQUIRED THAT THE APPLICANT SUBMIT STAMPED ADDRESSED ENVELOPES FOR ALL PROPERTY OWNERS WITHIN 300 FT OF THE AFFECTED PROPERTY.

Town of Leeds Use Only.

Application reviewed by: PC 10-4-23 TC 10-11-23

The Town of Leeds Planning Commission recommended: Approval    Denial    to the Leeds Town Council on   

The Town Council of Leeds: Approved   X   Denied    this Conditional Use Permit on: 10-11-23

The applicant is hereby authorized to establish the requested use in accordance with the attached site plan subject to the following conditions:

See Finding Page

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Mayor, Town of Leeds Date

ATTEST:  
[Signature] 10-11-2023  
Clerk/Recorder, Town of Leeds Date

Category 1 \$100.00, Category 2 \$350.00, Category 3 \$650.00, Category 4 \$1000.00 (See Land Use Plan Chapter 7.5.1 for category descriptions)



Mulberry



Main



4. The conditional use is non-transferable with the property.  
 Commissioner Darton Seconded the motion.  
 Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X	_____	_____	_____
COMMISSIONER: KEN HADLEY	X	_____	_____	_____
COMMISSIONER: TOM DARTON	X	_____	_____	_____
COMMISSIONER: GARY ROSENFELD	X	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	X	_____	_____	_____

e. Action regarding Conditional Use Permit application for **Owner Occupied B&B at 195 S. Main Street**

Chairman Swenson expressed empathy for the applicant, Miss Jones, due to recent family developments and indicated support. He mentioned a conversation with Mr. Brent Jones, showing the importance of open communication between applicants and the board.

Miss Jones explained that she intended to use her property as an owner-occupied bed and breakfast, primarily for her family but occasionally for others. She highlighted her parking availability and the fact that her mother had moved in permanently.

The board discussed the number of bedrooms, the use of the property, and the presence of a storage container on the premises, which Miss Jones explained belonged to her son-in-law and would be removed soon.

Commissioner Roberts made a motion to approve the conditional use permit application for a bed and breakfast at 195 South Main with the following four conditions: all parking must be on private property, the transient room tax must be registered with the state of Utah, the home business license is subject to annual renewal, and the conditional use permit is not transferable. Commissioner Darton seconded the motion.  
 Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X	_____	_____	_____
COMMISSIONER: KEN HADLEY	X	_____	_____	_____
COMMISSIONER: TOM DARTON	X	_____	_____	_____
COMMISSIONER: GARY ROSENFELD	X	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	X	_____	_____	_____

d. Action regarding Conditional Use Permit application for **Owner Occupied B&B at 195 S. Main St**

The second application is for an owner-occupied bed and breakfast at 195 South Main Street, where the property owner, Tiffany Jones, is present. The Planning Commission has also reviewed this application and recommend approval as compliant with Land use and Zoning Ordinances.

Councilmember Stirling moves to approve the Conditional Use Permit application for Owner Occupied B&B at 195 S. Main St , which is seconded by Councilmember Cundick. Motion passes in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

a. Discussion possible action regarding updated Amended Subdivision Preliminary Plat for Silver Creek Estates, A Planned Development Community, with SITLA /Aaron Langston

The discussion then moves to the updated amended subdivision preliminary plat for Silver Creek Estates, a planned community development with SITLA (State Institutional Trust Lands Administration) and Aaron Langston. Aaron Langston is present to address any questions or concerns from the council.

Scott Messel also explains that recent changes in state code limit the number of public hearings regarding a subdivision, which affects the public's ability to comment on the project.

Councilmember Stirling addresses concerns regarding the proposed subdivision. She mentions that she conducted research dating back to 2003 and found that SITLA (State Institutional Trust Lands Administration) created an engineered plan that specified roads for various phases of development from the beginning even when the development was called Cibolo Estates and Silver Creek Highlands. These engineered roads fall under Utah Code Transportation Title 72 Chapter 5 Part 1, which restricts closing or blocking traffic on such roads. Highlighting that the roads were established to ensure the safety and welfare of the residents in the area, and closing or blocking these roads would be illegal under Utah law. She emphasizes that the intent of the roads was to create a functioning road network that connects different phases of development.

The town planner, Scott Messel, supports the idea of maintaining an interconnected road network for the town and recommends against creating a network of dead-end roads.

Councilmember Stirling clarifies that her research was to find a way to help and not to