

City of Provo, Utah

Notice of

OCCUPANCY RESTRICTION

Where Residential Structures Have Second Kitchens

"Existing Kitchen"

All prospective, current, and future owners, and heirs to the property identified below, are hereby notified that the residence is permitted the use of a second kitchen, so long as its use complies with the conditions specified in Section 14.34.440 of the Provo City Zoning Ordinance. Only single family residential structures located in an RA (Residential Agricultural), A1 (Agricultural), or R1 (Single Family Residential) Zone are permitted second kitchens. The property is described as follows:

Address: 744 East 3750 North
In Lot 15, Plat B, in the Valli-Hi Subd Subdivision
Provo City, Utah, or as otherwise described legally as follows:

ENT 76305:2003 PG 1 of 2
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2003 May 21 10:39 am FEE 0.00 BY SFS
RECORDED FOR PROVO CITY CORPORATION

Utah County Parcel No: 54:011:0015
with .37 (Acre or Percentage thereof). The property is located in the
R110 Zone, and 014 Grid.

The residence located at the above referenced address shall have only one front entrance, one address, and one electric meter. In accordance with the provisions allowing for a second kitchen, neither this document nor the existence of a second kitchen shall be interpreted as allowing for, or permitting, any form of accessory apartment or second living unit at this location. In those residences with a second kitchen, both present and future owners of the property must limit use of the single family residence to a family only.

Building Code Waiver: A building permit could not be located authorizing the addition of the second kitchen in the home referenced above. Because of this, Provo City cannot confirm compliance with Building Code requirements. By signing this document, I acknowledge that UBC Code requirements may not be met for the second kitchen in said home.

Community Development Approval by Matthew J. Taylor Date: 5/12/2003

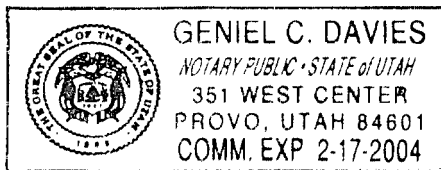
I/We, Janna Voss, as owner(s) of the subject property, declare this 8th day of April, 2003, that I/We understand the requirements for the creation/existence of a second kitchen in the residence identified above. In accordance with these requirements, I/We declare that I/We will in no way attempt to modify the existing residence in order to create an accessory apartment or a second living unit. Further, I/We agree that I/We shall allow Provo City staff to make an inspection of the subject home within reasonable hours, in order to determine compliance with the Provo City Ordinance regarding second kitchens in single family residences.

Signed: Janna D. Voss Date Signed: 4-8-03
Signed: Date Signed:

STATE OF UTAH)
COUNTY OF UTAH) SS.

On this 14th day of April, 2003, personally appeared before me, a Notary Public, Janna Voss and identified him/herself/themselves as the signer(s) of the foregoing instrument and who duly acknowledged that he/she/they executed the same.

Signed: Geniel C. Davies
NOTARY PUBLIC, in and for the County of
State of Utah. My Commission Expires: 2-17-04
Print Name: Geniel Davies



City of Provo, Utah - Community Development Department
PROVO CITY ORDINANCE REGARDING SECOND KITCHENS
IN SINGLE FAMILY RESIDENCES
Section 14.34.440 of the Provo City Zoning Ordinance

ENT 76305:2003 PG 2 of 2

PURPOSES OF ORDINANCE

1. Establishes criteria for allowing a second kitchen in single family residences which are located in the RA (Residential-Agricultural), A1 (Agricultural), and R1 (Single Family Residential) Zone; and
2. Distinguishes such allowance from that which would result in creation of a second dwelling unit or accessory apartment.

CONDITIONS FOR ALLOWING SECOND KITCHENS:

1. The home shall have only one front entrance.
2. The home shall have only one address.
3. An interior access shall be maintained to all parts of the home. This requirement is to assure that an accessory unit or apartment is not created. For example, there shall be no keyed and dead bolt locks, or other manner of limiting or restricting access from the second kitchen to the remainder of the home.
4. The home shall have no more than one electrical meter.
5. A second kitchen may exist only as part of the primary structure and may not be installed in an accessory or "out" building.
6. Upon request made by Provo City staff, the home owner shall allow within reasonable hours an inspection of the home which has a second kitchen, in order to determine compliance with this policy.
7. Property owner must sign a written document prescribed by Provo City which declares that the home will not be converted into two or more units without specific approval by authorized staff of both the Provo City Building Inspection and Zoning Divisions. Signature(s) on such a document shall be notarized and recorded with the Utah County Recorder's Office prior to issuance of a building permit and will remain as a part of the official records concerning the subject property.
8. Once a second kitchen is approved, both present and future owners of the property must limit use of the single family residence to a family only, thus waiving the right to also have unrelated persons reside in the structure.
9. Construction of any such kitchen would then be required to meet Uniform Building Code standards.