

# COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING AGENDA January 7, 2026



Notice is hereby given that the **Cottonwood Heights Hearing Officer** will convene on **Wednesday, January 7, 2026**, at **Cottonwood Heights City Hall** (2277 E. Bengal Blvd., Cottonwood Heights, UT 84121) for an **Administrative Hearing Meeting**.

The meeting will begin at **12:00 p.m.** in City Hall Room 5 (Council Chambers).

## **12:00 p.m. ADMINISTRATIVE HEARING MEETING**

### **1.0 Business Items**

#### 1.1 Project CUP-25-019

Public hearing request from Tamara Halse for a wall height extension at 2184 E 7495 S.

#### 1.12 Project CUP-25-020

Public hearing request from Steven Carlston for a wall height extension at 3206 Chula Vista Cir.

### **2.0 Consent Agenda**

2.1 Approval of Administrative Hearing Officer Minutes from January 7, 2026

*(The Administrative Hearing Officer will approve the minutes of January 7, 2026, meeting after the following process is met. The City Recorder will prepare the minutes and email them to the Hearing Officer. The Hearing Officer will have five days to review the minutes and provide any changes to the Recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until the changes are made and the hearing officer is in agreement, at which time the minutes shall be deemed approved.)*

### **3.0 Adjourn**

## **Meeting Procedures**

Items will generally be considered in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Each speaker during the public hearing will be limited to three minutes.
4. Close Public Hearing
5. Administrative Hearing Officer Deliberation
6. Administrative Hearing Officer Decision

Administrative Hearing applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Hearing Officer feels there are unresolved issues that may need further attention before the Officer is ready to make a decision. The Hearing Officer may carry over agenda items to the next regularly scheduled meeting.

**Submission of Written Public Comment**

Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department no later than 12:00 p.m. MST on Tuesday, January 6, 2026, a day before the meeting. Comments should be emailed to [Planning@ch.utah.gov](mailto:Planning@ch.utah.gov). After the public hearing has been closed, the Community and Economic Development Department will not accept any additional written or verbal comments on the application.

**Notice of Compliance with the Americans with Disabilities Act (ADA)**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801) 944-7015 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

**Confirmation of Public Notice**

On Monday, December 29, 2025, a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at [www.cottonwoodheights.utah.gov](http://www.cottonwoodheights.utah.gov) and the Utah public notice website at <http://pmn.utah.gov>.

DATED THIS 29 DAY OF DECEMBER 2025

Attest: Tiffany Janzen, City Recorder

# COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING STAFF REPORT



January 7<sup>th</sup>, 2026

## Summary

**Project #:**

CUP-25-019

**Subject Property:**

2184 E 7495 S

**Action Requested:**

Conditional Use Wall Height  
Extension

**Property Owner:**

Tamara Halse

**Applicant:**

Tamara Halse

**Recommendation:**

Approve, with conditions



*Aerial View*

*This aerial image shows the subject property in context of the neighborhood. The blue line shows the location of the proposed wall height extension. Red lines show the other property lines of the lot.*

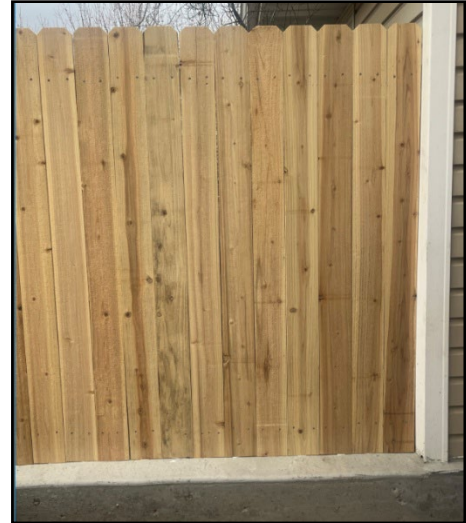
## APPLICANT'S PROPOSAL

The applicant is proposing to construct an eight-foot fence along a 20-foot portion of the south property line. The increased fence height is requested to improve safety and privacy from the adjacent HOA-owned common area. There is currently a four-foot concrete retaining wall on the property line, but the applicant is proposing to install a four-foot fence on top of the retaining wall (for a total wall/fence height of eight feet). It will be constructed from cedar wood that will match the surrounding area.



**Existing Fence**

- *Four-foot-high concrete retaining wall*



**Proposed Fence**

- *Four-foot-high concrete retaining wall with four-foot-high cedar fence on top*
- *Combined height of approximately eight feet*

## BACKGROUND

### Zoning

The zoning designation of the property is R-2-8 (Residential Single-Family). Fences and walls may be allowed to a maximum height of eight feet in any zone as a conditional use, and up to 12 feet as a conditional use with neighbor consent, as outlined in section 19.76.050.E City Code, shown below.

**As this proposal is only requesting eight feet, neighbor consent was not required.**

### 19.76.050(E)

**Conditional use.** *Fences in the side and rear yards may be erected to a maximum height of eight feet as a conditional use upon a clear and convincing showing by the property owner in accordance with subsections (a) and (b) below:*

- The existence of unique or special circumstances of a natural, material and adverse nature relating to the property that will be substantially minimized or eliminated by the increased height of the requested fence; and*
- That erection of such a fence is the most reasonable solution under the circumstances. Any such conditional use permit may be granted by the director or his designee following an administrative hearing preceded by all required notifications. A building permit shall be required for all fences approved as a conditional use.*

**Neighbor consent.** *Side and rear yard fences may exceed eight feet in height to a maximum height of 12 feet in cases where the applicant has neighbor consent, and has received conditional use approval in accordance with subsection 19.76.050(E)(3).*

## **IMPACT ANALYSIS**

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**Staff Analysis: Staff finds the increased fence height proposed by this application to be a reasonable privacy enhancement and an increase in safety.**

### **Noticing**

Property owners within 300 feet of the subject property have been mailed notices. Notices were mailed, as well as posted on noticing websites and the City Hall bulletin board, on December 12, 2025.

### **Conditional Use Permit Determining Criteria**

Staff have found enough evidence that the standards for the issuance of a conditional use permit have been satisfied (see Section 19.84.080 CH Code).

## **FINDINGS FOR APPROVAL**

1. There is clear and convincing evidence shown by the property owner that the request will provide reasonable additional privacy; (19.76.050.E.3.)
2. That construction of such wall and fence is the most reasonable solution under the circumstances. The additional fence height is necessary to ensure mitigation of aforementioned issues.
3. The conditional use permit is granted by the director or his designee following an administrative hearing preceded by all required notifications. (19.76.050.E.3.)
4. The evidence presented with the proposed conditional use has been found to be compliant with the requirements of section 19.84.080 (Conditional Uses – Determination) and section 19.76.050.E (Miscellaneous – Fences).
5. There is sufficient evidence that the standards for the issuance of a conditional use permit as outlined in Section 19.84.080 CH Code have been satisfied.

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. The evidence presented with the proposed conditional use has been found to be compliant with the requirements of section 19.84.080 (Conditional Uses – Determination) and section 19.76.050.E (Miscellaneous – Fences).
2. There is sufficient evidence that the standards for the issuance of a conditional use permit as outlined in Section 19.84.080 CH Code have been satisfied.

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## Model Motions

### **Approval**

I move to approve item CUP-25-019 pursuant to the conditions of approval outlined in the item’s staff report

- Add any additional conditions of approval...

### **Denial**

I move to deny item CUP-25-019 based on the following findings...”

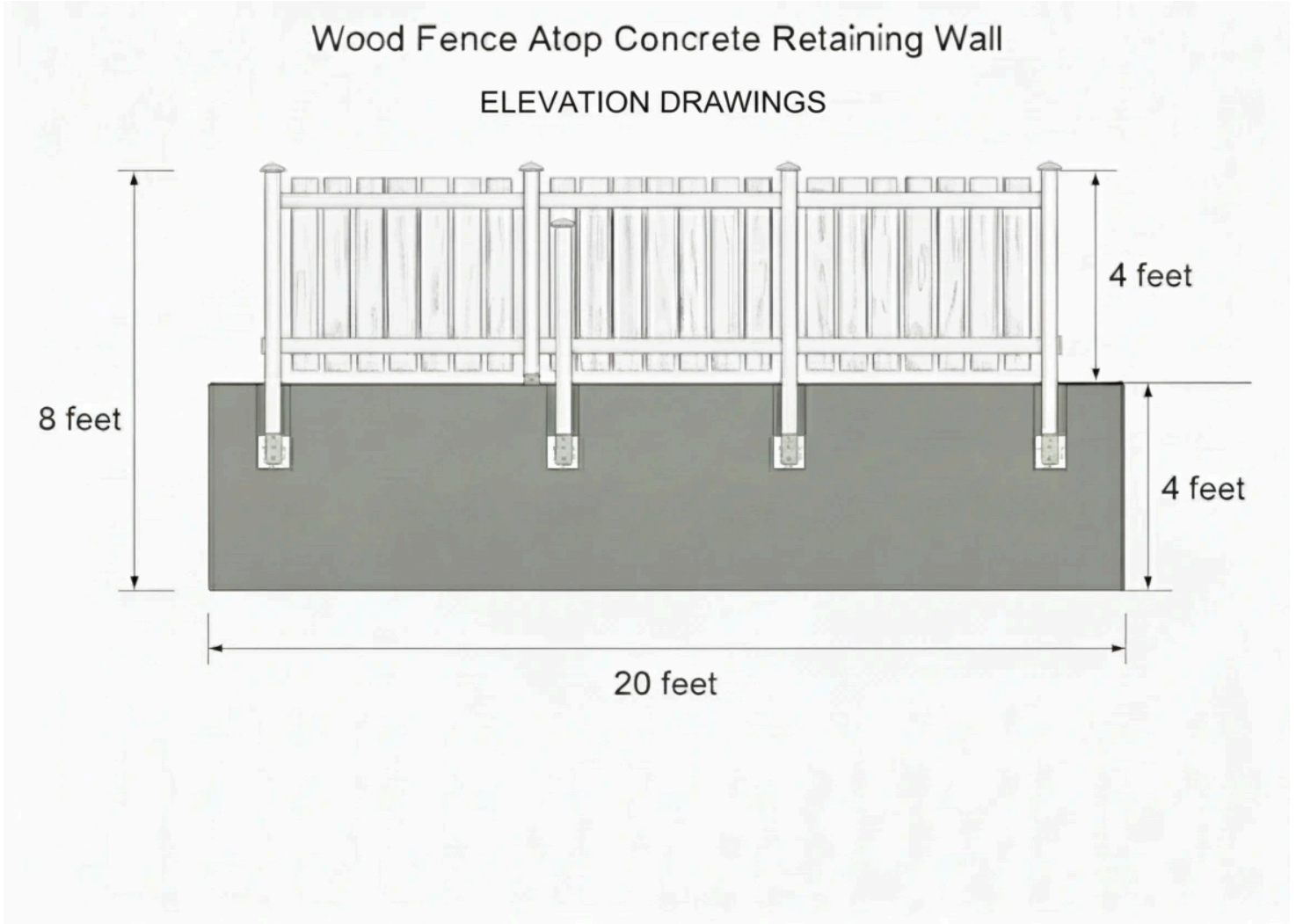
- List reasons for denial...

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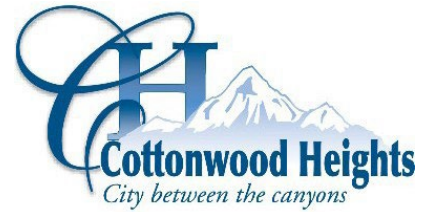
## Attachments

1. Proposed elevation

# ELEVATION DRAWING



# COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING STAFF REPORT



January 7<sup>th</sup>, 2026

## Summary

**Project #:**  
CUP-25-020

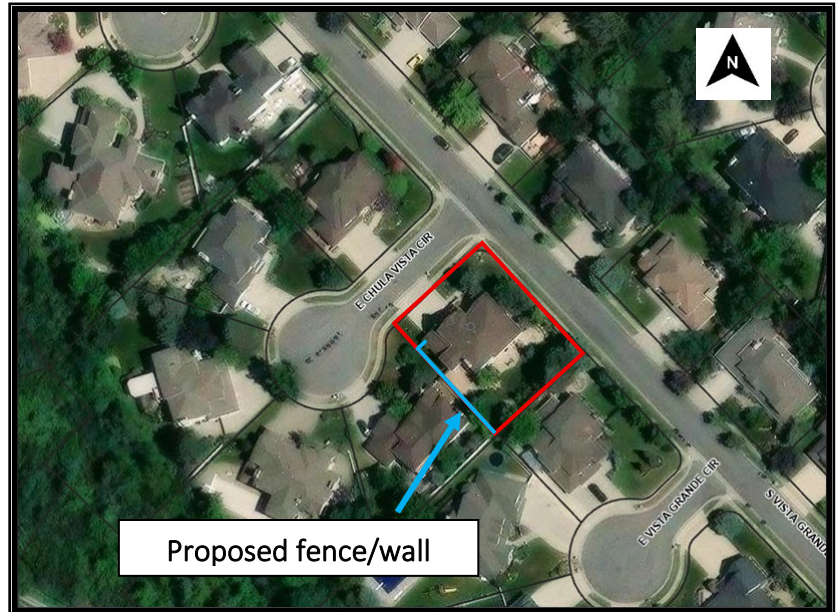
**Subject Property:**  
3206 Chula Vista Cir

**Action Requested:**  
Conditional Use Wall Height  
Extension

**Property Owner:**  
Steven & Jennifer Carlston

**Applicant:**  
Steven Carlston

**Recommendation:**  
Approve, with conditions



*Aerial View*

*This aerial image shows the subject property in context of the neighborhood. The blue line shows the location of the proposed wall height extension. Red lines show the other property lines of the lot.*

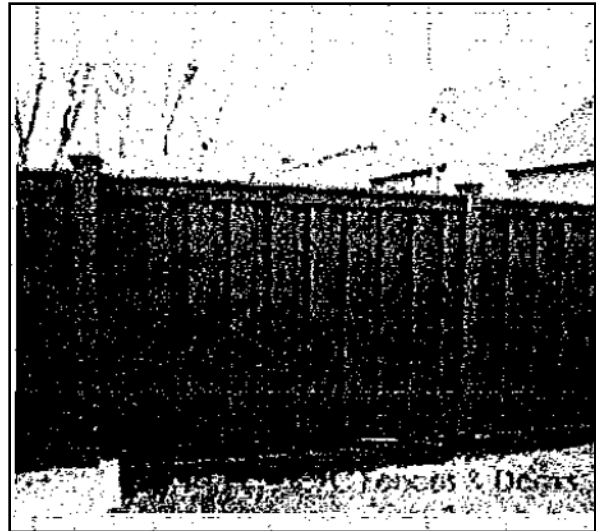
## **APPLICANT'S PROPOSAL**

The applicant is proposing to construct an eight-foot fence along a portion of the southwest property line. The increased fence height is requested to hide an RV or boat along the side of the home. Since the applicant's home is on a slope, the extra two feet will significantly assist in fulfilling the HOA's bylaw requirements "to minimize the visual impact of such vehicles from the road or neighboring lots". There is currently a fence on the south side of the property to the middle of the house. Part of the existing fence is eight feet and most of the current fence is six feet. The proposed fence would extend roughly 10 yards beyond the existing fence but will not extend beyond the existing home. The proposed fence is an eight-foot brown Trex fence.



**Existing Fence**

- *Six- to eight-foot fence that terminates around the middle of the home*



**Proposed Fence**

- *Eight-foot brown Trex fence that extends approximately 10 yards beyond the existing fence*

## BACKGROUND

### Zoning

The zoning designation of the property is R-1-8 (Residential Single-Family). Fences and walls may be allowed to a maximum height of eight feet in any zone as a conditional use, and up to 12 feet as a conditional use with neighbor consent, as outlined in section 19.76.050.E City Code, shown below.

**As this proposal is only requesting eight feet, neighbor consent was not required.**

### 19.76.050(E)

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- The existence of unique or special circumstances of a natural, material and adverse nature relating to the property that will be substantially minimized or eliminated by the increased height of the requested fence; and*
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## **IMPACT ANALYSIS**

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**Staff Analysis: Staff finds the increased fence height proposed by this application to be a reasonable privacy enhancement and an increase in safety.**

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1. There is clear and convincing evidence shown by the property owner that the request will provide reasonable additional privacy; (19.76.050.E.3.)
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4. The evidence presented with the proposed conditional use has been found to be compliant with the requirements of section 19.84.080 (Conditional Uses – Determination) and section 19.76.050.E (Miscellaneous – Fences).
5. There is sufficient evidence that the standards for the issuance of a conditional use permit as outlined in Section 19.84.080 CH Code have been satisfied.

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. The evidence presented with the proposed conditional use has been found to be compliant with the requirements of section 19.84.080 (Conditional Uses – Determination) and section 19.76.050.E (Miscellaneous – Fences).
2. There is sufficient evidence that the standards for the issuance of a conditional use permit as outlined in Section 19.84.080 CH Code have been satisfied.

## Model Motions

### **Approval**

I move to approve item CUP-25-020 pursuant to the conditions of approval outlined in the item's staff report

- Add any additional conditions of approval...

### **Denial**

I move to deny item CUP-25-020 based on the following findings..."

- List reasons for denial...