

January 22, 2020

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2019-01179**



REQUEST:

A request for an administrative interpretation regarding the established front and corner side yards at the subject property located at 1882 South Yuma. The property is located within the R-1/7000 (Single-Family) zoning district. The subject property is a corner property, and is adjacent to both Yuma Street and Westminster Avenue. The applicant contends that the frontage along Yuma Street is the front yard and that the frontage along Westminster Avenue is the corner side yard for the subject property.

In addition to the setback determination, if the determination is in favor of the applicant, the applicant is seeking an interpretation on whether an inline addition could be constructed to the north.

DECISION:

The Zoning Administrator finds that the front yard setback is the portion of the property that fronts Yuma Street. This is determined by the definition of Front Lot Line and a fence permit issued in 2010 (BLD2010-08515). The portion of the subject property that fronts Westminster Avenue is considered to be the Corner Side Yard. Please refer to Exhibit A for a visual illustration of the subject yards.

In regard to the requested determination for an inline addition, the Zoning Administrator cannot make a determination on whether the proposed inline addition would meet the Special Exception Standards for inline additions, the General Standards for Special Exceptions, and the R-1/7000 (Single-Family Residential) zoning, with the information submitted in this application. A Special Exception Application could be submitted for an inline addition and would be reviewed subject to the applicable standards.

FINDINGS:

Pursuant to the Definitions section of the Salt Lake City zoning code (21A.46), the following definitions are pertinent to determining the yards for the subject property.

LOT LINE, CORNER SIDE: "Corner side lot line" means any lot line between the front and rear lot lines which does not abut a public street.

LOT LINE, FRONT: "Front lot line" means that boundary of a lot which is along an existing or dedicated public street, or where no public street exists, is along a public way. On corner lots, the property owner shall declare the front lot line and corner side yard line on a building permit application. In the case of landlocked land, the front lot line shall be the lot line that faces the access to the lot.

LOT LINE, INTERIOR SIDE: "Interior side lot line" means any lot line between the front and rear lot lines which does not abut a public street.

YARD, CORNER SIDE: A yard on a corner lot extending between front yard setback line and the rear lot line and between the corner side lot line and the required corner side yard setback line.

YARD, FRONT: A yard extending between side lot lines and between the front lot line and the required front yard setback line.

YARD, INTERIOR SIDE: A yard extending between the front and rear yard setback lines and between the interior side lot line and the required interior side yard setback line.

YARD, REAR: A yard extending between the two (2) interior side lot lines from the rear lot line to the required rear yard setback line. In the case of corner lots, the rear yard shall extend from the interior side lot line to the front yard or corner side yard setback line.

Given the listed definitions, in particular the *Front Lot Line*, the applicant is correct in considering the portion of the subject property which abuts Yuma Street as the Front Yard. The Front Lot Line provides some flexibility for a property owner to declare the front and corner side yard on building permit applications. This declaration occurred on the fence permit issued in 2010, building permit number BLD2010-08515. The fence permit was issued for a 6-foot tall fence behind the front of the building and along Westminster Avenue. The permitted fence clearly delineates the corner side yard for the subject property. The rear yard and interior side yard setbacks are illustrated in Exhibit A.

If you have any questions regarding this interpretation please contact Kelsey Lindquist at (801) 535-7930 or by email at kelsey.lindquist@slcgov.com.

APPEAL PROCESS:

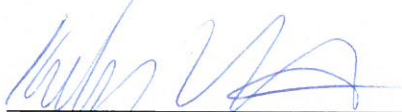
An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and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

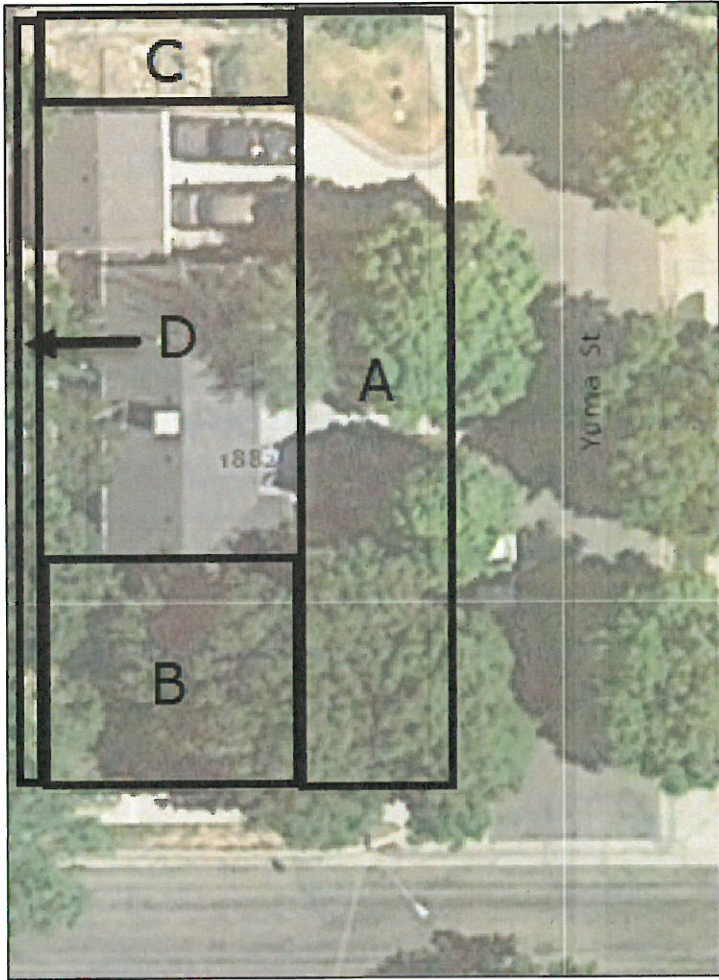
authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.



Kelsey Lindquist, Senior Planner

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

EXHIBIT A



- A: Front Yard
- B: Corner Side Yard
- C: Interior Side Yard
- D: Rear Yard