



CASE# PLNZAD2018-00654
Administrative Interpretation
DECISION AND FINDINGS

REQUEST:

This is a request for an administrative interpretation regarding whether the property located at approximately 2410 S Lake Street (tax ID#16-20-304-010) is a legal complying lot in accordance with the Salt Lake City zoning laws. The purpose of the request is to determine if a single-family dwelling can be constructed on the property.

DECISION:

The Zoning Administrator finds that the subject property located at approximately 2410 Lake Street (tax ID#16-20-304-010) is recognized by Salt Lake City as a legal complying lot and therefore a single family detached dwelling could be constructed subject to all applicable zoning regulations and requirements from all city departments.

FINDINGS:

The subject property is currently located in the R-1/7000 (Single Family Residential) zoning district, and has a total lot area of approximately 4,774 square feet (0.1096 acres). This lot area includes 1/2 of a vacated alley abutting on the south of the parcel between the subject property and the property located at 2416 S Lake Street. The R-1/7000 zone requires a minimum lot area of 7,000 square feet for a detached single family dwelling. The subject property does not comply with the minimum lot area requirements of the R-1/7000 zoning district.

Section 21A.38.060 of the Salt Lake City Zoning Ordinance states the following regarding noncomplying lots:

“A lot that is noncomplying as to lot area or lot frontage that was in legal existence on the effective date of any amendment to this title that makes the existing lot noncomplying shall be considered a legal complying lot and is subject to the regulations of this title. Any noncomplying lot not approved by the city that was created prior to January 13, 1950, may be approved as a legal noncomplying lot subject to the lot meeting minimum zoning requirements at the time the lot was created and documented through an updated zoning certificate for the property.”

The first instance the subject parcel is described in its current configuration is in 1973. The subject parcel was created by a Quit Claim Deed executed by The State Road Commission of Utah (record #2555785 in book 3376 page 497). The Quit Claim Deed describes the property as follows:

Beginning at a point on the existing southeasterly right of way and no-access line of a highway known as Project No. I-80-3(4)120, said point being 547.40 ft. south and 242.0 ft. east from the northwest corner of said Block 9; thence Northeasterly 79 ft., more or less, along said southeasterly right of way and no-access line to the northeast corner of said parcel of land; thence South 65.61 ft. to the southeast corner of said parcel of land; thence West 129.10 ft. to the southeasterly right of way and no-access line of said project; thence Northeasterly 60 ft., more or less, along said right of way and no-access line to the point of the beginning. Containing 0.081 acre, more or less.

The above described parcel of land is granted without access to or from the adjoining freeway over and across the northwesterly boundary line of said parcel of land.

The deed referenced above establishes that the subject property has been in existence since 1973. Salt Lake City recognizes the authority of the State Road Commission of Utah (The Utah Department of

Transportation) to dispose of any real property acquired for a highway purpose that is no longer necessary for the purpose.

Zoning regulations were first adopted by Salt Lake City in 1927. When the lot was created in 1973, it was zoned "Residential R-4" which required a minimum lot area of 5,000 square feet for a single family dwelling. The subject property did not meet the minimum lot area regulations in 1973, however, because the lot was created by the State Highway Commission of Utah in compliance with State Code, Salt Lake City has determined the subject property is a legal complying lot.

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 19th day of September, 2018 in Salt Lake City, Utah.



Amy Thompson
Principal Planner

CC: Joel Paterson, Zoning Administrator
Nick Norris, Planning Director
Greg Mikolash, Development Review Supervisor
Applicable Recognized Organization – Sugarhouse Community Council Chair
Case File/Posted to the Web

Attachments: Vicinity map of subject property
1973 Quit Claim Deed
Alley Vacation – Ord 96 of 1991
Plat Maps



200

Quit Claim Deed Parcel No. 02-3:217B:STAQ Project No. 1-80-3(4)120

2555785

The STATE ROAD COMMISSION OF UTAH, by its duly appointed, Director of Highways, Grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT CLAIMS TO FRED C. MATHEWS Grantee, of Salt Lake City, County of Salt Lake, State of Utah, for the sum of \$10 and other valuable considerations Dollars, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land situate in Block 9, Forest Dale Subdivision of Block 44, Ten Acre Plat "A", Big Field Survey. The boundaries of said parcel of land are described as follows:

Beginning at a point on the existing southeasterly right of way and no-access line of a highway known as Project No. 1-80-3(4)120, said point being 547.40 ft. south and 242.0 ft. east from the northwest corner of said Block 9; thence Northeasterly 79 ft., more or less, along said southeasterly right of way and no-access line to the northeast corner of said parcel of land; thence South 65.61 ft. to the southeast corner of said parcel of land; thence West 129.10 ft. to the southeasterly right of way and no-access line of said project; thence Northeasterly 60 ft., more or less, along said right of way and no-access line to the point of beginning. Containing 0.081 acre, more or less.

The above described parcel of land is granted without access to or from the adjoining freeway over and across the northwesterly boundary line of said parcel of land.

As a covenant to go with the above described parcel of land until January 1, 1976:

- 1. Signs, billboards, outdoor advertising structures, or advertising of any kind as provided in 23 USC, Section 131, shall not be erected, displayed, placed or maintained upon or within this tract, EXCEPT signs to advertise the sale, hire, or lease of this tract or the principal activities conducted on this land.
2. Junkyards, as defined in 23 USC, Section 136, shall not be established or maintained on this tract.

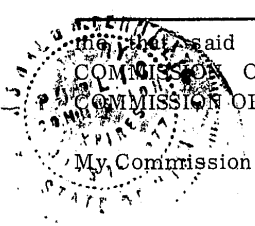
IN WITNESS WHEREOF, the said STATE ROAD COMMISSION OF UTAH has caused this instrument to be executed this 5th day of July, A.D. 1973, by its Director of Highways.

STATE ROAD COMMISSION OF UTAH

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

By [Signature] Director of Highways

On the 5th day of July, A.D. 1973, personally appeared before me [Signature], who by me duly sworn did say that he is the Director of Highways, and he further acknowledged to me that said instrument was signed by him in behalf of said STATE ROAD COMMISSION OF UTAH by authority of a resolution of said STATE ROAD COMMISSION OF UTAH, duly passed on June 25, 1962.



My Commission Expires June 18, 1977 [Signature] Notary Public

Recorded JUL 20 1973 at 9:45 AM
Request of STATE ROAD COMMISSION
Fee Paid JEROMEAN MARTIN
Recorder, Salt Lake County, Utah
By [Signature] Deputy

BOOK 3376 PAGE 497

5168515

STATE OF UTAH, }
City and County of Salt Lake, } ss.

I, Anisa L. Brown Deputy City Recorder of Salt Lake City, Utah, do hereby
certify that the attached document is a full, true and correct copy of... Ordinance 96 of 1991.....
..... Vacating a portion of an alley running east to west adjacent to 2420 Lake Street.
..... Pursuant to Petition No. 400-955-91.....
.....
.....

passed by City Council/Executive Action of Salt Lake City, Utah, December 10 19.91.
as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City,
this Twelveth day of December 19.91..



.....
Deputy City Recorder
Published December 18 19.91

BK638750353

Affects Sidwell Nos.
16 20 304 010
16 10 304 011

O 91-1
P 91-352

SALT LAKE CITY ORDINANCE
No. 96 of 1991
(Vacating a portion of an alley running
east to west adjacent to 2420 Lake Street
pursuant to Petition No. 400-955-91)

AN ORDINANCE VACATING A PORTION OF AN ALLEY RUNNING EAST
TO WEST ADJACENT TO 2420 LAKE STREET PURSUANT TO PETITION NO.
400-955-91.

WHEREAS, the City Council of Salt Lake City, Utah, finds after
public hearing that the City's interest in the alley described
below is not necessary for use by the public as an alley and that
vacation of said alley will not be adverse to the general public's
interest;

NOW, THEREFORE, be it ordained by the City Council of Salt
Lake City, Utah:

SECTION 1. That a portion of an alley running east to west
adjacent to 2420 Lake Street, which is the subject of Petition No.
400-955-91 and which is more particularly described below, be, and
the same hereby is, VACATED and declared no longer to be needed or
available for use as an alley.

Said alley is more particularly described as follows:

Commencing at the southeast corner of Sidwell parcel
number 16 20 304 010, Block 9, Forest Dale Subdivision,
Big Field Survey 10 Acre, Plat A; thence west 129 feet to
the southwest corner of Sidwell parcel number 16 20 304
010; thence southwesterly 20 feet more or less to a point
on the north property line of Sidwell parcel number 16 20
304 011; thence east 145 feet to the northeast corner of
Sidwell parcel number 16 20 304 011; thence north 10 feet
to the point of beginning.

Planning

BK 6387 PG 0354

SECTION 2. RESERVATIONS AND DISCLAIMERS. The above vacation is expressly made SUBJECT TO all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of the property and also SUBJECT TO the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the City's water and sewer facilities, and all of them. Said vacation is also SUBJECT TO any existing rights-of-way or easements of private third parties.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder.

Passed by the City Council of Salt Lake City, Utah, this 10th day of December, 1991.

Tom Godfrey
CHAIRPERSON

ATTEST:

Kathy Manlove
CITY RECORDER

APPROVED AND FORWARDED
SALT LAKE CITY
DATE 10/28/91
BY [Signature]

Transmitted to the Mayor on December 10, 1991.

Mayor's action: XX Approved Vetoed.

Salmon A. St. Paulis
MAYOR

ATTEST:

Kathy Manlove
CITY RECORDER



(SEAL)

BILL NO. 96 OF 1991
Published: 12-18-91.

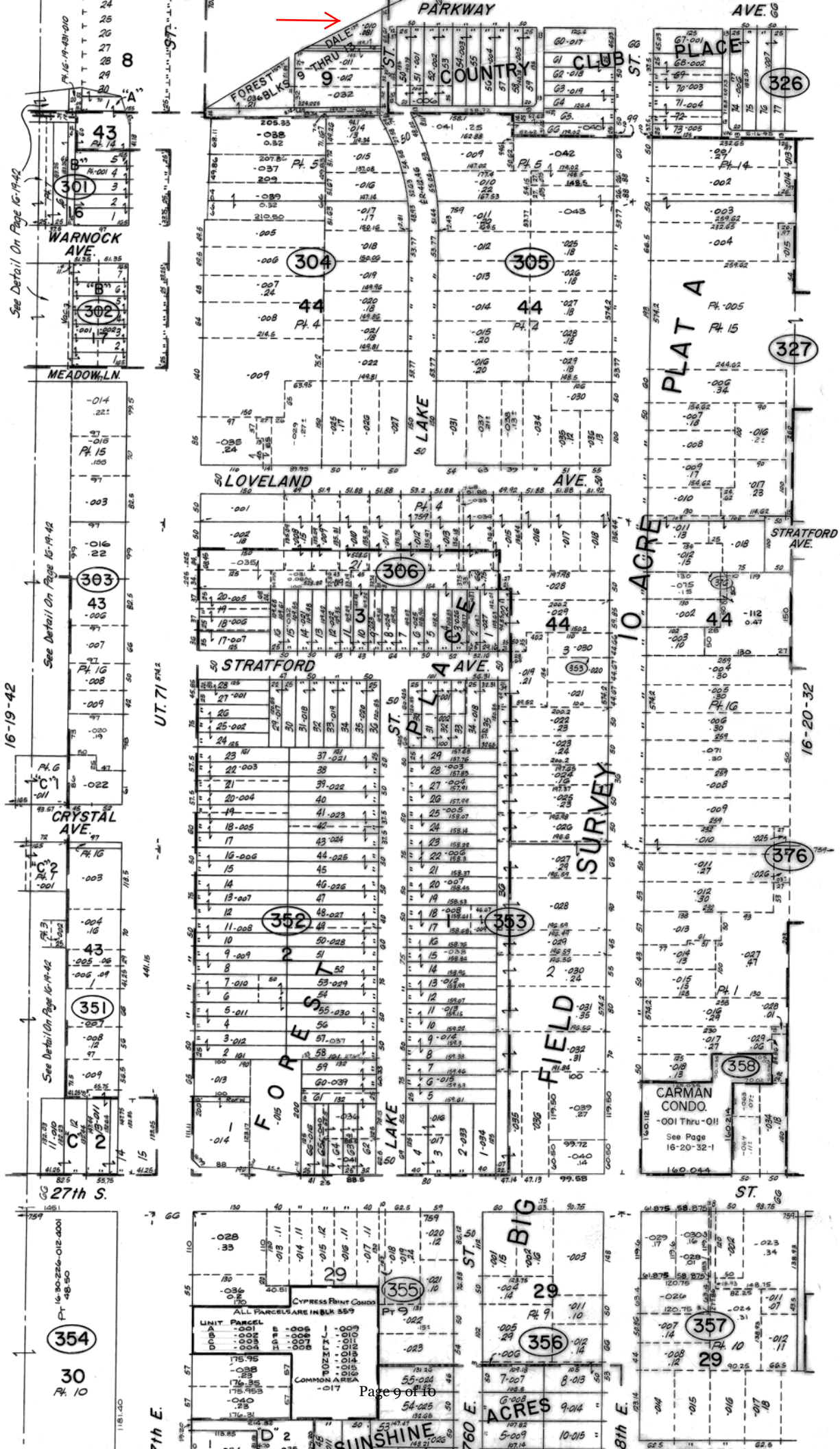
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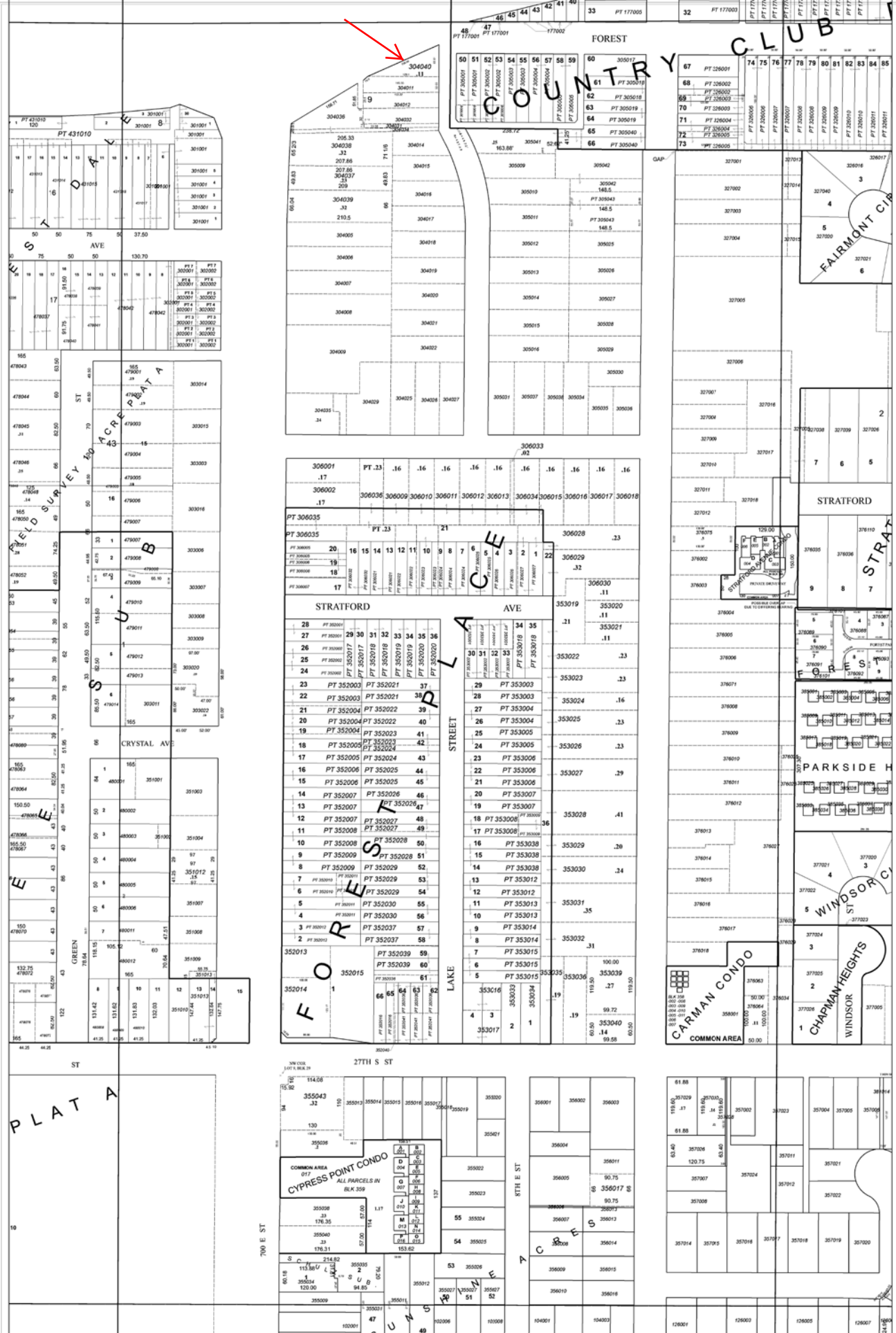
NO FEE

5168515
13 DECEMBER 91 01:56 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY RECORDER
REC BY: VALERIE ASHBY , DEPUTY

FOREST DALE
"B"
FOREST DALE BLKS. 10417
"C"
FREE SUB.
"D"
SCHULZ SUB.

SALT LAKE COUNTY
Geographic Information System
Copyright ©1996
PREPARED BY SALT LAKE COUNTY RECORDER
This map is not intended to represent actual physical property lines. In order to establish exact physical boundaries a survey of the property may be necessary.





This map is not intended to represent actual physical properties. In order to establish exact physical boundaries a survey of the property may be necessary.

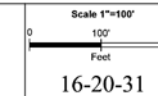


Prepared and published by
Salt Lake County Recorder
Adam Gardner
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385-468-8145
recorder@slco.org



W 1/2 SW 1/4 Sec 20 T1S R1E
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SALT LAKE COUNTY, UTAH

8/20/2018



16-20-31

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