

August 13, 2021

**CASE# PLNZAD2021-00746
Administrative Interpretation
DECISION AND FINDINGS**



REQUEST:

The property owner of 1055 South 1000 East St., Peter Wetzel, is requesting an Administrative Interpretation regarding the front yard setback requirements in accordance with the Salt Lake City Zoning Ordinance, City Code section 21A.24.070.E.1. The property under review is located at 1055 South 1000 East and is within the R-1-5000 (Single-Family Residential) zoning district. The purpose of the request is to determine what is the required front yard setback for a newly constructed single-family home based on the definition of "block face".

DECISION:

The Zoning Administrator finds that the front yard setback requirement for new construction of a single-family dwelling on the subject property located at 1055 South 1000 East is 20 feet. Because this segment of 1000 East is a dead-end street that does not intersect with two streets the front yard averaging standard does not apply. This interpretation is based on the definition of the term "block face" in City Code section 21A.62.040.

FINDINGS:

Regarding the purpose statement for the R-1-5000 zone:

The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The purpose for the R-1-5000 zone is to provide and maintain conventional single-family neighborhoods and to promote compatible development patterns and preserve the existing character of the neighborhood.

Regarding the required front yard for properties located within the R-1-5000 (Single-Family Residential) zoning district, the Salt Lake City Zoning Ordinance Table 21A.24.070.E.1 states:

E. Minimum Yard Requirements:

- 1. Front Yard: The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail. For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building.*

This specific language is intended to create a front yard setback that is compatible with the existing development pattern of the neighborhood for each existing block face. The front yard setback requirements provide three ways to establish the front yard setback. These are:

- Setbacks recorded on a subdivision plat;
- The average of existing buildings on a “block face”; or
- If there are no existing buildings on a “block face”, the setback is 20’.

The definition for block face is:

BLOCK FACE: All of the lots facing one side of a street between two (2) intersecting streets. Corner properties shall be considered part of two (2) block faces, one for each of the two (2) intersecting streets. In no case shall a block face exceed one thousand feet (1,000’).

The applicant’s argument is:

“...A block face is one side of a street between **two (2) intersecting streets**. Since the subject property is not situated between two (2) intersecting streets, it does not fall under the definition of a block face. Because the subject property is situated on an irregular/non-typical/dead end “block face”, the front yard setback average calculation is derived from a very small sampling....”

The applicant also argues that the segment of 1000 East the subject property is located on does not have enough existing homes to give a clear example of the development pattern for the area and is asking to calculate the average front yard setback using properties up to 600 feet north along the east side of 1000 East. This would include all the homes on the east side of 100 East between 1055 South to Belmont Ave.

The applicant’s suggestion to calculate the average setback of the buildings on the two block faces to the north is not supported by the ordinance language. However, the applicant’s argument that his house is located on a segment of 1000 East that does not meet the definition of a “block face” also eliminates the option of averaging the setbacks of the two existing homes on the same block between the nearest street intersection (Harrison Blvd.) and the dead end of the street.

The purpose of the R-1-5000 zoning district is to provide and maintain conventional single-family neighborhoods and to promote compatible development patterns and to preserve the existing character of the neighborhood. Since the segment of 1000 East the subject property is located on does not meet the definition of a block face and there is not a subdivision plat that establishes a required front yard setback, then the other option is to use the 20-foot setback requirement if there are no existing houses on the block face. This is the front yard setback requirement used when there is no other established setback to average and is used widely in the R-1-5000 zoning district. This is in keeping with the purpose statement of both promoting compatible development and preserving the existing character of the neighborhood.

APPEAL PROCESS:

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at <http://www.slcgov.com/planning/planning-applications> along with information about the

applicable fee. Appeals may be filed in person at the Planning Counter, 451 South State Street, Room 215 or by mail at Planning Counter PO BOX 145471, Salt Lake City, UT 84114-5471.

NOTICE:

Please be advised that a determination finding a particular use to be a permitted use or a conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.

Dated this 13th day of August 2021 in Salt Lake City, Utah.

A handwritten signature in black ink, reading "Anna Anglin". The signature is fluid and cursive, with the first name "Anna" and last name "Anglin" clearly distinguishable.

Anna Anglin
Principal Planner
Salt Lake City Planning Division

CC: Nick Norris, Planning Director
Joel Paterson, Zoning Administrator
Posted to Web
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