

July 17, 2020

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2020-00406**



REQUEST:

This is a request for an administrative interpretation to determine if the property located at approximately 822 South Glendale Street (Tax ID#15-11-128-019-0000) is a legal lot, if the existing garage structure on the subject lot is legal, and if a single-family dwelling can be constructed on the subject property. The request is also for a determination of whether the existing garage structure on the property is a legal structure and whether it may remain on the site in the event of future construction of a single-family dwelling.

DECISION:

The Zoning Administrator finds that the property located at approximately 822 South Glendale Street with the TAX ID#15-11-128-019-0000, is a legal lot and may be developed in accordance with the provisions of the zoning district, the subject property is located in the R-1-5000 (Single Family Residential) district, and other applicable reviews and permits required from other city divisions. It is also found that the existing garage structure on the site, located at approximately 822 South Glendale Street, is a legal structure, having been approved through a Routine and Uncontested and building permit. The existing garage structure may remain in the event of a future construction of a single-family dwelling if the provisions of the R-1-5000 (Single Family Residential) zoning district and other applicable reviews and permits required can be met.

FINDINGS:

The subject property, created through the J.H. Whalon Subdivision, is approximately .1722 acres or 7,501 square feet and is located in the R-1-5000 (Single-Family Residential) zoning district. The property also has approximately 49' of frontage along Glendale street. The subject property is a legal lot, having been subdivided in 1889 with the approval of the J.H. Whalon Subdivision with the legal description:

THE N 23 FT OF LOT 4 & THE S 26 FT OF LOT 5, BLK 3, J H WHALON'S SUB. TOG WITH 1/2 VACATED ALLEY ABUTTING ON THE W.

As the subject property is a legal lot, a principal structure may be constructed on the site in accordance with the R-1-5000 zoning district and Section 21A.24.060 of the Salt Lake City Zoning Code and meeting all applicable requirements from other city divisions.

The existing accessory garage structure located on the subject property was approved through a Routine and Uncontested (ZA 2179) review, this approval allowed for an approximately 1,020 square foot accessory garage. The Zoning Administrator Case was approved in 2006. The building permit for the accessory garage structure was approved in 2006 with the Permit ID 202165. The existing accessory garage is considered to be a legal noncomplying structure. Any changes to the structure must comply with the underlying zoning district, R-1-5000 (Single-Family Residential) and the Accessory Structure standards per Section 21A.40.050 of the Salt Lake City Zoning Code.

The existing noncomplying accessory garage structure located on the subject property may be rebuilt in accordance to the standards located in Section 21A.38.050 of the Salt Lake City Zoning Code. The existing accessory garage is a noncomplying structure, due to the absence of an existing principal structure on the lot – a garage cannot be the principal structure in a Single-Family Residential District. There may be other aspects of the structure that are noncomplying, however,

sufficient information was not provided with this application to identify other aspects of noncompliance at this time.

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.

Nannette Larsen

Nannette Larsen
Principal Planner

CC:

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

Attachments:

Vicinity map of subject property
J.H. Whalon Subdivision

Vicinity Map of Subject Property (822 South Glendale Street), Parcel 15-11-128-019-0000)



J. H. WHALON'S ADDITION TO SALT LAKE CITY

Being Lot 2 in Section 11 T. 1 S. R. 1 W. Salt Lake Mer. 2^o

Scale 50ft to 1 in.

Sub. Salt Lake Mer.
June 18th 1857
John D. May, Jr. Surveyor
By *[Signature]*
Notary Public

