

June 30, 2023

Mayor Jean Krause
Town Attorney Health Snow
Virgin Town Council
Loren Campbell, President, Rio de Sion HOA

Re: Use of 100 South, Virgin Town property, and Rio de Sion Home Owners Association property for commercial access in residentially zoned neighborhood

Mayor Krause and others,

For the past several days, over and over throughout the day, Zion Tubing has been accessing the Virgin River with their commercial bus vehicles to pick up commercial tubing customers exiting the river on private property at approximately 100 south 170 E. The property where this use is occurring is zoned Rural Residential. No commercial business use at this location has been legally authorized by the Town's Planning Commission or Town Council per the official processes in place to consider such a request. Meanwhile, the impacts to the immediate neighbors (who were not consulted) are significant; substantial dust, noise, increased traffic, and safety are the primary issues. Multiple families with small children (who like to ride their bikes...it is summer after all and they are out of school) live in the immediate neighborhood. The corner is a blind corner. The commercial buses have a steep climb out of a sandy low area to reach 100 South. Neighbors watched them have a near-collision with each other this week as one bus pulled in and another was pulling out. This is a dangerous and un-mitigatable situation.

It is my understanding this use is occurring with the knowledge and "authorization" of Town officials and the private property owners.

Because this commercial use of private property is neither a "Permitted" or "Conditional" use in the Rural Residential Zone, the use must stop immediately. Also, contrary to what neighbors report they were told by town officials, there is no public easement though this private property. This is readily confirmed by public records accessed on the County Recorder's website.

With the Fourth of July holiday weekend upon us, the impacts of this illegal use on neighbors is both unbearable and unsafe. The town will be liable if anyone is hurt.

Isn't the Town's primary responsibility to protect the health, safety, and welfare of its citizens? Thank you for your immediate attention to this matter.

Sincerely,



Lori Rose
83 E 100 S

c: Marilyn Wilcox
Trevor Cowley