



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and/or action on a conditional use permit for short term rental use at 3571 N Lakeview Ct. #76, Eden, UT, 84310

Agenda Date: Tuesday, March 23, 2021

Applicant: Collins F. Stevens III, Owner

File Number: CUP2021-03

Property Information

Approximate Address: 3571 N Lakeview Ct. #76, Eden, UT, 84310

Project Area: 0.03 acres

Zoning: Forest Residential-3 Zone (FR-3)

Existing Land Use: Residential

Proposed Land Use: Short Term Rental

Parcel ID: 22-370-0014

Township, Range, Section: T7N, R1E, Section 22 SW

Adjacent Land Use

North: Wolf Lodge Drive	South: Residential
East: Lakeview Court	West: Creekside Way

Staff Information

Report Presenter: **Tammy Aydelotte**
taydelotte@co.weber.ut.us
801-399-8794

Report Reviewer: SB

Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 17 (FR-3 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 7, section 25 (Nightly Rentals)

Summary and Background

The applicant is requesting approval of a conditional use permit for short term use in a residential dwelling located in the FR-3 zone at 3571 N Lakeview Court, #76, in Eden. The FR-3 Zone allows a “nightly rental” as a conditional use. The proposed use will occur within an existing dwelling. As such, there is no design review required. There is ample guest parking along Wolf Creek Drive.

The application is being processed for an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits.

Analysis

General Plan: As a conditional use, this use is allowed in the FR-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the Forest Valley (FR-3) Zone. The purpose of the FR-3 Zone can be further described in LUC §104-17-1 as follows:

“The purpose in establishing the Forest Residential, FR-3 zone is to provide for medium density residential uses of apartment clusters or condo-tels adjacent to and in conjunction with major recreational resorts, recreation areas and facilities in the mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in areas associated with major recreational resorts.”

The FR-3 Zone has specific standards identified in the LUC §104-17-5, as well as additional standards that are outlined throughout the LUC that shall be met as part of the development process. The applicable standards, for single-family dwellings, are as follows:

Parking shall occur only in designated areas

The current property has two parking spaces (one car garage and driveway) that were approved as part of the Villages at Wolf Creek Development.

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Prior to issuance of a conditional use permit, the applicant will need to apply for a business license, and approval from the applicable agencies for the proposal, will need to be obtained. A condition has been made part of the Planning Division’s recommendations to ensure that this standard is met.

Nightly Rental Ordinance: Under the current land use code, the section titled ‘Nightly Rentals’ states the following:

The rental of a sleeping room, apartment, dwelling unit, or dwelling for a time period of less than 30 days is considered a nightly rental. Nightly rentals are allowed only when listed as either a permitted or conditional use in a specific zone or when approved as part of a planned residential unit development (PRUD).

Staff Recommendation

Staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agencies and is based on the following conditions:

- A business license shall be obtained prior to issuance of this conditional use permit.
- Parking shall occur only in designated areas within the development.

This recommendation is based on the following findings:

- The proposed use is allowed in the FR-3 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of reasonably anticipated detrimental effects can be accomplished.

Exhibits

- A. Application & Narrative
- B. Site Plans

Area Map



Exhibit A – Application & Narrative

Application

[+ Add Building](#)[+ Add Parcel](#)[+ Add a Co](#)

Project Description

Nightly Rental within a planning area designated as "allowed with conditional use permit"

Property Address

3571 N Lakeview Ct #76
Eden, UT, 84310 6809

Property Owner

Collin F Stevens III
480-495-2659
collin@rowadvisors.com

Representative

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Accessory Dwelling Unit

False

Current Zoning

FR-3

Subdivision Name

Village at Wolf Creek

Number of Lots

Lot Number

76

Lot Size

.03 Acres

Frontage

18'

Culinary Water Authority

Wolfcreek Water Company

Secondary Water Provider

Sanitary Sewer Authority

Wolfcreek Sewer Improvement District

Nearest Hydrant Address

On Site

Signed By

Owner, Collin F Stevens III

Parcel Number

[✖ Remove](#) [223700014 - County Map](#)

Seeking a Conditional Use Permit for property zoned for Nightly Rental with an approved Conditional Use Permit.

The subject property is located within the newly constructed Village at Wolf Creek community. The property is a 4 bedroom, 2.5 bath home comprised of +/- 1,770 square feet.

The property has on-site parking comprised of an attached 2 car garage. The subdivision also contains unreserved uncovered parking in multiple locations in the development.

The property was acquired as a second home and the CUP is being sought to conduct short-term rental activity when not owner-occupied.