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Virgin Town Council

114 South Mill Street
Virgin, UT 84779

Dear Virgin Town Council Members,

My husband and I purchased the home in Virgin, located at 92 S. Mill Street, in 2010. At the time of our purchase, there were no restrictions on Short Term Rentals (STR), and we acted in reliance of this fact when making the purchase.

The property is situated on a prominent corner in town and was rundown; many town residents remember how run down the property looked prior to our purchase. We spent months of work and thousands of dollars refurbishing and furnishing the house, yard, and detached garage to ready it to accept STR bookings. The house was to earn some money until we moved to Virgin in the future. Since our purchase, the house and yard are kept in good repair.

I became an Airbnb Host in March, 2012, and my first booking was in October, 2012. I paid 2012, 2013, 2014, 2015, and 2016 Sales & Use Taxes and Transient Room Taxes, \$4462.00 of which the state of Utah forwarded to Virgin.

During those years, I hosted guests from 30 US states, several Canadian provinces, and 12 other countries in the world. I had a consistent 5 star review rating and the feedback from those guests indicated that they thoroughly enjoyed their stays in the beautiful community of Virgin. They especially liked the idea of feeling like a local during their visits. Some guests even made a second visit. It made me feel like an ambassador for the Zion area community, and especially for our town. There was never even one complaint filed against me or my property during that time.

I have always been very careful in choosing guests, almost all of which travel here to see the National Parks and to reconnect with family and friends in most cases. Booking an entire home enables that. I decline any guest requests if I have any doubt as to whether that guest's stay would negatively impact the neighborhood, the Town, or my house.

Virgin passed the STR ban in the Spring of 2013, the modification of which continued into 2014.

Virgin did not enforce the STR ban until April, 2016, and only initiated enforcement if a complaint were made. Although a complaint was filed for

my STR, the complaint did not come from a citizen of Virgin; there was never a citizen complaint filed against my property. Upon inquiry regarding the complaint, the Springdale Police Chief initially refused to provide any information; however, on my 2nd request I was informed that the "Town" had filed the complaint. I have since been told by a town council member that it was actually initiated by Bruce Densley, the Mayor at the time.

During May, 2016 - June, 2016 I was investigated. The license plate of every car parked by my house was run. Every guest was interviewed, usually by the officer knocking on the door at 7:30 AM.

Due to extreme pressure received by Virgin, I was forced to cancel all of my future bookings in April, 2016, and cease using my home as a STR. As a result, and in an effort not to ruin the vacation of those who were already booked to stay at the home, we invited those guests to stay for free, causing a substantial loss in income.

It is believed that the STR ordinance should have grandfathered existing STR properties. For instance, when the Sign ordinance was passed, any existing nonconforming signs were grandfathered in; when the non conforming buildings ordinance was changed, those existing non conforming buildings were grandfathered in; non conforming fences were grandfathered in when guidelines were changed for new fence construction; nonconforming luminaries were grandfathered in when guidelines were changed; and when Off Street Parking Requirements were enacted, they were only applicable to new, enlarged, or increased capacity buildings. Although existing non conforming buildings were grandfathered in, the use of my home as a STR was not considered grandfathered in for its "nonconforming use".

Section 8.1.4 of Virgin's Ordinance identifies ways of "Protecting Our Assets" and provides, in part, that:

8.1.4. PROTECTING OUR ASSETS. The town will regulate use in its efforts to preserve what provides its economic base by attracting visitors...including:

8.1.4.G. Clean, safe yards, homes, businesses, and public spaces.

8.1.4.J. Individual property rights.

8.1.4.M. Friendly community.

I think my Virgin house reinstated as a STR would fit in quite well with these goals.

Sincerely,

Rosemary Marchi