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2
3 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
4 **ADMINISTRATIVE HEARING**

5
6 **Wednesday, June 7, 2023**

7 **Noon**

8 **Via Zoom**
9

10 ***ATTENDANCE***

11
12 **Present:** Michael Johnson, Community and Economic Development Director/Hearing Officer
13 Samantha DeSeelhorst, Senior City Planner
14 Heather Sundquist, Deputy City Recorder
15

16 **ADMINISTRATIVE HEARING**

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18 **1.0 Business Items**

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

23 **1.1 Project CUP-23-005 Request from Tom and Rosemary Hollinger for Conditional**
24 **Use Approval of a Short-Term Rental at 7430 South Wasatch Boulevard, Unit I-1.**
25

26 Hearing Officer Johnson provided an overview of Project CUP-23-005 a request for Conditional Use
27 approval of a short-term rental located at 7430 South Wasatch Boulevard, Unit I-1. He indicated that
28 there are several short-term rentals located in this development licensed legally through the City. The
29 City Ordinance states that short-term rentals must meet the following criteria:
30

- 31
 - Shall only be allowed in very limited areas;
 - 32 • Must meet certain zoning requirements;
 - 33 • Cannot be located in single-family zones; and
 - 34 • Must be found within private developments that consist of eight or more units all fronting and
35 accessing via a private internal roadway system.
36

37 Staff reviewed the request and found that the subject property complies with all Ordinance provisions.
38

39 Hearing Officer Johnson opened the public hearing.
40

41 *Gay Lynn Bennion* was present to become more knowledgeable regarding City proceedings and
42 processes. She was interested in following and understanding short-term rentals.
43

44 There were no further public comments. The public hearing was closed.
45

46 ***Hearing Officer Johnson moved to APPROVE Project CUP-23-005 subject to the following***
47 ***conditions:***

1. *The applicant must complete the necessary steps to obtain a Business License through the City of Cottonwood Heights. Obtaining a Business License will indicate final approval of the Short-Term Rental Application. The short-term rental property will not be considered legal until Business License is obtained.*
2. *The short-term rental property is required to maintain compliance with all sections and subsections of Chapters 19.89 and 5.85 of the Cottonwood Heights Municipal Code, as hereafter amended from time to time, and all other legal requirements and applicable laws.*
3. *The Operators shall provide a 24/7 hotline to resolve issues. Operators shall respond (in person, if appropriate) to telephonic complaints within one hour after such complaint is made. Inappropriate and/or non-response to such complaints shall constitute a violation.*
4. *Occupancy in any short-term rental property shall not exceed the lesser of:*
 - (a) *Up to two adults (persons aged 18 and above) and two related children (persons under age 18) per bedroom; or*
 - (b) *A total occupancy (adults and children) of no more than 12 persons in the entire short-term rental property. It is prohibited to create artificial divisions or partitions for the purpose of increasing available occupancy of an otherwise standard dwelling unit.*
5. *This short-term rental property will be approved for no more than four (4) bedrooms. The term "bedroom" means a room designated and used primarily for sleeping and resting on a bed.*
6. *Upon issuance of a business license and conditional use permit, the applicant must display a copy of the business license inside the main entry of the property.*
7. *The facility and its use shall comply with all applicable laws, rules, and regulations, including those instituted by the state, county, county health department, or the City to mitigate the impact of the COVID-19 pandemic.*
- 1.2 **Project CUP-23-007 Request from Steve Jury for Conditional Use Approval to Construct an Eight-Foot Fence at 7911 South Danish Pine Lane.**

Hearing Officer Johnson provided a brief overview of the request and stated that the applicant, Steve Jury is requesting Conditional Use Approval to construct an eight-foot fence at 7911 South Danish Pine Lane. The Danish Pines development slopes north to south with individual lot grading for a six-foot fence not always being adequate to provide the typical privacy as that of a flat lot. The applicant's rationale for the request is that an eight-foot fence would provide added privacy due to the natural slope of the lot. No public comment had been received by staff. The application was determined to comply with all Conditional Use requirements for fence height extensions.

1 Mr. Jury reported that a survey was conducted indicating that the adjacent home to the north is just
2 over seven feet above his property grading. He believed that the proposed eight-foot fence would
3 provide adequate privacy.

4
5 Hearing Officer Johnson opened the public hearing. There were no public comments. The public
6 hearing was closed.

7
8 ***Hearing Officer Johnson moved to APPROVE Project CUP-23-007 subject to the following***
9 ***conditions:***

- 10
11 ***1. A Building Permit and all necessary inspections shall be obtained and completed.***
12
13 ***2. The Building Permit will clearly state that the materials, and design, and shall not***
14 ***exceed a total height of eight feet from the existing grade.***

15
16 **2.0 Consent Agenda**

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18 **2.1 Approval of Minutes for June 7, 2023.**

19
20 ***The Appeals Hearing Officer moved to APPROVE the minutes of the June 7, 2023 meeting after***
21 ***the following process is met. The City Recorder will prepare the minutes and email them to the***
22 ***Hearing Officer. The Hearing Officer will have five days to review the minutes and provide any***
23 ***changes to the Recorder. If, after five days there are no changes, the minutes will stand approved.***
24 ***If there are changes, the process will be followed until the changes are made and the hearing officer***
25 ***is in agreement, at which time the minutes shall be deemed approved.***

26
27 **3.0 Adjournment**

28
29 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 Wednesday, June 7, 2023.*
3

4 Teri Forbes

5 Teri Forbes
6 T Forbes Group
7 Minutes Secretary
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9 Minutes Approved: _____