

**CITY OF ST. HELENA
PLANNING DEPARTMENT 1480 MAIN STREET- ST. HELENA, CA 94574
PLANNING COMMISSION**

DECEMBER 17, 2013

AGENDA ITEM: 9.2

Request of **MATTHEW DEMCHUCK** for a **SHORT-TERM RENTAL PERMIT** for **1702 TAINTER STREET**. The subject parcel is 12,196 sf, developed with a 2-story, 3 bedroom/3 bath single family residence and is designated MR: Medium Density Residential.

PREPARED BY: Greg Desmond, Interim Planning Director

APPLICATION FILED: 9/18/13

ACCEPTED AS COMPLETE: 9/18/13

LOCATION OF PROPERTY: 1702 Tainter Street

APN: 009-312-016

GENERAL PLAN/ZONING: Medium Density Residential/MR: Medium Density Residential

APPLICANT/ PARCEL OWNER: Matthew Demchuck

PHONE: 963.0844

BACKGROUND

In 2012 the City Council adopted a Short-Term Rental Ordinance (Chapter 17.134).

The purpose of this new chapter is as follows:

“To establish a permitting process and appropriate restrictions and standards for short-term rental of single-family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city to ensure the collection and payment of transient occupancy taxes; to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.”

Chapter 17.134 is attached to this staff report and can be accessed via the following URL:
<http://www.codepublishing.com/CA/sthelenahtml/StHelena17/StHelena17134.html#17.134>

DISCUSSION

The Planning Department has issued twenty four (24) of the available twenty five (25) permits. The application for 1702 Tainter Street is the only permit that has received opposition from more than thirty percent (30%) of the parcel owners within 300' of the parcel in which the short term rental use is proposed.

Section 17.134.060 of the ordinance provides the following permit processing regulations:

- A. *The planning director shall approve or deny the application pursuant to the requirements of this chapter.*

- B. *Short-term rental permit applications shall be submitted to the planning commission if any of the following occur:*
1. *Written protests pursuant to Section [17.134.050\(D\)\(4\)](#) comprise thirty percent (30%) or more of the owners within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed.*

Planning staff received twenty-eight (28) letters in opposition and one (1) letter in support of the proposed project. There were forty-seven (47) unique parcel owners within 300' of the subject parcel. All correspondence is attached to this staff report.

Of the opposition letters received, only six (6) of them included information specific to the concerns of the neighbors. These concerns focused on the following:

- *Residential neighborhoods should provide housing for families interested in making St Helena their home*
- *Proximity to other permitted short-term rental properties*
- *Noise*
- *Security*
- *Disruptive/drunken people*
- *Parking*

REQUIRED ACTION

The planning commission shall review and either approve or deny the application pursuant to the requirements of this chapter after considering the effects the proposed use would have on surrounding uses and the cumulative impacts within the community. In approving a short-term rental application, the planning commission must make the use permit findings contained in Chapter 17.168.

ANALYSIS: USE PERMIT

The Planning Commission must make the following Use Permit findings to support the motion to approve the Short-Term Rental permit:

1. *That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.*
2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.*
3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.*
8. *That the proposed use would not be in conflict with the City's General Plan.*
9. *That the proposed use would not be injurious to public health, safety, or welfare.*

10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees, business owners and customers is available.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.*

CORRESPONDENCE: OPPOSITION/SUPPORT

Planning staff received twenty-eight (28) letters in opposition and one (1) letter in support of the proposed project. There were forty-seven (47) unique parcel owners within 300' of the subject parcel. All correspondence is attached to this staff report.

ANALYSIS: GENERAL PLAN & ZONING

The General Plan designation for the property is Medium Density Residential. This designation allows for single-family detached homes, accessory dwelling units, limited agricultural uses and compatible uses. The property is zoned MR: Medium Density Residential. This zoning district is established for consistency with the Medium Density residential General Plan designation.

ANALYSIS: CEQA

Staff finds that the Short-Term Rental ordinance and the permitting, leasing, and licensing of existing single-family structures is exempt under CEQA Guideline Section 15301, existing facilities.

STAFF COMMENTS / RECOMMENDATIONS

Staff appreciates that the neighbors have objections to the short-term rental ordinance - especially those who have other existing short-term rental properties in close proximity.

That said the ordinance was carefully crafted to provide neighbors and the city with the tools to address impacts associated with this use. Further, to date there have been very few complaints received by the city specific to short-term rental use.

Staff finds that the use permit findings can be made for this use and recommends that the Planning Commission approve the project.

ATTACHMENTS

- Short-Term Rental Application
- Exhibit showing nearby short-term rental properties
- Chapter 17.134
- Correspondence - support
- Correspondence - opposition
- Letter from applicant

SHORT-TERM RENTAL PERMIT APPLICATION



Planning Department
1480 Main Street
St. Helena, CA 94574
(707) 968-2659

RECEIVED
PLANNING DEPARTMENT

SEP 18 2013

City of St. Helena

Property Owner/Applicant Information – Please Type or Print

Name Demchuk Family Trust 2013-59
Address 924 Signorelli Circle
City St. Helena State CA Zip Code 94574
Phone 707.975.7076 Email matthew@demchuk.com

NOTE: Attach contact information for all additional property owners to the application. In the case of a partnership, all general and limited partners must be identified. In the case of a corporation, all shareholders owning 10% or more of the stock and all officers and directors must be identified.

Property Information

Address of the Proposed Short-Term Rental Unit 1702 Tainter Street
Is this a single family dwelling? Yes No Do you own this dwelling? Yes No
Number of bedrooms available for use by short-term rental occupants 3
Number of on-site parking spaces available for short-term rental occupants 3

Local Contact Person Information

Name Matthew Demchuk
Address 924 Signorelli Circle
City St. Helena State CA Zip Code 94574
Phone 707.963.0844 Cell Phone 707.975.7076
Email matthew@demchuk.com

NOTE: The local contact person must be available 24 hours a day to accept telephone calls and respond physically to the short-term rental within 30 minutes when the unit is rented and occupied.

Office Use Only – Do Not Write in this Area

File/Permit Number _____ Date Application Received _____ Received by _____
APN _____ Zoning _____
Application Fee: \$1,075 City Makes Labels: \$200 Total Fee _____

CHECKLIST FOR FILING A COMPLETE SHORT-TERM RENTAL PERMIT APPLICATION

Each application must contain the following information. Incomplete applications will not be scheduled for review by the planning director or the planning commission.

- APPLICATION FORM**, with all property owners' signatures, including all parties holding a title interest.
- See below*
A MAP AND MAILING LIST of all owners of property within a 300' radius of the subject property, prepared and certified by a title company, and **2 sets of MAILING ADDRESS LABELS for each property listed.**
** The planning department can offer this service for an additional fee of \$200.00 paid at the time of application submittal.*
- PROOF OF OWNERSHIP** of the subject property, in the form of a property tax bill, title documents, or listing on the most recent assessor's parcel roll.
- SITE PLAN** indicating the location of at least two on-site parking spaces available for use by the short-term rental occupants, and **FLOOR PLAN** indicating the number and location of bedrooms proposed to be used by the short-term rental occupants. Plans should be on plan sheets up to 11" x 17" and need to be clear and easy to understand, but do not need to be prepared by a professional designer.
- APPLICATION FEE** of \$1,075 made payable to the City of St. Helena.
- OPTIONAL: MAILING LABEL PREPARATION FEE** of \$200 made payable to the City of St. Helena.

Upon receipt of a complete application, the planning director will provide a notice of application to all property owners within 300 feet of the proposed short-term rental unit. The application will then be held for thirty-three days to allow neighbors to file, and the City to receive, written protests. The planning director will also conduct a site visit at your property and post a notice of application at the front of the property along the main access road. If the planning director receives written protests from 30% or more of the neighbors, the item will be placed on the planning commission's agenda for their review and decision. If not, the planning director will review the application and approve or deny the request. Applications will be reviewed in the order in which they are completed and determined ready for review.

I, Matthew Demchuk, ^{Trustee} hereby file this application for a short-term rental permit. I certify that I am the owner of the property on which the short-term rental use is proposed, and that I understand the permit, if granted, shall not be transferable.

I certify that I have received and inspected a copy of all regulations pertaining to the operation of a short-term rental unit, and I agree to abide by the rules and regulations contained in the St. Helena Municipal Code and City Council resolutions, as they may be amended from time to time.

I further certify that the property manager identified in this application will be available twenty-four hours a day to accept telephone calls and will respond physically to the short-term rental within thirty minutes when the unit is rented and occupied.

I hereby authorize employees of the City of St. Helena to enter upon the subject property, as necessary, to inspect the premises and process this application.

In the event the City is required to take legal action to enforce any of the terms and conditions of this application, the property owner(s) agree(s) to pay to City reasonable attorney fees and costs incurred in such action.

I, the owner and the applicant, will defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense. I have also reviewed the requirement to disclose the complete list of partners and/or shareholders.

I hereby certify that all of the statements made and supporting documentation provided in this application are true, accurate and authentic to the best of my knowledge, information and belief, and further, I understand that knowing and willful misstatements or misrepresentations will result in a denial of the application.

Property Owner's Signature: *Matthew Demchuk* Date: 9/18/2013

Property Owner's Signature: _____ Date: _____

CITY OF ST. HELENA
1400 Main St.
St. Helena, CA 94574

Date: 09/18/2013 Time: 2:20 PM
Receipt No. 0041109

Account: CR 1,275.00

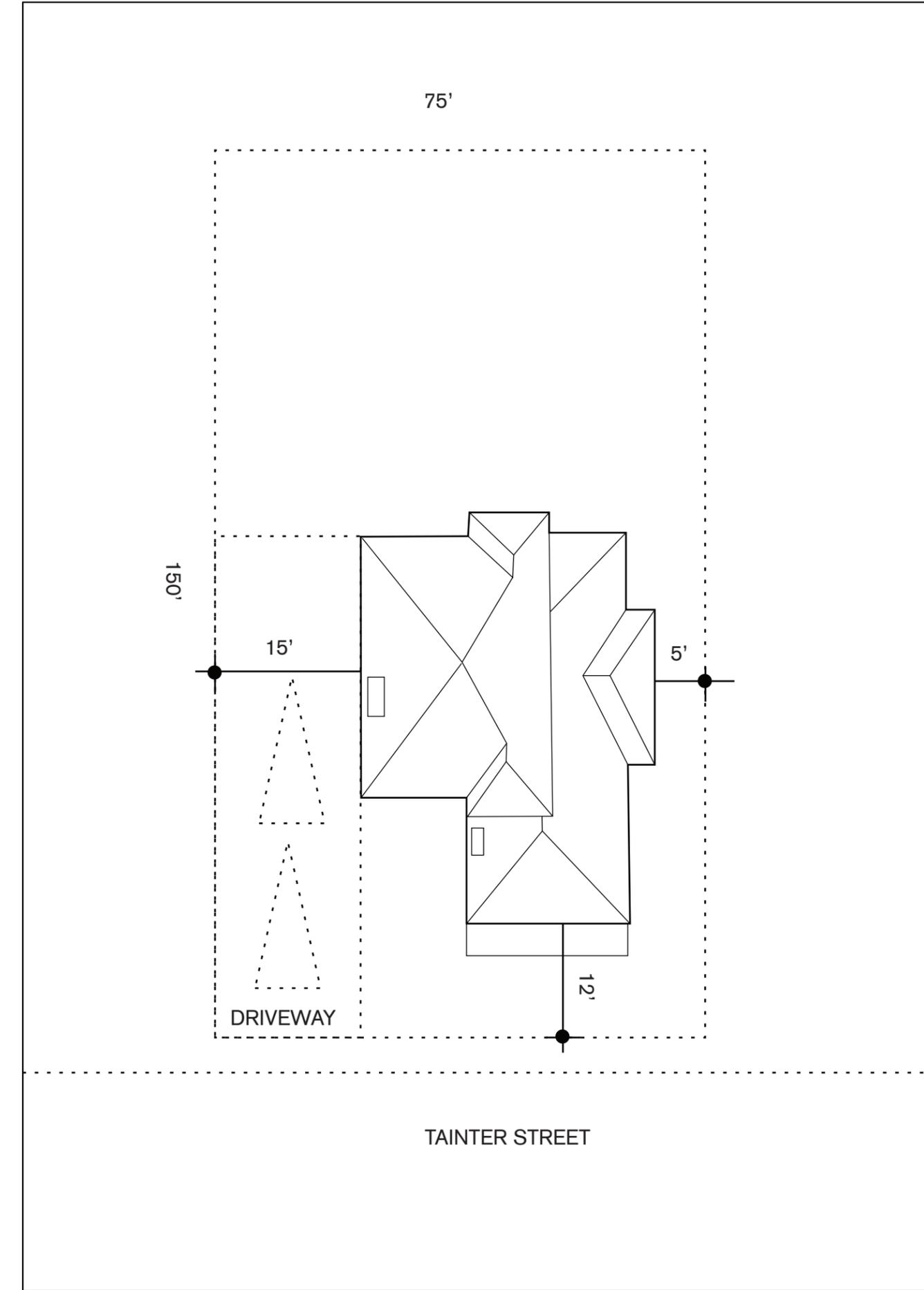
Short Term Renta
1 Appl
Planning Labels 1,075.00
200.00

Total 1,275.00
Check 10 1,075.00
Check 10 200.00
Cash 0.00

Total 1,275.00
Change 0.00

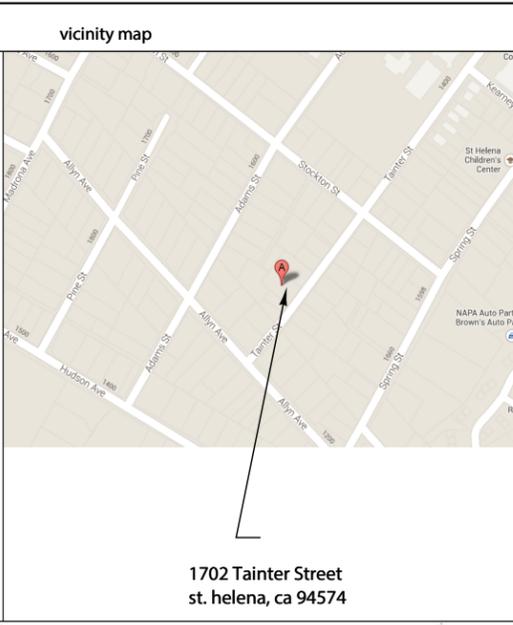
Hatt Demchuk
Customer #: 005639
924 Signorelli Circle
St. Helena, CA 94574

Cashiers: Jink
Stations: FRONT COUNTER



sheet index

| | |
|------|---------------------------|
| A000 | cover sheet and site plan |
|------|---------------------------|



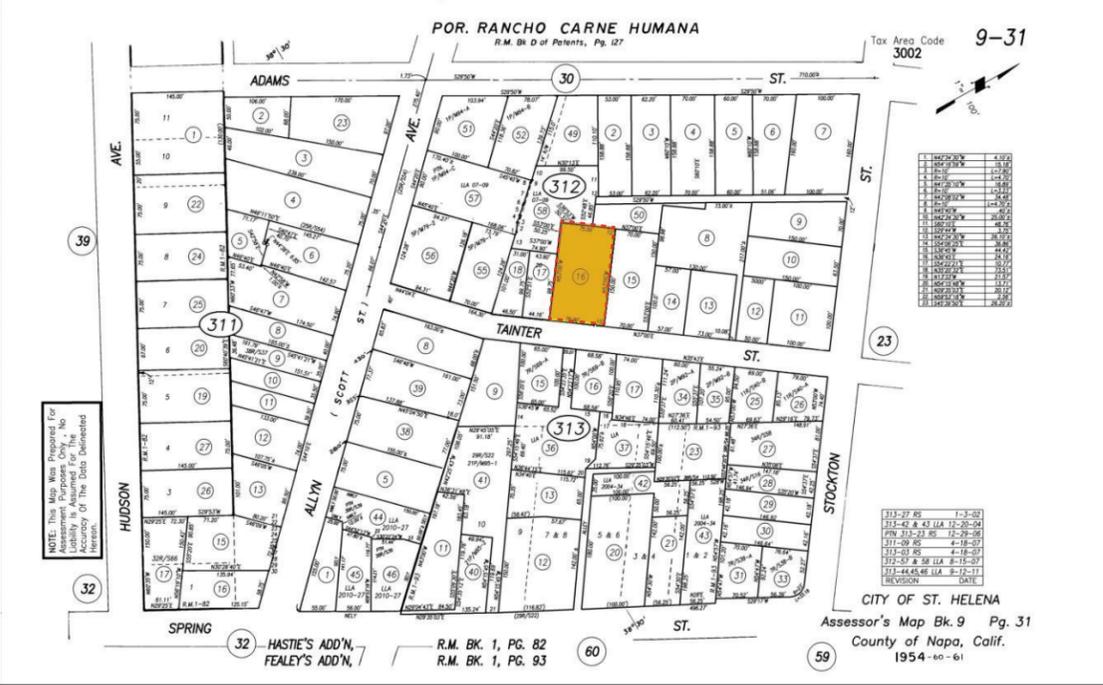
project data / information

| | |
|-------------------|---------------------|
| owner | matthew demchuk |
| construction type | type V construction |
| sprinklered | no |

demchuk
residence
renovation

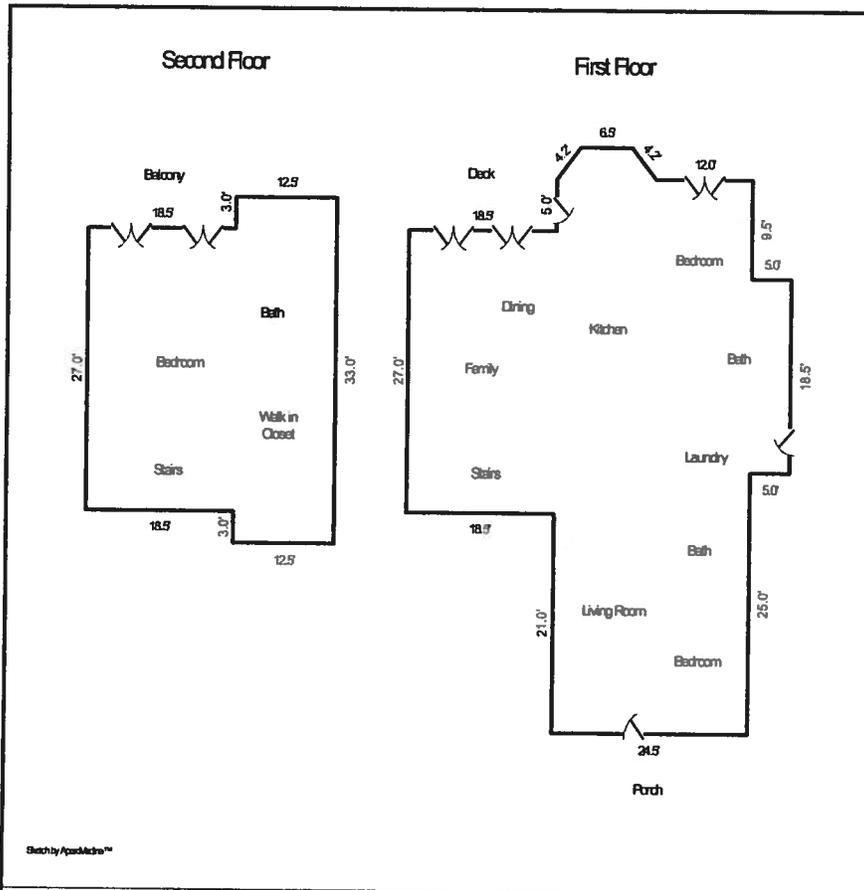
1702 Tainter Street
St. Helena, CA
94574

plot map



Building Sketch

| | | | | |
|------------------|--------------------------|-------------|----------|----------------|
| Client | Matthew Demchuk, Trustee | | | |
| Property Address | 1702 Tainter St | | | |
| City | Saint Helena | County Napa | State CA | Zip Code 94574 |
| Appraiser | Leon R. Brauning, ASA | | | |



Comments:

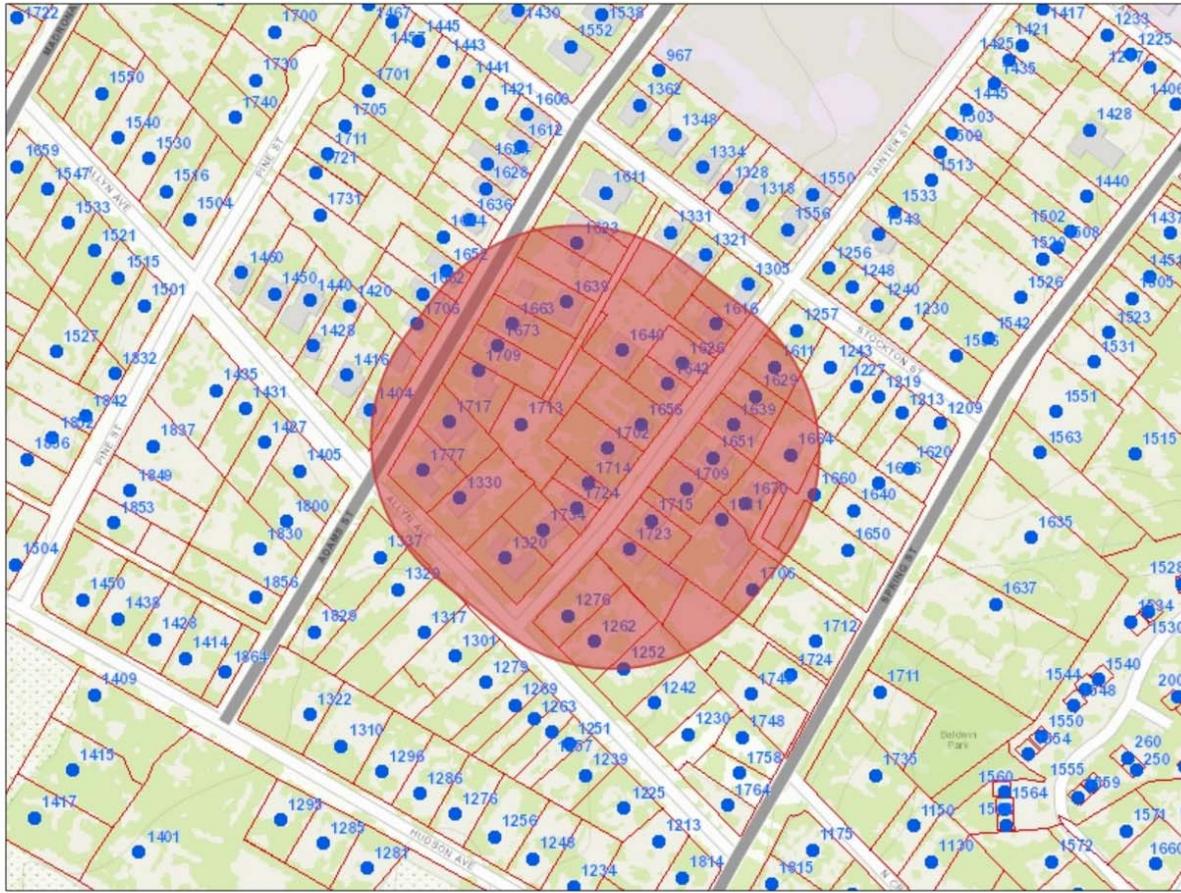
| AREA CALCULATIONS SUMMARY | | | |
|---------------------------|--------------|----------|------------|
| Code | Description | Net Size | Net Totals |
| GLA1 | First Floor | 1919.0 | 1919.0 |
| GLA2 | Second Floor | 912.0 | 912.0 |

| LIVING AREA BREAKDOWN | | |
|-----------------------|-----------------|-----------|
| | Breakdown | Subtotals |
| First Floor | | |
| | 24.5 x 21.0 | 514.5 |
| | 43.0 x 4.0 | 172.0 |
| | 5.0 x 24.5 | 122.5 |
| | 4.5 x 43.0 | 193.5 |
| | 18.5 x 48.0 | 888.0 |
| | 0.5 x 3.0 x 3.0 | 4.5 |
| | 6.5 x 3.0 | 19.5 |
| | 0.5 x 3.0 x 3.0 | 4.5 |
| Second Floor | | |
| | 31.0 x 27.0 | 837.0 |
| | 3.0 x 12.5 | 37.5 |
| | 3.0 x 12.5 | 37.5 |

| | | | | | |
|------------------|-----------|------|----------|-----------|------|
| Net LIVABLE Area | (rounded) | 2831 | 11 Items | (rounded) | 2831 |
|------------------|-----------|------|----------|-----------|------|



City of St. Helena



Legend

- Addresses
- Parcels
- County Boundary

614.1 0 307.06 614.1 Feet



Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated herein.

This map was printed on 10/21/2013

Notes

1702 Tainter

Chapter 17.134 SHORT-TERM RENTALS

Sections:

- [17.134.010](#) Purpose and findings.
- [17.134.020](#) Short-term rental permit required.
- [17.134.030](#) Districts in which permitted.
- [17.134.040](#) Restrictions and standards.
- [17.134.050](#) Procedures for application and public notice.
- [17.134.060](#) Permit processing.
- [17.134.070](#) Appeals.
- [17.134.080](#) Inspections.
- [17.134.090](#) Enforcement.
- [17.134.100](#) Violations.

17.134.010 Purpose and findings.

- A. The city council hereby finds that unregulated transient occupancy uses in residential and agricultural district present a threat to the public welfare.
- B. The purposes of this chapter are to establish a permitting process and appropriate restrictions and standards for short-term rental of single-family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city to ensure the collection and payment of transient occupancy taxes; to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.
- C. This chapter is not intended to regulate hotels and bed and breakfast inns that do not qualify as short-term rentals.
- D. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.
- E. The city council hereby finds that the adoption of a comprehensive ordinance regulating the issuance of and operating conditions attached to short-term rental permits is necessary to protect the public health, safety and welfare. The purposes of this chapter are: to provide a permit system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses in residential neighborhoods and zoning districts on traffic, noise and density; to ensure the health, safety and welfare of renters and guests patronizing short-term rentals; and to impose limitations on the total number of permits issued in order to ensure the long-term availability of the affordable housing stock.
- F. The city council hereby finds that the city's regulation of vacation rental uses in accordance with this chapter, including the establishment of the nontransferability provisions, is a valid exercise of the city's police power in furtherance of the legitimate governmental interests documented in this chapter. (Ord. 12-2 § 8 (part))

17.134.020 Short-term rental permit required.

No person shall use any single-family dwelling on any parcel in any zoning district for short-term rental without a short-term rental permit. (Ord. 12-2 § 8 (part))

17.134.030 Districts in which permitted.

Short-term rentals shall be permitted in accordance with the provisions established in each zoning district and as provided in this chapter. (Ord. 12-2 § 8 (part))

17.134.040 Restrictions and standards.

Short-term rentals shall be subject to the following restrictions and standards:

- A. The short-term rental use shall be permitted in no more than one single-family dwelling per lot.
- B. The short-term rental permit shall be in the name of the owner-applicant, who shall be an owner of the real property upon which the short-term rental use is to be permitted. One person may hold no more than one short-term rental permit. The permit shall not be transferable.
- C. Short-term rental uses shall be limited to single-family dwellings existing and constructed as of the date of application for the short-term rental permit.
- D. The total number of permits for short-term rental dwellings shall not exceed twenty-five (25) at any time.
- E. The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than five. The total number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms plus two persons, up to a maximum of twelve (12) persons.
- F. Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department before any short-term rental permit can be issued.
- G. A minimum of two on-site parking spaces shall be provided for use by the short-term rental occupants.
- H. The owner-applicant shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied.
- I. The owner shall, prior to April 1st annually, provide written notice to all neighboring property owners within a three hundred (300) foot distance from the lot on which the short-term rental is located the following information:
 1. The name, telephone number, cell phone number, and e-mail address of the local contact person provided to the city pursuant to subsection H of this section.
 2. The maximum number of guests permitted to stay in the short-term rental unit.
 3. Parking restrictions attached to the short-term rental permit.
 4. Contact information for the city official that members of the public may contact to report violations of the short-term rental regulations or conditions of approval attached to the short-term rental permit.
- J. The owner-applicant shall post "house policies" within each guest bedroom. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the owner-applicant or the owner-applicant's designated contact person. The house policies at a minimum shall include the following provisions:

1. Quiet hours shall be maintained from ten p.m. to seven a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.
 2. Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.
 3. Except as permitted by the planning director, vehicles shall be parked in the designated on-site parking area and shall not be parked on the street overnight.
 4. Parties or group gatherings shall be limited to two times the number of guests permitted to occupy the short-term rental dwelling pursuant to subsection E of this section, up to a maximum of twenty (20) persons.
- K. Auctions, commercial functions, and other similar events are prohibited at the short-term rental property.
- L. The owner-applicant shall use best efforts to ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.
- M. The owner-applicant shall, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.
- N. All advertising for any short-term rental shall include the number of the permit granted to the owner-applicant.
- O. The owner-applicant shall maintain city business licenses and pay all transient occupancy taxes in accordance with Chapter [3.28](#) as required. (Ord. 12-2 § 8 (part))

17.134.050 Procedures for application and public notice.

- A. Prospective owner-applicants of a short-term rental use shall apply for a permit with the planning director in accordance with the provisions of this chapter and on a form provided by the city.
- B. The application shall be accompanied by a fee in an amount to be fixed from time to time by resolution to cover the administrative costs of issuing a short-term rental permit and, but not limited to, inspecting the short-term rental dwelling.
- C. The application shall include the following information:
1. The name, address and phone number of the applicant, and verification that the applicant is the owner of the lot.
 2. The assessor's parcel number of the lot on which the short-term rental use is proposed.
 3. Certification that the permit will be nontransferable.
 4. Certification that the local contact person is available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied.
 5. A site and floor plan identifying the location of parking on the site and the location of any bedrooms to be used for short-term rental use.

6. A list of the names and addresses of the property owners within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed, and a map, drawn to scale, that clearly identifies the lots and the assessor parcel numbers of the lots identified pursuant to this section.

7. Acknowledgement of receipt and inspection of a copy of all regulations pertaining to the operation of a short-term rental use.

8. Additional information as may be requested by the planning director to determine impact and mitigation measures.

D. Notice of Application.

1. The planning director shall provide a notice of application for a short-term rental permit to the property owners located within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed.

2. The notice of application shall contain a description of the proposed short-term rental operation, parking on the site, and number of bedrooms to be used for short-term rental use, together with a location map identifying the short-term rental dwelling lot in relationship to all other lots within a three hundred (300) foot distance.

3. A project notice sign shall be posted at the front of the property along the main access road. The sign shall be placed five days prior to remitting an application and shall be removed no later than five days after a final decision has been rendered by the planning director or the planning commission.

4. The notice of application shall state that the noticed owners may file a written protest against the proposed short-term rental use with the planning director; provided, that all protests must be postmarked or received within thirty (30) days of the mailing of the notice of application. (Ord. 12-2 § 8 (part))

17.134.060 Permit processing.

A. The planning director shall approve or deny the application pursuant to the requirements of this chapter.

B. Short-term rental permit applications shall be submitted to the planning commission if any of the following occur:

1. Written protests pursuant to Section [17.134.050\(D\)\(4\)](#) comprise thirty percent (30%) or more of the owners within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed; or

2. The owner of the proposed short-term rental unit is a corporation, partnership, limited liability company, or similar entity.

The planning commission shall review and either approve or deny the application pursuant to the requirements of this chapter after considering the effects the proposed use would have on surrounding uses and the cumulative impacts within the community. In approving a short-term rental application, the planning commission must make the use permit findings contained in Chapter [17.168](#).

C. If the application is approved but no short-term rental permits are available pursuant to the limitation on short-term rentals described in Section [17.134.040\(D\)](#), the planning director shall place the application on a waiting list. New permits shall be issued in the order that completed applications are received.

D. The planning director or planning commission may impose conditions on the granting of an application for a short-term rental permit to mitigate the impacts of the proposed land use.

E. Within ten (10) days of the approval of a short-term rental permit, the owner-applicant shall mail to all property owners within three hundred (300) feet of the lot on which the short-term rental use is approved, notice of the issuance of a permit for short-term rental use and the name, phone number, cell phone number, and e-mail address of the local contact person available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied. Notice shall be provided on a form acceptable to the planning director. Within ten (10) days of the mailing, the owner-applicant shall provide evidence to the planning director that such mailing occurred.

F. Short-term rental permits shall be valid for a period of two years. In reviewing subsequent requests for a short-term rental permit, the planning director shall require evidence of compliance with conditions of the short-term rental permit and this chapter. No subsequent permit shall be approved without written verification of tax payments, and no permit shall be approved if the operation of the short-term rental has created adverse impacts on the neighborhood in which it is situated or has otherwise caused the loss of the character of that neighborhood.

G. Short-term rental permits shall be subject to any changes to this chapter that the city council may make and conditions that the council may impose subsequent to the issuance of the permit. (Ord. 12-2 § 8 (part))

17.134.070 Appeals.

Any person whose application for a short-term rental permit has been denied by the planning director, or whose permit has been suspended or revoked by the planning director, may appeal to the city council pursuant to Section [17.08.180](#). The appeal shall be accompanied by a filing fee, if any, as established by city council resolution. (Ord. 12-2 § 8 (part))

17.134.080 Inspections.

A. The planning director or his or her designee shall have the right to enter upon any property at any reasonable time to make inspections and examinations for the purpose of enforcement of this chapter, subject to the provisions of Code of Civil Procedure Section 1822.50 et seq.

B. The fire department shall annually inspect the short-term rental dwelling.

C. The planning director shall have the right to inspect any records related to the use and occupancy of the short-term rental to determine that the objectives and conditions of this chapter are being fulfilled. (Ord. 12-2 § 8 (part))

17.134.090 Enforcement.

A. The planning director may revoke a short-term rental permit pursuant to Section [17.04.140](#) if the planning director determines that:

1. The owner-applicant gave false or misleading information during the application process;
2. There has been a violation of any of the terms, conditions and restrictions on the use of the dwelling unit for short-term rental use;
3. The owner-applicant has violated any provision of this chapter;
4. The owner-applicant has failed to timely pay the transient occupancy tax as required by this code; or

B. If an owner-applicant's short-term rental permit is revoked, the owner-applicant may not reapply for another permit for two years after the date of revocation. (Ord. 12-2 § 8 (part))

17.134.100 Violations.

A. Any property owner who uses, or allows the use of, or advertises or causes to be printed, published, advertised or disseminated in any way, the availability of residential property in violation of this chapter is guilty of a misdemeanor for each day in which such residential property is used, or allowed to be used, in violation of this chapter. Such violation shall be punishable pursuant to Chapter [1.20](#).

B. Short-term rental use of a residential property in violation of this chapter is a threat to public health, safety or welfare and is thus declared to be unlawful and a public nuisance. Any such nuisance may be abated and/or restored by the enforcement official and also may be abated pursuant to Chapter [1.12](#), except that the civil penalty for a violation shall be one thousand dollars (\$1,000). Each day the violation occurs shall constitute a separate offense.

C. Any property owner who uses, or allows the use of, residential property as a short-term rental without a permit shall be liable for the transit occupancy tax that would have been owed under Chapter [3.28](#) had the use been legal, including the penalty and interest provisions of Section [3.28.070](#). (Ord. 12-2 § 8 (part))

The St. Helena Municipal Code is current through Ordinance 2012-12, passed December 19, 2012.

Disclaimer: The City Clerk's Office has the official version of the St. Helena Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofsthelena.org>
(<http://www.cityofsthelena.org>)
City Telephone: (707) 967-2792
Code Publishing Company
(<http://www.codepublishing.com/>)
eLibrary (<http://www.codepublishing.com/eLibrary.html>)

RECEIVED

NOV 01 2013

October 30, 2013

CITY OF ST. HELENA

Dear Mr. Desmond,

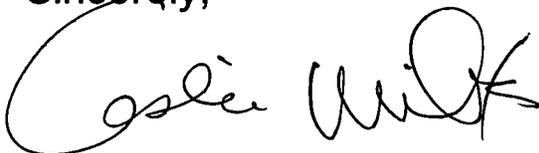
I'm writing in response to the protest of the short-term rental permit for 1702 Tainter Street submitted by the Demchuk Family Trust.

I am a neighbor, I am at property owner of 1320 Allyn Avenue and believe the Demchuk's are trying to follow the proper, legal and fair way to apply for such a permit... unlike many in St Helena who ignore the short-term rental restrictions. I believe that they deserve the opportunity to see if this works.

I object to the group mailing my neighbors received from an overzealous neighbor (with his own agenda) warning of risks & using scare tactics. I don't think this a fair form of protest.

I have terrific neighbors and we don't need another issue to divide the City. Perhaps we need better guide lines, outlining restrictions & fines for those visitors, in short term rentals, that disrupt the neighborhood, until then, let's give the Demchuk's a chance.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie Wilks". The signature is written in a cursive, flowing style with a large initial "L" and "W".

Leslie Wilks

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1709 ALYN,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,

Jack B. Anderson
Jack B. Anderson



Mr. Jack Anderson
2000 Powell St Ste 1280
Emeryville, CA 94608-1845

OAKLAND CA 945

17 OCT 2013 PM 3 L



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574*



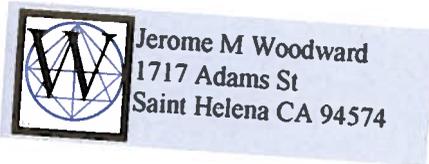
October 16 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1717 Adams Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
Jerome M. Woodward



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department
94574165480

*Mr Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA
94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1262 Alky Avenue,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,

Jack Wolfman
Corinne Wolfman
Corinne Wolfman

OAKLAND CA 946

17 OCT 2013 PM 7 L



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street

St. Helena CA
94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1711 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Caroline S. Wing

OAKLAND CA 945

16 OCT 2013 PM 5 L



CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

*St. Helena CA
94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1242 & 1252 Allyn Ave
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,
Diane Wilsey



SAN FRANCISCO CA 940

16 OCT 2013 PM 5:1



CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,*

94574

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

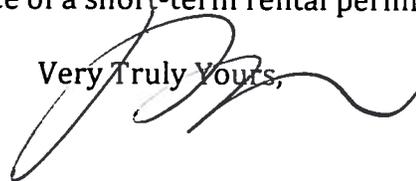
October 26, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1611 TAINTER, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Greg:

Don M. Westland

Alan

October 16, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1317 Allyn Ave., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Jeffrey & Cindy Warren

17 OCT 2013 PM 7:1



1317 Allyn
St. Helena, CA
94574



CITY OF
ST. HELENA
OCT 21 2013
Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,
CA

94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1714 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Carmen S. Villalobos

OAKLAND, CA 945

17 OCT 2013 PM 5 L



CITY OF
ST. HELENA
OCT 21 2013
Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,*

94574

October __, 2013

RECEIVED

OCT 29 2013

CITY OF ST. HELENA

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1629 TAINTER ST, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Thomas & Diana Smith

**Thomas Paul Smith
913 Dana Highlands Court
Lafayette, CA, USA
94549**

OAKLAND CA 946

28 OCT 2013 PM 5 L



*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

St. Helena, CA.

94574

94574189999

Greg Desmond
Planning Director City of St Helena
1480 Main Street
St Helena, CA 94574

October 16, 2013

RECEIVED

OCT 23 2013

CITY OF ST. HELENA

Greg,

Laura Andersen and I own the property at 1734 Tainter St and are in the 300' foot radius of 1702 Tainter St. We have great concern about their application for a short term rental permit to the Demchuk Family Trust. We would at the least like to see it go to the Planning Commission to hear all the pros and cons and how it may affect our neighborhood.

Thank You,


Frank Rodrigues

October 18, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1611 Adams,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,

[Handwritten signature]

SAN FRANCISCO CA 941

19 OCT 2013 PM 2 L



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

St. Helena, CA 94574



FROM: JONY McQUIDDY

October __, 2013

to:
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1227 Stockton St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

In fact I am against the whole idea **Very Truly Yours,**
in our close-in residential neighborhoods,
for anyone.



 Jony McQuiddy
1227 Stockton St.
Saint Helena, CA 94574-1926

OAKLAND CA 945

19 OCT 2013 PM 7:1



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.

St. Helena, CA

94574189999



October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

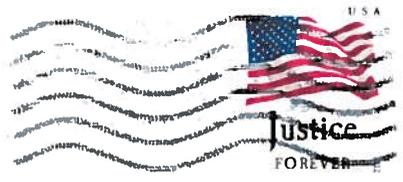
I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1330 Allyn Ave, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
S. W. McCoy

*Joe McCoy
Berley York
1330 Allyn Ave
St. Helena, CA 94574*

OAKLAND CA 946

11 OCT 2013 PM 9 L



CITY OF
ST. HELENA

OCT 15 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,
CA*



October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1664 SPRING ST,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,

Maureen McBride

OAKLAND CA 945

16 OCT 2013 PM 6 L



**CITY OF
ST. HELENA**

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA
94574*



TOAD HALL



SIR BRENT MCADAM

Mr. Mathew Heil
The Planning Director
Planning Department of ST Helena

OCT 10, 2013

Dear Mr. Heil,

We, the undersigned
householders at 1656 Tainter St,
eagerly file this written protest
against the Demchuk Family
Trust's application requesting
a short-term rental permit
for 1702 Tainter St.

Sincerely

Brent McAdam

Olga M. O. McAdam

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 25 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1623 ADAMS ST. PLUS, 3 LOTS St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Mabel Johnson

October 11, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1337 Allyn Avenue, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
Carol Hubbard

*Carol S. Hubbard
1337 Allyn Ave
St Helena CA 94574*

OAKLAND CA 946
11 OCT 2013 PM 5 L



CITY OF
ST. HELENA

OCT 15 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street*

ST. HELENA CA 94574

October 12, 2013

RECEIVED
PLANNING DEPARTMENT

OCT 16 2013

City of St. Helena

1331 Stockton Street
St. Helena, CA 94574

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond,

I received the notice from the city regarding the proposed short-term rental permit for 1702 Tainter Street. I am opposed to this permit. A rental property in the middle of a functional neighborhood brings the possibility of disruptive and noisy short-term renters that do not have the same sense of community as my fellow neighbors. It also raises security concerns due to a constant turnover of tenants that are unknown to those of us that are permanent residents.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fred Hipp", written over a printed name.

Fred Hipp

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 28 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1639 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October ²⁵, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1777 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October 11, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1329 Allyn Ave., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Alan Galbraith

*Alan Galbraith
1329 Allyn Ave
St. Helena, CA 94574*

ST. HELENA, CA 94574
11 OCT 2013 PM 4 L



CITY OF
ST. HELENA

OCT 15 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA 94574*

October 12, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1663 Adams St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Arnon and Heather Fishleder

OAKLAND CA 946

15 OCT 2013 PM 6 L



CITY OF
ST. HELENA

OCT 16 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St*

St. Helena, CA 94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1276 Allyn Avenue,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,



Richard Crus
1276 Allyn ave
St. Helena, CA 94574

OAKLAND CA 94612

22 OCT 2013 PM 3 L



CITY OF
ST. HELENA

OCT 23 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA

94574

Greg Desmond

From: CHERI <chericom@comcast.net>
Sent: Monday, October 21, 2013 4:40 PM
To: Greg Desmond
Cc: agalbraith94574@gmail.com
Subject: 1702 Tainter St--Protesting short term rental

NO TO 1702 TAINTER ST. SHORT TERM RENTAL

We live at 1651 Tainter St. , and we **STRONGLY OPPOSE** 1702 Tainter St. becoming a short term rental. We already have a short-term rental property behind our house (Brian & Kelly Smith)

It is horrible having a "hotel" in our backyard. With 9 out of 10 "guests" we have to ask to please quiet down after midnight (and later). I realize that these people are on vacation and want to have fun.

But we live here and have to go to work every morning after being kept awake until all hours with their drunk partying. Some are quite rude about it. Having another one across the street will mean more drunk people around that will also be driving on our quiet street, that the neighborhood kids play on.

Let alone them taking up parking spaces on our street

Allowing these short term rentals is not right. We live here full time and do not need anymore "temp-drunk-renters " around. We pay our bills and taxes year round and this does not seem like a fair practice to put on the local residents, If we had wanted to live by a hotel we would have bought a house by one.

We really hope you will listen to the residents and **DENY** 1702 Tainter St. a short term rental.

Cheri & Scott Churchill
1651 Tainter St
St.Helena, CA 94574
963-5460

Oct. 15, 2013

Greg Desmond
Interim Planning Director
City Hall
1480 Main St.
St. Helena, CA 94574

Dear Greg:

This is in response to the notice we were sent regarding 1702 Tainter St. becoming a short term rental unit. We oppose this change of use in our neighborhood. In our block of 10 homes, only 3 are year round residents, and, although we value the friendship of our weekend neighbors, we would prefer to live in a neighborhood that provides housing for families who want to make their homes here in St. Helena.

We do not think it benefits our neighborhood to see valuable housing stock turned into a short term rentals. We are writing this letter to protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Kathleen Carrick and Barry Ives
1321 Stockton St.
St. Helena, Ca 94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

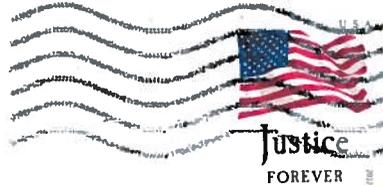
I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1652+1662 Adams St. St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

C Mr. George Caloyannidis
2202 Diamond Mountain Rd.
Calistoga, CA 94515

OAKLAND CA 945

17 OCT 2013 PM 5:1



CITY OF
ST. HELENA
OCT 21 2013
Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA
94574

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 26, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1706 ADAMS ST. St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,


GREGG BAUMGARTEN

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October ²⁵, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1777 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

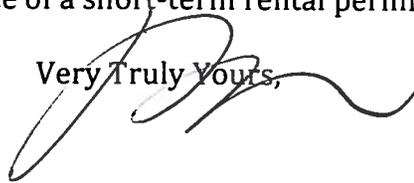
October 26, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1611 TAINTER, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Greg:

Don M. Westland

Alan

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 28 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1639 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



RECEIVED

OCT 28 2013

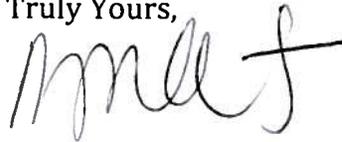
CITY OF ST. HELENA

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1673 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October ²⁶_, 2013

Greg:
Signed protest to
replace unsigned protest
Alan
Diane R & Allen C. Armstrong

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1673 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

OAKLAND CA 945

21 OCT 2013 PM 6 L



CITY OF
ST. HELENA

OCT 22 2013

Finance
Department

94574165480

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA 94574*

CA 94574

1 Matthew Demchuk, Trustee
2 Demchuk Family Trust
3 924 Signorelli Circle
4 St. Helena, California 94574
5 707.975.7076
6 matthew@demchuk.com

7 PLANNING COMMISSION

8 CITY OF ST. HELENA

9 In re:

10 Short-Term Rental Permit Application

11 1702 Tainter Street

12 Permit #: 2013-59

13 APPLICANTS POSITION PAPER REQUESTING
14 APPROVAL OF SHORT TERM RENTAL PERMIT
15 #2013-59

16 On September 18, 2013 a completed Short-Term Rental Permit Application, along with all
17 necessary documentation and fees, was submitted to the City of St. Helena Planning Department. Notices to all
18 neighbors within a 300' radius were mailed by the Planning Department on October 2, 2013. A true and correct
19 copy of the notice sent is attached hereto as **Exhibit 1**. A true and correct copy of the list of those receiving notices
20 is attached hereto as **Exhibit 2**. Prior to the expiration of the protest period (30 days from the date of the notice), the
21 Planning Department received 28 individual protests. A true and correct copy of the protests received are attached
22 hereto as **Exhibit 3**. Of the 28 received, 23 were actually form protest postcards self-addressed and stamped by
23 Alan Galbraith. Because the number of written protests comprised more than 30% of the neighbors within a 300'
24 radius of the proposed Short-Term Rental this application is being submitted to the Planning Commission. If
25 approved, this will be the 25th and final permit issued.

26 **I. BACKGROUND**

27 This property was originally purchased in 1986 by Marthann and Eugene Demchuk as a second
28 home. During their regular visits to St. Helena, they became aware of an opportunity to purchase a skilled nursing
facility on Pratt Avenue. Being that was the family business in Southern California, they purchased the facility in
1989. Along with their son and son-in-law, the family ran Marlinda Convalescent Hospital from 1989 until the
property was sold to the CIA in 2004. In 1995, they remodeled the home with the intention that one day they would
move here full-time. Unfortunately, shortly after selling the business, Eugene passed away in February 2005 from
complications associated with cancer. Marthann continued to frequent her home in St. Helena, but made her
APPLICANTS POSITION PAPER REQUESTING APPROVAL OF SHORT TERM RENTAL PERMIT #2013-59

1 permanent home in Monrovia, close to her daughter and grandsons. Tragically, on July 4, Marthann was struck and
2 killed by a drunk driver while walking with her blind grandson. This property currently resides in the Demchuk
3 Family Trust (the "Trust") and as Successor Trustee, I have the responsibility to maintain the Trust assets until such
4 time as they are distributed. Due to the complexity of the Trust, finalization of the estate may take some time. This
5 property continues to incur expenses and it was thought that the Trust could generate some modest revenue by
6 renting out the property on occasion. Thus the application for a Short-Term Rental Permit.

7 **II. INTRODUCTION**

8 This application should be approved because of the following reasons:

9 **First**, the number of actual written protests is skewed because Mr. Galbraith personal produced
10 the protest postcards.

11 **Second**, this application meets the requirements of Chapter 17.134 of the City of St. Helena
12 Municipal Code, the proposed use does not negatively affect the surrounding uses and it would have a positive
13 cumulative impact on the community.

14 **Third**, this application meets the findings required in Chapter 17.168 of the City of St. Helena
15 Municipal Code.

16 **III. THE NUMBER OF WRITTEN PROTESTS DOES NOT COMPRISE THIRTY PERCENT OR** 17 **MORE OF THE OWNERS WITHIN A THREE HUNDRED-FOOT DISTANCE FROM THE** 18 **PROPOSED SHORT-TERM RENTAL**

19 As evidenced by Exhibit 3, a significant majority of the "written protests" received were form-
20 based postcards that the individual simply had to insert their address and sign it. In fact there were only five of those
21 that received the Notice that actually took the time and effort to produce a written protest to the application. Even
22 Mr. Galbraith used his own form-based protest. Since I obtained the list of protests, I have reached out to these
23 neighbors and have actually received at least one retraction. A true and correct copy of this retraction is attached
24 hereto as **Exhibit 4**. This makes me wonder exactly what it was that Mr. Galbraith told these individuals to
25 convince them to even sign the postcard. Without Mr. Galbraith's personal efforts to protest this application, the
26 number of written protests would not have met the threshold of 30% and all form-based postcards should not be
27 considered as "written protests".

1 **IV. THIS APPLICATION MEETS THE REQUIREMENTS OF CHAPTER 17.134 OF THE CITY**
2 **OF ST. HELENA MUNICIPAL CODE**

- 3 A. This is a single-family dwelling on a single lot.
- 4 B. The permit will be in the name of the Trust, which is the owner of the real property.
- 5 C. This dwelling was constructed prior to the date of the application.
- 6 D. This will be the 25th and final permit.
- 7 E. This dwelling has three bedrooms and will be limited to eight occupants.
- 8 F. This dwelling will meet all applicable building, health, fire and related safety codes and will
9 be inspected by the fire department if approved.
- 10 G. There is at least two on-site parking spaces and in fact the property can likely accommodate
11 up to four vehicles with off-street parking.
- 12 H. I will be the contact person for this rental and the following is my address:
13 924 Signorelli Circle
- 14 I. I will provide written notice prior to April 1, annually, to all neighboring property owners
15 within 300 foot distance with the following information:
- 16 a. Contact information for local contact
- 17 b. Maximum number of guests permitted
- 18 c. Parking restrictions
- 19 d. Contact info at City for violations
- 20 J. House policies will be posted and included in any rental agreement that meet the minimum
21 requirements of 17.134.040(J).
- 22 K. No auctions, commercial functions or other similar events will be held at the property.
- 23 L. I will use my best efforts to ensure that guests do not create unreasonable noise or
24 disturbances, engage in disorderly conduct, or violate provisions of this code or any state law
25 pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.
- 26 M. Should I receive notification that any of the above listed conducts occur, I will promptly use
27 my best efforts to prevent a recurrence of such conduct by guests.

1 N. I will include my permit number in any advertising.

2 O. I will obtain and maintain a city business license and pay all transient occupancy taxes.

3 Further, the issuance of this permit shall have no negative effect on the surrounding uses. This is a
4 residential neighborhood and thus occupancy of this property with the restrictions enumerated above would have no
5 different effect on the surrounding uses than if a long-term renter was on the property. It has been suggested by
6 some neighbors to simply rent this property out to a long-term tenant. However, the appeal of the Short-Term
7 Rental is that the home would still be available for family and friends to use on occasion, but could still produce a
8 modicum of income.

9 Additionally, the cumulative impact within the community would be significantly positive. This property
10 could produce revenue to the city through the fees paid for the permit and business license, transient occupancy
11 taxes collected and other taxes collected from sales, etc. Guests would likely eat and shop in town and due to the
12 proximity of the property to town, even cut down on parking. This property is easily within walking distance of
13 town. This would also benefit the community because it is my intention to allow this property to be inherited by one
14 of the children of Marthann and Eugene Demchuk.

15 **V. THIS APPLICATION MEETS THE FINDINGS REQUIRED IN CHAPTER 17.168 OF THE**
16 **CITY OF ST. HELENA MUNICIPAL CODE**

17 A. This use will not generate odors, fumes, light, glare, radiation or refuse that would be
18 injurious to surrounding uses or to the community.

19 B. This use would not generate levels of noise that adversely affect the health, safety or welfare
20 of neighboring properties or uses.

21 C. This use would not generate traffic noise in excess of the normally acceptable range identified
22 in the general plan.

23 D. This use would not make excessive demands on the provision of public services including
24 water supply, sewer capacity, energy supply, communication facilities, police protection and
25 fire protection.

26 E. This use would provide adequate ingress and egress to and from the proposed location.
27

- F. This use will not conflict with the city's goal of maintaining the economic viability of a local-serving economy.
- G. This use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
- H. This use would not be in conflict with the city's general plan.
- I. This use would not be injurious to the public health, safety or welfare.
- J. Granting this use would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the city or would be in conflict with the general plan.
- K. Adequate off-street parking to accommodate long-term parking needs of guests is available.
- L. The capacity of surrounding streets is adequate to serve the automobile traffic generated by the proposed use.

WHEREFORE, the Applicant respectfully requests that the Planning Commission approve the Short-Term Rental Application for the Demchuk Family Trust for the property located at 1702 Tainter Street.

Dated this 12th of December, 2013.


Matthew Demchuk, Trustee
Demchuk Family Trust, Applicant

EXHIBIT 1



**CITY OF ST. HELENA
APPLICATION SUBMITTAL NOTICE**

FROM THE PLANNING DEPARTMENT OF THE CITY OF ST. HELENA

Notice is hereby given that a property owner within 300 feet of your parcel has submitted an application for a Short-Term Rental Permit.

The Short-Term Rental Ordinance was adopted by the city council April 10, 2012 and became effective on May 10, 2012.

The purpose of the Short-Term Rental Ordinance is as follows:

The purpose of this ordinance is to establish a permitting process and appropriate restrictions and standards for short-term rental of single family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city to ensure the collection and payment of transient occupancy taxes; to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.

APPLICATION INFORMATION

LOCATION OF PROPERTY: 1702 Tainter Street

APPLICANT/OWNER: Demchuk Family Trust

PROJECT DESCRIPTION

The applicant is requesting a short-term rental permit to rent the single-family home located at 1702 Tainter Street in accordance to the requirements of the short-term rental ordinance. The home consists of 3 bedrooms which would allow a total of 8 overnight occupants. The site provides the required off-street parking.

NEIGHBOR RESPONSE

Noticed neighbors/land owners may file a written protest against the proposed short-term rental with the planning director. All protests must be postmarked or received within thirty (30) days of the mailing of this notice of application.

If the planning director receives protests from 30% or more of the parcel owners within a 300 foot radius of the proposed short-term rental location the application will be required to go before the planning commission. If fewer than 30% of the neighbors protest, the application can be administratively approved by the planning director.

CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574

(707) 968-2749

gregd@cityofstheleena.org



**CITY OF ST. HELENA
APPLICATION SUBMITTAL NOTICE**

FROM THE PLANNING DEPARTMENT OF THE CITY OF ST. HELENA

Notice is hereby given that a property owner within 300 feet of your parcel has submitted an application for a Short-Term Rental Permit.

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APPLICATION INFORMATION

LOCATION OF PROPERTY: 1702 Tainter Street

APPLICANT/OWNER: Demchuk Family Trust

PROJECT DESCRIPTION

The applicant is requesting a short-term rental permit to rent the single-family home located at 1702 Tainter Street in accordance to the requirements of the short-term rental ordinance. The home consists of 3 bedrooms which would allow a total of 8 overnight occupants. The site provides the required off-street parking.

NEIGHBOR RESPONSE

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If the planning director receives protests from 30% or more of the parcel owners within a 300 foot radius of the proposed short-term rental location the application will be required to go before the planning commission. If fewer than 30% of the neighbors protest, the application can be administratively approved by the planning director.

CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574

(707) 968-2749

gregd@cityofstheleena.org



You have received this notice because you are a resident, property owner, or interested party located within 300 feet of a parcel applying for a short-term rental application

For more information about the Short-Term Rental Program please visit the website:

www.cityofstheleena.org

CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574
(707) 968-2749
gregd@cityofstheleena.org

TO:



You have received this notice because you are a resident, property owner, or interested party located within 300 feet of a parcel applying for a short-term rental application

For more information about the Short-Term Rental Program please visit the website:

www.cityofstheleena.org

CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574
(707) 968-2749
gregd@cityofstheleena.org

TO:

EXHIBIT 2

ANDERSON JACK B & DIANE P TR
2000 POWELL ST #1280
EMERYVILLE CA 94608-1895

JOHNSON MABEL C TR
1623 ADAMS ST
ST HELENA CA 94574

CALOYANNIDIS GEORGE & TITTEL
CHRISTINE TR
2202 DIAMOND MOUNTAIN RD
CALISTOGA CA 94515-9637

CALOYANNIDIS GEORGE & TITTEL
CHRISTINE TR
2202 DIAMOND MOUNTAIN RD
CALISTOGA CA 94515-9637

BAUMGARTEN GREGORY E & JOY A
THURMAN H/W
1706 ADAMS ST
ST HELENA CA 94574-1912

SCRIPPS THOMAS O III & THERESA
YANNI TR
1265 4TH AVE
SAN FRANCISCO CA 94122

GALBRAITH JOHN ALAN & SARAH
1329 ALLYN AVE
SAINT HELENA CA 94574

WARREN JEFFREY E & CYNTHIA L TR
1317 ALLYN AVENUE
ST HELENA CA 94574-1917

HUBBARD CAROL S
1337 ALLYN AVE
SAINT HELENA CA 94574

ARMSTRONG ALLAN C & DIANE R TR
1673 ADAMS ST
SAINT HELENA CA 94574-1909

FISHLEDER AARON J & BRYCE HEATHER
S
1663 ADAMS ST
SAINT HELENA CA 94574

CFW ESTATES LLC
8700 CONN CREEK RD
RUTHERFORD CA 94573

JOHNSON MABEL C TR
1623 ADAMS ST
ST HELENA CA 94574

JOHNSON MABEL C TR
1623 ADAMS ST
ST HELENA CA 94574

PERRELL CHARLES F TR ETAL
26300 SILENT HILLS LANE
LOS ALTOS CA 94022

JOHNSON MABEL C SUC TR
1623 ADAMS ST
ST HELENA CA 94574

HIPP FREDERICK R & BRENDA B TR
1331 STOCKTON ST
SAINT HELENA CA 94574

IVES BARRY G AND KATHLEEN M
CARRICK H/W
1321 STOCKTON ST
ST HELENA CA 94574-1928

IRWIN GWYNN A & HOLZHAUER-IRWIN
GRETCHEN TR
PO BOX 1339
KELSEYVILLE CA 95451

GRIMES BRADLEY B & KATHERINE
1616 TAINTER ST
ST HELENA CA 94574-1934

DONALDSON KAREN E
1620 SPRING ST
SAINT HELENA CA 94574-1934

HAYS BEVERLY M
1642 TAINTER ST
ST HELENA CA 94574-1934

MCADAM BRENT AND OLGA H/W JT
1656 TAINTER ST
ST HELENA CA 94574-1934

DEMCHUK MARTHANN TR
402 PATTERSON DR
MONROVIA CA 91016

VILLEGAS CARMEN S
1714 TAINTER ST
SAINT HELENA CA 94574

DEUER RALPH S TR
3231 ST HELENA HWY NORTH
SAINT HELENA CA 94574-9659

GILLIN ANDREW R & SHARON TR
2 THEATRE SQUARE #230
ORINDA CA 94563

JOHNSON MABEL C SUC TR
1623 ADAMS ST
ST HELENA CA 94574

GUIGNI EVERETT THOMAS TR ETAL
1777 ADAMS ST
SAINT HELENA CA 94574-1911

WOODWARD JEROME M AND KAREN A
1717 ADAMS ST
ST HELENA CA 94574-1911

RODRIGUES FRANK & ANDERSEN
LAURA
1693 FIR HILL
SAINT HELENA CA 94574

WILKS LESLIE TR
1320 ALLYN AVE
ST HELENA CA 94574

MCCOY JOSEPH W & YOST REBECCA
1330 ALLYN AVE
SAINT HELENA CA 94574-1918

GILLIN ANDREW R & SHARON TR
C/O GILLIN JACOBSON ELLIS & LARSEN
2 THEATER SQUARE #230
ORINDA CA 94563

CRUS RICHARD A & PAULA K TR
1276 ALLYN AVE
ST HELENA CA 94574-1916

GRACE HILL LLC
500 BICENTENNIAL WAY SUITE 310
SANTA ROSA CA 95403

VAN NATALIE TAHLIA TR
201 SAN ANTONIO RD
PETALUMA CA 94592

NEUMANN MECHTHILD MICHELE TR
PO BOX 364
SAINT HELENA CA 94574

KATZ DONNA G
1709 TAINTER STREET
ST HELENA CA 94574

CHURCHILL SCOTT A & CHERI L TR
1651 TAINTER ST
SAINT HELENA CA 94574

ESCARENO ALEXANDRIA L TR
1650 SPRING ST
ST HELENA CA 94574-2042

MCBRIDE KATHLEEN D TR
1745 SCOTT ST
SAINT HELENA CA 94574

WESTERLAND DON M
1611 TAINTER ST
SAINT HELENA CA 94574

GOLD DAVID A & KATHERINE A TR
1257 STOCKTON ST
ST HELENA CA 94574-1926

PODESTA STEVEN
DBA PODESTA PROPERTY MGMT - VACA
1243 STOCKTON ST
SAINT HELENA CA 94574-1926

MCQUIDDY JOAN MARIE CORWIN TR
1227 STOCKTON ST
SAINT HELENA CA 94574-1926

MARTIN RUBEN AND GRACIELA
1639 TAINTER ST
ST HELENA CA 94574-1933

SMITH T P & DIANA LOZANO TR
913 DANA HIGHLANDS CT
LAFAYETTE CA 94549

WING CAROLINE S TR
1711 TAINTER ST
SAINT HELENA CA 94574193

SMITH BYRON C & KALMIA TR
DBA NAPA VALLEY HIDEAWAY
28996 FINLEY POINT LN
POLSON MT 59860-7765

WILSEY DIANE B
2590 JACKSON ST
SAN FRANCISCO CA 94115-1121

WOLFMAN JACK B & CONNIE TR
1262 ALLYN AVE
ST HELENA CA 94574-1916

NORMAN MICHAEL W TR
14 WOODGROVE WALK
REPUBLIC OF SINGAPORE
SINGAPORE 738157

MCBRIDE KATHLEEN D
1745 SCOTT ST
SAINT HELENA CA 94574

CHERENSKY STEVEN S & KIMBERLY A
919 PALM AVE
SAN MATEO CA 94401

EXHIBIT 3

October __, 2013

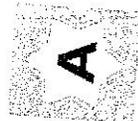
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1489 AUSA, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Greg B. Anderson
Greg B. Anderson



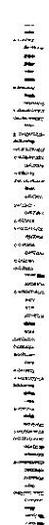
Mr. Jack Anderson
2000 Powell St Ste 1280
Emeryville, CA 94608-1845

EMERYVILLE, CA 94608
OCT 11 2013



FOREVER

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 25 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1623 Adams St. PLOTS, 3 LOTS St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



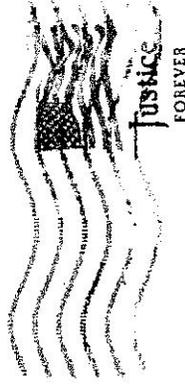
October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1652 + 1662 Adams St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Mr. George Caloyanidis
2202 Diamond Mountain Rd.
Calistoga, CA 94515

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA*

94574

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 24 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1706 ADAMS ST, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



GREGG BAUMGARTEN

October 11, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1329 Allyn Ave, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Alan Falhardt

Alan Barbara B
1329 Allyn Ave
St. Helena, CA 94574



CITY OF
ST. HELENA

OCT 11 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St*

St. Helena, CA 94574

CA 94574

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA

1317 Allyn
St. Helena, CA
94574



1317 Allyn
St. Helena, CA
94574



Jeffrey & Cindy Wagner

Very Truly Yours,

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1317 Allyn, Inc., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Dear Mr. Desmond:

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

October 16, 2013

October 11, 2013

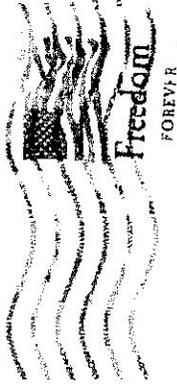
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1377 Alya Avenue, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
Carol Hubbard

*Carol J. Hubbard
1377 Alya Ave
St. Helena, CA 94574*



CITY OF
ST. HELENA

007 54013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street*

*1377 Alya Avenue
St. Helena, CA 94574*

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

Greg:
Signed permit to
replace unsigned permit
Alan

Diane R & Allen C. Armstrong

October ²⁶, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1673 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October 16, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1663 Adams St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Arnon and Heather Fishleder



POSTAGE WILL BE PAID BY ADDRESSEE

15 OCT 2013 9:16 AM

CITY OF
ST. HELENA

OCT 16 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St*

*Arnon and Heather Fishleder
1663 Adams St
St. Helena, CA 94574*

October 12, 2013

RECEIVED
PLANNING DEPARTMENT

OCT 16 2013

1331 Stockton Street
St. Helena, CA 94574

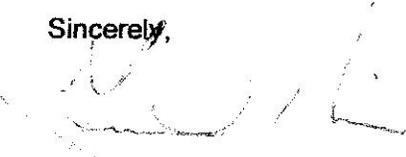
Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond,

I received the notice from the city regarding the proposed short-term rental permit for 1702 Tainter Street. I am opposed to this permit. A rental property in the middle of a functional neighborhood brings the possibility of disruptive and noisy short-term renters that do not have the same sense of community as my fellow neighbors. It also raises security concerns due to a constant turnover of tenants that are unknown to those of us that are permanent residents.

Thank you for your consideration.

Sincerely,



Fred Hipp

Oct. 15, 2013

Greg Desmond
Interim Planning Director
City Hall
1480 Main St.
St. Helena, CA 94574

Dear Greg:

This is in response to the notice we were sent regarding 1702 Tainter St. becoming a short term rental unit. We oppose this change of use in our neighborhood. In our block of 10 homes, only 3 are year round residents, and, although we value the friendship of our weekend neighbors, we would prefer to live in a neighborhood that provides housing for families who want to make their homes here in St. Helena.

We do not think it benefits our neighborhood to see valuable housing stock turned into a short term rentals. We are writing this letter to protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Kathleen Carrick and Barry Ives".

Kathleen Carrick and Barry Ives
1321 Stockton St.
St. Helena, Ca 94574

TOAD HALL



SIR BRENT MCADAM

Mr Mathew Heil
The Planning Director
Planning Department of ST Helena

OCT 10, 2013

Dear Mr. Heil,

We, the undersigned
householders at 1656 Tainter St,
eagerly file this written protest
against the Demchuk Family
Trust's application requesting
a short-term rental permit
for 1702 Tainter St.

Sincerely

Brent McAdam

Alga M. O. McAdam

October __, 2013

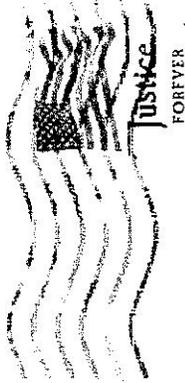
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1656 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Mr. & Mrs. Brent McAdam



CITY OF
ST. HELENA

OCT 22 2013

Finance
Department
SAE74189999

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA 94574*

October __, 2013

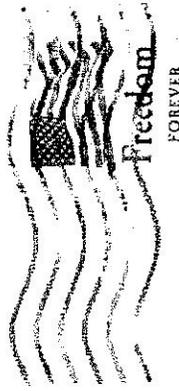
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1714 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Carman S. Haggan



*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,*



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 25, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1707 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October 14, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

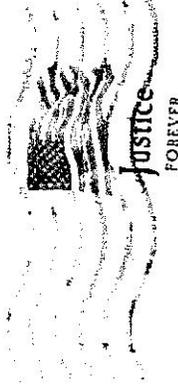
I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1717 Adam Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Jerome M. Woodward



Jerome M Woodward
1717 Adams St
Saint Helena CA 94574



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department
94574185480

*Mr Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St Helena, CA 94574*

Greg Desmond

October 16, 2013

Planning Director City of St Helena

1480 Main Street

St Helena, CA 94574

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OCT 23 2013

CITY OF ST. HELENA

Greg,

Laura Andersen and I own the property at 1734 Tainter St and are in the 300' foot radius of 1702 Tainter St. We have great concern about their application for a short term rental permit to the Demchuk Family Trust. We would at the least like to see it go to the Planning Commission to hear all the pros and cons and how it may affect our neighborhood.

Thank You,

A handwritten signature in cursive script that reads "Frank Rodrigues".

Frank Rodrigues

October __, 2013

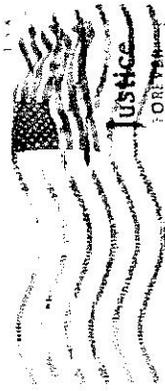
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1330 Flynn Ave, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours
Joe McLoey

Joe McLoey
Berley Youth
1330 Flynn Ave
St. Helena, CA 94574



POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED IN THE UNITED STATES

CITY OF
ST. HELENA

OC 6 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena*

*1330 Flynn Ave
St. Helena, CA 94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

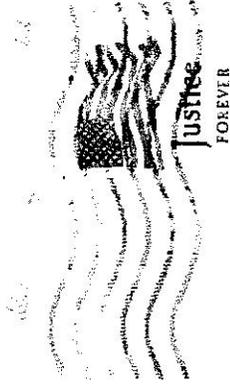
Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1276 Allyn Avenue, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Richard Crus
1276 Allyn ave
St. Helena, CA 94574



22 OCT 2013 PM 3:11

CITY OF
ST. HELENA

OCT 23 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA*

14574

Greg Desmond

From: CHERI <chericom@comcast.net>
Sent: Monday, October 21, 2013 4:40 PM
To: Greg Desmond
Cc: agalbraith94574@gmail.com
Subject: 1702 Tainter St--Protesting short term rental

NO TO 1702 TAINTER ST. SHORT TERM RENTAL

We live at 1651 Tainter St. , and we **STRONGLY OPPOSE** 1702 Tainter St. becoming a short term rental. We already have a short-term rental property behind our house (Brian & Kelly Smith)

It is horrible having a "hotel" in our backyard. With 9 out of 10 "guests" we have to ask to please quiet down after midnight (and later). I realize that these people are on vacation and want to have fun.

But we live here and have to go to work every morning after being kept awake until all hours with their drunk partying. Some are quite rude about it. Having another one across the street will mean more drunk people around that will also be driving on our quiet street, that the neighborhood kids play on.

Let alone them taking up parking spaces on our street

Allowing these short term rentals is not right. We live here full time and do not need anymore "temp-drunk-renters " around. We pay our bills and taxes year round and this does not seem like a fair practice to put on the local residents, If we had wanted to live by a hotel we would have bought a house by one.

We really hope you will listen to the residents and **DENY** 1702 Tainter St. a short term rental.

Cheri & Scott Churchill
1651 Tainter St
St.Helena, CA 94574
963-5460

October 27, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

*We have a short-term
rental behind our house
It is terrible. We don't
need one in front*

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1651 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

*Very Truly Yours
Scotty Owen Churchill*



Finance
Department

OCT 25 2013

CITY OF
ST. HELENA

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street*

St. Helena, CA 94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1464 Sibley St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

William McBride



OAKLAND CA 946

16 OCT 2013 PM 6 L

CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA*

94574



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OCT 28 2013

CITY OF ST. HELENA

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

October 26, 2013

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1611 Tainter, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Greg:

Don M Westland

Alan

October 18, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1601 Adams, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA 94574*

FROM: JONY McQUIDDY

October __, 2013

to:
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

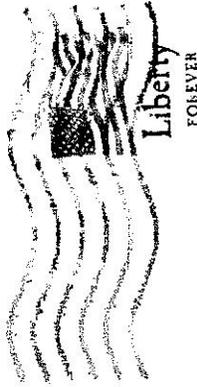
I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1227 Shaker St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

In fact I am against the whole idea Very Truly Yours,
in our close-in residential neighborhood.
for anyone. *[Signature]*



Jony McQuiddy
1227 Shaker St.
Saint Helena, CA 94574-1926

POSTAGE WILL BE PAID BY ADDRESSEE
CITY OF ST. HELENA
1480 MAIN STREET
ST. HELENA, CA 94574



Liberty
FOREVER

CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

9457418999

[Postnet barcode]

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 28 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1639 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

RECEIVED

OCT 29 2013

CITY OF ST. HELENA

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1702 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Thomas Paul Smith

Thomas Paul Smith
913 Dana Highlands Court
Lafayette, CA, USA
94549



Liberty
FOREVER

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

94574189595

*Greg Desmond
Interim Planning Director
City of St. Helena, CA
94574*

October __, 2013

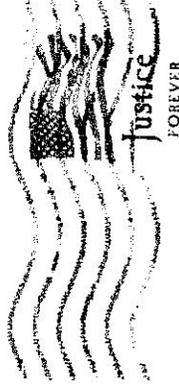
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1711 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Caroline S. Wing



CAROLAN WING
16 OCT 2013 11:15

CITY OF
ST. HELENA

OCT 7 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

*Caroline S. Wing
St. Helena, CA
94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1242 & 1252 Alvin Ave St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
Diane Wilsey



*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

St. Helena, CA 94574

October __, 2013

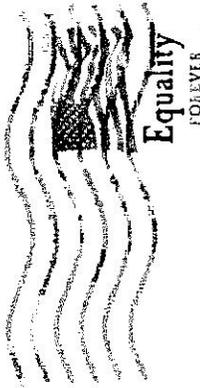
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1262 Alps Avenue, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Jack Wolfman
Cecilia Wolfman



CA 94574
17 OCT 2013 PM 7:11

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street

St. Helena CA
94574

EXHIBIT 4

December ____, 2013

Matthew Demchuk, Trustee
Marthann Demchuk Survivors Trust
924 Signorelli Circle
St. Helena, California 94574

Re: Short-Term Rental Permit Application for 1702 Tainter Street

Dear Mr. Demchuk,

I am the property owner at 1404 ALLYN AVE
and had previously sent a written protest to the above referenced Application.
Upon further consideration I would like to respectfully retract my protest. You
may notify the necessary individuals at the City of St. Helena of this retraction.

Sincerely,

Jack B. Anderson
Signature

JACK B. ANDERSON
Print Name