



\*W2080789\*



# Legal Conforming Certificate for a Two Family Dwelling

Re: Land Serial #: 05-016-0001   
Legal Description: PART OF LOT 1, KINGSTON HEIGHTS ANNEX, OGDEN CITY, WEBER COUNTY, UTAH.  
BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, RUNNING THENCE NORTH 0D58' EAST 99.4 FEET, THENCE  
NORTH 89D02' WEST 46.88 FEET, THENCE SOUTH 80D43' WEST 52.84 FEET, THENCE SOUTH 0D58' WEST 90 FEET,  
THENCE SOUTH 89D02' EAST 98.88 FEET TO THE POINT OF BEGINNING.

This is to certify that the two-family dwelling or duplex located at 3590 Polk Avenue was in legal existence prior to January 16, 2001 and, therefore, has a legal conforming status in accordance with Section 15-13-28 of the Zoning Ordinances of Ogden City, Utah, or its successor provision.

In addition to the use this legal conforming certificate acknowledges a legal right to the following:

**The site is limited to:**

- Three legal parking spaces where four are required.

**The building is limited to:**

- A rear yard setback of 17.5 feet where 30 feet is required.

Greg Montgomery,  
Manager Planning Division

State of Utah )  
                          ):SS  
County of Weber )

On this 14th day of January, 2005, personally appeared before me, Greg Montgomery, Manager of the Planning Division of the Community and Economic Development Department of Ogden City, Utah who acknowledged that he signed the above certificate on behalf of said City and that the statements contained therein are true.

JANNETTE BORKLUND  
NOTARY PUBLIC - STATE OF UTAH  
2548 WASHINGTON BLVD.  
SUITE 140  
OGDEN, UT 84401  
COMM. EXP. 04-02-2007

Notary Public

**Effect of "Legal Conforming" Status:** As a legal conforming two-family dwelling or duplex located in a Single-Family (R-1) Zone, the duplex will not be treated as a non-conforming use under the existing zoning ordinances. Legal conforming status will allow alterations, extensions, additions, or replacement of the duplex, without having to comply with the ordinances, reviews, and approvals otherwise required for non-conforming uses. Under the ordinance, this status will run with the property and the use may continue regardless of the existing zoning. Should the building be damaged or destroyed in any degree, the legal conforming status allows the building to be rebuilt as a two family dwelling provided the new construction does not extend into any of the required yard setbacks more than the original structure. If the building is reconstructed, it is also allowed to have the number of parking stalls existing as of the date of the issuance of the legal conforming certificate, provided the parking and access to the parking are paved with a concrete or asphalt surface. Any additional parking added to the site is also required to be located in legal locations and be hard surfaced with concrete or asphalt. Should the building be vacant for over a year time period it is still permitted to be used as a two family dwelling.

The legal conforming certificate does not exempt the owner/occupant from meeting other ordinances of the City applicable to the building. For instance, alterations, extensions, additions, or replacements to the structure, past or future will still be required to meet all building and housing codes.

E# 2080789 PG1 OF 1  
DOUG CROFTS, WEBER COUNTY RECORDER  
20-JAN-05 107 PM FEE \$.00 DEP KKA  
REC FOR: OGDEN.CITY