



E# 2164769 PG 1 UF 1 DOUG CROFTS, WEBER COUNTY RECORDER 07-MAR-06 1117 AM FEE \$.00 DEP SGC REC FOR: OGDEN CITY

Nonconforming Use & **Noncomplying Structure Certificate**

Land Serial #:

01-018-0040

Property Description: PART OF LOT 10, BLOCK 20, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY, UTAH: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 10; AND RUNNING THENCE NORTH 3 RODS, THENCE WEST 8 RODS, THENCE SOUTH 3 RODS, THENCE EAST 8 RODS TO PLACE OF BEGINNING.

This is to certify that Ogden City acknowledges the nonconforming use and non-complying structures at 2539-2543 Lincoln Avenue. The property is located in the CBD zone. This zone allows for three (3) or more dwelling units. However, the use of the property as a group dwelling (one single-family dwelling and one two-family dwelling on the same parcel) is subject to the following:

The nonconforming use is limited to:

A group dwelling consisting of one (1) single-family dwelling structure and one (1) two-family dwelling structure on the same parcel.

The non-complying structure is limited to:

A lot width of 49.5' where 50' is required.

A front yard setback of 12 1/2' where 20' is required.

Side yard setbacks of 2' and 2' where minimums of 6' and 10' are required.

A rear yard setback of 5 1/2' where 30' is required.

One (1) parking space on concrete tire runners where 6 side-by-side spaces are required.

Note: This Nonconforming Use & Noncomplying Structure Certificate does not acknowledge nor confer legal status for the lack of landscaping in the front and side yard areas. It is the owner's responsibility to install and maintain landscaping in all areas not used for legal parking and its access.

THE RIGHT OF THE NONCONFORMING USE SHALL BE LOST IF:

The buildings are allowed to deteriorate to a condition that renders them uninhabitable;

2. The owner voluntarily demolishes a majority of a building;

- 3. The use of the property is discontinued for a continuous period of one year; or
- 4. The buildings with the nonconforming use remain vacant for a continuous period of one year.

In the event that the structures are involuntarily damaged or destroyed by natural disaster or calamity, they may be rebuilt, provided the restoration is started within a period of one year from the damage and is diligently pursued to completion, and the non-complying conditions are not increased.

This nonconforming use or non-complying structures shall not be added to, nor enlarged in any manner, except by permit of the Ogden City Planning Commission.

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State of Utah

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County of Weber)

day of , 2006, 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.

