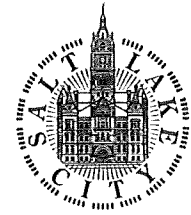


Planning Commission Staff Report



Planning Division
Department of Community &
Economic Development

Wittmeyer Special Exception-Unit Legalization PLNPCM2013-00682 465 E. Third Avenue Hearing date: October 23, 2013

Applicant:

Jacqueline Wittmeyer

Staff:

Janice Lew 535-7625
janice.lew@slcgov.com

Tax ID:

09-31-440-014

Current Zone:

SR-1A (Special Development Pattern Residential)

Master Plan Designation:

Avenues Master Plan:
Low Density Residential

Council District:

District 3 – Stan Penfold

Community Council:

Avenues Community Council
Gwen Springmeyer (Chair)

Lot size: 7,405 sf

Current Use:

Single Family Residential

Applicable Land Use Regulations:

- 21A.24.080 SR-1 & SR-1A
- 21A.52 Special Exceptions (Unit Legalization)

Attachments:

- A. Site Plan & Application Materials
- B. BoA Findings and Order
- C. Public Input
- D. Photographs

Request

Jacqueline Wittmeyer is requesting special exception approval to legalize a second dwelling unit located in the detached garage associated with the single family dwelling at 465 E. Third Avenue. The Planning Commission has final decision making authority for special exceptions.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that the application generally meets the applicable standards for a special exception-unit legalization and therefore recommends the Planning Commission approve the application as proposed.

Recommended Motion

Approval: Based on the findings listed in the staff report, testimony and plans presented, I move that the Planning Commission approve the special exception for a unit legalization at 465 E. Third Avenue subject to the following conditions:

Conditions of Approval

1. The unit owner shall apply for participation in the city's landlord tenant program within ninety (90) days of special exception approval.
2. The unit owner shall allow the city's building official or designee to inspect the dwelling unit to determine whether the unit substantially complies with basic life safety requirements as provided in Section title 18. Chapter 18.50 (Existing Residential Housing) of this code. Such inspection shall occur within one hundred eighty (180) days of special exception approval or as mutually agreed by the unit owner and the city. After such inspection, the unit owner shall make necessary corrections within one hundred eighty days (180) or as mutually agreed by the unit owner and the city.

VICINITY MAP – 465 E. Third Avenue



Background

Project Description

The applicant seeks legalization of a second residential unit within the garage associated with the existing single family dwelling at the subject property. The City Council recently adopted new criteria to legalize additional dwelling units and the applicant seeks to qualify under those new provisions. The applicant provided documentation and affidavits to demonstrate the history of the second unit; however, during an administrative review, planning staff found a November 1980 Board of Adjustment case approval to construct a two story detached garage behind the house that would exceed the height requirements of the zoning ordinance. At that time, a detached accessory building was only allowed to be one story. The Findings & Order of the decision (Attachment B) indicate the additional height would merely accommodate a steeper roof pitch, the upper level was to only be used for storage, and the building would have no windows so it could not be used for living quarters. The following conditions were placed on the approval:

1. the roof ties be lowered in the attic so it cannot be used as two stories,
2. there be a pull-down stairway rather than a permanent one,
3. there be no special plumbing or wiring, and
4. there never be any commercial use.

The applicant is the current property owner and purchased the property with the accessory dwelling unit in November of 1994. The applicant provided two affidavits, one from a former neighboring property owner and one from a personal friend that viewed the property prior to the applicant's ownership. The affidavits verify the existence of the second dwelling unit prior to 1995. The applicant's submittal also indicates that the separate dwelling unit was initially unoccupied and has been rented since January 2003. There are no building permits of record for the interior improvements to the upper level of the accessory building.

This application is being presented to the Planning Commission due to the restrictions placed on the original Board of Adjustment request to construct an over height detached garage. Based on the City Council's current objective to legalize excess dwelling units and retain the City's existing housing stock, the Planning Commission may consider overriding the conditions of the Board approval and legalize the second dwelling unit. The findings of staff as they pertain to the new standards to legalize additional dwelling units are discussed later in this report under the "analysis and findings" section. Planning staff is of the opinion that the application generally meets the applicable standards of the zoning ordinance.

Public Notice, Meetings, Comments

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on October 10, 2013
- Public hearing notice posted on property on October 10, 2013
- Public notice posted on City and State websites October 10, 2013

Public Comments

Notice of the meeting was sent to adjacent property owners and tenants, Community Council chairs, and other groups and individuals whose names are on the Planning Division's List serve. Notice was also posted on the property and City and State websites. Staff received an email attached as Attachment C from a neighbor opposed to adding rental units in the area because of "poor results" in the past.

Analysis and Findings

The standards of review for a special exception are set forth in Section 21A.52.060 of the Salt Lake City Zoning Ordinance. The standards are as follows:

- A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.**

Analysis: The subject property is located in the SR-1A zoning district, which is intended to maintain the unique character of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. Two-family dwellings are a permitted use in the SR-1A district subject to an 8,000 square-foot lot requirement and sufficient on-site parking. In this case, with a size of 7,235 square feet, the subject property does not comply with the lot size requirement and

the site does not accommodate the required parking. In addition, the property to the south of the subject property is zoned for multi-family purposes.

Although a two-family use on the subject property is noncompliant for size and parking and thus to some extent contrary to the SR-1A district purposes, the current practice for legalizing excess dwelling units is intended to implement the existing Salt Lake City community housing plan as well. This plan emphasizes maintaining existing housing stock in a safe manner that contributes to the vitality and sustainability of neighborhoods within the city. Staff is of the opinion that as long as the property owner complies with the standard conditions of approval to legalize the accessory dwelling unit, the second unit would generally meet the intent of the applicable general and specific purposes of the zoning ordinance.

B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.

Analysis: No evidence has been presented to the City that approval of an excess dwelling unit will substantially diminish or impair the value of the property within the neighborhood in which it is located. The owner has used the building for living quarters for approximately 10 years, and no indication has been given that property values have been diminished because of it. The property value of the subject property may have increased as a result of the improvements.

C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare; and

Analysis: Whereas the proposed use is residential in nature, staff is of the opinion that the accessory dwelling unit will not have a material adverse effect upon the character of the area. With regard to public health, safety, and general welfare, the proposed project will be regulated and inspected by the City through the legalization process to ensure protection of the public health, safety, and general welfare.

D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.

Analysis: The existing garage serves as an ancillary function to the residential use of the property and is consistent with the purpose statement of the SR-1A Zoning District. Located in the Avenues Historic District, the design of the building was approved by the Historic Landmark Committee in 1980. Staff is of the opinion that as long as the applicant obtains the appropriate City approvals and permits, the accessory dwelling unit would be compatible with the scale and intensity of development of neighboring property.

E. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.

Analysis: No natural features of significant importance are known to be on or adjacent to this property. Although located in the Avenues Historic District, no historic features will be destroyed, lost or damaged as a result of the use.

F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.

Analysis: The requested legalization will not result in any air, water, soil or noise pollution.

G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.

Certain Special Exceptions have specific standards and conditions that apply. Ordinance **21A.52.030.A.22.b** applies to all unit legalizations. Those standards and conditions are as follows:

1. The dwelling unit existed prior to April 12, 1995. In order to determine whether a dwelling unit was in existence prior to April 12, 1995, the unit owner shall provide documentation thereof which may include any of the following:
 - (A) Copies of lease or rental agreements, lease or rent payments, or other similar documentation showing a transaction between the unit owner and tenants;
 - (B) Evidence indicating that prior to April 12, 1995, the city issued a building permit, business license, zoning certificate, or other permit relating to the dwelling unit in question;
 - (C) Utility records indicating existence of a dwelling unit;
 - (D) Historic surveys recognized by the planning director as being performed by a trained professional in historic preservation;
 - (E) Notarized affidavits from a past tenant, neighbor, previous owner, or other individual who has knowledge about the dwelling unit;
 - (F) Polk, Cole, or phone directories that indicate existence of the dwelling unit (but not necessarily that the unit was occupied); and
 - (G) Any other documentation that indicates the existence of the dwelling unit that the owner is willing to place into a public record.

Analysis: The original building permit for the existing accessory building was issued in October of 1980. The application materials provided by the applicant include affidavits claiming that the accessory dwelling unit existed prior to 1994 and therefore meets this standard.

2. The dwelling unit has been maintained as a separate dwelling unit since April 12, 1995. In order to determine if a unit has been maintained as a separate dwelling unit, the following may be considered:
 - (A) Evidence listed in standard b(1) indicates that the unit has been occupied at least once every five (5) calendar years;
 - (B) Evidence that the unit was marketed for occupancy if the unit was unoccupied for more than five (5) consecutive years;
 - (C) If evidence of maintaining a separate dwelling unit as required by Subsections (A) and (B) cannot be established, documentation of construction upgrades may be provided in lieu thereof.

(D) Evidence that the unit was referenced as a separate dwelling unit at least once every five (5) years.

Analysis: The materials provided by the applicant claim the accessory unit has been maintained as such since at least April 12, 1995. Although unoccupied, there is no evidence indicating the accessory dwelling unit was destroyed prior to it being leased in 2003 as documented by the property owner's tax documents.

3. The property where the dwelling unit is located:

(A) Can accommodate on-site parking as required by this title, or

(B) Is located within one-quarter (1/4) mile radius of a fixed rail transit stop or bus stop in service at the time of legalization.

Analysis: The site currently would not comply with the parking requirement for a two-family dwelling. The property location does meet the second option of criterion 3(B) because it is located within one-quarter (1/4) mile of an active bus stop. The subject property fronts on Bus Route 3 that runs along Third Avenue.

4. There is no history of zoning violations occurring on the property. To determine if there is a history of zoning violations, the city shall only consider violations documented by official city records for which the current unit owner is responsible.

Analysis: Staff reviewed the City's records for zoning violations on this property and found no history of violations by the current owner.

Summary Findings: The proposed project meets the minimum requirements of this residential zoning district with the exception of sufficient lot size and parking space. The zoning ordinance, in Section 21A.52 allows the Planning Commission the ability to grant special exceptions to legalize excess dwelling units. The proposed special exception is appropriate in the location proposed based upon compliance with the requirements and standards addressed above.

Commission Options

If the second unit is approved, the applicant can continue with the process for unit legalization, including compliance with a life-safety inspection, and then use the upper level of the garage as an accessory dwelling unit.

If the second unit is denied, the owner could only use the existing accessory building for other uses permitted by the SR-1A zoning district. In addition, denial of the second unit will require the removal of it by the City.

Potential Motions

The motion recommended by the Planning Division to approve this request is located on the cover page of this staff report. The recommendation is based on the above analysis. Below is a potential motion that may be used in cases where the Planning Commission determines that the application does not meet the special exception-unit legalization standards and should be denied.

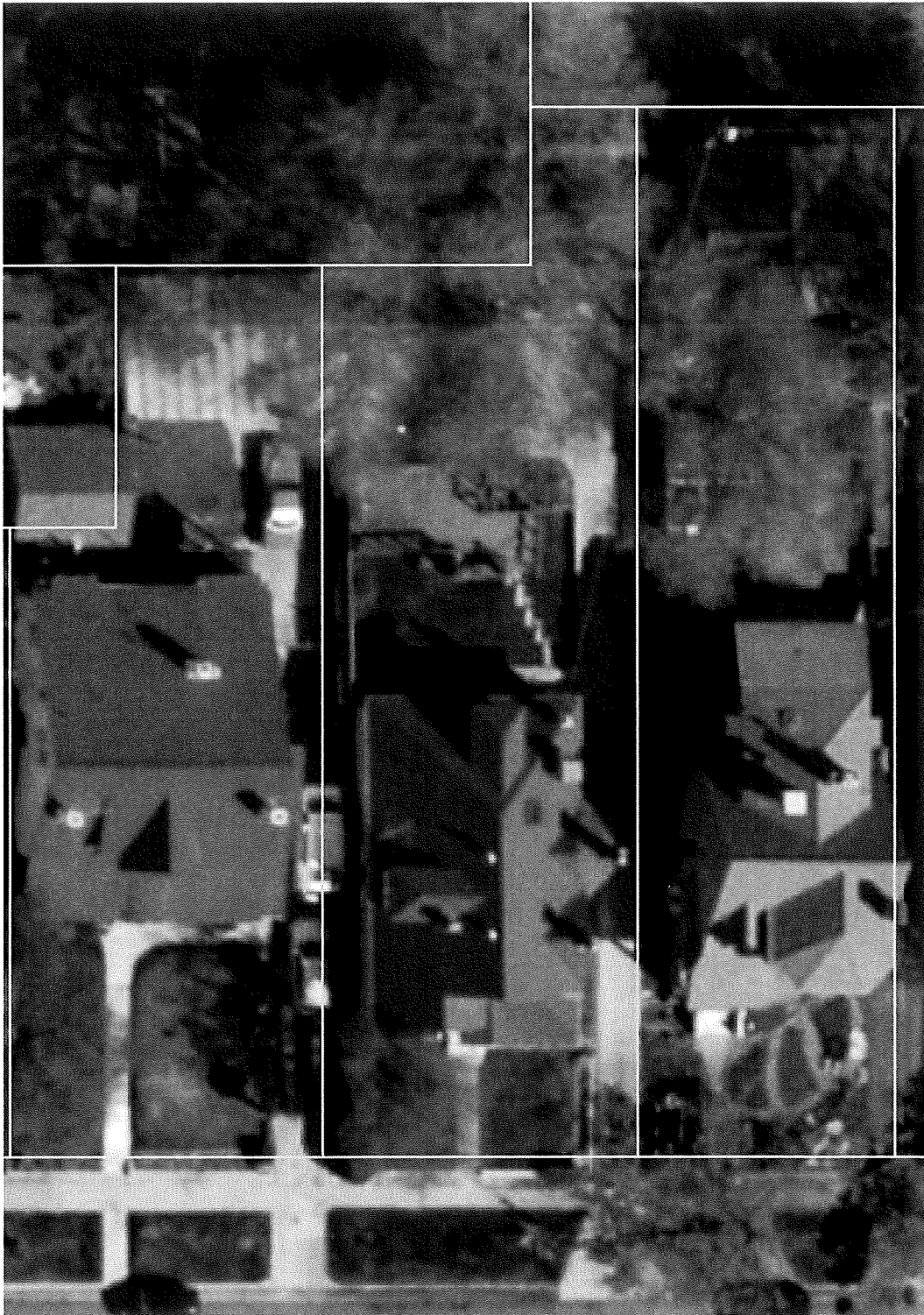
Not Consistent with Staff Recommendation:

Based on the testimony, evidence presented and the following findings, I move that the Planning Commission deny special exception petition PLNPCM2013-00682 for legalization of an excess dwelling unit at 465 E. Third Avenue. The special exception does not comply with the following applicable standards:

- A. The proposal will be in compliance with ordinance and district purposes;
- B. No Substantial Impairment of Property Value
- C. The proposal will not have a material adverse effect upon the character of the area or the public health safety and general welfare;
- D. The proposal will be compatible with development of surrounding property;
- E. The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.
- F. The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.
- G. Other specific standards for unit legalizations:
 - 1. The dwelling unit existed prior to April 12, 1995.
 - 2. The dwelling unit has been maintained as a separate dwelling unit since April 12, 1995.
 - 3. Whether the property can accommodate on-site parking or is located within a one-quarter (1/4) mile radius of a fixed transit stop.
 - 4. There is not history of zoning violations occurring on the property.

Attachment A
Site Plan & Application Materials

465 E 3rd



465 E 3rd Ave

August 23, 2013

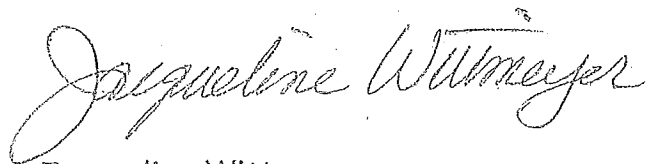
To Whom It May Concern at the Salt Lake City Council:

I am requesting approval for legalization of an excess dwelling unit consisting of a studio apartment located above the garage at 465 Third Avenue, Salt Lake City, Utah 84103. This studio apartment existed before April 1995 as it was there when we purchased the property in November 1994. It has been maintained as a separate dwelling unit since November 1994, initially unoccupied (by us or anyone else) and then in January 2003 we started to rent it to others and have been doing so ever since.

I have included two notarized letters from others substantiating these statements. One is from my very dear friend Nola Sundquist, who viewed the property, including the studio apartment, before we purchased it in November 1994; and I have kept her informed of rental activities since then. The other is from Greg Wacker who was the realtor from Plumb and Co who sold us the house and he also had been one of the previous owners of the property in a decade prior to our purchase. Also, I have included Schedule E from our Federal Tax Returns 2003-2013.

The apartment is a lovely dwelling for one person. Whenever it is available for rent, we have much interest in it, and it tends to rent quickly as we keep the rent relatively low and it is a nice, quiet, well-located space. I often rent to students at the University of Utah. I manage the property and have always been fair with returning the security deposit less any deduction for cleaning, and only if necessary.

Sincerely,

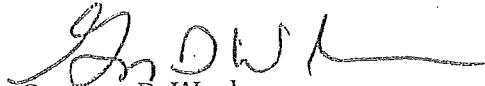
A handwritten signature in cursive script that reads "Jacqueline Wittmeyer". The signature is written in dark ink and is positioned above the printed name.

Jacqueline Wittmeyer

To Whom It May Concern:

Subject: Studio Apartment, 465 3rd Ave., Salt Lake City, Utah


I lived next door to said property (at 475 3rd Avenue) when the studio apartment was constructed between 1980-1981. It was a dwelling unit above a garage with a stairway, bathroom and kitchen. A few years after it was constructed, I moved a block away and to the best of my knowledge this studio apartment continued as a dwelling unit; at least until 2004 when I moved from Salt Lake City.


Gregory D. Wacker
Stated August 3, 2013

STATE OF TEXAS

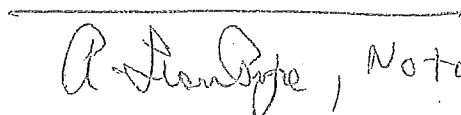
ACKNOWLEDGMENT

This instrument was acknowledged before me, the undersigned notary public on August 3, 2013.


R. LEON POPE, Notary Public

JURAT

Sworn to and subscribed by GREGORY D. WACKER before me the undersigned notary public on August 3, 2013.


R. LEON POPE, Notary Public

August 12, 2013

To Whom It May Concern at Salt Lake City Council:

I, Nola Sundquist, can verify that the studio apartment above the garage at 465 Third Avenue existed before April 1995 as I toured the property before Jacqueline Wittmeyer and Christopher Hill purchased it in November of 1994. Jacqui and Chris wanted to get my opinion of the property before they purchased it and I viewed the separate studio apartment above the garage in addition to the main house.

It has been maintained as a separate dwelling unit since November 1994. Initially, the studio apartment was not rented, but it was still maintained separately just unoccupied. Jacqui and Chris started renting the apartment in 2002, and have been doing so since and are currently renting it. Jacqui and Chris are good friends of mine and Jacqui keeps me informed of her rental activities.

Sincerely,

Nola D. Sundquist

Nola Sundquist

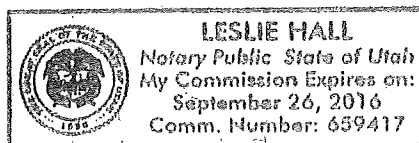
8-23-13

date

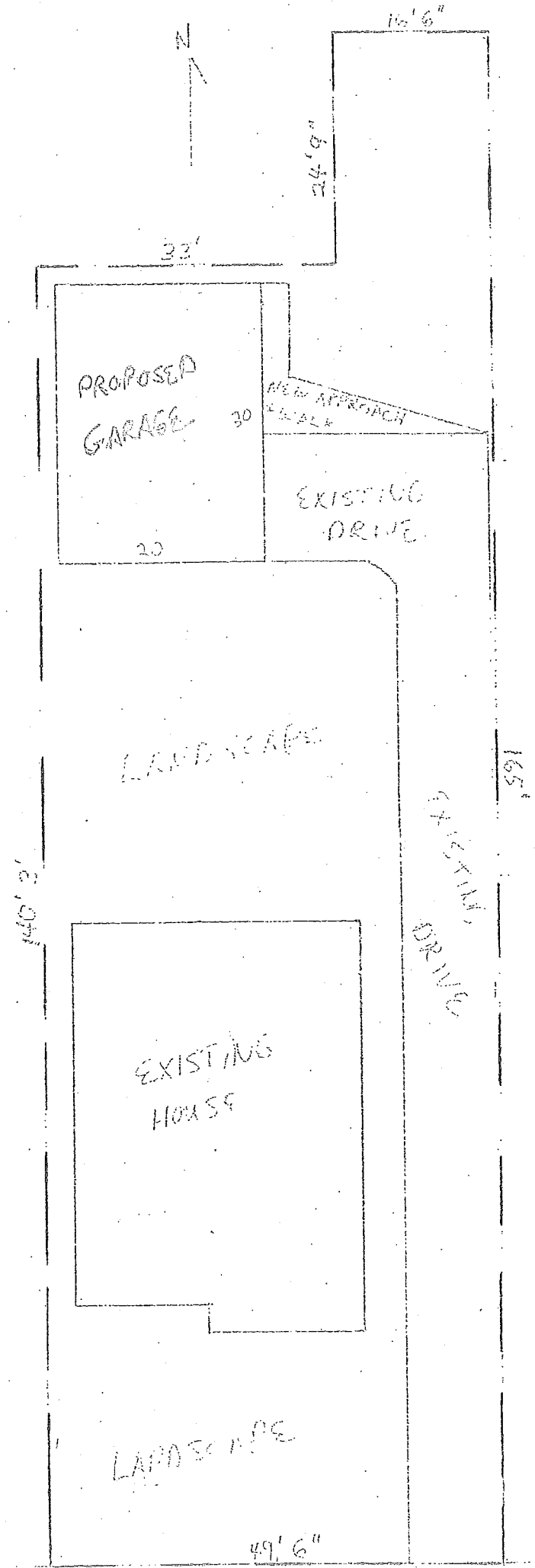
Notary

Leslie Hall

date 8/23/2013



GARAGE
465 3RD AVE
PLOT PLAN
SCALE 1/16" = 1'-0"



Supplemental Income and Loss

(From rental real estate, royalties, partnerships,
S corporations, estates, trusts, REMICs, etc.)

▶ Attach to Form 1040 or Form 1041. ▶ See Instructions for Schedule E (Form 1040).

Name(s) shown on return.

Jacqueline Wittmeyer Christopher Peter Hill

Your social security number
[REDACTED]

Rental Income or Loss From Rental Real Estate and Royalties Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-2). Report farm rental income or loss from Form 4835 on page 2, line 40.

1	Show the kind and location of each rental real estate property:	2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of:	Yes	No
	A <i>Apartment - 465 Third Ave SE Wt 04103</i>		• 14 days or	A	
	B		• 10% of the total days rented at fair rental value?	B	X
C		(See page E-3.)	C	X	

Income:	Properties			Totals	
	A	B	C	(Add columns A, B, and C.)	
3 Rents received	3	4000 00		3	4000 00
4 Royalties received	4			4	
Expenses:					
5 Advertising	5				
6 Auto and travel (see page E-4)	6				
7 Cleaning and maintenance	7	145 00			
8 Commissions	8				
9 Insurance	9	171 20			
10 Legal and other professional fees	10				
11 Management fees	11				
12 Mortgage interest paid to banks, etc. (see page E-4)	12	1350 04		12	
13 Other interest	13				
14 Repairs	14	411 00			
15 Supplies	15	130 69			
16 Taxes	16	337 17			
17 Utilities	17	209 81			
18 Other (list) ▶	18				
19 Add lines 5 through 18	19	2754 97		19	2754 97
20 Depreciation expense or depletion (see page E-4)	20	780 49		20	780 49
21 Total expenses. Add lines 19 and 20	21	3535 46			
22 Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-4 to find out if you must file Form 6198.	22	464 54			
23 Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-4 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2	23	() ()			
24 Income. Add positive amounts shown on line 22. Do not include any losses.	24			24	464 54
25 Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here	25	() ()		25	() ()
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17. Otherwise, include this amount in the total on line 41 on page 2	26			26	464 54

Handwritten notes at the bottom of the page.

Supplemental Income and Loss
(From rental real estate, royalties, partnerships,
S corporations, estates, trusts, REMICs, etc.)

OMB No. 1545-0074

2004

Attachment
Sequence No. **13**

Department of the Treasury
Internal Revenue Service (3)

▶ Attach to Form 1040 or Form 1041. ▶ See instructions for Schedule E (Form 1040).

Name(s) shown on return

Jacqueline Wittmeyer Christopher Peter Hill

Your social security number

Part I

Income or Loss From Rental Real Estate and Royalties Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-3). Report farm rental income or loss from Form 4835 on page 2, line 40.

1	List the type and location of each rental real estate property:	2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of: • 14 days or • 10% of the total days rented at fair rental value? (See page E-3.)	Yes No		
				A		
				B		X
C			X			

Income:	Properties			Totals (Add columns A, B, and C.)
	A	B	C	
3 Rents received	3	4993 75		3 4993 75
4 Royalties received	4			4
Expenses:				
5 Advertising	5			
6 Auto and travel (see page E-4)	6			
7 Cleaning and maintenance	7	156 84		
8 Commissions	8			
9 Insurance	9	216 16		
10 Legal and other professional fees	10			
11 Management fees	11			
12 Mortgage interest paid to banks, etc. (see page E-4)	12	11687 94		12
13 Other interest	13			
14 Repairs	14			
15 Supplies	15			
16 Taxes	16	444 80		
17 Utilities	17	326 48		
18 Other (list) ▶	18			
19 Add lines 5 through 18	19	2832 22		19 2832 22
20 Depreciation expense or depletion (see page E-4)	20	1248 78		20 1248 78
21 Total expenses. Add lines 19 and 20	21			21
22 Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-4 to find out if you must file Form 6198.	22			
23 Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-4 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2	23	() () ()		
24 Income. Add positive amounts shown on line 22. Do not include any losses.	24			24 912 75
25 Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here	25	() () ()		25 () () ()
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17. Otherwise, include this amount in the total on line 41 on page 2	26			26

SCHEDULE E
(Form 1040)

Supplemental Income and Loss
(From rental real estate, royalties, partnerships,
S corporations, estates, trusts, REMICs, etc.)

OMB No. 1545-0074

2005

Attachment
Sequence No. **13**

Department of the Treasury
Internal Revenue Service (3)

▶ Attach to Form 1040 or Form 1041. ▶ See instructions for Schedule E (Form 1040).

Name(s) shown on return

Jaqueline Wittmeyer Christopher Hill

Your social security number

[REDACTED]

Part I **Income or Loss From Rental Real Estate and Royalties** Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-3). Report farm rental income or loss from Form 4835 on page 2, line 40.

1	List the type and location of each rental real estate property:	2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of:	Yes	No
A	<i>Apartment - 465 Third Ave. S.E. Apt 84703</i>		<input type="checkbox"/> 14 days or <input checked="" type="checkbox"/> 10% of the total days rented at fair rental value?		X
B					
C					

Income:	Properties			Totals	
	A	B	C	(Add columns A, B, and C.)	
3 Rents received	4993	75		3	4993 75
4 Royalties received				4	
Expenses:					
5 Advertising					
6 Auto and travel (see page E-4)					
7 Cleaning and maintenance	176	60			
8 Commissions					
9 Insurance	217	18			
10 Legal and other professional fees					
11 Management fees					
12 Mortgage interest paid to banks, etc. (see page E-4)	1600	77		12	
13 Other interest					
14 Repairs	442	40			
15 Supplies					
16 Taxes	457	02			
17 Utilities	393	47			
18 Other (list) ▶					
19 Add lines 5 through 18	3287	44		19	3287 44
20 Depreciation expense or depletion (see page E-4)	749	27		20	749 27
21 Total expenses. Add lines 19 and 20	4036	71			
22 Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-5 to find out if you must file Form 6198					
23 Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-5 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2					
24 Income. Add positive amounts shown on line 22. Do not include any losses				24	957 04
25 Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here				25	()
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17. Otherwise, include this amount in the total on line 41 on page 2				26	957 04

SCHEDULE E
(Form 1040)

Department of the Treasury
Internal Revenue Service (5)

Supplemental Income and Loss
(From rental real estate, royalties, partnerships,
S corporations, estates, trusts, REMICs, etc.)

Attach to Form 1040, 1040NR, or Form 1041. See Instructions for Schedule E (Form 1040).

OMB No. 1545-0074

2006

Attachment
Sequence No. **13**

Name(s) shown on return

Jacqueline Wittmeier and Christopher Hill

Your social security number

Part I **Income or Loss From Rental Real Estate and Royalties** Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-3). Report farm rental income or loss from Form 4835 on page 2, line 40.

1	List the type and location of each rental real estate property:	2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of:	Yes	No
A	<i>Apartment - 465 Third Ave S.E. Wt 84103</i>	• 14 days or	A		X
B		• 10% of the total days rented at fair rental value?	B		X
C		(See page E-3.)	C		X

Income:	Properties			Totals (Add columns A, B, and C.)	
	A	B	C		
3 Rents received	3	4568 00		3	4568 00
4 Royalties received	4			4	
Expenses:					
5 Advertising	5				
6 Auto and travel (see page E-4)	6				
7 Cleaning and maintenance	7	208			
8 Commissions	8				
9 Insurance	9	238			
10 Legal and other professional fees	10				
11 Management fees	11				
12 Mortgage interest paid to banks, etc. (see page E-4)	12	1364 05		12	
13 Other interest	13				
14 Repairs	14				
15 Supplies	15				
16 Taxes	16	440 00			
17 Utilities	17	327 00			
18 Other (list) ▶	18				
19 Add lines 5 through 18	19	2577 05		19	2577 05
20 Depreciation expense or depletion (see page E-4)	20	449 56 ←		20	449 56
21 Total expenses. Add lines 19 and 20	21	3026 61		21	
22 Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-5 to find out if you must file Form 6198.	22	1541 39		22	
23 Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-5 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2	23	() () ()		23	
24 Income. Add positive amounts shown on line 22. Do not include any losses.	24			24	1541 39
25 Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here	25	() () ()		25	()
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2	26			26	1541 39.

SCHEDULE E
Form 1040

Supplemental Income and Loss

(From rental real estate, royalties, partnerships, S corporations, estates, trusts, REMICs, etc.)

OMB No. 1545-0074

2007

Attachment
Sequence No. **13**

Department of the Treasury
Internal Revenue Service (5)

▶ Attach to Form 1040, 1040NR, or Form 1041. ▶ See Instructions for Schedule E (Form 1040).

Name(s) shown on return

Jacqueline Wittmejer and Christopher Hill

Your social security number

[REDACTED]

Part II **Income or Loss From Rental Real Estate and Royalties** Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-3). If you are an individual, report farm rental income or loss from Form 4835 on page 2, line 40.

1	List the type and location of each rental real estate property:	2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of: • 14 days or • 10% of the total days rented at fair rental value? (See page E-3)	Yes	No
A	<i>465 Third Ave, SLC, UT 84103 apartment</i>				X
B					X
C					X

Income:	Properties			Totals (Add columns A, B, and C.)
	A	B	C	
3 Rents received	3	5100 00		3 5100 00
4 Royalties received	4			4
Expenses:				
5 Advertising	5			
6 Auto and travel (see page E-4)	6			
7 Cleaning and maintenance	7	62 58		
8 Commissions	8			
9 Insurance	9	324 00		
10 Legal and other professional fees	10			
11 Management fees	11			
12 Mortgage interest paid to banks, etc. (see page E-4)	12	1412 11		12
13 Other interest	13			
14 Repairs	14	4416 35	# 4168	
15 Supplies	15	22 00		
16 Taxes	16	466 71		
17 Utilities	17	277 10		
18 Other (list) ▶	18			
19 Add lines 5 through 18	19	3010 85		19 3010 85
20 Depreciation expense or depletion (see page E-5)	20	449 56		20 449 56
21 Total expenses. Add lines 19 and 20	21	3460 41		
22 Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-5 to find out if you must file Form 6198	22	1639 59		
23 Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-5 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2	23	() () ()		
24 Income. Add positive amounts shown on line 22. Do not include any losses	24			1639 59
25 Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here.	25	()		()
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2.	26			1639 59

Supplemental Income and Loss

(From rental real estate, royalties, partnerships,
S corporations, estates, trusts, REMICs, etc.)

2008

Attachment
Sequence No. 13

Department of the Treasury
Internal Revenue Service (5)

▶ Attach to Form 1040, 1040NR, or Form 1041. ▶ See Instructions for Schedule E (Form 1040).

Name(s) shown on return

Jacqueline Wittmeier

Your social security number

Part I **Income or Loss From Rental Real Estate and Royalties** Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-3). If you are an individual, report farm rental income or loss from Form 4835 on page 2, line 40.

1	List the type and address of each rental real estate property:	2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of:	
			Yes	No
A	<i>465 Third Ave, SLC, Ut 84103</i>			X
B				X
C				X

Income:	Properties			Totals	
	A	B	C	(Add columns A, B, and C.)	
3 Rents received	3 <i>5350 00</i>			3 <i>5350 00</i>	
4 Royalties received	4			4	
Expenses:					
5 Advertising	5 <i>40 66</i>				
6 Auto and travel (see page E-4)	6				
7 Cleaning and maintenance	7 <i>108 50</i>				
8 Commissions	8				
9 Insurance	9 <i>328 96</i>				
10 Legal and other professional fees	10				
11 Management fees	11				
12 Mortgage interest paid to banks, etc. (see page E-5)	12 <i>1324 56</i>			12	
13 Other interest	13				
14 Repairs <i>(1343)</i>	14 <i>1343 00</i>				
15 Supplies	15				
16 Taxes	16 <i>480 81</i>				
17 Utilities	17 <i>330 08</i>				
18 Other (list) ▶	18				
19 Add lines 5 through 18	19 <i>4036 57</i>			19 <i>4036 57</i>	
20 Depreciation expense or depletion (see page E-5)	20 <i>224 78</i> ←			20 <i>224 78</i>	
21 Total expenses. Add lines 19 and 20	21 <i>4261 35</i>				
22 Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-5 to find out if you must file Form 6198	22				
23 Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-5 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2	23 () () ()				
24 Income. Add positive amounts shown on line 22. Do not include any losses	24 <i>1088 65</i>				
25 Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here.	25 ()				
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2.	26 <i>1088 65</i>				

Supplemental Income and Loss

(From rental real estate, royalties, partnerships, S corporations, estates, trusts, REMICs, etc.)

OMB No. 1545-0074

2009

Attachment Sequence No. **13**

Tax return
Schedule E (Form 1040)

Attach to Form 1040, 1040NR, or Form 1041.

See Instructions for Schedule E (Form 1040).

Your social security number

Juelene Wittmecker

Income or Loss From Rental Real Estate and Royalties Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-3). If you are an individual, report farm rental income or loss from Form 4835 on page 2, line 40.

List the type and address of each rental real estate property:

Apt - 4105 Third Ave, SLD, VA 84103

2 For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of:
 • 14 days or
 • 10% of the total days rented at fair rental value?

	Yes	No
A		X
B		
C		

	Properties			Totals (Add columns A, B, and C.)	
	A	B	C		
3 Rents received				3	5515 00
4 Royalties received				4	
Expenses:					
5 Advertising	45 00				
6 Auto and travel (see page E-4)					
7 Cleaning and maintenance	37 10				
8 Commissions					
9 Insurance	304 25				
10 Legal and other professional fees					
11 Management fees					
12 Mortgage interest paid to banks, etc. (see page E-5)	1383 22			12	
13 Other interest					
14 Repairs					
15 Supplies	689 36				
16 Taxes	522 49				
17 Utilities	319 96				
18 Other (list)					
19 Add lines 5 through 18.	3301 40			19	3301 40
20 Depreciation expense or depletion (see page E-5) <i>FORM 4502</i>				20	
21 Total expenses. Add lines 19 and 20	3301 40			21	3301 40
22 Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-5 to find out if you must file Form 6198.	2213 60			22	
23 Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-5 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2.				23	
24 Income. Add positive amounts shown on line 22. Do not include any losses				24	2213 60
25 Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here.				25	
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2.				26	2213 60

**SCHEDULE E
(Form 1040)**

Supplemental Income and Loss
(From rental real estate, royalties, partnerships,
S corporations, estates, trusts, REMICs, etc.)

OMB No. 1545-0074

2010

Attachment
Sequence No. **13**

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to Form 1040, 1040NR, or Form 1041. ▶ See Instructions for Schedule E (Form 1040).

Your social security number

Name(s) shown on return

Jacqueline Wittmeyer and Christopher Hill

Part I **Income or Loss From Rental Real Estate and Royalties** Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-3). If you are an individual, report farm rental income or loss from Form 4835 on page 2, line 40.

1	List the type and address of each rental real estate property:	2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of: • 14 days or • 10% of the total days rented at fair rental value? (See page E-4)	Yes	No
A	residential rental 465 Third Avenue, Salt Lake City, Utah 84103			A	✓
B				B	
C				C	

		Properties			Totals (Add columns A, B, and C.)
		A	B	C	
3	Rents received	3 23,670			3 23,670
4	Royalties received	4			4
Expenses:					
5	Advertising	5 54			
6	Auto and travel (see page E-5)	6			
7	Cleaning and maintenance	7 120			
8	Commissions.	8			
9	Insurance	9 855			
10	Legal and other professional fees	10			
11	Management fees	11			
12	Mortgage interest paid to banks, etc. (see page E-5)	12 21,319			12
13	Other interest.	13			
14	Repairs.	14 1,263			
15	Supplies	15 144			
16	Taxes	16 4,163			
17	Utilities.	17 589			
18	Other (list) ▶	18			
19	Add lines 5 through 18.	19 28,507			19 28,507
20	Depreciation expense or depletion (see page E-5)	20 9,220			20 9,220
21	Total expenses. Add lines 19 and 20	21 37,727			
22	Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-6 to find out if you must file Form 6198	22 -14,057			
23	Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-6 to find out if you must file Form 8582. Real estate professionals must complete line 43 on page 2	23 (14,057)			
24	Income. Add positive amounts shown on line 22. Do not include any losses	24			
25	Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here	25 (14,057)			
26	Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2	26			-14,057

**SCHEDULE E
(Form 1040)**

Supplemental Income and Loss
(From rental real estate, royalties, partnerships,
S corporations, estates, trusts, REMICs, etc.)

OMB No. 1545-0074

2011

Attachment
Sequence No. 13

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to Form 1040, 1040NR, or Form 1041. ▶ See separate instructions.

Name(s) shown on return

Your social security number

Jacqueline Wittmeyer and Christopher Hill

- A** Did you make any payments in 2011 that would require you to file Form(s) 1099? (see instructions) Yes No
B If "Yes," did you or will you file all required Forms 1099? Yes No

Part I **Income or Loss From Rental Real Estate and Royalties** Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see instructions). If you are an individual, report farm rental income or loss from Form 4835 on page 2, line 40.

Caution. For each rental property listed on line 1, check the box in the last column only if you owned that property as a member of a qualified joint venture (QJV) reporting income not subject to self-employment tax.

1	Physical address of each property—street, city, state, zip	Type—from list below	2	For each rental real estate property listed, report the number of days rented at fair rental value and days with personal use. See instructions.	Fair Rental	Personal	QJV	
					Days	Use Days		
A	residential rental				A	365		
B	465 Third Avenue, Salt Lake City, Utah 84103				B			
C					C			

Type of Property:

- 1 Single Family Residence 3 Vacation/Short-Term Rental 5 Land 7 Self-Rental
 2 Multi-Family Residence 4 Commercial 6 Royalties 8 Other (describe)

Income:		Properties		
		A	B	C
3a	Merchant card and third party payments. For 2011, enter -0-	3a		
b	Payments not reported to you on line 3a.	3b	23,845	
4	Total not including amounts on line 3a that are not income (see instructions)	4	23,845	
Expenses:				
5	Advertising	5	25	
6	Auto and travel (see instructions)	6		
7	Cleaning and maintenance	7	149	
8	Commissions	8		
9	Insurance	9	1470	
10	Legal and other professional fees	10		
11	Management fees	11	20	
12	Mortgage interest paid to banks, etc. (see instructions)	12	20,945	
13	Other interest	13		
14	Repairs	14	3,087	
15	Supplies	15	340	
16	Taxes	16	4,119	
17	Utilities	17	793	
18	Depreciation expense or depletion	18	9,620	
19	Other (list) ▶ trim 1 tree and remove 3 trees	19	600	
20	Total expenses. Add lines 5 through 19	20	41,168	
21	Subtract line 20 from line 4. If result is a (loss), see instructions to find out if you must file Form 6198	21	-17,323	
22	Deductible rental real estate loss after limitation, if any, on Form 8582 (see instructions)	22	(17,323)	
23a	Total of all amounts reported on line 3a for all rental properties	23a		
b	Total of all amounts reported on line 3a for all royalty properties	23b		
c	Total of all amounts reported on line 4 for all rental properties	23c		
d	Total of all amounts reported on line 4 for all royalty properties	23d		
e	Total of all amounts reported on line 12 for all properties	23e		
f	Total of all amounts reported on line 18 for all properties	23f		
g	Total of all amounts reported on line 20 for all properties	23g		
24	Income. Add positive amounts shown on line 21. Do not include any losses	24		
25	Losses. Add royalty losses from line 21 and rental real estate losses from line 22. Enter total losses here	25	(17,323)	
26	Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2.	26	-17,323	

**SCHEDULE E
(Form 1040)**

Supplemental Income and Loss

(From rental real estate, royalties, partnerships, S corporations, estates, trusts, REMICs, etc.)

OMB No. 1545-0074

2012

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to Form 1040, 1040NR, or Form 1041.

▶ Information about Schedule E and its separate instructions is at www.irs.gov/form1040.

Attachment
Sequence No. **13**

Name(s) shown on return

Your social security number

JACQUELINE WITTMAYER and CHRISTOPHER HILL

Part I **Income or Loss From Rental Real Estate and Royalties** Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see instructions). If you are an individual, report farm rental income or loss from Form 4835 on page 2, line 40.

- A Did you make any payments in 2012 that would require you to file Form(s) 1099? (see instructions) Yes No
- B If "Yes," did you or will you file required Forms 1099? Yes No

1a	Physical address of each property (street, city, state, ZIP code)
A	465 E 3RD AVE SALT LAKE CITY, UT 84103
B	
C	

1b	Type of Property (from list below)	2	Fair Rental Days		Personal Use Days	QJV
			A	B		
A	1	For each rental real estate property listed above, report the number of fair rental and personal use days. Check the QJV box only if you meet the requirements to file as a qualified joint venture. See instructions.	A			
B			B			
C			C			

Type of Property:

- 1 Single Family Residence 3 Vacation/Short-Term Rental 5 Land 7 Self-Rental
2 Multi-Family Residence 4 Commercial 6 Royalties 8 Other (describe)

Income:	Properties:	A	B	C
3 Rents received	3	24,543		
4 Royalties received	4			
Expenses:				
5 Advertising	5			
6 Auto and travel (see instructions)	6			
7 Cleaning and maintenance	7			
8 Commissions	8			
9 Insurance	9	1,470		
10 Legal and other professional fees	10			
11 Management fees	11			
12 Mortgage interest paid to banks, etc. (see instructions)	12	20,497		
13 Other interest	13			
14 Repairs	14	1,750		
15 Supplies	15	275		
16 Taxes	16	4,039		
17 Utilities	17	950		
18 Depreciation expense or depletion	18	9,620		
19 Other (list) ▶	19			
20 Total expenses. Add lines 5 through 19	20	38,601		
21 Subtract line 20 from line 3 (rents) and/or 4 (royalties). If result is a (loss), see instructions to find out if you must file Form 6198	21	-14,058		
22 Deductible rental real estate loss after limitation, if any, on Form 8582 (see instructions)	22	()		
23 a Total of all amounts reported on line 3 for all rental properties	23a	24,543		
b Total of all amounts reported on line 4 for all royalty properties	23b	0		
c Total of all amounts reported on line 12 for all properties	23c	20,497		
d Total of all amounts reported on line 18 for all properties	23d	9,620		
e Total of all amounts reported on line 20 for all properties	23e	38,601		
24 Income. Add positive amounts shown on line 21. Do not include any losses	24			0
25 Losses. Add royalty losses from line 21 and rental real estate losses from line 22. Enter total losses here	25			(0)
26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2	26			0

For Paperwork Reduction Act Notice, see your tax return instructions.

Attachment B
Board of Adjustment Findings & Order
September 29, 1980

October 14, 1980

Mr. Joseph W. Decker
465 Third Avenue
Salt Lake City, Utah 84103

Dear Mr. Decker:

Enclosed are the Findings and Order in Case No. 8449 before the Board of Adjustment.

Please note that said order is to expire six months from the dating of this order, and also the provisions by which your variance was granted.

Sincerely,

BOARD OF ADJUSTMENT

Connie Christiansen

Connie Christiansen
Acting Secretary

enc.

BEFORE THE BOARD OF ADJUSTMENT, SALT LAKE CITY, UTAH

FINDINGS AND ORDER, CASE NO. 8449

REPORT OF THE COMMISSION:

This is an appeal by Joseph W. Decker from the refusal of the Building Inspector of Salt Lake City, Utah, to issue a permit to construct a two-story detached garage at 465 Third Avenue, contrary to the provisions of the Zoning Ordinance in a Residential "R-2" District.

Joseph W. Decker and Paul Moore were present at the meeting. Mr. Barney explained that the lot is 49 1/2' wide and goes back on one side 165' and 140'3" on the other side. The proposal is for a two-story garage which is contrary to the Zoning Ordinance. A detached structure is only allowed to be one story with 10' to the top of the doorway. The height (14') is measured from the midpoint of the gable. Mr. Decker said what makes this exceed the height requirement is the steep gable. It is in spirit with the carriage house that used to be there. This will not be used as living quarters. The plans called for a fixed stairway but they could put a pull-down one. There are no windows. There are 2' by 4' ties every 16" and they could pull those down to the 6' height level in the attic to make it completely unusable. The usable space where it is 6' is only 4' wide. The height is merely from the steepness of the pitch. There will be a work space for storing tools and a work bench in the garage. Ms. Wilcox asked why they chose this plan. Mr. Decker said they moved into this house in February. They sent back to New England for a carriage house design because he heard the property had a carriage house or stable on it. He did research and found that was true. The Historical Landmark Committee has approved this. He wants something that will give him storage and be in keeping with the house. The Board asked if he would need electricity for the work space. Mr. Decker said all he needs is a 110. Mr. Moore said the area will be about 8' by 20' and part is taken up by a pull-down stairway. Mr. Decker said he wants to store his guns and wife's antiques and the basement does not have room for storage. The Board asked how this fit in with the Uniform Building Code. Mr. Nelson said they fit in. If the petitioner does not put in a window and makes it so it cannot be used for living quarters then it is alright for incidental home storage. Mr. Decker said there would not be any plumbing. There were no protests. Later in the meeting the various aspects of the case were reviewed. The Board noted that the petitioner will change the possibility of this being constructed as a two-story garage for living quarters. It will be modified so it is not two stories. There will be no special wiring or plumbing.

From the evidence before it, the Board is of the opinion that the petitioner would suffer an unnecessary hardship from a denial of the variance; that the spirit and intent of the Zoning Ordinance will be upheld and substantial justice done in the granting of the variance.

IT IS THEREFORE ORDERED that the variance be granted for a garage which exceeds the height limitation because of the steepness of the pitch provided the following provisions are met:

1. the roof ties be lowered in the attic so it cannot be used as two stories

2. there be a pull-down stairway rather than a permanent one.
3. there be no special plumbing or wiring.
4. there never be any commercial use.

Provided these restrictions are complied with, the decision of the Building Inspector is reversed and said officer directed to issue the required permits in accordance with the order and decision of the Board provided the construction plans show conformity to the requirements of the Uniform Building Code and all other City Ordinances applicable thereto; and provided such reduction or addition does not conflict with any private covenants or easements which may be attached to or apply to the property, all conditions of the Board to be fully complied with before the Building Inspector can give a certificate of occupancy or final inspection, said order to expire within six months from the dating of this order. This variance expires if work has not been started within six months.

THE FAILURE OF THE APPLICANT TO ABIDE BY THE CONDITIONS OF THIS VARIANCE SHALL CAUSE IT TO BECOME NULL AND VOID, WHICH IN EFFECT IS THE SAME AS THE VARIANCE HAVING BEEN DENIED.

Action taken by the Board of Adjustment at its meeting held Monday, September 29, 1980.

Dated at Salt Lake City, Utah, this 14th day of October, 1980.

J. Howard Dunn
Chairman *ms*

Connie Christensen
Acting Secretary

Attachment C
Public Input

Lew, Janice

From: Anne Albaugh [industrialservices@xmission.com]
Sent: Friday, October 11, 2013 4:27 PM
To: Lew, Janice
Subject: 465 3rd AVenue

Hi Janice...I object to adding rental units in our neighborhood. The home at the front of the property owned by Jacqueline Wittmeyer has already been transformed from a family owned and occupied home into a rental house...with poor results. Now..they want the rental unit (which is rented out now and has been rented for years) to be a legal unit. I think this is a mistake.

I vote NO.

Thanks,

Anne Albaugh
453 3rd Avenue
Salt Lake City, UT 84103
(801) 485-5251

Attachment D
Photograph



