

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
2 **ADMINISTRATIVE HEARING**

3
4 **Thursday, April 19, 2023**
5 **12:00 p.m.**
6 **City Council Chambers**
7 **2277 East Bengal Boulevard**
8

9 ***ATTENDANCE***

10
11 **Present:** Michael Johnson, Community and Economic Development Director/Hearing Officer
12 Samantha DeSeelhorst, Senior City Planner
13 Ian Harris, Associate City Planner
14 Maria Devereux, Deputy City Recorder
15

16 **ADMINISTRATIVE HEARING**

17
18 **1.0 Business Items**

19
20 Community and Economic Development Director/Hearing Officer, Michael Johnson called the
21 meeting to order at 12:00 p.m. and welcomed those present.
22

23 **1.1 (Project CUP-23-003) Request from Leo Stanko for Conditional Use Approval of**
24 **Short-Term Rental at 8185 South Clover Spring Lane.**
25

26 Mr. Johnson reported that the above item is a request for a Conditional Use to operate a short-term
27 rental. He stated that there are only a small number of locations in the City where short-term rentals
28 are legally permitted and what is proposed is in one of those locations.
29

30 Mr. Johnson opened the public hearing. There were no public comments. The public hearing was
31 closed.
32

33 **MOTION:** Mr. Johnson moved to APPROVE Project CUP-23-003 pursuant to the following:
34

35 Conditions:

- 36
37 1. The applicant must complete the necessary steps to obtain a Business License through
38 the City of Cottonwood Heights. Obtaining a Business License will indicate final
39 approval of the Short-Term Rental Application. The short-term rental property will
40 not be considered legal until a Business License is obtained.
41
42 2. The short-term rental property is required to maintain compliance with all Sections
43 and Subsections of Chapters 19.89 and 5.85 of the Cottonwood Heights Municipal
44 Code, as hereafter amended from time to time, and all other legal requirements and
45 applicable laws.
46
47 3. Occupancy in any short-term rental property shall not exceed the lesser of (a) up to
48 two adults (persons aged 18 and above) and two related children (persons under age

1 18) per bedroom, or (b) a total occupancy (adults and children) of no more than 12
2 persons in the entire short-term rental property. It is prohibited to create artificial
3 divisions or partitions for the purpose of increasing available occupancy of an
4 otherwise standard dwelling unit.

5
6 4. This short-term rental property will be approved for no more than four (4) bedrooms.
7 The term "bedroom" means a room designated and used primarily for sleeping and
8 resting on a bed.

9
10 5. Upon issuance of a Business License and Conditional Use Permit, the applicant must
11 display a copy of the Business License inside the main entry of the property.

12
13 6. The facility and its use shall comply with all applicable laws, rules, and regulations,
14 including those instituted by the State, County, County Health Department, or the City
15 to mitigate the impact of the COVID-19 pandemic.

16
17 Findings:

18
19 1. The proposed short-term rental meets the applicable provisions of Chapters 19.89 and
20 5.85 of the Cottonwood Heights Municipal Code.

21
22 2. The proposed project will continue to meet the applicable provisions of Chapter 19.84,
23 "Conditional Uses," of the zoning code:

24
25 a. That the proposed use is one of the conditional uses specifically listed in the
26 zoning district in which it is to be located (19.89.050).

27
28 b. That such use will not, under the circumstances of the particular case, be
29 detrimental to the health, safety, comfort, order, or general welfare of persons
30 residing or working in the vicinity.

31
32 c. That the use will comply with the intent, spirit, and regulations of this title and
33 will be compatible with and implement the planning goals and objectives of
34 the City.

35
36 d. That the use will be harmonious with the neighboring uses in the zoning district
37 in which it is to be located.

38
39 e. That nuisances which would not be in harmony with the neighboring uses will
40 be abated by the conditions imposed.

41
42 f. That protection of property values, the environment, and the tax base for the
43 City will be assured.

44
45 g. That the use will comply with the City's General Plan.
46

- 1 h. That the property will be required to comply with all conditions of approval in
2 perpetuity, in accordance with Sections 19.89.160 – Inspections and 19.89.190
3 – Violations and penalties of the Cottonwood Heights Municipal Code.
4

5 **1.2 (Project CUP-23-004) Request from Angie Norris for Conditional Use Approval**
6 **to Operate a Home Business to Provide Lash Extension Services to Clients at 2353**
7 **East Catalina Drive.**
8

9 Associate City Planner, Ian Harris, reported that the request is for a Conditional Use Permit for a
10 home business with clients to provide eyelash extension services. The applicant provided a narrative
11 of eyelash extension services to individual clients. Services will be provided in a single room within
12 the existing residence. It is anticipated that there will be three clients per day with a 30-minute
13 window between each appointment. The proposed hours are from 9:00 a.m. to 9:00 p.m. seven days
14 per week, if needed. The applicant will be the sole employee of the business with proposed parking
15 in the driveway. One public comment was received expressing concern with traffic and parking.
16 Staff recommended approval of the application with the conditions and findings enumerated in the
17 Staff Report.
18

19 The applicant, Angie Norris, stated that the scheduling of appointments will be managed based on the
20 client's availability.
21

22 Mr. Johnson opened the public hearing.
23

24 *Jack Paradise* reported that he lives across the street from the applicant and was supportive of her
25 request.
26

27 Mr. Johnson confirmed that he reviewed the request and home occupations with clients are allowed
28 by City Code. He considered the impacts of this particular application to be fairly minor.
29

30 There were no additional public comments. The public hearing was closed.
31

32 **MOTION:** Mr. Johnson moved to APPROVE Project CUP-23-004 based on the following
33 conditions:
34

- 35 1. The applicant shall obtain and maintain an approved Business License with
36 Cottonwood Heights.
37
- 38 2. Customers must use provided off-street parking, as the business may not rely upon any
39 on-street parking. Customers must be made aware of these parking restrictions.
40
- 41 3. Approval of this home occupation is subject to review upon complaint.
42
- 43 4. Signage must comply with all aspects of the Cottonwood Heights City Code.
44
- 45 5. No more than one non-resident employee is permitted at the business.
46

- 1 6. The facility and its use shall comply with all applicable laws, rules, and regulations,
2 including those instituted by the State, County, County Health Department, or the City
3 to mitigate the impact of the COVID-19 pandemic.
4

5 **2.0 Consent Agenda**
6

7 **2.1 Approval of Minutes for April 19, 2023.**
8

9 **MOTION:** Mr. Johnson moved to APPROVE the Minutes of the April 19, 2023, Administrative
10 Hearing after the following process is met. The recorder will prepare the minutes and email them to
11 the Director and present staff members. The Director and members will have five days to review the
12 minutes and provide any changes to the recorder. If, after five days there are no changes, the minutes
13 will stand approved. If there are changes, the process will be followed until the changes are made and
14 the Director and members agree, at which time the minutes shall be deemed approved.
15

16 **3.0 Adjournment**
17

18 The Administrative Hearing adjourned at approximately 12:15 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights City Administrative Hearing held Thursday, April 19, 2023.*
3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8
9 Minutes Approved: _____