

# SOUTH WEBER CITY CITY COUNCIL MEETING

**DATE OF MEETING:** 11 August 2020

**TIME COMMENCED:** 6:01 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT: MAYOR:**

Jo Sjoblom

**COUNCIL MEMBERS:**

Hayley Alberts  
Blair Halverson  
Angie Petty  
Quin Soderquist  
Wayne Winsor

**FINANCE DIRECTOR:**

Mark McRae

**CITY ENGINEER:**

Brandon Jones

**CITY RECORDER:**

Lisa Smith

**CITY MANAGER:**

David Larson

**CITY ATTORNEY:**

Jayme Blakesley

**Transcriber:** Minutes transcribed by Michelle Clark

**ATTENDEES:** Slater Petty, Tammy Long, and Paul Sturm.

Mayor Sjoblom called the meeting to order and welcomed those in attendance.

**1. PLEDGE OF ALLEGIANCE:** Councilman Winsor

**2. PRAYER:** Councilman Soderquist

**3. CORONA VIRUS UPDATE:** Mayor Sjoblom reported Davis County COVID 19 cases have decreased by 39%. Ages 15 to 24 continue to be the highest increase by age. South Weber City has two active cases and 26 total cases. Davis School District will begin the school year with a hybrid schedule.

**4. PUBLIC COMMENT:** Please respectfully follow these guidelines:

- a. Individuals may speak once for 3 minutes or less
- b. Do not make remark from the audience
- c. State your name and address
- d. Direct comments to the entire Council
- e. Note City Council will not respond during the public comment period

Stanley Gudmendsen, lot #29 of Harvest Park Subdivision, is in the process of constructing a home in the Harvest Park Subdivision and questioned what will done with the trees, trail, and

open space area behind his home. He suggested moving the trail 20' to the north to preserve old growth trees.

Councilman Halverson related Harvest Park Subdivision, Phase 3 will be discussed this Thursday at the Planning Commission meeting. David Larson stated the city staff will be meeting with the developer to review the details of the project. He assured citizens the goal is to keep as many trees as possible. City Engineer Brandon Jones pointed out a final location for the trail has not been determined. He will be meeting with the developer to walk the site.

### **ACTION ITEMS:**

#### **5. Approval of Consent Agenda a. July 21, 2020 Minutes**

**Councilman Soderquist moved to approve the consent agenda. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.**

#### **6. Resolution 2020-32: Declaring SWC Fire Department's Substantial Dedication to the COVID-19 Public Health Emergency**

Mayor Sjoblom reported South Weber City has received Coronavirus Aid, Relief, and Economic Security (CARES) Act funds from the state. One of the acceptable uses of these funds is for the payroll expenses of the South Weber City Fire Department; however, the City Council must determine that the services provided by the Fire Department are substantially dedicated to mitigating or responding to the COVID 19 public health emergency. In the City Council meeting on June 30, 2020 the possible uses of the CARES Act money by South Weber City were discussed and direction given to staff. The general opinion in that meeting was the Fire Department is substantially dedicated to the public health emergency.

Mayor Sjoblom explained the South Weber City Fire Department has made the necessary changes to meet all new requirements relating to the emergency and treats all calls as a possible COVID 19 exposure. The South Weber City Council declared that the Fire Department is substantially dedicated to the public health emergency and has been since March 1, 2020.

**Councilwoman Petty moved to approve Resolution 2020-32: Declaring SWC Fire Department's Substantial Dedication to the COVID-19 Public Health Emergency. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.**

#### **7. Public Works Tractor Purchase**

Mayor Sjoblom explained the city farm tractor/street mower has safety and maintenance problems. It is used for mowing weeds on the sides of unimproved streets and grooming the Posse Grounds. The 2020 budget includes funds for a replacement.

Mayor Sjoblom stated the staff obtained quotes from John Deere, New Holland, and Case. John Deere offered the best price at \$49,897.90 and included all the necessary functions and features. The mower attachment is an additional \$11,100 bringing the total to \$60,997.90. Chief Procurement Officer David Larson verified that staff followed the City's Procurement Policy

(CPP) section 2-1-060. C.1.a in recommending this purchase. Councilman Winsor asked what the budgeted amount is. David replied the budgeted amount was \$75,000.

**Councilman Winsor moved to approve the purchase of a John Deere tractor with attachment for the Public Works Department for the total cost of \$60,997.90. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.**

### **8. Public Works Water Meter Replacement Purchase**

Each year the city replaces a percentage of water meters to ensure meters are always under warranty and provide the most accurate reads. This fiscal year public works budgeted to replace 350 registers and antennas. There is only one supplier for the existing meters so there are no competing bids (CPP 2-1-060. C.1.c Sole Source). The price is \$259 for each unit (register and antennae) for a total of \$90,650. Since the aggregate cost of the purchase exceeds \$9,999 this purchase must be authorized by the City Council (CPP 2-1-050.C). Chief Procurement Officer David Larson verified that staff followed the City's Procurement Policy section 2-1-060. C.1.c Sole Source in recommending this purchase. Councilman Winsor asked for the budgeted amount. David Larson indicated \$100,000.

**Councilwoman Petty moved to approve the purchase of water meter replacements for the Public Works Department for \$90,650. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.**

### **REPORTS:**

**9. New Business:** (None)

### **10. Council & Staff Reports**

**Mayor Sjoblom:** thanked the Country Fair Days Committee: Tani Lynch, Holly Williams, and Vicki Christensen for the Country Fair Days activities. She especially enjoyed the arts & craft exhibit and the hot shot competition. Mayor Sjoblom announced she will be out of town and not able to attend the City Council meeting on August 18, 2020. Councilman Halverson will be acting mayor.

**Councilman Halverson:** reported on the Hill Air Force Base (HAFB) contamination and announced the current Restoration Advisory Board (RAB) contract will expire in September. A new contract will be coming forward. The 2017 Record of Decision (ROD) will be available soon. It shows positive improvement. He thanked those residents in South Weber City who participated in the indoor air sampling. All the air sampling provided negative results. Mayor Sjoblom and Ms. Pfeifen from HAFB visited eight different residences' water wells in South Weber City. It was found that all eight wells had been capped or are no longer in use.

**Councilwoman Alberts:** thanked those involved with the Country Fair Days celebration for all their hard work.

**Councilman Soderquist:** enjoyed the Country Fair Days celebration and thanked the committee.

**Councilwoman Petty:** praised the Country Fair Days Committee and all their hard work.

**Councilman Winsor:** reported the Code Committee met today and will be reviewing/amending City Code Title 10, Chapter 2. They will meet the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month. Any changes will go through the proper procedure for approval. Councilman Winsor was elected to chair this committee. He also acknowledged the Country Fair Days Committee.

**City Manager, David Larson:** indicated the online public commenter joined the meeting late. The council agreed to allow the public comment from Stanley Gudmendsen. David reported the gurney for the Fire Department has been delivered and installed.

**CLOSED SESSION:** held pursuant to the provision of UCA section 52-4-205(1) (c) and (d)

**11. Discussion of the Purchase, Exchange, or Lease of Real Property**

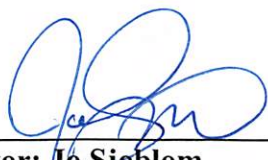
**12. Discussion of Pending or Reasonable Imminent Litigation**

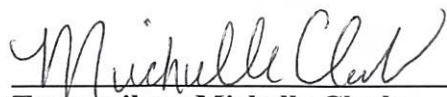
**CLOSED SESSION:** Councilman Soderquist moved to adjourn the Council meeting at 6:27 p.m. and go into a closed session held pursuant to the provision of UCA section 52-4-205(1)(c) and (d) discussion of the purchase, exchange, or lease of real property and discussion of pending or reasonable imminent litigation. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

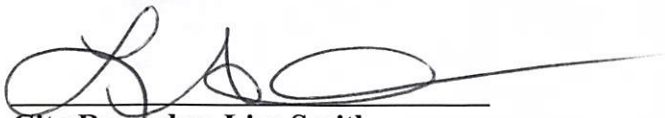
**13. Return to Open Session and Adjourn**

**RECONVENE:** Councilwoman Petty moved to reconvene the Council meeting at 7:29 p.m. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

**ADJOURN:** Councilman Soderquist moved to adjourn the Council meeting at 7:29 p.m. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

**APPROVED:**  09-15-2020  
\_\_\_\_\_  
Mayor: ~~Jo Sjoblom~~ Date ~~09-08-2020~~

  
\_\_\_\_\_  
Transcriber: Michelle Clark

**Attest:**   
\_\_\_\_\_  
City Recorder: Lisa Smith

## CC 2020-08-11 CI #1 Friddle

**From:** [Tory Friddle](#)  
**To:** [Public Comment](#)  
**Subject:** La Roca  
**Date:** Thursday, August 6, 2020 9:48:24 PM

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As the closest residence to La Rocas entrance I would like to thank everyone involved in the issues last weekend.

I would like to list a few of my concerns in hope the city will have sufficient information on what is being done at the facility.

- Traffic is out of control going in and out at all times of the day and night. My cameras show cars coming in late at night and very early like 1:30 am. We can only guess what might be going on.
- The turn lane into the complex needs a arrow painted. Cars pull over and park thinking this is the shoulder of the road not a turn lane.
- The speed along this straight away turns into a very dangerous situation when you have cars entering and exiting the complex. People passing on the double yellow line. I have had multiple close calls already with people trying to pass as I'm entering my drive.
- People parking half on the shoulder and partway in the road over the white line.
- Lighting at the entrance is a issue after dark.

This is a major safety issue in my eyes and all I see and hear is it's not my problem.

I'm a concerned citizen who believes rules set are rules to be followed. It is only a matter of time before something bad happens and I don't want to see it.

At our voting on this complex I witnessed a owner willing to do what ever and say whatever to get this complex passed. Gift to the community, Non profit, No games just training, Closed after 10:00, Very few parking spots needed due to training only, Buffer zone with plants. Well I might be wrong but I was there.

Please understand I'm all for the kids but also see it's more about the money in some people's eyes.

Best regards

Tory Friddle

119 East South Weber Dr

Sent from my iPhone

**From:** [beckylabs](#)  
**To:** [Public Comment](#)  
**Subject:** General Plan  
**Date:** Monday, August 10, 2020 1:11:12 PM

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I have been informed that the area surrounding the old convenience store is still going to have townhomes built! When I filled out the general survey the large area to the east of the store was shown to be commercial. There was even an area where we could fill in the bubbles about what we'd like to see there and townhomes were not a choice. So what's up with that. If you allow townhomes to be built, why did we bother to offer our suggestions? Also, if they go through, I hope that a fence is required to be put between the Sandalwood Cove green space and the townhomes.

Thank you,

Rebecca Marino

Sent from my Verizon, Samsung Galaxy smartphone

August 10, 2020

South Weber City Planning Commission  
1600 E South Weber Drive  
South Weber, UT 84405

Subject: Public Hearing for Conditional Use Permit application for Snowbasin Destination LLC, owner Lori Drake

Dear Planning Commission:

We are submitting the following as comment to the Public Hearing in regards to the Conditional Use Permit application for a Short-Term Rental submitted by Lori Drake ("**Responsible Party**") of Snowbasin Destination located at 2345 E 8100 S., South Weber UT ("**Short-Term Rental**"). According to the Airbnb website persons renting or residing ("**Occupants**") in the short-term rental are offered a downstairs living space with three bedrooms. We believe based on public reviews on the Airbnb website for this short-term rental, and by witnessing occupants, this short-term rental began operations September 2019. A search on the Utah Business website (<https://secure.utah.gov/bes/>) shows a Utah Certificate of Organization, file number 11638573 was issued to Snowbasin Destination LLC January 30, 2020.

The purpose of this letter are to:

1. present the planning commission with a summary of previous complaints made to the South Weber Code enforcer;
2. present the planning commission with historical issues related to parking at the short-term Rental;
3. present the planning commission with details of events/parties at this location;
4. present the planning commission with concerns we have related to trespassing by occupant and non-occupant visitors;
5. ask the planning commission when reviewing the application for this short-term rental to clarify the difference between a two-family dwelling and short term rental conditional use permit;
6. ask the planning commission when reviewing the application to clarify and define the accountability of the Responsible Party, and South Weber City in regards to code violations.

**Complaints:**

On two separate occasions, we have provided the South Weber Code Enforcer with written formal complaints. The first complaint dated January 16, 2020 outlined issues related to no receipt of public notification from the city in regards to the conditional use permit, parking issues in violation of South Weber winter ordinance, violation of the noise ordinance due to late hour parties at the short-term rental among an occupant and visitors. The second complaint dated July 16, 2020 described issues related to no public notification from the city in regards to the conditional use permit, parking issues, and trespassing.

Provided as an attachment to this letter will be a copy of two police reports D20-00395 related to winter parking, and D20-00424 related to winter parking, parties and a warrant arrest at the short-term rental.

**Parking:**

The short-term rental historically has not enforced off street parking. On several occasion the short-term rental has had 3+ vehicles parked on the street overnight. Street parking is nearly always directly in front of our property. During winter months, we witnessed, and documented many occupants not following the South Weber winter parking ordinance.

The first picture below taken November 15, 2019 shows what we witness as typical overnight winter parking. The second picture taken the morning of November 19, 2019, shows a work truck, which had been parked overnight broken down in the street in front of our property. A large oil spill was left in the roadway after the occupant had finished working on the vehicle.



The occupant the week of January 12, 2020 had a constant stream of vehicles throughout the evening and early morning. Due to nightly parties held at the short-term rental, vehicles parked on the roadway and in the short-term rental driveway. The below pictures were taken the evening of January 15, 2020, not pictured are the additional vehicles parked to the east of our driveway.



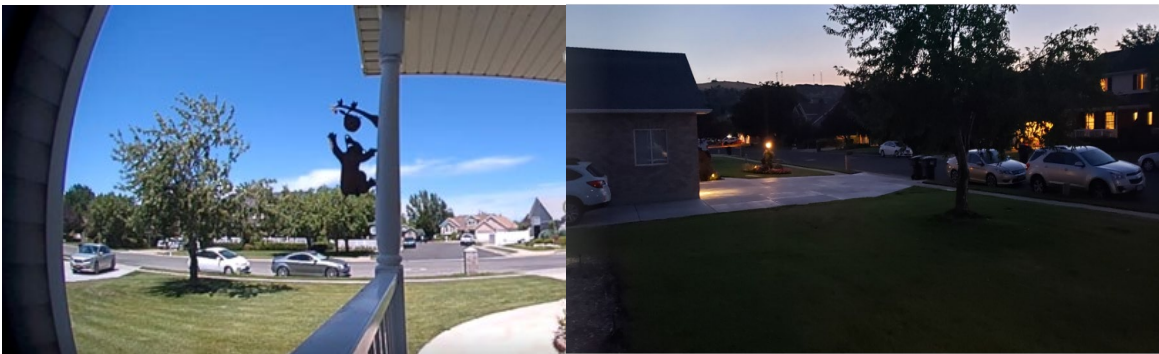
The below picture taken the morning of January 17, 2020 shows one of the several cars that had been left parked on the street overnight.





After filing police complaints dated January 16 and 17, 2020, we discussed issues related to the short-term rental with the responsible party. We very clearly voiced our concerns in regards to parking. The responsible party said she understood our concerns in regards to cars parking all the way to the gate when checking in late at night, which causes extra noise due to slamming doors, and car alarms. In addition, we discussed street parking in front of our residence, and felt we had come to a mutual understanding in regards to parking.

The picture below shows how vehicles are currently parking at the short-term rental. The below pictures were taken on July 11, 2020 and July 19, 2020.



We understand there is no ordinance or law preventing parking in front of our home. However, we strongly feel we should not have to extend a courtesy, or tolerate excessive parking that benefits a business in our neighborhood. The occupant parking in front of our property is not the view we purchased when we moved to South Weber.

- Does the city require the property owner to provide adequate and safe parking at a short-term rental?
- Does the city require the property owner to provide parking that does not interfere, cause damage, or encourage trespassing of neighboring properties?
- Can occupant vehicles park over 48 hours on the street without moving?

#### **Parties/Events:**

The short-term rental has already had parties/events. The evening of January 15, 2020, was at least the second evening of a string of parties held by an occupant involving very young adults, alcohol, smoking and loud music. At approximately 11:30 pm, a young female visitor of the occupant

knocked on our door asking to use our wifi. She explained a boy named Isaac had sent an uber for her, but she was unable to locate the Airbnb. After giving her directions to the short-term rental, we witness an additional vehicle arrive. This vehicle contained an additional three young male adults with beer who were being very loud. By this point in the evening, there were six vehicles and many young adults in the driveway, and back yard drinking, smoking and causing a lot of noise.

The picture below taken on January 16, 2020 is of two of the five men that were outside drinking, smoking, and play loud music from at least 10:30 pm until well after midnight.



The incident as described in a section of police report (D20-00424) dated January 17, 2020; “On January 17, 2020, I was informed of a parking problem at the address of 2345 E 8100 S in South Weber. I contacted the complainant, Gary Sanzone, who lives next door. Mr. Sanzone informed me that he has witnessed multiple vehicles parking on the road in violation of South Weber City Code. He stated the vehicles are parked there by guests at the Airbnb in the basement of the residence next door. In addition, he informed me that the guests at the Airbnb have been throwing parties, which have involved excessive noise late into the night, smoking in the Airbnb’s backyard near his property and his bedroom window, and the consumption of alcohol by those he presumes to be minors. Mr. Sanzone made a similar complaint yesterday, on January 16, 2020 (See D20-00395).”

The following is from an additional section of report D20-00424; “Upon returning to the residence I verified all provided information, while running Mr. Provenzano’s provided information through NCIC I got a return on a fully extraditable warrant. I verified the NCIC hit through Davis County Dispatch and confirmed the information found.”



**Isaac**  
January 2020

Wonderful place. Good for small groups & skiers. Definitely would not recommend for parties! Very nice and comfortable space.

We are sorry we left this location in disrepair. We intended to stay in the location and clean it, but the neighbors complained about our noise level (we had loud music and backyard smoking). The sherriffs did come to ask us to move our car out of the street, as one of our group didn't know he had to park on the driveway. We do intend to pay for the damage to the unit, and are very sorry for the condition we left it in under such short notice. [read less](#)



**Response from Isaac**  
Joined in 2016

January 2020

Unfortunately, Daniel's review wasn't up yet and I accepted the reservation from this young man. Honestly, I have never felt so ... violated. My beautiful space has at least \$500 worth of damage. I need to salvage my reputation with the sheriff's office, my city, and my neighbors. I have purchased new comforters, blankets, and linens due to a myriad of stains that I won't describe. I must replace a window screen that was destroyed. A new rug and my carpet have muddy boot prints all over and now I am finding other small things as I clean. There are dings in the walls and my gorgeous new sofa has stains on all three cushions. Need I say more? My downstairs space has only been available for four months and I have hosted lovely people from all over the U.S. I honestly am concerned about Isaac and the sustainability of his lifestyle, but that's another story. [read less](#)



**Lori, South Weber, UT**  
Joined in 2017

As stated in the parking section of this letter, after involving the police and code enforcer, we had a discussion with the responsible party about what had been happening at the short-term rental. We were very surprised to learn that during the week of parties the responsible party was in the residence. We also learned from her that the young woman who came to our door had also come to her door. The responsible party expressed to us that she felt taken advantage of and that she needed to be more careful. She felt Isaac had not represented himself or the purpose of travel correctly, and that he was a wondering troubled young man. We feel this incident clearly demonstrates the responsible party did not manage the owner occupied short-term rental in a way that ensures neighborhood safety.

We received the following text message from the code enforcer on January 17, 2020 "I am pretty sure that we have resolved the problem and Lori did rent the property as a short term rental to an individual that took advantage of the situation and has since been evicted from the property. I have advised her that she will be required to obtain a business license from the city so that I can go over the specific regulations with her that are outlined in the ordinance."

As a follow up question we asked the code enforcer if the responsible party was allowed to continue to rent the short-term rental, and received the following response; "Nope, she has to immediately obtain a permit." The responsible party had a new occupant at the short-term rental the beginning of following week. The below picture of the new occupant was taken January 23, 2020.



According to the Airbnb listing for this short-term rental the responsible party advertises house rules which includes the phrase “no parties or events”. We witnessed recent occupants having a gathering with visitors. The additional visitors creates noise, and excessive numbers of vehicles in the street. Holding events/parties at the short-term rental brings up the following questions:

- Does the Conditional Use Permit allow a short-term rental to be a venue, defined as a place where an event or meeting happens?
- Is the rental for occupants, or occupants and their visitors?
- What are the maximum number to occupants, visitors, and vehicles allowed at a short-term rental?

**Trespassing:**

Our property has become a walking path, a park, and a shortcut from the street to the gate by many occupants. The following pictures taken August 2, 2020 provides an example of what we witness as typical foot traffic to the gated area of the short-term rental.



The below pictures taken August 9, 2020 show occupants as they are having a nerf gun war on our front yard.



We have also had visitors of occupants mistake our property for the Airbnb. On July 15, 2020, a small red SUV pulled into our driveway at approximately 9:45 pm playing loud music. The driver pulled in and out backing up to our gate on the east side of our property. Quickly confronted before he could exit his vehicle to enter the gated area, he stated his purpose for being in our driveway was to pick up an occupant of the Airbnb. Having an uninvited person enter our

property at night, with the possibility of trying to gain access to our home has the potential of becoming a dangerous situation for all parties involved. Begrudgingly we now have to display tacky no trespassing, and beware of dog signs from our front porch and gate. As you can see from the pictures above, the signs are not working.

### Two-Family Dwelling/Short-Term Rental:

Utah HB 253 passed during the 2017 general session enacted Utah Codes 10-8-85.4 and 17-50-338.

10.8.85.4(1)(b) and 17-50-338(1)(b) "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

10-8.85.4(2)(a) and 17-50-338(2)(a) a legislative body may not: enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or

10-8-85.4(2)(b) and 17-50-338(2)(b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.

South Weber Ordinance 10-18-2 (A) Short-Term or Vacation Rental means a transient lodging facility in a single family dwelling unit, in public lodging facilities as part of a planned unit development (PUD), or in an accessory dwelling unit (ADU), occupied by a single group on a temporary basis for less than 30 consecutive days as an alternative to a hotel or motel.

The logistics section of the Airbnb listing of the responsible party states the property is available for long term stays, 28 days or more. Four recent occupants of the short-term rental stayed for the summer, well over 30 days.



**Emma**  
July 2020

Lori's place was exquisite, I spent the entire summer here for an internship. She made our stay and experience in Utah all the more special! A wonderful host and person! We love you Lori!

July 2020

What a choice experience it has been to host Emma and her peeps. They were gracious, considerate, and deeply appreciative of every detail. Not only in their private space but also in discovering Utah. The experience of getting to know these four young women from every corner of the United States was a thrill for me. I wish them the best of luck and hope to see them again. They will always be welcome. [read less](#)



**Lori, South Weber, UT**  
Joined in 2017

From what we have witnessed and according to recent reviews left on the Airbnb website for the short-term rental, it appears the short-term rental is not always operating at fewer than 30 consecutive days. Based on the definitions of the Utah and South Weber Code we have the following questions:

- Is the responsible party using the property as a short-term rental, or a two family dwelling? Is this student housing? Corporate housing?
- What is the difference in a conditional use permit for a short-term rental and a two family dwelling?
- When code violations or issues arise, does offering the rental for 30+ days prevent the city from enforcing short-term rental ordinances?

**Responsibility:**

As of the date of this letter, we feel neither the city nor the responsible party appear to have taken responsibility to ensure compliance or enforcement of South Weber City Codes/Ordinances. In our opinion the responsible party did not act with integrity by starting a business without first obtaining a business license, or permit from the city. Bypassing the short-term rental process as outlined by South Weber City potentially took tax dollars from our community, and did not allow long-term neighbors their right to public comment before the short-term rental became operational.

Airbnb's website offers a help document under responsible hosting in regards to business licensing stating the following. "You are responsible for checking whether your activity may be considered to be a business activity, and if so, for ensuring that you comply with local rules that regulate businesses (which may include business registration and/or licensing requirements) before starting to provide your experience."

South Weber City has allowed the short-term rental to run without a license, and has not done enough to ensure the rights of other property owners. The Utah State Codes enacted for short-term rentals should not render our leaders paralyzed, unable to protect all property owners. South Weber residence deserve better.

- Who is responsible and accountable for occupants of a short-term rental? Is it the Neighbors, the Police, the Planning Commission, the City Council, or the Responsible Party?

In regards to the responsible party and the short-term rental, we have tried to be patient and respectful of the right to operate a business. In January, we were willing to listen and discuss compromise to ensure continued success of the short-term rental, while still maintaining our rights and safety. Since that discussion, we feel the responsible party has not been concerned at all about our rights, our property, or our safety. In January, the responsible party expressed to us that she had been the victim of an occupant. We do not feel the responsible party was violated, instead we feel she did not control a bad situation that was taking place at the short-term rental, and as a result suffered the consequence. The lack of action taken by the responsible party caused interruption to the police department, the code enforcer, and us. Since then we feel the responsible party continues to allow occupants to park anywhere, hold what appears to be events, and does not appear to consider the disruption the short-term rental is causing to the surroundings.

We are strongly opposed to the planning commission granting a conditional use permit for this short-term rental. We feel the responsible party lacks the skill, and security training to operate a short-term rental in a manner that protects the integrity, characteristics, and safety of our neighborhood. The responsible party has not managed the short-term rental in a manner that we the neighbors are unaware of the existence.

Best Regards,  
Gary and Tina Sanzone  
Property Owners  
2353 E 8100 S

Enclosure: Davis County Sheriff police report D20-00395 and D20-00424.



# DAVIS COUNTY SHERIFF'S OFFICE

## Deputy Report for Incident D20-00395

**Nature:** Parking Problem  
**Location:** 150

**Address:** 2353 E 8100 S  
SOUTH WEBER UT 84405

**Offense Codes:** PARK

**Received By:** T Dyer

**How Received:** T

**Agency:** DCSO

**Responding Officers:** M Castro

**Responsible Officer:** M Castro

**Disposition:** CLO 01/16/20

**When Reported:** 06:18:37 01/16/20

**Occurred Between:** 06:18:37 01/16/20 and 06:18:37 01/16/20

**Assigned To:**

**Detail:**

**Date Assigned:** \*\*/\*\*/\*\*

**Status:**

**Status Date:** \*\*/\*\*/\*\*

**Due Date:** \*\*/\*\*/\*\*

### Complainant:

**Last:**

**First:**

**Mid:**

**DOB:** \*\*/\*\*/\*\*

**Dr Lic:**

**Address:**

**Race:**

**Sex:**

**Phone:**

**City:** ,

### Offense Codes

**Reported:**

**Observed:** PARK Parking Problem

**Additional Offense:** PARK Parking Problem

### Circumstances

BM88 No Bias

DCVN Dash Cam Video: No

LT13 Highway, Road, Alley

### Responding Officers:

M Castro

### Unit :

D100

**Responsible Officer:** M Castro

**Received By:** T Dyer

**How Received:** T Telephone

**When Reported:** 06:18:37 01/16/20

**Judicial Status:**

**Misc Entry:** DJ

**Agency:** DCSO

**Last Radio Log:** \*\*:\*.\*\* \*\*/\*\*/\*\*

**Clearance:** CRO Cleared by Responding Officer

**Disposition:** CLO **Date:** 01/16/20

**Occurred between:** 06:18:37 01/16/20

**and:** 06:18:37 01/16/20

**Modus Operandi:**

**Description :**

**Method :**



**Involvements**

<b>Date</b>	<b>Type</b>	<b>Description</b>	<b>Relationship</b>
01/16/20	Name	SANZONE, GARY WALTER	Complainant
01/16/20	Cad Call	06:18:37 01/16/20 Parking Problem	Initiating Call

**Narrative**

Subject: Parking Problem  
D20-00395  
M. Castro  
01/16/2020

On 01/16/2020, I was dispatched to a parking problem in South Weber. I spoke with the complainant, Gary Sanzone, who told me the house next door located at 2345 E 8100 S is an Airbnb. The people staying at the Airbnb will often park their cars on the street in front of Gary's house which causes the snowplows to skip his house.

Gary also told me that last night there was a party at the airbnb and sometime between 2300 and 2330 hours a group of people showed up knocking at his door. They were looking for the party, and thought that Gary's home was the airbnb.

Gary informed me he would be filing a complaint with South Weber City in regards to the Airbnb. I told him I would pass on the information so Deputies would be aware and could enforce the winter parking. I sent out a message to the Patrol Division regarding this case.

Nothing further.

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Responsible LEO:

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Approved by:

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Date

**Name Involvements:**

**Complainant :** 240974

**Last:** SANZONE

**First:** GARY

**Mid:** WALTER

**DOB:**

**Dr Lic:     Phone:**

**Address:** 2353 E 8100 S

**Race:**           **Sex:** M

**City:** SOUTH WEBER, UT 84405



# DAVIS COUNTY SHERIFF'S OFFICE

## Deputy Report for Incident D20-00424

**Nature:** Parking Problem  
**Location:** 150

**Address:** 2353 E 8100 S;10-21  
SOUTH WEBER UT 84405

**Offense Codes:** WARA

**Received By:** L Jacobs

**How Received:** T

**Agency:** DCSO

**Responding Officers:** C Bodily, C Hawkins, J Jefferies, L Payne

**Responsible Officer:** J Jefferies

**Disposition:** CAA 01/23/20

**When Reported:** 07:36:26 01/17/20

**Occurred Between:** 07:36:26 01/17/20 and 07:36:26 01/17/20

**Assigned To:**

**Detail:**

**Date Assigned:** \*\*/\*\*/\*\*

**Status:**

**Status Date:** \*\*/\*\*/\*\*

**Due Date:** \*\*/\*\*/\*\*

### Complainant:

**Last:**

**First:**

**Mid:**

**DOB:** \*\*/\*\*/\*\*

**Dr Lic:**

**Address:**

**Race:**

**Sex:**

**Phone:**

**City:** ,

### Offense Codes

**Reported:**

**Observed:** WARA Warrant Arrest

**Additional Offense:** WARA Warrant Arrest

### Circumstances

BM88 No Bias

DCVY Dash Cam Video: Yes

LT20 Residence or Home

DAY Day (6 a.m. - 6 p.m.)

### Responding Officers:

**Unit :**

C Bodily

D48

C Hawkins

D18

J Jefferies

D103

L Payne

D38

**Responsible Officer:** J Jefferies

**Agency:** DCSO

**Received By:** L Jacobs

**Last Radio Log:** \*\*/\*\*/\*\* \*\*/\*\*/\*\*

**How Received:** T Telephone

**Clearance:** CRO Cleared by Responding Officer

**When Reported:** 07:36:26 01/17/20

**Disposition:** CAA **Date:** 01/23/20

**Judicial Status:**

**Occurred between:** 07:36:26 01/17/20

**Misc Entry:**

**and:** 07:36:26 01/17/20

**Modus Operandi:**

**Description :**

**Method :**

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**Involvements**

<b>Date</b>	<b>Type</b>	<b>Description</b>	<b>Relationship</b>
01/23/20	Name	PROVENZANA, PETER JOSEPH	OFFENDER
01/17/20	Name	SANZONE, GARY WALTER	Complainant
01/17/20	Name	PROVENZANO, PETER JOSEPH	SUBJECT
01/17/20	Name	BARTOLOMEI, ISAAC EPHRAIM	Offender
01/17/20	Cad Call	07:36:26 01/17/20 Parking Problem	Initiating Call

## Narrative

Subject: Parking Problem/ Warrant Arrest  
Case Number: D20-00424  
Date: 01/17/2020  
Reporting Officer: Deputy J Jefferies  
Body Camera Footage Available: Yes

On January 17, 2020, I was informed of a parking problem at the address of 2345 E 8100 S in South Weber. I contacted the complainant, Gary Sanzone, who lives next door. Mr. Sanzone informed me that he has witnessed multiple vehicles parking on the road in violation of South Weber City Code. He stated the vehicles are parked there by guests at the Airbnb in the basement of the residence next door. In addition he informed me that the guests at the Air BnB have been throwing parties which have involved excessive noise late into the night, smoking in the Airbnb's backyard near his property and his bedroom window, and the consumption of alcohol by those he presumes to be minors. Mr. Sanzone made a similar complaint yesterday, on January 16, 2020 (See D20-00395).

I informed Mr. Sanzone that we would go to the home to insure all vehicles were moved off the road and speak with the guests about continuing noise complaints and parking violations.

Upon my arrival I found one vehicle still on the road, I ran the vehicle which returned valid with no warrants attached.

I knocked on the door of the Airbnb portion of the residence and made contact with a male later identified as Peter Provenzano, who invited me into the home. I informed Mr. Provenzano of the complaints that had been made and asked what his relation was to the residence and Airbnb. He informed me that he had not been there last night and did not know who's vehicle was on the street.

Upon asking for identification Mr. Provenzano initially refused, identifying himself only as Peter. Mr. Provenzano eventually agreed to providing a Florida Identification Card and I copied down his information.

While speaking with Mr. Provenzano, another male came into the room and identified himself as Isaac Bartolomei. Mr. Martolomei stated that he was the renter of the Airbnb and said he would contact the driver of the vehicle still on the road to have it moved. He also said he was aware of the noise complaints and would not have any more parties or guests while staying at the residence..

Due to a separate incident that occurred while speaking the occupants of the Airbnb, I left the scene and returned upon the completion of the separate incident (See D20-00421).

Upon returning to the residence I verified all provided information, While running Mr. Provenzano's provided information through NCIC I got a return on a fully extraditable warrant. I verified the NCIC hit through Davis County Dispatch and confirmed the information found.

I made contact again with Mr, Bartolomei to obtain the infomation of the Airbnb renter so that they could be advised of the complaints that had been made. Mr. Bartolomei provided me with the contact information for a Lori Drake. While speaking with Mr. Martolomei I saw Mr. Provenzano in the kitchen of the Airbnb . I made contact with Mr. Provenzano and asked him to stand and place his hands on his head Mr. Provenzano was compliant and was placed in handcuffs, which were checked for fit and double locked. Mr. Provenzano had multiple knives on his

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person which were removed. The knives and other property belonging to him were left with the other guests of the Airbnb with Mr. Provenzano's permission.

Mr. Provenzano was placed in my patrol vehicle where was placed in a locked seatbelt. Transport to Davis County Jail occurred without incident Upon arrival to the jail custody was transferred to Jail staff and his warrant information was verified,

End of Report  
J Jefferies 17453

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Responsible LEO:

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Approved by:

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Date

## Supplement

Subject: Supplemental Report- Follow Up Warrant Arrest

Case Number: D20-00424

Date: 01/17/2020

Reporting Officer: Deputy J Jefferies

Body Camera Footage Available: Yes

On January 17, 2020, I spoke with Lori Drake, who is the owner of the residence at 2345 E 8100 S South Weber. Lori contacted Davis County Dispatch inquiring about the arrest that had occurred at her residence. I informed Ms. Drake that we had arrested someone who was staying at her Airbnb after identifying him and discovering his warrant.

Ms. Drake asked if it would be possible to remove the other Airbnb guests from her home. I advised Ms. Drake to contact Airbnb if she wanted to terminate the contract with her guests but until then it would remain a civil matter.

I informed Ms. Drake that if she had any other questions about criminal problems, or if at anytime felt that she required a civil standby, that she could contact the Sheriff's Office again.

End of Supplemental Report

J Jefferies 17453



**Name Involvements:**

**Complainant :** 240974

**Last:** SANZONE

**First:** GARY

**Mid:** WALTER

**DOB:** [REDACTED]

**Dr Lic:** [REDACTED]

**Address:** 2353 E 8100 S

**Race:** [REDACTED] **Sex:** M

**Phone:** [REDACTED]

**City:** SOUTH WEBER, UT 84405

**Offender :** 395208

**Last:** BARTOLOMEI

**First:** ISAAC

**Mid:** EPHRAIM

**DOB:** [REDACTED]

**Phone:** [REDACTED]

**City:** [REDACTED]

**Sex:** M

**SUBJECT :** 395205

**Last:** PROVENZANO

**First:** PETER

**Mid:** JOSEPH

**DOB:** [REDACTED]

**Phone:** [REDACTED]

**City:** ,

**Sex:** M

**OFFENDER :** 395206

**Last:** PROVENZANA

**First:** PETER

**Mid:** JOSEPH

**DOB:** [REDACTED]

**Phone:** [REDACTED]

**City:** ,

**Sex:** M