

December 31, 2019



**ADMINISTRATIVE INTERPRETATION  
DECISION AND FINDINGS  
PLNZAD2019-01052**

**REQUEST:**

This is a request for an administrative interpretation regarding whether the property located at approximately 743 S Green Street - rear (Tax ID#16-08-105-017-0000) is a legal lot in accordance with the Salt Lake City zoning laws. The purpose of the request is to determine if the single-family dwelling located at 665 S Ely Place can be relocated to the subject property.

**DECISION:**

The Zoning Administrator finds that the subject property located at approximately 743 S Green Street - rear (Tax ID#16-08-105-017-0000) is recognized by Salt Lake City as a legal noncomplying lot. Therefore, the single family detached dwelling located at 665 S Ely Place could be relocated to the subject property subject to meeting the zoning requirements of the applicable RMF-30 (Low Density Multi-Family Residential) zoning district, the off-street parking requirements in 21A.44 of the zoning ordinance, and any other applicable approvals and permits required from other city divisions. A Certificate of Appropriateness for relocation of a contributing building must be obtained from the Historic Landmark Commission prior to any permits being issued for the relocation of the single-family dwelling at 665 S Ely Place to this site.

**FINDINGS:**

The subject property is currently located in the RMF-30 (Low Density Multi-Family Residential) zoning district as well as the Central City Local Historic District and has a total lot area of approximately 3,484 square feet (0.08 acres), and a lot width of 49 feet. The RMF-30 zone requires a minimum lot area of 5,000 square feet for a detached single-family dwelling and a minimum of 50 feet of lot width. The subject parcel does not have frontage on a public street.

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 lot was created prior to January 13, 1950. The subject parcel is first described as an individual lot on September 16, 1946. The subject parcel is described in a Warranty Deed (#1057486) in Book 497 Page 423, also abstracted in book C-53, Page 46, line 28)

from Kenneth R. Allred and Helen H. Allred to Ralph Z. Stone and Edna Stone. The associated deed and abstract are attached to this interpretation. In the September 1946 deed, the property is described as follows:

*Commencing Two Hundred and Eighty-one (281) feet North and One Hundred Forty-five (145) feet East of the Southeast corner of Lot One (1), Block eleven (11) Plat "B," Salt Lake City Survey, and running thence North Forty-nine (49) feet, thence West Seventy-five (75) feet, thence South Forty-nine (49) feet, thence East Seventy-five (75) feet to beginning.*

The legal description in the September 1946 Warranty Deed has an error in the location of the starting point. The legal description should read, "...145 feet **West** (not East) of the Southeast corner of Lot One (1), Block eleven (11) Plat "B," Salt Lake City Survey..." This error in the legal description was corrected with Warranty Deed (#1061385) in Book 503 Page 368, also abstracted in book C-53, Page 46, line 37.

The current legal description of the property is as follows:

*BEG 145 FT W & 281 FT N FR SE COR LOT 1 BLK 11 PLAT B SLC SUR N  
49 FT W 75 FT S 49 FT E 75 FT TO BEG*

In 1946 the property was zoned Residential B-2 which required a lot area of 3,000 SF for a single-family dwelling. There was not a lot width requirement in 1946. The subject property does not have frontage on a public street, however, in 1946 when the lot was created, a lot was defined as having frontage on a street or an alley. The subject property does have frontage on an alley. As such, the subject lot met the minimum zoning requirements for a single-family dwelling at the time the lot was created, which was before 1950.

Since the lot was legally created prior to 1950 and complied with zoning requirements at the time, the lot is considered a legal noncomplying lot. As a legal noncomplying lot, a single-family dwelling may be constructed on the lot subject to the requirements of the RMF-30 zoning district and all applicable approvals required for relocation of a contributing structure in a Local Historic District as outlined in section 21A.34 of the Salt Lake City zoning ordinance.

#### **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.



---

Amy Thompson  
Senior Planner

**CC:**

Nick Norris, Planning Director

Joel Paterson, Zoning Administrator

Greg Mikolash, Development Review Supervisor

Chair of Applicable Recognized Organizations – Central City, East Central and East Liberty Park

Posted to Web

File

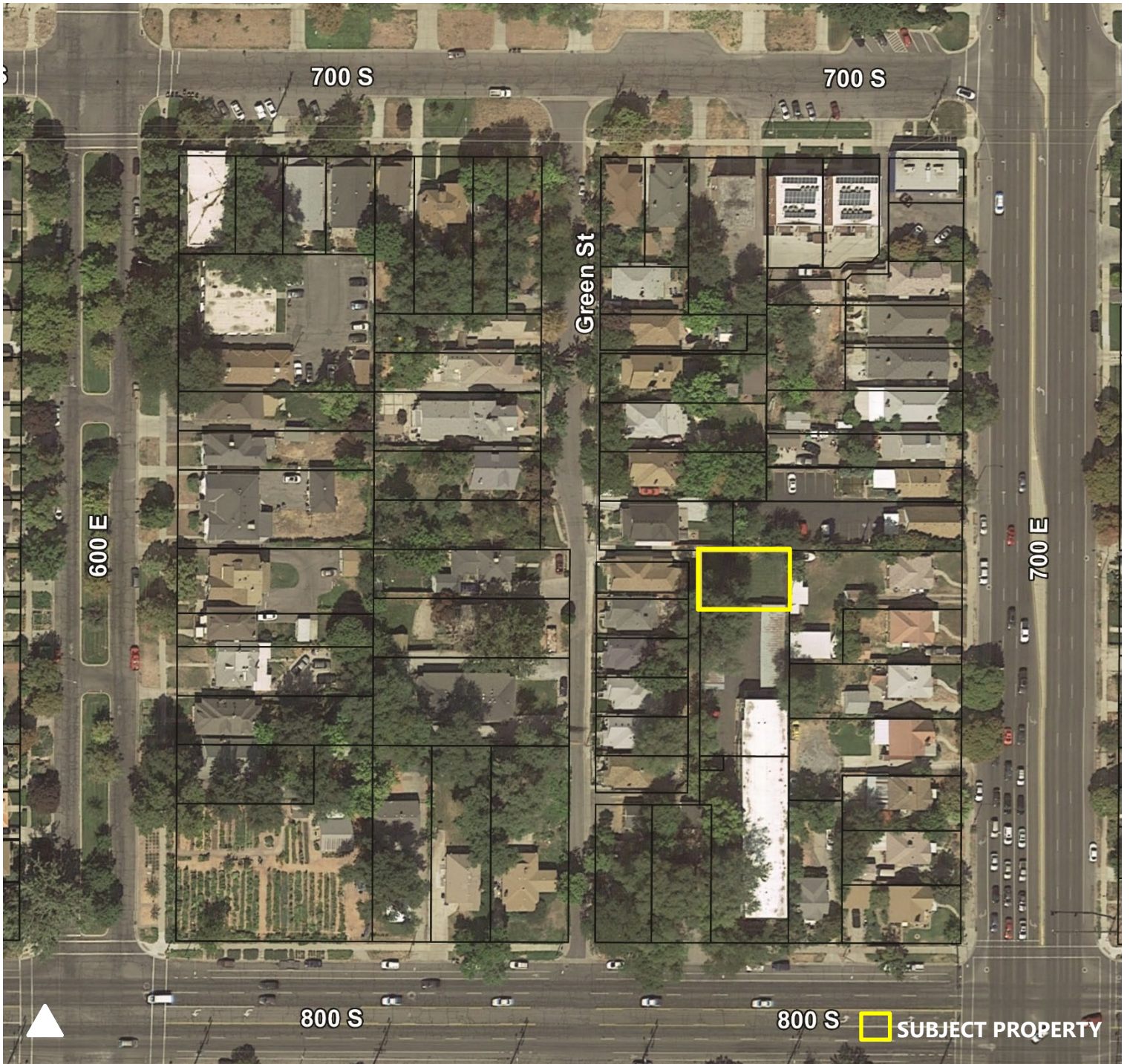
**Attachments:**

Vicinity map of subject property

September 1946 Deed & Abstract

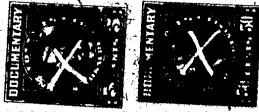
Corrected 1946 Deed & Abstract

**Vicinity Map of Subject Property**  
743 S Green Street (rear), Parcel 16-08-105-017-0000



feet to beginning.

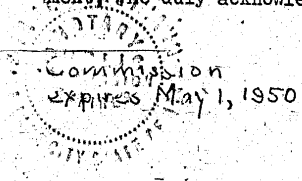
Witness the hands of said Grantors this 16th day of September, A.D. 1946.



*[Handwritten signatures]*

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

On this 16th day of September, A. D. 1946, personally appeared before me KENNETH R. ALLRED and HELEN H. ALLRED his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.



*[Handwritten signature]*  
NOTARY PUBLIC  
Residing at Salt Lake City, Utah.

1057486

Recorded at request of *Lynne Strell*

SEP 19 1946

at 4:11 P.M. paid \$ .70

Corralito, Cal., Recorder

By *[Handwritten signature]*

Book 497 Page 423

653-46-28  
653-51-20

WARRANTY DEED.

KENNETH R. ALLRED and HELEN H. ALLRED his wife, Grantors, of Salt Lake City, Utah, hereby CONVEY AND WARRANT to RALPH Z. STONE and EDNA STONE his wife, Grantee s, of Salt Lake City, Utah, for the sum of Ten Dollars and other good and valuable considerations, receipt of which is hereby acknowledged, the following described tract of land in Salt Lake County, Utah:

Commencing Two Hundred Eighty-one (281) feet North and One Hundred Forty-five (145) feet East of the Southeast corner of Lot One (1), Block Eleven (11), Plat "B," Salt Lake City Survey, and running thence North Forty-nine (49) feet, thence West Seventy-five (75) feet, thence South Forty-nine (49) feet, thence East Seventy-five (75) feet to beginning.

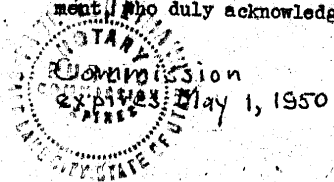
Witness the hands of said Grantors this 16th day of September, A. D. 1946.



*[Handwritten signatures]*

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

On this 16th day of September, A. D. 1946, personally appeared before me KENNETH R. ALLRED and HELEN H. ALLRED his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.



*[Handwritten signature]*  
NOTARY PUBLIC  
Residing at Salt Lake City, Utah.

1061385

Recorded at request of Cyrus P. Gattell OCT 24 1946  
at 9.44 11:00 AM 70 Cornelia S. Lund, Recorder S. L. County, Utah  
By [Signature], Dep. Book 503 Page 368 Ser. 152-46-37

WARRANTY DEED.

KENNETH R. ALLRED and HELEN H. ALLRED his wife, Grantors, of Salt Lake City, Utah, hereby CONVEY AND WARRANT to RALPH Z. STONE and EDNA STONE his wife, Grantees, of Salt Lake City, Utah, for the sum of Ten Dollars and other good and valuable considerations, receipt of which is hereby acknowledged, the following described tract of land in Salt Lake County, Utah:

Commencing Two Hundred Eighty-one (281) feet North and One Hundred Forty-five (145) feet West of the Southeast corner of Lot One (1), Block Eleven (11), Flat "B," Salt Lake City Survey, and running thence North Forty-nine (49) feet, thence West Seventy-five (75) feet, thence South Forty-nine (49) feet, thence East Seventy-five (75) feet to beginning.

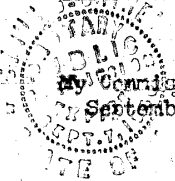
This deed is given for the purpose of correcting an error in description in Deed Recorded September 16, 1946 in the office of the County Recorder of Salt Lake County, Utah, in Book 497 at page 423.

Witness the hands of said Grantors this 23rd day of October, 1946.

[Signature: Kenneth R. Allred]  
[Signature: Helen H. Allred]

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

On this 23rd day of October, A. D. 1946, personally appeared before me KENNETH R. ALLRED and HELEN H. ALLRED his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.



[Signature: Cyrus P. Gattell]  
NOTARY PUBLIC  
Residing at Salt Lake City, Utah.

Block 11 Plat B Salt Lake City Survey

Line	Date of Inst. and Date of Record			Entry No. and		Released on Margin			GRANTORS	Witness	GRANTEES	Kind of Instrument	Consideration
	Month	Day	Year	Book	Page	Month	Day	Year					
1	Aug	8	1946	1051	930				Price, Brooks Inv. Co by Pres	Mattie P. Price & d. J. Price	W.D.	100.00	
2	Aug	10	1946	1051	931				"	"	W.D.	100.00	
3	Aug	10	1946	1051	932				"	Wallis Hugh Price	W.D.	100.00	
4	Aug	10	1946	1051	933				"	Wallis B. Lloyd & Douglas P. Lloyd	W.D.	100.00	
5	Aug	10	1946	1051	934				"	Beth Lloyd Millward	W.D.	100.00	
6	Aug	10	1946	1051	935				"	Price Lloyd	W.D.	100.00	
7	Aug	17	1946	1052	890				Mattie P. Price & hus d. J.	E. S. Stewart & Ruf Vera M.	W.D.	100.00	
8	Aug	17	1946	1054	703				Price Lloyd & Ruf Shirley K.	John Joseph Pertl & Ruf Edna Stone	W.D.	100.00	
9	Aug	29	1946	493	650	1214453	Sept 5, 1950		John Joseph Pertl & Ruf Edna Stone	Tracy Loan Trust Co	Mtge	2000.00	
10	Aug	29	1946	493	652				Beth Lloyd Millward & hus James	John Joseph Pertl & Ruf Edna Stone	W.D.	100.00	
11	Aug	29	1946	493	654	1161308	Jun 18 1949		John Joseph Pertl & Ruf Edna Stone	Tracy Collins Trust Co	Mtge	2000.00	
12	Aug	27	1946	1054	865				Lawrence J. Price	To whom it may concern	Affidavit		
13	Aug	29	1946	1054	866				"	"	"	"	
14	Aug	30	1946	494	80				Walter Hugh Price	"	"	Get of Resolution	
15	Aug	21	1946	1055	012				Wallis B. Lloyd & Ruf dola may	Donna L. Alexander	W.D.	100.00	
16	Aug	31	1946	494	189				Douglas P. Lloyd & Ruf Maybelle H.	Tracy Collins Trust Co	Mtge	2700.00	
17	Aug	31	1946	494	190				Donna L. Alexander & Ruf Kenneth P.	Tracy Collins Trust Co	Mtge	2700.00	
18	Aug	31	1946	495	058				Walter Hugh Price & Ruf Muriel A.	Bernard A. Melton & Ruf Avonnie E.	W.D.	100.00	
19	Aug	31	1946	495	059				Walter Hugh Price & Ruf Muriel A.	Bernard A. Melton & Ruf Avonnie E.	W.D.	100.00	
20	Sept 6	1946	495	182					L. J. Price & Ruf Mattie P.	Dr. W. W. Johnson & Ruf Imogene M.	W.D.	100.00	
21	Sept 6	1946	495	188					Virgil E. Johnson & Ruf Agnes B.	First Security Trust Co.	Mtge	8950.00	
22	Sept 11	1946	496	426					Kenneth R. Alfred & Ruf Helen H.	Raymond C. Larson & Ruf Blair D.	W.D.	100.00	
23	Sept 14	1946	1056	842					Lawrence J. Price	To whom it may concern	Affidavit		
24	Sept 16	1946	496	529					"	"	"	"	
25	Sept 11	1946	1057	268					"	"	"	"	
26	Sept 18	1946	497	218					Kenneth R. Alfred & Ruf Helen H.	Huber E. Johnson & Ruf Adelaide	W.D.	100.00	
27	Sept 19	1946	497	425					"	Lois B. Catehall	W.D.	100.00	
28	Sept 19	1946	497	423					"	Ralph Z. Stone & Ruf Edna	W.D.	100.00	
29	Sept 25	1946	498	264					L. J. Price & Ruf Mattie P.	Lee R. Evans & Ruf Phyllis	W.D.	100.00	
30	Sept 25	1946	498	266					Lee R. Evans & Ruf Phyllis	Western Loan & Bldg. Co.	Mtge	7100.00	
31	Sept 26	1946	498	389					Cyrus H. Catehall & Ruf Lois B.	Kenneth R. Alfred & Ruf Helen H.	W.D.	100.00	
32	Sept 26	1946	498	480					Kenneth R. Alfred & Ruf Helen H.	Emil A. Schoner & Ruf Louise	W.D.	100.00	
33	Sept 26	1946	498	481					B. S. Farnsworth - et al	"	W.D.	100.00	
34	Sept 27	1946	498	617					Alvin A. Scott & Ruf Elizabeth	Robert Scott & Ruf Vera B.	W.D.	100.00	
35	Sept 26	1946	1059	011					H. L. Stewart & Ruf Vera M.	First National Bank of Layton	Mtge	10500.00	
36	Oct 12	1946	1060	272					Price, Brooks Investment Co	Walter J. Lloyd	W.D.	100.00	
37	Oct 22	1946	1061	385					Kenneth R. Alfred & Ruf Helen H.	Ralph Z. Stone & Ruf Edna	W.D.	100.00	
38	Oct 29	1946	507	335					B. S. Farnsworth & Ruf Afton B. et al	Emil A. Schoner & Ruf Louise	W.D.	100.00	
39	Nov 9	1946	1063	842					Edward B. Funks	To whom it may concern	Death		
40	Nov 19	1946	507	336					Utah State Tax Commissioner	Est of Edward B. Funks Decid	Waves		
41	Nov 19	1946	507	337					Est of Anna S. Funks Decid	Thomas A. Fredericksen	Waves	535.30	
42	Nov 18	1946	1063	845					"	"	Waves	542.64	
43	Nov 19	1946	507	340					Thomas A. Fredericksen	Zion's Sav Bank & Trust Co	Mtge	800.00	
44	Nov 20	1946	1065	560					Est of John Payne Decid	Edna Stone & Ruf Ralph Z. Stone	Waves		
45	Dec 18	1946	511	310					Kenneth R. Alfred & Ruf Helen H.	Springville Banking Co.	Mtge	2000.00	

Salt Lake County Abstracts

Line	LOTS								Same Description as Line	DESCRIPTION	
	1	2	3	4	5	6	7	8			
1										8	Parcel 1, Corn 98.25 ft N of SE cor of Lot 8, N 36.25 ft W 10 rds, S 36.25 ft E 10 rds to beg.
2										8	Parcel 2, Corn at NE cor of Lot 8, S 86.5 ft W 63 ft N 86.5 ft E 63 ft to beg. Parcel 3, Corn at NW cor of Lot 8, S 86.5 ft W 63 ft N 86.5 ft E 63 ft to beg. Subj to 100.00 see record.
3										8	Corn 159.5 ft S of NE cor of Lot 8, S 36 ft W 99 ft N 36 ft E 99 ft to beg. Log w/ row see record.
4										8	Corn 123.5 ft S of NE cor of Lot 8, S 36 ft W 99 ft N 36 ft E 99 ft to beg. Log w/ row see record.
5										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
6										8	Corn 260.07 ft S of NE cor of Lot 8, S 28.68 ft W 10 rds N 28.68 ft E 10 rds to beg. Log w/ row see record.
7										8	Corn 231.75 ft S of NE cor of Lot 8, S 37.5 ft W 63 ft N 37.5 ft E 63 ft to beg. Log w/ row see record.
8										8	Corn 260.07 ft S of NE cor of Lot 8, S 28.68 ft W 10 rds N 28.68 ft E 10 rds to beg. Log w/ row see record.
9										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
10										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
11										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
12										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
13										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
14										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
15										8	Corn 231.75 ft S of NE cor of Lot 8, S 28.32 ft W 10 rds N 28.32 ft E 10 rds to beg. Subj to 100.00 see record.
16										8	Corn 123.5 ft S of NE cor of Lot 8, S 36 ft W 99 ft N 36 ft E 99 ft to beg. Log w/ row see record. Subj to 100.00 after Dec 31, 1945.
17										8	Corn 159.5 ft S of NE cor of Lot 8, S 36 ft W 99 ft N 36 ft E 99 ft to beg. Log w/ row see record.
18										8	Corn 159.5 ft S of NE cor of Lot 8, S 36 ft W 99 ft N 36 ft E 99 ft to beg. Log w/ row see record.
19										8	Corn 159.5 ft S of NE cor of Lot 8, S 36 ft W 99 ft N 36 ft E 99 ft to beg. Log w/ row see record.
20										8	Corn 37.5 ft S of NE cor of Lot 8, S 49 ft W 63 ft N 49 ft E 63 ft to beg. Subj to 100.00 see record. Log w/ row see record. Subj to 100.00 after Jan 1, 1947.
21										8	Corn 37.5 ft S of NE cor of Lot 8, S 49 ft W 63 ft N 49 ft E 63 ft to beg. Subj to 100.00 see record. Log w/ row see record. Subj to 100.00 after Jan 1, 1947.
22										8	Corn 37.5 ft S of NE cor of Lot 8, S 49 ft W 63 ft N 49 ft E 63 ft to beg. Subj to 100.00 see record. Log w/ row see record. Subj to 100.00 after Jan 1, 1947.
23										8	Corn 235 ft W 100 ft S of NE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Corn 98.25 ft N of SE cor of Lot 8, N 36.25 ft W 10 rds, S 36.25 ft E 10 rds to beg. Log w/ row see record. Subj to 100.00 see record.
24										8	Corn 98.25 ft N of SE cor of Lot 8, N 36.25 ft W 10 rds, S 36.25 ft E 10 rds to beg. Log w/ row see record. Subj to 100.00 see record.
25										8	Corn 98.25 ft N of SE cor of Lot 8, N 36.25 ft W 10 rds, S 36.25 ft E 10 rds to beg. Log w/ row see record. Subj to 100.00 see record.
26	1									26	Corn 159 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
27	1	2								27	Corn 159 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
28	?	?								28	Corn 159 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
29										8	Corn 281 ft N 74.5 ft E of SE cor of Lot 1, N 49 ft W 75 ft S 49 ft E 75 ft to beg. Subj to 100.00 see record.
30										8	Corn 281 ft N 74.5 ft E of SE cor of Lot 1, N 49 ft W 75 ft S 49 ft E 75 ft to beg. Subj to 100.00 see record.
31										8	Corn 281 ft N 74.5 ft E of SE cor of Lot 1, N 49 ft W 75 ft S 49 ft E 75 ft to beg. Subj to 100.00 see record.
32										8	Corn 120 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
33										8	Corn 120 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
34										8	Corn 157 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
35										8	Corn 157 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
36										8	Corn 157 ft W 100 ft S of SE cor of Lot 1, W 45 ft N 76 ft E 45 ft to beg. Subj to 100.00 see record.
37	1	2								37	Corn 25.5 ft S of SE cor of Lot 8, N 21 ft E 2 ft S 21 ft W 2 ft to beg. Subj to 100.00 see record.
38	1									38	Corn 25.5 ft S of SE cor of Lot 8, N 21 ft E 2 ft S 21 ft W 2 ft to beg. Subj to 100.00 see record.
39										39	Corn 25.5 ft S of SE cor of Lot 8, N 21 ft E 2 ft S 21 ft W 2 ft to beg. Subj to 100.00 see record.
40										40	Corn 25.5 ft S of SE cor of Lot 8, N 21 ft E 2 ft S 21 ft W 2 ft to beg. Subj to 100.00 see record.
41										40	Corn 25.5 ft S of SE cor of Lot 8, N 21 ft E 2 ft S 21 ft W 2 ft to beg. Subj to 100.00 see record.
42										40	Corn 25.5 ft S of SE cor of Lot 8, N 21 ft E 2 ft S 21 ft W 2 ft to beg. Subj to 100.00 see record.
43										40	Corn 25.5 ft S of SE cor of Lot 8, N 21 ft E 2 ft S 21 ft W 2 ft to beg. Subj to 100.00 see record.
44										44	Corn 22 ft 6 in. E of NE cor of Lot 2, S 41 ft E 87 ft 6 in. N 41 ft W 87 ft 6 in. to beg. Subj to 100.00 see record. Also other people to their heirs.
45	1	2	3							45	Corn 22 ft 6 in. E of NE cor of Lot 2, S 41 ft E 87 ft 6 in. N 41 ft W 87 ft 6 in. to beg. Subj to 100.00 see record. Also other people to their heirs.