

**November 30, 2021**

**ADMINISTRATIVE INTERPRETATION  
DECISION AND FINDINGS  
PLNZAD2021-01080**



**REQUEST:**

A request for an administrative interpretation regarding the established rear and interior side yards at the subject property located at 1485 N Miami Road. The property is located within the R-1/7000 (Single-Family Residential) zoning district. The subject property is a corner property and is adjacent to both Miami Rd and Independence Blvd. The applicant contends that the west yard is the rear yard and the northern yard is the interior side.

In addition to the setback determination, if the determination is made that the west yard is a side yard, the applicant is seeking an interpretation on if detaching the carport from the building would make that side of the building the rear yard.

**DECISION:**

The Zoning Administrator finds that the Rear Yard is the portion of the property between the north façade of the structure and the northern property line. This is determined as it is the yard area that most closely meets the setbacks for the rear yard standards in the R-1-7,000 (Single-Family Residential) zoning district. The portion of the subject property west of the structure is considered to be the Interior Side Yard. Please refer to Exhibit A for a visual illustration of the subject yards.

Regarding the requested determination on if the yard area designations can be changed if the carport is detached, the Zoning Administrator finds that yes, if the carport is removed or is substantially separated from the structure, the interior side yard would then meet the rear yard setback standard and could then be considered as the rear yard.

**FINDINGS:**

Pursuant to the Definitions section of the Salt Lake City zoning code (21A.62), the following definitions are pertinent to determining the yards for the subject property.

*LOT LINE, CORNER SIDE: "Corner side lot line" means any lot line between the front and rear lot lines which abuts a public street.*

*LOT LINE, FRONT: "Front lot line" means that boundary of a lot which is along an existing or dedicated public street, or where no public street exists, is along a public way. On corner lots, the property owner shall declare the front lot line and corner side yard line on a building permit application. In the case of landlocked land, the front lot line shall be the lot line that faces the access to the lot.*

*LOT LINE, INTERIOR SIDE: "Interior side lot line" means any lot line between the front and rear lot lines which does not abut a public street.*

*LOT LINE, REAR: "Rear lot line" means that boundary of a lot which is most distant from, and is, or is most nearly, parallel to, the front lot line.*

*YARD, CORNER SIDE: A yard on a corner lot extending between front yard setback line and the rear lot line and between the corner side lot line and the required corner side yard setback line.*

*YARD, FRONT: A yard extending between side lot lines and between the front lot line and the required front yard setback line.*

*YARD, INTERIOR SIDE: A yard extending between the front and rear yard setback lines and between the interior side lot line and the required interior side yard setback line.*

*YARD, REAR: A yard extending between the two (2) interior side lot lines from the rear lot line to the required rear yard setback line. In the case of corner lots, the rear yard shall extend from the interior side lot line to the front yard or corner side yard setback line.*

On interior lots, the Zoning Ordinance specifically states that rear yards are located opposite of front yards; however, the definition of Yard, Rear is as follows (emphasis added):

*YARD, REAR: A yard extending between the two (2) interior side lot lines from the rear lot line to the required rear yard setback line. In the case of corner lots, the rear yard shall extend from the interior side lot line to **the front yard or corner side yard setback line.***

This means that the rear yard does not need to be parallel to the front yard. As no yard areas were determined on prior building permit applications, the northern yard area most closely matches the rear yard setback of the R-1/7,000 (Single Family Residential) zoning district. Additionally, given the listed definitions, in particular, *Yard, Rear*, the subject property area that abuts the northern property line is considered the Rear Yard. The western portion of the subject property would then be considered the Interior Side Yard.

If the carport on the west side of the primary structure was either fully removed or substantially separated from the 4-plex, the yard area would then meet the rear yard setback requirements and could be determined to be the rear yard. If the carport is separated from the 4-plex and is not completely removed, it would need to meet all accessory building zoning standards in City Code section 21A.40.050 and would not be allowed to become a non-complying accessory structure.

If you have any questions regarding this interpretation, please contact Krissy Gilmore at (801) 535-7780 or by email at [kristina.gilmore@slcgov.com](mailto:kristina.gilmore@slcgov.com).

#### **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 and submission process. Appeals may be filed by submitting an application through the City's online application portal here: <https://citizenportal.slcgov.com>.

**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.

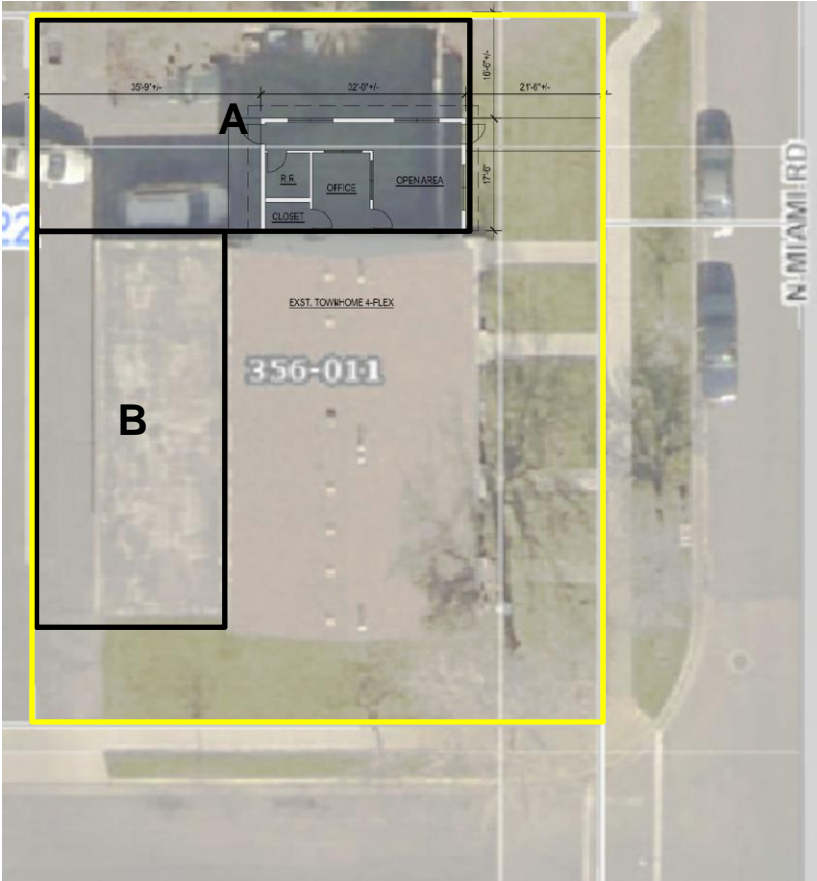
*Krissy Gilmore*

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Krissy Gilmore, Senior Planner

cc: Nick Norris, Planning Director  
Joel Paterson, Zoning Administrator  
Casey Stewart, Development Review Supervisor  
Posted to Web  
Applicable Recognized Organizations

EXHIBIT A



- A: Rear Yard
- B: Interior Side Yard
- Property Line

\*if the carport is removed and the Rear Yard area determination changes, the above graphic would not be applicable as the size of the yard areas would change.