

January 14, 2018

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2019-00005**



REQUEST:

This is a request for an administrative interpretation regarding whether the property located at approximately 615 N Catherine Circle (tax ID#08-34-226-006) 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 615 N Catherine Circle (tax ID#08-34-226-006) 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.

FINDINGS:

The subject property is currently located in the R-2 (Single- and Two-Family Residential) zoning district. The lot has a total area of approximately 3,450 square feet and lot width fronting a public street of 25 feet. The R-2 zoning district requires a minimum lot area of 5,000 square feet and a minimum lot width of 50 feet. The subject property does not comply with the minimum lot area and the minimum lot width of the R-2 zoning district and therefore is noncomplying.

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 subject parcel was created on October 13, 1890 as Lot 9, Block 4 of the Waverly Subdivision. The property has increased in size after Salt Lake City deeded a vacated portion of Catherine Street to the property owner on May 5, 2009. This made the lot more conforming but it still does not meet the minimum lot size. Zoning regulations were first adopted by Salt Lake City in 1927. Thus, at the time of the creation of this lot, there were no city regulations related to lot width or lot size.

Based on the provision in 21A.38.060, this lot is a legal noncomplying lot.

Documents obtained from the Salt Lake County Recorder’s Office shows no evidence that the subject property was ever combined with another parcel or any other significant changes except as indicated above.

If you have any questions regarding this interpretation please contact Mayara Lima at (801) 535-7118 or by email at mayara.lima@slcgov.com.

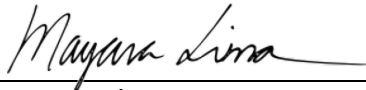
APPEAL PROCESS:

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. Appeals may be filed in person or by mail at:

In Person: Salt Lake City Corp Planning Counter 451 S State Street, Room 215 Salt Lake City, UT	US Mail: Salt Lake City Corp Planning Counter PO Box 145471 Salt Lake City, UT 84114-5417
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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.



Mayara Lima
Principal Planner

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

Vicinity Map



10693794
05/05/2009 02:56 PM \$13.00
Book - 9719 Pg - 1874-1875
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
ANTHONY GOMEZ
PO BOX 27921
SLC UT 84127
By: Tmw 2P.

When Recorded Mail To:
Anthony Gomez
617 N. Catherine Circle
Salt Lake City, UT 84116-202817

QUIT CLAIM DEED

SALT LAKE CITY CORPORATION, a Utah municipal corporation, 451 South State Street, Room 225, Salt Lake City, Utah 84111, "GRANTOR," hereby quit claims to **ANTHONY GOMEZ**, 617 N. Catherine Circle, Salt Lake City, Utah 84116-202817, "GRANTEE," for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, all of the City's right, title and interest in and to a parcel of land described as follows:

See Exhibit A attached hereto and made a part hereof.
Affects Sidwell number: 08-34-226-006.

SUBJECT TO all other existing rights-of-way and easements of all public utilities of any and every description now located on, in, under or over the confines of the above-described property.
SUBJECT TO the rights of entry thereon for the purposes of obtaining, altering, replacing, removing, repairing or rerouting said utilities, including the City's water and sewer facilities, and all of them.
SUBJECT TO any existing rights-of-way or easements of private third parties.

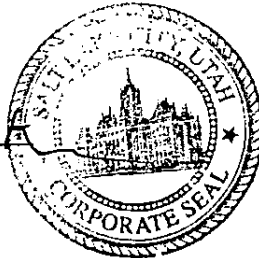
DATED this _____ day of MAY 26 2006, 2006.

CITY RECORDER

BY [Signature]
Acting MAYOR

ATTEST & COUNTERSIGN:

[Signature]
CHIEF DEPUTY RECORDER

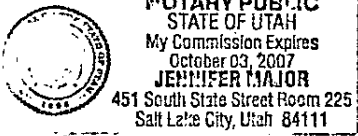


APPROVED AS TO FORM:
Salt Lake City Attorney's office

BY [Signature]
Dated 5/22/2006

STATE OF UTAH)
County of Salt Lake) ss.

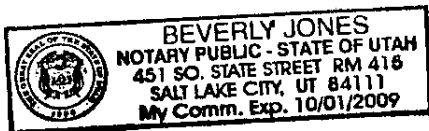
The foregoing instrument was acknowledged before me this 20 day of May, 2006, by Ross C. Anderson in his capacity as Mayor of SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah.



[Signature]
NOTARY PUBLIC, Residing in
Salt Lake County, Utah

STATE OF UTAH)
County of Salt Lake) ss.

The foregoing instrument was acknowledged before me this 26 day of May, 2006, by Chris Meeker in her capacity as Chief Deputy Recorder of SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah.



[Signature]
NOTARY PUBLIC, Residing in
Salt Lake County, Utah

EXHIBIT A

Lot 9 and a portion of the vacated Catherine Street, Block 4, Waverly Subdivision
Affected parcel # 0834226006

Beginning at the Northwest corner of Lot 9, Block 4, of Waverly Subdivision, located in the Northeast Quarter of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian; thence S89°59'30"E along the north line of said Lot 9 130.00 feet; thence S00°00'55"E 2.00 feet; thence S89°59'30"E 8.00 feet to the west right of way of Catherine Circle; thence S00°00'55"E along said right of way 23.00 feet; thence N89°59'30"W 138.00 feet to the southwest corner of said Lot 9; thence N00°00'55"W 25.00 feet to the point of beginning, contains 3434 square feet more or less.