



October 6, 2021

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2021-00909**

REQUEST:

This is a request for an administrative interpretation regarding whether the property located at approximately 856 South 300 East (Tax ID#16-07-178-025-0000) is a legal lot in accordance with the Salt Lake City zoning laws. The subject property is located in the RMF-30 (Low Density Multi-family Residential) zoning district.

DECISION:

The Zoning Administrator finds that the subject property located at approximately 856 South 300 East (Tax ID#16-07-178-025-0000) is recognized by Salt Lake City as a legal noncomplying lot and therefore, an inline addition may be constructed following completion of the Special Exception process in 21A.52.

FINDINGS:

The subject property has a lot area of approximately 2,474 square feet and a lot width of 41.25 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 property does not have frontage on a public street as required by 21A.36.010.C.

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 property was created prior to the 1927 adoption of the City's first zoning ordinance. In 1913, the property was deeded from Clarence C. Erickson to Edward O. Erickson (see attached extract from Salt Lake County Recorder Abstracts, Book C11 Page 1, Line 49). The property was described as follows (abbreviated):

Com. 105 ft. W of SE cor. Lot 8; W 60 ft., N 41 1/4 ft; E 60 ft; S 41 1/4 ft. to beg.
Subj. to R. of W. same as on line 46 above.

Line 46 ROW: Subj. to R. of W. Com. 36 1/4 ft. N of S.E. cor. Lot 8; W 132 ft; N 10 ft; E 132 ft; S 10 ft. to beg.

The above legal description is equivalent to the current legal description of the property on file with the Salt Lake County Recorder's Office. The current description is as follows:

COM 105 FT W OF THE SE COR LOT 8, BLK 1, PLAT A, SLC SUR; W 60 FT; N 41 1/4 FT; E 60 FT; S 41 1/4 FT TO BEG.

The Warranty Deed submitted by the applicant also includes Parcel 1A:

Together with a non-exclusive right of way over: Commencing 36.25 feet North of the Southeast corner of said Lot 8, and running thence West 132 feet; thence North 10 feet; thence East 132 feet; thence South 10 feet to the place of beginning.

Prior to 1927, there was no City adopted zoning code and so there were no requirements for street frontage, or other minimum lot regulations for properties. As the property was legally created prior to the adoption of the zoning code, the property is considered a "legal noncomplying lot."

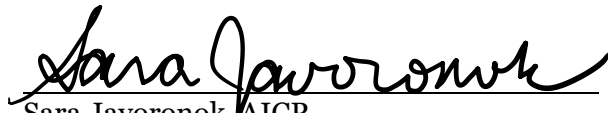
As the property is a legal noncomplying lot, the inline addition may be constructed pursuant to the Special Exception process in 21A.52.

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.sl.gov/planning/applications/> along with information about the applicable fee.

Appeals may be filed in online at the following link:

<https://citizenportal.sl.gov.com/citizen/Default.aspx>



Sara Javoronok, AICP
Senior Planner

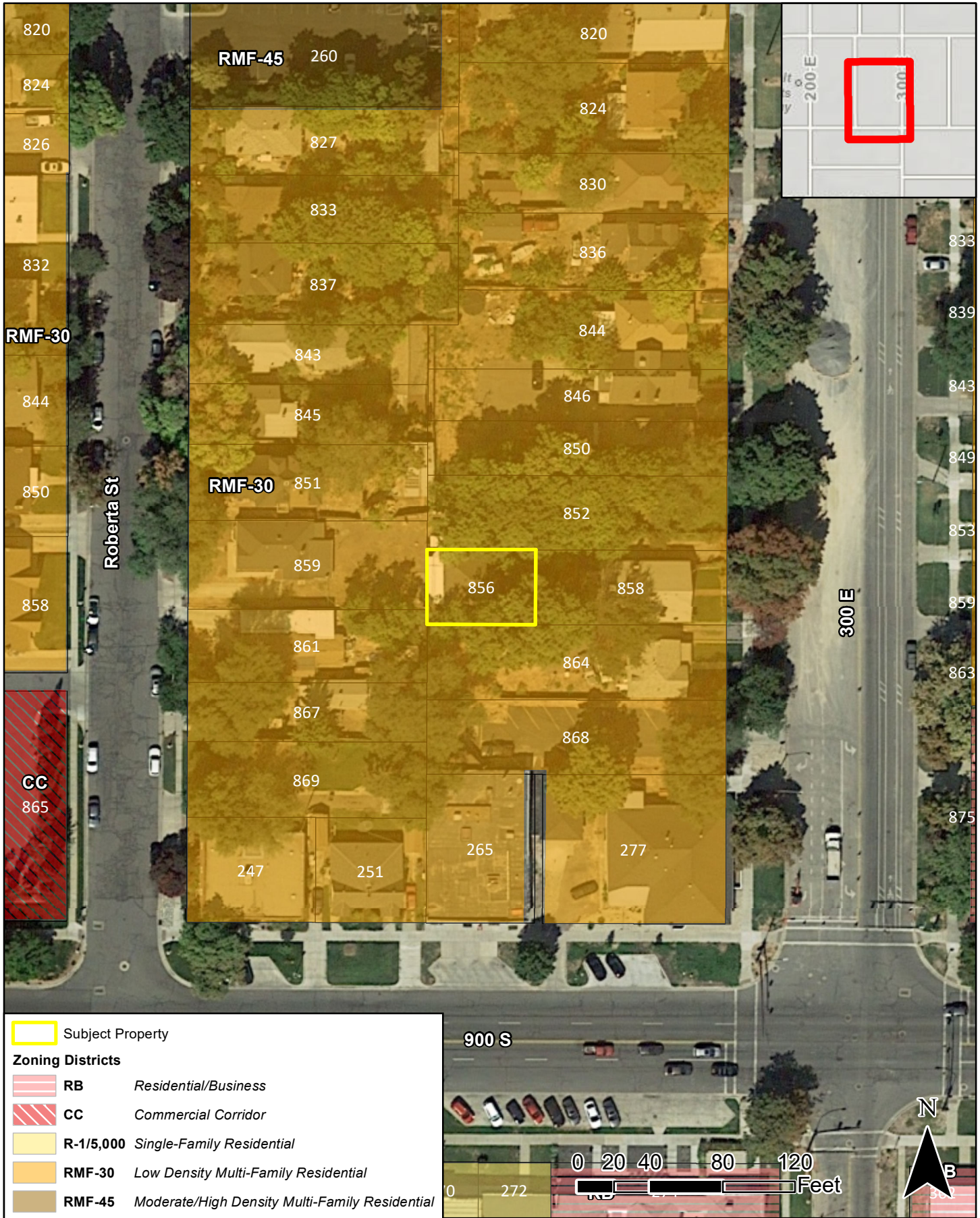
CC:

Joel Paterson, Zoning Administrator
Casey Stewart, Development Review Supervisor
Kevin Hamilton
Posted to Web

Attachments:

Zoning Map of Subject Property
Salt Lake County Recorder Abstract (Book C11, Page 1, Line 49)
Warranty Deed 1913
Warranty Deed 2021

Zoning Map



Entry No. 308932

WARRANTY DEED.

Clarence H. Erickson and his wife, Ida K. Erickson, grantor s. of Salt Lake City, County of Salt Lake, State of Utah, hereby CONVEY AND WARRANT to Edward O. Erickson, grantee of the same place for the sum of Fifteen Hundred and no/100 (1,500.00) DOLLARS, the following described tract of land in Salt Lake City and County, State of Utah:

Commencing one hundred five (05) feet west of the south east corner of Lot Eight (8), Block One (1), Plat 'A', Salt Lake City Survey, running thence West sixty (60) feet, thence north forty-one and one-fourth (41-1/4) feet, thence East sixty (60) feet, thence South forty-one and one-fourth (41-1/4) feet to the place of beginning.

Subject to and together with a perpetual right of way described as follows, to-wit: Commencing thirty-six and one-fourth (36-1/4) feet north of the southeast corner of Lot Eight (8), Block One (1), Plat 'A' Salt Lake City Survey, and running thence west one hundred thirty-two (32) feet, thence north ten (10) feet, thence East one hundred thirty-two (32) feet, thence South ten (10) feet to the place of beginning.

This deed is given subject to a deed of trust for Six Hundred Dollars, dated March 7th 1913, covering above described property in favor of The Home Investment & Savings Company, which grantee herein assumes and agrees to pay and is also given subject to taxes and assessments levied after 1912.

WITNESS, the hand s. of said grantor s., this tenth (10) day of March, A.D. 1913.

Signed in the presence of

K. D. Hardy

Clarence H. Erickson

Ida K. Erickson

STATE OF UTAH,

COUNTY OF Salt Lake ss.

On the 10th day of March A. D. 1913

personally appeared before me Clarence H. Erickson and his wife, Ida K. Erickson, the signers of the within instrument, who duly acknowledged to me that they executed the same.

K. D. Hardy

Notary Public.

My commission expires March 29, 1916



Recorded at Request of The Home Inv. & Sav. Co. in Book '8-Y' of Deeds and Transfers, page 524. Records of Salt Lake County, Utah. Abstracted in 'C-11' Page 1, Line 49.

Recording fee paid 70¢ (Signed) Clarence M. Cannon, Recorder, Salt Lake County, Utah. By R. G. Collett, Deputy.

Entry No. 308936

WARRANTY DEED

William B. Astin, and Kate E. Astin, his wife, grantor s. of Millcreek, County of Salt Lake, State of Utah, hereby CONVEY AND WARRANT to William Levi Wheat, grantee of Millcreek, Salt Lake County, Utah, for the sum of Twenty-five Hundred (\$2500.00) DOLLARS, the following described tract of land in Salt Lake County, State of Utah: to-wit:-

Beginning at a point on the north side of a two rod lane, and on the west side of the Brigham Young ditch, north 33.2 rods, and west 53.8 rods from the south-east corner of the southeast quarter of Section 27, Township 1 South, Range 1 East, Salt Lake Meridian, and running thence North 7 1/2° West 20 rods; thence West 16.2 rods; thence South 9-3/4° East 20.1 rods to the north side line of two rod lane aforesaid; thence along north side of said lane East 15.4 rods to the place of beginning, containing 1.96 acres more or less.

Together with any and all water rights thereunto belonging, in any wise appertaining, or used thereon. This conveyance is made subject to a mortgage of \$1173.05, held by one Joseph P. Newman, dated February 2nd 1911, on which there is now a balance on said mortgage of \$900.00, which grantee hereof assumes and agrees to pay.

WITNESS, the hand s. of said grantor s., this Eighteenth day of April, A.D. 1913.

Signed in the presence of

William B. Astin

Kate E. Astin

STATE OF UTAH,

COUNTY OF Salt Lake ss.

On the Twenty-third day of April A. D. 1913

personally appeared before me William B. Astin, and Kate E. Astin, his wife the signers of the within instrument, who duly acknowledged to me that they executed the same.

L. J. McCall

Notary Public.

My commission expires



13580404
2/26/2021 1:12:00 PM \$40.00
Book - 11126 Pg - 5779-5780
RASHELLE HOBBS
Recorder, Salt Lake County, UT
SUTHERLAND TITLE
BY: eCASH, DEPUTY - EF 2 P.

WHEN RECORDED RETURN TO:
AINSLEY MARIE LLOYD
856 S 300 E
Salt Lake City, UT 84111-4210
Tax ID No.: 16-07-178-025


WARRANTY DEED

AINSLEY MARIE LLOYD, **GRANTOR**, hereby CONVEY(S) AND WARRANT(S) to AINSLEY MARIE LLOYD and DERREK JOSEPH DRAPER, wife and husband, as joint tenants, **GRANTEE**, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following tract(s) of land in Salt Lake County, State of Utah described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Subject to City and/or County taxes and assessments, not delinquent; Easements, Rights-of-Way, Covenants, Conditions and Restrictions now of record.

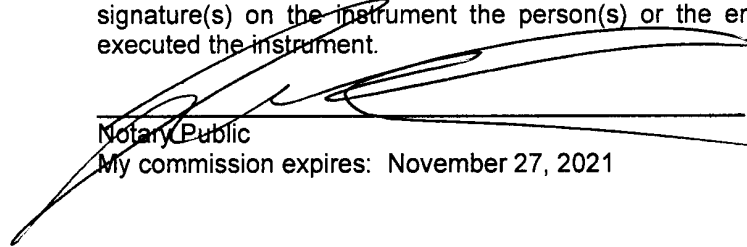
WITNESS, the hand of said grantor this 22nd day of February, 2021.



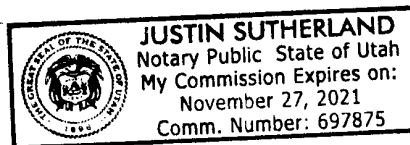
AINSLEY MARIE LLOYD

State of Utah
County of Salt Lake

On this 22nd day of February, 2021, before me, the undersigned Notary Public, personally appeared AINSLEY MARIE LLOYD, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged before me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



Notary Public
My commission expires: November 27, 2021



ACCOMODATION RECORDING ONLY:
Sutherland Title Company makes no representation as to the condition of title and assumes no liability or responsibility for the validity, sufficiency, or effect of this recording.

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Ent 13580404 BK 11126 PG 5779

EXHIBIT "A"

LEGAL DESCRIPTION

File No.: 48418

Land located in Salt Lake County, State of Utah, more particularly described as follows:

Parcel 1:

Commencing at a point 105 feet West of the Southeast corner of Lot 8, Block 1, Plat "A", Salt Lake City Survey, and running thence West 60 feet; thence North 41 1/4 feet; thence East 60 feet; thence South 41 1/4 feet to the place of beginning.

Tax Parcel No.: 16-07-178-025

Parcel 1A:

TOGETHER WITH a non-exclusive right of way over: Commencing 36.25 feet North of the Southeast corner of said Lot 8, and running thence West 132 feet; thence North 10 feet; thence East 132 feet; thence South 10 feet to the place of beginning.