

**December 9, 2021**



**CASE# PLNZAD2021-01137  
Administrative Interpretation  
DECISION AND FINDINGS**

**REQUEST:**

This is a request for an administrative interpretation regarding the property at approximately 462 E Debs Place (Tax ID: 16-07-254-005-0000) The purpose of the request is to determine what type of dwelling unit can be built, confirmation on the location of the front property line, and the determination of how to apply the required SR-3 front yard setback to the property.

**DECISION:**

The Zoning Administrator finds that the subject property located at approximately 462 E Debs Place could accommodate a single-family detached dwelling subject to meeting the zoning requirements of the applicable SR-3 (Special Development Pattern Residential District) zone, the off-street parking requirements in 21A.44 of the zoning ordinance, and any other applicable approvals and permits required from other city divisions.

The Zoning Administrator, in agreement with Salt Lake City Engineering, finds that Debs Place is a private dead-end street. Based on the language found within Section 21A.24.100.D and a recent administrative interpretation (PLNZAD2021-00746), the Zoning Administrator finds that the front yard setback requirement for new construction of a single-family dwelling on the subject property is 10 feet from the southern edge of the right-of-way. The administrative interpretation determined that because dead-end streets do not intersect with two streets, thus creating a “block face” as defined in code, using the average front yard setback of existing buildings to determine the setback for new construction does not apply. Additionally, the described right-of-way on the subject property’s deed is an access easement and does not establish the location of the front lot line to be used to determine the front yard setback. Per Table 21A.55.060, the property is not eligible to go through the Planned Development process because it has less than 4,000 square feet of lot area, which is the minimum threshold to pursue a planned development approval in the SR-3 zone.

**FINDINGS:**

The subject property has a lot area of approximately 3,049 square feet, a lot width of 42.5 feet, and is located in the SR-3 (Special Development Pattern Residential) zoning district. Under the current SR-3 zoning ordinance, a single-family detached dwelling is permitted with a lot area of 2,000 square feet and a lot width of 30 feet. The SR-3 zoning district requires 3,000 square feet of lot area and a lot width of 44 feet for two-family dwellings (see City Code section 21A.24.100.C). The subject property does not meet the minimum lot width requirements to construct a two-family dwelling.

Based on a review of Engineering Division records and the warranty deed which states, “together with and *subject to*”, Debs Place is classified as a private street for the purposes of this interpretation. Furthermore, Salt Lake City Engineering determined Debs Place is a dead-end street because there is no recorded right-of-way between Debs Place and Hoover Place (formally known as Norris Place). The land connecting the two streets is owned by the Salt Lake City Redevelopment Agency (see Attachment C). To become a legal right-of way, the land would have

to be dedicated, which is not possible because the City can only dedicate land that is touching another piece of dedicated land.

The applicant inquired how to determine the front yard setback of the subject property based on the type of street and the location of the front lot line. The front yard is defined as, "A yard extending between side lot lines and between the front lot line and the required front yard setback line." The front lot line of the subject property is located at the edge of the existing public right-of-way.

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.

The front yard setback in the SR-3 zoning district is described as:

"The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face. Where there are no existing buildings within the block face, the minimum depth shall be 10 feet. Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail. For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building."

The setback language is intended to create front yard setbacks that are compatible with the existing development pattern of a neighborhood and existing block faces. Administrative Interpretation (PLNZAD2021-00746) determined how to calculate front yard setbacks on dead-end streets. This interpretation is based on the definition of the term "block face" in City Code section 21A.62.040, which is, "All of the lots facing one side of a street between two (2) intersecting streets. Corner properties shall be considered part of two (2) block faces, one for each of the two (2) intersecting streets. In no case shall a block face exceed one thousand feet (1,000')."

The subject property is not on a recorded plat that establishes a front yard setback and based on the definition of "block face" and the determination that Debs Place is a dead-end street, the only applicable setback standard to use for new development on the subject property is a minimum front yard setback of 10 feet. As stated above, the 10-foot setback begins at the edge of the public right-of-way.

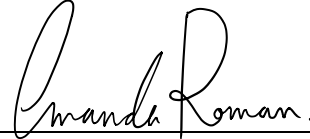
#### **APPEAL PROCESS:**

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.

Dated this 9th day of December 2021 in Salt Lake City, Utah.

A handwritten signature in black ink that reads "Amanda Roman". The signature is written in a cursive style with a large initial "A" and "R".

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Amanda Roman  
Principal Planner  
Salt Lake City Planning Division

Exhibit A: Vicinity Map  
Exhibit B: Warranty Deed  
Exhibit C: Engineering Plot Map of Debs Place

CC: Nick Norris, Planning Director  
Joel Paterson, Zoning Administrator  
Amy Thompson, Planning Manager  
Applicable Recognized Organization – Central City Community Council  
Posted to Web



# Vicinity Map





Recorded at Request of Ida Frame 88 "I" St SLC 84103  
at 11:14 AM Fee Paid \$ 2.20 Katie L. Dixon, Salt Lake County Recorder MAR 25 1976  
by J.P. Black Dep. Book \_\_\_\_\_ Page \_\_\_\_\_ Ref.: \_\_\_\_\_  
Mail tax notice to \_\_\_\_\_ Address \_\_\_\_\_

### 2798018 WARRANTY DEED

-- MYRTLE M. BELCHER, aka MYRTLE BELCHER, a widow --- grantor  
of Salt Lake City, County of Salt Lake, State of Utah, hereby  
CONVEY and WARRANT to IDA B. FRAME

of Salt Lake City, Utah grantee  
TEN (\$10.00) ----- DOLLARS,  
and other good and valuable consideration,  
the following described tract of land in Salt Lake County,  
State of Utah:

BEGINNING at a point which is North 4 rods and West 164 feet from  
the Southeast corner of Lot 7, Block 6, Plat "B", Salt Lake City  
Survey, and running thence West 42.5 feet more or less; thence South  
70 feet; thence East 41.5 feet more or less, thence North 4 feet;  
thence East 1 foot; thence North 66 feet to point of beginning.

Reserving a right of way over the North one-half rod and over the  
East 1 foot of the above land; and together with and subject to the  
right of way over:- Beginning at a point 4 rods North of the South-  
east corner of said Lot 7, and running thence West 206.5 feet, thence  
North 1 rod, thence East 206.5 feet, thence South 1 rod to the point  
of beginning.

WITNESS, the hand of said grantor, this 10th day of  
November, A. D. 1961

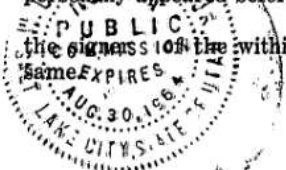
Signed in the Presence of

Myrtle M. Belcher Myrtle Belcher  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W.B. Schuyler  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF UTAH, }  
County of SALT LAKE } ss.

On the 10th day of November, A. D. 19 61  
personally appeared before me MYRTLE M. BELCHER aka MYRTLE BELCHER, a widow,



the signers of the within instrument, who duly acknowledged to me that she executed the

W.B. Schuyler  
Notary Public.

BOOK 4146 PAGE 249

My commission expires 8/30/64 Residing in LA Calif

BLANK #101—WARRANTY DEED

THIS AREA IS NOT SHOWN IN ANY DEEDS. I HAVE NOT DONE ANY RESEARCH ON THE RED PARCELS TO GO BACK AND SEE WHAT THEIR DEEDS SAY AND IF THEIR PROPERTIES CALL FOR TOGETHER WITH A R/W

TOGETHER WITH NORRIS PL  
R/W 330'

NO DEBS PLACE  
R/W ON CURRENT  
DEED

NO DEBS PLACE  
R/W ON CURRENT  
DEED

NO DEBS PLACE  
R/W ON CURRENT  
DEED

NO DEBS PLACE  
R/W ON CURRENT  
DEED

TOGETHER WITH DEBS  
PL R/W 165'

SLC PROPERTY  
NO DEBS PLACE  
R/W ON CURRENT  
DEED

DEBS PLACE

TOGETHER WITH AND SUBJECT  
TO DEBS PL R/W 330'

NO DEBS PLACE  
R/W ON CURRENT  
DEED

NO DEBS PLACE  
R/W ON CURRENT  
DEED

TOGETHER WITH AND  
SUBJECT TO DEBS PL  
R/W 206.5'

TOGETHER WITH AND SUBJECT  
TO DEBS PL R/W 330'

NORRIS PLACE

500 EAST