

August 23, 2019

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2019-00698**



REQUEST:

A request for an administrative interpretation regarding the noncomplying status of an existing detached garage on the property located at approximately 1070 S Lincoln Street (Tax ID 16-08-329-015-0000) in accordance with Salt Lake City Zoning Ordinance.

DECISION:

The Zoning Administrator finds that the detached garage in the rear yard area on a property located at approximately 1070 S Lincoln Street (Tax ID 16-08-329-015-0000) is recognized by Salt Lake City as a legal noncomplying structure. Based on the county assessor's records and a building permit record, the legal noncomplying detached garage may continue, subject to the requirements of the Chapter 21A.38 (Noncomplying Uses and Noncomplying Structures) and all applicable City laws, ordinances and standards.

FINDINGS:

The detached garage for a single-family residence is located in the R-1/5,000 (Single-Family Residential) zoning district. In a residential district, an accessory structure in the rear yard area requires a minimum of one-foot (1') from a side or rear lot line. The detached garage does not comply with the minimum side yard requirement for an accessory building.

Section 21A.40.050B of the Salt Lake City Zoning Ordinance states the following regarding bulk limitations for accessory buildings:

*In the FR, R-1, R-2 and SR residential districts the maximum building coverage of all accessory buildings, excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants, **shall not exceed fifty percent (50%) of the building footprint of the principal structure up to a maximum of seven hundred twenty (720) square feet for a single-family dwelling** and one thousand (1,000) square feet for a two-family dwelling.*

Based on the county assessor's record, the detached garage has a total area of approximately 880 square feet, and a building coverage of approximately 60 percent of the building footprint of the principal structure (Attachment A). The detached garage exceeds the maximum building coverage and footprint requirements for an accessory building. The detached garage does not comply with applicable zoning requirements as mentioned above. Therefore, the detached garage is a noncomplying structure.

Section 21A.38.010A of the Salt Lake City Zoning Ordinance states the following regarding noncomplying structures:

*Noncomplying structures and improvements include **legally constructed principal and accessory buildings**, structures and property improvements, that do not comply with the applicable bulk and/or yard area regulations and design standards of this title such as setbacks and parking in the zoning districts in which the buildings or structures are located.*

City records show that in 1944, a building permit was issued for 1070 S Lincoln Street to construct an 800 square-foot (20' x 40') detached garage (Attachment B).

Based on the foregoing information, staff has determined that the City recognizes the detached garage in the rear yard area on a property located at approximately 1070 S Lincoln Street as a legal noncomplying structure. A legal noncomplying structure may continue in accordance with Chapter 21A.38 (Nonconforming Uses and Noncomplying Structures) and all applicable City laws, ordinances and standards.

If you have any questions regarding this interpretation, please contact Linda Mitchell at (801) 535-7751 or by email at linda.mitchell@slcgov.com.

APPEAL PROCESS:

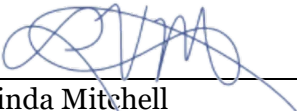
An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and 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 <https://www.slc.gov/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.

Dated this 23rd day of August 2019 in Salt Lake City, Utah.



Linda Mitchell
Associate Planner

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

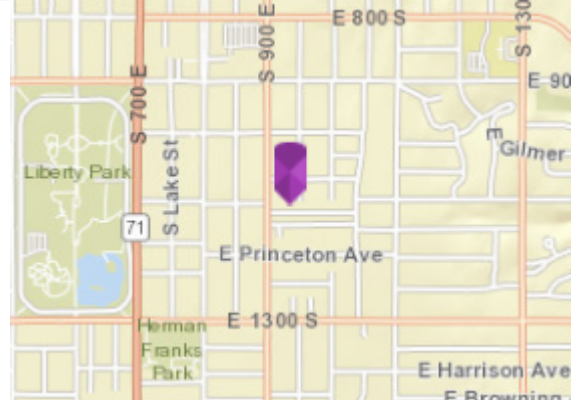
Attachments:

- A. County Assessor's Record
- B. 1944 Building Permit Record
Vicinity Map

ATTACHMENT A

Parcel **16-08-329-015-0000**
Owner MYERS, TISHA; JT PRENTICE, ROBERT; JT
Address 1070 S LINCOLN ST
Total Acreage **0.18**
Above Ground sqft. **2172**
Property Type **111 - SNGL FAM RES**
Tax District **13**

Value History					
	Record	Land Value	Building Value	Market Value	Tax Rate
2019		\$ 172,600	\$ 247,900	\$ 420,500	
2018	1	\$ 172,600	\$ 152,900	\$ 325,500	.0133450
2017	1	\$ 172,600	\$ 151,000	\$ 323,600	.0142450
2016	1	\$ 127,200	\$ 170,400	\$ 297,600	.0150010
2015	1	\$ 131,100	\$ 154,700	\$ 285,800	.0158260
2014	1	\$ 128,500	\$ 141,500	\$ 270,000	.0159540



Land Record

Record ID	1	Influence Effect		Lot Shape	REGULAR	Traffic	LIGHT
Lot Use	RESIDENTIAL	Assmt. Class	RES-PRIMARY	Lot Location	INTERIOR	Traffic Influence	TYPICAL
Lot Type	PRIMARY-LOT	Lot Depth		Neighborhood	94	Street type	DEAD-END
Land Class		Acres	0.18	Nbhd Type	STATIC	Street Finish	PAVED
Income Flag		Zone	1105	Nbhd Effect	TYPICAL	Curb Gutter	Y
Seasonal use		Sewer	PUBLIC	Topography	LEVEL	Sidewalk	Y
Influence Type		Number Lots	1				

Residence Record

16-08-329-015-0000

Building Style	CB	Full Baths	1	Intrior Condition	A	Main Floor Area	1452
Assessment Classification	P	3/4 Baths		Extrior Condition	A	Upper Floor Area	720
Extrior Wall Type	AL	Half Baths		Overall Condition	A	Finished Attic Area	
Roofing	AS	Number of Kitchens	1	Visual Appeal	S	Above Ground Area	2172
Central AC	N	Finished Fire places		Maintenance	M	Basement Area	
Heating	C	Year Built	1900	Conformity	E	Finished Basement Area	
Owner Occupied	Y	Effective Year Built	1996	Livability	A	Finished Basement Grade	
Number of Stories	2.0	Interior Grade	A	Primary Kitchen Quality	O	Carport Surface Area	
Total Rooms	9	Extrior Grade	F	Primary Bath Quality	O	Attached Garage S. Area	
Bedrooms	3	Overall Grade	A	Percent Complete	100	Builtin Garage S. Area	
						Basement Garage S. Area	
						Above Grade Area + Basement Area:	2172

Detached Structure

16-08-329-015-0000

Structure	GARAGE	Effective Year Built	2000	Replacement Cost New	\$ 27,430
Description		Actual Year Built	1979	Replacement Cost New, Less	\$ 22,218
Assessment Class	RES-PRIMARY	Quality	AVERAGE	Depreciation	
Units	SQUARE-FEET	Condition	AVERAGE	Sound Value	\$ 0
Measure 1	20	Income Flag		Building Number	
Measure 2	44				

Legal Description

16-08-329-015-0000

LOTS 1 & 20, BLK 2, SOUTH BELMONT SUB 4701-1458 6311-2689 6567-1618 10445-907

Click here for [Classic Parcel Details Page](#) [Search Again?](#)

This page shows the assessor's CAMA data, as it was, on May 22, 2019.

ATTACHMENT B

B. M. I. DEPARTMENT

SALT LAKE CITY CORPORATION

M Charles W. Hale

INVOICE

DEPARTMENT COPY

43874

NO.

DATE

AUDITED

REFER.

ACCOUNT

PAY TO CITY TREASURER AS PER ITEMS LISTED BELOW. PRESENT THIS BILL WHEN MAKING PAYMENT

Frame Garage 20' x 40'

1070 Lincoln Street

APPROVED

TOTAL

2100

→ 5-13-44

FORM 104 5M 1-2-37

Address

1070 Lincoln

Date

7-9-37

193

Owner

COLMAN W. Sale

Building Permit No.

43874-5-13-44

Electrical Permit No.

3838

Plumbing Permit No.

21830-1-9-37

Building Permit No.

Electrical Permit No.

14762 9-6-73

Plumbing Permit No.

Building Permit No.

Electrical Permit No.

Plumbing Permit No.

Electrical Permit No.

Electrical Permit No.

Vicinity Map

